

**1999 DRAFTING REQUEST**

**Assembly Amendment (AA-AB803)**

Received: 03/07/2000

Received By: gibsom

Wanted: Soon

Identical to LRB:

For: Kitty Rhoades (608) 266-1526

By/Representing: Kevin Moore

This file may be shown to any legislator: NO

Drafter: gibsom

May Contact:

Alt. Drafters:

Subject: Nat. Res. - wet/shore/flood

Extra Copies:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Inapplicable to counties

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**Instructions:**

See Attached

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	gibsom 03/07/2000	csicilia 03/07/2000	martykr 03/07/2000 lrb_docadmin	_____	lrb_docadmin 03/07/2000	lrb_docadmin 03/07/2000	
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FE Sent For:

<END>

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1?	gibsom	1 cjs 3/7 oo	km 3/7	ch 3 km 7			

FE Sent For:

<END>

**ASSEMBLY AMENDMENT ,  
TO 1999 ASSEMBLY BILL 803**

1 At the locations indicated, amend the bill as follows:

2 1. Page 3, line 6: delete "ss. 59.69 (10), 60.61 (5) (a) and" and substitute "s."

3 2. Page 3, line 7: delete "counties,".

4 3. Page 3, line 8: after "towns" insert "exercising village powers".

5 (END)

TO: MARY GIBSON - GRASS  
FROM: MARK PATRONISIA

FOR REP RWADES

## Gibson-Glass, Mary

---

**From:** Moore, Kevin  
**Sent:** Tuesday, March 07, 2000 9:41 AM  
**To:** Gibson-Glass, Mary  
**Subject:** FW: Amendment to AB 803

Mary,

Here are some comments on the amendment for AB 803. I thought you might be interested in them.

Kevin Moore  
Office of Rep. Kitty Rhoades

-----Original Message-----

**From:** Meyer, Linda L  
**Sent:** Tuesday, March 07, 2000 8:53 AM  
**To:** Moore, Kevin  
**Cc:** Kluesner, Elizabeth M; Fennessy, Franc  
**Subject:** Amendment to AB 803

Kevin:

I have reviewed the amendment to 1999 AB 803 that Mark Patronsky faxed to me a few minutes ago. I don't see a problem with the proposed amendment. Since the Attorney General has issued an opinion (interpreting s. 59.69 (10), Stats.) that counties are already free to use other means besides the 50% limit to restrict structural repairs and alterations on nonconforming structures, it is my opinion that it is not necessary to include counties in the proposed s. 30.27 (2)(am). However, in rereading AB 803, I noticed one thing that should probably be changed. I think that the phrase "Notwithstanding s. 62.23 (7)(h)," should be moved to the beginning of the second sentence of the proposed s. 30.27 (2)(am). The adoption of guidelines and standards by the DNR that requires cities, villages and towns exercising village powers to impose limitations on structural repairs and structural alterations to nonconforming structures would not be in conflict with the existing s. 62.23 (7)(h). It is the second sentence, which provides for other limitations besides the 50% rule, that would conflict with s. 62.23 (7)(h) if it were not for the proposed amendment to s. 62.23 (7)(h) and the "notwithstanding" phrase. It would be a lot clearer to move "Notwithstanding s. 62.23 (7)(h)," to the beginning of the second sentence. Thank you for the opportunity to comment.

*Linda Meyer*

Bureau of Legal Services LS/5  
Dept. of Natural Resources  
P.O. Box 7921  
Madison, WI 53707-7921  
Phone: 608-266-7588  
Fax: 608-266-6983  
E-mail: MeyerL1@mail01.dnr.state.wi.us

1999

Date (time) needed

Wed 10:00 am

RMR

LRB a 1683 / 1

AMENDMENT

D-Note

Mbr : cjs :

See form AMENDMENTS — COMPONENTS & ITEMS.

S A AMENDMENT

TO S (A) AMENDMENT \_\_\_\_\_ (LRBa / ),

TO S A SUBSTITUTE AMENDMENT \_\_\_\_\_ (LRBs / ),

TO 1999 SB SJR SR (AB) AJR AR 803 (LRB- / )

At the locations indicated, amend the \_\_\_\_\_ as follows:

(fill ONLY if "engrossed ...." or "as shown by .....")

#. Page 3., line 6.: delete that line and substitute:

¶ "30.27(2)(am)"

#. Page 3., line 7.: substitute "The" for "the".

#. Page 3., line 7.: delete "counties,".

#. Page 3, line 8 : after "towns" insert "authorized to exercise village powers".

#. Page 3., line 9.: delete "The" and substitute "Notwithstanding S.62.23(7)(h), the".

#. Page . . . , line . . . :

D-N

~~As suggested by <sup>DNR</sup> attorney Linda Meyer of ~~DN~~~~

¶ As suggested by Attorney Linda Meyer from

DNR, I moved the notwithstanding phrase to the beginning of the second sentence.

MLG

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRBa1683/1dn  
MGG:cjs:km

March 7, 2000

As suggested by Attorney Linda Meyer from DNR, I moved the notwithstanding phrase to the beginning of the second sentence.

Mary Gibson-Class  
Senior Legislative Attorney  
Phone: (608) 267-3215