

2001 DRAFTING REQUEST

Bill

Received: **12/18/2000**

Received By: **gibsom**

Wanted: **Soon**

Identical to LRB:

For: **Administration-Budget 67973**

By/Representing: **Grinde**

This file may be shown to any legislator: **NO**

Drafter: **gibsom**

May Contact:

Alt. Drafters:

Subject: **Nat. Res. - nav. waters**

Extra Copies:

Pre Topic:

DOA:.....Grinde -

Topic:

Funding for dam repair in Cazenovia

Instructions:

See Attached

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>
/?	gibsom 12/18/2000	wjackson 12/21/2000		_____			S&L
/1			pgreensl 12/22/2000	_____	lrb_docadmin 12/22/2000		S&L
/2	rkite 01/11/2001	wjackson 01/11/2001	rschluct 01/11/2001	_____	lrb_docadmin 01/11/2001		S&L
/3	rkite 01/12/2001	wjackson 01/12/2001	martykr 01/12/2001	_____	lrb_docadmin 01/12/2001		

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FE Sent For:

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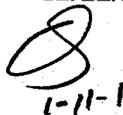
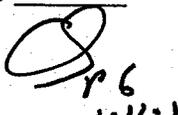
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FE Sent For:

 1-11-1
 1-11-1
 <END>

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/?	gibsom	/1 WLJ 12/21	12/21 PG.	12/21 PG/KM			

FE Sent For:

<END>



**WISCONSIN DEPARTMENT OF
ADMINISTRATION**

TOMMY G. THOMPSON
GOVERNOR

GEORGE LIGHTBOURN
SECRETARY

Division of Executive Budget and Finance
Post Office Box 7864
Madison, WI 53707-7864
Voice (608) 266-1736
Fax (608) 267-0372
TTY (608) 267-9629

Date: December 14, 2000

To: Steve Miller
Chief, Legislative Reference Bureau

From: Kirsten Grinde 
State Budget Office

Subject: 2001-03 Biennial Budget Statutory Language Proposal

The following is a statutory language proposal for the 2001-03 biennial budget. If you have any questions, please contact me at 266 7973 or kirsten.grindc@doa.statc.wi.us.

The intent of this request is to require the Department of Natural Resources to provide up to \$250,000 in funding to the village of Cazenovia for the repair of a dam located in the village. If the repairs cost less than \$250,000, the remaining funds must be used for dam safety projects. At the current time, it is expected that the funding would come from conservation fund-supported bonding. This request is similar to 1999 Senate Bill 443.

-4501/2

154111 RM
LRB-450122 Not
MGG: [initials] R
budget
soon
D-Note

1999 SENATE BILL 443

March 7, 2000 - Introduced by Senators SCHULTZ and CHVALA, cosponsored by Representative ALBERS. Referred to Committee on Agriculture, Environmental Resources and Campaign Finance Reform.

NATURAL RESOURCES
CS NAVIGABLE WATERS

DO NOT GEN

1 AN ACT to amend 31.385 (2) (d); and to create 20.370 (5) (ae) and 31.308 of the
2 statutes; relating to: funding to repair a dam located in the village of
3 Cazenovia and making an appropriation.

Analysis by the Legislative Reference Bureau

Under current law, the department of natural resources (DNR) administers a dam safety program that is funded by state bonding and that provides matching grants to municipalities and public inland lake protection and rehabilitation districts for the purpose of conducting dam safety projects that DNR has determined need to be done.

Under this bill, DNR must provide up to \$250,000 in funding from general purpose revenues to the village of Cazenovia for the repair of a dam located in the village. If the repairs cost less than \$250,000, the remaining amount must be used by DNR for projects under the dam safety program.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

4 SECTION 1. 20.005 (3) (schedule) of the statutes: at the appropriate place, insert
5 the following amounts for the purposes indicated:

SENATE BILL 443

SECTION 1

1				1999-00	2000-01
2	20.370	Natural resources, department of			
3	(5)	CONSERVATION AIDS			
4	(ae)	Resource aids — dam safety pro-			
5		jects	GPR	C	250,000
					-0-

SECTION 2. 20.370 (5) (ae) of the statutes is created to read:

20.370 (5) (ae) *Resource aids — dam safety projects.* As a continuing appropriation, from the general fund, the amounts in the schedule for dam safety projects under ss. 31.308[✓] and 31.385[✓].

← xxx [Bud note]

SECTION 3. 31.308[✓] of the statutes is created to read:

31.308 Dam in village of Cazenovia. The department shall provide to the village of Cazenovia the amount necessary for a dam safety project to repair a dam that is located in the portion of the village that is in Richland^{County}, but the amount provided may not exceed \$250,000. If the amount provided to the village of Cazenovia is less than \$250,000, the department shall use the remaining amount as financial assistance under the financial assistance program for dam safety projects under s. 31.385[✓].

SECTION 4. 31.385 (2) (d)[✓] of the statutes is amended to read:

31.385 (2) (d) The financial assistance shall be paid from the appropriations under s. 20.370 (5) (ae)[✓] and 20.866 (2) (tL) and (tx), except as provided in 1991 Wisconsin Act 39, section 9142 (10d).

(END)

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB
.....
MGG:WLj:

It is highly possible that a Wisconsin court would find this legislation to be a "private or local bill" which, under Article IV, section 18, of the Wisconsin constitution, must be enacted as single-subject legislation. If this legislation is a "private or local bill" it cannot validly be enacted as part of the budget bill, which clearly encompasses more than one subject. In light of this, you may wish to consider introduction of this legislation as a separate bill.

Mary Gibson-Glass
Senior Legislative Attorney
267-3215

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1541/1dn
MGG:wlj.pg

December 21, 2000

It is highly possible that a Wisconsin court would find this legislation to be a "private or local bill" which, under article IV, section 18, of the Wisconsin constitution, must be enacted as single-subject legislation. If this legislation is a "private or local bill," it cannot validly be enacted as part of the budget bill, which clearly encompasses more than one subject. In light of this, you may wish to consider introduction of this legislation as a separate bill.

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

Kite, Robin

From: Grinde, Kirsten
Sent: Wednesday, January 10, 2001 10:01 PM
To: Kite, Robin
Subject: LRB-1541/1 - Funding for dam repair in Cazenovia

Robin,

This is one of Mary's drafts, but since she will be gone for a few days, would you please make the following changes to LRB-1541/1:

1. Increase the bonding authority under s. 20.866 (2) (tL) by \$250,000.
2. Remove Section 1 which creates s. 20.370 (5) (ae).
3. Remove Section 3.

We would fund the dam repair at Cazenovia out of segregated revenue supported bonding. Let me know if you have any questions.

Thanks,

Kirsten

State Budget Office
Department of Administration
101 E. Wilson St., 10th floor
Madison, WI 53707-7864

voice: (608) 266-7973
fax: (608) 267-0372
e-mail: kirsten.grinde@doa.state.wi.us



(soon)
State of Wisconsin
2001 - 2002 LEGISLATURE

RMR
/2

LRB-1541/2
MGG: [initials]
WJ
+ RNK

DOA:.....Grinde - Funding for dam repair in Cazenovia

FOR 2001-03 BUDGET - NOT READY FOR INTRODUCTION

DO NOT GEN

1 AN ACT ...; relating to: funding to repair a dam located in the village of Cazenovia
2 and making an appropriation

under this program

Analysis by the Legislative Reference Bureau

NATURAL RESOURCES ✓

NAVIGABLE WATERS ✓

Under current law, DNR administers a dam safety program that is funded by state bonding and that provides matching grants to municipalities and public inland lake protection and rehabilitation districts for the purpose of conducting dam safety projects that DNR has determined need to be done ~~necessary~~

Under this bill, DNR must provide up to \$250,000 in funding from ~~state~~ ~~purpose revenue~~ to the village of Cazenovia for the repair of a dam located in the village. ~~If the repairs cost less than \$250,000, the remaining amount must be used by DNR for projects under the dam safety program.~~

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 SECTION 1. 20.370 (5) (ae) of the statutes is created to read:

\$ 250,000

12

1 ~~20.370 (5) (ae) Resource aids — dam safety projects. As a continuing~~
2 ~~appropriation, from the general fund, the amounts in the schedule for dam safety~~
3 ~~projects under ss. 31.308 and 31.385.~~

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 2. 31.308 of the statutes is created to read:

5 **31.308 Dam in village of Cazenovia.** The department shall provide to the
6 village of Cazenovia the amount necessary for a dam safety project to repair a dam
7 that is located in the portion of the village that is in Richland County, but the amount
8 provided may not exceed \$250,000. If the amount provided to the village of
9 Cazenovia is less than \$250,000, the department shall use the remaining amount as
10 financial assistance under the financial assistance program for dam safety projects
11 under s. 31.385.

SECTION 3. 31.385 (2) (d) of the statutes is amended to read:

13 31.385 (2) (d) The financial assistance shall be paid from the appropriations
14 under s. ss. 20.370 (5) (ae) and 20.866 (2) (tl) and (tx), except as provided in 1991
15 Wisconsin Act 39, section 9142 (10d).

(END)

Insert
2-15

16

BILL

Insert 2-15

1 SECTION 1. 31.385 (5) of the statutes is created to read:

2 31.385 (5) Notwithstanding the limitations under sub. (2) (a) and the funding

3 allocation requirements under sub. (2) (ag) and (ar), the department shall provide

4 financial assistance to ~~a~~ ^{the of Cayenouira} village that is located in Sauk County and in Richland

5 ~~County~~ ^{for a dam safety project} in the amount necessary to repair a dam that is located in the portion of the

6 village that is in Richland County. The amount of the financial assistance may not

7 exceed \$250,000. The village need not contribute to the repair costs, and sub. (2) (c)

8 does not apply to this dam safety project. The repair of this dam need not be included

9 as a dam safety project under the inventory maintained by the department under

10 sub. (4) ^{for the village} in order to receive financial assistance under this section.

11

(END)

Kite, Robin

From: Grinde, Kirsten
Sent: Thursday, January 11, 2001 8:11 PM
To: Kite, Robin
Subject: LRB-1541/2 - Funding for dam repair in Cazenovia

Robin,

For LRB-1541/2, please make the following change:

1. Increase the bonding authority under s. 20.866 (2) (tL) by \$250,000. The total bonding authority (public debt) under s. 20.866 (2) (tL) would be \$6,600,000.

Thanks,

Kirsten

State Budget Office
Department of Administration
101 E. Wilson St., 10th floor
Madison, WI 53707-7864

voice: (608) 266-7973
fax: (608) 267-0372
e-mail: kirsten.grinde@doa.state.wi.us



DOA:.....Grinde - Funding for dam repair in Cazenovia
FOR 2001-03 BUDGET - NOT READY FOR INTRODUCTION

DO NOT GEN

1 AN ACT ...; relating to: funding to repair a dam located in the village of
2 Cazenovia.

Analysis by the Legislative Reference Bureau
NATURAL RESOURCES

NAVIGABLE WATERS

Under current law, DNR administers a dam safety program that is funded by state bonding and that provides matching grants to municipalities and public inland lake protection and rehabilitation districts for the purpose of conducting dam safety projects that DNR has determined necessary.

Under this bill, DNR must provide up to \$250,000 in funding from this program to the village of Cazenovia for the repair of a dam located in the village.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Insert
1-3

3 SECTION 1. 31.385 (5) of the statutes is created to read:
4 31.385 (5) Notwithstanding the limitations under sub. (2) (a) and the funding
5 allocation requirements under sub. (2) (ag) and (ar), the department shall provide

1 financial assistance to the village of Cazenovia in the amount necessary for a dam
2 safety project to repair a dam that is located in the portion of the village that is in
3 Richland County. The amount of the financial assistance may not exceed \$250,000.
4 The village need not contribute to the repair costs, and sub. (2) (c) does not apply to
5 this dam safety project. The repair of this dam need not be included as a dam safety
6 project under the inventory maintained by the department under sub. (4) for the
7 village to receive financial assistance under this section.

8

(END)

2001-2002 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1541/3ins.
RNK.....

*
SECTION 14 20.866 (2) (tL) of the statutes is amended to read:

20.866 (2) (tL) *Natural resources; segregated revenue supported dam safety projects.* From the capital improvement fund, a sum sufficient for the department of natural resources to provide financial assistance to counties, cities, villages, towns and public inland lake protection and rehabilitation districts for dam safety projects under s. 31.385. The state may contract public debt in an amount not to exceed ~~\$6,350,000~~ \$6,600,000 for this purpose.

History: 1971 c. 42; 1971 c. 100 s. 23; 1971 c. 125, 211, 215, 236, 307, 330, 336; 1973 c. 90 ss. 148 to 149m, 555m (2); 1973 c. 333; 1975 c. 26, 39, 40, 41, 200, 224, 422; 1977 c. 4, 6; 1977 c. 29 ss. 385 to 387, 1650m (4), 1656 (43); 1977 c. 418; 1979 c. 4; 1979 c. 34 ss. 675a to 677v, 2102 (6) (a), (39) (a), (52) (a); 1979 c. 107, 221; 1981 c. 1 ss. 17, 18, 47; 1981 c. 20, 108, 317, 336; 1983 a. 27; 1983 a. 36 s. 96 (4); 1983 a. 97, 192, 195, 212; 1983 a. 410 s. 2202 (2); 1985 a. 6; 1985 a. 8 ss. 4, 12; 1985 a. 29 ss. 589m to 598, 3202 (23) (c), (26) (a), (53) (a); 1985 a. 77, 120, 332; 1987 a. 27, 295, 298, 399, 403, 409; 1989 a. 31, 46, 107, 122, 219, 336, 359, 366; 1991 a. 39, 51, 269, 309, 324; 1993 a. 2, 16, 98, 115, 213, 343, 377, 413, 437, 453, 485; 1995 a. 27 ss. 1159 to 1168s, 9126 (19), 9145 (1); 1995 a. 40, 57, 60, 113; 1995 a. 216, s. 30m and 9127; 1995 a. 227, 246, 372, 388, 416, 452; 1997 a. 27, 35, 61, 164, 237, 252; 1999 a. 4, 9, 146; 1999 a. 150 s. 672; 1999 a. 184.



State of Wisconsin
2001 - 2002 LEGISLATURE

LRB-1541/3
MGG&RNK:wlj:km

DOA:.....Grinde – Funding for dam repair in Cazenovia

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

1 AN ACT ...; relating to: funding to repair a dam located in the village of
2 Cazenovia.

Analysis by the Legislative Reference Bureau

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NAVIGABLE WATERS

Under current law, DNR administers a dam safety program that is funded by state bonding and that provides matching grants to municipalities and public inland lake protection and rehabilitation districts for the purpose of conducting dam safety projects that DNR has determined necessary.

Under this bill, DNR must provide up to \$250,000 in funding from this program to the village of Cazenovia for the repair of a dam located in the village.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 SECTION 1. 20.866 (2) (tL) of the statutes is amended to read:
4 20.866 (2) (tL) *Natural resources; segregated revenue supported dam safety*
5 *projects.* From the capital improvement fund, a sum sufficient for the department

1 of natural resources to provide financial assistance to counties, cities, villages,
2 towns, and public inland lake protection and rehabilitation districts for dam safety
3 projects under s. 31.385. The state may contract public debt in an amount not to
4 exceed ~~\$6,350,000~~ \$6,600,000 for this purpose.

5 **SECTION 2.** 31.385 (5) of the statutes is created to read:

6 31.385 (5) Notwithstanding the limitations under sub. (2) (a) and the funding
7 allocation requirements under sub. (2) (ag) and (ar), the department shall provide
8 financial assistance to the village of Cazenovia in the amount necessary for a dam
9 safety project to repair a dam that is located in the portion of the village that is in
10 Richland County. The amount of the financial assistance may not exceed \$250,000.
11 The village need not contribute to the repair costs, and sub. (2) (c) does not apply to
12 this dam safety project. The repair of this dam need not be included as a dam safety
13 project under the inventory maintained by the department under sub. (4) for the
14 village to receive financial assistance under this section.

15 (END)