

2001 DRAFTING REQUEST

Senate Amendment (SA-SB55)

Received: 06/06/2001

Received By: rkite

Wanted: As time permits

Identical to LRB:

For: Legislative Fiscal Bureau

By/Representing: Hotynski

This file may be shown to any legislator: NO

Drafter: rkite

May Contact:

Addl. Drafters:

Subject: Nat. Res. - LWSR stewardship

Extra Copies:

Submit via email: NO

Requester's email:

Pre Topic:

LFB:.....Hotynski -

Topic:

Stewardship funding for a conservation law enforcement museum

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>
/1	rkite 06/07/2001	csicilia 06/07/2001	kfollet 06/07/2001	_____	lrb_docadmin 06/07/2001		
/2	rkite 06/10/2001	csicilia 06/10/2001	kfollet 06/10/2001	_____	lrb_docadmin 06/10/2001		
/3	rkite 06/10/2001	csicilia 06/10/2001	kfollet 06/10/2001	_____	lrb_docadmin 06/11/2001		

Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

FE Sent For:

<END>

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/2	rkite 06/10/2001	csicilia 06/10/2001	kfollet 06/10/2001	_____	lrb_docadmin 06/10/2001		

FE Sent For:

13 cjs 6/10
01
kjf
6/10
kjf/self
6/10

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FE Sent For:							

<END>

MO#		
Burke	Y	N
Decker	Y	N
Moore	Y	N
Shibilski	Y	N
Plache	Y	N
Wirch	Y	N
Darling	Y	N
Welch	Y	N
Gard	Y	N
Kaufert	Y	N
Albers	Y	N
Duff	Y	N
Ward	Y	N
Huebsch	Y	N
Huber	Y	N
Coggs	Y	N

9-7
pass

Senator Burke
Representative Gard

NATURAL RESOURCES - DEPARTMENTWIDE

Stewardship -- Conservation Law Enforcement Museum

Motion:

Move to require DNR to provide \$250,000 from the Warren Knowles-Gaylord Nelson Stewardship 2000 property development and local assistance subprogram for the development of a Conservation Law Enforcement Museum. Specify that for every \$1 received by DNR from private grants, gifts, or bequests for the project, \$1 would be provided from Stewardship funds to match the donation, up to \$250,000.

Note:

Under current law, \$46 million in general obligation bonding authority is available annually under the Warren Knowles-Gaylord Nelson Stewardship 2000 program. Under the stewardship biennial spending plan approved by the Natural Resources Board, \$7.25 million of the \$34.5 million for general land acquisition would be earmarked for grants to non-profit conservation organizations, leaving \$19 million available for DNR land acquisition (after \$8.3 million is set aside to account for the \$25 million Great Addition purchase in 1999). Of the \$11.5 million available for property development and local assistance, \$4.5 million would be allocated for property development, and \$7 million for local assistance grants.

The Conservation Law Enforcement Museum is being developed at the McKenzie Environmental Center near Poynette. To date, approximately \$200,000 in donations has been raised from individuals and organizations.



State of Wisconsin
2001 - 2002 LEGISLATURE

LRBb0647/1

RNK

SOON
P-Note

g
js

LFB:.....Hotynski – Stewardship funding for a conservation law enforcement museum

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

LFB AMENDMENT

TO 2001 SENATE BILL 55 AND 2001 ASSEMBLY BILL 144

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

2 1. Page 614, line 17: after that line insert:

3 "SECTION 1034j. 23.0917 (4) (a) of the statutes is amended to read:

4 23.0917 (4) (a) Beginning with fiscal year 2000-01 and ending with fiscal year
5 2009-10, the department may obligate moneys under the subprogram for property
6 development and local assistance. Moneys obligated under this subprogram may be
7 only used for nature-based outdoor recreation, except as provided under par. (c) 4.

History: 1999 a. 9, 185.

8 SECTION 1034t. 23.0917 (4) (c) 4. of the statutes is created to read:

9 23.0917 (4) (c) 4. Development of a conservation law enforcement museum
10 under s. 23.197 (8)."

11 2. Page 615, line 20: after that line insert:

1 "SECTION 1039m. 23.197 (8) of the statutes is created to read:

2 23.197 (8) CONSERVATION LAW ENFORCEMENT MUSEUM. From the appropriation
3 under s. 20.866 (2) (ta), the department shall provide funding in the amount of
4 \$250,000 for the development of a conservation law enforcement museum.
5 Expenditures under this paragraph shall be made in a manner such that, for every
6 \$1 received by the department from private grants, gifts, or bequests for the
7 development of the museum, \$1 will be expended from the moneys under this
8 subsection. For the purposes of s. 23.0917, moneys provided under this subsection
9 from the appropriation under s. 20.866 (2) (ta) shall be treated as moneys obligated
10 under the subprogram for property development and local assistance."

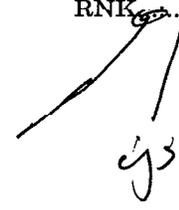
11 (END)

subsection

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb0647/1dn

RNK/...

Handwritten signature and initials, possibly 'gjs', written in black ink.

Rebecca Hotynski:

It is possible that a Wisconsin court would find that this amendment is a "private or local law" which, under art. IV, sec. 18 of the Wisconsin Constitution, must be enacted as single-subject legislation. If so, this amendment cannot validly be enacted as part of the budget bill, which clearly encompasses more than one subject. Under *Milwaukee Brewers Baseball Club v. Wisconsin Dept. of Health and Social Services*, 130 Wis. 2d 79, 115 (1986), "a legislative provision which is specific to any person, place or thing is a private or local law within the meaning of art. 4, sec. 18, unless: 1) the general subject matter of the provision relates to a state responsibility of statewide dimension; and 2) its enactment will have direct and immediate effect on a specific statewide concern or interest." As it is difficult to predict the potential for and outcome of any court action on this amendment, the committee may wish to consider introducing this proposal as a separate bill.

I have assumed for purposes of this draft that the funding for the conservation law enforcement museum is being obligated for property development as opposed to local assistance. Is my assumption correct?

Robin N. Kite
Legislative Attorney
Phone: (608) 266-7291
E-mail: robin.kite@legis.state.wi.us

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb0647/1dn
RNK:cjs:cmh

June 7, 2001

Rebecca Hotynski:

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soon
State of Wisconsin
2001 - 2002 LEGISLATURE

12
LRBb0647
RNK: ~~cmh~~
cjs

D-Note

LFB:.....Hotynski – Stewardship funding for a conservation law enforcement museum

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

LFB AMENDMENT

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4 23.0917 (4) (a) Beginning with fiscal year 2000–01 and ending with fiscal year
5 2009–10, the department may obligate moneys under the subprogram for property
6 development and local assistance. Moneys obligated under this subprogram may be
7 only used for nature-based outdoor recreation, except as provided under par. ~~(b)~~ *(cm)*

8 ~~SECTION 1034t. 23.0917 (4) (b) 4. of the statutes is created to read:~~

9 ~~23.0917 (4) (c) 4. Development of a conservation law enforcement museum~~
10 ~~under s. 23.197 (8).”~~

*Insert
1-10* →

11 **2.** Page 615, line 20: after that line insert:

1 **“SECTION 1039m.** 23.197 (8) of the statutes is created to read:

2 23.197 (8) CONSERVATION LAW ENFORCEMENT MUSEUM. From the appropriation
3 under s. 20.866 (2) (ta), the department shall provide funding in the amount of
4 \$250,000 for the development of a conservation law enforcement museum.
5 Expenditures under this subsection shall be made in a manner such that, for every
6 \$1 received by the department from private grants, gifts, or bequests for the
7 development of the museum, \$1 will be expended from the moneys under this
8 subsection. For the purposes of s. 23.0917, moneys provided under this subsection
9 from the appropriation under s. 20.866 (2) (ta) shall be treated as moneys obligated
10 under the subprogram for property development and local assistance.”.

11

(END)

2001-2002 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0647/2ins.
RNK.....

Insert 1-10

SECTION 1034r. 23.0917 (4) (cm) of the statutes is created to read:

23.0917 (4) (cm) Notwithstanding pars. (b) and (c), moneys may be obligated ~~for~~ ^{from} property development or ^{from} local assistance under the subprogram for property development and local assistance for ~~fundings~~ ^{to develop} a conservation law enforcement museum under s. 23.197 (8)."

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developing

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb0647/2dn

RNK.....Y:....

ejs

Rebecca Hotynski:

In accordance with my conversation with Daryl Hinz, I have redrafted this draft to clarify that the funding for the conservation law enforcement museum may be obligated ~~from either the~~ property development ~~part~~ or ~~the~~ local assistance ~~part~~ of the subprogram for property development and local assistance. Please let me know if you have any questions concerning this draft.

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DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb0647/2dn
RNK:ajs:kjf

June 10, 2001

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LFB:.....Hotynski – Stewardship funding for a conservation law enforcement museum

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6 development and local assistance. Moneys obligated under this subprogram may be
7 only used for nature-based outdoor recreation, except as provided under par. (cm).

8 **SECTION 1034r.** 23.0917 (4) (cm) of the statutes is created to read:

9 23.0917 (4) (cm) Notwithstanding pars. (b) and (c), moneys may be obligated
10 from ~~property development or from local assistance under~~ the subprogram for

1 property development and local assistance for funding for the purpose of developing
2 a conservation law enforcement museum under s. 23.197 (8).”.

3 **2.** Page 615, line 20: after that line insert:

4 **“SECTION 1039m.** 23.197 (8) of the statutes is created to read:

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6 under s. 20.866 (2) (ta), the department shall provide funding in the amount of
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14 (END)

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