

2001 DRAFTING REQUEST

Senate Amendment (SA-SSA1-SB55)

Received: **06/15/2001**

Received By: **shoveme**

Wanted: **As time permits**

Identical to LRB:

For: **Senate Democratic Caucus 6-2257**

By/Representing: **Keckhaver**

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

Drafter: **shoveme**

May Contact:

Addl. Drafters:

Subject: **Munis - zoning
Counties - zoning**

Extra Copies:

Submit via email: **NO**

Requester's email:

Pre Topic:

SDC:.....Keckhaver - CN7502,

Topic:

Repeal the sunset of the Dane County regional planning commission

Instructions:

See Attached. Repeal sunset of Dane County RPC from 1999 WI Act 9 (the budget)

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	shoveme 06/16/2001	jdyer 06/16/2001	rschluet 06/16/2001	_____	lrb_docadmin 06/16/2001		

FE Sent For:

<END>

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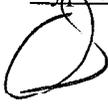
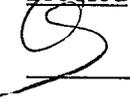
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Repeal the sunset of the Dane County regional planning commission

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See Attached. Repeal sunset of Dane County RPC from 1999 WI Act 9 (the budget)

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11 MES 6/15/01							
FE Sent For:				6-16-1			

<END>

Agency: Department of Administration
Dane County Regional Planning Commission
Fiscal Bureau Paper: None - New Item
Fiscal Bureau Motion: None - New Item
Fiscal Effect: None

CU
1500

1999 Wisconsin Act 9 contained a nonstatutory provision that dissolved and recreated the Dane County Regional Planning Commission. The language also dictated that the new Commission be dissolved on October 1, 2001.

The arrangement was predicated on the assumption that a multi-county plan commission would be formed to carry out planning functions for the area. There is no evidence to suggest that a multi-county commission will be created. Should the Dane County RPC be dissolved as scheduled, Dane County would be left with no planning entity.

~~Extend the October 1, 2001 date or preferably remove the sunset.~~

per John

Let Khavel

MCS

Shovers, Marc

From: Olin, Rick
Sent: Friday, June 15, 2001 11:37 AM
To: Shovers, Marc
Subject: SDC Dane County RPC Proposal

The material we got from the SDC was ambiguous as to repeal or delay of the sunset. They opted for repeal. Attached is my write-up based on material from John Keckhaver.



senateeatapeach.doc

Funding Positions	
GPR	-\$

1. DANE COUNTY REGIONAL PLANNING COMMISSION

Senate: Delete the 1999 Act 9 provision that dissolves the Dane County Regional Planning Commission on October 1, 2002. Remove related provisions regarding unexpended funds and outstanding indebtedness.

§ 9158 Nonstatutes; other

1999 Wisconsin Act 9

1999 Assembly Bill 133

Vetoed
In Part

the report. The Milwaukee school construction board shall approve the report, any modifications to the report, and shall submit the report, including a recommendation of the amount of bonding necessary for school construction to the joint committee on finance and the senate and assembly education committees by June 1, 2000.

Vetoed
In Part
Vetoed
In Part

(b) The joint committee on finance shall review the report under paragraph (ar) and may modify the report. The committee shall approve the report, and any modifications to the report, by September 1, 2000.

(bm) If a member of the senate or assembly education committees requests a hearing within 30 days after submission of the report under paragraph (a), the member's committee shall hold a hearing on the report within 2 weeks after the request.

(c) Notwithstanding section 121.85 (6) (ar) of the statutes, as created by this act, the department of public instruction may not distribute any aid under section 121.85 (6) (ar) of the statutes, as created by this act, to the board of school directors of the school district operating under chapter 119 of the statutes in the 2000-01 fiscal year until the report is approved by the joint committee on finance under paragraph (b).

(7x) TRUST LANDS IN TAX INCREMENTAL DISTRICT; GOVERNOR'S CONCURRENCE.

(a) Except as provided in paragraph (b), the governor may not concur with the determination of the U.S. secretary of the interior, as described in 25 USC 2719 (b) (1) (A), that a gaming establishment on land acquired by the secretary in trust for an Indian tribe after October 17, 1988, would not be detrimental to the surrounding area if the land on which the gaming establishment is located, or is proposed to be located, is in a tax incremental district.

(b) The prohibition on concurrence under paragraph (a) does not apply if the governor determines that appropriate arrangements have been made to ensure that the life of the tax incremental district described in paragraph (a) will not be extended for a greater number of years than the district would have existed if the land on which the gaming establishment is located, or is proposed to be located, were not part of the tax incremental district.

Vetoed
In Part

(8c) REPORT ON ENVIRONMENTAL LAW ENFORCEMENT TRAINING. The department of justice and the department of natural resources shall jointly review educational materials and training objectives prepared by the Midwest Environmental Enforcement Association. The review shall be conducted in consultation with instructors and other staff from law enforcement training academies. The department of justice and the department of natural resources shall jointly prepare a written report of their review and shall submit the report to the cochairpersons of the joint committee on finance for consideration at the 2nd quarterly meeting of the committee under section 13.10 of the statutes in the year 2000. The report

shall include recommendations concerning all of the following:

Vetoed
In Pa
Vetoed
In Part

(a) Using the Roll Call Law format of the department of justice to produce an environmental law enforcement training video for distribution to law enforcement agencies and law enforcement training academies.

(b) Developing an environmental law enforcement training seminar for presentation at regional training events.

(c) Producing an environmental law enforcement training presentation in optical disk or electronic format.

(d) Using techniques of distance education, as defined in section 24.60 (1g) of the statutes, to provide environmental law enforcement training.

(e) Funding any environmental law enforcement training proposals under paragraphs (a) to (d) using law enforcement training funds from the department of justice and fish and wildlife funds and environmental funds from the department of natural resources.

(8w) DANE COUNTY REGIONAL PLANNING COMMISSION.

(a) Notwithstanding the composition of the membership of the Dane County regional planning commission that is determined under section 66.945 (3) (b) of the statutes and the terms for such regional planning commission members that are determined under section 66.945 (3) (c) of the statutes, no commissioner of the Dane County regional planning commission who holds office on the 30th day after the effective date of this paragraph may remain in his or her office beyond that date unless he or she is reappointed under paragraph (b).

(b) Beginning on the 31st day after the effective date of this paragraph, the Dane County regional planning commission shall consist of the following members, subject to paragraph (c):

1. Four members who are appointed by the mayor of the city of Madison.

2. Three members who are appointed by the governor from a list of names submitted by an association representing towns that is in existence on January 1, 1999.

3. Three members who are appointed by the governor from a list of names submitted jointly by an association representing villages and by an association representing 3rd and 4th class cities, both of which are in existence on January 1, 1999.

Vetoed
In Part
Vetoed
In Part

4. Three members who are appointed by the Dane County executive, one of whom shall be a resident of the city of Madison, one of whom shall be a resident of a town that is located in Dane County and one of whom shall be a resident of a village or a 3rd or 4th class city that is located in whole or in part in Dane County.

(c) Not more than 3 of the members appointed under paragraph (b) may be members of the Dane County board. If more than 3 members of the Dane County board are appointed under paragraph (b), the first 3 Dane

County board members who are appointed shall be on the Dane County regional planning commission and the individual who appointed Dane County board members who may not be on the commission shall appoint other individuals for those positions on the commission.

(d) For any action taken by the Dane County regional planning commission in any of the following areas, a supermajority of 8 votes is required:

1. Any changes to an urban service area, as designated under 33 USC 1288.

2. Any changes to the Dane County land use and transportation plan.

(e) Notwithstanding the procedures for dissolution of a regional planning commission that are specified under section 66.945 (15) of the statutes, the Dane County regional planning commission shall be dissolved on October 1, 2002. All unexpended funds of the commission on that date shall be applied to any outstanding indebtedness of the commission. If any outstanding indebtedness of the commission remains after the application of the unexpended funds to such debts, the remaining indebtedness shall be assessed to Dane County. If the commission has no outstanding indebtedness and has unexpended funds, such funds shall be returned to the cities, villages, towns or county that supplied them.

(8zo) ELECTED MEMBERS, CITIZEN MEMBERS OF LOCAL PLANNING COMMISSIONS.

(a) Notwithstanding section 62.23 (1) (c), 1997 stats., an alderperson, village board member or town board member who is elected by his or her colleagues in April 1999 to serve on a city, village or town planning commission under section 62.23 (1) (b), 1997 stats., may serve on the planning commission until April 2000.

(b) A citizen member of a city, village or town planning commission who is appointed under section 62.23 (1) (c), 1997 stats., may serve on the planning commission until the expiration of the term to which he or she was appointed.

(9c) TOBACCO CONTROL BOARD; POSITION AUTHORIZATION. There is authorized for the tobacco control board 1.0 FTE SEG executive director position and 1.0 FTE SEG other position to be funded from the appropriation under section 20.436 (1) (tb) of the statutes, as created by this act.

(9g) WINNEBAGO COUNTY CLAIM. There is directed to be expended from the appropriation under section 20.510 (1) (a) of the statutes, as affected by the acts of 1999, \$2,087 in payment of a claim against the state made by Winnebago County to compensate the county for the cost of reprinting ballots for the 1988 general election that were found by the state elections board to be out of conformity with state law. Acceptance of this payment releases this state and its officers, employees and agents from any further liability with respect to the county's defective ballots for the 1988 general election.

(9z) HIGHER EDUCATIONAL AIDS BOARD; POSITION DECREASE. The authorized FTE positions for the higher educational aids board, funded from the appropriation under section 20.235 (2) (qb) of the statutes, are decreased by 0.86 SEG position.

(10g) LAPSES FROM CERTAIN APPROPRIATIONS FROM WHICH MEMBERSHIP DUES IN STATE AND NATIONAL ORGANIZATIONS ARE PAID.

(a) In this subsection:

1. "Secretary" means the secretary of administration.

2. "State agency" has the meaning given in section 20.001 (1) of the statutes.

(b) The secretary shall determine for each state agency the amount expended by the state agency for membership dues for any state or national organization in the 1998-99 fiscal year that was funded from each revenue source except federal revenue.

(c) The secretary shall, during the 1999-2000 fiscal year, lapse to the general fund or appropriate segregated fund from each sum certain appropriation account made to each state agency from any revenue source except program revenue, segregated revenue derived from specific program receipts or federal revenue, or shall reestimate to subtract from the expenditure estimate for each appropriation other than a sum certain appropriation made to each state agency from any revenue source except federal revenue, an amount equivalent to 10% of the total amount expended by that state agency for membership dues for any state or national organization from that appropriation in the 1998-99 fiscal year, if any. The secretary shall, during the 2000-01 fiscal year, lapse to the general fund or appropriate segregated fund from each such account or shall reestimate to subtract from each such estimate an equivalent amount.

(d) Each sum certain appropriation to each state agency for the 1999-2000 fiscal year and the 2000-01 fiscal year from program revenue or segregated revenue derived from specific program receipts is decreased by an amount equivalent to 10% of the total amount expended by that agency for membership dues for any state or national organization from that appropriation in the 1998-99 fiscal year, as determined by the secretary.

(11mg) TOBACCO CONTROL BOARD. Notwithstanding section 15.77 (2) of the statutes, as created by this act, 4 of the initial members of the tobacco control board appointed under section 15.195 (1) (a) 5. to 12. of the statutes, as created by this act, shall serve for terms expiring on May 1, 2003; 4 of the initial members of the tobacco control board appointed under section 15.195 (1) (a) 5. to 12. of the statutes, as created by this act, shall serve for terms expiring on May 1, 2002; and 4 of the initial members of the tobacco control board appointed under section 15.195 (1) (a) 5. to 12. of the statutes, as created by this act, shall serve for a term expiring on May 1, 2001.

Vetoed In Part

Vetoed In Part

SECTION 9201. Appropriation changes; administration.



State of Wisconsin
2001 - 2002 LEGISLATURE

LRBb0973/1

MES...:.....

LPS - update request sheet

jld

↓
SDC:.....keckhaver – CN7502, Repeal the sunset of the Dane County regional planning commission

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

SENATE
CAUCUS ~~LRB~~ AMENDMENT

TO SSA 1

TO 2001 SENATE BILL 55 AND 2001 ASSEMBLY BILL 144

D-note

substitute amendment

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

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

3 "SECTION 4046s. 1999 Wisconsin Act 9, section 9158 (8w) (e) is repealed."

4 (END)

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb0973/1dn

MES...:~:~:~

date

JLD

John Keckhaver:

The sunset provision for the Dane County Regional Planning Commission is October 1, 2002, not 2001 as stated in the instructions. It didn't make sense to me to just delete the sunset, so I repealed all of par. (e) in SECTION 9158 (8w) of 1999 Wisconsin Act 9. Please let me know if this does not meet your intent.

Marc E. Shovers
Senior Legislative Attorney
Phone: (608) 266-0129
E-mail: marc.shovers@legis.state.wi.us

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb0973/1dn
MES:jld:rs

June 16, 2001

John Keckhaver:

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SDC:.....Keckhaver – CN7502, Repeal the sunset of the Dane County regional planning commission

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS SENATE AMENDMENT

TO SENATE SUBSTITUTE AMENDMENT 1,

TO 2001 SENATE BILL 55

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 1283, line 13: after that line insert:

3 **“SECTION 4046s.** 1999 Wisconsin Act 9, section 9158 (8w) (e) is repealed.”.

4 (END)