

2001 DRAFTING REQUEST**Senate Amendment (SA-SSA1-SB55)**

Received: 06/15/2001

Received By: rkite

Wanted: As time permits

Identical to LRB:

For: Senate Democratic Caucus

By/Representing: Keckhaver

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:

SDC:.....Keckhaver - CN7017,

Topic:

Funding for the Keyes Lake recreational area

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 06/16/2001	gilfokm 06/16/2001	jfrantze 06/16/2001	_____	lrb docadmin 06/16/2001		
/2	gibsom 06/18/2001	gilfokm 06/18/2001	haugeca 06/19/2001	_____	lrb docadmin 06/19/2001		

FE Sent For:

<END>

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Stewardship funding for the Keyes Lake Recreational Area

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/1	rkite 06/16/2001	gilfokm 06/16/2001	jfrantze 06/16/2001	<i>CH 6-19</i> <i>ASO</i>	lrb_docadmin 06/16/2001		

12-6/18 King
CH 6-19

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1?	rkite	6/16 kmg	On H 6/16 /	==			

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<END>

KEYES LAKE RECREATIONAL AREA GRANT

This amendment would require the DNR to provide \$50,000 for completion of the Keyes Lake Recreational Area. Last budget cycle, the state provided \$125,000 in SEG funding for initial stages of the project. Additional funding is required to see project completed.

CP 101

↑
?

STATUS: None.

AGENCY: Department of Natural Resources (DNR)

FISCAL EFFECT: \$50,000 SEG

INTRODUCTION: SDC

1017
??

~~MJC~~
RNK

redraft - not stewardship
take out of (5)(as) - verified a county
rec area on county forest land
up (as) by \$50,000



D-Note

SDC:.....Keckhaver – CN7017, Stewardship funding for the Keyes Lake
Recreational Area

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 450, line 14: after that line insert:

3 **SECTION 1039b**. 23.197 (3) (a) of the statutes is amended to read:

4 23.197 (3) (a) From the appropriation under s. 20.866 (2) (ta) or (tz) or both, the
5 department shall provide the amount necessary for the development of a
6 recreational area on Keyes Lake in Florence County, but the amount may not exceed
7 ~~\$125,000~~ \$175,000."

History: 1999 a. 9, 84.

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb064/1dn b1007
RNK:rs

June 6, 2001

~~DRJK~~
gmg

✓
Caucus

It is possible that a Wisconsin court would find that this amendment is a "private or local law" which, under article IV, section 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 article 4, section 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.

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

LRBb1007/1dn
RNK:kmg:cmh

June 16, 2001

It is possible that a Wisconsin court would find that this amendment is a "private or local law" which, under article IV, section 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 article 4, section 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 caucus may wish to consider introducing this proposal as a separate bill.

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soon

SDC:.....Keckhaver - CN7017, Stewardship funding for the Keyes Lake
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4 ~~23.197 (3) (a) From the appropriation under s. 20.866 (2) (ta) or (tz) or both, the~~
5 ~~department shall provide the amount necessary for the development of a~~
6 ~~recreational area on Keyes Lake in Florence County, but the amount may not exceed~~
7 ~~\$125,000 \$175,000.”.~~

8 ~~(END)~~

(1) (m)



2001-2002 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb1007/1ins
MCG:kmg:cmh

✓ 1. Page 166, line 2: increase the dollar amount for fiscal year 2001-02 by \$50,000 for the purpose of providing funding for the recreational area on Keyes Lake in Florence County. (25)

✓ 2. Page 1348, line 6: after that line insert:

complet. {
"KEYES LAKE RECREATIONAL AREA" From the appropriation under section 20.370 (5) (as) of the statutes, the department of natural resources shall provide to ~~the county of~~ Florence ^{County} \$50,000 in fiscal year 2001-02 to complete the recreational area on Keyes Lake in Florence County."

(End)

SDC:.....Keckhaver – CN7017, Funding for the Keyes Lake recreational area

FOR 2001–03 BUDGET — NOT READY FOR INTRODUCTION

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TO SENATE SUBSTITUTE AMENDMENT 1,

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2 **1.** Page 166, line 2: increase the dollar amount for fiscal year 2001–02 by
3 \$50,000 for the purpose of providing funding for the recreational area on Keyes Lake
4 in Florence County.

5 **2.** Page 1348, line 6: after that line insert:

6 “(8x) KEYES LAKE RECREATIONAL AREA. From the appropriation under section
7 20.370 (5) (as) of the statutes, the department of natural resources shall provide to
8 Florence County \$50,000 in fiscal year 2001–02 to complete the recreational area on
9 Keyes Lake in Florence County.”.

10

(END)