

2009 DRAFTING REQUEST

Senate Amendment (SA-SB557)

Received: 03/23/2010

Received By: rkite

Wanted: As time permits

Companion to LRB:

For: Pat Kreitlow (608) 266-7511

By/Representing: Mary Cornell

May Contact:

Drafter: rkite

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

Addl. Drafters:

Extra Copies:

Submit via email: YES

Requester's email: Sen.Kreitlow@legis.wisconsin.gov

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Army Corps memorandum of agreement

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>
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FE Sent For:

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3/25 PH

FE Sent For:

<END>

Kite, Robin

From: Cornell, Mary
Sent: Tuesday, March 23, 2010 11:33 AM
To: Kite, Robin
Subject: RE: LRB-4055/1 Possible Corrections Wetland Map Review Bill

As written, if there is no agreement after 7 months then the bill won't be in effect. So, I think we should give them another 12 months after the bill goes into effect to reach an agreement (ie 19 months).

From: Kite, Robin
Sent: Tuesday, March 23, 2010 11:22 AM
To: Cornell, Mary
Subject: RE: LRB-4055/1 Possible Corrections Wetland Map Review Bill

Another question:

Senate Bill 557 has a delayed effective date of 7 months. Do you want the Army Corps of Engineers to have 12 months after that 7 month delay (i.e. 19 months) to enter into a memorandum of Agreement or 12 months after the date on which the bill passes?

Thanks.

Robin

From: Cornell, Mary
Sent: Tuesday, March 23, 2010 10:45 AM
To: Kite, Robin
Subject: RE: LRB-4055/1 Possible Corrections Wetland Map Review Bill

Yep!

From: Kite, Robin
Sent: Tuesday, March 23, 2010 10:44 AM
To: Cornell, Mary
Subject: RE: LRB-4055/1 Possible Corrections Wetland Map Review Bill

One more thing:

When you refer to the "third tier" are you referring to the wetland confirmation as provided in s. 23.321 (2) (c) as

03/23/2010

created in the bill? See page 3, line 23.

Thanks.

Robin

From: Cornell, Mary
Sent: Tuesday, March 23, 2010 10:02 AM
To: Kite, Robin
Subject: RE: LRB-4055/1 Possible Corrections Wetland Map Review Bill

Robin:

If you can do both items on one amendment that would be great. Thanks!

From: Kite, Robin
Sent: Tuesday, March 23, 2010 10:00 AM
To: Cornell, Mary
Subject: RE: LRB-4055/1 Possible Corrections Wetland Map Review Bill

Mary:

Do you want 2 separate amendments or do you want both of the items in one amendment?

Thanks.

Robin

From: Cornell, Mary
Sent: Tuesday, March 23, 2010 9:15 AM
To: Kite, Robin
Subject: RE: LRB-4055/1 Possible Corrections Wetland Map Review Bill

Hi Robin,

We wanted to author two amendments to the Wetlands Identification Act, SB 557. I have included the conversation between you and Charlie regarding the first amendment which is just wording clarification. The second amendment addresses the Memorandum of Agreement between the army corps and the DNR. We want to remove the MOA from the second tier and have it only apply to the third tier. Further, for the third tier if they can't reach an agreement after a year we want the DNR to go through with the Wetland confirmation. Basically if they can't go enter an agreement after a year, we would like the bill to go into effect anyway.

Let me know if you have any additional questions,

03/23/2010

Mary Cornell

Office of Senator Pat Kreitlow

Wisconsin State Senate - 23rd District

Room 10 South - State Capitol

PO Box 7882

Madison, WI 53703-7882

Phone: 608-266-7511 or 888-437-9436

Mary.Cornell@legis.wisconsin.gov

From: Saxler, Charles
Sent: Tuesday, March 23, 2010 9:02 AM
To: Cornell, Mary
Subject: FW: LRB-4055/1 Possible Corrections Wetland Map Review Bill

From: Kite, Robin
Sent: Friday, February 19, 2010 3:52 PM
To: Saxler, Charles
Subject: RE: LRB-4055/1 Possible Corrections Wetland Map Review Bill

Charlie:

I think that the building inspector is correct and that the provisions that he mentions contain errors. These provisions should not refer to county permits but to city, village, and town permits. Please give me a call if you want to discuss this or if you want me to go ahead and redraft the bill to make these changes.

Robin

From: Saxler, Charles
Sent: Friday, February 19, 2010 3:26 PM
To: Kite, Robin
Cc: Cornell, Mary
Subject: FW: LRB-4055/1 Possible Corrections Wetland Map Review Bill

Hi Robin-

03/23/2010

Could you comment on the email below from the Building Inspector on Grand Chute? Is his interpretation/reading correct? Or is it that the town is not required to have the notice if the county's permit has that notice in because they use the commerce form, which would assume that in that case both the town and county were issuing permits?

Thank you,

Charlie

Charles Saxler
Office of Senator Pat Kreitlow
Wisconsin State Senate - 23rd District

Room 10 South - State Capitol
PO Box 7882

Madison, WI 53703-7882

Phone: 608-266-7511 or 888-437-9436

charles.saxler@legis.wisconsin.gov

From: Cary Nate [mailto:Cary.Nate@grandchute.net]
Sent: Monday, February 15, 2010 4:22 PM
To: Cornell, Mary
Cc: Rep.Bies; Rep.Roth; Rep.Zigmunt; Sen.Ellis; Sen.Kreitlow; Sen.Lasee
Subject: LRB-4055/1 Possible Corrections Wetland Map Review Bill

Hi Mary,

This is in regards to the Wetland Map Review Bill. I have attached copies of the bill with areas circled and underlined that I feel may need to be addressed.

The following pertains to the attachment:

Page 2 - The circled area discusses the need for the municipality give notice or have the municipality use a standard building permit form prescribed by Commerce. This appears to be OK.

Page 6 - 59.691 (2)(b) A county is not required to give notice....if the county issues the building permit... This appears to be OK.

Page 7 - 60.625 (2)(b) A town is not required to give notice....if the county issues the building permit... If the town is issuing the permit it should not state that the county issues the permit. I believe "town" should replace the term "county."

Page 8 - 61.352 (2)(b) A village is not required to give notice....if the county issues the building permit... If the village is issuing the permit it should not state that the county issues the permit. I believe "village" should replace the term "county."

Page 9 - 62.232 (2)(b) - A city is not required to give notice....if the county issues the building permit... If the city is issuing the permit it should not state that the county issues the permit. I believe "city" should replace the term "county."

Please let me know your thoughts on this. Thank you for your time.

Cary

03/23/2010

Cary J. Nate

Chief Building Inspector

Town of Grand Chute

1900 Grand Chute Blvd.

Grand Chute, WI 54913

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Visit our web site at: www.grandchute.net



State of Wisconsin
2009 - 2010 LEGISLATURE

LRBa1897/0

RNK:.....

soon

Rm run

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

SENATE AMENDMENT,

TO 2009 SENATE BILL 557

In
3/23

"sub. (2m) on"

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

2 1. Page 3, line 19: delete the material beginning with "the" and ending with
3 line 22.

4 2. Page 4, line 4: after "wetland." insert "The department may not provide a
5 wetland confirmation under this paragraph before the earlier of the following:"

6 "1. The date on which the department enters into a memorandum of agreement
7 with the U.S. Army Corps of Engineers as specified in sub. (2m).

8 2. The first day of the 13th month beginning after the effective date of this
9 subdivision [LRB inserts date]."

10 3. Page 4, line 7: delete lines 7 and 8 and substitute "of Engineers will concur
11 with any wetland confirmation provided by the department under sub. (2) (c)."

12 4. Page 7, line 15: delete "county" and substitute "town".

#. Page 4, line 4: after that line insert:

MOVE

