

1999 DRAFTING REQUEST

Bill

Received: **09/25/98**

Received By: **gibsom**

Wanted: **As time permits**

Identical to LRB:

For: **Fred Risser (608) 266-1627**

By/Representing:

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

Drafter: **gibsom**

May Contact:

Alt. Drafters:

Subject: **Nat. Res. - miscellaneous**

Extra Copies:

Topic:

Secretary of natural resources appointed by natural resources board

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 09/25/98	gilfokm 10/6/98		_____			State
/1			ismith 10/7/98	_____	lrb_docadmin 10/7/98	lrb_docadmin 01/8/99	

FE Sent For:

02-03-99

<END>

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1/?	gibsom	1-10-6 Kmg	ZS 10/7	IS/JF 10/7			

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<END>

FRED A. RISSER

State Senator

September 23, 1998




Mary Gibson-Glass, Sr. Staff Counsel
Legislative Reference Bureau
100 N. Hamilton St., 5th Floor
Madison, WI 53703

Dear Mary,

I am writing to inform you that I am interested in having LRB 0427/2 redrafted for the 1999 Legislative Session. This bill relates to the appointment of the Secretary of Natural Resources.

For your reference, I have enclosed a copy of the 1997 bill. If you should have any questions, please feel free to contact me.

Most Sincerely,


FRED A. RISSER
State Senator

FAR:skb



State of Wisconsin
1997 - 1998 LEGISLATURE

1999

1997 BILL

LRB-042718
MGG:kmg:kat

RM
not
R

0342/1

1 **AN ACT** *Gen. Cat* **to repeal** 15.05 (1) (c); **to amend** 15.05 (1) (b); and **to create** 15.05 (1)
2 (bn) of the statutes; **relating to:** the appointment of the secretary of natural
3 resources.

Analysis by the Legislative Reference Bureau

Under current law, the secretary of natural resources and the members of the natural resources board are appointed by the governor with the advice and consent of the senate. The secretary serves at the pleasure of the governor and the members of the board serve for staggered 6-year terms. The secretary is the administrative head of the department of natural resources (DNR), and the board performs the regulatory, advisory and policy-making duties for DNR. Under this bill, the secretary of natural resources is appointed by the natural resources board without the advice and consent of the senate and serves at the pleasure of the board. The bill allows the current secretary of natural resources to continue to serve until he or she vacates his or her office or is removed from office by the board.

For further information see the *state* 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.** 15.05 (1) (b) of the statutes is amended to read:

BILL

Prop of Statute.

1 15.05 (1) (b) Except as provided in ~~pars. (c) and par.~~ [✓] (d), if a department is under
 2 the direction and supervision of a board, the board shall appoint a secretary to serve
 3 at the pleasure of the board outside the classified service. In such departments, the
 4 powers and duties of the board shall be regulatory, advisory and policy-making, and
 5 not administrative. All of the administrative powers and duties of the department
 6 are vested in the secretary, to be administered by him or her under the direction of
 7 the board. The secretary, with the approval of the board, shall promulgate rules for
 8 administering the department and performing the duties assigned to the
 9 department.

10 **SECTION 2.** 15.05 (1) (bn) of the statutes is created to read:

11 15.05 (1) (bn) Notwithstanding the requirement under par. ^(b) ~~(a)~~ that the
 12 secretary of natural resources be appointed by the natural resources board, the
 13 secretary of natural resources who is appointed by the governor and who is holding
 14 office on the effective date of this paragraph [revisor inserts date], shall continue
 15 to serve until the secretary vacates his or her office or is removed from office by the
 16 natural resources board.

17 **SECTION 3.** 15.05 (1) (c) of the statutes is repealed. ✓

18 (END)

**SUBMITTAL
FORM**

**LEGISLATIVE REFERENCE BUREAU
Legal Section Telephone: 266-3561
5th Floor, 100 N. Hamilton Street**

The attached draft is submitted for your inspection. Please check each part carefully, proofread each word, and sign on the appropriate line(s) below.

Date: 10/7/98

To: Senator Risser

Relating to LRB drafting number: LRB-0342

Topic

Secretary of natural resources appointed by natural resources board

Subject(s)

Nat. Res. - miscellaneous

1. **JACKET** the draft for introduction *Risser*
in the **Senate** or the **Assembly** (check only one). Only the requester under whose name the drafting request is entered in the LRB's drafting records may authorize the draft to be submitted. Please allow one day for the preparation of the required copies.

2. **REDRAFT**. See the changes indicated or attached _____.
A revised draft will be submitted for your approval with changes incorporated.

3. Obtain **FISCAL ESTIMATE NOW**, prior to introduction _____.
If the analysis indicates that a fiscal estimate is required because the proposal makes an appropriation or increases or decreases existing appropriations or state or general local government fiscal liability or revenues, you have the option to request the fiscal estimate prior to introduction. If you choose to introduce the proposal without the fiscal estimate, the fiscal estimate will be requested automatically upon introduction. It takes about 10 days to obtain a fiscal estimate. Requesting the fiscal estimate prior to introduction retains your flexibility for possible redrafting of the proposal.

If you have any questions regarding the above procedures, please call 266-3561. If you have any questions relating to the attached draft, please feel free to call me.

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