1999 DRAFTING REQUEST

Assembly Amendment (AA-AB133)

Received: 05/14/99 Wanted: As time permits For: Legislative Fiscal Bureau 266-3847 This file may be shown to any legislator: NO May Contact:					Received By: rkite Identical to LRB:										
									By/Representing: Kava Drafter: rkite Alt. Drafters:						
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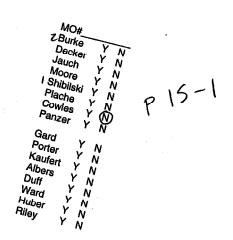
Senator Shibilski

NATURAL RESOURCES -- WATER QUALITY

Recreational Boating Projects Aids -- McDill Lake [Paper #701]

Motion:

Move to direct DNR to provide an amount not to exceed \$250,000 from the recreational boating projects aids appropriation to the McDill Inland Lake Protection and Rehabilitation District for the dredging of McDill Lake in Portage County. Require the District to provide a 50% match to the grant. Specify that the grant be subtracted from the overall allocation prior to determining the percentage split for recreational boating projects based on location. Provide that the project need not be placed on the recreational boating projects priority list.





State of Misconsin 1999 - 2000 LEGISLATURE

D-Note

LRBb0317/1
RNK...:

LFB:.....Kava - McDill Lake dredging project

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

LFB AMENDMENT

TO 1999 ASSEMBLY BILL 133 AND 1999 SENATE BILL 45

Section 30.92 (4) (b) 6. of the Statutes,
but the amount may not exceed \$250,000

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At the locations indicated, amend the bill as follows:

nonstat

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 ${f 1.}\,$ Page 1414, line ${f 2}4$: after that line insert:

"(97) McDill Lake Dredging Project. From the appropriation under section

20.370 (5) (cq) of the statutes, and before applying the percentages under sub. (4) (b)

the department of natural resources shall provide to the McDill Inland Lake

Protection and Rehabilitation District for the dredging of McDill Lake in

Portage county. The McDill Inland Lake Protection and Rehabilitation District shall

contribute funding for the project equal to 50% of the project's cost. The McDill

Inland Lake Protection and Rehabilitation District's contribution may be in

matching funds or may be in-kind contributions or both. This project need not be

- placed on the priority list under section 30.92 (3) (a) of the statutes. This subsection does not apply after June 30, 2001.".

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(END) 🗸

STATE OF WISCONSIN – **LEGISLATIVE REFERENCE BUREAU** – LEGAL SECTION (608–266–3561)

INSERT
Notwithstanding pll INCly the dredging
project specified under this subsection quainies as froject
project specifica where the section
qualifies as
may a recreational boating graces to for
the purpose of expending moneys under
this subjection.
this subsection. (6)
section 30.92(4) (7. or 8. a. oz) the statutes
Mection 30. 12 (4) 1. or o. a. or
(the Statutes)
·

DRAFTER'S NOTE FROM THE LEGISLATIVE REFERENCE BUREAU

LRBb0317/1dn RNK...;

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, you 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

LRBb0317/1dn RNK;jlg:km

May 20, 1999

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State of Misconsin 1999 - 2000 LEGISLATURE

LRBb0317/1 RNK:jlg:km

LFB:.....Kava – McDill Lake dredging project

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

LFB AMENDMENT

TO 1999 ASSEMBLY BILL 133 AND 1999 SENATE BILL 45

At the locations indicated, amend the bill as follows:

1. Page 1414, line 24: after that line insert:

"(9d) McDill Lake dredging project. From the appropriation under section 20.370 (5) (cq) of the statutes, and before applying the percentages under section 30.92 (4) (b) 6. of the statutes, the department of natural resources shall provide to the McDill Inland Lake Protection and Rehabilitation District the amount that is necessary for the dredging of McDill Lake in Portage County but the amount may not exceed \$250,000. The McDill Inland Lake Protection and Rehabilitation District shall contribute funding for the project equal to 50% of the project's cost. The McDill Inland Lake Protection and Rehabilitation District's contribution may be in matching funds or may be in—kind contributions or both. Notwithstanding section 30.92 (4) (b) 7. or 8. a. of the statutes, the dredging project specified under this

- subsection qualifies as a recreational boating project for the purpose of expending moneys under this subsection. This project need not be placed on the priority list under section 30.92 (3) (a) of the statutes. This subsection does not apply after June 30, 2001."
- 5 (END)