

2001 DRAFTING REQUEST

Bill

Received: **11/14/2001**

Received By: **dykmapj**

Wanted: **Soon**

Identical to LRB:

For: **Legislative Council - JLC**

By/Representing:

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

Drafter: **dykmapj**

May Contact:

Addl. Drafters:

Subject: **Legislature - miscellaneous
State Government - miscellaneous**

Extra Copies:

Submit via email: **YES**

Requester's email: **david.lovell@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Tribal-state council

Instructions:

See Attached WLC 0195/2

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>
/?	dykmapj 11/14/2001			_____			
/P1			haugeca 11/15/2001	_____			State
/P2	dykmapj	gilfokm	jfrantze	_____	lrb_docadmin		State

<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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/1	dykmapj 12/21/2001	jdye 12/26/2001	haueca 12/27/2001	_____	lrb_docadmin 12/27/2001		State
/2	dykmapj 01/02/2002	gilfokm 01/02/2002	rschluet 01/03/2002	_____	lrb_docadmin 01/03/2002	lrb_docadmin	01/30/2002

FE Sent For:

<END>

At intro.

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/P2	dykmapj	gilfokm	jfrantze	_____	lrb_docadmin		State

12-1/2-02
KMG

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<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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/1	dykmapj 12/21/2001	jdye 12/26/2001	haueca 12/27/2001	_____	lrb_docadmin 12/27/2001		

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<END>

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Topic:

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Instructions:

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/P1			haugeca 11/15/2001	_____			State
/P2	dykmapj	gilfokm 1/26/01	jfrantze	CH 12-26-01	1/14/01		lrb_docadmin

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
	11/20/2001	12/13/2001	12/14/2001	_____	12/14/2001		

FE Sent For:

<END>

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May Contact:

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State Government - miscellaneous

Extra Copies:

JTK
RAC

Submit via email: YES

Requester's email: david.lovell@legis.state.wi.us

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1/?	dykmapj	1/2-12/13 KMG	LC Com 11-15 ch				
FE Sent For:	XXXX NOTES		12/14	12/14	ch		<END>

4265/P1

1 AN ACT to create 15.107 (18), 16.025, 20.505 (4) (kt) and 20.505 (8) (hm) of the
 2 statutes; relating to: creation of Wisconsin tribal-state council and making an
 3 appropriation.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This draft was prepared for the joint legislative council's special committee on state-tribal relations. It creates a new council composed of representatives of the American Indian tribes and bands in this state and representatives of state and local governments. It assigns a number of functions to the council that relate to facilitating communications and sharing information between the state and tribal governments. In addition, it directs the council to monitor those actions of the executive and legislative branches of state government that may affect tribal governments and American Indians and to make policy recommendations regarding those matters. The draft requires all state agencies to provide assistance to the council, upon request.

The draft appropriates \$214,300 in fiscal year 2002-03 for the operation of the council and authorizes 3.0 full-time equivalent (FTE) positions: an executive director, a policy analyst, and a support position. The appropriation is from gaming revenues paid by the tribes to the state. Of the amount appropriated, \$15,000 is for one-time start-up costs; the balance (\$199,300) would be the council's base funding for purposes of future budgeting. The council is attached to the department of administration (DOA) for administrative purposes.

Editor/LPS
 Identical to
 Database version
 CK

4 SECTION 1. 15.107 (18) of the statutes is created to read:
 5 15.107 (18) WISCONSIN TRIBAL-STATE COUNCIL. (a) There is created a Wisconsin
 6 tribal-state council which is attached to the department of administration under s. 15.03.
 7 (b) The council consists of the following:
 8 1. Eleven members, one member appointed by the elected governing body of each of
 9 the 11 federally recognized American Indian tribes and bands in this state.

1 2. Three members appointed by the governor representing state departments that have
2 extensive interactions with tribal governments.

3 3. The attorney general or his or her designee.

4 4. The superintendent of public instruction or his or her designee.

5 5. One member of the senate appointed by the senate majority leader.

6 6. One member of the senate appointed by the senate minority leader.

7 7. One member of the assembly, appointed by the speaker of the assembly.

8 8. One member of the assembly, appointed by the assembly minority leader.

9 9. One member appointed by the governor to represent a county government.

10 10. One member appointed by the governor to represent a municipal government.

11 (c) The members shall serve at the pleasure of the appointing authorities.

12 (d) At its first meeting in each calendar year, the council shall elect one co-chair from
13 among the members appointed under par. (b) 1. and one co-chair from among the members
14 appointed under par. (b) 2. to 10.

15 (e) The council shall meet at least quarterly and shall meet at the call of either co-chair
16 or a majority of its members.

17 (f) The council shall appoint an executive director outside the classified service to serve
18 at its pleasure.

19 (g) The council shall perform the functions specified under s. 16.025.

20 **SECTION 2.** 16.025 of the statutes is created to read:

21 **16.025 Wisconsin tribal-state council. (1)** In this section:

22 (a) "Agency" means any office, department, agency, institution of higher education,
23 association, society, or other body in state government created or authorized to be created by

1 the constitution or any law which is entitled to expend moneys appropriated by law, including
2 the legislature and the courts, but not including an authority.

3 (b) "Authority" means a body created under ch. 231, 232, 233, 234, or 235.

4 (2) The Wisconsin tribal-state council shall:

5 (a) Facilitate the resolution of disputes, disagreements, and misunderstandings between
6 state government and tribal governments by coordinating communication between the
7 appropriate representatives of the state and tribal governments.

8 (b) Serve as an information clearinghouse regarding state-tribal relations and state
9 programs that affect tribal governments and American Indians.

10 (c) Serve as a resource to state agencies, authorities, and the legislature on matters
11 involving state-tribal relations, including providing staff support to task forces or committees.

12 (d) Monitor state executive branch policies and practices that affect tribal governments
13 and American Indians.

14 (e) Develop recommendations for state executive branch policies.

15 (f) Monitor agreements between state government and tribal governments.

16 (g) Support and coordinate communication between state agency and authority liaisons
17 who work with tribes, to promote the smooth delivery of state services to tribal governments
18 and American Indians and to avoid the duplication of effort. The council shall review the
19 adequacy of existing state liaison positions and recommend any changes in the number of
20 liaison positions as it deems necessary.

21 (h) Monitor state legislation that potentially may affect tribal governments or American
22 Indians.

23 (i) Develop recommendations for state legislation.

1 (j) Provide training to state officials and employees concerning the legal status of
2 American Indian tribes and bands, legal and practical aspects of relations between tribal
3 governments and the state and federal governments, and issues affecting state-tribal relations.
4 The council shall provide training to state executive branch officials and employees at least
5 once per year. The council shall provide training to state legislators and legislative employees
6 at least once at the start of each legislative session.

7 (k) Submit a biennial report on the council's activities to the governor, to the special
8 committee on state-tribal relations, and to the chief clerk of each house of the legislature for
9 distribution to the appropriate standing committees under s. 13.172 (3).

10 (3) All agencies and authorities shall fully cooperate with and assist the Wisconsin
11 tribal-state council. To that end, a representative of an agency or authority shall, upon request
12 by the council or its executive director, do all of the following:

13 (a) Provide information on program policies, procedures, practices, and services
14 affecting American Indians or tribal governments.

15 (b) Present recommendations to the council.

16 (c) Attend meetings and provide staff assistance needed by the council.

17 (d) Inform the agency or authority of issues concerning the council.

18 **SECTION 3.** 20.005 (3) (schedule) of the statutes: at the appropriate place, insert the
19 following amounts for the purposes indicated:

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2001-02 2002-03

20.505 Administration, department of

(4) ATTACHED DIVISIONS, BOARDS, COUNCILS, AND
COMMISSIONS

(kt) Wisconsin tribal-state council PR-S A -0- \$214,300

SECTION 4. 20.505 (4) (kt) of the statutes is created to read:

20.505 (4) (kt) *Wisconsin tribal-state council*. The amounts in the schedule for the general program operations of the Wisconsin tribal-state council. All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 20. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under s. 20.505 (8) (hm).

SECTION 5. 20.505 (8) (hm) of the statutes is created to read:

20.505 (8) (hm) 20. The amount transferred to s. 20.505 (4) (kt) shall be the amount in the schedule under s. 20.505 (4) (kt).

SECTION 6. Nonstatutory provisions; Wisconsin tribal-state council.

(1) POSITION AUTHORIZATION. There is authorized for the Wisconsin tribal-state council 1.0 FTE PR executive director position and 2.0 FTE PR other positions to be funded from the appropriation under section 20.505 (4) (kt) of the statutes, as created by this act.

(END)



In "1/20"

redmyfinger

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

This bill is explained in the prefatory note provided by the Joint Legislative Council in the bill.

Good

Agreement

Joint Legislative Council

Gen. Cat.

He

FE-S

1 AN ACT to create 15.107 (18), 16.025, 20.505 (4) (kt) and 20.505 (8) (hm) of the
2 statutes; relating to: creation of Wisconsin tribal-state council and making an
3 appropriation.

Analysis by the Legislative Reference Bureau

This is a preliminary draft. An analysis will be provided in a later version.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

^(CS) PREFATORY NOTE: This draft was prepared for the joint legislative council's special committee on state-tribal relations. It creates a new council composed of representatives of the American Indian tribes and bands in this state and representatives of state and local governments. It assigns a number of functions to the council that relate to facilitating communications and sharing information between the state and tribal governments. In addition, it directs the council to monitor those actions of the executive and legislative branches of state government that may affect tribal governments and American Indians and to make policy recommendations regarding those matters. The draft requires all state agencies to provide assistance to the council, upon request.

The draft appropriates \$214,300 in fiscal year 2002-03 for the operation of the council and authorizes 3.0 full-time equivalent (FTE) positions: an executive director, a policy analyst, and a support position. The appropriation is from gaming revenues paid by the tribes to the state. Of the amount appropriated, \$15,000 is for one-time start-up costs; the balance (\$199,300) would be the council's base funding for purposes of future budgeting. The council is attached to the department of administration (DOA) for administrative purposes.

deputy secretary

bill

SECTION 1. 15.107 (18) of the statutes is created to read:

15.107 (18) WISCONSIN TRIBAL-STATE COUNCIL. (a) There is created a Wisconsin tribal-state council which is attached to the department of administration under s. 15.03. *Either or both cochairpersons may preside at a meeting of the council.*

(b) The council consists of the following:

1. Eleven members, one ~~member~~ *shall reach of whom shall be* appointed by the elected governing body of each of the 11 federally recognized American Indian tribes and bands in this state.

2. Three members appointed by the governor representing state departments that have extensive interactions with tribal governments. *and may elect a secretary among its members.*

3. The attorney general or his or her designee. *state*

4. The superintendent of public instruction or his or her designee.

5. One member of the senate, appointed by the senate majority leader.

6. One member of the senate, appointed by the senate minority leader.

7. One member of the assembly, appointed by the speaker of the assembly.

8. One member of the assembly, appointed by the assembly minority leader.

9. One member, appointed by the governor, ~~to~~ *representing* a county government.

10. One member, appointed by the governor, ~~to~~ *representing* a municipal government. *a chairperson or vice chairperson.*

(c) The members shall serve at the pleasure of the appointing authorities.

(d) At its first meeting in each ~~calendar~~ *year*, the council shall elect ~~one~~ *person* cochair from among the members appointed under par. (b) 1. and ~~one~~ *person* cochair from among the members appointed under par. (b) 2. to 10. *The council may not elect*

(e) The council shall meet at least quarterly and shall meet at the call of either ~~cochair~~ *person* or a majority of its members. *at a location determined by it*

The secretary of administration may not require the council to meet and may not determine the council's meeting place.

1 (f) The council shall appoint an executive director outside the classified service
2 to serve at its pleasure.

in lieu of advising the secretary of administration

3 (g) The council shall perform the functions specified under s. 16.025.

4 SECTION 2. 16.025 of the statutes is created to read:

5 **16.025 Wisconsin tribal-state council.** (1) In this section:

6 (a) "Agency" means any office, department, agency, institution of higher
7 education, association, society, or other body in state government created or
8 authorized to be created by the constitution or any law which is entitled to expend
9 moneys appropriated by law, including the legislature and the courts, but not
10 including an authority.

11 (b) "Authority" means a body created under ch. 231, 232, 233, 234, or 235.

12 (2) The Wisconsin tribal-state council shall *do all of the following*

13 (a) Facilitate the resolution of disputes, disagreements, and
14 misunderstandings between state government and tribal governments by
15 coordinating communication between the appropriate representatives of the state
16 and tribal governments.

17 (b) Serve as an information clearinghouse regarding state-tribal relations and
18 state programs that affect tribal governments and American Indians.

19 (c) Serve as a resource to ~~state~~ agencies, authorities, and the legislature on
20 matters involving state-tribal relations, including providing staff support to task
21 forces or committees.

22 (d) Monitor state executive branch policies and practices that affect tribal
23 governments and American Indians.

24 (e) Develop recommendations for state executive branch policies.

25 (f) Monitor agreements between state government and tribal governments.

*WPS: Check all of these hyphens.
Some are smaller than others.*

1 (g) Support and coordinate communication between ~~the~~ agency and authority
 2 liaisons who work with tribes, to promote the smooth delivery of state services to
 3 tribal governments and American Indians and to avoid ~~the~~ duplication of effort. The
 4 council shall review the adequacy of existing state liaison positions and recommend
 5 any changes in the number of liaison positions as it ~~deems~~ ^{considers} necessary.

6 (h) Monitor state legislation that potentially may affect tribal governments or
 7 American Indians.

8 (i) Develop recommendations for state legislation.

9 (j) Provide training to ~~state~~ ^{stst} officials and employees concerning the legal status
 10 of American Indian tribes and bands, legal and practical aspects of relations between
 11 tribal governments and the state and federal governments, and issues affecting
 12 state-tribal relations. The council shall provide training to state executive branch
 13 officials and employees at least once ~~per year~~ ^{annually}. The council shall provide training to
 14 state legislators and legislative employees at least once at the start of each legislative
 15 session.

16 (k) ^{In lieu of the s. 15.09(7),} Submit a biennial report on the council's activities to the governor, to the
 17 special committee on state-tribal relations, and to the chief clerk of each house of the
 18 legislature for distribution to the appropriate standing committees under s. 13.172

19 (3).

20 (3) All agencies and authorities shall fully cooperate with and assist the
 21 Wisconsin tribal-state council. To that end, a representative of an agency or
 22 authority shall, upon request ~~of~~ ^{of} the council or its executive director, do all of the
 23 following:

24 (a) Provide information on program policies, procedures, practices, and
 25 services affecting American Indians or tribal governments.

- 1 (b) Present recommendations to the council.
- 2 (c) Attend meetings and provide staff assistance needed by the council.
- 3 (d) Inform the agency or authority of issues concerning the council.

4 **SECTION 3.** 20.005 (3) (schedule) of the statutes: at the appropriate place, insert
5 the following amounts for the purposes indicated:

	2001-02	2002-03
7 20.505 Administration, department of		

8 (4) ATTACHED DIVISIONS, ~~BOARDS, COUNCILS AND~~
9 ~~COMMISSIONS~~ OTHER BODIES

10 (kt) Wisconsin tribal-state council	PR-S	A	-0-	\$214,300
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11 **SECTION 4.** 20.505 (4) (kt) of the statutes is created to read:

12 20.505 (4) (kt) *Wisconsin tribal-state council*. The amounts in the schedule for
13 the general program operations of the Wisconsin tribal-state council. All moneys
14 transferred from the appropriation account under ~~s. 20.505~~ ^{sub. 2} (8) (hm) 20 shall be
15 credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the
16 unencumbered balance on June 30 of each year shall revert to the appropriation
17 account under ~~s. 20.505~~ ^{sub.} (8) (hm).

18 **SECTION 5.** 20.505 (8) (hm) of the statutes is created to read:

19 20.505 (8) (hm) 20. The amount transferred to ~~s. 20.505~~ ^{sub.} (4) (kt) shall be the
20 amount in the schedule under ~~s. 20.505~~ ^{sub.} (4) (kt).

21 **SECTION 6. Nonstatutory provisions; Wisconsin tribal-state council.**

22 (1) POSITION AUTHORIZATION. There is authorized for the Wisconsin tribal-state
23 council 1.0 FTE PR executive director position and 2.0 FTE PR other positions^v to be

S-20

1 funded from the appropriation under section 20.505 (4) (kt) of the statutes, as created
2 by this act.

3 (END)

2001-2002 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-4265/P2ins
PJD:.....

NOVEMBER 20, 2001

INSERT 2-1 ✓

SECTION 1. 15.01 (4) of the statutes, as affected by 2001 Wisconsin Act 16, is amended to read:

15.01 (4) "Council" means a part-time body appointed to function on a continuing basis for the study, and recommendation of solutions and policy alternatives, of the problems arising in a specified functional area of state government, except the Wisconsin land council has the powers specified in s. 16.965 (3) and (5) and the powers granted to agencies under ch. 227, the Milwaukee River revitalization council has the powers and duties specified in s. 23.18, the council on physical disabilities has the powers and duties specified in s. 46.29 (1) and (2), the state council on alcohol and other drug abuse has the powers and duties specified in s. 14.24, the Wisconsin tribal-state council has the powers and duties specified in ss. 15.107 (18) and 16.025, and, before January 1, 2001, the council on health care fraud and abuse has the powers and duties specified in s. 146.36.

1977 c. 29, 274; 1979 c. 34; 1983 a. 27, 189, 371, 410, 538; 1985 a. 29, 120, 180; 1987 s. 27, 342, 399; 1989 a. 31, 107, 202; 1991 a. 39, 269, 315; 1993 a. 16, 107, 210, 215; 1995 a. 27 ss. 74 and 9145 (1); 1995 a. 442, 462; 1997 a. 27, 237; 2001 a. 16.

INSERT 5-20 ✓

SECTION 2. 20.923 (6) (ab) of the statutes is created to read:

20.923 (6) (ab) Administration, department of: executive director of the Wisconsin tribal-state council.

SECTION 3. Nonstatutory provisions, administration. Notwithstanding section 16.42 (1) (e) of the statutes, in submitting information under section 16.42 of the statutes for purposes of the 2003-05 biennial budget bill, the department of administration shall submit a dollar amount for the appropriation under section

***NOTE: Add the council's executive director position to s. 230.08 (2), stats.?

✓
20.505 (4) (kt) of the statutes, as created by this act, that is \$15,000 less than the total amount appropriated under section ~~40.002~~ (4) (kt) of the statutes for the 2002-03 fiscal year, before submitting any information relating to any increase or decrease in the dollar amount for that appropriation for the 2003-05 fiscal biennium.

END

20.505

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~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

Regenda

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1 **AN ACT** to amend 15.01 (4); and to create 15.107 (18), 16.025, 20.505 (4) (kt),
2 20.505 (8) (hm) 22. and 20.923 (6) (ab) of the statutes; relating to: creation of
3 the Wisconsin tribal-state council and making an appropriation. ✓

Analysis by the Legislative Reference Bureau

This bill is explained in the PREFATORY NOTE provided by the joint legislative council in the bill.

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:

* STET

~~JOINT LEGISLATIVE COUNCIL PREFATORY NOTE~~

Keep

recommended by

This bill was prepared for the joint legislative council's special committee on state-tribal relations. It creates a council composed of representatives of the American Indian tribes and bands in this state and representatives of state and local governments. It assigns a number of functions to the council that relate to facilitating communications and sharing information between the state and tribal governments. In addition, it directs the council to monitor those actions of the executive and legislative branches of state government that may affect tribal governments and American Indians and to make policy recommendations regarding those matters. The bill requires all state agencies to provide assistance to the council, upon request.

The bill appropriates \$214,300 in fiscal year 2002-03 for the operation of the council and authorizes 3.0 full-time equivalent (FTE) positions: an executive director,

a policy analyst, and a support position. The appropriation is from gaming revenues paid by the tribes to the state. Of the amount appropriated, \$15,000 is for one-time start-up costs; the balance (\$199,300) would be the council's base funding for purposes of future budgeting. The council is attached to the department of administration (DOA) for administrative purposes.

1 **SECTION 1.** 15.01 (4) of the statutes, as affected by 2001 Wisconsin Act 16, is
2 amended to read:

3 15.01 (4) "Council" means a part-time body appointed to function on a
4 continuing basis for the study, and recommendation of solutions and policy
5 alternatives, of the problems arising in a specified functional area of state
6 government, except the Wisconsin land council has the powers specified in s. 16.965
7 (3) and (5) and the powers granted to agencies under ch. 227, the Milwaukee River
8 revitalization council has the powers and duties specified in s. 23.18, the council on
9 physical disabilities has the powers and duties specified in s. 46.29 (1) and (2), the
10 state council on alcohol and other drug abuse has the powers and duties specified in
11 s. 14.24, the Wisconsin tribal-state council has the powers and duties specified in ss.
12 15.107 (18) and 16.025, and, before January 1, 2001, the council on health care fraud
13 and abuse has the powers and duties specified in s. 146.36.

14 **SECTION 2.** 15.107 (18) of the statutes is created to read:

15 15.107 (18) WISCONSIN TRIBAL-STATE COUNCIL. (a) There is created a Wisconsin
16 tribal-state council which is attached to the department of administration under s.
17 15.03.

18 (b) The council shall consist of the following:

19 1. Eleven members, one each of whom shall be appointed by the elected
20 governing body of each of the 11 federally recognized American Indian tribes and
21 bands in this state.

1 2. Three members, appointed by the governor, representing state departments
2 and agencies that have extensive interactions with tribal governments.

3 3. The attorney general or his or her designee.

4 4. The state superintendent of public instruction or his or her designee.

5 5. One member of the senate, appointed by the senate majority leader.

6 6. One member of the senate, appointed by the senate minority leader.

7 7. One member of the assembly, appointed by the speaker of the assembly.

8 8. One member of the assembly, appointed by the assembly minority leader.

9 9. One member, appointed by the governor, representing a county government.

10 10. One member, appointed by the governor, representing a municipal
11 government.

12 (c) The members shall serve at the pleasure of the appointing authorities.

13 (d) At its first meeting in each year, the council shall elect one cochairperson
14 from among the members appointed under par. (b) 1. and one cochairperson from
15 among the members appointed under par. (b) 2. to 10. and may elect a secretary from
16 among its members. The council may not elect a chairperson or vice chairperson.

*the council
or either
chairperson*

17 (e) The council shall meet at least quarterly at a location determined by ~~it~~ and
18 shall meet at the call of either cochairperson or a majority of its members. The
19 secretary of administration may not require the council to meet and may not
20 determine the council's meeting place. Either or both cochairpersons may preside
21 at a meeting of the council.

22 (f) The council shall appoint an executive director outside the classified service
23 to serve at its pleasure.

24 (g) The council shall perform the functions specified under ~~s. 16.025 in lieu of~~
25 ~~advising the secretary of administration.~~

*ss. 15.09(5)
and*

1 **SECTION 3.** 16.025[✓] of the statutes is created to read:

2 **16.025 Wisconsin tribal-state council.** (1) In this section:

3 (a) “Agency” means any office, department, agency, institution of higher
4 education, association, society, or other body in state government created or
5 authorized to be created by the constitution or any law which is entitled to expend
6 moneys appropriated by law, including the legislature and the courts, but not
7 including an authority.

8 (b) “Authority” means a body created under ch. 231, 232, 233, 234, or 235.

9 (2) The Wisconsin tribal-state council shall do all of the following:

10 (a) Facilitate the resolution of disputes, disagreements, and
11 misunderstandings between state government and tribal governments by
12 coordinating communication between the appropriate representatives of the state
13 and tribal governments.

14 (b) Serve as an information clearinghouse regarding state-tribal relations and
15 state programs that affect tribal governments and American Indians.

16 (c) Serve as a resource to agencies, authorities, and the legislature on matters
17 involving state-tribal relations, including providing staff support to task forces or
18 committees.

19 (d) Monitor state executive branch policies and practices that affect tribal
20 governments and American Indians.

21 (e) Develop recommendations for state executive branch policies.

22 (f) Monitor agreements between state government and tribal governments.

23 (g) Support and coordinate communication between agency and authority
24 liaisons who work with tribes, to promote smooth delivery of state services to tribal
25 governments and American Indians and to avoid duplication of effort. The council

1 shall review the adequacy of existing state liaison positions and recommend any
2 changes in the number of liaison positions as it considers necessary.

3 (h) Monitor state legislation that potentially may affect tribal governments or
4 American Indians.

5 (i) Develop recommendations for state legislation.

6 (j) Provide training to state officials and employees concerning the legal status
7 of American Indian tribes and bands, legal and practical aspects of relations between
8 tribal governments and the state and federal governments, and issues affecting
9 state-tribal relations. The council shall provide training to state executive branch
10 officials and employees at least once annually. The council shall provide training to
11 state legislators and legislative employees at least once at the start of each legislative
12 session.

13 (k) In lieu of the report under s. 15.09 (7), submit a biennial report on the
14 council's activities to the governor, to the special committee on state-tribal relations,
15 and to the chief clerk of each house of the legislature for distribution to the
16 appropriate standing committees under s. 13.172 (3).

17 (3) All agencies and authorities shall fully cooperate with and assist the
18 Wisconsin tribal-state council. To that end, a representative of an agency or
19 authority shall, upon request of the council or its executive director, do all of the
20 following:

21 (a) Provide information on program policies, procedures, practices, and
22 services affecting American Indians or tribal governments.

23 (b) Present recommendations to the council.

24 (c) Attend meetings and provide staff assistance needed by the council.

25 (d) Inform the agency or authority of issues concerning the council.

SECTION 4. 20.005 (3) (schedule) of the statutes: at the appropriate place, insert the following amounts for the purposes indicated:

2001-02 2002-03

20.505 Administration, department of

(4) ATTACHED DIVISIONS AND OTHER BODIES

(kt) Wisconsin tribal-state council PR-S A -0- 214,300

SECTION 5. 20.505 (4) (kt) of the statutes is created to read:

20.505 (4) (kt) Wisconsin tribal-state council. The amounts in the schedule for the general program operations of the Wisconsin tribal-state council. All moneys transferred from the appropriation account under sub. (8) (hm) 22. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under sub. (8) (hm).

SECTION 6. 20.505 (8) (hm) 22. of the statutes is created to read:

20.505 (8) (hm) 22. The amount transferred to sub. (4) (kt) shall be the amount in the schedule under sub. (4) (kt).

SECTION 7. 20.923 (6) (ab) of the statutes is created to read:

20.923 (6) (ab) Administration, department of: executive director of the Wisconsin tribal-state council.

~~***Note. Add the council's executive director position to s. 230.08 (2), stats?***~~

SECTION 8. Nonstatutory provisions; administration.

(1) Notwithstanding section 16.42 (1) (e) of the statutes, in submitting information under section 16.42 of the statutes for purposes of the 2003-05 biennial budget bill, the department of administration shall submit a dollar amount for the

INS 6-19

1 appropriation under section 20.505 (4) (kt) of the statutes, as created by this act, that
2 is \$15,000 less than the total amount appropriated under section 20.505 (4) (kt) of
3 the statutes for the 2002–03 fiscal year, before submitting any information relating
4 to any increase or decrease in the dollar amount for that appropriation for the
5 2003–05 fiscal biennium.

6 **SECTION 9. Nonstatutory provisions; Wisconsin tribal–state council.**

7 (1) POSITION AUTHORIZATIONS. There is authorized for the Wisconsin tribal–state
8 council 1.0 FTE PR executive director position and 2.0 FTE PR other positions, to be
9 funded from the appropriation under section 20.505 (4) (kt) of the statutes, as created
10 by this act.

11 (END)

6-19

SECTION # 230.08(2)(yz) of the statutes

is related to read:

^{Mr. ③}
230.08(2)(yz) The executive
director of the Wisconsin
tribal-state council.

Due 4/3/02
2001 BILL

[Handwritten signatures and initials]

only ch p 3

1 **AN ACT to amend** 15.01 (4); and **to create** 15.107 (18), 16.025, 20.505 (4) (kt),
2 20.505 (8) (hm) 22., 20.923 (6) (ab) and 230.08 (2) (yz) of the statutes; **relating**
3 **to:** creation of the Wisconsin tribal-state council and making an appropriation.

Analysis by the Legislative Reference Bureau

This bill is explained in the PREFATORY NOTE provided by the joint legislative council in the bill.

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:

PREFATORY NOTE: This bill was recommended by the joint legislative council's special committee on state-tribal relations. It creates a council composed of representatives of the American Indian tribes and bands in this state and representatives of state and local governments. It assigns a number of functions to the council that relate to facilitating communications and sharing information between the state and tribal governments. In addition, it directs the council to monitor those actions of the executive and legislative branches of state government that may affect tribal governments and American Indians and to make policy recommendations regarding those matters. The bill requires all state agencies to provide assistance to the council, upon request.

The bill appropriates \$214,300 in fiscal year 2002-03 for the operation of the council and authorizes 3.0 full-time equivalent (FTE) positions: an executive director,

BILL

a policy analyst, and a support position. The appropriation is from gaming revenues paid by the tribes to the state. Of the amount appropriated, \$15,000 is for one-time start-up costs; the balance (\$199,300) would be the council's base funding for purposes of future budgeting. The council is attached to the department of administration (DOA) for administrative purposes.

1 **SECTION 1.** 15.01 (4) of the statutes, as affected by 2001 Wisconsin Act 16, is
2 amended to read:

3 15.01 (4) "Council" means a part-time body appointed to function on a
4 continuing basis for the study, and recommendation of solutions and policy
5 alternatives, of the problems arising in a specified functional area of state
6 government, except the Wisconsin land council has the powers specified in s. 16.965
7 (3) and (5) and the powers granted to agencies under ch. 227, the Milwaukee River
8 revitalization council has the powers and duties specified in s. 23.18, the council on
9 physical disabilities has the powers and duties specified in s. 46.29 (1) and (2), the
10 state council on alcohol and other drug abuse has the powers and duties specified in
11 s. 14.24, the Wisconsin tribal-state council has the powers and duties specified in ss.
12 15.107 (18) and 16.025, and, before January 1, 2001, the council on health care fraud
13 and abuse has the powers and duties specified in s. 146.36.

14 **SECTION 2.** 15.107 (18) of the statutes is created to read:

15 15.107 (18) WISCONSIN TRIBAL-STATE COUNCIL. (a) There is created a Wisconsin
16 tribal-state council which is attached to the department of administration under s.
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18 (b) The council shall consist of the following:

19 1. Eleven members, one each of whom shall be appointed by the elected
20 governing body of each of the 11 federally recognized American Indian tribes and
21 bands in this state.

BILL

1 2. Three members, appointed by the governor, representing state departments
2 and agencies that have extensive interactions with tribal governments.

3 3. The attorney general or his or her designee.

4 4. The state superintendent of public instruction or his or her designee.

5 5. One member of the senate, appointed by the senate majority leader.

6 6. One member of the senate, appointed by the senate minority leader.

7 7. One member of the assembly, appointed by the speaker of the assembly.

8 8. One member of the assembly, appointed by the assembly minority leader.

9 9. One member, appointed by the governor, representing a county government.

10 10. One member, appointed by the governor, representing a municipal
11 government.

12 (c) The members shall serve at the pleasure of the appointing authorities.

13 (d) At its first meeting in each year, the council shall elect one cochairperson
14 from among the members appointed under par. (b) 1. and one cochairperson from
15 among the members appointed under par. (b) 2. to 10. and may elect a secretary from
16 among its members. The council may not elect a chairperson or vice chairperson.

17 (e) The council shall meet at least quarterly at a location determined by the
18 council or either chairperson and shall meet at the call of either cochairperson or a
19 majority of its members. The secretary of administration may not require the council
20 to meet and may not determine the council's meeting place. Either or both
21 cochairpersons may preside at a meeting of the council.

22 (f) The council shall appoint an executive director outside the classified service
23 to serve at its pleasure.

24 (g) The council shall perform the functions specified under ss. 15.09 (5) and
25 16.025.

cochairperson

ca

BILL

1 **SECTION 3.** 16.025 of the statutes is created to read:

2 **16.025 Wisconsin tribal–state council.** (1) In this section:

3 (a) “Agency” means any office, department, agency, institution of higher
4 education, association, society, or other body in state government created or
5 authorized to be created by the constitution or any law which is entitled to expend
6 moneys appropriated by law, including the legislature and the courts, but not
7 including an authority.

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13 and tribal governments.

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15 state programs that affect tribal governments and American Indians.

16 (c) Serve as a resource to agencies, authorities, and the legislature on matters
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18 committees.

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20 governments and American Indians.

21 (e) Develop recommendations for state executive branch policies.

22 (f) Monitor agreements between state government and tribal governments.

23 (g) Support and coordinate communication between agency and authority
24 liaisons who work with tribes, to promote smooth delivery of state services to tribal
25 governments and American Indians and to avoid duplication of effort. The council

BILL

1 shall review the adequacy of existing state liaison positions and recommend any
2 changes in the number of liaison positions as it considers necessary.

3 (h) Monitor state legislation that potentially may affect tribal governments or
4 American Indians.

5 (i) Develop recommendations for state legislation.

6 (j) Provide training to state officials and employees concerning the legal status
7 of American Indian tribes and bands, legal and practical aspects of relations between
8 tribal governments and the state and federal governments, and issues affecting
9 state-tribal relations. The council shall provide training to state executive branch
10 officials and employees at least once annually. The council shall provide training to
11 state legislators and legislative employees at least once at the start of each legislative
12 session.

13 (k) In lieu of the report under s. 15.09 (7), submit a biennial report on the
14 council's activities to the governor, to the special committee on state-tribal relations,
15 and to the chief clerk of each house of the legislature for distribution to the
16 appropriate standing committees under s. 13.172 (3).

17 (3) All agencies and authorities shall fully cooperate with and assist the
18 Wisconsin tribal-state council. To that end, a representative of an agency or
19 authority shall, upon request of the council or its executive director, do all of the
20 following:

21 (a) Provide information on program policies, procedures, practices, and
22 services affecting American Indians or tribal governments.

23 (b) Present recommendations to the council.

24 (c) Attend meetings and provide staff assistance needed by the council.

25 (d) Inform the agency or authority of issues concerning the council.

BILL

1 **SECTION 4.** 20.005 (3) (schedule) of the statutes: at the appropriate place, insert
2 the following amounts for the purposes indicated:

	2001-02	2002-03
3		
4	20.505 Administration, department of	

5 (4) ATTACHED DIVISIONS AND OTHER BODIES

6	(kt) Wisconsin tribal-state council	PR-S	A	-0-	214,300
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8 20.505 (4) (kt) *Wisconsin tribal-state council.* The amounts in the schedule for
9 the general program operations of the Wisconsin tribal-state council. All moneys
10 transferred from the appropriation account under sub. (8) (hm) 22. shall be credited
11 to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered
12 balance on June 30 of each year shall revert to the appropriation account under sub.
13 (8) (hm).

14 **SECTION 6.** 20.505 (8) (hm) 22. of the statutes is created to read:

15 20.505 (8) (hm) 22. The amount transferred to sub. (4) (kt) shall be the amount
16 in the schedule under sub. (4) (kt).

17 **SECTION 7.** 20.923 (6) (ab) of the statutes is created to read:

18 20.923 (6) (ab) Administration, department of: executive director of the
19 Wisconsin tribal-state council.

20 **SECTION 8.** 230.08 (2) (yz) of the statutes is created to read:

21 230.08 (2) (yz) The executive director of the Wisconsin tribal-state council.

22 **SECTION 9. Nonstatutory provisions; administration.**

23 (1) Notwithstanding section 16.42 (1) (e) of the statutes, in submitting
24 information under section 16.42 of the statutes for purposes of the 2003-05 biennial

BILL

1 budget bill, the department of administration shall submit a dollar amount for the
2 appropriation under section 20.505 (4) (kt) of the statutes, as created by this act, that
3 is \$15,000 less than the total amount appropriated under section 20.505 (4) (kt) of
4 the statutes for the 2002–03 fiscal year, before submitting any information relating
5 to any increase or decrease in the dollar amount for that appropriation for the
6 2003–05 fiscal biennium.

7 **SECTION 10. Nonstatutory provisions; Wisconsin tribal-state council.**

8 (1) POSITION AUTHORIZATIONS. There is authorized for the Wisconsin tribal-state
9 council 1.0 FTE PR executive director position and 2.0 FTE PR other positions, to be
10 funded from the appropriation under section 20.505 (4) (kt) of the statutes, as created
11 by this act.

12 (END)

Emery, Lynn

From: Kiel, Joyce
Sent: Wednesday, January 30, 2002 11:27 AM
To: LRB.Legal
Cc: Lovell, David; Ulrich, Wendy; Uselman, Tracey
Subject: Jacketing Requests

Please jacket the following five drafts--for the Assembly--introduced by the Joint Legislative Council:

LRB-4263/1
LRB-4264/1
LRB-4265/2
LRB-4266/2
LRB-4441/1

Please send the jackets to Wendy Ulrich at the Legislative Council Staff Offices.

If you have any questions, please call me or David Lovell. Thanks!!!!!!!!!!!!!!

Joyce L. Kiel, Senior Staff Attorney
Wisconsin Legislative Council Staff
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Madison, WI 53703
608-266-3137
608-266-3830 (fax)
Joyce.Kiel@legis.state.wi.us