

2001 DRAFTING REQUEST

Senate Amendment (SA-SSA1-SB55)

Received: 06/15/2001

Received By: kunkemd

Wanted: As time permits

Identical to LRB:

For: Senate Democratic Caucus

By/Representing: Keckhaver

This file may be shown to any legislator: NO

Drafter: kunkemd

May Contact:

Addl. Drafters:

Subject: Cemetery - regulation

Extra Copies:

Submit via email: NO

Requester's email:

Pre Topic:

SDC:.....Keckhaver - CN8008,

Topic:

Requiring cemeteries to provide year-round burials if practicable

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>
/?	kunkemd 06/16/2001	jdye 06/16/2001		_____			
/1			kfollet 06/16/2001	_____	lrb_docadmin 06/17/2001		

FE Sent For:

<END>

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1?	kunkemd	1 6/16 JLD	1 6/16	1 6/16 RS			

FE Sent For:

<END>

60766

Agency: Regulation and Licensing

caucus number 1504

duplicate flag: y
duplicate with: 5533

Other reference numbers:

LFB Sum #:

FM 1577

bill number/amendment number:

LRB draft #

LRB P-draft:

description: Adopt Motion 1577 regarding regulation of cemeteries.

other notes

drafting instructions:

more instructions:

GPR: \$0.00

PR: \$0.00

SEG: \$0.00

Other:

FED: \$0.00

TANF: \$0.00

All Funds: \$0.00

GPR-REV: \$1,800.00

SEG-REV: \$1,002,900.00

PR-REV: \$16,300.00

no fiscal impact:

unknown impact:

caucus number 8008

duplicate flag:

Other reference numbers:

LFB Sum #:

duplicate with:

bill number/amendment number: 51

LRB draft #

LRB P-draft:

description: require cemeteries to provide year round burials if practicable

other notes

drafting instructions:

more instructions:

GPR: \$0.00

PR: \$0.00

SEG: \$0.00

Other:

FED: \$0.00

TANF: \$0.00

All Funds: \$0.00

GPR-REV: \$0.00

SEG-REV: \$0.00

PR-REV: \$0.00

no fiscal impact: x

unknown impact:

Agency: Regulation and Licensing

Number of Amendments: 2

MOK

New Provision

Senate Bill 51 – Requires cemeteries to provide year round burials, if practicable.

CV8008

MDK



2001 SENATE BILL 51

February 15, 2001 – Introduced by Senators MOEN, M. MEYER, SCHULTZ and PLACHE, cosponsored by Representatives MONTGOMERY, RYBA, UNDERHEIM, HUEBSCH, LADWIG and STARZYK. Referred to Committee on Human Services and Aging.

1 **AN ACT to create** 157.114 of the statutes; relating to: requiring certain cemetery
2 authorities to provide for burials during each season.

Analysis by the Legislative Reference Bureau

This bill requires, with certain exceptions, the owner or operator of a cemetery (cemetery authority) to provide for burials, insofar as practicable, during each season, including winter. This requirement does not prohibit a cemetery authority from charging a reasonable fee to recover the costs related to providing for a burial during difficult weather conditions.

The bill's requirement to provide for burials during each season does not apply to any of the following: 1) a municipality that takes control of a cemetery that the owner or operator has abandoned or failed to care for; or 2) a town board that takes control of a cemetery that has fallen into disuse or is abandoned or neglected.

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

3 **SECTION 1.** 157.114 of the statutes is created to read:
4 **157.114 Duty to provide for burials.** (1) In this section, "cemetery
5 authority" does not include a municipality that takes control of a cemetery under s.

2001

Date (time) needed _____

LRB b 0766, 2

AMDT TO BUDGET SUB AMDT

MDK: jld: _____

D-NOTE

See form AMENDMENTS — COMPONENTS & ITEMS.

LPS - Fix request sheet

SENATE AMENDMENT
~~TO SENATE AMENDMENT~~
TO SENATE SUBSTITUTE AMENDMENT 1,
TO 2001 SENATE BILL 55

At the locations indicated, amend the substitute amendment ~~amendment~~ as follows:

#. Page ⁹⁵⁷....., line 20: after that line insert:

#. Page....., line.....:

#. Page....., line.....:

#. Page....., line.....:

#. Page....., line.....:

#. Page....., line.....:

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

3 → ✓ ^{2852 n ✓} SECTION 1. 157.114 of the statutes is created to read:

4 157.114 Duty to provide for burials. (1) In this section, "cemetery
5 authority" does not include a municipality that takes control of a cemetery under s.

SENATE BILL 51

SECTION 1

1 157.115 (1) (b), or a town board that takes charge of a cemetery under s. 157.115 (1)

2 *10.9*

3 (2) A cemetery authority shall, insofar as practicable, provide for burials

4 during each season, including winter. Nothing in this subsection [✓] may be construed

5 to prohibit a cemetery authority from charging a reasonable fee to recover the costs

6 related to providing for a burial during difficult weather conditions. ^{"))} _✓ ₁

7 (END)

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb0766/1dn

MDK:.....

Jld

date

John Keckhaver:

This amendment incorporates the provisions of 2001 SB^① 51, except it eliminates the exception applicable to town boards that take charge of cemeteries under s. 157.115 (1) (c), stats., which is repealed in the SDC's LRBb0770 (pertaining to CN1504 and CN9516). If LRBb0770 is eliminated from the final "in" list, this amendment must be revised.

Mark D. Kunkel
Legislative Attorney
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E-mail: mark.kunkel@legis.state.wi.us

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb0766/1dn
MDK:jld:kjf

June 16, 2001

John Keckhaver:

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Mark D. Kunkel
Legislative Attorney
Phone: (608) 266-0131
E-mail: mark.kunkel@legis.state.wi.us

SDC:.....Keckhaver – CN8008, Requiring cemeteries to provide year-round burials if practicable

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 957, line 20: after that line insert:

3 **“SECTION 2852n.** 157.114 of the statutes is created to read:

4 **157.114 Duty to provide for burials.** (1) In this section, “cemetery
5 authority” does not include a municipality that takes control of a cemetery under s.
6 157.115 (1) (b).

7 **(2)** A cemetery authority shall, insofar as practicable, provide for burials
8 during each season, including winter. Nothing in this subsection may be construed

1 to prohibit a cemetery authority from charging a reasonable fee to recover the costs
2 related to providing for a burial during difficult weather conditions.”

3 (END)