

2001 DRAFTING REQUEST

Senate Amendment (SA-SSA1-SB55)

Received: 06/15/2001

Received By: gibsom

Wanted: Soon

Identical to LRB:

For: Senate Democratic Caucus

By/Representing: Keckhaver

This file may be shown to any legislator: NO

Drafter: rkite

May Contact:

Addl. Drafters:

Subject: Nat. Res. - LWSR stewardship

Extra Copies:

Submit via email: NO

Requester's email:

Pre Topic:

SDC:.....Keckhaver - CN9007,

Topic:

Stewardship funding for Root River pathway project

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>
/1	rkite 06/16/2001	gilfokm 06/16/2001	pgreensl 06/16/2001	_____	lrb_docadmin 06/16/2001		

FE Sent For:

<END>

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1?	rkite	6/16/01 rkite	6/16 Pg	6/16 self			

FE Sent For:

<END>

STEWARDSHIP FUND

Department of Natural Resources

LFB Paper #633

Earmark \$375,000 as a matching grant from the Stewardship Fund for land acquisition for completion of the Root River Pathway Project.

CN9007

6/3/02 (26)

just up the amt.

m66



D-Note

SDC:.....Keckhaver – CN9007, Stewardship funding for Root River pathway project

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 450, line 14: after that line insert:

3 "SECTION 1039^r ~~bg.~~ 23.197 (1) (a) of the statutes is amended to read:

4 23.197 (1) (a) From the appropriation under s. 20.866 (2) (ta) or (tz) or both, the
5 department shall provide funding to the city of Racine for a multipurpose pathway
6 along the Root River. The amount provided by the department may not exceed the
7 amount that equals the matching contribution for the pathway made by the city of
8 Racine or ~~\$750,000~~ \$1,125,000, whichever is less."

History: 1999 a. 9, 84.

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb 6644/1dn
RNK:rs 60955

June 6, 2001

RNATK
[Signature]

Caucus

It is possible that a Wisconsin court would find that this amendment is a "private or local law" which, under article IV, section 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 article 4, section 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, the ~~committee~~ 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

LRBb0955/1dn
RNK:kmg:pg

June 16, 2001

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9 (END)