

**2001 DRAFTING REQUEST**

**Senate Amendment (SA-SSA1-SB55)**

Received: 06/15/2001

Received By: rkite

Wanted: As time permits

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: kuesejt

Subject: Nat. Res. - LWSR stewardship

Extra Copies: RAC - 1

Submit via email: NO

Requester's email:

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**Pre Topic:**

SDC:.....Keckhaver - CN7521,

---

**Topic:**

CN7521, 4012, 4013,4501; Delete various stewardship funded projects and provide stewardship funding for a visitor center at the Kickapoo valley reserve

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**Instructions:**

See Attached

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**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	wjackson 06/16/2001	pgreensl 06/17/2001	_____	lrb_docadmin 06/17/2001		
	kuesejt 06/16/2001			_____			
				_____			

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/2	kuesejt 06/17/2001	wjackson 06/17/2001	rschluet 06/19/2001	_____	gretskl 06/19/2001		
/3	rkite 06/19/2001	wjackson 06/19/2001	rschluet 06/19/2001	_____	lrb_docadmin 06/19/2001		

FE Sent For:

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/2	kuesejt 06/17/2001	wjackson 06/17/2001	rschluet 06/19/2001	_____	gretskl 06/19/2001		

FE Sent For:

13 WJ 6/19

*(Handwritten signatures and initials)*  
6-19 <END>

*DNOR*

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/1	rkite 06/16/2001 kuesejt 06/16/2001	wjackson 06/16/2001 <i>WUJ 6/17</i>	pgreensl 06/17/2001 <i>[Signature]</i>	_____	lrb_docadmin 06/17/2001		
			<i>[Signature]</i>	<i>[Signature]</i>			

*6-19-1*

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2001 DRAFTING REQUEST

Senate Amendment (SA-SSA1-SB55)

Received: 06/15/2001

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Wanted: As time permits

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For: Senate Democratic Caucus

By/Representing: Keckhaver

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May Contact:

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Subject: Nat. Res. - LWSR stewardship

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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 kuesejt		6/16 PS	6/16 PS/KJR			

FE Sent For:

**<END>**

Agency: DNR  
Fiscal Bureau Paper: 258 & 261 - Stewardship Fund  
Fiscal Bureau Motions: Paper 258, Alternative C3 & Paper 261, Alternatives 1(b),(c),(d) and 3 and reverse motions 1382, 1353, and 1094.  
Fiscal Effect: None

CN  
7521

RNK

Move to eliminate the following earmarked Knowles-Nelson Stewardship Fund projects:

- OK  \$1 million for a building at the UW - Platteville to be used for research and for training farmers in environmental farming practices. (Paper 261) *include*
- OK  \$250,000 from the property development and local assistance program for Conservation Law Enforcement Museum. (Motion 1382) *include*
- \$250,000 from the property development and local assistance program for the Paper Industry International Hall of Fame, Inc., to create the World paper Center. (Motion 1353) *also 4013*
- \$25,000 from the land acquisition program for the purchase of a skateboard park in the City of Menasha. (Motion 1094) *also 4012*
- OK  \$2 million for projects approved by the State Fair Park Board (Paper 258) *include*

*The effect of this motion is to return \$1,525,000 in bonding revenue to the Stewardship Fund for use in projects that are determined through the normal process. Each of these projects may be worthwhile, but they are only tangentially related to the natural resource mission of the Stewardship Fund. They establish a bad precedent of using the already stressed Stewardship Fund for building projects that should be supported from more appropriate sources.*

*mbb*

*Asked John K. what to do about the UW Platteville project and the duplicate caucus members. He will get back to me.*

*Per John (also) put the following under 7521*  
*- UW Platteville*  
*- law enforcement museum*  
*- world paper center*  
*- skateboard park*  
*- state fair park board*



duplicate flag:  
duplicate with:

Other reference numbers:	LFB Sum #:
bill number/amendment number:	
LRB draft #	LRB P-draft:

description: Establish a separate nonlapsible trust fund designated as the Wisconsin Outdoor/Wildlife Trust Fund, to consist of all gifts, grant or bequests or other contribs to the Fund. The Fund is to provide funding for activities and programs of Ch. 29 of statutes

other notes

Description2: Establish a separate, nonlapsible trust fund designated as the Wisconsin Outdoor/Wildlife Heritage Trust Fund. The Fund would consist of all gifts, grants, bequests or other contributions. The Fund is to provide funding for activities and programs within Chapter 29 of the Wisconsin state statutes.

drafting instructions: Change name to "Wisconsin Outdoor/Wildlife Heritage Trust Fund".

more instructions:

*no attachment*

duplicate flag:  
duplicate with:

Other reference numbers: Paper 258 and 261	LFB Sum #:
See other notes	
bill number/amendment number:	
LRB draft #	LRB P-draft:

description: Removes 2 items which were earmarked Knowles-Nelson Stewardship Fund Projects by JFC.

other notes Paper 258 Alt C3, Paper 261 Alt 1bcd and 3. Reverses motions 1382, 1353 and 1094

Description2: This amondment would eliminate two projects which have been earmarked for stewardship funds:

- \* \$250,000 from the property development and local assistance program for a Conservation Law Enforcement Museum
- \* \$2 million for projects approved by the State Fair Park Board

The effect of this motion would be to return \$2,250,000 in bonding revenue to the stewardship fund.

drafting Instructions: *Only eliminate the above 2 programs. Leave out Platteville project.*

more instructions:

*wrong - John K. says to eliminate U/W Platteville also*

duplicate flag:  
duplicate with:

Other reference numbers:	LFB Sum #:
bill number/amendment number:	
LRB draft #	LRB P-draft:

description: Bear Hunting. Delete and modify language in FM 639. Remove the language specifying the limitation of use of dogs for hunting and training in the northern part of the states. Specify the part of the state affected.

other notes

Description2: Bear Hunting. Delete and modify language in FM 639. Remove the language specifying the limitation of use of dogs for hunting and training in the northern part of the states during the period from May 1 through June 30. Specify the part of the state affected.

drafting instructions:

more instructions:

*MGG*

**KICKAPOO RESERVE MANAGEMENT BOARD VISITOR CENTER**

Provide \$2,370,000 from the Stewardship 2000 program supported bonding for the construction of a visitor center and administration building at the Kickapoo Valley Reserve. Allow DNR to determine from which stewardship categories funding would be allocated.

CN45a

LOCATION/STATUS: LFB Paper 263, Alternative 2

DEPARTMENT(S): DNR

FISCAL IMPACT:	<u>2001-02</u>	<u>2002-03</u>
	\$94,500	\$94,500

FUNDING SOURCE(S): PRSB

INTRODUCTION: SDC

POLITICAL: -

MGG



## Legislative Fiscal Bureau

One East Main, Suite 301 • Madison, WI 53703 • (608) 266-3847 • Fax: (608) 267-6873

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June 4, 2001

Joint Committee on Finance

Paper #263

### **Kickapoo Reserve Management Board Visitor Center (Building Program)**

[LFB 2001-03 Budget Summary: Page 158-10, #9]

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#### **CURRENT LAW**

The Kickapoo Valley Reserve refers to approximately 8,600 acres of land north of La Farge in Vernon County. The property was the site of a U.S. Army Corps of Engineers dam and reservoir project on the Kickapoo River that was abandoned in approximately 1975. The Corps transferred ownership of approximately 7,400 acres to the State of Wisconsin in December, 2000. Additionally, 1,200 acres were transferred to the Bureau of Indian Affairs in trust for sites sacred to the Ho-Chunk tribe. However, in a 1997 memorandum of understanding (MOU), the state and the Ho-Chunk nation agree the entire acreage will be managed as one property.

Appropriations from the forestry account of the conservation fund support administrative functions for the Kickapoo Reserve Management Board. The Board is responsible for: (a) managing the land in the Kickapoo River valley to preserve and enhance its unique environmental, cultural and scenic features; (b) providing facilities for the use and enjoyment of visitors to the Reserve; and (c) promoting the Reserve as a destination for vacationing and recreation.

#### **BUILDING COMMISSION**

Provide \$2,370,000 SEG in 2001-02 from a new, continuing appropriation from the segregated forestry account of the conservation fund under the Department of Tourism to fund the construction of a visitor center and administration building at the Kickapoo Valley Reserve.

## DISCUSSION POINTS

1. Building Commission plans call for the construction of an 8,300 square-foot visitor center and administration building, located near trailheads on the Reserve, on State Highway 131 in the Township of Stark. The building would include meeting space, exhibit and informational areas and offices. An outdoor restroom facility and storage area would also be constructed with the funds. It is anticipated the building could be completed in 2002.

2. Currently, the Board leases office space in a modified two-bedroom ranch house with attached garage in the Village of La Farge for over \$900 per month. The current facility is about a mile south of the Reserve. As well as providing space for the 2.0 permanent staff and other limited-term employees, the office is used to distribute state tourism publications, serve as a visitor information site and host educational classes. The Board is planning to expand their current summer educational program to offer courses year-round once the center is complete, which may provide the Board with additional revenue. According to Reserve officials, hunting and fishing licenses would also be sold from the visitor center. In addition, some have argued that a new center actually located on the Reserve will increase visits to both the center and the area, as well as increasing the number of people who pay required fees to use the Reserve.

3. It is anticipated that the number of visitors to the Reserve will increase, especially if the visitor center is completed. The Reserve estimates that approximately 10,000 people will visit the area annually. In addition, it has been estimated that over 1,000 hunters typically use the Reserve during the opening weekend of the gun deer hunting season.

4. The primary source of revenue deposited in the forestry account of the conservation fund is the forestry mill tax, a state tax on property of 0.2 mill (20¢ per \$1,000 of property value). Other sources of revenue to the forestry account include: (a) revenue from the sale of timber on state forest lands; (b) revenue from the sale of stock from the state's tree nurseries; (c) camping and entrance fees at state forests; and (d) severance and withdrawal payments from timber harvests on cooperatively-managed county forests and on privately-owned land entered under the forest crop land and management forest land programs.

5. Forestry account revenues are used to fund several forestry programs and related administrative activities in DNR. The main expenditure from the forestry account relates to the operations of state forest and nursery properties. Other DNR activities funded from the forestry account include: (a) forest management assistance for private landowners and county foresters; (b) aid payments under forest tax law programs; (c) county forest acreage payments and loans; and (d) forest fire control activities. The forestry account also funds programs in seven other agencies, the largest expenditures being for administrative and worker salary costs of the Wisconsin Conservation Corps and the gypsy moth suppression program in DATCP. In addition, forestry account revenues support administrative functions for the Kickapoo Reserve Management Board (\$194,100 SEG appropriated in 2000-01) and under the bill, forestry account revenue would be used for payments in lieu of property taxes for the Kickapoo Valley Reserve.

6. Some would argue that funding a building project at the Kickapoo Valley Reserve is not an appropriate use of forestry account revenues. Bonding from the stewardship fund or state building program has been used for similar projects in the past. The Department of Natural Resources (DNR) is authorized \$46 million in general obligation bonding authority annually through 2009-10 for stewardship 2000, with \$34.5 million specified for land acquisition and \$11.5 million for property development and local assistance. While using stewardship 2000 program bonding may seem an appropriate funding source to some, it would also reduce the amount of property DNR could purchase or improve. Further, the Building Commission recommendations would include earmarking \$7 million of stewardship 2000 bonding (\$1 million from land acquisition and \$6 million from property development and local assistance) for four projects (Lakeshore State Park, State Fair Park, an agricultural stewardship initiative and reconstructing a ski chalet at Rib Mountain State Park).

7. On the other hand, the majority of the Reserve is forestland and the Reserve has a forestry management plan that includes timber harvesting. In addition, forestry account revenues have been used to finance DNR ranger stations and state forest recreation buildings in the past. Under Committee action to date on SB 55, the forestry account is estimated to have a June 30, 2003 balance of \$2.24 million. If the segregated funds are appropriated for the Kickapoo Valley Reserve visitor center and administration building authorized expenditures would exceed expected revenues by approximately \$130,000. If forestry account revenues are available, it may be less expensive to provide cash rather than to pay debt service of approximately \$189,000 annually for 20 years, given a flat repayment schedule upon issuance of the bonds, or an estimated total of \$3.8 million over the 20-year period. Thus, funding a visitor center and administrative facility at the Reserve from the forestry account may be viewed as appropriate.

8. However, since the benefits of a visitor center would be realized for at least 20 years, some would find bonding an appropriate form of payment for the center. In addition, when inflationary costs are considered, bonding for the center may approximate the cost in real dollars of paying for the construction in cash. As alternatives, the Committee could consider using either forestry account or general fund supported bonding in lieu of cash financing. Given the estimated construction schedule, debt retirement costs of \$94,500 in 2002-03 would be expected.

**ALTERNATIVES TO BASE**

1. Approve the Building Commission's recommendation to provide \$2,370,000 SEG in 2001-02 from a new continuing appropriation from the segregated forestry account of the conservation fund under the Department of Tourism to fund the construction of a visitor center and administration building at the Kickapoo Valley Reserve.

<u>Alternative 1</u>	<u>SEG</u>
2001-03 FUNDING (Change to Base)	\$2,370,000
[Change to Bill]	\$2,370,000]

2. Require DNR to earmark \$2,370,000 from stewardship 2000 program bonding for the construction of a visitor center and administration building at the Kickapoo Valley Reserve. Allow DNR to determine from which stewardship categories funding would be allocated.

3. Provide forestry account supported bonding of \$2,370,000 and create a sum sufficient debt retirement appropriation under the Department of Tourism for the construction of a visitor center and administration building at the Kickapoo Valley Reserve. Estimate debt service of \$94,500 SEG in 2002-03.

<b>Alternative 3</b>	<b>SEG</b>	<b>BR</b>
2001-03 FUNDING (Change to Base)	\$94,500	\$2,370,000
<i>[Change to Bill]</i>	<i>\$94,500</i>	<i>\$2,370,000]</i>

4. Provide general fund supported bonding of \$2,370,000 and create a sum sufficient debt retirement appropriation under the Department of Tourism for the construction of a visitor center and administration building at the Kickapoo Valley Reserve. Estimate debt service of \$94,500 GPR in 2002-03.

<b>Alternative 4</b>	<b>GPR</b>	<b>BR</b>
2001-03 FUNDING (Change to Base)	\$94,500	\$2,370,000
<i>[Change to Bill]</i>	<i>\$94,500</i>	<i>\$2,370,000]</i>

5. Maintain current law.

Prepared by: David Schug

RE: Budget Drafting Instructions – Stewardship Funding for Menasha  
Skateboard Park

**\*Important\***

C104012

.....  
**Reference: Fiscal Bureau Motion #1094**

- Delete the action that the Joint Finance Committee took under motion #1094 to appropriate funds from the Stewardship account to the City of Menasha for the purchase of land for a skateboard park facility in Winnebago County.

RNK

NATURAL RESOURCES – DEPARTMENTWIDE

Stewardship – Menasha Skateboard Park

Motion:

Move to require DNR to provide \$25,000 from the Warren Knowles-Gaylord Nelson Stewardship 2000 land acquisition subprogram to the City of Menasha for the purchase of land for a skateboard park facility in Winnebago County.

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Note:

Under current law, \$46 million in general obligation bonding authority is available annually under the Warren Knowles-Gaylord Nelson Stewardship 2000 program. Under the stewardship biennial spending plan approved by the Natural Resources Board, \$7.25 million of the \$34.5 million for general land acquisition would be earmarked for grants to non-profit conservation organizations, leaving \$19 million available for DNR land acquisition (after \$8.3 million is set aside to account for the \$25 million Great Addition purchase in 1999). Of the \$11.5 million available for property development and local assistance, \$4.5 million would be allocated for property development, and \$7 million for local assistance grants.

Under 1999 Act 9, moneys obligated under the local assistance subprogram may only be used for nature-based outdoor recreation. The Department has defined "nature-based outdoor recreation" in emergency administrative rule to mean: "Activities where the primary focus or purpose is the appreciation or enjoyment of nature." These activities may include but are not limited to hiking, bicycling, wildlife or nature observation, camping, nature study, fishing, hunting picnicking, cross-country skiing, canoeing, and multi-use trail activities. Support facilities for these activities may include but are not limited to access roads, parking areas, utility and sanitation systems, sanitary and shelter buildings, signs, interpretive items, and other features that enhance nature-based outdoor recreation or improve disabled accessibility. Ineligible activities include but are not limited to sports that require extensively developed open space such as dedicated sports fields, swimming pools, and tennis courts. The motion would require DNR to use \$25,000 in land acquisition funds for the skateboard park.



RE: Budget Drafting Instructions - Stewardship Funding for Paper  
Museum.

CN4013

**\*Important\***

.....  
**Reference: Fiscal Bureau Motion #1353**

- Delete the action that the Joint Finance Committee took under motion #1353 to use funds appropriated from the Stewardship account to the Paper Industry International Hall of Fame, Inc., to renovate the Atlas Mill into the World Paper Center. The Atlas Mill is located on the Fox River in the City of Appleton.

NATURAL RESOURCES – DEPARTMENTWIDE

Stewardship – Atlas Mill

Motion:

Move to require DNR to provide \$250,000 from the Warren Knowles-Gaylord Nelson Stewardship 2000 property development and local assistance subprogram to the Paper Industry International Hall of Fame, Inc., to renovate the Atlas Mill into the World Paper Center. The Atlas Mill is located on the Fox River in the City of Appleton.

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Note:

Under current law, \$46 million in general obligation bonding authority is available annually under the Warren Knowles-Gaylord Nelson Stewardship 2000 program. Under the stewardship biennial spending plan approved by the Natural Resources Board, \$7.25 million of the \$34.5 million for general land acquisition would be earmarked for grants to non-profit conservation organizations, leaving \$19 million available for DNR land acquisition (after \$8.3 million is set aside to account for the \$25 million Great Addition purchase in 1999). Of the \$11.5 million available for property development and local assistance, \$4.5 million would be allocated for property development, and \$7 million for local assistance grants. The Paper Industry International Hall of Fame, Inc., is a nonprofit organization dedicated to the recognition of individuals who have contributed to the world-wide paper industry.

The World Paper Center is estimated to cost approximately \$4.5 million to complete. To date, approximately \$1.5 million has been pledged from private sources.



SDC:.....Keckhaver – CN7521, Delete various stewardship funded projects

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

**CAUCUS SENATE AMENDMENT**

**TO SENATE SUBSTITUTE AMENDMENT 1,**

**TO 2001 SENATE BILL 55**

# Page 414, line 17: decrease the underscored dollar amount by \$ 3, 234,000 for the purpose of deleting funding for a Wisconsin agricultural stewardship initiative facility  
# Page 414, line 24: decrease the underscored dollar amount by \$ 1, 605,700 for the purpose of deleting funding for a Wisconsin agricultural stewardship initiative facility

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

2 √ 1. Page 446, line 2: delete the material beginning with "ss. 23.197 (3m) (b)" and

3 ending with "(8)" on <sup>line 3</sup> ~~page 446~~ and substitute "ss. 23.197 (2m) and (3m) (b)".

Please fix component

4 → √ 2. Page 446, line <sup>10</sup> ~~14~~: delete the ~~underscored material~~ <sup>lines 10 to 14</sup>

5 √ 3. Page 446, line 19: delete lines 19 and 20 and substitute:

6 "1m. Construction of a visitor center and administrative building at the

7 Kickapoo valley reserve under s. 23.197 (2m)".

8 √ 4. Page 446, line 21: delete that line.

9 √ 5. Page 446, line 24: delete the material beginning with that line and ending

10 with <sup>page 447, line 2.</sup>

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✓**6.** Page 450, line 14: after that line insert:

“SECTION 1039bm. 23.197 (2m) of the statutes is created to read:

23.197 (2m) KICKAPOO VALLEY RESERVE; VISITOR CENTER. From the appropriation under s. 20.866 (2) (ta), the department shall provide \$2,370,000 to the Kickapoo Reserve Management Board for construction of a visitor center and administrative building at the Kickapoo valley reserve. For purposes of s. 23.0917, moneys provided from the appropriation under s. 20.866 (2) (ta) shall be treated as moneys obligated from either or both of the subprograms under s. 23.0917 (3) and (4).”.

✓**7.** Page 451, line 10: delete lines 10 to 17.

↓**8.** Page 451, line 25: delete the material beginning with that line and ending with page 453, line 7.

(END) 

√# Page 1306, line 3: delete lines 13 to 15, and  
adjust the appropriate totals accordingly. ⊙

√# Page 1309, line 16: delete lines 16 to 18, and  
adjust the appropriate totals accordingly. ⊙

√# Page 1311, line 2: delete lines 2 to 6, and  
adjust the appropriate totals accordingly. ⊙

√# Page 1312, line 5: delete lines 5 to 7, and  
adjust the appropriate totals accordingly. ⊙

# Page 1313, line 1: delete lines 1 to 8, and  
adjust the appropriate totals accordingly. ⊙

(END)

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB1004/1dn  
RNK:rl:rs

b1003/1dn

ROCK

June 6, 2001

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**

LRBb1003/1dn  
RNK:wlj:pg

June 17, 2001

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 caucus 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

## Kite, Robin

---

**From:** Keckhaver, John  
**Sent:** Monday, June 18, 2001 4:47 PM  
**To:** Hinz, Daryl; Kite, Robin  
**Subject:** uw-plattevill

Ok, this is the skinny on this item. JFC passed this item, we are not doing anything with it. We don't have an amendment dealing with it, and we don't want one to deal with it. It should not be a part of CN 7521.

Thanks.





SDC:.....Keckhaver – CN7521, CN7521, 4012, 4013,4501; Delete various  
stewardship funded projects and provide stewardship funding for  
a visitor center at the Kickapoo valley reserve

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 414, line 17: decrease the underscored dollar amount by \$3,234,000~~  
3           ~~for the purpose of deleting funding for a Wisconsin agricultural stewardship~~  
4           ~~initiative facility.~~

5           ~~2. Page 414, line 24: decrease the underscored dollar amount by \$1,605,700~~  
6           ~~for the purpose of deleting funding for a Wisconsin agricultural stewardship~~  
7           ~~initiative facility.~~

8           3. Page 446, line 2: delete the material beginning with “ss. 23.197 (3m) (b)” and  
9           ending with “(8)” on line 3 and substitute “ss. 23.197 (2m), ~~and (3m) (b)~~” and (7m)”.

after "(cm)" insert "1"

after that line insert

LPS: 1  
Please  
Fix  
components

4. Page 446, line 14: ~~delete lines 10 to 14~~

5. Page 446, line 19: ~~delete lines 19 and 20 and substitute:~~

"1m. Construction of a visitor center and ~~administrative~~ <sup>administration</sup> building at the Kickapoo valley reserve under s. 23.197 (2m)."

6. Page 446, line 21: delete that line.

7. Page 446, line 24: delete the material beginning with that line and ending with page 447, line 2.

8. Page 450, line 14: after that line insert:

"SECTION 1039bm. 23.197 (2m) of the statutes is created to read:

23.197 (2m) KICKAPOO VALLEY RESERVE; VISITOR CENTER. From the appropriation under s. 20.866 (2) (ta), the department shall provide \$2,370,000 to the Kickapoo reserve management board for construction of a visitor center and ~~administrative~~ <sup>administration</sup> building at the Kickapoo valley reserve. For purposes of s. 23.0917, moneys provided from the appropriation under s. 20.866 (2) (ta) shall be treated as moneys obligated from either or both of the subprograms under s. 23.0917 (3) and (4)."

9. Page 451, line 10: delete lines 10 to 17.

10. Page 451, line 25: delete the material beginning with that line and ending

with page ~~452~~ <sup>452</sup>, line ~~14~~ <sup>6</sup>.

11. Page 1306, line 3: delete lines 13 to 15, and adjust the appropriate totals accordingly.

12. Page 1309, line 16: delete lines 16 to 18, and adjust the appropriate totals accordingly.

#. Page 452, line 17: delete the material beginning with that line and ending with page 453 line 7.

18  
JWS  
19  
2-98  
20

1 ~~13. Page 1311, line 2: delete lines 2 to 6, and adjust the appropriate totals~~  
2 accordingly.

3 ~~14. Page 1312, line 5: delete lines 5 to 7, and adjust the appropriate totals~~  
4 accordingly.

5 ~~15. Page 1313, line 1: delete lines 1 to 8, and adjust the appropriate totals~~  
6 accordingly.

7 (END)

# Page 1302, line 22: after that line insert (and adjust the appropriate totals accordingly) ✓

1	1. Projects financed by program revenue supported	
2	<i>borrowing and gifts, grants and other receipts:</i>	
3	Wisconsin History Center — Madison	\$ 131,500,000
4	2. Agency totals:	
5	Program revenue supported borrowing and gifts,	
6	grants and other receipts	<u>131,500,000</u>
7	Total — all sources of funds	\$ 131,500,000

8	(f) DEPARTMENT OF JUSTICE		
9	1. Projects financed by general fund supported borrowing:		
10	Crime laboratory relocation and expansion —		
11	Madison	\$ 12,000,000	
12	2. Agency totals:		
13	General fund supported borrowing		<u>12,000,000</u>
14	Total — all sources of funds	\$ 12,000,000	

15	✓ (g) KICKAPOO VALLEY RESERVE BOARD	
16	1. Projects financed by <sup>Existing general fund supported borrowing authority<sup>m</sup> stewardship</sup> segregated funds:	
17	Kickapoo Valley Reserve Visitor Center and	
18	administration building	\$ 2,370,000
19	2. Agency totals:	
20	<sup>Existing general fund supported borrowing authority<sup>m</sup> stewardship</sup> Segregated funds	<u>2,370,000</u>
21	Total — all sources of funds	\$ 2,370,000 ✓

22 (h) DEPARTMENT OF MILITARY AFFAIRS

(END INSERT)

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRBb1003/1dr-2dr  
RNK:wlj:pg

JTK

June 17, 2001

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 caucus 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**

LRBb1003/2dn  
RNK:wlj:rs

June 19, 2001

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 caucus may wish to consider introducing this proposal as a separate bill.

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State of Wisconsin  
2001 - 2002 LEGISLATURE

LRBb1003/2  
RNK&JTK:wlj:rs

SDC:.....Keckhaver – CN7521, CN7521, 4012, 4013,4501; Delete various  
stewardship funded projects and provide stewardship funding for  
a visitor center at the Kickapoo valley reserve

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 446, line 2: delete the material beginning with "ss. 23.197 (3m) (b)" and
- 3 ending with "(8)" on line 3 and substitute "ss. 23.197 (2m), (3m) (b), and (7m)".
- 4 2. Page 446, line 14: after "(cm)" insert "1".
- 5 3. Page 446, line 20: after that line insert:
- 6 "1m. Construction of a visitor center and administration building at the
- 7 Kickapoo valley reserve under s. 23.197 (2m).".
- 8 4. Page 446, line 21: delete that line.

1           **5.** Page 446, line 24: delete the material beginning with that line and ending  
2 with page 447, line 2.

3           **6.** Page 450, line 14: after that line insert:

4           “**SECTION 1039bm.** 23.197 (2m) of the statutes is created to read:

5           **23.197 (2m) KICKAPOO VALLEY RESERVE; VISITOR CENTER.** From the appropriation  
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8 building at the Kickapoo valley reserve. For purposes of s. 23.0917, moneys provided  
9 from the appropriation under s. 20.866 (2) (ta) shall be treated as moneys obligated  
10 from either or both of the subprograms under s. 23.0917 (3) and (4).”.

11           **7.** Page 451, line 10: delete lines 10 to 17.

12           **8.** Page 451, line 25: delete the material beginning with that line and ending  
13 with page 452, line 6.

14           **9.** Page 452, line 17: delete the material beginning with that line and ending  
15 with page 453, line 7.

16           **10.** Page 1302, line 22: after that line insert (and adjust the appropriate totals  
17 accordingly):

18           “(g) KICKAPOO VALLEY RESERVE BOARD

19           1. *Projects financed by existing general fund supported*

20                 *borrowing authority — stewardship funds:*

21                 Kickapoo Valley Reserve Visitor Center and

22                 administration building

\$         2,370,000

23           2. *Agency totals:*



1	Existing general fund supported borrowing authority	
2	— stewardship funds	<u>2,370,000</u>
3	Total — all sources of funds	\$ 2,370,000".

4  
↓ # Page 1306, line 13: delete lines 13 to 15, and  
(END)  
adjust the appropriate totals accordingly.

SDC:.....Keckhaver – CN7521, CN7521, 4012, 4013,4501; Delete various  
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22           administration building

\$       2,370,000

- 23           2. *Agency totals:*

1	Existing general fund supported borrowing authority	
2	— stewardship funds	<u>2,370,000</u>
3	Total — all sources of funds	\$ 2,370,000”.

4 **11.** Page 1306, line 13: delete lines 13 to 15, and adjust the appropriate totals  
5 accordingly.

6 (END)