

**2001 DRAFTING REQUEST**

**Assembly Amendment (AA-ASA1-SB55)**

Received: 06/21/2001

Received By: kuesejt

Wanted: Soon

Identical to LRB:

For: Spencer Black (608) 266-7521

By/Representing: Susan McMurray

This file may be shown to any legislator: NO

Drafter: kuesejt

May Contact:

Addl. Drafters:

Subject: State Finance - claims agnst st

Extra Copies: TNF - 1

Submit via email: YES

Requester's email: Rep.Black@legis.state.wi.us

---

**Pre Topic:**

No specific pre topic given

---

**Topic:**

AM76, City of La Crosse claim

---

**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>
/?	kuesejt 06/24/2001	csicilia 06/25/2001		_____			
/1			rschluet 06/26/2001	_____	lrb_docadmin 06/26/2001	lrb_docadmin 06/26/2001	

FE Sent For:

**<END>**

DNOTE

2001 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-SB55)

Received: 06/21/2001

Received By: kuesejt

Wanted: Soon

Identical to LRB:

For: Spencer Black (608) 266-7521

By/Representing: Susan McMurray

This file may be shown to any legislator: NO

Drafter: kuesejt

May Contact:

Addl. Drafters:

Subject: State Finance - claims agnst st

Extra Copies: TNF - 1

Submit via email: YES

Requester's email: Rep.Black@legis.state.wi.us

Pre Topic:

No specific pre topic given

Topic:

AM76. City of La Crosse claim

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>
17/1	kuesejt	6/24 / 1 cjs	6/24 / 1 cjs				

FE Sent For:

<END>

## **Assembly Democrat Budget Amendment Requests**

**Request Number:** 76  
(not LRB number)

**Agency:** DOA Claims Board

**Description:** City of LaCrosse \$8,420 claim

**Attachments:** AB 332 (Albers)

**Cost (if known):**

**Contact person:** Susan McMurray, 266-7521, Representative Black's Office

JTK

SDC:.....Keckhaver - CN2731, City of La Crosse claim

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 341, line 15: after that line insert:

3           “**SECTION 632m.** 20.395 (1) (ar) of the statutes is amended to read:

4           20.395 (1) (ar) *Corrections of transportation aid payments.* A sum sufficient  
5 to make the corrections of transportation aid payments under s. 86.30 (2) (f) 1. and  
6 to make the payment specified in 2001 Wisconsin Act .... (this act), section 9159 (3q).

7           **SECTION 632n.** 20.395 (1) (ar) of the statutes, as affected by 1999 Wisconsin Act  
8 .... (this act), is amended to read:



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

LRBb1087/1dn  
JTK:cjs:pg

June 17, 2001

It is possible that a Wisconsin court would find that this amendment is a “private or local law” which, under art. IV, sec. 18, of the Wisconsin Constitution, must be enacted as single-subject legislation. If so, this amendment cannot validly be enacted as part of the budget bill, which clearly encompasses more than one subject. Under *Milwaukee Brewers Baseball Club v. Wisconsin Dept. of Health and Social Services*, 130 Wis. 2d 79, 115 (1986), “a legislative provision which is specific to any person, place or thing is a private or local law within the meaning of art. 4, sec. 18, unless: 1) the general subject matter of the provision relates to a state responsibility of statewide dimension; and 2) its enactment will have direct and immediate effect on a specific statewide concern or interest”. As it is difficult to predict the potential for and outcome of any court action on this amendment, you may wish to consider introducing this proposal as a separate bill.

Jeffery T. Kuesel  
Managing Attorney  
Phone: (608) 266-6778

2001

Date (time) needed

SACN  
DNOTE

LRB b 1386, 1

JTK : y3 :

**ADC CAUCUS BUDGET AMENDMENT  
[ONLY FOR CAUCUS]**

See form **AMENDMENTS — COMPONENTS & ITEMS.**

**CAUCUS AMENDMENT  
TO ASSEMBLY SUBSTITUTE AMENDMENT 1  
TO 2001 SENATE BILL 55**

>>FOR CAUCUS SUPERAMENDMENT — NOT FOR INTRODUCTION<<

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

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

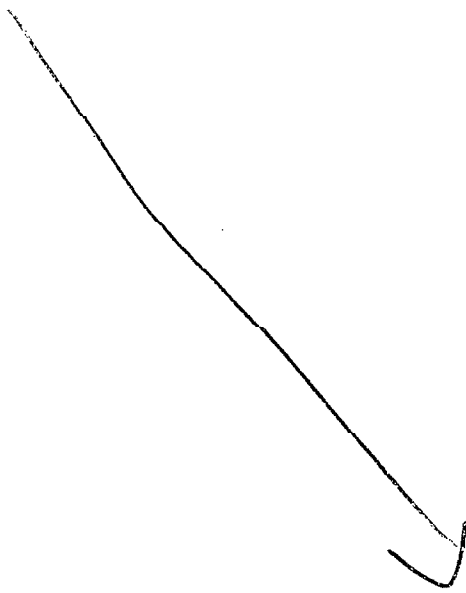
#. Page . . . . , line . . . . :

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

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

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

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





SDC:.....Keckhaver - CN2731, City of La Crosse claim

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 341, line 15: after that line insert:

3 "SECTION 632m. 20.395 (1) (ar) of the statutes is amended to read:

4 20.395 (1) (ar) *Corrections of transportation aid payments.* A sum sufficient  
5 to make the corrections of transportation aid payments under s. 86.30 (2) (f) 1. and  
6 to make the payment specified in 2001 Wisconsin Act ... (this act), section 9159 (3g).

"r" as in "robot"

↓  
(r)

7 SECTION 632n. 20.395 (1) (ar) of the statutes, as affected by 1999 Wisconsin Act  
8 .... (this act), is amended to read:

"r" as in  
"robot"

1 20.395 (1) (ar) *Corrections of transportation aid payments.* A sum sufficient  
 2 to make the corrections of transportation aid payments under s. 86.30 (2) (f) 1. and  
 3 to ~~make the payment specified in 2001 Wisconsin Act ... (this act), section 9159 (3g).~~

f

4 **2.** Page 1378, line 9: after that line insert:

5 **(r)** "(3g) CITY OF LA CROSSE CLAIM. There is directed to be expended from the  
 6 appropriation under section 20.395 (1) (ar) of the statutes, as affected by the acts of  
 7 1999 and 2001, \$8,420.92 in payment of a claim against the state made by the city  
 8 of La Crosse as partial reimbursement for the penalty that was assessed against the  
 9 city for tardy filing of its annual report with the departments of transportation and  
 10 revenue for 1999 under section 86.303 (5) (g) of the statutes. Acceptance of this  
 11 payment releases this state and its officers, employees, and agents from any further  
 12 liability relating to deduction of penalties from general transportation aids payable  
 13 to the city for the 2000 calendar year."

"r" as in "robot"

14 **3.** Page 1426, line 15: after that line insert:

15 **(r)** "(10g) CORRECTION OF TRANSPORTATION AID PAYMENTS. The treatment of section  
 16 20.395 (1) (ar) (by SECTION 632n) of the statutes takes effect on January 1, 2003."

17

(END)

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

June 17, 2001

61386/1du  
LRBb1087/1dt

JTK:cjs:pg

Stays

Representative Black:

It is possible that a Wisconsin court would find that this amendment is a "private or local law" which, under art. IV, sec. 18, of the Wisconsin Constitution, must be enacted as single-subject legislation. If so, this amendment cannot validly be enacted as part of the budget bill, which clearly encompasses more than one subject. Under *Milwaukee Brewers Baseball Club v. Wisconsin Dept. of Health and Social Services*, 130 Wis. 2d 79, 115 (1986), "a legislative provision which is specific to any person, place or thing is a private or local law within the meaning of art. 4, sec. 18, unless: 1) the general subject matter of the provision relates to a state responsibility of statewide dimension; and 2) its enactment will have direct and immediate effect on a specific statewide concern or interest". As it is difficult to predict the potential for and outcome of any court action on this amendment, you may wish to consider introducing this proposal as a separate bill.

Jeffery T. Kuesel  
Managing Attorney  
Phone: (608) 266-6778

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

LRBb1386/1dn  
JTK:cjs:cmh

June 26, 2001

Representative Black:

It is possible that a Wisconsin court would find that this amendment is a "private or local law" which, under art. IV, sec. 18, of the Wisconsin Constitution, must be enacted as single-subject legislation. If so, this amendment cannot validly be enacted as part of the budget bill, which clearly encompasses more than one subject. Under *Milwaukee Brewers Baseball Club v. Wisconsin Dept. of Health and Social Services*, 130 Wis. 2d 79, 115 (1986), "a legislative provision which is specific to any person, place or thing is a private or local law within the meaning of art. 4, sec. 18, unless: 1) the general subject matter of the provision relates to a state responsibility of statewide dimension; and 2) its enactment will have direct and immediate effect on a specific statewide concern or interest". As it is difficult to predict the potential for and outcome of any court action on this amendment, you may wish to consider introducing this proposal as a separate bill.

Jeffery T. Kuesel  
Managing Attorney  
Phone: (608) 266-6778