

2003 DRAFTING REQUEST

Bill

Received: 10/03/2002

Received By: rnelson2

Wanted: As time permits

Identical to LRB:

For: Administration-Budget 7-0371

By/Representing: Uecker

This file may be shown to any legislator: NO

Drafter: rnelson2

May Contact:

Addl. Drafters:

Subject: Military Affairs - nat'l guard

Extra Copies:

Submit via email: NO

Pre Topic:

DOA:.....Uecker - BB0075,

Topic:

Distance learning centers rental

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>
/?							State
/P1	rnelson2 10/16/2002	kgilfoy 10/16/2002	pgreensl 10/16/2002		lkunkel 10/16/2002		

FE Sent For:

<END>

2003 DRAFTING REQUEST

Bill

Received: 10/03/2002

Received By: rnelson2

Wanted: As time permits

Identical to LRB:

For: Administration-Budget 7-0371

By/Representing: Uecker

This file may be shown to any legislator: NO

Drafter: rnelson2

May Contact:

Addl. Drafters:

Subject: Military Affairs - nat'l guard

Extra Copies:

Submit via email: NO

Pre Topic:

DOA:.....Uecker - BB0075,

Topic:

Distance learning centers rental

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>
FE Sent For:		10/1-10/16 King	10/16 P8	11/9/16 <END> P8/R6			

WISCONSIN DEPARTMENT OF MILITARY AFFAIRS
2003-2005 BIENNIAL BUDGET REQUEST

PROPOSED APPROPRIATION CHANGES

Create the following new appropriations:

- 20.465(1)(f) *Distance Learning Centers*. All moneys received from renting the distance learning centers.
- 20.465(3)(b) *Emergency management contingencies*. A sum sufficient to defray the costs incurred to reimburse local governmental units for the costs of worker's compensation, indemnification of tort liability and the destruction of equipment pursuant to §166.03(8)(f).

NOTE: [A corresponding change must be made in the statutory reference in §166.03(8)(f)]

20.465(3)(b) *Emergency management contingencies*. A sum sufficient to defray the costs incurred to reimburse local governments for the costs of worker's compensation, indemnification of tort liability and the destruction of equipment pursuant to 166.03(8)(f).

NOTE: A corresponding change to the statutory reference in §166.03(8)(f) will also be required.

Modify §166.03(8)(f) as follows:

~~(f) If the total liability for workers' compensation benefits under par. (d), indemnification under par. (e) and loss from destruction of equipment under sub. (9), incurred in any calendar year exceeds \$1 per capita of the sponsor's population, the state shall reimburse the sponsor for the excess. Payment shall be made from the appropriation in s. 20.465(3)(a) on certificate of the adjutant general. The division shall notify the joint committee on finance in writing, before reimbursing the sponsor. The division shall include in the notification specific information regarding the expenditure to be reimbursed. The division may reimburse amounts as proposed in the notification to the joint committee on finance, if within 14 working days after notification the committee does not schedule a meeting to review the division's proposed action. If, within 14 working days after notification to the joint committee on finance, the committee notifies the division that the committee has scheduled a meeting to review the division's proposed action, the division may reimburse the sponsor only if the committee approves the action.~~

Option #2:

Eliminate the unfunded liability exposure by repealing the language in §166.03(8)(f) in its entirety.

We understand that there may be other statutory provisions that affect other agencies in a similar manner. As a result, it may be more practical to create a statewide appropriation for these purposes. However, within the scope of our own budget proposal, we suggest the creation of a sum sufficient within our emergency management program to offset any further potential liabilities for the division.

3. Create a PR appropriation for the Distance Learning Centers

Request:

DMA requests statutory language to create an appropriation:

Create the following:

- 20.465(1)(i) *Distance Learning Centers*. All moneys received from the rental of distance learning center facilities.

Discussion:

The Distance Learning Centers are federally funded learning centers being constructed around the state of Wisconsin. The federal government has provided the ability for the learning centers to be rented to non-military and non-federal agencies. The funds from this activity are intended to help defray the cost of operating and maintaining the centers.



State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-0347/P1

RPN: kmg

D.V.

DOA:.....Uecker – BB0075, Distance learning centers rental

FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

DON'T
GEN. CMT.

Wisconsin

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau
VETERANS AND MILITARY AFFAIRS

This bill requires the adjutant general to cooperate with the federal government in the operation and maintenance of distance learning centers for the use of current and former members of the national guard and the U.S. armed forces. The bill permits the adjutant general to charge rent for non-military or non-federal users of the centers. The rent is used to pay for the operation and maintenance of the centers.

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:

2 SECTION 1. 20.465 (1) (i) of the statutes is created to read:

3 20.465 (1) (i) *Distance learning centers.* All moneys received from renting the

4 distance learning centers for the operation and maintenance of the centers under s.

5 21.19 (13).

→ NOTE: BUD ←

1 SECTION 2. 21.19 (13) of the statutes is created to read:

2 21.19 (13) The adjutant general shall cooperate with the federal government
3 in the operation and maintenance of distance learning centers for the use of current
4 and former members of the ~~national guard~~ and the U.S. armed forces. The adjutant
5 general may charge rent for the use of a center by a non~~z~~ military or non~~z~~ federal
6 person.

7 (END)

All moneys received under this subsection shall be credited to the appropriation account under s. 20.465 (1) (i).

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0347/P1dn

RPN:j:...

kmg

The only reference to distance learning in the statutes is in ch. 196, related to the Public Service Commission establishment of telecommunication infrastructure. I cannot create an appropriation for a program that does not exist in state law or rules. To rectify that problem, I created language in s. 21.19. Does that do what you want?

To flesh out the analysis, I need additional information about these centers.

Robert P. Nelson
Senior Legislative Attorney
Phone: (608) 267-7511
E-mail: robert.nelson@legis.state.wi.us

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0347/P1dn
RPN:kmg:pg

October 16, 2002

The only reference to distance learning in the statutes is in ch. 196, related to the Public Service Commission establishment of telecommunications infrastructure. I cannot create an appropriation for a program that does not exist in state law or rules. To rectify that problem, I created language in s. 21.19. Does that do what you want?

To flesh out the analysis, I need additional information about these centers.

Robert P. Nelson
Senior Legislative Attorney
Phone: (608) 267-7511
E-mail: robert.nelson@legis.state.wi.us



DOA:.....Uecker – BB0075, Distance learning centers rental

FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

VETERANS AND MILITARY AFFAIRS

This bill requires the adjutant general to cooperate with the federal government in the operation and maintenance of distance learning centers for the use of current and former members of the national guard and the U.S. Armed Forces. The bill permits the adjutant general to charge rent for nonmilitary or nonfederal users of the centers. The rent is used to pay for the operation and maintenance of the centers.

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:

2 SECTION 1. 20.465 (1) (i) of the statutes is created to read:

3 20.465 (1) (i) *Distance learning centers.* All moneys received from renting the
4 distance learning centers, for the operation and maintenance of the centers under
5 s. 21.19 (13).

