

2003 DRAFTING REQUEST

Senate Amendment (SA-SB44)

Received: **05/06/2003**

Received By: **rnelson2**

Wanted: **Soon**

Identical to LRB:

For: **Legislative Fiscal Bureau**

By/Representing: **Hotynski**

This file may be shown to any legislator: **NO**

Drafter: **rnelson2**

May Contact:

Addl. Drafters:

Subject: **Nat. Res. - miscellaneous**

Extra Copies:

Submit via email: **YES**

Requester's email:

Carbon copy (CC:) to:

Pre Topic:

LFB:.....Hotynski -

Topic:

Funding of "Into the Outdoors" program

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	rnelson2 05/06/2003	kfollett 05/06/2003	pgreensl 05/06/2003	_____	lemery 05/06/2003		

FE Sent For:

<END>

2003 DRAFTING REQUEST

Senate Amendment (SA-SB44)

Received: 05/06/2003

Received By: rnelson2

Wanted: Soon

Identical to LRB:

For: Legislative Fiscal Bureau

By/Representing: Hotynski

This file may be shown to any legislator: NO

Drafter: rnelson2

May Contact:

Addl. Drafters:

Subject: Nat. Res. - miscellaneous

Extra Copies:

Submit via email: YES

Requester's email:

Carbon copy (CC:) to:

Pre Topic:

LFB:.....Hotynski -

Topic:

Funding of "Into the Outdoors" program

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	rnelson2	11 10/6 5/6	5/6 pg	5/6 self			

FE Sent For:

<END>

Senator Welch
Harsdorf

NATURAL RESOURCES -- DEPARTMENTWIDE

"Into the Outdoors" Television Program

Motion:

Move to require DNR to provide \$750,000 annually for the "Into the Outdoors" television program produced in conjunction with Discover Wisconsin Productions.

Note:

The Department currently contracts with Discover Wisconsin Productions for \$750,000 annually to produce the nature-based television series "Into the Outdoors". Although the payment is made through the Bureau of Communication and Education, all programs (including Administration and Technology and Customer Service) contribute funding for the contract. DNR has indicated that it intends to end its contract after the 2004 production season as a means of meeting expenditure reductions included in the bill. If DNR was prohibited from ending the contract, expenditure reductions would need to be taken from another source within the Department.

MO#	10-6	
Darling	<input checked="" type="radio"/>	N
Welch	<input checked="" type="radio"/>	N
Fitzgird	<input checked="" type="radio"/>	N
Lazich	<input checked="" type="radio"/>	N
Harsdorf	<input checked="" type="radio"/>	N
Kanavas	<input checked="" type="radio"/>	N
Decker	Y	X
Moore	Y	X
Kaufert	Y	N
Huebsch	<input checked="" type="radio"/>	N
Ward	<input checked="" type="radio"/>	N
Stone	Y	X
Rhoades	<input checked="" type="radio"/>	N
Meyer	Y	N
Coggs	Y	N
Schooff	<input checked="" type="radio"/>	N

235

Past

Kite, Robin

From: Hotynski, Rebecca
Sent: Friday, May 02, 2003 10:06 AM
To: Kite, Robin
Subject: Appropriation

20.370(a)(mu)

Hi Robin,

The appropriation that we need to earmark the \$750,000 from for motion 235 is (9)(mu).

Thanks!
RH



D-Note
State of Wisconsin
2003 - 2004 LEGISLATURE

LRBb0137/1
RPN: KJf

LPS -
Fix
request
sheet pls.

LFB:.....Hotynski - Funding of "Into the Outdoors" program

FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

SENATE AMENDMENT ,

TO 2003 SENATE BILL 44

1 At the locations indicated, amend the bill as follows:

2 1. Page 445, line 12: after that line insert:

3 "SECTION 803m. 23.0963 of the statutes is created to read:

4 23.0963 Payments to television production company. From the

5 appropriation under s. 20.370 (9) (mu), the department shall annually pay Discover

6 Wisconsin Productions, or its successor, \$750,000 to enter into an agreement with the

7 department for the production of a nature-based television series that highlights

8 the outdoors of Wisconsin."

9 (END)

D-Note

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBBud03/dn

RPN: kjf

Date

A Wisconsin court could 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.

Query for: LRBBud03/dn

LPS:
Create
this
Ask PLS.

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb0137/1dn
RPN:kjf:pg

May 6, 2003

A Wisconsin court could 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.

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

