

2003 DRAFTING REQUEST

Senate Amendment (SA-SSA1-SB44)

Received: **06/17/2003**

Received By: **jkuesel**

Wanted: **Soon**

Identical to LRB:

For: **Legislative Fiscal Bureau 6-3013**

By/Representing: **Runde (DL)**

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

Drafter: **jkuesel**

May Contact:

Addl. Drafters: **rchampag**

Subject: **State Govt - state bldg proj
Bonding - state**

Extra Copies:

Submit via email: **NO**

Pre Topic:

No specific pre topic given

Topic:

Hmong Cultural Center

Instructions:

State to build Hmong Cultural Center at corner of 16th St. and National Ave. in city of Milwaukee.
\$3,000,000 - 100% general fund supported borrowing.

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>
/?	jkuesel 06/17/2003	wjackson 06/17/2003		_____			
/1			rschluet 06/17/2003	_____	lemery 06/17/2003	lemery 06/17/2003	

FE Sent For:

<END>

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1/1	jkuesel 6/17	1/1/17	<i>[Signature]</i>	<i>[Signature]</i>			
			6-173	P6			

FE Sent For:

<END>

2003

Date (time) needed _____

LRB b 0525, 1

BUDGET AMENDMENT

[Not for compile]

JFK:KAC
NLJ

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

**SENATE AMENDMENT
TO SENATE SUBSTITUTE AMENDMENT 1
TO 2003 SENATE BILL 44**

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

~~#. Page , line :~~

~~#. Page , line :~~

~~#. Page , line :~~

~~#. Page , line :~~

~~#. Page , line :~~

~~#. Page , line :~~

2003-2004 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb0525/1ins
JTK.....

Please
print w/
line numbers.

1. Page 14, line 6: after that line insert:

~~SECTION 13.48 (33) of the statutes is amended to read.~~

SECTION 13.48 (36) of the statutes is created to read:

13.48 (36) HMONG CULTURAL CENTER. (a) The legislature finds and determines that a significant number of Hmong people are citizens of this state, that the Hmong people have a proud heritage ^{that} ~~which~~ needs to be recognized and preserved, and that the Hmong people have experienced difficulties assimilating ~~with the non-Hmong~~ people ⁱⁿ of this state. The legislature finds that supporting the Hmong people in their efforts to recognize their heritage ~~while at the same time~~ ^{and to} gain the full advantages of citizenship in this state is a statewide responsibility of statewide dimension. To better ensure that ^{the} heritage of the Hmong people is preserved and to better enable the Hmong people to gain the full advantages of citizenship in this state, the legislature finds that it will have a direct and immediate effect on a matter of statewide concern for the state to construct and operate a Hmong Cultural Center.

(b) Notwithstanding s. 18.04 (1) and (2), the building commission shall authorize \$3,000,000 in general fund supported borrowing to make a grant to an organization designated by the secretary of administration ^{that} ~~which~~ represents the cultural interests of Hmong people for construction of a Hmong cultural center at the corner of National Avenue and 16th Street in the city of Milwaukee. As a condition precedent to receipt of the grant, the organization shall enter into an agreement with the secretary guaranteeing that the center will be operated to serve the nonsectarian cultural interests of the Hmong people.

(c) If, for any reason, the facility that is constructed with funds from the grant under par. (b) is not used to construct a Hmong cultural center in the city of Milwaukee or the center is not operated to serve the nonsectarian cultural interests of the Hmong people, the state shall retain an ownership interest in the facility equal to the amount of the state's grant."

History: 1971 c. 125; 1973 c. 90; 1973 c. 243 s. 82; 1973 c. 335 s. 13; 1975 c. 39, 40, 198, 199; 1977 c. 26; 1977 c. 29 ss. 7, 8r, 1654 (8) (c); 1977 c. 325; 1977 c. 418 ss. 5, 5m, 924 (18) (c); 1979 c. 34, 221, 350; 1981 c. 341; 1983 a. 27 ss. 11 to 12n, 2202 (5); 1983 a. 36 ss. 18 to 20, 96 (3); 1983 a. 207; 1985 a. 29, 120; 1987 a. 27, 186, 395, 399; 1989 a. 31, 366; 1991 a. 39, 269, 315; 1993 a. 16, 288, 414; 1995 a. 27, 216, 225, 227; 1997 a. 5, 27, 35, 237; 1999 a. 9; 1999 a. 150 s. 672; 1999 a. 197; 2001 a. 16, 103.

2. Page 364, line 4: after "(bm)," insert "(bn)."

3. Page 369, line 16: after that line insert:

6870P

"SECTION 20.866 (2) (zbs) of the statutes is created to read:

20.866 (2) (zbs) *Hmong cultural center*. From the capital improvement fund, a sum sufficient for the building commission to provide a grant to an organization specified in s. 13.48 (36) (b) for construction of a Hmong Cultural Center in the city of Milwaukee. The state may contract public debt in an amount not to exceed \$3,000,000 for this purpose."

History: 1971 c. 42; 1971 c. 100 s. 23; 1971 c. 125, 211, 215, 236, 307, 330, 336; 1973 c. 90 ss. 148 to 149m, 555m (2); 1973 c. 333; 1975 c. 26, 39, 40, 41, 200, 224, 422; 1977 c. 4, 6; 1977 c. 29 ss. 385 to 387, 1650m (4), 1656 (43); 1977 c. 418; 1979 c. 4; 1979 c. 34 ss. 675a to 677v, 2102 (6) (a), (39) (a), (52) (a); 1979 c. 107, 221; 1981 c. 1 ss. 17, 18, 47; 1981 c. 20, 108, 317, 336; 1983 a. 27; 1983 a. 36 s. 96 (4); 1983 a. 97, 192, 195, 212; 1983 a. 410 s. 2202 (2); 1985 a. 6; 1985 a. 8 ss. 4, 12; 1985 a. 29 ss. 589m to 598, 3202 (23) (c), (26) (a), (53) (a); 1985 a. 77, 120, 332; 1987 a. 27, 295, 298, 399, 403, 409; 1989 a. 31, 46, 107, 122, 219, 336, 359, 366; 1991 a. 39, 51, 269, 309, 324; 1993 a. 2, 16, 98, 115, 213, 343, 377, 413, 437, 453, 485; 1995 a. 27 ss. 1159 to 1168s, 9126 (19), 9145 (1); 1995 a. 40, 57, 60, 113; 1995 a. 216, s. 30m and 9127; 1995 a. 227, 246, 372, 388, 416, 452; 1997 a. 27, 35, 61, 164, 237, 252; 1999 a. 4, 9, 146; 1999 a. 150 s. 672; 1999 a. 184; 2001 a. 12, 16, 103, 109.

4. Page 371, line 8: after that line insert:

690P

"SECTION 20.867 (3) (bn) of the statutes is created to read:

20.867 (3) (bn) *Principal repayment, interest and rebates; Hmong cultural center*. A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the construction of a Hmong cultural center in the city of Milwaukee, and to make the payments determined by the building

Page 275, line 5 after that line insert:
(bn) Principal repayments interest and rebates; Hmong cultural center
GPR = -0-

Schedule entry

-0-10

commission under s. 13.488 (1) (m)[✓] that are attributable to the proceeds of obligations incurred in financing the construction of the center.”.

History: 1971 c. 125; 1973 c. 90 ss. 132 to 140g; 1975 c. 39; 1977 c. 29 ss. 352m to 353m, 1654 (8) (c), 1656 (3); 1977 c. 418; 1979 c. 34 ss. 629 to 631, 677w; 1979 c. 102 s. 4; 1979 c. 176, 177, 221; 1981 c. 1, 20, 93; 1981 c. 314 s. 146; 1981 c. 317; 1983 a. 27; 1983 a. 36 s. 96 (3); 1985 a. 6, 29; 1985 a. 332 s. 253; 1987 a. 27, 399; 1989 a. 31, 46, 219, 359; 1991 a. 32, 39, 269; 1993 a. 16; 1995 a. 27; 1999 a. 9, 167; 2001 a. 16.

5. Page 1048, line 22: after that line insert:

“(hm) Hmong ~~C~~ultural ~~C~~enter

1. *Projects financed by general fund supported borrowing:*

Hmong ~~C~~ultural ~~C~~enter — Milwaukee \$ 3,000,000

2. Totals:

General fund supported borrowing 3,000,000

Total — All sources of funds \$ 3,000,000”.

6. Page 1054, line 7: after that line insert:

“(7) Hmong ~~C~~ultural ~~C~~enter. Notwithstanding section 13.48 (36) (b) of the statutes, as created by this act, the building commission shall not make a grant to an organization for construction of the Hmong ~~C~~ultural ~~C~~enter project, as enumerated in subsection (1) (hm)[✓], under section 13.48 (36) of the statutes, as created by this act, unless the department of administration has reviewed and approved plans for the project. Notwithstanding sections 16.85 (1) and 16.855 (1) of the statutes, the department of administration shall not supervise any services or work or let any contract for the project. Section 16.87 of the statutes does not apply to the project.”.

(END)

LPS:
Please
Use
Attached
form as
a
model
for
this
item.
Thanks.

NONSTATS.

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

60525/1dn
LRBb0023/1dn
RJW/wlj:jf

Al Runde^j

Please note that a Wisconsin court might find that this legislation is a "private or local bill" that, under art. IV, sec. 18, of the Wisconsin Constitution, must be enacted as single-subject legislation. If so, this legislation cannot validly be enacted as part of the state budget bill because the budget bill 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. IV, 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."

JTK

(Total project all funding sources \$5,892,000)

Motor vehicle storage buildings — Antigo, Hayward
and Medford

2,250,000

3. *Agency totals:*

General fund supported borrowing

2,346,900

Federal funds

12,395,100

Total — All sources of funds

\$ 14,742,000

(d) DEPARTMENT OF NATURAL RESOURCES

1. *Projects financed by existing general fund supported
borrowing authority — stewardship property
development and local assistance funds:*

Horicon Marsh State Wildlife Area — International
Education Center

\$ 250,000

(Total project all funding sources \$2,864,000)

Rib Mountain State Park water supply system
replacement

1,093,000

Badger State Trail surfacing

1,056,000

2. *Projects financed by segregated fund supported
borrowing:*

Wild Rose Fish Hatchery renovation — Phase 1

12,710,500

Horicon Marsh State Wildlife Area — International
Education Center

1,231,000

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb0525/1dn

JTK:wlj:rs

June 17, 2003

Al Runde:

Please note that a Wisconsin court might find that this legislation is a "private or local bill" that, under art. IV, sec. 18, of the Wisconsin Constitution, must be enacted as single-subject legislation. If so, this legislation cannot validly be enacted as part of the state budget bill because the budget bill 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. IV, 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."

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



State of Wisconsin
2003 - 2004 LEGISLATURE

LRBb0525/1
JTK&RAC:wlj:rs

**SENATE AMENDMENT ,
TO SENATE SUBSTITUTE AMENDMENT 1,
TO 2003 SENATE BILL 44**

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

2 **1.** Page 14, line 6: after that line insert:

3 **"SECTION 26m.** 13.48 (36) of the statutes is created to read:

4 13.48 (36) HMONG CULTURAL CENTER. (a) The legislature finds and determines
5 that a significant number of Hmong people are citizens of this state, that the Hmong
6 people have a proud heritage that needs to be recognized and preserved, and that the
7 Hmong people have experienced difficulties assimilating in this state. The
8 legislature finds that supporting the Hmong people in their efforts to recognize their
9 heritage and to gain the full advantages of citizenship in this state is a statewide
10 responsibility of statewide dimension. To better ensure that the heritage of the
11 Hmong people is preserved and to better enable the Hmong people to gain the full
12 advantages of citizenship in this state, the legislature finds that it will have a direct

1 and immediate effect on a matter of statewide concern for the state to construct and
2 operate a Hmong cultural center.

3 (b) Notwithstanding s. 18.04 (1) and (2), the building commission shall
4 authorize \$3,000,000 in general fund supported borrowing to make a grant to an
5 organization designated by the secretary of administration that represents the
6 cultural interests of Hmong people for construction of a Hmong cultural center at the
7 corner of National Avenue and 16th Street in the city of Milwaukee. As a condition
8 precedent to receipt of the grant, the organization shall enter into an agreement with
9 the secretary guaranteeing that the center will be operated to serve the nonsectarian
10 cultural interests of the Hmong people.

11 (c) If, for any reason, the facility that is constructed with funds from the grant
12 under par. (b) is not used to construct a Hmong cultural center in the city of
13 Milwaukee, or the center is not operated to serve the nonsectarian cultural interests
14 of the Hmong people, the state shall retain an ownership interest in the facility equal
15 to the amount of the state's grant.”.

16 **2.** Page 275, line 5: after that line insert:

17 “(bn) Principal repayment, interest
18 and rebates; Hmong Cultural
19 Center GPR S –0– –0–”.

20 **3.** Page 364, line 4: after “(bm),” insert “(bn)”.

21 **4.** Page 369, line 16: after that line insert:

22 “SECTION 687p. 20.866 (2) (zbs) of the statutes is created to read:

23 20.866 (2) (zbs) *Hmong cultural center*. From the capital improvement fund,
24 a sum sufficient for the building commission to provide a grant to an organization

1 specified in s. 13.48 (36) (b) for construction of a Hmong cultural center in the city
2 of Milwaukee. The state may contract public debt in an amount not to exceed
3 \$3,000,000 for this purpose.”.

4 **5.** Page 371, line 8: after that line insert:

5 “SECTION 690q. 20.867 (3) (bn) of the statutes is created to read:

6 20.867 (3) (bn) *Principal repayment, interest and rebates; Hmong cultural*
7 *center.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal
8 and interest costs incurred in financing the construction of a Hmong cultural center
9 in the city of Milwaukee, and to make the payments determined by the building
10 commission under s. 13.488 (1) (m) that are attributable to the proceeds of
11 obligations incurred in financing the construction of the center.”.

12 **6.** Page 1048, line 22: after that line insert:

13 “(hm) HMONG CULTURAL CENTER

14 1. *Projects financed by general fund supported*

15 *borrowing:*

16 Hmong cultural center — Milwaukee \$ 3,000,000

17 2. Totals

18 General fund supported borrowing 3,000,000

19 Total — All sources of funds \$ 3,000,000”.

20 **7.** Page 1054, line 7: after that line insert:

21 “(7k) HMONG CULTURAL CENTER. Notwithstanding section 13.48 (36) (b) of the
22 statutes, as created by this act, the building commission shall not make a grant to
23 an organization for construction of the Hmong cultural center project, as enumerated

1 in subsection (1) (hm), under section 13.48 (36) of the statutes, as created by this act,
2 unless the department of administration has reviewed and approved plans for the
3 project. Notwithstanding sections 16.85 (1) and 16.855 (1) of the statutes, the
4 department of administration shall not supervise any services or work or let any
5 contract for the project. Section 16.87 of the statutes does not apply to the project.”.

6

(END)