

2007 DRAFTING REQUEST

Bill

Received: **09/20/2006**

Received By: **btradewe**

Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget**

By/Representing: **Miner**

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

Drafter: **btradewe**

May Contact:

Addl. Drafters:

Subject: **Agriculture - miscellaneous**

Extra Copies:

Submit via email: **NO**

Pre Topic:

DOA:.....Miner, BB0045 -

Topic:

DATCP various changes in appropriations

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	btradewe 10/04/2006	csicilia 10/16/2006	jfrantze 10/16/2006	_____	lparisi 10/16/2006		

FE Sent For:

<END>

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May Contact:

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Extra Copies:

Submit via email: **YES**

Requester's email:

Carbon copy (CC:) to: **Barb.Knapp@datcp.state.wi.us**

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/?	btradewe	1 g 10/16 06	Jo 10/16	Jo 10/14			

FE Sent For:

<END>

2007-09 Budget Bill Statutory Language Drafting Request

- Topic: Technical housekeeping provisions (eliminate appropriations, change titles)
- Tracking Code: BB0045
- SBO team: Environmental and Commercial Resources
- SBO analyst: Andrew Miner
 - Phone: 266-1103
 - Email: Andrew.Miner@Wisconsin.gov
- Agency acronym: DATCP
- Agency number: 115
- Priority (Low, Medium, High): Medium

6. Technical Housekeeping Provisions

Explanation:

The amended and repealed provisions are technical housekeeping changes to eliminate appropriations that have been unfunded for several years, to eliminate provisions that are no longer operative, and to change titles to reflect current DATCP organization.

Statutory language

Sections 20.115 (1) (d) and (k), *Payments to ethanol producers*, are repealed.

Sections 20.115 (3) (title), (g) and (ja) are amended to read:

20.115 (3) (title) MARKETING AGRICULTURAL DEVELOPMENT SERVICES.

(g) *Related services*. The amounts in the schedule for the conduct of authorized marketing agricultural development services. All monies received from authorized fees related to marketing agricultural development services shall be credited to this appropriation account.

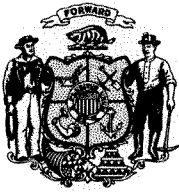
(ja) *Marketing Agricultural development services and materials*. All monies received from publication sales and service fees authorized by law that are related to marketing agricultural development for the publication of information materials and the provision of services related to marketing agricultural development.

Sections 20.115 (4) (d), *Farmers tuition assistance grants*, is repealed.

Sections 20.115 (7) (d), *Drainage board grants*, and (e), *Agricultural chemical cleanup program, general fund*, and (ue), *Pesticide sales and use reporting system development*, are repealed.

Section 93.06 (1q) is amended to read:

93.06 (1q) MARKETING AGRICULTURAL DEVELOPMENT SERVICES. Provide marketing agricultural development services upon request and charge a fee for those services but the fee may not exceed the department's cost of providing those services.



State of Wisconsin
2007 - 2008 LEGISLATURE

LRB-0325/1

RCT./:....

gjs

DOA:.....Miner, BB0045 - DATCP various changes in appropriations
FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

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

Analysis by the Legislative Reference Bureau

AGRICULTURE

This bill eliminates appropriations and statutory language for DATCP programs that have ended. The bill also makes some minor changes in terminology related to DATCP activities.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

2 SECTION 1. 20.115 (1) (d) of the statutes is repealed.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

3 SECTION 2. 20.115 (1) (k) of the statutes is repealed.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

4 SECTION 3. 20.115 (3) (title) of the statutes is amended to read:

5 20.115 (3) (title) MARKETING AGRICULTURAL DEVELOPMENT SERVICES.

History: 1971 c. 125, 215; 1973 c. 90, 299, 333; 1975 c. 39 ss. 78m, 79, 79m, 79n, 732 (1); 1975 c. 224; 1975 c. 394 ss. 1, 27; 1977 c. 29 ss. 112 to 115v, 1650m (1), (4), 1654 (1); 1977 c. 87, 106, 181, 418; 1979 c. 34, 129, 221, 289, 335; 1981 c. 20, 66, 93, 283, 346, 357; 1983 a. 27, 132, 368; 1983 a. 410 ss. 5, 2202 (2); 1985 a. 7, 8, 29, 138.

153, 313; 1987 a. 27, 281, 354; 1987 a. 399 ss. 34 to 38, 38u; 1987 a. 403 s. 256; 1989 a. 31, 219, 227, 282, 284, 335, 336; 1991 a. 39, 269, 309, 315; 1993 a. 16, 166, 243, 437, 456, 497; 1995 a. 27, 42, 79, 460; 1997 a. 27, 192, 252, 264; 1999 a. 5, 9, 55, 185; 2001 a. 16, 38, 56, 103, 109; 2003 a. 33, 38, 133, 326, 327; 2005 a. 25.

****NOTE: This SECTION involves a change that must be reflected in the revised schedule in s. 20.005, stats. ✓

1 SECTION 4. 20.115 (3) (g) of the statutes is amended to read:

2 20.115 (3) (g) *Related services*. The amounts in the schedule for the conduct of
3 authorized marketing agricultural development services. All moneys received from
4 authorized fees related to marketing agricultural development services shall be
5 credited to this appropriation account.

History: 1971 c. 125, 215; 1973 c. 90, 299, 333; 1975 c. 39 ss. 78m, 79, 79m, 79n, 732 (1); 1975 c. 224; 1975 c. 394 ss. 1, 27; 1977 c. 29 ss. 112 to 115v, 1650m (1), (4), 1654 (1); 1977 c. 87, 106, 181, 418; 1979 c. 34, 129, 221, 289, 335; 1981 c. 20, 66, 93, 283, 346, 357; 1983 a. 27, 132, 368; 1983 a. 410 ss. 5, 2202 (2); 1985 a. 7, 8, 29, 138, 153, 313; 1987 a. 27, 281, 354; 1987 a. 399 ss. 34 to 38, 38u; 1987 a. 403 s. 256; 1989 a. 31, 219, 227, 282, 284, 335, 336; 1991 a. 39, 269, 309, 315; 1993 a. 16, 166, 243, 437, 456, 497; 1995 a. 27, 42, 79, 460; 1997 a. 27, 192, 252, 264; 1999 a. 5, 9, 55, 185; 2001 a. 16, 38, 56, 103, 109; 2003 a. 33, 38, 133, 326, 327; 2005 a. 25.

6 SECTION 5. 20.115 (3) (ja) of the statutes is amended to read:

7 20.115 (3) (ja) *Marketing Agricultural development services and materials*. All
8 moneys received from publication sales and service fees authorized by law that are
9 related to marketing agricultural development, for the publication of informational
10 materials and the provision of services related to marketing agricultural
11 development.

History: 1971 c. 125, 215; 1973 c. 90, 299, 333; 1975 c. 39 ss. 78m, 79, 79m, 79n, 732 (1); 1975 c. 224; 1975 c. 394 ss. 1, 27; 1977 c. 29 ss. 112 to 115v, 1650m (1), (4), 1654 (1); 1977 c. 87, 106, 181, 418; 1979 c. 34, 129, 221, 289, 335; 1981 c. 20, 66, 93, 283, 346, 357; 1983 a. 27, 132, 368; 1983 a. 410 ss. 5, 2202 (2); 1985 a. 7, 8, 29, 138, 153, 313; 1987 a. 27, 281, 354; 1987 a. 399 ss. 34 to 38, 38u; 1987 a. 403 s. 256; 1989 a. 31, 219, 227, 282, 284, 335, 336; 1991 a. 39, 269, 309, 315; 1993 a. 16, 166, 243, 437, 456, 497; 1995 a. 27, 42, 79, 460; 1997 a. 27, 192, 252, 264; 1999 a. 5, 9, 55, 185; 2001 a. 16, 38, 56, 103, 109; 2003 a. 33, 38, 133, 326, 327; 2005 a. 25.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats. ✓

12 SECTION 6. 20.115 (4) (d) of the statutes is repealed.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats. ✓

13 SECTION 7. 20.15 (7) (d) of the statutes is repealed.

115 ****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats. ✓

14 SECTION 8. 20.15 (7) (e) of the statutes is repealed.

115 ****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats. ✓

15 SECTION 9. 20.15 (7) (ue) of the statutes is repealed.

115 ****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats. ✓

1 **SECTION 10.** 20.505 (8) (hm) 2m. of the statutes is repealed.

2 **SECTION 11.** 88.15 of the statutes is repealed.

3 **SECTION 12.** 93.06 (1q) of the statutes is amended to read:

4 **93.06 (1q) MARKETING AGRICULTURAL DEVELOPMENT SERVICES.** Provide
5 ~~marketing agricultural development~~ services upon request and charge a fee for those
6 services, but the fee may not exceed the department's cost of providing those services.

History: 1973 c. 206; 1975 c. 39; 1975 c. 94 s. 3; 1975 c. 414 s. 28; 1977 c. 181; 1979 c. 32 s. 92 (6), (12); 1979 c. 209; 1983 a. 203; 1985 a. 30 s. 42; 1989 a. 31, 174, 282; 1991 a. 39; 1993 a. 16; 1995 a. 400; 1997 a. 27, 191, 253; 1999 a. 9, 186; 2001 a. 16, 56, 103; 2005 a. 25, 441.

7 **SECTION 13.** 93.75 of the statutes is repealed.

8 **SECTION 14.** 94.695 of the statutes is repealed.

9 **SECTION 15.** 94.73 (2) (c) of the statutes is amended to read:

10 **94.73 (2) (c)** The department may issue an order under par. (a) on a summary
11 basis without prior notice or a prior hearing if the department determines that a
12 summary order is necessary to prevent imminent harm to public health or safety or
13 to the environment. If the recipient of a summary order requests a hearing on that
14 order, the department shall hold a hearing within 10 days after it receives the
15 request unless the recipient agrees to a later hearing date. The department is not
16 required to stay enforcement of a summary order issued under this paragraph
17 pending the outcome of the hearing. If the responsible person prevails after a
18 hearing, the department shall reimburse the responsible person from the
19 appropriation under s. 20.115 (7) ~~(e) or~~ ^{strike} (wm) for the corrective action costs incurred
20 as the result of the department's order.

History: 1993 a. 16, 437; 1995 a. 27, 227; 1997 a. 27, 86; 2001 a. 16; 2003 a. 33; 2005 a. 347.

21 **SECTION 16.** 94.73 (7) (a) of the statutes is amended to read:

22 **94.73 (7) (a)** The department may make payments to a responsible person who
23 is eligible for reimbursement under sub. (3) if the department has authorized
24 reimbursement to that person under sub. (6). The department shall make payment

1 from the appropriation ~~accounts~~ account under s. 20.115 (7) ~~(e)~~ and (wm), subject to
2 the availability of funds in ~~these~~ that appropriation ~~accounts~~ account. If there are
3 insufficient funds to pay the full amounts authorized under sub. (6) to all eligible
4 responsible persons, the department shall distribute payments in the order in which
5 applications were received, unless the department specifies, by rule, a different order
6 of payment.

7 **History:** 1993 a. 16, 437; 1995 a. 27, 227; 1997 a. 27, 86; 2001 a. 16; 2003 a. 33; 2005 a. 347.

(END)

Note

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0325/1dn

RCT./:...

gjs

✓ This draft repeals s. 93.75 because of the repeal of s. 20.115 (1) (d) and (k), repeals s. ✓ 88.15 because of the repeal of s. 20.115 (7) (d), and repeals s. 94.695 because of the ✓ repeal of s. 20.115 (7) (ue). ✓

Since this draft repeals s. 20.115 (4) (d), should it also repeal s. 93.51 (2) (b)? ✓

✓

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0325/1dn
RCT:cjs:jf

October 16, 2006

This draft repeals s. 93.75 because of the repeal of s. 20.115 (1) (d) and (k), repeals s. 88.15 because of the repeal of s. 20.115 (7) (d), and repeals s. 94.695 because of the repeal of s. 20.115 (7) (ue).

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Rebecca C. Tradewell
Managing Attorney
Phone: (608) 266-7290
E-mail: becky.tradewell@legis.wisconsin.gov



State of Wisconsin
2007 - 2008 LEGISLATURE

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3 (END)