

2009 DRAFTING REQUEST

Assembly Substitute Amendment (ASA-AB138)

Received: 08/20/2009

Received By: btradewe

Wanted: As time permits

Identical to LRB:

For: Michael Huebsch (608) 266-0631

By/Representing: Elise Nelson

This file may be shown to any legislator: NO

Drafter: btradewe

May Contact:

Addl. Drafters:

Subject: Nat. Res. - miscellaneous
Employ Pub - miscellaneous

Extra Copies:

Submit via email: YES

Requester's email: Rep.Huebsch@legis.wisconsin.gov

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Governor appoints DNR secretary but approval of natural resources board required

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>
/?							
/P1	btradewe 08/21/2009	jdye 08/24/2009	rschluet 08/24/2009	_____	sbasford 08/24/2009		
/1	btradewe 08/24/2009	jdye 08/24/2009	rschluet 08/24/2009	_____	lparisi 08/24/2009	lparisi 08/24/2009	

FE Sent For:

<END>

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/?		1/8/24 jld					
/P1	btradewe 08/21/2009	jdye 08/24/2009	rschluet 08/24/2009	_____	sbasford 08/24/2009		

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 <END>

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/?

btradewe

PI 8/24 jld



<END>



FE Sent For:

Tradewell, Becky

From: Nelson, Elise
Sent: Thursday, August 20, 2009 10:57 AM
To: Tradewell, Becky
Subject: Rep. Huebsch Amendments to AB 138

Dear Rebecca,

Rep. Huebsch would like to offer the following separate amendments to AB 138.



5. The Governor still appoints the Secretary of the Department of Natural Resources but before the nomination goes to the Senate for confirmation, the Governor's appointment must receive a majority vote by the Natural Resource Board.

Feel free to give me a call with any questions! 266-0631

Thanks,

Elise



State of Wisconsin
2009 - 2010 LEGISLATURE

LRBs0104/P1

RCT:.....

Wed (8/26) if possible

JLD

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION
ASSEMBLY SUBSTITUTE AMENDMENT ,
TO 2009 SENATE BILL 138

OWate

✓

Gen

1 AN ACT ...; relating to: appointment of the secretary of natural resources and
2 vacancies on the Natural Resources Board. ✓

Analysis by the Legislative Reference Bureau

* Under current law, the secretary of natural resources ✓ is nominated by the governor, and with the advice and consent of the senate appointed, to serve at the pleasure of the governor. ✓ Under this substitute amendment, the senate ~~may~~ not consider a nominee for secretary of natural resources ✓ unless the Natural Resources Board ✓ has approved the nomination.

may

Under current law, the Natural Resources Board ✓ consists of seven ✓ members nominated by the governor, and with the advice and consent of the senate appointed, for six-year ✓ terms. As with members of other state boards, a member of the Natural Resources Board ✓ may continue to serve after the expiration of his or her term until a successor is nominated and the senate consents to the nomination. This substitute amendment ✓ provides that the position of a member of the Natural Resources Board nominated after January 2, 2011, ✓ becomes vacant upon the expiration of the member's term. This change triggers the application of a current provision under which the governor may provisionally fill a vacancy, without the consent of the

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

date

LRBs0104/P1dn

RCT: ^:...

jld

Elise Nelson:

This preliminary draft[✓] corresponds to the 5th item from your message dated August 20.[✓] I was unsure whether the intent was to retain the provisions from the bill about the position of a board member becoming vacant at the end of his or her term. If that is not wanted, please let me know. Also, if the draft is OK, please let me know and I will put it into introducible form.[✓]

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

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

LRBs0104/P1dn
RCTjld:rs

August 24, 2009

Elise Nelson:

This preliminary draft corresponds to the 5th item from your message dated August 20. I was unsure whether the intent was to retain the provisions from the bill about the position of a board member becoming vacant at the end of his or her term. If that is not wanted, please let me know. Also, if the draft is OK, please let me know and I will put it into introducible form.

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

STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

50104/11

8/24 Per Elise - Re: drafter's note, they want the
one year carryover (as in 90809/11)

RET



waited wed, 9/26

VMY

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

ASSEMBLY SUBSTITUTE AMENDMENT,

TO 2009 SENATE BILL 138

ASSEMBLY

LPS -
Fix
request sheet
please

may serve until a successor is appointed and consented to by the senate, except that the position

one year after

x Regen

- 1 AN ACT to amend 15.05 (1) (c) and 15.34 (2) (a) of the statutes; relating to:
- 2 appointment of the secretary of natural resources and vacancies on the Natural
- 3 Resources Board. ✓

Analysis by the Legislative Reference Bureau

Under current law, the secretary of natural resources is nominated by the governor, and with the advice and consent of the senate appointed, to serve at the pleasure of the governor. Under this substitute amendment, the senate may not consider a nominee for secretary of natural resources unless the Natural Resources Board has approved the nomination.

Under current law, the Natural Resources Board consists of seven members nominated by the governor, and with the advice and consent of the senate appointed, for six-year terms. As with members of other state boards, a member of the Natural Resources Board may continue to serve after the expiration of his or her term until a successor is nominated and the senate consents to the nomination. This substitute amendment provides that the position of a member of the Natural Resources Board nominated after January 2, 2011, becomes vacant upon the expiration of the member's term. ~~This change triggers the application of a current provision under which the governor may provisionally fill a vacancy without the consent of the~~

a provision of current law authorizes

Natural Resources

When a position on the board becomes vacant,

senate. The provisional appointment remains in effect until the senate acts on the appointment.

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

1 **SECTION 1.** 15.05 (1) (c) of the statutes is amended to read:

2 15.05 (1) (c) The secretary of natural resources shall be nominated by the
3 governor, and with the advice and consent of the senate appointed, to serve at the
4 pleasure of the governor. The senate may not consider a nominee unless the
5 nomination has been approved by the natural resources board.

6 **SECTION 2.** 15.34 (2) (a) of the statutes is amended to read:

7 15.34 (2) (a) The natural resources board shall consist of 7 members appointed
8 for staggered 6-year terms. Upon the expiration of the term of a member nominated
9 after January 2, 2011, the position that was held by the member is vacant.

10 (END)

Insert a0609[✓]



State of Wisconsin
2009 - 2010 LEGISLATURE

LRBa0609/1
RCT:jld:rs

~~ASSEMBLY AMENDMENT ,
TO 2009 ASSEMBLY BILL 138~~

I need a 0609

At the locations indicated, amend the bill as follows:

1. Page 2, line 7: delete the material beginning with "Upon" and ending with "vacant." on line 8 and substitute A member nominated after January 2, 2011, who is not renominated may serve after expiration of his or her term until a successor is appointed and qualifies, except that the position held by the member becomes vacant one year after the expiration of the term.

VENDR