2009 DRAFTING REQUEST

Assembly Amendment (AA-AB504)

Received: 01/06/2010 Wanted: As time permits For: Jon Richards (608) 266-0650 This file may be shown to any legislator: NO May Contact:					Received By: mshovers Identical to LRB: By/Representing: Jeff Drafter: mshovers Addl. Drafters:											
									Subject:	Local G	ov't - counties	1		Extra Copies:	EVM	
									Submit v	via email: YES						
									Requesto	er's email:	Rep.Richa	rds@legis.v	wisconsin.gov	y		
									Carbon o	copy (CC:) to:						
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Require	Milwaukee Co	unty to create a	n Arts Advi	sory Board												
Instruct	tions:															
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Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	<u>Jacketed</u>	Required									
/? /1	mshovers 01/07/2010	jdyer 01/08/2010	phenry 01/08/20	10	cduerst 01/08/2010	cduerst 01/08/2010										
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For: Jon Richards (608) 266-0650	By/Representing: Jeff						
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May Contact:	Addl. Drafters:						
Subject: Local Gov't - counties	Extra Copies:	EVM, JK					
Submit via email: YES							
Requester's email: Rep.Richards@legis.wisconsin.gov							
Carbon copy (CC:) to:							
Pre Topic:							
No specific pre topic given							
Topic:							
Require Milwaukee County to create an Arts Advisory Board							
Instructions:							
See attached							
Drafting History:							
Vers. Drafted Reviewed Typed Proofed	<u>Submitted</u> J	Jacketed Required					
/? mshovers / / / / /							
1/NES/7/10 J J John							
FE Sent For:							

<END>

Shovers, Marc

From:

Kreye, Joseph

Sent:

Wednesday, January 06, 2010 10:40 AM

To:

Shovers, Marc

Subject:

FW: AB 504 Amendment Request

Mr. Shovers,

I believe this is in your wheelhouse...

From:

Kostelic, Jeff

Sent:

Wednesday, January 06, 2010 10:39 AM

To:

Kreye, Joseph

Subject:

AB 504 Amendment Request

Joe,

Representative Richards requests that you draft an amendment to AB504 that would direct Milwaukee County to create an Arts Advisory Board. The Board would be charged with forwarding recommendations to the County Executive/Board relating to the expenditure of sales tax funds apportioned for Arts functions. The recommendations from the Advisory Board would be made in conjunction with the Milwaukee County budget process, so they should be required to report to the County Executive by September 1 of each year so that the recommendations can be considered prior to the Executive finalizing his/her budget. Rep. Richards would like to leave the composition of the Arts Advisory Board to the discretion of the County. The function of the Board would be strictly advisory.

This request if for a simple amendment to the bill, however, there is a substitute amendment that may be introduced. Is it problematic to draft the amendment to both the bill and the sub?

Jeff Kostelic Office of Rep. Richards 266-0650



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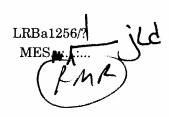
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State of Misconsin 2009 - 2010 LEGISLATURE



RRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

ASSEMBLY AMENDMENT, TO 2009 ASSEMBLY BILL 504





At the locations indicated, amend the bill as follows:

- 1. Page 1, line 2: after "culture" insert ", and creating a Milwaukee County Arts Advisory Board".
 - 2. Page 1, line 3: before that line insert:

"Section 1. 59.794 of the statutes is created to read:

59.794 Milwaukee County; arts advisory board. (1) Not later than the first day of the 3rd month beginning after the Milwaukee County board enacts an ordinance under s. 77.70 (2) to impose a sales and use tax for parks, recreation, and culture, the county board shall create an arts advisory board. The county board shall determine the composition, membership, and terms of the members of the arts advisory board.

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(2) Not later than September 1 of each year, the arts advisory board shall create
written recommendations on how the proceeds of the sales and use tax imposed
under s. 77.70 (2) shall be spent, and shall send a copy of its recommendations to the
county executive and to the chairperson of the county board for their consideration.
The recommendations of the arts advisory board are only advisory.

- (3) If the county board repeals the ordinance imposing the sales and use tax, as described in s. 77.70 (2), the arts advisory board shall cease to exist on December 31.".
 - 3. Page 1, line 3: delete "Section 1" and substitute "Section 1m".

(END)

d-note

DRAFTER'S NOTE FROM THE LEGISLATIVE REFERENCE BUREAU



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Representative Richards:

This drafter's note is meant to alert you that it is possible that this amendment could be challenged as being nongermane to AB 504. Under Assembly Rule 54 (3) (f), an amendment that "substantially expands the scope of the proposal" is nongermane.

The bill authorizes Milwaukee County to impose a sales and use tax for parks, recreation, and culture. It could be argued that this amendment, which creates a Milwaukee County Arts Advisory Board if Milwaukee County imposes that tax, substantially expands the scope of AB 504.

On the other hand, one could argue that this amendment is germane under Assembly Rule 54 (4) (e) because the creation of the advisory body to make recommendations merely relates to the "particularized details" of how the proceeds of the tax should be spent. I just thought you should be aware of both sides of this issue should the amendment be challenged.

Marc E. Shovers Managing Attorney Phone: (608) 266-0129

E-mail: marc.shovers@legis.wisconsin.gov

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DRAFTER'S NOTE FROM THE LEGISLATIVE REFERENCE BUREAU

LRBa1256/1dn MES:jld:ph

January 8, 2010

Representative Richards:

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