

**2009 DRAFTING REQUEST**

**Assembly Amendment (AA-AB504)**

Received: **01/06/2010**

Received By: **mshovers**

Wanted: **As time permits**

Identical to LRB:

For: **Jon Richards (608) 266-0650**

By/Representing: **Jeff**

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

Drafter: **mshovers**

May Contact:

Addl. Drafters:

Subject: **Local Gov't - counties**

Extra Copies: **EVM**

Submit via email: **YES**

Requester's email: **Rep.Richards@legis.wisconsin.gov**

Carbon copy (CC:) to:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Require Milwaukee County to create an Arts Advisory Board

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**Instructions:**

See attached

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**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>
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FE Sent For:

<END>

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11 MS	4/7/10						
FE Sent For:							
				<b>&lt;END&gt;</b>			

## Shovers, Marc

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**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 is 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



LRBa1256/7  
MES: A....  
jld  
RMA

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

ASSEMBLY AMENDMENT,  
TO 2009 ASSEMBLY BILL 504

SOON

D-NOTE

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

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

4 2. Page 1, line 3: before that line insert:

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

6 59.794 Milwaukee County; arts advisory board. (1) Not later than the  
7 first day of the 3rd month beginning after the Milwaukee County board enacts an  
8 ordinance under s. 77.70 (2) to impose a sales and use tax for parks, recreation, and  
9 culture, the county board shall create an arts advisory board. The county board shall  
10 determine the composition, membership, and terms of the members of the arts  
11 advisory board.



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

LRBa1256/dn

MES

Handwritten initials and marks, including a large 'J' and 'K'.

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

Handwritten note: *draft attached to the sub*

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

LRBa1256/1dn  
MES:jld:ph

January 8, 2010

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.

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