

**2015 DRAFTING REQUEST**

**Senate Amendment (SA-SB394)**

Received: 12/1/2015 Received By: rkite  
For: Julie Lassa (608) 266-3123 Same as LRB:  
May Contact: By/Representing: Ben  
Subject: Nat. Res. - fish and game Drafter: rkite  
Addl. Drafters:  
Extra Copies:

Submit via email: YES  
Requester's email: Sen.Lassa@legis.wisconsin.gov  
Carbon copy (CC) to:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Authorize emergency rules

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**Instructions:**

See attached

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	rkite 12/2/2015		_____			
/P1	eshea 2/10/2016	eweiss 12/2/2015	_____	mbarman 12/2/2015		
/1		anienaja 2/10/2016	_____	lparisi 2/10/2016	lparisi 2/10/2016	

FE Sent For:

<END>

**Kite, Robin**

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**From:** Van Pelt, Ben  
**Sent:** Tuesday, December 01, 2015 10:24 AM  
**To:** Kite, Robin  
**Subject:** SB 394 Question  
**Attachments:** 15-2203feDNRorg.pdf

Good Morning Robin,

I just released the fiscal on SB 394, which is the bill we worked on that establishes a disabled veterans wild turkey hunt, and I wanted to ask you a question about it. The very last paragraph of the fiscal indicates that the rulemaking process is unclear and that there is not a non-stat emergency rule included in the proposal that would allow for the establishing of the season.

I wanted to ask you if it is typical to include a non-stat for such a thing in a bill like this?

Also, I assume we can get an amendment drafted that would take care of this right away?

Thanks so much and I hope you had a great Thanksgiving,

Ben Van Pelt  
Office of Senator Julie Lassa  
24<sup>th</sup> Senate District  
(608) 266-3123



emw

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**  
**SENATE AMENDMENT,**  
**TO SENATE BILL 394**

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

2  
3  
4

1. Page 1, line 3: after "veterans" insert "<sup>and</sup> requiring the exercise of rule-making authority, and providing an exemption from emergency rule procedures".

5 2. Page 2, line 11: after "shall" insert "promulgate rules to".

6 3. Page 3, line 12: after that line insert:

7 **"SECTION 2. Nonstatutory provisions.**

8 (1) The department of natural resources may use the procedure under section  
9 227.24 of the statutes to promulgate rules under section 29.054 (2) of the statutes,  
10 as created by this act. Notwithstanding section 227.24 (1) (c) and (2) of the statutes,  
11 emergency rules promulgated under this subsection remain in effect until July 1,  
12 2018, or the date on which permanent rules take effect, whichever is sooner.

1 Notwithstanding section 227.24 (1) (a) and (3) of the statutes, the department of  
2 natural resources is not required to provide evidence that promulgating a rule under  
3 this subsection as an emergency rule is necessary for the preservation of the public  
4 peace, health, safety, or welfare and is not required to provide a finding of emergency  
5 for a rule promulgated under this subsection.”

6

(END)



LRBa1315/P1  
RNK/emw  
EHS

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION  
SENATE AMENDMENT,  
TO SENATE BILL 394**

In 2/10  
Due today

NO CHANGES

- 1 At the locations indicated, amend the bill as follows:
- 2 **1.** Page 1, line 3: after “veterans” insert “, providing an exemption from
- 3 emergency rule procedures, and requiring the exercise of rule-making authority”.
- 4 **2.** Page 2, line 11: after “shall” insert “promulgate rules to”.
- 5 **3.** Page 3, line 12: after that line insert:
- 6 **“SECTION 2. Nonstatutory provisions.**
- 7 (1) The department of natural resources may use the procedure under section
- 8 227.24 of the statutes to promulgate rules under section 29.054 (2) of the statutes,
- 9 as created by this act. Notwithstanding section 227.24 (1) (c) and (2) of the statutes,
- 10 emergency rules promulgated under this subsection remain in effect until July 1,
- 11 2018, or the date on which permanent rules take effect, whichever is sooner.
- 12 Notwithstanding section 227.24 (1) (a) and (3) of the statutes, the department of

1 natural resources is not required to provide evidence that promulgating a rule under  
2 this subsection as an emergency rule is necessary for the preservation of the public  
3 peace, health, safety, or welfare and is not required to provide a finding of emergency  
4 for a rule promulgated under this subsection.”.

5 (END)