

1999 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-AB133)

Received: **10/01/1999**

Received By: **traderc**

Wanted: **Soon**

Identical to LRB:

For: **Legislative Fiscal Bureau**

By/Representing: **Bonderud**

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

Drafter: **traderc**

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Alt. Drafters:

Subject: **Environment - recycling**

Extra Copies:

Pre Topic:

LFB:.....Bonderud -

Topic:

Recycling grants and DNR administration

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>
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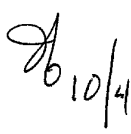

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Page 1

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**Legislative Fiscal Bureau**

One East Main, Suite 301 • Madison, WI 53703 • (608) 266-3847 • Fax: (608) 267-6873

September 29, 1999

TO: Senator Russell Decker
Room 323 South, State Capitol

FROM: Kendra Bonderud and Ron Shanovich

SUBJECT: Recycling Modifications to 1999-01 Budget -- Funding From Recycling Surcharge and Tipping Fee

At your request, this memorandum summarizes a proposal to make changes to the recycling funding and expenditures provided in the 1999-01 biennial budget, as amended by the Joint Committee on Finance (ASA 1 to AB 133).

Based on preliminary data, the segregated recycling fund is expected to have a July 1, 1999, unencumbered balance of approximately \$45.3 million. Under ASA 1 to AB 133, appropriations would be \$25,910,600 in 1999-00 with 26.25 positions and \$19,910,600 in 2000-01 with 18.50 positions.

Under the proposal, ongoing annual revenues and expenditures (after the phasing in of revenues described below) would equal approximately \$43.0 million. See Table 1 for an estimated recycling fund condition statement under the proposal. Table 2 shows the authorized recycling fund positions under the proposal.

1. Revenues from a Recycling Surcharge. Impose a recycling surcharge on businesses. The surcharge would be calculated the same as under prior law with certain modifications. Prior law, until April, 1999, imposed a surcharge in tax year 1998 equal to 2.75% of gross tax liability for corporations (5.5% in tax years prior to 1998) and 0.2173% of net business income for nonfarm sole proprietorships, partnerships, limited liability companies taxable as partnerships and S corporations (0.4345% in tax years prior to 1998). Businesses with under \$4,000 in gross income, farms with less than \$1,000 of net income and members of the clergy were excluded from paying the prior surcharge. Under the proposal, businesses (including farms) with \$1 million or less in gross receipts would be excluded from paying the surcharge. However, businesses with gross

2000

receipts in excess of \$1 million would be subject to the surcharge based on the business' total net income or gross tax liability. The maximum payment would be increased from \$9,800 under prior law to \$20,000. The minimum payment would remain at \$25. The recycling surcharge rate would be effective beginning with tax year 1999 and would be 3.3% of gross tax liability for corporations or 0.2607% of net business income for nonfarm sole proprietorships, partnerships, limited liability companies taxable as partnerships and S corporations. The recycling surcharge would generate an estimated \$29.8 million on an annual basis, beginning in 1999-00.

2. *Revenue from a Recycling Tipping Fee.* Impose a state recycling tipping fee of: (a) \$2.00 per ton on all solid waste except high-volume industrial waste disposed of in landfills in Wisconsin; and (b) \$0.30 per ton on high-volume industrial waste. Impose an increase in the environmental fund state tipping fee to offset the loss in environmental fund revenues from anticipated decreases in the number of tons of solid waste landfilled as a result of the \$2.00 state recycling tipping fee. The environmental fund tipping fee would increase by 2.3¢ per ton on all waste except high-volume industrial waste. Further, exclude from the recycling tipping fee waste disposed of by nonprofit corporations under federal Internal Revenue Service code 501 (c)(3) that provide services and programs for people with disabilities or that primarily serves low-income persons and that derives a portion of its income from the operation of recycling and reuse programs, if that waste is not commingled with waste that is subject to the recycling tipping fee. In addition, exempt state recycling tipping fees paid by municipalities from the budget test under the expenditure restraint program.

1-1-2000

The recycling and environmental fund tipping fees would be effective for waste disposed of in landfills on or after the first day of the first month after the effective date of the bill. The recycling tipping fees would be assessed quarterly, and would provide that fee payments would be due to the Department of Natural Resources (DNR) on: (a) May 1 for waste disposed of from January 1 through March 31; (b) August 1 for waste disposed of from April 1 through June 30; (c) November 1 for waste disposed of from July 1 through September 30; and (d) February 1 for waste disposed of from October 1 through December 31. The recycling tipping fee would be expected to generate revenues of approximately \$5.3 million in 1999-00 and \$12.6 million annually, beginning in 2000-01, for the recycling fund.

3. *DNR Municipal and County Recycling Grant Amount.* Increase funding for municipal and county recycling grants to \$37,800,000 annually, beginning in 1999-00 for calendar year 2000 grants. This would provide an increase above Joint Finance funding levels of \$17,800,000 (from \$20,000,000 under Joint Finance) in 1999-00 and \$22,800,000 (from \$15,000,000) in 2000-01. Repeal the current sunset on recycling grants after 2000. Recycling grants totaled \$24 million for 1999.

4. *DNR Municipal and County Recycling Grant Formula.* Direct the Department of Natural Resources (DNR) to distribute the 1999-00 grants (calendar year 2000) to every responsible unit of government that received a grant in 1999 and that operates an effective recycling program. Direct that the grant would be equal to the same percentage of the total grant funding as the responsible unit received in 1999, excluding any grant reductions made in 1999 for late applications by responsible units.

Direct DNR to distribute the grants in 2000-01 (calendar year 2001) and subsequent years on a per capita basis to all responsible units of local government that operate effective recycling programs and that provide curbside or drop-off collection that meets certain criteria. Provide that the responsible unit would receive a grant amount of \$7.90 per capita for the entire responsible unit population if 50% or more of the population is served by a curbside collection program or a grant amount of \$4.40 per capita for the entire responsible unit population if more than 50% of the population is served by a drop-off collection. Define a curbside collection program as a program that: (1) collects, at least monthly, newspaper, corrugated paper, magazines, aluminum containers, steel containers, PETE and HDPE plastic containers and glass containers; and (2) is operated by the responsible unit, through a contract between the responsible unit and a hauler, or a franchise, license or ordinance that provides at least monthly collection of the specified materials. Define a drop-off collection program as a program that: (1) collects newspaper, corrugated paper, magazines, aluminum containers, steel containers, PETE and HDPE plastic containers and glass containers at a facility adequate in size and hours of operation to meet the needs of the responsible unit; and (2) provides access to a drop-off site either owned by the responsible unit or provided by a contract with another provider. Direct DNR to use information on population served by curbside or drop-off collection that was reported by the responsible unit to DNR in the previous year for the program operated by the responsible unit two years earlier to determine whether the responsible unit would be eligible for a curbside or drop-off per capita grant. (For example, for a grant made in 2000-01 for calendar year 2001, DNR would use information reported by responsible units in 2000 for calendar year 1999 to determine eligibility for a grant.) The population of the responsible unit would be determined the same as under current law, which would include the number of persons residing in a region, as determined by DNR based upon the most recent decennial or special census or the most recent, subsequent population estimate made by the Department of Administration.

Limit the grants in 2000-01 and subsequent years to the eligible costs incurred by the responsible unit two years earlier and reported to DNR in the previous year. (For example, a grant made in 2000-01 for calendar year 2001 could not exceed eligible costs incurred in calendar year 1999 and reported to DNR in 2000.) Define eligible costs the same as under current law (expenses, including capital expenses, for planning, constructing or operating an effective recycling program and complying with the 1993 and 1995 landfill bans).

Direct that if the appropriated funds are insufficient to fully fund the grants under the per capita allocation, DNR would be required to prorate the grants. Direct DNR to distribute recycling grants no later than June 1 of each year.

5. *DNR Waste Reduction and Recycling Demonstration Grants.* Include the Senate provision to direct DNR to lapse any unencumbered grant appropriation balance exceeding \$500,000 on June 30, 1999, to the recycling fund (estimated lapse of \$600,000). Delete the \$1,000,000 provided by Joint Finance for the grant program in 1999-00, and maintain the \$500,000 appropriated by Joint Finance in 2000-01. This would provide \$1,000,000 for demonstration grants in the biennium.

In addition, direct DNR to provide grants from the demonstration grant appropriation totaling up to \$175,000 in 1999-00 and \$150,000 in 2000-01 to the Wheelchair Recycling Project, a part of the Madison Chapter of the National Spinal Cord Injury Association, for the purpose of refurbishing used wheelchairs and other mobility devices and returning them to use by persons who otherwise would not have access to or needed or appropriate equipment. The grants would include: (a) \$75,000 on the first day of the first month after the effective date of the bill and \$50,000 on July 1, 2000; and (b) \$100,000 on June 15, 2000, contingent on the project raising \$100,000 from any source by June 15, 2000 and \$100,000 on June 15, 2001, contingent on the project raising an additional \$100,000 by June 15, 2001, for the purpose of opening a Milwaukee facility. (The Conference Committee tentatively agreed to the funding amount for the Wheelchair Recycling Project but did not decide on whether to fund other demonstration grants.)

6. *DNR Administration.* Include the Senate provision (tentatively agreed to by the Conference Committee) to provide DNR with: (a) one-time funding of \$325,000 in each of 1999-00 and 2000-01 for recycling computer system upgrades; (b) \$15,000 in 1999-00 to restore 0.25 position and \$480,000 in 2000-01 to restore 8.0 DNR Waste Management program staff in the regional offices for administration of recycling law provisions; and (c) \$60,000 in each of 1999-00 and 2000-01 to restore 1.0 DNR grant administration position in the Bureau of Community Financial Assistance. This would provide a total DNR recycling staffing level of 19.0 in each year.

In addition, provide \$199,800 annually for limited-term employees and supplies costs in the Bureau of Administrative and Field Services. This would restore funds deleted in the Governor's budget bill, as adopted by the Joint Finance Committee, to support operations in DNR service centers and administrative facilities throughout the state, including utilities, janitorial services, building and grounds maintenance, telephone costs and other operations costs. It should be noted that the fund condition in Table 1 includes the Conference Committee agreement to include \$200,000 in 1999-00 in one-time funds for a study of the landfill cleanup issue in the state.

7. *DOR Surcharge Administration.* Provide the Department of Revenue with ^{20,566(3)(g)} \$123,000 in 1999-00 and \$245,900 in 2000-01 to retain 1.5 positions to administer the recycling surcharge. (This would be a reduction of 1.0 staff from the 2.5 positions in 1998-99.)

8. *Recycling Market Development Board Grants.* Provide \$1,000,000 SEG in 2000-01 (instead of \$2,000,000 annually under the Senate and tentative Conference Committee agreement). Reestimate the program revenue loan repayments appropriation for financial assistance to be \$2,300,000 PR annually (\$800,000 higher than estimated under AB 133). The proposal would provide a total of \$5.6 million for financial assistance in the biennium. (The Board made awards of approximately \$2.3 million in each of the last two years.)

Include the Senate provisions (tentatively agreed to by the Conference Committee) to make the following changes related to Commerce staff: (a) delete \$166,100 SEG and 2.0 SEG positions annually; (b) provide that the remaining 2.0 SEG positions would be Commerce recycling market development staff instead of RMDB staff, and would include a loan portfolio manager to manage

past and future financial assistance funded by the RMDB and a commodity specialist to develop and direct strategy for recycling market development (these positions would be instead of the executive director and financial specialist under AB 133); (c) eliminate the authorization for an unclassified executive director; (d) delete \$38,700 SEG annually to reflect reduced staff costs; and (e) provide the 2.0 positions as permanent instead of the current project positions expiring June 30, 2001.

In addition, include the Senate provisions (tentatively agreed to by the Conference Committee) to generally restructure the operation of the RMDB similarly to the existing Commerce Development Finance Board, Minority Business Development Board and Rural Economic Development Board, including the following changes: (a) change the membership of the RMDB to delete the currently-designated members and instead include two representatives of responsible units of local governments, two representatives of businesses that market products made from recycled materials, recover recyclable materials or develop markets for products made from recycled materials and the Secretary of Commerce or the Secretary's designee, and specify that the non-Commerce members would be appointed by the Governor for three-year terms; (b) repeal s. 287.40 through 287.48 of the statutes related to the RMDB and instead create recycling market development program provisions under Chapter 560; (c) authorize Commerce to provide grants, loans or manufacturing rebates, after the approval of the RMDB, to a governmental entity or a business entity to assist waste generators in the marketing of recovered materials or to develop markets for recovered materials; (d) require that before the RMDB awards a grant, loan or rebate, the Board shall consider the extent to which the project: (1) maximizes the marketability of recovered materials on a statewide basis; (2) minimizes the amounts of recovered materials disposed of in landfills or burned without energy recovery in incinerators; (3) includes the materials that are banned from landfills that will support community recycling efforts; (4) maintains present markets or creates new or expanded markets for recovered materials; (e) authorize Commerce, after the approval of the RMDB, to request proposals for activities, if Commerce determines that financial assistance is necessary to assist responsible units in the marketing of recovered materials or to develop markets for recovered materials; (f) delete the authority of Commerce to use the SEG or PR financial assistance appropriations for contracts with persons to carry out the duties of the Board (currently the RMDB uses the financial assistance appropriation and as of July 1, 2001, Commerce may use the PR appropriation for contracts); (g) direct Commerce to use the financial assistance appropriation to annually contract with a materials exchange program that received funding from the RMDB during 1997-99 to operate a statewide materials exchange program; (h) specify that loan repayments from the former Department of Development recycling market development loan programs (which ended June 30, 1995) be deposited in the RMDB loan repayments appropriation instead of currently being deposited in the recycling fund (this would result in an increase in program revenues of an estimated \$379,200 and a corresponding decrease of segregated recycling fund revenues during the 1999-01 biennium).

Finally, include the Assembly provision (tentatively agreed to by the Conference Committee) to direct the RMDB to use the PR financial assistance appropriation to provide a grant of \$50,000 annually to an existing private nonprofit industry-supported organization described in

501 (c)(3) of the IRS tax code, that provides waste reduction and recycling assistance through business-to-business peer exchange, that is instrumental in assisting and encouraging companies and institutions to reduce their operating costs through improved production and solid waste management practices, and that is in existence on the effective date of the biennial budget act.

9. *University of Wisconsin - Extension.* Include the Senate provision to provide an additional \$200,000 SEG annually (as modified to provide \$100,000 SEG in 1999-00 instead of \$200,000 SEG) with 3.0 SEG positions for the UW-Extension Solid and Hazardous Waste Education Center for educational and technical assistance related to recycling and recycling market development. (This would be in addition to retaining base funding of \$527,400 annually with 4.5 positions for the UW System and UW-Extension.)

10. *Corrections.* As included by both Houses, restore the Governor's recommendation to provide \$500,000 SEG annually with 4.0 SEG project positions to support a computer recycling program operated by the Bureau of Correctional Enterprises at the Racine Youthful Offender Correctional Facility (RYOCF) and Taychedah Correctional Institution (TCI). Create an annual, SEG appropriation in Corrections for the computer recycling program. The project positions would expire on June 30, 2001.

11. *State Procurement of Toner Cartridges.* Include the Senate provision (as tentatively agreed to by the Conference Committee) to require the Department of Administration, every other state agency to which DOA delegates purchasing authority other than the University of Wisconsin Hospitals and Clinics Authority and the World Dairy Center Authority, and state legislative and judicial branch entities to ensure that the specifications that they use for purchasing prohibit the procurement of toner cartridges whose original manufacturer places restrictions on the remanufacturing of the toner cartridges by any person other than the manufacturer. Define "toner cartridge" as any cartridge containing a dry, powdered ink for application to paper by use of a photocopier, laser printer or similar device. Provide restrictions on remanufacturing that include reducing the price of the toner cartridge in exchange for an agreement not to remanufacture the toner cartridge, a licensing agreement on the toner cartridge that forbids remanufacturing and any contract that forbids the remanufacturing or recycling of a toner cartridge. The provision would first apply to specifications for notices inviting bids or competitive sealed proposals for purchases and to specifications for orders for purchases placed on the first day of the seventh month after the effective date of the bill.

In addition, a decision has not been made by the Conference Committee regarding whether to include the Senate provision to prohibit cities, villages, towns, counties and other local units of government from purchasing toner cartridges that have such restrictions on remanufacturing.

12. *Recycling Requirements.* Include the Senate provision to maintain the current state recycling requirements related to: (a) landfill and incineration bans of certain recyclable materials; (b) effective recycling program criteria that responsible units of local government must meet; and (c) designation of municipalities as responsible units for purposes of administering recycling statutes; and (d) the current prohibition against a responsible unit that receives a county or local

recycling grant imposing a restriction, tax or fee on the sale or distribution of packaging for a purpose related to the disposal of the packaging.

We hope this information is helpful.

KB/dls

TABLE 1

Recycling Fund Condition Statement
(\$ in Millions)

	1998-99 <u>Base</u>	1999-00 <u>Budgeted</u>	2000-01 <u>Budgeted</u>
Opening Balance - July 1		\$45.3	\$43.2
Revenue:			
Recycling Surcharge	\$35.8	\$30.9 ³¹	\$29.8
Tipping Fee	0.0	3.2 ^{5.5}	12.6
Interest Income and Other	<u>3.5</u>	<u>3.3</u>	<u>1.2</u>
Total Revenue	\$39.3	\$39.5	\$43.6
Total Available	\$39.3	\$84.8	\$86.8
Expenditures:			
Grants to Local Governments (RUs)	\$24.0	\$37.8	\$37.8
DNR Demo Grants	1.0	0.0	0.5
DNR Administration	3.8	2.3	2.1
DOR Surcharge Administration	0.3	0.1	0.2
RMDB Financial Assistance	2.5	0.0	1.0
Other Agencies	<u>1.3</u>	<u>1.3</u>	<u>1.4</u>
Total Expenditures	\$32.9	\$41.5	\$43.0
Closing Balance		\$43.2	\$43.8 <u>22.0</u>

TABLE 2

Recycling Fund Authorized Staff

	1998-99 <u>Base</u>	1999-00 <u>Budgeted</u>	2000-01 <u>Budgeted</u>
DNR Staff	28.5	19.0	19.0
UW Staff	4.5	7.5	7.5
DOR Staff	2.5	1.5	1.5
Other Staff	<u>8.7</u>	<u>6.0</u>	<u>6.0*</u>
Total FTE	44.2	34.0	34.0

* As agreed by both Houses, other staff would include 2.0 Commerce positions for the Recycling Market Development Board and 4.0 project positions in Corrections for computer recycling.

LFB 1999 - 2000 LEGISLATURE
Bonderud Today

6/19/98/1
LRBb1499/3
ACT/PEN: kmg/cmh/jf
Stays

SDC:.....Walter - ?, Recycling grants

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

A
CAUCUS AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 1999 ASSEMBLY BILL 133

1 At the locations indicated, amend the substitute amendment as follows:

2 1. Page 138, line 6: increase the dollar amount for fiscal year 1999-00 by
3 ^{\$100,000}
4 ~~\$200,000~~ and increase the dollar amount for fiscal year 2000-01 by \$200,000 to
5 increase the authorized FTE positions for the UW-Extension Solid and Hazardous
6 Waste Education Center by 3.0 SEG positions for educational and technical
7 assistance related to recycling and recycling market development.

8 2. Page 151, line 5: increase the dollar amount for fiscal year 1999-00 by
9 \$325,000 and increase the dollar amount for fiscal year 2000-01 by \$325,000 to
10 increase funding for upgrading the department of natural resources' computers
related to the administration of this state's recycling laws.

1 **3.** Page 151, line 5: increase the dollar amount for fiscal year 1999-00 by
2 \$15,000 to increase the authorized FTE positions for the department of natural
3 resources by 0.25 SEG position for administration of this state's recycling laws, and
4 increase the dollar amount for fiscal year 2000-01 by \$480,000 to increase the
5 authorized FTE positions for the department of natural resources by 8.0 SEG
6 positions for administration of this state's recycling laws.

7 → #. Page 162, line 4: delete lines 4 and 5. ✓
8 **4.** Page 162, line 8: decrease the dollar amount for fiscal year 1999-00 by
9 \$1,000,000 to decrease the funding for the purpose for which the appropriation is
10 made.

11 **5.** Page 162, line 10: after that line insert:

12 “(bu) Financial assistance for respon-

13 sible units

14 SEG A

37,800,000 37,800,000

48,000,000 48,000,000

✓
15 **6.** Page 169, line 2: increase the dollar amount for fiscal year 1999-00 by
16 \$60,000 and increase the dollar amount for fiscal year 2000-01 by \$60,000 to
17 increase the authorized FTE positions for the department of natural resources by 1.0
18 SEG recycling grant administrator position.

19 **7.** Page 320, line 22: delete lines 22 to 25 and substitute:

20 “SECTION 326m. 20.370 (6) (bq) 9. of the statutes is repealed.”

21 **8.** Page 321, line 1: delete lines 1 to 4.

22 #. Page 321, line 10: after “(9)” insert “and (9c)”

23 **9.** Page 321, line 10: after that line insert:

24 “SECTION 328m. 20.370 (6) (bu) of the statutes is created to read:

Delete ref the next funding
provision for use
LRA

1 20.370 (6) (bu) *Financial assistance for responsible units*. From the recycling
2 fund, the amounts in the schedule for grants to responsible units under s. 287.23.”.

3 **10.** Page 1278, line 16: delete lines 16 to 25.

4 **11.** Page 1279, line 1: delete lines 1 to 10.

5 **12.** Page 1279, line 8: before that line insert:

6 “**SECTION 2563dd.** 287.23 (5) (intro.) of the statutes is amended to read:

7 287.23 (5) GRANT AWARD FOR YEARS BEFORE 2000 (intro.) The department shall
8 award a grant to each eligible responsible unit that submits a complete grant
9 application under sub. (4) for expenses allowable under sub. (3) (b). Except as
10 provided under sub. (5m) or (5p), the amount of the grant for years before 2000 shall
11 be determined as follows:

12 **SECTION 2563de.** 287.23 (5) (d) of the statutes is created to read:

13 287.23 (5) (d) This subsection does not apply after December 31, 1999.

14 **SECTION 2563dh.** 287.23 (5c) of the statutes is created to read:

15 287.23 (5c) GRANT AWARD FOR 2000 AND THEREAFTER. Beginning with grants for
16 calendar year 2000, the department shall award a grant to each eligible responsible
17 unit that submits a complete grant application under sub. (4). Grants under this
18 subsection shall be paid from the appropriation under s. 20.370 (6) (bu). Except as
19 provided in sub. (5m) or (5p), the amount of the grant shall be the sum of the
20 following:

21 (a) The product of \$11.45 times the population served at least once per month
22 by residential collection of at least 2 of the materials listed in s. 287.07 (3).

(b) The product of \$5.85 times the population served by a system for collecting materials listed in s. 287.07 (3) taken by individuals to designated collection sites.

The population counted under par. (a) may not be counted under this paragraph.

SECTION 2563dp. 287.23 (5e) of the statutes is renumbered 287.23 (5e) (a) and amended to read:

287.23 (5e) (a) If For calendar years before 2000, if available funds are insufficient, under sub. (5) (c) 2., to pay \$8 times the population of all of the responsible units that are entitled to that amount, the department shall distribute the funds so that each responsible unit that would be entitled to \$6 times its population if the per person amount in sub. (5) (c) 2. were \$6 receives \$6 times its population and shall prorate the remaining funds.

SECTION 2563dr. 287.23 (5e) (b) of the statutes is created to read:

287.23 (5e) (b) Beginning in 2000, if the amounts appropriated in s. 20.370 (6) (bu) are insufficient to pay all of the grants in amounts calculated under sub. (5c), the department shall prorate the available funds.

SECTION 2563ds. 287.23 (5m) of the statutes is amended to read:

287.23 (5m) ALTERNATE PROCESS. The department shall establish, by rule, a process for distributing grants if the amount that would be awarded under sub. (5)

or (5e) exceeds the amount of funds available under s. 20.370 (6) (bq) or (bu).

→ **INSERT LRBb1908/ins**
SECTION 2563dt. 287.23 (5p) (a) of the statutes is amended to read:

287.23 (5p) (a) If a responsible unit submits its application under sub. (4) after October 1 but no later than October 10, the amount of the responsible unit's grant is 95% of the amount determined under sub. (5), ^d(5d) or (5m).

SECTION 2563ed. 287.23 (5p) (b) of the statutes is amended to read:

1 287.23 (5p) (b) If a responsible unit submits its application under sub. (4) after
2 October 10 but no later than October 20, the amount of the responsible unit's grant
3 is 90% of the amount determined under sub. (5), ^d(5d) or (5m).

4 **SECTION 2563eh.** 287.23 (5p) (c) of the statutes is amended to read:

5 287.23 (5p) (c) If a responsible unit submits its application under sub. (4) after
6 October 20 but no later than October 30, the amount of the responsible unit's grant
7 is 75% of the amount determined under sub. (5), ^d(5d) or (5m).

8 **SECTION 2563ep.** 287.23 (5s) of the statutes is repealed.

9 **SECTION 2563er.** 287.23 (6) of the statutes is amended to read:

10 287.23 (6) DISBURSEMENT. The department shall disburse 50% of a grant to the
11 applicant upon approval, but no later than ^{June}~~February~~ 1 of the year for which the grant
12 is made. ~~Strike~~

13 **SECTION 2563et.** 287.23 (7) of the statutes is repealed.”.

14 **13.** Page 1532, line 7: after that line insert:

15 “(2g) COMPUTER UPGRADES EXCLUDED FROM BASE. Notwithstanding section 16.42
16 (1) (e) of the statutes, in submitting information under section 16.42 of the statutes
17 for purposes of the 2001-03 biennial budget bill, the department of natural resources
18 shall submit a dollar amount for the appropriation under section 20.370 (2) (hq) of
19 the statutes that is \$325,000 less than the total amount appropriated under section
20 20.370 (2) (hq) of the statutes for the 2001-01 fiscal year, before submitting any
21 information relating to any increase or decrease in the dollar amount for that
22 appropriation for the 2001-03 fiscal biennium.”.

✓ Inset 5-22 → 23 **14.** Page ⁵⁷⁷~~1584~~, line ²⁰~~14~~: after that line insert:

*wps
this should be an
appropriation change component*

*approp
change f
"4g" X*

1 WASTE REDUCTION AND RECYCLING DEMONSTRATION GRANT LAPSE.
2 Notwithstanding section 20.001 (3) (c) of the statutes, on the effective date of this
3 subsection, there is lapsed to the recycling fund, from the appropriation account to
4 the department of natural resources under section 20.370 (6) (br) of the statutes, as
5 affected by this act, an amount equal to the unencumbered balance in that
6 appropriation account on June 30, 1999, less \$500,000.”.

7 (END)

*D-note
↓*

1999

AMENDMENTS

LRB 61908 / 1

Insert 2-13

RET : : :

\$\$\$ INCREASE/DECREASE

In the component bar, for a "regular" amendment item:

For the item text, execute: create → item: → m: → \$inc-dec

#. Page 167, line 4: in(de)crease the dollar amount for fiscal year 1999-00 by \$ 199 .., 800 .. and in(de)crease the dollar amount for fiscal year 2000-01 by \$ 199 .., 800 .. [to in crease funding for the {purpose} {purposes} for which the appropriation is made] [to .. crease funding for]*

#. Page, line: in(de)crease the dollar amount for fiscal year 1999-00 by \$ and in(de)crease the dollar amount for fiscal year 2000-01 by \$ [to .. crease funding for the [purpose] [purposes] for which the appropriation is made] [to .. crease funding for]*

In the component bar, for a "frozen" amendment item (used in amendments to amendments):

For the item text, execute: create → item: → afterline [or the applicable item]

For the "frozen" item text, execute: create → item: → frz: → m: → \$inc-dec

#. Page, line
..... Page, line: in(de)crease the dollar amount for fiscal year 1999-00 by \$ and in(de)crease the dollar amount for fiscal year 2000-01 by \$ [to .. crease funding for the [purpose] [purposes] for which the appropriation is made] [to .. crease funding for]*

* Use the 2nd alternative if the purpose of the increase or decrease is more limited than the purpose or purposes of the appropriation as currently shown in the text of ch. 20, stats.

(end ins 2-13)

[rev: 6/2/98 1999amdt/\$inc-dec(fm)]

1999-2000 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb1908/lins
RCT.....

Insert LRBb1908/lins

1. Page 1278, line 17: delete the material beginning with that line and ending with page 1279, line 10[✓] and substitute:

^{2560e}
"SECTION ~~27~~ 287.23 (3) (a) [✓] of the statutes is repealed and recreated to read:

* 287.23 (3) (a) Subject to par. (am)[✓], a responsible unit is eligible for assistance under this section for 1999^{a year before 2000} if the responsible unit has been determined under ~~section~~ 287.11[✓] to have an effective recycling program.

^{2560f}
SECTION ~~27~~ 281.23 (3) (ac) [✓] of the statutes is created to read:

281.23 (3) (ac) Subject to par. (am), a responsible unit is eligible for assistance under this section for ~~2000~~ if the responsible unit received assistance under this section for 1999 and the responsible unit has been determined under ~~section~~ 287.11 to have an effective recycling program.

^{2560g}
SECTION ~~27~~ 281.23 (3) (ae) [✓] of the statutes is created to read:

281.23 (3) (ae) Subject to par. (am)[✓], a responsible unit is eligible for assistance under this section for a year after 2000[✓] if the responsible unit has been determined under ~~section~~ 287.11 to have an effective recycling program and one of the following applies:

1. The responsible unit has a residential collection program that serves more than 50%[✓] of the population of the responsible unit, that collects, at least monthly, newspaper, corrugated paper, magazines, aluminum containers, steel containers, containers made of polyethylene[✓] terephthalate[✓] and high-density polyethylene and glass containers and that is operated by the responsible unit under a contract, franchise license or ordinance that requires at least monthly collection of these materials.



INSERT
CONT

2. The responsible unit has a program for collecting newspaper, corrugated paper, magazines, aluminum containers, steel containers, containers made of polyethylene terephthalate and high-density polyethylene and glass containers taken by individuals to a drop-off site[✓] that is owned by the responsible unit or is provided under a contract with another person and that is adequate in size and hours of operation to meet the needs of the responsible unit.

^{2560h}
SECTION 287.23 (3) (ag)[✓] of the statutes is created to read:

[✓]
287.23 (3) (ag) The department shall determine the population served by a residential collection program for the purposes of par. (ae) 1, ^{and sub. (5d) (b) ✓} based on information provided by the responsible unit for the year [✓]2 years before the year for which the department is determining the responsible unit's eligibility.

²⁵⁶⁰ⁱ
SECTION 287.23 (5) (intro.)[✓] of the statutes is amended to read:

287.23 (5) GRANT AWARD FOR YEARS BEFORE 2000.[✓] (intro.) The For years before 2000, the department shall award a grant under this subsection[✓] to each eligible responsible unit that submits a complete grant application under sub. (4) for expenses allowable under sub. (3) (b). Except as provided under sub. (5m) or (5p), the amount of the grant under this subsection[✓] shall be determined as follows:

^{2562e}
History: 1989 a. 335; 1991 a. 39; 1993 a. 16, 75; 1995 a. 27; 1995 s. 227 s. 905; Stats. 1995 s. 287.23; 1997 a. 27, 41.

SECTION 287.23 (5b)[✓] of the statutes is created to read:

287.23 (5b) GRANT AWARD FOR 2000. For 2000, the department shall award a grant under this subsection[✓] to each eligible responsible unit that submits a complete grant application under sub. (4)[✓] for expenses allowable under sub. (3) (b). The department shall determine the amount of the grants under this subsection as follows:



INSERT
cont

(a) Determine the total amount that would have been awarded under this section[✓] for 1999 if no grants had been reduced under sub. (5p).

(b) Determine the amount that each responsible unit received under this section for 1999 or, for a responsible unit⁸ that had its grant for 1999 reduced under sub. (5p), the amount that the responsible unit would have received if its grant had not been reduced.

(c) Award to a responsible unit the proportion of the total amount available for grants under this[✓] section for 2000 that is equal to the proportion of the amount determined under par. (a)[✓] that the responsible^{check spaces} unit^{received} ~~underachieved~~ or would have received[✓] for 1999^{2562 m} as determined under par. (b).

^{2562 m} SECTION 29. 287.23 (5d)[✓] of the statutes is created to read:

287.23 (5d) GRANT AWARD FOR YEARS AFTER 2000.[✓] (a) Beginning with grants for the year 2001, the department shall award a grant under this subsection to each eligible responsible unit that submits a complete grant application under sub. (4)[✓] for expenses allowable under sub. (3) (b).[✓]

(b) Except as provided in par. (c)[✓] or (d)[✓] or sub. (5p)[✓], the department shall award an eligible responsible unit a grant under this subsection equal to \$7.90 times the population of the responsible unit if the responsible unit has a residential collection program that complies with sub. (3) (ae) 1.[✓] and the department shall award an eligible responsible unit a grant equal to \$4.40[✓] times the population of the responsible unit if the responsible unit does not have a residential collection program that complies with sub. (3) (ae) 1.

(c) A grant to a responsible unit under this subsection may not exceed the allowable expenses under sub. (3) (b) that the responsible unit incurred in the year 2 years before the year for which the grant is made.

✓

INSERT
cont

(d) If the available funds are insufficient to pay the grant amounts determined under pars. (b) and (c),[✓] the department shall prorate the available funds.

(end insert)

b1908/1

Insert 5-22, p. 1

#. Page 1538, line 23: delete "September, 1999" and
substitute "the first day of the first month beginning
after the effective date of this paragraph".

✓

Insert 5-22, p. 2

61908/1

1 4. Page 1538, line 24: after that line insert:

2 nonstat ^c“(9b) MATCHING GRANTS FOR WHEELCHAIR RECYCLING PROJECT. From the
3 appropriation account under section 20.370 (6) ^{br}(~~the~~) of the statutes, ^{plain}as created by this
4 act, the department of natural resources shall award the following grants to the
5 Wheelchair Recycling Project, a part of the Madison chapter of the National Spinal
6 Cord Injury Association, for the purpose of opening a facility in Milwaukee for
7 refurbishing used wheelchairs and other mobility devices and returning them to use
8 by persons who otherwise would not have access to needed or appropriate equipment:

9 (a) On June 15, 2000, \$100,000, if the project raises \$100,000 for this purpose
10 from any source by June 15, 2000.

11 (b) On June 15, 2001, \$100,000, if the project raises \$100,000 for this purpose
12 from any source by June 15, 2001, in addition to the \$100,000 required under
13 paragraph (a).”.

14 END (end insert)

6/19/08/jlg

RT jlg

Kendra:

¶ 1. As drafted, the provision for reducing ^{responsible unit} grants because an application is late ~~does not~~ applies to ^{grants} grants for 2000 or later years. ~~then~~

¶ 2. Please note that this draft repeals s. [✓] 287.23(5s).

OK?

¶ 3. I am not certain whether the treatment of s. 287.23(6) [✓] is what was intended.

¶ 4. This draft does not repeal the language about calculating grants for years before 2000. If you think that it should, please let me know.

¶ 5. Do you think that the draft should repeal s. 287.23(1m) [✓]?
You can leave me a voice mail at work or at

home if I am not at work.

RT

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

LRBb1908/ldn
RCTjlg:ijs

October 2, 1999

Kendra:

- 2001 (I informed Kendra of error)*
1. As drafted, the provision for reducing responsible unit grants because an application is late applies to grants for 2000 or later years.
 2. Please note that this draft repeals s. 287.23 (5s). OK?
 3. I am not certain whether the treatment of s. 287.23 (6) is what was intended.
 4. This draft does not repeal the language about calculating grants for years before 2000. If you think that it should, please let me know.
 5. Do you think that the draft should repeal s. 287.23 (1m)?

You can leave me a voice mail at work at at home if I am not at work.

Rebecca C. Tradewell
Managing Attorney
Phone: (608) 266-7290
E-mail: Becky.Tradewell@legis.state.wi.us

Tradewell, Becky

From: Bonderud, Kendra
Sent: Sunday, October 03, 1999 12:50 PM
To: Tradewell, Becky
Cc: Hinz, Daryl
Subject: recycling draft LRB 1908/1

Becky -

I just finished reviewing LRB 1908/1 related to recycling. It looks very good, but I would like to request a /2 with a couple small changes. My comments are:

- ✓ 1. Page 3, line 24 - Change from "more than 50%" to "50% or more" served by curbside collection. (I specifically asked Barb Worcester and Paul Heinen which they wanted, and they said "50% or more" so this detail sticks in my brain.)
- ✓ 2. Page 4, lines 6-11 - Please insert that to be eligible for a grant under .2, the drop-off program has to serve "more than 50% of the population." I hope that with these edits it will be clear that an RU is eligible for a curbside collection grant if "50% or more" of the population is served by curbside, or a drop-off program grant if "over 50%" of the population is served by drop-off. I recognize that it is possible that an individual RU might potentially qualify for neither a curbside or drop-off grant.
- ✓ 3. Page 5, lines 19-25 - I suggest that you structure lines 23-25 to say an RU receives a \$4.40 per capita grant if it has a drop-off program that complies with sub. (3)(ae)2. (Thus, if an RU does not qualify under (3)(ae)1. Or (3)(ae)2., it would not receive a grant.)

In response to your drafter's note points:

1. The /1 provision related to late applications for grants in 2001 and subsequent years is fine.
2. I agree with the repeal of s. 287.23 (5s).
- ✓ 3. The amendment of s. 287.23 (6) is fine. There is probably a clearer way of saying it, but I think the amendment conveys the needed concept that DNR may pay the grants at any time after the applications are approved (if there is sufficient cash balance in the recycling fund), but that DNR will pay the grant in one installment no later than June 1.
4. There is no need to repeal the language about calculating grants for years before 2000.
5. I don't think that s. 287.23 (1m) needs to be repealed at this time (although, arguably the directive to DNR is past). Perhaps it can be repealed in the 2001-03 session. I suggest leaving it in the statutes.

Thanks. I will be here a while, but I hope not too long. Daryl will be in about 3pm.

Kendra Bonderud
Legislative Fiscal Bureau
(608) 266-3847
Kendra.Bonderud@legis.state.wi.us



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBb1908/2
RCT&PEN:jlg/kmg/cmh:ijs
EWJ redraft
mater
run

LFB:.....Bonderud - Recycling grants and DNR administration

FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

ASSEMBLY AMENDMENT ,

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 1999 ASSEMBLY BILL 133

1 At the locations indicated, amend the substitute amendment as follows:

2 1. Page 138, line 6: increase the dollar amount for fiscal year 1999-00 by
3 \$100,000 and increase the dollar amount for fiscal year 2000-01 by \$200,000 to
4 increase the authorized FTE positions for the UW-Extension Solid and Hazardous
5 Waste Education Center by 3.0 SEG positions for educational and technical
6 assistance related to recycling and recycling market development.

7 2. Page 151, line 5: increase the dollar amount for fiscal year 1999-00 by
8 \$325,000 and increase the dollar amount for fiscal year 2000-01 by \$325,000 to
9 increase funding for upgrading the department of natural resources' computers
10 related to the administration of this state's recycling laws.

1 **3.** Page 151, line 5: increase the dollar amount for fiscal year 1999–00 by
2 \$15,000 to increase the authorized FTE positions for the department of natural
3 resources by 0.25 SEG position for administration of this state’s recycling laws, and
4 increase the dollar amount for fiscal year 2000–01 by \$480,000 to increase the
5 authorized FTE positions for the department of natural resources by 8.0 SEG
6 positions for administration of this state’s recycling laws.

7 **4.** Page 162, line 4: delete lines 4 and 5.

8 **5.** Page 162, line 8: decrease the dollar amount for fiscal year 1999–00 by
9 \$1,000,000 to decrease the funding for the purpose for which the appropriation is
10 made.

11 **6.** Page 162, line 10: after that line insert:

12 “(bu) Financial assistance for respon-

13 sible units SEG A 37,800,000 37,800,000

14 ”.

15 **7.** Page 167, line 4: increase the dollar amount for fiscal year 1999–00 by
16 \$199,800 and increase the dollar amount for fiscal year 2000–01 by \$199,800 to
17 increase funding for the purpose for which the appropriation is made.

18 **8.** Page 169, line 2: increase the dollar amount for fiscal year 1999–00 by
19 \$60,000 and increase the dollar amount for fiscal year 2000–01 by \$60,000 to
20 increase the authorized FTE positions for the department of natural resources by 1.0
21 SEG recycling grant administrator position.

22 **9.** Page 320, line 22: delete lines 22 to 25 and substitute:

23 “**SECTION 326m.** 20.370 (6) (bq) 9. of the statutes is repealed.”.

1 **10.** Page 321, line 1: delete lines 1 to 4.

2 **11.** Page 321, line 10: after “(9)” insert “and (9c)”.

3 **12.** Page 321, line 10: after that line insert:

4 “**SECTION 328m.** 20.370 (6) (bu) of the statutes is created to read:

5 20.370 (6) (bu) *Financial assistance for responsible units.* From the recycling
6 fund, the amounts in the schedule for grants to responsible units under s. 287.23.”.

7 **13.** Page 1278, line 17: delete the material beginning with that line and
8 ending with page 1279, line 10, and substitute:

9 ~~SECTION 2560e.~~ ⁶⁸²⁸ 287.23 (3) (a) of the statutes is repealed and recreated to read:
10 287.23 (3) (a) Subject to par. (am), a responsible unit is eligible for assistance
11 under this section for a year before 2000 if the responsible unit has been determined
12 under s. 287.11 to have an effective recycling program.

13 **SECTION 2560f.** ⁷ 281.23 (3) (ac) of the statutes is created to read:

14 281.23 (3) (ac) Subject to par. (am), a responsible unit is eligible for assistance
15 under this section for 2000 if the responsible unit received assistance under this
16 section for 1999 and the responsible unit has been determined under s. 287.11 to have
17 an effective recycling program.

18 **SECTION 2560g.** ⁷ 281.23 (3) (ae) of the statutes is created to read:

19 281.23 (3) (ae) Subject to par. (am), a responsible unit is eligible for assistance
20 under this section for a year after 2000 if the responsible unit has been determined
21 under s. 287.11 to have an effective recycling program and one of the following
22 applies:

- (23) 1. The responsible unit has a residential collection program that serves ~~more~~
 ^{or more}
(24) ~~than~~ 50% of the population of the responsible unit, that collects, at least monthly,

1 newspaper, corrugated paper, magazines, aluminum containers, steel containers,
2 containers made of polyethylene terephthalate and high-density polyethylene and
3 glass containers and that is operated by the responsible unit under a contract,
4 franchise license or ordinance that requires at least monthly collection of these
5 materials.

6 2. The responsible unit has a ^{drop-off} program ^{or more} for collecting newspaper, corrugated ^{that serves more than 50% of the population of the responsible unit,}
7 paper, magazines, aluminum containers, steel containers, containers made of
8 polyethylene terephthalate and high-density polyethylene and glass containers
9 taken by individuals to a drop-off site that is owned by the responsible unit or is
10 provided under a contract with another person and that is adequate in size and hours
11 of operation to meet the needs of the responsible unit.

12 **SECTION 2560h.** 287.23 (3) (ag) of the statutes is created to read:

13 287.23 (3) (ag) The department shall determine the population served by a
14 residential collection program for the purposes of par. (ae) 1. and sub. (5d) (b) based
15 on information provided by the responsible unit for the year 2 years before the year
16 for which the department is determining the responsible unit's eligibility.

17 **SECTION 2560i.** 287.23 (5) (intro.) of the statutes is amended to read:

18 287.23 (5) GRANT AWARD FOR YEARS BEFORE 2000. (intro.) The For years before
19 2000, the department shall award a grant under this subsection to each eligible
20 responsible unit that submits a complete grant application under sub. (4) for
21 expenses allowable under sub. (3) (b). Except as provided under sub. (5m) or (5p),
22 the amount of the grant under this subsection shall be determined as follows:

23 **SECTION 2562e.** 287.23 (5b) of the statutes is created to read:

24 287.23 (5b) GRANT AWARD FOR 2000. For 2000, the department shall award a
25 grant under this subsection to each eligible responsible unit that submits a complete

1 grant application under sub. (4) for expenses allowable under sub. (3) (b). The
2 department shall determine the amount of the grants under this subsection as
3 follows:

4 (a) Determine the total amount that would have been awarded under this
5 section for 1999 if no grants had been reduced under sub. (5p).

6 (b) Determine the amount that each responsible unit received under this
7 section for 1999 or, for a responsible unit that had its grant for 1999 reduced under
8 sub. (5p), the amount that the responsible unit would have received if its grant had
9 not been reduced.

10 (c) Award to a responsible unit the proportion of the total amount available for
11 grants under this section for 2000 that is equal to the proportion of the amount
12 determined under par. (a) that the responsible unit received, or would have received,
13 for 1999 as determined under par. (b).

14 **SECTION 2562m.** 287.23 (5d) of the statutes is created to read:

15 287.23 (5d) GRANT AWARD FOR YEARS AFTER 2000. (a) Beginning with grants for
16 the year 2001, the department shall award a grant under this subsection to each
17 eligible responsible unit that submits a complete grant application under sub. (4) for
18 expenses allowable under sub. (3) (b).

19 (b) Except as provided in par. (c) or (d) or sub. (5p), the department shall award
20 an eligible responsible unit a grant under this subsection equal to \$7.90 times the
21 population of the responsible unit if the responsible unit has a residential collection
22 program that complies with sub. (3) (ae) 1. and the department shall award an
23 eligible responsible unit a grant equal to \$4.40 times the population of the
24 responsible unit if the responsible unit ~~does not have a residential collection~~ ^{has a drop-off}
25 ~~program~~ that complies with sub. (3) (ae) ².

(c) A grant to a responsible unit under this subsection may not exceed the allowable expenses under sub. (3) (b) that the responsible unit incurred in the year 2 years before the year for which the grant is made.

(d) If the available funds are insufficient to pay the grant amounts determined under pars. (b) and (c), the department shall prorate the available funds.

SECTION 2563dt. 287.23 (5p) (a) of the statutes is amended to read:

287.23 (5p) (a) If a responsible unit submits its application under sub. (4) after October 1 but no later than October 10, the amount of the responsible unit's grant is 95% of the amount determined under sub. (5), (5d) or (5m).

SECTION 2563ed. 287.23 (5p) (b) of the statutes is amended to read:

287.23 (5p) (b) If a responsible unit submits its application under sub. (4) after October 10 but no later than October 20, the amount of the responsible unit's grant is 90% of the amount determined under sub. (5), (5d) or (5m).

SECTION 2563eh. 287.23 (5p) (c) of the statutes is amended to read:

287.23 (5p) (c) If a responsible unit submits its application under sub. (4) after October 20 but no later than October 30, the amount of the responsible unit's grant is 75% of the amount determined under sub. (5), (5d) or (5m).

SECTION 2563ep. 287.23 (5s) of the statutes is repealed.

SECTION 2563er. 287.23 (6) of the statutes is amended to read:

287.23 (6) DISBURSEMENT. The department shall disburse ~~50%~~ of a grant to the applicant ^{after} ~~upon~~ approval, but no later than ~~February~~ June 1 of the year for which the grant is made.

SECTION 2563et. 287.23 (7) of the statutes is repealed.”.

14. Page 1532, line 7: after that line insert:

1 “(2g) COMPUTER UPGRADES EXCLUDED FROM BASE. Notwithstanding section 16.42
2 (1) (e) of the statutes, in submitting information under section 16.42 of the statutes
3 for purposes of the 2001–03 biennial budget bill, the department of natural resources
4 shall submit a dollar amount for the appropriation under section 20.370 (2) (hq) of
5 the statutes that is \$325,000 less than the total amount appropriated under section
6 20.370 (2) (hq) of the statutes for the 2001–01 fiscal year, before submitting any
7 information relating to any increase or decrease in the dollar amount for that
8 appropriation for the 2001–03 fiscal biennium.”.

9 **15.** Page 1538, line 23: delete “September 1, 1999” and substitute “the first
10 day of the first month beginning after the effective date of this paragraph”.

11 **16.** Page 1538, line 24: after that line insert:

12 “(9c) MATCHING GRANTS FOR WHEELCHAIR RECYCLING PROJECT. From the
13 appropriation account under section 20.370 (6) (br) of the statutes, the department
14 of natural resources shall award the following grants to the Wheelchair Recycling
15 Project, a part of the Madison chapter of the National Spinal Cord Injury Association,
16 for the purpose of opening a facility in Milwaukee for refurbishing used wheelchairs
17 and other mobility devices and returning them to use by persons who otherwise
18 would not have access to needed or appropriate equipment:

19 (a) On June 15, 2000, \$100,000, if the project raises \$100,000 for this purpose
20 from any source by June 15, 2000.

21 (b) On June 15, 2001, \$100,000, if the project raises \$100,000 for this purpose
22 from any source by June 15, 2001, in addition to the \$100,000 required under
23 paragraph (a).”.

24 **17.** Page 1577, line 20: after that line insert:

“(4f) WASTE REDUCTION AND RECYCLING DEMONSTRATION GRANT LAPSE. Notwithstanding section 20.001 (3) (c) of the statutes, on the effective date of this subsection, there is lapsed to the recycling fund, from the appropriation account to the department of natural resources under section 20.370 (6) (br) of the statutes, as affected by this act, an amount equal to the unencumbered balance in that appropriation account on June 30, 1999, less \$500,000.”.

(END)



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBb1908~~2~~ 3

RCT&PEN:jg/kmg/cmh/wlj:km

*This
meaning*

LFB:.....Bonderud – Recycling grants and DNR administration

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

ASSEMBLY AMENDMENT ,

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 1999 ASSEMBLY BILL 133

See p 4

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 138, line 6: increase the dollar amount for fiscal year 1999-00 by
3 \$100,000 and increase the dollar amount for fiscal year 2000-01 by \$200,000 to
4 increase the authorized FTE positions for the UW-Extension Solid and Hazardous
5 Waste Education Center by 3.0 SEG positions for educational and technical
6 assistance related to recycling and recycling market development.

7 **2.** Page 151, line 5: increase the dollar amount for fiscal year 1999-00 by
8 \$325,000 and increase the dollar amount for fiscal year 2000-01 by \$325,000 to
9 increase funding for upgrading the department of natural resources' computers
10 related to the administration of this state's recycling laws.

1 **3.** Page 151, line 5: increase the dollar amount for fiscal year 1999–00 by
2 \$15,000 to increase the authorized FTE positions for the department of natural
3 resources by 0.25 SEG position for administration of this state’s recycling laws, and
4 increase the dollar amount for fiscal year 2000–01 by \$480,000 to increase the
5 authorized FTE positions for the department of natural resources by 8.0 SEG
6 positions for administration of this state’s recycling laws.

7 **4.** Page 162, line 4: delete lines 4 and 5.

8 **5.** Page 162, line 8: decrease the dollar amount for fiscal year 1999–00 by
9 \$1,000,000 to decrease the funding for the purpose for which the appropriation is
10 made.

11 **6.** Page 162, line 10: after that line insert:

12 “(bu) Financial assistance for respon-

13 sible units

SEG	A	37,800,000	37,800,000
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14 ”.

15 **7.** Page 167, line 4: increase the dollar amount for fiscal year 1999–00 by
16 \$199,800 and increase the dollar amount for fiscal year 2000–01 by \$199,800 to
17 increase funding for the purpose for which the appropriation is made.

18 **8.** Page 169, line 2: increase the dollar amount for fiscal year 1999–00 by
19 \$60,000 and increase the dollar amount for fiscal year 2000–01 by \$60,000 to
20 increase the authorized FTE positions for the department of natural resources by 1.0
21 SEG recycling grant administrator position.

22 **9.** Page 320, line 22: delete lines 22 to 25 and substitute:

23 “**SECTION 326m.** 20.370 (6) (bq) 9. of the statutes is repealed.”.

1 **10.** Page 321, line 1: delete lines 1 to 4.

2 **11.** Page 321, line 10: after “(9)” insert “and (9c)”.

3 **12.** Page 321, line 10: after that line insert:

4 “**SECTION 328m.** 20.370 (6) (bu) of the statutes is created to read:

5 20.370 (6) (bu) *Financial assistance for responsible units.* From the recycling
6 fund, the amounts in the schedule for grants to responsible units under s. 287.23.”.

7 **13.** Page 1278, line 17: delete the material beginning with that line and
8 ending with page 1279, line 10, and substitute:

9 “**SECTION 2560e.** 287.23 (3) (a) of the statutes is repealed and recreated to read:

10 287.23 (3) (a) Subject to par. (am), a responsible unit is eligible for assistance
11 under this section for a year before 2000 if the responsible unit has been determined
12 under s. 287.11 to have an effective recycling program.

13 **SECTION 2560f.** 287.23 (3) (ac) of the statutes is created to read:

14 287.23 (3) (ac) Subject to par. (am), a responsible unit is eligible for assistance
15 under this section for 2000 if the responsible unit received assistance under this
16 section for 1999 and the responsible unit has been determined under s. 287.11 to have
17 an effective recycling program.

18 **SECTION 2560g.** 287.23 (3) (ae) of the statutes is created to read:

19 287.23 (3) (ae) Subject to par. (am), a responsible unit is eligible for assistance
20 under this section for a year after 2000 if the responsible unit has been determined
21 under s. 287.11 to have an effective recycling program and one of the following
22 applies:

23 1. The responsible unit has a residential collection program that serves 50%

24 or more of the population of the responsible unit, that collects, at least monthly,

plain

1 newspaper, corrugated paper, magazines, aluminum containers, steel containers,
2 containers made of polyethylene terephthalate and high-density polyethylene and
3 glass containers and that is operated by the responsible unit under a contract,
4 franchise license or ordinance that requires at least monthly collection of these
5 materials.

6 2. The responsible unit has a drop-off program, that serves ^{✓ more than} 50% ~~or more~~ of the
7 population of the responsible unit, for collecting newspaper, corrugated paper,
8 magazines, aluminum containers, steel containers, containers made of polyethylene
9 terephthalate and high-density polyethylene and glass containers taken by
10 individuals to a drop-off site that is owned by the responsible unit or is provided
11 under a contract with another person and that is adequate in size and hours of
12 operation to meet the needs of the responsible unit.

13 **SECTION 2560h.** 287.23 (3) (ag) of the statutes is created to read:

14 287.23 (3) (ag) The department shall determine the population served by a
15 residential collection program for the purposes of par. (ae) 1. and sub. (5d) (b) based
16 on information provided by the responsible unit for the year 2 years before the year
17 for which the department is determining the responsible unit's eligibility.

18 **SECTION 2560i.** 287.23 (5) (intro.) of the statutes is amended to read:

19 287.23 (5) GRANT AWARD FOR YEARS BEFORE 2000. (intro.) ~~The~~ For years before
20 2000, the department shall award a grant under this subsection to each eligible
21 responsible unit that submits a complete grant application under sub. (4) for
22 expenses allowable under sub. (3) (b). Except as provided under sub. (5m) or (5p),
23 the amount of the grant under this subsection shall be determined as follows:

24 **SECTION 2562e.** 287.23 (5b) of the statutes is created to read:

1 287.23 (5b) GRANT AWARD FOR 2000. For 2000, the department shall award a
2 grant under this subsection to each eligible responsible unit that submits a complete
3 grant application under sub. (4) for expenses allowable under sub. (3) (b). The
4 department shall determine the amount of the grants under this subsection as
5 follows:

6 (a) Determine the total amount that would have been awarded under this
7 section for 1999 if no grants had been reduced under sub. (5p).

8 (b) Determine the amount that each responsible unit received under this
9 section for 1999 or, for a responsible unit that had its grant for 1999 reduced under
10 sub. (5p), the amount that the responsible unit would have received if its grant had
11 not been reduced.

12 (c) Award to a responsible unit the proportion of the total amount available for
13 grants under this section for 2000 that is equal to the proportion of the amount
14 determined under par. (a) that the responsible unit received, or would have received,
15 for 1999 as determined under par. (b).

16 **SECTION 2562m.** 287.23 (5d) of the statutes is created to read:

17 287.23 (5d) GRANT AWARD FOR YEARS AFTER 2000. (a) Beginning with grants for
18 the year 2001, the department shall award a grant under this subsection to each
19 eligible responsible unit that submits a complete grant application under sub. (4) for
20 expenses allowable under sub. (3) (b).

21 (b) Except as provided in par. (c) or (d) or sub. (5p), the department shall award
22 an eligible responsible unit a grant under this subsection equal to \$7.90 times the
23 population of the responsible unit if the responsible unit has a residential collection
24 program that complies with sub. (3) (ae) 1. and the department shall award an
25 eligible responsible unit a grant equal to \$4.40 times the population of the

1 responsible unit if the responsible unit has a drop-off program that complies with
2 sub. (3) (ae) 2.

3 (c) A grant to a responsible unit under this subsection may not exceed the
4 allowable expenses under sub. (3) (b) that the responsible unit incurred in the year
5 2 years before the year for which the grant is made.

6 (d) If the available funds are insufficient to pay the grant amounts determined
7 under pars. (b) and (c), the department shall prorate the available funds.

8 **SECTION 2563dt.** 287.23 (5p) (a) of the statutes is amended to read:

9 287.23 (5p) (a) If a responsible unit submits its application under sub. (4) after
10 October 1 but no later than October 10, the amount of the responsible unit's grant
11 is 95% of the amount determined under sub. (5), (5d) or (5m).

12 **SECTION 2563ed.** 287.23 (5p) (b) of the statutes is amended to read:

13 287.23 (5p) (b) If a responsible unit submits its application under sub. (4) after
14 October 10 but no later than October 20, the amount of the responsible unit's grant
15 is 90% of the amount determined under sub. (5), (5d) or (5m).

16 **SECTION 2563eh.** 287.23 (5p) (c) of the statutes is amended to read:

17 287.23 (5p) (c) If a responsible unit submits its application under sub. (4) after
18 October 20 but no later than October 30, the amount of the responsible unit's grant
19 is 75% of the amount determined under sub. (5), (5d) or (5m).

20 **SECTION 2563ep.** 287.23 (5s) of the statutes is repealed.

21 **SECTION 2563er.** 287.23 (6) of the statutes is amended to read:

22 287.23 (6) DISBURSEMENT. The department shall disburse ~~50%~~ of a grant to the
23 applicant ~~upon~~ after approval, but no later than ~~February~~ June 1 of the year for
24 which the grant is made.

25 **SECTION 2563et.** 287.23 (7) of the statutes is repealed.”.

1 **14.** Page 1532, line 7: after that line insert:

2 “(2g) COMPUTER UPGRADES EXCLUDED FROM BASE. Notwithstanding section 16.42
3 (1) (e) of the statutes, in submitting information under section 16.42 of the statutes
4 for purposes of the 2001–03 biennial budget bill, the department of natural resources
5 shall submit a dollar amount for the appropriation under section 20.370 (2) (hq) of
6 the statutes that is \$325,000 less than the total amount appropriated under section
7 20.370 (2) (hq) of the statutes for the 2001–01 fiscal year, before submitting any
8 information relating to any increase or decrease in the dollar amount for that
9 appropriation for the 2001–03 fiscal biennium.”.

10 **15.** Page 1538, line 23: delete “September 1, 1999” and substitute “the first
11 day of the first month beginning after the effective date of this paragraph”.

12 **16.** Page 1538, line 24: after that line insert:

13 “(9c) MATCHING GRANTS FOR WHEELCHAIR RECYCLING PROJECT. From the
14 appropriation account under section 20.370 (6) (br) of the statutes, the department
15 of natural resources shall award the following grants to the Wheelchair Recycling
16 Project, a part of the Madison chapter of the National Spinal Cord Injury Association,
17 for the purpose of opening a facility in Milwaukee for refurbishing used wheelchairs
18 and other mobility devices and returning them to use by persons who otherwise
19 would not have access to needed or appropriate equipment:

20 (a) On June 15, 2000, \$100,000, if the project raises \$100,000 for this purpose
21 from any source by June 15, 2000.

22 (b) On June 15, 2001, \$100,000, if the project raises \$100,000 for this purpose
23 from any source by June 15, 2001, in addition to the \$100,000 required under
24 paragraph (a).”.

1 **17.** Page 1577, line 20: after that line insert:

2 “(4f) WASTE REDUCTION AND RECYCLING DEMONSTRATION GRANT LAPSE.

3 Notwithstanding section 20.001 (3) (c) of the statutes, on the effective date of this
4 subsection, there is lapsed to the recycling fund, from the appropriation account to
5 the department of natural resources under section 20.370 (6) (br) of the statutes, as
6 affected by this act, an amount equal to the unencumbered balance in that
7 appropriation account on June 30, 1999, less \$500,000.”.

8 (END)



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBb1908/3
RCT&PEN:jg/kmg/cmh/wlj:jf

LFB:.....Bonderud – Recycling grants and DNR administration

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

ASSEMBLY AMENDMENT ,

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 1999 ASSEMBLY BILL 133

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 138, line 6: increase the dollar amount for fiscal year 1999-00 by
3 \$100,000 and increase the dollar amount for fiscal year 2000-01 by \$200,000 to
4 increase the authorized FTE positions for the UW-Extension Solid and Hazardous
5 Waste Education Center by 3.0 SEG positions for educational and technical
6 assistance related to recycling and recycling market development.

7 **2.** Page 151, line 5: increase the dollar amount for fiscal year 1999-00 by
8 \$325,000 and increase the dollar amount for fiscal year 2000-01 by \$325,000 to
9 increase funding for upgrading the department of natural resources' computers
10 related to the administration of this state's recycling laws.

1 **3.** Page 151, line 5: increase the dollar amount for fiscal year 1999–00 by
2 \$15,000 to increase the authorized FTE positions for the department of natural
3 resources by 0.25 SEG position for administration of this state’s recycling laws, and
4 increase the dollar amount for fiscal year 2000–01 by \$480,000 to increase the
5 authorized FTE positions for the department of natural resources by 8.0 SEG
6 positions for administration of this state’s recycling laws.

7 **4.** Page 162, line 4: delete lines 4 and 5.

8 **5.** Page 162, line 8: decrease the dollar amount for fiscal year 1999–00 by
9 \$1,000,000 to decrease the funding for the purpose for which the appropriation is
10 made.

11 **6.** Page 162, line 10: after that line insert:

12 “(bu) Financial assistance for respon-

13 sible units

SEG	A	37,800,000	37,800,000
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14 ”.

15 **7.** Page 167, line 4: increase the dollar amount for fiscal year 1999–00 by
16 \$199,800 and increase the dollar amount for fiscal year 2000–01 by \$199,800 to
17 increase funding for the purpose for which the appropriation is made.

18 **8.** Page 169, line 2: increase the dollar amount for fiscal year 1999–00 by
19 \$60,000 and increase the dollar amount for fiscal year 2000–01 by \$60,000 to
20 increase the authorized FTE positions for the department of natural resources by 1.0
21 SEG recycling grant administrator position.

22 **9.** Page 320, line 22: delete lines 22 to 25 and substitute:

23 “**SECTION 326m.** 20.370 (6) (bq) 9. of the statutes is repealed.”.

1 **10.** Page 321, line 1: delete lines 1 to 4.

2 **11.** Page 321, line 10: after “(9)” insert “and (9c)”.

3 **12.** Page 321, line 10: after that line insert:

4 “**SECTION 328m.** 20.370 (6) (bu) of the statutes is created to read:

5 20.370 (6) (bu) *Financial assistance for responsible units.* From the recycling
6 fund, the amounts in the schedule for grants to responsible units under s. 287.23.”.

7 **13.** Page 1278, line 17: delete the material beginning with that line and
8 ending with page 1279, line 10, and substitute:

9 “**SECTION 2560e.** 287.23 (3) (a) of the statutes is repealed and recreated to read:

10 287.23 (3) (a) Subject to par. (am), a responsible unit is eligible for assistance
11 under this section for a year before 2000 if the responsible unit has been determined
12 under s. 287.11 to have an effective recycling program.

13 **SECTION 2560f.** 287.23 (3) (ac) of the statutes is created to read:

14 287.23 (3) (ac) Subject to par. (am), a responsible unit is eligible for assistance
15 under this section for 2000 if the responsible unit received assistance under this
16 section for 1999 and the responsible unit has been determined under s. 287.11 to have
17 an effective recycling program.

18 **SECTION 2560g.** 287.23 (3) (ae) of the statutes is created to read:

19 287.23 (3) (ae) Subject to par. (am), a responsible unit is eligible for assistance
20 under this section for a year after 2000 if the responsible unit has been determined
21 under s. 287.11 to have an effective recycling program and one of the following
22 applies:

23 1. The responsible unit has a residential collection program that serves 50%
24 or more of the population of the responsible unit, that collects, at least monthly,

1 newspaper, corrugated paper, magazines, aluminum containers, steel containers,
2 containers made of polyethylene terephthalate and high-density polyethylene and
3 glass containers and that is operated by the responsible unit under a contract,
4 franchise license or ordinance that requires at least monthly collection of these
5 materials.

6 2. The responsible unit has a drop-off program, that serves more than 50% of
7 the population of the responsible unit, for collecting newspaper, corrugated paper,
8 magazines, aluminum containers, steel containers, containers made of polyethylene
9 terephthalate and high-density polyethylene and glass containers taken by
10 individuals to a drop-off site that is owned by the responsible unit or is provided
11 under a contract with another person and that is adequate in size and hours of
12 operation to meet the needs of the responsible unit.

13 **SECTION 2560h.** 287.23 (3) (ag) of the statutes is created to read:

14 287.23 (3) (ag) The department shall determine the population served by a
15 residential collection program for the purposes of par. (ae) 1. and sub. (5d) (b) based
16 on information provided by the responsible unit for the year 2 years before the year
17 for which the department is determining the responsible unit's eligibility.

18 **SECTION 2560i.** 287.23 (5) (intro.) of the statutes is amended to read:

19 287.23 (5) GRANT AWARD FOR YEARS BEFORE 2000. (intro.) ~~The~~ For years before
20 2000, the department shall award a grant under this subsection to each eligible
21 responsible unit that submits a complete grant application under sub. (4) for
22 expenses allowable under sub. (3) (b). Except as provided under sub. (5m) or (5p),
23 the amount of the grant under this subsection shall be determined as follows:

24 **SECTION 2562e.** 287.23 (5b) of the statutes is created to read:

1 287.23 (5b) GRANT AWARD FOR 2000. For 2000, the department shall award a
2 grant under this subsection to each eligible responsible unit that submits a complete
3 grant application under sub. (4) for expenses allowable under sub. (3) (b). The
4 department shall determine the amount of the grants under this subsection as
5 follows:

6 (a) Determine the total amount that would have been awarded under this
7 section for 1999 if no grants had been reduced under sub. (5p).

8 (b) Determine the amount that each responsible unit received under this
9 section for 1999 or, for a responsible unit that had its grant for 1999 reduced under
10 sub. (5p), the amount that the responsible unit would have received if its grant had
11 not been reduced.

12 (c) Award to a responsible unit the proportion of the total amount available for
13 grants under this section for 2000 that is equal to the proportion of the amount
14 determined under par. (a) that the responsible unit received, or would have received,
15 for 1999 as determined under par. (b).

16 **SECTION 2562m.** 287.23 (5d) of the statutes is created to read:

17 287.23 (5d) GRANT AWARD FOR YEARS AFTER 2000. (a) Beginning with grants for
18 the year 2001, the department shall award a grant under this subsection to each
19 eligible responsible unit that submits a complete grant application under sub. (4) for
20 expenses allowable under sub. (3) (b).

21 (b) Except as provided in par. (c) or (d) or sub. (5p), the department shall award
22 an eligible responsible unit a grant under this subsection equal to \$7.90 times the
23 population of the responsible unit if the responsible unit has a residential collection
24 program that complies with sub. (3) (ae) 1. and the department shall award an
25 eligible responsible unit a grant equal to \$4.40 times the population of the

1 responsible unit if the responsible unit has a drop-off program that complies with
2 sub. (3) (ae) 2.

3 (c) A grant to a responsible unit under this subsection may not exceed the
4 allowable expenses under sub. (3) (b) that the responsible unit incurred in the year
5 2 years before the year for which the grant is made.

6 (d) If the available funds are insufficient to pay the grant amounts determined
7 under pars. (b) and (c), the department shall prorate the available funds.

8 **SECTION 2563dt.** 287.23 (5p) (a) of the statutes is amended to read:

9 287.23 (5p) (a) If a responsible unit submits its application under sub. (4) after
10 October 1 but no later than October 10, the amount of the responsible unit's grant
11 is 95% of the amount determined under sub. (5), (5d) or (5m).

12 **SECTION 2563ed.** 287.23 (5p) (b) of the statutes is amended to read:

13 287.23 (5p) (b) If a responsible unit submits its application under sub. (4) after
14 October 10 but no later than October 20, the amount of the responsible unit's grant
15 is 90% of the amount determined under sub. (5), (5d) or (5m).

16 **SECTION 2563eh.** 287.23 (5p) (c) of the statutes is amended to read:

17 287.23 (5p) (c) If a responsible unit submits its application under sub. (4) after
18 October 20 but no later than October 30, the amount of the responsible unit's grant
19 is 75% of the amount determined under sub. (5), (5d) or (5m).

20 **SECTION 2563ep.** 287.23 (5s) of the statutes is repealed.

21 **SECTION 2563er.** 287.23 (6) of the statutes is amended to read:

22 287.23 (6) DISBURSEMENT. The department shall disburse 50% of a grant to the
23 applicant upon after approval, but no later than ~~February~~ June 1 of the year for
24 which the grant is made.

25 **SECTION 2563et.** 287.23 (7) of the statutes is repealed.”.

1 **14.** Page 1532, line 7: after that line insert:

2 “(2g) COMPUTER UPGRADES EXCLUDED FROM BASE. Notwithstanding section 16.42
3 (1) (e) of the statutes, in submitting information under section 16.42 of the statutes
4 for purposes of the 2001–03 biennial budget bill, the department of natural resources
5 shall submit a dollar amount for the appropriation under section 20.370 (2) (hq) of
6 the statutes that is \$325,000 less than the total amount appropriated under section
7 20.370 (2) (hq) of the statutes for the 2001–01 fiscal year, before submitting any
8 information relating to any increase or decrease in the dollar amount for that
9 appropriation for the 2001–03 fiscal biennium.”.

10 **15.** Page 1538, line 23: delete “September 1, 1999” and substitute “the first
11 day of the first month beginning after the effective date of this paragraph”.

12 **16.** Page 1538, line 24: after that line insert:

13 “(9c) MATCHING GRANTS FOR WHEELCHAIR RECYCLING PROJECT. From the
14 appropriation account under section 20.370 (6) (br) of the statutes, the department
15 of natural resources shall award the following grants to the Wheelchair Recycling
16 Project, a part of the Madison chapter of the National Spinal Cord Injury Association,
17 for the purpose of opening a facility in Milwaukee for refurbishing used wheelchairs
18 and other mobility devices and returning them to use by persons who otherwise
19 would not have access to needed or appropriate equipment:

20 (a) On June 15, 2000, \$100,000, if the project raises \$100,000 for this purpose
21 from any source by June 15, 2000.

22 (b) On June 15, 2001, \$100,000, if the project raises \$100,000 for this purpose
23 from any source by June 15, 2001, in addition to the \$100,000 required under
24 paragraph (a).”.

1 **17.** Page 1577, line 20: after that line insert:

2 “(4f) WASTE REDUCTION AND RECYCLING DEMONSTRATION GRANT LAPSE.
3 Notwithstanding section 20.001 (3) (c) of the statutes, on the effective date of this
4 subsection, there is lapsed to the recycling fund, from the appropriation account to
5 the department of natural resources under section 20.370 (6) (br) of the statutes, as
6 affected by this act, an amount equal to the unencumbered balance in that
7 appropriation account on June 30, 1999, less \$500,000.”.

8 (END)