

1999 DRAFTING REQUEST

Bill

Received: **02/04/2000**

Received By: **traderc**

Wanted: **Soon**

Identical to LRB:

For: **Alice Clausing (608) 266-7745**

By/Representing: **Bill Wenzel**

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

Drafter: **traderc**

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Subject: **Agriculture - miscellaneous**

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Payments to ethanol producers

Instructions:

Like 99-3698 (OK with Huebsch)

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>
/?	traderc 02/04/2000	gilfokm 02/04/2000		_____			State
/1			haugca 02/04/2000	_____	lrb_docadmin 02/04/2000	lrb_docadmin 02/04/2000	

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02-11-00

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1/?	traderc	1-2-4-2000 King	ch 2-4	ch 2-4		Please Jacket for Senate	
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1999 ASSEMBLY BILL

1 **AN ACT** to create 20.115 (3) (d) and 93.75 of the statutes; **relating to:** payments
2 to ethanol producers, granting rule-making authority and making an
3 appropriation.

Analysis by the Legislative Reference Bureau

This bill requires the department of agriculture, trade and consumer protection (DATCP) to administer a program under which DATCP makes payments to certain ethanol producers. To be eligible for the payments, an ethanol producer must produce a specified amount of ethanol and must purchase the substances from which the ethanol is produced from a local source, as defined by DATCP. An ethanol producer is only eligible for payments during the first 60 months of ethanol production. The payments are 20 cents per gallon for not more than 15,000,000 gallons produced within 12 months. The bill ends the ethanol payment program on June 30, 2005.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

4 **SECTION 1.** 20.005 (3) (schedule) of the statutes: at the appropriate place, insert
5 the following amounts for the purposes indicated:

ASSEMBLY BILL

1 1999-00 2000-01

2 20.115 Agriculture, trade and consumer
3 protection, department of

4 (3) MARKETING SERVICES 

5 (d) Payments to ethanol producers GPR A -0- 3,000,000

6 SECTION 2. 20.115 (3) (d) of the statutes is created to read:

7 20.115 (3) (d) *Payments to ethanol producers.* The amounts in the schedule for
8 payments to ethanol producers under s. 93.75. No funds may be encumbered under
9 this paragraph after June 30, 2005.

10 SECTION 3. 93.75 of the statutes is created to read:

11 93.75 **Payments to ethanol producers.** (1) **ELIGIBILITY.** Beginning on July
12 1, 2000, the department shall administer a program under which the department
13 makes payments to a person who produces ethanol and who satisfies all of the
14 following criteria:

15 (a) The person produces in this state, within 12 months, over 10,000,000
16 gallons of ethanol or, during the first 12 months that the person produces ethanol in
17 this state, a lesser amount of ethanol that is established by the department by rule.

18 (b) The person has been producing ethanol in this state for fewer than 60
19 months.

20 (c) The person purchases the substances from which the person produces
21 ethanol from a local source, as defined by the department by rule.

22 (2) **PAYMENTS.** The department shall pay a person who is eligible under sub. (1)
23 at the rate of 20 cents per gallon for not more than 15,000,000 gallons of ethanol
24 produced in this state within 12 months, except that if there are insufficient funds

ASSEMBLY BILL

1 to make payments at this rate to all eligible persons the department shall prorate the
2 payments.

3 (3) RULES. The department shall promulgate rules for the program under this
4 section. The department shall include all of the following in the rules:

5 (a) The amount of ethanol that a person must produce within the first 12
6 months that the person produces ethanol in this state to be eligible for payments
7 under this section.

8 (b) A definition of "local source" for the purposes of sub. (1) (c).

9 (c) A method for prorating payments under sub. (2).

10 (4) SUNSET. The department may not make a payment under this section after
11 June 30, 2005.

12 (END)