



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-4244/1
MCP:ekg/skw/wlj

2021 SENATE BILL 648

October 20, 2021 - Introduced by Senators PFAFF, SMITH, AGARD, BEWLEY, ERPENBACH, JOHNSON, LARSON, RINGHAND and ROYS, cosponsored by Representatives SPREITZER, CONSIDINE, CABRERA, CONLEY, DOYLE, EMERSON, HEBL, HESSELBEIN, B. MEYERS, NEUBAUER, OHNSTAD, POPE, SHANKLAND, SHELTON, STUBBS, SUBECK and VRUWINK. Referred to Committee on Agriculture and Tourism.

1 **AN ACT to create** 20.115 (3) (bf) and 93.485 of the statutes; **relating to:** food
2 security and Wisconsin products grant program; funding for the University of
3 Wisconsin System, technical colleges, and special education aid; providing an
4 exemption from emergency rule procedures; granting rule-making authority;
5 and making an appropriation.

Analysis by the Legislative Reference Bureau

Under this bill, the Department of Agriculture, Trade and Consumer Protection may provide grants to food banks, food pantries, and other nonprofit organizations to purchase Wisconsin food products. The bill creates a new appropriation and provides \$10,000,000 each fiscal year from the general fund for this purpose.

The bill also provides additional funding, in each year of the 2021-23 fiscal biennium, for the University of Wisconsin System under its general program operations appropriation; for state aid for technical colleges; and for special education aid the Department of Public Instruction pays to school districts, independent charter schools, cooperative educational service agencies, and county children with disabilities education boards.

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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:

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

2021-22 2022-23

3 **20.115 Agriculture, trade and consumer**
4 **protection, department of**

5 (3) AGRICULTURAL DEVELOPMENT SERVICES

6 (bf) Food security and Wisconsin

7 products grants GPR A 10,000,000 10,000,000

8 **SECTION 2.** 20.115 (3) (bf) of the statutes is created to read:

9 20.115 (3) (bf) *Food security and Wisconsin products grants.* The amounts in
10 the schedule to provide grants under s. 93.485.

11 **SECTION 3.** 93.485 of the statutes is created to read:

12 **93.485 Food security and Wisconsin products grant program. (1)**

13 GRANTS. The department may award grants from the appropriation under s. 20.115
14 (3) (bf) to nonprofit food banks, nonprofit food pantries, and other nonprofit
15 organizations that provide food assistance for the purpose of purchasing food
16 products that are made or grown in this state.

17 **(2) RULES.** The department may promulgate rules to administer this section.

18 **SECTION 4. Nonstatutory provisions.**

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1 (1) EMERGENCY RULES FOR FOOD SECURITY AND WISCONSIN PRODUCTS GRANT
2 PROGRAM. The department of agriculture, trade and consumer protection may use the
3 procedure under s. 227.24 to promulgate emergency rules relating to the food
4 security and Wisconsin products grant program under s. 93.485 for the period before
5 the effective date of any permanent rules promulgated under s. 93.485 but not to
6 exceed the period authorized under s. 227.24 (1) (c), subject to extension under s.
7 227.24 (2). Notwithstanding s. 227.24 (1) (a), (2) (b), and (3), when promulgating
8 emergency rules under this subsection, the department is not required to provide
9 evidence that promulgating a rule under this subsection as an emergency rule is
10 necessary for the preservation of the public peace, health, safety, or welfare and is
11 not required to provide a finding of emergency for a rule promulgated under this
12 subsection. Notwithstanding s. 227.24 (1) (e) 1d. and 1g., for emergency rules
13 promulgated under this subsection, the department is not required to prepare a
14 statement of scope of the rules or to submit the proposed rules in final draft form to
15 the governor for approval.

SECTION 5. Fiscal changes.

16 (1) SPECIAL EDUCATION AID. In the schedule under s. 20.005 (3) for the
17 appropriation to the department of public instruction under s. 20.255 (2) (b), the
18 dollar amount for fiscal year 2021-22 is increased by \$6,320,000 to increase funding
19 for aids for special education under s. 115.88 and the dollar amount for fiscal year
20 2022-23 is increased by \$6,320,000 to increase funding for aids for special education
21 under s. 115.88.

22 (2) UW SYSTEM; GENERAL PROGRAM OPERATIONS. In the schedule under s. 20.005
23 (3) for the appropriation to the Board of Regents of the University of Wisconsin
24 System under s. 20.285 (1) (a), the dollar amount for fiscal year 2021-22 is increased
25

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1 by \$1,295,600 and the dollar amount for fiscal year 2022-23 is increased by
2 \$1,295,600 for the purpose for which the appropriation is made.

3 (3) STATE AIDS FOR TECHNICAL COLLEGES. In the schedule under s. 20.005 (3) for
4 the appropriation to the technical college system board under s. 20.292 (1) (d), the
5 dollar amount for fiscal year 2021-22 is increased by \$284,400 and the dollar amount
6 for fiscal year 2022-23 is increased by \$284,400 for the purpose for which the
7 appropriation is made.

8 (END)