



1995 SENATE BILL 482

January 16, 1996 - Introduced by LAW REVISION COMMITTEE. Referred to Committee on State Government Operations and Corrections.

1 **AN ACT to amend** 16.75 (8) (a) 2. (intro.), 16.75 (8) (a) 2. a. to c. and 779.14 (1m)
2 (b) 3.; and **to repeal and recreate** 16.39 and 16.39 of the statutes; **relating**
3 **to:** the recycled or recovered content of paper purchased by state agencies and
4 certain authorities; approval of surety bonds by corporation counsels; and the
5 administration of the weatherization assistance program (suggested as reme-
6 dial legislation by the department of administration).

Analysis by the Legislative Reference Bureau

WEATHERIZATION ASSISTANCE

Under current law, the department of administration (DOA) is responsible for administering the weatherization assistance program, which is funded with grants from the federal weatherization assistance for low-income persons program. Current law specifies certain administrative details, such as specific eligibility requirements and an application procedure. This bill repeals the administrative details in current law and provides that DOA must administer the weatherization assistance program in accordance with the provisions of the federal weatherization assistance for low-income persons program.

STATE GOVERNMENTAL PAPER PURCHASING

Under current law, each state agency and authority, other than the University of Wisconsin Hospitals and Clinics Authority and the World Dairy Center Authority, must ensure that the average recycled or recovered content of paper purchased by the agency or authority measured as a proportion, by weight, of the fiber content of paper products purchased in a calendar year, meets certain specified percentages no later than certain calendar years. This bill applies these requirements no later than the corresponding fiscal years ending 6 months after those calendar years.

LOCAL APPROVAL OF SURETY BONDS

Under current law, before certain public works contracts with the state may be entered into, a prime contractor must obtain a surety bond. If the public work involves a county, the bond must be approved by the county's district attorney. Under this bill, such a bond must be approved by the county's corporation counsel.

For further information, see the NOTES provided by the law revision committee of the joint legislative council.

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

LAW REVISION COMMITTEE PREFATORY NOTE: This bill is a remedial legislation proposal, requested by the department of administration and introduced by the law revision committee under s. 13.83 (1) (c) 4., stats. After careful consideration of the various provisions of this bill, the law revision committee has determined that this bill makes minor substantive changes in the statutes, and that these changes are desirable as a matter of public policy.

1 **SECTION 1.** 16.39 of the statutes is repealed and recreated to read:

2 **16.39 Weatherization assistance.** Notwithstanding s. 16.54 (2) (a), the de-
3 partment shall administer federal funds available to this state under the weather-
4 ization assistance for low-income persons program, as amended, 42 USC 6861 to
5 6873. The department shall administer the funds in accordance with 42 USC 6861
6 to 6873 and regulations adopted under 42 USC 6861 or 6873.

7 **SECTION 2.** 16.39 of the statutes, as affected by 1995 Wisconsin Acts 27 and ...
8 (this act), is repealed and recreated to read:

9 **16.39 Weatherization assistance.** Notwithstanding s. 16.54 (2) (a), the de-
10 partment shall administer federal funds available to this state under the weather-
11 ization assistance for low-income persons program, as amended, 42 USC 6861 to
12 6873. The department shall administer the funds in accordance with 42 USC 6861
13 to 6873 and regulations adopted under 42 USC 6861 or 6873.

NOTE: This SECTION provides that the department of administration must administer the federal weatherization program in accordance with federal regulations governing the program. Current law authorizing the department of administration to administer the federal weatherization program includes provisions that are based on the low-income

energy assistance program, which is administered by the department of health and social services and which does not apply or relate to the federal weatherization program.

1 **SECTION 3.** 16.75 (8) (a) 2. (intro.) of the statutes, as affected by 1995 Wisconsin
2 Act 27, is amended to read:

3 16.75 (8) (a) 2. (intro.) Each agency and authority other than the University
4 of Wisconsin Hospitals and Clinics Authority shall ensure that the average recycled
5 or recovered content of all paper purchased by the agency or authority measured as
6 a proportion, by weight, of the fiber content of paper products purchased in a calen-
7 dar fiscal year, is not less than the following:

8 **SECTION 4.** 16.75 (8) (a) 2. a. to c. of the statutes are amended to read:

9 16.75 (8) (a) 2. a. By ~~1991~~ 1991-92, 10% of all purchased paper.

10 b. By ~~1993~~ 1993-94, 25% of all purchased paper.

11 c. By ~~1995~~ 1995-96, 40% of all purchased paper.

NOTE: These SECTIONS amend the requirement that each state agency and author-
ity, other than the University of Wisconsin Hospitals and Clinics Authority and the World
Diary Center Authority, ensure that the average recycled or recovered content of paper
products purchased by the agency or authority meets minimum specified standards to re-
quire that the standards apply to each fiscal year rather than each calendar year. Since
state authority and agency budgeting and accounting are based on the state fiscal year
(July 1 to June 30 of the following year), this change will simplify reporting and monitor-
ing of compliance with the law.

12 **SECTION 5.** 779.14 (1m) (b) 3. of the statutes is amended to read:

13 779.14 (1m) (b) 3. The bond shall be approved for the state by the state official
14 authorized to enter the contract, for a county by its ~~district attorney~~ corporation
15 counsel, for a city by its mayor, for a village by its president, for a town by its chairper-
16 son, for a school district by its president and for any other public board or body by
17 the presiding officer thereof.

NOTE: This SECTION amends the requirements relating to the approval of surety
bonds that must be obtained by prime contractors on state and local public improvement
and public works projects to provide that the county corporation counsel will approve
such bonds for county projects rather than the county's district attorney. Because 1989
Wisconsin Act 31 made district attorneys state employees, it does not appear to be appro-

