

1999 DRAFTING REQUEST**Assembly Amendment (AA-AA1-AB389)**Received: **06/19/99**Received By: **kunkemd**Wanted: **As time permits**

Identical to LRB:

For: **Tim Hoven (608) 267-2369**By/Representing: **John Stolzenberg**This file may be shown to any legislator: **NO**Drafter: **kunkemd**May Contact: **John Stolzenberg**

Alt. Drafters:

Subject: **Public Util. - misc.**

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Low-income assistance funding

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>
/1	kunkemd 06/22/99	gilfokm 06/22/99	kfollet 06/22/99	_____	lrb_docadmin 06/22/99		
	kunkemd 06/22/99	gilfokm 06/22/99		_____			
/2	kunkemd 06/23/99	jpgeller 06/23/99	martykr 06/23/99	_____	lrb_docadmin 06/23/99	lrb_docadmin 06/23/99	
/3	kunkemd 06/23/99	gilfokm 06/23/99	haugeca 06/23/99	_____	lrb_docadmin 06/23/99	lrb_docadmin 06/23/99	
/4			jfrantze 06/23/99	_____	lrb_docadmin 06/23/99	lrb_docadmin 06/23/99	

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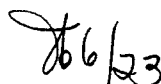
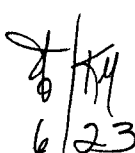
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/3		14-6-23-99 kmg	haugeca 06/23/99	_____	lrb_docadmin 06/23/99	lrb_docadmin 06/23/99	

FE Sent For:

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/2		<i>1/3/99</i> gilfokm 06/23/99	martykr 06/23/99	<i>CH</i> _____	lrb_docadmin 06/23/99	lrb_docadmin 06/23/99	

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<END>

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FE Sent For:		<i>12-6-99 kmg</i>	<i>km/23</i>	<i>df b km/23</i>			<END>

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/?	kunkemd	1-6-22-99 KMG	KJF 6/22	KJF/mc 6/22			

FE Sent For:

<END>

PA:
do NOT
jacket

Kunkel, Mark

From: Stolzenberg, John
Sent: Friday, June 18, 1999 3:39 PM
To: Kunkel, Mark
Cc: Lovell, David
Subject: FW: Drafting Instructions for an Amendment to Assembly Amendment 1 to 1999 AB 389

I forgot the attachment.



AA1 Amendment
Drafting Instruc

-----Original Message-----

From: Stolzenberg, John
Sent: Friday, June 18, 1999 3:36 PM
To: Kunkel, Mark
Cc: Lovell, David
Subject: Drafting Instructions for an Amendment to Assembly Amendment 1 to 1999 AB 389

Mark,

Here are the drafting instructions for an amendment to AA1 to AB 389 for Rep. Hoven that I had mentioned to you. Let me know if you have any questions on them.

John

John Stolzenberg,
Legislative Council Staff

Total low income bills

DRAFTING INSTRUCTIONS FOR AN AMENDMENT TO ASSEMBLY AMENDMENT 1 TO 1999 AB 389

1) Create utility industry funding adjustment to account for fluctuations in federal funding for low-income programs.

a) In the bill as affected by AA1, delete the requirement for DOA to determine the low-income need target in fiscal years after 1998-99 and to submit the target to Joint Committee on Finance. Delete related definitions.

pg 9 118-19
p 13. 11-12
delete item 13

b) In the bill (new provision), in subs. (2) and (3) on page 29, establish that beginning in calendar year 2000 the amount that the utilities contribute to the PSC for deposit in the Utility Public Benefits Fund, and credited to low-income assistance, shall be increased by an amount that federal funds received by the state in the fiscal year (FY) that includes the January of the calendar year are less than the total amount identified on page 9, lines 11 and 12 (federal funds received in FY 97-98) and shall correspondingly be decreased by the amount that federal funds are greater than the total amount identified on page 9, lines 11 and 12. Direct the DOA (Secretary?) to report to the PSC the amount of federal funds received in a FY. This should be known at the beginning of the federal fiscal year in October. If it isn't known by December 1 (such as if Congress is late in making federal appropriations), authorize the PSC to the adjust the contributions for the calendar year after the federal funding is known.

delete
pg 9
28-17
p 13
lines
7-8?
pg
lines 3-7

2) Delete 47% of low-income funds dedicated to weatherization.

pg 9 13-19

a) In AA1, page 1, line 9: delete lines 9 to 12 and substitute: "7. Page 10, line 24: delete the material beginning with "On" and ending with page 11, line 9."

3) In AA1, delete page 2, lines 1 to 3, and instead establish that a person may not receive low-income assistance under s. 16.957 (2) (a) unless the person is a customer of a utility that contributes funds to the PSC (for deposit in the Utility Public Benefits Fund) under s. 196.374 (3).

4) Clean up. In the bill:

a) Page 29, lines 5 and 6: after "arrearages," insert "and" and change the commas after "weatherization", "efficiency" and "development" to semicolons.

b) Page 29, line 15: substitute "2002" for "2001" (to match the dates on page 29, lines 7 and 10).

c) Page 29, line 19: delete "and s. 16957 (4)". (The referenced sub. (4) is deleted by AA1.)



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBa0520/1

MDK:K...

King

O-NOTE

*Today
by 3:00*

**ASSEMBLY AMENDMENT ,
TO ASSEMBLY AMENDMENT 1,
TO 1999 ASSEMBLY BILL 389**

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

2 ✓ **1.** Page 1, line 3: delete lines 3 to 5 and substitute:

3 ✓ "2m. Page 9, line 3: delete lines 3 to 19."

4 ✓ **2.** Page 1, line 8: before that line insert:

5 "5m. Page 10, line 7: delete lines 7 ~~to 9~~."

(deleted)
to 9

6 ✓ **3.** Page 1, line 9: delete lines 9 to 12 and substitute:

7 "6m. Page 10, line 24: delete the material beginning with "In each" and ending

8 with page 11, line 9." *"(5)." on*

9 ✓ **4.** Page 2, line 1: delete lines 1 to 3 and substitute:

10 ✓ "9g. Page 12, line 8: delete the material beginning with "who receives" and

11 ending with "3. a." on ~~page 11~~ line 10.

[Handwritten scribble]

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

LRBa0520/1dn

MDK:.....



Representative Hoven:

This amendment does not include the changes described in item 1 (b) of John Stolzenberg's drafting instruction. Those changes will be addressed in a subsequent version of this amendment.

Mark D. Kunkel
Legislative Attorney
Phone: (608) 266-0131
E-mail: Mark.Kunkel@legis.state.wi.us

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

LRBa0520/1dn
MDK:kmg:kjf

June 22, 1999

Representative Hoven:

This amendment does not include the changes described in item 1 (b) of John Stolzenberg's drafting instruction. Those changes will be addressed in a subsequent version of this amendment.

Mark D. Kunkel
Legislative Attorney
Phone: (608) 266-0131
E-mail: Mark.Kunkel@legis.state.wi.us

**DRAFTING INSTRUCTIONS FOR AN AMENDMENT
TO ASSEMBLY AMENDMENT 1 TO 1999 AB 389**

- 1) Create utility industry funding adjustment to account for fluctuations in federal funding for low-income programs.
 - a) In the bill as affected by AA1, delete the requirement for DOA to determine the low-income need target in fiscal years after 1998-99 and to submit the target to Joint Committee on Finance. Delete related definitions.

b) In the bill as affected by AA1 (new provisions), establish the following process for having utility "contributions" make up any shortfall in federal LIHEAP and LIWAP funding (the base amount) and to reduce utility contributions when these federal funds exceed the base amount:

OCT 1 - Sept 30

- i) Define the federal base amount to be the sum of the LIHEAP funds received in federal fiscal year 1999-2000 and the LIWAP funds received in federal program year 1999-2000 (April 1999 to March 2000). ✓
- ii) Direct the DOA to determine the sum of the amounts of the LIHEAP funds the state will receive in a federal fiscal year after 1999-00 and the LIWAP funds that the state will receive for the federal program year beginning in the April prior to the beginning of the federal fiscal year. ✓
8621
6861
- iii) If the amount under ii) is less than or greater than the base amount under i), direct the DOA to prepare a plan that identifies the shortfall or exceedance and directs the PSC to adjust the required contributions from utilities under s. 196.374 (3) in the calendar year following the start of the federal fiscal year. ✓
 - (1) Specify that the adjustment shall increase the contributions in the amount of any shortfall and decrease the contributions in the amount of any exceedance.
 - (2) Specify that the utility contributions may not be reduced below zero (i.e., utilities can not get a credit if the increase in federal funds over the base amount is greater than the amount utilities spent in 1998 on public benefit programs, as determined by the PSC under s. 196.374 (2)). ✓
- iv) Require the DOA to submit the plan to the Joint Committee on Finance (JCF) for approval. Specify that the DOA may not implement the plan until the JCF approves the plan or approves the plan with modifications. ✓

- 2) Delete 47% of low-income funds dedicated to weatherization.
 - a) In AA1, page 1, line 9: delete lines 9 to 12 and substitute: "7. Page 10, line 24: delete the material beginning with "On" and ending with page 11, line 9."
- 3) In AA1, delete page 2, lines 1 to 3, and instead establish that a person may not receive low-income assistance under s. 16.957 (2) (a) unless the person is a customer of a utility that contributes funds to the PSC (for deposit in the Utility Public Benefits Fund) under s. 196.374 (3).
- 4) Clean up. In the bill:
 - a) Page 29, lines 5 and 6: after "arrearages," insert "and" and change the commas after "weatherization", "efficiency" and "development" to semicolons.

*new
new
duty
13
new (3m)
an amt*

b) Page 29, line 15: substitute "2002" for "2001" (to match the dates on page 29, lines 7 and 10).

c) Page 29, line 19: delete "and s. 16957 (4)". (The referenced sub. (4) is deleted by AA1.)

Prepared at the request of Rep. Tim Hoven
By John Stolzenberg Legislative Council Staff
June 18, 1999

Due 9 a.m. Wed.,
6/23

2

RM NOT
RUN

**ASSEMBLY AMENDMENT ,
TO ASSEMBLY AMENDMENT 1,
TO 1999 ASSEMBLY BILL 389**

INSERT 1-1 ✓

1
2
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4
5
6
7
8
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10
11

At the locations indicated, amend the amendment as follows:

1. Page 1, line 3: delete lines 3 to 5 and substitute:

“2m. Page 9, line 3: delete lines 3 to 19.”.

2. Page 1, line 8: before that line insert:

“5m. Page 10, line 7: delete lines 7 to 9.”.

3. Page 1, line 9: delete lines 9 to 12 and substitute:

“6m. Page 10, line 24: delete the material beginning with “In each” and ending with “(5).” on page 11, line 9.”.

4. Page 2, line 1: delete lines 1 to 3 and substitute:

“9g. Page 12, line 8: delete the material beginning with “who receives” and ending with “3. a.” on line 10.

3

1

20

1 federal funding amount for each federal fiscal year after federal fiscal year 1999-~~00~~
2 and require the commission to do one of the following:

3 a. If the federal base amount is greater than the federal funding amount,
4 increase the contributions that utilities are required to make to the commission
5 under s. 196.374 (3) in the calendar year following the start of the federal fiscal year
6 by an amount equal to the difference between the federal base amount and the
7 federal funding amount.

8 b. If the federal funding amount is greater than the federal base amount,
9 decrease the contributions that utilities are required to make to the commission
10 under s. 196.374 (3) in the calendar year following the start of the federal fiscal year
11 by an amount equal to the difference between the federal funding amount and the
12 federal base amount, except that if the difference is zero or less, no contributions
13 shall be required.

14 6. Implement a plan specified in subd. 5. that is approved or modified by the
15 joint committee on finance.”.”.

16 **INSERT 2-~~7~~:** (11)

- 17 ✓ 16g. Page 29, line 7: delete “In” and substitute “Subject to sub. (3m), in”.
- 18 ✓ 16k. Page 29, line 10: delete “In” and substitute “Subject to sub. (3m), in”.

19 **INSERT 2-13:**

✓ 16w. Page 29, line 20: before that line insert:

“(3m) The commission shall adjust the amount that a utility is required to
22 contribute to the commission under sub. (3) as required under a plan that is
23 implemented by the department under s. 16.957 (2) (d) 6.”.”.

Text: 20
21

Now

+ Jlg 3
RM NOT
RUN

**ASSEMBLY AMENDMENT ,
TO ASSEMBLY AMENDMENT 1,
TO 1999 ASSEMBLY BILL 389**

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

2 **1.** Page 1, line 2: after that line insert:

3 “1m. Page 8, line 14: after that line insert:

4 “(he) “Federal base amount” means all moneys received from the federal
5 government under 42 USC 8621 to 8629 in federal fiscal year 1999–2000 and under
6 42 USC 6861 to 6873 in federal program year 1999–2000.

7 (hm) “Federal fiscal year” means the period beginning on October 1 and ending
8 on the following September 30.

9 (hp) “Federal funding amount” means all moneys received from the federal
10 government under 42 USC 8621 to 8629 in a federal fiscal year after federal fiscal
11 year 1999–2000 and under 42 USC 6861 to 6873 in the federal program year

1 beginning in the same calendar year as the calendar year in which the federal fiscal
2 year begins.

3 (hs) “Federal program year” means the period beginning on April 1 and ending
4 on the following March 31.”.”.

5 **2.** Page 1, line 3: delete lines 3 to 5 and substitute:

6 “2m. Page 9, line 3: delete lines 3 to 19.”.

7 **3.** Page 1, line 8: before that line insert:

8 “5m. Page 10, line 7: delete lines 7 to 9.”.

9 **4.** Page 1, line 9: delete lines 9 to 12 and substitute:

10 “6m. Page 10, line 24: delete the material beginning with “In each” and ending
11 with “(5).” on page 11, line 9.”.

12 **5.** Page 2, line 1: delete lines 1 to 3 and substitute:

13 “9g. Page 12, line 8: delete the material beginning with “who receives” and
14 ending with “3. a.” on line 10.

15 9r. Page 12, line 11: after “(a)” insert “unless the person is a customer of a utility,
16 as defined in s. 196.374 (1) (c), that makes a contribution to the commission under
17 s. 196.374 (3) for deposit in the utility public benefits fund”.”.

18 **6.** Page 2, line 7: delete lines 7 and 8 and substitute:

19 “13g. Page 13, line 7: delete lines 7 to 10.

20 13r. Page 13, line 11: delete the material beginning with “1.” and ending with
21 “year.” on line 12.”.

22 **7.** Page 2, line 9: after that line insert:

23 “14t. Page 14, line 5: after that line insert:

for low-income assistance

✓

1 "5. Submit to the joint committee on finance a plan for adjusting the amount
2 that utilities are required to contribute to the commission under s. 196.374 (3) based
3 on the amount of moneys received from the federal government under 42 USC 6881
4 to 6873 and 42 USC 8621 to 8629. A plan under this subdivision shall require the
5 department to determine the difference between the federal base amount and the
6 federal funding amount for each federal fiscal year after federal fiscal year
7 1999-2000 and require the commission to do one of the following:

8 a. If the federal base amount is greater than the federal funding amount,
9 increase the contributions that utilities are required to make to the commission
10 under s. 196.374 (3) in the calendar year following the start of the federal fiscal year
11 by an amount equal to the difference between the federal base amount and the
12 federal funding amount.

13 b. If the federal funding amount is greater than the federal base amount,
14 decrease the contributions that utilities are required to make to the commission
15 under s. 196.374 (3) in the calendar year following the start of the federal fiscal year
16 by an amount equal to the difference between the federal funding amount and the
17 federal base amount, except that if the difference is ~~zero or less~~ no contributions shall
18 be required.

INSERT
3-17 ✓

19 6. Implement a plan specified in subd. 5. that is approved or modified by the
20 joint committee on finance."." (4)

21 8. Page 2, line 13: after that line insert:

4 to ✓

INSERT
3-22 ✓

22 "16e. Page 29, line 5: delete lines ~~5 and 6~~ and substitute "at least as;
23 ~~low-income weatherization~~ energy conservation and efficiency; environmental
24 research and development; and renewable resources.".

1 16g. Page 29, line 7: delete “In” and substitute “Subject to sub. (3m), in”.

2 16k. Page 29, line 10: delete “In each” and substitute “Subject to sub. (3m), in
3 each”.

4 16m. Page 29, line 15: delete “2001” and substitute “2002”.

5 16s. Page 29, line 19: delete “and s. 16.957 (4)”.

6 16w. Page 29, line 20: before that line insert:

7 “(3m) The commission shall adjust the amount that a utility is required to
8 contribute to the commission under sub. (3) as required under a plan that is
9 implemented by the department under s. 16.957 (2) (d) 6.”.

10

(END)

1999-2000 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBa0520/3ins
MDK:.....

1

INSERT 3-17:

2

~~NO~~ equal to or greater than the contributions that are otherwise required for

3

low-income assistance under s. 196.374 (3) ~~NO~~

4

INSERT 3-22:

5

~~NO~~ on programs for low-income assistance, including low-income weatherization

6

and writing off uncollectibles and arrearages; ~~NO~~

Kunkel, Mark

From: Stolzenberg, John
Sent: Wednesday, June 23, 1999 11:17 AM
To: Kunkel, Mark
Subject: LRBa0520/3

Mark,

Here's a clarafying addition to LRBa0520/3, if it's not too late: in the revised language on page 3, lines 17 and 18 add that no contributions are required for low-income assistance .

Thanks

John

John Stolzenberg,
Legislative Council Staff

4

Now

See p. 3
line 19

**ASSEMBLY AMENDMENT ,
TO ASSEMBLY AMENDMENT 1,
TO 1999 ASSEMBLY BILL 389**

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

2 **1.** Page 1, line 2: after that line insert:

3 “1m. Page 8, line 14: after that line insert:

4 “(he) “Federal base amount” means all moneys received from the federal
5 government under 42 USC 8621 to 8629 in federal fiscal year 1999–2000 and under
6 42 USC 6861 to 6873 in federal program year 1999–2000.

7 (hm) “Federal fiscal year” means the period beginning on October 1 and ending
8 on the following September 30.

9 (hp) “Federal funding amount” means all moneys received from the federal
10 government under 42 USC 8621 to 8629 in a federal fiscal year after federal fiscal
11 year 1999–2000 and under 42 USC 6861 to 6873 in the federal program year

1 beginning in the same calendar year as the calendar year in which the federal fiscal
2 year begins.

3 (hs) “Federal program year” means the period beginning on April 1 and ending
4 on the following March 31.”.

5 **2.** Page 1, line 3: delete lines 3 to 5 and substitute:

6 “2m. Page 9, line 3: delete lines 3 to 19.”.

7 **3.** Page 1, line 8: before that line insert:

8 “5m. Page 10, line 7: delete lines 7 to 9.”.

9 **4.** Page 1, line 9: delete lines 9 to 12 and substitute:

10 “6m. Page 10, line 24: delete the material beginning with “In each” and ending
11 with “(5).” on page 11, line 9.”.

12 **5.** Page 2, line 1: delete lines 1 to 3 and substitute:

13 “9g. Page 12, line 8: delete the material beginning with “who receives” and
14 ending with “3. a.” on line 10.

15 9r. Page 12, line 11: after “(a)” insert “unless the person is a customer of a utility,
16 as defined in s. 196.374 (1) (c), that makes a contribution to the commission under
17 s. 196.374 (3) for deposit in the utility public benefits fund”.”.

18 **6.** Page 2, line 7: delete lines 7 and 8 and substitute:

19 “13g. Page 13, line 7: delete lines 7 to 10.

20 13r. Page 13, line 11: delete the material beginning with “1.” and ending with
21 “year.” on line 12.”.

22 **7.** Page 2, line 9: after that line insert:

23 “14t. Page 14, line 5: after that line insert:

1 “5. Submit to the joint committee on finance a plan for adjusting the amount
2 that utilities are required to contribute to the commission under s. 196.374 (3) based
3 on the amount of moneys received from the federal government under 42 USC 6881
4 to 6873 and 42 USC 8621 to 8629. A plan under this subdivision shall require the
5 department to determine the difference between the federal base amount and the
6 federal funding amount for each federal fiscal year after federal fiscal year
7 1999–2000 and require the commission to do one of the following:

8 a. If the federal base amount is greater than the federal funding amount,
9 increase the contributions that utilities are required to make to the commission for
10 low-income assistance under s. 196.374 (3) in the calendar year following the start
11 of the federal fiscal year by an amount equal to the difference between the federal
12 base amount and the federal funding amount.

13 b. If the federal funding amount is greater than the federal base amount,
14 decrease the contributions that utilities are required to make to the commission
15 low-income assistance under s. 196.374 (3) in the calendar year following the start
16 of the federal fiscal year by an amount equal to the difference between the federal
17 funding amount and the federal base amount, except that if the difference is equal
18 to or greater than the contributions that are otherwise required for low-income
19 assistance under s. 196.374 (3) no contributions shall be required. *for low-income assistance*

20 6. Implement a plan specified in subd. 5. that is approved or modified by the
21 joint committee on finance.”.”.

22 **8.** Page 2, line 13: after that line insert:

23 “16e. Page 29, line 4: delete lines 4 to 6 and substitute “on programs for
24 low-income assistance, including low-income weatherization and writing off

1 uncollectibles and arrearages; energy conservation and efficiency; environmental
2 research and development; and renewable resources.”.

3 16g. Page 29, line 7: delete “In” and substitute “Subject to sub. (3m), in”.

4 16k. Page 29, line 10: delete “In each” and substitute “Subject to sub. (3m), in
5 each”.

6 16m. Page 29, line 15: delete “2001” and substitute “2002”.

7 16s. Page 29, line 19: delete “and s. 16.957 (4)”.

8 16w. Page 29, line 20: before that line insert:

9 “(3m) The commission shall adjust the amount that a utility is required to
10 contribute to the commission under sub. (3) as required under a plan that is
11 implemented by the department under s. 16.957 (2) (d) 6.”.

12

(END)

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