

1999 SENATE BILL 352

January 27, 2000 – Introduced by Senators JAUCH, RUDE, BURKE, BAUMGART, GROBSCHMIDT, PLACHE, RISSER, ROSENZWEIG, ROBSON and SCHULTZ, cosponsored by Representatives FREESE, SCHOOFF, HUTCHISON, HUBER, BLACK, BERCEAU, J. LEHMAN, RHOADES, RICHARDS, MUSSER, SERATTI, SINICKI, MILLER and NASS. Referred to Economic Development, Housing and Government Operations.

1 **AN ACT** *to amend* 20.866 (1) (u); *to repeal and recreate* 20.866 (1) (u); and *to*
 2 *create* 20.245 (3) (e), 20.866 (2) (zfm) and 44.49 of the statutes; **relating to:**
 3 authorizing the state historical society to award grants for the preservation of
 4 historic property, granting bonding authority and making appropriations.

Analysis by the Legislative Reference Bureau

This bill creates a heritage trust program to be administered by the state historical society and authorizes the issuance of up to \$20,000,000 in general obligation bonds (up to \$2,000,000 in each of 10 years) for the purposes of the program.

Under the heritage trust program, the historical society must award grants to the state agencies, local governmental units and nonprofit organizations for historic preservation. A grant recipient must provide matching funds equal to 25% of the amount of the grant. The bill authorizes the historical society to award up to \$1,000,000 in grants for this purpose in the 2000–01 fiscal year and up to \$1,500,000 in grants in each of the succeeding nine fiscal years.

The bill also directs the historical society annually to award a grant to the Wisconsin Trust for Historic Preservation under certain conditions: 1) The bylaws of the trust must state that the purpose of the trust is to develop and support statewide initiatives promoting historic preservation and that, if the trust dissolves, it will take all reasonable measures to ensure that moneys paid to the trust under the program revert to the state; and 2) the trust must provide public access to any

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meeting held regarding the awarding of grants as if the trust were a governmental body

The bill provides that the grants awarded to the trust (\$1,000,000 in the 2000–01 fiscal year and \$500,000 in each of the nine succeeding fiscal years) constitute an endowment fund. The trust must use the earnings of the endowment fund to temporarily acquire historic property for the purpose of historic preservation and to award grants to state agencies, local governmental units and nonprofit organizations for the purpose of historic preservation, including historic preservation to commemorate the 200th anniversary of Wisconsin statehood. A grant recipient must provide matching funds equal to at least 25% of the amount of the grant.

For further information see the *state and local* 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.** 20.245 (3) (e) of the statutes is created to read:

2 20.245 (3) (e) *Principal repayment, interest and rebates.* A sum sufficient to
3 reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred
4 in financing the grants under s. 44.49, and to make the payments determined by the
5 building commission under s. 13.488 (1) (m) that are attributable to the proceeds of
6 obligations incurred in financing the grants under s. 44.49.

7 **SECTION 2.** 20.866 (1) (u) of the statutes, as affected by 1999 Wisconsin Act 9,
8 section 628, is amended to read:

9 20.866 (1) (u) *Principal repayment and interest.* A sum sufficient from moneys
10 appropriated under sub. (2) (zp) and ss. 20.115 (2) (d) and (7) (b) and (f), 20.190 (1)
11 (c), (d), (i) and (j), 20.225 (1) (c), 20.245 (1) (e), (2) (e) and (j), (3) (e), (4) (e) and (5) (e),
12 20.250 (1) (e), 20.255 (1) (d), 20.275 (1) (er), (es), (h) and (hb), 20.285 (1) (d), (db), (fh),
13 (ih), (kd) and (km) and (5) (i), 20.320 (1) (c) and (t) and (2) (c), 20.370 (7) (aa), (ac), (ag),
14 (aq), (ar), (at), (au), (ba), (ca), (cb), (cc), (cd), (ce), (cf), (ea), (eq) and (er), 20.395 (6) (aq)
15 and (ar), 20.410 (1) (e), (ec) and (ko) and (3) (e), 20.435 (2) (ee) and (6) (e), 20.465 (1)

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1 (d), 20.485 (1) (f) and (go), (3) (t) and (4) (qm), 20.505 (5) (c), (g) and (kc), 20.855 (8)
2 (a) and 20.867 (1) (a) and (b) and (3) (a), (b), (bp), (br), (g), (h), (i) and (q) for the
3 payment of principal and interest on public debt contracted under subchs. I and IV
4 of ch. 18.

5 **SECTION 3.** 20.866 (1) (u) of the statutes, as affected by 1999 Wisconsin Act 9,
6 section 628b, and 1999 Wisconsin Act (this act), is repealed and recreated to read:

7 20.866 (1) (u) *Principal repayment and interest.* A sum sufficient from moneys
8 appropriated under sub. (2) (zp) and ss. 20.115 (2) (d) and (7) (b) and (f), 20.190 (1)
9 (c), (d), (i) and (j), 20.225 (1) (c), 20.245 (1) (e), (2) (e) and (j), (3) (e), (4) (e) and (5) (e),
10 20.250 (1) (e), 20.255 (1) (d), 20.275 (1) (er), (es), (h) and (hb), 20.285 (1) (d), (db), (fh),
11 (ih), (kd) and (km) and (5) (i), 20.320 (1) (c) and (t) and (2) (c), 20.370 (7) (aa), (ac), (ag),
12 (aq), (ar), (at), (ba), (ca), (cb), (cc), (cd), (ce), (cf), (ea), (eq) and (er), 20.395 (6) (aq) and
13 (ar), 20.410 (1) (e), (ec) and (ko) and (3) (e), 20.435 (2) (ee) and (6) (e), 20.465 (1) (d),
14 20.485 (1) (f) and (go), (3) (t) and (4) (qm), 20.505 (5) (c), (g) and (kc), 20.855 (8) (a)
15 and 20.867 (1) (a) and (b) and (3) (a), (b), (bp), (br), (g), (h), (i) and (q) for the payment
16 of principal and interest on public debt contracted under subchs. I and IV of ch. 18.

17 **SECTION 4.** 20.866 (2) (zfm) of the statutes is created to read:

18 20.866 (2) (zfm) *Historical society; heritage trust program.* From the capital
19 improvement fund, a sum sufficient for the historical society to award grants under
20 s. 44.49. The state may contract public debt in an amount not to exceed \$20,000,000
21 for this purpose. The total amount of debt authorized under this paragraph may not
22 exceed the following amounts on the following dates:

- 23 1. Prior to July 1, 2000, \$2,000,000.
- 24 2. July 1, 2000, to June 30, 2001, \$4,000,000.
- 25 3. July 1, 2001, to June 30, 2002, \$6,000,000.

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- 1 4. July 1, 2002, to June 30, 2003, \$8,000,000.
- 2 5. July 1, 2003, to June 30, 2004, \$10,000,000.
- 3 6. July 1, 2004, to June 30, 2005, \$12,000,000.
- 4 7. July 1, 2005, to June 30, 2006, \$14,000,000.
- 5 8. July 1, 2006, to June 30, 2007, \$16,000,000.
- 6 9. July 1, 2007, to June 30, 2008, \$18,000,000.
- 7 10. July 1, 2008, to June 30, 2009, \$20,000,000.

8 **SECTION 5.** 44.49 of the statutes is created to read:

9 **44.49 Heritage trust program. (1) PURPOSE.** The legislature determines
10 that the provision of assistance by the state under this section and the awarding of
11 grants to the Wisconsin Trust for Historic Preservation under this section serve a
12 statewide public purpose by assisting in the protection, restoration and
13 rehabilitation of property located in this state that is significant in the history,
14 prehistory, architecture, archaeology or culture of this state, its rural and urban
15 communities or the nation.

16 **(2) DEFINITIONS.** In this section:

17 (a) “Local governmental unit” has the meaning given in s. 16.97 (7).

18 (b) “Trust” means the Wisconsin Trust for Historic Preservation.

19 **(3) GRANTS TO GOVERNMENTAL UNITS AND NONPROFIT ORGANIZATIONS.** (a) From the
20 appropriation under s. 20.866 (2) (zfm), the state historical society shall award
21 grants to state agencies, local governmental units and nonprofit organizations for
22 historic preservation. A grant recipient shall provide matching funds equal to 25%
23 of the amount of the grant, except that the state historical society may require a
24 recipient to provide matching funds equal to a higher percentage.

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1 (b) The state historical society shall ensure that all grant recipients under par.
2 (a) comply with the standards for rehabilitation in 36 CFR 67.7.

3 (c) The state historical society may award up to \$1,000,000 in grants under par.
4 (a) in the 2000–01 fiscal year and up to \$1,500,000 in grants under par. (a) in each
5 of the 9 succeeding fiscal years, except that if the state historical society awards less
6 than the maximum amount allowed in any fiscal year the maximum amount allowed
7 in the succeeding fiscal year is increased by an amount equal to the difference
8 between the amount awarded in the current fiscal year and the maximum amount
9 allowed in the current fiscal year.

10 **(4) GRANTS TO THE TRUST.** (a) Subject to par. (b), the state historical society
11 annually shall award a grant to the trust from the appropriation under s. 20.866 (2)
12 (zfm). In the 2000–01 fiscal year, the amount of the grant shall be \$1,000,000. In
13 each of the 9 succeeding fiscal years, the amount of the grant shall be \$500,000.

14 (b) The state historical society may award a grant under par. (a) only if the
15 following conditions are satisfied:

16 1. The bylaws of the trust state that the purpose of the trust is to develop and
17 support statewide initiatives promoting historic preservation and that, if the trust
18 dissolves, the trust shall in good faith take all reasonable measures to ensure that
19 all moneys paid to the trust under this subsection revert to the state.

20 2. The trust provides public access to any meeting held for the purpose of
21 deliberations regarding the awarding of grants under par. (c) 1. to the same extent
22 as is required of, and subject to the same terms and enforcement provisions that
23 apply to, a governmental body under subch. V of ch. 19.

24 (c) The moneys received under par. (a) shall constitute an endowment fund.
25 The trust shall use the earnings of the endowment fund for the following purposes:

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1 1. To award grants to state agencies, local governmental units and nonprofit
2 organizations for historic preservation, including historic preservation to
3 commemorate the 200th anniversary of Wisconsin statehood. A grant recipient shall
4 provide matching funds equal to 25% of the amount of the grant, except that the trust
5 may require a recipient to provide matching funds equal to a higher percentage.

6 2. To temporarily acquire historic property for the purpose of historic
7 preservation.

8 (d) The trust shall comply, and shall ensure that all grant recipients under par.

9 (c) 1. comply, with the standards for rehabilitation in 36 CFR 67.7.

10 (e) The trust shall contract with an independent certified public accountant to
11 biennially audit the endowment fund. Within 30 days after the completion of each
12 audit, the trust shall submit a detailed report of the audit to the governor and the
13 joint committee on finance.

14 **(5) SUNSET.** The state historical society may not award a grant under this
15 section after June 30, 2010.

SECTION 6. Appropriation changes; historical society.

16 (1) In the schedule under section 20.005 (3) of the statutes for the appropriation
17 to the state historical society under section 20.245 (3) (a) of the statutes, as affected
18 by the acts of 1999, the dollar amount is increased by \$25,000 for fiscal year 1999–00
19 and the dollar amount is increased by \$50,000 for fiscal year 2000–01 to increase the
20 authorized FTE positions for the historical society by 1.0 GRP position for the
21 performance of services for the heritage trust program.
22

23 **SECTION 7. Effective dates.** This act takes effect on the day after publication,
24 except as follows:

