

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1168/P3dn
PG&RAC:kmg:jf

March 11, 1999

Please review this draft carefully to ensure that it accomplishes your intent. In addition, please review the following:

1. Under Article VIII, section 7 (2) (a) 1., of the Wisconsin Constitution, grants awarded under this bill, because they are derived from the proceeds of public debt, may be used only "to acquire, construct, develop, extend, enlarge or improve land, waters, property, highways, railways, buildings, equipment or facilities for public purposes". As I understand the provision, the grants may be used only for capital projects and not for research or to commission a study unless the study results in subsequent construction. Do you want to make this restriction explicit in the bill?

2. Note the purposes for which grants may be awarded. Would it be better to use "historic preservation of historic property," thus utilizing the terms defined in s. 44.31 (2) and (3), stats.?

3. Should the draft require that at least 50% of the grants under s. 44.49 (4) (c) 1. be for "historic preservation"? What about the funds used by the trust under s. 44.49 (4) (c) 2.? (Again, note that "historic preservation" is defined in s. 44.31 (2), stats.)

4. Do you want to require the Legislative Audit Bureau to audit the trust's records?

5. The draft requires the trust's bylaws to specify the trust's mission and to provide for reversion to the state of moneys paid to the trust should the trust dissolve. OK? Do you want the requirements in s. 44.49 (4) (b) 2. and 3. (regarding public records and open meetings) also to be specified in the trust's bylaws?

6. If the historical society awards less than the maximum amount allowed under s. 44.49 (3) (b) in any year, do you want the maximum amount in succeeding years increased?

7. Is the trust, as a nonprofit organization, also eligible for a grant under s. 44.49 (3)?

Peter R. Grant
Managing Attorney
Phone: (608) 267-3362
E-mail: Peter.Grant@legis.state.wi.us