

**1999 DRAFTING REQUEST****Bill**

Received: 12/08/1998

Received By: grantpr

Wanted: As time permits

Identical to LRB:

For: Robert Jauch (608) 266-3510

By/Representing: Dave Jahr

This file may be shown to any legislator: NO

Drafter: grantpr

May Contact:

Alt. Drafters: champra

Subject: Higher Education - miscellaneous

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Heritage grant program

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**Instructions:**

See Attached

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**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> |
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FE Sent For: **01/04/2000.**

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1-12-899  
Kmg

Jb 12/14

Jb / KM  
12/14

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km 4/9*

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FE Sent For:

*J 3/8*

*J 3/8*

*J 3/11*

*J 3/11*

*please do NOT submit P2*

*please submit P3*



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| 1/?          | grantpr        | 1/11-12-9<br>K/H | IS<br>12/9   | 12/9<br>IS/HH  |                  |                 |                 |

FE Sent For:

*Please submit*

<END>



# Memo

**To:** Peter Grant  
**From:** Mark Kunkel  
**Subject:** Drafting request  
**Date:** December 8, 1998

Dave Jahr in Sen. Jauch's office telephoned today with a request for the following 2 bills. You may contact Leslie Eisenberg at the State Historical Society (4-6503) for additional information about either request.

*MES*  
The first request has 3 components: 1) Increase the state 5% tax credit for owners of income-producing federal historic properties to 10%. Apparently, this tax credit supplements the federal historic rehabilitation tax credit. 2) Increase the state ~~25%~~ tax credit for owners of nonincome-producing federal historic properties (such as residences) to 30%. 3) Create a ~~25%~~ state tax credit for owners of barns that are at least ~~50~~ years old. Apparently, there is a federal historic barn rehabilitation tax credit, but few people qualify for it because the barn must be on a national registry of historic places. Jauch wants to create a state tax credit that does not require inclusion on such a list.

The second request is to create a heritage stewardship fund. Under this request, \$20 million is appropriated to the state historical society for 10 years (i.e., \$2 million per year) for the acquisition, protection, restoration or stewardship (i.e., maintenance) of Wisconsin historical and cultural buildings (including homes and commercial buildings), bridges, archeological sites, historic landscapes and museum sites and collections. The society would dispense grants to state and local government entities and nonprofit organizations. The program also involves private matching grants, but the requester did not have any details, such as specific amounts. Dave suggested contacting Leslie for more details about this aspect of the program

1999

Date (time) needed

SUSH

LRB - 1162, P1

BILL

PG : kmq :

Use the appropriate components and routines developed for bills.

AN ACT . . . [generate catalog] *to repeal . . . ; to renumber . . . ; to consolidate and renumber . . . ; to renumber and amend . . . ; to consolidate, renumber and amend . . . ; to amend . . . ; to repeal and recreate . . . ; and to create . . .* of the statutes; relating to: *authorizing the state historical society to award grants to acquire, protect or restore sites and structures that have great historical or cultural value and making an appropriation.*

[NOTE: See section 4.02 (2) (br), Drafting Manual, for specific order of standard phrases.]

*Analysis by the Legislative Reference Bureau*

For the 3 titles used in an analysis, in the component bar:

For the main heading [old =M], execute: . . . . . create → anal: → title: → head

For the subheading [old =S], execute: . . . . . create → anal: → title: → sub

For the sub-subheading [old =P], execute: . . . . . create → anal: → title: → sub-sub

*This is a preliminary draft. An analysis will be provided on a later version.*

*FE-SL*

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

**SECTION #.**

4

SEC CR, W. 245 (3) (e)

stewardship

W. 245 (3) (e) (F) Heritage grants

(F) program. A sum sufficient ~~not~~ equal to \$2,000,000 <sup>in each fiscal year</sup> for the ~~program~~ stewardship heritage grants program under

s. 44.08. No funds may be encumbered from this appropriation after June 30, 2009.

4 ✓

SEC. RP, 20. 245 (4) (f)

SER. RC. 44.08

No Caps

§ (B) 44.08 HERITAGE STEWARDSHIP GRANT PROGRAM.

(1) In this section "local governmental unit" has the meaning given in

s. 16.92(1).

¶ (2) From the appropriation under s. 20.245<sup>45</sup> (3) (e),  
the historical society shall award grants to  
local governmental units and nonprofit organizations  
to acquire, protect  
or restore ~~historical and cultural~~ buildings,  
bridges, <sup>archeolog</sup> archeological sites, ~~and~~ <sup>ds</sup> landscapes  
and museum sites and <sup>co</sup> collections<sup>ns</sup>, that  
~~be~~ are determined to be of <sup>great</sup> historical or  
cultural value. The historical society may  
require the recipient of a grant to provide  
matching funds.

¶ (3) The historical society may not award  
a grant under this section after  
June 30, 2009.

⑧  
A (4) The historical society shall  
promulgate rules to implement and  
administer this  
section.

(End)



**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

1     **AN ACT to repeal 20.245 (4) (f); to repeal and recreate 44.08; and to create**  
2           20.245 (3) (e) of the statutes; **relating to:** authorizing the state historical  
3           society to award grants to acquire, protect or restore sites and structures that  
4           have great historical or cultural value, granting rule-making authority and  
5           making an appropriation.

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***Analysis by the Legislative Reference Bureau***

This is a preliminary draft. An analysis will be provided in a later version.  
For further information see the **state and local** fiscal estimate, which will be  
printed as an appendix to this bill.

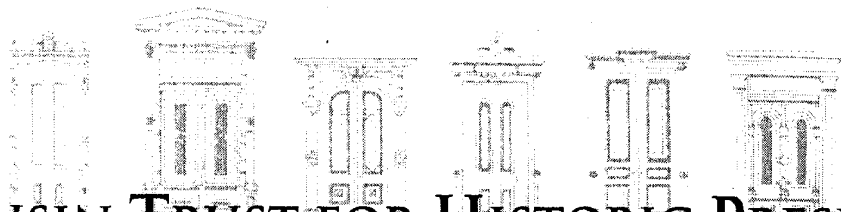
---

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

6           **SECTION 1.** 20.245 (3) (e) of the statutes is created to read:  
7           20.245 (3) (e) *Heritage stewardship grant program.* A sum sufficient equal to  
8           \$2,000,000 in each fiscal year for the heritage stewardship grant program under s.  
9           44.08. No funds may be encumbered from this appropriation after June 30, 2009.







# WISCONSIN TRUST FOR HISTORIC PRESERVATION

P.O. BOX 110, MADISON, WI 53701-0110 • (608) 255-0348 • FAX (608) 255-0334

Senator Robert Jauch  
Room 313 South  
State Capitol  
Madison, WI 53702

December 18, 1998

Dear Senator:

## **Endowed Heritage Legacy Fund**

Further to our meeting of December 15th and letter of December 17th, we are pleased to submit a brief definition of the proposed fund, along the lines discussed, for your consideration. We would be happy to provide any further input you may require at your convenience.

As requested, we also provide a short, and by no means exhaustive, list of prominent Wisconsin citizens who we are confident would publicly endorse this responsive and timely initiative, once notified:

David Uihlein, Bradley Foundation, Milwaukee  
Thomas Jeffris, Jeffris Family Foundation, Janesville  
Margaret Humleker, Fond Du Lac  
Ruth Kohler, Kohler Foundation  
Joan Pick, Pick Foundation  
Dr. Nicholas Müller, Madison

We are also confident that the nine substantive statewide agencies making up Wisconsin Historic Preservation Partners, previously listed for you, would strongly endorse the establishment of the fund as defined.

We reiterate our thanks and support for your initiative in this matter.

Sincerely,

Michael Hamer  
Executive Director

cc Shawn Graff, Board President

THE MISSION OF THE WISCONSIN TRUST FOR HISTORIC PRESERVATION IS  
TO DEVELOP AND SUPPORT STATEWIDE INITIATIVES PROMOTING HISTORIC PRESERVATION.

**Assumptions:**

- Allocation of \$1 million in first year and \$0.5 million in each of the 9 subsequent years.
- Eligible recipients for Purposes 1. and 2. above include local government agencies and registered non-profits. Private citizens and small businesses may also qualify if covenants or *easements* are provided.
- Restoration done to preservation standards as defined by the Secretary of the Interior.
- Competitive application process with external evaluation panel.
- Additional staffing required as fund grows and transactions multiply.
- Grants (Purpose 2) will require a private matching funds component. Ratio to be defined.

**Management:**

- Administered by the Wisconsin Trust for Historic Preservation with funds professionally managed and invested.
- Directed by a Board including one member from each of the following agencies:

The State Historical Society of Wisconsin  
Wisconsin Association of Historic Preservation Commissions  
1000 Friends of Wisconsin  
Wisconsin Department of Tourism (Office of Heritage Tourism)  
Wisconsin Bureau of Downtown Development (*Main Street Program*)  
The Wisconsin Trust for Historic Preservation

- A simple majority of those eligible to vote shall constitute quorum and a simple majority required to approve business items.

- All matters pertaining to the administration and activities of the Fund will be available for public scrutiny and meetings will comply with Wisconsin's *Open Meetings Laws*.

Prepared by:  
The Wisconsin Trust for Historic Preservation  
December 18, 1998. MSH.

## THE WISCONSIN ENDOWED HERITAGE LEGACY FUND

**Goal:** As a tangible and fitting legacy of the Sesquicentennial, create a substantial endowment fund generating financial support for historic preservation initiatives in perpetuity.

**Method:** Utilizing a one time authorization of \$5.5 million (over 10 years) of State Funds as *seed money* to leverage and attract private sector contributions. Fundraising activities would be ongoing to ensure that the Heritage Legacy Fund continues to grow.

### Projections of Capital Sum Invested plus Disbursements Available from Accrued Interest:

**After 5 years** - Capital est. \$4 million (\$3 million public + \$1 million private)  
Annual Disbursement available - \$200,000

**After 10 years** - Capital est. \$10 million (\$5.5 million public + \$4.5 million private)  
Annual Disbursement available - \$500,000

**After 15 years** - Capital est. \$15 million (\$5.5 million public + \$9.5 million private)  
Annual Disbursement available - \$750,000

**After 20 years** - Capital est. \$20 million (\$5.5 million public + \$14.5 million private)  
Annual Disbursement available - \$1 million

**Total Sum Dispersed After 20 years - Over \$10 million**  
(i.e. nearly double the State's original investment with the capital sum remaining intact)

Note: The above projections are considered conservative in terms of the amount of long-term private sector contributions and the annual interest accrued for disbursement.

**Scope:** Fund to be utilized for <sup>2</sup> purposes:

~~1. Revolving Fund - Low Interest Loans for Capital Projects (bricks and mortar) for historic/culturally significant structures. Available Year 2 onwards. Loan repayments have not been included above. (i.e. projections are understated)~~

2. Grants for Capital Projects (bricks and mortar) for historic and culturally significant properties. Available Year 5 onwards.

3. Sell and buy property recognizing that the Fund may receive gifts of property and to provide the opportunity for the Fund to strategically intervene when historic or culturally significant structures are threatened by demolition or severe neglect.  
Note: The intent of the Fund is not to own property but to dispose of it as soon as it's future can be assured.

add  
\$

20M bonding revenue authorization.

> need declaration that it's for public purpose or benefit

> in each yr, \$2M <sup>would be</sup> sold

(see stewardship program for model)

> in 1st yr, \$1M → endowment

ie. SHS gets \$2M, \$1M is for this "endowment fund"

goes to "wis trust for historical preservation"  
(= SUIC3 corp)  
already exist

other \$1M → SHS for purposes on p 2, 5

> Require 25% match to get a grant

> SHS, in rules, must set & review a grant cap annually

> add one new FTE + \$ for costs  
(ie. add \$1M, 0M)  
CPR

> \$ carries over from one yr to next

Prescriptive  
mechanism

> ~~state must weigh easement~~

> SHS must develop mechanisms to put state's investment

\* w/in long-term etc. inv. easements, etc., etc.

Endowment fund

\$1M 1st year

\$500K each year for next 9 years

sunsets end of 10 yrs

endowment remains until 2048 (bicentennial)

to be used "for bicentennial purposes"

✓ > RE interest - see attached under "scope"

✓ > Permissive clause re endowment  
if Trust dissolves, \$ comes  
back to state

> Trust may invest / <sup>manage</sup> must exercise  
prudent <sup>mgmt</sup> practices  
✓ Trust { subject to open mtgs  
open records

see RECFA  
AG opinion (10/1/43)  
31 AG 114

## Wisconsin Heritage Trust Program

The Wisconsin Heritage Stewardship Grant Program will serve as a Sesquicentennial legacy by providing a source of state funding to leverage private funds for the acquisition, protection, restoration, or stewardship of Wisconsin's historical and cultural treasures. The program will be funded from a \$20 million authorization over a 10-year period. \$2 million would be placed in the fund annually.

The need for this type of fund is great. Many local and state government agencies and non-profits own or seek to own properties that are in need of protection and/or restoration. These entities are not able to take advantage of the existing state incentive program, the Wisconsin Historic Preservation Tax Credit program, because they do not benefit from income tax credits.

Non-profit organizations and units of government are eligible recipients. A minimum 25% match would be required to receive a grant. A grant cap would be set and reviewed each year.

Eligible projects are historically or culturally significant buildings, structures, archeological sites, viewsheds or landscapes, and museum and historic site collections. ~~Grants could also be used to seed local revolving loan funds designed to be used for the same types of projects.~~ At least 50% of each year's grant funds will be awarded to projects that involve historic properties as defined in § 44.31(3) Stat. All protection, preservation, and restoration work would need to follow established guidelines. *whose?*

The State Historical Society's (SHS) Division of Historic Preservation (DHP) would administer the program. One new FTE position would coordinate the rule promulgation, promote the program, develop and administer the grant application and review process, and monitor the progress of the grant recipients. Consultants and other field experts would supplement this position. These technical experts would be used to provide assistance to the recipients and to ensure adherence to appropriate design and professional guidelines. A SHS staff review panel would be formed to review and recommend grants recipients and the Historic Preservation Review Board would have final approval. Approximately 6% of the fund would be used each year to cover these administrative costs.

Any funds left over at the end of a fiscal year would be carried over to the next fiscal year. To ensure that projects receiving grants are protected from inappropriate treatment, a memo of agreement (MOA) would be signed between the State Historical Society and the grantee. This MOA may involve the use of an easement to protect the property and the state's investment.

During the first year of the program, a grant of up to \$1 million (half of the first year's fund) would be available to a non-profit organization willing and able to establish a statewide revolving loan fund to benefit the same types of recipients and projects outlined above. This non-profit would be required to provide a match just as any other grant recipient would be required to do. It is anticipated that this match would come from private sources including individuals, corporations, and foundations.

△ sec. of interior stands for rehabilitation

PostFax Note 7672

To: *Perrow Grant*  
Company: *Leg Ref Bureau*

Fax #: *4-8522*

Telephone #: *7-3362*

Comments

No. of Pages *4*

Today's Date *12/23*

Time *11:20*

From *Alicia Gochong*

Company *SHSW*

Location

Dept. Charge

Fax #


Telephone # *4-6515*

Original Disposition

Destroy

Return

Call for pickup

*Name* 

**The Secretary of the Interior's  
Standards for  
Rehabilitation  
and Guidelines for  
Rehabilitating Historic Buildings**

(Revised 1990)

U.S. Department of the Interior  
National Park Service  
Preservation Assistance Division  
Washington, D.C.

Reprinted by:

The Division of Historic Preservation  
State Historical Society of Wisconsin  
816 State Street  
Madison, Wisconsin 53706



## INTRODUCTION

The Secretary of the Interior is responsible for establishing standards for all program under Departmental authority and for advising Federal agencies on the preservation of historic properties listed or eligible for listing in the National Register of Historic Places. In partial fulfillment of this responsibility, the Secretary of the Interior's Standards for Historic Preservation Projects have been developed to guide work undertaken on historic buildings—there are separate standards for acquisition, protection, stabilization, preservation, rehabilitation, restoration, and reconstruction. The Standards for Rehabilitation (codified in 36 CFR 67) comprise that section of the overall preservation project standards and addresses the most prevalent treatment. "Rehabilitation" is defined as "the process of returning a property to a state of utility, through repair or alteration, which makes possible an efficient contemporary use while preserving those portions and features of the property which are significant to its historic, architectural, and cultural values."

Initially developed by the Secretary of the Interior to determine the appropriateness of proposed project work on registered properties within the Historic Preservation Fund grant-in-aid program, the Standards for Rehabilitation have been widely used over the years—particularly to determine if a rehabilitation qualifies as a Certified Rehabilitation for Federal tax purposes. In addition, the Standards have guided Federal agencies in carrying out their historic preservation responsibilities for properties in Federal ownership or control; and State and local officials in reviewing both Federal and nonfederal rehabilitation proposals. They have also been adopted by historic district and planning commissions across the country.

The intent of the Standards is to assist the long-term preservation of a property's significance through the preservation of historic materials and features. The Standards pertain to historic buildings of all materials, construction types, sizes, and occupancy and encompass the exterior and interior of the buildings. They also encompass related landscape features and the building's site and environment, as well as attached, adjacent, or related new construction. To be certified for Federal tax purposes, a rehabilitation project must be determined by the Secretary to be consistent with the historic character of the structure(s), and where applicable, the district in which it is located.

As stated in the definition, the treatment "rehabilitation" assumes that at least some repair or alteration of the historic building will be needed in order to provide for an efficient contemporary use; however, these repairs and alteration must not damage or destroy materials, features or finishes that are important in defining the building's historic character. For example, certain treatments—if improperly applied—may cause or accelerate physical deterioration of historic building. This can include using improper repointing or exterior masonry cleaning techniques, or introducing insulation that damages historic fabric. In almost all of these situations, use of these materials and treatments will result in a project that does not meet the Standards. Similarly, exterior additions that duplicate the form, material, and detailing of the structure to the extent that they compromise the historic character of the structure will fail to meet the Standards.

### Technical Guidance Publications

The National Park Service, U.S. Department of the Interior, conducts a variety of activities to guide Federal agencies, States, and the general public in historic preservation project work. In addition to establishing standards and guidelines, the Service develops, publishes, and distributes technical information on appropriate preservation treatments, including Preservation Briefs, case studies, and Preservation Tech Notes.

A Catalog of Historic Preservation Publications with stock numbers, prices, and ordering information may be obtained by writing: Preservation Assistance Division, Technical Preservation Services, P.O. Box 37127, Washington, D.C. 20013-7127.

The Secretary of the Interior's Standards for Historic Preservation Projects with Guidelines for Applying the Standards were initially written in 1976 by W. Brown Morton III and Gary L. Hume. The Guidelines for Rehabilitating Historic Buildings were revised and expanded in 1983 by Gary L. Hume and Kay D. Weeks. The Standards for Rehabilitation were revised in 1990 following a public commenting period. It should be noted that the minor revisions to the Standards for Rehabilitation will not affect their application so that a project which was previously acceptable would continue to be acceptable.

# NATIONAL HISTORIC PRESERVATION ACT<sup>1</sup> As Amended Through 1992

AN ACT to Establish a Program for the Preservation of Additional Historic Properties throughout the Nation, and for Other Purposes, Approved October 15, 1966 (Public Law 89-665; 80 Stat. 915; 16 U.S.C. 470) as amended by Public Law 91-243, Public Law 93-54, Public Law 94-422, Public Law 94-458, Public Law 96-199, Public Law 96-244, Public Law 96-515, Public Law 98-483, Public Law 99-514, Public Law 100-127, and Public Law 102-575).

More  
Specific  
historic  
property  
definition  
(see next  
page)

Short title

Purpose of the Act

## Section 1 (16 U.S.C. 470)

(a) This Act may be cited as the "National Historic Preservation Act."

(b) The Congress finds and declares that--

(1) the spirit and direction of the Nation are founded upon and reflected in its historic heritage;

(2) the historical and cultural foundations of the Nation should be preserved as a living part of our community life and development in order to give a sense of orientation to the American people;

(3) historic properties significant to the Nation's heritage are being lost or substantially altered, often inadvertently, with increasing frequency;

(4) the preservation of this irreplaceable heritage is in the public interest so that its vital legacy of cultural, educational, esthetic, inspirational, economic, and energy benefits will be maintained and enriched for future generations of Americans;

(5) in the face of ever-increasing extensions of urban centers, highways, and residential, commercial, and industrial developments, the present governmental and nongovernmental historic preservation programs and activities are inadequate to ensure future generations a genuine opportunity to appreciate and enjoy the rich heritage of our Nation;

(6) the increased knowledge of our historic resources, the establishment of better means of identifying and administering them, and the encouragement of their preservation will improve the planning and execution of Federal and federally assisted projects and will assist economic growth and development; and

(7) although the major burdens of historic preservation have been borne and major efforts initiated by private agencies and individuals, and both should continue to play a vital role, it is nevertheless necessary and

**TITLE III****Section 301 (16 U.S.C. 470w)***Definitions*

As used in this Act, the term—

(1) "Agency" means agency as such term is defined in section 551 of Title 5, United States Code.

(2) "State" means any State of the United States, the District of Columbia, the commonwealth of Puerto Rico, Guam, the Virgin Islands, American Samoa, the Commonwealth of the Northern Mariana Islands, and the Trust Territory of the Pacific Islands, the Republic of the Marshall Islands, the Federated States of Micronesia, and, upon termination of the Trusteeship Agreement for the Trust Territory of the Pacific Islands, the Republic of Palau.

(3) "Local government" means a city, county, parish, township, municipality, or borough, or any other general purpose political subdivision of any State.

(4) "Indian tribe" or "tribe" means an Indian tribe, band, nation, or other organized group or community, including a Native village, Regional Corporation or Village Corporation, as those terms are defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602), which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.

(5) "Historic property" or "historic resource" means any prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion on the National Register, including artifacts, records, and material remains related to such a property or resource.

(6) "National Register" or "Register" means the National Register of Historic Places established under section 101.

(7) "Undertaking" means a project, activity, or program funded in whole or in part under the direct or indirect jurisdiction of a Federal agency, including—

(A) those carried out by or on behalf of the agency;

(B) those carried out with Federal financial assistance;

(C) those requiring a Federal permit, license, or approval; and

(D) those subject to State or local regulation administered pursuant to a delegation or approval by a Federal agency.

Object is further defined in additional federal documents as statues, monuments, etc and does not include "collections"

3/3/99

TC w/ Alicia

purpose of \$

SHS \$ → grants

found \$ → grants

} same

② same as but buy list

to whom

same

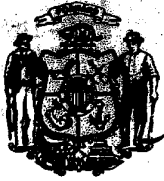
match name

see list grants same

~~Trust \$~~ — only awards from earnings

endowment

had pres. rel. to bicentennial



505N

DN

RAC

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

1 **AN ACT to repeal** ~~20.245 (4) (f); to repeal and recreate 44.08;~~ **and to create**  
 2 20.245 (3) (e) of the statutes; **relating to:** authorizing the state historical  
 3 society to award grants to acquire, protect or restore sites and structures that  
 4 have great historical or cultural value, granting rule-making authority and  
 5 making ~~an~~ appropriation. <sup>(S)</sup>

**Analysis by the Legislative Reference Bureau**

This is a preliminary draft. An analysis will be provided in a later version.  
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:**

6 **SECTION 1.** 20.245 (3) (e) of the statutes is created to read:  
 7 20.245 (3) (e) ~~Heritage stewardship grant~~ <sup>trust</sup> program. A sum sufficient equal to  
 8 \$2,000,000 in each fiscal year for the heritage ~~stewardship grant~~ <sup>trust</sup> program under s.  
 9 44.08. No funds may be encumbered from this appropriation after June 30, 2009.

INS.  
2-1

INS. 2-3

SECTION 2. 20.245 (4) (f) of the statutes is repealed.

~~SECTION 3. 44.08 of the statutes is repealed and recreated to read.~~

44.49

Heritage ~~stewardship~~ grant program.

(B)(2) DEFINITIONS.  
In this section "local":

INS.  
2-4

(a) "local governmental unit" has the meaning given in s. 16.97 (7).

~~(3) GRANTS TO GOVERNMENTAL UNITS AND NONPROFIT ORGANIZATIONS~~ (a) From the appropriation under s. 20.245 (2) (a), the historical society shall

award grants to local governmental units and nonprofit organizations to acquire, protect or restore buildings, bridges, archaeological sites, landscapes and museum

sites and collections, that are determined to be of great historical or cultural value.

A grant recipient shall provide a 25% match in funds or in-kind services.

The historical society may require the recipient of a grant to provide matching funds.

INS.  
2-5

~~(5)~~ The historical society may not award a grant under this section after June 30, 2009.

~~(6)~~ The historical society shall promulgate rules to implement and administer this section.

~~1999~~

1999

Nonstat File Sequence: **DDD**

LRB \_\_\_\_\_ / \_\_\_\_\_  
: \_\_\_\_\_ : \_\_\_\_\_

**\$\$\$ CHANGE**

1. In the component bar:

For the action phrase, execute: ..... create → action: → \*NS: → \$change

For the budget action phrase, execute: ..... create → action: → \*NS: → 92XX

For the text, execute: ..... create → text: → \*NS: → \$change

2. Nonstatutory subunits are numbered automatically if "(#1)", "(#2)", etc., is filled in.. Below, for the budget, fill in the 9200 department code; and fill in "\_\_\_\_" or "( )" only if a "frozen" number is needed.

**SECTION #**      **[92**      **]**. **Appropriation changes; ....**

..... *historical society.* .....

( #1 ) *dm* .....

..... In the schedule under section 20.005 (3) of the statutes for the appropriation to the *state* .....

..... *historical society.* .....

under section 20. *24.5* ( 3 ) ( a ) of the statutes, as affected by the acts of 1999, the dollar amount is *in*creased by \$ . . . . . , . . . *100,000* . . . for fis-

cal year 1999-00 and the dollar amount is *in*creased by \$ . . . . . , . . . *100,000* . . . for fiscal year 2000-01 ~~to . . . . . crease funding~~

~~for the [purpose] [purposes] for which the appropriation is made] [to . . . . . crease fund-~~

~~ing for~~ *to increase the authorize FTE positions for* .....

*the historical society by 1.0 GPR position for the* .....

*performance of services for the heritage trust program* .....

\* Use the 2nd alternative if the purpose of the increase or decrease is more limited than the purpose or purposes of the appropriation as currently shown in the text of ch. 20, stats.

1999

Nonstat File Sequence: **FFF**

LRB \_\_\_\_\_/\_\_\_\_

\_\_\_\_\_:\_\_\_\_\_:\_\_\_\_

**EFFECTIVE DATE**

1. In the component bar: For the action phrase, execute: ... **create** → **action:** → \*NS: → **effdate**  
For the text, execute: ..... **create** → **text:** → \*NS: → **effdateA**
2. Nonstatutory subunits are numbered automatically if "( #1 )", "(#2)", etc., is filled in. Below, fill in "\_\_\_\_" or "( )" only if a "frozen" number is needed.

**SECTION # \_\_\_\_ . Effective date.**

( #1 ) *W* ..... This act takes effect  
 on *July 1, 1999, or on the day after publication,*  
*whichever is later*

1. In the component bar: For the action phrase, execute: .. **create** → **action:** → \*NS: → **effdateE**  
For the text, execute: ..... **create** → **text:** → \*NS: → **effdate**
2. Nonstatutory subunits are numbered automatically if "( #1 )", "(#2)", etc., is filled in. Below, fill in "\_\_\_\_" or "( )" only if a "frozen" number is needed.

**SECTION # \_\_\_\_ . Effective dates; .....**

..... This act takes effect on the day after publication, except as follows:

( #1 ) ( ) ..... The treatment of  
 sections .....  
 of the statutes takes effect on .....

1. In the component bar: For the budget action phrase, execute:.. **create** → **action:** → \*NS: → **94XX**  
For the text, execute: ..... **create** → **text:** → \*NS: → **effdate**
2. Nonstatutory subunits are numbered automatically if "( #1 )", "(#2)", etc., is filled in. Below, for the budget, fill in the **9400** department code; and fill in "( )" only if a "frozen" number is needed.

**SECTION 94 \_\_\_\_ . Effective dates; .....**

( #1 ) ( ) ..... The treatment of  
 sections .....  
 of the statutes takes effect on .....

*(End)*



1999-2000 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB-1168/P2ins

2-1:1 sort; part of insert is out of order

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 ~~IPCA insert purpose~~ <sup>the grants under s. 44.49</sup> 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 ~~IPCA insert purpose~~ <sup>the grants under s. 44.49</sup>

7 SECTION 2. 20.866 (1) (u) of the statutes is amended to read:

8 20.866 (1) (u) ↑

Fix font

NOTE: NOTE. Par. (u) is repealed and recreated eff. 7-1-99 by 1997 Wis. Act 27 to read: NOTE:

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

History: 1971 c. 42; 1971 c. 100 s. 23; 1971 c. 125, 211, 215, 236, 307, 330, 336; 1973 c. 90 ss. 148 to 149m, 555m (2); 1973 c. 333; 1975 c. 26, 39, 40, 41, 200, 224, 422; 1977 c. 4, 6; 1977 c. 29 ss. 385 to 387, 1650m (4), 1656 (43); 1977 c. 418; 1979 c. 4; 1979 c. 34 ss. 675a to 677v, 2102 (6) (a), (39) (a), (52) (a); 1979 c. 107, 221; 1981 c. 1 ss. 17, 18, 47; 1981 c. 20, 108, 317, 336; 1983 a. 27; 1983 a. 36 s. 96 (4); 1983 a. 97, 192, 195, 212; 1983 a. 410 s. 2202 (2); 1985 a. 6; 1985 a. 8 ss. 4, 12; 1985 a. 29 ss. 589m to 598, 3202 (23) (c), (26) (a), (53) (a); 1985 a. 77, 120, 332; 1987 a. 27, 295, 298, 399, 403, 409; 1989 a. 31, 46, 107, 122, 219, 336, 359, 366; 1991 a. 39, 51, 269, 309, 324; 1993 a. 2, 16, 98, 115, 213, 343, 377, 413, 437, 453, 485; 1995 a. 27 ss. 1159 to 1168s, 9126 (19), 9145 (1); 1995 a. 40, 57, 60, 113; 1995 a. 216, s. 30m and 9127; 1995 a. 227, 246, 372, 388, 416, 452; 1997 a. 27, 35, 61, 164, 237, 252.

14 SECTION 3. 20.866 (2) (zfm) of the statutes is created to read:

15 20.866 (2) (zfm) *Historical society; <sup>heritage trust program</sup> historic preservation grants* From the

16 capital improvement fund, a sum sufficient for the historical society to ~~IPCA insert~~

17 ~~purpose~~ <sup>aware grants under s. 44.49</sup>. The total amount of debt authorized under this paragraph may not exceed

18 the following amounts on the following dates:

19 1 ~~to~~ Prior to July 1, 2000, \$2,000,000.

20 2 ~~to~~ July 1, 2000, to June 30, 2001, \$4,000,000.

21 3 ~~to~~ July 1, 2001, to June 30, 2002, \$6,000,000.

22 4 ~~to~~ July 1, 2002, to June 30, 2003, \$8,000,000.

23 5 ~~to~~ July 1, 2003, to June 30, 2004, \$10,000,000.

24 6 ~~to~~ July 1, 2004, to June 30, 2005, \$12,000,000.

25 7 ~~to~~ July 1, 2005, to June 30, 2006, \$14,000,000.

-2-  
2-1:2

- 1 8 ~~6~~ July 1, 2006, to June 30, 2007, \$16,000,000.
- 2 9 ~~7~~ July 1, 2007, to June 30, 2008, \$18,000,000.
- 3 10 ~~8~~ July 1, 2008, to June 30, 2009, \$20,000,000.

SEC. TRP, 44.08

SEC. CR, 44.49

2-3

NOA (B) (1) (25)

PURPOSE. The legislature determines that the provision of assistance by the state under this section and the awarding of grants to the Wisconsin Trust for Historic Preservation under this section serve a statewide public purpose by assisting in the protection and restoration of property located in this state that is of great historical or cultural value to the people of this state or of the nation.

approved

2-4 ✓

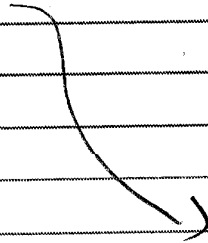
(b) "Trust" means the Wisconsin Trust  
for Historic Preservation. ✓

2-9:1

(b) At least 50% of the amount awarded  
each year under this ~~subsection~~ <sup>par. (a)</sup> shall be  
awarded for historic preservation.

The state historical society shall ensure that  
(c) ~~All projects~~ all grant recipients ~~of~~  
~~grants~~ under par. (a) ~~must~~ comply with the  
the ~~secretary of the interior's~~ standards for  
rehabilitation in 36 CFR 67.7.

(d) The <sup>state</sup> historical society may award up to  
in grants under par. (a)  
\$1,000,000 in the 1999-2000 fiscal year and up to  
under par. (a)  
\$1,500,000 in each ~~of~~ <sup>of</sup> the ~~next~~ <sup>9</sup> succeeding  
9 fiscal years.



2-9:2

(B) GRANTS TO THE TRUST.

B (4) (a) Subject to par. (b), annually  
The state historical society shall award

a grant to the Wisconsin Trust for  
Historic Preservation. In the 1999-2000 fiscal  
year, the ~~historical society~~ shall amount of  
the grant shall be \$1,000,000. In each of  
the 9 succeeding fiscal years, the amount of  
the grant shall be \$500,000.

→ INSERT A ←

~~The Wisconsin Trust for Historic  
Preservation~~ shall use the <sup>earnings of the endowment</sup> funds ~~received~~  
~~under par. (a)~~ to award grants for the  
following purposes:

1. To award grants to state agencies,  
local governmental units and nonprofit  
organizations to acquire, protect or restore  
buildings, bridges, <sup>a</sup> archaeological sites, landscapes  
and museum sites and collections of <sup>that are</sup> ~~in~~

2-9:3

determined to be of great historical or cultural value. The Wisconsin Trust for Historical Preservation shall ensure that a grant recipient provides a 25% match in funds or in-kind services.

2. To <sup>temporarily</sup> acquire property that is determined to be of great historical or cultural value for the purpose of protecting or restoring the property.

(d) The Wisconsin Trust for Historical Preservation shall <sup>comply,</sup> ~~ensure~~ shall ensure that all grant recipients under par. (c) 1. <sup>comply,</sup> ~~with~~ with the ~~the secretary of the interior's~~ standards for rehabilitation in 36 CFR 67.7.

(e) The Trust shall use the <sup>endowment</sup> principal, and earnings accruing to the endowment

2-9:4

principled after June 30, 2009, for  
that is  
historic preservation related to commemorating  
the 200th anniversary of Wisconsin  
statehood.



(A-1)

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

1. The ~~articles of incorporation~~ bylaws of the Trust state that the purpose of the Trust is to develop and support statewide initiatives promoting historic preservation and that, if the Trust dissolves, the Trust shall in good faith take all reasonable measures to ensure that ~~dissolve~~ all moneys paid to the Trust ~~less~~ under this subsection revert to the state.

2. The Trust permits public inspection and copying of any record, of the Trust, as defined in s. 19.32 (2), to the same extent as required of, and subject to the same terms and enforcement provisions that apply to, an authority under subch. II of ch. 19.

3. The Trust provides public

A:2

access to its meetings to the same extent as is required of, and subject to the same terms and enforcement provisions that apply to, a governmental body under subch. V of ch. 19.

(c) The trust shall deposit all moneys received under par. (a) in an endowment fund.

The trust



DN

1168/p2

: King:

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

1. Note the purposes for which grants may be awarded. Would it be better to

use "historic preservation of historic property,"

<sup>thus</sup> utilizing the ~~defn~~ terms defined in

s. 44.31(2) and (3), stat.?

2. Should the draft require that at least 50% of the grants under sub. (4) <sup>C</sup> (A)1.

be for "historic preservation"? What about the funds used by the Trust under sub. (4) <sup>C</sup> (A)2.?

(Again, note that "historic preservation" is <sup>C</sup> defined in s. 44.31(2), stat.)

3. Do you want to require the

Legislative Audit Bureau to audit the  
Trust's records?

4. The draft requires the Trust's bylaws  
~~articles of incorporation~~ 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  
sub. (4)(b) 2. and 3. (regarding public  
records and open meetings) also to be  
specified in the Trust's ~~articles of~~  
~~incorporation~~? bylaws?

5. If the historical society awards  
less than the maximum amount allowed  
under sub. (3)(b) in any year, do you  
want the maximum amount in succeeding

year increase?

c. Is the Trust, <sup>as</sup> a nonprofit  
organization, <sup>also</sup> eligible for a grant  
under sub. (3)?

PG

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

LRB-1168/P2dn  
PG:kmg:jf

March 8, 1999

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

1. 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.?
2. Should the draft require that at least 50% of the grants under sub. (4) (c) 1. be for "historic preservation"? What about the funds used by the trust under sub. (4) (c) 2.? (Again, note that "historic preservation" is defined in s. 44.31 (2), stats.)
3. Do you want to require the Legislative Audit Bureau to audit the trust's records?
4. 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 sub. (4) (b) 2. and 3. (regarding public records and open meetings) also to be specified in the trust's bylaws?
5. If the historical society awards less than the maximum amount allowed under sub. (3) (b) in any year, do you want the maximum amount in succeeding years increased?
6. Is the trust, as a nonprofit organization, also eligible for a grant under sub. (3)?

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