

1999 DRAFTING REQUEST

Bill

Received: **12/21/98**

Received By: **isagerro**

Wanted: **Soon**

Identical to LRB:

For: **Administration-Budget**

By/Representing: **Wong**

This file may be shown to any legislator: **NO**

Drafter: **kahlepj**

May Contact:

Alt. Drafters:

Subject: **Environment - recycling**

Extra Copies: **RCT
ISR**

Topic:

DOA:.....Wong - Recycling market development board 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>
/?	isagerro 12/22/98 kahlepj 12/23/98	jgeller 12/23/98		_____			
/1	kahlepj 01/5/99	jgeller 01/5/99	martykr 12/28/98	_____	lrb_docadmin 12/28/98		State
/2			ismith 01/6/99	_____	lrb_docadmin 01/6/99		State
/3	kahlepj 01/12/99	jgeller 01/12/99	lpaasch 01/13/99	_____	lrb_docadmin 01/13/99		

Vers. Drafted Reviewed Typist Proofed Submitted Jacketed Required

FE Sent For:

<END>

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/2			ismith 01/6/99	_____	lrb_docadmin 01/6/99		

FE Sent For: *1/13/99* *1/13/99*
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DOA:.....Wong - Recpeal of recycling market development board

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/?	isagerro 12/22/98 kahlepj 12/23/98	jgeller 12/23/98 <i>12/5 jlg</i>		_____			
/1			martykr 12/28/98	_____	lrb_docadmin 12/28/98		
FE Sent For:			<i>IS</i> 1/6/99	<i>IS/JF</i> 1/6/99			

<END>

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				_____	_____	_____	_____
				_____	_____	_____	_____

FE Sent For:

<END>

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Identical to LRB:

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By/Representing: **Wong**

This file may be shown to any legislator: **NO**

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May Contact:

Alt. Drafters:

Subject: **Environment - recycling**

Extra Copies: **RCT
PJK**

Topic:

DOA:.....Wong - Repeal of recycling market development board

Instructions:

See Attached

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/?	isagerro			_____			

FE Sent For:

<END>

1. No person may make in any application, record, report, plan or other documents submitted to the department, any statement, representation or certification known to that person to be false or misleading.
2. Any person who violates this sub (1) shall be fined not less than \$10 and no more than \$10,000.
3. Any monetary compensation paid for violations under sub (1) will be deposited into the Dry Cleaner Environmental Fund.

Waste Management - DNR

1. Landfill Siting Committee Membership (See Attachment C)
 - > Amend landfill siting law to state that a host community is entitled to appoint a majority of members on any siting committee regardless of how it is formed. As such, the town, city or village in which the landfill is proposed to be located may appoint 4 members or 2 more members than the total number of members on the committee, whichever is greater.

Recycling

Marylee Wong

287.46

1. Repeal Recycling Market Development Board Grant starting FY 2000.
2. For municipalities who have less than 33% of eligible expenses in determining their recycling grant award, provide a grant that equals to 33% of eligible expenses or \$8 per capita, whichever is less. (Reference: s287.23 (5)(c)(5)).
3. Repeal current law that requires responsible units to implement a system of volume-based fee by January 1, 2000. (Reference: 287.23(5s)(b))
4. Change the sunset date for grant awards from year 2000 to year 2001. (Reference 287.23 (7))

Brownfields Study Group

Incentives for Local Government

1. Allow Transfer of Tax Delinquent Brownfields Properties to Cities (Reference: LRB 1005)
 - > Modify our previous request to require a county, after receiving a written request from the affected municipality, to either take a tax deed and ownership to a property that is subject to a tax certificate or transfer ownership of that property to the requested municipality with no consideration.
2. Expand Protections for Local Units of Government that Involuntarily Acquire Contaminated Property
 - > Expand municipality liability exemptions to properties acquired with stewardship funds. Municipalities would be required to enter into a negotiated agreement with DNR to ensure all cleanup conditions are met.

(by SECTION 727m) of the statutes takes effect on July 1, 1999.

(1pz) APPROVAL OF STATE BUILDING PROJECTS. The treatment of section 20.924 (1) (b) (by SECTION 759) of the statutes takes effect on July 1, 2002, or upon completion of acquisition of property sufficient for the construction of a facility to meet the space needs of the state law library, the legislative reference bureau library and legislative and judicial branch agencies and support staffs.

SECTION 9409. Effective dates; circuit courts.

(1) JUSTICE INFORMATION SYSTEM FEE. The treatment of sections 20.505 (1) (ja) and 814.635 (1) of the statutes and the repeal and recreation of section 20.680 (2) (j) of the statutes take effect on October 1, 1997, or on the day after publication, whichever is later.

SECTION 9410. Effective dates; commerce.

(1m) REDUCTION OF PETROLEUM PRODUCT CLEANUP AWARDS. The treatment of section 101.143 (4) (h) 1. and 1m. of the statutes and SECTION 9310 (4) of this act take effect on the first day of the 7th month beginning after publication.

(5g) ELIMINATION OF RECYCLING MARKET DEVELOPMENT BOARD. The treatment of sections 15.07 (1) (b) 19., 15.155 (2), 16.72 (7) (by SECTION 119d), 20.143 (1) (L) (by SECTION 200d), (st) (by SECTION 204d) and (tm) (by SECTION 205d), 20.923 (4) (a) 4q., 36.25 (30g), 560.031 (by SECTION 4338c), (2), (3) and (4), 560.09 (5) and 560.65 (4) (a) and subchapter III of chapter 287 (by SECTION 3620m) of the statutes takes effect on June 30, 2001.

(5m) IDENTIFICATION OF OXYGENATES. The treatment of section 168.11 (1) (b) 2. of the statutes takes effect on the first day of the 13th month beginning after publication.

SECTION 9411. Effective dates; corrections.

Vetoed In Part (1t) ELIMINATION OF SECURE WORK PROGRAM. The treatment of sections 303.063 and 303.21 (1) (b) of the statutes takes effect on July 1, 1998.

(4g) PRIVATE BUSINESS EMPLOYMENT OF INMATES AND RESIDENTS. The treatment of section 20.410 (1) (hm) and (km) of the statutes takes effect on January 1, 1998.

SECTION 9414. Effective dates; elections board.

(1) CAMPAIGN FINANCE FILING FEES. The treatment of sections 11.055, 11.20 (4), 11.60 (3m) and 20.510 (1) (i) of the statutes takes effect on January 1, 1998.

SECTION 9415. Effective dates; employe trust funds.

(1z) PAYMENT OF JUDGMENT AGAINST THE STATE. The repeal of section 20.515 (1) (am) of the statutes takes effect on June 30, 1998.

SECTION 9421. Effective dates; governor.

(1) NATIONAL GOVERNORS ASSOCIATION CONFERENCE FUNDING. The repeal of section 20.525 (1) (cm) of the statutes takes effect on July 1, 1999.

SECTION 9423. Effective dates; health and family services.

(1) LICENSE FEES FOR CHILDREN'S PROGRAMS. The repeal and recreation of sections 48.615 (1) (a) and (b), 48.625 (2) (a), 48.65 (3) (a) and 938.22 (7) (b) of the statutes takes effect on July 1, 1998.

(2) MILWAUKEE CHILD WELFARE SERVICES TRANSFER. The treatment of sections 20.435 (3) (cw), (cx), (gx), (kw), (kx), (ky), (kz), (mw) and (mx), 46.03 (7) (e), 46.036 (5m) (e), 46.037 (1m), 46.10 (14) (e) 1m., 46.21 (1) (d) and (2) (a), 46.215 (1) (intro.), (h) and (i) and (2) (c) 1., 46.238, 46.261 (2) (a) 2. and 3., 46.48 (15) (title), (a) (intro.) and (b) and (16) (title) and (b), 48.02 (2g), 48.06 (1) (a) 1., 2. and 3., (am) 1., 2. and 3. and (b), (2) (b) 1. and 2. and (c) and (3), 48.069 (1) (intro.), (2) and (3), 48.07 (3), 48.207 (2), 48.295 (1), 48.345 (4) (b) and (bm), (11), (12) (b) and (c) and (13) (a) and (b), 48.355 (2) (b) 6. and (c) and (2c) (a) (intro.), 48.36 (1) (a), (2) and (3), 48.38 (5) (am), 48.428 (2) (a) and (b), 48.48 (17), 48.56 (title) and (1), 48.57 (title), (1) (intro.) and (e), (3m) (am) 1., 2., 4. and 5., (b) 1., (c) and (d) and (3p) (b) 1. and 2., (c) 1., 2. and 3., (d), (e) (intro.), (fm) 1. and 2., (g) (intro.), 2. and 3., (h), (i) and (j) and (3t), 48.58 (1) (b), 48.59 (1), 48.75 (title), (1), (1b), (1g) (a) (intro.), 2., 3. and 4., (c) (intro.), 1. and 2. and (d), (1r) and (2), 48.831 (4) (c), 48.832, 48.837 (4) (d), 48.839 (4) (b), 48.88 (2) (c), 48.93 (1d), 48.977 (4) (a) 6., 48.981 (1) (ag), (3) (a), (c) 1., 2. a., 3., 4., 5., 6., 6m., 7., 8. and 9., (cm) and (d), (5), (7) (a) (intro.), 1m., 2., 5., 6., 6m., 8., 11., 11r., 13. and 15., (cm) and (d), (8) (a), (c) and (d) 1. and 2. and (10), 49.45 (25) (b), 115.85 (2m), 146.0255 (3) (b), 301.46 (4) (a) 8., 767.001 (2) (b) and 938.06 (1) (a) 1. and 2. and (am) 1. and 2. and (2) (a), (am) 1. and 2. and (b) 1. and 2. and subchapter XII (title) of chapter 48 of the statutes, the repeal of section 46.48 (15) (a) 1., 2. and 3. and (16) (a) of the statutes, the renumbering and amendment of section 48.275 (2) (d) of the statutes, the repeal and recreation of sections 46.10 (14) (e) 1., 46.261 (2) (a) 1., 46.49 (1), 48.551 (2) (a) and 48.57 (3m) (am) (intro.) of the statutes, the creation of section 48.275 (2) (d) 2. of the statutes and SECTION 9123 (1) (a), (b), (c) and (km) of this act take effect on January 1, 1998.

(2g) PROGRAM REVENUE FOR COMMUNITY AIDS. The treatment of section 20.435 (6) (gb) (by SECTION 595h) and (7) (kw) (by SECTION 606b) of the statutes takes effect on July 1, 1998.

Vetoed In Part

(3) MILWAUKEE CHILD WELFARE SERVICES COUNTY CONTRIBUTION. The amendment of section 48.561 (1), (2) and (3) of the statutes takes effect on July 1, 1998.

(3v) COUNCIL ON AMERICAN INDIAN HEALTH. The treatment of sections 15.197 (22), 36.25 (35), 38.04 (25), 46.35 and 146.19 (3) of the statutes takes effect on December 31, 1997.

(4g) COUNCIL ON FOOD PROTECTION PRACTICES. The treatment of sections 15.197 (21) and 254.71 (4), (5) and (6) (intro.) of the statutes takes effect on July 1, 1999.



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-14277
PJK.....

Jlg

DOA:.....Wong - Repeal of recycling market development board

FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

SOON
(12-23)
D-note

do not
per cot

1

AN ACT...; relating to: eliminating the recycling market development board. ✓

Analysis by the Legislative Reference Bureau
COMMERCE AND ECONOMIC DEVELOPMENT ✓
ECONOMIC DEVELOPMENT ✓

Under current law, the recycling market development board (board), which is attached to the department of commerce, awards financial and other assistance to improve the marketing of, and to develop markets for, certain materials recovered from solid waste. The board will be eliminated on June 30, 2001. ✓ After the board's elimination, the department of commerce may promulgate rules for awarding financial assistance for the development of markets for materials recovered from solid waste. The bill moves up the elimination of the board, and the start-up of the related responsibilities of the department of commerce, to July 1, 2000, or the day after publication of the 1999-2000 biennial budget act, whichever is later. ✓

1999

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

action: act amend
2

SECTION 1. 1997 Wisconsin Act 27, section 9410 (5g) is amended to read:

3

(END) ✓

D-note

Insert 1-2

1997 Assembly Bill 100

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July 1, 1999, or on the day after publication of the data 1999-2000 biennial budget act, whichever is later

Vetoed In Part

[1997 Wisconsin Act 27] Section 9410

Insert 1-2 cont'd

2 of 2

***NOTE: This ^(CS) SECTION involves

changes in appropriations (specifically,

A. 20.143 (1) (st) and (tm)) that must

be reflected in the revised schedule in

A. 20.005, stats.

(end of insert 1-2)

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

1
LRB-1427/7dn
PJK.....

19

Manye:

As we discussed, this draft simply moves up two years (to July 1, 1999) all that occurred in the last budget with respect to the recycling market development board (basically, its elimination). If you need this draft to move up the date for eliminating not all but only certain selected responsibilities of the board, let me know. Notice that this draft and LRB-0582 will have to be reconciled if both go into the budget.

Pamela J. Kahler
Senior Legislative Attorney
266-2682

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

LRB-1427/1dn
PJK:jlg:km

December 28, 1998

Manyee:

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Pamela J. Kahler
Senior Legislative Attorney
266-2682

Kahler, Pam

From: Wong, Manyee [Manyee.Wong@doa.state.wi.us]
Sent: Wednesday, December 30, 1998 11:50 AM
To: Kahler, Pam
Subject: FW: LRB Draft: 99-1427/1



99-1427/1



99-1427/1dn

Hi Pamela,

Please not Dave's comments below regarding the RMDB draft. Thanks.

> -----Original Message-----

> From: Schmiedicke, David
> Sent: Tuesday, December 29, 1998 5:39 PM
> To: Wong, Manyee
> Subject: FW: LRB Draft: 99-1427/1

>
> The intent is not to eliminate the board, but to eliminate the grant
> program and rely on the recycling loan repayments. See me if you wish to
> discuss further.

>
> David P. Schmiedicke
> Wisconsin Department of Administration
> Voice -- (608) 266-1040
> FAX -- (608) 267-0372
> E-Mail -- david.schmiedicke@doa.state.wi.us

> -----Original Message-----

> From: Marty, Karen [SMTP:Karen.Marty@legis.state.wi.us]
> Sent: Monday, December 28, 1998 1:57 PM
> To: 'manyee.wong@doa.state.wi.us'
> Cc: 'david.schmiedicke@doa.state.wi.us';
> 'vicky.labelle@doa.state.wi.us'; Hubli, Scott; Hagen, Heather
> Subject: LRB Draft: 99-1427/1

> Following is the PDF version of draft 99-1427/1.

> <<99-1427/1>> <<99-1427/1dn>>



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-1427/2

PJK:jlg:km

WPO - Fix request sheet

r m not run

→ DOA:.....Wong - Repeal of recycling market development board funding
FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

SOON
(1-5)

D-vote

WPO - please include line numbers

do not gen cat

funding for

and making an appropriation

AN ACT ... relating to: ~~eliminating~~ the recycling market development board

Analysis by the Legislative Reference Bureau
COMMERCE AND ECONOMIC DEVELOPMENT
ECONOMIC DEVELOPMENT

Under current law, the recycling market development board (board), which is attached to the department of commerce, awards financial and other assistance to improve the marketing of, and to develop markets for, certain materials recovered from solid waste. The board will be eliminated on June 30, 2001. After the board's elimination, the department of commerce may promulgate rules for awarding financial assistance for the development of markets for materials recovered from solid waste. The bill moves up the elimination of the board, and the start-up of the related responsibilities of the department of commerce, to July 1, 1999, or the day after publication of the 1999-2001 biennial budget act, whichever is later.

Insert A

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

SECTION 1. 1997 Wisconsin Act 27, section 9410 (5g) is amended to read:

[1997 Wisconsin Act 27] Section 9410 (5g) **ELIMINATION OF RECYCLING MARKET DEVELOPMENT BOARD.** The treatment of sections 15.07 (1) (b) 19., 15.155 (2), 16.72 (7)

(by SECTION 119d), 20.143 (1) (L) (by SECTION 200d), (st) (by SECTION 204d) and (tm) (by SECTION 205d), 20.923 (4) (a) 4g, 86.25 (30g), 560.031 (by SECTION 4338c), (2), (3) and (4), 560.09 (5) and 560.65 (4) (a) and subchapter III of chapter 287 (by SECTION 3620m) of the statutes takes effect on June 30, 2001 July 1, 1999, or on the day after publication of the 1999-2001 biennial budget act, whichever is later.

****NOTE: This SECTION involves changes in appropriations (specifically, s. 20.143 (1) (L) (tm)) that must be reflected in the revised schedule in s. 20.005, stats.

(END)

✓
 Inset
 2-1

D-note

1999-2000 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1427/lins
PJK:jlq:km

INSERT A

may ✓
The recycling market development board (board), which is attached to the department of commerce, has various powers and duties related to recycling. Among its powers, the board awards financial and other assistance to improve the marketing of, and to develop markets for, certain materials recovered from solid waste. The board ~~is authorized to~~ contract with other persons to accomplish any of its powers and duties and is required to contract with a materials exchange program to operate a statewide materials exchange program until December 31, 1999. The funding for the financial assistance that the board awards comes from the recycling fund and from repayments of loans made by recipients of financial assistance awarded by the board. Funding for the board's contracts comes from the recycling fund. Under current law, the board will be eliminated on June 30, 2001, after which time the department of commerce may promulgate rules for awarding financial assistance for the development of markets for materials recovered from solid waste.

The bill eliminates the recycling fund as a funding source for the board's contracts and financial assistance. Beginning on July 1, 1999, on the day after publication of the 1999-2001 biennial budget act, whichever is later, until the board is eliminated on June 30, 2001, funding for the financial assistance that the board awards and for the board's contracts comes solely from repayments of loans made by recipients of financial assistance awarded by the board. → on

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

(END OF INSERT A)

INSERT 2-1

SECTION 1. 20.143 (1) (L) ✓ of the statutes is amended to read:

20.143 (1) (L) *Recycling market development; repayments.* All moneys received in repayment of loans awarded by the recycling market development board under s. 287.46 (1) and received under s. 287.46 (3) in repayment of loans made by recipients of financial assistance awarded by the recycling market development board under s. 287.46 (1), to be used for recycling market development board contracts under s. 287.42 (3) ✓ and (3m) ✓ and to provide financial assistance under subch. III of ch. 287.

NOTE: NOTE: Par. (L) is amended eff. 6-30-01 by 1997 Wis. Act 27 to read: NOTE: ✓

SECTION 2. 20.143 (1) (L) of the statutes, as affected by ✓ 1997 Wisconsin Act 27 and 1999 Wisconsin Act (this act), is repealed and recreated to read:

#20.143 (1)
No bold

(L) **Recycling market development; repayments.** All moneys received in repayment of loans awarded under s. 287.46 (1), 1995 stats., and s. 560.031 and received under s. 287.46 (3), 1995 stats., and s. 560.031 in repayment of loans made by recipients of financial assistance awarded under s. 287.46 (1), 1995 stats., and s. 560.031 to be used to provide financial assistance under s. 560.031.

History: 1979 c. 361; 1981 c. 20, 21, 349; 1983 a. 27, 83, 192, 381; 1985 a. 29 ss. 169 to 204, 3202 (14); 1985 a. 120, 332, 334; 1987 a. 27, 109, 317, 318, 399, 403; 1989 a. 31, 185, 237, 317, 325, 335, 336, 342, 359; 1991 a. 39, 259, 261, 269, 315; 1993 a. 5, 16, 75, 110, 232, 437; 1995 a. 27 ss. 483, 505 to 517, 608s, 609g, 609j, 964, 965, 977, 987, 988, 990 to 993, 1080b, 1085b, 1086b, 9116 (5); 1995 a. 116, 119, 216, 227; 1997 a. 9, 27, 35, 215, 237, 252, 310; s. 13.93 (2) (c).

SECTION 3. 20.143 (1) (tm) of the statutes, as affected by 1997 Wisconsin Act

27, is repealed.

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 4. 287.46 (4) (a) of the statutes is amended to read:

287.46 (4) From the appropriations appropriation under s. 20.143 (1) (L) and (tm), the department of commerce shall provide financial assistance awarded by the board under this subchapter. Subject to par. (b), from the appropriation under s. 20.143 (1) (tm), the department of commerce shall and pay contracts entered into by the board under s. 287.42 (3) and (3m).

SECTION 5. 287.46 (4) of the statutes, as affected by 1997 Wisconsin Act 27 and 1999 Wisconsin Act (this act), is repealed.

SECTION 6. 287.46 (4) (b) of the statutes, as affected by 1997 Wisconsin Act 27, is repealed.

SECTION 9410. Effective dates; commerce.

(1) **RECYCLING MARKET DEVELOPMENT BOARD FUNDING.** The repeal of section 287.46 (4) of the statutes and the repeal and recreation of section 20.143 (1) (L) of the statutes take effect on June 30, 2001.

(END OF INSERT 2-1)

Convert action to renumber & amend

renumbered 287.46 (4) and

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

2
LRB-1427/4dn
PJK:jlg:km

1. This redraft:

a) Repeals s. 20.143 (1) (tm) on the effective date of the budget, rather than on June 30, 2001.

b) Provides funding for the contracts under s. 287.42 (3) and (3m) from s. 20.143 (1) (L), instead of from s. 20.143 (1) (tm).

2. Take a look at s. 287.46 (4) (b), which limits the amount that may be expended from s. 20.143 (1) (tm) for contracts with and financial assistance to responsible units and other local units of government. Section 287.46 (4) (b) is repealed in this redraft on the effective date of the budget. Do you want to provide for a limit on the amount that may be expended from s. 20.143 (1) (L) for contracts with and financial assistance to responsible units and other local units of government?

Pamela J. Kahler
Senior Legislative Attorney
266-2682

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1427/2dn

PJK:jlg:ijs

January 6, 1999

1. This redraft:

a) Repeals s. 20.143 (1) (tm) on the effective date of the budget, rather than on June 30, 2001.

b) Provides funding for the contracts under s. 287.42 (3) and (3m) from s. 20.143 (1) (L), instead of from s. 20.143 (1) (tm).

2. Take a look at s. 287.46 (4) (b), which limits the amount that may be expended from s. 20.143 (1) (tm) for contracts with and financial assistance to responsible units and other local units of government. Section 287.46 (4) (b) is repealed in this redraft on the effective date of the budget. Do you want to provide for a limit on the amount that may be expended from s. 20.143 (1) (L) for contracts with and financial assistance to responsible units and other local units of government?

Pamela J. Kahler
Senior Legislative Attorney
266-2682

Kahler, Pam

From: Schmiedicke, David [david.schmiedicke@doa.state.wi.us]
Sent: Wednesday, January 06, 1999 11:56 AM
To: Wong, Manyee
Cc: Kahler, Pam
Subject: FW: LRB Draft: 99-1427/2



99-1427/2



99-1427/2dn

Manyee: FYI. I called and asked Pam to add repayments from pre-1995 recycling loans to amounts collected under the (1)(L) appropriation. She'll add that after you have made any additional changes to the draft that you identify. Thanks.

Pam: Can you set it up so that the (1)(L) appropriation becomes Commerce's responsibility after the RMDB sunsets? Thanks.

D-note

David P. Schmiedicke
Wisconsin Department of Administration
Voice -- (608) 266-1040
FAX -- (608) 267-0372
E-Mail -- david.schmiedicke@doa.state.wi.us

> -----Original Message-----
> From: Smith, Irma [SMTP:Irma.Smith@legis.state.wi.us]
> Sent: Wednesday, January 06, 1999 10:38 AM
> To: 'manyee.wong@doa.state.wi.us'
> Cc: 'david.schmiedicke@doa.state.wi.us';
> 'vicky.labelle@doa.state.wi.us'; Hubli, Scott; Haugen, Caroline
> Subject: LRB Draft: 99-1427/2
>
> Following is the PDF version of draft 99-1427/2.
>
>
> <<99-1427/2>> <<99-1427/2dn>>

Kahler, Pam

From: Wong, Manyee [Manyee.Wong@doa.state.wi.us]
Sent: Tuesday, January 12, 1999 8:55 AM
To: Tradewell, Becky; Kahler, Pam
Subject: FW: Answers to drafter's notes

Hi Becky and Pamela,

The following are responses to questions you raised in the LRB drafts. If you have any question, please let me know. Thanks.

> -----Original Message-----

> From: Schmiedicke, David
> Sent: Monday, January 11, 1999 5:09 PM
> To: Wong, Manyee
> Subject: RE: LRB drafts

>
> The answer to each is yes. Reading 1419, go with the current draft -- I
> believe the intent is to prepare for a future situation where EPA grants
> an exemption. Thanks.

>
> David P. Schmiedicke
> Wisconsin Department of Administration
> Voice -- (608) 266-1040
> FAX -- (608) 267-0372
> E-Mail -- david.schmiedicke@doa.state.wi.us

> -----Original Message-----

> From: Wong, Manyee
> Sent: Monday, January 11, 1999 4:58 PM
> To: Schmiedicke, David
> Subject: LRB drafts

>
> Becky Tradewell: For the LRB draft 1358 on the PECFA claim prioritization
> process, the drafter noted that the rules will apply to all occurrences,
> both emergency and nonemergency situations. Do we want to limit that to
> nonemergency occurrences? I assume the answer is yes since we would want
> emergency occurrences taken care of right away, but then presumably it
> would have enough high risk factors to warrant it being placed as a top
> priority?

>
> Becky Tradewell: For LRB draft 1419, Becky states that we could not
> exempt federal hazardous waste requirements through an exemption from
> state requirements. I guess I misunderstood what she conveyed to me the
> last time we discuss this issue. The current draft simply provides a
> conditional exemption from state hazardous requirement. I think this was
> the proposed alternative from DNR's waste bureau. Do we still want to go
> ahead with this?

>
> Pamela Kahler: For LRB draft 1427 on the RMDB issue, the drafter noted
> that under the current statute, there is a limit to the amount (funded
> from 20.143(1)(tm)) that Commerce can use for contracts and financial
> assistance. Do we want to applied the same expenditure limit to
> s.20.143(1)(L) since contracts after the effective date of the budget will
> be paying out of that appropriation?



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-1427/3

PJK:jlj:ijs

rm is run

DOA:.....Wong - Recycling market development board funding

FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

SOON
(1-12)
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you cut

- 1 AN ACT *x*; relating to: funding for the recycling market development board and
- 2 making an appropriation.

Analysis by the Legislative Reference Bureau
COMMERCE AND ECONOMIC DEVELOPMENT
ECONOMIC DEVELOPMENT

The recycling market development board (board), which is attached to the department of commerce, has various powers and duties related to recycling. Among its powers, the board may award financial and other assistance to improve the marketing of, and to develop markets for, certain materials recovered from solid waste. The board may contract with other persons to accomplish any of its powers and duties and is required to contract with a materials exchange program to operate a statewide materials exchange program until December 31, 1999. The funding for the financial assistance that the board awards comes from the recycling fund and from repayments of loans made by recipients of financial assistance awarded by the board. Funding for the board's *contracts* comes from the recycling fund. Under current law, the board will be eliminated on June 30, 2001, after which time the department of commerce may promulgate rules for awarding financial assistance for the development of markets for materials recovered from solid waste.

~~The~~ bill eliminates the recycling fund as a funding source for the board's contracts and financial assistance. Beginning on July 1, 1999, or on the day after publication of the 1999-2001 biennial budget act, whichever is later, until the board

In addition

Insert A

the appropriation account into which are deposited

is eliminated on June 30, 2001, funding for the financial assistance that the board awards and for the board's contracts comes solely from repayments of loans made by recipients of financial assistance awarded by the board. *Insert B*

For further information see the *state* 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:

and received in repayment of loans under A. 560.835

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SECTION 1. 20.143 (1) (L) of the statutes is amended to read:

20.143 (1) (L) *Recycling market development; repayments.* All moneys received in repayment of loans awarded by the recycling market development board under s. 287.46 (1) and received under s. 287.46 (3) in repayment of loans made by recipients of financial assistance awarded by the recycling market development board under s. 287.46 (1) to be used for recycling market development board contracts under s. 287.42 (3) and (3m) and to provide financial assistance under subch. III of ch. 287.

SECTION 2. 20.143 (1) (L) of the statutes, as affected by 1997 Wisconsin Act 27 and 1999 Wisconsin Act (this act), is repealed and recreated to read:

20.143 (1) (L) *Recycling market development; repayments.* All moneys received in repayment of loans awarded under s. 287.46 (1), 1995 stats., and s. 560.031 received under s. 287.46 (3), 1995 stats., and s. 560.031 in repayment of loans made by recipients of financial assistance awarded under s. 287.46 (1), 1995 stats., and s. 560.031 to be used to provide financial assistance under s. 560.031. *and received in repayment of loans under A. 560.835*

SECTION 3. 20.143 (1) (tm) of the statutes, as affected by 1997 Wisconsin Act 27, is repealed.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 4. 287.46 (4) of the statutes, as affected by 1997 Wisconsin Act 27 and 1999 Wisconsin Act (this act), is repealed.

*change
action
component*

1 → SECTION 5. 287.46 (4) (a) of the statutes is ~~renumbered 287.46 (4)~~ amended
 2 to read: *(a) strike* Subject to par. (b), from the
 3 287.46 (4) ~~From the appropriations~~ appropriation under s. 20.143 (1) (L) and
 4 ~~(tm)~~, the department of commerce shall provide financial assistance awarded by the
 5 board under this subchapter. ~~Subject to par. (b), from the appropriation under s.~~
 6 ~~20.143 (1) (tm), the department of commerce shall~~ and pay contracts entered into by
 7 the board under s. 287.42 (3) and (3m).

8 ~~SECTION 6. 287.46 (4) (b) of the statutes, as affected by 1997 Wisconsin Act 27,~~
 9 ~~is repealed.~~

10 SECTION 9410. Effective dates; commerce.
 11 (1) RECYCLING MARKET DEVELOPMENT BOARD FUNDING. The repeal of section
 12 287.46 (4) of the statutes and the repeal and recreation of section 20.143 (1) (L) of the
 13 statutes take effect on June 30, 2001.
 14 (END)

Insert 3-9

D-note

1999-2000 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1427/3ins
PJK:jlgijs

INSERT A

4 Also under current law, the department of commerce made loans before July 1, 1995, for the production of products from materials recovered from postconsumer waste, for the acquisition of equipment necessary to make such products, for the development and operation of a facility to process materials recovered from a solid waste management program and for the expansion, improvement or development of a diaper service. Repayments of those loans are deposited in the recycling fund. The bill provides that, instead of in the recycling fund, the repayments of those loans are to be deposited in the appropriation account into which are deposited repayments of loans made by recipients of financial assistance awarded by the board.

(END OF INSERT A)

INSERT B

no 41 and repayments of the postconsumer waste-related loans made by the department of commerce before July 1, 1995, which formerly were deposited in the recycling fund

(END OF INSERT B)

INSERT 3-9

SECTION 1. 287.46 (4) (b) of the statutes is amended to read:

287.46 (4) (b) In any biennium, the department of commerce may not expend more than 10% of the amount appropriated under s. 20.143 (1) (tm) for that biennium for contracts with and financial assistance to responsible units and other local units of government.

Note: Note. This section is repealed eff. 6-30-01 by 1997 Wis. Act 27. Note: History: 1993 s. 75; 1995 a. 27; 1995 a. 227 s. 913; Stats. 198 s. 287.46; 1997 a. 27 ss. 3620m, 3627 to 3630.

(L) in
credited to the
appropriation
account

Ins. 3-9
Continued

insert 3-9 contd 2072

financial assistance that is awarded by the board, and for the financial assistance that may be awarded by the department of commerce after June 30, 2001.

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

1 **SECTION 1.** 20.143 (1) (hg) of the statutes is created to read:

2 20.143 (1) (hg) *Minority business recycling development; repayments.* All
3 moneys received in repayment of loans under s. 560.835, to be used to provide
4 financial assistance under subch. III of ch. 287.

5 *****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.*

6 **SECTION 2.** 20.143 (1) (hg) of the statutes, as created by 1999 Wisconsin Act
(this act), is amended to read:

7 20.143 (1) (hg) *Minority business recycling development; repayments.* All
8 moneys received in repayment of loans under s. 560.835, to be used to provide
9 financial assistance under subch. III of ch. 287 s. 560.031.

10 **SECTION 3.** 560.835 (7) (b) of the statutes is amended to read:

11 560.835 (7) (b) The department shall deposit in the recycling fund
12 appropriation account under s. 20.143 (1) (hg) all moneys received after July 1, 1995
13 the effective date of this paragraph [revisor inserts date], in repayment of loans
14 made under this section.

15 **SECTION 9410. Effective dates; commerce.**

16 (1) **RECYCLING MARKET DEVELOPMENT FINANCIAL ASSISTANCE.** The amendment of
17 section 20.143 (1) (hg) of the statutes takes effect on June 30, 2001.

18 (END)

insert 3-9

(end of ins. 3-9)



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-0582/1
PJK:kmg:jf

DOA:.....Wong - New appropriation for repayments of loans under minority
business recycling development grants and loans program

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

1 AN ACT ...; relating to: repayments to the recycling fund and making an
2 appropriation.

Analysis by the Legislative Reference Bureau
COMMERCE AND ECONOMIC DEVELOPMENT

ECONOMIC DEVELOPMENT

Under current law, the recycling market development board (board), which is attached to the department of commerce and which will be eliminated on June 30, 2001, awards financial and other assistance to improve the marketing of, and to develop markets for, certain materials recovered from solid waste. After the board's elimination, the department of commerce may promulgate rules for awarding financial assistance for the development of markets for materials recovered from solid waste.

Also under current law, the department of commerce made loans before July 1, 1995, for the production of a product from materials recovered from postconsumer waste, for the acquisition of equipment necessary to make such a product, for the development and operation of a facility to process materials recovered from a solid waste management program and for the expansion, improvement or development of a diaper service. Repayments of those loans are deposited in the recycling fund. The bill creates a new appropriation into which repayments of those loans are to be deposited instead of in the recycling fund. The appropriation is to be used for the

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

LRB-1427/3dn
PJK:jlgijs

This redraft:

1. Incorporates LRB-0582 by changing the appropriation account into which repayments of loans under s. 560.835 are deposited to the appropriation account under s. 20.143 (1) (L). Since this version of LRB-1427 includes the changes contained in LRB-0582, LRB-0582 should not go into the budget bill unless the other changes contained in LRB-1427 are not wanted for the budget.

2. Retains s. 287.46 (4) (b), as amended, which imposes a 10% limit on the amount that may be spent from s. 20.143 (1) (L) for contracts with and financial assistance to responsible units and other local units of government. Notice that I drafted the limit to be 10% of the amount credited in the biennium. Because the appropriation is a continuing appropriation and the amounts in the schedule are only estimates, the limit could not be drafted as 10% of the amount appropriated or shown in the schedule. Unfortunately, the amount credited to the appropriation account may not be known until the end of the biennium. I did not want to use the amount credited to the appropriation account in the previous biennium, however, because of the additional repayments (from loans under s. 560.835) going into the appropriation account this biennium. I hope the level of accuracy is sufficient, in light of the repeal of s. 287.46 (4) (b) at the end of the 1999-2001 biennium. Let me know if you need anything changed.

3. Dave requested that s. 20.143 (1) (L) become the responsibility of the department of commerce after the recycling market development board sunsets. That should be the case without any additional drafting, since s. 20.143 (1) (L) is currently an appropriation to the department of commerce and the repealed and recreated language of the appropriation (see **SECTION 2**) provides that the appropriation is to be used to provide financial assistance under s. 560.031. Let me know if you want something different.

Pamela J. Kahler
Senior Legislative Attorney
266-2682

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1427/3dn
PJK:jlg:lp

January 13, 1999

This redraft:

1. Incorporates LRB-0582 by changing the appropriation account into which repayments of loans under s. 560.835 are deposited to the appropriation account under s. 20.143 (1) (L). Since this version of LRB-1427 includes the changes contained in LRB-0582, LRB-0582 should not go into the budget bill unless the other changes contained in LRB-1427 are not wanted for the budget.

2. Retains s. 287.46 (4) (b), as amended, which imposes a 10% limit on the amount that may be spent from s. 20.143 (1) (L) for contracts with and financial assistance to responsible units and other local units of government. Notice that I drafted the limit to be 10% of the amount credited in the biennium. Because the appropriation is a continuing appropriation and the amounts in the schedule are only estimates, the limit could not be drafted as 10% of the amount appropriated or shown in the schedule. Unfortunately, the amount credited to the appropriation account may not be known until the end of the biennium. I did not want to use the amount credited to the appropriation account in the previous biennium, however, because of the additional repayments (from loans under s. 560.835) going into the appropriation account this biennium. I hope the level of accuracy is sufficient, in light of the repeal of s. 287.46 (4) (b) at the end of the 1999-2001 biennium. Let me know if you need anything changed.

3. Dave requested that s. 20.143 (1) (L) become the responsibility of the department of commerce after the recycling market development board sunsets. That should be the case without any additional drafting, since s. 20.143 (1) (L) is currently an appropriation to the department of commerce and the repealed and recreated language of the appropriation (see **SECTION 2**) provides that the appropriation is to be used to provide financial assistance under s. 560.031. Let me know if you want something different.

Pamela J. Kahler
Senior Legislative Attorney
266-2682



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-1427/3

PJK;jlg:lp

DOA:.....Wong – Recycling market development board funding

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

- 1 AN ACT ...; relating to: funding for the recycling market development board and
2 making an appropriation.

Analysis by the Legislative Reference Bureau
COMMERCE AND ECONOMIC DEVELOPMENT

ECONOMIC DEVELOPMENT

The recycling market development board (board), which is attached to the department of commerce, has various powers and duties related to recycling. Among its powers, the board may award financial and other assistance to improve the marketing of, and to develop markets for, certain materials recovered from solid waste. The board may contract with other persons to accomplish any of its powers and duties and is required to contract with a materials exchange program to operate a statewide materials exchange program until December 31, 1999. The funding for the financial assistance that the board awards comes from the recycling fund and from repayments of loans made by recipients of financial assistance awarded by the board. Funding for the board's contracts comes from the recycling fund. Under current law, the board will be eliminated on June 30, 2001, after which time the department of commerce may promulgate rules for awarding financial assistance for the development of markets for materials recovered from solid waste.

Also under current law, the department of commerce made loans before July 1, 1995, for the production of products from materials recovered from postconsumer waste, for the acquisition of equipment necessary to make such products, for the

development and operation of a facility to process materials recovered from a solid waste management program and for the expansion, improvement or development of a diaper service. Repayments of those loans are deposited in the recycling fund. The bill provides that, instead of in the recycling fund, the repayments of those loans are to be deposited in the appropriation account into which are deposited repayments of loans made by recipients of financial assistance awarded by the board.

In addition, the bill eliminates the recycling fund as a funding source for the board's contracts and financial assistance. Beginning on July 1, 1999, or on the day after publication of the 1999–2001 biennial budget act, whichever is later, until the board is eliminated on June 30, 2001, funding for the financial assistance that the board awards and for the board's contracts comes solely from the appropriation account into which are deposited repayments of loans made by recipients of financial assistance awarded by the board and repayments of the postconsumer waste-related loans made by the department of commerce before July 1, 1995, which formerly were deposited in the recycling fund.

For further information see the *state* 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.** 20.143 (1) (L) of the statutes is amended to read:

2 20.143 (1) (L) *Recycling market development; repayments.* All moneys received
3 in repayment of loans awarded by the recycling market development board under s.
4 287.46 (1) and, received under s. 287.46 (3) in repayment of loans made by recipients
5 of financial assistance awarded by the recycling market development board under
6 s. 287.46 (1) and received in repayment of loans under s. 560.835, to be used for
7 recycling market development board contracts under s. 287.42 (3) and (3m) and to
8 provide financial assistance under subch. III of ch. 287.

9 **SECTION 2.** 20.143 (1) (L) of the statutes, as affected by 1997 Wisconsin Acts 27
10 and 1999 Wisconsin Act (this act), is repealed and recreated to read:

11 20.143 (1) (L) *Recycling market development; repayments.* All moneys received
12 in repayment of loans awarded under s. 287.46 (1), 1995 stats., and s. 560.031,
13 received under s. 287.46 (3), 1995 stats., and s. 560.031 in repayment of loans made

1 by recipients of financial assistance awarded under s. 287.46 (1), 1995 stats., and s.
2 560.031 and received in repayment of loans under s. 560.835, to be used to provide
3 financial assistance under s. 560.031.

4 **SECTION 3.** 20.143 (1) (tm) of the statutes, as affected by 1997 Wisconsin Act
5 27, is repealed.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

6 **SECTION 4.** 287.46 (4) of the statutes, as affected by 1997 Wisconsin Acts 27 and
7 1999 Wisconsin Act (this act), is repealed.

8 **SECTION 5.** 287.46 (4) (a) of the statutes is amended to read:

9 287.46 (4) (a) ~~From the appropriations~~ Subject to par. (6), from the
10 appropriation under s. 20.143 (1) (L) ~~and (tm)~~, the department of commerce shall
11 provide financial assistance awarded by the board under this subchapter. ~~Subject~~
12 ~~to par. (b), from the appropriation under s. 20.143 (1) (tm), the department of~~
13 ~~commerce shall~~ and pay contracts entered into by the board under s. 287.42 (3) and
14 (3m).

15 **SECTION 6.** 287.46 (4) (b) of the statutes is amended to read:

16 287.46 (4) (b) In any biennium, the department of commerce may not expend
17 more than 10% of the amount ~~appropriated~~ credited to the appropriation account
18 under s. 20.143 (1) ~~(tm)~~ for (L) in that biennium for contracts with and financial
19 assistance to responsible units and other local units of government.

20 **SECTION 7.** 560.835 (7) (b) of the statutes is amended to read:

21 560.835 (7) (b) The department shall deposit in the ~~recycling fund~~
22 appropriation account under s. 20.143 (1) (L) all moneys received after ~~July 1, 1995~~

1 the effective date of this paragraph ... [revisor inserts date], in repayment of loans
2 made under this section.

3 **SECTION 9410. Effective dates; commerce.**

4 (1) RECYCLING MARKET DEVELOPMENT BOARD FUNDING. The repeal of section
5 287.46 (4) of the statutes and the repeal and recreation of section 20.143 (1) (L) of the
6 statutes take effect on June 30, 2001.

7 (END)