

**1999 DRAFTING REQUEST**

**Bill**

Received: **12/22/98**

Received By: **nilsepe**

Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget**

By/Representing: **Wong**

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

Drafter: **nilsepe**

May Contact:

Alt. Drafters:

Subject: **Environment - recycling**

Extra Copies: **RCT, ISR**

**Topic:**

DOA:.....Wong - Grants for responsible units

**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>
/?	nilsepe 12/22/98	ygeller 12/22/98		_____			S&L
/P1	nilsepe 02/2/99	ygeller 02/2/99	jfrantze 12/23/98	_____	lrb_docadmin 12/23/98		S&L
/1			jfrantze 02/2/99	_____	lrb_docadmin 02/2/99		

FE Sent For:

<END>

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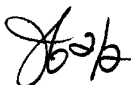
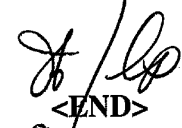
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/P1		1 3/2 jg	jfrantze 12/23/98	_____	lrb_docadmin 12/23/98		

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 2/2

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1?	nilsepe	PI 12/22 JLG	12/22 JB	JB/KM 12/22			

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 - Wong**

- PK* 1. Repeal Recycling Market Development Board Grant starting FY 2000.
- PEN -1438* 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)).
- 99-1425* 3. Repeal current law that requires responsible units to implement a system of volume-based fee by January 1, 2000. (Reference: ~~287.23(5)(b)~~)
- ISR* 4. Change the sunset date for grant awards from year 2000 to year 2001. (Reference: ~~287.23(7)~~ *287.4(2)(a)*)

## **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.



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRB-14382

PEN... ..

*JLg*  
*PI*

DOA:.....Wong – Grants for responsible units

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

*do not gen*

1 AN ACT ...; relating to: recycling grants for responsible units.

*Analysis by the Legislative Reference Bureau*

ENVIRONMENT ✓

SOLID AND HAZARDOUS WASTE ✓

Under current law, DNR administers a financial assistance program to assist with costs related to operating recycling programs and for complying with the prohibition on disposing of yard waste in landfills. The amount of a grant under the program is generally the lesser of 66% of eligible net costs or \$8 per person served, except that if the lesser of those two amounts is less than 33% of the eligible expenses, the amount of the grant is 33% of the eligible expenses.

This bill reduces the maximum amount of a grant that may be awarded under this financial assistance program. Under the bill, the amount of a grant is the greater of 66% of eligible net costs or 33% of the eligible expenses, except that the grant may not exceed \$8 per person. This change effectively sets a maximum grant amount of \$8 per person and makes grants based on 33% of the eligible expenses subject to proration of grants if the sum of grants payable under the program exceeds available funds.

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.** 287.23 (5) (c) 2. <sup>✓</sup> of the statutes is amended to read:

2           287.23 (5) (c) 2. Except as provided in subd. 5. 2m.<sup>✓</sup> or sub. (5e), for all other  
3 responsible units, the amount of the grant for 1993 through 2000 equals either 66%  
4 of the difference between eligible expenses and avoided disposal costs or 33%<sup>✓</sup> of  
5 eligible expenses, whichever is greater.

6           2m. If the amount determined under subd. 2.<sup>✓</sup> is greater than \$8 times the  
7 population of the responsible unit, whichever is less the grant equals \$8 times the  
8 population of the responsible unit.

9 History: 1989 a. 335; 1991 a. 39; 1993 a. 16, 75; 1995 a. 27; 1995 a. 227 <sup>✓</sup> 905; Stats. 1995 s. 287.23; 1997 a. 27, 41.

9           **SECTION 2.** 287.23 (5) (c) 5. <sup>✓</sup> of the statutes is repealed.

10           **SECTION 3.** 287.23 (5e) <sup>✓</sup> of the statutes is amended to read:

11           287.23 (5e) PRORATION. If available funds are insufficient, under sub. (5) (c) 2-  
12 2m.<sup>✓</sup> to pay \$8 times the population of all of the responsible units that are entitled  
13 to that amount, the department shall distribute the funds so that each responsible  
14 unit that would be entitled to \$6 times its population if the per person amount in sub.  
15 (5) (c) 2. 2m.<sup>✓</sup> were \$6 receives \$6 times its population and shall prorate the remaining  
16 funds.

17 History: 1989 a. 335; 1991 a. 39; 1993 a. 16, 75; 1995 a. 27; 1995 a. 227 s. 905; Stats. 1995 s. 287.23; 1997 a. 27, 41.

(END) <sup>✓</sup>

## Nielsen, Paul

---

**From:** Nielsen, Paul  
**Sent:** Thursday, January 07, 1999 9:23 AM  
**To:** Tradewell, Becky  
**Subject:** FW: LRB Draft: 99-1438/P1(Recycling)

FYI. You and I talked about this yesterday...

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

**From:** Nielsen, Paul  
**Sent:** Thursday, January 07, 1999 9:20 AM  
**To:** 'Wong, Manyee'  
**Subject:** RE: LRB Draft: 99-1438/P1(Recycling)

They're not.

What this draft does is applies the \$8 per capita limit to grants paid under the "33% of eligible expenses" formula: the \$8 cap will now apply to both the "66% difference" and the "33% eligible". DNR's comments do not address the current \$8 cap on the 66% eligible (under s. 287.23 (5) (c) 2.).

DNR's suggestion would read "lesser of 66% or \$8, except that if that amount exceeds 33%, then grant is lesser of 33% or \$8". This requires more calculations and seems, to me, more confusing than "greater of 66% or 33%, except that if that amount exceeds \$8, then grant is \$8", as I have written.

Confusing and complicated laws are confusing and complicated, even when well written.

Paul E. Nielsen  
Legislative Attorney  
State of Wisconsin  
(608) 261-6926

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

**From:** Wong, Manyee [mailto:Manyee.Wong@doa.state.wi.us]  
**Sent:** Monday, January 04, 1999 3:37 PM  
**To:** Nielsen, Paul  
**Subject:** FW: LRB Draft: 99-1438/P1(Recycling)

Hi Paul,

The following are comments from DNR regarding draft 1438. Let me know if they are helpful.

Thanks.

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

> **From:** FarnsJ@mail01.dnr.state.wi.us [SMTP:FarnsJ@mail01.dnr.state.wi.us]  
> **Sent:** Wednesday, December 30, 1998 4:46 PM  
> **To:** Manyee.Wong@doa.state.wi.us  
> **Cc:** CurtnK@mail01.dnr.state.wi.us; HenneS@mail01.dnr.state.wi.us;  
> PattoJ@mail01.dnr.state.wi.us  
> **Subject:** RE: LRB Draft: 99-1438/P1(Recycling)

>  
> I have read over the proposed change to the grant formula. While the  
> proposed change would apply a \$8 ceiling to all grantees, I think the new  
> way of expressing the grant formula would be confusing to our grantees. I  
> believe the following would be easier to explain to RU's:

>  
> 287.23 (5) (c)5. If the amount calculated under subd. 2. is less than 33%  
> of eligible expenses, the grant shall equal 33% of eligible expenses or \$8  
> times the population of the responsible unit, whichever is less.

>  
> I have reviewed are 1998 grantees to determine how many would be effected  
> by

> this proposed funding ceiling. We had 118 grantees that received 33%  
> grants  
> . With this change, 79 would receive less, and 39 would not be effected  
> by  
> the new ceiling. These 79 grantees received a total of \$548,373 of  
> additional funding above the \$8 per capita amount (it would have been  
> almost  
> \$1 million, but these grants were subject to proration.)  
>  
> I'm sending you a spreadsheet showing the individual grantees that could  
> be  
> affected and a 1998 RU grants report.  
>  
> Feel free to call at 7-7154 if you have any questions.

>  
>> -----  
>> From: Wong, Manyee[SMTP:Manyee.Wong@doa.state.wi.us]  
>> Sent: Monday, December 28, 1998 11:49 AM  
>> To: 'farnsj@dnr.state.wi.us'  
>> Subject: FW: LRB Draft: 99-1438/P1(Recycling)

>>  
>> <<File: 99-1438P.pdf>>  
>> Hi Jo Anne,  
>>  
>> Here's the draft. Let me know if you have any concerns.

>>  
>>> -----Original Message-----  
>>> From: Frantzen, Jean [SMTP:Jean.Frantzen@legis.state.wi.us]  
>>> Sent: Wednesday, December 23, 1998 8:59 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: 99-1438/P1

>>> Following is the PDF version of draft 99-1438/P1.

>>>  
>>>  
>>> <<99-1438/P1>>  
>>>





State of Wisconsin  
1999 - 2000 LEGISLATURE

LRB-1438/71  
PEN:jlj:jf

DOA:.....Wong - Grants for responsible units

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

1 *do not gen*  
AN ACT ...; relating to: recycling grants for responsible units.

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*Analysis by the Legislative Reference Bureau*  
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15 (5) (c) 2. 2m. were \$6 receives \$6 times its population and shall prorate the remaining  
16 funds.

17 (END)

<sup>(CS)</sup>  
~~1000~~ Note: This draft <sup>(S)</sup> is reconciled with LRB-1438  
LRB-1437/1. Both drafts should appear in the  
compiled bill.



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRB-1438/1  
PEN:jlg:jf

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