

1999 DRAFTING REQUEST

Bill

Received: **01/6/99**

Received By: **kuesejt**

Wanted: **Soon**

Identical to LRB:

For: **Administration-Budget 6-0777**

By/Representing: **Caucutt**

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

Drafter: **kuesejt**

May Contact:

Alt. Drafters:

Subject: **State Government - miscellaneous**

Extra Copies:

Topic:

DOA:.....Caucutt - Repeal recycling procurement requirements

Instructions:

Per LRB - 0401/1.

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>
/?	kuesejt 01/6/99	gilfokm 01/6/99		_____			State
/1			jfrantze 01/7/99	_____	lrb_docadmin 01/7/99		State
/2	kuesejt 01/19/99	chanaman 01/19/99	ismith 01/20/99	_____	lrb_docadmin 01/20/99		State
/3	kuesejt 02/5/99	jgeller 02/5/99	martykr 02/5/99	_____	lrb_docadmin 02/5/99		

FE Sent For:

<END>

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/2	kuesejt 01/19/99	chanaman 01/19/99	ismith 01/20/99	_____	lrb_docadmin 01/20/99		

13
FE Sent For: *kuesejt 2/5* *13 2/5 jlg* *Km 2/5* *Km 2/5*

<END>

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/?	kuesejt 01/6/99	gilfokm 01/6/99		_____			State
1/2	kuesejt 1/19/99	omh 1/19/99	jfrantze 01/7/99	_____	lrb_docadmin 01/7/99		
		1/19 King	IS 1/20/99	ZS/HH 1/20/99			

FE Sent For:

<END>

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By/Representing: **Caucutt**

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May Contact:

Alt. Drafters:

Subject: **State Government - miscellaneous**

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Topic:

DOA:.....Caucutt - Repeal recycling procurement requirements

Instructions:

Per LRB - 0401/1.

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<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
17/1	kuesejt 1/6	1-1-6-99 Kmg	1/7	1/7			

FE Sent For:

<END>

1999 DRAFTING REQUEST

Bill

Received: **09/18/98**

Received By: **kuesejt**

Wanted: **As time permits**

Identical to LRB:

For: **Administration 6-1359**

By/Representing: **Paul McMahon**

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

Drafter: **kuesejt**

May Contact:

Alt. Drafters:

Subject: **State Government - miscellaneous**

Extra Copies: **RCT - 1
MES - 1**

Topic:

Repeal recycling procurement requirements

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>
/?	kuesejt 11/18/98	chanaman 12/2/98		_____			State
/1			hhagen 12/4/98	_____	lrb_docadmin 12/4/98		

FE Sent For:

<END>

1999

Date (time) needed

SOON

LRB - 1618, 1

DOA BUDGET DRAFT

JTK:cmh/kmg

Use the appropriate components and routines developed for bills.

>>FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION<<

AN ACT . . . [DO NOT generate catalog]; relating to: ~~the budget~~
.
.
.
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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**

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

SECTION #.

1999 BILL

1 AN ACT *to repeal* 16.15 (4), 16.72 (2) (e) and (f), 16.72 (6) and (7), 16.75 (8) and
 2 (9), 20.505 (1) (qm) and 66.299 (3) and (4); *to amend* 16.75 (1) (a) 1., 16.75 (6)
 3 (bm), 16.82 (6) and 100.295 (1) of the statutes; and *to affect* 1997 Wisconsin Act
 4 27, section 9410 (5g); *relating to* the state resource recycling and recovery
 5 program and purchase of materials by state agencies, certain state authorities
 6 and local governments made from recycled or recovered materials and
 recyclable or recoverable materials.

Analysis by the Legislative Reference Bureau

This bill deletes requirements for the department of administration (DOA) to submit an annual report to the governor and legislature relating to the state resource recycling and recovery program and to submit an annual report to the recycling market development board regarding DOA's resource recovery and recycling activities. (Under current law, the requirement for the report to the recycling market development board is deleted effective June 30, 2001.) The bill deletes requirements for state agencies other than the University of Wisconsin Hospitals and Clinics Authority to incorporate requirements into purchasing specifications for the purchase of products made from recycled and recovered materials when their use is technically and economically feasible, and to purchase products made from materials that are recyclable or recoverable. The bill deletes a requirement for DOA

(head) STATE GOVERNMENT
 (sub) OTHER STATE GOVERNMENT

(UW/HCA)

BILL

UWHCA

to maintain a clearinghouse of information regarding products made from recycled or recovered materials for purchase by state agencies and authorities. The bill also deletes a requirement for state agencies and authorities, other than the University of Wisconsin Hospitals and Clinics Authority, and for local governments to maximize the purchase of materials utilizing recycled and recovered materials and materials made from materials that are recyclable or recoverable, and specifically to ensure that paper purchased by the agencies, authorities and local governments has an average recycled or recovered content of at least 40%. In addition, the bill repeals an appropriation to DOA from the recycling fund to finance DOA's recycling procurement specifications functions and administration of the recycled materials clearinghouse.

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.** 16.15 (4) of the statutes is repealed.

2 **SECTION 2.** 16.72 (2) (e) and (f) of the statutes are repealed.

3 **SECTION 3.** 16.72 (6) and (7) of the statutes are repealed.

4 **SECTION 4.** 16.75 (1) (a) 1. of the statutes is amended to read:

5 16.75 (1) (a) 1. All orders awarded or contracts made by the department for all
6 materials, supplies, equipment and contractual services to be provided to any
7 agency, except as otherwise provided in par. (c) and subs. (2), (2g), (2m), (3m), (3t),
8 (6), and (7), ~~(8) and (9)~~ and ss. 16.73 (4) (a), 16.754, 50.05 (7) (f), 287.15 (7) and
9 301.265, shall be awarded to the lowest responsible bidder, taking into consideration
10 life cycle cost estimates under sub. (1m), when appropriate, the location of the
11 agency, the quantities of the articles to be supplied, their conformity with the
12 specifications, and the purposes for which they are required and the date of delivery.

13 **SECTION 5.** 16.75 (6) (bm) of the statutes is amended to read:

1 16.75 (6) (bm) If the secretary determines that it is in the best interest of this
2 state to do so, he or she may waive any requirement under subs. (1) to (5) and ss.

BILL

3 16.705 and 16.72 ~~(2) (e) and (f) and~~ (5) with respect to any contract entered into by
4 the department of workforce development under s. 49.143, if the department of
5 workforce development presents the secretary with a process for the procurement of
6 contracts under s. 49.143 and the secretary approves the process.

7 **SECTION 6.** 16.75 (8) and (9) of the statutes are repealed.

8 **SECTION 7.** 16.82 (6) of the statutes is amended to read:

9 16.82 **(6)** May provide any services to a local professional baseball park district
10 created under subch. III of ch. 229, for compensation to be agreed upon between the
11 department and the district, if the district has entered into a lease agreement with
12 the department under sub. (7), except that the department shall not act as a general
13 contractor for any construction work undertaken by the district. No order or contract
14 to provide any such services is subject to s. 16.705, 16.75 (1) to (5) and ~~(8) to~~ (10),
15 16.752, 16.754 or 16.765.

16 **SECTION 8.** 20.505 (1) (qm) of the statutes is repealed. ✓

17 *→ note: bud*
SECTION 9. 66.299 (3) and (4) of the statutes are repealed.

18 **SECTION 10.** 100.295 (1) of the statutes is amended to read:

19 100.295 **(1)** LABELING STANDARDS. The department shall establish standards
20 that must be met by products in order for any person to represent that the products
21 are recycled, recyclable or degradable. The department shall establish standards
22 that are consistent, to the greatest extent practicable, with nationwide industry
23 consensus standards. In developing standards, the department shall consult with
24 the department of natural resources and the council on recycling and consider
25 ~~purchasing specifications under s. 16.72 (2) (e) and (f) and~~ any existing federal
1 standards. The department shall give priority to establishing standards for specific
2 products commonly represented as being recycled, recyclable or degradable.

BILL

3 **SECTION 11.** 1997 Wisconsin Act 27, section 9410 (5g) is amended to read:
4 [1997 Wisconsin Act 27] Section 9410 **(5g)** ELIMINATION OF RECYCLING MARKET
5 DEVELOPMENT BOARD. The treatment of sections 15.07 (1) (b) 19., 15.155 (2), ~~16.72 (7)~~
6 ~~(by SECTION 119d)~~, 20.143 (1) (L) (by SECTION 200d), (st) (by SECTION 204d) and (tm)
7 (by SECTION 205d), 20.923 (4) (a) 4q., 36.25 (30g), 560.031 (by SECTION 4338c), (2), (3)
8 and (4), 560.09 (5) and 560.65 (4) (a) and subchapter III of chapter 287 (by SECTION
9 3620m) of the statutes takes effect on June 30, 2001.

10

(END)

1999

Date (time) needed

DO NOT SOON

LRB - *1618, 2*

JTR : *com/eking*

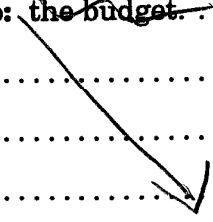
DOA BUDGET DRAFT

Use the appropriate components and routines developed for bills.

>>FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION<<

AN ACT ... [DO NOT generate catalog]; relating to: ~~the budget~~

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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

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

SECTION #.



(DNR)

State of Wisconsin
1999 - 2000 LEGISLATURE

-1618/2
LRB-0401/2
JTK:cmh&kmg:jf

1999 BILL

~~AN ACT to repeal 16.15 (4), 16.72 (6) and (7) and 20.505 (1) (qm); to amend 66.299 (3) (a) 1. and 66.299 (4) of the statutes; and to affect 1997 Wisconsin Act 27, section 9410 (5g); relating to: the state resource recycling and recovery program.~~

SAS GOVERNMENT HEAD
OTHER STATE GOVERNMENT
SUB

Analysis by the Legislative Reference Bureau

This bill deletes requirements for the department of administration (DOA) to submit an annual report to the governor and legislature relating to the state resource recycling and recovery program and to submit an annual report to the recycling market development board regarding DOA's resource recovery and recycling activities. (Under current law, the requirement for the report to the recycling market development board is deleted effective June 30, 2001.) The bill also deletes a requirement for DOA to maintain a clearinghouse of information regarding products made from recycled or recovered materials for purchase by state agencies and authorities. In addition, the bill repeals an appropriation to DOA from the recycling fund to finance DOA's recycling procurement specifications functions and administration of the recycled materials clearinghouse.

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:

BILL

1 SECTION 1. 16.15 (4) of the statutes is repealed. ✓

2 SECTION 2. 16.72 (6) and (7) of the statutes are repealed. ✓ ✓

3 SECTION 3. 20.505 (1) (qm) of the statutes is repealed. ✓

4 → NOTE: BUD
SECTION 4. 66.299 (3) (a) 1. of the statutes is amended to read: ✓

5 66.299 (3) (a) 1. A local governmental unit shall, to the extent practicable, make
6 purchasing selections using specifications developed by state agencies under s. 16.72
7 (2) (e) to maximize the purchase of products utilizing recycled or recovered materials.

8 SECTION 5. 66.299 (4) of the statutes is amended to read: ✓

9 66.299 (4) PURCHASE OF RECYCLABLE MATERIALS. A local governmental unit shall,
10 to the extent practicable, make purchasing selections using specifications prepared
11 by state agencies under s. 16.72 (2) (f).

12 SECTION 6. 1997 Wisconsin Act 27, section 9410 (5g) is amended to read: ✓

13

14 [1997 Wisconsin Act 27] Section 9410 (5g) ELIMINATION OF RECYCLING MARKET
15 DEVELOPMENT BOARD. The treatment of sections 15.07 (1) (b) 19., 15.155 (2), 16.72 (7)
16 (~~by SECTION 119d~~), 20.143 (1) (L) (by SECTION 200d), (st) (by SECTION 204d) and (tm)
17 (by SECTION 205d), 20.923 (4) (a) 4q., 36.25 (30g), 560.031 (by SECTION 4338c), (2), (3)
18 and (4), 560.09 (5) and 560.65 (4) (a) and subchapter III of chapter 287 (by SECTION
19 3620m) of the statutes takes effect on June 30, 2001.

(END)

No (B)

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

1618/204
LRB-0401/204
JTK:kmg:jf

~~January 19, 1999~~

*new
date*

→ Currently, DOA prescribes purchasing specifications for the purchase of products made from recycled and recovered materials and for the purchase of products made from materials that are recyclable or recoverable. These specifications may then be used by other state agencies and by local governments to comply with statutory requirements under ss. 16.72 (2) (e) and (f) and 16.75 (8) and (9) to specify and purchase these products. Under this draft, DOA and state agencies to whom DOA delegates purchasing authority retain the duty to prescribe these specifications and to purchase these products. However, the draft deletes funding for DOA to perform the function of developing specifications other than for itself, the state agencies to whom DOA does not delegate purchasing authority and the state agencies who wish to purchase through DOA. As a result, you indicate that DOA will no longer prescribe these specifications or assist others in doing so for products that DOA does not require for its own purposes. Under current law, local governments are also required to purchase products using the specifications prescribed by DOA. This draft instead requires local governments to use the specifications prescribed by state agencies. The effect of this may be to leave some state agencies and local governments with no one to assist them in prescribing appropriate specifications. This, in turn, will likely result in some variation in the level of compliance with current law. Let me know if this is not in accord with your intent.

Jeffery T. Kuesel
Managing Attorney
266-6778

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1618/2dn
JTK:cmh&kmg:ijs

January 20, 1999

Currently, DOA prescribes purchasing specifications for the purchase of products made from recycled and recovered materials and for the purchase of products made from materials that are recyclable or recoverable. These specifications may then be used by other state agencies and by local governments to comply with statutory requirements under ss. 16.72 (2) (e) and (f) and 16.75 (8) and (9) to specify and purchase these products. Under this draft, DOA and state agencies to whom DOA delegates purchasing authority retain the duty to prescribe these specifications and to purchase these products. However, the draft deletes funding for DOA to perform the function of developing specifications other than for itself, the state agencies to whom DOA does not delegate purchasing authority and the state agencies who wish to purchase through DOA. As a result, you indicate that DOA will no longer prescribe these specifications or assist others in doing so for products that DOA does not require for its own purposes. Under current law, local governments are also required to purchase products using the specifications prescribed by DOA. This draft instead requires local governments to use the specifications prescribed by state agencies. The effect of this may be to leave some state agencies and local governments with no one to assist them in prescribing appropriate specifications. This, in turn, will likely result in some variation in the level of compliance with current law. Let me know if this is not in accord with your intent.

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Managing Attorney
266-6778



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-1618/3
JTK:cmh&kmg:ijs

DOA:.....Caucutt - Repeal recycling procurement requirements

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

1 AN ACT ...; ^{do not gen} relating to: the state resource ~~recycling and recovery~~ program.

Analysis by the Legislative Reference Bureau

STATE GOVERNMENT

OTHER STATE GOVERNMENT

✓ recycling and recycling

This bill deletes requirements for the department of administration (DOA) to submit an annual report to the governor and legislature relating to the state resource ~~recycling and recovery~~ program and to submit an annual report to the recycling market development board regarding DOA's resource recovery and recycling activities. (Under current law, the requirement for the report to the recycling market development board is deleted effective June 30, 2001.) The bill also deletes a requirement for DOA to maintain a clearinghouse of information regarding products made from recycled or recovered materials for purchase by state agencies and authorities. In addition, the bill repeals an appropriation to DOA from the recycling fund to finance DOA's recycling procurement specifications functions and administration of the recycled materials clearinghouse.

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:



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-1618/3
JTK:cmh&kmg:km

DOA:.....Caucutt - Repeal recycling procurement requirements

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