

1999 DRAFTING REQUEST

Assembly Amendment (AA-AB133)

Received: 06/9/99

Received By: grantpr

Wanted: As time permits

Identical to LRB:

For: Legislative Fiscal Bureau 6-8742

By/Representing: Hardy

This file may be shown to any legislator: NO

Drafter: grantpr

May Contact:

Alt. Drafters:

Subject: Higher Education - miscellaneous

Extra Copies: MJL

Pre Topic:

LFB:.....Hardy -

Topic:

Heritage trust program

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>
/?	grantpr 06/9/99	jgeller 06/9/99		_____			
/1			martykr 06/9/99	_____	lrb_docadmin 06/9/99		

FE Sent For:

<END>

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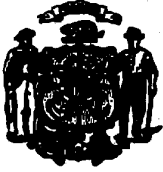
See Attached

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1?	grantpr	1 6/9 jlg	km 6/9	wlj 6/9 km 6/9			

FE Sent For:

<END>

**Legislative Fiscal Bureau**

One East Main, Suite 301 • Madison, WI 53703 • (608) 266-3847 • Fax: (608) 267-6873

Date: 6/9/99

DELIVER TO:

Peter Grant

Addressee Fax #:

48522

Addressee Phone #:

# of Pages, Including Cover:

3

Sender's Initials:

DL & RH

From:

Dave Loppnow and Ruth Hardy

Message:

Peter,

JFC adopted motion 200 relating to the Heritage Trust Fund. I think you and Rick had made good progress on a draft relating to this (LRB-1168/P4). One comment on that draft as it relates to the bonding authorization: to be consistent, I think the bonding appropriation should have the phrase: "The state may contract public debt in an amount not to exceed \$20,000,000 for the purpose." inserted on p 2, l 16. But maybe you've already done this!

Thanks,  
Dave and Ruth

Senator Jauch

**HISTORICAL SOCIETY**

**Heritage Trust Program**

**Motion:**

Move to create a heritage trust program. Specify that the legislature determines that the provision of assistance by the state under this program and the awarding of grants to the Wisconsin Trust for Historic Preservation serve a statewide public purpose by assisting in the protection, restoration and rehabilitation of property located in this state that is significant in the history, prehistory, architecture, archeology or culture of this state, its rural and urban communities or the nation.

Provide general obligation bonding for the Society to award grants under the heritage trust program. Provide that the total amount of debt authorized may not exceed \$2,000,000 prior to July 1, 2000, and an additional \$2,000,000 annually until June 30, 2009. The total amount of general fund supported bonding authorized may not exceed \$20,000,000. Create a sum sufficient GPR appropriation under the Society's historic and burial sites preservation program for the principal and interest costs incurred in financing the grants and to make the payments, if needed, to comply with federal requirements relating to arbitrage. Estimated funding for this purpose would be \$50,000 GPR in 2000-01. Provide that the Society may not award a grant under this program after June 30, 2010.

Provide \$25,000 GPR in 1999-00 and \$50,000 GPR in 2000-01 and 1.0 GPR position beginning on January 1, 2000, in the appropriation for historic and burial sites preservation program general program operations, for the performance of services for the heritage trust program.

*Grants to Governmental Units and Nonprofit Organizations.* Require the Society to award grants to state agencies, local governmental units and nonprofit organizations for historic preservation. Require a grant recipient to provide matching funds equal to 25% of the amount of the grant, except that the Society may require a recipient to provide matching funds equal to a higher percentage. Require the Society to ensure that all grant recipients comply with federal standards for rehabilitation. Permit the Society to award up to \$1,000,000 in grants for this purpose in 2000-01 and up to \$1,500,000 in grants in each of the nine succeeding fiscal years, except that if the Society awards less than the maximum amount allowed in any fiscal year the maximum amount allowed in the succeeding fiscal year would be increased by an amount equal to the difference between the amount awarded in the current fiscal year and the maximum amount allowed in the current fiscal year.

*Grants to the Wisconsin Trust for Historic Preservation.* Require the Society to annually

award a grant to the Trust. Require that the amount of the grant be \$1,000,000 in 2000-01 and \$500,000 in each of the nine succeeding fiscal years. Provide that the Society may only award a grant to the Trust if the following conditions are satisfied: (a) the 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, it is required in good faith to take all reasonable measures to ensure that all moneys paid to the Trust under this program revert to the state; and (b) the Trust provides public access to any meeting held for the purpose of deliberations regarding the awarding of grants under the program, to the same extent as is required of, and subject to the same terms and enforcement provisions that apply to, a governmental body under state law.

Require the Trust to ensure that all grant recipients comply with federal standards for rehabilitation. Require the Trust to contract with an independent certified public accountant to biennially audit the endowment fund and submit a detailed report of the audit to the Governor and the Joint Finance Committee within 30 days after the completion of each audit.

Provide that the moneys received under this program would constitute an endowment fund. Require that the Trust use the earnings of the endowment fund for the following purposes: (a) to award grants to state agencies, local governmental units and nonprofit organizations for historic preservation, including historic preservation to commemorate the 200<sup>th</sup> anniversary of Wisconsin statehood. Require a grant recipient to provide matching funds equal to 25% of the amount of the grant, except that the Trust may require a recipient to provide matching funds equal to a higher percentage; and (b) to temporarily acquire historic property for the purpose of historic preservation.

Repeal the humanities grants program, which provided funds in the 1989-91 biennium to a nonprofit corporation that supports and conducts public humanities programming.

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Note:

This motion would provide a total of \$20,000,000 in general fund supported, general obligation bonding, authorized beginning in 1999-00 at \$2,000,000 and increased incrementally by \$2,000,000 annually until 2008-09. The motion would authorize the Historical Society to award grants from the proceeds of these bonds beginning in 2000-01, as described above. Finally, the motion would provide the Society with \$25,000 GPR in 1999-00 and \$50,000 GPR in 2000-01 and 1.0 GPR position beginning January 1, 2000, for the administration of the grant program and an estimated \$50,000 GPR in 2000-01 for debt service costs.

[Change to Base and Bill: \$20,000,000 BR, \$125,000 GPR and 1.0 GPR position]

6/9/99

at LFB  
called Ruth Hanes / & asked her  
whether the open meetings requirements  
should apply to the trust when they  
it holds meetings about property  
acquisition (in addition to when the  
meeting is about awarding grants).

Sam-gauch's wife had said yes when  
I asked that question in my  
DN on -1168/99, but had said  
not to ~~redraft~~ redraft them, because there  
would likely be other changes coming.

They never gave Ruth the DN, so  
her notes does not mention it -

so Ruth instructed me not to include it  
in the amendment.

1999

Date (time) needed SOON

LRB b 0601, 1

**LFB BUDGET AMENDMENT  
[ONLY FOR LFB]**

PK & RAC : jlg :

See form **AMENDMENTS — COMPONENTS & ITEMS.**

**LFB AMENDMENT  
TO 1999 ASSEMBLY BILL 133 AND 1999 SENATE BILL 45**

>>FOR JT. FIN. SUB. — NOT FOR INTRODUCTION<<

At the locations indicated, amend the bill as follows:

#. Page 390, line 25 <sup>25</sup> after that line insert :

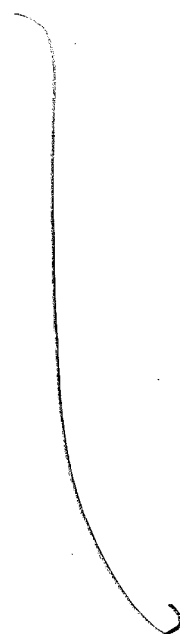
~~#. Page . . . . ., line . . . . .:~~

~~#. Page . . . . ., line . . . . .:~~

~~#. Page . . . . ., line . . . . .:~~

~~#. Page . . . . ., line . . . . .:~~

~~#. Page . . . . ., line . . . . .:~~



PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1 **AN ACT to repeal** 20.245 (4) (f) and 44.08; **to amend** 20.866 (1) (u); and **to create**  
 2 20.245 (3) (e), 20.866 (2) (zfm) and 44.49 of the statutes; **relating to:**  
 3 authorizing the state historical society to award grants for the preservation of  
 4 historic property, granting bonding authority and making appropriations.

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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.

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

5 " SECTION 1. 20.245 (3) (e) of the statutes is created to read:  
 6 20.245 (3) (e) *Principal repayment, interest and rebates.* A sum sufficient to  
 7 reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred  
 8 in financing the grants under s. 44.49, and to make the payments determined by the  
 9 building commission under s. 13.488 (1) (m) that are attributable to the proceeds of  
 10 obligations incurred in financing the grants under s. 44.49.



247 ← ③

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

2 SECTION 3. 20.866 (1) (u) of the statutes is amended to read:

3 ~~20.866 (1) (u) Principal repayment and interest. A sum sufficient from moneys~~  
 4 ~~appropriated under sub. (2) (zp) and ss. 20.115 (2) (d) and (7) (f), 20.190 (1) (c), (d),~~  
 5 ~~(i) and (j), 20.225 (1) (c), 20.245 (1) (e), (2) (e) and (j), (3) (e), (4) (e) and (5) (e), 20.250~~  
 6 ~~(1) (e), 20.255 (1) (d), 20.275 (1) (er), (es), (h) and (hb), 20.285 (1) (d), (db), (fh), (ih)~~  
 7 ~~and (kd) and (5) (i), 20.320 (1) (c) and (t) and (2) (c), 20.370 (7) (aa), (ac), (aq), (ar), (at),~~  
 8 ~~(ba), (ca), (cb), (cc), (cd), (ce), (ea), (eq) and (er), 20.395 (6) (aq) and (ar), 20.410 (1) (e),~~  
 9 ~~(ec) and (ko) and (3) (e), 20.435 (2) (ee) and (6) (e), 20.465 (1) (d), 20.485 (1) (f) and~~  
 10 ~~(go), (3) (t) and (4) (qm), 20.505 (5) (c), (g) and (kc) and 20.867 (1) (a) and (b) and (3)~~  
 11 ~~(a), (b), (g), (h), (i) and (q) for the payment of principal and interest on public debt~~  
 12 ~~contracted under subchs. I and IV of ch. 18.~~

INS  
2-  
12-13

641 ← ③

13 SECTION 4. 20.866 (2) (zfm) of the statutes is created to read:

14 20.866 (2) (zfm) *Historical society; heritage trust program.* From the capital  
 15 improvement fund, a sum sufficient for the historical society to award grants under  
 16 s. 44.49. The total amount of debt authorized under this paragraph may not exceed  
 17 the following amounts on the following dates:

- 18 1. Prior to July 1, 2000, \$2,000,000.
- 19 2. July 1, 2000, to June 30, 2001, \$4,000,000.
- 20 3. July 1, 2001, to June 30, 2002, \$6,000,000.
- 21 4. July 1, 2002, to June 30, 2003, \$8,000,000.
- 22 5. July 1, 2003, to June 30, 2004, \$10,000,000.
- 23 6. July 1, 2004, to June 30, 2005, \$12,000,000.
- 24 7. July 1, 2005, to June 30, 2006, \$14,000,000.
- 25 8. July 1, 2006, to June 30, 2007, \$16,000,000.

③ The state may contract public debt in an amount not to exceed \$20,000,000 for this purpose.

1 9. July 1, 2007, to June 30, 2008, \$18,000,000.

2 10. July 1, 2008, to June 30, 2009, \$20,000,000.

3 → #. Page 561, line 20: after that line insert:  
SECTION 4. 44.08 of the statutes is repealed. ) ✓

4 → #. Page 562, line 2: after that line insert:  
SECTION 4. 44.49 of the statutes is created to read:  
946m ← ③

5 **44.49 Heritage trust program.** (1) PURPOSE. The legislature determines  
6 that the provision of assistance by the state under this section and the awarding of  
7 grants to the Wisconsin Trust for Historic Preservation under this section serve a  
8 statewide public purpose by assisting in the protection, restoration and  
9 rehabilitation of property located in this state that is significant in the history,  
10 prehistory, architecture, archaeology or culture of this state, its rural and urban  
11 communities or the nation.

12 (2) DEFINITIONS. In this section:

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

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

15 (3) GRANTS TO GOVERNMENTAL UNITS AND NONPROFIT ORGANIZATIONS. (a) From the  
16 appropriation under s. 20.866 (2) (zfm), the state historical society shall award  
17 grants to state agencies, local governmental units and nonprofit organizations for  
18 historic preservation. A grant recipient shall provide matching funds equal to 25%  
19 of the amount of the grant, except that the state historical society may require a  
20 recipient to provide matching funds equal to a higher percentage.

21 (b) The state historical society shall ensure that all grant recipients under par.

22 (a) comply with the standards for rehabilitation in 36 CFR 67.7.

23 (c) The state historical society may award up to \$1,000,000 in grants under par.

24 (a) in the 2000-01 fiscal year and up to \$1,500,000 in grants under par. (a) in each  
25 of the 9 succeeding fiscal years, except that if the state historical society awards less

1 than the maximum amount allowed in any fiscal year the maximum amount allowed  
2 in the succeeding fiscal year is increased by an amount equal to the difference  
3 between the amount awarded in the current fiscal year and the maximum amount  
4 allowed in the current fiscal year.

5 (4) GRANTS TO THE TRUST. (a) Subject to par. (b), the state historical society  
6 annually shall award a grant to the trust from the appropriation under s. 20.866 (2)  
7 (zfm). In the 2000–01 fiscal year, the amount of the grant shall be \$1,000,000. In  
8 each of the 9 succeeding fiscal years, the amount of the grant shall be \$500,000.

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

11 1. The bylaws of the trust state that the purpose of the trust is to develop and  
12 support statewide initiatives promoting historic preservation and that, if the trust  
13 dissolves, the trust shall in good faith take all reasonable measures to ensure that  
14 all moneys paid to the trust under this subsection revert to the state.

15 2. The trust provides public access to any meeting held for the purpose of  
16 deliberations regarding the awarding of grants under par. (c) 1. to the same extent  
17 as is required of, and subject to the same terms and enforcement provisions that  
18 apply to, a governmental body under subch. V of ch. 19.

19 (c) The moneys received under par. (a) shall constitute an endowment fund.  
20 The trust shall use the earnings of the endowment fund for the following purposes:

21 1. To award grants to state agencies, local governmental units and nonprofit  
22 organizations for historic preservation, including historic preservation to  
23 commemorate the 200th anniversary of Wisconsin statehood. A grant recipient shall  
24 provide matching funds equal to 25% of the amount of the grant, except that the trust  
25 may require a recipient to provide matching funds equal to a higher percentage.

1           2. To temporarily acquire historic property for the purpose of historic  
2 preservation.

3           (d) The trust shall comply, and shall ensure that all grant recipients under par.

4 (c) 1. comply, with the standards for rehabilitation in 36 CFR 67.7.

5           (e) The trust shall contract with an independent certified public accountant to  
6 biennially audit the endowment fund. Within 30 days after the completion of each  
7 audit, the trust shall submit a detailed report of the audit to the governor and the  
8 joint committee on finance.

9           (5) SUNSET. The state historical society may not award a grant under this  
10 section after June 30, 2010.       >) ✓

**SECTION 7. Appropriation changes; historical society.**

(1) In the schedule under section 20.005 (3) of the statutes for the appropriation  
to the state historical society under section 20.245 (3) (a) of the statutes, as affected  
by the acts of 1999, the dollar amount is increased by \$100,000 for fiscal year 1999-00  
and the dollar amount is increased by \$100,000 for fiscal year 2000-01 to increase  
the authorized FTE positions for the historical society by 1.0 GRP position for the  
performance of services for the heritage trust program.

**SECTION 8. Effective date.**

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

(END)

2-12

474

# Page 474, line 3: after "(e) and  
(j)," insert "(3)(e)," ✓

# Page 478, line 20: after that  
line insert:

(end ins)



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRBb0601/1  
PG&RAC;jlg:km

LFB:.....Hardy - Heritage trust program

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

**LFB AMENDMENT**

**TO 1999 ASSEMBLY BILL 133 AND 1999 SENATE BILL 45**

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 390, line 25: after that line insert:

3 “SECTION 247g. 20.245 (3) (e) of the statutes is created to read:

4 20.245 (3) (e) *Principal repayment, interest and rebates.* A sum sufficient to  
5 reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred  
6 in financing the grants under s. 44.49, and to make the payments determined by the  
7 building commission under s. 13.488 (1) (m) that are attributable to the proceeds of  
8 obligations incurred in financing the grants under s. 44.49.

9 SECTION 247r. 20.245 (4) (f) of the statutes is repealed.”.

10 **2.** Page 474, line 3: after “(e) and (j),” insert “(3) (e).”.

11 **3.** Page 478, line 20: after that line insert:

1           **“SECTION 641m.** 20.866 (2) (zfm) of the statutes is created to read:

2           20.866 (2) (zfm) *Historical society; heritage trust program.* From the capital  
3 improvement fund, a sum sufficient for the historical society to award grants under  
4 s. 44.49. The state may contract public debt in an amount not to exceed \$20,000,000  
5 for this purpose. The total amount of debt authorized under this paragraph may not  
6 exceed the following amounts on the following dates:

- 7           1. Prior to July 1, 2000, \$2,000,000.  
8           2. July 1, 2000, to June 30, 2001, \$4,000,000.  
9           3. July 1, 2001, to June 30, 2002, \$6,000,000.  
10          4. July 1, 2002, to June 30, 2003, \$8,000,000.  
11          5. July 1, 2003, to June 30, 2004, \$10,000,000.  
12          6. July 1, 2004, to June 30, 2005, \$12,000,000.  
13          7. July 1, 2005, to June 30, 2006, \$14,000,000.  
14          8. July 1, 2006, to June 30, 2007, \$16,000,000.  
15          9. July 1, 2007, to June 30, 2008, \$18,000,000.  
16          10. July 1, 2008, to June 30, 2009, \$20,000,000.”.

17          **4.** Page 561, line 20: after that line insert:

18          **“SECTION 945m.** 44.08 of the statutes is repealed.”.

19          **5.** Page 562, line 2: after that line insert:

20          **“SECTION 946m.** 44.49 of the statutes is created to read:

21          **44.49 Heritage trust program. (1) PURPOSE.** The legislature determines  
22 that the provision of assistance by the state under this section and the awarding of  
23 grants to the Wisconsin Trust for Historic Preservation under this section serve a  
24 statewide public purpose by assisting in the protection, restoration and

1 rehabilitation of property located in this state that is significant in the history,  
2 prehistory, architecture, archaeology or culture of this state, its rural and urban  
3 communities or the nation.

4 (2) DEFINITIONS. In this section:

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

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

7 (3) GRANTS TO GOVERNMENTAL UNITS AND NONPROFIT ORGANIZATIONS. (a) From the  
8 appropriation under s. 20.866 (2) (zfm), the state historical society shall award  
9 grants to state agencies, local governmental units and nonprofit organizations for  
10 historic preservation. A grant recipient shall provide matching funds equal to 25%  
11 of the amount of the grant, except that the state historical society may require a  
12 recipient to provide matching funds equal to a higher percentage.

13 (b) The state historical society shall ensure that all grant recipients under par.

14 (a) comply with the standards for rehabilitation in 36 CFR 67.7.

15 (c) The state historical society may award up to \$1,000,000 in grants under par.

16 (a) in the 2000–01 fiscal year and up to \$1,500,000 in grants under par. (a) in each  
17 of the 9 succeeding fiscal years, except that if the state historical society awards less  
18 than the maximum amount allowed in any fiscal year the maximum amount allowed  
19 in the succeeding fiscal year is increased by an amount equal to the difference  
20 between the amount awarded in the current fiscal year and the maximum amount  
21 allowed in the current fiscal year.

22 (4) GRANTS TO THE TRUST. (a) Subject to par. (b), the state historical society  
23 annually shall award a grant to the trust from the appropriation under s. 20.866 (2)  
24 (zfm). In the 2000–01 fiscal year, the amount of the grant shall be \$1,000,000. In  
25 each of the 9 succeeding fiscal years, the amount of the grant shall be \$500,000.



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

3 1. The bylaws of the trust state that the purpose of the trust is to develop and  
4 support statewide initiatives promoting historic preservation and that, if the trust  
5 dissolves, the trust shall in good faith take all reasonable measures to ensure that  
6 all moneys paid to the trust under this subsection revert to the state.

7 2. The trust provides public access to any meeting held for the purpose of  
8 deliberations regarding the awarding of grants under par. (c) 1. to the same extent  
9 as is required of, and subject to the same terms and enforcement provisions that  
10 apply to, a governmental body under subch. V of ch. 19.

11 (c) The moneys received under par. (a) shall constitute an endowment fund.  
12 The trust shall use the earnings of the endowment fund for the following purposes:

13 1. To award grants to state agencies, local governmental units and nonprofit  
14 organizations for historic preservation, including historic preservation to  
15 commemorate the 200th anniversary of Wisconsin statehood. A grant recipient shall  
16 provide matching funds equal to 25% of the amount of the grant, except that the trust  
17 may require a recipient to provide matching funds equal to a higher percentage.

18 2. To temporarily acquire historic property for the purpose of historic  
19 preservation.

20 (d) The trust shall comply, and shall ensure that all grant recipients under par.  
21 (c) 1. comply, with the standards for rehabilitation in 36 CFR 67.7.

22 (e) The trust shall contract with an independent certified public accountant to  
23 biennially audit the endowment fund. Within 30 days after the completion of each  
24 audit, the trust shall submit a detailed report of the audit to the governor and the  
25 joint committee on finance.

