

**2001 DRAFTING REQUEST**

**Bill**

Received: 09/13/2000

Received By: traderc

Wanted: As time permits

Identical to LRB:

For: Administration-Budget

By/Representing: Wong

This file may be shown to any legislator: NO

Drafter: traderc

May Contact:

Alt. Drafters:

Subject: Environment - water quality

Extra Copies: DNR

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**Pre Topic:**

DOA:.....Wong -

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**Topic:**

Reduce Wisconsin fund bonding

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**Instructions:**

See Attached

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/P1	traderc 09/15/2000	hhagen 09/15/2000	martykr 09/18/2000	_____	lrb_docadmin 09/18/2000		
/1	traderc 09/21/2000	hhagen 09/22/2000	martykr 09/22/2000	_____	lrb_docadmin 09/22/2000		

FE Sent For:

<END>

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Subject: Environment - water quality

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#### Pre Topic:

DOA:.....Wong -

#### Topic:

*Reduce*  
~~Eliminate~~ Wisconsin fund bonding

#### 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>
/P1	traderc 09/15/2000	hhagen 09/15/2000	martykr 09/18/2000	_____	lrb_docadmin 09/18/2000		

FE Sent For: *11 hach 9/21/00*  
*1 jld 9/22* *2m 9/22* *Self 9/22*  
 <END>

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Subject: Environment - water quality

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Pre Topic:

DOA:.....Wong -

Topic:

Eliminate Wisconsin fund bonding

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>
/?	traderc	hwh 9/15/2000 jld 9/15	km 2/18	jld 9/18 km 18			

FE Sent For:

<END>

RC7

**2001-2003 Statutory Language Proposals**

Division: CUSTOMER ASSISTANCE AND EXTERNAL RELATIONS

Bureau: COMMUNITY FINANCIAL ASSISTANCE

Issue/Topic: ELIMINATE WISCONSIN FUND BONDING

Proposed Change: Eliminate s. 20.866(2)(tn) Natural resources; pollution abatement and sewage collection facilities.

Explanatory Note: The Wisconsin Fund program operated from 1977-1990 to provide grants for construction of municipal wastewater projects. Although the program ended in 1990, there remains some amount of residual bonding authorization. Recently, several projects have been funded by this residual authority via special legislation.

The Governor's veto message for the 1999-01 biennial budget indicated a need to eliminate the residual bonding in order to prevent future efforts to use this authority for new initiatives.

Desired Effective Date: Upon passage of the budget

Contact Person: Joy Stewart, 266-2159  
Robert Ramharter, 266-3915



State of Wisconsin  
2001 - 2002 LEGISLATURE

LRB-0285/P1

SOON

RCT:m:....  
nmh  
JLD  
MNote

DOA:.....Wong – Eliminate Wisconsin fund bonding

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

~~solid~~ solid  
Environment ← head  
(sub) Water Quality

Do Not Gen.

1 AN ACT ...; relating to: the budget. ✓

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

This state formerly provided grants to communities for sewage treatment plants and related projects under a program commonly known as the Wisconsin Fund. The Wisconsin Fund law provides that no grants may be made after July 1, 1990. Funding for the Wisconsin Fund included general obligation bonding not to exceed \$902,449,800. Statutes were passed authorizing the use, during the 1997-99 and 1999-~~2001~~<sup>2000</sup> fiscal biennia, of some of the Wisconsin Fund bonding for loans for sewage treatment and drinking water projects. This bill repeals the bonding authorization for the Wisconsin Fund program.

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

2 SECTION 1. 20.866 (2) (tc) of the statutes is amended to read:  
3 20.866 (2) (tc) *Clean water fund program.* From the capital improvement fund,  
4 a sum sufficient for the purposes of s. 281.57 (10m) and (10r) and to be transferred  
5 to the environmental improvement fund for the purposes of the clean water fund

1 program under ss. 281.58 and 281.59. The state may contract public debt in an  
 2 amount not to exceed \$552,743,200 for this purpose. Of this amount, the amount  
 3 needed to meet the requirements for state deposits under 33 USC 1382 is allocated  
 4 for those deposits. Of this amount, \$8,250,000 is allocated to fund the minority  
 5 business development and training program under s. 200.49 (2) (b). Moneys from  
 6 this appropriation account may be expended for the purposes of s. 281.57 (10m) and  
 7 (10r) only in the amount by which the department of natural resources and the  
 8 department of administration determine that moneys available under ~~par. s. 20.866~~  
 9 (2) (tn), <sup>9</sup>1997 stats., are insufficient for the purposes of s. 281.57 (10m) and (10r).

History: 1971 c. 42; 1971 c. 100 s. 23; 1971 c. 125, 211, 215, 236, 307, 330, 336; 1973 c. 90 ss. 148 to 149m, 555m (2); 1973 c. 333; 1975 c. 26, 39, 40, 41, 200, 224, 422; 1977 c. 4, 6; 1977 c. 29 ss. 385 to 387, 1650m (4), 1656 (43); 1977 c. 418; 1979 c. 4; 1979 c. 34 ss. 675a to 677v, 2102 (6) (a), (39) (a), (52) (a); 1979 c. 107, 221; 1981 c. 1 ss. 17, 18, 47; 1981 c. 20, 108, 317, 336; 1983 a. 27; 1983 a. 36 s. 96 (4); 1983 a. 97, 192, 195, 212; 1983 a. 410 s. 2202 (2); 1985 a. 6; 1985 a. 8 ss. 4, 12; 1985 a. 29 ss. 589m to 598, 3202 (23) (c), (26) (a), (53) (a); 1985 a. 77, 120, 332; 1987 a. 27, 295, 298, 399, 403, 409; 1989 a. 31, 46, 107, 122, 219, 336, 359, 366; 1991 a. 39, 51, 269, 309, 324; 1993 a. 2, 16, 98, 115, 213, 343, 377, 413, 437, 453, 485; 1995 a. 27 ss. 1159 to 1168s, 9126 (19), 9145 (1); 1995 a. 40, 57, 60, 113; 1995 a. 216 s. 30m and 9127; 1995 a. 227, 246, 372, 388, 416, 452; 1997 a. 27, 35, 61, 164, 237, 252; 1999 a. 4, 9, 146; 1999 a. 150 s. 672; 1999 a. 184.

10 SECTION 2. 20.866 (2) (tn) of the statutes is repealed.

11 SECTION 3. 281.57 (4) (c) 4. of the statutes is amended to read:

12 281.57 (4) (c) 4. Engineering design cost grants made from the appropriation

13 under s. 20.866 (2) (tn), <sup>9</sup>1997 stats., shall be awarded at the time a construction grant  
 14 is awarded and may be awarded only if an advance commitment for reimbursement  
 15 is made under sub. (9m).

History: 1977 c. 418; 1979 c. 34 ss. 976g to 976wd, 2102 (39) (g); 1979 c. 221 ss. 626 to 626y, 2200 (20), 2202 (39); 1981 c. 1, 20, 174; 1983 a. 27; 1985 a. 29 ss. 1935 to 1938, 3202 (39); 1985 a. 120; 1987 a. 27, 399; 1989 a. 31, 336, 366; 1991 a. 39, 315; 1995 a. 27; 1995 a. 227 s. 424; Stats. 1995 s. 281.57; 1997 a. 27; 1999 a. 9; 1999 a. 150 s. 672.

16 SECTION 4. 281.57 (9m) (intro.) of the statutes is amended to read:

17 281.57 (9m) ADVANCE COMMITMENTS FOR REIMBURSEMENT OF ENGINEERING DESIGN

18 COSTS. (intro.) The department may make an advance commitment to a municipality  
 19 for the reimbursement of engineering design costs from funds appropriated under

20 s. 20.866 (2) (tn), <sup>9</sup>1997 stats., subject to all of the following requirements:

History: 1977 c. 418; 1979 c. 34 ss. 976g to 976wd, 2102 (39) (g); 1979 c. 221 ss. 626 to 626y, 2200 (20), 2202 (39); 1981 c. 1, 20, 174; 1983 a. 27; 1985 a. 29 ss. 1935 to 1938, 3202 (39); 1985 a. 120; 1987 a. 27, 399; 1989 a. 31, 336, 366; 1991 a. 39, 315; 1995 a. 27; 1995 a. 227 s. 424; Stats. 1995 s. 281.57; 1997 a. 27; 1999 a. 9; 1999 a. 150 s. 672.

21 SECTION 5. 281.57 (10) of the statutes is amended to read:

1           281.57 (10) EXPENDITURE AUTHORIZATION. The department may expend, from  
2           the appropriation under s. 20.866 (2) (tn), <sup>9</sup>~~1997~~ stats., the total amount which is  
3           authorized under that paragraph to be contracted for public debt and has not been  
4           expended, for new grants under this section for engineering design costs,  
5           construction costs and other costs which can be funded from bond revenue.

**History:** 1977 c. 418; 1979 c. 34 ss. 976g to 976wd, 2102 (39) (g); 1979 c. 221 ss. 626 to 626y, 2200 (20), 2202 (39); 1981 c. 1, 20, 174; 1983 a. 27; 1985 a. 29 ss. 1935 to 1938, 3202 (39); 1985 a. 120; 1987 a. 27, 399; 1989 a. 31, 336, 366; 1991 a. 39, 315; 1995 a. 27; 1995 a. 227 s. 424; Stats. 1995 s. 281.57; 1997 a. 27; 1999 a. 9; 1999 a. 150 s. 672.

6

(END)

DNote

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

LRB-0285/P1dn

RCT:ps...

hand  
of  
jld

DATE

I am not certain that it is appropriate to repeal a bonding appropriation while there are still bonds outstanding. An alternative might be to reduce the amount authorized to eliminate any unused bonding authority. I suggest that you discuss this issue with individuals in the DOA capital finance office.

Rebecca C. Tradewell  
Managing Attorney  
Phone: (608) 266-7290  
E-mail: [becky.tradewell@legis.state.wi.us](mailto:becky.tradewell@legis.state.wi.us)



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

LRB-0285/P1dn  
RCT:hmh&jld:km

September 18, 2000

I am not certain that it is appropriate to repeal a bonding appropriation while there are still bonds outstanding. An alternative might be to reduce the amount authorized to eliminate any unused bonding authority. I suggest that you discuss this issue with individuals in the DOA capital finance office.

Rebecca C. Tradewell  
Managing Attorney  
Phone: (608) 266-7290  
E-mail: [becky.tradewell@legis.state.wi.us](mailto:becky.tradewell@legis.state.wi.us)

10285

**Tradewell, Becky**

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**From:** Stewart, Joy L  
**Sent:** Thursday, September 21, 2000 1:38 PM  
**To:** Tradewell, Becky  
**Cc:** Felker-Donsing, Susan; Montour, Bridget C.; Czeshinski, Alan L; Stewart, Joy L  
**Subject:** Corrected Statutory Language: #55--Eliminate WI Fund Bonding

Here is the corrected statutory language for item #55, Eliminate Wisconsin Fund Bonding, which I discussed with you on Monday this week. Our original draft eliminated the entire section of the statutes. Instead we should have modified the total spending authority. The attached language does the latter.

Thank you for your patience on this (& also for all the help everyone over here provided to get this corrected).



CF SL--Eliminate WI  
Fund Bondl...

## 2001-2003 Statutory Language Proposals

Division: CUSTOMER ASSISTANCE AND EXTERNAL RELATIONS

Bureau: COMMUNITY FINANCIAL ASSISTANCE

Issue/Topic: ELIMINATE WISCONSIN FUND BONDING

Proposed Change: Reduce the expenditure cap on appropriation 20.866(2)(tn) Natural resources; pollution abatement and sewage collection facilities.

s. 20.866(2)(tn) specifies that the "...state may contract public debt in an amount not to exceed \$902,449,800 for this purpose." The spending authority needs to be lowered to \$893,493,400. This dollar amount is equal to all commitments made to date (through the 1999-01 budget process) and leaves no uncommitted, residual authority.

Explanatory Note: The Wisconsin Fund program operated from 1977-1990 to provide grants for construction of municipal wastewater projects. Although the program ended in 1990, there remains some amount of residual bonding authorization. Recently, several projects have been funded by this residual authority via special legislation.

The Governor's veto message for the 1999-01 biennial budget indicated a need to eliminate the residual bonding in order to prevent future efforts to use this authority for new initiatives.

Desired Effective Date: Upon passage of the budget

Contact Person: Joy Stewart, 266-2159  
Robert Ramharter, 266-3915



State of Wisconsin  
2001 - 2002 LEGISLATURE

SOAV

LRB-0285/11  
RCT:hmh&jld:km

*Reduce* *I changed this already*

*RMR*

DOA:.....Wong - ~~Eliminate~~ Wisconsin fund bonding

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

*Do Not Gen*

1 AN ACT ...; relating to: the budget.

*Analysis by the Legislative Reference Bureau*

✓ ENVIRONMENT

✓ WATER QUALITY

This state formerly provided grants to communities for sewage treatment plants and related projects under a program commonly known as the Wisconsin Fund. The Wisconsin Fund law provides that no grants may be made after July 1, 1990. Funding for the Wisconsin Fund included general obligation bonding not to exceed \$902,449,800. Statutes were passed authorizing the use, during the 1997-99 and 1999-2001 fiscal biennia, of some of the Wisconsin Fund bonding for loans for sewage treatment and drinking water projects. This bill repeals the bonding authorization for the Wisconsin Fund program. *to \$893,493,400*

*reduce*

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

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

3 20.866 (2) (tc) ~~Clean water fund program.~~ From the capital improvement fund,  
4 a sum sufficient for the purposes of s. 281.57 (10m) and (10r) and to be transferred

**SECTION 1**

1 to the environmental improvement fund for the purposes of the clean water fund  
2 program under ss. 281.58 and 281.59. The state may contract public debt in an  
3 amount not to exceed \$552,743,200 for this purpose. Of this amount, the amount  
4 needed to meet the requirements for state deposits under 33 USC 1382 is allocated  
5 for those deposits. Of this amount, \$8,250,000 is allocated to fund the minority  
6 business development and training program under s. 200.49 (2) (b). Moneys from  
7 this appropriation account may be expended for the purposes of s. 281.57 (10m) and  
8 (10r) only in the amount by which the department of natural resources and the  
9 department of administration determine that moneys available under ~~par. s. 20.866~~  
10 (2) (tn), 1999 stats., are insufficient for the purposes of s. 281.57 (10m) and (10r).

11 ~~SECTION 2. 20.866 (2) (tn) of the statutes is repealed.~~

12 ~~SECTION 3. 281.57 (4) (c) 4. of the statutes is amended to read:~~

13 ~~281.57 (4) (c) 4. Engineering design cost grants made from the appropriation~~  
14 ~~under s. 20.866 (2) (tn), 1999 stats., shall be awarded at the time a construction grant~~  
15 ~~is awarded and may be awarded only if an advance commitment for reimbursement~~  
16 ~~is made under sub. (9m).~~

17 ~~SECTION 4. 281.57 (9m) (intro.) of the statutes is amended to read:~~

18 ~~281.57 (9m) ADVANCE COMMITMENTS FOR REIMBURSEMENT OF ENGINEERING DESIGN~~  
19 ~~COSTS. (intro.) The department may make an advance commitment to a municipality~~  
20 ~~for the reimbursement of engineering design costs from funds appropriated under~~  
21 ~~s. 20.866 (2) (tn), 1999 stats., subject to all of the following requirements:~~

22 ~~SECTION 5. 281.57 (10) of the statutes is amended to read:~~

23 ~~281.57 (10) EXPENDITURE AUTHORIZATION. The department may expend, from~~  
24 ~~the appropriation under s. 20.866 (2) (tn), 1999 stats., the total amount which is~~  
25 ~~authorized under that paragraph to be contracted for public debt and has not been~~

1 ~~expended, for new grants under this section for engineering design costs,~~  
2 ~~construction costs and other costs which can be funded from bond revenue.~~

3

(END)

Insert

- 0285/1

x  
Section #. 20.866 (2) (tn) of the statutes is amended to read:

20.866 (2) (tn) *Natural resources; pollution abatement and sewage collection facilities.* From the capital improvement fund, a sum sufficient to the department of natural resources to acquire, construct, develop, enlarge or improve point source water pollution abatement facilities and sewage collection facilities under s. 281.57 and to upgrade or replace a drinking water treatment plant under s. 281.57 (10t) including eligible engineering design costs. Payments may be made from this appropriation for capital improvement expenditures and encumbrances authorized under s. 281.57 before July 1, 1990, except for reimbursements made under s. 281.57 (9m) (a) and except as provided in s. 281.57 (10m), (10r) and (10t). Payments may also be made from this appropriation for expenditures and encumbrances resulting from disputed costs under s. 281.57 if an appeal of an eligibility determination is filed before July 1, 1990, and the result of the dispute requires additional funds for an eligible project. The state may contract public debt in an amount not to exceed ~~\$902,449,800~~ for this purpose. \$893,493,400

History: 1971 c. 42; 1971 c. 100 s. 23; 1971 c. 125, 211, 215, 236, 307, 330, 336; 1973 c. 90 ss. 148 to 149m, 555m (2); 1973 c. 333; 1975 c. 26, 39, 40, 41, 200, 224, 422; 1977 c. 4, 6; 1977 c. 29 ss. 385 to 387, 1650m (4), 1656 (4b); 1977 c. 418; 1979 c. 4; 1979 c. 34 ss. 675a to 677v, 2102 (6) (a), (39) (a), (52) (a); 1979 c. 107, 221; 1981 c. 1 ss. 17, 18, 47; 1981 c. 20, 108, 317, 336; 1983 a. 27; 1983 a. 36 s. 96 (4); 1983 a. 97, 192, 195, 212; 1983 a. 410 s. 2202 (2); 1985 a. 6; 1985 a. 8 ss. 4, 12; 1985 a. 29 ss. 589m to 598, 3202 (23) (c), (26) (a), (53) (a); 1985 a. 77, 120, 332; 1987 a. 27, 295, 298, 399, 403, 409; 1989 a. 31, 46, 107, 122, 219, 336, 359, 366; 1991 a. 39, 51, 269, 309, 324; 1993 a. 2, 16, 98, 115, 213, 343, 377, 413, 437, 453, 485; 1995 a. 27 ss. 1159 to 1168s, 9126 (19), 9145 (1); 1995 a. 40, 57, 60, 113; 1995 a. 216, s. 30m and 9127; 1995 a. 227, 246, 372, 388, 416, 452; 1997 a. 27, 35, 61, 164, 237, 252; 1999 a. 4, 9, 146; 1999 a. 150 s. 672; 1999 a. 184.

end of insert



State of Wisconsin  
2001 - 2002 LEGISLATURE

LRB-0285/1  
RCT:hmh&jld:km

DOA:.....Wong - Reduce Wisconsin fund bonding

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

1 **AN ACT ...; relating to:** the budget.

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*Analysis by the Legislative Reference Bureau*

**ENVIRONMENT**

**WATER QUALITY**

This state formerly provided grants to communities for sewage treatment plants and related projects under a program commonly known as the Wisconsin Fund. The Wisconsin Fund law provides that no grants may be made after July 1, 1990. Funding for the Wisconsin Fund included general obligation bonding not to exceed \$902,449,800. Statutes were passed authorizing the use, during the 1997-99 and 1999-2001 fiscal biennia, of some of the Wisconsin Fund bonding for loans for sewage treatment and drinking water projects. This bill reduces the bonding authorization for the Wisconsin Fund program to \$893,493,400.

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

2 **SECTION 1.** 20.866 (2) (tn) of the statutes is amended to read:

3 20.866 (2) (tn) *Natural resources; pollution abatement and sewage collection*  
4 *facilities.* From the capital improvement fund, a sum sufficient to the department



1 of natural resources to acquire, construct, develop, enlarge or improve point source  
2 water pollution abatement facilities and sewage collection facilities under s. 281.57  
3 and to upgrade or replace a drinking water treatment plant under s. 281.57 (10t)  
4 including eligible engineering design costs. Payments may be made from this  
5 appropriation for capital improvement expenditures and encumbrances authorized  
6 under s. 281.57 before July 1, 1990, except for reimbursements made under s. 281.57  
7 (9m) (a) and except as provided in s. 281.57 (10m), (10r) and (10t). Payments may  
8 also be made from this appropriation for expenditures and encumbrances resulting  
9 from disputed costs under s. 281.57 if an appeal of an eligibility determination is filed  
10 before July 1, 1990, and the result of the dispute requires additional funds for an  
11 eligible project. The state may contract public debt in an amount not to exceed  
12 ~~\$902,449,800~~ \$893,493,400 for this purpose.

13 (END)