

2001 DRAFTING REQUEST

Bill

Received: 09/19/2000

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Wanted: As time permits

Identical to LRB:

For: Administration-Budget

By/Representing: Walker

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Subject: Agriculture - miscellaneous

Extra Copies:

Pre Topic:

DOA:.....Walker -

Topic:

Ethanol grant 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>
/1	traderc 09/28/2000	jdyer 09/28/2000	martykr 09/28/2000	_____	lrb_docadmin 09/28/2000		State
/2	traderc 11/20/2000	jdyer 11/20/2000	martykr 11/20/2000	_____	lrb_docadmin 11/20/2000		

FE Sent For:

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*h 11/20 jld* *Jim 11/20* *Rs* *11/20*

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1/?	traderc	1 9/28 jld	2 m 9/28	1 9/28			

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<END>

## 6. Ethanol Grant Program

### Explanation:

1999 Wis. Act 55 created an ethanol grant program under s. 20.115(3)(d) and 93.75, Stats. DATCP is authorized to award grants to ethanol producers at a rate of 20 cents per gallon for not more than 15,000 gallons of ethanol produced in this state within 12 months. DATCP must prorate grant awards if funding is insufficient to pay all producers at the maximum allowed rate. The Legislature created an annual GPR funding mechanism, but provided no funding in the 1999-2001 biennium. The department is requesting sum sufficient funding for the program. The department also proposes to transfer the appropriation from the department's marketing division to its trade and consumer protection division.

### Statutory Changes:

SECTION \_\_\_\_\_. 20.005(3)(schedule) of the statutes: at the appropriate place, insert the following amounts for the purposes indicated:

	<u>2001-02</u>	<u>2002-03</u>
<b>20.115 Agriculture, trade and consumer protection, department of</b>		
(1) FOOD SAFETY AND CONSUMER PROTECTION		
(d) Payments to ethanol producers GPR S	\$0	\$0

SECTION \_\_\_\_\_. 20.115(1)(d) of the statutes is created to read:

20.115(1)(d) *Payments to ethanol producers.* A sum sufficient for payments to ethanol producers under s. 93.75. No funds may be encumbered under this paragraph after June 30, 2006.

SECTION \_\_\_\_\_. 20.115(3)(d) of the statutes is repealed.



State of Wisconsin  
2001 - 2002 LEGISLATURE

LRB-0396/1

RCT:.....

SOON

JLB

DOA:.....Walker - Ethanol grant program

FOR 2001-03 BUDGET - NOT READY FOR INTRODUCTION

1

*do not gen*  
AN ACT ...; relating to: the budget.

*Analysis by the Legislative Reference Bureau*

✓ AGRICULTURE

Current law requires DATCP to make payments to an ethanol producer that satisfies certain requirements during the first 60 months that it produces ethanol. The payments are 20 cents per gallon for not more than 15,000,000 gallons of ethanol produced within 12 months, except that if there is insufficient funding, DATCP must prorate the payments. The program ends on June 30, 2006, or earlier if DOT determines that federal transportation aids are decreased because of ethanol sales.

This bill creates a sum sufficient appropriation for payments by DATCP to ethanol producers and eliminates the requirement that DATCP prorate payments if funding is insufficient to make full payments.

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:*

2

SECTION 1. 20.115 (1) (d) ✓ of the statutes is created to read:

1           20.115 (1) (d) *Payments to ethanol producers*. A sum sufficient for payments  
2 to ethanol producers under s. 93.75. No funds may be encumbered under this  
3 paragraph after June 30, 2006.

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

4           **SECTION 2.** 20.115 (3) (d) of the statutes is repealed.

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

5           **SECTION 3.** 93.75 (2) of the statutes is amended to read:

6           93.75 (2) PAYMENTS. The department shall pay a person who is eligible under  
7 sub. (1) at the rate of 20 cents per gallon for not more than 15,000,000 gallons of  
8 ethanol produced in this state within 12 months, ~~except that if there are insufficient~~  
9 ~~funds to make payments at this rate to all eligible persons the department shall~~  
10 ~~prorate the payments.~~

11           History: 1999 a. 55.

(END)

**Tradewell, Becky**

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**From:** Walker, William  
**Sent:** Monday, November 13, 2000 11:44 AM  
**To:** Tradewell, Becky  
**Subject:** LRB-0396 (Ethanol Grant)

A correction to my update from Friday:

The ethanol grant program draft (LRB-0396) should be changed as follows:

- DO move the appropriation from s. 20.115(3)(d) to 20.115(1)(d) (as is done in the current draft).
- Do NOT change the appropriation to sum sufficient. Leave as an annual appropriation.
- Do NOT delete the insufficient funds language in s. 93.75(2).

Thanks!

**Bill Walker**  
Executive Policy and Budget Analyst  
Department of Administration  
(608) 266-7329



State of Wisconsin  
2001 - 2002 LEGISLATURE

5000

LRB-039612

RCT:jld:km

vmr

DOA:.....Walker - Ethanol grant program

FOR 2001-03 BUDGET - NOT READY FOR INTRODUCTION

Don't gen

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

*Analysis by the Legislative Reference Bureau*

**AGRICULTURE**

Current law requires DATCP to make payments to an ethanol producer that satisfies certain requirements during the first 60 months that it produces ethanol. The payments are 20 cents per gallon for not more than 15,000,000 gallons of ethanol produced within 12 months, except that, if there is insufficient funding, DATCP must prorate the payments. The program ends on June 30, 2006, or earlier if DOT determines that federal transportation aids are decreased because of ethanol sales.

This bill ~~creates a sum sufficient~~ appropriation for payments by DATCP to ethanol producers, ~~and eliminates the requirement that DATCP prorate payments if funding is insufficient to make full payments.~~

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

remembers the

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

2 SECTION 1. 20.115 (1) (d) of the statutes is created to read:



1            ~~20.115 (1) (d) Payments to ethanol producers. A sum sufficient for payments~~  
 2            ~~to ethanol producers under s. 93.75. No funds may be encumbered under this~~  
 3            ~~paragraph after June 30, 2006.~~

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

4            ~~SECTION 2. 20.115 (3) (d) of the statutes is repealed.~~

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

5            ~~SECTION 3. 93.75 (2) of the statutes is amended to read:~~

6            ~~93.75 (2) PAYMENTS. The department shall pay a person who is eligible under~~  
 7            ~~sub. (1) at the rate of 20 cents per gallon for not more than 15,000,000 gallons of~~  
 8            ~~ethanol produced in this state within 12 months, except that if there are insufficient~~  
 9            ~~funds to make payments at this rate to all eligible persons the department shall~~  
 10          ~~prorate the payments.~~

11    (END)

Section #. RW; 20.115 (3) (d)<sup>x</sup>; 20.115 (1) (d) ✓



State of Wisconsin  
2001 - 2002 LEGISLATURE

LRB-0396/2

RCT:jld:km

DOA:.....Walker - Ethanol grant program

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*

**AGRICULTURE**

Current law requires DATCP to make payments to an ethanol producer that satisfies certain requirements during the first 60 months that it produces ethanol. The payments are 20 cents per gallon for not more than 15,000,000 gallons of ethanol produced within 12 months, except that, if there is insufficient funding, DATCP must prorate the payments. The program ends on June 30, 2006, or earlier if DOT determines that federal transportation aids are decreased because of ethanol sales.

This bill renumbers the appropriation for payments by DATCP to ethanol producers.

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

2 **SECTION 1.** 20.115 (3) (d) of the statutes is renumbered 20.115 (1) (d).

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

3 (END)