

2001 DRAFTING REQUEST

Bill

Received: **09/19/2000**

Received By: **traderc**

Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget**

By/Representing: **Grinde**

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

Drafter: **traderc**

May Contact:

Alt. Drafters:

Subject: **Agriculture - soil and water
Environment - water quality**

Extra Copies: **DATCP**

Pre Topic:

DOA:.....Grinde -

Topic:

Limit priority watershed funding extensions

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 12/07/2000	gilfokm 12/07/2000	rschluet 12/07/2000	_____	lrb_docadmin 12/07/2000		S&L
/2	traderc 12/19/2000	gilfokm 12/19/2000	jfrantze 12/20/2000	_____	lrb_docadmin 12/20/2000		S&L

FE Sent For:

<END>

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FE Sent For:

12/19/00
12/20/00
12/26/00
RS
END

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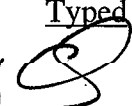
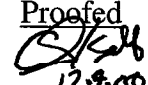
Limit priority watershed funding extensions

Medium

Instructions:

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1?	traderc	1-12/7 King	 12-7-00	 12-7-00			

FE Sent For:

<END>

19. Limit "Priority Watershed" Funding Extensions

Explanation:

1997 Act 27 and 1999 Wis. Act 9 redesigned the state's nonpoint source pollution abatement programs under chs. 92 and 281. Among other things, the Legislature directed a phase-out of the old "priority watershed" program under s. 281.65, Stats. Funds from the phased-out "priority watershed" program are to be made available for the redesigned nonpoint program administered by DNR and DATCP. The redesigned program gives counties more flexibility to address key nonpoint problems, and promises more funds to counties that are currently under-funded.

DNR currently administers the "priority watershed" program, subject to oversight by the Land and Water Conservation Board (LWCB). The Legislature directed the LWCB to redesignate "priority watersheds" by July 1, 1998, based on new program criteria. The Legislature directed the LWCB to terminate those "priority watersheds" that it did not redesignate. The Legislature also directed DNR and DATCP to suggest plans for ending redesignated "priority watershed" projects.

The LWCB must approve DNR's plan for each "priority watershed." The LWCB has approved plans for most (but not all) of the "priority watersheds" that it has redesignated. The approved plans normally specify termination dates for "priority watershed" funding. DNR has extended some of the termination dates.

Continued extensions will slow the phase-out of the old "priority watershed" program, and delay needed funding for the redesigned nonpoint program. DATCP proposes to restrict further extensions, as follows:

- Require every "priority watershed" plan to include a funding termination date approved by the LWCB.
- Prohibit the extension of any funding termination date established in an LWCB-approved "priority watershed" plan that was in effect on January 1, 2001.
- Prohibit the extension of any funding termination date established in a "priority watershed" plan first approved by the LWCB after January 1, 2001.

Statutory Changes:

SECTION __. 281.65(5m) of the statutes is amended to read:

281.65(5m) Upon completion of plans by the department under sub. (4)(g), the governmental unit or regional planning commission under sub. (4m), and the department of agriculture, trade and consumer protection under sub. (5), ~~and upon receiving the~~

~~approval of the land and water conservation board,~~ the department shall prepare and approve the final plan for a priority watershed or priority lake. The land and water conservation board shall approve the final plan, which shall include a funding termination date for the priority watershed or priority lake.

SECTION __. 281.65(5r) of the statutes is created to read:

281.65(5r) Notwithstanding any other provision of this section, neither the department nor the land and water conservation board may extend funding under this section for a priority watershed or priority lake, beyond the latter of the following dates:

- (a) The funding termination date established in the approved plan under sub. (5m) that was in effect on January 1, 2001.
- (b) The funding termination date first established in an approved plan under sub. (5m).



State of Wisconsin
2001 - 2002 LEGISLATURE

SO ON

LRB-0407/1

RCT: k...
amg

DOA:.....Grinde – Limit priority watershed funding extensions
FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

1 AN ACT ^{Don't} ^{Gen. CAT} ..., relating to: the budget.

Analysis by the Legislative Reference Bureau

ENVIRONMENT

WATER QUALITY

Under current law, DNR, in conjunction with DATCP and local governmental units, administers a program to provide financial assistance for measures to reduce water pollution from nonpoint (diffuse) sources. A number of watersheds and lake areas have been selected for priority watershed and priority lake projects, which receive funding under the nonpoint source program. Under current law, projects are selected for nonpoint source program funding using a different process and no new priority watersheds or priority lakes may be selected.

This bill requires funding termination dates to be established for priority watershed and priority lake projects. The bill prohibits DNR from extending funding for a priority watershed or priority lake project beyond the funding termination date that was in effect on January 1, 2001, or, if no funding termination date was in effect on January 1, 2001, beyond the funding termination date first established on or after January 1, 2001.

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:

DNR
DNR to
establish

1 SECTION 1. 281.65 (4) (g) 8m. of the statutes is created to read:

2 281.65 (4) (g) 8m. Include a funding termination date for the priority
3 watershed or priority lake project.

4 SECTION 2. 281.65 (5m) of the statutes is amended to read:

5 281.65 (5m) Upon completion of plans by the department under sub. (4) (g), the
6 governmental unit or regional planning commission under sub. (4m) and the
7 department of agriculture, trade and consumer protection under sub. (5) ^{set plan} ~~and upon~~
8 ~~receiving the approval of the land and water conservation board~~, the department
9 shall prepare ~~and approve~~ the final plan for a priority watershed or priority lake
10 project. The department shall submit the final plan to the land and water
11 conservation board for approval and may not implement the plan without that
12 approval.

History: 1977 c. 418; 1979 c. 34, 221; 1979 c. 355 s. 241; 1981 c. 20; 1981 c. 346 s. 38; 1983 a. 27; 1983 a. 189 s. 329 (16); 1983 a. 416; 1985 a. 29; 1987 a. 27; 1989 a. 31, 336, 366; 1991 a. 39, 309; 1993 a. 16, 166, 213, 246, 491; 1995 a. 27, 201, 225; 1995 a. 227 s. 428; Stats. 1995 s. 281.65; 1995 a. 404 s. 204; 1997 a. 27, 209, 237; 1999 a. 9; 1999 a. 150 s. 672.

13 SECTION 3. 281.65 (5q) of the statutes is created to read:

14 281.65 (5q) Notwithstanding sub. (5s), neither the department nor the land
15 and water conservation board may extend funding under this section for a priority
16 watershed or priority lake project beyond the following date:

17 (a) If a funding termination date was established for the priority watershed or
18 priority lake project before January 1, 2001, that funding termination date.

19 (b) If a funding termination date was not established for the priority watershed
20 or priority lake project before January 1, 2001, the funding termination date first
21 established after December 31, 2000.

22

(END)

Tradewell, Becky

From: Grinde, Kirsten
Sent: Monday, December 18, 2000 3:15 PM
To: Tradewell, Becky
Subject: FW: Priority watershed termination dates; LRB budget draft 0407-1.

Becky,

Could you go ahead and make these changes? Thanks,

Kirsten

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

From: Matson, James K DATCP
Sent: Monday, December 18, 2000 3:08 PM
To: Tradewell, Becky; Grinde, Kirsten
Cc: Knapp, Barb H DATCP; Jelinski, Dave DATCP; Steffel, Sherry M DATCP;
Moll, Keeley A DATCP
Subject: Priority watershed termination dates; LRB budget draft 0407-1.

We have reviewed this issue further since we first submitted our budget drafting request. The LRB draft fairly reflects our initial drafting request. However, it has come to our attention that priority watershed funding termination dates are currently set in DNR's priority watershed CONTRACTS with county and local entities, rather than in priority watershed PLANS.

That being the case, we think it would be wise to revise the budget draft as follows:

- ✓ -- Delete SECTION 1, which might actually invite efforts to extend current funding termination dates.
- Modify SECTION 3 to prohibit any extension of deadlines contained in priority watershed contracts in effect on December 31, 2000. If a contract is first executed for a priority watershed after December 31, 2000, the legislation should prohibit any extension past the funding deadline contained in that first contract.



State of Wisconsin
2001 - 2002 LEGISLATURE

SOON

LRB-040712 2

RCT:kmg:rs

rmr

DOA:.....Grinde - Limit priority watershed funding extensions

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

DNote

1 *DON'T GEN. CAT.*
AN ACT relating to: the budget.

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~~This bill requires DNR to establish funding termination dates for priority watershed and priority lake projects.~~ The bill prohibits DNR from extending funding for a priority watershed or priority lake project beyond the funding termination date that was in effect on January 1, 2001, or, if no funding termination date was in effect on January 1, 2001, beyond the funding termination date first established on or after January 1, 2001.

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. 281.65 (4) (g) 8m. of the statutes is created to read:~~

2 ~~281.65 (4) (g) 8m. Include a funding termination date for the priority~~
3 ~~watershed or priority lake project.~~

4 SECTION 2. 281.65 (5m) of the statutes is amended to read:

5 281.65 (5m) Upon completion of plans by the department under sub. (4) (g), the
6 governmental unit or regional planning commission under sub. (4m) and the
7 department of agriculture, trade and consumer protection under sub. (5), ~~and upon~~
8 ~~receiving the approval of the land and water conservation board,~~ the department
9 shall prepare ~~and approve~~ the final plan for a priority watershed or priority lake
10 project. The department shall submit the final plan to the land and water
11 conservation board for approval and may not implement the plan without that
12 approval.

13 SECTION 3. 281.65 (5q) of the statutes is created to read:

14 281.65 (5q) Notwithstanding sub. (5s), neither the department nor the land
15 and water conservation board may extend funding under this section for a priority
16 watershed or priority lake project beyond the following date:

17 (a) If a funding termination date was established for the priority watershed or
18 priority lake project before January 1, 2001, that funding termination date.

19 (b) If a funding termination date was not established for the priority watershed
20 or priority lake project before January 1, 2001, the funding termination date first
21 established after December 31, 2000.

22 (END)

RET: King

Note

This redraft does not refer to priority watered
contracts because the statutes do not refer to them. I
discussed this redraft with Jim Matson and he indicated
that this approach ~~is~~ should be OK.

RET

Gretschmann, Karen

From: Gretschmann, Karen
Sent: Wednesday, December 20, 2000 12:44 PM
To: Keeley Moll
Subject: 01-0407/2



01-0407/2



01-0407/2dn

*Karen Gretschmann
Legislative Program Assistant/Financial Specialist
Legal Section
Wisconsin Legislative Reference Bureau
(608) 266-3561*

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0407/2dn
RCT:kmg:jf

December 20, 2000

This redraft does not refer to priority watershed contracts because the statutes do not refer to them. I discussed this redraft with Jim Matson and he indicated that this approach should be OK.

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



State of Wisconsin
2001 - 2002 LEGISLATURE

LRB-0407/2
RCT:kmg:jf

DOA:.....Grinde – Limit priority watershed funding extensions

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