

2001 DRAFTING REQUEST

Bill

Received: 12/18/2000

Received By: kuesejt

Wanted: Soon

Identical to LRB:

For: Administration-Budget 6-5878

By/Representing: Dombrowski

This file may be shown to any legislator: NO

Drafter: kuesejt

May Contact:

Alt. Drafters:

Subject: State Government - miscellaneous

Extra Copies: JK- 1
PG- 1

Pre Topic:

DOA:.....Dombrowski/Hummert/Milioto -

Topic:

Energy efficiency fund elimination

Instructions:

Per LRB-0246/2.

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 12/18/2000	gilfokm 12/18/2000					State
/1			pgreensl 12/19/2000		gretskl 12/19/2000		State
/2	kuesejt 02/06/2001	wjackson 02/06/2001	kfollet 02/06/2001		lrb_docadmin 02/07/2001		State
/3	kuesejt 02/12/2001	jdyer 02/13/2001	jfrantze 02/13/2001		lrb_docadmin 02/13/2001		

Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

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<END>

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/2	kuesejt 02/06/2001	wjackson 02/06/2001	kfollet 02/06/2001		lrb_docadmin 02/07/2001		

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13 2/12 JLD
JLD 2/13
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DRAFT

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/?	kuesejt 12/18/2000	gilfokm 12/18/2000					State
/1		1/2 wlj 2/6	pgreensl 12/19/2000		gretskl 12/19/2000		

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ISJ 2/6
IGF/PG 2/6
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/?	kuesejt 12/18/2000	gilfokm 12/18/2000		_____			State
/1			pgreensl 12/19/2000	_____	gretskl 12/19/2000		

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1? / 1	kuesejt	12/18 / 1-12/Kmg	12/19 DG	12/19 Pg TRS			

FE Sent For:

<END>



**WISCONSIN DEPARTMENT OF
ADMINISTRATION**

TOMMY G. THOMPSON
GOVERNOR

GEORGE LIGHTBOURN
SECRETARY

Division of Executive Budget and Finance
Post Office Box 7864
Madison, WI 53707-7864
Voice (608) 266-1736
Fax (608) 267-0372
TTY (608) 267-9629

Date: December 14, 2000
To: Steve Miller, LRB
From: Cynthia Dombrowski, DOA
266-5878
Subject: Statutory Language for DOA

Please transfer the following to budget drafts and note that I should be the primary contact:

- JTK ← 1. LRB-0249/2 - Federal Aid Management Services
- MJL ← 2. LRB-0720/P4 - Computer Networking Fees
- JTK ← 3. LRB-0250/P2 - Consolidation of certain appropriations to the Department of Administration
- JTK ← 4. LRB-0246/2 - Energy Efficiency Fund

Please let me know if you have any questions.

Thank you.

Cc: Dan Caucutt

2001

Date (time) needed

SOON

LRB-1963, 1

DOA BUDGET DRAFT

JTK King/Smith/WJ

Use the appropriate components and routines developed for bills.

>>FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION<<

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

Analysis by the Legislative Reference Bureau

If titles are needed in the analysis, in the component bar:

For the main heading, execute: create -> anal: -> title: -> head

For the subheading, execute: create -> anal: -> title: -> sub

For the sub-subheading, execute: create -> anal: -> title: -> sub-sub

For the analysis text, in the component bar:

For the text paragraph, execute: create -> anal: -> text

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

SECTION #.

2001 BILL

1 AN ACT to repeal 16.847 (1) (a), 16.847 (2) to (7), 16.847 (8) (b), 16.847 (9), 20.505
 2 (5) (q), 20.924 (1) (h), 25.17 (1) (ee) and 25.90; to renumber and amend 16.847
 3 (8) (a); and to amend 13.101 (4), 16.85 (1), 20.225 (1) (b), 20.245 (2) (c), 20.245
 4 (4) (c), 20.245 (5) (c), 20.255 (1) (c), 20.285 (1) (c), 20.410 (1) (f), 20.435 (2) (f),
 5 20.465 (1) (f) and 20.505 (5) (ka) of the statutes; relating to elimination of the
 energy efficiency fund.

6
 need
 STATE GOVERNMENT
 OTHER STATES GOVERNMENT
 sub

Analysis by the Legislative Reference Bureau

Currently, state agencies may apply for loans from the energy efficiency fund to finance energy efficiency projects. The loans are repaid from utility expense appropriations made to the agencies in an annual amount equal to the utility expense savings realized by the agencies as a result of the energy efficiency projects. In addition, for six years after each loan is repaid, the department of administration may transfer an amount equal to one-third of the savings realized to the general fund, and an amount equal to one-third of the savings realized to the energy efficiency fund for maintenance of projects with an energy efficiency benefit and for energy efficiency monitoring. An amount equal to the final third of the savings realized may be utilized by an agency for its general program operations, subject to approval of the joint committee on finance JCF

This bill abolishes the energy efficiency fund. Under the bill, the department of administration may transfer an amount equal to all repayments of loans made

DOA

one-third

BILL

from the fund for energy efficiency projects from the appropriate utility expense appropriations to the general fund. Any unencumbered balance in the energy efficiency fund on the day the bill becomes law is also transferred to the general fund.

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.** 13.101 (4) of the statutes is amended to read:

2 13.101 (4) The committee may transfer between appropriations and programs
3 if the committee finds that unnecessary duplication of functions can be eliminated,
4 more efficient and effective methods for performing programs will result or
5 legislative intent will be more effectively carried out because of such transfer, if
6 legislative intent will not be changed as the result of such transfer and the purposes
7 for which the transfer is requested have been authorized or directed by the
8 legislature, ~~or to implement s. 16.847 (8) (b) 3.~~ The authority to transfer between
9 appropriations includes the authority to transfer between 2 fiscal years of the same
10 biennium, between 2 appropriations of the same agency and between an
11 appropriation of one agency and an appropriation of a different agency. No transfer
12 between appropriations or programs may be made to offset deficiencies arising from
13 the lack of adequate expenditure controls by a department, board, institution,
14 commission or agency. The authority to transfer between appropriations shall not
15 include the authority to transfer from sum sufficient appropriations as defined under
16 s. 20.001 (3) (d) to other types of appropriations.

17 **SECTION 2.** 16.847 (1) (a) of the statutes is repealed.

18 **SECTION 3.** 16.847 (2) to (7) of the statutes are repealed.

BILL

1 **SECTION 4.** 16.847 (8) (a) of the statutes is renumbered 16.847 (8) and amended
2 to read:

3 16.847 (8) **REPAYMENT AGREEMENTS.** ~~As a condition of receiving a loan under sub.~~
4 ~~(6), an agency shall enter into an agreement to repay the loan from utility expenses~~
5 ~~saved by the energy efficiency project. The agreement shall specify the annual~~
6 ~~repayment amount and the appropriation to which the loan shall be repaid.~~
7 ~~Annually, the~~ The department may annually transfer the specified repayment
8 ~~amount from an appropriation described in the agreement to the same account in~~
9 repayments under agreements to obtain loans from the energy efficiency fund from
10 which the loan was made under s. 16.847 (6), 1999 stats., from the appropriations
11 specified in the agreements to the general fund. The amount of each annual
12 repayment shall equal the amount of annual savings in utility expenses realized as
13 a result of the energy efficiency project that was funded by a loan. The department
14 shall determine the amount of annual savings in utility expenses saved realized as
15 a result of an energy efficiency project.

16 **SECTION 5.** 16.847 (8) (b) of the statutes is repealed.

17 **SECTION 6.** 16.847 (9) of the statutes is repealed.

18 **SECTION 7.** 16.85 (1) of the statutes is amended to read:

19 16.85 (1) To take charge of and supervise all engineering or architectural
20 services or construction work as defined in s. 16.87 performed by, or for, the state, or
21 any department, board, institution, commission or officer thereof, including
22 nonprofit-sharing corporations organized for the purpose of assisting the state in the
23 construction and acquisition of new buildings or improvements and additions to
24 existing buildings as contemplated under ss. 13.488, 36.09 and 36.11, except the
25 engineering, architectural and construction work of the department of

BILL

1 transportation, the engineering service performed by the department of commerce,
2 department of revenue, public service commission, department of health and family
3 services and other departments, boards and commissions when the service is not
4 related to the maintenance, and construction and planning of the physical properties
5 of the state, ~~and energy efficiency projects of the energy efficiency program under s.~~
6 ~~16.847.~~ The department shall adopt the architectural and engineering design
7 proposed by the state fair park board for any project to be constructed for the board,
8 if the design and specifications conform to applicable laws, rules, codes and
9 regulations. The department shall not authorize construction work for any state
10 office facility in the city of Madison after May 11, 1990, unless the department first
11 provides suitable space for a day care center primarily for use by children of state
12 employees.

13 **SECTION 8.** 20.225 (1) (b) of the statutes is amended to read:

14 20.225 (1) (b) *Energy costs.* The amounts in the schedule to pay for utilities and
15 for fuel, heat and air conditioning, and to pay costs incurred under ss. 16.858 and
16 16.895, by or on behalf of the board, ~~and to repay to the energy efficiency fund loans~~
17 ~~made to the board under s. 16.847 (6).~~

18 **SECTION 9.** 20.245 (2) (c) of the statutes is amended to read:

19 20.245 (2) (c) *Energy costs.* The amounts in the schedule to be used at the
20 historic sites operated by the society at Eagle, Greenbush, Cassville, Mineral Point,
21 Madeline Island and Prairie du Chien to pay for utilities and for fuel, heat and air
22 conditioning, and to pay costs incurred by or on behalf of the historical society under
23 ss. 16.858 and 16.895, ~~and to repay to the energy efficiency fund loans made to the~~
24 ~~society under s. 16.847 (6).~~

25 **SECTION 10.** 20.245 (4) (c) of the statutes is amended to read:

BILL

1 20.245 (4) (c) *Energy costs.* The amounts in the schedule to be used at the
2 historical society building located at 816 State Street in the city of Madison to pay
3 for utilities and for fuel, heat and air conditioning, and to pay costs incurred by or
4 on behalf of the society under ss. 16.858 and 16.895, ~~and to repay to the energy~~
5 ~~efficiency fund loans made to the society under s. 16.847 (6).~~

6 **SECTION 11.** 20.245 (5) (c) of the statutes is amended to read:

7 20.245 (5) (c) *Energy costs.* The amounts in the schedule to be used at the
8 historical society museum to pay for utilities and for fuel, heat and air conditioning,
9 and to pay costs incurred by or on behalf of the historical society under ss. 16.858 and
10 16.895, ~~and to repay to the energy efficiency fund loans made to the society under s.~~
11 ~~16.847 (6).~~

12 **SECTION 12.** 20.255 (1) (c) of the statutes is amended to read:

13 20.255 (1) (c) *Energy costs; School for the Deaf and Center for the Blind and*
14 *Visually Impaired.* The amounts in the schedule to be used at the Wisconsin School
15 for the Deaf and the Wisconsin Center for the Blind and Visually Impaired to pay for
16 utilities and for fuel, heat and air conditioning, and to pay costs incurred by or on
17 behalf of the department under ss. 16.858 and 16.895, ~~and to repay to the energy~~
18 ~~efficiency fund loans made to the department under s. 16.847 (6).~~

19 **SECTION 13.** 20.285 (1) (c) of the statutes is amended to read:

20 20.285 (1) (c) *Energy costs.* The amounts in the schedule to pay for utilities and
21 for fuel, heat and air conditioning, and to pay costs incurred under ss. 16.858 and
22 16.895, including all operating costs recommended by the department of
23 administration that result from the installation of pollution abatement equipment
24 in state-owned or operated heating, cooling or power plants, by or on behalf of the

BILL

1 board of regents, ~~and to repay to the energy efficiency fund loans made to the board~~
2 ~~under s. 16.847 (6).~~

3 **SECTION 14.** 20.410 (1) (f) of the statutes is amended to read:

4 20.410 (1) (f) *Energy costs.* The amounts in the schedule to be used at state
5 correctional institutions to pay for utilities and for fuel, heat and air conditioning;
6 and to pay costs incurred by or on behalf of the department under ss. 16.858 and
7 16.895, ~~and to repay to the energy efficiency fund loans made to the department~~
8 ~~under s. 16.847 (6).~~

9 **SECTION 15.** 20.435 (2) (f) of the statutes is amended to read:

10 20.435 (2) (f) *Energy costs.* The amounts in the schedule to be used at mental
11 health institutes and centers for the developmentally disabled to pay for utilities and
12 for fuel, heat and air conditioning, and to pay costs incurred by or on behalf of the
13 department under ss. 16.858 and 16.895, ~~and to repay to the energy efficiency fund~~
14 ~~loans made to the department under s. 16.847 (6).~~

15 **SECTION 16.** 20.465 (1) (f) of the statutes is amended to read:

16 20.465 (1) (f) *Energy costs.* The amounts in the schedule to be used at military
17 buildings under control of the department to pay for utilities and for fuel, heat and
18 air conditioning, and to pay costs incurred by or on behalf of the department under
19 ss. 16.858 and 16.895, ~~and to repay to the energy efficiency fund loans made to the~~
20 ~~department under s. 16.847 (6).~~

21 **SECTION 17.** 20.505 (5) (ka) of the statutes is amended to read:

22 20.505 (5) (ka) *Facility operations and maintenance; police and protection*
23 *functions.* The amounts in the schedule for the purpose of financing the costs of
24 operation of state-owned or operated facilities that are not funded from other
25 appropriations, including custodial and maintenance services; minor projects;

BILL

1 utilities, fuel, heat and air conditioning; costs incurred under ss.16.858 and 16.895
 2 by or on behalf of the department; ~~repayment to the energy efficiency fund loans~~
 3 ~~made to the department under s. 16.847 (6);~~ and supplementing the costs of operation
 4 of child care facilities for children of state employees under s. 16.841; and for police
 5 and protection functions under s. 16.84 (2) and (3). All moneys received from state
 6 agencies for the operation of such facilities, parking rental fees established under s.
 7 16.843 (2) (bm) and miscellaneous other sources, all moneys received from
 8 assessments under s. 16.895, all moneys received for the performance of gaming
 9 protection functions under s. 16.84 (3), and all moneys transferred from the
 10 appropriation account under s. 20.865 (2) (e) for this purpose shall be credited to this
 11 appropriation account.

12 SECTION 18. 20.505 (5) (q) of the statutes is repealed.

13 SECTION 19. 20.924 (1) (h) of the statutes is repealed.

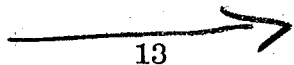
14 SECTION 20. 25.17 (1) (ee) of the statutes is repealed.

15 SECTION 21. 25.90 of the statutes is repealed.

16 SECTION 22. ~~Nonstatutory provisions.~~

17 (1) ~~On the effective date of this subsection, the unencumbered balance in the~~
 18 energy efficiency fund is transferred to the general fund.

(END)



Fix component

201 Appropriation changes; administration
ENERGY EFFICIENCY FUND ELIMINATION.

(DNOTE)

2001 - 2002 LEGISLATURE

LRB-1553/1

JTK:kmg/cmh/wlj:pa

Wanted wed 2/7

/Hummer/Milito

DOA:.....Dombrowski - Energy efficiency fund elimination

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

DO NOT GEN

1 AN ACT ...; relating to: elimination of the energy efficiency fund.

Analysis by the Legislative Reference Bureau

STATE GOVERNMENT

OTHER STATE GOVERNMENT

Currently, state agencies may apply for loans from the energy efficiency fund to finance energy efficiency projects. The loans are repaid from utility expense appropriations made to the agencies in an annual amount equal to the utility expense savings realized by the agencies as a result of the energy efficiency projects. In addition, for six years after each loan is repaid, DOA may transfer an amount equal to one-third of the savings realized to the general fund, and an amount equal to one-third of the savings realized to the energy efficiency fund for maintenance of projects with an energy efficiency benefit and for energy efficiency monitoring. An amount equal to the final one-third of the savings realized may be utilized by an agency for its general program operations, subject to approval of JCF.

This bill abolishes the energy efficiency fund. Under the bill, DOA may transfer an amount equal to all repayments of loans made from the fund for energy efficiency projects from the appropriate utility expense appropriations to the general fund. Any unencumbered balance in the energy efficiency fund on the day the bill becomes law is also transferred to the general fund.

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

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3 if the committee finds that unnecessary duplication of functions can be eliminated,
4 more efficient and effective methods for performing programs will result or
5 legislative intent will be more effectively carried out because of such transfer, if
6 legislative intent will not be changed as the result of such transfer and the purposes
7 for which the transfer is requested have been authorized or directed by the
8 legislature, ~~or to implement s. 16.847 (8) (b) 3.~~ The authority to transfer between
9 appropriations includes the authority to transfer between 2 fiscal years of the same
10 biennium, between 2 appropriations of the same agency and between an
11 appropriation of one agency and an appropriation of a different agency. No transfer
12 between appropriations or programs may be made to offset deficiencies arising from
13 the lack of adequate expenditure controls by a department, board, institution,
14 commission or agency. The authority to transfer between appropriations shall not
15 include the authority to transfer from sum sufficient appropriations as defined under
16 s. 20.001 (3) (d) to other types of appropriations.

17 **SECTION 2.** 16.847 (1) (a) of the statutes is repealed.

18 **SECTION 3.** 16.847 (2) to (7) of the statutes are repealed.

19 **SECTION 4.** 16.847 (8) (a) of the statutes is renumbered 16.847 (8) and amended
20 to read:

1 16.847 (8) REPAYMENT AGREEMENTS. ~~As a condition of receiving a loan under sub-~~
2 ~~(6), an agency shall enter into an agreement to repay the loan from utility expenses~~
3 ~~saved by the energy efficiency project. The agreement shall specify the annual~~
4 ~~repayment amount and the appropriation to which the loan shall be repaid.~~
5 ~~Annually, the~~ The department may annually transfer the specified repayment
6 ~~amount from an appropriation described in the agreement to the same account in~~
7 ~~repayments under agreements to obtain loans from the energy efficiency fund from~~
8 ~~which the loan was made under s. 16.847 (6), 1999 stats., from the appropriations~~
9 ~~specified in the agreements to the general fund. The amount of each annual~~
10 ~~repayment shall equal the amount of annual savings in utility expenses realized as~~
11 ~~a result of the energy efficiency project that was funded by a loan. The department~~
12 ~~shall determine the amount of annual savings in utility expenses saved realized as~~
13 ~~a result of an energy efficiency project.~~

14 SECTION 5. 16.847 (8) (b) of the statutes is repealed.

15 SECTION 6. 16.847 (9) of the statutes is repealed.

16 SECTION 7. 16.85 (1) of the statutes is amended to read:

17 16.85 (1) To take charge of and supervise all engineering or architectural
18 services or construction work as defined in s. 16.87 performed by, or for, the state, or
19 any department, board, institution, commission or officer thereof, including
20 nonprofit-sharing corporations organized for the purpose of assisting the state in the
21 construction and acquisition of new buildings or improvements and additions to
22 existing buildings as contemplated under ss. 13.488, 36.09 and 36.11, except the
23 engineering, architectural and construction work of the department of
24 transportation, the engineering service performed by the department of commerce,
25 department of revenue, public service commission, department of health and family

1 services and other departments, boards and commissions when the service is not
2 related to the maintenance, and construction and planning of the physical properties
3 of the state, and energy efficiency projects of the energy efficiency program under s.
4 16.847. The department shall adopt the architectural and engineering design
5 proposed by the state fair park board for any project to be constructed for the board,
6 if the design and specifications conform to applicable laws, rules, codes and
7 regulations. The department shall not authorize construction work for any state
8 office facility in the city of Madison after May 11, 1990, unless the department first
9 provides suitable space for a day care center primarily for use by children of state
10 employees.

11 **SECTION 8.** 20.225 (1) (b) of the statutes is amended to read:

12 20.225 (1) (b) *Energy costs.* The amounts in the schedule to pay for utilities and
13 for fuel, heat and air conditioning, and to pay costs incurred under ss. 16.858 and
14 16.895, by or on behalf of the board, and to repay to the energy efficiency fund loans
15 made to the board under s. 16.847 (6).

16 **SECTION 9.** 20.245 (2) (c) of the statutes is amended to read:

17 20.245 (2) (c) *Energy costs.* The amounts in the schedule to be used at the
18 historic sites operated by the society at Eagle, Greenbush, Cassville, Mineral Point,
19 Madeline Island and Prairie du Chien to pay for utilities and for fuel, heat and air
20 conditioning, and to pay costs incurred by or on behalf of the historical society under
21 ss. 16.858 and 16.895, and to repay to the energy efficiency fund loans made to the
22 society under s. 16.847 (6).

23 **SECTION 10.** 20.245 (4) (c) of the statutes is amended to read:

24 20.245 (4) (c) *Energy costs.* The amounts in the schedule to be used at the
25 historical society building located at 816 State Street in the city of Madison to pay

1 ~~for utilities and for fuel, heat and air conditioning, and to pay costs incurred by or~~
2 ~~on behalf of the society under ss. 16.858 and 16.895, and to repay to the energy~~
3 ~~efficiency fund loans made to the society under s. 16.847 (6).~~

4 **SECTION 11.** 20.245 (5) (c) of the statutes is amended to read:

5 20.245 (5) (c) *Energy costs.* The amounts in the schedule to be used at the
6 historical society museum to pay for utilities and for fuel, heat and air conditioning,
7 and to pay costs incurred by or on behalf of the historical society under ss. 16.858 and
8 16.895, and to repay to the energy efficiency fund loans made to the society under s.
9 16.847 (6).

10 **SECTION 12.** 20.255 (1) (c) of the statutes is amended to read:

11 20.255 (1) (c) *Energy costs; School for the Deaf and Center for the Blind and*
12 *Visually Impaired.* The amounts in the schedule to be used at the Wisconsin School
13 for the Deaf and the Wisconsin Center for the Blind and Visually Impaired to pay for
14 utilities and for fuel, heat and air conditioning, and to pay costs incurred by or on
15 behalf of the department under ss. 16.858 and 16.895, and to repay to the energy
16 efficiency fund loans made to the department under s. 16.847 (6).

17 **SECTION 13.** 20.285 (1) (c) of the statutes is amended to read:

18 20.285 (1) (c) *Energy costs.* The amounts in the schedule to pay for utilities and
19 for fuel, heat and air conditioning, and to pay costs incurred under ss. 16.858 and
20 16.895, including all operating costs recommended by the department of
21 administration that result from the installation of pollution abatement equipment
22 in state-owned or operated heating, cooling or power plants, by or on behalf of the
23 board of regents, and to repay to the energy efficiency fund loans made to the board
24 under s. 16.847 (6).

25 **SECTION 14.** 20.410 (1) (f) of the statutes is amended to read:

1 20.410 (1) (f) *Energy costs.* The amounts in the schedule to be used at state
2 correctional institutions to pay for utilities and for fuel, heat and air conditioning,
3 and to pay costs incurred by or on behalf of the department under ss. 16.858 and
4 16.895, ~~and to repay to the energy efficiency fund loans made to the department~~
5 ~~under s. 16.847 (6).~~

6 **SECTION 15.** 20.435 (2) (f) of the statutes is amended to read:

7 20.435 (2) (f) *Energy costs.* The amounts in the schedule to be used at mental
8 health institutes and centers for the developmentally disabled to pay for utilities and
9 for fuel, heat and air conditioning, and to pay costs incurred by or on behalf of the
10 department under ss.16.858 and 16.895, ~~and to repay to the energy efficiency fund~~
11 ~~loans made to the department under s. 16.847 (6).~~

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17 ~~department under s. 16.847 (6).~~

18 **SECTION 17.** 20.505 (5) (ka) of the statutes is amended to read:

19 20.505 (5) (ka) *Facility operations and maintenance; police and protection*
20 *functions.* The amounts in the schedule for the purpose of financing the costs of
21 operation of state-owned or operated facilities that are not funded from other
22 appropriations, including custodial and maintenance services; minor projects;
23 utilities, fuel, heat and air conditioning; costs incurred under ss.16.858 and 16.895
24 by or on behalf of the department; ~~repayment to the energy efficiency fund loans~~
25 ~~made to the department under s. 16.847 (6);~~ and supplementing the costs of operation

1 of child care facilities for children of state employees under s. 16.841; and for police
2 and protection functions under s. 16.84 (2) and (3). All moneys received from state
3 agencies for the operation of such facilities, parking rental fees established under s.
4 16.843 (2) (bm) and miscellaneous other sources, all moneys received from
5 assessments under s. 16.895, all moneys received for the performance of gaming
6 protection functions under s. 16.84 (3), and all moneys transferred from the
7 appropriation account under s. 20.865 (2) (e) for this purpose shall be credited to this
8 appropriation account.

9 **SECTION 18.** 20.505 (5) (q) 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.

10 **SECTION 19.** 20.924 (1) (h) of the statutes is repealed.

11 **SECTION 20.** 25.17 (1) (ee) of the statutes is repealed.

12 **SECTION 21.** 25.90 of the statutes is repealed.

13 **SECTION 9201. Appropriation changes; administration.**

14 (1) **ENERGY EFFICIENCY FUND ELIMINATION.** On the effective date of this
15 subsection, the unencumbered balance in the energy efficiency fund is transferred
16 to the general fund.

17 (END)

(DN)

(4)(c),
and (5)(c),
stats.

This redraft deletes the
treatment of ^{20.225 (1)(b) and} ~~sr. 20.245 (2)(c)~~ ^{those}
and ~~appropriations~~ ^{those}

specified in LRB-1464.

LRB-1464 creates ^{proposed} s. 20.245 (1)(c) ↑

which incorporates the treatment of
s. 20.245 (2)(c) from this draft.

, (4)(c), and (5)(c), stats.

This draft reconciles ^{LRB-0985/5,} LRB-1464/1, and LRB-1553/1.
LRB-0985, LRB-1464, and LRB-1553 should continue to appear
in the compiled bill.

JTK

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1553/2dn
JTK:wlj:kjf

February 6, 2001

This redraft deletes the treatment of ss. 20.225 (1) (b) and 20.245 (2) (c), (4) (c), and (5) (c), stats. Those appropriations are repealed in LRB-1464. LRB-1464 creates proposed s. 20.245 (1) (c), which incorporates the treatment of s. 20.245 (2) (c), (4) (c) and (5) (c), stats., from this draft.

This draft reconciles LRB-0985/5, LRB-1464/1, and LRB-1553/1. LRB-0985, LRB-1464, and LRB-1553 should continue to appear in the compiled bill.

Jeffery T. Kuesel
Managing Attorney
Phone: (608) 266-6778



(DNB)
State of Wisconsin
2001 - 2002 LEGISLATURE

LRB-1553/2 3

JTK:kmg/cmb/wlj:kjf

WANTED TOE 2/13

DOA:.....Dombrowski/Hummert/Milioto - Energy efficiency fund
elimination

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

1 ^{Don't gen} AN ACT ...; relating to: elimination of the energy efficiency fund.

Analysis by the Legislative Reference Bureau

STATE GOVERNMENT

OTHER STATE GOVERNMENT

Currently, state agencies may apply for loans from the energy efficiency fund to finance energy efficiency projects. The loans are repaid from utility expense appropriations made to the agencies in an annual amount equal to the utility expense savings realized by the agencies as a result of the energy efficiency projects. In addition, for six years after each loan is repaid, DOA may transfer an amount equal to one-third of the savings realized to the general fund, and an amount equal to one-third of the savings realized to the energy efficiency fund for maintenance of projects with an energy efficiency benefit and for energy efficiency monitoring. An amount equal to the final one-third of the savings realized may be utilized by an agency for its general program operations, subject to approval of JCF.

This bill abolishes the energy efficiency fund. Under the bill, DOA may transfer an amount equal to all repayments of loans made from the fund for energy efficiency projects from the appropriate utility expense appropriations to the general fund. Any unencumbered balance in the energy efficiency fund on the day the bill becomes law is also transferred to the general fund.

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.** 13.101 (4) of the statutes is amended to read:

2 13.101 (4) The committee may transfer between appropriations and programs
3 if the committee finds that unnecessary duplication of functions can be eliminated,
4 more efficient and effective methods for performing programs will result or
5 legislative intent will be more effectively carried out because of such transfer, if
6 legislative intent will not be changed as the result of such transfer and the purposes
7 for which the transfer is requested have been authorized or directed by the
8 legislature, ~~or to implement s. 16.847 (8) (b) 3.~~ The authority to transfer between
9 appropriations includes the authority to transfer between 2 fiscal years of the same
10 biennium, between 2 appropriations of the same agency and between an
11 appropriation of one agency and an appropriation of a different agency. No transfer
12 between appropriations or programs may be made to offset deficiencies arising from
13 the lack of adequate expenditure controls by a department, board, institution,
14 commission or agency. The authority to transfer between appropriations shall not
15 include the authority to transfer from sum sufficient appropriations as defined under
16 s. 20.001 (3) (d) to other types of appropriations.

17 **SECTION 2.** 16.847 (1) (a) of the statutes is repealed.

18 **SECTION 3.** 16.847 (2) to (7) of the statutes are repealed.

19 **SECTION 4.** 16.847 (8) (a) of the statutes is renumbered 16.847 (8) and amended
20 to read:

1 16.847 (8) REPAYMENT AGREEMENTS. ~~As a condition of receiving a loan under sub.~~
2 ~~(6), an agency shall enter into an agreement to repay the loan from utility expenses~~
3 ~~saved by the energy efficiency project. The agreement shall specify the annual~~
4 ~~repayment amount and the appropriation to which the loan shall be repaid.~~
5 Annually, ~~the~~ The department may annually transfer the specified repayment
6 ~~amount from an appropriation described in the agreement to the same account in~~
7 repayments under agreements to obtain loans from the energy efficiency fund from
8 ~~which the loan was made under s. 16.847 (6), 1999 stats., from the appropriations~~
9 specified in the agreements to the general fund. The amount of each annual
10 repayment shall equal the amount of annual savings in utility expenses realized as
11 a result of the energy efficiency project that was funded by a loan. The department
12 shall determine the amount of annual savings in utility expenses saved realized as
13 a result of an energy efficiency project.

14 SECTION 5. 16.847 (8) (b) of the statutes is repealed.

15 SECTION 6. 16.847 (9) of the statutes is repealed.

16 SECTION 7. 16.85 (1) of the statutes is amended to read:

17 16.85 (1) To take charge of and supervise all engineering or architectural
18 services or construction work as defined in s. 16.87 performed by, or for, the state, or
19 any department, board, institution, commission or officer thereof, including
20 nonprofit-sharing corporations organized for the purpose of assisting the state in the
21 construction and acquisition of new buildings or improvements and additions to
22 existing buildings as contemplated under ss. 13.488, 36.09 and 36.11, except the
23 engineering, architectural and construction work of the department of
24 transportation, the engineering service performed by the department of commerce,
25 department of revenue, public service commission, department of health and family

1 services and other departments, boards and commissions when the service is not
2 related to the maintenance, and construction and planning of the physical properties
3 of the state, ~~and energy efficiency projects of the energy efficiency program under s.~~
4 ~~16.847.~~ The department shall adopt the architectural and engineering design
5 proposed by the state fair park board for any project to be constructed for the board,
6 if the design and specifications conform to applicable laws, rules, codes and
7 regulations. The department shall not authorize construction work for any state
8 office facility in the city of Madison after May 11, 1990, unless the department first
9 provides suitable space for a day care center primarily for use by children of state
10 employees.

11 SECTION 8. 20.255 (1) (c) of the statutes is amended to read:

12 20.255 (1) (c) *Energy costs; School for the Deaf and Center for the Blind and*
13 *Visually Impaired.* The amounts in the schedule to be used at the Wisconsin School
14 for the Deaf and the Wisconsin Center for the Blind and Visually Impaired to pay for
15 utilities and for fuel, heat and air conditioning, and to pay costs incurred by or on
16 behalf of the department under ss. 16.858 and 16.895, ~~and to repay to the energy~~
17 ~~efficiency fund loans made to the department under s. 16.847 (6).~~

18 SECTION 9. 20.285 (1) (c) of the statutes is amended to read:

19 20.285 (1) (c) *Energy costs.* The amounts in the schedule to pay for utilities and
20 for fuel, heat and air conditioning, and to pay costs incurred under ss. 16.858 and
21 16.895, including all operating costs recommended by the department of
22 administration that result from the installation of pollution abatement equipment
23 in state-owned or operated heating, cooling or power plants, by or on behalf of the
24 board of regents, ~~and to repay to the energy efficiency fund loans made to the board~~
25 ~~under s. 16.847 (6).~~

1 **SECTION 10.** 20.410 (1) (f) of the statutes is amended to read:

2 20.410 (1) (f) *Energy costs.* The amounts in the schedule to be used at state
3 correctional institutions to pay for utilities and for fuel, heat and air conditioning,
4 and to pay costs incurred by or on behalf of the department under ss. 16.858 and
5 16.895, ~~and to repay to the energy efficiency fund loans made to the department~~
6 ~~under s. 16.847 (6).~~

7 **SECTION 11.** 20.435 (2) (f) of the statutes is amended to read:

8 20.435 (2) (f) *Energy costs.* The amounts in the schedule to be used at mental
9 health institutes and centers for the developmentally disabled to pay for utilities and
10 for fuel, heat and air conditioning, and to pay costs incurred by or on behalf of the
11 department under ss. 16.858 and 16.895, ~~and to repay to the energy efficiency fund~~
12 ~~loans made to the department under s. 16.847 (6).~~

13 **SECTION 12.** 20.465 (1) (f) of the statutes is amended to read:

14 20.465 (1) (f) *Energy costs.* The amounts in the schedule to be used at military
15 buildings under control of the department to pay for utilities and for fuel, heat and
16 air conditioning, and to pay costs incurred by or on behalf of the department under
17 ss. 16.858 and 16.895, ~~and to repay to the energy efficiency fund loans made to the~~
18 ~~department under s. 16.847 (6).~~

19 **SECTION 13.** 20.505 (5) (ka) of the statutes is amended to read:

20 20.505 (5) (ka) *Facility operations and maintenance; police and protection*
21 *functions.* The amounts in the schedule for the purpose of financing the costs of
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4 agencies for the operation of such facilities, parking rental fees established under s.
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6 assessments under s. 16.895, all moneys received for the performance of gaming
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8 appropriation account under s. 20.865 (2) (e) for this purpose shall be credited to this
9 appropriation account.

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14 SECTION 9201. Appropriation changes; administration.

15 (1) ENERGY EFFICIENCY FUND ELIMINATION. On the effective date of this
16 subsection, *immediately before the effective date of this subsection* the unencumbered balance in the energy efficiency fund is transferred
17 to the general fund.

18 (END)

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1553/3dn

JTK.....

JKD

date

Cynthia Dombrowski/Josh Hummert/Steve Milioto:

This redraft standardizes phraseology[✓] in the "Appropriation changes" provision.

Jeffery T. Kuesel
Managing Attorney
Phone: (608) 266-6778

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

LRB-1553/3dn
JTK:jld:jf

February 13, 2001

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Jeffery T. Kuesel
Managing Attorney
Phone: (608) 266-6778



State of Wisconsin
2001 - 2002 LEGISLATURE

LRB-1553/3
JTK:kmg/cmh/wlj:jf

DOA:.....Dombrowski/Hummert/Milioto - Energy efficiency fund
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FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

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25 department of revenue, public service commission, department of health and family

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15 (1) ENERGY EFFICIENCY FUND ELIMINATION. On the effective date of this
16 subsection, the unencumbered balance in the energy efficiency fund immediately
17 before the effective date of this subsection is transferred to the general fund.

18 (END)