

2001 DRAFTING REQUEST

Senate Amendment (SA-SSA1-SB55)

Received: 06/15/2001

Received By: grantpr

Wanted: As time permits

Identical to LRB:

For: Senate Democratic Caucus

By/Representing: Keckhaver

This file may be shown to any legislator: NO

Drafter: grantpr

May Contact:

Addl. Drafters:

Subject: Education - libraries

Extra Copies: MJL

Submit via email: NO

Requester's email:

Pre Topic:

SDC:.....Keckhaver - CN1012,

Topic:

Trust fund loans to federated library systems

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 06/16/2001	hhagen 06/16/2001		_____			
/1			pgreensl 06/16/2001	_____	lrb_docadmin 06/16/2001		

FE Sent For:

<END>

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1?	grantpr	11 hmb 6/14/01	9/14 PS	6/14 PS JJK			

FE Sent For:

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CN/1012
LN

UPB-1860

Adopt the Trust Fund Loans to Certain Federated Public Library Systems proposed by the Governor related to the Board of Commissioners of Public Lands. This would modify current law to allow the Board of Commissioners of Public Lands to make trust fund loans to a federated public library system whose territory lies within two or more counties.

which were authorized under s. 16.515 by the Joint Committee on Finance to work on submerged logs activities, which are a responsibility of the Board.

4. TRUST FUND LOANS TO CERTAIN FEDERATED PUBLIC LIBRARY SYSTEMS

Governor: Modify current law to allow the Board of Commissioners of Public Lands (BCPL) to make trust fund loans to a federated public library system whose territory lies within two or more counties. Current law allows such loans to, among others: towns, villages, counties and school districts. All of the public library system in Wisconsin are federated library systems. A federated public library system whose territory lies within a single district is considered an agency of that county and a county may seek a trust fund loan for the purposes of aiding that federated public library system. However, there is no authorization for BCPL to make a trust fund loan to a federated public library system whose service territory encompasses two or more counties since the statutes specify that such a system is considered a joint agency of those counties and all involved counties would have to apply. Most of the current federated public library systems in the state are multi-county systems (14 out of the 17). Specify, as a part of this change, that such library systems would be subject to the same general terms and conditions for loans as for other general municipal borrowers. However, require that any such loan cannot be made if it would cause the system's total indebtedness to exceed the total of that system's receipts for the prior year. Provide for the same loan repayment requirements for such systems as currently exist for other borrowers, except specify that if a federated public library system's board fails to make its annual repayment amount by March 30th of each year, the Superintendent of Public Instruction would be required to deduct the required payment amount, plus penalty, from any state library aids due the system.

[Bill Sections: 1088 thru 1091, 1093, 1096 thru 1101 and 1407]

2001

Date (time) needed _____

LRB b 0866 / 1

AMDT TO BUDGET SUB AMDT

PG : hmb: _____

See form AMENDMENTS — COMPONENTS & ITEMS.

SENATE AMENDMENT
~~TO SENATE AMENDMENT _____,~~
TO SENATE SUBSTITUTE AMENDMENT 1,
TO 2001 SENATE BILL 55

At the locations indicated, amend the substitute amendment (~~amendment~~) as follows:

#. Page , line :

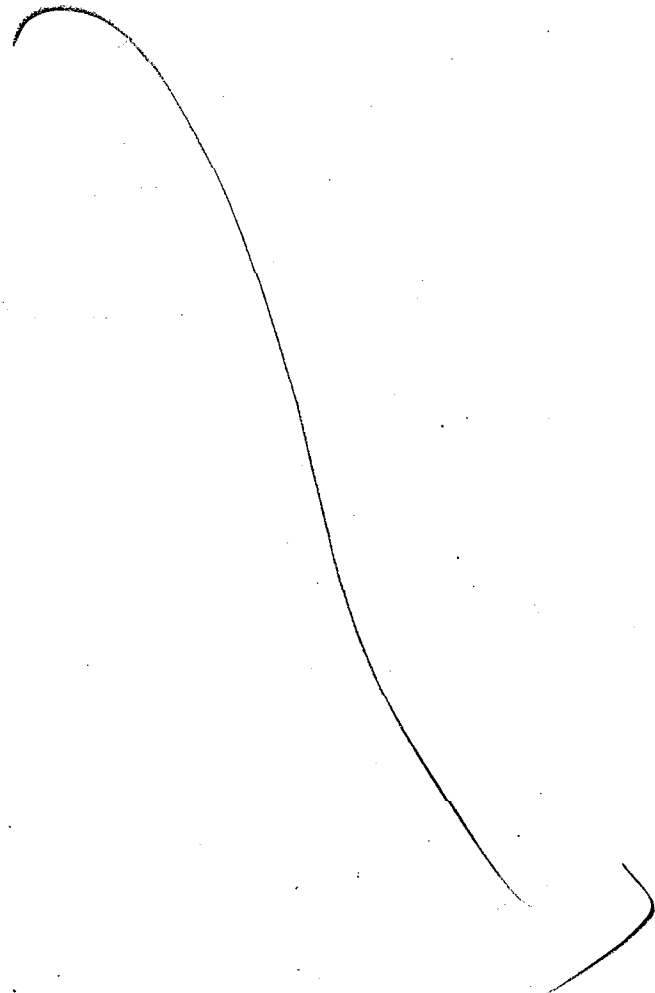
#. Page , line :

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Page 466, line 6. after that line insert:

" SECTION 24.60 (1v) of the statutes is created to read:

24.60 (1v) Federated public library system means a federated public library system whose territory lies within 2 or more counties."

Page 467, line 2: after that line insert: SECTION 24.61 (3) (a) 11. of the statutes is created to read:

24.61 (3) (a) 11. A federated public library system, as provided under s. 43.17 (9) (b) or otherwise authorized by law.

SECTION 24.61 (3) (b) of the statutes is amended to read:

24.61 (3) (b) Terms; conditions. A municipality or cooperative educational service agency, or federated public library system may obtain a state trust fund loan for the sum of money, for the time and upon the conditions as may be agreed upon between the board and the borrower, subject to the limitations, restrictions, and conditions set forth in this subchapter.

SECTION 24.63 (2r) of the statutes is created to read:

24.63 (2r) FEDERATED PUBLIC LIBRARY SYSTEM LOANS. A state trust fund loan to a federated public library system may be made for any term, not exceeding 20 years, that is agreed upon between the federated public library system and the board and may be made for a total amount that, together with all other indebtedness of the federated public library system, does not exceed the federated public library system's allowable indebtedness under s. 43.17 (9) (b)."

Page 467, line 10: after that line insert:

" SECTION 24.66 (3v) of the statutes is created to read:

24.66 (3v) FOR FEDERATED PUBLIC LIBRARY SYSTEMS. An application for a loan by a federated public library system shall be accompanied by a certified copy of a resolution of the board of the federated public library system approving the loan."

Page 468, line 7: after that line insert:

" SECTION 24.67 (1) (intro.) of the statutes is amended to read:

1 24.67 (1) (intro.) If the board approves the application, it shall cause
2 certificates of indebtedness to be prepared in proper form and transmitted to the
3 municipality ~~or~~, cooperative educational service agency, or federated public library
4 system submitting the application. The certificate of indebtedness shall be executed
5 and signed:

6 ~~SECTION 7.~~ ^{1097 m ✓} 24.67 (1) (m) of the statutes is created to read:

7 24.67 (1) (m) For a federated public library system, by its president.

8 ~~SECTION 8.~~ ^{1098 m ✓} 24.67 (2) (h) of the statutes is created to read:

9 24.67 (2) (h) For a federated public library system, by a member of the
10 federated public library system board designated by that board who is not the
11 president of that board.

12 ~~SECTION 9.~~ ^{1099 m ✓} 24.67 (3) of the statutes is amended to read:

13 24.67 (3) If a municipality has acted under subs. (1) and (2), it shall certify that
14 fact to the department of administration. Upon receiving a certification from a
15 municipality, or upon direction of the board if a loan is made to a cooperative
16 educational service agency or a federated public library system, the secretary of
17 administration shall draw a warrant upon the state treasurer for the amount of the
18 loan, payable to the treasurer of the municipality ~~or~~, cooperative educational service
19 agency, or federated public library system making the loan or as the treasurer of the
20 municipality ~~or~~, cooperative educational service agency, or federated public library
21 system directs. The certificate of indebtedness shall then be conclusive evidence of
22 the validity of the indebtedness and that all the requirements of law concerning the
23 application for the making and acceptance of the loan have been complied with.

24 ~~SECTION 10.~~ ^{1100 m ✓} 24.70 (1) of the statutes is amended to read:

1 24.70 (1) APPLICABILITY. This section applies to all outstanding state trust fund
2 loans to borrowers other than school districts and federated public library systems.

3 SECTION ~~13~~ ^{1101 m ✓} 24.715 of the statutes is created to read:

4 **24.715 Collections from federated public library systems. (1)**
5 APPLICABILITY. This section applies to all outstanding trust fund loans to federated
6 public library systems.

7 (2) CERTIFIED STATEMENT. If a federated public library system has a state trust
8 fund loan, the board shall transmit to the system board a certified statement of the
9 amount due on or before October 1 of each year until the loan is paid. The board shall
10 furnish a copy of each certified statement to the state treasurer and the department
11 of public instruction.

12 (3) PAYMENT TO STATE TREASURER. The system board shall transmit to the state
13 treasurer on its own order the full amount levied for state trust fund loans within 15
14 days after March 15. The state treasurer shall notify the board when he or she
15 receives payment. Any payment not made by March 30 is delinquent and is subject
16 to a penalty of one percent per month or fraction thereof, to be paid to the state
17 treasurer with the delinquent payment.

18 (4) FAILURE TO MAKE PAYMENT. If the system board fails to remit the amounts
19 due under sub. (3), the state superintendent, upon certification of delinquency by the
20 board, shall deduct the amount due including any penalty from any aid payments
21 due the system, shall remit such amount to the state treasurer and, no later than
22 June 15, shall notify the system board and the board to that effect.))

23 # Page 536, line 19; after that line insert:
24 " SECTION ~~13~~ ^{1407 m ✓} 43.17 (9) (b) of the statutes is amended to read:

25 43.17 (9) (b) A public library system board of a multicounty library system may
borrow money to accomplish any of its purposes, but the outstanding amount of such

1 loans at any time may not exceed an amount equal to the system board's receipts for
2 the prior fiscal year. A federated public library system whose territory lies within
3 2 or more counties may obtain a state trust fund loan to accomplish any of its
4 purposes, but the outstanding amount of a federated public library system's state
5 trust fund loans, together with all other indebtedness of the system, may not exceed
6 an amount equal to the system's receipts for the prior fiscal year. 2

7 (END)

SDC:.....Keckhaver – CN1012, Trust fund loans to federated library systems

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS SENATE AMENDMENT

TO SENATE SUBSTITUTE AMENDMENT 1,

TO 2001 SENATE BILL 55

- 1 At the locations indicated, amend the substitute amendment as follows:
- 2 **1.** Page 466, line 6: after that line insert:
- 3 **"SECTION 1088d.** 24.60 (1v) of the statutes is created to read:
- 4 24.60 (1v) Federated public library system means a federated public library
- 5 system whose territory lies within 2 or more counties."
- 6 **2.** Page 467, line 2: after that line insert:
- 7 **"SECTION 1089m.** 24.61 (3) (a) 11. of the statutes is created to read:
- 8 24.61 (3) (a) 11. A federated public library system, as provided under s. 43.17
- 9 (9) (b) or otherwise authorized by law.
- 10 **SECTION 1089n.** 24.61 (3) (b) of the statutes is amended to read:

1 24.61 (3) (b) *Terms; conditions.* A municipality or, cooperative educational
2 service agency, or federated public library system may obtain a state trust fund loan
3 for the sum of money, for the time and upon the conditions as may be agreed upon
4 between the board and the borrower, subject to the limitations, restrictions, and
5 conditions set forth in this subchapter.

6 **SECTION 1089t.** 24.63 (2r) of the statutes is created to read:

7 **24.63 (2r) FEDERATED PUBLIC LIBRARY SYSTEM LOANS.** A state trust fund loan to
8 a federated public library system may be made for any term, not exceeding 20 years,
9 that is agreed upon between the federated public library system and the board and
10 may be made for a total amount that, together with all other indebtedness of the
11 federated public library system, does not exceed the federated public library system's
12 allowable indebtedness under s. 43.17 (9) (b).".

13 **3.** Page 467, line 10: after that line insert:

14 **"SECTION 1092m.** 24.66 (3v) of the statutes is created to read:

15 **24.66 (3v) FOR FEDERATED PUBLIC LIBRARY SYSTEMS.** An application for a loan by
16 a federated public library system shall be accompanied by a certified copy of a
17 resolution of the board of the federated public library system approving the loan.".

18 **4.** Page 468, line 7: after that line insert:

19 **"SECTION 1096m.** 24.67 (1) (intro.) of the statutes is amended to read:

20 **24.67 (1) (intro.)** If the board approves the application, it shall cause
21 certificates of indebtedness to be prepared in proper form and transmitted to the
22 municipality or, cooperative educational service agency, or federated public library
23 system submitting the application. The certificate of indebtedness shall be executed
24 and signed:

1 **SECTION 1097m.** 24.67 (1) (m) of the statutes is created to read:

2 24.67 (1) (m) For a federated public library system, by its president.

3 **SECTION 1098m.** 24.67 (2) (h) of the statutes is created to read:

4 24.67 (2) (h) For a federated public library system, by a member of the
5 federated public library system board designated by that board who is not the
6 president of that board.

7 **SECTION 1099m.** 24.67 (3) of the statutes is amended to read:

8 24.67 (3) If a municipality has acted under subs. (1) and (2), it shall certify that
9 fact to the department of administration. Upon receiving a certification from a
10 municipality, or upon direction of the board if a loan is made to a cooperative
11 educational service agency or a federated public library system, the secretary of
12 administration shall draw a warrant upon the state treasurer for the amount of the
13 loan, payable to the treasurer of the municipality ~~or~~, cooperative educational service
14 agency, or federated public library system making the loan or as the treasurer of the
15 municipality ~~or~~, cooperative educational service agency, or federated public library
16 system directs. The certificate of indebtedness shall then be conclusive evidence of
17 the validity of the indebtedness and that all the requirements of law concerning the
18 application for the making and acceptance of the loan have been complied with.

19 **SECTION 1100m.** 24.70 (1) of the statutes is amended to read:

20 24.70 (1) **APPLICABILITY.** This section applies to all outstanding state trust fund
21 loans to borrowers other than school districts and federated public library systems.

22 **SECTION 1101m.** 24.715 of the statutes is created to read:

23 **24.715 Collections from federated public library systems. (1)**
24 **APPLICABILITY.** This section applies to all outstanding trust fund loans to federated
25 public library systems.

1 **(2) CERTIFIED STATEMENT.** If a federated public library system has a state trust
2 fund loan, the board shall transmit to the system board a certified statement of the
3 amount due on or before October 1 of each year until the loan is paid. The board shall
4 furnish a copy of each certified statement to the state treasurer and the department
5 of public instruction.

6 **(3) PAYMENT TO STATE TREASURER.** The system board shall transmit to the state
7 treasurer on its own order the full amount levied for state trust fund loans within 15
8 days after March 15. The state treasurer shall notify the board when he or she
9 receives payment. Any payment not made by March 30 is delinquent and is subject
10 to a penalty of one percent per month or fraction thereof, to be paid to the state
11 treasurer with the delinquent payment.

12 **(4) FAILURE TO MAKE PAYMENT.** If the system board fails to remit the amounts
13 due under sub. (3), the state superintendent, upon certification of delinquency by the
14 board, shall deduct the amount due including any penalty from any aid payments
15 due the system, shall remit such amount to the state treasurer and, no later than
16 June 15, shall notify the system board and the board to that effect.”.

17 **5.** Page 536, line 19: after that line insert:

18 “**SECTION 1407m.** 43.17 (9) (b) of the statutes is amended to read:

19 43.17 (9) (b) A public library system board of a multicounty library system may
20 borrow money to accomplish any of its purposes, but the outstanding amount of such
21 loans at any time may not exceed an amount equal to the system board’s receipts for
22 the prior fiscal year. A federated public library system whose territory lies within
23 2 or more counties may obtain a state trust fund loan to accomplish any of its
24 purposes, but the outstanding amount of a federated public library system’s state

1 trust fund loans, together with all other indebtedness of the system, may not exceed
2 an amount equal to the system's receipts for the prior fiscal year."

3 (END)