

2005 DRAFTING REQUEST

Bill

Received: 11/10/2004

Received By: mlief

Wanted: As time permits

Identical to LRB:

For: Administration-Budget

By/Representing: Dombrowski

This file may be shown to any legislator: NO

Drafter: mlief

May Contact:

Addl. Drafters:

Subject: Econ. Development - housing

Extra Copies: CTS

Submit via email: YES

Requester's email:

Carbon copy (CC:) to:

Pre Topic:

DOA:.....Dombrowski, BB0251 -

Topic:

Low-income home energy assistance program funding

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>
/?				_____			S&L
/1	mlief 11/16/2004	wjackson 11/16/2004	rschluet 11/16/2004	_____	sbasford 11/16/2004		S&L
/2	mlief 01/21/2005	wjackson 01/21/2005	rschluet 01/21/2005	_____	mbarman 01/24/2005		

FE Sent For:

<END>

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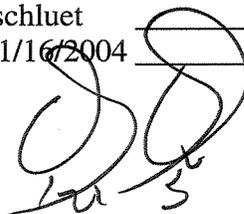
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/?							S&L
/1	mlief 11/16/2004	wjackson 11/16/2004	rschluet 11/16/2004		sbasford 11/16/2004		

FE Sent For:

12 WLJ 1/21



Handwritten signature and initials, possibly 'mlief' and 'rschluet', with the number '5' written below.

***LRB-0738***

11/16/2004 02:21:10 PM

Page 2

<END>

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FE Sent For:

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16  
4  
<END>

MJL  
CTS

## 2005-07 Budget Bill Statutory Language Drafting Request

- **Topic: Low-Income Home Energy Assistance Program Funding**
- Tracking Code: BB0051
- SBO team: OPS
- SBO analyst: Cindy Dombrowski  
• Phone: 266-5878  
• Email: cynthia.dombrowski@doa.state.wi.us
- **Agency acronym: DOA**
- **Agency number: 505**

See attached.

**Department of Administration (agency) Drafting Request  
to the Legislative Reference Bureau**

- Draft for Possible 2005-07 Budget Bill Introduction
- Draft for Possible Introduction as Department-sponsored or Independent Bill

**Subject:** LIHEAP Crisis Assistance Funding

**Request Date:** 10/18/04

**Reviewed by:** Martha Kerner

**DOA Contact for drafting information (phone):** Mary Massey 7-2099

**Brief Description of Intent:**

Under s. 16.27 - Low Income Energy Assistance, the department of administration may not allocate more than \$3.2 million annually for Crisis Assistance. Consequently, the department has frequently sought legislative approval to increase this amount via the s.13.10 process. The department would like to eliminate this restriction.

**Statutory changes:**

Modify s.16.27(3)(e)(2) to remove the \$3.2 million restriction. It may also be necessary to modify s.16.54 to remove the reference to s.16.27(3)(e)(2). A possible draft revision is attached.

**Related Stat. Citations if appropriate**

None.

*x-refs  
16.27(3)(e)3.  
16.54(2)(b)*

*11/16 TC w/Cindy - Just draft per narrative  
for now.*

## Proposed Statutory Revision

### LIHEAP Crisis Funding

**draft**

(3) FUNDING. Subject to s. 16.54 (2), the department shall, within the limits of the availability of federal funds received under 42 USC 8621 to 8629:

(b) By October 1 of every year from the appropriation under s. 20.505 (1) (mb), determine the total amount available for payment of heating assistance under sub. (6) and determine the benefit schedule.

(c) From the appropriation under s. 20.505 (1) (mb), allocate \$1,100,000 in each federal fiscal year for the department's expenses in administering the funds to provide low-income energy assistance.

(d) From the appropriation under s. 20.505 (1) (n), allocate \$2,900,000 in each federal fiscal year for the expenses of a county department, another local governmental agency or a private nonprofit organization in administering under sub. (4) the funds to provide low-income energy assistance.

(e) From the appropriation under s. 20.505 (1) (mb):

1. Allocate and transfer to the appropriation under s. 20.505 (1) (kn), 15% of the moneys received under 42 USC 8621 to 8629 in each federal fiscal year under the priority of maintaining funding for the geographical areas on July 20, 1985, and, if funding is reduced, prorating contracted levels of payment, for the weatherization assistance program administered by the department under s. 16.26.

~~2. Allocate not more than \$3,200,000 in each federal fiscal year for the payment of crisis assistance benefits to meet weather-related or fuel supply shortage emergencies under sub. (8).~~

~~3. Except as provided under subd. 6., allocate the balance of funds received under 42 USC 8621 to 8629 in a federal fiscal year, after making the allocations under pars. (c) and (d) and subds. 1. and 2., for the payment of heating assistance under sub. (6) or for the payment of crisis assistance under sub. (8).~~

6. If federal funds received under 42 USC 8621 to 8629 in a federal fiscal year total less than 90% of the amount received in the previous federal fiscal year, submit a plan of expenditure under s. 16.54 (2) (b).

7. By October 1 of each year and after consulting with the department of administration, allocate funds budgeted but not spent and any funds remaining from previous fiscal years to heating assistance under sub. (6) or for the payment of crisis assistance under sub. (8), or to the weatherization assistance program under s. 16.26.



State of Wisconsin  
2005 - 2006 LEGISLATURE

LRB-0738/1

MJL: /:...

Wlj

DOA:.....Dombrowski, BB0251 - Low-income home energy assistance ✓  
program funding

FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION ✓

DO NOT GEN

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

Analysis by the Legislative Reference Bureau

AGRICULTURE, COMMERCE AND ECONOMIC DEVELOPMENT ✓

ECONOMIC DEVELOPMENT ✓

DOA

Currently, the department of administration may not allocate more than \$3.2 million of federal funds for the payment of assistance to meet weather-related or fuel supply shortage emergencies. This bill eliminates this \$3.2 million restriction. ✓

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:*

2 SECTION 1. 16.27 (3) (e) 2. of the statutes is repealed.

3 SECTION 2. 16.27 (3) (e) 3. of the statutes is amended to read:

4 16.27 (3) (e) 3. Except as provided under subd. 6., allocate the balance of funds  
5 received under 42 USC 8621 to 8629 in a federal fiscal year, after making the

1 allocations under pars. (c) and (d) and ~~subs. 1. and 2.~~ subd. 1., for the payment of  
2 heating assistance under sub. (6).

**History:** 1985 a. 29 ss. 1055g, 2488h to 2488n; 1985 a. 176, 332; 1987 a. 27; 1989 a. 31, 359; 1991 a. 39; 1993 a. 16; 1995 a. 27 ss. 2336, 3182 to 3207; Stats. 1995 s. 16.385; 1995 a. 77, 417; 1999 a. 9; 2003 a. 33 s. 162; Stats. 2003 s. 16.27; 2003 a. 321 s. 11; 2003 a. 327 s. 5.

3 **SECTION 3.** 16.54 (2) (b) of the statutes is amended to read:

4 16.54 (2) (b) Upon presentation by the department to the joint committee on  
5 finance of alternatives to the provisions under s. 16.27, the joint committee on  
6 finance may revise the eligibility criteria under s. 16.27 (5), or benefit payments  
7 under s. 16.27 (6) ~~or the amount allocated for crises under s. 16.27 (3) (e) 2.~~ and the  
8 department shall implement those revisions. Benefits or eligibility <sup>3</sup>criteria so  
9 revised shall take into account and be consistent with the requirements of federal  
10 regulations promulgated under 42 USC 8621 to 8629. If funds received under 42  
11 USC 8621 to 8629 in a federal fiscal year total less than 90% of the amount received  
12 in the previous federal fiscal year, the department shall submit to the joint committee  
13 on finance a plan for expenditure of the funds. The department may not use the funds  
14 unless the committee approves the plan.

**History:** 1973 c. 333; 1975 c. 39 ss. 69, 732 (1); 1975 c. 224; 1977 c. 418; 1979 c. 34; 1981 c. 27; 1983 a. 27, 208, 470; 1985 a. 29; 1987 a. 4, 27, 186, 399, 403; 1989 a. 31; 1991 a. 39, 316; 1995 a. 27 ss. 303 to 307, 9126 (19); 1995 a. 132, 225; 1999 a. 9, 74; 2001 a. 16; 2003 a. 33.

15

(END)

## Lief, Madelon

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**From:** Dombrowski, Cynthia  
**Sent:** Friday, January 21, 2005 4:25 PM  
**To:** Lief, Madelon  
**Subject:** RE: Low-income home energy assistance program funding

Perfect! You are the best!

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

**From:** Lief, Madelon [mailto:Madelon.Lief@legis.state.wi.us]  
**Sent:** Friday, January 21, 2005 4:24 PM  
**To:** Dombrowski, Cynthia  
**Subject:** RE: Low-income home energy assistance program funding

Sure. Consider it done.

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

**From:** Dombrowski, Cynthia  
**Sent:** Friday, January 21, 2005 4:23 PM  
**To:** Lief, Madelon  
**Subject:** RE: Low-income home energy assistance program funding

Can we do it so it says "for the payment of heating assistance or for the payment of crisis assistance" to avoid confusion. We just want to make sure that people understand that these are two distinct programs.

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

**From:** Lief, Madelon [mailto:Madelon.Lief@legis.state.wi.us]  
**Sent:** Friday, January 21, 2005 4:18 PM  
**To:** Dombrowski, Cynthia  
**Subject:** RE: Low-income home energy assistance program funding

Does that mean that you still want to repeal 16.27 (3) (e) 2. but add language to 16.27 (3) (e) 2. that says it is for "the payment of crisis and heating assistance"?

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

**From:** Dombrowski, Cynthia  
**Sent:** Friday, January 21, 2005 4:12 PM  
**To:** Lief, Madelon  
**Subject:** RE: Low-income home energy assistance program funding

Hi again, Lonnie :)

One minor change to this draft.

With this one, we're afraid that without specifying that funds can be used for crisis assistance, the language will be interpreted to mean that crisis assistance funds are a subset of heating assistance funds. They are really two separate things. Can we keep a reference to crisis assistance but eliminate the requirement to JCF and the spending cap?

Thanks  
Cindy

DOA:.....Dombrowski, BB0251 - Low-income home energy assistance program funding

FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION

TODAY

RM-run

DO NOT GEN

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

*Analysis by the Legislative Reference Bureau*  
COMMERCE AND ECONOMIC DEVELOPMENT

ECONOMIC DEVELOPMENT

Currently DOA may not allocate more than \$3.2 million of federal funds for the payment of assistance to meet weather-related or fuel supply shortage emergencies. This bill eliminates this \$3.2 million restriction.

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:*

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*Emergency*

*or for the payment of crisis assistance*

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2 heating assistance under sub. (6).

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9 revised shall take into account and be consistent with the requirements of federal  
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11 USC 8621 to 8629 in a federal fiscal year total less than 90% of the amount received  
12 in the previous federal fiscal year, the department shall submit to the joint committee  
13 on finance a plan for expenditure of the funds. The department may not use the funds  
14 unless the committee approves the plan.

15 (END)



State of Wisconsin  
2005 - 2006 LEGISLATURE

LRB-0738/2

MJL:wjl:rs

DOA:.....Dombrowski, BB0251 - Low-income home energy assistance  
program funding

FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION

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15 (END)