

**2009 DRAFTING REQUEST**

**Bill**

Received: **01/30/2009**

Received By: **rchampag**

Wanted: **Today**

Identical to LRB:

For: **Administration-Budget**

By/Representing: **Weidner**

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

Drafter: **rchampag**

May Contact:

Adl. Drafters:

Subject: **State Finance - public lands**

Extra Copies:

Submit via email: **YES**

Requester's email:

Carbon copy (CC:) to:

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**Pre Topic:**

DOA:.....Weidner, BAB -

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**Topic:**

BCPL loan program

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**Instructions:**

See attached.

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**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>
/?	rchampag 01/30/2009	wjackson 01/30/2009		_____			S&L
/1			mduchek 01/30/2009	_____	cduerst 01/31/2009		

FE Sent For:

<END>

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/?	rchampag	1 WLJ 1/30	MD	<del>MD</del>			
			1/30	PTT			

FE Sent For:

<END>

**Champagne, Rick**

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**From:** Hanaman, Cathlene  
**Sent:** Friday, January 30, 2009 2:55 PM  
**To:** Champagne, Rick  
**Subject:** RE: Budget Adjustment Bill

Yes, in DOA style.

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**From:** Champagne, Rick  
**Sent:** Friday, January 30, 2009 2:54 PM  
**To:** Hanaman, Cathlene  
**Subject:** RE: Budget Adjustment Bill

Should we redraft for DOA?

---

**From:** Hanaman, Cathlene  
**Sent:** Friday, January 30, 2009 2:48 PM  
**To:** Champagne, Rick; Kahler, Pam; Kreye, Joseph  
**Subject:** FW: Budget Adjustment Bill  
**Importance:** High

Tell me if anyone needs help doing these.

---

**From:** Weidner, Jenna M - DOA [mailto:Jenna.Weidner@wisconsin.gov]  
**Sent:** Friday, January 30, 2009 1:27 PM  
**To:** Hanaman, Cathlene  
**Cc:** Kraus, Jennifer - DOA; Pawasarat, Jane - DOA; Beadles, Kathleen - DOA  
**Subject:** Budget Adjustment Bill  
**Importance:** High

Cathlene,  
Please include the latest versions of the following existing drafts (prepared for Senators Miller and Taylor) in the Budget Adjustment Bill:

LRB 1005 - BCPL Loan Program  
LRB 0969 - HERO Loan Program  
LRB 1251 - Tenant Protections

Liz Stephens sent an email directly to the drafters to release these drafts to DOA. Please let me know if you require anything more formal to transition these bills.

Thank you,  
Jenna

*Jenna Weidner*  
Executive Policy and Budget Analyst  
Wisconsin State Budget Office, DOA-DEBF  
101 East Wilson Street  
Madison, WI 53702  
(608)266-7329  
[jenna.weidner@wisconsin.gov](mailto:jenna.weidner@wisconsin.gov)

01/30/2009



State of Wisconsin  
2009 - 2010 LEGISLATURE

LRB-1005/T

RAC:jld:md

LRB-1889/1  
RAC:jld  
+WLj

2009 BILL  
DOA Budget

do not gen

1 AN ACT to amend 24.61 (4), 24.63 (4), 24.66 (3) (am), 24.66 (3) (bm), 24.70 (4),  
2 24.71 (4), 24.715 (3) and 24.716 (3); and to create 24.66 (3) (c) and 67.045 (1)  
3 (h) of the statutes; relating to: loan program administered by the Board of  
4 Commissioners of Public Lands.

**Analysis by the Legislative Reference Bureau**

The bill makes the following changes to the loan program administered by the Board of Commissioners of Public Lands (BCPL):

1. Provides that any borrower, after January 1 and before September 1 in any year, may prepay one or more installments of a state trust fund loan in advance of the due date and that all interest upon the advance payment terminates. Currently, a borrower may do this only after March 15 and before August 1 in any year.

2. Requires that borrowers repay loans directly to BCPL and not to the secretary of administration.

3. With respect to loans to counties, provides that a county must demonstrate to BCPL that the loan is for the purpose of acquiring or installing energy efficient equipment. Currently, counties must demonstrate to BCPL that the loan is for one of a number of enumerated purposes, or satisfies certain conditions, which do not specifically include the acquisition or installation of energy efficient equipment.

4. Clarifies the conditions under which school districts may receive short-term loans of ten years or less from BCPL without the approval of the electors of the school districts. These conditions are currently specified in chapter 67 of the Wisconsin

STATE GOVERNMENT  
STATE FINANCE  
Head  
Subhead

**BILL**

Statutes, by cross-reference, and this bill recreates these conditions in chapter 24 of the Wisconsin Statutes.

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

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

1           **SECTION 1.** 24.61 (4) of the statutes is amended to read:

2           24.61 (4) LOAN LIMITATIONS. Notwithstanding sub. (3), the board may not loan  
3 moneys to a county unless the governing body of the county demonstrates to the  
4 board's satisfaction that s. 67.045 (1) (a), (b), (c), (d), (e) ~~or~~, (g), or (h) applies.

5           **SECTION 2.** 24.63 (4) of the statutes is amended to read:

6           24.63 (4) REPAYMENT BEFORE DUE DATE PERMITTED. Any borrower after ~~March 15~~  
7 January 1 and prior to ~~August~~ September 1 of any year may repay one or more  
8 installments of a state trust fund loan in advance of the due date, and all interest  
9 upon such advance payment shall thereupon terminate. The board may charge a  
10 borrower who repays one or more installments of a loan a fee to cover any  
11 administrative costs incurred by the board in originating and servicing the loan.

12           **SECTION 3.** 24.66 (3) (am) of the statutes is amended to read:

13           24.66 (3) (am) *For short-term loans by common, union high and 1st class city*  
14 *school districts.* Every application for a loan, the required repayment of which is 10  
15 years or less, shall be approved and authorized for a common, union high or 1st class  
16 city school district under par. (a) or ~~under the procedure in s. 67.12 (12) (c),~~ to the  
17 extent applicable.

18           **SECTION 4.** 24.66 (3) (bm) of the statutes is amended to read:

19           24.66 (3) (bm) *For short-term loans by unified school districts.* Every  
20 application for a loan, the required repayment of which is 10 years or less, shall be

**BILL**

1 approved and authorized for a unified school district under par. (b) or ~~under the~~  
2 procedure in s. 67.12 (12) (c), to the extent applicable.

3 **SECTION 5.** 24.66 (3) (c) of the statutes is created to read:

4 24.66 (3) (c) *Alternative short-term loan process for all school districts.* 1. If  
5 the procedure in par. (a) or (b) is not used for the approval of a school district loan,  
6 the required repayment of which is 10 years or less, the governing body of the school  
7 district, before any certificate of indebtedness is issued, shall adopt and record a  
8 resolution specifying the purposes and the maximum amount of the certificate of  
9 indebtedness issued.

10 2. Unless the purpose and amount of the borrowing have been approved by the  
11 electors under s. 67.05 (6a) or considered approved by the electors under s. 67.05 (7)  
12 (d) 3., the purpose is to refund any outstanding obligation, the purpose is to pay  
13 unfunded prior service liability contributions under the Wisconsin Retirement  
14 System if all of the proceeds of the note will be used for that purpose, or the borrowing  
15 would not be subject to a referendum as a bond issue under s. 67.05 (7) (cc), (h), or  
16 (i), or s. 67.12 (12) (e) 2g., (f), or (h) applies, the school district clerk shall, within 10  
17 days after a governing body of a school district adopts a resolution as described above  
18 to issue a certificate of indebtedness, publish notice of such adoption as a class 1  
19 notice, under ch. 985. Alternatively, the notice may be posted as provided under s.  
20 10.05. The notice need not set forth the full contents of the resolution, but shall state  
21 the maximum amount proposed to be borrowed, the purpose thereof, that the  
22 resolution was adopted under this subsection, and the place where, and the hours  
23 during which, the resolution may be inspected. If, within 30 days after publication  
24 or posting, a petition conforming to the requirements of s. 8.40 is filed with the school  
25 district clerk for a referendum on the resolution signed by at least 7,500 electors of

**BILL**

1 the district or at least 20 percent of the number of district electors voting for governor  
2 at the last general election, as determined under s. 115.01 (13), whichever is the  
3 lesser, then the resolution shall not be effective unless adopted by a majority of the  
4 district electors voting at the referendum. The referendum shall be called in the  
5 manner provided under s. 67.05 (6a), except that the question which appears on the  
6 ballot shall be "Shall ... (name of district) borrow the sum of \$... for (state purpose)  
7 by issuing its general obligation promissory note (or notes) under section 24.66 (3)  
8 of the Wisconsin Statutes?". If a governing body of a school district adopts a  
9 resolution to borrow a sum of money under this subsection and a sufficient petition  
10 for referendum is not filed within the time permitted, then the power of the governing  
11 body of a school district to borrow the sum and expend the sum for the purpose stated  
12 shall be deemed approved by the school district electors upon the expiration of the  
13 time for filing the petition.

14 3. If the governing body of a school district adopts a resolution to borrow a sum  
15 of money under this subsection, and if subd. 2. does not apply, the governing body of  
16 a school district has the power to borrow and spend the sum for the purpose stated  
17 without the approval of the electors of the school district.

18 **SECTION 6.** 24.70 (4) of the statutes is amended to read:

19 24.70 (4) ~~PAYMENT TO SECRETARY OF ADMINISTRATION BOARD.~~ The treasurer of each  
20 municipality shall transmit to the ~~secretary of administration on his or her board on~~  
21 its order the full amount levied for state trust fund loans within 15 days after March  
22 15. Each cooperative educational service agency shall similarly transmit the annual  
23 amount owed on any state trust fund loan made to the agency by that date. ~~The~~  
24 ~~secretary of administration shall notify the board when he or she receives payment.~~  
25 Any payment not made by March 30 is delinquent and is subject to a penalty of one

**BILL**

1 percent per month to be paid to the ~~secretary of administration~~ board with the  
2 delinquent payment.

3 **SECTION 7.** 24.71 (4) of the statutes is amended to read:

4 24.71 (4) ~~PAYMENT TO SECRETARY OF ADMINISTRATION~~ BOARD. The school district  
5 treasurer shall transmit to the ~~secretary of administration~~ board the full amount  
6 levied for state trust fund loans within 15 days after March 15. ~~The secretary of~~  
7 ~~administration shall notify the board when he or she receives payment.~~ Any  
8 payment not made by March 30 is delinquent and is subject to a penalty of one  
9 percent per month or fraction thereof, to be paid to the ~~secretary of administration~~  
10 board with the delinquent payment.

11 **SECTION 8.** 24.715 (3) of the statutes is amended to read:

12 24.715 (3) ~~PAYMENT TO STATE TREASURER~~ BOARD. The system board shall transmit  
13 to the ~~state treasurer~~ board on its own order the full amount levied for state trust  
14 fund loans within 15 days after March 15. ~~The state treasurer shall notify the board~~  
15 ~~when he or she receives payment.~~ Any payment not made by March 30 is delinquent  
16 and is subject to a penalty of one percent per month or fraction thereof, to be paid to  
17 the ~~state treasurer~~ board with the delinquent payment.

18 **SECTION 9.** 24.716 (3) of the statutes is amended to read:

19 24.716 (3) ~~PAYMENT TO SECRETARY OF ADMINISTRATION~~ BOARD. The district board  
20 shall transmit to the ~~secretary of administration~~ board on its own order the full  
21 amount levied for state trust fund loans within 15 days after March 15. ~~The secretary~~  
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24 per month or fraction thereof, to be paid to the ~~secretary of administration~~ board with  
25 the delinquent payment.



**BILL**

**SECTION 10**

1           **SECTION 10.** 67.045 (1) (h) of the statutes is created to read:  
2           67.045 (1) (h) The debt is issued for the purpose of acquiring or installing  
3 energy efficient equipment.  
4                                           **(END)**



DOA:.....Weidner, BAB - BCPL loan program

**FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION**

- 1     **AN ACT ...; relating to:** loan program administered by the Board of  
2           Commissioners of Public Lands.

---

*Analysis by the Legislative Reference Bureau*

**STATE GOVERNMENT**

**STATE FINANCE**

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