

2019 DRAFTING REQUEST

Bill

For: **Administration-Budget** Drafter: **zwyatt**
 By: **Potts** Secondary Drafters:
 Date: **2/1/2019** May Contact:

Same as LRB:

Submit via email: **YES**
 Requester's email:
 Carbon copy (CC) to: **doasbostatlanguage@wisconsin.gov**
zachary.wyatt@legis.wisconsin.gov
mary.pfotenhauer@legis.wisconsin.gov
elisabeth.shea@legis.wisconsin.gov

Pre Topic:

DOA:.....Potts, BB0255 -

Topic:

Lead service lines

Instructions:

Authorize \$40 million general obligation bonding through the safe drinking water loan program for forgivable loans to replace lead service lines.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	zwyatt 2/4/2019	aernstr 2/4/2019			
/P1	zwyatt 2/13/2019	aernstr 2/13/2019	lparisi 2/4/2019		State S&L
/P2	zwyatt 2/19/2019	aernstr 2/19/2019	dwalker 2/13/2019		State S&L
/P3			lparisi		State

Vers. Drafted

Reviewed

Submitted
2/19/2019

Jacketed

Required
S&L

FE Sent For:

<END>

Wyatt, Zachary

From: Potts, Andrew - DOA
Sent: Friday, February 01, 2019 11:22 AM
To: Wyatt, Zachary
Subject: Re: Statutory Language Drafting Request - 2019-21

Increasing the amount by \$40M.

Thanks,

AP

From: Wyatt, Zachary - LEGIS <zachary.wyatt@legis.wisconsin.gov>
Sent: Friday, February 1, 2019 10:43:46 AM
To: Potts, Andrew - DOA
Subject: FW: Statutory Language Drafting Request - 2019-21

Can you clarify: are we setting aside \$40M of the currently authorized amount for lead line replacement or increasing the amount by \$40M for that purpose?

Thanks,

Zachary D. Wyatt

Legislative Attorney

Wisconsin Legislative Reference Bureau

zachary.wyatt@legis.wisconsin.gov

608.267.3362

The information contained in this communication may be confidential and protected by the attorney-client privilege.

From: Cathlene Hanaman <cathleneh@gmail.com>
Sent: Thursday, January 31, 2019 4:12 PM
To: Pfothenauer, Mary <Mary.Pfothenauer@legis.wisconsin.gov>; Shea, Elisabeth <Elisabeth.Shea@legis.wisconsin.gov>; Wyatt, Zachary <Zachary.Wyatt@legis.wisconsin.gov>
Subject: Fwd: Statutory Language Drafting Request - 2019-21

Sent from my iPhone

Begin forwarded message:

Biennial Budget: 2019-21

Topic: Lead Service Lines

Tracking Code: BB0255

SBO Team: AEJ

SBO Analyst: Potts, Andrew
Phone: 608-266-2081
E-mail: andrew.potts@wisconsin.gov

Agency Acronym: 370

Agency Number: 370

Priority: High

Intent:

Authorized \$40 million general obligation bonding through the safe drinking water loan program for forgivable loans to replace lead service lines.

Attachments: False

Please send completed drafts to SBOSatlanguage@spmail.enterprise.wistate.us



DOA:.....Potts, BB0255 - Lead service lines

FOR 2019-2021 BUDGET -- NOT READY FOR INTRODUCTION

no gen
sa ✓

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

Analysis by the Legislative Reference Bureau

ENVIRONMENT

WATER QUALITY

Under current law, the state may contract up to \$71,400,000 in public debt for the safe drinking water loan program. This bill increases the bonding authority for the program by \$40,000,000 and allocates \$40,000,000 of the authorized public debt for forgivable loans for the replacement of lead service lines. ✓

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.** 20.866 (2) (td) of the statutes is amended to read:

3 20.866 (2) (td) *Safe drinking water loan program.* From the capital
4 improvement fund, a sum sufficient to be transferred to the environmental
5 improvement fund for the safe drinking water loan program under s. 281.61. The

SECTION 1

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1 state may contract public debt in an amount not to exceed ~~\$71,400,000~~ \$111,000,000
 2 for this purpose. Of this amount, \$40,000,000 is allocated for forgivable loans for the
 3 replacement of lead service lines under s. 281.61.

History: 1971 c. 42; 1971 c. 100 s. 23; 1971 c. 125, 211, 215, 236, 307, 330, 336; 1973 c. 90 ss. 148 to 149m, 555m (2); 1973 c. 333; 1975 c. 26, 39, 40, 41, 200, 224, 422; 1977 c. 4, 6; 1977 c. 29 ss. 385 to 387, 1650m (4), 1656 (43); 1977 c. 418; 1979 c. 4; 1979 c. 34 ss. 675a to 677v, 2102 (6) (a), (39) (a), (52) (a); 1979 c. 107, 221; 1981 c. 1 ss. 17, 18, 47; 1981 c. 20, 108, 317, 336; 1983 a. 27; 1983 a. 36 s. 96 (4); 1983 a. 97, 192, 195, 212; 1983 a. 410 s. 2202 (2); 1985 a. 6; 1985 a. 8 ss. 4, 12; 1985 a. 29 ss. 589m to 598, 3202 (23) (c), (26) (a), (53) (a); 1985 a. 77, 120, 332; 1987 a. 27, 295, 298, 399, 403, 409; 1989 a. 31, 46, 107, 122, 219, 336, 359, 366; 1991 a. 39, 51, 269, 309, 324; 1993 a. 2, 16, 98, 115, 213, 343, 377, 413, 437, 453, 485; 1995 a. 27 ss. 1159 to 1168s, 9126 (19), 9145 (1); 1995 a. 40, 57, 60, 113; 1995 a. 216, s. 30m and 9127; 1995 a. 227, 246, 372, 388, 416, 452; 1997 a. 27, 35, 61, 164, 237, 252; 1999 a. 4, 9, 146; 1999 a. 150 s. 672; 1999 a. 184; 2001 a. 12, 16, 103, 109; 2003 a. 33, 64, 91, 129; 2005 a. 1, 22, 25, 102, 300; 2007 a. 5; 2007 a. 20 ss. 582 to 597s, 9121 (6) (a); 2007 a. 226; 2009 a. 28, 361; 2011 a. 13, 32, 158; 2013 a. 20; 2015 a. 55; 2017 a. 58, 59, 185; s. 35.17 correction in (1) (v).

4

(END)

Wyatt, Zachary

From: Potts, Andrew - DOA
Sent: Tuesday, February 12, 2019 5:33 PM
To: Wyatt, Zachary
Subject: RE: LRB Draft Number 19-1741_P1

Hi, Zachary,

We need a few changes to the draft.

1. Section 1 strike, "Of this amount, \$40,000,000 is allocated for forgivable loans for the replacement of lead service lines under s. 281.61."
2. Create s. 281.61 (8)(b) to read, "(b) The department of administration shall allocate up to \$40,000,000 from proceeds of public debt authorized under s. 20.866 (2) (td) to projects involving forgivable loans to private users of public water systems, for the replacement of lead service lines."
3. Create either in s. 281.61 or in s. 13.48, "The legislature finds and determines that the prevalence of lead service lines in connections to public water systems poses a public health hazard, and that processes for reducing lead entering drinking water from such pipes requires additional treatment of wastewater. It is therefore in the public interest, and it is the public policy of this state, to assist private users of public water systems in replacing lead service lines."
4. Could you also do a quick scan of s. 281.61 to make sure that the language is consistent with the intent of the lead service line replacement program. For example, (6) refers to "a priority list" for safe drinking water loans. Would that preclude DOA from creating two priority lists, one for lead service line replacements and another for all other requests?

Thanks,

Andy

From: christopher.connor@wisconsin.gov <christopher.connor@wisconsin.gov>
Sent: Monday, February 04, 2019 4:10 PM
To: Potts, Andrew - DOA <Andrew.Potts@wisconsin.gov>
Cc: Potts, Andrew - DOA <Andrew.Potts@wisconsin.gov>; Connor, Christopher B - DOA <Christopher.Connor@wisconsin.gov>; Connor, Christopher B - DOA <Christopher.Connor@wisconsin.gov>
Subject: LRB Draft Number 19-1741_P1

We have received an LRB draft for DOA Tracking Code BB0255

LRB Topic: Lead service lines

LRB Draft Number: 19-1741_P1

Drafter: ZDW

Drafting Attorney: Zachary Wyatt
Phone: (608) 267-3362
E-mail: Zachary.Wyatt@legis.wisconsin.gov

The document can be found in the Stat Language site on SharePoint:
https://doa.sbo.wisconsin.gov/statutes/Shared%20Documents/19-1741_P1.pdf

Please Note: All new drafts are marked "OUT" and Final = "No" by default. Please update these fields in this record and related drafts as soon as you know if they are "IN" or Final.

Thanks,

Chris



WSET

DOA:.....Potts, BB0255 - Lead service lines

FOR 2019-2021 BUDGET -- NOT READY FOR INTRODUCTION

nogen

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

Analysis by the Legislative Reference Bureau

ENVIRONMENT

WATER QUALITY

Under current law, the state may contract up to \$71,400,000 in public debt for the safe drinking water loan program. This bill increases the bonding authority for the program by \$40,000,000 and allocates \$40,000,000 of the authorized public debt for forgivable loans for the replacement of lead service lines.

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. 20.866 (2) (td) of the statutes is amended to read:

3 20.866 (2) (td) *Safe drinking water loan program.* From the capital
4 improvement fund, a sum sufficient to be transferred to the environmental
5 improvement fund for the safe drinking water loan program under s. 281.61. The

1 state may contract public debt in an amount not to exceed ~~\$71,400,000~~ \$111,400,000
2 for this purpose. Of this amount, \$40,000,000 is allocated for forgivable loans for the
3 replacement of lead service lines under s. 281.61.

MS 2-4

4

(END)

1 **INS A**

 requires DOA to allocate up to \$40,000,000 of the authorized public debt to
projects involving forgivable loans to private users of public water systems

2 **INS 1-2**

3 ✧ **SECTION 1.** 13.48 (26m) of the statutes is created to read:

4 **13.48 (26m) LEAD SERVICE LINE REPLACEMENT.** The legislature finds and
5 determines that the prevalence of lead service lines in connections to public water
6 systems poses a public health hazard and that processes for reducing lead entering
7 drinking water from such pipes requires additional treatment of wastewater. It is
8 therefore in the public interest, and it is the public policy of this state, to assist
9 private users of public water systems in replacing lead service lines.

10 **INS 2-4**

11 ✧ **SECTION 2.** 281.61 (8) (b) of the statutes is created to read:

12 **281.61 (8) (b)** The department of administration shall allocate not more than
13 \$40,000,000 from proceeds of public debt authorized under s. 20.866 (2) (td) to
14 projects involving forgivable loans to private users of public water systems for the
15 replacement of lead service lines.



State of Wisconsin
2019 - 2020 LEGISLATURE

stays

LRB-1741/P2
ZDW:ahe

DOA:.....Potts, BB0255 - Lead service lines

FOR 2019-2021 BUDGET -- NOT READY FOR INTRODUCTION

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

WLJ

Replacement of lead service lines.

Analysis by the Legislative Reference Bureau

ENVIRONMENT

WATER QUALITY

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7 improvement fund, a sum sufficient to be transferred to the environmental
8 improvement fund for the safe drinking water loan program under s. 281.61. The
9 state may contract public debt in an amount not to exceed ~~\$71,400,000~~ \$111,400,000
10 for this purpose.

11 **SECTION 3.** 281.61 (8) (b) of the statutes is created to read:

12 281.61 (8) (b) The department of administration shall allocate not more than
13 \$40,000,000 from proceeds of public debt authorized under s. 20.866 (2) (td) to
14 projects involving forgivable loans to private users of public water systems for the
15 replacement of lead service lines.

16 (END)



DOA:.....Potts, BB0255 - Lead service lines

FOR 2019-2021 BUDGET -- NOT READY FOR INTRODUCTION

to cover not more than 50 percent of the cost to replace

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

Analysis by the Legislative Reference Bureau

ENVIRONMENT

WATER QUALITY

1. Replacement of lead service lines

Under current law, the state may contract up to \$71,400,000 in public debt for the safe drinking water loan program. This bill increases the bonding authority for the program by \$40,000,000 and requires DOA to allocate up to \$40,000,000 of the authorized public debt to projects involving forgivable loans to private users of public water systems for the replacement of lead service lines.

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 15 replacement of lead service lines.

16 (END)

to cover not more than 50 percent of the cost to replace

Wyatt, Zachary

From: Potts, Andrew - DOA
Sent: Tuesday, February 19, 2019 11:02 AM
To: Wyatt, Zachary
Subject: RE: LRB Draft Number 19-1741_P2

Hi, Zachary,

An edit and a comment/question:

- Section 3. Could you please include language that the loan amount may not exceed 50% of the cost of the lead service line.
- Section 3. Is it clear enough that the \$40M is an aggregate amount? We want to make sure that this isn't viewed as \$40M each fiscal year.

Thanks,

Andy

From: christopher.connor@wisconsin.gov <christopher.connor@wisconsin.gov>
Sent: Wednesday, February 13, 2019 12:59 PM
To: Potts, Andrew - DOA <Andrew.Potts@wisconsin.gov>
Cc: Potts, Andrew - DOA <Andrew.Potts@wisconsin.gov>; Connor, Christopher B - DOA <Christopher.Connor@wisconsin.gov>; Connor, Christopher B - DOA <Christopher.Connor@wisconsin.gov>
Subject: LRB Draft Number 19-1741_P2

We have received an LRB draft for DOA Tracking Code BB0255

LRB Topic: Lead service lines

LRB Draft Number: 19-1741_P2

Drafter: ZDW

Drafting Attorney: Zachary Wyatt
Phone: (608) 267-3362
E-mail: Zachary.Wyatt@legis.wisconsin.gov

The document can be found in the Stat Language site on SharePoint:
https://doa.sbo.wisconsin.gov/statutes/Shared%20Documents/19-1741_P2.pdf

Please Note: All new drafts are marked "OUT" and Final = "No" by default. Please update these fields in this record and related drafts as soon as you know if they are "IN" or Final.

Thanks,

Chris



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-1741/P3
ZDW:ahc

DOA:.....Potts, BB0255 - Lead service lines

FOR 2019-2021 BUDGET -- NOT READY FOR INTRODUCTION

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

Analysis by the Legislative Reference Bureau

ENVIRONMENT

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1. Replacement of lead service lines

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16

(END)