

**2019 DRAFTING REQUEST****Bill**

For: **Robert Cowles (608) 266-0484** Drafter: **eshea**  
 By: **Toni** Secondary Drafters:  
 Date: **11/13/2018** May Contact:  
 Same as LRB: **-2201**

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

**Pre Topic:**

No specific pre topic given

**Topic:**

Unobligated Stewardship funds for health and safety water infrastructure projects in state parks

**Instructions:**

See attached

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	eshea 11/19/2018	wjackson 11/20/2018			
/P1	eshea 2/13/2019	wjackson 2/14/2019	lparisi 11/20/2018		State
/P2			mbarman 2/15/2019		State
/1			mbarman 2/21/2019	lparisi 3/12/2019	State

FE Sent For:

<END>

At Intro

**Shea, Elisabeth**

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**From:** Herkert, Toni  
**Sent:** Monday, November 12, 2018 11:39 AM  
**To:** Shea, Elisabeth  
**Subject:** Request for a Parks Infrastructure Draft  
**Attachments:** 2018 Water Infrastructure.xlsx; RE: Parks water infrastructure update

Lis,

Can I ask you to do another bill draft for us? I think this one will be quick. Rob wants to take SB 421 that was enacted as Act 71 last session and basically do another round of infrastructure funds for our state parks. We will use the attached spreadsheet from the department as guidance. So \$5.2 million authorized but unobligated stewardship bonding from this fiscal year 2016-2017 and 2017-2018 (I also attached a recent email from Eric Hepler in FB which provides a good estimate of the amount of unobligated stewardship bonding in the outlined fiscal years.)

<https://docs.legis.wisconsin.gov/2017/related/acts/71.pdf>

Let me know if you have any questions.

Thank you in advance!

Toni

**Toni R. Herkert** Policy Advisor/Clerk - Natural Resources and Energy | Office of State Senator Robert Cowles  
(608) 266-0484 | 118 South, State Capitol | <http://legis.wisconsin.gov/senate/02/cowles>



## Shea, Elisabeth

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**From:** Hepler, Eric  
**Sent:** Friday, October 12, 2018 11:59 AM  
**To:** Herkert, Toni  
**Subject:** RE: Parks water infrastructure update

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Yes, we've followed up from DNR on their fund condition statement and hope to hear back soon. I will update you once we have a clearer idea of when we can expect that from DNR. In the meantime, we have been working on our estimates and we can present those to you by the middle of next week.

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**From:** Herkert, Toni  
**Sent:** Friday, October 12, 2018 11:49 AM  
**To:** Hepler, Eric <Eric.Hepler@legis.wisconsin.gov>  
**Subject:** Re: Parks water infrastructure update

Thanks Eric!!

Are you also working on the parks account balance? We will need to know that account condition as well. Thank you, Toni

Sent from my iPhone

On Oct 12, 2018, at 11:22 AM, Hepler, Eric <[Eric.Hepler@legis.wisconsin.gov](mailto:Eric.Hepler@legis.wisconsin.gov)> wrote:

Hi Toni,

With regard to our conversation earlier this week on 2017 Act 71,

At this time, I'm still waiting on DNR to confirm the value of FY 16-17 and FY 17-18 unobligated stewardship balances. I can provide you with an estimate of the balance and update you as soon as I hear from DNR.

In FY 16-17, the department indicates the following unobligated balances:

- Department Acquisitions - \$2,609,900
- County Forest Grants - \$5,617,300
- Property Development - \$0

In FY 17-18, the department indicates the following unobligated balances:

- Department Acquisitions - \$0
- County Forest Grants - \$7,886,000
- Property Development - \$0

For a total unobligated stewardship balance of \$16,113,200.

I'm waiting to hear back about the following subprograms: recreational boating aids, motorized stewardship, and local assistance grants. However, these subprograms typically do not lapse much. In the last five years, for example, the largest annual unallocated balance for the local assistance subprogram was \$31,700 in FY 15-16.

I hope these numbers help you get a good initial estimate of the total unallocated bonding authority for the program. I hope to be able to give you updated numbers next week.

Please let me know if you have any further questions.

**Eric R. Hepler**

Fiscal Analyst | Wisconsin Legislative Fiscal Bureau  
(608) 266-3847 | [Eric.Hepler@legis.wisconsin.gov](mailto:Eric.Hepler@legis.wisconsin.gov)

Priority	Property Name	Project Name	Estimated Cost Amt	Critical	Proposed in 19-21 Budget	Proposed in 21-23 Budget	Targeted Funding Source	Project Status
A	Statewide - see notes	Phase 2 - Drinking Fountain Replacement	\$250,000	Yes	No	Yes	Unknown	Not Started
A	Statewide - see notes	Vault Toilet Replacement	\$1,100,000	Yes	No	Yes	Unknown	Not Started
A	Yellowstone Lake state Park	Replace Water Lines	\$150,000	Yes	No	Yes	Unknown	Not Started
B	Lake Wissota State Park	Toilet Shower Replacement Facility	\$1,200,000	Yes	No	Yes	Unknown	Not Started
B	Peninsula State Park	Toilet Shower Replacement Facility	\$1,400,000	Yes	No	Yes	Unknown	Not Started
B	Mirror Lake State Park	Toilet Shower Replacement Facility	\$1,100,000	Yes	No	Yes	Unknown	Not Started

**Total**  
**\$5,200,000**

A	Critical Health/Safety/Code Compliance Repairs
B	High Priority Facility & Infrastructure Repairs
C	Low Priority Facility & Infrastructure Repairs
D	New Development & Property Enhancements

Notes

Phase one in progress, phase two will complete an additional 50 drinking fountains throughout the state that were not completed in phase one.

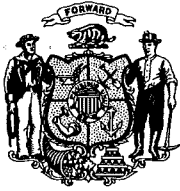
This project will thirteen 4-unit vault toilets throughout the state and campgrounds (code required) and high occupancy dayuse areas. The properties include: Black River State Forest, Devil's Lake, Harrington Beach, Hartman Creek, High Cliff, Kohler-Andrae, Pattison and Yellowstone Lake State Parks.

This project includes the replacement of 5,100 feet of existing waterline in critical areas including the campground and beach area.

Project will include the replacement of two toilet shower facilities into one facility in the campground. Project will also include the construction of two new vault toilets in the campground (code required) and the upgrade of the toilet shower changing facility at the beach area. The existing septic fields for both facilities are failing and will be replaced with this project as well.

This project will replace an existing toilet shower facility in the Tension campground at Peninsula State Park. Facilities in the campground will be built before 1970 and are in need of replacement.

This project will replace an existing toilet shower facility in the most heavily used Cliffwood campground at Mirror Lake State Park. The new facility will include restrooms, changing areas and shower rooms. The existing facility is in need of replacement to better serve customers.



State of Wisconsin  
2019 - 2020 LEGISLATURE

LRB-0788/DP  
EHS:...  
WJ

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

In 11/19  
Due 11/21

gc

1 AN ACT ...; relating to: amounts obligated under the Warren Knowles-Gaylord  
2 Nelson Stewardship 2000 Program for water infrastructure projects in state  
3 parks.

***Analysis by the Legislative Reference Bureau***

This bill requires the Department of Natural Resources to obligate up to \$5,200,000 in unobligated moneys under the Warren Knowles-Gaylord Nelson Stewardship 2000 Program to fund critical health and safety-related water infrastructure projects in state parks, prioritizing projects in those state parks with the highest demand.

Current law authorizes the state to incur public debt for certain conservation activities under the stewardship program, which is administered by DNR. The state may incur this debt to acquire land for the state for conservation purposes and for property development activities and may award grants or state aid to certain local governmental units and nonprofit conservation organizations to acquire land for these purposes.

The stewardship program consists of five subprograms. Current law establishes the amounts that DNR may obligate in each fiscal year through 2019-20 for expenditure under each of these subprograms. Prior to fiscal year 2011-12, if DNR did not obligate the full amount it was authorized to obligate in a fiscal year under a subprogram, DNR was required to adjust the annual bonding authority for that subprogram by raising the annual bonding authority for the next fiscal year by the amount unobligated in that given fiscal year. This changed beginning in fiscal year 2011-12 and, generally, under current law, if DNR does not obligate an amount

Beginning in fiscal year 2011-12,



authorized to be obligated for a subprogram in a fiscal year, <sup>to</sup> it may not adjust the annual bonding authority for that subprogram by raising the annual bonding authority for the next fiscal year. <sup>DNR</sup>

Under current law, portions of the unobligated amounts for the land acquisition, property development and local assistance, and recreational boating aids subprograms from fiscal years 2011-12 through 2016-17 are obligated for certain specific purposes. For example, not more than \$4,500,000 of the unobligated amount for these subprograms from fiscal year 2016-17 is obligated to fund critical health and safety-related water infrastructure projects in state parks, prioritizing projects in those state parks with the highest demand. For this same purpose, <sup>the</sup> this bill obligates up to \$5,200,000 of the unobligated amount for these subprograms from fiscal years 2016-17 and 2017-18.

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. 23.0917 (5g) (g) of the statutes is created to read:  
 2 23.0917 (5g) (g) 2. In this paragraph, "unobligated amount" means the amount  
 3 by which the annual bonding authority for the subprograms under subs. (3), (4), and  
 4 (4j) in fiscal years 2016-17 and 2017-18 exceeded the amounts that the department  
 5 obligated from the moneys appropriated under s. 20.866 (2) (ta) for those  
 6 subprograms for <sup>these</sup> that fiscal year, but not including the amount by which the annual  
 7 bonding authority for the purpose under sub. (3) (br) in fiscal years 2016-17 and  
 8 2017-18 exceeded the amount obligated for that purpose in that fiscal year.

9 2. Of the unobligated amount, the department shall obligate an amount  
 10 necessary to fund critical health and safety-related water infrastructure projects in  
 11 state parks, prioritizing projects in those state parks with the highest demand, but  
 12 not more than \$5,200,000.

13

(END)

## Shea, Elisabeth

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**From:** Herkert, Toni  
**Sent:** Thursday, February 14, 2019 12:42 PM  
**To:** Shea, Elisabeth  
**Subject:** RE: LRB 0788 Parks Revitalization Act Round 2

Please go ahead with the revisions. I will let you know if I get anything else today but so far I haven't and I would like to get this out next week.

Thank you!

**Toni R. Herkert** Policy Advisor/Clerk - Natural Resources and Energy | Office of State Senator Robert Cowles  
(608) 266-0484 | 118 South, State Capitol | <http://legis.wisconsin.gov/senate/02/cowles>



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**From:** Shea, Elisabeth <[Elisabeth.Shea@legis.wisconsin.gov](mailto:Elisabeth.Shea@legis.wisconsin.gov)>  
**Sent:** Wednesday, February 13, 2019 3:35 PM  
**To:** Herkert, Toni <[Toni.Herkert@legis.wisconsin.gov](mailto:Toni.Herkert@legis.wisconsin.gov)>  
**Subject:** RE: LRB 0788 Parks Revitalization Act Round 2

I think I got it. Do you want me to send this version through or wait in case you have more changes tomorrow?

Lis

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**From:** Herkert, Toni <[Toni.Herkert@legis.wisconsin.gov](mailto:Toni.Herkert@legis.wisconsin.gov)>  
**Sent:** Wednesday, February 13, 2019 3:06 PM  
**To:** Shea, Elisabeth <[Elisabeth.Shea@legis.wisconsin.gov](mailto:Elisabeth.Shea@legis.wisconsin.gov)>  
**Subject:** RE: LRB 0788 Parks Revitalization Act Round 2

Hi Lis,

Thanks for contacting Fiscal Bureau about the 2<sup>nd</sup> item. And yes, sorry, we want to increase expenditure authority by \$300,000.

Also, here is what I am trying to do with the infrastructure projects. DNR has 4 categories for projects with "A" being the Critical Health and Safety Compliance Repairs and "B" being High Priority Facility and Infrastructure Repairs. The bill last session only addressed category "A's." This session, the department has indicated important high priority repairs concerning water infrastructure but they are not classified as category "A" therefore, I am trying to merge category A and B in the statutes so that they read as a combination category in the statutes to give the department a little flexibility in the projects they address. Does that make sense?

Give me a call if you would like to discuss this further?

Thank you!

Toni

**Toni R. Herkert** Policy Advisor/Clerk - Natural Resources and Energy | Office of State Senator Robert Cowles  
(608) 266-0484 | 118 South, State Capitol | <http://legis.wisconsin.gov/senate/02/cowles>



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**From:** Shea, Elisabeth <[Elisabeth.Shea@legis.wisconsin.gov](mailto:Elisabeth.Shea@legis.wisconsin.gov)>  
**Sent:** Wednesday, February 13, 2019 2:48 PM  
**To:** Herkert, Toni <[Toni.Herkert@legis.wisconsin.gov](mailto:Toni.Herkert@legis.wisconsin.gov)>  
**Subject:** RE: LRB 0788 Parks Revitalization Act Round 2

Hi Toni,

I will contact Fiscal Bureau about the 2<sup>nd</sup> item – do you have a certain amount that you want to increase spending authority by?

As for the first item, I'm not sure removing "-related" works. If the words in the list (health, safety, and high priority) are each modifying "water infrastructure projects," does "health water infrastructure project" and "safety water infrastructure project" accurately capture what you intend? I had added "related" because "health-related water infrastructure project" and "safety-related water infrastructure project" makes more sense to me. Let me know what you think.

Lis

**Elisabeth H. Shea**  
Senior Legislative Attorney  
Wisconsin Legislative Reference Bureau  
P.O. Box 2037  
Madison, WI 53701-2037  
(608) 504-5885  
[elisabeth.shea@legis.wisconsin.gov](mailto:elisabeth.shea@legis.wisconsin.gov)

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

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**From:** Herkert, Toni <[Toni.Herkert@legis.wisconsin.gov](mailto:Toni.Herkert@legis.wisconsin.gov)>  
**Sent:** Wednesday, February 13, 2019 2:24 PM  
**To:** Shea, Elisabeth <[Elisabeth.Shea@legis.wisconsin.gov](mailto:Elisabeth.Shea@legis.wisconsin.gov)>  
**Subject:** LRB 0788 Parks Revitalization Act Round 2

Hi Lis,

I am back again ☺ Just so you know, we greatly appreciate the amount of work you complete for our office!

I was wondering if we could make a couple of changes to the parks infrastructure bill? I have a couple modifications that I know we would like to change but I may have one or two additional tomorrow. I am waiting to hear back from a parks person at DNR. However, I wanted to get the request in to you now with what we have today.

- On page 2, line 10: Can we remove the hyphen and the word “related” and add “high priority,” so that the line reads, “necessary to fund critical health, safety, and high priority water infrastructure projects in”
- Can we also add a new section that would provide the DNR increased spending authority from the segregated parks account to support parks operations prioritizing high demand state parks. Feel free to work with Fiscal Bureau on this part if necessary.

That is all I have right now, but again, I may have an additional tweak tomorrow.

Thanks!

Toni

**Toni R. Herkert** Policy Advisor/Clerk - Natural Resources and Energy | Office of State Senator Robert Cowles  
(608) 266-0484 | 118 South, State Capitol | <http://legis.wisconsin.gov/senate/02/cowles>





State of Wisconsin  
2019 - 2020 LEGISLATURE

LRB-0788/P1 P2  
EHS:wlj

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

In 2/14

Due 2/15

- 1 **AN ACT to create** 23.0917 (5g) (g) of the statutes; **relating to:** amounts obligated  
2 under the Warren Knowles-Gaylord Nelson Stewardship 2000 Program for  
3 water infrastructure projects in state parks. *and making an appropriation*

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***Analysis by the Legislative Reference Bureau***

This bill requires the Department of Natural Resources to obligate up to \$5,200,000 in unobligated moneys under the Warren Knowles-Gaylord Nelson Stewardship 2000 Program to fund critical health and safety-related water infrastructure projects in state parks, prioritizing projects in those state parks with the highest demand. *and high priority water infrastructure projects*

Current law authorizes the state to incur public debt for certain conservation activities under the stewardship program, which is administered by DNR. The state may incur this debt to acquire land for the state for conservation purposes and for property development activities and may award grants or state aid to certain local governmental units and nonprofit conservation organizations to acquire land for these purposes.

The stewardship program consists of five subprograms. Current law establishes the amounts that DNR may obligate in each fiscal year through 2019-20 for expenditure under each of these subprograms. Prior to fiscal year 2011-12, if DNR did not obligate the full amount it was authorized to obligate in a fiscal year under a subprogram, DNR was required to adjust the annual bonding authority for that subprogram by raising the annual bonding authority for the next fiscal year by the amount unobligated in that given fiscal year. Beginning in fiscal year 2011-12, under current law, if DNR does not obligate an amount authorized to be obligated for

a subprogram in a fiscal year, DNR may not adjust the annual bonding authority for that subprogram by raising the annual bonding authority for the next fiscal year.

Under current law, portions of the unobligated amounts for the land acquisition, property development and local assistance, and recreational boating aids subprograms from fiscal years 2011-12 to 2016-17 are obligated for specific purposes. For example, not more than \$4,500,000 of the unobligated amount for these subprograms from fiscal year 2016-17 is obligated to fund critical health and safety-related water infrastructure projects in state parks, prioritizing projects in those state parks with the highest demand. For this same purpose, the bill obligates up to \$5,200,000 of the unobligated amount for these subprograms from fiscal years 2016-17 and 2017-18.

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

*and high-priority water infrastructure projects*

*INSA 2*

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

1           **SECTION 1.** 23.0917 (5g) (g) of the statutes is created to read:

2           23.0917 (**5g**) (g) 2. In this paragraph, “unobligated amount” means the amount  
3 by which the annual bonding authority for the subprograms under subs. (3), (4), and  
4 (4j) in fiscal years 2016-17 and 2017-18 exceeded the amounts that the department  
5 obligated from the moneys appropriated under s. 20.866 (2) (ta) for those  
6 subprograms for those fiscal years, but not including the amount by which the  
7 annual bonding authority for the purpose under sub. (3) (br) in fiscal years 2016-17  
8 and 2017-18 exceeded the amount obligated for that purpose in that fiscal year.

9           2. Of the unobligated amount, the department shall obligate an amount  
10 necessary to fund critical health and safety-related water infrastructure projects in  
11 state parks, prioritizing projects in those state parks with the highest demand, but  
12 not more than \$5,200,000.

*and high-priority water infrastructure projects*

13

(END)

*INS 2-13*

**2019-2020 DRAFTING INSERT**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-0788/P2ins  
EHS:wlj

1           **INSERT A2**

          This bill increases the amount appropriated to DNR for state park operations by \$300,000 in fiscal year 2018-19, with priority placed on state parks with the highest demand.

2           **INSERT 2-13**

          \*\*\*\*NOTE: Let me know what you think of this wording. I believe this captures both of the categories you mentioned and makes it clear that both types of projects may be funded.

3           **SECTION 1. Fiscal changes.**

4           (1) In the schedule under s. 20.005 (3) for the appropriation to the natural  
5 resources under s. 20.370 (1) (mu), the dollar amount for fiscal year 2018-19 is  
6 increased by \$300,000 for state park operations, with priority placed on state parks  
7 with the highest demand.

*department of*  
^

## Shea, Elisabeth

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**From:** Herkert, Toni  
**Sent:** Thursday, February 21, 2019 1:35 PM  
**To:** Shea, Elisabeth  
**Cc:** Schoone, Matalin  
**Subject:** LRB -0788/P2  
**Attachments:** 19-0788/P2.pdf

Lis,

Can we create the /1 of parks so I can circulate it for co-sponsors today?

Also, can you release the drafting file to Rep. Summerfield's office and draft the Assembly companion?

Thank you!

Toni

**Toni R. Herkert** Policy Advisor/Clerk - Natural Resources and Energy | Office of State Senator Robert Cowles  
(608) 266-0484 | 118 South, State Capitol | <http://legis.wisconsin.gov/senate/02/cowles>



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**From:** Sen.Cowles <Sen.Cowles@legis.wisconsin.gov>  
**Sent:** Friday, February 15, 2019 8:23 AM  
**To:** Herkert, Toni <Toni.Herkert@legis.wisconsin.gov>; Miller, Evan <Evan.Miller@legis.wisconsin.gov>; Mugnaini, Jason <Jason.Mugnaini@legis.wisconsin.gov>  
**Subject:** FW: Draft review: LRB -0788/P2

**Heather Moore** Legislative Assistant | Office of State Senator Robert Cowles  
(608) 266-0484 | 118 South, State Capitol | <http://legis.wisconsin.gov/senate/02/cowles>



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**From:** LRB.Legal <lrblegal@legis.wisconsin.gov>  
**Sent:** Friday, February 15, 2019 7:36 AM  
**To:** Sen.Cowles <Sen.Cowles@legis.wisconsin.gov>  
**Subject:** Draft review: LRB -0788/P2

**Following is the PDF version of draft LRB -0788/P2.**





State of Wisconsin  
2019 - 2020 LEGISLATURE

LRB-0788/P2  
EHS:wlj

No change

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

- 1 **AN ACT to create** 23.0917 (5g) (g) of the statutes; **relating to:** amounts obligated  
2 under the Warren Knowles-Gaylord Nelson Stewardship 2000 Program for  
3 water infrastructure projects in state parks and making an appropriation.

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This bill requires the Department of Natural Resources to obligate up to \$5,200,000 in unobligated moneys under the Warren Knowles-Gaylord Nelson Stewardship 2000 Program to fund critical health and safety-related water infrastructure projects and high-priority water infrastructure projects in state parks, prioritizing projects in those state parks with the highest demand.

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The stewardship program consists of five subprograms. Current law establishes the amounts that DNR may obligate in each fiscal year through 2019-20 for expenditure under each of these subprograms. Prior to fiscal year 2011-12, if DNR did not obligate the full amount it was authorized to obligate in a fiscal year under a subprogram, DNR was required to adjust the annual bonding authority for that subprogram by raising the annual bonding authority for the next fiscal year by the amount unobligated in that given fiscal year. Beginning in fiscal year 2011-12, under current law, if DNR does not obligate an amount authorized to be obligated for



**Parisi, Lori**

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**From:** Herkert, Toni  
**Sent:** Tuesday, March 12, 2019 12:18 PM  
**To:** LRB.Legal  
**Subject:** Draft Review: LRB -0788/1

Thank you!!  
Please Jacket LRB -0788/1 for the SENATE.