



State of Wisconsin
2017 - 2018 LEGISLATURE

LRBs0225/1
JK:kjf

**SENATE SUBSTITUTE AMENDMENT 1,
TO SENATE BILL 648**

January 16, 2018 - Offered by Senator COWLES.

1 **AN ACT** *to create* 16.24 and 20.505 (4) (kc) of the statutes; **relating to:**
2 establishing a Wisconsin conservation corps program and making an
3 appropriation.

Analysis by the Legislative Reference Bureau

This substitute amendment creates a Wisconsin conservation corps (WCC) program to protect, enhance, and provide access to Wisconsin's natural heritage and encourage and enable young people to learn the value of work in a natural setting by providing employment training and career pathways. The substitute amendment directs the Department of Administration to contract with a nonprofit corporation that has demonstrated experience in grant program administration (manager) to manage and administer the program. The manager then provides grants to organizations that have experience in natural resources conservation to engage, train, and supervise work crews to carry out each project. The substitute amendment requires the manager, to the greatest extent practicable, to ensure that projects are equally distributed across technical college districts and to ensure that at least one project is located in each technical college district in each year.

The substitute amendment provides that a WCC project must be designed to carry out a specific goal within a defined period of time, must be focused on the conservation or enjoyment of natural resources for environmental conservation, and must have a specific, beneficial, and physical effect. The project must also be eligible

for AmeriCorps education funding. Environmental conservation projects may include new trail construction, trail rehabilitation, invasive species management, bridge and boardwalk construction, reforestation, timber stand improvement, stream bank stabilization, erosion control, rain garden installation, prairie restoration, historical site preservation, recreation site maintenance, wild land fire hazard reduction and fuels management, lake and stream restoration, boundary marking, fencing, landscaping, disaster preparation or relief, or construction of real property improvements such as gazebos or amphitheaters.

A project may be sited only on public or tribal land in this state. The substitute amendment permits local governments, tribal governments, institutions of higher education, nonprofit corporations, or state agencies to sponsor projects. A project application is then submitted to the manager. The application must identify the proposed project and the sponsor of the project and provide a detailed plan for the work on the project.

The substitute amendment provides that each work crew member on a WCC project must be between the ages of 16 and 25, and at least 50 percent of the work crew members on each project must have no postsecondary education or have a family income of not more than 200 percent of the federal poverty line on the date of their initial engagement.

The substitute amendment provides that, if the manager determines that an application is an appropriate WCC project and that work crew members would be eligible under the program, the manager must submit the application to NCSB for funding. The manager may also submit the application to other organizations to secure funding for the project. The manager may award a grant for the project if the sponsor provides funding for the project in an amount that is at least 50 percent of the amount of the grant. The substitute amendment also limits the administrative costs associated with the grant to 10 percent of the grant amount.

The substitute amendment requires each sponsor, upon completion of the project, to erect a permanent plaque at each work site identifying the site as a WCC project. The substitute amendment also requires the manager to submit an annual report to DOA identifying the number of work crew members who enrolled at a postsecondary institution upon completion of the project and their status on the first anniversary of completion of the project.

Finally, the substitute amendment requires DOA to submit an annual report to the legislature identifying the projects that were completed in each year or that are in the process of completion as of the end of that year. The report must also include the locations of all such projects and the aggregate education and jobs data received from the manager's report.

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

1 **16.24 Wisconsin conservation corps. (1) ESTABLISHMENT OF PROGRAM.**

2 There is established the Wisconsin conservation corps program. The purpose of the
3 program is to protect, enhance, and provide access to Wisconsin's natural heritage
4 and encourage and enable young people to learn the value of work in a natural setting
5 by providing employment training and career pathways.

6 **(2) DEFINITIONS.** In this section:

7 (a) "College campus" means any university, college, and technical college
8 campus.

9 (b) "Local government" has the meaning given for "local governmental unit" in
10 s. 16.97 (7).

11 (c) "Manager" means the nonprofit corporation with which the department
12 executes a contract to manage the Wisconsin conservation corps program under sub.
13 (3).

14 (d) "National and community service board" means the board created under s.
15 15.105 (24).

16 (e) "Nonprofit corporation" means a nonstock, nonprofit corporation described
17 under section 501 (c) (3) or (4) of the Internal Revenue Code that is exempt from the
18 federal income tax under section 501 (a) of that code and organized under the laws
19 of this state.

20 (f) "Project" means a planned undertaking of the Wisconsin conservation corps
21 for a sponsor to carry out a specific goal within a defined period of time that is focused
22 on the conservation or enjoyment of natural resources for environmental
23 conservation, that will have a specific, beneficial, and physical effect, and that is
24 eligible for AmeriCorps education funding, regardless of whether it receives such
25 funding.

1 (g) "Sponsor" means a local government, tribal government, university, college,
2 technical college, or nonprofit corporation or an executive branch agency, as defined
3 in s. 16.70 (4), that proposes to undertake a project.

4 (h) "Youth corps program" has the meaning given in s. 16.22 (1) (dm).

5 **(3) MANAGEMENT.** The department shall contract with a nonprofit corporation
6 to administer and manage the Wisconsin conservation corps program. The nonprofit
7 corporation shall be operating on a statewide basis on the effective date of this
8 subsection [LRB inserts date], and have demonstrated experience in grant
9 program writing and administration, natural resources conservation, and youth
10 training, education, and employment.

11 **(4) CONTRACT TERMS.** The contract under sub. (3) shall require the manager to
12 do all of the following:

13 (a) Develop a project application form.

14 (b) Review project applications submitted by sponsors and negotiate
15 agreements with sponsors to provide work crews to complete eligible projects.

16 (c) To the greatest extent practicable, approve applications for projects that are
17 located in at least one of each of the technical college districts in each year.

18 (d) Require projects to be sited on land that is located in this state and owned
19 by the federal or state government or a local government or on tribal land.

20 (e) Require projects to be for one or more of the purposes specified under sub.
21 (5) or for any other similar project, as determined by the manager.

22 (f) Require that each work crew member on a project be between the ages of 16
23 and 25 and at least 50 percent of the work crew members on each project either have
24 no postsecondary education or have a family income of not more than 200 percent of

1 the poverty line, as defined in s. 49.001. (5), on the date of initial employment or
2 enrollment.

3 (g) Require each sponsor, upon completion of a project, to erect a permanent
4 plaque at each project work site identifying the site as a Wisconsin conservation
5 corps project.

6 (h) If it determines that work crew members on a project would be eligible to
7 participate in a youth corps program, submit an application to the national and
8 community service board for a grant under s. 16.22 (2) (h), and accept any such grant
9 awarded. The manager may also submit the application to any other appropriate
10 organization, as determined by the manager, to secure funding for the project.

11 (i) After submitting the application for funding under par. (h), submit an
12 application to the department for a grant from the appropriation account under s.
13 20.505 (4) (kc).

14 (j) Submit an annual report to the department, no later than January 31,
15 identifying, to the greatest extent practicable, the number of work crew members in
16 the previous year who enrolled at a technical college, a college campus of the
17 University of Wisconsin System, or any other postsecondary educational institution
18 upon completion of a project in which they were engaged and the status of each such
19 work crew member as of the first anniversary after completion of each project,
20 including whether the crew member has graduated from high school, has received
21 a declaration of equivalency of high school graduation, or is employed and, if
22 employed, in what capacity. In addition, the report shall include information
23 regarding the location of each project, by technical college district, and a brief
24 description of each project. The manager shall also provide to the department any

1 information the department considers necessary to complete the report under sub.
2 (7) and may recommend improvements to the program.

3 (5) SCOPE OF PROJECTS. Environmental conservation projects may include new
4 trail construction, trail rehabilitation, invasive species management, bridge and
5 boardwalk construction, reforestation, timber stand improvement, stream bank
6 stabilization, erosion control, rain garden installation, prairie restoration, historical
7 site preservation, recreation site maintenance, wild land fire hazard reduction and
8 fuels management, lake and stream restoration, boundary marking, fencing,
9 landscaping, disaster preparation or relief, or construction or repair of real property
10 improvements such as gazebos or amphitheaters.

11 (6) GRANTS. The department may award a grant for a proposed project in an
12 amount that is no more than \$75,000, if the sponsor has provided funding for the
13 project in an amount that is at least 50 percent of the amount of the grant. The
14 cumulative amount of administrative costs charged by the department, the manager,
15 and the sponsor in connection with a grant awarded under this subsection may not
16 exceed 10 percent of the amount of the grant.

17 (7) ANNUAL REPORT. Annually, no later than March 31, the department shall
18 submit a report to the chief clerk of each house of the legislature for distribution to
19 the legislature under s. 13.172 (2), identifying Wisconsin conservation corps projects
20 that were completed in the preceding year or that are in the process of completion
21 at the end of that year. The report shall also include the locations of all such projects
22 and the aggregate education and jobs data compiled from the information received
23 from the manager under sub. (4) (j).

24 **SECTION 2.** 20.505 (4) (kc) of the statutes is created to read:

1 20.505 (4) (kc) *Wisconsin conservation corps; interagency transfers.* All moneys
2 transferred to the department of administration from other state agencies and all
3 moneys transferred under 2017 Wisconsin Act ... (this act), section 3 (1), to be used
4 for Wisconsin conservation corps program grants under s. 16.24.

5 **SECTION 3. Nonstatutory provisions.**

6 (1) TRANSFER OF MONEYS TO WISCONSIN CONSERVATION CORPS PROGRAM.

7 (a) In this subsection, “executive branch agency” has the meaning given under
8 section 16.70 (4) of the statutes.

9 (b) Notwithstanding sections 20.115 to 20.875 and 25.40 (3) of the statutes, but
10 subject to paragraphs (c) to (e), the secretary of administration may transfer a total
11 of not more than \$400,000 appropriated from sum certain appropriations to
12 executive branch agencies under those sections of the statutes to the appropriation
13 account under section 20.505 (4) (kc) of the statutes, as created by this act.

14 (c) No moneys may be transferred under paragraph (b) from an appropriation
15 derived from federal revenues. No moneys may be transferred under paragraph (b)
16 if the transfer would violate the state or federal constitution, any state or federal law
17 not specified in paragraph (b), or a requirement imposed by the federal government
18 as a condition to receipt of aids by this state.

19 (d) The secretary of administration shall not transfer moneys under paragraph
20 (b) from an appropriation account to the department of transportation under section
21 20.395 (3) (bq), (cq), or (cr) of the statutes, other than moneys for department
22 operations and services engaged under section 84.01 (13) of the statutes.

23 (e) Prior to making any transfer under paragraph (b), the secretary of
24 administration shall notify the cochairpersons of the joint committee on finance in
25 writing of the proposed transfer. If the cochairpersons do not notify the secretary

1 that the committee has scheduled a meeting for the purpose of reviewing the
2 proposed transfer within 14 working days after the date of the secretary's
3 notification, the secretary may make the proposed transfer. If, within 14 working
4 days after the date of the secretary's notification, the cochairpersons of the
5 committee notify the secretary that the committee has scheduled a meeting for the
6 purpose of reviewing the proposed transfer, the secretary shall not make the
7 proposed transfer unless the committee approves the proposed transfer or modifies
8 and approves the proposed transfer. If the committee modifies and approves the
9 proposed transfer, the secretary may make the proposed transfer only as modified
10 by the committee.

11 (END)