

1971 Senate Bill 390

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CHAPTER 95, Laws of 1971

AN ACT to amend 20.370 (5) (c) and (fm) and 144.21 (2), (3), (4) and (6) (a), (b) (intro.) and (c) of the statutes, relating to financial assistance to school districts for antipollution facilities.

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

SECTION 1. 20.370 (5) (c) and (fm) of the statutes are amended to read:

20.370 (5) (c) Payments to municipalities and school districts. A sum sufficient to make payments to municipalities and school districts on agreements entered into pursuant to s. 144.21 (6) (a).

(fm) Aids to municipalities and school districts. Biennially, the amounts in the schedule to assist municipalities and school districts in the construction of smaller pollution prevention and abatement facilities pursuant to s. 144.21 (6) (c).

SECTION 2. 144.21 (2), (3), (4) and (6) (a), (b) (intro.) and (c) of the statutes are amended to read:

144.21 (2) In order that the construction of pollution prevention and abatement facilities necessary to the protection of state waters be encouraged, a state program of assistance to municipalities and school districts for the financing of such facilities is established and a program of state advances in anticipation of federal aid reimbursement is established to meet the state's water quality standards. These state programs shall be administered by the department of natural resources and the department shall make such rules as are necessary for the proper execution of the state program.

(3) (a) The department shall establish criteria to determine those municipalities and school districts and projects which are eligible for the state program and to determine appropriate priorities among the projects.

(c) All municipalities and school districts are eligible for agreements under sub. (6) (a) and (b) based on the criteria in this paragraph. The criteria shall consider the health hazards of existing conditions, the extent and nature of pollution, per capita costs of the project, property valuation of the municipalities or school districts as equalized by the state, income of the residents in the municipalities or school districts, the availability of federal funds for the project, soil conditions, the feasibility and practicality of the project, the borrowing capacity of the municipality or school district and any other factors which the department considers important. Municipalities or school districts commencing projects but not completed prior to January 18, 1970, shall be deemed eligible for agreements under sub. (6) (a) and (b). School district projects are not eligible if the project is located within the corporate limits of a city or of a village with an operating municipal sewage system.

(4) Municipalities or school districts which desire to participate in the state program shall submit application for participation to the department. The application shall be in such form and include such information as the department prescribes.

(6) The department may enter into agreement with municipalities and school districts to provide state assistance for the financing of those pollution prevention and abatement facilities projects it approves under sub. (5).

(a) The department may enter into agreements with municipalities and school districts to make payments to ~~municipalities~~ them from the appropriation made by s. 20.370 (5) (c) to pay not less than 25% and not more than 30% of the estimated reasonable costs of the approved project. These payments shall be in even annual amounts and shall extend for a period of not less than 5 years and not more than 30 years. The department shall not enter into such additional agreements after July 1, 1969, but shall continue to make payments on existing agreements until the terms of the agreement are fully satisfied.

(b) (intro.) The department may enter into agreements with municipalities and school districts to make payments to ~~municipalities~~ them from the appropriation made by s. 20.866 (2) (tm).

(c) In addition to any agreements entered into under pars. (a) and (b), the department may enter into agreements with municipalities and school districts to make payments to ~~municipalities~~ them from the appropriation made by s. 20.370 (5) (fm) to provide direct financial assistance for smaller facilities, including but not limited to chlorination treatment and phosphate removal.