

**2013 DRAFTING REQUEST**

**Senate Amendment (SA-SB10)**

Received: 2/11/2013 Received By: btradewe  
Wanted: As time permits Same as LRB:  
For: Sheila Harsdorf (608) 266-7745 By/Representing: Matt Wuebke  
May Contact: DOA Drafter: btradewe  
Subject: Environment - water quality Addl. Drafters:  
Extra Copies:

Submit via email: YES  
Requester's email: Sen.Harsdorf@legis.wisconsin.gov  
Carbon copy (CC) to:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Limit to federal capitalization grants

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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>
/?	btradewe 2/12/2013			_____			
/1		evinz 2/12/2013	jfrantze 2/12/2013	_____	lparisi 2/12/2013	lparisi 2/12/2013	

FE Sent For:

<END>

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1/?	btradewe	11/20/12/13	Jo	RSg/12 Jo			

FE Sent For:

<END>

## Tradewell, Becky

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**From:** Schmidt, Robin R - DNR <Robin.Schmidt@Wisconsin.gov>  
**Sent:** Thursday, February 07, 2013 2:51 PM  
**To:** Bruhn, Michael L - DNR; Lee, Crystal  
**Cc:** Wolff, Michael - DOA; Teves, Mary R - DNR; Tradewell, Becky  
**Subject:** SB 10

I wanted to let you know about a concern that DOA raised regarding the language in SB 10 – something that I think can be easily “fixed” as it moves through the process. DOA pointed out that in Sections 3 and 6 of the bill, where we want to ensure that we have adequate authority to award PF in the future, we must specify that the ability to make these awards needs to be limited to the capitalization grants only – and not the entire fund! A good “catch” on their part – and my apologies for not seeing that before I indicated the language was acceptable.

A suggested fix would be to add the phrase “*For funds derived from federal capitalization grants*” at the beginning of the language contained in Sections 3 and 6. Becky Tradewell may have another suggestion for this clarification, but our proposed sample language follows:

Section 3:           ↓  
“281.58(5)(b)9. *For any funds derived from federal capitalization grants*, any other method that is consistent with the federal program...”

And

Section 6. “281.61(2r)(e) *For any funds derived from federal capitalization grants*, any other method that is consistent with the federal program...”

‘ Again – my apologies for not realizing how this could be misinterpreted, and I am happy to further discuss as this moves forward.

Thanks!

Robin

 *Robin R. Schmidt*

Chief, Environmental Loans Section  
Bureau of Community Financial Assistance  
Wisconsin Department of Natural Resources

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Find us at <http://dnr.wi.gov/Aid/EIF.html>





State of Wisconsin  
2013 - 2014 LEGISLATURE



LRBa0105/1

RCT:.....

Leev

10 a.m.

**SENATE AMENDMENT ,  
TO SENATE BILL 10**

LRB-1397

Note

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 2, line 11: delete “Any” and substitute “Using funds received as federal  
3 capitalization grants under sub. (3), any”.

4 **2.** Page 3, line 7: delete “Any” and substitute “Using funds received as federal  
5 capitalization grants under 42 USC 300j-12, any”.

6 (END)

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRBa0105/1dn

RCT:.....

*Lee*

*Date*

Matt Wuebke:

\* This is a draft of the amendment to deal with DOA's concerns about Senate Bill 10. I suggest that you ask Michael Wolff of DOA to review it. *I can send him a copy if you*

Please contact me with any questions or redraft instructions.

*Want.*

Rebecca C. Tradewell  
Managing Attorney  
Phone: (608) 266-7290  
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State of Wisconsin  
2013 - 2014 LEGISLATURE



LRB-1397/1  
RCT:jld&sac:rs

## 2013 SENATE BILL 10

February 6, 2013 – Introduced by Senators HARSDORF, GUDEx, MOULTON, PETROWSKI and SCHULTZ, cosponsored by Representatives MARKLEIN, BERNIER, BIES, BROOKS, T. LARSON, PETRYK, RIPP, SPIROS, MILROY and SMITH. Referred to Committee on Government Operations, Public Works, and Telecommunications.

1     **AN ACT** *to amend* 281.58 (2) and 281.58 (7) (b) 5.; and *to create* 281.58 (6) (a)  
2             1m., 281.58 (6) (b) 9., 281.58 (7) (b) 7. and 281.61 (2r) (e) of the statutes;  
3             **relating to:** methods of providing assistance under the Clean Water Fund  
4             Program and the Safe Drinking Water Loan Program and projects that are  
5             eligible for assistance under the Clean Water Fund Program.

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

Under the Clean Water Fund Program, administered by the Department of Natural Resources (DNR) and the Department of Administration (DOA), this state provides financial assistance to local governmental units for projects to control water pollution. A portion of the funding for the state program comes from a federal water pollution control program. Current state law specifies that funding from the Clean Water Fund Program may be provided for constructing a sewage treatment plant, implementing a program to manage pollution from nonpoint (diffuse) sources, or implementing a conservation plan to protect an estuary.

Under this bill, funding through the Clean Water Fund Program may be provided for other activities associated with achieving and maintaining compliance with a wastewater discharge permit. In addition, the bill authorizes DNR and DOA to provide funding under the Clean Water Fund Program for pilot projects that are consistent with the federal water pollution control program.

Current law also specifies the methods that may be used to provide financial assistance under the Clean Water Fund Program, including making loans at or below

**SENATE BILL 10**

the market interest rate. This bill authorizes the use of any method of providing financial assistance under the Clean Water Fund Program that is consistent with federal law relating to the federal water pollution control program.

Under the Safe Drinking Water Loan Program, also administered by DNR and DOA, this state provides financial assistance to local governmental units for projects for the construction or modification of public water systems. A portion of the funding for the state program comes from a federal safe drinking water program. Current law specifies the methods that may be used to provide financial assistance under the Safe Drinking Water Loan Program, including making loans below the market interest rate.

This bill authorizes the use of any method of providing financial assistance under the Safe Drinking Water Loan Program that is consistent with federal law relating to the federal safe drinking water program.

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

2           281.58 (2) RULES. The department shall promulgate rules that are necessary  
3 for the proper execution of its responsibilities under this section. Notwithstanding  
4 s. 227.10 (1), the department and the department of administration are not required  
5 to promulgate rules for the purposes of providing financial assistance for pilot  
6 projects under sub. (7) (b) 7.

7           **SECTION 2.** 281.58 (6) (a) 1m. of the statutes is created to read:

8           281.58 (6) (a) 1m. Activities other than those specified in subd. 1. associated  
9 with achieving and maintaining compliance with a permit issued under ch. 283.

10           **SECTION 3.** 281.58 (6) (b) 9. of the statutes is created to read:

11           281.58 (6) (b) 9. Any other method that is consistent with the federal program  
12 for state water pollution control revolving funds under 33 USC 1381 to 1387 or any  
13 other federal law providing funding for or otherwise relating to that program.

14           **SECTION 4.** 281.58 (7) (b) 5. of the statutes is amended to read:



**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRBa0105/1dn  
RCT:eev:jf

February 12, 2013

Matt Wuebke:

This is a draft of the amendment to deal with DOA's concerns about Senate Bill 10. I suggest that you ask Michael Wolff of DOA to review it. I can send him a copy if you want.

Please contact me with any questions or redraft instructions.

Rebecca C. Tradewell  
Managing Attorney  
Phone: (608) 266-7290  
E-mail: [becky.tradewell@legis.wisconsin.gov](mailto:becky.tradewell@legis.wisconsin.gov)