



2017 ASSEMBLY BILL 226

April 10, 2017 - Introduced by Representatives KITCHENS, KRUG, QUINN, NOVAK, RIPP, SKOWRONSKI, MACCO, MURSAU, HORLACHER, TRANEL, TITTL, VORPAGEL, VANDERMEER, STEFFEN, TUSLER and BOWEN, cosponsored by Senators COWLES, LASEE and PETROWSKI. Referred to Committee on Environment and Forestry.

1 **AN ACT to amend** 281.75 (7) (a); and **to create** 66.0626 of the statutes; **relating**
2 **to:** local assistance for remediating contaminated wells and failing wastewater
3 treatment systems and award limits for contaminated well grants.

Analysis by the Legislative Reference Bureau

This bill provides that a city, village, town, or county may remediate a contaminated private well, fill and seal a contaminated well, or rehabilitate, replace, or abandon a failing private on-site wastewater treatment system, in agreement with the owner of the well or wastewater treatment system, or may make a low-interest or interest-free loan to the owner of a contaminated well or failing wastewater treatment system for these purposes. Under the bill, if a city, village, town, or county takes any of these actions or provides a loan for these purposes, the city, village, town, or county may recover the costs of the action or collect the loan repayment as a special charge or special assessment.

This bill also increases the limit on the amount of a grant awarded under this state's well compensation grant program. Under current law, an individual owner or renter of a contaminated private well may apply for a grant from the Department of Natural Resources to cover a portion of the costs to treat the water, reconstruct the well, construct a new well, connect to a public water supply, or fill and seal (abandon) the well. A grant awarded under the program may not exceed 75 percent of a project's eligible costs and may not cover any part of a project's eligible costs that exceeds \$12,000, which means that a grant may not exceed \$9,000. This bill increases the grant award limit to 75 percent of \$16,000, which means that a grant under the bill may not exceed \$12,000.

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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:

1 **SECTION 1.** 66.0626 of the statutes is created to read:

2 **66.0626 Special assessments or charges for contaminated well or**
3 **wastewater system loans. (1)** In this section:

4 (a) “Contaminated private water supply” has the meaning provided in s. 281.75

5 (1) (b).

6 (b) “Failing private on-site wastewater treatment system” has the meaning
7 provided in s. 145.245 (4).

8 (c) “Political subdivision” means a city, village, town, or county.

9 (d) “Private on-site wastewater treatment system” has the meaning provided
10 in s. 145.01 (12).

11 (e) “Private water supply” has the meaning provided in s. 281.75 (1) (f).

12 (f) “Well subject to abandonment” has the meaning provided in s. 281.75 (1) (i).

13 **(2)** A political subdivision or its designee may, with the agreement of the owner
14 of the private water supply, well, or wastewater treatment system, remediate a
15 contaminated private water supply, fill and seal a well subject to abandonment, or
16 rehabilitate, replace, or abandon a failing private on-site wastewater treatment
17 system, that is located in the political subdivision, or may make a loan at or below
18 the market interest rate, as defined in s. 281.59 (1) (b), including an interest-free
19 loan, to the owner of a contaminated private water supply, a well subject to
20 abandonment, or a failing private on-site wastewater treatment system, that is
21 located in the political subdivision, for those purposes. If a political subdivision takes

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1 any of the actions under this subsection, the political subdivision may, as a special
2 charge under s. 66.0627 or special assessment under s. 66.0703, recover the costs of
3 the remediation, the filling and sealing, or the rehabilitation, replacement, or
4 abandonment, or collect the loan repayment. Notwithstanding s. 66.0627 (4), a
5 special charge imposed under this subsection may be collected in installments and
6 may be included in the current or next tax roll for collection and settlement under
7 ch. 74 even if the special charge is not delinquent.

8 **SECTION 2.** 281.75 (7) (a) of the statutes is amended to read:

9 281.75 (7) (a) If the department finds that the claimant meets all the
10 requirements of this section and rules promulgated under this section and that the
11 private water supply is contaminated or that the well is a well subject to
12 abandonment, the department shall issue an award. The award may not pay more
13 than 75 percent of the eligible costs. The award may not pay any portion of eligible
14 costs in excess of ~~\$12,000~~ \$16,000.

15 (END)