

1999 DRAFTING REQUEST

Assembly Amendment (AA-AB133)

Received: 05/12/99

Received By: gibsom

Wanted: Soon

Identical to LRB:

For: Legislative Fiscal Bureau 68314

By/Representing: Kava

This file may be shown to any legislator: NO

Drafter: gibsom

May Contact:

Alt. Drafters:

Subject: Nat. Res. - nav. waters

Extra Copies:

Pre Topic:

LFB:.....Kava -

Topic:

Removal of dams under grant program

Instructions:

See Attached

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>
/1	gibsom 05/13/99	gilfokm 05/13/99	jfrantze 05/14/99	_____	lrb_docadmin 05/14/99		
/2	gibsom 06/11/99	gilfokm 06/11/99	mclark 06/11/99	_____	lrb_docadmin 06/11/99		

FE Sent For:

<END>

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/1	gibsom 05/13/99	gilfokm 05/13/99	jfrantze 05/14/99	_____	lrb_docadmin 05/14/99		

FE Sent For: *12-6-11-99*
hmf *MRW*
6/11

<END>

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1?	gibsom	1-5-13-99 KMG	Jb 5/14	Jb/Km 5/14			

FE Sent For:

<END>

NATURAL RESOURCES -- WATER QUALITY

Municipal Dam Repair and Removal Grant Program
[Paper #704]

Motion:

Move to exempt dams under the \$100,000 program specifically for abandoned dam removal from the cost-share and municipal ownership provisions of the overall grant program. Move to include privately-owned dams as eligible under the small dam removal program.

Note:

Under the municipal dam repair and removal grant program, the state may provide up to 50% of the cost of dam maintenance, repair, modification, abandonment or removal to municipalities and public inland lake protection and rehabilitation districts. The 1997-99 biennial budget provided \$250,000 in bonding for small dam removal and \$100,000 for abandoned dam removal under the existing ownership and cost-share provisions.

MO#		
1	Burke	Y N
2	Decker	Y N
	Jauch	Y N
	Moore	Y N
	Shibilski	Y N
	Plache	Y N
	Cowles	Y N
	Panzer	Y N
	Gard	Y N
	Porter	Y N
	Kaufert	Y N
	Albers	Y N
	Duff	Y N
	Ward	Y N
	Huber	Y N
	Riley	Y N

P 16-0



State of Wisconsin
1999 - 2000 LEGISLATURE

RMR
LRBb0303/1
MGG.../...
King

soon
wpo
fix

LFB:.....Kava - Removal of ~~abandoned~~ dams under grant program

FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

LFB AMENDMENT

TO 1999 ASSEMBLY BILL 133 AND 1999 SENATE BILL 45

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

2 ^{538 3 3 12}
✓ 1. Page ~~3~~ line ~~3~~ delete lines ~~2~~ to ~~3~~ and substitute:

3 ^{869b} SECTION ~~32~~. 31.385 (1) of the statutes is renumbered 31.385 (1m) (intro.) and
4 amended to read:

5 31.385 (1m) (intro.) The department shall promulgate the rules necessary to
6 administer a financial assistance program for ~~municipalities and public inland lake~~
7 ~~protection and rehabilitation districts for dam maintenance, repair, modification,~~
8 ~~abandonment and removal. dam safety projects under which financial assistance~~
9 shall be provided as follows: (11)

10 ~~2. Page ?, line ?: delete lines ?? to ?? and substitute.~~

History: 1989 a. 31, 336; 1991 a. 39; 1993 a. 16; 1997 a. 27. ✓

11 SECTION ~~32~~. 31.385 (1b) of the statutes is created to read:

~~32~~ 370b

1 31.385 (1b) In this section:

2 (a) "Dam safety project" means the maintenance, repair, modification,
3 abandonment or removal of a dam to increase its safety or any other activity that will
4 increase the safety of a dam.

5 (b) "Small dam" means a dam that is less than 15 feet high and that creates
6 an impoundment of 100 surface acres of water or less.

7 SECTION ~~??~~ ^{870 m} 31.385 (1m) (a) of the statutes is created to read:

8 31.385 (1m) (a) To municipalities and public inland lake protection and
9 rehabilitation districts for dam safety projects.

10 SECTION ~~??~~ ^{870 p} 31.385 (1m) (b) of the statutes is created to read:

11 31.385 (1m) (b) To private owners for the removal of small dams.

12 SECTION ~~??~~ ^{870 r} 31.385 (1m) (c) of the statutes is created to read:

13 31.385 (1m) (c) To any persons for the removal of abandoned dams.

14 3. Page ~~538~~ ⁵³⁸ line ~~17~~ ¹⁷ delete the material beginning with ~~that line~~ and ending with ~~that line~~
15 on page ~~539~~ ⁵³⁹ line ~~2~~ ² and substitute:
16 SECTION ~~??~~ ^{872 b} 31.385 (2) (a) of the statutes is renumbered 31.385 (2) (a) 1. and

*WPO:
full component
if necessary*

11
0

17 amended to read:

18 31.385 (2) (a) 1. ~~State~~ Except as provided in subd. 2., state financial assistance
19 for a dam safety project is limited to no more than 50% of the cost of a particular ~~the~~

20 ~~project involving dam maintenance, repair, modification, abandonment or removal~~
21 and no more than \$200,000 of state financial assistance for a particular ^{the} project. *plain*

History: 1989 a. 31, 336; 1991 a. 39; 1993 a. 16; 1997 a. 27.

22 SECTION ~~??~~ ^{2872 e} 31.385 (2) (a) 2. of the statutes is created to read:

23 31.385 (2) (a) 2. A project to remove an abandoned dam shall not be subject to
24 the 50% cost limit under subd. 1.

1 872a
SECTION ?? 31.385 (2) (a) 3. of the statutes is created to read:

2 31.385 (2) (a) 3. Financial assistance is limited to no more than \$200,000 for
3 each dam safety project.

4 873b
SECTION ?? 31.385 (2) (ag) of the statutes is amended to read:

5 31.385 (2) (ag) Of the amounts appropriated under s. 20.866 (2) (tL), at least
6 \$250,000 shall be used for projects to remove small dams that are less than 15 feet
7 wide and that create impoundments of 50 acre feet of water or less. A project under
8 this paragraph to remove a small dam may include restoring the stream or river that
9 was dammed. " .

History: 1989 a. 31, 336; 1991 a. 39; 1993 a. 16; 1997 a. 27.

10 4. Page 2, line 2: after that line insert:

11 877a → 876g
SECTION ?? 31.385 (2) (c) 2. of the statutes is amended to read:

12 31.385 (2) (c) 2. The municipality or, public inland lake protection and
13 rehabilitation district or other person applying for state financial assistance under
14 this section has received directives from the department or is under order by the
15 department to maintain, repair, modify, abandon or remove a dam on August 9, 1989.

History: 1989 a. 31, 336; 1991 a. 39; 1993 a. 16; 1997 a. 27.

16 5. Page 3, line 3: delete lines 39 to 42 and substitute:

17 877x → 877b
SECTION ?? 31.385 (3) of the statutes is amended to read:

18 31.385 (3) The department shall provide municipalities and, public inland lake
19 protection and rehabilitation districts and other persons receiving state financial
20 assistance under this section with technical assistance in conducting ~~dam~~^g
21 maintenance, repair, modification, abandonment and removal for dam safety projects under

1 this section. The department shall coordinate the financial assistance program
2 under this section with other related state and federal programs. (//)

3 **History:** 1989 a. 31, 336; 1991 a. 39; 1993 a. 16; 1997 a. 27.

(END)



State of Wisconsin
1999 - 2000 LEGISLATURE

RMR

LRBb0303A2
MGG:kmg:jf

soon

P. 2
only
change

LFB:.....Kava - Removal of dams under grant program

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

LFB AMENDMENT

TO 1999 ASSEMBLY BILL 133 AND 1999 SENATE BILL 45

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

2 **1.** Page 538, line 3: delete lines 3 to 12 and substitute:

3 **SECTION 869b.** 31.385 (1) of the statutes is renumbered 31.385 (1m) (intro.)
4 and amended to read:

5 31.385 (1m) (intro.) The department shall promulgate the rules necessary to
6 administer a financial assistance program for ~~municipalities and public inland lake~~
7 ~~protection and rehabilitation districts for dam maintenance, repair, modification,~~
8 ~~abandonment and removal. dam safety projects under which financial assistance~~
9 shall be provided as follows:

10 **SECTION 870b.** 31.385 (1b) of the statutes is created to read:

11 31.385 (1b) In this section:

1 (a) "Dam safety project" means the maintenance, repair, modification,
2 abandonment or removal of a dam to increase its safety or any other activity that will
3 increase the safety of a dam.

4 (b) "Small dam" means a dam that is less than 15 feet high and that creates an
5 impoundment of 100 surface acres of water or less.

6 **SECTION 870m.** 31.385 (1m) (a) of the statutes is created to read:

7 31.385 (1m) (a) To municipalities and public inland lake protection and
8 rehabilitation districts for ^{✓ for any type of} dam safety projects.

9 **SECTION 870p.** 31.385 (1m) (b) of the statutes is created to read:

10 31.385 (1m) (b) To private owners for the removal of small dams.

11 **SECTION 870r.** 31.385 (1m) (c) of the statutes is created to read:

12 31.385 (1m) (c) To any persons for the removal of abandoned dams.".

13 **2.** Page 538, line 17: delete the material beginning with that line and ending
14 with page 539, line 2, and substitute:

15 "SECTION 872b. 31.385 (2) (a) of the statutes is renumbered 31.385 (2) (a) 1. and
16 amended to read:

17 31.385 (2) (a) 1. State Except as provided in subd. 2., financial assistance for
18 a dam safety project is limited to no more than 50% of the cost of ~~a particular project~~
19 ~~involving dam maintenance, repair, modification, abandonment or removal and no~~
20 ~~more than \$200,000 of state financial assistance for a particular~~ the project.

21 **SECTION 872e.** 31.385 (2) (a) 2. of the statutes is created to read:

22 31.385 (2) (a) 2. A project to remove an abandoned dam shall not be subject to
23 the 50% cost limit under subd. 1.

24 **SECTION 872g.** 31.385 (2) (a) 3. of the statutes is created to read:

1 31.385 (2) (a) 3. Financial assistance is limited to no more than \$200,000 for
2 each dam safety project.

3 **SECTION 873b.** 31.385 (2) (ag) of the statutes is amended to read:

4 31.385 (2) (ag) Of the amounts appropriated under s. 20.866 (2) (tL), at least
5 \$250,000 shall be used for projects to remove small dams ~~that are less than 15 feet~~
6 ~~wide and that create impoundments of 50 acre-feet of water or less.~~ A project under
7 ~~this paragraph to remove a small dam~~ may include restoring the stream or river that
8 was dammed.”.

9 **3.** Page 539, line 19: delete lines 19 to 24 and substitute:

10 **“SECTION 876g.** 31.385 (2) (c) 2. of the statutes is amended to read:

11 31.385 (2) (c) 2. The municipality ~~or~~, public inland lake protection and
12 rehabilitation district or other person applying for state financial assistance under
13 this section has received directives from the department or is under order by the
14 department to maintain, repair, modify, abandon or remove a dam on August 9, 1989.

15 **SECTION 877b.** 31.385 (3) of the statutes is amended to read:

16 31.385 (3) The department shall provide municipalities ~~and~~, public inland lake
17 protection and rchabilitation districts and other persons receiving state financial
18 assistance under this section with technical assistance ~~in conducting dam~~
19 ~~maintenance, repair, modification, abandonment and removal~~ for dam safety
20 projects under this section. The department shall coordinate the financial assistance
21 program under this section with other related state and federal programs.”.

22

(END)



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBb0303/2
MGG:kmg:mrc

LFB:.....Kava - Removal of dams under grant program

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6 **SECTION 870m.** 31.385 (1m) (a) of the statutes is created to read:

7 31.385 (1m) (a) To municipalities and public inland lake protection and
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22

(END)