2003 ASSEMBLY BILL 791

AN ACT *to amend* 85.095 (1) (a); and *to create* 85.095 (1) (am) and 85.095 (5) of the statutes; **relating to:** eligibility for the Harbor Assistance Program administered by the Department of Transportation.

Analysis by the Legislative Reference Bureau

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

- **SECTION 1.** 85.095 (1) (a) of the statutes is amended to read:
- 2 85.095 **(1)** (a) "Eligible applicant" means a county, municipality, town or agency
- 3 thereof or, a board of harbor commissioners organized under s. 30.37, or a person who
- 4 <u>owns a harbor facility.</u>
- **SECTION 2.** 85.095 (1) (am) of the statutes is created to read:
- 6 85.095 **(1)** (am) "Harbor facility" has the meaning given in s. 30.01 (3).
- **SECTION 3.** 85.095 (5) of the statutes is created to read:

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| 85.095 (5) Private Harbor facility eligibility. (a) Notwithstanding subs. (2) |
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| and (3), the department may award a grant under this section to fund harbor |
| improvements and other harbor assistance and improvement projects to a privately |
| owned harbor facility only if the harbor facility is to be held open for public use for |
| at least 10 years following completion of the improvement or project for which |
| reimbursement is provided under sub. (2) (a) or for any period specified by the |
| department in any grant agreement, whichever is longer. |

(b) If the recipient of a grant described under par. (a) fails to hold the harbor facility open for public use for the period specified in par. (a), the grant recipient shall repay the grant funds to the department to the extent and in the manner directed by the department, and the department shall include this requirement in any grant agreement with the grant recipient.

13 (END)