

ASSEMBLY BILL 791 (LRB -3828)

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. (FE)
2004

02-25. A. Introduced by Representatives **Stone, Van Akkeren, Kestell, Nischke, Ainsworth, Zepnick, Albers, McCormick, Van Roy, Hines, F. Lasee, Bies, Gunderson and Vrakas**; cosponsored by Senators **Welch, Plale, Breske, A. Lasee and Kanavas**.

02-02. A. Read first time and referred to committee on Transportation 658

02-10. A. Fiscal estimate received.

02-11. A. Public hearing held.

02-17. A. Executive action taken.

02-19. A. Report passage recommended by committee on Transportation, Ayes 13, Noes 2 710

02-19. A. Referred to committee on Rules 710

02-25. A. Placed on calendar 3-2-2004 by committee on Rules.

03-02. A. Read a second time 768

03-02. A. Ordered to a third reading 768

03-02. A. Rules suspended 768

03-02. A. Read a third time and **passed**, Ayes 76, Noes 20 768

03-02. A. Ordered immediately messaged 768

03-03. S. Received from Assembly 660

03-03. S. Read first time and referred to committee on Transportation and Information Infrastructure 661

03-04. S. Withdrawn from committee on Transportation and Information Infrastructure and referred to committee on Senate Organization pursuant to Senate Rule 46 (2)(c) 675

03-04. S. Senator Hansen added as a cosponsor 668

03-04. S. Withdrawn from committee on Senate Organization and taken up 669

03-04. S. Read a second time 669

03-04. S. Ordered to a third reading 669

03-04. S. Rules suspended 669

03-04. S. Read a third time and **concurred in** 669

03-04. S. Ordered immediately messaged 670

03-04. A. Received from Senate concurred in 787

**2003
ENROLLED BILL**

03en AB-791

ADOPTED DOCUMENTS:

Orig **Engr** **SubAmdt**

03 - 38281

Amendments to above (if none, write "NONE"): none

Corrections - show date (if none, write "NONE"): none

Topic relax

 3/06/04
Date

 [Signature]
Enrolling Drafter

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2003 ASSEMBLY BILL 791

February 2, 2004 - Introduced by Representatives STONE, VAN AKKEREN, KESTELL, NISCHKE, AINSWORTH, ZEPNICK, ALBERS, MCCORMICK, VAN ROY, HINES, F. LASEE, BIES, GUNDERSON and VRAKAS, cosponsored by Senators WELCH, PLALE, BRESKE, A. LASEE and KANAVAS. Referred to Committee on Transportation.

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

Analysis by the Legislative Reference Bureau

Under current law, the Department of Transportation (DOT), in consultation with the Wisconsin Coastal Management Council, administers a Harbor Assistance Program. Under the program, an eligible applicant may be awarded a grant to partially reimburse the applicant for expenses incurred in making certain harbor improvements. Eligible applicants include counties, cities, villages, towns, and boards of harbor commissioners.

Under this bill, a person who owns a harbor facility is also eligible for a grant under the Harbor Assistance Program. However, DOT may only award a grant for improvement of a privately owned harbor facility if the harbor facility will be held open for public use for at least ten years after it is improved. If the privately owned harbor facility is not so held open, the grant recipient must repay the grant funds to the extent and in the manner directed by DOT.

For further information see the *state* 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:

ASSEMBLY BILL 791

1 **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 owns a harbor facility.

5 **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).

7 **SECTION 3.** 85.095 (5) of the statutes is created to read:

8 85.095 (5) PRIVATE HARBOR FACILITY ELIGIBILITY. (a) Notwithstanding subs. (2)
9 and (3), the department may award a grant under this section to fund harbor
10 improvements and other harbor assistance and improvement projects to a privately
11 owned harbor facility only if the harbor facility is to be held open for public use for
12 at least 10 years following completion of the improvement or project for which
13 reimbursement is provided under sub. (2) (a) or for any period specified by the
14 department in any grant agreement, whichever is longer.

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

20

(END)