

2003 Assembly Bill 791

Date of enactment: **April 8, 2004**
Date of publication*: **April 22, 2004**

2003 WISCONSIN ACT 208

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.

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:

85.095 (1) (a) “Eligible applicant” means a county, municipality, town or agency thereof ~~or~~ a board of harbor commissioners organized under s. 30.37, or a person who owns a harbor facility.

SECTION 2. 85.095 (1) (am) of the statutes is created to read:

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:

85.095 (5) PRIVATE HARBOR FACILITY ELIGIBILITY. (a) Notwithstanding subs. (2) 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.

* Section 991.11, WISCONSIN STATUTES 2001-02 : Effective date of acts. “Every act and every portion of an act enacted by the legislature over the governor’s partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated” by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].