



## 2009 SENATE BILL 664

1     **AN ACT relating to:** financial assistance under the Clean Water Fund Program  
2             and the Safe Drinking Water Loan Program.

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*Analysis by the Legislative Reference Bureau*

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

3             **SECTION 1. Nonstatutory provisions.**

4             (1) FEDERAL FISCAL YEAR 2010 APPROPRIATIONS ACT FUNDING FOR CLEAN WATER FUND  
5     PROJECTS.

6             (a) If this state receives moneys under P.L. 111-88 as a capitalization grant for  
7     clean water state revolving funds under the Federal Water Pollution Control Act, the  
8     department of natural resources and the department of administration may, as  
9     provided in this subsection, allocate the funds, before December 31, 2011, for  
10    financial assistance to municipalities, as defined in section 281.59 (1) (c) of the

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1 statutes, under section 281.58 of the statutes for projects eligible to receive financial  
2 assistance under that section.

3 (b) The department of natural resources and the department of administration  
4 shall provide additional subsidy under this subsection to municipalities in the  
5 amount that P.L. 111-88 requires to be used to provide additional subsidy. The  
6 department of natural resources and the department of administration shall provide  
7 additional subsidy to a municipality in the form of forgiveness of part of the principal  
8 of a loan made to the municipality, notwithstanding the limits in section 281.58 (6)  
9 (b) of the statutes on the methods that may be used to provide financial assistance.  
10 The department of natural resources may establish a percentage limit of the amount  
11 of the principal forgiveness available under this paragraph that may be received by  
12 any municipality.

13 (c) The department of natural resources may establish a deadline for  
14 submitting applications for financial assistance under this subsection.

15 (d) In selecting the projects to receive financial assistance under this  
16 subsection, and the terms of the financial assistance, the department of natural  
17 resources may consider any of the following:

- 18 1. The population of the municipality in which a project would be located.
- 19 2. The median household income, as defined in section 281.58 (1) (cm) of the  
20 statutes, of the municipality in which a project would be located.
- 21 3. The extent to which a project promotes water efficiency or energy efficiency;  
22 is environmentally innovative; or uses natural systems or engineered systems that  
23 mimic natural processes, also called green infrastructure.

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1 (e) Notwithstanding section 227.10 (1) of the statutes, the department of  
2 natural resources and the department of administration are not required to  
3 promulgate rules for the purposes of this subsection.

4 (2) FEDERAL FISCAL YEAR 2010 APPROPRIATIONS ACT FUNDING FOR SAFE DRINKING  
5 WATER LOAN PROGRAM PROJECTS.

6 (a) If this state receives moneys under P.L. 111-88 as a capitalization grant for  
7 drinking water state revolving loan funds under the federal Safe Drinking Water  
8 Act, the department of natural resources and the department of administration may,  
9 as provided in this subsection, allocate the funds, before December 31, 2011, for  
10 financial assistance to local governmental units, as defined in section 281.61 (1) (a)  
11 of the statutes, under section 281.61 of the statutes for projects eligible to receive  
12 financial assistance under that section. Notwithstanding section 281.59 (3s) (a) of  
13 the statutes, the department of administration may, until December 30, 2011,  
14 allocate amounts approved for the 2009-11 biennium under section 281.59 (3s) (b)  
15 1. of the statutes for projects under this subsection.

16 (b) The department of natural resources and the department of administration  
17 shall provide additional subsidy under this subsection to local governmental units  
18 in the amount that P.L. 111-88 requires to be used to provide additional subsidy. The  
19 department of natural resources and the department of administration shall provide  
20 additional subsidy to a local governmental unit in the form of forgiveness of part of  
21 the principal of a loan made to the local governmental unit, notwithstanding the  
22 limits in section 281.61 (2r) of the statutes on the methods that may be used to  
23 provide financial assistance. The department of natural resources may establish a  
24 percentage limit of the amount of the principal forgiveness available under this  
25 paragraph that may be received by any local governmental unit.

