

NR128



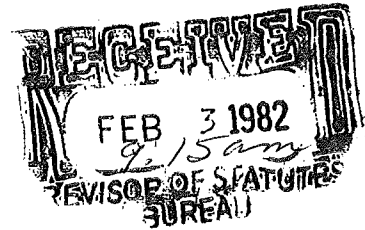
State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny
Secretary

BOX 7921
MADISON, WISCONSIN 53707

IN REPLY REFER TO: _____

STATE OF WISCONSIN)
)
DEPARTMENT OF NATURAL RESOURCES) SS



TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Carroll D. Besadny, Secretary of the Department of Natural Resources and custodian of the official records of said Department, do hereby certify that the annexed copy of Natural Resources Board Order No. WG-40-81 was duly approved and adopted by this Department on December 16, 1981. I further certify that said copy has been compared by me with the original on file in this Department and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department at General Executive Facility #2 in the City of Madison, this 2nd day of February, 1982.

Carroll D. Besadny
Carroll D. Besadny, Secretary

(SEAL)

3-1-82

ORDER OF THE STATE OF WISCONSIN NATURAL RESOURCES BOARD
CREATING RULES

.....
IN THE MATTER of creating ss. NR 128.03(26), .
128.05(4)(u) and 128.09(4) of the Wisconsin .
Administrative Code pertaining to advance .
commitment for state grant assistance to .
municipalities for wastewater treatment .
projects under the point source water .
pollution abatement grant program .
.....

WG-40-81

Analysis Prepared by Department of Natural Resources

Section 144.24(9m), Stats., (Ch. 20, Laws of 1981) was recently created to allow the Department to reimburse costs incurred during the engineering design stage (Step 2) when a grantee is awarded a Wisconsin Fund Step 3 construction grant.

The creation of new language within Ch. NR 128, Wis. Adm. Code, is necessary to accomplish the legislative intent.

NR 128.03(26) defines advance commitment for reimbursement of engineering design costs.

The addition of NR 128.05(4)(u) makes advance commitment costs eligible for funding.

Language under NR 128.09, Distribution of Grant Funds, is created as NR 128.09(4) and provides the mechanism whereby grantees will receive reimbursement for Step 2 incurred costs.

Pursuant to the authority vested in the State of Wisconsin Natural Resources Board by ss. 144.24 and 227.014, Stats., the State of Wisconsin Natural Resources Board hereby creates rules interpreting ss. 144.24(9) and (9m), Stats., as follows:

SECTION 1 - Section NR 128.03(26) is created to read:

(26) "Advance commitment for reimbursement of engineering design costs" or "advance commitment" means a written prior approval to a municipality to initiate a specific step 2 project and incur engineering design costs to be reimbursed subject to the conditions of s. NR 128.09(4).

SECTION 2 - Section NR 128.05(4)(u) is created to read:

(u) Costs associated with step 2 projects which received an advance commitment for reimbursement. These costs shall be reimbursed to the grantee as part of a step 3 award, notwithstanding the provisions of s. NR 128.11(14).

SECTION 3 - Section NR 128.09(4) is created to read:

(4) ADVANCE COMMITMENTS FOR REIMBURSEMENT OF ENGINEERING DESIGN COSTS.

(a) Advance commitments may be made for eligible step 2 projects subject to s. 144.24(9m), Stats.

(b) Costs associated with step 2 advance commitments will be added to step 3 costs for the purpose of determining the fundable range on the intent to apply list.

(c) Step 2 grant application requirements included in s. NR 128.10 must be met to receive an advance commitment.

(d) Step 2 eligible costs approved in advance commitments will be awarded with the step 3 grant award. Only step 2 costs directly associated with the scope of work in the step 3 grant award are eligible for reimbursement.

The foregoing rules were approved and adopted by the State of Wisconsin Natural Resources Board on December 16, 1981.

The rules contained herein shall take effect upon publication as provided in s. 227.026(1)(intro.), Stats.

Dated at Madison, Wisconsin February 2, 1982

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

By Carroll D. Besadny
Carroll D. Besadny, Secretary

(SEAL)



State of Wisconsin

DEPARTMENT OF NATURAL RESOURCES

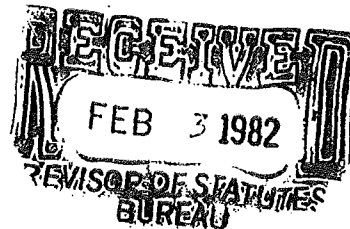
Carroll D. Besadny
Secretary

February 1, 1982

BOX 7921
MADISON, WISCONSIN 53707

IN REPLY REFER TO: 1020

Mr. Orlan L. Prestegard
Revisor of Statutes
411 West
C A P I T O L



Dear Mr. Prestegard:

Enclosed are two copies, including one certified copy, of State of Wisconsin Natural Resources Board Order No. WG-40-81. These rules were reviewed by the Assembly Committee on Environmental Resources and the Senate Committee on Agriculture and Natural Resources pursuant to s. 227.018, Stats. There were no recommendations for modification.

You will note that this order takes effect following publication. Kindly publish it in the Administrative Code accordingly.

Sincerely,

A handwritten signature in cursive script that reads "C. D. Besadny".

C. D. Besadny
Secretary

Enc.