



State of Wisconsin  
2023 - 2024 LEGISLATURE

LRB-1193/P2  
ZDW:amn

DOA:.....Potts, BB0221 - Great Lakes and Mississippi River erosion control  
loan

**FOR 2023-2025 BUDGET -- NOT READY FOR INTRODUCTION**

**AN ACT** ...; **relating to:** the budget.

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*Analysis by the Legislative Reference Bureau*

**NATURAL RESOURCES**

**NAVIGABLE WATERS**

***Great Lakes and Mississippi River erosion control revolving loan programs***

This bill requires DNR to administer revolving loan programs to assist municipalities and owners of homes located on the shore of Lake Michigan, Lake Superior, or the Mississippi River where the structural integrity of municipal buildings or homes is threatened by erosion of the shoreline. Under the bill, moneys for the programs are provided from the environmental fund, the segregated fund used to finance environmental management programs administered by DNR and pollution abatement programs administered by DNR and DATCP. The bill requires DNR to promulgate rules to administer the programs, including eligibility requirements and income limitations, and authorizes DNR to promulgate emergency rules for the period before permanent rules take effect.

For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

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

**SECTION 1.** 20.370 (9) (pq) of the statutes is created to read:

20.370 (9) (pq) *Great Lakes and Mississippi River erosion control revolving loan programs.* As a continuing appropriation, from the environmental fund, the amounts in the schedule for the Great Lakes erosion control revolving loan program under s. 23.1991 and the Mississippi River erosion control revolving loan program under s. 23.1993. All moneys received as loan origination fees and repayments of loan principal and interest under ss. 23.1991 and 23.1993 shall be credited to this appropriation account.

\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

**SECTION 2.** 23.1991 of the statutes is created to read:

**23.1991 Great Lakes erosion control revolving loan program. (1)** The department shall administer a revolving loan program to assist municipalities and owners of homes located on the shore of Lake Michigan or Lake Superior where the structural integrity of municipal buildings or homes is threatened by erosion of the shoreline.

**(2)** The department shall make loans under this section from the appropriation under s. 20.370 (9) (pq).

**(3)** The department shall promulgate rules to administer this section, including rules establishing eligibility criteria and income limitations for loans under this section.

**SECTION 3.** 23.1993 of the statutes is created to read:

**23.1993 Mississippi River erosion control revolving loan program. (1)** The department shall administer a revolving loan program to assist municipalities and owners of homes located on the shore of the Mississippi River where the

structural integrity of municipal buildings or homes is threatened by erosion of the shoreline.

(2) The department shall make loans under this section from the appropriation under s. 20.370 (9) (pq).

(3) The department shall promulgate rules to administer this section, including rules establishing eligibility criteria and income limitations for loans under this section.

**SECTION 9132. Nonstatutory provisions; Natural Resources.**

(1) EMERGENCY RULE-MAKING AUTHORITY; GREAT LAKES EROSION CONTROL REVOLVING LOAN PROGRAM. The department of natural resources may use the procedure under s. 227.24 to promulgate emergency rules under s. 23.1991 for the period before the date on which permanent rules under s. 23.1991 take effect. Notwithstanding s. 227.24 (1) (c) and (2), emergency rules promulgated under this subsection remain in effect until the first day of the 25th month beginning after the effective date of the emergency rules, the date on which the permanent rules take effect, or the effective date of the repeal of the emergency rules, whichever is earliest. Notwithstanding s. 227.24 (1) (a) and (3), the department of natural resources is not required to provide evidence that promulgating a rule under this subsection as emergency rules is necessary for the preservation of public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this subsection.

(2) EMERGENCY RULE-MAKING AUTHORITY; MISSISSIPPI RIVER EROSION CONTROL REVOLVING LOAN PROGRAM. The department of natural resources may use the procedure under s. 227.24 to promulgate emergency rules under s. 23.1993 for the period before the date on which permanent rules under s. 23.1993 take effect.

Notwithstanding s. 227.24 (1) (c) and (2), emergency rules promulgated under this subsection remain in effect until the first day of the 25th month beginning after the effective date of the emergency rules, the date on which the permanent rules take effect, or the effective date of the repeal of the emergency rules, whichever is earliest. Notwithstanding s. 227.24 (1) (a) and (3), the department of natural resources is not required to provide evidence that promulgating a rule under this subsection as emergency rules is necessary for the preservation of public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this subsection.

**(END)**