



1995 SENATE BILL 646

March 21, 1996 - Introduced by Senators SCHULTZ and RUDE, cosponsored by Representatives ALBERS and JOHNSRUD. Referred to Committee on Environment and Energy.

- 1 **AN ACT to amend** 20.866 (2) (tc) and 144.2415 (3) (d) 1. of the statutes; **relating**
2 **to:** requiring the award of clean water fund financial assistance and granting
3 bonding authority.

Analysis by the Legislative Reference Bureau

Under the clean water fund program, this state provides financial assistance for water pollution control projects, primarily sewage treatment systems. Under current law, the clean water fund program provides financial hardship assistance to communities that meet certain financial criteria to reduce the costs of sewage projects below the costs that would be incurred using the usual clean water fund funding. A project eligible for clean water fund financial hardship assistance is ranked based on factors including the impact of the project on human health and the environment. In each fiscal year, available hardship assistance is allocated first to projects on prior years' funding lists that ranked in the top 20% but that were not previously funded and then to projects on the current year's funding list in order of their ranking.

This bill requires the department of natural resources and the department of administration to approve clean water fund financial hardship assistance during the 1995-97 fiscal biennium for a project if certain conditions are satisfied, notwithstanding the eligibility criteria for financial hardship assistance and the order in which the project is ranked. The conditions for approval of a project include that the project must be a project serving at least 2 municipalities with a total population of under 500 and that the project must serve a school that has at least 100 elementary grade students and that is served by a septic system that is at least 20 years old. This bill increases clean water fund bonding by \$4,000,000 and provides additional clean water fund subsidy.

For further information see the *state and local* 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:

1 **SECTION 1.** 20.866 (2) (tc) of the statutes, as affected by 1995 Wisconsin Act 27,
2 is amended to read:

3 20.866 **(2)** (tc) *Clean water fund.* From the capital improvement fund, a sum
4 sufficient to be transferred to the clean water fund for the purposes of ss. 144.241 and
5 144.2415. The state may contract public debt in an amount not to exceed
6 ~~\$549,194,000~~ \$553,194,000 for this purpose. Of this amount, the amount needed to
7 meet the requirements for state deposits under 33 USC 1382 is allocated for those
8 deposits. Of this amount, \$8,250,000 is allocated to fund the minority business
9 development and training program under s. 66.905 (2) (b).

10 **SECTION 2.** 144.2415 (3) (d) 1. of the statutes, as affected by 1995 Wisconsin Act
11 27, is amended to read:

12 144.2415 **(3)** (d) 1. Equal to ~~\$80,000,000~~ \$83,400,000 during the 1995-97
13 biennium.

14 **SECTION 3. Nonstatutory provisions.**

15 (1) CLEAN WATER FUND HARDSHIP FUNDING.

16 (a) In this subsection, “municipality” has the meaning given in section 144.01
17 (6) of the statutes.

18 (b) Notwithstanding section 144.241 (13) (b) and (e) of the statutes, the
19 department of natural resources and the department of administration shall
20 approve up to \$4,000,000 in financial hardship assistance under section 144.241 (13)

1 of the statutes during the 1995-97 fiscal biennium for the costs of a project to serve
2 2 or more municipalities if all of the following conditions apply:

3 1. The combined population of the municipalities to be served by the project is
4 less than 500.

5 2. The monthly wastewater treatment charges per household in the
6 municipalities to be served by the project would exceed \$75 if the project were
7 completed without financial hardship assistance.

8 3. The project will serve a school that has at least 100 students in elementary
9 grades and that is served by a septic system that is at least 20 years old.

10 4. Before January 1, 1996, the school board for the district in which the school
11 described in subdivision 3. is located, or the municipality proposing to serve the
12 school, approved by resolution, or discharged, moneys for sewerage planning.

13 5. At least one of the municipalities to be served by the project applied for
14 financial hardship assistance for fiscal year 1996.

15 (c) If more than one project satisfies the requirements in paragraph (b), the
16 department of natural resources and the department of administration shall give
17 first priority to a project for which costs will increase if the project is not constructed
18 at the same time as a highway reconstruction project which is scheduled for the
19 1996-97 construction season.

20 (d) The limit under section 144.2415 (3) (f) of the statutes may be exceeded by
21 the amount necessary to fund a project under paragraph (b).

22 (END)