



2013 ASSEMBLY BILL 13

February 13, 2013 - Introduced by Representatives MARKLEIN, BERNIER, BIES, BROOKS, T. LARSON, PETRYK, RIPP, SPIROS, MILROY, SMITH, DANOU and KAHL, cosponsored by Senators HARSDFORF, GUDDEX, MOULTON, PETROWSKI and SCHULTZ. Referred to Committee on Environment and Forestry.

1 **AN ACT** *to amend* 281.58 (2) and 281.58 (7) (b) 5.; and *to create* 281.58 (6) (a)
2 1m., 281.58 (6) (b) 9., 281.58 (7) (b) 7. and 281.61 (2r) (e) of the statutes;
3 **relating to:** methods of providing assistance under the Clean Water Fund
4 Program and the Safe Drinking Water Loan Program and projects that are
5 eligible for assistance under the Clean Water Fund Program.

Analysis by the Legislative Reference Bureau

Under the Clean Water Fund Program, administered by the Department of Natural Resources (DNR) and the Department of Administration (DOA), this state provides financial assistance to local governmental units for projects to control water pollution. A portion of the funding for the state program comes from a federal water pollution control program. Current state law specifies that funding from the Clean Water Fund Program may be provided for constructing a sewage treatment plant, implementing a program to manage pollution from nonpoint (diffuse) sources, or implementing a conservation plan to protect an estuary.

Under this bill, funding through the Clean Water Fund Program may be provided for other activities associated with achieving and maintaining compliance with a wastewater discharge permit. In addition, the bill authorizes DNR and DOA to provide funding under the Clean Water Fund Program for pilot projects that are consistent with the federal water pollution control program.

Current law also specifies the methods that may be used to provide financial assistance under the Clean Water Fund Program, including making loans at or below

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the market interest rate. This bill authorizes the use of any method of providing financial assistance under the Clean Water Fund Program that is consistent with federal law relating to the federal water pollution control program.

Under the Safe Drinking Water Loan Program, also administered by DNR and DOA, this state provides financial assistance to local governmental units for projects for the construction or modification of public water systems. A portion of the funding for the state program comes from a federal safe drinking water program. Current law specifies the methods that may be used to provide financial assistance under the Safe Drinking Water Loan Program, including making loans below the market interest rate.

This bill authorizes the use of any method of providing financial assistance under the Safe Drinking Water Loan Program that is consistent with federal law relating to the federal safe drinking water program.

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.** 281.58 (2) of the statutes is amended to read:

2 281.58 (2) RULES. The department shall promulgate rules that are necessary
3 for the proper execution of its responsibilities under this section. Notwithstanding
4 s. 227.10 (1), the department and the department of administration are not required
5 to promulgate rules for the purposes of providing financial assistance for pilot
6 projects under sub. (7) (b) 7.

7 **SECTION 2.** 281.58 (6) (a) 1m. of the statutes is created to read:

8 281.58 (6) (a) 1m. Activities other than those specified in subd. 1. associated
9 with achieving and maintaining compliance with a permit issued under ch. 283.

10 **SECTION 3.** 281.58 (6) (b) 9. of the statutes is created to read:

11 281.58 (6) (b) 9. Any other method that is consistent with the federal program
12 for state water pollution control revolving funds under 33 USC 1381 to 1387 or any
13 other federal law providing funding for or otherwise relating to that program.

14 **SECTION 4.** 281.58 (7) (b) 5. of the statutes is amended to read:

