State of Misconsin 2017 - 2018 LEGISLATURE

LRB-2097/1 AJM:emw&wlj

2017 ASSEMBLY BILL 78

February 21, 2017 - Introduced by Representatives Thiesfeldt, Krug, Genrich, Crowley, Barca, Bowen, E. Brooks, Brostoff, Fields, Goyke, Horlacher, Jagler, Kitchens, Kolste, Mason, Novak, Ohnstad, Ripp, Schraa, Spiros, Spreitzer, Steffen, Stuck, Subeck, C. Taylor, Tauchen, Tusler, Zamarripa, Zepnick, Anderson and Allen, cosponsored by Senators Cowles, L. Taylor, Bewley, Carpenter, Darling, Feyen, Harsdorf, Johnson, Lasee, Miller, Olsen, Petrowski, Risser, Vinehout, Vukmir, Hansen, Wanggaard and C. Larson. Referred to Committee on Energy and Utilities.

- 1 AN ACT to create 196.37 (6) of the statutes; relating to: lead service line replacements.
 - Analysis by the Legislative Reference Bureau

This bill provides that it is not unjust, unreasonable, insufficient, unfairly discriminatory, or preferential or otherwise unreasonable or unlawful for a water public utility to provide financial assistance to a customer solely for replacing service lines containing lead if the financial assistance is allowed by local ordinance. The bill also provides that the water public utility may provide financial assistance for the replacement of a service line containing lead only if the portion of the service line for which the utility is responsible and the water main that are connected to the customer's service line either do not contain lead or are replaced at the same time as the customer's service line is to be replaced. Under the bill, if a water public utility provides financial assistance for replacing service lines containing lead, the Public Service Commission must include the cost of providing that financial assistance in its determination of water rates.

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:

ASSEMBLY BILL 78

196.37 **(6)** (a) It is not unjust, unreasonable, insufficient, unfairly discriminatory, or preferential or otherwise unreasonable or unlawful for a water public utility to provide financial assistance as specified in par. (b) to a customer solely for private infrastructure improvements with the purpose of replacing service lines containing lead if the city, town, or village in which the water public utility operates has enacted an ordinance that permits the water public utility to provide the financial assistance. If a water public utility provides financial assistance under this paragraph, the commission shall include in the determination of water rates the cost of providing that financial assistance.

- (b) A water public utility may provide financial assistance under par. (a) to replace a service line only if the portion of the service line for which the utility is responsible and the water main that are connected to the customer's service line meet one of the following conditions:
 - 1. Do not contain lead.
- 2. The lead-containing portion of the service line or water main is replaced at the same time as the private infrastructure improvements under par. (a) are made.

(END)