

State of Wisconsin



2009 Senate Bill 664

Date of enactment: **May 18, 2010**
Date of publication*: **June 1, 2010**

2009 WISCONSIN ACT 384

AN ACT relating to: financial assistance under the Clean Water Fund Program and the Safe Drinking Water Loan Program.

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

SECTION 1. Nonstatutory provisions.

(1) FEDERAL FISCAL YEAR 2010 APPROPRIATIONS ACT FUNDING FOR CLEAN WATER FUND PROJECTS.

(a) If this state receives moneys under P.L. 111-88 as a capitalization grant for clean water state revolving funds under the Federal Water Pollution Control Act, the department of natural resources and the department of administration may, as provided in this subsection, allocate the funds, before December 31, 2011, for financial assistance to municipalities, as defined in section 281.59 (1) (c) of the statutes, under section 281.58 of the statutes for projects eligible to receive financial assistance under that section.

(b) The department of natural resources and the department of administration shall provide additional subsidy under this subsection to municipalities in the amount that P.L. 111-88 requires to be used to provide additional subsidy. The department of natural resources and the department of administration shall provide additional subsidy to a municipality in the form of forgiveness of part of the principal of a loan made to the municipality, notwithstanding the limits in section 281.58 (6) (b) of the statutes on the methods that may be used to provide financial assistance. The department of natural resources may establish a percentage limit of the amount of the principal

forgiveness available under this paragraph that may be received by any municipality.

(c) The department of natural resources may establish a deadline for submitting applications for financial assistance under this subsection.

(d) In selecting the projects to receive financial assistance under this subsection, and the terms of the financial assistance, the department of natural resources may consider any of the following:

1. The population of the municipality in which a project would be located.

2. The median household income, as defined in section 281.58 (1) (cm) of the statutes, of the municipality in which a project would be located.

3. The extent to which a project promotes water efficiency or energy efficiency; is environmentally innovative; or uses natural systems or engineered systems that mimic natural processes, also called green infrastructure.

(e) Notwithstanding section 227.10 (1) of the statutes, the department of natural resources and the department of administration are not required to promulgate rules for the purposes of this subsection.

(2) FEDERAL FISCAL YEAR 2010 APPROPRIATIONS ACT FUNDING FOR SAFE DRINKING WATER LOAN PROGRAM PROJECTS.

(a) If this state receives moneys under P.L. 111-88 as a capitalization grant for drinking water state revolving loan funds under the federal Safe Drinking Water Act, the

* Section 991.11, WISCONSIN STATUTES 2007-08 : Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

department of natural resources and the department of administration may, as provided in this subsection, allocate the funds, before December 31, 2011, for financial assistance to local governmental units, as defined in section 281.61 (1) (a) of the statutes, under section 281.61 of the statutes for projects eligible to receive financial assistance under that section. Notwithstanding section 281.59 (3s) (a) of the statutes, the department of administration may, until December 30, 2011, allocate amounts approved for the 2009–11 biennium under section 281.59 (3s) (b) 1. of the statutes for projects under this subsection.

(b) The department of natural resources and the department of administration shall provide additional subsidy under this subsection to local governmental units in the amount that P.L. 111–88 requires to be used to provide additional subsidy. The department of natural resources and the department of administration shall provide additional subsidy to a local governmental unit in the form of forgiveness of part of the principal of a loan made to the local governmental unit, notwithstanding the limits in section 281.61 (2r) of the statutes on the methods that may be used to provide financial assistance. The department of natural resources may establish a percent-

age limit of the amount of the principal forgiveness available under this paragraph that may be received by any local governmental unit.

(c) The department of natural resources may establish a different deadline for submitting applications for financial assistance under this subsection than the deadline in section 281.61 (5) of the statutes.

(d) In selecting the projects to receive financial assistance under this subsection, and the terms of the financial assistance, the department of natural resources may consider any of the following:

1. The population of the local governmental unit in which a project would be located.

2. The median household income, as defined in section 281.58 (1) (cm) of the statutes, of the local governmental unit in which a project would be located.

3. The extent to which a project promotes water efficiency or energy efficiency; is environmentally innovative; or uses natural systems or engineered systems that mimic natural processes, also called green infrastructure.

(e) Notwithstanding section 227.10 (1) of the statutes, the department of natural resources and the department of administration are not required to promulgate rules for the purposes of this subsection.
