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LRB-1818/1 ZDW:skw

2023 ASSEMBLY BILL 136

March 31, 2023 - Introduced by Representatives Petryk, Zimmerman, Armstrong, Behnke, Magnafici and Moses, cosponsored by Senators Stafsholt, Cowles, Marklein, Nass and Spreitzer. Referred to Committee on Local Government.

AUTHORS SUBJECT TO CHANGE

AN ACT to renumber and amend 31.385(2) (ad); and to create 31.385(2) (ad)

2m. and 31.385 (2) (ad) 3. of the statutes; **relating to:** financial assistance limits for dam removal.

Analysis by the Legislative Reference Bureau

This bill provides that the cost limits for dam safety projects created in the 2021–23 biennial budget act (2021 Act 58) do not apply to a project to remove a dam.

Under current law, the state may contract public debt to provide financial assistance to counties, cities, villages, towns, and public inland lake protection and rehabilitation districts for maintenance, repair, modification, abandonment, or removal of a dam. Prior to 2021 Act 58, financial assistance for a dam safety project was limited to no more than 50 percent of the first \$400,000 of costs of the project and no more than 25 percent of the costs of the project that exceed \$400,000. The total amount of financial assistance for a dam safety project was limited to no more than \$400,000. However, these limits did not apply to a project to remove a dam.

2021 Act 58 provided that, beginning in the 2021–22 fiscal year, financial assistance for a dam safety project is limited to no more than 50 percent of the first \$1,000,000 of costs of the project and no more than 25 percent of the costs of the project that exceed \$1,000,000. The total amount of financial assistance for a dam safety project is limited to no more than \$1,000,000. 2021 Act 58 did not include a provision exempting dam removal from these financial limits.

ASSEMBLY BILL 136

13

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.** 31.385 (2) (ad) of the statutes is renumbered 31.385 (2) (ad) 1m., and $\mathbf{2}$ 31.385 (2) (ad) 1m. (intro.), as renumbered, is amended to read: 3 31.385 (2) (ad) 1m. (intro.) Notwithstanding par. (a) and except as provided in 4 subds. 2m. and 3., beginning with financial assistance provided in the 2021-22 fiscal 5 year, financial assistance for a dam safety project cannot exceed \$1,000,000 and shall 6 be awarded in the following amounts: 7 **Section 2.** 31.385 (2) (ad) 2m. of the statutes is created to read: 8 31.385 (2) (ad) 2m. A project to remove a dam shall not be subject to the cost 9 limits under subd. 1. 10 **Section 3.** 31.385 (2) (ad) 3. of the statutes is created to read: 11 31.385 (2) (ad) 3. Financial assistance is limited to no more than \$1,000,000 for each dam safety project. 12

(END)