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State of Misconsin 2011 - 2012 LEGISLATURE



2011 SENATE BILL 443

February 8, 2012 – Introduced by Senator S. FITZGERALD, cosponsored by Representative Kleefisch. Referred to Committee on Financial Institutions and Rural Issues.

1 AN ACT to amend 31.385 (7) of the statutes; relating to: financial assistance to

towns for certain dam safety projects.

Analysis by the Legislative Reference Bureau

Under current law, the Department of Natural Resources (DNR) has bonding authority to provide funding for a financial assistance program for projects that ensure dam safety by maintaining, repairing, removing, or abandoning dams. Dam owners, including cities, villages, towns, counties, and public inland lake protection and rehabilitation districts, are eligible to receive assistance only if DNR has issued a directive or order that the owner take action to ensure the dam's safety. The maximum amount of financial assistance for a dam safety project is \$400,000. The program is supported by bonding authority with the debt service being paid from both the general fund and the conservation fund.

In addition to this bonding authority, current law requires that in each fiscal year, beginning with 2011–12, at least \$6,000,000 in bonding authority must be set aside from the land acquisition subprogram of the Warren Knowles–Gaylord Nelson Stewardship 2000 Program for providing financial assistance to counties for these dam safety projects (stewardship assistance). To be eligible for stewardship assistance, a county must be under a DNR order to safeguard a dam that the county owns, and the order must have been in effect on July 1, 2011. The maximum amount of stewardship assistance that may be provided for a dam safety project is \$2,500,000. This bill expands the entities that are eligible for stewardship assistance to include towns.

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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:

SECTION 1. 31.385 (7) of the statutes, as created by 2011 Wisconsin Act 32, is amended to read:

31.385 (7) Notwithstanding the limitations under sub. (2) (a), and beginning with fiscal year 2011–12 and ending with fiscal year 2019–20, the department shall set aside from the appropriation under s. 20.866 (2) (ta) not less than a total of \$6,000,000 that may be obligated only to provide financial assistance to counties and towns for projects to maintain, repair, modify, abandon, or remove dams. To be eligible for financial assistance, a county or town must be under an order issued by the department to maintain, repair, modify, abandon, or remove a dam that is owned by the county or town and the order must be in effect on July 1, 2011. The amount of the financial assistance may not be for more than 25 percent of the costs of a project or \$2,500,000, whichever is less. Subsection (2) (c) does not apply to a project for which financial assistance is provided under this subsection. A project need not be included under the inventory maintained by the department under sub. (4) in order for a county or town to receive financial assistance under this subsection.

16 (END)