

RULES CERTIFICATE

Department of Commerce

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, William J. McCoshen, Secretary of the Department of Commerce,

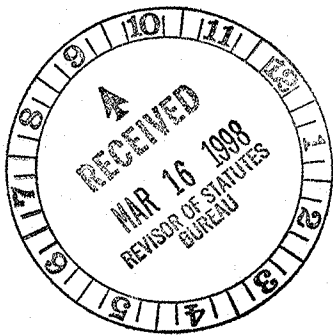
and custodian of the official records of said department, do hereby certify that the annexed rule(s) relating to

Emergency Grant Funding

(Subject)

were duly approved and adopted by this department.

I further certify that said copy has been compared by me with the original on file in the department and that the same is a true copy thereof, and of the whole of such original.



IN TESTIMONY WHEREOF, I have hereunto set
my hand at 201 West Washington Avenue
in the city of Madison, this 12th
day of March A.D. 19 98

William J. McCoshen
Secretary

ORDER OF ADOPTION

Department of Commerce

Pursuant to authority vested in the Department of Commerce by section(s) s. 560.04 (2)(j), Stats.

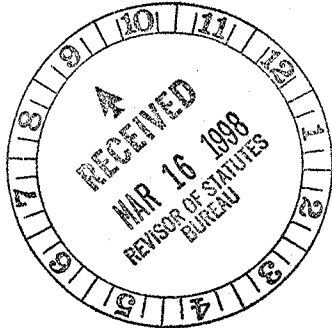
_____ Stats., the Department of Commerce creates; amends;

repeals and recreates; repeals and adopts rules of Wisconsin Administrative Code chapter(s):

s. Comm 108.21 (1)(f) Emergency Grant Funding
(number) (Title)

The attached rules shall take effect on The first day of the month following publication

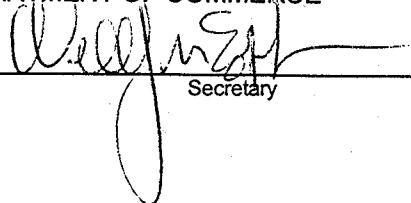
_____ pursuant to section 227.22, Stats.



Adopted at Madison, Wisconsin this

date: 3/12/98

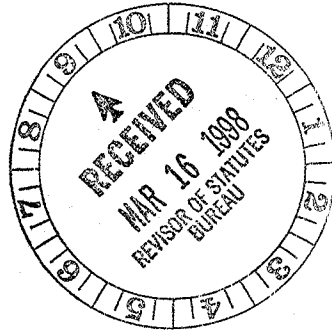
DEPARTMENT OF COMMERCE


Secretary



State of Wisconsin \ Department of Commerce

RULES in FINAL DRAFT FORM



Rule No.: S. Comm 108.21 (1)(f)

Relating to: Emergency Grant Funding

Clearinghouse Rule No.: 97-156

Department of Commerce

Rule Relating to The Funding Of Emergency Grants Under The Community Development Block Grant Program

Analysis of Rules

Statutory Authority: ss. 16.54, 560.02(4), and 560.0(2)(j), Stats.

Statutes Interpreted: 42 USC 5301 to 5319.

On November 1, 1997, the Department of Commerce (Commerce) adopted an Emergency rule pursuant to section 227.24, Stats. Pursuant to section 227.24(4), Stats., Commerce proposes to promulgate a permanent rule to replace that emergency rule.

Pursuant to section 560.02(4), Stats., Commerce has the authority to administer the federal Community Development Block Grant (CDBG) funds awarded to the State of Wisconsin under 42 USC 5301 to 5319. Under applicable federal law, Commerce is authorized to award CDBG funds to any town, village or city with a population of less than 50,000 that is not eligible to apply for or participate in the federal block grant program, and to any other than an urban county as defined by the United States Department of Housing and Urban Development (HUD). Historically, Commerce's rules have authorized eligible communities to use CDBG funds for public facilities projects, public facilities projects to promote economic development, economic development projects and emergency situations caused by natural disasters and other catastrophic events. Recent amendments to the applicable federal regulations authorize the use of CDBG funding for additional purposes including the prevention and elimination of slum and blight.

Pursuant to s. 560.04 (2)(j), Stats., this rule amends ch. Comm 108, subch. VI of the Wisconsin Administrative Code and is being done to assist and strengthen local, regional and state economic and community development in dealing with emergencies. Current rules do not allow Commerce to award emergency grants to local governments experiencing a natural disaster or catastrophic event using other state or federal grants as a match. This rule will enable Commerce to respond on very short notice when an emergency occurs, using other grant funds, such as funds from the Federal Emergency Management Administration (FEMA) and the Division of Emergency Management (DEM), to meet the needs of citizens in this state in times of emergency.

Pursuant to the authority vested in the Department of Commerce by section 560.04 (2)(j), Stats., the Department of Commerce hereby amends Section Comm 108.21(1)(f) of the Wisconsin Administrative Code relating to emergency grants under the Community Development Block Grant Program.

Section 1. Comm 108.21(1)(f) is amended to read:

Comm 108.21(1)(f) The local government will contribute at least 25% of the total cost of the project from other funding sources ~~other than grants from the federal or state government.~~

(END)

Pursuant to Section 227.22 (2) (intro.), Stats., this rule shall take effect on the first day of the month following publication in the Wisconsin Administrative Register.



March 9, 1998

Gary Poulson
Assistant Revisor of Statutes
Suite 800
131 West Wilson Street
Madison, Wisconsin 53703-3233

Douglas LaFollette
Secretary of State
10th Floor
30 West Mifflin Street
Madison, Wisconsin 53703

Dear Messrs. Poulson and LaFollette:

TRANSMITTAL OF RULE ADOPTION

CLEARINGHOUSE RULE NO.: 97-156

RULE NO.: Comm 108.21(1)(f)

RELATING TO: Emergency Grant Funding

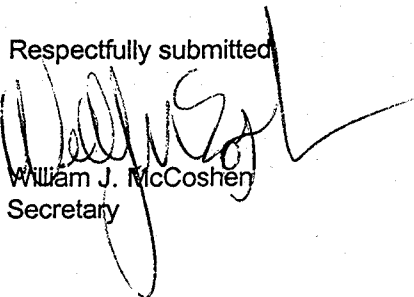
Pursuant to section 227.20, Stats., agencies are required to file a certified copy of every rule adopted by the agency with the offices of the Secretary of State and the Revisor of Statutes.

At this time, the following material is being submitted to you:

1. Order of Adoption.
2. Rules Certificate Form.
3. Rules in Final Draft Form.

Pursuant to section 227.114, Stats., a summary of the final regulatory flexibility analysis is also included.

Respectfully submitted


William J. McCoshen
Secretary

