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State of Misconsin 2021 - 2022 LEGISLATURE

LRB-5492/1 ZDW:skw

2021 SENATE BILL 839

January 13, 2022 – Introduced by Senators Stafsholt, Felzkowski and Marklein, cosponsored by Representatives ZIMMERMAN, KUGLITSCH, MAGNAFICI, MILROY and Moses. Referred to Committee on Natural Resources and Energy.

1 AN ACT to renumber and amend 31.385 (2) (a) 2.; and to amend 31.385 (2) (a)

1. (intro.) and 31.385 (2) (ad) (intro.) 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 provides 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.

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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:

1	SECTION 1. 31.385 (2) (a) 1. (intro.) of the statutes is amended to read:
2	31.385 (2) (a) 1. (intro.) Except as provided in subd. 2. par. (af), financial
3	assistance for a dam safety project is limited to the sum of the following:
4	SECTION 2. 31.385 (2) (a) 2. of the statutes is renumbered 31.385 (2) (af) and
5	amended to read:
6	31.385 (2) (af) A project to remove a dam shall not be subject to the cost limits
7	under subd. 1. <u>par. (a) 1. or (ad).</u>
8	SECTION 3. 31.385 (2) (ad) (intro.) of the statutes, as created by 2021 Wisconsin
9	Act 58, is amended to read:
10	31.385 (2) (ad) (intro.) Notwithstanding par. (a), and except as provided in par.
11	(af), beginning with financial assistance provided in the 2021-22 fiscal year,
12	financial assistance for a dam safety project cannot <u>may not</u> exceed \$1,000,000 and
13	shall be awarded in the following amounts:
14	(END)