



State of Wisconsin
2023 - 2024 LEGISLATURE

LRB-5567/1
ZDW:skw

2023 ASSEMBLY BILL 1190

April 9, 2024 - Introduced by Representative MCGUIRE. Referred to Committee on Environment.

AUTHORS SUBJECT TO CHANGE

1 **AN ACT to create** 20.370 (9) (pq) and 23.199 of the statutes; **relating to:** creating
2 a Great Lakes erosion control revolving loan program, providing an exemption
3 from emergency rule procedures, granting rule-making authority, and making
4 an appropriation.

Analysis by the Legislative Reference Bureau

This bill requires the Department of Natural Resources to administer a revolving loan program to assist municipalities and owners of homes located on the shore of Lake Michigan or Lake Superior where the structural integrity of municipal buildings or homes is threatened by erosion of the shoreline. The bill requires DNR to promulgate rules for administration of the program, which must include eligibility requirements and income limitations for receiving loans.

For further information see the state 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:

5 **SECTION 1.** 20.005 (3) (schedule) of the statutes: at the appropriate place, insert
6 the following amounts for the purposes indicated:

2023-24 2024-25

1 **20.370 Natural resources, department of**

2 (9) EXTERNAL SERVICES

3 (pq) Great Lakes erosion control

4 revolving loan program SEG C 5,000,000 -0-

5 **SECTION 2.** 20.370 (9) (pq) of the statutes is created to read:

6 20.370 (9) (pq) *Great Lakes erosion control revolving loan program.* As a
7 continuing appropriation, from the environmental fund, the amounts in the schedule
8 for the Great Lakes erosion control revolving loan program under s. 23.199.

9 **SECTION 3.** 23.199 of the statutes is created to read:

10 **23.199 Great Lakes erosion control revolving loan program.** (1) The
11 department shall administer a revolving loan program to assist municipalities and
12 owners of homes located on the shore of Lake Michigan or Lake Superior where the
13 structural integrity of municipal buildings or homes is threatened by erosion of the
14 shoreline.

15 (2) The department shall make loans under this section from the appropriation
16 account under s. 20.370 (9) (pq).

17 (3) The department shall promulgate rules to administer this section,
18 including rules establishing eligibility criteria and income limitations for loans
19 under this section.

20 **SECTION 4. Nonstatutory provisions.**

21 (1) POSITION AUTHORIZATION. The authorized FTE positions for the department
22 of natural resources, funded from the appropriation under s. 20.370 (9) (pq), are

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1 increased by 0.5 SEG position for the purpose of administering the Great Lakes
2 erosion control revolving loan program.

3 (2) EMERGENCY RULES. The department of natural resources may use the
4 procedure under s. 227.24 to promulgate emergency rules under s. 23.199 for the
5 period before the date on which permanent rules under s. 23.199 take effect.
6 Notwithstanding s. 227.24 (1) (c) and (2), emergency rules promulgated under this
7 subsection remain in effect until the first day of the 25th month beginning after the
8 effective date of the emergency rules, the date on which the permanent rules take
9 effect, or the effective date of the repeal of the emergency rules, whichever is earlier.
10 Notwithstanding s. 227.24 (1) (a) and (3), the department of natural resources is not
11 required to provide evidence that promulgating a rule under this subsection as
12 emergency rules is necessary for the preservation of public peace, health, safety, or
13 welfare and is not required to provide a finding of emergency for a rule promulgated
14 under this subsection.

15

(END)