

State of Misconsin 2021 - 2022 LEGISLATURE

LRB-0022/1 ZDW:kjf

## 2021 ASSEMBLY BILL 779

December 9, 2021 – Introduced by Representatives McGuire, Andraca, Ohnstad, Anderson, Brostoff, Cabrera, Conley, Emerson, Hebl, Hong, Kerkman, B. Meyers, Milroy, Neubauer, Pope, S. Rodriguez, Shelton, Sinicki, SNODGRASS, Spreitzer, Stubbs, Subeck and Vruwink, cosponsored by Senators Wirch, Smith, Larson and Carpenter. 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 appropriates \$5,000,000 to DNR for this purpose and increases DNR's position authorization by 0.5 FTE to administer the program. The bill requires DNR to promulgate rules to administer the program, including eligibility requirements and income limitations, and authorizes DNR to promulgate emergency rules for the period before permanent rules take effect.

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:

	2021 - 2022 Legislature - 2 - LRB-0022/1   ASSEMBLY BILL 779 SECTION 1
1	<b>SECTION 1.</b> 20.005 (3) (schedule) of the statutes: at the appropriate place, insert
2	the following amounts for the purposes indicated:
	2021-22 2022-23
3	20.370 Natural resources, department of
4	(9) EXTERNAL SERVICES
5	(pq) Great Lakes erosion control
6	revolving loan program SEG C 5,000,000 -0-
7	<b>SECTION 2.</b> 20.370 (9) (pq) of the statutes is created to read:
8	20.370 (9) (pq) Great Lakes erosion control revolving loan program. As a
9	continuing appropriation, from the environmental fund, the amounts in the schedule
10	for the Great Lakes erosion control revolving loan program under s. 23.199.
11	<b>SECTION 3.</b> 23.199 of the statutes is created to read:
12	23.199 Great Lakes erosion control revolving loan program. (1) The
13	department shall administer a revolving loan program to assist municipalities and
14	owners of homes located on the shore of Lake Michigan or Lake Superior where the
15	structural integrity of municipal buildings or homes is threatened by erosion of the
16	shoreline.
17	(2) The department shall make loans under this section from the appropriation
18	account under s. 20.370 (9) (pq).
19	(3) The department shall promulgate rules to administer this section,
20	including rules establishing eligibility criteria and income limitations for loans
21	under this section.
22	SECTION 4. Nonstatutory provisions.

#### **ASSEMBLY BILL 779**

1 (1) POSITION AUTHORIZATION. The authorized FTE positions for the department 2 of natural resources, funded from the appropriation under s. 20.370 (9) (pq), are 3 increased by 0.5 SEG position for the purpose of administering the Great Lakes 4 erosion control revolving loan program.

(2) EMERGENCY RULES. The department of natural resources may use the 5 6 procedure under s. 227.24 to promulgate emergency rules under s. 23.199 for the 7 period before the date on which permanent rules under s. 23.199 take effect. 8 Notwithstanding s. 227.24 (1) (c) and (2), emergency rules promulgated under this 9 subsection remain in effect until the first day of the 25th month beginning after the 10 effective date of the emergency rules, the date on which the permanent rules take 11 effect, or the effective date of the repeal of the emergency rules, whichever is earlier. 12 Notwithstanding s. 227.24 (1) (a) and (3), the department of natural resources is not 13 required to provide evidence that promulgating a rule under this subsection as 14 emergency rules is necessary for the preservation of public peace, health, safety, or 15welfare and is not required to provide a finding of emergency for a rule promulgated 16 under this subsection.

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(END)