



CR 91-91

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny
Secretary

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STATE OF WISCONSIN)
DEPARTMENT OF NATURAL RESOURCES)

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TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Bruce B. Braun, Deputy Secretary of the Department of Natural Resources and custodian of the official records of said Department, do hereby certify that the annexed copy of Natural Resources Board Order No. CA-37-91 was duly approved and adopted by this Department on July 25, 1991. I further certify that said copy has been compared by me with the original on file in this 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 and affixed the official seal of the Department at the Natural Resources Building in the City of Madison, this 8th day of June, 1992.


Bruce B. Braun, Deputy Secretary

(SEAL)

ORDER OF THE STATE OF WISCONSIN NATURAL RESOURCES BOARD
AMENDING AND CREATING RULES

.....
IN THE MATTER OF amending ch. NR 127.03, .
NR 127.04 (4) and NR 127.04 (5) of the .
Wisconsin Administrative Code pertaining to . CA-37-91
the municipal clean drinking water grant .
program .
.....

Analysis Prepared by the Department of Natural Resources

Statutory authority: ss. 144.0255 and 227.11(2), Stats.
Statute interpreted: s. 144.0255, Stats.

Section 144.0255, Stats., establishes the Municipal Clean Drinking Water Grant Program. Under this program, grant funding of up to 90% of the eligible costs incurred by a municipality is provided to correct a violation of the municipal drinking water maximum contaminant standards established under ch. NR 109, Wis. Adm. Code.

The proposed ch. NR 127 amendment implements a cost eligibility determination made by the Department after final adoption of this rule by the Natural Resources Board. The eligibility determination is to allow capitalized interest costs incurred by a municipality which proceeds with correction of a maximum contamination limit violation before receiving a grant award under this chapter.

The proposed rule revision will apply to all grant applications received by the Department on or after the first grant application due date, which is September 16, 1991.

The proposed rule revision does the following:

1. Establishes capitalized interest as an eligible grant cost for those communities that have proceeded to construction of an eligible project before a grant award is made.
2. Specifies that the determination and calculation of eligible capitalized interest by the department will be done in accordance with generally accepted accounting principles.

SECTION 1. NR 127.04(4)(f) is created to read:

NR 127.04(4)(f) Capitalized interest costs for those projects which proceed to construction before a grant award is made. The determination and

calculation of eligible capitalized interest by the department will be done in accordance with generally accepted accounting principles.

SECTION 2. NR 127.04(5)(d) is amended to read:

NR 127.04(5)(d) Interest, other than capitalized interest, on any form of indebtedness ~~that is not the direct result of a municipality proceeding, with departmental concurrence, with a project to correct a NCL violation before grant funding is available for that project.~~

The foregoing rule was approved and adopted by the State of Wisconsin Natural Resources Board on July 25, 1991.

This rule shall take effect on the first day of the month following publication in the Wisconsin administrative register, as provided in s. 227.22(2)(intro), Stats.

Dated at Madison, Wisconsin

June 8, 1992

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

By

Carroll D. Resadny
Carroll D. Resadny, Secretary

(SEAL)



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny
Secretary

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June 8, 1992

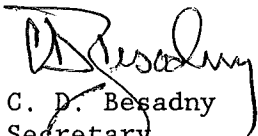
Mr. Gary L. Poulson
Assistant Revisor of Statutes
119 Martin Luther King, Jr., Blvd.

Dear Mr. Poulson:

Enclosed are two copies, including one certified copy, of State of Wisconsin Natural Resources Board Order No. CA-37-91. These rules were reviewed by the Assembly Committee on Environmental Resources, Utilities and Mining and the Senate Committee on Urban Affairs, Environmental Resources and Elections pursuant to s. 227.19, Stats. Summaries of the final regulatory flexibility analysis and comments of the legislative review committees are also enclosed.

You will note that this order takes effect following publication. Kindly publish it in the Administrative Code accordingly.

Sincerely,


C. D. Besadny
Secretary

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