

**No. 137. An act relating to administering State funds for loans to individuals for replacement of failed wastewater systems and potable water supplies.**

(H.578)

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 24 V.S.A. § 4753 is amended to read:

§ 4753. REVOLVING LOAN FUNDS; AUTHORITY TO SPEND; REPORT

(a) There is hereby established a series of special funds to be known as:

\* \* \*

(10) The Vermont Wastewater and Potable Water Revolving Loan Fund which shall be used to provide loans to individuals, in accordance with section ~~4763a~~ 4763b of this title, for the design and construction of repairs to or replacement of wastewater systems and potable water supplies when the wastewater system or potable water supply is a failed system or supply as defined in 10 V.S.A. § 1972. The amount of \$275,000.00 from the fees collected pursuant to 3 V.S.A. § 2822(j)(4) shall be deposited on an annual basis into this Fund.

(b) Each of such funds shall be established and held separate and apart from any other funds or moneys of State and shall be used and administered exclusively for the purpose of this chapter with the exception of transferring funds from the Vermont Drinking Water Planning Loan Fund and the Vermont Drinking Water Source Protection Fund to the Vermont Environmental Protection Agency (EPA) Drinking Water State Revolving Fund, and from the Vermont Pollution Control Revolving Fund to the Vermont Environmental Protection Agency (EPA) Pollution Control Revolving Fund, when authorized

by the Secretary. These funds shall be administered by the Bond Bank on behalf of the State, except that: ~~the fund~~ Fund shall be administered by VEDA concerning loans to privately owned water systems under subdivision (a)(3) of this section; and the Fund may be administered by a community development financial institution, as that term is defined in 12 U.S.C. § 4702, that is contracted with by the State for the purpose of providing loans to individuals for failed wastewater systems and potable water supplies under subdivision (a)(10) of this section. The funds shall be invested in the same manner as permitted for investment of funds belonging to the State or held in the Treasury. The funds shall consist of the following:

(1) Such sums as may be appropriated or transferred thereto from time to time by the General Assembly, the State Emergency Board or the Joint Fiscal Committee during such times as the General Assembly is not in session.

(2) Principal and interest received from the repayment of loans made from each of such funds.

(3) Capitalization grants and awards made to the State by the United States of America for any of the purposes for which such funds have been established.

(4) Interest earned from the investment of fund balances.

(5) Private gifts, bequests, and donations made to the State for any of the purposes for which such funds have been established.

(6) Other funds from any public or private source intended for use for any of the purposes for which such funds have been established.

\* \* \*

Sec. 2. 24 V.S.A. § 4757 is amended to read:

§ 4757. REVOLVING LOAN FUNDS; ADDITIONAL USES

In addition to providing a source of funds from which loans may be made to municipalities under this chapter, each fund created under section 4753 of this chapter may be used for one or more of the following purposes:

(1) to make loans, to refund bonds or notes of a municipality issued after March 7, 1985 for sewerage works, or after July 1, 1993 for water supply systems for the purpose of financing the construction of any capital improvements or management program described in section 4753 and certified under section 4756 of this title;

(2) to guarantee or insure, directly or indirectly, the payment of notes or bonds issued or to be issued by a municipality for the purpose of financing the construction of any capital improvement or management program described in section 4754 of this title and certified under section 4756;

(3) to guarantee or insure, directly or indirectly, funds established by municipalities for the purpose of financing construction of any capital improvement described in section 4754 of this title;

(4) to invest available fund balances, and to credit the net interest income thereon to the particular fund providing investment funds; ~~and~~

(5) to pay the costs of the ~~bond bank~~ Bond Bank, VEDA, and the agency associated with the administration of each fund; provided, however, that no more than four percent of the aggregate of the highest fund balances in any fiscal year shall be used for such purposes, and that a separate account be established outside the ~~drinking water state revolving fund~~ Drinking Water State Revolving Fund for such purposes. As used in this subsection, costs shall include fiscal, clerical, administrative, and issuance expenditures directly attributable and allocated to the maintenance implementation and administration of the loan funds created under this chapter; and

(6) to pay from the Vermont Wastewater and Potable Water Revolving Loan Fund the costs of administration of loans awarded under subdivision 4753(a)(10) of this title.

### Sec. 3. EFFECTIVE DATE

This act shall take effect on passage.

Date Governor signed bill: May 22, 2014