

**RESOLUTION NO. 2023-008**  
**SUPPORTING THE NORTHEAST WISCONSIN STORMWATER**  
**CONSORTIUM OPPOSITION TO WI STATE SENATE BILL 455 /**  
**ASSEMBLY BILL 457 FURTHER REGULATING MUNICIPAL**  
**STORMWATER UTILITIES**

**WHEREAS**, In September of 2023, the Wisconsin State Senate and Assembly introduced bills 455 and 457 respectively, to subject municipal storm water utilities to the full authority of the Public Service Commission to regulate rates and services. Under current law, municipal storm water utilities are generally not subject to PSC’s jurisdiction except addressing complaints by users that municipal storm water utility rates, rules, or practices are unreasonable or unjustly discriminatory; and,

**WHEREAS**, the Town of Clayton has an established storm water utility to service the residents of the municipality with the option to have PSC oversight if any person or business petitions for review of rates they believe to be unreasonable or unnecessary; and,

**WHEREAS**, the Town of Clayton Board of Supervisors agrees as a member of NEWSC that adding an additional level of regulation will increase storm water rates and reduce the services that can be provided by the utility, as well as delay construction approvals and reviews which would also negatively impact Town resources; and,

**WHEREAS**, the Town of Clayton Town Board agrees with NEWSC that storm water management needs are unique to each community due to topography, type of waters, type of water impairment or lack of impairment, soil types, infrastructure, and other factors with it being unreasonable to expect the limited staff at PSC to understand all of the unique qualities of each municipality.

**NOW THEREFORE BE IT RESOLVED**, that the Town of Clayton Board of Supervisors hereby gives support to the Northeast Wisconsin Stormwater Consortium and provides this Resolution as an amicus filing to their communications to the Wisconsin Legislature opposing Senate Bill 455 and Assembly Bill 457.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2023.

by a vote of \_\_\_\_\_ aye, \_\_\_\_\_ nay, with \_\_\_\_\_ members absent.

TOWN OF CLAYTON

By: \_\_\_\_\_

Attest: \_\_\_\_\_

Russell D. Geise, Town Chairman

Kelsey Faust-Kubale, Town Clerk