

**1999 DRAFTING REQUEST**

**Assembly Amendment (AA-ASA1-AB133)**

Received: **06/23/99**

Received By: **traderc**

Wanted: **Soon**

Identical to LRB:

For: **Senate Democratic Caucus**

By/Representing: **Walter**

This file may be shown to any legislator: **NO**

Drafter: **traderc**

May Contact: **LFB**

Alt. Drafters:

Subject: **Environment - water quality**

Extra Copies:

**Pre Topic:**

SDC:.....Walter - Caucus # 2758,

**Topic:**

Wastewater discharge fees

**Instructions:**

See Attached

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	traderc 06/26/99	jgeller 06/27/99		_____			
/1			hhagen 06/27/99	_____	lrb_docadmin 06/28/99		

FE Sent For:

<END>

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1?	traderc	1 6/27 jlg		<del>7/27</del> 6/27			

FE Sent For:

<END>

SDC

caucus number 2737

duplicate flag:  
duplicate with:

Other reference numbers:

LFB Sum #:

FM 748

bill number/amendment number:

LRB draft #

LRB P-draft:

description: Delete FM 748 which provides funding from the forestry account of the conservation fund to allow DNR to provide educational materials dealing with shoreland vegetation.

other notes

drafting instructions: Delete FM 748

more instructions:

caucus number 2758

duplicate flag:  
duplicate with:

Other reference numbers:

LFB Sum #:

Paper 709

FM 271

bill number/amendment number:

LRB draft #

LRB P-draft:

description: Paper 709, FM 271. Delete current statutory cap of \$7,450,000 for wastewater discharge fees in 99-00, for fees assessed in the spring of 2000 for calendar year 99 discharges. Move to increase the statutory cap to \$7,925,000 in 99-00.

other notes

drafting instructions: See above.

more instructions:

caucus number 3309

duplicate flag:  
duplicate with:

Other reference numbers:

LFB Sum #:

bill number/amendment number:

LRB draft #

LRB P-draft:

description: Allocate \$50,000-\$100,000 to Kenosha County to conduct an erosion-control study on the Kemper Center. Study to be done by professional engineering firm with experience in shoreline erosion control through RFP.

other notes Modification to above: Allocate \$50,000

drafting instructions: See above and attached.

more instructions:

caucus number 3809

duplicate flag:  
duplicate with: 2721

Other reference numbers:

LFB Sum #:

FM 743

bill number/amendment number:

LRB draft #

LRB P-draft:

description: Delete FM 743 which requires counties to zone for and allow construction of minor structures in shoreline setback areas. Instead, preserve current law which requires structures by a min. of 75 feet back from the ordinary high water mark.

other notes

drafting instructions: Delete Freestanding Motion 743 (see above)

more instructions:

Already sent

+

CN 2758

**Natural Resources—Water Quality, Wastewater Discharge Fees--Paper #709—  
Motion #271**

Delete current statutory cap of \$7,450,000 for wastewater discharge fees in 1999-00, for fees assessed in the spring of 2000 for calendar year 1999 discharges. Move to increase the statutory cap to \$7,925,000 in 1999-00.

Recapture +\$475,000 GPR-REV

Senator Burke

NATURAL RESOURCES - WATER QUALITY

Wastewater Discharge (NR101) Fees  
[LFB Paper #709]

*Kendra Bondred  
6-2847*

Motion:

Move to maintain the current statutory cap of \$7,450,000 for wastewater discharge (NR-101) fees in 1999-00, for fees assessed in the spring of 2000 for calendar year 1999 discharges. Increase the statutory cap to \$7,925,000 in 2000-01. ~~1999-00~~

Require DNR to promulgate administrative rule changes for wastewater discharge fees for fees assessed in the spring of 2001 for calendar year 2000 discharges. Direct that the rules include all of the following provisions: (a) use the fees billed in 2000 for calendar year 1999 wastewater discharges for each discharger as the basis of the new fee system; (b) establish a fee system applicable to each discharger based on a fee per unit of discharge, utilizing a five year rolling average of the amount of discharges by the discharger; (c) establish a performance-based approach, under which if an individual discharger's amount of wastewater discharges increases from one year to the next, the amount of fees paid by the discharger would increase proportionally, and if an individual discharger's amount of wastewater discharges decrease from one year to the next, the amount of fees paid by the discharger would decrease proportionally; (d) establish that the performance-based system will not include the use of multipliers or other similar measures to increase fees above the level based on actual discharge levels; and (e) specify that the wastewater discharge fee per unit of discharge set in the rule may not be changed. Direct DNR to submit the proposed administrative rule changes to the Legislative Council staff no later than February 1, 2000, and to complete promulgation of the final rules by January 1, 2001.

*Moving  
toward  
changing to  
performance  
based  
fees.*

Direct DNR to submit a report by February 1, 2000, to the appropriate standing committees of the Legislature and to the Joint Committee on Finance. Direct that the report include DNR's recommendation on whether any statutory changes would be needed to implement a performance-based approach to assessing wastewater discharge fees, including whether the statutory cap should be changed.

Note:

The statutory cap for wastewater discharge fees would be increased to \$7,925,000 in 2000-01 (rather than 1999-00 under AB 133) for calendar year 2000 discharges.

*w/709*

DNR would be required to promulgate administrative rules to change the wastewater discharge fee system effective for fees assessed in 2000-01 for calendar year 2000 discharges. The rules would be required to establish a performance-based approach under which decreases in the amount of discharges would result in decreases in fees and increases in the amount of discharges would result in increases in fees.

DNR would be required to submit a report by February 1, 2000, to the appropriate standing committees of the Legislature and to the Joint Committee on Finance, that includes DNR's recommendation on whether any statutory changes would be needed to implement a performance-based approach to assessing wastewater discharge fees, including whether the statutory cap should be changed.

[Change to Bill: - \$475,000 GPR-REV]

*recapture*

*Change to JFC +475,000 GPR-REV*

*Burke/Gard*

BILL/MOTION#

PREVAR	FAIL
Burke	Y N
Decker	Y N
Jauch	Y N
Moore	Y N
Shibitski	Y N
Plache	Y N
Cowles	Y N
Panzer	Y N
Gard	Y N
Porter	Y N
Kaufert	Y N
Albers	Y N
Duff	Y N
Ward	Y N
Huber	Y N
Riley	Y N
AYES	16

1999

Date (time) needed SOON

LRB b 1084 1)

CAUCUS BUDGET AMENDMENT  
[ONLY FOR CAUCUS]

SOC

RET: jlg: \_\_\_\_\_

See form AMENDMENTS — COMPONENTS & ITEMS.

CAUCUS AMENDMENT  
TO ASSEMBLY SUBSTITUTE AMENDMENT 1  
TO 1999 ASSEMBLY BILL 133

ONote

>>FOR CAUCUS SUPERAMENDMENT — NOT FOR INTRODUCTION<<

At the locations indicated, amend the substitute amendment as follows:

#. Page 1312, line 6...: delete lines 6 to 8. ✓

#. Page 1312, line 10...: delete "after fiscal year 1999-2000". ✓

(End) ✓

~~#. Page . . . . ., line . . . . .:~~  
~~#. Page . . . . ., line . . . . .:~~  
~~#. Page . . . . ., line . . . . .:~~  
~~#. Page . . . . ., line . . . . .:~~

DNote

Corresponds to Caucus # 2758. It

T This draft does not increase DNR's funding for wastewater regulation. It also does not delete the

requirements for changes to the rules under which

DNR sets fees for individual dischargers. Those

requirements appear in Section 2681e<sup>(CS)</sup> of the substitute amendment.

WJ



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**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRBb1084/1dn  
RCT:jlg:ksh

June 27, 1999

This draft corresponds to Caucus #2758. It does not increase DNR's funding for wastewater regulation. It also does not delete the requirements for changes to the rules under which DNR sets fees for individual dischargers. Those requirements appear in SECTION 2681e of the substitute amendment.

Rebecca C. Tradewell  
Managing Attorney  
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E-mail: [Becky.Tradewell@legis.state.wi.us](mailto:Becky.Tradewell@legis.state.wi.us)



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRBb1084/1  
RCT:jlg:ksh

SDC:.....Walter – Caucus # 2758, Wastewater discharge fees

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

**CAUCUS AMENDMENT**

**TO ASSEMBLY SUBSTITUTE AMENDMENT 1,**

**TO 1999 ASSEMBLY BILL 133**

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 1312, line 6: delete lines 6 to 8.

3 **2.** Page 1312, line 10: delete "after fiscal year 1999-2000".

4 (END)