



Wisconsin Senate Assistant Republican Leader
Senator Brian D. Rude

MEMO TO: SENATE COMMITTEE ON HEALTH, UTILITIES, VETERANS AND
MILITARY AFFAIRS COMMITTEE MEMBERS
SENATOR ROD MOEN - CHAIR

FROM: SENATOR BRIAN RUDE

DATE: DECEMBER 1, 1999

RE: ASSEMBLY BILL 88

Thank you, Senator Moen, for agreeing to hold a public hearing on Assembly Bill 88 relating to special event campground permits issued by the Department of Health and Family Services. This legislation is the result of the Weedstock festival which has been held in several locations around Wisconsin, including Ferryville in Crawford County in my Senate district. Crawford County officials requested that we introduce this legislation and County Board Chair Bob Dillman is here today to add his support to this proposal.

This legislation does not address the issue of whether or not Weedstock festivals should take place but rather AB 88 would help insure local permit conditions are met. We are aware of the potential damage to property which can result from this type of festival as well as the financial burden this can cause to local governments since additional law enforcement officials are usually required.

At the Ferryville Weedstock festival, for example, law enforcement officers from a variety of agencies handed out 76 traffic citations, made 42 criminal drug arrests and processed 47 individuals through the Crawford County "satellite" jail at the festival site. Law enforcement at the 1997 festival cost Crawford County taxpayers more than \$30,000.

Prior to the 1997 festival in Crawford County, Weedstock organizers obtained a special event campground permit from the Department of Health and Family Services. They did not, however, obtain a necessary permit from the county to hold such an event and a legal battle between the county and festival organizers was the end result.

To prevent this from happening again, this bill would provide that the campground permit issued by the state would only be valid if a necessary town or county permit is also obtained or if conditions of a town or county permit are met. This will grant local officials a say in what takes place in their town or county, which is certainly a fair and reasonable request.

Again, thanks for the opportunity to appear before you today in support of AB 88.



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WISCONSIN LEGISLATIVE COUNCIL STAFF MEMORANDUM

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DATE: April 28, 1999

TO: REPRESENTATIVE SCOTT GUNDERSON, CHAIRPERSON, ASSEMBLY
COMMITTEE ON URBAN AND LOCAL AFFAIRS

FROM: Don Dyke, Senior Staff Attorney

SUBJECT: 1999 Assembly Bill 88, Relating to Special Event Campground Permits Issued
by the Department of Health and Family Services

This memorandum, prepared at your request, describes the provisions of the above-captioned bill.

A. CURRENT LAW

Under current law, the Department of Health and Family Services (DHFS) issues permits to and regulates campgrounds, camping resorts, recreational and educational camps and public swimming pools. [s. 254.47, Stats.] Local health departments that have been granted agent status under s. 254.69 (2), Stats., may issue the permits and make investigations or inspections in connection with facilities covered by the permits. [s. 254.69 (2), Stats.]

Under its authority relating to campgrounds, DHFS by administrative rule requires permits for and regulates "special event campgrounds." "Campground" is defined as "any parcel or tract of land owned by a person, the state or a local government which is designed, maintained, intended or used for the purpose of providing sites for nonpermanent overnight use by 4 or more camping units, or by one to 3 camping units if the parcel or tract of land is represented as a campground." [s. HFS 178.03 (3), Wis. Adm. Code.] "Special event" is defined as "a single event such as a fair, rally or festival involving the gathering of camping units for a maximum of 7 consecutive nights." [s. HFS 178.03 (16), Wis. Adm. Code.]

The operator of a special event campground is required to submit a letter of application for a permit to DHFS or a local health department acting as agent for the department at least seven days prior to opening the special event campground. [s. HFS 178.16 (1), Wis. Adm. Code.] The application must include: the location of the event; an estimate of the number of people to be accommodated; the number of, type and provisions for servicing and maintaining

toilet facilities; the water supply source and distribution method; and the method of handling solid and liquid waste. Specific regulations apply to water, toilets, wastewater and solid waste storage and disposal in connection with special event campgrounds. [s. HFS 178.16 (2) to (5), Wis. Adm. Code.]

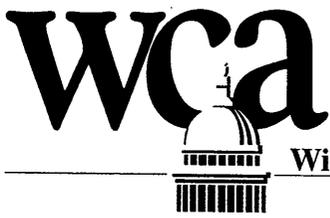
Violation of statutory and administrative rule provisions relating to permits for and regulation of campgrounds and special event campgrounds is punishable by a fine of not less than \$25 nor more than \$250. [s. 254.47 (3), Stats.] Failure to comply with a related order of DHFS is punishable by a forfeiture of \$10 for each day of noncompliance after the order is served. Further, after a ch. 227 hearing, the department may refuse to issue a permit or suspend or revoke a permit for violation of pertinent statutes, rules or DHFS orders.

B. ASSEMBLY BILL 88

Assembly Bill 88 provides that a campground permit issued by DHFS, or by a local health department acting as agent, for a special event (as defined by the department by rule) that is to be held on town territory is not valid if a necessary town or county permit for the special event is not obtained or if a condition of a necessary town or county permit is not met. The bill requires a special event campground permit to indicate that its validity is conditioned on obtaining and meeting the conditions of any necessary town or county permit for the special event.

If you have any questions or need additional information, please contact me directly at the Legislative Council Staff offices.

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MEMORANDUM

TO: Honorable Members of the Senate Committee on Health, Utilities,
Veterans and Military Affairs

FROM: Craig Thompson, Legislative Director 

DATE: December 1, 1999

SUBJECT: Support for Assembly Bill 88

The Wisconsin Counties Association (WCA) supports Assembly Bill 88 under which a campground permit for a special event issued by the Department of Health and Family Services (DHFS) or by a local health department is not valid if a necessary town or county permit for the special event is not obtained or if a condition of a necessary town or county permit is not met.

Assembly Bill 88 specifically addresses the issue of local control. Officials at the local level, namely county governments, ought to have the ability to set the conditions under which "special events" are allowed to take place within their jurisdictions. Local governments need the ability to set conditions for special events to protect the health and safety of their citizens as well as protect those who enter the jurisdiction to participate in the special event.

Additionally, WCA questions the appropriateness of state issued permits for events that fall under the jurisdiction of local law enforcement and that cost local government significant revenue for maintaining order during such events.

WCA respectfully requests your support for Assembly Bill 88.

Thank you for considering our comments.