

2005 DRAFTING REQUEST

Assembly Amendment (AA-SB467)

Received: 02/23/2006

Received By: **btradewe**

Wanted: **Soon**

Identical to LRB:

For: **Michael Ellis (608) 266-0718**

By/Representing: **John Stolzenberg**

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

Drafter: **btradewe**

May Contact:

Addl. Drafters:

Subject: **Environment - water quality**

Extra Copies:

Submit via email: **YES**

Requester's email: **Sen.Ellis@legis.state.wi.us**

Carbon copy (CC:) to: **John.Stolzenberg@legis.state.wi.us**

Pre Topic:

No specific pre topic given

Topic:

Exemptions for municipal water systems

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>
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FE Sent For:

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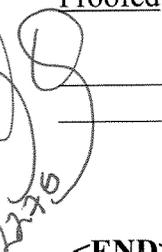
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FE Sent For:

<END>

Stolzenberg, John

From: Boerger, Michael (Legislature)
Sent: Thursday, February 23, 2006 8:53 AM
To: Stolzenberg, John
Subject: FW: SB 467

Re: the amendment we just discussed.

Michael Boerger
Legislative Assistant
Sen. Michael Ellis
266-0718

-----Original Message-----

From: Lawrie Kobza [mailto:lkobza@boardmanlawfirm.com]
Sent: Wednesday, February 22, 2006 3:39 PM
To: Boerger, Michael (Legislature)
Cc: Dan Lynch; Carroll Vizecky
Subject: SB 467

Dear Mike:

Thank you for discussing a proposed amendment to SB 467 with me. An amendment such as that proposed below should address municipal water system concerns.

1. Page 11, line 17, after the words "pump installer" add "or certified water operator," and after the word "licensed" add the words "or certified".

This amendment would allow well abandonment to be done under the supervision of a certified water operator. The bill at p. 11, lines 16-18, currently allows well abandonment to be done under the supervision of a well driller or pump installer.

2. Page 12, line 16, add at the beginning of the sentence "Except as provided in sub. (5),"

3. Page 12, line 23, add at the beginning of the sentence "Except as provided in sub. (5),"

4. Page 13, after line 4, add:

(5) Subsections (1) and (3) do not apply to a community water system, as defined in s. 281.62(1)(a), that is owned by a city, village, town, county, town sanitary district, utility district, public inland lake protection and rehabilitation district, or municipal water district, or by a privately owned water utility serving any of the foregoing.

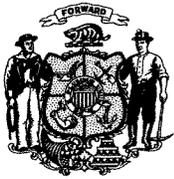
This amendment would exempt municipal water systems from the new citation authority granted to DNR. The description of the excepted entities is essentially the same as the definition of a municipal water system in sec. 280.25(1)(b) which references sec. 160.257(1)(c). These entities would continue to be subject to existing enforcement procedures including the administrative forfeiture procedure for safe drinking water violations set forth in sec. 281.99. This enforcement procedure was negotiated with DNR several years ago.

We greatly appreciate Sen. Ellis' willingness to have this amendment drafted and proposed to Sen. Kaufert.

If you have any questions or concerns, please do not hesitate to call.
Thank you.

Lawrie Kobza
Counsel to the Municipal Environmental Group-Water Division

Lawrie J. Kobza
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(608) 283-1709 (fax)
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State of Wisconsin
2005 - 2006 LEGISLATURE

LRBa2465/1

RCT:.....

Wanted soon (1/12/23)

Jld

ASSEMBLY AMENDMENT ,
TO 2005 SENATE BILL 467

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1 At the locations indicated, amend the bill as follows:

2 1. Page 11, line 17: delete “. The licensed” and substitute “or the individual
3 is under the supervision of a water system operator certified under s. 281.17 (3) and
4 the well is within the service area of the local governmental water system for which
5 the certified operator works. The licensed or certified individual”.

6 2. Page 12, line 16: delete “The” and substitute “Except as provided in sub. (5),
7 the” department

8 3. Page 13, line 4: after that line insert:

9 “(5) Subsection (1) does not apply to a community water system, as defined in
10 s. 281.62 (1) (a), that is owned by a city, village, town, county, town sanitary district,
11 utility district, public inland lake protection and rehabilitation district, or municipal
12 water district, or by a privately owned water utility serving any of the foregoing.”.

13

(END)

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBa2465/1dn

RCT:.....

Jld

Michael Boerger:

This is the amendment to SB 467 that relates to municipal water systems.

I modified the proposed language that allows a person under the supervision of a certified water system operator to perform well abandonment to make it consistent with the language in the bill that allows certified water system operators to perform well abandonment.

Section 280.98 (3) only applies if a citation is issued under s. 280.98 (1) so it is unnecessary to exempt municipal water systems from s. 280.98 (3) if they are exempted from s. 280.98 (1).

If you have any questions or want any changes in the amendment, please contact me.

Rebecca C. Tradewell
Managing Attorney
Phone: (608) 266-7290
E-mail: becky.tradewell@legis.state.wi.us

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBa2465/1dn
RCT;jld:rs

February 27, 2006

Michael Boerger:

This is the amendment to SB-467 that relates to municipal water systems.

I modified the proposed language that allows a person under the supervision of a certified water system operator to perform well abandonment to make it consistent with the language in the bill that allows certified water system operators to perform well abandonment.

Section 280.98 (3) only applies if a citation is issued under s. 280.98 (1) so it is unnecessary to exempt municipal water systems from s. 280.98 (3) if they are exempted from s. 280.98 (1).

If you have any questions or want any changes in the amendment, please contact me.

Rebecca C. Tradewell
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E-mail: becky.tradewell@legis.state.wi.us