

2009 DRAFTING REQUEST

Bill

Received: 09/18/2008

Received By: btradewe

Wanted: As time permits

Identical to LRB:

For: Administration-Budget

By/Representing: Miner

This file may be shown to any legislator: NO

Drafter: btradewe

May Contact: DNR budget office

Addl. Drafters:

Subject: Environment - water quality

Extra Copies:

Submit via email: NO

Pre Topic:

DOA:.....Miner, BB0018 -

Topic:

Issuing fee for well notifications

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>
/?				_____			State
/1	btradewe 09/22/2008	bkraft 09/24/2008	phenry 09/25/2008	_____	sbasford 09/25/2008		

FE Sent For:

<END>

2009 DRAFTING REQUEST

Bill

Received: **09/18/2008**

Received By: **btradewe**

Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget**

By/Representing: **Miner**

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

Drafter: **btradewe**

May Contact: **DNR budget office**

Addl. Drafters:

Subject: **Environment - water quality**

Extra Copies:

Submit via email: **NO**

Pre Topic:

DOA:.....Miner, BB0018 -

Topic:

Issuing fee for well notifications

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>
/?	btradewe		<i>ph</i>	<i>ph</i>			

FE Sent For:

<END>

2009-11 Budget Bill Statutory Language Drafting Request

- Topic: Issuing fee for Well Notification Transactions
- Tracking Code: BB0018
- SBO team: Agriculture, Environment and Justice
- SBO analyst: Andrew Miner *AM 9/17/08*
 - Phone: 266-1103
 - Email: andrew.miner@wisconsin.gov
- Agency acronym: DNR
- Agency number: 370
- Priority (Low, Medium, High): High

RCT

Intent: See attached sheet.

Aquatic Invasive Species Prevention & Control-- The Department requests that s. 281.68 be modified to allow the Department to use up to 10% of the AIS grants appropriation for Citizen Lake Monitoring Network (CLMN) expenses and to expand the definition of eligible expenses to include contracts for providing technical assistance to entities that have applied for or received AIS grants. With current AIS grant funding set at \$4.3 million annually, the Department could use up to \$430,000 of grant funding for additional CLMN activities. This request is "budget neutral"—that is, it is funded with existing spending authority and results in no additional FTE since CLMN activities would be carried out through external contractors.

CLMN, a statewide network of volunteers authorized under s. 281.68 (1f), provides valuable information to the Department by conducting water quality sampling and detecting new or recurring AIS infestations. Under current law [s. 281.68 (2)(b)], the Department can use up to 10% of the amount authorized annually for lake protection and planning grants [s. 20.370 (6)(ar)] on CLMN-related costs, which include those associated with training and supplying volunteers, with handling, shipping and analyzing water samples, and with developing and maintaining a database of water quality samples.

When 2007 Act 20 (the 2007-09 biennial budget act) shifted funds from the lake protection and planning grant appropriation to the newly-established AIS grants appropriation [s. 20.370 (6)(as)], it, in effect, resulted in a 35% cut to CLMN funding from pre-Act 20 levels because the statutes were not changed to allow the Department to use up to 10% of the new AIS grants appropriation. In addition, it also had the effect of removing the legal authority for the Department to use funds to support the network of citizens conducting AIS monitoring.

Funding for aquatic invasive species (AIS) grants has grown exponentially in recent years, from \$500,000 in FY 2005 to \$4.3 million in FY 2009. This increase has triggered a demand among grant applicants (i.e., local units of government, lake and river management organizations, tribes, etc.) for more technical support to enhance the quality and effectiveness of their AIS project. The Department's current technical assistance effort is only 1 FTE statewide.

Issuing Fee For Well Notification Transactions -- Approximately 12,000-17,000 Well notifications are currently issued through the Department's Automated Licensing Issuance System (ALIS) system each year. ALIS has proven to be a very efficient and cost-effective method for processing well notification transactions. However, due to a lack of statutory authority, the Department currently reimburses an ALIS agent \$0.50 less for each well notification transaction that it processes than it does for all other license and permit transactions. The intent of the fee is to equitably compensate the agent for the services that it provides to the Department in processing transactions.

Request: Modify s. 281.34(3), Stats., as follows:

281.34 Groundwater Withdrawals

(3) NOTIFICATION REQUIRED FOR OTHER WELLS. (a) An owner shall notify the department of the location of a well that is not a high capacity well before construction of the well begins. An owner notifying the department under this subsection shall pay a fee of \$50.

(b) The department may appoint any person who is not an employee of the department as the department's agent to accept and process well notifications and collect the fees.

(c) Any person, including the department, who accepts and processes a well notification shall collect in addition to the fee under par. (a) an issuing fee of 50 cents. The agent may retain the issuing fee to compensate the agent for the agent's services in accepting and processing the notification.



In 9/22

→ Note

DOA:.....Miner, BB0018 - Issuing fee for well notifications ✓

FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION ✓

SA ✓
X-ref ✓

do not
gen. Cat.

1 AN ACT ...; relating to: the budget. ✓

Analysis by the Legislative Reference Bureau

ENVIRONMENT ✓

WATER QUALITY ✓

Current law requires a person who plans to construct a well other than a high capacity well to notify DNR of the location of the well before construction begins. The law also requires the person to pay a notification fee of \$50. This bill authorizes DNR to appoint agents to collect and process well notifications. The bill requires a person making a well notification to pay a processing fee of 50 cents, whether the person makes the notification to DNR or to an agent, and authorizes an agent who collects and processes a well notification to retain the processing fee.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

2 SECTION 1. 281.34 (3) of the statutes is renumbered 281.34 (3) (a). ✓

3 SECTION 2. 281.34 (3) (b) and (c) of the statutes are created to read: ✓

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0279/1dn
RCT:.....

Lbjk

Date

Andrew Miner ✓

I used the term "processing fee" rather than "issuing fee" because the s. 281.34 (3) does not provide for issuing anything. ✓

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

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

LRB-0279/1dn
RCT:bjk:ph

September 25, 2008

Andrew Miner

I used the term "processing fee" rather than "issuing fee" because the s. 281.34 (3) does not provide for issuing anything.

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



DOA:.....Miner, BB0018 - Issuing fee for well notifications

FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

ENVIRONMENT

WATER QUALITY

Current law requires a person who plans to construct a well other than a high capacity well to notify DNR of the location of the well before construction begins. The law also requires the person to pay a notification fee of \$50. This bill authorizes DNR to appoint agents to collect and process well notifications. The bill requires a person making a well notification to pay a processing fee of 50 cents, whether the person makes the notification to DNR or to an agent, and authorizes an agent who collects and processes a well notification to retain the processing fee.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

2 SECTION 1. 281.34 (3) of the statutes is renumbered 281.34 (3) (a).

3 SECTION 2. 281.34 (3) (b) and (c) of the statutes are created to read:

