



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-2021/P2
MCP:wlj

DOA:.....Hutter, BB0367 - Concentrated Animal Feeding Operations

FOR 2019-2021 BUDGET -- NOT READY FOR INTRODUCTION

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

Analysis by the Legislative Reference Bureau

ENVIRONMENT

WATER QUALITY

1. Concentrated animal feeding operations

Under current law, a person who operates a concentrated animal feeding operation (CAFO) must have a Wisconsin Pollutant Discharge Elimination System (WPDES) permit from DNR. A CAFO is a livestock operation that contains at least 1,000 animal units, that discharges pollutants to a navigable water, or that contaminates a well. Current law requires a CAFO operator with a WPDES permit to pay an annual fee of \$345 to DNR. The bill increases the amount of this annual fee to \$660. In addition to this annual fee, the bill requires an operator to pay a \$3,270 fee upon receiving a WPDES permit and every five years after that. Under current law, \$95 of every annual fee is deposited into an appropriation account for general program operations relating to DNR's environmental quality functions. The bill requires \$95 of the annual \$660 fee to instead be deposited into an appropriation account for general program operations relating to DNR's external services. In addition, under the bill, \$315 of the annual \$660 fee and the full amount of the \$3,270 fee is deposited into an appropriation account for the purpose of DNR's regulation of CAFOs.

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:

SECTION 1. 20.370 (9) (ag) of the statutes is created to read:

20.370 (9) (ag) *Water resources — concentrated animal feedings operations.*

From the general fund, all moneys received under s. 283.31 (8) (am) and all moneys required under s. 283.31 (8) (b) to be credited to this appropriation account for implementing and enforcing s. 281.31 in relation to concentrated animal feeding operations.

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 2. 283.31 (8) (a) of the statutes is amended to read:

283.31 (8) (a) The holder of a permit under this section for a concentrated animal feeding operation shall annually pay to the department a fee of ~~\$345~~ \$660.

SECTION 3. 283.31 (8) (am) of the statutes is created to read:

283.31 (8) (am) In addition to the fee under par. (a), the holder of a permit under this section for a concentrated animal feeding operation shall pay to the department an initial fee of \$3,270 and a fee of \$3,270 every 5 years thereafter.

SECTION 4. 283.31 (8) (b) of the statutes is amended to read:

283.31 (8) (b) Of each fee paid under par. (a), \$95 shall be credited to the appropriation account under s. 20.370 (4) (9) (mi) and \$315 shall be credited to the appropriation account under s. 20.370 (9) (ag).

(END)