

State of Wisconsin



2015 Senate Bill 243

Date of enactment: **February 29, 2016**

Date of publication*: **March 1, 2016**

2015 WISCONSIN ACT 177

AN ACT *to renumber* 281.34 (1) (a); *to amend* 281.34 (1) (b), 281.344 (4s) (dm), 281.346 (4s) (dm) and 281.346 (12) (a); and *to create* 281.34 (1) (ae), 281.34 (1) (em) and 281.346 (12) (am) of the statutes; **relating to:** approval, reporting, and fee requirements for certain wells.

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

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

SECTION 2. 281.34 (1) (ae) of the statutes is created to read:

281.34 (1) (ae) "Fire protection well" means a well used primarily for fire protection purposes.

SECTION 3. 281.34 (1) (b) of the statutes is amended to read:

281.34 (1) (b) "High capacity well" means a well, except for a residential well or fire protection well, that, together with all other wells on the same property, except for residential wells and fire protection wells, has a capacity of more than 100,000 gallons per day.

SECTION 4. 281.34 (1) (em) of the statutes is created to read:

281.34 (1) (em) "Residential well" means a well that has a capacity of 100,000 gallons per day or less and that is used primarily to provide water to a single-family or multifamily residence.

SECTION 5. 281.344 (4s) (dm) of the statutes is amended to read:

281.344 (4s) (dm) *Requiring individual permit.* The department may require a person who is making or proposes to make a withdrawal that averages 100,000 gal-

lons per day or more in any 30-day period, but that does not equal at least 1,000,000 gallons per day for any 30 consecutive days, to obtain an individual permit under sub. (5) if the withdrawal is located in a groundwater protection area, as defined in s. 281.34 (1) ~~(a)~~ (am), or a groundwater management area designated under s. 281.34 (9).

SECTION 6. 281.346 (4s) (dm) of the statutes is amended to read:

281.346 (4s) (dm) *Requiring individual permit.* The department may require a person who is making or proposes to make a withdrawal that averages 100,000 gallons per day or more in any 30-day period, but that does not equal at least 1,000,000 gallons per day for any 30 consecutive days, to obtain an individual permit under sub. (5) if the withdrawal is located in a groundwater protection area, as defined in s. 281.34 (1) ~~(a)~~ (am), or a groundwater management area designated under s. 281.34 (9).

SECTION 7. 281.346 (12) (a) of the statutes is amended to read:

281.346 (12) (a) ~~A-~~ Subject to par. (am), a person who has a water supply system with the capacity to make a withdrawal from the waters of the state averaging 100,000 gallons per day or more in any 30-day period shall pay to the department an annual fee of \$125, except that the department may promulgate a rule specifying a

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

different amount and except that, notwithstanding the department's rule-making authority, no person is required to pay more than \$1,000 per year under this paragraph.

SECTION 8. 281.346 (12) (am) of the statutes is created to read:

281.346 (12) (am) The following are not considered in determining the capacity of a water supply system for the purposes of par. (a):

1. The capacity of a well that has a capacity of less than 100,000 gallons per day and that is used primarily to provide water to a single-family or multifamily residence.

2. The capacity of a well used primarily for fire protection purposes.

SECTION 9. Effective date.

(1) This act takes effect on the first day of the 7th month beginning after publication.
