



2019 SENATE BILL 722

January 24, 2020 - Introduced by Senators TESTIN and OLSEN, cosponsored by Representatives SHANKLAND, KRUG, FELZKOWSKI, POPE, HEBL, KITCHENS, KURTZ, NOVAK, SUMMERFIELD, ANDERSON, BALLWEG, BILLINGS, CABRERA, CONSIDINE, EDMING, GRUSZYNSKI, HORLACHER, KOLSTE, KULP, B. MEYERS, MILROY, MURSAU, NEUBAUER, OHNSTAD, PLUMER, SINICKI, SKOWRONSKI, SPREITZER, STUBBS, SUBECK, SWEARINGEN, TAUCHEN, C. TAYLOR, THIESFELDT, TRANEL, TUSLER, VINING, VRUWINK, ZAMARRIPA, ALLEN and SPIROS. Referred to Committee on Natural Resources and Energy.

1 **AN ACT to create** 20.285 (1) (ar), 20.285 (1) (em), 20.370 (6) (ca), 36.25 (6) (f), 36.25
2 (8m), 281.73 and 281.74 of the statutes; **relating to:** supporting the Center for
3 Watershed Science and Education, creating a hydrogeologist position, funding
4 research on phosphorus recovery and reuse, creating grant programs for
5 counties to test wells and provide public education, granting rule-making
6 authority, and making an appropriation.

Analysis by the Legislative Reference Bureau

Center for Watershed Science and Education

This bill provides funding to the Board of Regents of the University of Wisconsin System to support the operations of the Center for Watershed Science and Education, which is a partnership between the UW-Stevens Point College of Natural Resources and the Division of Extension of the UW-Madison. The operations supported must include expanding outreach to private well owners, developing and maintaining a database on private well water quality, and updating the center's online mapping tools. The bill's requirements do not apply after June 30, 2024.

Hydrogeologist position

This bill requires the Board of Regents of the University of Wisconsin System to create a three-year project position for one full-time hydrogeologist for the geological and natural history survey, which is part of the Division of Extension of

SENATE BILL 722

the UW-Madison. The position must focus on developing groundwater resource information primarily at county or local scales and assisting state and local governments, industries, and the public in interpreting and using the information.

Phosphorus research

This bill requires the Board of Regents to allocate \$200,000 during the 2019-21 fiscal biennium to the Division of Extension of the University of Wisconsin-Madison for its phase I policy research proposal under its proposed market-based North American phosphorus recovery and reuse policy program. The amount allocated must be used for research and not for administrative or overhead expenses. The board may not make an allocation unless the Division of Extension shows that it has secured matching funds or contributions of in-kind services from federal, private, or other nonstate revenue sources that are equal in value to 25 percent of the amount allocated.

Grants for well testing and public education

This bill requires the Department of Natural Resources to create and administer a program to provide grants to counties to either 1) test and map privately owned wells to assess groundwater quality and to determine the extent and type of any contamination and study and map geologic characteristics and well construction practices in the county to determine any correlation between water quality, geology, and well construction; or 2) if a county has completed this type of study, to notify the public of the results of the study and to notify private well owners whose wells may be contaminated based on the results of the completed study. Under the bill, DNR may not provide more than \$10,000 to any single county for testing and study under the first type of grant, or more than \$2,500 per county for notifications under the second type of grant. Counties may apply for a grant individually or as a group. The bill requires a county that receives a grant under this program to provide an equal amount of matching funds. The county must also share the results of its testing with the Center for Watershed Science and Education, but may not include any personally identifiable information with the submitted results.

Well testing importance

This bill also requires cities, villages, and towns that contain privately owned wells or water supplies to inform its residents of the importance of regular well testing.

For further information see the ***state and local*** 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:

- 1 **SECTION 1.** 20.005 (3) (schedule) of the statutes: at the appropriate place, insert
2 the following amounts for the purposes indicated:

SENATE BILL 722**SECTION 5**

1 36.25 (6) (f) The Board of Regents shall create one full-time hydrogeologist
2 project position for 3 years for the geological and natural history survey to be funded
3 from the appropriation under s. 20.285 (1) (em). The position shall focus on
4 developing groundwater resource information primarily at county or local scales and
5 assisting state and local governments, industries, and the public in interpreting and
6 using this information.

7 **SECTION 6.** 36.25 (8m) of the statutes is created to read:

8 36.25 (8m) CENTER FOR WATERSHED SCIENCE AND EDUCATION. (a) In this
9 paragraph, “center” means the Center for Watershed Science and Education.

10 (b) From the appropriation under s. 20.285 (1) (ar), the board shall provide
11 funding to support the operations of the center, including all of the following:

12 1. Expanding outreach to all new and existing private well owners through
13 educational programs, mailings, and public service announcements that direct
14 private well owners to educational resources.

15 2. Developing and maintaining a database on private well water quality that
16 combines test results by the center, the department of natural resources, cities,
17 villages, towns, counties, and private laboratories.

18 3. Developing data transfer protocols for the database described in subd. 2.

19 4. Updating the center’s online mapping tools.

20 (c) This subsection does not apply after June 30, 2024.

21 **SECTION 7.** 281.73 of the statutes is created to read:

22 **281.73 County grants for well testing and public education.** (1) The
23 department shall administer a program to provide, from the appropriation account
24 under s. 20.370 (6) (ca), grants to counties for either of the following purposes:

SENATE BILL 722

1 (a) To conduct countywide testing and mapping of privately owned wells to
2 assess groundwater quality and to determine the extent and type of any
3 contamination and to study and map geologic characteristics and well construction
4 practices in the county, including depth to bedrock and well age, to determine any
5 correlation between water quality, geology, and well construction.

6 (b) For counties that have completed the type of study described under par. (a),
7 to notify the public of the results of the completed study and to notify private well
8 owners whose wells may be contaminated based on the results of the completed
9 study.

10 **(2)** A county may receive a grant under either sub. (1) (a) or (b), but not both.

11 **(3)** More than one county may apply for a joint grant under this subsection if
12 the counties are applying for the same grant category.

13 **(4)** The department may not provide more than \$10,000 per county under sub.
14 (1) (a) or more than \$2,500 per county under sub. (1) (b).

15 **(5)** As a condition of receiving a grant under this section, a county shall do all
16 of the following:

17 (a) Provide matching funds equal to the amount of the proposed grant.

18 (b) Submit the results of its testing to the University of Wisconsin Stevens Point
19 Center for Watershed Science and Education. Information submitted under this
20 subsection may not include any personally identifiable information.

21 **(6)** In making grants under this section, the department shall seek to make a
22 grant to every county that applies.

23 **(7)** The department may promulgate rules necessary to implement this section,
24 but may not impose substantive requirements on applicants other than those
25 provided in this section.

SENATE BILL 722

1 **SECTION 8.** 281.74 of the statutes is created to read:

2 **281.74 Well testing importance.** A city, village, or town that contains
3 privately owned wells or water supplies shall inform its residents of the importance
4 of regular well testing.

5 **SECTION 9. Nonstatutory provisions.**

6 (1) PHOSPHORUS RESEARCH. Of the moneys appropriated to the Board of Regents
7 of the University of Wisconsin System under s. 20.285 (1) (a), the board shall allocate
8 \$200,000 during the 2019-21 fiscal biennium to the Division of Extension of the
9 University of Wisconsin-Madison to implement the phase I policy research proposal
10 under the Division of Extension's proposed market-based North American
11 phosphorus recovery and reuse policy program. The Board of Regents may not make
12 an allocation under under this subsection unless the Division of Extension shows to
13 the board's satisfaction that the Division of Extension has secured matching funds,
14 including in-kind contributions, from federal, private, or other nonstate revenue
15 sources for implementing the proposal in an amount equal in value to 25 percent of
16 the amount allocated. The amount allocated under this subsection shall be used for
17 research and may not be used for administrative or overhead expenses.

18 (2) COLLABORATION. The Center for Watershed Science and Education, the
19 hydrogeologist created under s. 36.25 (6) (f), the persons conducting research under
20 the proposed market-based North American phosphorus recovery and reuse policy
21 program, and counties receiving grants under s. 281.73 shall work together to gather
22 and share data to better inform the public and relevant industries about the current
23 condition of water quality in this state.

24 **SECTION 10. Fiscal changes.**

SENATE BILL 722

1 (1) PHOSPHORUS RESEARCH. In the schedule under s. 20.005 (3) for the
2 appropriation to the Board of Regents of the University of Wisconsin System under
3 s. 20.285 (1) (a), the dollar amount for fiscal year 2019-20 is increased by \$200,000
4 to make the allocation required under SECTION 9 (1) of this act.

5

(END)