

1999 DRAFTING REQUEST

Bill

Received: **11/10/1999**

Received By: **kunkemd**

Wanted: **As time permits**

Identical to LRB:

For: **Richard Grobschmidt (608) 266-7505**

By/Representing: **John Wagnitz**

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

Drafter: **kunkemd**

May Contact:

Alt. Drafters:

Subject: **Occupational Reg. - prof lic**

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

License exemption for wetland scientists

Instructions:

Prepare companion bill to LRB-3915

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> |
|--------------|-----------------------|------------------------|-----------------------|----------------|----------------------------|----------------------------|-----------------|
| /? | kunkemd 11/10/1999 | chanaman 11/10/1999 | | _____ | | | State |
| /1 | kunkemd 12/01/1999 | chanaman 12/01/1999 | martykr 11/10/1999 | _____ | lrb_docadmin 11/10/1999 | | State |
| /2 | | | mclark 12/02/1999 | _____ | lrb_docadmin 12/02/1999 | lrb_docadmin 12/14/1999 | |

FE Sent For:

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| /1 | | <i>emH</i> 11/1 | martykr 11/10/1999 | _____ | lrb_docadmin 11/10/1999 | | |
| FE Sent For: | | <i>lv</i> | <i>MRC</i> 12/1 | <i>MRC/JF</i> 12/2 | | | <END> |

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|--------------|----------------|-------------------|--------------|--|------------------|-----------------|-----------------|
| /? | kunkemd | cmH / 11/10 | KmH 10 | KmH 11 KmH 10 | | | |

FE Sent For:

<END>

- 3927

Kunkel, Mark

From: Wagnitz, John
Sent: Tuesday, November 09, 1999 9:43 AM
To: Kunkel, Mark
Subject: wetland delineation bill

Mark,

I spoke with Andy Weisner from Rep. Hebl's office this morning. we would like a Senate companion bill on this proposal.

Thank you,

John Wagnitz
Office of Senator Grobschmidt

67 11/11
tomorrow
by
3:00pm

1999 - 2000 LEGISLATURE

O-NOTE

1999 BILL

LRB-86151
MDK:cmh:jf

3927/1

RM
NOT
RUN

registrat

1 AN ACT to create 440.03 (16), 440.08 (2) (a) 72. and 470.025 (12) of the statutes;
2 relating to: registration of wetland scientists.

Analysis by the Legislative Reference Bureau

Under current law, with certain exceptions, a person may not engage in the practice of professional geology, hydrology or soil science, unless he or she is licensed by the examining board of professional geologists, hydrologists and soil scientists.

This bill creates an additional exception from the licensing requirement for a person who is registered as wetland scientist by the department of regulation and licensing (DORL) and who is engaged in certain activities related to wetlands, including monitoring, permitting and designing wetland restoration projects or projects to mitigate adverse impacts to wetlands. The bill requires DORL to register as a wetland scientist a person who pays a registration fee and who is certified, registered or accredited as a wetland scientist by a national organization that certifies, registers or accredits wetland scientists and that is approved by DORL.

A person who is registered as a wetland scientist under the bill must notify DORL if the national organization revokes the person's certification, registration or accreditation, in which case DORL must revoke the person's registration as a wetland scientist.

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:

BILL

1 **SECTION 1.** 440.03 (16) of the statutes is created to read:

2 440.03 (16) (a) The department shall grant a certificate of registration as a
3 wetland scientist to a person if all of the following apply:

4 1. The person is certified, registered or accredited as a wetland scientist by a
5 national organization that certifies, registers or accredits wetland scientists.

6 2. The organization that certified, registered or accredited the person under
7 subd. 1. is approved by the department.

8 3. The person pays the fee specified in s. 440.05 (1) and files with the
9 department evidence satisfactory to the department that he or she is certified,
10 registered or accredited as required under subd. 1.

11 (b) A person who is registered under par. (a) shall notify the department in
12 writing within 30 days if the organization specified in par. (a) 1. revokes the person's
13 certification, registration or accreditation. The department shall revoke a certificate
14 of registration granted under par. (a) if such an organization revokes such a
15 certification, registration or accreditation.

16 (c) The renewal dates for certificates granted under par. (a) are specified in s.
17 440.08 (2) (a). Renewal applications shall be submitted to the department on a form
18 provided by the department and shall include the renewal fee specified in s. 440.08
19 (2) (a) and evidence satisfactory to the department that the person's certification,
20 registration or accreditation specified in par. (a) 1. has not been revoked.

21 **SECTION 2.** 440.08 (2) (a) 72. of the statutes is created to read:

22 440.08 (2) (a) 72. Wetland scientist: August 1 of each even-numbered year; \$47.

23 **SECTION 3.** 470.025 (12) of the statutes is created to read:

24 470.025 (12) A person registered as a wetland scientist under s. 440.03 (16) (a)
25 who is engaged in activities related to wetland monitoring in accordance with state

BILL

1 or federal statutes, rules, regulations or guidelines, wetland or water resource
2 permitting, wetland assessments or design of projects to restore wetlands or mitigate
3 adverse impacts to wetlands.

4 **SECTION 4. Nonstatutory provisions.**

5 (1) Notwithstanding sections 440.03 (16) and 440.08 (2) (a) 72. of the statutes,
6 as created by this act, an initial certificate of registration for a wetland scientist that
7 is issued on or before August 1, 2000, shall be valid until and renewable on August
8 1, 2002.

9 **SECTION 5. Effective date.**

10 (1) This act takes effect on the first day of the 6th month beginning after
11 publication.

12

(END)

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

LRB-3927/1dn
MDK.....

cm #

DATE

Senator Grobschmidt:

This bill is identical to LRB-3915/1. As with that bill, please note that the bill refers to "wetland assessments", rather than "wetland functional assessments", because I am not sure that the meaning of "functional assessment" is clear.

If you have any questions or redraft instructions, please give me a call.

Mark D. Kunkel
Legislative Attorney
Phone: (608) 266-0131
E-mail: Mark.Kunkel@legis.state.wi.us

**DRAFTER'S NOTE
FROM THE
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MDK:cmh:km

November 10, 1999

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Legislative Attorney
Phone: (608) 266-0131
E-mail: Mark.Kunkel@legis.state.wi.us

Kunkel, Mark

From: Wagnitz, John
Sent: Tuesday, November 16, 1999 1:02 PM
To: Kunkel, Mark
Cc: Wiesner, Andrew
Subject: LRB 3915, 3927 relating to registration of wetland scientists

Mark,

after talking with our constituent and several of her colleagues, I wanted to suggest a few changes to the bill before we formally request them on the jacket:

- P.2, ~~line 5~~ ✓ insert "private" and/or "professional" after the word national ✓
- ~~line 7~~ ✓ concern over the departments cooperation in approval of the Society for wetland Scientists as a legitimate organization. (I don't know if there is a way we can address this concern in the bill.) *recognized = ✓*
- line 25 move "in accordance with state....guidelines" to the end of the sentence, after "wetlands," ✓
- line 25 add "wetland delineation" after the word "monitoring". ✓

Let me know if you have questions or comments on these suggestions.

John Wagnitz
Sen. Grobschmidt

Kunkel, Mark

From: Wiesner, Andrew
Sent: Wednesday, November 17, 1999 11:42 AM
To: Kunkel, Mark
Subject: FW: LRB 3915, 3927 relating to registration of wetland scientists

Mark, two changes to the draft. You can apply these to both the Senate and Assembly versions.

P.2, line 5 insert "state or" before the word national

line 25 move "in accordance with state....guidelines" to the end of the sentence, after "wetlands,"

Thanks,

Andy
Hebl's Office

(I've forwarded this message from John in Grobschmidt's office...that's why it's pink in places!)

2

tomorrow
TUMPS.
12/2
69 4:00pm

1999 BILL

RM NOT
RUN

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