

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2921/3dn
MGG:cjs:pg

April 12, 2001

1. The term "guidance letter" is used in the definitions of "additional federal law" and "existing federal law". The term "guidance document" is used in the provisions on the delineation procedures. Is there a distinction? If not, these terms should be made uniform for consistency.
2. I agree with you that "after the effective date" in s 281.36 (1) (b) 3. should be changed to "on or before the effective date" and I have made that change.
3. I have deleted the phrase "letters of permission" in s. 281.36 (8) (bn) since the federal statutes only speak about general permits. However, if Mike Cain feels it is necessary, I can incorporate that change.
4. I used the term "nonfederal wetland" in s. 281.36 (8) (bn) instead of just "wetland." OK?
5. I have given some thought to the January dates that should be used in this bill. The U.S. Supreme Court decision was issued January 9, 2001. Therefore, when referring to the law as it existed before that date, I have used the date January 8, 2001. When referring to the law as it existed after that date, I have used the phrase after January 9, 2001. This discourages any discussion concerning the ambiguity as to what the law actually was on January 9, 2001. Please review these dates throughout the draft carefully and call me with any questions or concerns.
6. As drafted, s. 281.36 (2) (b) will also apply to applications for general water quality certifications. OK?

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