



State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

RESEARCH APPENDIX - **PLEASE DO NOT REMOVE FROM DRAFTING FILE**

Date Added To File: 12/10/2002 (Per: RCT)



☞ The drafting file for 2001 LRB -3331

has been transferred to the drafting file for

2003 LRB -0989

☞ This cover sheet, the final request sheet, and the final version of the 2001 draft were copied on yellow paper, and returned to the original 2001 drafting file.

☞ The attached 2001 draft was incorporated into the new 2003 draft listed above. For research purposes, this cover sheet and the complete drafting file were transferred, as a separate appendix, to the 2003 drafting file. If introduced this section will be scanned and added, as a separate appendix, to the electronic drafting file folder.

2001 DRAFTING REQUEST

Bill

Received: **05/18/2001**

Received By: **traderc**

Wanted: **As time permits**

Identical to LRB:

For: **Jim Baumgart (608) 266-2056**

By/Representing: **Pat Henderson**

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

Drafter: **traderc**

May Contact: **Sean Dilweg, Wis. Water Well Ass**

Addl. Drafters:

Subject: **Environment - water quality**

Extra Copies:

Submit via email: **NO**

Pre Topic:

No specific pre topic given

Topic:

Regulation of well-drilling and water systems

Instructions:

See Attached

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>
/?	traderc 08/22/2001	chanaman 09/07/2001		_____			S&L
/1			kfollet 09/07/2001	_____	lrb_docadmin 09/10/2001		S&L
/2	traderc 12/10/2001	jdye 12/10/2001	pgreensl 12/10/2001	_____	lrb_docadmin 12/10/2001		S&L
/3	traderc 02/14/2002	jdye 02/19/2002	kfollet 02/19/2002	_____	lrb_docadmin 02/19/2002		S&L

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/4	traderc 02/25/2002	jdyer 02/26/2002	jfrantze 02/26/2002	_____	lrb_docadmin 02/26/2002		

FE Sent For:

<END>

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/3	traderc 02/14/2002	jdyer 02/19/2002	kfollet 02/19/2002		lrb_docadmin 02/19/2002		

Handwritten notes:
14 2/26 jld to 2/26 J/KS

Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

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/?	traderc 08/22/2001	chanaman 09/07/2001		_____			S&L
/1			kfollet 09/07/2001	_____	lrb_docadmin 09/10/2001		S&L
/2	traderc 12/10/2001	jdyer 12/10/2001	pgreensl 12/10/2001	_____	lrb_docadmin 12/10/2001		

FE Sent For:

Handwritten notes:
 13 2/19 jld
 KJL
 2/19
 2/19

2001 DRAFTING REQUEST

Bill

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Wanted: As time permits

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May Contact: Sean Dilweg, Wis. Water Well Ass

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/?	traderc 08/22/2001	chanaman 09/07/2001		12/10 P81 JK			S&L
/1		1/2 12/10 jld	kfollet 09/07/2001	12/10 P8	lrb_docadmin 09/10/2001		

FE Sent For:

<END>

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Extra Copies:

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Requester's email:

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1/?	traderc	cmh alu 11	KJ 9/7	lyl/jf 8/7			

FE Sent For:

<END>

Patrick Essie

PUBLIC AFFAIRS CONSULTING

RCT
2

TO: Patrick Henderson, Senator Jim Baumgart's Office

FROM: Sean Dilweg, Wisconsin Water Well Association
256-7701

DATE: May 17, 2001

RE: Drafting Changes to 1999 LRB 0615/2 Groundwater Protection Bill

We have been meeting with the Department to discuss outstanding issues from the Department's February 11, 2000 memo to John Robinson.

After recent conversations with the Department we have agreed to a number of changes in our draft. The changes to 1999 LRB 0615/2 are listed below:

- ✓ Page 12, ln 24 delete "initial" *yes*
- Page 13, ln 3 to 14 *del* delete. Insert language that would direct the department to promulgate rules for a new licensure classification of environmental drilling.
- The intent would be for licensed well drillers to apply for an additional license through taking an additional exam and meet additional continuing education requirements.

- ✓ Page 26, ln 18 to Page 28, ln 14 delete section on "High-capacity well systems"
- The intent is to remove changes to the high capacity well program, specifically the bill's increased pumpage rate to 150 GPM.

Leave high-cap wells in ch. 281

- ✓ Page 31, ln 2 delete "soil boring constructor"

- ✓ Page 38, ln 19 delete "or the council"
- The intent is to eliminate any requirement for the department to consult with the Council on enforcement action.

- ✓ Page 40, ln 3 & 4 delete language relating to limits on revocations in a five year time frame.
- The intent is to eliminate the limitations on the department's ability to revoke licenses

Sections Affected Post-Drafting-Check For 99-0615/2

Thursday, July 12, 2001 12:18 pm

Current Wisconsin Statutes updated through 1999 Act 198

SECTION (Sub)(Par)	TREATMENT	AFFECTED BY
30.74(title)(intro.)	r. effec. 5-1-1999 WisAct 198 of 1997	
66.065(1) Act 0150	rn. 66.0803 (1) (a), (b), (c), (d), (e) effec. 1-1-2001	
66.065(4) Act 0150	rn. 66.0803 (1) (a), (b), (c), (d), (e) effec. 1-1-2001	
66.071(1)(c) to 66.071(1)(j)	rn. 62.69 (2) (d) to (L) effec. 1-1-2001	Act 0150
281.01(15)	am.	Act 0009
281.19(2)(a)	[see s. 266 of]	Act 0032
281.35(1)(i)	am. effec. 1-1-2001	Act 0150
281.41(1)	am.rn. 281.41 (1) (a)	Act 0085
281.41(1)(a)	am.rn.fr. 281.41 (1)	Act 0085
281.65(8d)	am.rn. 281.66 (6)	Act 0009
281.77(4)(c)	am. effec. 1-1-2001	Act 0150
285.01(40)	am.	Act 0009
289.01(33)	am.	Act 0009
295.11(10)	am.	Act 0009
441.50(7)(e)	(cr. 1999 WisAct 22) rn. 441.50 (7) (g) 13.93	
867.01(3)(title)(intro.)	rn. 867.01 (3) (ae)	Act 0094
867.02(2)(title)(intro.)	rn. 867.02 (2) (ac)	Act 0094

Cross-Reference Post-Drafting-Check For 99-0615/2

Friday, July 13, 2001 4:20 pm

TREATMENT	REFERENCE
20.115 to 20.765	16.528(4)
20.115 to 20.855	16.54(9)(c)
20.115 to 20.875	20.001(3)(a)
20.115 to 20.875	20.001(3)(b)
20.115 to 20.875	20.001(3)(c)
20.115 to 20.875	20.001(3)(d)
20.115 to 20.875	20.001(3)(intro.)
20.115 to 20.875	20.002(7)
20.115 to 20.875	20.003(3)(a)
20.115 to 20.875	20.004(2)
20.370(4)(au)	20.370(4)(av)
20.370(4)(bL)	281.17(3)
20.370(4)(at)	281.65(4g)
20.370(4)(ah)	281.85(intro.)
20.370(4)(bj)	283.33(9)(c)
20.370(6)(cr)	281.75(5)(f)
20.370(7)(cd)	20.866(1)(u)
20.866(2)(s) to (tz)	20.867(4)(q)
20.866(2)(s) to (zm)	20.867(4)(q)
20.866(2)(s) to (zm)	20.924(1)(em)
20.866(2)(tb)	281.53(1)
30.01 to 30.29	30.07(1)(a)
30.01 to 30.29	30.07(1)(b)
30.01 to 30.29	30.07(2)
30.01 to 30.20	30.202(3)
30.01 to 30.03	30.204(5)
30.10 to 30.205	299.05(1)
30.10 to 30.205	299.05(2)(a)
30.02 to 30.38	30.01(6b)
30.18(3)(b)	30.18(3)(a)1.
30.18 to 30.29	30.204(5)
30.10 to 30.205	30.28(1)
30.10 to 30.205	30.28(2)(a)(intro.)
30.12 to 30.21	30.298(1)
30.18(4)(a)	30.18(4)(b)
30.18(5)(b)	30.18(6m)(c)
30.21 to 30.27	299.05(1)
30.21 to 30.27	299.05(2)(a)
30.21 to 30.99	30.202(3)

*check
refs. to
ch. 280 ✓*

30.21 to 30.27
30.21 to 30.27
59.70(1)
59.70(6)
59.70(6)
59.70(6)
59.70(6)
59.70(6)
59.70(6)(b)
59.70(6)(c)
62.01 to 62.26
97.34(2)(b)
160.09(1)(a)
160.09(1)(b)
160.09(1)
167.27
167.27
167.27
196.01 to 196.53
196.01 to 196.53
196.01 to 196.79
196.98
198.12(1) to (5)
281.01(15)
281.11 to 281.47
281.11 to 281.47
281.17(1)
281.17(1)
281.17(1)
281.17(1)
281.17(1)
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281.17(1)
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281.17(3)
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281.17(3)
281.17(8)
281.17(8)
281.17(8)
281.17(8)
281.17(8)
281.17(8)
281.17(8)

30.28(1)
30.28(2)(a)(intro.)
289.33(3)(d)
280.21(2)
280.21(3)
280.21(4)
280.21(5)
59.70(1)
280.21(1)(intro.)
280.21(1)(intro.)
62.04
97.34(2)(c)
160.09(1)(e)
160.09(1)(e)
160.09(4)
20.143(3)(a)
20.143(3)(ma)
560.01(2)(b)
198.12(5)
198.12(6)
281.92
281.35(1)(b)2.
198.22(2)(intro.)
293.01(27)
23.321(2)(a)
23.321(5)
281.35(1)(a)✓
281.35(1)(b)2.✓
281.35(4)(a)2.✓
281.35(4)(b)(intro.)✓
293.65(3)(a)✓
293.65(3)(b)✓
299.05(2)(b)✓
145.20(3)(d)
145.245(3)
20.370(4)(bL)
281.48(3)(e)
299.07(1)(a)2.
299.08(1)(a)2.
160.09(1)(intro.)✓
281.19(2)(a)✓
281.53(1)✓
281.99(1)(a)✓
281.99(1)(b)2.✓
299.11(1)(d)6.✓
97.34(2)(b)✓

281.17(9)
281.17(9)
281.17(9)
281.19(2)(a)
281.19(2)(a)
281.19(2)(a)
281.35
281.35
281.35(1)(L)
281.35(1)(m)
281.35
281.35(1)(L)
281.35(1)(m)
281.35(5)(a)
281.35(5)(d)
281.35(1)(b)1.
281.35(3)(c)
281.35(4)
281.35(5)
281.35(8)
281.35(5)(f)
281.35(6)(g)
281.35(3)
281.35(4)
281.35(3)(b)
281.35(3)(b)
281.35(3)(a)
281.35(3)(a)
281.35(4)
281.35(3)(a)
281.35(4)(a)
281.35(4)(b)
281.35(8)
281.35(5)(c)
281.35(8)
281.35(5)(c)
281.35(5)
281.35(6)(a)9.
281.35(4)
281.35(9)(a)
281.35(5)(a)
281.35(5)(c)
281.35(1)(L)
281.35(1)(m)
281.35(5)(d)
281.35(1)(h)

281.19(2)(a)✓
281.99(1)(a)✓
281.99(1)(b)2.✓
281.19(2)(b)
281.99(1)(c)
281.99(5)
196.49(2)✓
196.98✓
196.98✓
196.98✓
281.17(1)✓
281.17(1)✓
281.17(1)✓
281.17(1)✓
281.17(1)✓
281.35(1)(b)2.
281.35(1)(b)2.
281.35(10)(a)1.
281.35(10)(a)1.
281.35(10)(a)4.
281.35(10)(a)5.
281.35(10)(a)5.
281.35(2)(a)
281.35(2)(b)
281.35(3)(a)1.
281.35(3)(a)2.
281.35(3)(am)(intro.)
281.35(3)(b)(intro.)
281.35(3)(b)2.
281.35(3)(c)
281.35(4)(b)(intro.)
281.35(5)(a)(intro.)
281.35(5)(a)13.
281.35(5)(b)
281.35(5)(d)2.
281.35(5)(e)
281.35(6)(a)(intro.)
281.35(6)(b)
281.35(8)(d)
281.35(9)(b)✓
281.41(1)(a)✓
281.41(1)(b)✓
281.41(1)(c)✓
281.41(1)(c)✓
281.41(1)(c)✓
281.66(6)✓

281.35(1)(h)
281.35(1)(m)
281.35(3)(a)
281.35(4) to (6)
281.35(6)(a)
281.35(1)(m)
281.35(3)(a)
281.35(4) to (6)
281.35(6)(a)
281.35(5)(b)
281.35(6)(f)
281.35(1)(b)
281.35(1)(L)
281.35(1)(m)
281.35(5)(a)
281.35(5)(b)
281.35(6)(f)
281.35(5)(d)
281.35(6)
281.35(6)(b)
281.35(6)
281.35(2)
281.41(1)
281.53
281.53
281.49 to 281.85
281.49 to 281.85
281.53(3)
281.75(1)(c)
281.75(1)(b)1.
281.75(1)(b)2.
281.75(1)(b)3.
281.75(1)(b)1.
281.75(1)(b)2.
281.75(1)(c)
281.75(13)
281.75(19)
281.77
281.77(2)(b)
281.77(4)
281.77(4)
281.77(4)
281.77(2)
281.77(3)
281.77(2)
281.77(3)

281.81(1)✓
281.94(1)✓
281.94(1)✓
281.94(1)✓
281.94(1)✓
281.95✓
281.95✓
281.95✓
281.95✓
293.43(3)(a)✓
293.43(3)(a)✓
30.01(1b)✓
30.01(7m)✓
30.01(9)✓
30.18(3)(b)✓
30.18(4)(a)✓
30.18(4)(a)✓
30.18(5)(b)✓
30.18(6)(a)✓
30.18(6)(d)✓
30.18(6m)(c)✓
30.21(3)(a)✓
281.41(2)
20.370(7)(cd)✓
20.866(2)(tb)✓
23.321(2)(a)
23.321(5)
281.53(4)
101.143(1)(c)✓
281.75(5)(b)1.
281.75(5)(b)1.
281.75(5)(b)1.
281.75(6)(a)
281.75(6)(a)
292.65(1)(g)✓
281.75(11)(d)3.
281.98(1)✓
299.11(1)(d)4.✓
281.77(2)(a)
281.77(2)(a)
281.77(2)(b)
281.77(3)
281.77(4)(a)1.
281.77(4)(a)1.
281.77(4)(b)
281.77(4)(b)

281.77(4)(a)	281.77(4)(b)
281.77(4)(b)	281.77(4)(c)
281.94(1)	281.94(3)
281.98(1)	281.98(2)
281.98(1)	281.98(3)
281.99	118.26 ✓
281.99	119.68(2) ✓
281.99	198.12(2) ✓
281.99	59.07(1) ✓
281.99	59.64(1)(a) ✓
281.99	60.44(1)(a) ✓
281.99	60.44(3) ✓
281.99	62.25(1) ✓
281.99	88.145 ✓
281.99	893.80(8) ✓
281.99(2)	281.98(1) ✓
281.99(2)	281.98(2)
281.99(2)	281.99(1)(a)
281.99(1)(b)2.	281.99(1)(b)1.
281.99(1)(c)	281.99(1)(b)1.
281.99(2)(b)	281.99(1)(b)1.
281.99(1)(c)	281.99(1)(b)2.
281.99(1)(b)1.	281.99(1)(c)
281.99(1)(b)2.	281.99(1)(c)
281.99(3)	281.99(1)(c)
281.99(3)	281.99(4)
285.01 to 285.39	285.41(5)
285.01 to 285.29	560.65(1m)(a)3.e.
285.01(41)	560.65(1)(c)
285.01(42)	560.65(1)(d)
285.01(43)	560.65(1)(e)
289.01(33)	287.01(10)
289.01(33)	291.01(16)
289.01(33)	292.01(19)
289.01(33)	30.40(16)
289.01(33)	60.70(7)
289.01(33)	895.517(1)(e)
293.43(3)(a)	293.43(4)
893.80(8)	893.80(1)(intro.)

soon (in 8/22)

9/11 (sooner would be even better) ↑ stays

2001 ~~1999~~ BILL

LPS -
Run
compare
program

Note

↓ regenerate

1 AN ACT *to repeal* 59.70 (6), 167.27 (4), 281.01 (20), 281.13 (1) (b), 281.17 (1),
2 281.17 (8), 281.35 (7), subchapter VI (title) of chapter 281 [precedes s. 281.75],
3 281.75 (1) (c) and 289.01 (44); *to renumber* 281.13 (3), 281.35 (5) and (6), 281.35
4 (8) to (12), 281.75 (title) and (1) (intro.), (a) and (b), 281.75 (1) (d) to (g), 281.75
5 (2) to (11), 281.75 (12) (intro.) and (a) and 281.75 (13) to (17); *to renumber and*
6 *amend* 66.065 (1), 281.13 (1), 281.17 (9), 281.35 (title) and (1) to (3), 281.35 (4),
7 281.53, 281.75 (1) (h), 281.75 (12) (b), 281.75 (18), 281.75 (19), 281.77, 281.94,
8 281.95 and 281.99; *to amend* 20.370 (4) (bL), 20.370 (6) (cr), 20.370 (7) (cd),
9 20.865 (2) (em), 20.866 (2) (tb), 25.46 (5e), 30.01 (1b), (7m) and (9), 30.18 (3) (b),
10 (4) (a) and (5) (b), 30.18 (6) (a) and (d) and (6m) (c), 30.21 (3) (a), 59.07 (1), 59.64
11 (1) (a), 59.70 (1), 60.44 (1) (a), 60.44 (3), 62.25 (1), 66.065 (4), 88.145, 97.34 (2)
12 (b), 97.34 (2) (d), 101.143 (1) (c), 118.26, 119.68 (2), 145.06 (4) (b), 145.10 (1)
13 (intro.) and (a) to (b), 160.09 (1) (intro.), 167.27 (title), (2) and (3), 167.27 (5),
14 167.27 (6), 196.49 (2), 196.98, 198.12 (2), chapter 281 (title), 281.01 (8), 281.01

BILL

1 (15), 281.01 (16), 281.12 (3), 281.17 (3), 281.19 (2) (a), 281.41 (1), 281.45, 281.65
 2 (8d), 281.81 (1), 281.97, 281.98 (1), 285.01 (40), 289.01 (33), 292.65 (1) (g),
 3 293.43 (3) (a), 293.65 (3), 295.11 (10), 299.05 (2) (b), 299.07 (1) (a) 1., 299.07 (1)
 4 (a) 2., 299.08 (1) (a) 1., 299.08 (1) (a) 2., 299.11 (1) (d) 4. and 6., 443.14 (12m),
 5 470.025 (9) and 893.80 (8); *to repeal and recreate* 66.071 (1) (i), chapter 280
 6 and 281.13 (title); and *to create* 15.347 (3), 20.370 (2) (ai), 66.039, 145.07 (5m)
 7 and 167.27 (9) of the statutes; **relating to:** the regulation of drill holes, water
 8 quality, and water systems, related licensing and certification, creating a
 9 council on wells and drill holes, granting rule-making authority, making
 10 appropriations, and providing penalties.

Analysis by the Legislative Reference Bureau

This bill restructures and makes numerous changes in the laws relating to water systems, drinking water, withdrawal of groundwater, and wells and other similar excavations (drill holes).

Under current law, the department of natural resources (DNR) is required to promulgate rules for obtaining pure drinking water for human consumption and DNR has control over all methods of obtaining groundwater for human consumption, including the construction and reconstruction of wells used to provide drinking water. Under current law, DNR also has general supervision and control over the waters of the state and may promulgate rules to prevent the pollution of the waters of the state. Under the bill, DNR has control over ensuring the sanitary provision of water for all purposes and over all wells and other drill holes, water systems, and methods of withdrawing groundwater. The bill authorizes DNR to promulgate rules concerning the location of potential contamination sources relative to existing or proposed wells.

The bill prohibits the discharge into wells, other drill holes, sinkholes, and mine shafts of substances that may decrease the quality of groundwater, except as authorized by DNR by rule. The bill generally prohibits the use of pipe or solder that is not lead free in water systems. The bill prohibits a person from introducing or threatening to introduce a contaminant into a water system with the intention of harming another. The bill prohibits the use of chemicals, paints, or conditioning or treatment processes in community water systems without the approval of DNR.

Under current law, DNR registers individuals and businesses who engage in the business of drilling wells to obtain water for human consumption and who engage in the business of installing pumps to withdraw water from wells.

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Under the bill, DNR issues licenses for individuals who engage in the following activities: well drilling (of wells to obtain groundwater for human consumption), well point driving, pump installation, and constructing specified types of drill holes (other than wells to obtain groundwater for human consumption). Generally, an individual may not engage in one of those activities unless he or she is licensed or is supervised by another individual who is licensed. The bill prohibits a person from filling or sealing a well or other drill hole unless the person is licensed to install a pump in that kind of well or other drill hole or has a license for constructing that kind of well or other drill hole. The bill requires drilling rig operators and pump installer helpers to register with DNR. The bill creates a council on wells and drill holes and requires DNR to consult with the council on matters including rule making and discipline of licensed individuals.

Under current law, the department of justice (DOJ) generally takes the actions needed to enforce environmental protection laws. This bill authorizes a district attorney to enforce the laws related to water systems and drinking water. Under the bill, if DNR determines that a person has violated one of these laws, it may refer the matter to DOJ for enforcement, as under current law, or to a district attorney.

The bill also requires a local governmental unit that is served by a community water system to require the abandonment of any well that is located on property adjacent to a water main if the well is unused, is unsafe because of bacteria in the water, or does not comply with statutes and rules concerning wells.

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. 15.347 (3) of the statutes is created to read:

2 15.347 (3) COUNCIL ON WELLS AND DRILL HOLES. There is created in the
3 department of natural resources a council on wells and drill holes. The council
4 consists of the following members, who shall serve 3-year terms:

5 (a) One restricted drill hole constructor engaged in the construction of
6 monitoring wells.

7 (b) One restricted drill hole constructor engaged in the construction of drill
8 holes other than monitoring wells.

9 (c) Two pump installers.

10 (d) Three well drillers.

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1 (e) Two persons who are not connected with the business of well drilling, pump
2 installation, or construction of other drill holes.

3 (f) One person who supplies or manufactures products used in the construction
4 of wells or other drill holes.

5 (g) One officer or employ^e of the department of natural resources.

6 SECTION 2. 20.370 (2) (ai) of the statutes is created to read:

7 20.370 (2) (ai) *Water supply management — fees.* All moneys received as fees
8 under ch. 280 for the purpose of administering the activities for which the fees are
9 imposed.

10 SECTION 3. 20.370 (4) (bL) of the statutes is amended to read:

11 20.370 (4) (bL) *Wastewater management — fees.* From the general fund, all
12 moneys received under s. 281.17 (3) for the certification of operators of water
13 systems, wastewater treatment plants and septage servicing vehicles and under s.
14 281.48 (4s) (a) and (b) for wastewater management activities.

15 SECTION 4. 20.370 (6) (cr) of the statutes is amended to read:

16 20.370 (6) (cr) *Environmental aids — compensation for well contamination.*
17 As a continuing appropriation, from the environmental fund, the amounts in the
18 schedule to pay compensation under s. ~~281.75~~ 280.52.

19 SECTION 5. 20.370 (7) (cd) of the statutes is amended to read:

20 20.370 (7) (cd) *Principal repayment and interest — municipal clean drinking*
21 *water grants.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of
22 principal and interest costs incurred in making municipal clean drinking water
23 grants under s. ~~281.53~~ 280.54.

24 SECTION 6. 20.865 (2) (em) of the statutes is amended to read:

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1 20.865 (2) (em) *Groundwater survey and analysis*. The amounts in the
2 schedule for the survey and analysis of groundwater conditions and problems under
3 ss. 16.968, 36.25 (6) and ~~280.13~~ and subch. II of ch. ~~281~~ 280.03.

4 **SECTION 7.** 20.866 (2) (tb) of the statutes is amended to read:

5 20.866 (2) (tb) *Natural resources; municipal clean drinking water grants*. From
6 the capital improvement fund, a sum sufficient to the department of natural
7 resources to provide funds for municipal clean drinking water grants under s. ~~281.53~~
8 280.54. The state may contract public debt in an amount not to exceed \$9,800,000
9 for this purpose.

10 **SECTION 8.** 25.46 (5e) of the statutes is amended to read:

11 25.46 (5e) All moneys received under s. ~~281.75~~ 280.52 (16) (d) for
12 environmental management.

13 ~~**SECTION 9.** 30.01 (1b), (7m) and (9) of the statutes are amended to read:~~

14 ~~30.01 (1b) “Authorized base level of water loss” has the meaning given under
15 s. ~~281.35~~ 280.14 (1) (b).~~

16 ~~(7m) “Water loss” has the meaning given under s. ~~281.35~~ 280.14 (1) (L).~~

17 ~~(9) “Withdrawal” has the meaning given under s. ~~281.35~~ 280.14 (1) (m).~~

18 **SECTION 10.** 30.18 (3) (b), (4) (a) and (5) (b) of the statutes are amended to read:

19 30.18 (3) (b) *Application; streams or lakes*. An application for a permit required
20 under sub. (2) (b) shall be submitted in the form required under s. ~~281.35~~ 280.14 (5)
21 (a). If the diversion also meets either condition specified under sub. (2) (a), the
22 application shall also comply with par. (a).

23 (4) (a) Upon receipt of a complete application, the department shall follow the
24 notice and hearing procedures under s. 30.02 (3) and (4). In addition to the notice
25 requirements under s. 30.02 (3) and (4), the department shall mail a copy of the notice

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1 to every person upon whose land any part of the canal or any other structure will be
2 located, to the clerk of the next town downstream, to the clerk of any village or city
3 in which the lake or stream is located and which is adjacent to any municipality in
4 which the diversion will take place and to each person specified in s. ~~281.35~~ 280.14
5 (5) (b) or (6) (f), if applicable.

6 (5) (b) *Streams or lakes.* The department shall approve an application for a
7 permit required under sub. (2) (b) if the grounds for approval specified under s.
8 ~~281.35~~ 280.14 (5) (d) are met and, if the permit is also required under sub. (2) (a), if
9 the department makes the determinations specified under par. (a).

10 SECTION 11. 30.18 (6) (a) and (d) and (6m) (c) of the statutes are amended to
11 read:

12 30.18 (6) (a) *Contents of permit.* The department shall specify on each permit
13 issued under this section the quantity of water that may be diverted and the times
14 during which water may be diverted. In addition, if the permit is one which is
15 required under sub. (2) (b), the permit shall comply with s. ~~281.35~~ 280.14 (6).

16 (d) *Review of permits.* If the permit is one that is required under sub. (2) (a),
17 but not under sub. (2) (b), and the permit was issued on or after August 1, 1957, the
18 department shall review the permit at least once every 5 years. If the permit is one
19 that is required under sub. (2) (b), the department shall review the permit as
20 required under s. ~~281.35~~ 280.14 (6) (b).

21 (6m) (c) The department may revoke a permit issued under sub. (5) (b) only as
22 provided under s. ~~281.35~~ 280.14 (6).

23 SECTION 12. 30.21 (3) (a) of the statutes is amended to read:

24 30.21 (3) (a) Each public utility operating under a permit under this section on
25 January 1, 1986, shall comply with s. ~~281.35~~ 280.14 (2), if applicable.

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1 SECTION 13. 59.07 (1) of the statutes is amended to read:

2 59.07 (1) No action may be brought or maintained against a county upon a
3 claim or upon a cause of action unless the claimant complies with s. 893.80. This
4 subsection does not apply to actions commenced under s. 19.37, 19.97 or ~~281.99~~
5 280.50.

6 SECTION 14. 59.64 (1) (a) of the statutes is amended to read:

7 59.64 (1) (a) *In general.* Every person, except jurors, witnesses and
8 interpreters, and except physicians or other persons who are entitled to receive from
9 the county fees for reporting to the register of deeds births or deaths, which have
10 occurred under their care, having any claim against any county shall comply with
11 s. 893.80. This paragraph does not apply to actions commenced under s. 19.37, 19.97
12 or ~~281.99~~ 280.50.

13 SECTION 15. 59.70 (1) of the statutes is amended to read:

14 59.70 (1) BUILDING AND SANITARY CODES. The board may enact building and
15 sanitary codes, make necessary rules and regulations in relation thereto and provide
16 for enforcement of the codes, rules and regulations by forfeiture or otherwise. The
17 codes, rules and regulations do not apply within municipalities which have enacted
18 ordinances or codes concerning the same subject matter. "Sanitary code" does not
19 include a private sewage system ordinance enacted under sub. (5). ~~"Building and~~
20 ~~sanitary codes" does not include well code ordinances enacted under sub. (6).~~

21 SECTION 16. 59.70 (6) of the statutes is repealed.

22 SECTION 17. 60.44 (1) (a) of the statutes is amended to read:

23 60.44 (1) (a) Claims for money against a town or against officers, officials,
24 agents or employ^es of the town arising out of acts done in their official capacity shall

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1 be filed with the town clerk as provided under s. 893.80 (1) (b). This paragraph does
2 not apply to actions commenced under s. 19.37, 19.97 or ~~281.99~~ 280.50.

3 **SECTION 18.** 60.44 [✓](3) of the statutes is amended to read:

4 60.44 (3) COURT ACTIONS TO RECOVER CLAIMS. Subsection (2), or an ordinance
5 adopted under that subsection, does not affect the applicability of s. 893.80. No
6 action may be brought or maintained against a town upon a claim unless the
7 claimant complies with s. 893.80. This subsection does not apply to actions
8 commenced under s. 19.37, 19.97 or ~~281.99~~ 280.50.

9 **SECTION 19.** 62.25 [✓](1) of the statutes is amended to read:

10 62.25 (1) CLAIMS. No action may be brought or maintained against a city upon
11 a claim or cause of action unless the claimant complies with s. 893.80. This
12 subsection does not apply to actions commenced under s. 19.37, 19.97 or ~~281.99~~

¹³ 280.50.

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¹⁴ **SECTION 20.** 66.0437 ⁰⁴³⁷ of the statutes is created to read:

¹⁵ ~~66.0437~~ **Well abandonment ordinances.** (1) In this section, "local
16 governmental unit" has the meaning given in s. 280.01 (7).

17 (2) (a) Each local governmental unit that is served by a [✓]community water
18 system, as defined in s. 280.01 (1), shall enact and enforce an ordinance requiring the
19 abandonment of any well or drill hole that is on property adjacent to a water main
20 and that is unused or is unsafe because of the continued presence of bacteria or that
21 does not comply with ch. 280 or rules promulgated under that chapter. The ordinance
22 shall require abandonment to be done in accordance with rules promulgated under
23 ch. 280. The ordinance may allow a well that is on property adjacent to a water main
24 to remain in existence only if the well is used, is bacteriologically safe, and complies
25 with ch. 280 and rules promulgated under that chapter. The local governmental unit

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1 may require the owner of a well to obtain a permit and may charge a permit fee that
2 is reasonable and based on the local governmental unit's costs under this paragraph.
3 The ordinance shall also require the elimination of cross-connections within the
4 community water system and plumbing systems.

5 (am) Before enacting or modifying an ordinance under par. (a), a local
6 governmental unit shall submit its proposed ordinance to the department of natural
7 resources. The local governmental unit may not enact or modify the ordinance
8 without the approval of the department of natural resources.

9 (3) The local governmental unit shall notify any person who is in violation of
10 an ordinance enacted under sub. (2) and order the person to correct the violation
11 within 30 days. If the person fails to comply with the order, the local governmental
12 unit may impose a forfeiture of not more than \$100 for each day of continued violation
13 after the expiration of the 30 days. In addition, the local governmental unit may take
14 any action necessary to correct the violation and charge the cost as a special
15 assessment against the property on which the violation occurs. Except in a 1st class
16 city, if the property owner, within 30 days after completion of the work required to
17 correct the violation, files a written request with the clerk of the local governmental
18 unit for instalment payments, the local governmental unit shall assess the costs in
19 5 equal annual instalments with interest at a rate not to exceed 15% per year from
20 the date of completion of the work. If the property owner does not file such a request,
21 or if the property is located in a 1st class city, the property owner shall pay the entire
22 amount due in the following year.

23 ~~SECTION 21. 66.065 (1) of the statutes is renumbered 66.065 (1) (a) (intro.) and~~
24 ~~amended to read:~~

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1 66.065 (1) (a) (intro.) Any town, village or city may ~~construct~~ do any of the
2 following:

3 1. Construct, acquire or lease any plant and, equipment or land located within
4 or ~~without~~ outside the municipality, ~~and including interest in or lease of land,~~ for the
5 purpose of furnishing water, light, heat, or power, to the municipality, or ~~to~~ its
6 inhabitants; ~~may acquire.~~

7 2. Acquire a controlling portion of the stock of any privately owned corporation
8 owning ~~private waterworks~~ a public water system, as defined in s. 280.01 (12), or a
9 lighting plant and equipment; ~~and may purchase.~~

10 3. Purchase the equity of redemption in a mortgaged or bonded ~~waterworks~~
11 public water system, as defined in s. 280.01 (12), or lighting system, including ~~the~~
12 ~~eases where~~ a system that the municipality ~~shall,~~ in the franchise ~~have,~~ has reserved
13 the right to purchase.

14 (b) The character or duration of the franchise, permit or grant under which any
15 public utility is operated, ~~shall~~ does not affect the a municipality's power to acquire
16 ~~the same hereunder~~ it under par. (a).

17 (c) ~~Two or more public utilities owned by the same person or corporation, or 2~~
18 ~~or more public utilities subject to the same lien or charge, may be acquired as a single~~
19 ~~enterprise under any proceeding heretofore begun or hereafter commenced, and the~~
20 ~~board or council.~~

21 (d) A municipal governing body may at any time agree on the value of any public
22 utility with the owner or owners of any of the public utility or utilities as to the agreed
23 value thereof, and to may contract to purchase or acquire the same hereunder at such
24 public utility at that value, upon such terms and conditions as may be mutually

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1 agreed upon between said board or council and said the governing body and the
2 owner or owners.

3 **SECTION 22.** ~~66.065~~ (4) of the statutes is amended to read:

4 66.065 (4) Referendum elections under this section shall may not be held
5 oftener more often than once a year, except that a referendum so held for the
6 acquisition, lease or construction of any of the types of property enumerated in sub.
7 (1) shall (a) does not bar the holding of one referendum in the same year for the
8 acquisition and operation of a bus transportation system by the municipality.

9 **SECTION 23.** ~~66.071 (1) (f)~~ of the statutes is repealed and recreated to read:

10 ~~66.071 (1) (f)~~ Rules, regulations, and ordinances concerning plumbing shall
11 conform to ss. 59.70 (5) and 145.13.

12 **SECTION 24.** 88.145 of the statutes is amended to read:

13 **88.145 Limitation of damages and suits.** In any action against a drainage
14 district, drainage board, drainage board member, drainage board employe^e or an
15 owner of land within the district who undertakes work approved by the drainage
16 board, s. 893.80 is applicable and the limit on the amount recoverable by any person
17 under s. 893.80 (3) applies to the drainage board, the members and employes^e of the
18 drainage board, the drainage district and any owner of land within the district who
19 undertakes work approved by the drainage board. This section does not apply to
20 actions commenced under s. 19.37, 19.97 or ~~281.99~~ 280.50.

21 **SECTION 25.** 97.34 (2) (b) of the statutes is amended to read:

22 97.34 (2) (b) No person may manufacture or bottle bottled drinking water for
23 sale or distribution in this state unless the bottled drinking water complies with
24 state drinking water standards adopted by the department of natural resources
25 under s. ~~280.11, 281.15 or 281.17~~ (8) 280.05 (1) (f) and with health-related

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(B)

62.69(2)(k)

62.69(2)(k)

66.071(1)(f)

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1 groundwater enforcement standards adopted by the department of natural
2 resources under ch. 160.

3 SECTION 26. 97.34 (2) (d) of the statutes is amended to read:

4 97.34 (2) (d) No person may manufacture or bottle bottled drinking water for
5 sale or distribution in this state unless the water system used by the manufacturer
6 or bottler complies with ch. 280 and rules promulgated by the department of natural
7 resources under that chapter. The department of natural resources shall notify the
8 department of agriculture, trade and consumer protection of any noncompliance
9 with this paragraph.

10 SECTION 27. 101.143 (1) (c) of the statutes is amended to read:

11 101.143 (1) (c) "Groundwater" has the meaning ~~designated under given in s.~~
12 ~~281.75 (1) (e)~~ 160.01 (4).

13 SECTION 28. 118.26 of the statutes is amended to read:

14 **118.26 Claim against school district.** No action may be brought or
15 maintained against a school district upon a claim or cause of action unless the
16 claimant complies with s. 893.80. This section does not apply to actions commenced
17 under s. 19.37, 19.97 or ~~281.99~~ 280.50.

18 SECTION 29. 119.68 (2) of the statutes is amended to read:

19 119.68 (2) No action may be brought or maintained against the school upon a
20 claim or cause of action unless the claimant complies with s. 893.80. This subsection
21 does not apply to actions commenced under s. 19.37, 19.97 or ~~281.99~~ 280.50.

22 SECTION 30. 145.06 (4) (b) of the statutes is amended to read:

23 145.06 (4) (b) Plumbing from the private water supply pump to and including
24 the ~~initial~~ ^{strike} pressure tank or building control valve, water service piping from the
25 pump to one or more buildings and connection to an existing water distribution

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1 system, when installed by persons licensed as pump installers under ~~ch. 280 s.~~ [✓]
2 280.24.

3 **SECTION 31.** 145.07 (5m) of the statutes is created to read:

4 145.07 (5m) A person may apply for examination for licensure as a master
5 plumber (restricted), for the appliances, equipment or devices classification, upon
6 submitting evidence satisfactory to the department of all of the following: [✓]

7 (a) That the person has been registered under s. 280.15, 199~~7~~⁹ stats., or licensed
8 under s. 280.2~~4~~⁴ as a pump installer for a total of at least 36 months.

9 (b) That the person has been actively engaged in pump installation activities
10 in this state for not less than 1,000 hours per year in 3 or more consecutive years.

11 (c) If the person was not registered under s. 280.15, 199~~7~~⁹ stats., as a pump
12 installer before the effective date of this paragraph ... [revisor inserts date], that the
13 person has graduated from high school or has attained the equivalent of high school
14 graduation, as determined by the department.

15 **SECTION 32.** 145.10 (1) (intro.) and (a) to (b) of the statutes are amended to read: [✓]

16 145.10 (1) (intro.) The department may make investigations and conduct
17 hearings and may, on its own or upon complaint in writing duly signed and verified
18 by the complainant, and after providing not less than 10 days' notice to the licensee,
19 suspend any master or journeyman plumber's license, cross-connection control
20 tester's registration, utility contractor's license or temporary permit if it has reason
21 to believe, and may revoke such license, registration or permit in the manner
22 provided under this section if it finds, that the holder of such license, registration or
23 permit has done any of the following:

24 (a) Made a material misstatement in the application for a license or
25 registration or renewal thereof or for a temporary permit;

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1 (am) Committed gross negligence or misconduct or is incompetent in the
2 practice covered by the person's license, registration or permit;

3 (b) Failed to correct an installation for which he or she is responsible, at his or
4 her own expense, within 30 days following notification by the department of a
5 violation of any rule adopted under this chapter; ~~or~~.

6 **SECTION 33.** 160.09 (1) (intro.) of the statutes is amended to read:

7 160.09 (1) (intro.) Notwithstanding the authority of the department under ~~ss.~~
8 ~~280.11, 281.15 and 281.17~~ (8) s. 280.03 (1) to establish standards for pure a safe
9 drinking water program, the department shall establish enforcement standards for
10 substances of public welfare concern as follows:

11 **SECTION 34.** 167.27 (title), (2) and (3) of the statutes are amended to read:

12 **167.27 (title) Capping and filling wells or similar certain structures.**

13 (2) The owner of any real estate shall securely protect any well, seepage pit,
14 cistern, cesspool, septic tank, or other similar structures in active use with a cover
15 of concrete, metal or wood covered with sheet metal, securely fastened and of
16 sufficient weight so it cannot be removed by small children and so as to make it free
17 from danger to persons going upon such real estate.

18 (3) Whenever any ~~shallow dug well~~, seepage pit, cistern, cesspool or septic tank
19 is abandoned or its use discontinued, the owner of the real estate upon which it is
20 located shall promptly fill the same to grade.

21 **SECTION 35.** 167.27 (4) of the statutes is repealed.

22 **SECTION 36.** 167.27 (5) of the statutes is amended to read:

23 167.27 (5) Whenever any mine shaft, or exploration shaft ~~or test well~~ is
24 abandoned or its use discontinued, the operator or contractor shall promptly fill
25 ~~same~~ it to grade or enclose ~~the same~~ it with a fence of strong woven wire not less than

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1 46 inches wide with one barbwire above or cap ~~same~~ it with a reinforced concrete slab
2 at least 6 inches thick or with a native boulder at least 3 times the diameter of the
3 top of the shaft ~~or test well bore~~. The strands of the woven wire shall not be smaller
4 than No. 12 wire and the cross wires and meshes shall not be smaller than No. 16
5 wire; the strands shall not be more than 12 inches apart, and the meshes shall not
6 exceed 8 inches square. All wires must be tightly stretched and securely fastened to
7 sufficient posts firmly set not more than 8 feet apart. ~~In case~~ If any person shall
8 neglect fails to repair or rebuild ~~such~~ a fence which the person is so required to build
9 and maintain under this subsection, any person may complain to the department of
10 commerce or to the local governing body, which shall give notice in writing to the
11 person who is required to build and maintain ~~such~~ the fence. The department of
12 commerce or the local governing body shall then proceed to examine the fence, and
13 if it ~~shall determine~~ determines that ~~such~~ the fence is insufficient, it shall notify the
14 person responsible for its erection and maintenance and direct the person to repair
15 or rebuild the fence within ~~such~~ the time ~~as it shall deem~~ that the department or the
16 local governing body determines to be reasonable. Any person refusing to comply
17 with ~~such~~ an order ~~shall be issued under this subsection~~ is subject to the penalties
18 provided in sub. (7).

19 SECTION 37. 167.27 (6) of the statutes is amended to read:

20 167.27 (6) ~~Existing~~ An existing abandoned mine shafts, shaft or exploration
21 ~~shafts or test wells~~ shaft shall be securely protected by the owner of the real estate
22 upon which it is located.

23 SECTION 38. 167.27 (9) of the statutes is created to read:

24 167.27 (9) The use and abandonment of wells is governed by ch. 280.

25 ~~Section 39. 196.49 (2) of the statutes is amended to read:~~

BILL**SECTION 39**

1 196.49 (2) No public utility may begin the construction, installation or
2 operation of any new plant, equipment, property or facility, nor the construction or
3 installation of any extension, improvement or addition to its existing plant,
4 equipment, property, apparatus or facilities unless the public utility has complied
5 with any applicable rule or order of the commission and with s. ~~281.35~~ 280.14, if
6 applicable. If a cooperative association has been incorporated under ch. 185 for the
7 production, transmission, delivery or furnishing of light or power and has filed with
8 the commission a map of the territory to be served by the association and a statement
9 showing that a majority of the prospective consumers in the area are included in the
10 project, no public utility may begin any such construction, installation or operation
11 within the territory until after the expiration of 6 months from the date of filing the
12 map and notice. If the cooperative association has entered into a loan agreement
13 with any federal agency for the financing of its proposed system and has given
14 written notice of the agreement to the commission, no public utility may begin any
15 construction, installation or operation within the territory until 12 months after the
16 date of the loan agreement.

17 **SECTION 40.** 196.98 of the statutes is amended to read:

18 **196.98 Water reporting required.** The commission shall ensure that each
19 public utility to which s. ~~281.35~~ 280.14 applies shall comply with the requirements
20 of that section and shall report its volume and rate of withdrawal, as defined under
21 s. ~~281.35~~ 280.14 (1) (m), and its volume and rate of water loss, as defined under s.
22 ~~281.35~~ 280.14 (1) (L), if any, to the commission in the form and at the times specified
23 by the department of natural resources. The commission shall provide the
24 information reported under this section to the department of natural resources.

25 **SECTION 41.** 198.12 (2)^v of the statutes is amended to read:

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1 (2m) “Council” means the council on wells and drill holes.

2 (3) “Department” means the department of natural resources.

3 (3m) “Dewatering well” means a well that is used only to lower groundwater
4 levels to permit construction or to permit the use of an area that is below the surface
5 of the ground.

6 (4) “Drill hole” means an excavation, opening, or driven point deeper than it is
7 wide and extending at least 10 feet below the ground surface.

8 (5) “Drilling rig” means the equipment used to drill a drill hole.

9 (6) “Groundwater” has the meaning given in s. 160.01 (4).

10 (6m) “Hydrofracturing” means hydraulic fracturing of an aquifer by injecting
11 into a well a fluid that is under at least 500 pounds per square inch of pressure and
12 may include injecting sand or a similar material to hold the crevices open when the
13 pressure is removed.

14 (7) “Local governmental unit” means a city, village, town, county, utility district
15 under s. 66. ⁰⁸²⁷ ~~any~~ municipal water district, town sanitary district as defined in s. 60.70
16 (9), or any other local public entity if that local public entity operates a water system.

17 (8) “Modification” means an improvement, extension, or alteration.

18 (8g) “Monitoring well” means a drill hole constructed to obtain information
19 about the physical, chemical, hydrological, or biological characteristics of
20 groundwater.

21 (8r) “Nontransient noncommunity water system” means a public water system
22 that is not a community water system but that regularly serves at least 25 of the
23 same individuals for at least 6 months per year.

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1 (9) “Person” means an individual, corporation, limited liability company,
2 association, cooperative, trust, institution, partnership, state, including this state,
3 public utility, local governmental unit, or federal, state, or interstate agency.

4 (10) “Private water system” means any water system that is not a public water
5 system.

6 (11) “Public utility” has the meaning given in s. 196.01 (5). ✓

7 (12) “Public water system” means a water system providing water for human
8 consumption if the water system has at least 15 service connections or regularly
9 serves an average of at least 25 individuals per day for at least 60 days each year.

10 “Public water system” includes all of the following:

11 (a) Collection, treatment, storage, and distribution facilities that are under the
12 control of the owner or operator of the water system and are used primarily in
13 connection with the water system.

14 (b) Collection or pretreatment storage facilities that are not under the control
15 of the owner or operator of the water system but are used primarily in connection
16 with the water system.

17 (13) “Pump installing” means installing, replacing, or reinstalling equipment
18 or material needed to withdraw water from a well, including making an entrance to
19 a well, establishing seals and other safeguards to prevent contamination, installing
20 a pressure tank, connecting a pump to a pressure tank or reservoir, installing a water
21 treatment device in a well or between a well and a building control valve or a pressure
22 tank, installing water service piping from a well to a building, and installing controls
23 needed to operate a pump.

24 (13r) “Soil boring” means a drill hole constructed to extract soil to determine
25 the physical characteristics of the soil.

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1 (13u) "Waters of the state" has the meaning given in s. 281.01 (18).

2 (14) "Water system" means a system, including the source of water, well, pump,
3 intake and storage structures, treatment equipment, and conduits, by which water
4 is delivered for any purpose.

5 (15) "Well" means a drill hole constructed by drilling, digging, boring, driving,
6 or other method for the purpose of withdrawing, monitoring, or gaining access to
7 groundwater.

8 (16) "Well drilling" means constructing or reconstructing a well, by any means
9 such as digging, boring, drilling, or jetting except well point driving, including
10 hydrofracturing and the installation of well casings.

11 (17) "Well point driving" means joining a drive point, with a diameter of not
12 more than 3 inches, with lengths of pipe and driving or jetting the assembly into the
13 ground more than 10 feet below the ground surface either with motor or manually
14 driven percussion equipment.

15 **280.03 Powers of the department.** The department has general supervision
16 and control over all drill holes, water systems, methods of withdrawing groundwater,
17 and methods of providing and ensuring the sanitary provision of water for all
18 purposes. In connection with this authority, the department may do any act
19 necessary to safeguard the public health and to protect the groundwater and surface
20 water, including any of the following:

21 (1) Establish and administer a safe drinking water program that is no less
22 stringent than the requirements of the federal Safe Drinking Water Act, 42 USC 300f
23 to 300j-26.

24 (3) Cooperate with the division of emergency ^{management} ~~government~~ under s. 166.03 in
25 preparing plans or providing safe drinking water under emergency conditions.

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1 (4) Enter into agreements, contracts, or cooperative arrangements with other
2 persons to administer this chapter, except for enforcement of provisions related to s.
3 280.24.

4 (5) Conduct investigations, experiments, research, and training related to the
5 administration of this chapter.

6 (6) Upon request and without charge to the requester, consult with and advise
7 any person who has installed or may install a water system about water sources,
8 protective measures, construction and operation of the water system, and the current
9 and future needs of all persons who may be affected by the installation.

10 (7) Maintain laboratory facilities or contract for the provision of laboratory
11 services to test for contaminants.

12 (8) Require the owner or operator of a public water system, in accordance with
13 department rules governing frequency, form, and content, to provide public notice if
14 the public water system fails to comply with any drinking water standard or other
15 rule promulgated by the department or is the subject of a health advisory issued by
16 the department.

17 (9) Prepare and have printed any documents related to drill holes and drinking
18 water that are necessary for the safety and health of the public and persons engaged
19 in constructing drill holes, and furnish copies of the documents to the public upon
20 request.

21 (10) Take any other action determined to be reasonably necessary to safeguard
22 public health, safety, or welfare.

23 **280.04 Duty of the department.** The department shall employ competent
24 personnel to administer this chapter. The department may not give enforcement or
25 administrative authority to an employe of the department with respect to a license

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1 category under s. 280.24 (1) unless the employe^e has passed the examination under
2 s. 280.24 (4) for that license category and complies with the continuing education
3 requirement under s. 280.24 (12) (b).

4 **280.05 Rule-making authority.** (1) AUTHORIZATION. In addition to other rule
5 making authorized under this chapter and under s. 227.11 (2), the department may
6 promulgate rules relating to all of the following:

7 (a) The design, construction, modification, operation, and maintenance of water
8 systems.

9 (b) The construction and reconstruction of wells and other drill holes.

10 (c) Well construction requirements for areas of this state with special water
11 protection problems.

12 (d) The location of wells and other drill holes in relation to existing or proposed
13 potential sources of contamination and the location of potential contamination
14 sources in relation to existing or proposed wells and other drill holes.

15 (f) Drinking water standards for public water systems including maximum
16 contaminant level goals, primary and secondary maximum contaminant levels, and
17 monitoring requirements and including procedures and standards for granting
18 variances from or exceptions to the drinking water standards in accordance with 42
19 USC 300g-4 and 300g-5.

20 (g) Water treatment techniques and action levels used to determine treatment
21 requirements for specified contaminants.

22 (h) Record-keeping and reporting requirements for persons regulated under
23 this chapter.

24 (i) Water sampling and monitoring requirements, including methods,
25 frequency, handling of samples, types of analyses, and format of reports.

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1 (j) The establishment of application, licensing, certification, registration, or
2 examination fees to cover the cost of administering activities under this chapter. All
3 moneys received under rules promulgated under this paragraph shall be credited to
4 the appropriation account under s. 20.370[✓] (2) (ai).

5 (k) Standards to ensure that any well or other drill hole does not act as a conduit
6 for groundwater contamination.

7 (2) REQUIREMENT. After consulting with the council, the department shall
8 promulgate, by rule, requirements for filling and sealing wells and other drill holes
9 that are unused or contaminated, that do not comply with the requirements of this
10 chapter and rules promulgated under this chapter, or that are a threat to safety or
11 groundwater quality. The department shall promulgate requirements that ensure
12 that the entire constructed diameter of the well or other drill hole is sealed in a way
13 that prevents the well or other drill hole from serving as a conduit for contamination
14 to reach the groundwater.

15 (3) EXEMPTIONS. The department may grant an exemption in writing from any
16 rule promulgated under this chapter if the department finds that compliance is not
17 practicable and that granting the exemption will not result in groundwater
18 contamination or constitute a danger to public health, safety, or welfare. The
19 department may grant a variance or conditional waiver from a drinking water
20 standard only as provided under rules promulgated under sub. (1) (f).[✓]

21 **280.06 Council on wells and drill holes.** The council shall do all of the
22 following:

23 (1) Advise the department concerning the approval of products to be used in
24 the construction, repair, and abandonment of wells and other drill holes.

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1 (2) Advise the department concerning the interpretation and administration
2 of this chapter.

3 **280.07 Underground discharge.** (1) Notwithstanding s. 280.01 (4), in this
4 section, "drill hole" means any excavation or opening into the ground that is deeper
5 than it is wide without regard to the depth of the excavation or opening.

6 (2) Except as authorized under sub. (3), no person may discharge any
7 substance, as defined in s. 160.01 (8), into any well, other drill hole, open sinkhole,
8 or mine shaft.

9 (3) The department may promulgate rules authorizing the underground
10 discharge of a substance, as defined in s. 160.01 (8). The rules may authorize the
11 underground discharge of a substance only if the department determines that the
12 discharge will not adversely affect public health, safety, or welfare or the waters of
13 the state. Any authorized underground discharge shall comply with chs. 160 and 281
14 to 299.

15 **280.08 Local enforcement prohibited.** Except as provided in s. ~~160.039~~^{66.0437}, no
16 city, village, town, or county may enact or enforce an ordinance governing any matter
17 regulated under this chapter.

SUBCHAPTER II

REGULATION OF WATER WITHDRAWALS

AND WATER SYSTEMS

21 **280.10 Water systems; approval required.** (1) SUBMISSION OF APPLICATION;
22 EXEMPTIONS. (a) Any person who intends to construct, install, modify, or operate a
23 community water system or any other water system identified by the department by
24 rule as requiring approval shall, before beginning the proposed construction,
25 installation, modification, or operation, apply to the department for approval. An

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1 applicant shall include in the application plans and specifications in the scope and
2 detail required by the department and any other information concerning
3 maintenance and operation that the department requires. An applicant shall comply
4 with s. ~~280.14~~^{281.35} (4), if applicable. A person may not begin construction without the
5 approval of the department. A person may not make changes in approved
6 construction or materials without submitting a written request for the changes,
7 including a statement of the reasons for the changes, and obtaining the written
8 approval of the department.

9 (b) The department may promulgate rules creating exemptions from the
10 requirements of par. (a), except that the department may not exempt any person from
11 the requirements of s. ~~280.14~~^{281.35}.

12 (2) DEPARTMENT PROCEDURE. (a) Upon receipt of a complete application under
13 sub. (1) (a), the department shall notify the applicant of the date of receipt, except
14 that the department may by rule exempt specified types of applications from this
15 requirement. If the department receives an incomplete application, it shall notify
16 the applicant of the information needed to complete the application and may return
17 the application to the applicant for completion.

18 (b) Within 90 days after the date of receipt of a complete application, the
19 department shall examine the application and notify the applicant in writing
20 whether the application is approved, conditionally approved, or denied. The notice
21 shall state any conditions of approval or the reason for denial.

22 (c) The period specified in par. (b) does not apply if any of the following
23 conditions is met:

24 1. The department is unable to comply with s. 1.11 within 90 days.

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1 2. The department is unable to complete its review of the application within 90
2 days because of circumstances beyond its control.

3 3. The proposed construction or modification will cost \$350,000 or more.

4 (d) The department's failure to comply with par. (b) constitutes approval of the
5 application, unless par. (c) applies. If an application is approved under this
6 paragraph, the department, upon request, shall issue a written approval to the
7 applicant.

8 (e) If s. ~~280.14~~^{281.35} applies to the application, s. ~~280.14~~^{281.35} (5) and (6) supersede any
9 inconsistent provision of this subsection.

10 (3) REPORTING REQUIRED. The department may require a person issued an
11 approval under this section to report the volume and rate of withdrawal, as defined
12 in s. ~~280.14~~^{281.35} (1) (m), and volume and rate of water loss, as defined in s. ~~280.14~~^{281.35} (1) (L),
13 of the water system, if any, in the form and at the times specified by the department.

14 (4) PROHIBITION. No well driller, pump installer, or other person may construct,
15 modify, or begin operation of a water system requiring approval under this section
16 unless the water system is constructed or modified in accordance with the
17 requirements of the department's approval and any conditions on that approval.

18 ~~280.12 High-capacity well systems; approval required. (1) DEFINITION.~~
19 In this section, "high-capacity well system" means a system designed or used to
20 withdraw groundwater that consists of one or more wells or other drill holes, mine
21 shafts or other excavations or openings if that system has a pumping capacity or rate
22 of withdrawal, as defined in s. 280.14 (1) (m), of 150 gallons or more per minute and
23 is located on a single property. A single property consists of all contiguous property
24 under the same ownership or control. The fact that a lake, stream or flowage, a parcel

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1 boundary, a public or private road or a railroad or utility right-of-way separates any
2 part of the property from any other part does not render the property noncontiguous.

3 (2) APPROVAL REQUIRED. (a) Except as provided in par. (c), no person may
4 construct, install, modify or operate a high-capacity well system until the
5 department approves the construction, installation, modification or operation. No
6 person may construct, install, modify or operate a high-capacity well system for
7 which approval is required except in accordance with the requirements of the
8 department's approval and any conditions under sub. (4) on that approval. The
9 contents of the application for approval shall comply with s. 280.14, if applicable, and
10 with any additional requirements established by the department by rule.

11 (b) If the applicant under par. (a) does not own the property on which the
12 high-capacity well system is or will be located, the department may require the
13 property owner or the agent of the property owner to sign the application.

14 (c) A person may install a well on property with an approved high-capacity well
15 system without the department's prior approval if the well has a pumping capacity
16 of 25 gallons or less per minute and is not interconnected with the high-capacity well
17 system. If, after the well is installed, the department determines that the
18 withdrawal of groundwater from the well, either singly or in combination with other
19 wells on the property, adversely affects the ability of a public utility to furnish water
20 to the public, the department may require the person to submit an application for
21 approval and may impose conditions on the pumping capacity, rate of flow or
22 ultimate use of the well.

23 (3) DEPARTMENT PROCEDURE. The procedure in s. 280.10 (2) (a) to (d) applies to
24 an application under sub. (2) (a).

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1 (4) **CONDITIONAL APPROVAL OR DENIAL OF APPLICATION.** (a) If the department finds
2 that the proposed withdrawal of groundwater would adversely affect the ability of
3 a public utility to furnish water to the public, the department shall either deny or
4 conditionally approve the application. A conditional approval shall impose
5 conditions on construction, location, depth, pumping capacity, rate of flow or
6 ultimate use of the high-capacity well system so that there is no adverse effect on
7 the ability of any public utility to furnish water to the public.

8 (b) If the applicant is also a public utility furnishing water to the public, the
9 department may proceed under par. (a) or may restrict the volume of groundwater
10 that may be withdrawn by both the applicant and the affected public utility.

11 (6) **REPORTING REQUIRED.** Each person issued an approval under this section
12 shall report the volume and rate of withdrawal, as defined in s. 280.14 (1) (m), and
13 volume and rate of water loss, as defined in s. 280.14 (1) (L), of the high-capacity well
14 system, if any, in the form and at the times specified by the department.

15 **280.16 Prohibited practices.** (1) No person may use any chemical, paint,
16 coating, or other material that may come into contact with water in the construction,
17 reconstruction, operation, or abandonment of a community water system or in any
18 conditioning, treatment, or rehabilitation process in a community water system
19 unless the material and method of use have been approved by the department. The
20 department may provide that approval by rule.

21 (3) No person may introduce any fertilizer, pesticide, or other substance into a
22 water system except under conditions specified by the department by rule.

23 (4) No person may install a device to treat water in a water system intended
24 to provide water for human consumption without approval by the department,
25 except as authorized by the department by rule.

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1 (5) (a) No person may use any pipe, solder, or flux in the installation or repair
2 of any water system unless the pipe, solder, or flux is lead free, as defined in 42 USC
3 300g-6 (d).

4 (b) Paragraph (a) does not apply to leaded joints necessary for the repair of
5 cast-iron pipes.

6 (6) No person may introduce, attempt to introduce, or threaten to introduce a
7 contaminant into a public water system or private water system or otherwise
8 interfere with the operation of a public water system or private water system with
9 the intention of harming another.

10 **280.18 Prohibition on use of certain devices in wells.** (1) In this section,
11 "pitless adapter" means a device that attaches a well casing pipe to an underground
12 pipe that conveys water from the well.

13 (2) No person may install a pitless adapter that extends into the inside of a well
14 casing pipe except if the sand screen is permanently attached to the bottom of a well
15 casing pipe that is constructed of polyvinyl chloride. Only individuals licensed under
16 s. 280.24 may install pitless adapters.

SUBCHAPTER III**CERTIFICATION, REGISTRATION, AND
LICENSING;
SUPERVISION**

18 **280.20 Certification of water system operators.** (1) EMPLOYMENT OF
19 CERTIFIED OPERATOR REQUIRED. The owner of any community water system or
20 nontransient noncommunity water system shall be, or shall employ, a certified
21 operator who shall have direct responsibility for the operation of the water system.
22
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1 (2) EXAMINATION. The department shall by rule provide for an examination to
2 determine competence to operate a community water system or nontransient
3 noncommunity water system and shall certify applicants based on the results of the
4 examination. The department shall include in the examination questions designed
5 to determine an applicant's knowledge of the statutes and rules applicable to
6 community water systems or nontransient noncommunity water systems and the
7 applicant's related experience. In the rule, the department may provide for different
8 examinations for various categories of certified operators according to the skill,
9 knowledge, and ability needed to operate various types of community water systems
10 or nontransient noncommunity water systems.

11 (3) CONTINUING EDUCATION. The department may promulgate rules
12 establishing continuing education requirements for certified operators. The
13 department may, as provided under s. 280.28, refuse to renew the certification of an
14 individual who fails to comply with the requirements.

15 (4) FEE. The department may charge applicants for certification a fee designed
16 to cover the cost of administering this section. All moneys received under this
17 subsection shall be credited to the appropriation account under s. 20.370 (2) (ai).

18 **280.24 Licensing and supervision; registration. (1) TYPES AND CATEGORIES**
19 **OF LICENSES AND REGISTRATION.** (a) The department shall issue the following types of
20 licenses:

21 1. Well driller.

22 2. Well point driver.

23 3. Pump installer. *well*
* 3m. Environmental driller.

24 4. a. Restricted drill hole constructor—monitoring well driller.

25 b. Restricted drill hole constructor—dewatering well constructor.

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1 c. Restricted drill hole constructor–elevators shaft constructor.

2 ~~d. Restricted drill hole constructor–soil boring constructor.~~

3 (b) The department may, after consulting with the council, promulgate rules
4 establishing additional categories of licenses under par. (a) 4. and may place
5 conditions on licenses according to the skill, knowledge, and ability needed to perform
6 the activities for which the licenses are issued.

7 (c) The department shall register drilling rig operators and pump installer
8 helpers.

9 (2) LICENSING OR SUPERVISION REQUIRED; REGISTRATION REQUIRED. (a) 1. Except
10 as provided under sub. (3), no individual may perform well drilling of a well
11 constructed to obtain potable water or represent that he or she is able to perform well
12 drilling of a well constructed to obtain potable water unless he or she holds a well
13 driller license under this section or is registered as a drilling rig operator and is under
14 the immediate supervision of an individual who holds a well driller license under this
15 section.

16 2. To provide immediate supervision for well drilling of a well constructed to
17 obtain potable water, an individual holding a well driller license shall direct and
18 inspect the well drilling and shall be on the site of the well drilling for a reasonable
19 period at least once during the well siting, the well drilling, or the finishing
20 operations. When not on the site, the individual holding the well driller license shall
21 be readily available for consultation with, and direction of the activities of, the
22 individuals who do not hold a well driller license. Availability by telephone satisfies
23 the requirement to be readily available.

24 (b) 1. Except as provided under sub. (3), beginning on January 1, 200³, no
25 individual may perform well point driving or represent that he or she is able to

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1 perform well point driving unless he or she holds a well point driver license or a well
2 driller license under this section or is under the immediate supervision of an
3 individual who holds a well point driver license or a well driller license under this
4 section.

5 2. To provide immediate supervision for well point driving, an individual
6 holding a well driller or well point driver license shall be on the site during the well
7 point driving. ✓

8 (c) 1. Except as provided under sub. (3), no individual may perform pump
9 installation or represent that he or she is able to perform pump installation unless
10 he or she holds a pump installer license under this section or is registered with the
11 department as a pump installer helper and is under the immediate supervision of an
12 individual who holds a pump installer license under this section.

13 2. To provide immediate supervision for pump installation, an individual
14 holding a pump installer license shall either be on the site of the pump installation ✓
15 or be readily available for consultation with, and direction of the activities of, the
16 individuals who do not hold a pump installer license. Availability by telephone
17 satisfies the requirement to be readily available.

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18 (d) 1. Except as provided under sub. (3), beginning on January 1, 200³, no
19 individual may construct a type of drill hole other than a well constructed to obtain
20 potable water *or an environmental well* or represent that he or she is able to construct a type of drill hole other
21 than a well constructed to obtain potable water *or an environmental well* unless he or she holds a restricted
22 drill hole constructor license that authorizes construction of that type of drill hole or
23 a well driller license under this section or is registered as a drilling rig operator and
24 is under the immediate supervision of an individual who holds a restricted drill hole

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1 constructor license that authorizes construction of that type of drill hole or a well ✓
2 driller license under this section.

3 2. To provide immediate supervision for constructing a drill hole other than a
4 well constructed to obtain potable water, ^{or an environmental well} an individual holding a restricted drill hole
5 constructor license or well driller license shall be on the site of the drill hole
6 construction at least once during the siting, drilling, or finishing of the drill hole.

7 When not on the site, the individual holding the restricted drill hole constructor
8 license or well driller license shall be readily available for consultation with, and
9 direction of the activities of, the individuals who do not hold a restricted drill hole
10 constructor license or well driller license. Availability by telephone satisfies the
11 requirement to be readily available.

12 (e) 1. No individual, other than an individual holding a well driller license, may
13 operate a drilling rig for the construction of a well constructed to obtain potable water
14 unless he or she is registered with the department as a drilling rig operator and is
15 under the immediate supervision, as provided in par. (a) 2., of an individual who
16 holds a well driller license.

INSE 17 → 2. No individual, other than an individual holding a restricted drill hole
33-16 18 constructor license or a well driller license, may operate a drilling rig for the
19 construction of a type of drill hole other than a well constructed to obtain potable
20 water unless he or she is registered with the department as a drilling rig operator
21 and is under the immediate supervision, as provided in par. (d) 2., of an individual
22 who holds a restricted drill hole constructor license that authorizes construction of
23 that type of drill hole or a well driller license.

24 (3) EXCEPTIONS. (a) The department may, upon application, grant a temporary
25 exemption from any requirement under this section for a specific period or for a

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1 specific job if the department finds that an emergency requires the work to be
2 performed by an unlicensed individual or without the required supervision.

3 (b) An individual licensed as a well driller may install a pump solely for initial
4 sampling of water quality and for test pumping and development of a well without
5 obtaining a pump installer license.

6 (c) The department may, after consulting with the council, promulgate rules
7 establishing exemptions to the requirements of sub. (2).

8 (4) EXAMINATION PROGRAM. The department shall, after consulting with the
9 council, promulgate rules establishing an examination program to determine the
10 competence of individuals applying for licenses under this section to perform and
11 supervise the activities specified in sub. (2). The department shall ensure that
12 examinations reasonably relate to the skills likely to be needed by an applicant to
13 perform the activities specified in sub. (2) at the time of application. The department
14 shall include, in the examination program, questions designed to determine an
15 individual's knowledge of the statutes and rules applicable to the license category
16 and the individual's related experience. The department may not allow a person to
17 consult with written materials while taking an examination.

18 (5) APPLICATION. (a) An applicant for any license or registration under this
19 section shall apply on a form provided by the department. An applicant shall submit
20 the application fee specified under sub. (11) (a) with the application.

21 (b) Except as provided in sub. (8), the department shall examine all license
22 applicants and shall notify each applicant by certified mail or personal service within
23 45 days after the examination whether he or she passed the examination. If an
24 applicant who passes an examination and meets all other licensing requirements
25 pays the applicable license fee established under sub. (11) (b) to the department

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1 within one year after the date of the notice under this paragraph, the department,
2 except as provided in sub. (8) or s. 280.28 (2), shall issue the license. If the license
3 fee is not paid within one year, the applicant shall pay another application fee and
4 retake the examination.

5 (c) Each license and registration issued under this section expires on January
6 15 of the next even-numbered year.

7 (d) An individual holding a license or registration shall submit a complete
8 application for a license renewal by December 15 of each odd-numbered year on a
9 form provided by the department along with the fee established under sub. (11) (b).
10 The department shall issue a renewal license without requiring the licensee to take
11 an examination if the application is received no later than 2 years after the
12 expiration of the last license issued to the individual.

13 (6) ADDITIONAL REQUIREMENTS. (a) An applicant for drilling rig operator
14 registration shall have at least 1,000 hours of experience in the construction of wells
15 or other drill holes and have attended a continuing education program under sub.
16 (12) in the year preceding the year of application.

17 (b) An applicant for a license under sub. (1) (a) 1., 2. or 4. a., b., ^{or} c. ~~or~~ shall have
18 at least 1,000 hours of experience in each of the 2 years preceding the year of
19 application in the construction of the kinds of wells or drill holes authorized to be
20 constructed by the license. The applicant shall have been registered as a drilling rig
21 operator and have fulfilled the continuing education requirement in sub. (12) in each
22 of those ² years.

23 (c) Except as provided in sub. (8), an applicant for a pump installer license shall
24 have at least 1,000 hours of experience in the installation or servicing of pumps in
25 each of the 2 years preceding the year of application. The applicant shall have been

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1 registered as a pump installer helper and have fulfilled the continuing education
2 requirement in sub. (12) in each of those 2 years.

3 (8) PUMP INSTALLER LICENSE FOR MASTER PLUMBER. The department shall issue
4 a pump installer license without requiring an examination to an individual who is
5 licensed as a master plumber under ch. 145 upon submission of an application under
6 sub. (5) (a) and payment of the fee established under sub. (11) (b).

7 (9) RECIPROCITY. *The department may issue the appropriate licenses to*
8 (a) that is issued by another state that, in the determination of the department, has
9 laws and regulations governing that activity and licensing that are substantially
10 equivalent to this chapter and rules promulgated under this chapter and provides
11 comparable reciprocity to persons licensed in this state ~~may be issued the~~
12 ~~appropriate license without complying~~ *requiring compliance* with sub. (6) if all of the following apply:

13 (a) The applicant is in good standing in the other state.

14 (am) The other state issued the license to the applicant in accordance with its
15 laws and regulations and not under reciprocity with a 3rd state.

16 (b) The applicant has not been convicted of engaging in the activity without a
17 license in this state within the preceding 5 years.

18 (c) The applicant passes the examination.

19 (d) The applicant pays the application fee and the license fee.

20 (10) WITHHOLDING LICENSE OR REGISTRATION. The department may, for one year
21 after the date on which a license or registration would otherwise take effect, withhold
22 issuance of a license or registration to an applicant who qualifies for a license or
23 registration under this section if the applicant has been convicted of committing 3
24 or more violations of this chapter or rules promulgated under this chapter within the
25 5-year period immediately preceding the date of application. At the end of the

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1 one-year period, the applicant is eligible to apply for a license or registration upon
2 payment of the fee established under sub. (11) (b), if the applicant has not been
3 determined to have committed any further violations of the applicable statutes or
4 rules during that period.

5 (11) FEES. (a) The application fee for an examination is \$25, except that the
6 department may change the amount by rule.

7 (b) After consulting with the council, the department shall establish by rule the
8 fees for licenses and registration under this section. In the rule, the department may
9 provide for an additional charge for license or registration applications submitted
10 after the date specified in sub. (5) (d).

11 (c) After consulting with the council, the department may establish by rule a
12 fee for an applicant for a license who fails an examination required for the license and
13 requests a review of his or her examination results. The department shall base the
14 fee on the cost of the review.

15 (d) All moneys received as fees under this subsection shall be credited to the
16 appropriation under s. 20.370 (2) (ai).

17 (12) CONTINUING EDUCATION REQUIRED. (a) The department, in consultation
18 with the council, shall conduct or approve at least one continuing education program
19 each year relating to interpretation of the rules promulgated under this chapter.

20 (b) Each individual licensed or registered under this section shall attend one
21 program conducted under par. (a) each year and shall notify the department of his
22 or her attendance. The department shall notify an individual who fails to provide
23 notification of attendance at a required continuing education program for a year of
24 that failure by January 31 of the following year. The department shall include in the
25 notification an automatic license or registration suspension beginning on February

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for

1. The suspension for a first failure is 3 months. Each subsequent failure to attend and notify the department ~~increases~~ the period of suspension ^{is increased} by 3 months.

280.27 Well and other drill hole abandonment. (1) No person may fill or seal a well constructed to obtain potable water, other than a driven-point well, unless the person holds a well driller license or a pump installer license under s. 280.24.

(2) No person may fill or seal a driven-point well unless the person holds a well driller license, a well point driver license, or a pump installer license under s. 280.24.

(3) No person may fill or seal a drill hole, other than a well constructed to obtain potable water, unless the person holds a restricted drill hole constructor license or a well driller license under s. 280.24.

280.28 Denial, nonrenewal, suspension, and revocation. (1) In this section, "license" means a license or registration issued under s. 280.24 or an operator certificate issued under s. 280.20.

(1m) (a) Any person may file a complaint with the department and request the department to commence disciplinary proceedings against any holder of a license.

(b) The burden of proof in disciplinary proceedings before the department under this chapter is a preponderance of the evidence.

(c) Any person who in good faith testifies before the department or otherwise provides the department ~~at the request~~ with advice or information on a matter relating to the regulation of a person holding a license is immune from civil liability for his or her acts or omissions in testifying or otherwise providing such advice or information. The good faith of any person specified in this paragraph shall be presumed in any civil action, and an allegation that such a person has not acted in good faith must be proven by clear and convincing evidence.

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1 (2) The department may refuse to renew a license as provided in s. 280.20 (3)
2 or may suspend a license as provided in s. 280.24 (12) (b). ~~Subject to sub. (2s),~~ the
3 department may deny an application for a license, refuse to renew a license, or
4 suspend a license if the applicant or licensee does any of the following:

5 (a) Makes a material misstatement in an application.

6 (b) Violates any provision of this chapter or a rule promulgated or order issued
7 under this chapter.

8 (c) Demonstrates incompetence in performing the work for which the license
9 is issued or fails a required examination.

10 (d) Intentionally fails to submit a report required to be submitted.

11 (e) Submits false information on any report required to be submitted.

12 (f) Has been convicted of a criminal charge related to the activity for which the
13 license is applied for or issued.

14 (g) In a civil proceeding, has been found negligent in the conduct of the activity
15 for which the license is applied for or issued.

16 (h) Fails to comply with requirements for initial licensure or license renewal.

17 (i) Gives his or her license to another individual for the purpose of enabling that
18 other individual to represent that he or she holds a license.

19 (j) Provides false information about his or her business relationship with
20 unlicensed individuals.

21 (k) Consults with another person or with written materials while taking an
22 examination.

23 (L) Provides false information under s. 280.52.

24 (2m) ~~Subject to sub. (2s),~~ the department may revoke a license if any of the
25 following applies: