

**2005 DRAFTING REQUEST**

**Bill**

Received: **10/06/2004**

Received By: **rkite**

Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget**

By/Representing: **Walker**

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

Drafter: **rkite**

May Contact:

Addl. Drafters:

Subject: **Nat. Res. - nav. waters**

Extra Copies:

Submit via email: **YES**

Requester's email:

Carbon copy (CC:) to:

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**Pre Topic:**

DOA:.....Walker, BB0162 -

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**Topic:**

Fees for multiple navigable waters permits

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**Instructions:**

See Attached

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**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>
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FE Sent For:

***LRB-0469***

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1?	rkite	10/13 jld	10/13 P8	10/13 P8/11			

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## 2003-05 Budget Bill Statutory Language Drafting Request

- Topic: Waterway and wetland permit fees
- Tracking Code: BB0102
- SBO team: Environmental and Commercial Resources
- SBO analyst: William D. Walker *wdw 10/4/04*
  - Phone: 266-7973
  - Email: william.walker@doa.state.wi.us
- Agency acronym: DNR
- Agency number: 370

Eliminate language in chapters 30, 31 and 281 that allows development projects with multiple water permits to pay only the single highest applicable fee. Instead, require each project to pay the fee for each regulated activity involved in the project.

(See agency request, attached.)

3/10

2005-07 Statutory Language Proposals

<b>DIVISION:</b>	Water
<b>BUREAU:</b>	Fisheries and Habitat
<b>ISSUE/TOPIC:</b>	Waterway & Wetland Permit Fees
<b>PROPOSED CHANGE:</b>	Eliminate language in chapters 30, 31 and 281 that allows development projects with multiple water permits to pay only the highest single applicable fee.
<b>EXPLANATORY NOTE:</b>	<p>Applicants with large projects proposing multiple regulated activities would be required to pay the fee for each activity, better reflecting the time required for Department staff to review those activities and permits. In addition to restoring the proportion of cost paid by users, the proposed changes remedy system inequities that cause smaller projects to pay proportionately higher fees.</p> <p>The state program supported by these fees ensures that human activity and structures do not harm fish and wildlife habitat, natural scenic beauty or water quality, interfere with other water users, or increase flooding. Cuts and statutory changes to this predominantly GPR-funded protection activity threaten to thwart streamlining anticipated from the Job Creation Act of 2004 and reverse progress in applicant service and lake, stream and wetland protection.</p>
<b>DESIRED EFFECTIVE DATE:</b>	Budget passage
<b>CONTACT PERSON:</b>	Susan Felker-Donsing 267-2769 or Mary Ellen Vollbrecht 264-8554

30. 28 (2m)(c)  
 31. 39 (2m)(c)  
 281. 22(2)(c)



State of Wisconsin  
2005 - 2006 LEGISLATURE

RMC 1  
LRB-0469/B  
RNK: ^:....  
jld

DOA:.....Walker, BB0162 - Fees for multiple navigable waters permits  
FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION

do not gen

1 AN ACT ...; relating to: the budget.

*Analysis by the Legislative Reference Bureau*

NATURAL RESOURCES ✓

NAVIGABLE WATERS ✓

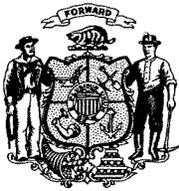
Under current law, a variety of activities affecting navigable waters, dams, and wetlands are prohibited without a permit or other approval issued by the Department of Natural Resources (DNR). Those activities include placing certain structures on the beds of navigable waters, diverting water from a stream under certain conditions, and constructing a dam. Generally, DNR charges a fee for these permits and approvals. Current law specifies that, if more than one fee is applicable to a project, DNR may charge only the highest applicable fee rather than charging a separate fee for each permit or approval.

This bill eliminates the requirement that DNR charge only the highest fee applicable to a project. Under the bill, an applicant must pay the permit or approval fee for each activity for which the applicant seeks a permit or other approval.

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:*





DOA:.....Walker, BB0162 - Fees for multiple navigable waters permits

FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION

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*Analysis by the Legislative Reference Bureau*

**NATURAL RESOURCES**

**NAVIGABLE WATERS**

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2 SECTION 1. 30.28 (2m) (c) of the statutes is repealed.

