

**2005 DRAFTING REQUEST**

**Bill**

Received: 11/11/2004

Received By: **btradewe**

Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget**

By/Representing: **Dombrowski**

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

Drafter: **btradewe**

May Contact:

Addl. Drafters:

Subject: **Environment - solid haz. waste**

Extra Copies:

Submit via email: **NO**

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**Pre Topic:**

DOA:.....Dombrowski, BB0250 -

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**Topic:**

Waste facility siting board changes

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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>
/?				_____			State
/1	btradewe 11/12/2004	wjackson 11/15/2004	rschluet 11/16/2004	_____	mbarman 11/16/2004		State
/2	btradewe 01/19/2005	wjackson 01/19/2005	rschluet 01/19/2005	_____	sbasford 01/19/2005		

FE Sent For:

<END>

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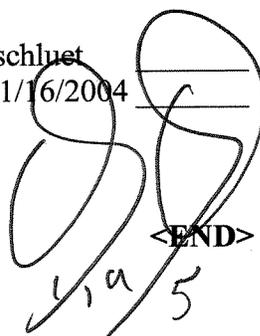
<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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/? State

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FE Sent For:

1/2 WJ 1/19

  
<END>  
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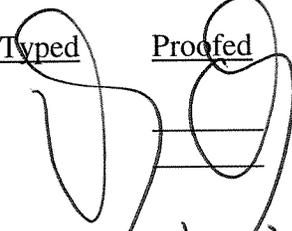
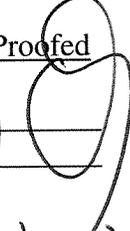
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/?	btradewe	1/WLJ 11/15					

FE Sent For:

16 4 26  
<END>

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## 2005-07 Budget Bill Statutory Language Drafting Request

- **Topic: Waste Facility Siting Board**
- Tracking Code: BB050
- SBO team: OPS
- SBO analyst: Cindy Dombrowski
  - Phone: 266-5878
  - Email: cynthia.dombrowski@doa.state.wi.us
- **Agency acronym: DOA**
- **Agency number: 505**

See Attached.

**Department of Administration (agency) Drafting Request  
to the Legislative Reference Bureau**

- Draft for Possible 2005-07 Budget Bill Introduction
- Draft for Possible Introduction as Department-sponsored or Independent Bill

**Subject: Waste Facility Siting Board**

**Request Date: 10/19/04**

**Reviewed by: Martha Kerner**

**DOA Contact for drafting information (phone): Mary Massey 7-2099**

**Brief Description of Intent:**

Under the provisions of ACT 33, the Governor vetoed language that would have transferred the Waste Facility Siting Board to DNR. The result of this veto was to eliminate all staffing and appropriation authority to fund the Board activities. However, the underlying fee collection and the Chapter 20 statutory appropriation language remains in force. It is the department's intention to request appropriation authority under s.20.505(4)(k) to enable the Board to meet its statutory obligations. However, rather than requesting position authority it is the department's intent to authorize the Board to contract with the Division of Hearings and Appeals to provide both staff support and hearing services.

**Statutory changes:**

1. Modify s.15.105(12)(e) so that the Board may appoint an executive director either within the classified or unclassified service.
2. Modify s.15.105(12)(f) so that the Board may contract with any state agency to provide assistance. Currently this section only authorizes the executive director to request assistance.
3. Specify that any unencumbered balance at the end of each fiscal year in the appropriation under s.20.505(4)(k) lapse to the Budget Stabilization Fund.

**Related Stat. Citations if appropriate**

There were some changes under ACT 33 in the DNR portion of the statutes that relate to the fee collection and distribution. Please verify that s.289.64(6) still exists and specifies that the fees be deposited in s.20.505(4)(k).



State of Wisconsin  
2005 - 2006 LEGISLATURE

LRB-0745/1

RCT:.....

WJ

(M 11/12)

DOA:.....Dombrowski, BB0250 - Waste facility siting board changes ✓  
FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION ✓

1 AN ACT DO NOT GEN ...; relating to: the budget. ✓

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*Analysis by the Legislative Reference Bureau*

**ENVIRONMENT** ✓

**OTHER ENVIRONMENT** ✓

Under current law, the Waste Facility Siting Board (WFSB) facilitates negotiation and arbitration between local governments and persons who want to establish or expand solid waste disposal facilities. WFSB is attached to DOA for administrative purposes. Current law authorizes WFSB to appoint an executive director in the unclassified service.

\* This bill authorizes ~~the~~ WFSB to appoint the executive director in the classified service or in the unclassified service. The bill authorizes WFSB to contract with any state agency to provide assistance necessary for WFSB to fulfill its duties. The bill also provides for the annual transfer of the unencumbered balance in WFSB's appropriation to the budget stabilization at the end of the fiscal year. The appropriation is funded by a fee imposed on persons who dispose of solid and hazardous waste.

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:*

1           **SECTION 1.** 15.105 (12) (e) of the statutes is amended to read:

2           15.105 (12) (e) *Executive director.* The board shall appoint an executive director  
3           under or outside of the classified service to serve at its pleasure.

**History:** 1971 c. 40, 164, 270; 1973 c. 90, 333; 1975 c. 397; 1977 c. 29 s. 1649; 1977 c. 196 ss. 9, 10; 1977 c. 325, 392, 396, 418, 447; 1981 c. 20, 62, 182, 350, 374; 1983 a. 27, 91; 1983 a. 192 s. 303 (7); 1983 a. 371; 1985 a. 29 ss. 68 to 70, 87, 3202 (27); 1985 a. 180 s. 30m; 1987 a. 27, 142; 1987 a. 147 s. 25; 1987 a. 204, 342; 1989 a. 31, 56, 107, 345; 1991 a. 212, 269; 1993 a. 75, 246, 349, 437, 465, 491; 1995 a. 27 ss. 79 to 118p, 9116 (5), 9126 (19); 1995 a. 221, 225; 1997 a. 3, 27, 247; 1999 a. 9, 105, 185; 2001 a. 16 ss. 139, 174, 109; 2003 a. 33 ss. 87s to 97d, 115, 2811, 9160; 2003 a. 48 s. 11; 2003 a. 171.

4           **SECTION 2.** 15.105 (12) (f) of the statutes is amended to read:

5           15.105 (12) (f) *Assistance.* The ~~executive director~~ <sup>board</sup> may request contract with  
6           any state agency to provide assistance necessary for the board to fulfill its duties.

**History:** 1971 c. 40, 164, 270; 1973 c. 90, 333; 1975 c. 397; 1977 c. 29 s. 1649; 1977 c. 196 ss. 9, 10; 1977 c. 325, 392, 396, 418, 447; 1981 c. 20, 62, 182, 350, 374; 1983 a. 27, 91; 1983 a. 192 s. 303 (7); 1983 a. 371; 1985 a. 29 ss. 68 to 70, 87, 3202 (27); 1985 a. 180 s. 30m; 1987 a. 27, 142; 1987 a. 147 s. 25; 1987 a. 204, 342; 1989 a. 31, 56, 107, 345; 1991 a. 212, 269; 1993 a. 75, 246, 349, 437, 465, 491; 1995 a. 27 ss. 79 to 118p, 9116 (5), 9126 (19); 1995 a. 221, 225; 1997 a. 3, 27, 247; 1999 a. 9, 105, 185; 2001 a. 16 ss. 139, 174, 109; 2003 a. 33 ss. 87s to 97d, 115, 2811, 9160; 2003 a. 48 s. 11; 2003 a. 171.

7           **SECTION 3.** 20.505 (4) (k) of the statutes is amended to read:

8           20.505 (4) (k) *Waste facility siting board; general program operations.* The  
9           amounts in the schedule for the general program operations of the waste facility  
10           siting board. All moneys transferred from the appropriation account under s. 20.370  
11           (2) (eg) shall be credited to this appropriation account. Notwithstanding s. 20.001  
12           (3) (a), the unencumbered balance of this appropriation account at the end of each  
13           fiscal year is transferred to the budget stabilization fund.

**History:** 1971 c. 108, 125, 215; 1971 c. 270 s. 104; 1973 c. 90 and supp., 157, 305; 1975 c. 39 ss. 179 to 184f, 735 (5); 1975 Ex. Order No. 24; 1975 c. 224, 397; 1977 c. 29; 1977 c. 196 ss. 70, 131; 1977 c. 377 s. 30; 1977 c. 418 s. 929 (1), (55); 1979 c. 32 s. 92 (5); 1979 c. 34, 175, 221; 1979 c. 355 s. 241; 1979 c. 361; 1981 c. 20 ss. 400b to 421, 2202 (57) (b); 1981 c. 44 s. 3; 1981 c. 62, 121; 1981 c. 202 s. 23; 1981 c. 314, 374, 391; 1983 a. 27 ss. 439 to 456, 2202 (1); 1983 a. 36, 187, 282, 371, 393; 1985 a. 29, 31, 57, 120, 296, 297, 332; 1987 a. 27 ss. 296n, 296q, 297b, 297d, 299a to 299r, 300a, 301a, 418 to 432; 1987 a. 142, 147, 342, 399; 1989 a. 31, 56, 107, 122, 336, 339, 345, 366; 1991 a. 39 s. 469, 593q to 614; 1991 a. 105, 269, 315; 1993 a. 16 ss. 470g, 470m, 470r, 488 to 506m; 1993 a. 33, 75, 193, 349, 358, 374, 414, 437, 477, 491; 1995 a. 27, 56, 201, 216, 225, 227, 370, 403; 1997 a. 3; 1997 a. 27 ss. 199, 227 to 229m, 233, 666g to 692; 1997 a. 237, 283; 1999 a. 5, 9, 24, 52, 105, 113, 148, 185; 2001 a. 16 ss. 684d, 685d, 800 to 905; 2001 a. 104, 109; 2003 a. 33 ss. 364d, 365d, 369d, 370d, 374d, 376d, 378d, 380d to 384d, 567 to 615f, 639, 640, 642d to 644, 2811 to 2813; 2003 a. 48 s. 11; 2003 a. 84; 2003 a. 139 ss. 9 to 12; 2003 a. 326.

14           **SECTION 4.** 230.08 (2) (x) of the statutes is amended to read:

15           230.08 (2) (x) The executive director of the waste facility siting board, unless  
16           the board chooses to appoint the executive director under the classified service.

**History:** 1971 c. 40, 270; 1973 c. 333, 335; 1977 c. 29, 187; 1977 c. 196 ss. 34, 108, 130 (5); 1977 c. 272, 418, 449; Stats. 1977 s. 230.08; 1979 c. 34, 189, 221, 356, 361; 1981 c. 20, 347, 374; 1983 a. 27 ss. 1605o to 1609am, 2200 (15); 1983 a. 189 s. 329 (27); 1983 a. 371, 378; 1985 a. 29; 1987 a. 27, 119, 204, 354, 399, 403; 1989 a. 31, 107, 119, 122, 169, 208, 219, 336; 1991 a. 39, 250, 269; 1993 a. 16, 349, 399; 1995 a. 27 ss. 6245 to 6277m, 9126 (19), 9130 (4); 1995 a. 216; 1997 a. 3, 27, 179, 194, 237; 1999 a. 9, 42, 87, 186; 2001 a. 16, 19, 109; 2003 a. 33 ss. 2392 to 2407b, 9160; 2003 a. 91, 326.

17           **(END)**

## **Tradewell, Becky**

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**From:** Dombrowski, Cynthia  
**Sent:** Wednesday, January 19, 2005 9:23 AM  
**To:** Tradewell, Becky  
**Subject:** LRB-0745/1 Waste Facility Siting Board

Hi Becky -

I have a quick change to this draft ... first, we'd like the balance to lapse to the general fund and not to the budget stabilization fund at the end of each fiscal year.

Thanks,  
Cindy

**Cynthia Dombrowski**  
Executive Policy and Budget Analyst  
Department of Administration  
Tel: (608)266-5878  
Fax: (608)267-0372  
[cynthia.dombrowski@doa.state.wi.us](mailto:cynthia.dombrowski@doa.state.wi.us)



State of Wisconsin  
2005 - 2006 LEGISLATURE

LRB-0745/2

RCT:wlj:rsz  
vmt

in 1/19

DOA:.....Dombrowski, BB0250 - Waste facility siting board changes

FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION

TODAY

general fund

DO NOT GEN

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For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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State of Wisconsin  
2005 - 2006 LEGISLATURE

LRB-0745/2

RCT:wlj:rs

DOA:.....Dombrowski, BB0250 - Waste facility siting board changes

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