

2017 Senate Bill 466 (LRB -4287)

An Act to renumber 285.72; to amend 20.370 (2) (ce) and 285.72 (title); and to create 285.72 (2) of the statutes; relating to: prohibiting the funding and use of the Sheboygan Kohler-Andrae air quality monitor. (FE)

2017

10-18.	S.	Introduced by Senators LeMahieu, Stroebel and Wanggaard ; cosponsored by Representatives Kremer, Katsma, Vorpapel, Allen, Born, R. Brooks, Gannon, Horlacher, Jacque, Jarchow, Knodl, Kuglitsch, Murphy and Skowronski	491
10-18.	S.	Read first time and referred to Committee on Government Operations, Technology and Consumer Protection	491
12-07.	S.	Fiscal estimate received	
12-13.	S.	Senate Amendment 1 offered by Senator LeMahieu (LRB a1676)	602
12-14.	S.	Public hearing held	
12-14.	S.	Senator Craig added as a coauthor	603

2018

01-05.	S.	Senate Amendment 2 offered by Senator LeMahieu (LRB a1714)	624
01-09.	S.	Executive action taken	
01-11.	S.	Report adoption of Senate Amendment 1 recommended by Committee on Government Operations, Technology and Consumer Protection, Ayes 3, Noes 2	633
01-11.	S.	Report adoption of Senate Amendment 2 recommended by Committee on Government Operations, Technology and Consumer Protection, Ayes 3, Noes 2	633
01-11.	S.	Report passage as amended recommended by Committee on Government Operations, Technology and Consumer Protection, Ayes 3, Noes 2	633
01-11.	S.	Available for scheduling	
02-16.	S.	Placed on calendar 2-20-2018 pursuant to Senate Rule 18(1)	748
02-20.	S.	Read a second time	
02-20.	S.	Senate Amendment 1 adopted	
02-20.	S.	Senate Amendment 2 adopted	
02-20.	S.	Ordered to a third reading	
02-20.	S.	Rules suspended	
02-20.	S.	Read a third time and passed , Ayes 18, Noes 14	
02-20.	S.	Ordered immediately messaged	
02-20.	A.	Received from Senate	786
02-20.	A.	Read first time and referred to committee on Rules	787
02-20.	A.	Placed on calendar 2-22-2018 by Committee on Rules	
02-20.	A.	Made a special order of business at 1:45 PM on 2-22-2018 pursuant to Assembly Resolution 27	822
02-22.	A.	Read a second time	
02-22.	A.	Ordered to a third reading	
02-22.	A.	Rules suspended	
02-22.	A.	Read a third time and concurred in , Ayes 58, Noes 35	
02-22.	A.	Ordered immediately messaged	
02-23.	S.	Received from Assembly concurred in	

MB



17en S B- 466

2017 ENROLLED BILL

Adopted Documents

Original

Engrossed

Substitute Amdt

17-4287, 1

Amendments: None or Listed below.

SA 1
SA 2

Corrections: None or Listed by date below.

2/27/18

Topic: Same as relating clause or other, indicated below.

2/26/18

[Signature]

Date

Enrolling Drafter



State of Wisconsin
2017-2018 LEGISLATURE

CORRECTIONS IN:

2017 SENATE BILL 466

Prepared by the Legislative Reference Bureau
(February 27, 2018)

In enrolling, the following corrections were made:

1. Page 2, line 4: delete lines 4 to 6.

****NOTE: SECTIONS 2 and 3 duplicate treatments of the same provisions by 2017 Wisconsin Act 59.

2. Page 2, line 7: delete "(2)" and substitute "(3)".

3. Page 2, line 8: delete "(2)" and substitute "(3)".

4. Page 3, line 2: delete "(2)" and substitute "(3)".

****NOTE: 2017 Wisconsin Act 59 created s. 285.72 (2).

(END)



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-4287/1
ZDW:emw

2017 SENATE BILL 466

October 18, 2017 - Introduced by Senators LEMAHIEU, STROEBEL and WANGGAARD, cosponsored by Representatives KREMER, KATSMA, VORPAGEL, ALLEN, BORN, R. BROOKS, GANNON, HORLACHER, JACQUE, JARCHOW, KNODL, KUGLITSCH, MURPHY and SKOWRONSKI. Referred to Committee on Government Operations, Technology and Consumer Protection.

1 AN ACT to renumber 285.72; to amend 20.370 (2) (ce) and 285.72 (title); and to
2 create 285.72 (2) of the statutes; relating to: prohibiting the funding and use
3 of the Sheboygan Kohler-Andrae air quality monitor.

SA-2
1.
in the state monitoring network plan
SA-2
2.

Analysis by the Legislative Reference Bureau

Current federal regulation requires each state to submit to the U.S. Environmental Protection Agency an annual monitoring network plan documenting the establishment and maintenance of an air quality surveillance system consisting of individual monitoring stations meeting specified criteria. States are required to submit ambient air quality data collected by the monitoring network to the U.S. EPA quarterly.

This bill prohibits the Department of Natural Resources from including the air monitoring site located at Kohler-Andrae State Park in Sheboygan County in the annual monitoring network plan, beginning with the plan submitted in 2018. Under the bill, upon U.S. EPA approval of the state's monitoring network plan, DNR is required to cease funding the operation and maintenance of the Kohler-Andrae air monitoring site and to cease collecting data from the site.

The bill also requires DNR to request a waiver of the relevant provisions of the federal Clean Air Act relating to the state implementation plan that may be implicated by discontinuing the use of the air monitoring site located at Kohler-Andrae State Park in Sheboygan County. Current federal regulation requires each state to submit to the U.S. EPA a plan that provides for the implementation, maintenance, and enforcement of primary ambient air quality standards.

SENATE BILL 466

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:

SECTION 1. 20.370 (2) (ce) of the statutes is amended to read:

20.370 (2) (ce) *Air quality monitoring station.* Biennially, the amounts in the schedule for the air quality monitoring station under s. 285.72 (1).

SA 2
3.

SECTION 2. 285.72 (title) of the statutes is amended to read:

285.72 (title) Air quality monitoring station stations.

ccc
1.

SECTION 3. 285.72 of the statutes is renumbered 285.72 (1).

SECTION 4. 285.72 (2) of the statutes is created to read:

ccc.

285.72 (2) (a) The department may not include the air monitoring site located at Kohler-Andrae State Park in Sheboygan County in the state's ^{initial} monitoring network plan required under 40 CFR 58.10.

ccc
3.

SA-1
1.

(b) The department shall request a waiver of the relevant provisions of the federal Clean Air Act relating to the state implementation plan, as required under 42 USC 7410, that may be implicated by discontinuing the use of the air monitoring site located at Kohler-Andrae State Park in Sheboygan County.

SECTION 5. Nonstatutory provisions.

(1) Upon approval by the federal environmental protection agency of the state's monitoring network plan that does not include the air monitoring site located at Kohler-Andrae State Park in Sheboygan County, the department of natural resources shall cease funding the operation and maintenance of the air monitoring site located at Kohler-Andrae State Park in Sheboygan County and shall cease collecting data from the air monitoring site.

INS
SA 1
2.

SA 2
4.



State of Wisconsin
2017 - 2018 LEGISLATURE

LRBa1676/1
ZDW:klm

**SENATE AMENDMENT 1,
TO SENATE BILL 466**

December 13, 2017 - Offered by Senator LEMAHIEU.

1 At the locations indicated, amend the bill as follows:

2 1. Page 2, line 9: after "state's" insert "initial".

3 2. Page 2, line 14: after that line insert:

4 "(c) If the federal environmental protection agency does not approve the initial
5 plan submitted by the department under par. (a), the department may submit a
6 revised plan that includes the air monitoring site located at Kohler-Andrae State
7 Park in Sheboygan County."

8

(END)

INS
SA 1
2.



State of Wisconsin
2017 - 2018 LEGISLATURE

LRBa1714/1
ZDW:cdc&emw

**SENATE AMENDMENT 2,
TO SENATE BILL 466**

January 5, 2018 - Offered by Senator LEMAHIEU.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 1, line 2: delete "funding and".

3 **2.** Page 1, line 3: after "monitor" insert "in the state monitoring network plan".

4 **3.** Page 2, line 1: delete lines 1 to 3.

5 **4.** Page 2, line 15: delete lines 15 to 21.

6 (END)