

2019 DRAFTING REQUEST

Assembly Amendment (AA-AB56)

For: Legislative Fiscal Bureau 266-3847 Drafter: mpfotenh
By: Tikalsky Secondary Drafters:
Date: 6/13/2019 May Contact:

Same as LRB:

Submit via email: YES
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Pre Topic:

LFB:.....Tikalsky -

Topic:

animal feeding operations

Instructions:

See attached

Drafting History:

Table with 6 columns: Vers., Drafted, Reviewed, Submitted, Jacketed, Required. It lists two draft entries with dates and names.

FE Sent For: <END>

Pfotenhauer, Mary

From: Tikalsky, Rory
Sent: Thursday, June 13, 2019 12:35 PM
To: Pfotenhauer, Mary
Subject: CAFO Drafting
Attachments: 143.pdf

Hi Mary,

Sorry for the slow response on this, I've been out sick for the past day or so. I know Paul got you our drafting request related to all the other Ag items in motion 143, but I wanted to cover the CAFO section.

Here's what I think we need drafted, let me know if you think there's a better way or if I missed something:

- ✓ ~~Delete~~ section 181 of the bill *Modify*
- ✓ Delete sections 1971 to 1973 of the bill
- ✓ Create a new PR continuing appropriation under 20.370 (9) at DNR, all moneys received for the purposes of regulating animal feeding operations under Chapters 281 and 283 of the statutes. *(9)(a5)*
- ✓ Modify 283.31 (8) (b) to specify that all \$345 shall be credited to the PR appropriation created above.
- ✓ Create a new nonpoint SEG annual appropriation under 20.370 (9) at DNR for the purposes of regulating animal feeding operations under Chapters 281 and 283 of the statutes.
- ✓ Modify 283.31(8)(c) to apply to expenditure of moneys from the new nonpoint SEG appropriation and PR appropriations created, rather than 20.370(4)(mi).
- ✓ *amend (4)(mi) to remove moneys to be credited from 283.31(8)(b)*

Hope this is clear. Please feel free to give me a call if you have questions.

Best,
Rory

Rory Tikalsky

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AGRICULTURE, TRADE AND CONSUMER PROTECTION, UNIVERSITY OF WISCONSIN
SYSTEM, AND NATURAL RESOURCES -- ENVIRONMENTAL QUALITY

Omnibus Motion
[LFB Papers #135 thru #141, and #529]

Motion:

Move to adopt the following provisions:

Agriculture, Trade and Consumer Protection

1. *Dairy Assistance Programs (Paper #135)*. Take no action.
2. *Industrial Hemp Program (Paper #136)*. Adopt Alternatives 2a and 2b, which would provide 3.0 two-year program revenue-supported (PR) project positions with \$162,400 PR in 2019-20 and \$216,500 PR in 2020-21, as well as one-time funding of \$300,000 PR in 2019-20 for regulation of industrial hemp.
3. *Farm-to-School Grants and Position (Paper #137)*. Take no action.
4. *Farmer Mental Health (Paper #138)*. Provide \$100,000 GPR each year under the Joint Committee on Finance's supplemental appropriation for farmer mental health assistance. DATCP could submit a request under s. 13.10 of the statutes for release of the funding.
5. *Buy Local, Buy Wisconsin Grants (Paper #139)*. Provide an additional \$200,000 GPR in 2019-20 for Buy Local, Buy Wisconsin grants.
6. *Laboratory Equipment and Service Charges (Paper #140)*. Take no action.
7. *Food, Lodging and Recreation Continuing Appropriation Authority (Paper #141)*. Adopt Alternative 2, which would provide \$150,000 PR annually for regulation of food, lodging and recreational establishments.
8. *Standard Budget Adjustments (Page 38, #1)*. Adopt the Governor's proposal to provide adjustments to the base budget totaling \$3,653,100 in 2019-20, \$3,435,100 in 2020-21 and -11.0 positions for turnover reduction, removal of non-continuing elements from the base, full funding of salaries and fringe benefits, reclassification and semi-automatic pay progression, and full funding of lease and directed moves costs.
9. *Position Realignment (Page 44, #15)*. Adopt the Governor's proposal to transfer positions and funding between appropriations to align funding sources of the positions with their

current duties within the Department. Transfers result in no net change in positions or funding, but affect fund sources as follows: (a) -\$149,200 FED annually with -2.15 positions; (b) \$141,600 PR annually with 2.05 positions; and (c) \$7,600 SEG annually with 0.10 positions.

10. *Debt Service Reestimate (Page 44, #16)*. Adopt the Governor's proposal to reestimate debt service by \$157,600 GPR in 2019-20 and \$499,900 GPR in 2020-21, and \$324,000 nonpoint account (environmental fund) SEG in 2019-20 and \$403,600 SEG in 2020-21.

11. *Computer System Equipment, Staff and Services (Page 45, #18)*. Adopt the Governor's proposal to provide \$200,000 PR in 2019-20 and \$250,000 PR in 2020-21 for additional expenditures for information technology services at the Department.

12. *Weights and Measures Inspection Increase (Page 45, #19)*. Adopt the Governor's proposal to provide \$200,000 PR annually during the 2019-21 biennium for increased supplies and services costs within the DATCP Bureau of Weights and Measures.

13. *Program Revenue Reestimate (Page 46, #20)*. Adopt the Governor's proposal to reestimate program revenue appropriations by -\$120,000 PR annually.

14. *Federal Revenue Reestimates (Page 46, #21)*. Adopt the Governor's proposal to reestimate federal funds received by the Department by -\$211,000 FED annually.

15. *County Fair Aids*. Provide an additional \$25,000 GPR annually for aids to county and district fairs, for a total of \$456,400 GPR annually.

University of Wisconsin System

16. *Dairy Innovation Hub*. Provide \$1,000,000 GPR in 2019-20 and \$7,800,000 GPR in 2020-21 under the Joint Committee on Finance's supplemental appropriation for a Dairy Innovation Hub. The University of Wisconsin System could submit a request under s. 13.10 of the statutes for release of the funding.

Natural Resources -- Environmental Quality

17. *Concentrated Animal Feeding Operations Fees and Regulatory Positions (Paper #529)*. Provide the following under the Department of Natural Resources' (DNR) concentrated animal feeding operations (CAFO) regulatory program: (a) 1.0 nonpoint SEG engineer; (b) 0.5 nonpoint SEG hydrogeologist; (c) 1.0 nonpoint SEG central permit intake position; (d) 0.5 nonpoint SEG complex permit reviewer; and (e) 1.0 PR permit reissuance coordinator. Provide funding of \$310,000 nonpoint SEG annually and \$85,000 PR annually to support these positions. Delete 4.0 vacant environmental management account (environmental fund) SEG positions and \$294,600 annually. Specify that positions would be supported by the appropriations created below.

Convert the \$250 portion of the annual CAFO fee that is deposited into the general fund to PR,

to reflect the intent of 2019 Assembly Bill 69/Senate Bill 31. Create a PR continuing appropriation within the Division of External Services for the purposes of regulating animal feeding operations under Chapters 281 and 283 of the statutes, and to receive all PR CAFO fees. Create a nonpoint SEG annual appropriation within the Division of External Services for the purposes of regulating animal feeding operations under Chapters 281 and 283 of the statutes, and transfer 9.5 nonpoint SEG positions and \$864,300 nonpoint SEG annually from the nonpoint source general program operations appropriation to the appropriation. Additionally, require DNR to report annually to the Joint Committee on Finance, and other standing committees concerned with agriculture and the environment, on the expenditure of funds from these nonpoint SEG and PR appropriations.

Note:

Change to Base

	<u>2019-20</u>	<u>2020-21</u>	<u>Biennium</u>	<u>Positions</u>
GPR	\$2,552,500	\$9,532,200	\$12,084,700	0.00
SEG	795,400	932,200	1,727,600	-0.90
PR	1,886,900	1,640,300	3,527,200	3.05
FED	<u>856,700</u>	<u>594,800</u>	<u>1,451,500</u>	<u>-10.15</u>
Total	\$6,091,500	\$12,699,500	\$18,791,000	-8.00
GPR-REV	-\$81,300	-\$81,300	-\$162,600	
PR-REV	81,300	81,300	162,600	

Change to Bill

	<u>2019-20</u>	<u>2020-21</u>	<u>Biennium</u>	<u>Positions</u>
GPR	-\$38,000	\$6,974,900	\$6,936,900	- 5.00
SEG	15,400	15,400	30,800	- 1.00
PR	-590,000	-640,000	-1,230,000	- 4.00
FED	<u>0</u>	<u>0</u>	<u>0</u>	<u>0.00</u>
Total	\$6,131,700	\$6,022,700	\$12,154,400	-10.00
GPR-REV	-\$81,300	-\$81,300	-\$162,600	
PR-REV	-233,700	-233,700	-467,400	



State of Wisconsin
2019 - 2020 LEGISLATURE

LRBb0371/? P1
MCP:..
gjs

LFB:.....Tikalsky - CAFOs

animal feeding operations

**FOR 2019-2021 BUDGET -- NOT READY FOR INTRODUCTION
ASSEMBLY AMENDMENT ,
TO ASSEMBLY BILL 56**

SA ✓
X-refers ✓
start comp ✓

1 At the locations indicated, amend the bill as follows:
2 **1.** Page 383, line 15: after that line insert:
3 **"SECTION 179m.** 20.370 (4) (mi) of the statutes is amended to read:
4 20.370 (4) (mi) *General program operations — private and public sources.*
5 From the general fund, all moneys not otherwise appropriated that are received from
6 private or public sources, other than state agencies and the federal government, for
7 facilities, materials, or services provided by the department relating to its
8 environmental quality functions and to the management of the state's water
9 resources and all moneys required under s. 283.31 (8) (b) to be credited to this
10 appropriation to pay for expenses associated with those facilities, materials, or
11 services."

History: 1971 c. 40, 95; 1971 c. 125 ss. 101 to 121, 522 (1); 1971 c. 211, 215, 277, 330, 336; 1973 c. 12 s. 37; 1973 c. 90, 100; 1973 c. 243 s. 82; 1973 c. 296, 298, 301, 318, 333, 336; 1975 c. 8, 39, 51, 91, 198; 1975 c. 224 ss. 7d, 7f, 7m, 17 to 19p; 1977 c. 29 ss. 181 to 234, 1657 (34); 1977 c. 274, 370, 374, 376, 377; 1977 c. 418 ss. 95 to 110,

929 (37); 1977 c. 421, 432; 1977 c. 447 ss. 42 to 44, 210; 1979 c. 34 ss. 199 to 322, 2102 (39) (a); 1979 c. 221; 1979 c. 361 s. 113; 1981 c. 1, 20, 86, 95, 131, 294, 330; 1981 c. 374 ss. 6, 7, 148, 150; 1983 a. 27 ss. 216m to 269, 2202 (23); 1983 a. 75, 181, 243, 397; 1983 a. 410 ss. 5m to 11, 2202 (38); 1983 a. 413; 1983 a. 416 ss. 1, 19; 1983 a. 426; 1985 a. 16, 22; 1985 a. 29 ss. 282d to 356, 3202 (26) (a), (39) (a), (c), (dm), (i); 1985 a. 46, 60, 65, 120, 202, 296; 1987 a. 27, 98, 110, 290, 295, 298, 305; 1987 a. 312 s. 17; 1987 a. 384, 397, 399, 403, 418; 1989 a. 31, 128, 284, 288, 326; 1989 a. 335 ss. 22nn to 30g, 89; 1989 a. 336, 350, 359, 366; 1991 a. 32; 1991 a. 39 ss. 326b to 394, 594c; 1991 a. 254, 269, 300, 309, 315; 1993 a. 16, 75, 166, 213, 343, 349, 415, 421, 453, 464; 1993 a. 490 ss. 18, 271; 1995 a. 27, 201, 225, 227, 296, 378, 459; 1997 a. 27, 35; 1997 a. 237 ss. 33 to 38d, 727g; 1997 a. 248; 1999 a. 9, 32, 74, 92; 1999 a. 150 s. 672; 1999 a. 185; 2001 a. 16, 56, 92, 108, 109; 2003 a. 33, 228, 251, 310, 314, 321, 327; 2005 a. 25, 286, 288, 347, 394; 2007 a. 20, 50, 97; 2009 a. 28, 42, 50, 175, 276, 365, 373; 2011 a. 32, 103, 118, 148, 151, 169, 208; 2011 a. 257 s. 56; 2013 a. 1; 2013 a. 20 ss. 214, 217, 218, 219, 220, 221, 276 to 289j; 2013 a. 72, 80; 2013 a. 165 s. 114; 2015 a. 31, 55, 89, 170; 2015 a. 197 s. 51; 2015 a. 250, 260, 358; 2017 a. 59, 134, 183, 348; 2017 a. 365 s. 111; 2017 a. 366.

1 **2.** Page 383, line 24: delete the material beginning with that line and ending

2 with page 384, line 3 and substitute:

3 "20.370 (9) (ag) *Animal feeding operations - fees*. From the general fund, all
4 the moneys received under s. 283.31 (8) for regulating animal feeding operations
5 under chs. 281 and 283. end

6 **SECTION 181m.** 20.370 (9) (ap) of the statutes is created to read:

7 20.370 (9) (ap) *Animal feeding operations*. From the environmental fund, the
8 amounts in the schedule for regulating animal feeding operations under chs. 281 and
9 283."

10 **3.** Page 985, line 24: delete the material beginning with that line and ending

11 with page 986, line 10 and substitute: end

12 "SECTION 1973m. 283.31 (8) (a), (b), (c) of the statutes are consolidated,
13 renumbered 283.31 (8) and amended to read:

14 283.31 (8) The holder of a permit under this section for a concentrated animal
15 feeding operation shall annually pay to the department a fee of \$345. (b) Of each
16 fee paid under par. (a), \$95, which shall be credited to the appropriation account
17 under s. 20.370 (4) (mi) (9) (ag). (e) The department shall annually submit a report
18 to the joint committee on finance and, under s. 13.172 (3), to the standing committees
19 of the legislature with jurisdiction over agricultural and environmental matters
20 describing the use of the moneys credited to the appropriation account under s.



State of Wisconsin
2019 - 2020 LEGISLATURE

LRBb0371/P1
MCP:cjs

LFB:.....Tikalsky - animal feeding operations

**FOR 2019-2021 BUDGET -- NOT READY FOR INTRODUCTION
ASSEMBLY AMENDMENT ,
TO ASSEMBLY BILL 56**

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

2 **1.** Page 383, line 15: after that line insert:

3 “**SECTION 179m.** 20.370 (4) (mi) of the statutes is amended to read:

4 20.370 (4) (mi) *General program operations — private and public sources.*

5 From the general fund, all moneys not otherwise appropriated that are received from
6 private or public sources, other than state agencies and the federal government, for
7 facilities, materials, or services provided by the department relating to its
8 environmental quality functions and to the management of the state’s water
9 resources and ~~all moneys required under s. 283.31 (8) (b) to be credited to this~~
10 ~~appropriation to pay for expenses associated with those facilities, materials, or~~
11 ~~services.”.~~

