



Legislative Fiscal Bureau

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February 12, 2020

TO: Members
Joint Committee on Finance

FROM: Bob Lang, Director

SUBJECT: Assembly Bill 799/Senate Bill 709: Office of Water Policy in the UW System

Assembly Bill 799 was introduced on January 24, 2020, and referred to the Assembly Committee on Government Accountability and Oversight. On January 29, a public hearing was held. Assembly Amendment 1 was offered on January 30. On February 5, the Committee held executive session and adopted Assembly Amendment 1 on a vote of 9-2, and recommended the bill as amended for passage on a vote of 10-1.

Senate Bill 709 was introduced on January 24, 2020, and referred to the Senate Committee on Natural Resources and Energy. On January 30, a public hearing was held and Senate Amendment 1 was offered on that date. On February 5, the Committee held executive session and adopted Senate Amendment 1 on a vote of 5-0, and recommended the bill as amended for passage on a vote of 5-0.

SUMMARY OF BILL

AB 799/SB 709 would create an Office of Water Policy attached to the UW System, which would be housed within the Wisconsin Geological and Natural History Survey of the Division of Extension of UW-Madison. The bill would provide \$150,000 GPR of annual funding beginning in 2020-21 in a new appropriation for general program operations of the Office.

The bill would specify that the purpose of the Office would be to coordinate efforts to manage, conserve, protect and enhance the productivity of the state's water resources for domestic, municipal, commercial, agricultural, industrial, recreational, and other private and public uses. The bill would require the Office to collect, analyze, interpret, and maintain the comprehensive data needed for effective water resource planning and effective review of those plans by the Governor and Legislature. The bill would require the Office to evaluate statutory requirements, state agency rules, and legislative proposals related to state water policy and, as determined by the Office, make recommendations to the Governor, the Legislature, and state agencies for implementing or improving those requirements, rules, or proposals. The bill would require the Office to act a liaison

to the Great Lakes Commission's Blue Accounting initiative to assist the State in meeting its obligations under the compact. The bill would require the Office to prepare a biennial report of its activities and submit the report to the Governor and Legislature no later than January 15 of each odd-numbered year.

The bill would authorize the Office to provide technical assistance to units of government other than the state to assist in planning and implementing water resource policies. The Office would be allowed to charge for providing any such assistance. The Office could request technical and staff assistance from other state agencies in providing technical assistance to those units of government.

The bill would require the Board of Regents to create on full-time position funded from the appropriation created under the bill for the Director of the Office. Subject to the concurrence of the Joint Committee on Legislative Organization, the Governor would be required to appoint as Director an individual with experience in managing water resources for a wide range of uses, with a priority on experience with both agricultural and industrial uses. The Director would serve at the pleasure of the Governor.

The bill would require the Director to facilitate and make recommendations for sharing information between state agencies, campuses of the System, and other stakeholders. The bill would specify that as soon as practicable but no later than December 31, 2021, the Director would be required to create a user-friendly dashboard for the public to easily access municipal water quality reports, private well data, and surface water quality information that is compiled from information from the Public Service Commission, the Department of Health Services, campuses of the System, the Division of Extension of the UW-Madison, and other credible organizations.

The bill would require the Director to work with the Department of Workforce Development to analyze demand for public and private sector job opportunities in the area of water quality both nationally and in Wisconsin, and to proactively solicit private sector employers to gather data on prospective job opportunities. The bill would specify that as soon as practicable but no later than December 31, 2021, the Director would be required to submit a report on that data to the Board of Regents. This report would be required to include an analysis of undergraduate and graduate water programs at colleges and universities around the nation and to focus on the strength and nationwide reputation of those programs. The bill would require the Board of Regents to use the information in the report to avoid program repetition in designing new programs that address the demand for water quality programs.

The bill would require the Director of the Office to divide Wisconsin into areas for the purpose of better understanding the diverse and localized water quality issues in each area. The number of areas and metrics used to map the areas would be at the discretion of the Director. The bill would specify that as soon as practicable but no later than December 31, 2021, the Director would be required to prepare a report on the unique water quality challenges in each area, the severity of those challenges, and the known level of specific contaminants in those areas. The report would also have to describe the overall success of state and federal water quality programs in each area, including participation in each program, resources spent on each program and available metrics to determine the success of each program.

The bill would require the Director of the Office to work with the Department of Natural Resources, the Department of Agriculture, Trade, and Consumer Protection, and the Department of Soil Science of the College of Agricultural and Life Sciences of the UW-Madison to provide recommendations on how to improve or expand the soil nutrient application planner developed by the UW-Madison to better address the unique water quality challenges of the areas of Wisconsin.

The bill would require the Director of the Office to assess the feasibility of establishing statewide programs for promoting water efficiency and conservation and improving water quality that are similar to current statewide energy efficiency and renewable resource programs (Focus on Energy). This assessment would have to address the feasibility of establishing a rebate program for purchasing water filtration systems.

The bill would require state agencies, upon request of the Office, to cooperate with the Office and assist the Office with carrying out its duties and exercising its powers.

ASSEMBLY/SENATE AMENDMENT 1

Amendment 1 would delete the appropriation with \$150,000 GPR and the related position in 2020-21 from the bill, as well as the requirement that the proposed Office be housed within the Wisconsin Geological and Natural History Survey of the Division of Extension of UW-Madison. The amendment would authorize 1.0 FTE GPR position for the Director of the Office to be funded from the current GPR state operations appropriation for the UW System (\$879.9 million in 2020-21). The amendment would change the date of the required reports under the bill from December 15, 2021, to instead be December 15, 2022. Finally, the amendment would establish an effective date for the bill of July 1, 2021.

FISCAL EFFECT

The bill would create an appropriation and provide \$150,000 GPR of annual funding and 1.0 GPR position beginning in 2020-21. The amendment would delete this appropriation, funding, and position, and instead would create 1.0 GPR position in 2021-22 under the UW System's current GPR appropriation for general program operations.

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