

No. 87, A.]

[Published August 13, 1953.

CHAPTER 596

AN ACT to renumber 162.02 (6) and 162.04 (4); to renumber and amend 162.02 (5) and 162.04 (3); to amend 162.01 (1), 162.03 (1) (a), (d), (e) and (f) and (2) (introductory paragraph), (b) and (d), 162.04 (1), 162.05 and 162.06; and to create 20.43 (21), 162.02 (6) and (7), 162.03 (6) and 162.04 (3) of the statutes, relating to standards for well construction, making an appropriation and providing a penalty.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 20.43 (21) of the statutes is created to read:
20.43 (21) WELL CONSTRUCTION. On July 1, 1953, \$9,865, and annually beginning July 1, 1954, all fees collected under ch. 162 and deposited in the general fund. Of this appropriation, there is allotted for the following purposes:

	1953-1954	1954-1955
Personal Services	\$6,270	\$6,570
Materials and expense	3,395	3,195
Capital outlay	200	100

SECTION 2. 162.01 (1) of the statutes is amended to read:

162.01 (1) The state board of health shall, after 10 days' notice of hearing in the official state paper and such other publications as it may determine, and after a public hearing, prescribe, publish and enforce minimum reasonable standards and rules and regulations for methods to be pursued in the obtaining of pure drinking water for human consumption and the establishing of all safeguards deemed necessary in protecting the public health against the hazards of polluted sources of impure water supplies intended or used for human consumption, *including minimum reasonable standards for the construction of well pits*. It shall have general supervision and control of all methods of obtaining ground water for human consumption including sanitary conditions surrounding the same, the construction or reconstruction of wells and generally to prescribe, amend, modify or repeal any rule or regulation theretofore prescribed and shall do and perform any act deemed necessary for the safeguarding of public health.

SECTION 3. 162.02 (5) of the statutes is renumbered 162.02 (8) and amended to read:

162.02 (8) "Permit" is * * * the registration certificate issued by the state board of health to each person, firm or corporation duly registering and paying the annual permit fee to do well drilling *or pump installing, or both*, as herein provided for.

SECTION 4. 162.02 (6) of the statutes is renumbered 162.02 (5).

SECTION 5. 162.02 (6) and (7) of the statutes are created to read:

162.02 (6) "Pump installing" is the industry and procedure employed in the placement and preparation for operation of equipment and materials utilized in withdrawing or obtaining water from a well for consumption or use, including all construction involved in making entrance to the well and establishing such seals and safeguards as are necessary to protect such water from contamination.

(7) "Pump installer" is any person, firm or corporation who has duly registered as such with the state board of health and shall have paid the annual registration fee and obtained a permit to engage in pump installing as herein provided.

SECTION 6. 162.03 (1) (a), (d), (e) and (f) and (2) (introductory paragraph), (b) and (d) of the statutes are amended to read:

162.03 (1) (a) Employ a competent supervisor to supervise and inspect all well drilling *and pump installing* operations and aid in the enforcement of all laws, rules and regulations governing the well drilling * * * *and pump installing industries*. Said board may also employ assistants, prescribe their respective qualifications and salaries and assign their duties. Except in the adoption, amendment or repeal of rules and regulations, the state health officer may act for the board.

(d) Require any well driller, *pump installer* or other person responsible for a water supply to secure an analysis of water by the state laboratory of hygiene * * * or by any laboratory accredited by the board to establish the purity and fitness of such water for human consumption and for domestic purposes. A report of each such analysis shall be submitted to the board.

(e) Prepare and cause to be printed such codes, bulletins or other documents as may be necessary for the safety of the public health and the betterment of the * * * *industries*, and furnish copies thereof to well drillers, *pump installers* and to the public upon request.

(f) Furnish upon request of the owner of any well, or any well driller *or pump installer*, recommendations for obtaining *and maintaining* a safe water supply for human consumption.

(2) (introductory paragraph) The board may on its own motion make investigations and conduct hearings and may, on its own motion or upon complaint in writing, duly signed and verified by the complainant, and upon not less than 10 days' notice to the well driller *or pump installer*, suspend or revoke as hereinafter provided any well driller's *or pump installer's* permit if said board has reason to believe or finds that the holder of such permit has:

(b) Demonstrated incompetency to act * * * *in the industry or industries for which such permit was issued*; or

(d) Has been *found* guilty in any civil or criminal proceeding of any action constituting fraud * * * *in connection with his well drilling or pump installing operations*.

SECTION 7. 162.03 (6) of the statutes is created to read:

162.03 (6) No individual, firm or corporation whose permit has been revoked pursuant to this section shall, during the period in which the revocation is effective, engage

in any well drilling or pump installing activity except under the direct supervision and as an employe of a registered well driller or pump installer.

SECTION 8. 162.04 (1) of the statutes is amended to read:

162.04 (1) WELL DRILLING AND PUMP INSTALLING; REGISTRATION; QUALIFICATIONS; FEE. Every person, firm or corporation before engaging in the industry of well drilling or pump installing in * * * this state as herein provided shall * * * make application to the board for registration of each place of business or retail outlet operated by him as a well driller, pump installer or both, upon blanks prepared by the board for such purpose and shall accompany such application with * * * a permit fee for each place of business or retail outlet included in the application * * * as follows: well driller, \$15; pump installer, \$10; well driller and pump installer, \$25. Such registration and permit shall be renewed annually on January 1 at the above stated permit fees. Application for renewal shall be filed on or before January 1 and if filed after that date a penalty of \$5 shall be charged.

SECTION 9. 162.04 (3) of the statutes is renumbered 162.04 (4) and amended to read:

162.04 (4) Except as herein otherwise provided, no person, firm or corporation shall engage in the industry of well drilling or pump installing for compensation in this state without having duly registered and obtained a permit therefor as herein provided. No permit shall be required of any person for driving, digging or otherwise obtaining ground water supply * * * on real estate owned or leased by him, but such well and the work done thereon shall comply and be in conformity with the law and the rules and regulations prescribed by the board.

SECTION 10. 162.04 (3) of the statutes is created to read:

162.04 (3) No person, firm or corporation shall be granted a permit to engage in well drilling unless said applicant has had at least 2 years of experience in well drilling with a registered well driller, provided that this requirement shall not apply to persons, firms or corporations, who are registered as well drillers on the effective date of this subsection.

SECTION 11. 162.04 (4) of the statutes is renumbered 162.04 (5).

SECTION 12. 162.05 of the statutes is amended to read:

162.05 No registration or permit to engage in the well drilling or pump installing industry shall be required by competent sanitary engineers or by superintendents of waterworks systems in the preparation of plans and specifications or in supervising the installation of wells and water systems for the obtaining of supplies of ground water, but all such plans and specifications shall conform to all requirements established by the board.

SECTION 13. 162.06 of the statutes is amended to read:

162.06 Any person, firm or corporation who engages in or follows the business or occupation of, or advertises or holds himself or itself out as or acts temporarily or otherwise as a well driller or pump installer without * * * having first secured the required permit or certificate of registration or renewal thereof, or who otherwise violates any provision of this chapter, shall be * * * fined not less than \$10 or more than \$100 or * * * imprisoned not less than 30 days, or * * * both * * *. Each day during which a violation continues shall constitute a separate and distinct offense, and may be punished separately.

Approved July 21, 1953.
