



2011 ASSEMBLY BILL 201

July 19, 2011 – Introduced by Representatives A. OTT, BROOKS, CLARK, PETRYK and SPANBAUER, cosponsored by Senators KEDZIE, OLSEN and TAYLOR. Referred to Committee on Natural Resources.

1 **AN ACT** *to renumber and amend* 280.15 (2m) (b), 280.15 (3g) (b) and 280.17;
2 *to amend* 280.01 (6) and 280.01 (8); and *to repeal and recreate* chapter 280
3 (title) of the statutes; **relating to:** regulation of geothermal well drillers and
4 granting rule-making authority.

Analysis by the Legislative Reference Bureau

Under current law, the Department of Natural Resources (DNR) regulates, and issues business registrations and individual licenses for, well drillers. DNR requires well drilling businesses to be registered, and individual well drillers to be licensed, in order to engage in certain ground excavation activities that are undertaken for the purpose of obtaining groundwater for human consumption.

This bill expands the current law regulating well drillers so that it also applies to businesses and individuals who engage in certain ground excavation activities undertaken for the purpose of a geothermal heat exchange system.

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:

5 **SECTION 1.** Chapter 280 (title) of the statutes is repealed and recreated to read:

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CHAPTER 280

WELL DRILLING AND PUMP INSTALLING

SECTION 2. 280.01 (6) of the statutes is amended to read:

280.01 (6) "Well" means ~~an a~~ a drillhole or other excavation or opening into the ground made by digging, boring, drilling, driving or other methods that is deeper than it is wide, that extends more than 10 feet below the ground surface, and that is constructed for the purpose of obtaining groundwater for human consumption or that is constructed as part of a geothermal heat exchange system.

SECTION 3. 280.01 (8) of the statutes is amended to read:

280.01 (8) "Well drilling" means the industry and procedure employed in obtaining groundwater from a well, or in constructing a well for the purpose of a geothermal heat exchange system, by digging, boring, drilling, driving, or other methods but not including the driving of points for the purpose of obtaining ground water. ~~It shall also include~~ "Well drilling" includes all construction work and installation of well casings ~~in said well involved therein~~ for the protection of such well water against pollution.

SECTION 4. 280.15 (2m) (b) of the statutes is renumbered 280.15 (2m) (b) (intro.) and amended to read:

280.15 (2m) (b) *Renewal.* (intro.) In order to retain his or her license as a well driller or pump installer an individual shall ~~comply~~ do all of the following:

1. Comply with requirements for continuing education promulgated by the department by rule and shall apply. The continuing education requirements promulgated by the department under this subdivision shall require an individual who engages in well drilling for the purpose of obtaining geothermal energy to have training, as specified by the department, both in drilling wells for obtaining

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1 groundwater and in drilling wells for the purpose of a geothermal heat exchange
2 system.

3 2. Apply for license renewal and pay the required license fees under par. (c)
4 annually on or before January 1.

5 **SECTION 5.** 280.15 (3g) (b) of the statutes is renumbered 280.15 (3g) (b) (intro.)
6 and amended to read:

7 280.15 (3g) (b) *Renewal.* (intro.) In order to retain registration as a drilling
8 rig operator an individual shall ~~complete~~ do all of the following:

9 1. Complete training approved by the department and ~~comply.~~

10 2. Comply with requirements for continuing education promulgated by the
11 department by rule and ~~shall apply.~~ The continuing education requirements
12 promulgated by the department under this subdivision shall require an individual
13 who operates a drilling rig with regard to drilling wells for the purpose of a
14 geothermal heat exchange system to have training, as specified by the department,
15 in drilling rig operation both with regard to drilling wells for obtaining groundwater
16 and with regard to drilling wells for the purpose of a geothermal heat exchange
17 system.

18 3. Apply for registration renewal and pay a fee of \$25 annually on or before
19 January 1.

20 **SECTION 6.** 280.17 of the statutes is renumbered 280.17 (intro.) and amended
21 to read:

22 **280.17 Exceptions.** (intro.) The provisions of this chapter shall do not apply
23 to the construction of wells where the water is used only a well if all of the following
24 apply:

