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TO: MEMBERS OF THE SUBCOMMITTEE ON WATER CONSERVATION AND BOTTLED WATER OF THE SPECIAL COMMITTEE ON GREAT LAKES WATER RESOURCES COMPACT

FROM: John Stolzenberg, Chief of Research Services, and Rachel Letzing, Senior Staff Attorney

RE: Discussion of Water Conservation Programs for Communities Diverting Great Lakes Basin Water Under the Compact

DATE: January 9, 2007

At its January 5, 2007 meeting, your subcommittee discussed the water conservation framework in the Great Lakes-St. Lawrence River Basin Water Resources Compact (the compact) in proposed s. 281.343 (4b) in LRB-0058/P1. This framework is depicted in the chart on the last page in Memo No. 12.

The subcommittee also decided at that meeting to discuss at its January 10th meeting the compact's requirements for water conservation programs applicable to communities that divert Great Lakes basin water under the compact. As the subcommittee proceeds with its discussion of these requirements, it may wish to address the relation between these requirements and the procedures and requirements called for in the framework.

Broadly speaking, the subcommittee could specify this relation in its portion of the drafting instructions for legislation implementing the compact in any of the following ways:

- Specify in the implementing legislation detailed water conservation requirements for each type of water diversion application under the compact.
- Direct in the implementing legislation one or more state agencies, as part of their implementation of the framework, to specify either by rule or on a case-by-case basis specific water conservation requirements applicable to each type of water diversion application under the compact.
- Modify the second alternative, above, to place conditions in the implementing

legislation on either the process that the agencies use to specify these water conservation requirements or the substance of the requirements. These conditions would likely not be as detailed as the requirements specified under the first alternative, above.

- Conditions on the substantive requirements under this alternative could specify either elements that must be included in the requirements or elements that may not be included requirements.

If the subcommittee decides to discuss this relation, it appears that the discussion would be most beneficial at the beginning of its discussion of the compact's requirements for water conservation programs applicable to communities that divert Great Lakes basin water under the compact.

JES:REL:tlu