



WISCONSIN STATE SENATE

RODNEY C. MOEN

SENATOR - 31ST DISTRICT

FEB 07

State Capitol, P.O. Box 7882, Madison, Wisconsin 53707-7882 Phone: (608) 266-8546 Toll-free: 1-877-ROD-MOEN

January 30, 2002

Representative Tom Sykora, Chair
Assembly Committee on Housing
Room 3 North, State Capitol
Madison, WI 53702

Dear Tom,

Darrell Farmer, the Director of Environmental Health at the Eau Claire City-County Health Department, contacted me to express his opposition to Clearinghouse Rule 01-126, the proposed administrative rule relating to the imposition and collection of water and sewer fees from manufactured home parks.

2001 Wisconsin Act 16 contained a provision to transfer the authority to regulate water and sewer service provided by mobile home park contractors to occupants of mobile home parks from the Public Service Commission (PSC) to DOC. The proposed rule creates Comm 95.04(3), which requires agents issuing permits to reimburse the department 37-percent of the fees collected for permits. The rule also increases the fees issued under Comm 95.05.

I told Darrell that I would provide a copy of his comments to the Chair of each of the appropriate legislative standing committees when the proposed rule is formally submitted to the legislature. To that end, I am enclosing a copy of his letter for your review.

Thank you for your consideration of his concerns.

Sincerely,

Rodney C. Moen

Enc.
Cc: Darrell Farmer



December 3, 2001

Ronald Acker
Department of Commerce
Program Development Bureau
PO Box 2689
Madison WI 53701-2689

Dear Mr. Acker:

The purpose of this letter is to oppose creation of Comm 95.04(3) and the manufactured home park permit fees as proposed in Comm 95.05. Comm 95.04(3), if adopted, requires local agents of the Department of Commerce to collect state imposed water and sewer fees (ranging from \$100 to \$175) from manufactured home parks and return this revenue to the state. This is accomplished by requiring a 37% reimbursement rate that is based on state permit fees which are proposed in Comm 95.05

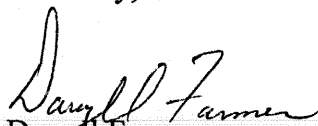
The following reasons are provided to support our opposition to these proposed rules.

1. State statute 101.935(3) allows the Department of Commerce to designate local agents to regulate and license manufactured mobile home parks. Agents designated under statute 101.935(3) are based on the criteria for local agents in statute 254.69(2). Statute 254.62(2)(e) states that the maximum reimbursement cannot exceed 20% of any state permit fee. The proposed 37 % reimbursement conflicts with this statute.
2. There are no provisions in the proposed rules that provide compensation to the local agent for the additional record keeping to collect and reimburse the water and sewer fee to the state.
3. Placing the water and sewer service fee as part of the permit fee creates problems for local agents to set permit fees that reflect program cost. It will be difficult to keep manufactured home operators informed on a continual basis that a significant amount of their permit fee is reimbursed to the state.

It is strongly encouraged that the proposed Comm 95.04 (3) be changed to reflect the current 10% of the state permit fee that is required for reimbursement by local agents. In addition the reimbursement rate should be based on state permit fees that do not include the water and sewer service fees as proposed in Comm 95.05. Finally, the state should be responsible for collecting their water and sewer service fees and not local agents.

Thank you for your consideration on this matter.

Sincerely,



Darryll Farmer

Director, Environmental Health

DF:lm

cc: Senator Rodney Moen, PO Box 7882, Madison, WI 53707-7882
Senator David Zien, PO Box 7882, Madison, WI 53707-7882
Representative Larry Balow, PO Box 8952, Madison, WI 54708-8952
Representative Rob Kreibich, PO Box 8952, Madison, WI 53708-8952
Representative Scott Suder, PO Box 8952, Madison, WI 53708-8952
Representative Terry M. Musser, PO Box 8952, Madison, WI 53708-8952

Tom,

Wednesday Feb. 13 is the last day to take action on the Mobile home clearinghouse rule.
What was the outcome of last week's meeting? Is the rule ok as is?

Martha

all is OK
Tom

units

ave per sight

1 to 20	250	419	104750	10.00
21 to 50	450	403	181350	9.00
51 to 100	700	186	130200	7.00
100-175	900	88	79200	5.14
176+	1000	44	44000	5.71
			539500	

} Proposal
add 1 tier

Current Formula	Commerce		
1 to 25	200	530	106000
26 to 50	250	292	73000
51 to 100	300	186	55800
100+	350	132	46200
Commerce fees fees			281000
water/sewer fees			122000 —
total			403000

- 1) 1 to 25 would have been 275 under old
- 2) psc hasn't gotten complaints so psc fee not needed to offset cost of doing business
- 3) put into chyt 95