



## 1999 ASSEMBLY BILL 96

February 4, 1999 – Introduced by JOINT COMMITTEE FOR REVIEW OF ADMINISTRATIVE RULES. Referred to Committee on Environment.

1     **AN ACT to create** 145.02 (5) of the statutes; **relating to:** the use of private sewage  
2           systems when a public sewer is available.

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### *Analysis by the Legislative Reference Bureau*

Current law authorizes the department of commerce (department) to promulgate rules ensuring safe and sanitary plumbing in all buildings. Current department rules both prohibit the use of private sewage systems when an approved public sewer is available and require owners of private sewage systems to connect to a public sewer when a public sewer becomes available.

This bill prohibits the department from promulgating or enforcing any rule that requires owners of private sewage systems to discontinue use of the private systems and connect to a public sewer because a public sewer becomes available.

This bill is introduced as required by s. 227.26 (2) (f), stats., in support of the action of the joint committee for review of administrative rules in suspending a portion of section Comm 83.03 (2), Wis. Adm. Code, a department rule, on December 8, 1998. The suspended portion of the rule required owners of private sewage systems to connect to a public sewer and discontinue use of the private sewage systems when a public sewer becomes available.

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

3           **SECTION 1.** 145.02 (5) of the statutes is created to read:

**ASSEMBLY BILL 96****SECTION 1**

1           145.02 **(5)** Notwithstanding subs. (2) and (3), the department may not  
2 promulgate or enforce a rule that requires the owner of a private sewage system to  
3 discontinue use of the private sewage system and connect to a public sewer because  
4 a public sewer becomes available.

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**(END)**