WISCONSIN LEGISLATIVE COUNCIL
AMENDMENT MEMO

2001 Assembly Bill 551	**Assembly Amendment 1**
Memo published: March 20, 2002	***Contact*: Mark C. Patronsky, Senior Staff Attorney (266-9280)**

Current law provides a grant program, administered by the Department of Commerce, for private sewage system replacement or rehabilitation. With a variety of restrictions, state funds are available to individuals for a portion of the cost of such replacement or rehabilitation. One of the limitations is that the eligible grant amount must be calculated based on the "least costly methods" for rehabilitating or replacing a private sewage system.

Assembly Bill 551 addresses concerns about the effect of this statute. It may be argued that the least costly method for rehabilitating or replacing a private sewage system is always a holding tank. Holding tanks are generally less desirable as a system for disposing of household wastewater, and this interpretation of the statute would unreasonably reduce the amount of individual grants. The Department of Commerce does not administer this program by using holding tanks as the measure of the least costly methods, and Assembly Bill 551 changes the statute accordingly.

Assembly Amendment 1 addresses technical concerns about the language in the bill. At the public hearing, Commerce raised concerns that the bill, as drafted, might be construed as eliminating the cap on costs as applied to grants for replacement of a holding tank. Assembly Amendment 1 clarifies the intent of the original bill, by providing that a holding tank may only be used as the measure of the least costly method for rehabilitating or replacing a private sewage system if the system to be constructed is a holding tank.

On February 26, 2002, the Assembly adopted Assembly Amendment 1 on a voice vote and passed Assembly Bill 551, as amended, on a voice vote.

On March 11, 2002, the Senate Environmental Resources Committee recommended concurrence in Assembly Bill 551 on a vote of Ayes, 5; Noes, 0.

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