

1999 DRAFTING REQUEST

Bill

Received: **01/4/99**

Received By: **traderc**

Wanted: **01/11/99**

Identical to LRB:

For: **Glenn Grothman (608) 264-8486**

By/Representing: **Ron Sklansky**

This file may be shown to any legislator: **NO**

Drafter: **rmarchan**

May Contact:

Alt. Drafters:

Subject: **Buildings/Safety - priv swg sys**

Extra Copies:

Topic:

Suspend part of department of commerce rule 83.03 (2) relating to discontinuance of private sewage system upon public sewer becoming available.

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	rmarchan 01/4/99	gilfokm 01/4/99	haugeca 01/4/99	_____	lrb_docadmin 01/4/99	lrb_docadmin 01/12/99	

FE Sent For:

Not Needed

<END>



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Extra Copies:

Ron Sklansky (L.C.)
KSM

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/1	rmarchan 01/4/99	gilfokm 01/4/99	haugeca 01/4/99	_____	lrb_docadmin 01/4/99	_____	_____

Report Required to Jacket

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For: Glenn Grothman (608) 264-8486

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May Contact:

Alt. Drafters:

Subject: Buildings/Safety - priv swg sys

Extra Copies: Ron Sklansky at Leg. Council Staff KSH

Topic:

Suspend part of department of commerce rule 83.03 (2) relating to discontinuance of private sewage system upon public sewer becoming available.

Instructions:

Call KSH when ready

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
1/?	rmarchan	11-1-4-99 Kmg	ch 1-4	ch 1-4 JS			

FE Sent For:

<END>



12/23/98

URGENT

Rob -

- This bill request (see circled item on 3rd page of attached report) is for a rule suspension bill. I spoke to Bechy, and she said she would like you to do it. The bad news is that it has to be introduced on January 14th.

- You should enter it for Grothman (requester) and in the "by" box you should enter Ron Sklansky (Leg. Council staff member). I've never done one of these myself, but I would be happy to learn along with you, if you so choose. And, of course, feel free to talk to Bechy.

- You should probably read D-M 7.15(6)(c) and (e). Par. (e) provides some models. Also see D-M 1.02(15) and 4.036(3), which are x-referenced in par. (e). I've attached to the request a copy of a rule suspension bill from last session that Bechy drafted.

Y
Kannic

Joint Committee Report

The Joint Committee for Review of Administrative Rules Reports:

December 8, 1998

EXECUTIVE SESSION/POLLING HELD

Present (8): Representatives Grothman, Gunderson, Seratti, R. Young, and Kreuser; Senators Welch, Huelsman, and Grobschmidt.

Absent (2): Senators Darling and Breske.

Emergency Rule PI 35

Relating to the Milwaukee Parental School Choice Program. Submitted by the Department of Public Instruction.

Moved by Senator Welch, seconded by Representative Gunderson that, pursuant to s. 227.24(2)(a), stats., the Joint Committee for Review of Administrative Rules extend the effective period of PI 35 by 60 days, at the request of the Department of Public Instruction.

Ayes (10): Representatives Grothman, Gunderson, Seratti, R. Young and Kreuser; Senators Welch, Darling, Huelsman, Grobschmidt, and Breske.

Noes (0): None

Absent (2): Senators Darling and Breske.

Motion Carried: Extension Granted.

Senators Darling and Breske voted by paper ballot, with the unanimous consent of the committee.

Emergency Rule PI 38

Relating to the peer mentoring and review program. Submitted by the Department of Public Instruction.

Moved by Senator Welch, seconded by Representative Gunderson that, pursuant to s. 227.24(2)(a), stats., the Joint Committee for Review of Administrative Rules extend the effective period of PI 38 by 60 days, at the request of the Department of Public Instruction.

Ayes (10): Representatives Grothman, Gunderson,

Seratti, R. Young and Kreuser; Senators Welch, Darling, Huelsman, Grobschmidt, and Breske.

Noes (0): None

Absent (2): Senators Darling and Breske.

Motion Carried: Extension Granted.

Senators Darling and Breske voted by paper ballot, with the unanimous consent of the committee.

Emergency Rule HFS 94

Relating to random searches of rooms and personal belongings at the Wisconsin Resource Center. Submitted by the Department of Health and Family Services.

Moved by Senator Welch, seconded by Representative Gunderson that, pursuant to s. 227.24(2)(a), stats., the Joint Committee for Review of Administrative Rules extend the effective period of HFS 94 by 60 days, at the request of the Department of Health and Family Services.

Ayes (10): Representatives Grothman, Gunderson, Seratti, R. Young and Kreuser; Senators Welch, Darling, Huelsman, Grobschmidt, and Breske.

Noes (0): None

Absent (2): Senators Darling and Breske.

Motion Carried: Extension Granted.

Senators Darling and Breske voted by paper ballot, with the unanimous consent of the committee.

DNR Guidance Documents

Relating to determinations of navigability of farm drainage ditches pursuant to s. 30.10(4)(c), stats. Placed on the agenda at the request of Rep. Glenn Grothman.

Moved by Representative Grothman, seconded by Senator Welch that, pursuant to s. 227.26(2)(b), stats., the Joint Committee for Review of Administrative Rules require that the Department of Natural Resources promulgate as an emergency rule, within 30 days, all guidance documents published by the agency that provide direction to agency staff on the determination of navigability of farm drainage ditches.

Ayes (10): Representatives Grothman, Gunderson, Seratti, R. Young and Kreuser; Senators

Welch, Darling, Huelsman, Grobschmidt,
and Breske.

Noes (0): None

Absent (2): Senators Darling and Breske.

Motion Carried: DNR To Promulgate Rule in 30 Days.

*Senators Darling and Breske voted by paper ballot, with the
unanimous consent of the committee.*

COMM 83.03(2)

Relating to the discontinuation of use of privately-owned
wastewater treatment systems upon the installation of a public
system approved by the Department of Natural Resources.
Placed on the Agenda at the request of Representative
Gunderson.

Moved by Representative Gunderson, seconded by Senator
Welch that, pursuant to s. 227.26(2)(d), stats., and for the
reasons set forth in s. 227.19 (4)(d) 6, stats., the Joint
Committee for Review of Administrative Rules suspend
the first two sentences of COMM 83.03(2), Wis. Adm. Code.

*was by majority +
confidence or
unanimous
handshp*

Ayes (10): Representatives Grothman, Gunderson,
Seratti, R. Young and Kreuser; Senators
Welch, Darling, Huelsman, Grobschmidt,
and Breske.

Noes (0): None

Absent (2): Senators Darling and Breske.

Motion Carried: Rule suspended.

*Senators Darling and Breske voted by paper ballot, with the
unanimous consent of the committee.*

Senator Robert Welch
Senate Co-Chair

Representative Glenn Grothman
Assembly Co-Chair



State of Wisconsin
1999 - 2000 LEGISLATURE

NOTE

LRB-1541/1

RJM:.....
King

Need by 1/6/99

1999 BILL

Jul. Early A.M. [15]

1 AN ACT ^{Gen. Conf.} relating to: the use of private sewage systems when a public sewer
2 is available.

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.

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:

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1541/1dn

RJM:.....
KMG

tion
Sec. 227.26 (2) (f), stats., states that bills repealing a suspended rule must be introduced in both houses within 30 days after the suspension. I have not drafted the companion to the attached bill. Please contact me with any suggested changes or to inform me that the language accomplishes your intent, so that I can then prepare the companion bill for timely introduction in the ~~Senate~~.

Robert J. Marchant
Legislative Attorney
261-4454

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**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-1541/1dn
RJM:kmg:ch

January 4, 1999

Section 227.26 (2) (f), stats., states that bills repealing a suspended rule must be introduced in both houses within 30 days after the suspension. I have not drafted the companion to the attached bill. Please contact me with any suggested changes or to inform me that the language accomplishes your intent, so that I can then prepare the companion bill for timely introduction in the senate.

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Legislative Attorney
261-4454

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**SUBMITTAL
FORM**

**LEGISLATIVE REFERENCE BUREAU
Legal Section Telephone: 266-3561
5th Floor, 100 N. Hamilton Street**

The attached draft is submitted for your inspection. Please check each part carefully, proofread each word, and sign on the appropriate line(s) below.

Date: 1/4/99

To: Representative Grothman

Robson

Relating to LRB drafting number: LRB-1541

Topic

Suspend part of department of commerce rule 83.03 (2) relating to discontinuance of private sewage system upon public sewer becoming available.

Subject(s)

Buildings/Safety - priv swg sys

OK to do companion bill for introduction

Rob - What LRB # is the companion bill?

1. **JACKET** the draft for introduction _____
in the Senate or the Assembly (check only one). Only the requester under whose name the drafting request is entered in the LRB's drafting records may authorize the draft to be submitted. Please allow one day for the preparation of the required copies.

2. **REDRAFT.** See the changes indicated or attached _____
A revised draft will be submitted for your approval with changes incorporated.

3. Obtain **FISCAL ESTIMATE NOW**, prior to introduction _____
If the analysis indicates that a fiscal estimate is required because the proposal makes an appropriation or increases or decreases existing appropriations or state or general local government fiscal liability or revenues, you have the option to request the fiscal estimate prior to introduction. If you choose to introduce the proposal without the fiscal estimate, the fiscal estimate will be requested automatically upon introduction. It takes about 10 days to obtain a fiscal estimate. Requesting the fiscal estimate prior to introduction retains your flexibility for possible redrafting of the proposal.

If you have any questions regarding the above procedures, please call 266-3561. If you have any questions relating to the attached draft, please feel free to call me.

Robert J. Marchant, Legislative Attorney
Telephone: (608) 261-4454

