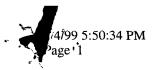
# 1999 DRAFTING REQUEST

## Bill

Received: 01/4/99					Received By: traderc			
Wanted: 01/11/99  For: Glenn Grothman (608) 264-8486  This file may be shown to any legislator: NO					Identical to LRB:			
					By/Representing: Ron Sklansky  Drafter: rmarchan			
Subject: Buildings/Safety - priv swg sys					Extra Copies:			
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Draftin	ng History:					<del></del>		
Vers.	Drafted	Reviewed	<u>Typed</u>	Proofed	Submitted	Jacketed	Required	
/1	rmarchan 01/4/99	gilfokm 01/4/99	haugeca 01/4/99		lrb_docadmin 01/4/99	lrb_docadn 01/12/99	nin	
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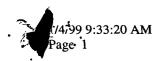


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May Contact:					Alt. Drafters:			
Subject: Buildings/Safety - priv swg sys					Extra Copies:	Ron SKI KSH	insky (1	
Topic:	, TTV							
		ment of comme oming available		3 (2) relating	to discontinuan	ce of private sew	age system	
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**<END>** 



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May Contact:

Alt. Drafters:

Subject:

Buildings/Safety - priv swg sys

Extra Copies: Ron Sklansky at Les. Comul 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:** 

See Attached

**Drafting History:** 

Vers.

Drafted

Reviewed

**Typed** 

Proofed

Submitted

Jacketed

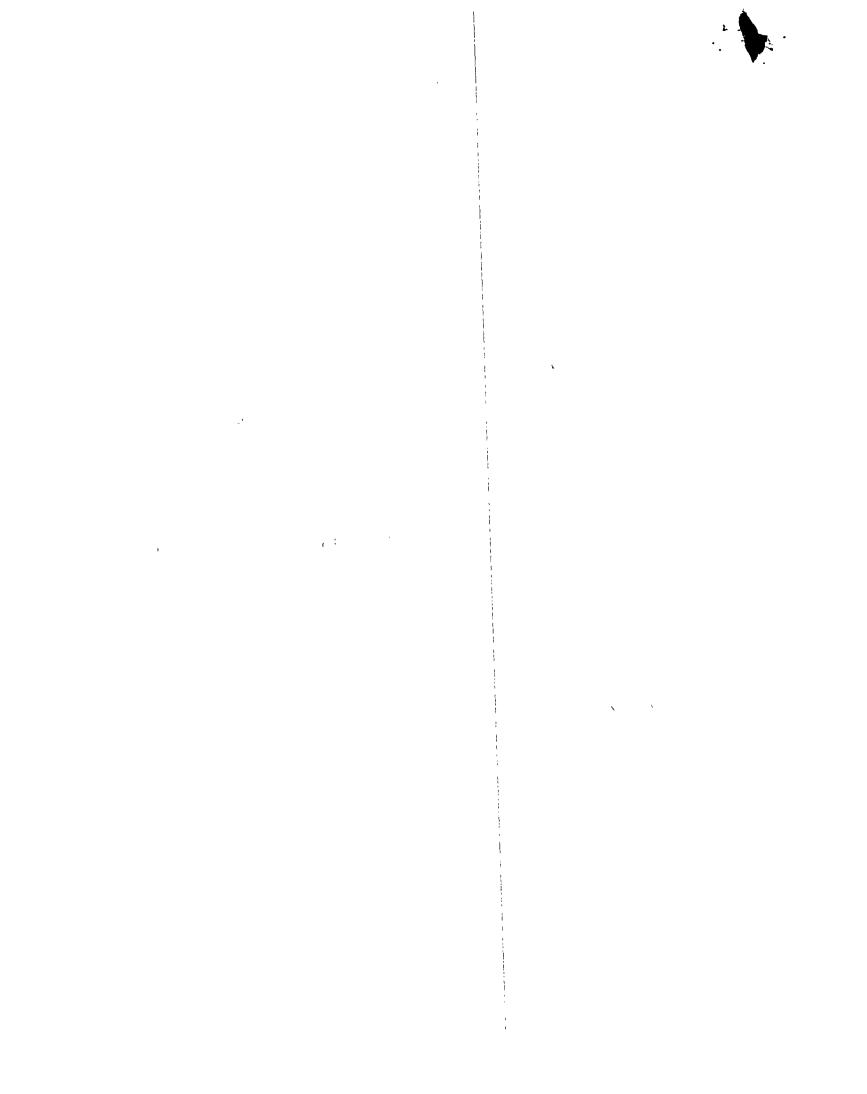
Required

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rmarchan

FE Sent For:

<END>



 	STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU - LEGAL SECTION (608-266-3561) 12/23/98
	(URGENT)
	Rob-
	- This bill request (see circled item in 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 Janu
	14th.
	- You should enter it to Grothman (regu
····· · · · · · · · · · · · · · · · ·	and in the "by" box you should enter
***************************************	Ron Stransky (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, ot course, feel free to tulk to Be change
	- 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 attache
	to the request a copy of a rule suspension
**** * 1775 114	bull from last session That Becky drafted.
***************************************	Manie
······	
•••••	`
<u> </u>	•
***************************************	
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#### 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), <u>stats.</u>, 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), <u>stats.</u>, 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), <u>stats.</u>, 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.

and Diesk

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), <u>stats</u>. 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.

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) 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.

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.

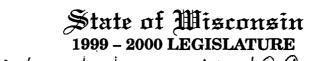
Senators Darling and Breske voted by paper ballot, with the. unanimous consent of the committee.

Senator Robert Welch Senate Co-Chair

COMM 83.03(2)

Representative Glenn Grothman Assembly Co-Chair





LRB-1541/1

RJM:1/

BIL

Wish M. M. Tils

; relating to: the use of private sewage systems when a public sewer

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:

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**BILL** 

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SECTION 1

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

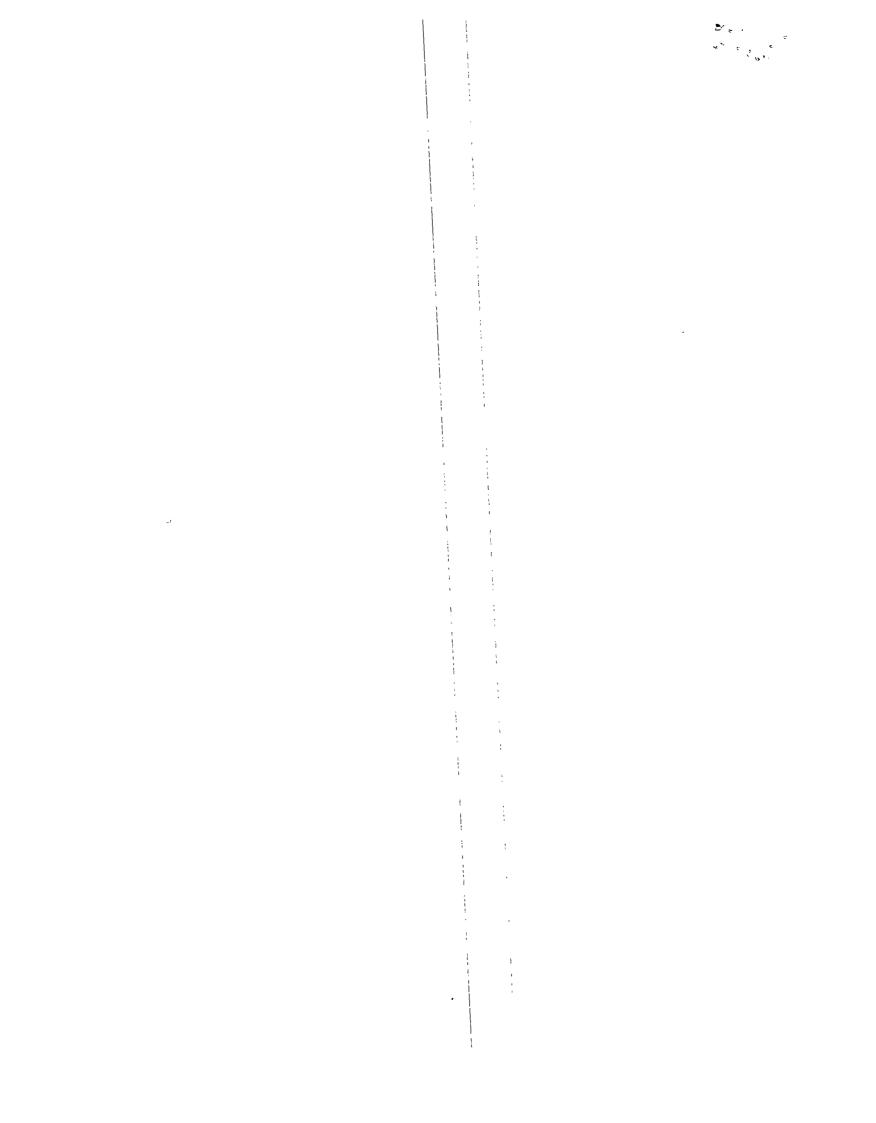
5 (END)

# DRAFTER'S NOTE FROM THE LEGISLATIVE REFERENCE BUREAU

LRB-1541/1dn RJM:.... (M)

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



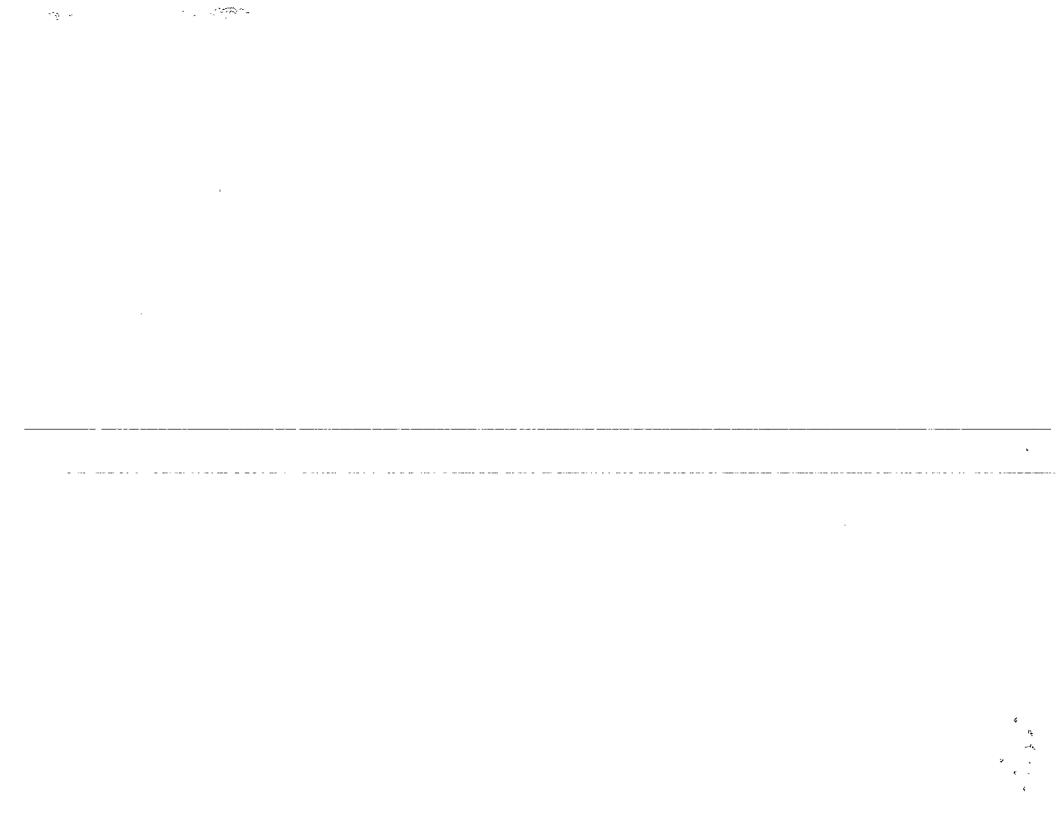
# DRAFTER'S NOTE FROM THE LEGISLATIVE REFERENCE BUREAU

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.

Robert J. Marchant Legislative Attorney 261–4454



# ŞUBMITTAL FOŘM

# 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.

<b>Date:</b> 1/4/99	To: Representative Grothman	30
	Relating to LRB drafting number: LRB-15	
Topic Suspend part of department of commerce rule 83.0 upon public sewer becoming available.  Subject(s) Buildings/Safety - priv swg sys  1. JACKET the draft for introduction	23 (2) relating to discontinuance of private sewage	•
in the Sonato or the Assamble X (check	k only one). Only the requester under whose nam	na tha
drafting request is entered in the LRB's drafting	records may authorize the draft to be submitted.	
allow one day for the preparation of the required	l copies.	
2. <b>REDRAFT.</b> See the changes indicated or attach	hed	
A revised draft will be submitted for your appro-	val with changes incorporated.	
3. Obtain <b>FISCAL ESTIMATE NOW</b> , prior to in	ntroduction	
If the analysis indicates that a fiscal estimate is r	required because the proposal makes an appropria	ation or
increases or decreases existing appropriations or	state or general local government fiscal liability	or
revenues, you have the option to request the fisc	cal estimate prior to introduction. If you choose to	)
introduce the proposal without the fiscal estimate	te, the fiscal estimate will be requested automatical	ally upon
introduction. It takes about 10 days to obtain a fi	iscal estimate. Requesting the fiscal estimate prio	or to
introduction retains your flexibility for possible	redrafting of the proposal.	
If you have any questions regarding the above proc	cedures, please call 266-3561. If you have any qu	estions
relating to the attached draft, please feel free to call	l me.	

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

