

**1999 DRAFTING REQUEST**

**Assembly Amendment (AA-ASA1-AB133)**

Received: **06/22/99**

Received By: **rmarchan**

Wanted: **Soon**

Identical to LRB:

For: **Senate Democratic Caucus**

By/Representing: **Walter**

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

Drafter: **rmarchan**

May Contact:

Alt. Drafters:

Subject: **Buildings/Safety - bldg codes  
Environment - water quality**

Extra Copies: **RCT**

**Pre Topic:**

SDC:.....Walter - # 2141,

**Topic:**

Construction site erosion control

**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 06/22/99	ygeller 06/22/99	hhagen 06/23/99	_____	lrb_docadmin 06/24/99		

FE Sent For:

<END>

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1?	rmarchan	1 6/22 jg		<i>RMH</i> cmh 6/23			

FE Sent For:

<END>

SDC

yes

**Agency: Commerce - Building and Environmental Regulation**

caucus number 1731

duplicate flag:  
duplicate with:

Other reference numbers:	LFB Sum #:
bill number/amendment number: Sen. Sub. Am 1 to SB 86	
LRB draft #	LRB P-draft:

description: Sen. Sub. Am 1 to SB 86 (LRB s0026/1) re: PECFA

**other notes**

drafting instructions: See above and attached.  
more instructions:

caucus number 1732

duplicate flag: y  
duplicate with: 2322

Other reference numbers:	LFB Sum #:
bill number/amendment number:	
LRB draft #	LRB P-draft:

description: Exempt home heating oil tanks that store less than 1,100 gallons from current law that requires tank "tightness" and leak detection tests by May 1, 2001.

**other notes**

drafting instructions: See above.  
more instructions:

caucus number 2141

duplicate flag:  
duplicate with:

Other reference numbers:	LFB Sum #:
bill number/amendment number:	
LRB draft #	LRB P-draft:

description: Construction site soil erosion control. Expands the authority of a municipality to enforce a more stringent standard regardless of date criteria.

**other notes**

drafting instructions: See above and attached  
more instructions:

caucus number 2634

duplicate flag:  
duplicate with:

Other reference numbers:	LFB Sum #:
bill number/amendment number:	
LRB draft #	LRB P-draft:

description: Designate a \$250,000 grant from Community Development Block Grant Public Facilities appropriation be awarded to a county with a YWCA in a 2nd class city with population >52,000 and <60,000 that is constructing a domestic violence shelter

**other notes**

drafting instructions: See above and attached  
more instructions:

2141

COMMERCE

CN

Construction Site Soil Erosion Control – Municipalities (No Motion Paper)

+  
Current law requires the department of commerce, in conjunction with the department of natural resources, to promulgate rules creating statewide standards for erosion control at building sites for the construction of certain commercial and public buildings. The Department may delegate authority over erosion control at these sites to a municipality. A municipality's authority to regulate soil erosion control is generally limited to the authority that the department delegates. However, a municipality can enforce a more stringent standard if it was in effect prior to January 1, 1994. This amendment expands the authority of a municipality to enforce a more stringent standard regardless of the effective date. *Drafting language prepared. No funding requested.*

**FROM:** Curt Pawlisch

**RE:** Comm 65 budget amendment .

**DATE:** June 17, 1999

101.1205(5m) of the statutes is amended to read:

(5m) Notwithstanding subs. (1) and (5), a county, city, village or town that has ~~in effect on January 1, 1994 or adopts~~ an ordinance that establishes standards for erosion control at building sites for the construction of public buildings and buildings that are places of employment may ~~continue to administer and enforce~~ that ordinance if the standards in the ordinance are more stringent than the standards established under sub. (1).



State of Wisconsin  
1999 - 2000 LEGISLATURE

5000

1  
LRBb0907  
RJM:.....  
RMR jlg  
DLOTE

SDC:.....Walter - # 2141, Construction site erosion control

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 1999 ASSEMBLY BILL 133

1 At the locations indicated, amend the substitute amendment as follows:

2 1. Page 1018, line 14: after that line insert:

3 "SECTION 1977m. 101.1205 (5m) of the statutes is amended to read:

4 101.1205 (5m) Notwithstanding subs. (1) and (5), a county, city, village or town  
5 that has in effect on January 1, 1994, may administer and enforce an ordinance that  
6 establishes standards for erosion control at building sites for the construction of  
7 public buildings and buildings that are places of employment ~~may continue to~~  
8 ~~administer and enforce that ordinance~~ if the standards in the ordinance are more  
9 stringent than the standards established under sub. (1)."

10

(END)

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

LRBb0907/1dn

RJM:aji...

↑  
JG

Attached is the amendment you requested that expands the authority of a county, city, village or town to enforce a construction site erosion control ordinance that is more strict than state law. If you desire any changes to this amendment, please let me know. Thanks.

Robert J. Marchant  
Legislative Attorney  
Phone: (608) 261-4454  
E-mail: [Robert.Marchant@legis.state.wi.us](mailto:Robert.Marchant@legis.state.wi.us)

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

LRBb0907/1dn  
RJM:jlg:ksh

June 23, 1999

Attached is the amendment you requested that expands the authority of a county, city, village or town to enforce a construction site erosion control ordinance that is more strict than state law. If you desire any changes to this amendment, please let me know. Thanks.

Robert J. Marchant  
Legislative Attorney  
Phone: (608) 261-4454  
E-mail: [Robert.Marchant@legis.state.wi.us](mailto:Robert.Marchant@legis.state.wi.us)



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRBb0907/1  
RJM;jlg:ksh

SDC:.....Walter - # 2141, Construction site erosion control

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10

(END)