

2001 DRAFTING REQUEST

Bill

Received: **01/30/2001**

Received By: **rmarchan**

Wanted: **As time permits**

Identical to LRB:

For: **Scott Gunderson (608) 266-3363**

By/Representing: **himself**

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

Drafter: **rmarchan**

May Contact:

Addl. Drafters:

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

Extra Copies: **RCT**

Submit via email: **NO**

Requester's email:

Pre Topic:

No specific pre topic given

Topic:

Private sewage system rehabilitation or replacement grant program

Instructions:

See Attached. Exempt holding tanks as systems of last resort.

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>
/?	rmarchan 03/15/2001	gilfokm 03/15/2001		_____			S&L
/1	rmarchan 04/02/2001	gilfokm 04/02/2001	jfrantze 03/15/2001	_____	lrb_docadmin 03/15/2001		S&L
/2			martykr 04/03/2001	_____	lrb_docadmin 04/03/2001	lrb_docadmin 04/13/2001	

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L At intro

<END>

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for Assm per RJM

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1/1	rmarchan	1-3/kmg 15-01	6/3/15	Self 3/15			

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<END>

RJM

Bill Request Form

Legislative Reference Bureau
100 N. Hamilton Street
Legal Section 266-3561

Use of this form is optional. It is often better to talk directly with the LRB attorney who will draft the bill.
Use this form only for bill draft requests. Attach more pages if necessary.

Date 1/30/01

Legislator, agency, or other person requesting this draft J

Person submitting request (name and phone number) Rep. Gunderson

Persons to contact for questions about this draft (names and phone numbers) MIKE BRAUN
266-3363

Describe the problem, including any helpful examples. How do you want to solve the problem?

During the re-write of Comm 83, Holding tanks were inadvertently included as a system of lowest cost for the Private Sewage System Replacement or Rehabilitation Grant Program (Comm 87) because the reference to holding tanks as systems of last resort was eliminated. Please draft a bill that changes ss. 145.245 which would exempt holding tanks as systems of lowest cost.

Please attach a copy of any correspondence or other material that may help us. If you know of any statute sections that might be affected, list them or provide a marked-up copy.

You may attach a marked-up copy of any LRB draft or provide its number (e.g., 1999 LRB-2345/1 or 1997 AB-67).

Requests are confidential unless stated otherwise. May we tell others that we are working on this for you? YES NO

If yes: Anyone who asks? YES NO
Any legislator? YES NO

Only the following persons _____

Do you consider this request urgent? YES NO If yes, please indicate why _____

Should we give this request priority over any pending request of this legislator, agency, or person?
YES NO



Wisconsin Counties Association

MEMORANDUM

TO: Representative Scott Gunderson

FROM: Jennifer Sunstrom, Legislative Associate

DATE: January 25, 2001

RE: Sponsorship of Bill to Amend the Wisconsin Fund Rules

Chapter 87 of the Department of Commerce's Administrative Rules was established to implement and administer a financial assistance program to replace or rehabilitate failing private sewage systems. Wisconsin State Statute 145.245 (7)(b) as well as Comm 87.30 (2) establishes that the costs allowable in determining grant funding may not exceed the costs of rehabilitating or replacing a private sewage system by the least costly methods.

During the recent redesign of the Department of Commerce's rule regulating private septic systems (Comm 83), the reference to holding tanks as systems of last resort was eliminated. This inadvertently qualifies holding tanks as systems of lowest cost under the Private Sewage System Replacement or Rehabilitation Grant Program (Comm 87).

It was not the intention of the grant program to qualify holding tanks as systems of lowest cost. A change to ss. 145.245 (7) (b) which would exempt holding tanks as systems of lowest cost would rectify the problem that arose due to the change in the state plumbing code

If you have any questions, please call.

Thank you.

*Thank you very much Rep. Gunderson
for your help! I look forward to working
on this w/ you + your staff.*

Jen Sunstrom

100 River Place, Suite 101 ♦ Monona, Wisconsin 53716 ♦ 608/224-5330 ♦ 800/922-1993 ♦ Fax 608/224-5325

Mark D. O'Connell, Chief of Staff
Craig M. Thompson, Legislative Director

Mark M. Rogacki, Executive Director

Darla M. Hium, Deputy Director
Lynda L. Bradstreet, Administrative Director

- 145.01 (12) defines private sewage system to include holding tank
- Comm 87.30 (3) (f) seems to contemplate a grant for installation of holding tank. Doesn't look "inadvertent."
- Comm 83 doesn't prohibit use of ~~the~~ holding tank as a POUWS. Did it used to? Used to say they were systems of last resort?



State of Wisconsin
2001 - 2002 LEGISLATURE

LRB-2321¹

RJM:.....

Due 4-5-01

king
RJM

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

GEN.CAT.

1

AN ACT ...; relating to: maximum allowable grants under the private sewage system replacement or rehabilitation grant program.

2

Analysis by the Legislative Reference Bureau

Under current law, a person who owns a failing private sewage system may obtain a grant from the state for the purpose of replacing or rehabilitating the private sewage system, if the person and the private sewage system satisfy specified criteria. With certain exceptions, the maximum cost allowable in determining the amount of a grant is the cost of rehabilitating or replacing a private sewage system by the least costly methods. Currently, the installation of a holding tank may be one of the least costly methods of rehabilitating or replacing a failing private sewage system.

This bill specifies that the installation of a holding tank does not qualify as one of the least costly methods of rehabilitating or replacing a failing private sewage system.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

3

SECTION 1. 145.245 (7) (b) of the statutes is amended to read:

4

145.245 (7) (b) Except as provided in par. (e), costs allowable in determining

5

grant funding under this section may not exceed the costs of rehabilitating or

- 1 replacing a private sewage system by the least costly methods, other than by
- 2 installing a holding tank.

History: 1981 c. 1 s. 33; 1983 a. 27; 1983 a. 189 s. 329 (8); 1983 a. 545; 1985 a. 29; 1987 a. 27; 1989 a. 31, 326; 1991 a. 32; 1991 a. 39 ss. 2564fs to 2564fw, 2622Lm to 2622n; Stats. 1991 s. 145.245; 1991 a. 189; 1993 a. 16, 27; 1995 a. 27 ss. 4355, 9116 (5); 1995 a. 227, 404; 1999 a. 9; 1999 a. 150 s. 672.

3 (END)



State of Wisconsin
2001 - 2002 LEGISLATURE

LRB-23214-2

RJM/kmg:jf

500N

RMR

2001 BILL

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[ital]

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3 rehabilitation grant program.

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5

(END)