2007 DRAFTING REQUEST

Bill

Received	1: 01/03/2007				Received By: Diradewe				
Wanted: As time permits					Identical to LRB:				
For: Scot	tt Suder (608)	267-0280			By/Representing: Anne Emerson				
This file may be shown to any legislator: NO					Drafter: btradewe				
May Con	ntact:				Addl. Drafters: Extra Copies:				
Subject:	Enviror	nment - water	quality						
Submit v	ria email: YES								
Requeste	er's email:	Rep.Suder	@legis.wisc	consin.gov					
Carbon c	copy (CC:) to:								
Pre Top	ic:								
No speci	fic pre topic gi	ven							
Topic:			-						
Exceptio	on from the requ	uirement to obt	ain approval	l for land disp	osal of septage				
Instruct	ions:								
Like 05-:	5064/2								
Drafting	g History:								
Vers.	<u>Drafted</u>	Reviewed	Typed	Proofed	Submitted	<u>Jacketed</u>	<u>Required</u>		
/?	btradewe 01/22/2007	jdyer 02/09/2007							
/1			nnatzke 02/09/200	07	o2/09/2007	cduerst 12/20/2007			
FE Sent	For: NA			<end></end>					

<END>

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May Cor	ntact:				Addl. Drafters:					
Subject: Submit v	Environ via email: YES	ment - water	quality		Extra Copies:					
	er's email: copy (CC:) to:	Rep.Suder	@legis.wisc	consin.gov						
Topic:	fic pre topic gi		ain annrova	I for land disr	oosal of septage					
Instruct	tions:									
Vers. /? /1	Drafted btradewe 01/22/2007	<u>Reviewed</u> jdyer 02/09/2007	Typed nnatzke 02/09/20	<u>Proofed</u>	Submitted cduerst 02/09/2007	Jacketed	Required			
FE Sent	For:									

<END>

2007 DRAFTING REQUEST

Bill

Received: 01/03/2007

Received By: btradewe

Wanted: As time permits

Identical to LRB:

For: Scott Suder (608) 267-0280

By/Representing: Anne Emerson

This file may be shown to any legislator: NO

Drafter: btradewe

May Contact:

Addl. Drafters:

Subject:

Environment - water quality

Extra Copies:

Submit via email: YES

Requester's email:

Rep.Suder@legis.wisconsin.gov

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Exception from the requirement to obtain approval for land disposal of septage

Instructions:

Like 05-5064/2

Drafting History:

Vers. Drafted

Reviewed Typed

Proofed

Submitted

Jacketed

Required

/?

btradewe

1/19

a i

FE Sent For:

<END>

Tradewell, Becky

From:

Basford, Sarah

Sent:

Wednesday, January 03, 2007 1:34 PM

To:

Tradewell, Becky

Subject:

FW: Message for Becky Tradewell

Sarah Bastord

Program Assistant Legislative Reference Bureau 1 East Main, Suite 200 (608) 266-3561 sarah.basford@legis.wisconsin.gov

From:

Emerson, Anne

Sent:

Wednesday, January 03, 2007 1:33 PM

To:

LRB.Legal

Subject:

Message for Becky Tradewell

Hi Rebecca,

You had drafted a bill for us over the summer relating to septage disposal, LRB 5064. I believe it was as an '05 draft. We just need to have it drafted for this session.

If you have any questions, please let me know.

Thank you! Anne

RESEARCH APPENDIX -Draft Transfer/Copy Request Form

- Atty's please complete this form and give to Mike Barman

(Request Made By: <u>Rad</u>) (Date: <u>1 1 3 1 2007</u>)
O Please <u>transfer</u> the drafting file for
2005 LRB -5064 to the drafting file
for 2007 LRB <u>1324</u>
The final version of the 2005 draft and the final Request Sheet will copied on yellow paper, and returned to the original 2005 drafting file. A new cover sheet will be created/included listing the new location of the drafting file's "guts".
For research purposes, because the 2005 draft was incorporated into a 2007 draft, the complete drafting file will be transferred, as a separate appendix, to the new 2007 drafting file. This request form will be inserted into the "guts" of the 2007 draft. If introduced, the appendix will be scanned/added to the electronic drafting file folder.
——OR —— O ■ Please copy the drafting file for
drafting file for 2007 LRB and place it in the
For research purposes, because the original 2007 draft was incorporated into another 200

- For research purposes, because the original 2007 draft was incorporated into another 2007 draft, the original drafting file will be copied on yellow paper (darkened/auto centered/reduced to 90%) and added, as a separate appendix, to the new 2007 drafting file. This request form will be inserted into the "guts" of the new 2007 draft. If introduced the appendix will be scanned/added to the electronic drafting file folder.
- The original drafting file will then returned, intact, to its folder and filed. For future reference, a copy of the transfer/copy request form will also be added to the "guts" of the original draft.

2005 - 2006 LEGISLATURE

E LRB-5064/2
RCT(mk)rs

2005 BILL

Wate

AN ACT to amend 281.48 (4m) (b) (intro.) and 1. and 281.48 (4m) (c); and to create 281.48 (4m) (b) 2. of the statutes; relating to: an exemption from the requirement to obtain approval for a location where septage is disposed of on land.

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Analysis by the Legislative Reference Bureau

Under current law, a person is generally required to obtain a site approval from the Department of Natural Resources (DNR) for any location where septage is disposed of on land. A farmer is exempt from the requirement to obtain a site approval if the septage is disposed of on land owned or leased by the farmer, the septage is removed from a septic tank that is located on the same land where the septage is disposed of, and the farmer complies with legal requirements relating to disposing of septage.

This bill modifies the exemption from the requirement to obtain a site approval from DNR for disposing of septage on land. Under the bill, the exemption is not limited to farmers and the septage may be removed from facilities other than septic tanks, such as holding tanks. Under the bill, in order to qualify for the exemption, no more than 3,000 gallons of septage per week may disposed of on the land.

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

BILL

SECTION 1. 281.48 (4m) (b) (intro.) and 1. of the statutes, as affected by 2005 2 Wisconsin Act 347, are amended to read: 281.48 (4m) (b) (intro.) Notwithstanding par. (a), the department may not 3 require a site approval for a location where septage is disposed of on land if the person 4 who disposes of the septage is a farmer who owns or leases that location and if: 5 1. The septage is removed from a septic tank, soil absorption field, holding tank, 6 grease trap, or privy which is located on the same parcel where the septage is 7 8 disposed of; and **SECTION 2.** 281.48 (4m) (b) 2. of the statutes is created to read: 9 281.48 (4m) (b) 2. No more than 3,000 gallons of septage per week are disposed 10 11 of on the property; and 12**SECTION 3.** 281.48 (4m) (c) of the statutes as affected by 2005 Wisconsin Act 13347, is amended to read: 281.48 (4m) (c) If a location is exempt from site approval under par. (b), the 14 department may require the person who services the septic tank, soil absorption 15 16 field, holding tank, grease trap, or privy to provide the department with information 17 to show that sufficient land area is available for disposal. 18 SECTION 4. Effective date. 19 (1) This act takes effect retroactively to April 29, 2006. Mote (END)

2007-2008 DRAFTING INSERT FROM THE LEGISLATIVE REFERENCE BUREAU

Insert

SECTION 1. Nonstatutory provisions.

(1) Beginning on the effective date of this subsection, no person is subject to prosecution for the failure, before the effective date of this subsection, to obtain a site approval under section 281.48 (4m) (a) of the statutes if the person would be exempt from the requirement to obtain a site approval under section 281.48 (4m) (b) of the statutes, as affected by this act. A court shall dismiss any case that is pending on the effective date of this subsection against a person for the failure, before the effective date of this subsection, to obtain a site approval under section 281.48 (4m) (a) of the statutes if the person would be exempt from the requirement to obtain a site approval under section 281.48 (4m) (b) of the statutes, as affected by this act.

DRAFTER'S NOTE FROM THE LEGISLATIVE REFERENCE BUREAU

LRB-324/1dn The

date

Anne Emerson:

This is a draft of the proposal to modify the exemption from the requirement for DNR approval for land disposal of septage. I have become aware that, because of section 990.04 of the statutes, a retroactive effective date for this draft will not protect a person from prosecution under section 281.48 of the statutes, as it was modified last session. I have replaced the retroactive effective date with a nonstatutory provision specifically protecting persons from prosecution if they fit within the exemption as modified in this draft.

Please contact me with any questions.

Rebecca C. Tradewell Managing Attorney Phone: (608) 266-7290

E-mail: becky.tradewell@legis.wisconsin.gov

DRAFTER'S NOTE FROM THE LEGISLATIVE REFERENCE BUREAU

LRB-1324/1dn RCT:jld:nwn

February 9, 2007

Anne Emerson:

This is a draft of the proposal to modify the exemption from the requirement for DNR approval for land disposal of septage. I have become aware that, because of section 990.04 of the statutes, a retroactive effective date for this draft will not protect a person from prosecution under section 281.48 of the statutes, as it was modified last session. I have replaced the retroactive effective date with a nonstatutory provision specifically protecting persons from prosecution if they fit within the exemption as modified in this draft.

Please contact me with any questions.

Rebecca C. Tradewell Managing Attorney Phone: (608) 266-7290

 $E-mail:\ becky.tradewell@legis.wisconsin.gov$

Duerst, Christina

From:

Emerson, Anne

Sent:

Thursday, December 20, 2007 1:05 PM LRB.Legal

To:

Subject:

Draft Review: LRB 07-1324/1 Topic: Exception from the requirement to obtain

approval for land disposal of septage

Please Jacket LRB 07-1324/1 for the ASSEMBLY.