

**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:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

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

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**Instructions:**

Like 05-5064/2

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**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>
/?	btradewe 01/22/2007	jdye 02/09/2007		_____			
/1			nmatzke 02/09/2007	_____	cduerst 02/09/2007	cduerst 12/20/2007	

FE Sent For: N/A

<END>

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/?	btradewe		nwh 2/9	nwh/rs 2/9			

FE Sent For:

<END>

**Tradewell, Becky**

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**From:** Basford, Sarah  
**Sent:** Wednesday, January 03, 2007 1:34 PM  
**To:** Tradewell, Becky  
**Subject:** FW: Message for Becky Tradewell

**Sarah Basford**

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

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**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: RC) (Date: 1 / 3 / 2007)



Please transfer the drafting file for  
2005 LRB -5064 to the drafting file  
for 2007 LRB 1324

☛ The final version of the 2005 draft and the final Request Sheet will be 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 --**

Please copy the drafting file for  
2007 LRB / (include the version) and place it in the  
drafting file for 2007 LRB

☛ 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.

2/9 am

2007  
**2005 BILL**

JLd

Note

Regen

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

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



**2007-2008 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-1324/lins  
RCT:.....

**Insert**

**SECTION 1. Nonstatutory provisions.**

(1) Beginning on the effective date of this subsection, <sup>✓</sup>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) <sup>✓</sup>of the statutes if the person would be exempt from the requirement to obtain a site approval under section 281.48 <sup>✓</sup>(4m) (b) of the statutes, as affected by this act. <sup>✓</sup>A court shall dismiss any case that is pending on the effective date of this subsection <sup>✓</sup>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. <sup>✓</sup>



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

1  
LRB-324/1dn  
RCT.↑:...

*I fixed*

*date*

*JLD*

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<sup>✓</sup> of the statutes, a retroactive effective date for this draft will not protect a person from prosecution under section 281.48<sup>✓</sup> 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](mailto:becky.tradewell@legis.wisconsin.gov)

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

LRB-1324/1dn  
RCTjld: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](mailto:becky.tradewell@legis.wisconsin.gov)

**Duerst, Christina**

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**From:** Emerson, Anne  
**Sent:** Thursday, December 20, 2007 1:05 PM  
**To:** LRB.Legal  
**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.