

2007 SENATE BILL 330

November 19, 2007 – Introduced by LAW REVISION COMMITTEE. Referred to Committee on Commerce, Utilities and Rail.

1 **AN ACT to amend** 145.045 (1), 145.14 (2) (a), 145.195 (1) and 145.195 (2) of the
2 statutes; **relating to:** use of phrases to describe a private sewage system
3 (suggested as remedial legislation by the Department of Commerce).

Analysis by the Legislative Reference Bureau

Under current law, various phrases are used to describe a private sewage system in the provisions administered by the Department of Commerce that deal with these systems. Current law defines a private sewage system to be a sewage treatment and disposal system serving a single structure with a septic tank and soil absorption field located on the same parcel as the structure.

This bill makes changes in current law so that the phrase “private sewage system” is used consistently when referring to these systems.

For further information, see the NOTE provided by the Law Revision Committee of the Joint Legislative Council.

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

LAW REVISION COMMITTEE PREFATORY NOTE: This bill is a remedial legislation proposal, requested by the Department of Commerce and introduced by the Law Revision Committee under s. 13.83 (1) (c) 4., stats. After careful consideration of the various provisions of the bill, the Law Revision Committee has determined that this bill makes minor substantive changes in the statutes, and that these changes are desirable as a matter of public policy.

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1 **SECTION 1.** 145.045 (1) of the statutes is amended to read:

2 145.045 **(1)** POWERS AND DUTIES. The department shall by rule establish an
3 examining program for the certification of soil testers, setting such standards as the
4 department finds necessary to accomplish the purposes of this chapter. Such
5 standards shall include formal written examinations for all applicants. The
6 department shall charge applicants for the cost of examination and certification.
7 After July 1, 1974, no person may construct soil bore holes, or conduct soil percolation
8 tests or other similar tests specified by the department, ~~relating to the disposal of~~
9 ~~liquid domestic wastes into the soil~~ that relate to private sewage systems unless the
10 person holds a valid certificate issued under this section.

11 **SECTION 2.** 145.14 (2) (a) of the statutes is amended to read:

12 145.14 **(2)** (a) *Sewer services.* Persons classified under this paragraph may
13 install septic tanks for private sewage disposal systems, may install drain fields
14 designed to serve such septic tanks, and ~~the~~ may install sewer service from the septic
15 tank or sewer extensions from mains to the immediate inside or proposed inside
16 foundation wall of the building.

17 **SECTION 3.** 145.195 (1) of the statutes is amended to read:

18 145.195 **(1)** No county, city, town or village may issue a building permit for
19 construction of any structure requiring connection to a private ~~domestic~~ sewage
20 ~~treatment and disposal~~ system unless a private sewage system satisfying all
21 applicable regulations already exists to serve the proposed structure or all permits
22 necessary to install such a private sewage system have been obtained.

23 **SECTION 4.** 145.195 (2) of the statutes is amended to read:

24 145.195 **(2)** Before issuing a building permit for construction of any structure
25 on property not served by a municipal sewage treatment plant, the county, city, town

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1 or village shall determine that the proposed construction does not interfere with a
2 functioning private domestic sewage treatment and disposal system. The county,
3 city, town or village may require building permit applicants to submit a detailed plan
4 of the owner's existing private domestic sewage treatment and disposal system.

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(END)