

ASSEMBLY BILL 532 (LRB -2124)

An Act to amend 145.12 (5) (a); and to create 145.20 (6) of the statutes; relating to: restrictions relating to soil testing and the installation, design, maintenance, repair, and sale of private sewage systems and providing a penalty.

2007

- 10-11. A. Introduced by Representatives **Gunderson, Musser, Berceau, Hahn, LeMahieu, Mursau, A. Ott and Turner**; cosponsored by Senators **Miller, Cowles, Lassa, Lazich, Lehman, Olsen and Schultz**.
- 10-11. A. Read first time and referred to committee on Natural Resources 297
- 10-18. A. **LRB correction** 306
- 10-18. A. Assembly amendment 1 offered by Representative Gunderson (**LRB a0775**) 305
- 10-24. A. Public hearing held.
- 12-19. A. Executive action taken.

2008

- 01-07. A. Report Assembly Amendment 1 adoption recommended by committee on Natural Resources, Ayes 14, Noes 0 421
- 01-07. A. Report passage as amended recommended by committee on Natural Resources, Ayes 9, Noes 5 421
- 01-07. A. Referred to committee on Rules 421
- 01-18. A. Assembly amendment 2 offered by Representative Gunderson (**LRB a1071**) 449
- 02-26. A. Placed on calendar 2-28-2008 by committee on Rules.
- 02-28. A. Read a second time 575
- 02-28. A. Assembly amendment 1 **adopted** 575
- 02-28. A. Assembly amendment 2 **adopted** 575
- 02-28. A. Ordered to a third reading 575
- 02-28. A. Refused to suspend rules to read a third time, Ayes 51, Noes 46 575
- 03-05. A. Read a third time and **passed** 630
- 03-05. A. Ordered immediately messaged 630
- 03-06. S. Received from Assembly.
- 03-07. S. Read first time and referred to committee on Environment and Natural Resources.
- 03-12. S. Rules suspended to withdraw from committee on Environment and Natural Resources and take up.
- 03-12. S. Read a second time.
- 03-12. S. Ordered to a third reading.
- 03-12. S. Rules suspended.
- 03-12. S. Read a third time and **passed**.
- 03-12. S. Ordered immediately messaged.
- 03-12. A. Received from Senate concurred in.

**2007
ENROLLED BILL**

07en A B- 532

ADOPTED DOCUMENTS:

Orig Engr SubAmdt

07 2124 / 3 ✓

Amendments to above (if none, write "NONE"): AA1 - a 0775/1 ✓

AA2 - a 1071/1 ✓

Corrections - show date (if none, write "NONE"): OCT. 17, 2007

Topic Rel

3-12-08
Date

[Signature]
Enrolling Drafter

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2007-2008 LEGISLATURE

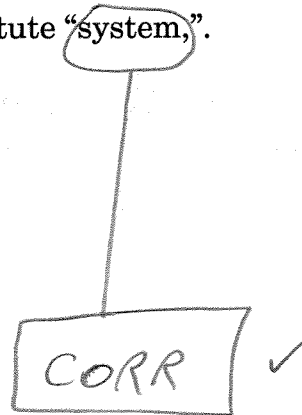
CORRECTIONS IN:

2007 ASSEMBLY BILL 532

Prepared by the Legislative Reference Bureau
(October 17, 2007)

1. Page 2, line 13: delete "systems" and substitute "system,".

(END)



2007 ASSEMBLY BILL 532

October 11, 2007 - Introduced by Representatives GUNDERSON, MUSSER, BERCEAU, HAHN, LEMAHIEU, MURSAU, A. OTT and TURNER, cosponsored by Senators MILLER, COWLES, LASSA, LAZICH, LEHMAN, OLSEN and SCHULTZ. Referred to Committee on Natural Resources.

1 **AN ACT to amend** 145.12 (5) (a); and **to create** 145.20 (6) of the statutes;
2 **relating to:** restrictions relating to soil testing and the installation, design,
3 maintenance, repair, and sale of private sewage systems and providing a
4 penalty.

Analysis by the Legislative Reference Bureau

Current law makes certain local governmental units, generally counties, responsible for the regulation of septic systems and other private sewage systems. For example, the law requires the local governmental units to review soil test reports and to inspect private sewage systems after construction but before backfilling.

This bill prohibits a local governmental unit employee who has responsibilities related to the regulation of private sewage systems from doing any of the following:

1. Performing soil testing.
2. Installing, maintaining, or repairing private sewage systems.
3. Selling private sewage systems.
4. Designing private sewage systems.

The bill authorizes the Department of Commerce to directly assess a forfeiture of no more than \$2,000 against a person who violates the prohibitions created in the bill.

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

ASSEMBLY BILL 532

SECTION 1

1 SECTION 1. 145.12 (5) (a) of the statutes is amended to read:

2 145.12 (5) (a) In lieu of any other penalty under this section, the department
3 may directly assess a forfeiture by issuing an order against any person who violates
4 s. 145.06 or 145.20 (6). The department may not assess a forfeiture exceeding \$2,000
5 for each violation.

INS. AA1-1 ✓

6 SECTION 2. 145.20 (6) of the statutes is created to read:

7 (7) 145.20 (6) RESTRICTIONS ON REVIEWERS AND INSPECTORS. ~~A governmental~~ unit
8 employee who has responsibilities related to any of the activities under sub. (2) (a)
9 to (i) may not do any of the following:

INS. AA2-1 ✓

INS. AA1-2 ✓

10 (a) Conduct any activities for which certification is required under s. 145.045
11 (1), except that the employee may review and verify soil tester reports as provided
12 in sub. (2) (a).

INS AA1-3 ✓

INS. CORR. ✓

13 (b) Install, design, maintain, repair, or sell a private sewage ~~systems~~
14 component of a private sewage system, drain field designed to serve a private sewage
15 system, or pipe from a private sewage system to the immediate inside of the existing
16 or proposed foundation wall of the building served by the private sewage system.

17 SECTION 3. Effective date.

18 (1) This act takes effect on the first day of the 7th month beginning after
19 publication.

20 (END)
INS. AA1-4 ✓

**ASSEMBLY AMENDMENT 1,
TO 2007 ASSEMBLY BILL 532**

October 18, 2007 - Offered by Representative GUNDERSON.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 2, line 7: delete "A governmental" and substitute "(a) Except as
3 provided in par. (b), a governmental".

AAI-1 ✓

4 **2.** Page 2, line 10: substitute "1." for "(a)".

AAI-2 ✓

5 **3.** Page 2, line 13: substitute "2." for "(b)".

AAI-3 ✓

6 **4.** Page 2, line 16: after that line insert:

AAI-4 ✓

7 "(b) Paragraph (a) does not apply to activities performed by an employee on
8 property owned by the employee that is outside of the governmental unit for which
9 the employee works." ✓

10

(END)

**ASSEMBLY AMENDMENT 2,
TO 2007 ASSEMBLY BILL 532**

January 18, 2008 - Offered by Representative GUNDERSON.

AA2-1 ✓

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 2, line 9: after "following" insert "in the county in which the employee
3 is employed or in an adjacent county".

4 (END)