



2009 ASSEMBLY BILL 950

April 13, 2010 – Introduced by Representatives SEIDEL, SUDER, PETROWSKI, VRUWINK, M. WILLIAMS and ROTH, cosponsored by Senators DECKER, KREITLOW, TAYLOR and A. LASEE. Referred to Committee on Natural Resources.

1 **AN ACT to amend** 145.20 (5) (a) and 145.245 (9) (intro.); and **to create** 145.20
2 (5) (am) of the statutes; **relating to:** eligibility for grant funding under a
3 maintenance program that applies to private sewage systems.

Analysis by the Legislative Reference Bureau

Under current law, a maintenance program for private sewage systems (systems) is administered jointly by the Department of Commerce (Commerce) and governmental units (counties in which the systems are located or, for counties with a population of at least 500,000, cities, villages, or towns in which the systems are located). This maintenance program applies to all new or replacement systems constructed in the governmental unit after the date on which the governmental unit adopts the program and may be applied by Commerce to systems in the governmental unit constructed before that date.

Under rules promulgated by Commerce for the maintenance program, a governmental unit must conduct and maintain an inventory of all systems in its jurisdiction and must complete the inventory before October 1, 2011, and must implement the maintenance program before October 1, 2013. This bill incorporates the inventory requirement into the statutes and delays the deadline for the inventory to October 1, 2013, and the deadline for the program implementation to October 1, 2015.

ASSEMBLY BILL 950

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:

1 **SECTION 1.** 145.20 (5) (a) of the statutes is amended to read:

2 145.20 (5) (a) The department shall establish a maintenance program to be
3 administered by governmental units responsible for the regulation of private sewage
4 systems. The department shall determine the private sewage systems to which the
5 maintenance program applies. At a minimum the maintenance program is
6 applicable to all new or replacement private sewage systems constructed in a
7 governmental unit after the date on which the governmental unit adopts this
8 program. The department may apply the maintenance program by rule to private
9 sewage systems constructed in a governmental unit responsible for the regulation
10 of private sewage systems on or before the date on which the governmental unit
11 adopts the program. The department shall determine the private sewage systems
12 to which the maintenance program applies in governmental units that do not meet
13 the conditions for eligibility under s. 145.245 (9), ~~except that the maintenance~~
14 ~~program in these governmental units does not commence until January 1, 2008.~~

15 **SECTION 2.** 145.20 (5) (am) of the statutes is created to read:

16 145.20 (5) (am) Each governmental unit responsible for the regulation of
17 private sewage systems shall adopt and begin the administration of the program
18 established under par. (a) before October 1, 2015. As part of adopting and
19 administering the program, the governmental unit shall conduct and maintain an
20 inventory of all the private sewage systems located in the governmental unit and
21 shall complete the initial inventory before October 1, 2013. In order to be eligible for

ASSEMBLY BILL 950

1 grant funding under s. 145.245, a governmental unit must comply with these
2 deadlines.

3 **SECTION 3.** 145.245 (9) (intro.) of the statutes is amended to read:

4 145.245 **(9)** CONDITIONS; GOVERNMENTAL UNITS. (intro.) As a condition for
5 obtaining ~~a~~ grant funding under this section, a governmental unit shall:

6 (END)