



2009 ASSEMBLY BILL 397

August 26, 2009 - Introduced by Representatives SOLETSKI, SINICKI, KESTELL, MURSAU, MURTHA, STASKUNAS, TURNER, VRUWINK and ZIGMUNT, cosponsored by Senators PLALE, TAYLOR, LEHMAN, HANSEN, WIRCH, HOLPERIN, CARPENTER and COWLES. Referred to Committee on Labor.

1 **AN ACT** *to renumber* 145.01 (10) (d); *to renumber and amend* 145.01 (10)
2 (intro.), 145.01 (10) (a), 145.01 (10) (b), 145.01 (10) (c) and 145.01 (10) (e); *to*
3 **amend** 145.01 (3m), 145.14 (2) (a) and 145.14 (2) (b); and *to create* 145.01 (10)
4 (br) of the statutes; **relating to:** the definition of plumbing and classifying
5 plumbers to do certain work.

Analysis by the Legislative Reference Bureau

This bill makes changes in the definition of “plumbing,” as it is defined for purposes of the statutory provisions relating to plumbing that are administered by the Department of Commerce. The changes include the following:

1. Changing the definition in certain aspects to include systems that treat or process wastewater and stormwater.
2. Eliminating references that limit the scope of the definition to piping that runs from the outside of foundations of a building to water mains and terminals.
3. Eliminating references that limit the scope of the definition to potable water supply systems.

Under current law, plumbers are classified by the Department of Commerce to do different types of work. Under the “sewer services” classification, a plumber may do such work as installing septic tanks and installing sewer service from a septic tank to a building. Under the bill, plumbers with this classification may also install systems that reclaim used water or collect stormwater for subsequent uses.

ASSEMBLY BILL 397

For further information see the *state* 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.** 145.01 (3m) of the statutes is amended to read:

2 145.01 **(3m)** CROSS-CONNECTION CONTROL DEVICE. “Cross-connection control
3 device” means any mechanical device that automatically prevents backflow from a
4 contaminated source in or into a potable water supply system.

5 **SECTION 2.** 145.01 (10) (intro.) of the statutes is renumbered 145.01 (10) (a)
6 (intro.) and amended to read:

7 145.01 **(10)** (a) (intro.) “Plumbing” means and includes:

8 **SECTION 3.** 145.01 (10) (a) of the statutes is renumbered 145.01 (10) (a) 1. and
9 amended to read:

10 145.01 **(10)** (a) 1. All piping, fixtures, appliances, equipment, devices, and
11 appurtenances in connection with the water supply systems, water distribution and
12 systems, wastewater drainage systems, reclaimed water systems, and stormwater
13 use systems, including hot water storage tanks, water softeners treatment devices,
14 and water heaters connected with such water and drainage these systems and also
15 includes the installation thereof.

16 **SECTION 4.** 145.01 (10) (b) of the statutes is renumbered 145.01 (10) (a) 2. and
17 amended to read:

18 145.01 **(10)** (a) 2. The construction, connection or, installation, service, or
19 repair of any drain or waste wastewater piping system from the outside or proposed
20 outside foundation walls of any building that connects to the mains or other sewage
21 system terminal within the bounds of, or beneath an area subject to easement for

ASSEMBLY BILL 397

1 highway purposes, including private sewage systems and stormwater treatment and
2 dispersal systems, and the alteration of any such systems, drains or waste
3 wastewater piping.

4 **SECTION 5.** 145.01 (10) (br) of the statutes is created to read:

5 145.01 (10) (br) "Plumbing" does not include any of the following:

- 6 1. A rainwater gutter or downspout down to the point that it discharges into
7 a plumbing system, a subsoil drain, or a foundation drain.
- 8 2. A process water reuse system if the process water reuse system is not
9 connected to any plumbing fixture or to any stormwater culvert that is located on a
10 roadway easement.
- 11 3. The practical installation of process piping within a sewage disposal plant.

12 **SECTION 6.** 145.01 (10) (c) of the statutes is renumbered 145.01 (10) (a) 3. and
13 amended to read:

14 145.01 (10) (a) 3. The construction, connection, installation, service, or repair
15 of water service piping from the outside or proposed outside foundation walls of any
16 building that connects to the main or other water utility service terminal within the
17 bounds of, or beneath an area subject to easement for highway purposes and its
18 connections.

19 **SECTION 7.** 145.01 (10) (d) of the statutes is renumbered 145.10 (a) 4.

20 **SECTION 8.** 145.01 (10) (e) of the statutes is renumbered 145.01 (10) (a) 5. and
21 amended to read:

22 145.01 (10) (a) 5. A plumbing and drainage system so designed and vent piping
23 so installed as to keep the air within the system in free circulation and movement;
24 to prevent with a margin of safety unequal air pressures of such force as might blow,
25 siphon or affect trap seals, or retard the discharge from plumbing fixtures, or permit

ASSEMBLY BILL 397**SECTION 8**

1 sewer air to escape into the building; to prohibit cross-connection, contamination or
2 pollution of the potable water supply and distribution systems; and to provide an
3 adequate supply of water to properly serve, cleanse and operate all fixtures,
4 equipment, appurtenances and appliances served by the plumbing system.

5 **SECTION 9.** 145.14 (2) (a) of the statutes is amended to read:

6 145.14 (2) (a) *Sewer services.* Persons classified under this paragraph may
7 install septic tanks for private sewage systems, may install drain fields designed to
8 serve such septic tanks, and may install sewer service from the septic tank or sewer
9 extensions from mains to the immediate inside or proposed inside foundation wall
10 of the building. Such persons may also install stormwater use systems and reclaimed
11 water systems.

12 **SECTION 10.** 145.14 (2) (b) of the statutes is amended to read:

13 145.14 (2) (b) *Appliances, equipment or devices.* Under this paragraph persons
14 installing a water softeners, treatment device, a water heaters heater, or other items
15 any other item in connection with the a water supply system or a water distribution
16 systems which do system that does not require a direct connection to the a waste
17 system or drain piping systems system are limited to making connection connections
18 to existing installations. There shall be no drilling, tapping or direct connection
19 made to any waste or drain pipe to serve items installed under this section. The
20 maximum length of water piping permitted to be installed under this section shall
21 be the minimum required to connect the item to the system.

22 **SECTION 11. Nonstatutory provisions.**

23 (1) If the department of commerce promulgate rules to interpret sections
24 145.01 (10) (intro.), (a), (b), (br), (c), and (e), as affected by this act, the department
25 shall submit in proposed form the rules to the legislative council staff under section

