

2015 DRAFTING REQUEST

Bill

Received: 12/4/2014 Received By: mgallagh
Wanted: As time permits Same as LRB:
For: Administration-Budget 7-0370 By/Representing: Potts
May Contact: Drafter: mgallagh
Subject: Buildings/Safety - misc. Addl. Drafters:
Extra Copies:

Submit via email: YES
Requester's email:
Carbon copy (CC) to: michael.gallagher@legis.wisconsin.gov
robin.kite@legis.wisconsin.gov
sbostatlanguage@webapps.wi.gov

Pre Topic:

DOA:.....Potts, BB0270 -

Topic:

Eliminate the Private On-Site Wastewater Treatment System Grant Program under 145.245.

Instructions:

See attached

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>
/P1	mgallagh 12/10/2014	evinz 12/10/2014	jmurphy 12/10/2014	_____	lparisi 12/10/2014		State S&L

FE Sent For:

<END>

2015 DRAFTING REQUEST

Bill

Received: 12/4/2014 Received By: mgallagh
Wanted: As time permits Same as LRB:
For: Administration-Budget 7-0370 By/Representing: Potts
May Contact: Drafter: mgallagh
Subject: Buildings/Safety - misc. Addl. Drafters:
Extra Copies:

Submit via email: YES
Requester's email:
Carbon copy (CC) to: michael.gallagher@legis.wisconsin.gov
robin.kite@legis.wisconsin.gov
sbostatlanguage@webapps.wi.gov

Pre Topic:

DOA:.....Potts, BB0270 -

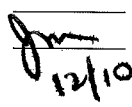
Topic:

Eliminate the Private On-Site Wastewater Treatment System Grant Program under 145.245. ✓

Instructions:

See attached

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>
/P1	mgallagh	pl eev 12/10/14	pl eev 12/10/14	 12/10			

FE Sent For:

<END>

Gallagher, Michael

From: Hanaman, Cathlene
Sent: Thursday, December 04, 2014 10:32 AM
To: Kite, Robin; Gallagher, Michael
Subject: FW: Statutory Language Drafting Request - BB0270

From: andrew.potts@wisconsin.gov [mailto:andrew.potts@wisconsin.gov]
Sent: Thursday, December 04, 2014 10:06 AM
To: Hanaman, Cathlene
Cc: Frederick, Caitlin - DOA; Potts, Andrew R - DOA; Connor, Christopher B - DOA
Subject: Statutory Language Drafting Request - BB0270

Biennial Budget: 2015-17

DOA Tracking Code: BB0270

Topic: Eliminate POWTS Grant Program

SBO Team: AEJ

SBO Analyst: Potts, Andrew
Phone: 608-267-0370
E-mail: andrew.potts@wisconsin.gov

Agency Acronym: DRL

Agency Number: 165

Priority: Medium

Intent:

Eliminate the Private On-Site Wastewater Treatment System Grant Program under 145.245.

Attachments: False

Please send completed drafts to SBOStatlanguage@webapps.wi.gov



Leav ✓

DOA:.....Potts, BB0270 - Eliminate the Private On-Site Wastewater Treatment System Grant Program under 145.245.

FOR 2015-2017 BUDGET — NOT READY FOR INTRODUCTION

SAI
xref ✓

Puf
12/10

don't gen ✓

1 AN ACT .;. relating to: the budget.

Analysis by the Legislative Reference Bureau

✓ SAFETY AND PROFESSIONAL SERVICES

✓ BUILDINGS AND SAFETY

Under current law, DSPS administers a program to provide grants to individuals and businesses who are served by failing private on-site wastewater treatment systems. This bill eliminates that grant program.

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:

2 SECTION 1. 20.165 (2) (de) of the statutes is repealed.

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

3 SECTION 2. 20.320 (3) (q) of the statutes is repealed.

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

RP 20.320(3) (title),

1 SECTION 3. 25.43 (3) of the statutes is amended to read:

2 25.43 (3) Except for the purpose of investment as provided in s. 25.17 (2) (d),
3 the environmental improvement fund may be used only for the purposes authorized
4 under ss. 20.320 (1) (r), (s), (sm), (t), and (x), and (2) (s) and (x) and (3) (q), 20.370 (4)
5 (mt), (mx) and (nz), (8) (mr) and (9) (mt), (mx) and (ny), 20.505 (1) (v), (x) and (y),
6 281.58, 281.59, 281.60, 281.61 and 281.62.

History: 1987 a. 399; 1989 a. 31, 366; 1995 a. 27, 227; 1997 a. 27, 35, 237, 252; 1999 a. 9, 32; 2009 a. 28; 2011 a. 261.

7 SECTION 4. 67.12 (12) (a) of the statutes is amended to read:

8 67.12 (12) (a) Any municipality may issue promissory notes as evidence of
9 indebtedness for any public purpose, as defined in s. 67.04 (1) (b), including but not
10 limited to paying any general and current municipal expense, and refunding any
11 municipal obligations, including interest on them. Each note, plus interest if any,
12 shall be repaid within 10 years after the original date of the note, except that notes
13 issued under this section for purposes of ss. 119.498, 145.245 (12m), 2013 stats.,
14 281.58, 281.59, 281.60, 281.61, and 292.72, issued to raise funds to pay a portion of
15 the capital costs of a metropolitan sewerage district, or issued by a 1st class city or
16 a county having a population of 500,000 or more, to pay unfunded prior service
17 liability with respect to an employee retirement system, shall be repaid within 20
18 years after the original date of the note.

History: 1971 c. 49, 144; 1971 c. 152 s. 38; 1971 c. 164, 215; 1973 c. 172, 250; 1975 c. 311; 1977 c. 29; 1977 c. 272 s. 98; 1977 c. 418; 1979 c. 34; 1979 c. 110 s. 60 (13); 1979 c. 221, 297; 1981 c. 20, 254; 1981 c. 282 ss. 29, 45; 1981 c. 314; 1983 a. 24, 27, 192, 207, 368, 538; 1985 a. 101, 225; 1987 a. 197, 391, 399, 403; 1989 a. 31, 56, 192, 336, 366; 1991 a. 32, 49; 1993 a. 399; 1995 a. 27, 227, 232, 358; 1997 a. 35, 286; 1999 a. 9; 1999 a. 150 s. 672; 1999 a. 182; 2001 a. 16; 2003 a. 43; 2007 a. 115, 188; 2009 a. 28, 180; 2011 a. 32, 75.

19 SECTION 5. 145.01 (4m) of the statutes is renumbered 145.01 (4m) (intro.) and
20 amended to read:

21 145.01 (4m) FAILING PRIVATE ON-SITE WASTEWATER TREATMENT SYSTEM. (intro.)
22 private on-site wastewater treatment system" has the meaning specified under s.

1 ~~145.245~~ (4). means a private on-site wastewater treatment system that causes or
2 results in any of the following conditions:

History: 1971 c. 255; 1977 c. 314; 1979 c. 34, 221; 1981 c. 20; 1983 a. 189, 410, 538; 1991 a. 39; 1993 a. 213, 322; 1995 a. 27 ss. 4355 and 9116 (5); 1995 a. 227; 2009 a. 200, 291; 2011 a. 32, 146; 2013 a. 124; 2013 a. 173 s. 33.

3 **SECTION 6.** 145.01 (4m) (a) of the statutes is created to read:

4 145.01 (4m) (a) The discharge of sewage into surface water or groundwater.

5 **SECTION 7.** 145.01 (4m) (b) of the statutes is created to read:

6 145.01 (4m) (b) The introduction of sewage into zones of saturation which
7 adversely affects the operation of a private on-site wastewater treatment system.

8 **SECTION 8.** 145.01 (4m) (c) of the statutes is created to read:

9 145.01 (4m) (c) The discharge of sewage to a drain tile or into zones of bedrock.

10 **SECTION 9.** 145.01 (4m) (d) of the statutes is created to read:

11 145.01 (4m) (d) The discharge of sewage to the surface of the ground.

12 **SECTION 10.** 145.01 (4m) (e) of the statutes is created to read:

13 145.01 (4m) (e) The failure to accept sewage discharges and back up of sewage
14 into the structure served by the private on-site wastewater treatment system.

15 **SECTION 11.** 145.20 (5) (a) of the statutes is amended to read:

16 145.20 (5) (a) The department shall establish a maintenance program to be
17 administered by governmental units responsible for the regulation of private on-site
18 wastewater treatment systems. The department shall determine the private on-site
19 wastewater treatment systems to which the maintenance program applies. At a
20 minimum the maintenance program is applicable to all new or replacement private
21 on-site wastewater treatment systems constructed in a governmental unit after the
22 date on which the governmental unit adopts this program. The department may
23 apply the maintenance program by rule to private on-site wastewater treatment
24 systems constructed in a governmental unit responsible for the regulation of private

1 on-site wastewater treatment systems on or before the date on which the
2 governmental unit adopts the program. ~~The department shall determine the private~~
3 ~~on-site wastewater treatment systems to which the maintenance program applies~~
4 ~~in governmental units that do not meet the conditions for eligibility under s. 145.245~~
5 ~~(9).~~

History: 1979 c. 34, 221; 1981 c. 120; 1983 a. 192 s. 308 (7); 1983 a. 410; 1987 a. 27, 160; 1989 a. 31; 1993 a. 16, 27; 1995 a. 201, 227; 1999 a. 150 s. 672; 2005 a. 347 ss. 12, 14; 2007 a. 197; 2009 a. 392; 2011 a. 32, 134, 146; 2013 a. 165.

6 **SECTION 12.** 145.20 (5) (am) of the statutes is amended to read:

7 145.20 (5) (am) Each governmental unit responsible for the regulation of
8 private on-site wastewater treatment systems shall adopt and begin the
9 administration of the program established under par. (a) before October 1, 2019. As
10 part of adopting and administering the program, the governmental unit shall
11 conduct and maintain an inventory of all the private on-site wastewater treatment
12 systems located in the governmental unit and shall complete the initial inventory
13 before October 1, 2017. ~~In order to be eligible for grant funding under s. 145.245, a~~
14 ~~governmental unit must comply with these deadlines.~~

History: 1979 c. 34, 221; 1981 c. 120; 1983 a. 192 s. 308 (7); 1983 a. 410; 1987 a. 27, 160; 1989 a. 31; 1993 a. 16, 27; 1995 a. 201, 227; 1999 a. 150 s. 672; 2005 a. 347 ss. 12, 14; 2007 a. 197; 2009 a. 392; 2011 a. 32, 134, 146; 2013 a. 165.

15 **SECTION 13.** 145.245 of the statutes is repealed.

16 **SECTION 14.** 281.57 (7) (c) 1. of the statutes is amended to read:

17 281.57 (7) (c) 1. Metropolitan sewerage districts that serve 1st class cities are
18 limited in each fiscal year to receiving total grant awards not to exceed 33% of the
19 ~~sum of the amounts in the schedule for that fiscal year for the appropriation under~~
20 ~~s. 20.165 (2) (de) \$771,738~~ and the amount authorized under sub. (10) for that fiscal
21 year plus the unencumbered balance at the end of the preceding fiscal year for the

1 amount authorized under sub. (10). This subdivision is not applicable to grant
2 awards provided during fiscal years 1985–86, 1986–87, 1988–89 and 1989–90.

History: 1977 c. 418; 1979 c. 34 ss. 976g to 976wd, 2102 (39) (g); 1979 c. 221 ss. 626 to 626y, 2200 (20), 2202 (39); 1981 c. 1, 20, 174; 1983 a. 27; 1985 a. 29 ss. 1935 to 1938, 3202 (39); 1985 a. 120; 1987 a. 27, 399; 1989 a. 31, 336, 366; 1991 a. 39, 315; 1995 a. 27; 1995 a. 227 s. 424; Stats. 1995 s. 281.57; 1997 a. 27; 1999 a. 9; 1999 a. 150 s. 672; 2001 a. 16; 2011 a. 32.

***NOTE: The \$771,738 amount represents 33 percent of the amount in the schedule for the 2014–15 fiscal year for the appropriation under s. 20¹165 (2) (de), stats., which is repealed in the draft. Let me know if you want to take a different approach. MPG

3 **SECTION 15.** 281.59 (1m) (c) of the statutes is repealed.

4 (END)



State of Wisconsin
2015 - 2016 LEGISLATURE



LRB-0794/P1
MPG:eev:jm

DOA:.....Potts, BB0270 - Eliminate the Private On-Site Wastewater Treatment System Grant Program under 145.245.

FOR 2015-2017 BUDGET -- NOT READY FOR INTRODUCTION

1 **AN ACT ...; relating to:** the budget.

Analysis by the Legislative Reference Bureau

SAFETY AND PROFESSIONAL SERVICES

BUILDINGS AND SAFETY

Under current law, DSPS administers a program to provide grants to individuals and businesses who are served by failing private on-site wastewater treatment systems. This bill eliminates that grant program.

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:

2 **SECTION 1.** 20.165 (2) (de) of the statutes is repealed.

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

3 **SECTION 2.** 20.320 (3) (title) of the statutes is repealed.

4 **SECTION 3.** 20.320 (3) (q) of the statutes is repealed.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

1 **SECTION 4.** 25.43 (3) of the statutes is amended to read:

2 25.43 (3) Except for the purpose of investment as provided in s. 25.17 (2) (d),
3 the environmental improvement fund may be used only for the purposes authorized
4 under ss. 20.320 (1) (r), (s), (sm), (t), and (x), and (2) (s) and (x) ~~and (3) (q)~~, 20.370 (4)
5 (mt), (mx), and (nz), (8) (mr), and (9) (mt), (mx), and (ny), 20.505 (1) (v), (x), and (y),
6 281.58, 281.59, 281.60, 281.61, and 281.62.

7 **SECTION 5.** 67.12 (12) (a) of the statutes is amended to read:

8 67.12 (12) (a) Any municipality may issue promissory notes as evidence of
9 indebtedness for any public purpose, as defined in s. 67.04 (1) (b), including but not
10 limited to paying any general and current municipal expense, and refunding any
11 municipal obligations, including interest on them. Each note, plus interest if any,
12 shall be repaid within 10 years after the original date of the note, except that notes
13 issued under this section for purposes of ss. 119.498, 145.245 (12m), 2013 stats.,
14 281.58, 281.59, 281.60, 281.61, and 292.72, issued to raise funds to pay a portion of
15 the capital costs of a metropolitan sewerage district, or issued by a 1st class city or
16 a county having a population of 500,000 or more, to pay unfunded prior service
17 liability with respect to an employee retirement system, shall be repaid within 20
18 years after the original date of the note.

19 **SECTION 6.** 145.01 (4m) of the statutes is renumbered 145.01 (4m) (intro.) and
20 amended to read:

21 145.01 (4m) FAILING PRIVATE ON-SITE WASTEWATER TREATMENT SYSTEM. (intro.)
22 “Failing private on-site wastewater treatment system” ~~has the meaning specified~~

1 ~~under s. 145.245 (4).~~ means a private on-site wastewater treatment system that
2 causes or results in any of the following conditions:

3 **SECTION 7.** 145.01 (4m) (a) of the statutes is created to read:

4 145.01 (4m) (a) The discharge of sewage into surface water or groundwater.

5 **SECTION 8.** 145.01 (4m) (b) of the statutes is created to read:

6 145.01 (4m) (b) The introduction of sewage into zones of saturation which
7 adversely affects the operation of a private on-site wastewater treatment system.

8 **SECTION 9.** 145.01 (4m) (c) of the statutes is created to read:

9 145.01 (4m) (c) The discharge of sewage to a drain tile or into zones of bedrock.

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

11 145.01 (4m) (d) The discharge of sewage to the surface of the ground.

12 **SECTION 11.** 145.01 (4m) (e) of the statutes is created to read:

13 145.01 (4m) (e) The failure to accept sewage discharges and backup of sewage
14 into the structure served by the private on-site wastewater treatment system.

15 **SECTION 12.** 145.20 (5) (a) of the statutes is amended to read:

16 145.20 (5) (a) The department shall establish a maintenance program to be
17 administered by governmental units responsible for the regulation of private on-site
18 wastewater treatment systems. The department shall determine the private on-site
19 wastewater treatment systems to which the maintenance program applies. At a
20 minimum the maintenance program is applicable to all new or replacement private
21 on-site wastewater treatment systems constructed in a governmental unit after the
22 date on which the governmental unit adopts this program. The department may
23 apply the maintenance program by rule to private on-site wastewater treatment
24 systems constructed in a governmental unit responsible for the regulation of private
25 on-site wastewater treatment systems on or before the date on which the

1 governmental unit adopts the program. ~~The department shall determine the private~~
2 ~~on-site wastewater treatment systems to which the maintenance program applies~~
3 ~~in governmental units that do not meet the conditions for eligibility under s. 145.245~~
4 ~~(9).~~

5 **SECTION 13.** 145.20 (5) (am) of the statutes is amended to read:

6 145.20 (5) (am) Each governmental unit responsible for the regulation of
7 private on-site wastewater treatment systems shall adopt and begin the
8 administration of the program established under par. (a) before October 1, 2019. As
9 part of adopting and administering the program, the governmental unit shall
10 conduct and maintain an inventory of all the private on-site wastewater treatment
11 systems located in the governmental unit and shall complete the initial inventory
12 before October 1, 2017. ~~In order to be eligible for grant funding under s. 145.245, a~~
13 ~~governmental unit must comply with these deadlines.~~

14 **SECTION 14.** 145.245 of the statutes is repealed.

15 **SECTION 15.** 281.57 (7) (c) 1. of the statutes is amended to read:

16 281.57 (7) (c) 1. Metropolitan sewerage districts that serve 1st class cities are
17 limited in each fiscal year to receiving total grant awards not to exceed ~~33% of the~~
18 ~~sum of the amounts in the schedule for that fiscal year for the appropriation under~~
19 ~~s. 20.165 (2) (de) \$771,738~~ and the amount authorized under sub. (10) for that fiscal
20 year plus the unencumbered balance at the end of the preceding fiscal year for the
21 amount authorized under sub. (10). This subdivision is not applicable to grant
22 awards provided during fiscal years 1985–86, 1986–87, 1988–89 and 1989–90.

****NOTE: The \$771,738 amount represents 33 percent of the amount in the schedule for the 2014–15 fiscal year for the appropriation under s. 20.165 (2) (de), stats., which is repealed in the draft. Let me know if you want to take a different approach. MPG

