



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

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:

SECTION 1. 20.165 (2) (de) of the statutes is repealed.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

SECTION 2. 20.320 (3) (title) of the statutes is repealed.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

SECTION 3. 20.320 (3) (q) of the statutes is repealed.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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SECTION 14. 145.245 of the statutes is repealed.

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

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

SECTION 16. 281.59 (1m) (c) of the statutes is repealed.

(END)