



1995 ASSEMBLY BILL 434

June 6, 1995 - Introduced by Representatives URBAN, LAZICH, HOVEN, JENSEN, DUFF and SCHNEIDERS, cosponsored by Senators PANZER, FARROW and ADELMAN. Referred to Committee on Environment and Utilities.

1 **AN ACT** *to renumber and amend* 66.896 (1); and *to create* 66.896 (1) (c) and
2 144.025 (8) of the statutes; **relating to:** service connections to the Milwaukee
3 Metropolitan Sewerage District.

Analysis by the Legislative Reference Bureau

Under current law the Milwaukee Metropolitan Sewerage District (MMSD) may approve or disapprove any connection with or use of the sewerage system by any city, village, town, private person or corporation.

Under this bill, MMSD is required to approve or disapprove a request for connection with or use of the sewerage system within 30 days after receipt of an application for connection or use. If MMSD disapproves the application, the person who filed the application may appeal to the department of natural resources (DNR). If DNR determines that MMSD has unreasonably disapproved the application for connection or use, DNR may order MMSD to connect the person to the system.

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:

4 **SECTION 1.** 66.896 (1) of the statutes is renumbered 66.896 (1) (a) and amended
5 to read:

6 66.896 (1) (a) The commission may approve or disapprove any connection with
7 or use of the sewerage system by any town, city or village or by any private person

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1 or corporation. The commission shall examine proposed connections or uses and,
2 shall hear all the parties in interest and shall approve or disapprove a request for
3 connection with or use of the sewerage system within 30 days after receiving the
4 application. Failure of the commission to approve or disapprove an application
5 within 30 days after its receipt constitutes approval of the application.

6 (b) If the commission finds that any sewer connected or to be connected to the
7 sewerage system is defective in construction, design, supervision or operation, the
8 commission may not permit any connection to be made or continued until the
9 alterations, new construction and changes in supervision or operation required by
10 the commission have been made.

11 **SECTION 2.** 66.896 (1) (c) of the statutes is created to read:

12 66.896 (1) (c) Subject to par. (b), the commission shall allow connection with
13 and use of the sewage system by any person whose application the commission has
14 disapproved under par. (a) if the department of natural resources determines under
15 s. 144.025 (8) that the commission's disapproval under par. (a) was unreasonable.

16 **SECTION 3.** 144.025 (8) of the statutes is created to read:

17 144.025 (8) CONNECTIONS TO THE MILWAUKEE METROPOLITAN SEWERAGE DISTRICT.
18 If the Milwaukee Metropolitan Sewerage District disapproves the application of any
19 town, city, village, private person or corporation to connect with and use the district's
20 sewerage system under s. 66.896 (1) (a), the applicant may file a written request with
21 the department to review the district's disapproval. The department shall review the
22 district's disapproval and if the department determines that the district acted
23 unreasonably, the department shall order the district to allow the applicant to
24 connect with and use its sewerage system under s. 66.896 (1) (c).

25 (END)