



## 2021 ASSEMBLY BILL 123

March 1, 2021 - Introduced by Representatives KRUG, KURTZ, ARMSTRONG, BRANDTJEN, DOYLE, MOSES, MURSAU, NOVAK, OLDENBURG, PETRYK, ROZAR, SUMMERFIELD and CABRERA, cosponsored by Senators JACQUE, TESTIN, BALLWEG, COWLES, MARKLEIN and SMITH. Referred to Committee on Rural Development.

1     **AN ACT** *to create* 145.245 (10m) of the statutes; and *to affect* 2017 Wisconsin  
2           Act 59, section 9439 (4t); **relating to:** the private on-site wastewater treatment  
3           system replacement or rehabilitation grant program and a septage  
4           characterization study.

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### *Analysis by the Legislative Reference Bureau*

2017 Wisconsin Act 59, the 2017 biennial budget act, repealed, effective June 30, 2021, a program the Department of Safety and Professional Services administers to provide grants to persons and businesses that are served by failing private on-site wastewater treatment systems (POWTS), which are commonly known as septic tanks. This bill delays the elimination of the POWTS grant program to June 30, 2023.

The bill requires DSPS to prepare literature that describes the eligibility for receiving a POWTS grant for a residence. Under the bill, DSPS supplies the literature to counties, and counties must distribute the literature to recipients of public benefits.

The bill also requires DSPS to fund a study that analyzes and makes recommendations on practices that mitigate the risk of contaminating ground and surface waters with septage. The Department of Soil and Waste Resources of the College of Natural Resources of the University of Wisconsin-Stevens Point must conduct the study and submit a report to the legislature by December 31, 2022.

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For further information see the state and local fiscal estimate, which will be printed as an appendix to this bill.

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*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

1           **SECTION 1.** 145.245 (10m) of the statutes is created to read:

2           145.245 **(10m)** DISTRIBUTION OF LITERATURE. The department shall prepare  
3 literature that describes the eligibility for receiving a grant under this section for a  
4 principal residence. The department shall supply the literature to counties, and  
5 counties shall distribute the literature to recipients of public benefits.

6           **SECTION 2.** 2017 Wisconsin Act 59, section 9439 (4t) is amended to read:

7           [2017 Wisconsin Act 59] Section 9439 (4t) PRIVATE ON-SITE WASTEWATER  
8 TREATMENT SYSTEM REPLACEMENT OR REHABILITATION GRANT PROGRAM; SUNSET. The  
9 treatment of sections 20.165 (2) (j) and (ke), 145.20 (5) (a) and (am), 145.245 (by  
10 SECTION 1655j), and 281.57 (7) (c) 1. of the statutes, the renumbering and amendment  
11 of section 145.01 (4m) of the statutes, and the creation of section 145.01 (4m) (a), (b),  
12 (c), (d), and (e) of the statutes take effect on June 30, ~~2021~~ 2023.

13           **SECTION 3. Nonstatutory provisions.**

14           (1) The authorized FTE positions for the department of safety and professional  
15 services are increased by 2.0 PR project positions for the period beginning on July  
16 1, 2021, and ending on June 30, 2023, to be funded from the appropriation under s.  
17 20.165 (2) (j), for the purpose of conducting application and plan review under s.  
18 145.19, evaluating requests for variances under s. 145.24, and carrying out the  
19 department's responsibilities under s. 145.20 (3), including all of the following:

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1 (a) Conducting reviews and audits of private on-site wastewater treatment  
2 system programs in governmental units responsible for the regulation of private  
3 on-site wastewater treatment systems.

4 (b) Providing training and informational programs.

5 (c) Training new and existing staff of governmental units responsible for the  
6 regulation of private on-site wastewater treatment systems in conducting  
7 application and plan review under ss. 145.19 and 145.20 (2).

8 (2) The department of safety and professional services shall fund a septage  
9 characterization study by the Department of Soil and Waste Resources of the College  
10 of Natural Resources of the University of Wisconsin-Stevens Point. The study shall  
11 analyze and make recommendations on practices to mitigate the risk of  
12 contamination of the state's groundwater and surface waters through the strategic  
13 and data-driven application of septage at sites approved by the department of  
14 natural resources. The Department of Soil and Waste Resources of the College of  
15 Natural Resources of the University of Wisconsin-Stevens Point shall prepare a  
16 report detailing the results of the study and shall submit the report to the  
17 appropriate standing committees of the legislature in the manner provided under s.  
18 13.172 (3) no later than December 31, 2022.

19 (END)