



**SENATE AMENDMENT 17,
TO SENATE SUBSTITUTE AMENDMENT 2,
TO SENATE BILL 1**

February 27, 2013 – Offered by Senators LEHMAN, SHILLING, VINEHOUT, CARPENTER, HANSEN, JAUCH, LASSA, C. LARSON, RISSER, WIRCH, T. CULLEN, MILLER and ERPENBACH.

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 180, line 22: after that line insert:

3 “**295.81 Citizen suits.** (1) Except as provided in sub. (2), any citizen may
4 commence a civil action on his or her own behalf:

5 (a) Against any person who is alleged to be in violation of this subchapter.

6 (b) Against the department where there is alleged to be a failure of the
7 department to perform any act or duty under this subchapter that is not
8 discretionary with the department.

9 **(2)** No action may be commenced:

10 (a) Under sub. (1) (a):

11 1. Prior to 30 days after the plaintiff has given notice of the alleged violation
12 to the department and to the alleged violator; or

