



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2009 Assembly Bill 397

Assembly Amendment 1

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2009 Assembly Bill 397

Assembly Bill 397 generally modifies the definition of “plumbing” for purposes of various statutes relating to plumbing by including systems that treat or process stormwater or wastewater in the definition of “plumbing”; by eliminating references that limit “plumbing” to piping that runs from the outside of a building’s foundation walls to water mains and terminals; and by eliminating references that limit “plumbing” to potable water supply systems. The bill provides that “plumbing” does not include any of the following:

- A rainwater gutter or downspout down to the point that it discharges into a plumbing system, a subsoil drain, or a foundation drain.
- *A process water reuse system if the process water reuse system is not connected to any plumbing fixture or to any stormwater culvert that is located on a roadway easement.*
- The practical installation of process piping within a sewage disposal plant.

Further, the bill provides that persons in the sewer services classification *may install stormwater use systems and reclaimed water systems*, in addition to the other installations allowed for this classification under current law. The bill also modifies the language regarding the activity that persons in the “appliances, equipment or devices” classification may engage in, thus providing that a person installing a *water treatment device, a water heater, or any other item in connection with a water supply system or a water distribution system that does not require a direct connection to a waste system or drain piping system* is limited to making connections to existing installations.

Lastly, the bill provides that if the Department of Commerce promulgates rules to interpret the legislation, the department must submit the rules in proposed form to the Legislative Council Staff no later than the first day of the 12th month beginning after the legislation’s effective date.

Assembly Amendment 1

Assembly Amendment 1 replaces the second exemption to the definition of “plumbing,” described above, with the following exemptions:

- A process water reuse system if the process water reuse system is not connected to any plumbing fixture or appliance.
- A stormwater culvert under a roadway or walkway that is placed there only to equalize the water level from one end of the culvert to the other end.

The amendment changes the language in the bill concerning the sewer services and “appliances, equipment or devices” classifications. First, the amendment provides that persons in the sewer services classification *may install water services, stormwater use systems, and reclaimed water systems if the services or systems are to be located outside the foundation wall of the building*. Second, the amendment modifies the language regarding the activity that persons in the “appliances, equipment or devices” classification may engage in, thus providing that a person installing a *water treatment device, a water heater, or any other item in connection with a water distribution system, including a stormwater use or reclaimed water system, which does not require a direct connection to a drain system* is limited to making connections to existing installations.

Additionally, the amendment removes the rule promulgation provision in the bill.

Legislative History

Assembly Amendment 1 was offered by the Assembly Committee on Labor. On October 20, 2009, the Assembly Committee on Labor recommended adoption of Assembly Amendment 1 and recommended passage of Assembly Bill 397, as amended, on votes of Ayes, 9; Noes, 0.

JKR:ksm