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**WISCONSIN LEGISLATIVE COUNCIL  
AMENDMENT MEMO**

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**2011 Senate Bill 199**

**Senate  
Amendment 1**

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*Contact:* David L. Lovell, Senior Analyst (266-1537)

**MAINTENANCE PROGRAM FOR THE REGULATION OF PRIVATE SEWAGE SYSTEMS**

Current law requires the Department of Safety and Professional Services to establish a maintenance program for the regulation of private sewage systems. Implementation of the maintenance program is a prerequisite under current law for local government participation in a state program that makes grant funds available for updates to aging sewer systems.<sup>1</sup> [ss. 145.20 (5) (a) and 145.245 (9) (a), Stats.] Local governments are not yet *required* to implement the maintenance program but must do so prior to the deadlines discussed below.

**DEADLINES FOR IMPLEMENTING THE PROGRAM UNDER CURRENT LAW**

Under current law, counties<sup>2</sup> must adopt and begin administering the maintenance program for the regulation of private sewage systems before **October 1, 2015**. In addition, counties must complete inventories of the private sewage systems within their jurisdictions before **October 1, 2013**.

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<sup>1</sup> The program is codified in the former Department of Commerce’s administrative rules chapter, at s. Comm 83.255, Wis. Adm. Code. 2011 Wisconsin Act 32, the 2011-13 Biennial Budget Act, created the new Department of Safety and Professional Services and transferred Commerce Department responsibilities relating to private sewerage systems to the new department.

<sup>2</sup> The requirements apply to “governmental units responsible for the regulation of private sewage systems.” [s. 145.01 (5), Stats.] Except in Milwaukee County, counties are the responsible government units. In Milwaukee County, cities, villages, and towns perform the functions performed by county governing bodies in other counties. In this memorandum, references to counties apply to all governmental units responsible for the regulation of private sewage systems.

**2011 SENATE BILL 199**

2011 Senate Bill 199 delays the date by which counties must implement the maintenance program and conduct inventories of private sewage systems, to **October 1, 2021** and **October 1, 2019**, respectively.

**SENATE AMENDMENT 1**

Senate Amendment 1 to Senate Bill 199 shortens the delay of those deadlines by two years. Specifically, under the amendment, counties must implement the maintenance program before **October 1, 2019** and conduct inventories of private sewage systems before **October 1, 2017**.

**LEGISLATIVE HISTORY**

Senate Amendment 1 to 2011 Senate Bill 199 was offered by Senator Galloway on October 20, 2011. On that same date, the Senate adopted the amendment and passed the bill, as amended, on voice votes. On November 3, 2011, the Assembly concurred in the bill on a vote of Ayes, 57; Noes, 37; and Paired, 2.

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