

2009 Assembly Bill 75

See Below

2009 Wisconsin Act 28

SECTION 2075i. 101.1205 (6) of the statutes is renumbered 281.33 (3m) (g) and amended to read:

281.33 (3m) (g) The department, or a county, city, village, or town to which the department delegates the authority to act under this subsection—~~paragraph~~, may issue a special order directing the immediate cessation of work on a construction site described in sub. (1) ~~par. (a)~~ until any required plan approval is obtained or until the site complies with standards established by rules promulgated under this ~~section~~ subsection.

SECTION 2075j. 101.1205 (7) of the statutes is renumbered 281.33 (3m) (h).

SECTION 2153. 101.143 (4) (ei) 1m. a. of the statutes is amended to read:

101.143 (4) (ei) 1m. a. The owner or operator of the farm tank owns a parcel of 35 or more acres of contiguous land, on which the farm tank is located, which is devoted primarily to agricultural use, as defined in s. 91.01 (1) (2), including land designated by the department of natural resources as part of the ice age trail under s. 23.17, which during the year preceding submission of a first claim under sub. (3) produced gross farm profits, as defined in s. 71.58 (4), of not less than \$6,000 or which, during the 3 years preceding that submission produced gross farm profits, as defined in s. 71.58 (4), of not less than \$18,000, or a parcel of 35 or more acres, on which the farm tank is located, of which at least 35 acres, during part or all of the year preceding that submission, were enrolled in the conservation reserve program under 16 USC 3831 to 3836.

SECTION 2154. 101.143 (4) (ei) 1m. b. of the statutes is amended to read:

101.143 (4) (ei) 1m. b. The claim is submitted by a person who, at the time that the notification was made under sub. (3) (a) 3., was the owner of the farm tank and owned a parcel of 35 or more acres of contiguous land, on which the farm tank is or was located, which was devoted primarily to agricultural use, as defined in s. 91.01 (1) (2), including land designated by the department of natural resources as part of the ice age trail under s. 23.17, which during the year preceding that notification produced gross farm profits, as defined in s. 71.58 (4), of not less than \$6,000 or which, during the 3 years preceding that notification, produced gross farm profits, as defined in s. 71.58 (4), of not less than \$18,000, or a parcel of 35 or more acres, on which the farm tank is located, of which at least 35 acres, during part or all of the year preceding that notification, were enrolled in the conservation reserve program under 16 USC 3831 to 3836.

SECTION 2155. 101.1435 of the statutes is created to read:

101.1435 Removal of abandoned underground petroleum storage tanks. (1) In this section:

(a) “Backfill” does not include landscaping or replacing sidewalk, asphalt, fence, or sod or other vegetation.

(b) “Underground petroleum product storage tank system” has the meaning given in s. 101.143 (1) (i).

(2) The department may contract with a person registered or certified under s. 101.09 (3) to empty, clean, remove, and dispose of an underground petroleum product storage tank system; to assess the site on which the underground petroleum product storage tank system is located; and to backfill the excavation if all of the following apply:

(a) The department determines that the underground petroleum product storage tank system is abandoned.

(b) Using the method that the department uses to determine inability to pay under s. 101.143 (4) (ee), the department determines that the owner of the underground petroleum product storage tank system is unable to pay to empty, clean, remove, and dispose of the underground petroleum product storage tank system; to assess the site on which the underground petroleum product storage tank system is located; and to backfill the excavation.

(3) If the department incurs costs under sub. (2), the department shall record a statement of lien with the register of deeds of the county in which the underground petroleum product storage tank system was located. Upon recording the statement of lien, the department has a lien on the property on which the underground petroleum product storage tank system was located in the amount of the costs incurred. The property remains subject to the lien until that amount is paid in full to the department. The department shall deposit payments received under this subsection into the petroleum inspection fund.

SECTION 2155m. 101.147 of the statutes is created to read:

101.147 Contractor registration. (1) No person may hold himself or herself out or act as a construction contractor unless that person is registered as a construction contractor by the department.

(2) The department shall promulgate rules to administer and enforce this section.

(3) The department may directly assess a forfeiture by issuing an order against any person who violates this section.

(4) The registration requirement under sub. (1) does not apply to any of the following:

(a) A person who engages in construction on property owned or leased by that person.

(b) A state agency or local governmental unit.

(c) A person who engages in construction in the course of his or her employment by a state agency or local governmental unit.

SECTION 2156. 101.177 (1) (d) of the statutes is amended to read:

101.177 (1) (d) “State agency” means any of office, department, agency, institution of higher education, association, society, or other body in state government