

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2110/P1dn
RCT:cmh:ijs

February 15, 1999

Pam Shannon:

This is a preliminary version of the PECFA bill draft for the Joint Legislative Audit Committee. Please review it carefully to determine whether it complies with the intent of the drafting request. Please also consider whether additional changes need to be made to the statutes to accomplish that intent. I have included some notes in the text of the draft to raise specific drafting issues.

I have drafted this bill based on the understanding from our meeting the other day that the intent is not so much to tell tank owners that they may not conduct a more complete cleanup than is necessary to get state approval or that they must use a certain clean-up method, but to tell them that the state will not provide reimbursement in an amount that exceeds the amount necessary to get state approval using the least costly method.

Please note that this draft eliminates any PECFA reimbursement for a cleanup if the owner started the cleanup before getting approval from DNR and the department of commerce.

This draft includes a requirement for the department of commerce to promulgate emergency rules. Drafts sometimes also include a deadline for an agency to submit proposed permanent rules to the Legislative Council Staff. Do you want to include such a provision in this draft?

Should the draft provide position authorization or funding for the department of commerce or DNR?

Please call if you have any questions about the draft or wish to discuss it.

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