

**2001 DRAFTING REQUEST**

**Bill**

Received: **01/05/2001**

Received By: **traderc**

Wanted: **Soon**

Identical to LRB:

For: **Administration-Budget**

By/Representing: **Wong**

This file may be shown to any legislator: **NO**

Drafter: **traderc**

May Contact:

Alt. Drafters:

Subject: **Environment - env. cleanup**

Extra Copies: **PJK**

**Pre Topic:**

DOA:.....Wong -

**Topic:**

Transfer site assessment grant program to Commerce and eliminate the sustainable urban development zone program

**Instructions:**

See Attached

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	traderc 01/09/2001	gilfokm 01/09/2001	martykr 01/09/2001	_____	lrb_docadmin 01/10/2001		S&L
/2	traderc 01/29/2001	gilfokm 01/29/2001	rschluet 01/29/2001	_____	lrb_docadmin 01/30/2001		S&L
/3	traderc 02/06/2001	gilfokm 02/06/2001	pgreensl 02/06/2001	_____	lrb_docadmin 02/06/2001		S&L
/4	kahlepj 02/07/2001	gilfokm 02/07/2001	jfrantze 02/07/2001	_____	lrb_docadmin 02/08/2001		S&L

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/3	traderc 02/06/2001	gilfokm 02/06/2001	pgreensl 02/06/2001	_____	lrb_docadmin 02/06/2001		S&L

FE Sent For:

*1/4-2/7-01 King*  
*2/2/1 Jcl*  
*2/7*  
**<END>**

### 2001 DRAFTING REQUEST

#### Bill

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Identical to LRB:

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/1	traderc 01/09/2001	gilfokm 01/09/2001	martykr 01/09/2001	_____	lrb_docadmin 01/10/2001		S&L
/2	traderc 01/29/2001	gilfokm 01/29/2001	rschluet 01/29/2001	2/6 Self	lrb_docadmin 01/30/2001		S&L
FE Sent For:		1/3-2/16-01 KMG	2/6 P8				<END>

2001 DRAFTING REQUEST

Bill

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Extra Copies:

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/1	traderc 01/09/2001	gilfokm 01/09/2001	martykr 01/09/2001		lrb_docadmin 01/10/2001		S&L

12-1/29-01 King  
 1-29-01  
 1-29-01

FE Sent For:

<END>

2001 DRAFTING REQUEST

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By/Representing: Wong

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Drafter: traderc

May Contact:

Alt. Drafters:

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Extra Copies:

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1?	traderc	1-1/2 King /9-01	Km/q	<del>by Kpn</del> 9 Km/q			

FE Sent For:

<END>

TOMMY G. THOMPSON  
GOVERNOR

GEORGE LIGHTBOURN  
SECRETARY



Division of Executive Budget and Finance  
Post Office Box 7864  
Madison, WI 53707-7864  
Voice (608) 266-1736  
Fax (608) 267-0372  
TTY (608) 267-9629

**Date:** January 5, 2001

**To:** Steve Miller, LRB

**From:** Manyee Wong, DOA  
266-7595

#s 7, 8, & 10

**Subject:** Brownfields Statutory Language

I'm forwarding statutory language requests based on Governor's recommendations:

- ✓ 1. Provide the Department of Commerce with same enforcement authority as the Department of Natural Resources under the spills law
- ✓ 2. Provide the Department of Commerce with administrative and enforcement authority equal to those provided to the Department of Natural Resources under s. 292.15
- ✓ 3. Provide the Department of Natural Resources with jurisdictional authority and oversight over all voluntary party brownfield sites related to the Dry Cleaner Environmental Response Program, DNR's share of PECFA and LUST sites, and all landfills.
- ✓ 4. Commerce will have jurisdictional authority and oversight over all other brownfield sites participating in the voluntary party process.
- ✓ 5. Rather than requiring DNR to report on the impact of liability exemptions biennially under s. 292.25, require both DNR and Commerce incorporate a detailed discussion of the voluntary party process and liability exemptions in their report/evaluation of brownfield efforts under s.292.255. The detailed discussion should include all information currently required by statute under s. 292.25.
- ✓ 6. Provide the Department of Commerce with authority to carry out provisions under s.292.55
- ✓ 7. Transfer the Brownfields Site Assessment Grant program to the Department of Commerce. Eliminate appropriation s. 20.370 (G)(et). Funding to continue the grant program will be appropriated out of s. 20.143 (1)(qm)
- ✓ 8. Earmark \$2.0 million of the amount appropriated under s. 20.143(1)(qm) in the first year of the biennium for site assessment grants. Provide Commerce with the authority to write rules to implement the site assessment grant program.

560,139

✓  
TOPJK  
9. Earmark \$2.0 million of the amount appropriated under s. 20.143(1)(qm) in each of the biennium to the City of Milwaukee to be administered by the Milwaukee Economic Development Corporation to continue its matching grant program. The grants must be used to support the creation of jobs and private sector implementation of the Menomonee Valley Land Use Plan. Grants must be matched 100%.

10. Eliminate s. 292.77, the sustainable urban development zone program



State of Wisconsin  
2001 - 2002 LEGISLATURE

LRB-1881/1

RCT: King

SOON

DOA:.....Wong – Transfer site assessment grant program to Commerce and eliminate the sustainable urban development zone program

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

Tip Request Sheet

Note

DON'T GEN. CAT.

1 AN ACT ... relating to: the budget.

Analysis by the Legislative Reference Bureau

ENVIRONMENT

HAZARDOUS SUBSTANCES AND ENVIRONMENTAL CLEANUP

Under current law, DNR administers a program under which DNR provides brownfield site assessment grants to local governmental units. The grants may be used for such activities as investigating environmental contamination, asbestos abatement activities, and removing abandoned underground storage tanks.

This bill transfers the brownfield site ~~investigation~~ grant program to the department of commerce. Under the bill, the program is funded from the same appropriation as the brownfields grant program already administered by the department of commerce. The bill requires the department of commerce to allocate \$2,000,000 for the brownfield site ~~investigation~~ grant program in fiscal year 2001-02.

Under current law, DNR administers the sustainable urban development zone program. Under the program, DNR provides funds to the city of Beloit, the city of Green Bay, the city of La Crosse, the city of Milwaukee, and the city of Oshkosh to investigate environmental contamination and to conduct cleanups of brownfields in those cities.

This bill eliminates the sustainable urban development zone program.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

1 SECTION 1. 20.143 (1) (qm) of the statutes is amended to read:

2 20.143 (1) (qm) *Brownfields grant ~~program~~ programs; environmental fund.*

3 From the environmental fund, the amounts in the schedule for grants under s. ss.

4 560.13 and 560.13<sup>2</sup> and for the grant under 1999 Wisconsin Act 9, section 9110

5 (8gm).

History: 1979 c. 361; 1981 c. 20, 21, 349; 1983 a. 27, 83, 192, 381; 1985 a. 29 ss. 169 to 204, 3202 (14); 1985 a. 120, 332, 334; 1987 a. 27, 109, 317, 318, 399, 403; 1989 a. 31, 185, 237, 317, 325, 335, 336, 342, 359; 1991 a. 39, 259, 261, 269, 315; 1993 a. 5, 16, 75, 110, 232, 437; 1995 a. 27 ss. 483, 505 to 517, 608s. 609g. 609j. 964. 965. 977. 987, 988, 990 to 993, 1080b, 1083b, 1086b, 9116 (3); 1995 a. 116, 119, 216, 227; 1997 a. 9, 27, 35, 215, 237, 252, 310; 1999 a. 9, 84, 106, 185, 186.

6 \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

6 SECTION 2. 20.370 (6) (er) of the statutes is repealed.

7 \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

7 SECTION 3. 20.370 (6) (et) of the statutes is repealed.

8 \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

8 SECTION 4. 292.75 of the statutes is renumbered 560.132<sup>y</sup> and 560.132 (1) (b),

9 (2) (a) and (6), as renumbered, are amended to read:

10 ~~No (b)~~ 560.132 (1) (b) "Local governmental unit" means a city, village, town, county,

11 redevelopment authority created under s. ~~66.431~~ 66.1333, community development

12 authority created under s. ~~66.4325~~ 66.1335, or housing authority.

Note: Note: The bracketed language indicates the correct cross-references. Corrective legislation is pending. Note:

13 (2) (a) The department shall administer a program to award brownfield site

14 assessment grants from the appropriation under s. ~~20.370 (6)~~ <sup>(et)</sup> 20.143 (1) (qm) to

15 local governmental units for the purposes of conducting any of the eligible activities

16 under sub. (3). In fiscal year 2001-02, the department shall allocate \$2,000,000 for

17 grants under this section.

1 (6) LIMITATION OF GRANT. The total amount of all grants awarded to a local  
2 governmental unit in a fiscal year under this section shall be limited to an amount  
3 equal to 15% of the available funds ~~appropriated under s. 20.370 (6) (et)~~ <sup>✓</sup> for the  
4 program under this section for the fiscal year.

History: 1999 a. 9.

5 SECTION 5. 292.75 (1) (b) and (6) of the statutes are renumbered 560.132 (1) (b),  
6 (6) and amended to read:

7 SECTION 6. 292.75 (1) (b) and (6) of the statutes are renumbered 560.132 and  
8 amended to read:

9 SECTION 7. 292.77 of the statutes is repealed.

10 SECTION 8. 560.44 (2) of the statutes is amended to read:

11 560.44 (2) ADMINISTRATION OF BROWNFIELDS GRANT PROGRAM. The center shall  
12 assist in administering the grant ~~program~~ <sup>programs</sup> ~~under s. 560.13~~ <sup>§.</sup> and 560.133

History: 1997 a. 27.

13

(END)

2

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-1881/1dn

RCT:

*King*

Manyee Wong:

This draft corresponds to items 7, 8, and 10 of your instruction for brownfields statutory language. These items are conceptually separate from the other brownfields items. Pam Kahler is doing item 9 in a separate draft.

Rebecca C. Tradewell  
Managing Attorney  
Phone: (608) 266-7290  
E-mail: [becky.tradewell@legis.state.wi.us](mailto:becky.tradewell@legis.state.wi.us)

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-1881/1dn  
RCT:kmg:km

January 9, 2001

Manyee Wong:

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Rebecca C. Tradewell  
Managing Attorney  
Phone: (608) 266-7290  
E-mail: [becky.tradewell@legis.state.wi.us](mailto:becky.tradewell@legis.state.wi.us)

**Tradewell; Becky**

---

**From:** Wong, Manyee  
**Sent:** Monday, January 29, 2001 2:16 PM  
**To:** Tradewell, Becky  
**Subject:** Draft 1816, 1815, and 1881

Hi Becky,

Draft 1816 is out.

For draft 1815 (PECFA), eliminate the provisions requiring any site transfers to Commerce. Maintain 65%/35% split. Keep the rest the same.

\* For draft 1881, change allocation for sites assessment grants from \$2.0 M to \$1.0 M.

I hanks.  
Manyee



State of Wisconsin  
2001 - 2002 LEGISLATURE

SOON

LRB-1881/2

RCT:kmg:km

rmf

DOA:.....Wong – Transfer site assessment grant program to Commerce and eliminate the sustainable urban development zone program

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

1

AN ACT <sup>DON'T GEN. CAT.</sup> relating to: the budget.

*Analysis by the Legislative Reference Bureau*

**ENVIRONMENT**

**HAZARDOUS SUBSTANCES AND ENVIRONMENTAL CLEANUP**

Under current law, DNR administers a program under which DNR provides brownfield site assessment grants to local governmental units. The grants may be used for such activities as investigating environmental contamination, asbestos abatement activities, and removing abandoned underground storage tanks.

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Under current law, DNR administers the sustainable urban development zone program. Under the program, DNR provides funds to the city of Beloit, the city of Green Bay, the city of La Crosse, the city of Milwaukee, and the city of Oshkosh to investigate environmental contamination and to conduct cleanups of brownfields in those cities.

This bill eliminates the sustainable urban development zone program.

\$1,000,000

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

1 SECTION 1. 20.143 (1) (qm) of the statutes is amended to read:

2 20.143 (1) (qm) *Brownfields grant ~~program~~ programs; environmental fund.*

3 From the environmental fund, the amounts in the schedule for grants under s. ~~ss.~~  
4 560.13 and 560.132 and for the grant under 1999 Wisconsin Act 9, section 9110 (8gm).

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

5 SECTION 2. 20.370 (6) (er) of the statutes is repealed.

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7 SECTION 4. 292.75 of the statutes is renumbered 560.132, and 560.132 (1) (b),  
8 (2) (a) and (6), as renumbered, are amended to read:

9 560.132 (1) (b) "Local governmental unit" means a city, village, town, county,  
10 redevelopment authority created under s. ~~66.431~~ 66.1333, community development  
11 authority created under s. ~~66.4325~~ 66.1335, or housing authority.

12 (2) (a) The department shall administer a program to award brownfield site  
13 assessment grants from the appropriation under s. ~~20.370 (6) (et)~~ 20.143 (1) (qm) to  
14 local governmental units for the purposes of conducting any of the eligible activities  
15 under sub. (3). In fiscal year 2001-02, the department shall allocate <sup>\$1,000,000</sup> ~~\$2,000,000~~ for  
16 grants under this section.

17 (6) LIMITATION OF GRANT. The total amount of all grants awarded to a local  
18 governmental unit in a fiscal year under this section shall be limited to an amount

1 equal to 15% of the available funds ~~appropriated under s. 20.370 (6) (et)~~ for the  
2 program under this section for the fiscal year.

3 **SECTION 5.** 292.77 of the statutes is repealed.

4 **SECTION 6.** 560.44 (2) of the statutes is amended to read:

5 560.44 (2) ADMINISTRATION OF BROWNFIELDS GRANT PROGRAM. The center shall  
6 assist in administering the grant ~~program~~ programs under s. ss. 560.13 and 560.132.

7 (END)



State of Wisconsin  
2001 - 2002 LEGISLATURE

LRB-1881-3

RCT:kmg:rs

ymr

~~SOON~~  
Tobey

DOA:.....Wong – Transfer site assessment grant program to Commerce and eliminate the sustainable urban development zone program

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

DNote

1 AN ACT <sup>DON'T GEN. CAT.</sup> relating to: the budget.

*Analysis by the Legislative Reference Bureau*

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2       20.143 (1) (qm) ~~Brownfields grant program programs; environmental fund.~~

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17       (6) **LIMITATION OF GRANT.** The total amount of all grants awarded to a local  
18       governmental unit in a fiscal year under this section shall be limited to an amount

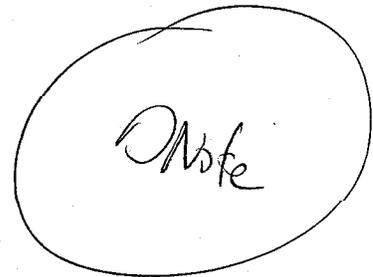
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7 (END)



D. Wolfe

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-1881/3dn

RCT:fx...



Manyee Wong:

This draft reconciles LRB-1864/5 and LRB-1881/2. Both of these drafts should continue to appear in the compiled bill.

Rebecca C. Tradewell  
Managing Attorney  
Phone: (608) 266-7290  
E-mail: [becky.tradewell@legis.state.wi.us](mailto:becky.tradewell@legis.state.wi.us)

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-1881/3dn  
RCT:kmg:pg

February 6, 2001

Manyee Wong:

This draft reconciles LRB-1864/5 and LRB-1881/2. Both of these drafts should continue to appear in the compiled bill.

Rebecca C. Tradewell  
Managing Attorney  
Phone: (608) 266-7290  
E-mail: [becky.tradewell@legis.state.wi.us](mailto:becky.tradewell@legis.state.wi.us)



State of Wisconsin  
2001 - 2002 LEGISLATURE

LRB-1881/4

RCT:kmg:pg

*Handwritten signature*

DOA:.....Wong - Transfer site assessment grant program to Commerce and eliminate the sustainable urban development zone program

FOR 2001-03 BUDGET - NOT READY FOR INTRODUCTION

*SOON  
(2-7)  
D-note*

*do not  
generate*

1 AN ACT *do not generate*; relating to: the budget.

*Analysis by the Legislative Reference Bureau*

**ENVIRONMENT**

**HAZARDOUS SUBSTANCES AND ENVIRONMENTAL CLEANUP**

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For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

1           **SECTION 1.** 20.370 (6) (er) of the statutes is repealed.

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5           560.132 (1) (b) "Local governmental unit" means a city, village, town, county,  
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16 program under this section for the fiscal year.

17           **SECTION 4.** 292.77 of the statutes is repealed.

18           **SECTION 5.** 560.44 (2) of the statutes is amended to read:

PROGRAMS

1

560.44 (2) ADMINISTRATION OF BROWNFIELDS ~~GRANT PROGRAM~~ The center shall

2

assist in administering the grant ~~program~~ programs under s. ss. 560.13 and 560.132.

3

(END)

Insert  
3-2

and in administering  
grants and loans  
under A. 560.138 that  
are made for brownfields  
remediation projects

Vote

2001-2002 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB-1881/4ins

TJK:kmg/pg

INSERT 3-2 ✓

\*\*\*\*NOTE: This is reconciled s. 560.44 (2). This SECTION has been affected by drafts with the following LRB numbers: LRB-0650/5 and LRB-1881/3.

(END OF INSERT 3-2)

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-1881/4dn

RCJ:kg:pg

→ PJK:Kmg

Manyee Wong and Bill Walker:

This redraft reconciles LRB-0650 and LRB-1881, with respect to s. 560.44 (2). Both of these drafts should continue to appear in the compiled bill. ✓

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**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-1881/4dn  
RCT&PJK:kmg:jf

February 7, 2001

Manyee Wong and Bill Walker:

This redraft reconciles LRB-0650 and LRB-1881, with respect to s. 560.44 (2). Both of these drafts should continue to appear in the compiled bill.

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State of Wisconsin  
2001 - 2002 LEGISLATURE

LRB-1881/4  
RCT:kmg:jf

DOA:.....Wong – Transfer site assessment grant program to Commerce and eliminate the sustainable urban development zone program

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

1 **AN ACT ...; relating to:** the budget.

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*Analysis by the Legislative Reference Bureau*

**ENVIRONMENT**

**HAZARDOUS SUBSTANCES AND ENVIRONMENTAL CLEANUP**

Under current law, DNR administers a program under which DNR provides brownfield site assessment grants to local governmental units. The grants may be used for such activities as investigating environmental contamination, asbestos abatement activities, and removing abandoned underground storage tanks.

This bill transfers the brownfield site assessment grant program to the department of commerce. Under the bill, the program is funded from the same appropriation as the brownfields grant program already administered by the department of commerce. The bill requires the department of commerce to allocate \$1,000,000 for the brownfield site assessment grant program in fiscal year 2001-02.

Under current law, DNR administers the sustainable urban development zone program. Under the program, DNR provides funds to the city of Beloit, the city of Green Bay, the city of La Crosse, the city of Milwaukee, and the city of Oshkosh to investigate environmental contamination and to conduct cleanups of brownfields in those cities.

This bill eliminates the sustainable urban development zone program.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

1           **SECTION 1.** 20.370 (6) (er) of the statutes is repealed.

      \*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

2           **SECTION 2.** 20.370 (6) (et) of the statutes is repealed.

      \*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

3           **SECTION 3.** 292.75 of the statutes is renumbered 560.132, and 560.132 (1) (b),  
4 (2) (a) and (6), as renumbered, are amended to read:

5           560.132 (1) (b) "Local governmental unit" means a city, village, town, county,  
6 redevelopment authority created under s. ~~66.431~~ 66.1333, community development  
7 authority created under s. ~~66.4325~~ 66.1335, or housing authority.

8           (2) (a) The department shall administer a program to award brownfield site  
9 assessment grants from the appropriation under s. ~~20.370 (6) (et)~~ 20.143 (1) (qm) to  
10 local governmental units for the purposes of conducting any of the eligible activities  
11 under sub. (3). In fiscal year 2001-02, the department shall allocate \$1,000,000 for  
12 grants under this section.

13           (6) LIMITATION OF GRANT. The total amount of all grants awarded to a local  
14 governmental unit in a fiscal year under this section shall be limited to an amount  
15 equal to 15% of the available funds ~~appropriated under s. 20.370 (6) (et)~~ for the  
16 program under this section for the fiscal year.

17           **SECTION 4.** 292.77 of the statutes is repealed.

18           **SECTION 5.** 560.44 (2) of the statutes is amended to read:

1           560.44 (2) ADMINISTRATION OF BROWNFIELDS ~~GRANT PROGRAM~~ PROGRAMS. The  
2 center shall assist in administering the grant ~~program~~ programs under ~~s. ss.~~ ss. 560.13  
3 and 560.132 and in administering grants and loans under s. 560.138 that are made  
4 for brownfields remediation projects.

      \*\*\*\*NOTE: This is reconciled s. 560.44 (2). This SECTION has been affected by drafts  
with the following LRB numbers: LRB-0650/5 and LRB-1881/3.

5

(END)