

2007 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-SB40)

Received: **06/27/2007**

Received By: **mshovers**

Wanted: **As time permits**

Identical to LRB:

For: **Legislative Fiscal Bureau 6-9916**

By/Representing: **Bonderud**

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

Drafter: **mshovers**

May Contact:

Addl. Drafters:

Subject: **Local Gov't - munis generally
Local Gov't - counties
Local Gov't - sewerage districts**

Extra Copies: **RCT**

Submit via email: **YES**

Requester's email:

Carbon copy (CC:) to:

Pre Topic:

LFB:.....Bonderud -

Topic:

Local governments may issue debt for brownfields revolving loan program

Instructions:

See Attached. Draft 2007 SB 202 (LRB -0699/2) as an amendment

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> |
|--------------|------------------------|------------------------|------------------------|----------------|-----------------------|-----------------|-----------------|
| /? | mshovers 06/27/2007 | csicilia 06/27/2007 | | _____ | | | |
| /1 | | | jfrantze 06/27/2007 | _____ | cduerst 06/27/2007 | | |

FE Sent For:

<END>

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|-----------------|----------------|-----------------|--------------|----------------|------------------|-----------------|-----------------|
| /? | mshovers | 1 gjs 6/27/07 | jo 6/27 | Jo SK 6/27 | | | |
| (1) MES 6/27/07 | | | | | | | |

FE Sent For:

<END>

Shovers, Marc

From: Bonderud, Kendra
Sent: Tuesday, June 26, 2007 1:28 PM
To: Shovers, Marc
Subject: ARC drafting request

Marc -

Would you please draft 2007 SB 202 as an Assembly Republican Caucus amendment to the budget bill? Thanks.

Kendra Bonderud
Legislative Fiscal Analyst
Wisconsin Legislative Fiscal Bureau
ph. (608) 266-3847
fax (608) 267-6873
Kendra.Bonderud@legis.wisconsin.gov



State of Wisconsin
2007 - 2008 LEGISLATURE

LRBb0805/?
MESa:.....

cjs
RMNR

LFB:.....Bonderud - Local governments may issue debt for brownfields revolving loan program

FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

ASSEMBLY AMENDMENT ,

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 2007 SENATE BILL 40

1 At the locations indicated, amend the substitute amendment as follows:

2 1. Page 839, line 24: after that line insert: INSERT 1

3 2. Page 1667, line 12: after that line insert:

4 ^{3a}“(3e) BROWNFIELDS REVOLVING LOANS; LOCAL GOVERNMENTS. The treatment of
5 sections 67.12 (1) (b) 1. and 2. and 67.12 (12) (a) of the statutes first applies to
6 municipal debt that is issued on the effective date of this subsection.” _{apply}

7 (END)

↑ the renumbering and amendment of section 67.12 (1)(b) of the statutes, and the creation of section 67.12 (1)(b) 2. of the statutes,

INS 1
P. 1003

2007 SENATE BILL 202

June 6, 2007 - Introduced by Senators ROESSLER, COWLES, OLSEN and SCHULTZ, cosponsored by Representatives GUNDERSON, HAHN, A. OTT, KAUFERT, HINTZ, ALBERS, STASKUNAS, PETROWSKI and BALLWEG. Referred to Committee on Environment and Natural Resources.

1 **AN ACT to renumber and amend** 67.12 (1) (b); **to amend** 67.12 (12) (a); and **to**
2 **create** 67.12 (1) (b) 2. of the statutes; **relating to:** specifically authorizing local
3 governmental units to issue debt related to the brownfields revolving loan
4 program.

Analysis by the Legislative Reference Bureau

Current law authorizes the Department of Natural Resources (DNR) to enter into an agreement with the federal Environmental Protection Agency (EPA) to establish and administer a brownfields revolving loan program under which DNR makes loans or grants for the cleanup of brownfields. Brownfields are sites the redevelopment or reuse of which may be complicated by the presence or potential presence of environmental contamination.

Currently, DNR is authorized to administer funds received from the EPA on behalf of, and at the request of, another governmental entity. Local governments apply for and receive these DNR-administered funds either as a loan or as a grant, the proceeds of which are used for the cleanup of brownfields. Local governments also have general authority to issue municipal obligations in anticipation of receiving federal or state aids, which must be repaid in approximately 18 months.

This bill grants specific authority to local units of government, including cities, villages, towns, counties, metropolitan sewerage districts, and town sanitary districts, to issue municipal obligations in anticipation of receiving proceeds from brownfields revolving loan program loans or grants. Such obligations must be repaid within 10 years or, if refinanced, within 20 years. The bill also specifies that local



SENATE BILL 202

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units of government may issue promissory notes, which must be repaid within 20 years, for public purposes related to the brownfields revolving loan 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:

11

SECTION 1. 19115

67.12 (1) (b) of the statutes is renumbered 67.12 (1) (b) 1. and amended to read:

67.12 (1) (b) 1. Any municipality may issue municipal obligations in anticipation of receiving proceeds from clean water fund loans or grants for which the municipality has received a notice of financial assistance commitment under s. 281.58 (15), from bonds or notes the municipality has authorized or has covenanted to issue under this chapter or from grants that are committed to the municipality. Any municipal obligation issued under this paragraph subdivision may be refunded one or more times. Such obligation and any refundings thereof shall be repaid within 5 years after the original date of the original obligation.

SECTION 2. 19116

67.12 (1) (b) 2. of the statutes is created to read:

67.12 (1) (b) 2. Any municipality may issue municipal obligations in anticipation of receiving proceeds from brownfields revolving loan program loans or grants under the program described in s. 292.72 if the municipality has received written notification from the department of natural resources that the department intends to distribute such proceeds to the municipality. The obligation shall be repaid within 10 years after the original date of the obligation, except that the obligation may be refunded one or more times. Any refundings shall be repaid within 20 years after the original date of the original obligation.

SECTION 3. 1912

67.12 (12) (a) of the statutes is amended to read:

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p. 3063

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1 67.12 (12) (a) Any municipality may issue promissory notes as evidence of
2 indebtedness for any public purpose, as defined in s. 67.04 (1) (b), including but not
3 limited to paying any general and current municipal expense, and refunding any
4 municipal obligations, including interest on them. Each note, plus interest if any,
5 shall be repaid within 10 years after the original date of the note, except that notes
6 issued under this section for purposes of ss. 119.498, 145.245 (12m), 281.58, 281.59,
7 281.60 and, 281.61, and 292.72 or to raise funds to pay a portion of the capital costs
8 of a metropolitan sewerage district, shall be repaid within 20 years after the original
9 date of the note. //

SECTION 4. Initial applicability.

10 (1) This act first applies to municipal debt that is issued on the effective date
11 of this subsection.
12

(END)

of
ins 1

13



State of Wisconsin
2007 - 2008 LEGISLATURE

LRBb0805/1
MES:cjs:jf

LFB:.....Bonderud - Local governments may issue debt for brownfields revolving loan program

FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

ASSEMBLY AMENDMENT ,

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 2007 SENATE BILL 40

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 839, line 24: after that line insert:

3 **"SECTION 1911s.** 67.12 (1) (b) of the statutes is renumbered 67.12 (1) (b) 1. and
4 amended to read:

5 67.12 (1) (b) 1. Any municipality may issue municipal obligations in
6 anticipation of receiving proceeds from clean water fund loans or grants for which
7 the municipality has received a notice of financial assistance commitment under s.
8 281.58 (15), from bonds or notes the municipality has authorized or has covenanted
9 to issue under this chapter or from grants that are committed to the municipality.
10 Any municipal obligation issued under this ~~paragraph~~ subdivision may be refunded

1 one or more times. Such obligation and any refundings thereof shall be repaid within
2 5 years after the original date of the original obligation.

3 **SECTION 1911t.** 67.12 (1) (b) 2. of the statutes is created to read:

4 67.12 (1) (b) 2. Any municipality may issue municipal obligations in
5 anticipation of receiving proceeds from brownfields revolving loan program loans or
6 grants under the program described in s. 292.72 if the municipality has received
7 written notification from the department of natural resources that the department
8 intends to distribute such proceeds to the municipality. The obligation shall be
9 repaid within 10 years after the original date of the obligation, except that the
10 obligation may be refunded one or more times. Any refundings shall be repaid within
11 20 years after the original date of the original obligation.

12 **SECTION 1912.** 67.12 (12) (a) of the statutes is amended to read:

13 67.12 (12) (a) Any municipality may issue promissory notes as evidence of
14 indebtedness for any public purpose, as defined in s. 67.04 (1) (b), including but not
15 limited to paying any general and current municipal expense, and refunding any
16 municipal obligations, including interest on them. Each note, plus interest if any,
17 shall be repaid within 10 years after the original date of the note, except that notes
18 issued under this section for purposes of ss. 119.498, 145.245 (12m), 281.58, 281.59,
19 281.60 ~~and~~, 281.61, and 292.72 or to raise funds to pay a portion of the capital costs
20 of a metropolitan sewerage district, shall be repaid within 20 years after the original
21 date of the note.”.

22 **2.** Page 1667, line 12: after that line insert:

23 “(3q) BROWNFIELDS REVOLVING LOANS; LOCAL GOVERNMENTS. The treatment of
24 section 67.12 (12) (a) of the statutes, the renumbering and amendment of section

1 67.12 (1) (b) of the statutes, and the creation of section 67.12 (1) (b) 2. of the statutes,
2 first apply to municipal debt that is issued on the effective date of this subsection.”.

3 (END)