

State of Wisconsin



1995 Senate Bill 249

Date of enactment: **November 16, 1995**

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1995 WISCONSIN ACT 63

AN ACT *to renumber and amend* 144.443 (1) (b); *to amend* 144.443 (4) (b); and *to create* 144.443 (1) (b) 2. of the statutes; **relating to:** use of the net worth method of establishing proof of responsibility for compliance with requirements to take corrective action because of a discharge from a hazardous waste facility.

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

SECTION 1. 144.443 (1) (b) of the statutes is renumbered 144.443 (1) (b) (intro.) and amended to read:

144.443 (1) (b) (intro.) "Company" means any one of the following:

1. Any business operated for profit and any public utility which is applying for or holds a license for the operation of a solid or hazardous waste disposal facility under s. 144.44 (4) or 144.64 (2) directly or through a subsidiary, affiliate, contractor or other entity if the business or public utility guarantees compliance with any closure and long-term care responsibilities of the subsidiary, affiliate, contractor or other entity.

SECTION 2. 144.443 (1) (b) 2. of the statutes is created to read:

144.443 (1) (b) 2. Any business operated for profit and any public utility that is required to perform corrective action under s. 144.735.

SECTION 3. 144.443 (4) (b) of the statutes is amended to read:

144.443 (4) (b) *Application.* A company which seeks to establish proof of financial responsibility utilizing the net worth method shall submit an application to the department as a part of the initial license application, written submissions required under s. 144.735 or annual review procedure which includes a copy of the most recent annual audited financial statements which were distributed to owners, stockholders or other persons with a financial interest in the company and the opinion of an independent certified public accountant.

* Section 991.11, WISCONSIN STATUTES 1993-94: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].