

1999 DRAFTING REQUEST

Bill

Received: **10/5/98**

Received By: **traderc**

Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget**

By/Representing: **Schmiedicke**

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

Drafter: **traderc**

May Contact: **DNR**

Alt. Drafters:

Subject: **Environment - env. cleanup**

Extra Copies: **DNR**

Topic:

DOA:.....Schmiedicke - Dry cleanr program, reimbursement structure

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 10/27/98	ptellez 10/28/98	hhagen 10/29/98	_____	lrb_docadmin 10/29/98		

FE Sent For:

<END>

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1?	traderc		11/10/29	11/11/29			

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Statutory Language Proposals

Division: AIR AND WASTE

Subprograms: REMEDIATION AND REDEVELOPMENT

Issue/Topic: DRY CLEANER ENVIRONMENTAL RESPONSE PROGRAM

Proposed Change: The Department proposes to amend Wis. Stat. Ch 292.65 (3)(am)3. The current language should be replaced with following reimbursement structure:

75% of monies designated for remedial actions, including site investigation, shall be available in the first year of the fund for eligible costs incurred at eligible sites between January 1, 1991 and October 14, 1997. 25% of monies designated for remedial actions, including site investigation, shall be available in the first year for claims being submitted for costs incurred post 9/14/97.

50% of monies designated for remedial actions, including site investigation, shall be available in the second year of the fund for those who incurred costs at eligible sites between January 1, 1991 and October 14, 1997. 50% of monies designated for remedial actions, including site investigation, shall be available in the second year for claims being submitted for costs incurred post 9/14/97.

30% of monies designated for remedial actions, including site investigation, shall be available for the remaining years of the fund for eligible costs incurred at eligible sites between January 1, 1991 and October 14, 1997. 70% of monies designated for remedial actions, including site investigation, shall be available for the remaining years of the fund for claims being submitted for costs incurred post 9/14/97.

Explanatory Note: The majority of requests for reimbursement in the first year will be on sites cleaned up in past years. This method gives those who have financed clean-up projects in the past the ability to get reimbursed quickly so they do not incur additional interest costs. In addition, the revised reimbursement method encourages new clean-up activity in that a portion of funds are allocated for recently cleaned sites. Without this change, there is a projected 5 to 7 year delay before new cases will be considered for reimbursement. The revised reimbursement method will allow for individuals to clean-up sites immediately without incurring financing costs. This will be particularly beneficial to those who run smaller operations and may not have the ability to finance a clean-up project.

Desired Effective Date: Upon publication

Contact Person: Brian Dranzik MB/5, 267-7418, Robin Schmidt RR/3, 267-7569



State of Wisconsin
1999 - 2000 LEGISLATURE
SOON

LRB-0434/1
RCT:V:....

KSN

DOA:.....Schmiedicke - Dry cleaner program, reimbursement structure

FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

Note

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

Analysis by the Legislative Reference Bureau
ENVIRONMENT

HAZARDOUS SUBSTANCES AND ENVIRONMENTAL CLEANUP

Under current law, the department of natural resources (DNR) administers the dry cleaner environmental response program which provides reimbursement for a portion of the costs of responding to discharges of dry cleaning solvents. Under current law, the first priority for payment under the program is payment for immediate action activities ~~activities taken within a short time after a discharge occurs or after a discharge is discovered~~. After awards for immediate action activities, DNR is required to give highest priority to paying awards for eligible costs incurred before October 14, 1997.

* * * This bill requires DNR each year, after paying awards for immediate action activities, to provide a specified portion of the funds available ~~for awards~~ to pay awards for costs eligible costs incurred before October 14, 1997, and a ~~portion~~ to pay awards for costs incurred on or after October 14, 1997.

to provide the rest of the funds

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

2 SECTION 1. 292.65 (3) (am) 3. of the statutes is repealed and recreated to read:

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

LRB-0434/1dn

RCT.:t:...

KSN

I changed the structure of proposed s. 292.65 (3) (am) 3. c. because I thought that, in later years, claims for pre-October 14, 1997, costs might not be enough to use 30% of the funds.

Rebecca C. Tradewell
Assistant Chief Counsel
266-7290

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

LRB-0434/1dn
RCT:ksh:hmh

Thursday, October 29, 1998

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This bill requires DNR each year, after paying awards for immediate action activities, to provide a specified portion of the funds available to pay awards for costs eligible costs incurred before October 14, 1997, and to provide the rest of the funds to pay awards for costs incurred on or after October 14, 1997.

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

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