

1999 DRAFTING REQUEST

Assembly Amendment (AA-AB133)

Received: 04/6/99

Received By: traderc

Wanted: Soon

Identical to LRB:

For: Legislative Fiscal Bureau 6-5392

By/Representing: Bonderud

This file may be shown to any legislator: NO

Drafter: traderc

May Contact:

Alt. Drafters:

Subject: Environment - solid haz. waste

Extra Copies:

Pre Topic:

LFB:.....Bonderud - Yank #175,

Topic:

Indemnification agreement for PCB disposal

Instructions:

Delete LRB-1688

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>
/?	traderc 04/6/99	ygeller 04/6/99		_____			
/1			martykr 04/7/99	_____	lrb_docadmin 04/7/99		

FE Sent For:

<END>

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/?	traderc	1 4/6 jlg	km 4/6	cb 4/6 km 4/6			

FE Sent For:

<END>

DOA:.....Schmiedicke - Indemnification for disposal of PCB-contaminated material

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

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

Analysis by the Legislative Reference Bureau
ENVIRONMENT

HAZARDOUS SUBSTANCES AND ENVIRONMENTAL CLEANUP

In December 1998, the department of natural resources (DNR) and Winnebago County entered into an agreement under which the county agrees to accept sediments that are dredged from the Fox River and that are contaminated with polychlorinated biphenyls (PCBs) for disposal in the county's landfill.

This bill authorizes DNR to enter into an agreement with Winnebago County under which this state indemnifies the county against any liability or damage resulting from the county's acceptance of PCB-contaminated sediments if the sediments are disposed of in a manner approved by DNR. The bill also authorizes DNR to enter into an agreement with the city of Oshkosh under which this state indemnifies the city against any liability or damage resulting from the city accepting PCB-contaminated leachate from the landfill that contains the PCB-contaminated sediments.

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.** 20.370 (2) (fq) of the statutes is created to read:

2 20.370 (2) (fq) *Indemnification agreements.* From the environmental fund, a
3 sum sufficient to provide indemnification under agreements under s. 292.70.

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

4 **SECTION 2.** 292.70 of the statutes is created to read:

5 **292.70 Indemnification for disposal of polychlorinated biphenyls. (1)**

6 DEFINITION. In this section, “PCBs” has the meaning given in s. 299.45 (1) (a).

7 **(2) INDEMNIFICATION AGREEMENT WITH WINNEBAGO COUNTY.** The department
8 may enter into an agreement with Winnebago County under which this state agrees
9 to indemnify the county and its agencies, officials, employes and agents against any
10 liability or damage resulting from the county’s acceptance for disposal of sediments
11 contaminated with PCBs, if the sediments are disposed of in a manner approved by
12 the department.

13 **(3) INDEMNIFICATION AGREEMENT WITH THE CITY OF OSHKOSH.** The department
14 may enter into an agreement with the city of Oshkosh under which this state agrees
15 to indemnify the city and its agencies, officials, employes and agents against any
16 liability or damage resulting from the city’s acceptance for treatment of leachate that
17 is contaminated with PCBs and that is from a landfill that accepts sediments
18 contaminated with PCBs, if the leachate is treated in a manner approved by the
19 department.

20 **(4) REVIEW AND PAYMENT.** If a claim is filed under an agreement under sub. (2)
21 or (3), the department shall review the claim to determine whether it is valid. A valid
22 claim shall be paid from the appropriation under s. 20.370 (2) (fq).

23

(END)

1999

Date (time) needed 50 ON

LRB b 0074 1 1

**LFB BUDGET AMENDMENT
[ONLY FOR LFB]**

RU: JG:

See form **AMENDMENTS — COMPONENTS & ITEMS.**

**LFB AMENDMENT
TO 1999 ASSEMBLY BILL 133 AND 1999 SENATE BILL 45**

>>FOR JT. FIN. SUB. — NOT FOR INTRODUCTION<<

At the locations indicated, amend the bill as follows:

#. Page 402, line 22: delete lines 22 to 24. ✓

#. Page 1194, line 4: delete lines 4 to 22. ✓

(End)

#. Page , line :

#. Page , line :

#. Page , line :

#. Page , line :



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBb0074/1
RCT:jljg:km

LFB:.....Bonderud - Yank #175, Indemnification agreement for PCB disposal

FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

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2 **1.** Page 402, line 22: delete lines 22 to 24.

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4 (END)