

1999 DRAFTING REQUEST

Assembly Amendment (AA-AB133)

Received: **05/27/99**

Received By: **isagerro**

Wanted: **Soon**

Identical to LRB:

For: **Legislative Fiscal Bureau**

By/Representing: **Bonderud**

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

Drafter: **isagerro**

May Contact:

Alt. Drafters:

Subject: **Environment - env. cleanup**

Extra Copies: **RCT**

Pre Topic:

LFB:.....Bonderud -

Topic:

Brownfield initiatives - site assessment grants

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	isagerro 05/28/99	ygeller 05/28/99	jfrantze 05/28/99	_____	lrb_docadmin 05/28/99		
/2	isagerro 06/4/99	ygeller 06/4/99	martykr 06/6/99	_____	lrb_docadmin 06/7/99		

FE Sent For:

<END>

1999 DRAFTING REQUEST

Assembly Amendment (AA-AB133)

Received: **05/27/99**

Received By: **isagerro**

Wanted: **Soon**

Identical to LRB:

For: **Legislative Fiscal Bureau**

By/Representing: **Bonderud**

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

Drafter: **isagerro**

May Contact:

Alt. Drafters:

Subject: **Environment - env. cleanup**

Extra Copies: **RCT**

Pre Topic:

LFB:.....Bonderud -

Topic:

Brownfield initiatives - site assessment grants

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	isagerro 05/28/99	jgeller 05/28/99	jfrantze 05/28/99	_____	lrb_docadmin 05/28/99		

1/2 9/4 jg km/4
mm/4 km/4

FE Sent For:

<END>

1999 DRAFTING REQUEST

Assembly Amendment (AA-AB133)

Received: **05/27/99**

Received By: **isagerro**

Wanted: **Soon**

Identical to LRB:

For: **Legislative Fiscal Bureau**

By/Representing: **Bonderud**

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

Drafter: **isagerro**

May Contact:

Alt. Drafters:

Subject: **Environment - env. cleanup**

Extra Copies: **RCT**

Pre Topic:

LFB:..... - Bonderud

Topic:

Brownfield initiatives - site assessment grants

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/?	isagerro	1 5/28 jg	6/5/28	6/KM 5/28			

FE Sent For:

<END>

JFC Approved
5/26/99 16-0

Senator Burke
Representative Duff

NATURAL RESOURCES -- AIR, WASTE AND CONTAMINATED LAND
COMMERCE
SHARED REVENUE AND PROPERTY TAXATION
GENERAL FUND TAXES

Brownfields Initiatives
[Papers #712 thru #716]

Motion:

Move to make the following changes related to brownfields programs:

A. **DNR -- Air, Waste and Contaminated Land**

Move to approve the Governor's recommendations contained in Legislative Fiscal Bureau Papers #712 through #716 and Legislative Fiscal Bureau Summary pages 457 through 466, items #9, 10 and 12 through 21, with the following modifications:

1. *Site Assessment Grants.* LFB Paper #712. Adopt Alternative 2.b, 3.d and 3.e. Further, provide \$1,450,000 SEG in 1999-00 in a biennial appropriation (no funding would be provided in 2000-01).

2. *Brownfields Staff.* LFB Paper #713. Adopt Alternative 2.c. (3.0 PR hydrogeologist positions): Provide the 2.0 SEG project positions under Alternative 1 as permanent. In addition, provide \$291,600 SEG in 1999-00 and \$351,000 SEG in 2000-01 with 6.0 SEG hydrogeologist positions and provide \$97,200 PR in 1999-00 and \$117,000 PR in 2000-01 with 2.0 PR hydrogeologist positions. This would provide a total of 13.0 hydrogeologist positions to DNR.

3. *Local Government Liability Exemption.* LFB Paper #714. Adopt Alternative 2.

4. *Local Government Cost Recovery.* LFB Paper #715. Adopt Alternative 2. In addition: (a) specify that the local government may recover costs from the person from whom the local government acquired the property, if no responsible party is known or financially able to pay for all or a portion of those costs; (b) require that the person that last possessed the property before the local government acquired the property to pay any costs not recoverable from the persons that caused the discharge of the hazardous substance; (c) specify that local governments may not recover attorney's fees; and (d) clarify that a local government can not recover costs if the responsible person has received an exemption from liability under the spills law from DNR.

5. *Voluntary Party Liability Exemption.* LFB Paper #716. Adopt Alternatives 2.a

in one of the following ways:

a. Require that if a local government receives a land recycling loan for cleanup activities of a site for which the assessment was funded from the site assessment grant program, that the grant would be repaid.

b. Delete the requirement that a local government must repay the site assessment grant if the local government receives a land recycling loan for the purpose of conducting activities for which the site assessment grant was awarded.

3. Approve Alternative 1 or 2, and in addition, approve one or more of the following:

a. Provide \$1,000,000 SEG in 2000-01 (rather than in each year).

Alternative 3a	SEG
1999-01 FUNDING (Change to Bill)	- \$1,000,000

b. Provide \$2,000,000 SEG in 1999-00 in a biennial appropriation (instead of \$1,000,000 SEG annually).

c. Provide the funding to Commerce and direct that the program be administered by Commerce (with existing staff) rather than by DNR.

d. Add to the list of eligible activities, costs for the removal of underground petroleum and hazardous substances storage tanks.

e. Direct that program administrative rules may include limits on the amount of funds that may be awarded for categories of eligible activities.

4. Maintain current law.

Alternative 4	SEG
1999-01 FUNDING (Change to Bill)	- \$2,000,000

Prepared by: Kendra Bonderud



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBb0436/1

ISR:.....

Jlg

LFB:..... } Bonderud Brownfield initiatives – site assessment grants

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

LFB AMENDMENT

TO 1999 ASSEMBLY BILL 133 AND 1999 SENATE BILL 45

Sorum
note

1 At the locations indicated, amend the bill as follows:

2 1. Page 407, line 16: delete “From” and substitute “Biennially, from”. ✓

3 2. Page 500, line 9: delete lines 9 and 10. ✓

4 3. Page 1195, line 6: after that line insert:

5 *text: treat* (c) “Underground hazardous substance storage tank system” means an
6 underground storage tank used for storing a hazardous substance together with any
7 on-site ✓ integral piping or dispensing system with at least 10% of its total volume
8 below the surface of the ground.” ✓

9 4. Page 1195, line 19: after “program.” insert “Rules promulgated by the
10 department ✓ under this paragraph ✓ may limit the total amount of funds that may be
11 used to cover the costs of each category of eligible activity ✓ described in sub. (3).” ✓

1 **5.** Page 1196, line 4: after that line insert:

2 text:
treat “(e) The removal of ~~underground petroleum product storage tank systems, as~~
3 ~~defined in s. 101.143 (1) (i), and~~ underground hazardous substance storage tank
4 systems.” ✓

5 **6.** Page 1196, line 24: delete the material beginning with ~~that~~ ^{that line} and ending with

6 ~~that~~ ✓
7 ~~that~~ ✓ on page 1197, line 2. ✓

(END)

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

LRBb0436/1dn

ISR:.....

↑
JLg

May 28, 1999

Kendra Bonderud:

Is the definition of "underground hazardous substance storage tank system" what you intended? The definition of "hazardous substance" includes petroleum so there is no need to include the removal of underground petroleum storage tanks in the list of eligible activities.

Please feel free to contact me if you have any questions or comments.

Ivy G. Sager-Rosenthal
Legislative Attorney
Phone: (608) 261-4455
E-mail: Ivy.Sager-Rosenthal@legis.state.wi.us

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb0436/1dn
ISR:jlj:jf

May 28, 1999

Kendra Bonderud:

Is the definition of "underground hazardous substance storage tank system" what you intended? The definition of "hazardous substance" includes petroleum so there is no need to include the removal of underground petroleum storage tanks in the list of eligible activities.

Please feel free to contact me if you have any questions or comments.

Ivy G. Sager-Rosenthal
Legislative Attorney
Phone: (608) 261-4455
E-mail: Ivy.Sager-Rosenthal@legis.state.wi.us

* Kendra Bondend 10.45 6/3/99

- include petroleum products storage tank
as well even though has substances
down cover petroleum
- ease of reading



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBb04361-2

ISR:jlg:jf

RMR

Seem

LFB:.....Bonderud - Brownfield initiatives - site assessment grants

FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

LFB AMENDMENT

TO 1999 ASSEMBLY BILL 133 AND 1999 SENATE BILL 45

text: treat (c) "Petroleum product" has the meaning given in S. 101.143 (1)(f).

- 1 At the locations indicated, amend the bill as follows:
- 2 1. Page 407, line 16: delete "From" and substitute "Biennially, from".
- 3 2. Page 500, line 9: delete lines 9 and 10.
- 4 3. Page 1195, line 6: after that line insert:

5 ~~Underground~~ (a) "Underground hazardous substance storage tank system" means an
 6 underground storage tank used for storing a hazardous substance together with any other than a petroleum product
 7 on-site integral piping or dispensing system with at least 10% of its total volume
 8 below the surface of the ground." 9

- 9 4. Page 1195, line 19: after "program." insert "Rules promulgated by the
- 10 department under this paragraph may limit the total amount of funds that may be
- 11 used to cover the costs of each category of eligible activity described in sub. (3)."

(e) "Underground petroleum product storage tank" has the meaning given in S. 101.143 (1)(i)."



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBb0436/2
ISR:jlg:km

LFB:.....Bonderud – Brownfield initiatives – site assessment grants

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

LFB AMENDMENT

TO 1999 ASSEMBLY BILL 133 AND 1999 SENATE BILL 45

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 407, line 16: delete “From” and substitute “Biennially, from”.

3 **2.** Page 500, line 9: delete lines 9 and 10.

4 **3.** Page 1195, line 6: after that line insert:

5 “(c) “Petroleum product” has the meaning given in s. 101.143 (1) (f).

6 (d) “Underground hazardous substance storage tank system” means an
7 underground storage tank used for storing a hazardous substance other than a
8 petroleum product together with any on-site integral piping or dispensing system
9 with at least 10% of its total volume below the surface of the ground.

10 (e) “Underground petroleum product storage tank” has the meaning given in
11 s. 101.143 (1) (i).”.

