

1999 DRAFTING REQUEST

Assembly Amendment (AA-AB133)

Received: **05/28/99**

Received By: **nilsepe**

Wanted: **As time permits**

Identical to LRB:

For: **Legislative Fiscal Bureau**

By/Representing: **Dyck**

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

Drafter: **nilsepe**

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Alt. Drafters:

Subject: **Transportation - miscellaneous**

Extra Copies:

Pre Topic:

LFB:.....Dyck -

Topic:

Motion 949.D.1.; DOT brownfields funds

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>
/?	nilsepe 06/4/99	gilfokm 06/4/99		_____			
/1		gilfokm 06/14/99	mclark 06/7/99	_____	lrb_docadmin 06/7/99		
/2			jfrantze 06/14/99	_____	lrb_docadmin 06/14/99		

FE Sent For:

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/1		12-6-14-99 Kmg	mclark 06/7/99	_____	lrb_docadmin 06/7/99		
FE Sent For:			To 6/14	To 6/14			

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/?	nilsepe	1-6-4-99 Kmg	6/4 MRC	MRC/KM 6/7			

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<END>

and site specific groundwater information. Direct DNR to include physical and chemical groundwater and soil data in existing geographic information systems.

B. Commerce

1. **Brownfields Grant Program.** Provide an additional \$800,000 SEG in 1999-00 and \$1,400,000 SEG in 2000-01 for the existing brownfields grant program. (Revenue would be provided from the \$1 per vehicle increase in the vehicle environmental impact fee.) In addition, make the following changes to the current Commerce brownfields grant program: (a) require Commerce to award one-half of the annual brownfields grant funding to recreational or housing development created by the project; (b) authorize Commerce to fund area-wide groundwater contamination remediation projects that are unable to secure funding that was sufficient to fund the project. Specify that grant recipients could be a

Post/Fax Note	7671	Date	5-28	# of pages	1
To	Paul Nilsen	From	Jan Dyck		
Co./Dept	LRB	Co.	LFB		
Phone #		Phone #	6-9919		
Fax #	4-8522	Fax #			

2. **Community Development.** Require Commerce to expand the CDBG - Blight Elimination and Brownfields Remediation program to fund redevelopment planning and projects that have a taxable value end use.

C. Wisconsin Housing and Economic Development Authority

1. **WHEDA Loan Guarantees.** [LFB Paper #1036] In addition to adopting Alternative A.1.c. eliminate the brownfields loan guarantee program and direct WHEDA to transfer the remaining \$2,000,000 for the program from the Wisconsin development reserve fund to the environmental fund.

D. Department of Transportation

1. **DOT Brownfields Funds.** Require the Department of Transportation to market the following programs to ensure optimum utilization to assist the cleanup and redevelopment of brownfield properties: (a) local transportation facility improvement assistance; (b) transportation enhancements; (c) transportation facilities economic assistance and development; and (d) transportation infrastructure loans.

E. General Fund Taxes

1. **Remediation Tax Credits.** Delete the requirement that 25% of all development zone tax credits claimed must be based on creating or retaining full time jobs for development zone environmental remediation tax credits claimed in development and enterprise development zones. Provide that environmental remediation tax credits claimed in development and enterprise development zones would not have to be based on activities that created or caused to create jobs.



State of Wisconsin
1999 - 2000 LEGISLATURE

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LFB:.....Dyck – Motion 949.D.1.; DOT brownfields funds

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

LFB AMENDMENT

TO 1999 ASSEMBLY BILL 133 AND 1999 SENATE BILL 45

note

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

2 ✓ 1. Page 910, line 19: after that line insert:

3 “SECTION 1820m. 84.185 (10) of the statutes is created to read:

4 84.185 (10) PRIORITY OF BROWNFIELDS. The department shall market the
5 program under this section as required under s. 85.61.”

6 ✓ 2. Page 913, line 15: after that line insert:

7 “SECTION 1830m. 85.026 (2) of the statutes is amended to read:

8 85.026 (2) PROGRAM. The Subject to s. 85.61, the department may administer
9 a program to award grants of assistance to any political subdivision or state agency,
10 as defined in s. 20.001 (1), for transportation enhancement activities consistent with

1 federal regulations promulgated under 23 USC 133 (b) (8). The grants shall be
2 awarded from the appropriations under s. 20.395 (2) (nv) and (nx)."

History: 1997 a. 27.

3 ✓ 3. Page 921, line 8: after that line insert:

4 "SECTION ~~1848m~~ 85.61 of the statutes is created to read:

5 **85.61 Programs to assist brownfields redevelopment.** The department

6 shall market the following ~~program~~ ^{stat} in a manner that ensures that the programs

7 assist the restoration of the environment and the redevelopment of brownfields, as

8 defined in s. 234.88(1)(a), to the greatest extent possible:

9 (1) Activities funded from the appropriation under s. 20.395 (2) (fv) or (fx).

10 (2) Transportation facilities economic assistance and development under s.

11 84.185.

12 (3) ^{The} Transportation enhancement activities program under s. 85.026, if the

13 department administers such a program.

14 (4) ^{The} Transportation infrastructure loan program under s. 85.52."

15 4. Page 920, line 23: after that line insert:

16 "SECTION 1854m. 85.52 (3) (a) of the statutes is amended to read:

17 85.52 (3) (a) [✓] The Subject to s. 85.61, the department shall administer a
18 transportation infrastructure loan program to make loans, and to provide other
19 assistance, to eligible applicants for highway projects or transit capital projects. The
20 department of transportation may not make a loan or provide other assistance under
21 the program unless the secretary of administration approves of the loan or other
22 assistance and determines that the amounts in the fund, together with anticipated
23 receipts, will be sufficient to fully pay principal and interest costs incurred on the
24 revenue obligations issued under sub. (5). Loans or other assistance under the

wpa. Sent; out-of-order

1 program for highway projects shall be credited to the highway account. Loans or
2 other assistance under the program for transit capital projects shall be credited to
3 the transit account.”.

4 History: 1997 a. 27, 237.

(END)

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb0465/Tdn

PEN...
thing

June 2, 1999

Motion 949 specifically requires DOT "to market" these programs. My dictionary defines "market" as "offering for sale", which doesn't seem appropriate. Does the motion perhaps intend to have DOT "promote", "administer" or "solicit participation" ~~in~~ these programs? *ain*

This draft does not specify who should determine whether DOT has marketed the programs in a manner that ensures that the programs assist the restoration of the environment and the redevelopment of brownfields to the greatest extent possible. If there is disagreement, the issue will probably be decided by a court. Ok?

Do you want to specify who can (or cannot) sue to see whether the department is fulfilling the obligation created by this draft?

Paul E. Nilsen
Legislative Attorney
Phone: (608) 261-6926

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

LRBb0465/1dn
PEN:kmg:mrc

June 4, 1999

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Phone: (608) 261-6926

Per Jon Dyck 6/10

change "market" to "promote"

-PEN



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBb0465
PEN:kmg:mrc

Today

12

LFB:.....Dyck - Motion 949.D.1.; DOT brownfields funds

FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

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12 revenue obligations issued under sub. (5). Loans or other assistance under the
13 program for highway projects shall be credited to the highway account. Loans or
14 other assistance under the program for transit capital projects shall be credited to
15 the transit account.”.

16 **4.** Page 921, line 8: after that line insert:

17 “**SECTION 1855L.** 85.61 of the statutes is created to read:

18 **85.61 Programs to assist brownfields redevelopment.** The department
19 shall ~~administer~~^{Promote} the following programs in a manner that ensures that the programs
20 assist the restoration of the environment and the redevelopment of brownfields, as
21 defined in s. 234.88 (1) (a), to the greatest extent possible:

22 (1) Activities funded from the appropriation under s. 20.395 (2) (fv) or (fx).

23 (2) Transportation facilities economic assistance and development under s.

24 84.185.



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBb0465/2
PEN:kmg:jf

LFB:.....Dyck - Motion 949.D.1.; DOT brownfields funds

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