

**SENATE AMENDMENT 1,
TO 2001 ASSEMBLY BILL 510**

March 8, 2002 – Offered by COMMITTEE ON UNIVERSITIES, HOUSING, AND GOVERNMENT OPERATIONS.

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

2 **1.** Page 7, line 21: delete “agrees” and substitute “pledges”.

3 **2.** Page 7, line 22: delete “and makes such a payment”.

4 **3.** Page 7, line 23: delete “years.” and substitute “years. If, as the result of a
5 pledge by the city to pay the town an amount equal to the property taxes levied on
6 the territory by the town at the time of the annexation for each of the next 5
7 successive years, the city includes territory in a tax incremental district that was not
8 within the boundaries of the city on January 2, 2002, the city’s pledge is enforceable
9 by the town from which the territory was annexed.”.

10 **4.** Page 19, line 16: after that line insert:

11 “**SECTION 34m.** 66.1106 (1) (c) of the statutes is amended to read:

12 66.1106 (1) (c) “Eligible costs” means capital costs, financing costs and
13 administrative and professional service costs, incurred or estimated to be incurred

1 by a political subdivision, for the investigation, removal, containment or monitoring
2 of, or the restoration of soil, air, surface water, sediments or groundwater affected by,
3 environmental pollution, including monitoring costs incurred within 2 years after
4 the date on which the department of natural resources certifies that environmental
5 pollution on the property has been remediated, cancellation of delinquent taxes if the
6 political subdivision demonstrates that it has not already recovered such costs by
7 any other means. property acquisition costs, demolition costs including asbestos
8 removal, and removing and disposing of underground storage tanks or abandoned
9 containers, as defined in s. 292.41 (1), except that for any parcel of land “eligible
10 costs” shall be reduced by any amounts received from persons responsible for the
11 discharge, as defined in s. 292.01 (3), of a hazardous substance on the property to pay
12 for the costs of remediating environmental pollution on the property, by any amounts
13 received, or reasonably expected by the political subdivision to be received, from a
14 local, state or federal program for the remediation of contamination in the district
15 that do not require reimbursement or repayment and by the amount of net gain from
16 the sale of the property by the political subdivision. “Eligible costs” associated with
17 groundwater affected by environmental pollution include investigation and
18 remediation costs for groundwater that is located in, and extends beyond, the
19 property that is being remediated.”.

20 **5.** Page 21, line 7: delete “16” and substitute “16 23”.

21 **6.** Page 30, line 16: delete lines 16 to 20 and substitute:

22 “(1m) Except as provided in subsections (2m) and (4m), this act first applies to
23 a tax incremental district that is in existence on the effective date of this subsection
24 or that is created on the effective date of this subsection.

1 (2m) Except as provided in subsection (4m), the treatment of section 66.1105
2 (2) (f) 1. i. and 2. d., (3) (g), (4) (e), (gm) 1. and 6., and (h) 2., (4m) (a), (am), and (b)
3 2., 2m., 4., and 5., (5) (a) (as it relates to the department of revenue’s certification of
4 a tax incremental base), (b), (c), and (ce), (6) (e) 1. d. and 2., (7) (ae) and (am), and (8)
5 (title), (c), and (d) of the statutes, the renumbering and amendment of section
6 66.1105 (6) (a) and (am) 1. of the statutes, and the creation of section 66.1105 (6) (a)
7 5. and (am) 1. c. of the statutes first apply to a tax incremental district that is created
8 on October 1, 2003.

9 (3m) This act first applies to an environmental remediation tax incremental
10 district, the written remediation proposal for which is approved by the political
11 subdivision’s governing body on the effective date of this subsection.

12 (4m) The treatment of section 66.1105 (2) (f) 1. i. and 2. d., (4) (gm) 1. and (h)
13 2., (4m) (b) 2. and 4., (5) (b), (c), and (ce), and (6) (e) 1. d. of the statutes first applies
14 to the amendment of a tax incremental district’s project plan that takes effect on
15 October 1, 2003.”.

16 **7.** Page 30, line 21: on page 4, line 10, of the material inserted by assembly
17 amendment 1, delete “(8) (title), (c), and (d), and (15)” and substitute “and (8) (title),
18 (c), and (d)”.

19 **8.** Page 30, line 21: on page 4, line 13, of the material inserted by assembly
20 amendment 1, delete “2002” and substitute “2003”.

21 (END)