

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

LRBa2237/1dn
RCT:wlj:pg

February 18, 2004

Dan Johnson:

This amendment authorizes DNR to make an award for third-party party costs without regard to whether the eligible owner or operator has reimbursed the third party for the costs. Currently, the program makes awards only to reimburse an owner or operator for costs the owner or operator has already incurred. I feel that it is necessary to amend s. 292.65 (8) (c) and (e) (intro.) to harmonize with this change in the program.

This amendment requires a person, other than an owner or operator, who prepares a statement of third-party costs for submission to DNR to pay DNR an amount equal to 50% of the amount of costs on the statement that DNR determines are ineligible. As a practical matter, it may be difficult for DNR to obtain payment, unless the person preparing the statement is a consultant who wants to continue doing work under the program.

Please let me know if you have questions or redraft instructions.

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