

2003 DRAFTING REQUEST

Senate Amendment (SA-SB324)

Received: **02/23/2004**

Received By: **btradewe**

Wanted: **Today**

Identical to LRB:

For: **Neal Kedzie (608) 266-2635**

By/Representing: **Dan Johnson**

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

Drafter: **btradewe**

May Contact:

Addl. Drafters:

Subject: **Environment - env. cleanup**

Extra Copies:

Submit via email: **YES**

Requester's email: **Sen.Kedzie@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Third party site recovery costs with technical correction

Instructions:

Like 03a2237/1 but add that \$ goes to dry cleaner fund

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>
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FE Sent For:

<END>

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PA - Please have this delivered to Dan Johnson in the hearing room - 336 SW

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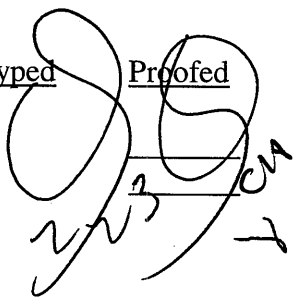
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/?	btradewe	1/WLJ 2/23					

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<END>

Now

rm not run

**SENATE AMENDMENT ,
TO 2003 SENATE BILL 324**

✓
Inst 1-1 →

At the locations indicated, amend the bill as follows:

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1. Page 7, line 11: after that line insert:

SECTION 21r. 292.65 (7) (b) of the statutes is created to read:

292.65 (7) (b) *Costs incurred by 3rd parties.* 1. In this paragraph, "3rd party" means a person who is not an owner or operator or the agent of an owner or operator.

2. Eligible costs for an award under this section include reasonable and necessary costs, up to \$15,000, incurred by a 3rd party in the discovery of a discharge of dry cleaning product from an eligible owner's or operator's dry cleaning facility before the eligible owner or operator discovered the discharge, notwithstanding noncompliance with the procedural requirements of sub. (4) in relation to the costs incurred by the 3rd party."

2. Page 8, line 6: after that line insert:

SECTION 24m. 292.65 (8) (c) of the statutes is amended to read:

1 292.65 (8) (c) *Approval*. Subject to par. (d), if the department finds that an
2 applicant meets the requirements of this section and rules promulgated under this
3 section, the department shall make an award as provided in this subsection to
4 ~~reimburse~~ the applicant for eligible costs ~~paid~~. The department may not make an
5 award for an investigation before it approves the investigation. The department may
6 not make an award for remedial action activities before it approves the remedial
7 action activities.”.

8 **3.** Page 8, line 11: after that line insert:

9 “**SECTION 25g.** 292.65 (8) (e) (intro.) of the statutes is amended to read:

10 292.65 (8) (e) *Deductible*. (intro.) The department may ~~reimburse~~ make an
11 award to the owner or operator of a dry cleaning facility only for eligible costs
12 incurred at each dry cleaning facility that exceed the following deductible.”.

13 **4.** Page 8, line 21: after that line insert:

14 “**SECTION 26r.** 292.65 (8) (j) 3m. of the statutes is created to read:

15 292.65 (8) (j) 3m. If a person other than an owner or operator prepares a
16 statement that is submitted by the owner or operator to obtain payment for costs
17 incurred by a 3rd party under sub. (7) (b) and the statement includes ineligible costs,
18 the person shall pay to the department an amount equal to 50% of the amount of
19 ineligible costs included in the statement.”.

20 (END)

Payments made under this
subdivision shall be deposited
in the dry cleaner environmental
response funds

Insert 1-1

a 2303/1

#. Page 2, line 3 before that line insert

Section 25.48 of the statutes is amended to read:

25.48 Dry cleaner environmental response fund. There is established a separate nonlapsible trust fund designated as the dry cleaner environmental response fund, to consist of the moneys required under s. 77.9964 (3) to be deposited in the fund and moneys collected under ss. 292.65(8m) and (9) (c). ✓

History: 1997 a. 27; 1999 a. 9.

#. Page 2, line 1 substitute 1m for 10

(8)(j) ✓