



State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

1 EAST MAIN, SUITE 200
P. O. BOX 2037
MADISON, WI 53701-2037

LEGAL SECTION: (608) 266-3561
REFERENCE SECTION: (608) 266-0341
FAX: (608) 264-6948

STEPHEN R. MILLER
CHIEF

June 16, 2005

MEMORANDUM

To: Representative Fields

From: Joseph T. Kreye, Sr. Legislative Attorney, (608) 266-2263

Subject: Technical Memorandum to **2005 AB-464** (LRB 05-2736/2)

We received the attached technical memorandum relating to your bill. This copy is for your information and your file. If you wish to discuss this memorandum or the necessity of revising your bill or preparing an amendment, please contact me.

DATE: June 14, 2005

TO: Joseph Kreye, Attorney, Legislative Reference Bureau

FROM: Darsi Foss, Bureau of Remediation and Redevelopment, Dept. of Natural Resources

SUBJECT: Technical Note Related to Fiscal Note for AB 464, LRB 2736_2

With this technical note, the Department is highlighting drafting differences between this bill and a previous draft, LRB 2736/1, which may be unintentional. The issues relate to the definition of brownfield. First, the definition of brownfield no longer includes any reference to "perceived or actual environmental contamination." Thus, a brownfield could be any property the County forecloses on. Second, the most recent definition of brownfield references "if the county in which the facility ... is located has commenced a foreclosure under s. 75.521." It is our understanding that the City of Milwaukee, a city of the first class, may also commence foreclosure. We are unsure if omitting this local government entity from the definition was intentional or not. Third, this provision calls for the property owner to undertake certain environmental work, which would be irrelevant if there was no perceived or actual environmental contamination.

If you have any questions about this technical note, you can reach me at 267-6713.