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(FORM UPDATED: 08/11/2010)

WISCONSIN STATE LEGISLATURE ... PUBLIC HEARING - COMMITTEE RECORDS

2005-06

(session year)

Senate

(Assembly, Senate or Joint)

Committee on Natural Resources and Transportation...

COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)
(**ab** = Assembly Bill) (**ar** = Assembly Resolution) (**ajr** = Assembly Joint Resolution)
(**sb** = Senate Bill) (**sr** = Senate Resolution) (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

* Contents organized for archiving by: Stefanie Rose (LRB) (June 2012)

Senate

Record of Committee Proceedings

Committee on Natural Resources and Transportation

Senate Bill 546

Relating to: identification and cleanup of properties that are environmentally contaminated; properties with residual contamination; modifying the environmental remediation tax incremental financing program; exempting local governmental units from solid waste management standards with respect to certain properties; the liability of certain persons for environmental contamination on property on which a cleanup has been conducted; and granting rule-making authority.

By Senators Roessler, Kedzie, Cowles, Schultz, Darling, Grothman, Harsdorf and Wirch; cosponsored by Representatives Gunderson, Freese, Staskunas, Albers, Fields, Hines, Jeskewitz, Musser, Nischke, Ott, Owens, Petrowski, Townsend, Vos and Zepnick.

February 01, 2006 Referred to Committee on Natural Resources and Transportation.

February 15, 2006 **PUBLIC HEARING HELD**

Present: (5) Senators Kedzie, Stepp, Kapanke, Wirch and Breske.
Absent: (0) None.

Appearances For

- Carol Roessler — State Senator, 18th Senate District
- Darsi Foss — WI Department of Natural Resources
- Scott Manley — WI Manufacturers and Commerce

Appearances Against

- None.

Appearances for Information Only

- None.

Registrations For

- Jason Johns — WI Alliance of Cities
- Kathleen Falk — Dane County Executive
- Lisa MacKinnon — 1000 Friends of Wisconsin
- Amy Boyer — WI Economic Development of Association
- Genie Kelly — WI Utilities Association
- Carol Godiksen — American Council of Engineering Companies

- Matt Stohr — Wisconsin Counties Association
- Curt Witynski — League of Wisconsin Municipalities
- Scott Gunderson — State Representative, 83rd Assembly District

Registrations Against

- None.

February 15, 2006

EXECUTIVE SESSION HELD

Present: (5) Senators Kedzie, Stepp, Kapanke, Wirch and Breske.
Absent: (0) None.

Moved by Senator Wirch, seconded by Senator Breske that **Senate Amendment 1** be recommended for adoption.

Ayes: (5) Senators Kedzie, Stepp, Kapanke, Wirch and Breske.
Noes: (0) None.

ADOPTION OF SENATE AMENDMENT 1 RECOMMENDED, Ayes 5,
Noes 0

Moved by Senator Wirch, seconded by Senator Kapanke that **Senate Bill 546** be recommended for passage as amended.

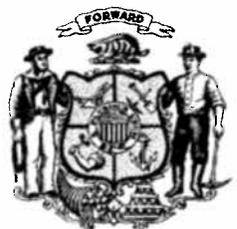
Ayes: (5) Senators Kedzie, Stepp, Kapanke, Wirch and Breske.
Noes: (0) None.

PASSAGE AS AMENDED RECOMMENDED, Ayes 5, Noes 0

Dan Johnson
Committee Clerk



WISCONSIN STATE LEGISLATURE





National Brownfield Association

www.brownfieldassociation.org

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City of Kenosha

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February 14, 2006

Senator Neal Kedzie
Room 313 South
State Capitol
Madison, WI 53707

Honorable Senator Kedzie:

The Wisconsin Chapter of the National Brownfields Association is pleased to officially support SB546, the brownfields legislative package that aims to enhance the cleanup and redevelopment of contaminated properties in Wisconsin.

As you know, Wisconsin is consistently cited as having one of the top brownfields programs in the nation. SB546 aims to streamline land use controls, expand the Voluntary Party Liability Exemption (VPLE) program, expand the Local Government Liability Exemption, and modify Environmental Remediation Tax Incremental Financing. Each component of the legislation helps Wisconsin continue to be an environmental leader in this country by addressing key public policy issues for brownfields cleanup across the state. We support each of these components.

Thank you for your dedication to making Wisconsin a national environmental and brownfields leader.

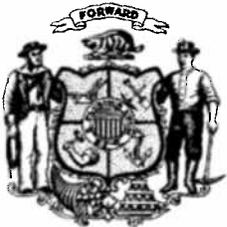
Sincerely,
CITY OF KENOSHA

John M. Antaramian
Mayor

JMA:jem



WISCONSIN STATE LEGISLATURE





**Wisconsin
Manufacturers
& Commerce**

**Wisconsin Manufacturers'
Association • 1911
Wisconsin Council
of Safety • 1923
Wisconsin State Chamber
of Commerce • 1929**

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Michael R. Shoys
Vice President
WMC Service Corp.

TO: Members of the Senate Committee on Natural Resources & Transportation
FROM: Scott Manley, Environmental Policy Director
DATE: February 15, 2006
RE: Support for Senate Bill 546 – Brownfield Reform Legislation

My name is Scott Manley, and I serve as the Director of Environmental Policy for Wisconsin Manufacturers & Commerce (WMC). WMC is a nonprofit business trade organization with more than 4,000 members statewide in the manufacturing, energy, commercial and service sectors. Over one-quarter of the private sector employees in Wisconsin are employed by WMC members.

WMC supports Senate Bill 546 (SB 546) as a cost-effective means to promote economic development and clean up contaminated properties. We believe Senator Roessler's bill will speed up the Brownfield cleanup process, reduce transactional costs, and give local governments better tools for redeveloping contaminated properties in their communities.

Everyone supports the goal of returning polluted and blighted land to the tax rolls as redeveloped property. However, in order for this economic development to take place, private sector businesses must make the decision to invest in redevelopment. The success of Brownfield projects depend upon a partnership between government and businesses that make redevelopment an economically viable option.

By reforming our Brownfield statutes to speed up the cleanup process and reduce transactional costs, SB 546 will create a greater incentive for investment in redevelopment. Giving local governments a more useful Environmental Remediation TIF law will also make it possible to move forward with projects that were economically unfeasible under the prior statutory framework.

For these reasons, WMC supports SB 546, and respectfully requests that the Committee support passage of the bill.

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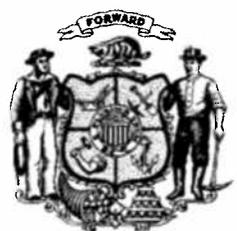
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Northwestern Mutual, Milwaukee



WISCONSIN STATE LEGISLATURE





State of Wisconsin • DEPARTMENT OF REVENUE

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PHONE (608) 266-6466 • FAX (608) 266-5718 • <http://www.dor.state.wi.us>

Jim Doyle
Governor

Michael L. Morgan
Secretary of Revenue

Senate Natural Resources and Transportation Committee Hearing, February 15, 2006

Senate Bill 546 – Environmental Remediation Tax Incremental Financing (ER TIF) changes (Sen. Roessler)

Description of Current Law and Proposed Change

The bill modifies ERTIF district and other brownfield cleanup efforts. This document is limited; however, to addressing only the ERTIF provisions of the bill.

Under current law, the maximum life of an environmental remediation tax incremental financing (ER TIF) district is 16 years. Expenditures for eligible costs are allowed for 15 years. Under the bill, the maximum life of an ER TIF district is extended to 23 years, but the current expenditure period is retained. This provision applies to both existing and newly created ER TIF districts.

In addition, the bill makes technical changes to ER TIF districts. The bill:

- creates definitions of "environmental remediation tax incremental district," "environmental remediation tax incremental base," "environmental remediation value increment," "period of certification," and "project expenditure," that are similar to "ordinary" TIF district definitions;
- expands "eligible cost" to include the cancellation of delinquent property taxes;
- requires an ER TIF district creation resolution, including a boundary description, to be submitted to DOR under the regular TIF deadline cycle;
- creates termination procedures for ER TIF districts;
- prohibits DOR from certifying the base of any new ER TIF district if forms required for the termination of an old district are not submitted within 180 days after the termination;
- requires a final report prepared for a district to include an independent certified financial audit;
- requires that the final accounting of project expenditures and final amount of eligible costs be provided to DOR;
- modifies provisions regarding property parcels in the ER TIF district to include contiguous parcels;

- authorizes DOR to charge a \$1,000 fee to determine or redetermine the base of an ER TIF district;
- modifies the property tax settlement process to include and distribute the proper amounts of property taxes collected in ER TIF districts.

Fairness/Tax Equity

- The technical changes to ER TIF law make it more parallel to regular TIF law. Consequently, the bill makes it easier for both local governments and the state to administer and utilize these programs.

Impact on Economic Development

- By increasing an ER TID's maximum lifespan and clarifying technical aspects of ER TIF law, the bill may encourage the use of an ER TIF as a development tool.

Administrative Impact/Fiscal Effect

- The extension of the existing \$1,000 fee for the creation or amendment of an "ordinary" TIF district to ER TIF districts will provide DOR with program revenue to support the Department's administrative expenses.

DOR Position

- Support. The bill will improve the workability of ER TIF law as a remedy for environmentally contaminated sites across the state.

Prepared by: Milda Aksamitauskas (608) 261-5173

February 13, 2006

MA:skr

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