

**2009 DRAFTING REQUEST**

**Bill**

Received: 11/03/2008

Received By: **btradewe**

Wanted: **As time permits**

Identical to LRB:

For: **Legislative Council - LRC**

By/Representing: **Don Dyke**

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: **don.dyke@legis.wisconsin.gov**

Carbon copy (CC:) to:

---

**Pre Topic:**

No specific pre topic given

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**Topic:**

Repeal semiannual PECFA report

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**Instructions:**

See attached

---

**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>
/P1	btradewe 11/07/2008	nmatzke 11/12/2008	rschluet 11/12/2008	_____	lparisi 11/12/2008		
/1	btradewe 12/30/2009	nmatzke 12/30/2009	mduchek 01/04/2010	_____	cduerst 01/04/2010	cduerst 01/05/2010	

FE Sent For: **"1" @ intro. 1/7/10**

<END>

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/P1	btradewe 11/07/2008	nmatzke 11/12/2008	rschlue 11/12/2008	_____	lparisi 11/12/2008		

FE Sent For:

1) nwn  
12/30

*(Handwritten initials)*

1/4 ph / mb

<END>

12/30

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Vers.      Drafted      Reviewed      Typed      Proofed      Submitted      Jacketed      Required

/P1      btradewe

*/P1 nwn  
11/10  
P1 11/10 jld*

*[Handwritten signature]*  
*11/28*  
*PH*

FE Sent For:

<END>

MEMORANDUM

**DATE:** October 31, 2008  
**TO:** Terry Anderson, Director  
Joint Legislative Council  
**FROM:** Richard J. Leinenkugel, Secretary  
Department of Commerce   
**SUBJECT:** Proposals for Law Revision Committee

In response to your September 2, 2008 memo relating to statutory changes for consideration by the Law Revision Committee, the Department of Commerce is submitting the following five proposed changes:

RET 1.

**Repeal of Section 101.143 (11), Wisconsin Statutes, which relates to the Semiannual Petroleum Environmental Cleanup Fund Award (PECFA) Report**

**A. Requested Change**

The Department of Commerce is requesting the repeal of s. 101.143 (11), Stats., which relates to the semiannual PECFA report.

**B. Problem**

Section 101.143 (11), Stats., requires the Departments of Commerce and Natural Resources to submit a report semiannual to the Governor and Legislature that lists extensively detailed data for every petroleum-product discharge where State-reimbursed remediation activities are underway. This statutory section is outdated and inefficient because the data that is required results in inefficient paper-based reports, which typically are too voluminous to be of readily significant value to the recipients.

Rather than relying on these inefficient paper-based reports for day-to-day operations, the two Departments have jointly developed a comprehensive Web-based database, which is used extensively for the updated tracking of these remediation activities. Any interested person with Internet access can easily search the database for any desired site-specific information, and the database includes a Web-based guide for performing these searches. In addition, both agencies can readily supply whatever stored information is requested by any interested person, and can easily inform interested parties of the availability and usability of this Web-based, updated tracking system.

**C. Need for the change**

The repeal of this section is needed to enable the Departments of Commerce and Natural Resources to be able to discontinue the semiannual generation of a report that is inefficient and ineffective.

**D. Fiscal effect**

No negative fiscal effect is expected from this change. Current revenues and expenditures will not be affected.

**E. Other**

This proposal does not involve any significant policy change, and no public or private sector groups are expected to oppose this proposal. The Department of Natural Resources supports this proposal.



State of Wisconsin  
2009 - 2010 LEGISLATURE

LRB-0629/P1

RCT:.....

nwn+  
jld

In 11/7

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

SAJ  
X-ref ✓

X

Gen. ✓

For reporting

- ① AN ACT ...; relating to: eliminating a reporting requirement on the petroleum
- 2 storage remedial action program (suggested as remedial legislation by the
- ③ department of Commerce).

**Analysis by the Legislative Reference Bureau**

Under current law, the Department of Commerce and the Department of Natural Resources administer a program (commonly known as PECFA) to reimburse owners of petroleum storage tanks for a portion of the costs of cleaning up discharges from the tanks. Current law requires the departments to report on the program twice a year. Among other things, the reports must include information about each cleanup for which reimbursement is being provided. This bill eliminates the requirement for the semiannual reports on PECFA. <sup>stet.</sup>

PECFA

\*  
\*  
>

For further information, see the NOTES provided by the Law Revision Committee of the Joint Legislative Council.

\* LAW REVISION COMMITTEE PREFATORY NOTE: This bill is a remedial legislation proposal, requested by the Department of Commerce and introduced by the Law Revision Committee under s. 13.83 (1) (c) 4. and 5. After careful consideration of the various provisions of the bill, the Law Revision Committee has determined that this bill makes minor substantive changes in the statutes, and that these changes are desirable as a matter of public policy.

**The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:**

1

**SECTION 1.** 101.143<sup>^</sup> (11)<sup>+</sup> of the statutes is repealed.

2

(END) ✓

STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

12/28

Becky,

P/S. prepare a  
"slask 1" for  
introduction.

Thanks,

Don Dyke

PRELIMINARY DRAFT – NOT READY FOR INTRODUCTION

1 AN ACT *to repeal* 101.143 (11) of the statutes; **relating to:** eliminating a  
2 requirement for reporting on the petroleum storage remedial action program  
3 (suggested as remedial legislation by the Department of Commerce).

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1 SECTION 1. 101.143 (11) of the statutes is repealed.

2 (END)



In copy A

*INSERT A*

NOTE: According to the Department of Commerce, the repealed hard-copy report has become inefficient and ineffective because the reports are typically too voluminous to be useful to recipients. The Department of Commerce and the Department of Natural Resources have instead jointly developed a comprehensive web-based database, which is used extensively for tracking the remediation activities that are the subject of the repealed report. The Department of Commerce reports that any interested person with Internet access can easily search the database for any desired site-specific information (the Internet site contains a guide for performing these searches). Further, either agency can readily supply whatever stored information is requested by any interested person.



State of Wisconsin  
2009 - 2010 LEGISLATURE

SOON (in 12/30)

LRB-0629/F1  
RCT:nwn&jld:rs

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

SA ✓

- Regen.
- 1 AN ACT *to repeal* 101.143 (11) of the statutes; **relating to:** eliminating a
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**SECTION 1**

1

**SECTION 1.** 101.143 (11) of the statutes is repealed.

2

(END)

*Insert A*

INSERT A

*requirement for*

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**Duerst, Christina**

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**From:** Dyke, Don  
**Sent:** Tuesday, January 05, 2010 8:46 AM  
**To:** LRB.Legal  
**Subject:** Draft Review: LRB 09-0629/1 Topic: Repeal semiannual PECFA report

Please Jacket LRB 09-0629/1 for the SENATE.  
Thanks,  
Don Dyke