

2015 DRAFTING REQUEST

Bill

Received: 1/27/2015 Received By: btradewe
Wanted: As time permits Same as LRB:
For: Administration-Budget By/Representing: Byrnes
May Contact: Drafter: btradewe
Subject: Environment - env. cleanup Addl. Drafters:
Extra Copies:

Submit via email: YES
Requester's email:
Carbon copy (CC) to: robin.kite@legis.wisconsin.gov
mary.pfotenhauer@legis.wisconsin.gov
sbostatlanguage@webapps.wi.gov

Pre Topic:

DOA:.....Byrnes, BB0472 -

Topic:

Deadlines for PECFA eligibility

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 1/27/2015	kfollett 1/27/2015	rschluet 1/27/2015	_____	sbasford 1/27/2015		State
/P2		kfollett 1/27/2015	jfrantze 1/27/2015	_____	srose 1/27/2015		State

FE Sent For:

<END>

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sbostatlanguage@webapps.wi.gov ✓

Pre Topic:

DOA:.....Byrnes, BB0472 -

Topic: Deadlines for ~~subsets~~ eligibility
~~No new eligible sites under PECFA~~

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 1/27/2015	kfollett 1/27/2015	rschluet 1/27/2015	_____	sbasford 1/27/2015		State

FE Sent For:

1/27/15 1/27/15 1/27/15
J/ls
1/27
<END>

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Pre Topic:

DOA:.....Byrnes, BB0472 -

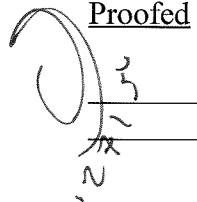
Topic:

No new eligible sites under PECFA ✓

Instructions:

See attached

Drafting History:

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/P1	btradewe	1 P.H.S.F 1/27					State

FE Sent For:

<END>

Tradewell, Becky

From: Byrnes, Tyler - DOA <Tyler.Byrnes@wisconsin.gov>
Sent: Monday, January 26, 2015 4:36 PM
To: Tradewell, Becky
Subject: LRB 1188-1

Becky –

I talked to another member of the Governor's Office and we'd like another draft of this.

The draft should specify that no additional sites may be deemed eligible for PECFA awards as of the effective date of the bill. It should not set a new end date for when claims for reimbursement must be submitted in order to be eligible for reimbursement.

The choice at the moment is between this new draft and the 1188-1. It's going to be clarified tomorrow.

Thanks for your help,

Tyler

STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

1/27/14 Per Tyler - provide it is not eligible if person
hasnt complied with 29a.63(3)(a)3. by the effective date of
the bill. They do want the nonstatutory provision about
paying down variable rate revenue bonds.
RET

Tradewell, Becky

From: Hanaman, Cathlene
Sent: Tuesday, January 27, 2015 9:17 AM
To: Tradewell, Becky; Pfothenauer, Mary
Subject: FW: Statutory Language Drafting Request - BB0472

From: Tyler.Byrnes@Wisconsin.gov [mailto:Tyler.Byrnes@Wisconsin.gov]
Sent: Tuesday, January 27, 2015 9:06 AM
To: Hanaman, Cathlene
Cc: Frederick, Caitlin - DOA; Byrnes, Tyler - DOA; Connor, Christopher B - DOA
Subject: Statutory Language Drafting Request - BB0472

Biennial Budget: 2015-17

DOA Tracking Code: BB0472

Topic: PECFA Eligibility

SBO Team: AEJ

SBO Analyst: Byrnes, Tyler - DOA
Phone: (608) 266-1103
E-mail: Tyler.Byrnes@Wisconsin.gov

Agency Acronym: DNR

Agency Number: 370

Priority: High

Intent:

Please prepare a draft that limits eligibility for PECFA awards for notifications received by the department after the effective date of the bill, by modifying s. 292.63(3)(a)3. of the statutes.

Attachments: False

Please send completed drafts to SBOSTatlanguage@webapps.wi.gov



State of Wisconsin
2015 - 2016 LEGISLATURE

LRB-1459/P1
RCT.....

IN 1/27

DOA:.....Byrnes, BB0472 - No new eligible sites under PECFA

FOR 2015-2017 BUDGET -- NOT READY FOR INTRODUCTION

Today

Don't Gen

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

ENVIRONMENT ✓

HAZARDOUS SUBSTANCES AND ENVIRONMENTAL CLEANUP ✓

Under current law, DNR administers a program to reimburse owners of certain petroleum product storage tanks for a portion of the costs of cleaning up discharges from those tanks. This program is commonly known as PECFA. In order to be eligible for PECFA reimbursement, a person must notify DNR of the discharge and the potential for submitting a PECFA claim. The state has issued revenue bonds, including variable rate revenue bonds, to pay a portion of the reimbursement provided under PECFA.

Under

This bill, a person is not eligible for PECFA reimbursement for costs of cleaning up a discharge if the person did not notify DNR of the discharge and the potential for submitting a PECFA claim before this bill takes effect. The bill also requires the secretary of administration to ensure that an amount equal to the amount of any lapse from the petroleum inspection fund appropriation for PECFA reimbursement at the end of the 2015-17 biennium is used to retire variable rate revenue bonds issued for PECFA.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

1 **SECTION 1.** 292.63 (3) (a) (intro.) of the statutes is amended to read:

2 292.63 (3) (a) *Who may submit a claim.* (intro.) Subject to pars. (ac), (ae), (ah),
3 (am) and (ap), an owner or operator or a person owning a home oil tank system may
4 submit a claim to the department for an award under sub. (4) to reimburse the owner
5 or operator or the person for the eligible costs under sub. (4) (b) that the owner or
6 operator or the person incurs because of a petroleum products discharge from a
7 petroleum product storage system or home oil tank system if all of the following
8 apply:

History: 1987 a. 399; 1989 a. 31, 254, 255; 1991 a. 39, 82, 269; 1993 a. 16, 301, 416, 491; 1995 a. 27 ss. 3665 to 3683m, 9116 (5); 1995 a. 227, 247, 378, 417; 1997 a. 27, 35, 237, 252, 283; 1999 a. 9, 185; 2001 a. 16, 109; 2003 a. 33; 2005 a. 75; 2007 a. 20, 145; 2009 a. 28, 240; 2011 a. 32; 2013 a. 20 ss. 1634 to 1706; Stats. 2013 s. 292.63; 2013 a. 173 s. 33.

9 **SECTION 2.** 292.63 (3) (ac) of the statutes is created to read:

10 292.63 (3) (ac) *Sunset.* An owner or operator or person owning a home oil tank
11 system is not eligible for an award under this section for costs incurred because of
12 a petroleum product discharge if the owner or operator or person did not provide
13 notification ^{under pars. ca) 3,} concerning the discharge ^{under sub. (3) (a) 3,} before the effective date of
14 this paragraph [LRB inserts date].

15 **SECTION 9132. Nonstatutory provisions; Natural Resources.**

16 (1) PETROLEUM STORAGE REMEDIAL ACTION PROGRAM REVENUE OBLIGATION
17 RETIREMENT. If moneys lapse from the appropriation under section 20.370 (6) (fr) of
18 the statutes at the end of fiscal year 2017, the secretary of administration shall
19 ensure that an amount equal to the amount of the lapse is expended from the
20 appropriation under section 20.370 (7) (dr) of the statutes, no later than December

1 31, 2017, to pay outstanding principal on variable rate obligations issued under
2 section 292.63 (9m) of the statutes.

3 (END)

STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

-1459

1/27/2014 Call from Tyler-

1. Change the cut-off date to 2/3/15. (date of budget introduction)
2. No new claims for reimbursement after 6/30/17.



State of Wisconsin
2015 - 2016 LEGISLATURE

LRB-1459/P~~1~~ 2
RCT:kjf:rs

Today

Scanned

(I changed topic online)

vmt

DOA:.....Byrnes, BB0472 - No new eligible sites under ~~PECFA~~

FOR 2015-2017 BUDGET -- NOT READY FOR INTRODUCTION

do not gen

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

ENVIRONMENT

HAZARDOUS SUBSTANCES AND ENVIRONMENTAL CLEANUP

Under current law, DNR administers a program to reimburse owners of certain petroleum product storage tanks for a portion of the costs of cleaning up discharges from those tanks. This program is commonly known as PECFA. In order to be eligible for PECFA reimbursement, a person must notify DNR of the discharge and the potential for submitting a PECFA claim. The state has issued revenue bonds, including variable rate revenue bonds, to pay a portion of the reimbursement provided under PECFA.

* Under this bill, a person is not eligible ^{does} for PECFA reimbursement for costs of cleaning up a discharge if the person ~~did not~~ notify DNR of the discharge and the potential for submitting a PECFA claim ~~before this bill takes effect.~~ The bill also * requires the secretary of administration to ensure that an amount equal to the amount of any lapse from the petroleum inspection fund appropriation for PECFA reimbursement at the end of the 2015-17 biennium is used to retire variable rate revenue bonds issued for PECFA.

Analysis insert

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

1 SECTION 1. 292.63 (3) (a) (intro.) of the statutes is amended to read:

2 292.63 (3) (a) *Who may submit a claim.* (intro.) Subject to pars. (ac), (ae), (ah),
3 (am) and (ap), an owner or operator or a person owning a home oil tank system may
4 submit a claim to the department for an award under sub. (4) to reimburse the owner
5 or operator or the person for the eligible costs under sub. (4) (b) that the owner or
6 operator or the person incurs because of a petroleum products discharge from a
7 petroleum product storage system or home oil tank system if all of the following
8 apply:

9 SECTION 2. 292.63 (3) (ac) of the statutes is created to read:

10 292.63 (3) (ac) *Sunset.*^{1.} An owner or operator or person owning a home oil tank
11 system is not eligible for an award under this section for costs incurred because of
12 a petroleum product discharge if the owner or operator or person ~~did~~^{did} not provide
13 notification under par. (a) 3. concerning the discharge before the effective date of this

14 paragraph [LRB inserts date]. *February 3, 2015*

Insert 2-14 →
15 SECTION 9132. Nonstatutory provisions; Natural Resources.

16 (1) PETROLEUM STORAGE REMEDIAL ACTION PROGRAM REVENUE OBLIGATION
17 RETIREMENT. If moneys lapse from the appropriation under section 20.370 (6) (fr) of
18 the statutes at the end of fiscal year 2017, the secretary of administration shall
19 ensure that an amount equal to the amount of the lapse is expended from the
20 appropriation under section 20.370 (7) (dr) of the statutes, no later than December

1 31, 2017, to pay outstanding principal on variable rate obligations issued under
2 section 292.63 (9m) of the statutes.

3 (END)

2015-2016 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1459/P2ins
RCT:.....

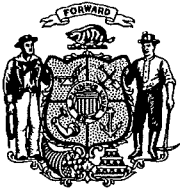
1 **Analysis insert**

not

Also
February 3, 2015. Under the bill, a person is ~~not~~ *also* not eligible for PECFA reimbursement for costs of cleaning up a discharge if the person does not submit a PECFA claim for those costs before July 1, 2017

2 **Insert 2-14**

3 2. An owner or operator *f* or person owning a home oil tank system is not eligible
4 for an award under this section if the owner or operator or person does not submit
5 a claim for the costs before July 1, 2017.



State of Wisconsin
2015 - 2016 LEGISLATURE

LRB-1459/P2
RCT:kjf:jf

DOA:.....Byrnes, BB0472 – Deadlines for PECFA eligibility

FOR 2015-2017 BUDGET -- NOT READY FOR INTRODUCTION

1 **AN ACT ...; relating to:** the budget.

Analysis by the Legislative Reference Bureau

ENVIRONMENT

HAZARDOUS SUBSTANCES AND ENVIRONMENTAL CLEANUP

Under current law, DNR administers a program to reimburse owners of certain petroleum product storage tanks for a portion of the costs of cleaning up discharges from those tanks. This program is commonly known as PECFA. In order to be eligible for PECFA reimbursement, a person must notify DNR of the discharge and the potential for submitting a PECFA claim. The state has issued revenue bonds, including variable rate revenue bonds, to pay a portion of the reimbursement provided under PECFA.

Under this bill, a person is not eligible for PECFA reimbursement for costs of cleaning up a discharge if the person does not notify DNR of the discharge and the potential for submitting a PECFA claim before February 3, 2015. Also under the bill, a person is not eligible for PECFA reimbursement for costs of cleaning up a discharge if the person does not submit a PECFA claim for those costs before July 1, 2017.

The bill requires the secretary of administration to ensure that an amount equal to the amount of any lapse from the petroleum inspection fund appropriation for PECFA reimbursement at the end of the 2015-17 biennium is used to retire variable rate revenue bonds issued for PECFA.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

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5 or operator or the person for the eligible costs under sub. (4) (b) that the owner or
6 operator or the person incurs because of a petroleum products discharge from a
7 petroleum product storage system or home oil tank system if all of the following
8 apply:

9 **SECTION 2.** 292.63 (3) (ac) of the statutes is created to read:

10 292.63 (3) (ac) *Sunset.* 1. An owner or operator or person owning a home oil
11 tank system is not eligible for an award under this section for costs incurred because
12 of a petroleum product discharge if the owner or operator or person does not provide
13 notification under par. (a) 3. concerning the discharge before February 3, 2015.

14 2. An owner or operator or person owning a home oil tank system is not eligible
15 for an award under this section if the owner or operator or person does not submit
16 a claim for the costs before July 1, 2017.

17 **SECTION 9132. Nonstatutory provisions; Natural Resources.**

18 (1) PETROLEUM STORAGE REMEDIAL ACTION PROGRAM REVENUE OBLIGATION
19 RETIREMENT. If moneys lapse from the appropriation under section 20.370 (6) (fr) of
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1 appropriation under section 20.370 (7) (dr) of the statutes, no later than December
2 31, 2017, to pay outstanding principal on variable rate obligations issued under
3 section 292.63 (9m) of the statutes.

4 (END)