



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

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:

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

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

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

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

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

SECTION 9132. Nonstatutory provisions; Natural Resources.

(1) PETROLEUM STORAGE REMEDIAL ACTION PROGRAM REVENUE OBLIGATION RETIREMENT. If moneys lapse from the appropriation under section 20.370 (6) (fr) of the statutes at the end of fiscal year 2017, the secretary of administration shall ensure that an amount equal to the amount of the lapse is expended from the

appropriation under section 20.370 (7) (dr) of the statutes, no later than December 31, 2017, to pay outstanding principal on variable rate obligations issued under section 292.63 (9m) of the statutes.

(END)