

State of Misconsin 1997 - 1998 LEGISLATURE

1997 ASSEMBLY BILL 218

March 25, 1997 – Introduced by Representatives BRANDEMUEHL, GRONEMUS, OLSEN, AINSWORTH, M. LEHMAN, GOETSCH, FREESE, HASENOHRL, HUTCHISON, MUSSER, ALBERS, WARD, KREIBICH, GROTHMAN and LORGE, cosponsored by Senators SCHULTZ, FARROW, PLACHE and ZIEN. Referred to Committee on Natural Resources.

1 AN ACT *to repeal* 101.143 (3) (am) 3. and 4.; and *to amend* 101.143 (3) (am) 1. 2 of the statutes; **relating to:** reimbursement for costs incurred because of 3 discharges from certain petroleum product storage tanks.

Analysis by the Legislative Reference Bureau

Under current law, the department of commerce 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.

Currently, the owner of a storage tank is generally ineligible for PECFA reimbursement for discharges from the storage tank after the storage tank satisfies state or federal requirements for upgrading underground storage tanks. This bill delays that ineligibility so that the owner of a storage tank remains eligible until December 22, 1998, or until the day on which a storage tank subject to the federal upgrading requirements is required to meet the federal upgrading requirements, whichever is later.

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:

1997 – 1998 Legislature

ASSEMBLY BILL 218

SECTION 1. 101.143 (3) (am) 1. of the statutes is amended to read: 1 $\mathbf{2}$ 101.143 (3) (am) 1. An owner or operator or a person owning a home oil tank 3 system is not eligible for an award under this section for costs incurred because of 4 a petroleum product discharge from a petroleum product storage system or a home oil tank system if the discharge is confirmed, or activities under par. (c) or (g) are $\mathbf{5}$ 6 begun with respect to that discharge, after December 22, 1998, or the day on which 7 the petroleum product storage system or home oil tank system first meets is required 8 to meet the upgrading requirements in 40 CFR 280.21 (b) to (d) or in rules 9 promulgated by the department relating to the upgrading of existing underground storage tank systems, if those requirements apply to the petroleum product storage 10 system or home oil tank system, whichever is later, except as provided in subds. subd. 11 122. to 4. 13**SECTION 2.** 101.143 (3) (am) 3. and 4. of the statutes are repealed. 14 SECTION 3. Nonstatutory provisions. 15(1) REPORT ON IMPLEMENTATION. The department of commerce shall study the 16 implementation of section 101.143 (3) (am) 1. of the statutes, as affected by this act, 17and shall submit a report on the results of the study no later than March 1, 1998, or

18 the first day of the 9th month beginning after the effective date of this subsection, 19 whichever is later, to the appropriate standing committees of the legislature, as

20 determined by the presiding officers of each house, in the manner provided in section

21 22

(END)

13.172 (3) of the statutes, and to the cochairpersons of the joint committee on finance.