



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2003 Senate Bill 324

Senate Amendment 2

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Senate Bill 324 makes several changes to the Dry Cleaner Environmental Response Program and the administration of dry cleaning license fees. This program provides reimbursement to owners and operators of dry cleaning facilities for a portion of the cost of responding to discharges of dry cleaning solvents. The awards under the program are funded by dry cleaning license fees.

Senate Amendment 2 to Senate Bill 324 adds a new category of eligible costs for an award under the Dry Cleaner Environmental Response Program. In particular, the amendment:

- Specifies that these eligible costs are the reasonable and necessary costs incurred by a third party in the discovery of a discharge of dry cleaning product from an eligible owner's or operator's dry cleaning facility before the eligible owner or operator discovered the discharge.
- Limits these eligible costs to no more than \$15,000.
- Specifies that these costs are eligible costs notwithstanding the noncompliance by the owner or operator with the procedural requirements specified in the program in relation to the costs.
- Establishes that, if a person other than the owner or operator prepares a statement that is submitted by the owner or operator to obtain payment for these eligible costs and if the statement includes ineligible costs, that person must pay to the Department of Natural Resources (DNR) an amount equal to 50% of the amount of ineligible costs included in a statement. The DNR must then deposit these payments into the Dry Cleaner Environmental Response Fund. (Similar payment provisions apply under current law to the claiming of other ineligible costs by an owner or operator of a dry cleaning facility applying for an award under the program.)

Legislative History

On February 23, 2004, the Senate Committee on Environment and Natural Resources recommended introduction and adoption of Senate Amendment 2 on a vote of Ayes, 5; Noes, 0; and recommended passage of Senate Bill 324, as amended, on a vote of Ayes, 5; Noes, 0. On February 26, 2004, the Senate adopted Senate Amendment 2 and passed Senate Bill 324, as amended, on separate voice votes.

On March 2, 2004, the Assembly Committee on Natural Resources reported that it recommended concurrence in Senate Bill 324, as passed by the Senate, on a vote of Ayes, 11; Noes, 0.

JES:jal