

March 17, 2005

S 629. DUPONT STATE FOREST CAPITAL FUNDS (=H 789). *TO APPROPRIATE FUNDS TO BE USED TOWARD THE CAPITAL COSTS OF CONVERTING AN EXISTING LOG BUILDING LOCATED IN DUPONT STATE FOREST INTO A VISITORS' CENTER FOR DUPONT STATE FOREST.* Identical to H 789, introduced 3/17/05.

Intro. by Snow.

Ref. to Appropriations

APPROP

May 31, 2005

S 629. MANUFACTURING REDEVELOPMENT DISTRICTS (NEW). Intro. 3/17/05. Senate committee substitute deletes all provisions of 1st edition and replaces it with *AN ACT TO PROVIDE FOR THE REDEVELOPMENT OF CERTAIN MANUFACTURING DISTRICTS*. Now provides that a manufacturing redevelopment district may be established in economically distressed counties where (1) all of the real property comprising the district is a privately owned in-holding of 50 acres or more within a State forest of 10,000 acres or more; (2) the district contains a manufacturing facility that has been out of production for two years or more; (3) failure to restart the facility would result in a permanent lost opportunity to create 50 or more jobs; (4) the facility has a total square footage of 500 square feet or more; (5) the new operator of the facility intends to employ more than 50 employees; (6) the new operator of the manufacturing facility has accepted responsibility for assessment and remediation of known and unknown environmental conditions and has prefunded an assessment and remediation program in an amount of at least \$5 million; and (7) the owner donates the real property comprising the manufacturing redevelopment district to the State. Also provides immunity for cleanup of environmental damage, restoration of natural resources, or any other claims arising out of the presence of oil, hazardous substances, or waste on the property to any person who owned or had an interest in any property donated to the State for use as a manufacturing redevelopment district, and provides for new operator of the district to assume all these liabilities. Authorizes the State Property Office to accept donation of real property for use as a manufacturing redevelopment district and to transfer to the new operator a fee simple determinable interest in the property, which interest terminates when the new operator ceases manufacturing operations on the property.

July 27, 2005

S 629. MANUFACTURING REDEVELOPMENT DISTRICTS. Intro. 3/17/05. House committee substitute makes the following changes to 2nd edition. Revises the findings to remove language stating that it is in the public interest to transfer title to real property to a new operator of a manufacturing facility. Deletes language that would have allowed a new operator to certify that the criteria required for a manufacturing redevelopment district had been met and instead requires the Secretary of State to make such certifications. Secretary has six months from the date the property is transferred to the local government to make determinations regarding the certifications. Requires new operator to invest at least five million dollars in the facility. Clarifies language requiring new operators to prefund a program for environmental assessment and remediation. Modifies the process for transferring the property to a new operator to remove the State from the chain of title and substitute a local government entity. Modifies the provisions related to qualified immunity to limit the applicability of the immunity to claims by private or third party claims, not claims by the State or other governmental entities. Adds new provision prohibiting the new operator's transfer of district property to a third party without certification from the Secretary of State that the proposed recipient meets all of the requirements of this law. Adds new procedures and requirements that apply when a facility in a redevelopment district ceases operations, which include a requirement that all buildings be demolished and removed. Makes technical changes.

August 2, 2005

S 629. MANUFACTURING REDEVELOPMENT DISTRICTS. Intro. 3/17/05. Conference report recommends the following changes to 3rd edition to reconcile matters in controversy. Amends

Section 3, which sets forth the procedure for establishing manufacturing redevelopment districts, to provide that (1) certification that district meets section's criteria by the operator of manufacturing facilities located within district is prima facie evidence that those criteria have been met and (2) the manufacturing redevelopment district will be considered established as of date certification is filed (was, required that Secretary of State certify that district meets section's requirements within six month of the date real property is transferred to the local government). Further amends section to provide that new operator's establishment of a prefunded escrow account does not relieve the new operator of its obligation to comply with its obligation to assess and remediate the manufacturing facility. Requires that the Dep't of Environment and Natural Resources (DENR) review operator's description of its financial assurance within 30 days of DENR's receipt of operator's request and provides that DENR will waive its right to review that assurance if the review is not completed within 30 days. Amends Section 7 to state that the creation of jobs and economic opportunities is the consideration for the transfer of the title to real property by the local government entity to the new operator of the district. Also provides that if DENR requires that operator perform any additional assessment and remediation once operator ceases operations in district, those directives must be in accordance with applicable environmental laws. Makes technical and conforming changes.

October 5, 2005

SL 2005-462 (S 629). MANUFACTURING REDEVELOPMENT DISTRICTS. AN ACT TO PROVIDE FOR THE REDEVELOPMENT OF CERTAIN MANUFACTURING DISTRICTS. Summarized in *Daily Bulletin* 5/31/05, 7/27/05, and 8/2/05. Enacted October 3, 2005. Effective October 3, 2005.