



**SENATE AMENDMENT 12,
TO SENATE SUBSTITUTE AMENDMENT 2,
TO SENATE BILL 1**

February 27, 2013 – Offered by Senators JAUCH, HANSEN, LASSA, C. LARSON, RISSER, WIRCH, T. CULLEN, MILLER, LEHMAN, SHILLING, VINEHOUT, CARPENTER and ERPENBACH.

- 1 At the locations indicated, amend the substitute amendment as follows:
- 2 **1.** Page 2, line 10: after “facilities,” insert “granting rule-making authority.”
- 3 **2.** Page 108, line 9: delete “(3) (a), (d), and (e)” and substitute “(1) and (2)”.
- 4 **3.** Page 172, line 16: delete the material beginning with that line and ending
5 with page 174, line 21, and substitute:
- 6 **“295.73 Mining fees. (1)** When a person gives notice under s. 295.645, the
7 person shall pay a fee established by the department by rule designed to cover the
8 costs incurred by the department in connection with the proposed mining during the
9 year following receipt of the notice, other than any costs related to the environmental
10 impact statement for the proposed mining.
- 11 **(2)** The department shall annually compare the fees paid under this section
12 and under chs. 30, 280 to 292, and 299 in connection with proposed mining with the

1 costs incurred by the department in connection with that proposed mining, including
2 the costs incurred under chs. 30, 280 to 292, and 299 but excluding costs related to
3 the environmental impact statement. If the costs incurred exceed the fees paid, the
4 person who notified the department shall pay a fee equal to the amount by which the
5 costs exceed the fees previously paid.

6 (3) When the department issues or denies a mining permit or when a person
7 who gave notice under s. 295.645 ceases to seek approval of the proposed mining
8 project, the department shall compare the fees paid under this section and under chs.
9 30, 280 to 292, and 299 in connection with the proposed mining with the costs
10 incurred by the department in connection with the proposed mining, including the
11 costs incurred under chs. 30, 280 to 292, and 299 but excluding costs related to the
12 environmental impact statement. If the costs incurred are less than the fees paid,
13 the department shall pay the person who gave notice the amount by which the fees
14 exceed the costs. If the costs incurred exceed the fees paid, the person who gave
15 notice shall pay a final fee equal to the amount by which the costs exceed the fees
16 previously paid.”.

17 (END)