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State of Misconsin 2019 - 2020 LEGISLATURE

LRBa0205/1 MCP:ahe

SENATE AMENDMENT 2, TO SENATE BILL 91

May 14, 2019 - Offered by Senator TIFFANY.

At the locations indicated, amend the bill as follows:

- **1.** Page 1, line 3: after "clearinghouse" insert ", providing an exemption from emergency rule procedures, and providing an exemption from rule-making procedures".
 - **2.** Page 4, line 6: delete "1.2" and substitute "1.0".
 - **3.** Page 7, line 12: delete the material beginning with "largest area" and ending with "load allocations" on line 15 and substitute "largest possible area allowed by the federal environmental protection agency".
 - **4.** Page 8, line 2: after that line insert:
 - "(2) The department of natural resources may not authorize a person required to obtain a permit to increase the discharge of pollutants above levels that would otherwise be authorized in the permit under s. 283.84 (1) (f) or (g) unless the

department has promulgated emergency or permanent rules to administer s. 283.84 (1) (f) and (g).

- (3) Using the procedure under s. 227.24, the department of natural resources may promulgate the rules necessary to implement s. 283.84 (1) (f) and (g) as emergency rules. Notwithstanding s. 227.24 (1) (a), (2) (b), and (3), the department of natural resources is not required to provide evidence that promulgating a rule under this subsection as an emergency rule is necessary for the preservation of the public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this subsection.
- (4) Notwithstanding s. 227.135 (2), the department of natural resources is not required to present the statement of scope of the rules necessary to implement s. 283.84 (1) (f) and (g) to the department of administration for review by the department of administration and approval by the governor. Notwithstanding s. 227.135 (2), the department of natural resources is not required to present the statement of scope, as provided in s. 227.135 (2), to the natural resources board for approval.".

(END)