

2013 DRAFTING REQUEST

Senate Amendment (SA-SSA2-SB1)

Received: 2/21/2013 Received By: btradewe
Wanted: As time permits Same as LRB:
For: Timothy Cullen (608) 266-2253 By/Representing: Jim Stoa
May Contact: Drafter: btradewe
Subject: Environment - mining Addl. Drafters:
Extra Copies:

Submit via email: YES
Requester's email: Sen.Cullen@legis.wisconsin.gov
Carbon copy (CC) to: Beau.Stafford@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Change timeline for DNR action

Instructions:

Adopt the timeline from the Cullen bill (SB 3)

Drafting History:

| <u>Vers.</u> | <u>Drafted</u> | <u>Reviewed</u> | <u>Typed</u> | <u>Proofed</u> | <u>Submitted</u> | <u>Jacketed</u> | <u>Required</u> |
|--------------|-----------------------|--------------------|----------------------|----------------|-------------------|-------------------|-----------------|
| /? | btradewe 2/22/2013 | evinz 2/22/2013 | jmurphy 2/22/2013 | _____ | | | |
| /P1 | btradewe 2/26/2013 | | | _____ | rose 2/22/2013 | | |
| /1 | | evinz 2/26/2013 | jmurphy 2/26/2013 | _____ | rose 2/26/2013 | rose 2/26/2013 | |

FE Sent For:

<END>

2013 DRAFTING REQUEST

Senate Amendment (SA-SSA2-SB1)

Received: 2/21/2013 Received By: btradewe
Wanted: As time permits Same as LRB:
For: Timothy Cullen (608) 266-2253 By/Representing: Jim Stoa
May Contact: Drafter: btradewe
Subject: Environment - mining Addl. Drafters:
Extra Copies:
Submit via email: YES
Requester's email: Sen.Cullen@legis.wisconsin.gov
Carbon copy (CC) to: Beau.Stafford@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Change timeline for DNR action

Instructions:

Adopt the timeline from the Cullen bill (SB 3)

Drafting History:

| <u>Vers.</u> | <u>Drafted</u> | <u>Reviewed</u> | <u>Typed</u> | <u>Proofed</u> | <u>Submitted</u> | <u>Jacketed</u> | <u>Required</u> |
|--------------|-----------------------|--------------------|----------------------|----------------|--------------------|-----------------|-----------------|
| /? | btradewe 2/22/2013 | evinz 2/22/2013 | jmurphy 2/22/2013 | _____ | | | |
| /P1 | | Heev 2/26/13 | Jm 2/26 | self | srose 2/22/2013 | | |

FE Sent For:

<END>

2013 DRAFTING REQUEST

Senate Amendment (SA-SSA2-SB1)

Received: 2/21/2013 Received By: btradewe
Wanted: As time permits Same as LRB:
For: Timothy Cullen (608) 266-2253 By/Representing: Jim Stoa
May Contact: Drafter: btradewe
Subject: Environment - mining Addl. Drafters:
Extra Copies:

Submit via email: YES
Requester's email: Sen.Cullen@legis.wisconsin.gov
Carbon copy (CC) to: Beau.Stafford@lwegis.wisconsin.gov

Corrected

Pre Topic:

No specific pre topic given

Topic:

Change timeline for DNR action

Instructions:

Adopt the timeline from the Cullen bill (SB 3)

Drafting History:

| <u>Vers.</u> | <u>Drafted</u> | <u>Reviewed</u> | <u>Typed</u> | <u>Proofed</u> | <u>Submitted</u> | <u>Jacketed</u> | <u>Required</u> |
|--------------|-----------------------|--------------------|----------------------|----------------|--------------------|-----------------|-----------------|
| /? | btradewe 2/22/2013 | evinz 2/22/2013 | jmurphy 2/22/2013 | _____ | | | |
| /P1 | | | | _____ | srose 2/22/2013 | | |

FE Sent For:

<END>

2013 DRAFTING REQUEST

Senate Amendment (SA-SSA2-SB1)

Received: 2/21/2013 Received By: btradewe
Wanted: As time permits Same as LRB:
For: Timothy Cullen (608) 266-2253 By/Representing: Jim Stoa
May Contact: Drafter: btradewe
Subject: Environment - mining Addl. Drafters:
Extra Copies:

Submit via email: YES
Requester's email: Sen.Cullen@legis.wisconsin.gov
Carbon copy (CC) to: Beau.Stafford@lwegis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Change timeline for DNR action

Instructions:

Adopt the timeline from the Cullen bill (SB 3)

Drafting History:

| <u>Vers.</u> | <u>Drafted</u> | <u>Reviewed</u> | <u>Typed</u> | <u>Proofed</u> | <u>Submitted</u> | <u>Jacketed</u> | <u>Required</u> |
|--------------|----------------|-----------------|--------------|-------------------|------------------|-----------------|-----------------|
| /? | btradewe | 1/1 eev 2/22/13 | Jim 2/22 | Jim + 123 2/22 | | | |

FE Sent For:

<END>



State of Wisconsin
2013 - 2014 LEGISLATURE

Today

a 0119/PI



LRBa0059/1

RCT:eev:jf

stays

rmnr

SENATE AMENDMENT,
To Senate Substitute Amendment 2,
TO SENATE BILL 1

Note

#. Page 66, line 6: delete "420" and substitute "520".

substitute amendment

1 At the locations indicated, amend the bill as follows:

2

1. Page ¹⁰⁷132, line ²⁰19: delete "420" and substitute "520".

3

2. Page ¹⁰⁷132, line ²³22: delete the material beginning with "unless" and ending with "application." on page ^{9/108}133, line 6, and substitute "except as provided under pars. (ae) to (as).

4

5

6

7

8

9

10

11

12

13

(ae) The department may extend the deadline under par. (a), upon notice to the applicant, for a total of not more than 180 days, if any of the following applies:

1. The department needs additional time to ensure collaboration with any federal regulatory agency with responsibilities related to the mining operation.

2. The department needs additional time to evaluate information related to the mining operation that becomes available after the applicant files the application for the mining permit.

3. The applicant makes changes to its proposal for the mining operation.

1 (am) The applicant may, by providing notice to the department, extend the
2 deadline under par. (a) as often and for any length of time that the applicant
3 determines to be necessary.

4 (as) The department and an applicant may negotiate an agreement specifying
5 a timeline for processing the application for a mining permit and for other approvals,
6 licenses, or permits issued by the department and that timeline may include a
7 deadline for the department to approve or deny the application for a mining permit
8 that is different from the deadline under par. (a)."

9 ¹⁰⁸ 3. Page ~~133~~¹³³, line 8: delete "agreed to by the applicant" and substitute "under
10 pars. (ae) to (as)".

11 ¹⁰⁸ 4. Page ~~133~~¹³³, line 11: delete "agreed to by the applicant" and substitute "under
12 pars. (ae) to (as)".

13 ¹⁰⁸ 5. Page ~~133~~¹³³, line ~~22~~²⁴: delete "agreed to by the applicant" and substitute "under
14 sub. (7) (ae) to (as)".

15 ¹⁰⁸ 6. Page 134, line 2: delete "agreed to by the applicant" and substitute "under
16 sub. (7) (ae) to (as)".

17 ¹⁷⁶ 7. Page ~~198~~¹⁹⁸, line ~~13~~¹⁰: delete "150" and substitute "210".

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

a 01/19/
LRB a0059/P1dn
RCT:eev:jf
stays

January 31, 2013

date

Beau Stafford:

2013 SB 3 This is a preliminary version of the amendment to adopt the Cullen bill timelines. The deadlines in this amendment look different from those in the Cullen bill draft because of differences between the processes in that draft and in 2013 SB 1. In the Cullen draft, the total number of days from submission of the application for the mining permit to the final decision on the application, including the contested case hearing but excluding any extensions, is 730. Under this amendment, that total number of days is also 730.

This amendment includes the provisions on extensions of the deadline for DNR action from the Cullen draft. If you do not want those, please let me know. Also, please contact me with any questions or other redraft instructions.

Rebecca C. Tradewell
Managing Attorney
Phone: (608) 266-7290
E-mail: becky.tradewell@legis.wisconsin.gov

2013 SB 3

bill

that

in 2013 SB 3

2013 SB 3

the

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBa0119/P1dn
RCT:eev;jm

February 22, 2013

This is a preliminary version of the amendment to adopt the timelines in 2013 SB 3. The deadlines in this amendment look different from those in that bill because of differences between the processes in that bill and in 2013 SB 1. In 2013 SB 3, the total number of days from submission of the application for the mining permit to the final decision on the application, including the contested case hearing but excluding any extensions, is 730. Under this amendment, that total number of days is also 730.

This amendment includes the provisions on extensions of the deadline for DNR action from 2013 SB 3. If you do not want those, please let me know. Also, please contact me with any questions or other redraft instructions.

Rebecca C. Tradewell
Managing Attorney
Phone: (608) 266-7290
E-mail: becky.tradewell@legis.wisconsin.gov

Barman, Mike

From: LRB.Legal
Sent: Tuesday, February 26, 2013 8:50 AM
To: Tradewell, Becky
Subject: FW: Draft review: LRB a0119/P1 Topic: Change timeline for DNR action
Attachments: 13a0119/P1; DraftersNote1

Looks like they want to go to a "/1".

MB

From: Sen.Cullen
Sent: Tuesday, February 26, 2013 8:44 AM
To: LRB.Legal
Subject: RE: Draft review: LRB a0119/P1 Topic: Change timeline for DNR action

Could you please jacket this amendment?

From: LRB.Legal
Sent: Friday, February 22, 2013 2:57 PM
To: Stafford, Beau
Subject: Draft review: LRB a0119/P1 Topic: Change timeline for DNR action

Draft Requester: Sen. Timothy Cullen

Following is the PDF version of draft LRB a0119/P1 and drafter's note.



Today



LRBa0119/P1

RCT:eev:jm

Staus ✓ *vmr*

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

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

No changes

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 66, line 6: delete “420” and substitute “520”.

3 **2.** Page 107, line 20: delete “420” and substitute “520”.

4 **3.** Page 107, line 23: delete the material beginning with “unless” and ending
5 with “application.” on page 108, line 6, and substitute “except as provided under pars.
6 (ae) to (as).

7 (ae) The department may extend the deadline under par. (a), upon notice to the
8 applicant, for a total of not more than 180 days, if any of the following applies:

9 1. The department needs additional time to ensure collaboration with any
10 federal regulatory agency with responsibilities related to the mining operation.

