

State of Wisconsin



2017 Assembly Bill 497

Date of enactment: **November 30, 2017**

Date of publication*: **December 1, 2017**

2017 WISCONSIN ACT 118

AN ACT *to renumber and amend* 281.36 (3n) (d); and *to create* 281.36 (3n) (d) 2. of the statutes; **relating to:** mitigation requirements applicable to wetland individual permits.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 281.36 (3n) (d) of the statutes is renumbered 281.36 (3n) (d) 1. and amended to read:

281.36 **(3n)** (d) 1. ~~The~~ Except as provided in subd. 2., the department shall require mitigation under the program established under sub. (3r) for wetland individual permits it issues under this subsection. This subsection does not entitle an applicant to a wetland individual permit or any other approval in exchange for conducting mitigation.

SECTION 2. 281.36 (3n) (d) 2. of the statutes is created to read:

281.36 **(3n)** (d) 2. If the department issues a wetland individual permit under sub. (3m) to a public utility, as defined in s. 196.01 (5), or a cooperative association organized under ch. 185 for the purpose of producing or furnishing heat, light, water, or power to its members only, the department may not require mitigation under the program established under sub. (3r) unless the discharge authorized by the wetland individual permit will result in a permanent fill of more than 10,000 square feet of wetland.

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."