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State of Misconsin 2013 - 2014 LEGISLATURE



ASSEMBLY AMENDMENT 12, TO ASSEMBLY BILL 1

February 6, 2013 - Offered by Representatives Clark, Bernard Schaber, Zamarripa, Hintz, Hulsey and Ohnstad.

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

1. Page 34, line 21: after that line insert:

"Section 29d. 70.375 (2) (a) of the statutes is amended to read:

70.375 (2) (a) In Except as provided in sub. (7), with respect to mines not in operation on November 28, 1981, there is imposed upon persons engaged in mining metalliferous minerals in this state a net proceeds occupation tax effective on the date on which extraction begins to compensate the state and municipalities for the loss of valuable, irreplaceable metalliferous minerals. The amount of the tax shall be determined by applying the rates established under sub. (5) to the net proceeds of each mine. The net proceeds of each mine for each year are the difference between the gross proceeds and the deductions allowed under sub. (4) for the year.".

2. Page 34, line 24: after that line insert:

"Section 30d. 70.375 (5) (intro.) of the statutes is amended to read:

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70.375 **(5)** RATES. (intro.) The Except as provided in sub. (7), the tax to be assessed, levied and collected upon persons engaging in mining metalliferous minerals in this state shall be computed at the following rates:

Section 30e. 70.375 (7) of the statutes is created to read:

70.375 (7) PER TON RATE. (a) Notwithstanding subs. (2) and (5), for mines in operation after December 31, 2012, the tax assessed, levied, and collected from a person engaged in mining ferrous minerals in this state is an amount equal to \$2.412 for each 2,240 pounds of ferrous minerals extracted by the person from mines in this state, based on the average annual amount extracted during the current year and the previous 2 years, not including any year in which the person is not extracting ferrous minerals from mines in this state.

(b) Beginning in 2014, and in each year thereafter, the department shall change the dollar amount rate under par. (a) to reflect the percentage change in the gross domestic product implicit price deflator from the 4th quarter of the 2nd preceding year to the 4th quarter of the preceding year, as determined by the federal department of commerce.".

(END)