



State of Wisconsin
2017 - 2018 LEGISLATURE

LRBa1296/1
MCP:ahe/kjf/jld

**SENATE AMENDMENT 7,
TO SENATE BILL 395**

October 3, 2017 - Offered by Senator TIFFANY.

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

2 **1.** Page 32, line 4: delete “(2m)” and substitute “(1g)”.

3 **2.** Page 32, line 5: delete “(2m)” and substitute “(1g)”.

4 **3.** Page 32, line 10: after that line insert:

5 “**SECTION 39m.** 293.51 (1r) of the statutes is created to read:

6 293.51 (1r) At the time of closure of the mining waste site, the operator shall
7 provide proof of financial responsibility to the department in an amount equal to the
8 reasonably anticipated costs during the period between 40 and 250 years after
9 closure of the mining waste site to repair or replace any engineered cover systems
10 or tailings water management control systems used at the mining site or mining
11 waste site to avoid adverse environmental consequences. At the time that the
12 application for a mining permit is approved, the department shall determine the
13 amount to be paid at the time of closure based on the net present value discounted

1 at a rate of at least 5 percent per year, and identify the reasonably anticipated costs
2 that the amount is intended to cover. The operator shall provide the proof of financial
3 responsibility in the form of a cash deposit, which the department shall segregate
4 and invest in an interest-bearing account; certificates of deposit, government
5 securities, or other interest-bearing forms of security; or proof of establishment of
6 an interest-bearing account, including an escrow account or trust account. The
7 operator or any successor in interest may use the funds or request the department
8 release the funds to cover any reasonably anticipated costs that were identified by
9 the department. The department shall release any remaining funds to the operator
10 or the operator's successor in interest after all of the reasonably anticipated costs
11 that were identified by the department have been incurred, or upon determining that
12 the reasonably anticipated costs are no longer applicable.”

13 **4.** Page 32, line 13: delete “(1) and (2m)” and substitute “(1), (1g), and (1r)”.

14 (END)