



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

February 26, 2013 – Offered by JOINT COMMITTEE ON FINANCE.

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

2 **1.** Page 6, line 13: delete lines 13 to 16.

3 **2.** Page 7, line 4: after that line insert:

4 “**SECTION 29d.** 70.375 (2) (a) of the statutes is amended to read:

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

1           **3.** Page 7, line 8: delete lines 8 to 12 and substitute:

2           “**SECTION 30e.** 70.375 (5) (intro.) of the statutes is amended to read:

3           70.375 (5) RATES. (intro.) The Except as provided in sub. (7), the tax to be  
4 assessed, levied and collected upon persons engaging in mining metalliferous  
5 minerals in this state shall be computed at the following rates:

6           **SECTION 30g.** 70.375 (7) of the statutes is created to read:

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

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

19           **4.** Page 8, line 1: delete “extracting ferrous metallic minerals” and substitute  
20 “under s. 70.375 (7)”.

21

(END)