

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0821/P1dn
RCT:cjs:cs

December 21, 2012

This is a preliminary draft of the proposal concerning metallic mining. We produced this preliminary draft, which does not include all of the items in the request, in order to provide language for review while we continue to work on the rest of the items.

This draft includes the following:

1. The gross tonnage tax for iron ore. See s. 70.375 (2) (a), (5) (intro.), and (7).
2. The increases in the notice of intent fees and the authority for the Investment and Local Impact Board to provide grants for economic impact studies. See s. 70.395 (2) (dc) 1., 2., and 3. and (L)
3. The changes in the distribution of the taxes on metallic mining and the creation of WEDC grants and loans. See ss. 70.395 (1e) and 238.14.
4. The exemption from the recycling fee. See s. 289.645 (4) (g).
5. The requirement to provide the notice of intent at least 12 months before submitting an application for a metallic mining permit. See s. 293.31 (1).
6. The elimination of prospecting permits, the creation of the requirement for bulk sampling plans, and the modification of other statutes that mention prospecting. See the creation of s. 293.315, the treatment of the other provisions in ch. 293, and the treatment of statutes outside of ch. 293 that are not listed above.

In treating the provisions outside of ch. 293 that mention prospecting, our goal was to change current law as little as possible.

This draft should be reviewed carefully to ensure that it accomplishes the changes in the law that are wanted. In particular, please look carefully at the section on bulk sampling, s. 293.315. For example, that section requires revegetation of bulk sampling sites. Current law requires reclamation of prospecting sites. Reclamation includes revegetation and a number of other actions. See current ss. 293.01 (23) and 293.13 (2) (c).

Please contact Joe Kreye with any questions or redraft instructions on the tax-related provisions and me with any other questions or redraft instructions.

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