

## 2013 DRAFTING REQUEST

### Senate Substitute Amendment (SSA-SB278)

Received: 9/3/2013 Received By: rkite  
Wanted: As time permits Same as LRB:  
For: Robert Jauch (608) 266-3510 By/Representing: Jeff  
May Contact: Drafter: rkite  
Subject: Environment - mining Addl. Drafters:  
Nat. Res. - parks and forestry Extra Copies: MGG; RCT

Submit via email: YES  
Requester's email: Sen.Jauch@legis.wisconsin.gov  
Carbon copy (CC) to:

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#### Pre Topic:

No specific pre topic given

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#### Topic:

Restricting public access to managed forest land near mining sites

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#### Instructions:

Same as LRB-2755/P1 except limit the distance to within 300 feet instead of 50 feet with respect to drilling sites

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#### Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	rkite 9/3/2013	kfollett 9/3/2013	rschluet 9/3/2013	_____			
/P1	rkite 9/4/2013			_____	srose 9/3/2013		
/1		scalvin 9/5/2013	rschluet 9/5/2013	_____	mbarman 9/5/2013	mbarman 9/5/2013	

FE Sent For:

**<END>**

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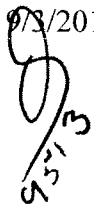
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/P1		1 sac 09/05/2013		_____	srose 9/3/2013		

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/?	rkite	1P/16f 9/3	(1)	_____	_____		
FE Sent For:							

<END>

~~2005~~  
2013

Date (time) needed Wed - 9/4

Rm not run

LRBs 01081P1

RNK : eev + kjf

# SUBSTITUTE AMENDMENT [TO A BILL]

Use the appropriate components and routines developed for substitute amendments.

**(S) A SUBSTITUTE AMENDMENT**  
TO ~~2005~~ <sup>2013</sup> **(SB) AB 278** (LRB- / )

AN ACT . . . [generate catalog] *to repeal . . . ; to renumber . . . ; to consolidate and renumber . . . ; to renumber and amend . . . ; to consolidate, renumber and amend . . . ; to amend . . . ; to repeal and recreate . . . ; and to create . . .* of the statutes; **relating to:** *public access to open managed forest land near certain mining sites.*

[NOTE: See section 4.02 (2) (br), Drafting Manual, for specific order of standard phrases.]

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

SECTION #.





State of Wisconsin  
2013 - 2014 LEGISLATURE



LRB-2755/P1  
RNK:egv:jm

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

1 **AN ACT** to renumber 77.83 (2) (a); to renumber and amend 77.83 (2) (b); to  
2 **amend** 77.83 (4) (a); and to **create** 77.83 (2) (ad), 77.83 (2) (b) 3. and 77.83 (2)  
3 (b) 4. of the statutes; **relating to:** public access to open managed forest land  
4 near certain mining sites.

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***Analysis by the Legislative Reference Bureau***

This is a preliminary draft. An analysis will be provided in a subsequent version of this draft.

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

5 **SECTION 1.** 77.83 (2) (a) of the statutes is renumbered 77.83 (2) (ag).

6 **SECTION 2.** 77.83 (2) (ad) of the statutes is created to read:

7 77.83 (2) (ad) In this subsection:

- 8 1. "Bulk sampling" has the meaning given in s. 295.41 (7).  
9 2. "Drilling site" has the meaning given in s. 295.44 (1) (e).

1 SECTION 3. 77.83 (2) (b) of the statutes is renumbered 77.83 (2) (b) (intro.) and  
2 amended to read:

3 ~~77.83 (2) (b) (intro.) An owner may restrict public access to any area of open  
4 managed forest land which that is within 300 any of the following:~~

5 ~~1. Three hundred feet of any building or within 300.~~

6 ~~2. Three hundred feet of a commercial logging operation that conforms to the  
7 management plan.~~

8 SECTION 4. 77.83 (2) (b) 3. of the statutes is created to read:

9 77.83 (2) (b) 3. ~~Fifty feet of a~~ drilling site operated by a person licensed to  
10 engage in exploration under s. 295.44 (2).

11 SECTION 5. 77.83 (2) (b) 4. of the statutes is created to read:

12 77.83 (2) (b) 4. a. ~~Three hundred feet of a~~ site where bulk sampling is occurring  
13 in accordance with a bulk sampling plan filed with the department under s. 295.45,  
14 except as provided in subd. 4. b.

15 b. The department may authorize an owner to restrict public access within a  
16 greater distance from a bulk sampling site than the distance specified in subd. 4. a.  
17 if the owner restricts public access within the greater distance only when blasting  
18 is occurring at the site and if the department, another state agency, or the federal  
19 government has determined that restricting public access within the greater  
20 distance is necessary to protect public safety.

21 SECTION 6. 77.83 (4) (a) of the statutes is amended to read:

22 77.83 (4) (a) Any person who fails to comply with sub. (2) (a) (ag) or any rule  
23 promulgated under sub. (3) shall forfeit not more than \$500.

24 (END)

INS  
2-7

2013-2014 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRBs0108/P1ins.  
RNK:.....

(intro.) INSERT 2-7

- 1 77.83 (2) (b) (An owner may restrict public access to any area of open managed  
2 forest land which that is within 300 feet of any of the following;  
3 1. A building ~~or within 300 feet of a~~ ↓ strike space  
4 2. A commercial logging operation that conforms to the management plan.

History: 1985 a. 29; 1989 a. 79; 1993 a. 131; 2003 a. 228; 2005 a. 299; 2007 a. 20.

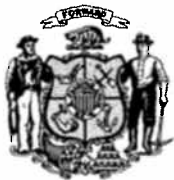


9/7

Per Jeff -

Redraft -

w/in 300 ft of a well site -  
where well is located or constructed  
use "site"



Thurs. 9/5 before 9:00 a.m.

State of Wisconsin  
2013 - 2014 LEGISLATURE



RM  
run

LRBs0108/P

RNK:eev&kjfs

Stay S

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

SENATE SUBSTITUTE AMENDMENT,

TO SENATE BILL 278

— you cut

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2 *amend* 77.83 (4) (a); and *to create* 77.83 (2) (ad), 77.83 (2) (b) 3. and 77.83 (2)  
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11 amended to read:



**2013-2014 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRBs0108/lins.  
RNK:.....

**INSERT 2-7**

1           **SECTION 1.** 77.83 (2) (b) 3m. of the statutes is created to read:

2           77.83 (2) (b) 3m. A site where a well is located, or is being constructed, if the  
3 well is located or being constructed by a person who has filed a bulk sampling plan  
4 with the department under s. 295.45.

5