

2013 DRAFTING REQUEST

Assembly Substitute Amendment (ASA-AB704)

Received: 2/11/2014 Received By: btradewe  
 Wanted: Today Same as LRB:  
 For: Brett Hulsey (608) 266-7521 By/Representing: Matt Veldran  
 May Contact: Drafter: btradewe  
 Subject: Environment - mining Addl. Drafters: agary  
 Transportation - highways

Extra Copies:

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

Pre Topic:

No specific pre topic given

Topic:

Funding for bridges and frac sand mining compensation and monitoring positions

Instructions:

See attached

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>
/?	agary 2/11/2014	scalvin 2/11/2014		_____			
/1			jfrantze 2/11/2014	_____	lparisi 2/11/2014	lparisi 2/11/2014	State S&L

FE Sent For:

@ INTRO

<END>

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/?	btradewe	1 sac 02/11/2014	1 sac 02/11/2014	<i>JM</i> <i>Jb</i>	2/11		

FE Sent For:

<END>

**Tradewell, Becky**

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**From:** Veldran, Matt  
**Sent:** Tuesday, February 11, 2014 1:10 PM  
**To:** Tradewell, Becky  
**Cc:** Rep.Hulsey  
**Subject:** Rep Hulsey's Restoration of Public Infrastructure Amendment to AB 704

Hi Rebecca!

I know what time it is so Rep Hulsey said if it's done it's done, if it's not it's not. But your work is **greatly** appreciated!

We sent over 5 amendments yesterday, with a possible sixth one. This is it.

Neglected Public Infrastructure Substitute

Funding for Inspection and repair of state bridges \$200 million  
Frac Sand restitution amendment \$28 million  
(for restitution to Town & County road repair,  
And bridge restitution)  
& for 10 DNR inspectors – see LRBb0695

Like I said earlier, if it's done it's done. We figured at this point it would be quicker than to add to SS AB1.

If it's done before AB 704 comes up, please send directly to Assembly chambers.

Thanks again!

Matt

Matt Veldran  
[Matt.Veldran@legis.wisconsin.gov](mailto:Matt.Veldran@legis.wisconsin.gov)

Office of Representative Brett Hulsey  
Wisconsin State Assembly  
District 78 serving Madison

Room 5 North  
Wisconsin State Capitol  
Madison, WI 53708  
Office: 608-266-7521



State of Wisconsin  
2013 - 2014 LEGISLATURE

Now

502941



LRE-3265/1  
RC Teevrs

in 2/11

Assembly Substitute Amendment  
to **2013 BILL 704**

ARG VMAR  
sac

1 **AN ACT to amend** chapter 295 (title) and subchapter I (title) of chapter 295  
 2 [precedes 295.11]; and **to create** 20.370 (6) (cs), 25.46 (13) and 295.24 of the  
 3 statutes; **relating to:** monitoring industrial sand mining and processing  
 4 operations, a fee on the extraction of certain sand, compensation for costs  
 5 incurred because of sand mining, granting rule-making authority, and making  
 6 an appropriation.

insert  
1-5

**Analysis by the Legislative Reference Bureau**

This **bill** requires a person who engages in the mining of frac sand (a type of sand that can be used to prop open rock fissures and increase the flow of natural gas or oil) to pay a fee of one dollar per ton of frac sand extracted.

The **bill** requires the Department of Natural Resources (DNR) to use a portion of the revenue generated from the fee imposed on frac sand mining to provide compensation to cities, villages, towns, and counties for costs incurred due to the impacts of frac sand mining, including costs of road repair and repairing damaged wetlands.

The **bill** also authorizes ten full-time equivalent positions to DNR for monitoring industrial sand mining and processing operations and provides funding for those positions from the environmental fund.

substitute  
amendment

check  
ANAL





**BILL**

1           **295.24 Frac sand mining fee and community impact program. (1)**

2           DEFINITIONS. In this section:

3           (a) "Frac sand" means a type of industrial sand that can be used in deep well  
4           applications to prop open rock fissures and increase the flow rate of natural gas or  
5           oil.

6           (b) "Political subdivision" means a city, village, town, or county.

7           (2) FEE. (a) A person who engages in frac sand mining shall pay to the  
8           department a fee of \$1 for each ton of frac sand extracted by the person in this state.

9           (b) A person shall pay the fee under par. (a) for the frac sand extracted during  
10          a calendar quarter no later than the 30th day after the last day of the calendar  
11          quarter.

12          (3) COMMUNITY IMPACT PROGRAM. (a) From the appropriation under s. 20.370  
13          (6) (cs), the department shall provide compensation to political subdivisions for costs  
14          incurred due to the impacts of frac sand mining, including costs incurred for road  
15          repair, cleaning up spilled sand, repairing damaged wetlands, and mitigating other  
16          environmental impacts.

17          (b) The department shall promulgate rules for the program under this  
18          subsection.

19           **SECTION 6. Fiscal changes.**

20          (1) SAND OPERATION MONITORING. In the schedule under section 20.005 (3) of the  
21          statutes for the appropriation to the department of natural resources under section  
22          20.370 (3) (mq) of the statutes, as affected by the acts of 2013, the dollar amount is  
23          increased by \$558,500 <sup>\$279,250</sup> for the first fiscal year of the fiscal biennium in which this  
24          subsection takes effect to increase the authorized FTE positions for the department  
25          by 10.0 SEG positions for monitoring industrial sand mining and processing

**BILL**

1 operations. In the schedule under section 20.005 (3) of the statutes for the  
2 appropriation to the department of natural resources under section 20.370 (3) (mq)  
3 of the statutes, as affected by the acts of 2013, the dollar amount is increased by  
4 \$1,117,000 for the second fiscal year of the fiscal biennium in which this subsection  
5 takes effect to provide funding for the positions authorized in this subsection.

**SECTION 7. Initial applicability.**

7 (1) SAND MINING FEE. The treatment of section 295.24 (2) of the statutes first  
8 applies to frac sand extracted on ~~January~~ 1, 2014. *March*

(END)

*insert  
4-5* →

2013-2014 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRBs0294/linsAG  
ARG:.....

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**INSERT 1-5:**

(no 44) increasing funding for inspection and repair of state bridges,

**INSERT ANAL:**

<sup>4</sup> In addition, the substitute amendment increases funding for the Department of Transportation for inspection and repair of bridges on state trunk highways.

**INSERT 4-5:**

(2) INSPECTION AND REPAIR OF STATE BRIDGES. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of transportation under section 20.395 (3) (eq) of the statutes, as affected by the acts of 2013, the dollar amount is increased by \$200,000,000 for the first fiscal year of the fiscal biennium in which this subsection takes effect to increase funding for inspection and repair of bridges on state trunk highways.