

2019 DRAFTING REQUEST

Senate Amendment (SA-SSA1-SB169)

For: Van Wanggaard (608) 266-1832 Drafter: eshea
By: Eric Secondary Drafters:
Date: 10/7/2019 May Contact:

Same as LRB:

Submit via email: YES
Requester's email: Sen.Wanggaard@legis.wisconsin.gov
Carbon copy (CC) to: elisabeth.shea@legis.wisconsin.gov
zachary.wyatt@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Consideration of economic factors

Instructions:

See attached

Drafting History:

Table with 6 columns: Vers., Drafted, Reviewed, Submitted, Jacketed, Required. It contains two rows of drafting history data.

FE Sent For: <END>

## Shea, Elisabeth

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**From:** Barbour, Eric  
**Sent:** Monday, October 07, 2019 3:57 PM  
**To:** Shea, Elisabeth  
**Subject:** RE: Rush: Amendment to SSA1 to SB 169

That sounds great!

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**From:** Shea, Elisabeth <Elisabeth.Shea@legis.wisconsin.gov>  
**Sent:** Monday, October 7, 2019 3:56 PM  
**To:** Barbour, Eric <Eric.Barbour@legis.wisconsin.gov>  
**Subject:** RE: Rush: Amendment to SSA1 to SB 169

How is this:

The department may also consider economic factors when making these decisions only if the HUC 8 watershed has one approved mitigation bank and that bank is charging a price for credits in that watershed that is in excess of 150 percent of the price of a credit in that watershed under the in lieu fee program.

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**From:** Shea, Elisabeth  
**Sent:** Monday, October 07, 2019 3:51 PM  
**To:** Barbour, Eric <Eric.Barbour@legis.wisconsin.gov>  
**Subject:** RE: Rush: Amendment to SSA1 to SB 169

Eric –  
There is another reference in the statute to the price of a credit: “percent of the market price, as determined by the department, for the equivalent purchase of credits from a mitigation bank” Do you mind if I word this the same way? So it would be:

The department may also consider economic factors when making these decisions only if the HUC 8 watershed has one approved mitigation bank and that bank is charging a price for credits in that watershed that is in excess of 150 percent of the market price, as determined by the department, for the equivalent purchase of credits from a mitigation.

Lis

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*The information contained in this communication may be confidential and protected by the attorney-client privilege.*

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**From:** Barbour, Eric <[Eric.Barbour@legis.wisconsin.gov](mailto:Eric.Barbour@legis.wisconsin.gov)>  
**Sent:** Monday, October 07, 2019 2:33 PM  
**To:** Shea, Elisabeth <[Elisabeth.Shea@legis.wisconsin.gov](mailto:Elisabeth.Shea@legis.wisconsin.gov)>  
**Subject:** RE: Rush: Amendment to SSA1 to SB 169

UPDATED: "The DNR may also consider economic factors when making these decisions only if the HUC 8 watershed has one approved mitigation bank and that bank is charging in excess of 150% of ILF current credit pricing for that specific watershed in question."

I eliminated the second "only".

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**From:** Barbour, Eric  
**Sent:** Monday, October 7, 2019 2:31 PM  
**To:** Shea, Elisabeth <[Elisabeth.Shea@legis.wisconsin.gov](mailto:Elisabeth.Shea@legis.wisconsin.gov)>  
**Cc:** Umpir, Evan <[Evan.Umpir@legis.wisconsin.gov](mailto:Evan.Umpir@legis.wisconsin.gov)>  
**Subject:** Rush: Amendment to SSA1 to SB 169

Lis,

Can I please have a simple Senate Amendment to Senate Substitute Amendment 1, to Senate Bill 169, that would make the following changes:

Amend Section 7 by adding the sentence "The DNR may also consider economic factors when making these decisions only if the HUC 8 watershed only has one approved mitigation bank and that bank is charging in excess of 150% of ILF current credit pricing for that specific watershed in question." This sentence can just be stuck at the end of Section 7.

Please let me know if you have any questions.

Thank you,

Eric S. Barbour  
Office of Senator Wanggaard  
21<sup>st</sup> Senate District  
(608) 266-1832

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**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION  
SENATE AMENDMENT ,  
TO SENATE SUBSTITUTE AMENDMENT 1,  
TO SENATE BILL 169**

In 10/7  
Due today

- 1 At the locations indicated, amend the substitute amendment as follows:
- 2 **1.** Page 4, line 24: after "wetland type." insert "The department may also
- 3 consider economic factors when making these decisions <sup>this determination</sup> only if the HUC 8 watershed
- 4 has one approved mitigation bank and that bank is charging a price for credits in that
- 5 watershed that is in excess of 150 percent of the price of a credit in that watershed
- 6 under the in lieu fee <sup>sub</sup> program.".
- 7 (END)