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State of Misconsin 2013 - 2014 LEGISLATURE



SENATE AMENDMENT 13, TO SENATE BILL 1

February 5, 2013 - Offered by Senators Jauch and Lehman.

1	At the locations indicated, amend the bill as follows:
2	1. Page 27, line 1: before that line insert:
3	"Section 1d. 20.192 (1) (g) of the statutes is created to read:
4	20.192 (1) (g) Regional Wisconsin diversification program. All moneys received
5	under s. $70.395\ (1e)$ for grants, loans, and disbursements under s. 238.14 .".
6	2. Page 27, line 1: delete "Section 1" and substitute "Section 1b".
7	3. Page 28, line 23: delete lines 23 and 24.
8	4. Page 34, line 21: after that line insert:
9	"Section 29d. 70.375 (2) (a) of the statutes is amended to read:
10	70.375 (2) (a) In Except as provided in sub. (7), with respect to mines not in
11	operation on November 28, 1981, there is imposed upon persons engaged in mining
12	metalliferous minerals in this state a net proceeds occupation tax effective on the

date on which extraction begins to compensate the state and municipalities for the

loss of valuable, irreplaceable metalliferous minerals. The amount of the tax shall be determined by applying the rates established under sub. (5) to the net proceeds of each mine. The net proceeds of each mine for each year are the difference between the gross proceeds and the deductions allowed under sub. (4) for the year.".

5. Page 34, line 24: after that line insert:

"Section 30d. 70.375 (5) (intro.) of the statutes is amended to read:

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

Section 30e. 70.375 (7) of the statutes is created to read:

70.375 (7) PER TON RATE. (a) Notwithstanding subs. (2) and (5), for mines in operation after December 31, 2012, the tax assessed, levied, and collected from a person engaged in mining ferrous minerals in this state is an amount equal to \$2.412 for each 2,240 pounds of ferrous minerals extracted by the person from mines in this state, based on the average annual amount extracted during the current year and the previous 2 years, not including any year in which the person is not extracting ferrous minerals from mines in this state.

- (b) Beginning in 2014, and in each year thereafter, the department shall change the dollar amount rate under par. (a) to reflect the percentage change in the gross domestic product implicit price deflator from the 4th quarter of the 2nd preceding year to the 4th quarter of the preceding year, as determined by the federal department of commerce.".
 - **6.** Page 35, line 5: delete lines 5 to 13 and substitute:

"Section 32d. 70.395 (1e) of the statutes is amended to read:

70.395 (1e) DISTRIBUTION. Fifteen days after the collection of the tax under ss.
70.38 to 70.39, the department of administration, upon certification of the
department of revenue, shall transfer the amount collected in respect to mines not
in operation on November 28, 1981, to the investment and local impact fund, except
that the department of administration shall transfer 70 percent of the amount
collected from each person under s. 70.375 (7) to the investment and local impact
fund and 30 percent of the amount collected from each person under s. 70.375 (7) to
the appropriation under s. 20.192 (1) (g) for the regional Wisconsin diversification
program under s. 238.14.".

- **7.** Page 45, line 14: delete lines 14 to 19 and substitute:
- "Section 63d. 238.14 of the statutes is created to read:
 - **238.14 Regional Wisconsin diversification program.** The corporation may use moneys appropriated under s. 20.192 (1) (g) only as follows:
 - (1) The corporation may make a grant or loan of those moneys to a business that is located within 100 miles from the site of a mine for ferrous metallic minerals in this state, and the corporation shall give preference for that grant or loan to a business that is located in close proximity to the site of the mine. In making a grant or loan under this subsection, the corporation shall coordinate with an appropriate local governmental unit, as defined in s. 238.133 (1) (b), to make that grant or loan on a competitive basis for the purpose of business diversification.
 - (2) The corporation may disburse those moneys for the purpose of catastrophe abatement or response related to a mine for ferrous metallic minerals, as determined by the corporation.".