



**SENATE SUBSTITUTE AMENDMENT 1,  
TO SENATE BILL 278**

September 5, 2013 – Offered by COMMITTEE ON WORKFORCE DEVELOPMENT, FORESTRY,  
MINING, AND REVENUE.

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., 77.83 (2) (b)  
3           3m. and 77.83 (2) (b) 4. of the statutes; **relating to:** public access to open  
4           managed forest land near certain mining sites.

*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).

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

1           77.83 (2) (b) (intro.) An owner may restrict public access to any area of open  
2 managed forest land which ~~that~~ is within 300 feet of any of the following:

3           1. A building or within 300 feet of a

4           2. A commercial logging operation that conforms to the management plan.

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

6           77.83 (2) (b) 3. A drilling site operated by a person licensed to engage in  
7 exploration under s. 295.44 (2).

8           **SECTION 5.** 77.83 (2) (b) 3m. of the statutes is created to read:

9           77.83 (2) (b) 3m. A site where a well is located, or is being constructed, if the  
10 well is located or being constructed by a person who has filed a bulk sampling plan  
11 with the department under s. 295.45.

12          **SECTION 6.** 77.83 (2) (b) 4. of the statutes is created to read:

13          77.83 (2) (b) 4. a. A site where bulk sampling is occurring in accordance with  
14 a bulk sampling plan filed with the department under s. 295.45, except as provided  
15 in subd. 4. b.

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

22          **SECTION 7.** 77.83 (4) (a) of the statutes is amended to read:

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

25                                   (END)