



State of Wisconsin  
2017 - 2018 LEGISLATURE

LRBa1253/1  
MCP:ah&kjf

**SENATE AMENDMENT 4,  
TO SENATE BILL 395**

October 2, 2017 - Offered by Senator TIFFANY.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 32, line 4: delete “(2m)” and substitute “(1g)”.

3 **2.** Page 32, line 5: delete “(2m)” and substitute “(1g)”.

4 **3.** Page 32, line 10: after that line insert:

5 “**SECTION 39m.** 293.51 (1r) of the statutes is created to read:

6 293.51 (1r) Before closure of the mining waste site, the operator shall provide  
7 proof of financial responsibility to the department in an amount equal to the  
8 reasonably anticipated costs during the period between 40 and 250 years after  
9 closure of the mining waste site to repair or replace any engineered cover systems  
10 or tailings water management control systems used at the mining site or mining  
11 waste site to avoid adverse environmental consequences. At the time that the  
12 application for a mining permit is approved, the department shall determine the  
13 amount based on the net present value discounted at a rate of at least 5 percent per

1 year, and identify the reasonably anticipated costs that the amount is intended to  
2 cover. The operator shall provide proof of financial responsibility in the form of a cash  
3 deposit, which the department shall segregate and invest in an interest-bearing  
4 account; certificates of deposit, government securities, or other interest-bearing  
5 forms of security; or proof of establishment of an interest-bearing account, including  
6 an escrow account or trust account. The operator or any successor in interest may  
7 use the funds or request the department release the funds to cover any reasonably  
8 anticipated costs that were identified by the department. The department shall  
9 release any remaining funds to the operator or the operator's successor in interest  
10 after all of the reasonably anticipated costs that were identified by the department  
11 have been incurred, or upon determining that the reasonably anticipated costs are  
12 no longer applicable.”.

13 **4.** Page 32, line 13: delete “(1) and (2m)” and substitute “(1), (1g), and (1r)”.

14 (END)