



## 1997 ASSEMBLY BILL 70

February 10, 1997 - Introduced by Representatives BLACK, LORGE, BALDWIN, HANSON, KRUSICK, RYBA, BOCK, KRUG, NOTESTEIN, BOYLE, RILEY, R. POTTER, R. YOUNG, BAUMGART, LA FAVE, MURAT, DUEHOLM, CULLEN, HASENOHRL, SPRINGER, HUBER, PLOUFF, COGGS, VANDER LOOP, CARPENTER, L. YOUNG, WASSERMAN, ROBSON, HEBL, TURNER, J. LEHMAN, TRAVIS, MEYER and KUNICKI, cosponsored by Senators SHIBILSKI, BURKE, CLAUSING, DECKER, GROBSCHMIDT, JAUCH, PLACHE, C. POTTER, RISSER, WINEKE, WIRCH and MOORE. Referred to Committee on Environment.

1     **AN ACT to amend** 293.49 (1) (a) (intro.); and **to create** 293.50 of the statutes;  
2             **relating to:** issuance of metallic mining permits for the mining of sulfide ore  
3             bodies.

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### *Analysis by the Legislative Reference Bureau*

Current law prohibits mining for metallic minerals without a mining permit issued by the department of natural resources (DNR). This bill prohibits DNR from issuing a metallic mining permit for the mining of a sulfide ore body until DNR determines that a mine has operated in a similar sulfide ore body in the United States or Canada for at least 10 years without polluting groundwater or surface water and that a mine that operated in a similar sulfide ore body in the United States or Canada has been closed for at least 10 years without polluting groundwater or surface water.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

4             **SECTION 1.** 293.49 (1) (a) (intro.) of the statutes is amended to read:

**ASSEMBLY BILL 70****SECTION 1**

1           293.49 (1) (a) (intro.) Except as provided in sub. (2) and s. 293.50 and except  
2 with respect to property specified in s. 41.41 (11), within 90 days of the completion  
3 of the public hearing record, the department shall issue the mining permit if it finds:

4           **SECTION 2.** 293.50 of the statutes is created to read:

5           **293.50 Moratorium on issuance of permits for mining of sulfide ore**  
6 **bodies. (1)** In this section, "sulfide ore body" means a mineral deposit in which  
7 metals are mixed with sulfide minerals.

8           **(2)** Beginning on the effective date of this subsection .... [revisor inserts date],  
9 the department may not issue a permit under s. 293.49 for the mining of a sulfide ore  
10 body until all of the following conditions are satisfied:

11           (a) The department determines, based on information provided by an applicant  
12 for a permit under s. 293.49, that a mining operation has operated in a sulfide ore  
13 body of similar geological characteristics in the United States or Canada for at least  
14 10 years without the pollution of groundwater or surface water from acid drainage  
15 at the tailings site or at the mine site or from the release of heavy metals.

16           (b) The department determines, based on information provided by an applicant  
17 for a permit under s. 293.49, that a mining operation that operated in a sulfide ore  
18 body of similar geological characteristics in the United States or Canada has been  
19 closed for at least 10 years without the pollution of groundwater or surface water  
20 from acid drainage at the tailings site or at the mine site or from the release of heavy  
21 metals.

22           **(3)** This section applies without regard to the date of submission of the permit  
23 application.

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(END)