



State of Wisconsin
2021 - 2022 LEGISLATURE

LRBb0146/1
ZDW:cdc

**SENATE AMENDMENT 4,
TO ASSEMBLY BILL 68**

June 30, 2021 - Offered by Senator CARPENTER.

AUTHORS SUBJECT TO CHANGE

1 At the locations indicated, amend the bill, as shown by assembly substitute
2 amendment 2, as follows:

3 **1.** Page 275, line 21: after that line insert:

4 “**SECTION 171c.** 30.12 (1g) (m) of the statutes is repealed.

5 **SECTION 171g.** 30.123 (6) (f) of the statutes is repealed.

6 **SECTION 171L.** 30.123 (6m) (intro.) of the statutes is amended to read:

7 30.123 (**6m**) PERMITS IN LIEU OF EXEMPTIONS. (intro.) The department may
8 decide to require that a person engaged in an activity that is exempt under sub. (6)
9 (d) ~~or~~ (f) apply for an individual permit or seek authorization under a general permit
10 if the department has conducted an investigation and visited the site of the activity
11 and has determined that conditions specific to the site require restrictions on the
12 activity in order to prevent any of the following:

13 **SECTION 171p.** 30.19 (1m) (h) of the statutes is repealed.

1 **SECTION 171t.** 30.195 (7) (intro.) and (a) of the statutes are consolidated,
2 renumbered 30.195 (7) and amended to read:

3 30.195 (7) APPLICATION OF SECTION. This section does not apply to ~~any of the~~
4 ~~following:~~ (a) ~~Municipal~~ municipal or county-owned lands in counties having a
5 population of 750,000 or more.

6 **SECTION 171x.** 30.195 (7) (b) of the statutes is repealed.”.

7 **2.** Page 340, line 22: after that line insert:

8 “**SECTION 365m.** 238.396 (5) of the statutes is repealed.”.

9 **3.** Page 341, line 2: after that line insert:

10 “**SECTION 366c.** 281.346 (4) (c) 2m. of the statutes is amended to read:

11 281.346 (4) (c) 2m. The proposal is consistent with an approved water supply
12 service area plan under s. 281.348 that covers the public water supply system ~~unless~~
13 ~~the proposal is to provide water to a straddling community that includes an~~
14 ~~electronics and information technology manufacturing zone designated under s.~~
15 ~~238.396 (1m).~~

16 **SECTION 366g.** 281.36 (3b) (b) of the statutes is amended to read:

17 281.36 (3b) (b) No person may discharge dredged material or fill material into
18 a wetland unless the discharge is authorized by a wetland general permit or
19 individual permit issued by the department under this section or the discharge is
20 exempt under sub. (4), ~~(4m)~~-(a), (4n), or (4r). No person may violate any condition
21 contained in a wetland general or individual permit issued by the department under
22 this section. The department may not issue a wetland general or individual permit
23 under this section unless it determines that the discharge authorized pursuant to the

1 wetland general or individual permit will comply with all applicable water quality
2 standards.

3 **SECTION 366L.** 281.36 (3m) (a) of the statutes is amended to read:

4 281.36 **(3m)** (a) *When permit required.* Any person wishing to proceed with a
5 discharge into any wetland shall submit an application for a wetland individual
6 permit under this subsection unless the discharge has been authorized under a
7 wetland general permit as provided in sub. (3g) or is exempt under sub. (4), ~~(4m) (a),~~
8 (4n), or (4r). Before submitting the application, the department shall hold a meeting
9 with the applicant to discuss the details of the proposed discharge and the
10 requirements for submitting the application and for delineating the wetland. An
11 applicant may include in the application a request for a public informational hearing.
12 The application shall be accompanied by the applicable fee specified in sub. (11) or
13 (12) (a).

14 **SECTION 366p.** 281.36 (3r) (d) 1. of the statutes is amended to read:

15 281.36 **(3r)** (d) 1. The department shall establish under the mitigation program
16 mitigation ratios that are consistent, to the greatest extent possible, with the federal
17 regulations that apply to mitigation and mitigation banks but, unless subd. 2. or 3.
18 applies, the minimum ratio shall be at least 1.2 acres for each acre affected by the
19 discharge.

20 **SECTION 366t.** 281.36 (3r) (d) 3. of the statutes is created to read:

21 281.36 **(3r)** (d) 3. For a discharge into a wetland located in an electronics and
22 information technology manufacturing zone designated under s. 238.396 (1m), the
23 minimum ratio shall be at least 2 acres for each acre affected by the discharge.

24 **SECTION 366x.** 281.36 (4m) of the statutes is repealed.”.

25

(END)