



State of Wisconsin
2019 - 2020 LEGISLATURE

LRBa0205/1
MCP:ahc

**SENATE AMENDMENT 2,
TO SENATE BILL 91**

May 14, 2019 - Offered by Senator TIFFANY.

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

2 **1.** Page 1, line 3: after “clearinghouse” insert “, providing an exemption from
3 emergency rule procedures, and providing an exemption from rule-making
4 procedures”.

5 **2.** Page 4, line 6: delete “1.2” and substitute “1.0”.

6 **3.** Page 7, line 12: delete the material beginning with “largest area” and
7 ending with “load allocations” on line 15 and substitute “largest possible area
8 allowed by the federal environmental protection agency”.

9 **4.** Page 8, line 2: after that line insert:

10 “(2) The department of natural resources may not authorize a person required
11 to obtain a permit to increase the discharge of pollutants above levels that would
12 otherwise be authorized in the permit under s. 283.84 (1) (f) or (g) unless the

1 department has promulgated emergency or permanent rules to administer s. 283.84
2 (1) (f) and (g).

3 (3) Using the procedure under s. 227.24, the department of natural resources
4 may promulgate the rules necessary to implement s. 283.84 (1) (f) and (g) as
5 emergency rules. Notwithstanding s. 227.24 (1) (a), (2) (b), and (3), the department
6 of natural resources is not required to provide evidence that promulgating a rule
7 under this subsection as an emergency rule is necessary for the preservation of the
8 public peace, health, safety, or welfare and is not required to provide a finding of
9 emergency for a rule promulgated under this subsection.

10 (4) Notwithstanding s. 227.135 (2), the department of natural resources is not
11 required to present the statement of scope of the rules necessary to implement s.
12 283.84 (1) (f) and (g) to the department of administration for review by the
13 department of administration and approval by the governor. Notwithstanding s.
14 227.135 (2), the department of natural resources is not required to present the
15 statement of scope, as provided in s. 227.135 (2), to the natural resources board for
16 approval.”.

17 (END)