



**ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 1995 ASSEMBLY BILL 413**

October 23, 1995 - Offered by Representative SERATTI.

1 **AN ACT to create** 144.35 of the statutes; **relating to:** notices concerning
2 proposals by American Indian tribal governing bodies to redesignate areas for
3 air quality purposes.

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

4 **SECTION 1.** 144.35 of the statutes is created to read:

5 **144.35 Notice concerning proposed area redesignations.** (1) Within 5
6 days after the governor receives notification that an American Indian tribal
7 governing body proposes to redesignate an area under 42 USC 7474 for the purpose
8 of the federal clean air act provisions concerning the prevention of significant
9 deterioration of air quality and that a consultation meeting is requested among the
10 tribal governing body, the federal environmental protection agency and this state,
11 the governor shall do all of the following:

12 (a) Notify the secretary and the head of the subunit of the department that is
13 responsible for administering air quality laws of the proposed redesignation.

1 (b) Report that notification to the appropriate standing committees of the
2 legislature, as determined by the speaker of the assembly and the president of the
3 senate, under s. 13.172 (3).

4 (2) Within 15 days after receiving notification that an American Indian tribal
5 governing body proposes to redesignate an area under 42 USC 7474 for the purpose
6 of the federal clean air act provisions concerning the prevention of significant
7 deterioration of air quality, the department shall do all of the following:

8 (a) Publish a class 1 notice, under ch. 985, of the proposed redesignation and
9 request for consultation with the state in a newspaper of general circulation in the
10 area that would be affected by the redesignation, as determined using standards
11 established by the federal environmental protection agency, and in the official state
12 newspaper and provide a written statement concerning the proposed redesignation
13 to those newspapers.

14 (b) Report that notification to the governor, and to the agency responsible for
15 administering air pollution control laws, of any other state with an area that would
16 be affected by the redesignation, as determined using standards established by the
17 federal environmental protection agency.

18 (3) Within 15 days after receiving notification of the time and place of a public
19 hearing under 42 USC 7475 (b) (1) (A) concerning a proposal by an American Indian
20 tribal governing body to redesignate an area, the department shall provide notice of
21 the time and place of the public hearing in the manner provided in subs. (1) (b) and
22 (2) (a). If the department receives notification of a hearing at the same time that it
23 receives notification of the proposed redesignation, it shall combine the newspaper
24 notices under this subsection with the notices under sub. (2) (a).

