



1995 ASSEMBLY BILL 463

June 26, 1995 - Introduced by Representatives ZUKOWSKI, HANDRICK, OURADA, SERATTI, GRONEMUS, KREIBICH, SPRINGER, COLEMAN, POWERS, GOETSCH, BRANDEMUEHL, AINSWORTH, MUSSER, ALBERS, HAHN, SILBAUGH, GROTHMAN, OLSEN and LORGE, cosponsored by Senators SCHULTZ, ZIEN, PANZER, BRESKE and FITZGERALD. Referred to Committee on Natural Resources.

1 **AN ACT to amend** 66.038 (7); and **to create** 144.9407 (8m) of the statutes;
2 **relating to:** nonmetallic mining regulation.

Analysis by the Legislative Reference Bureau

Current law authorizes a county, city, village or town to enact an ordinance requiring the reclamation of nonmetallic mining sites. This authority ends on December 31, 1996. Nonmetallic mining means the extraction of materials such as gravel, stone and topsoil, and related operations such as grading.

Current law requires the department of natural resources (DNR) to promulgate rules that establish statewide standards for the reclamation of nonmetallic mining sites and that include the text of a nonmetallic mining reclamation ordinance. Under current law, within 6 months after the effective date of DNR's rules, a county generally must enact a nonmetallic mining ordinance that is in strict conformity with the text of the ordinance promulgated by DNR. A city, village or town may enact a nonmetallic mining ordinance if the ordinance is in strict conformity with DNR's rules.

This bill provides that DNR's rules that establish statewide standards for nonmetallic mining and that include the text of a nonmetallic mining ordinance may not take effect before July 1, 1997. The bill also extends the authority of a county, city, village or town to enact a nonmetallic mining ordinance (without regard to statewide standards) through December 31, 1997.

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

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

3 **SECTION 1.** 66.038 (7) of the statutes is amended to read:

