

**1999 DRAFTING REQUEST**

**Assembly Amendment (AA-ASA1-AB356)**

Received: 03/23/2000

Received By: traderc

Wanted: Today

Identical to LRB:

For: Marc Duff (608) 266-1190

By/Representing: Tim

This file may be shown to any legislator: NO

Drafter: traderc

May Contact:

Alt. Drafters:

Subject: Environment - miscellaneous

Extra Copies:

**Pre Topic:**

No specific pre topic given

**Topic:**

Public notice and comment

**Instructions:**

Like 9a1990/1 but delete page 2, lines 9 to 11

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	traderc 03/23/2000	wjackson 03/23/2000		_____			
/1			kfollet 03/23/2000	_____	lrb_docadmin 03/23/2000	lrb_docadmin 03/23/2000	

FE Sent For:

<END>

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1/?	traderc	11 WLJ 3/23	icjf 3/23	icjf/self 3/23			

FE Sent For:

<END>

**ASSEMBLY AMENDMENT ,  
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,  
TO 1999 ASSEMBLY BILL 356**

1 At the locations indicated, amend the substitute amendment as follows:

**LEGISLATIVE COUNCIL PREFATORY NOTE:** This amendment adds a requirement that the department of natural resources provide public notice of a compliance schedule and stipulated penalties proposed in a report and that it provide a 30-day comment period on the proposal. It is based loosely on s. 299.80 (8) (a) and (c), stats.

2 **1.** Page 5, line 17: after that line insert:

3 **“(3m) PUBLIC NOTICE; COMMENT PERIOD.** (a) The department shall provide at least 30  
4 days for public comment on a compliance schedule and stipulated penalties proposed in a  
5 report under sub. (3).

6 (b) The department shall prepare a public notice of a compliance schedule and  
7 stipulated penalties proposed in a report under sub. (3) that does all of the following:

8 1. Identifies the regulated entity that submitted the report under sub. (3), the facility at  
9 which the violation occurred and the nature of the violation.

10 2. Describes the proposed compliance schedule and the proposed stipulated penalties.

11 3. Identifies an employe of the department and an employe of the regulated entity who  
12 may be contacted for additional information about the proposed compliance schedule and the  
13 proposed stipulated penalties.

14 4. States that comments concerning the proposed compliance schedule and the  
15 proposed stipulated penalties may be submitted to the department during the comment period  
16 and states the last date of the comment period.



3/23 David Lovell + Mark Duff - re: WIS0268 - Require  
comment period to be held before DNR makes  
its decision - "Hold it prior to approving a  
compliance schedule and stipulated penalties  
under sub. (6)."



State of Wisconsin  
1999 - 2000 LEGISLATURE

Now

LRBa1990/1

RCT....:ch

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~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

ASSEMBLY AMENDMENT,

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 1999 ASSEMBLY BILL 356

until after the <sup>end of the</sup> comment period.

1 At the locations indicated, amend the substitute amendment as follows:

LEGISLATIVE COUNCIL PREFATORY NOTE: This amendment adds a requirement that the department of natural resources provide public notice of a compliance schedule and stipulated penalties proposed in a report and that it provide a 30-day comment period on the proposal. It is based loosely on s. 299.80 (8) (a) and (c), stats.

2 1. Page 5, line ~~47~~ after that line insert:

3 "(3m) PUBLIC NOTICE; COMMENT PERIOD. (a) The department shall provide at  
4 least 30 days for public comment on a compliance schedule and stipulated penalties

5 proposed in a report under sub. (3). *The department may not approve or issue a compliance schedule under sub. (6) or approve stipulated penalties under sub. (6m).*

6 (b) The department shall ~~prepare~~ provide public notice of a compliance schedule and  
7 stipulated penalties ~~proposed in a report under sub. (3)~~ that does all of the following:

8 1. Identifies the regulated entity that submitted the report under sub. (3), the  
9 facility at which the violation occurred and the nature of the violation.

*Before the start of the public comment period under par. (a),*

text  
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Now

9/1997/1  
LRBa1996/1  
RCT:cmh:kjf  
WLj

**ASSEMBLY AMENDMENT,  
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,  
TO 1999 ASSEMBLY BILL 356**

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 5, line 8: after that line insert:

3 **“(3m) PUBLIC NOTICE; COMMENT PERIOD.** (a) The department shall provide at  
4 least 30 days for public comment on a compliance schedule and stipulated penalties  
5 proposed in a report under sub. (3). The department may not approve or issue a  
6 compliance schedule under sub. (6) or approve stipulated penalties under sub. (6m)  
7 until after the end of the comment period.

8 (b) Before the start of the public comment period under par. (a), the department  
9 shall provide public notice of the proposed compliance schedule and stipulated  
10 penalties that does all of the following:

11 1. Identifies the regulated entity that submitted the report under sub. (3), the  
12 facility at which the violation occurred and the nature of the violation.

1           2. Describes the proposed compliance schedule and the proposed stipulated  
2 penalties.

3           3. Identifies an employe of the department and an employe of the regulated  
4 entity who may be contacted for additional information about the proposed  
5 compliance schedule and the proposed stipulated penalties.

6           4. States that comments concerning the proposed compliance schedule and the  
7 proposed stipulated penalties may be submitted to the department during the  
8 comment period and states the last date of the comment period. //

9           ~~5. Describes the procedures that the department will use to make a final  
10 decision on the proposed compliance schedule and the proposed stipulated  
11 penalties.~~

12

(END)