

**ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2003 ASSEMBLY BILL 728**

AN ACT *to amend* 66.1001 (2) (e) and 66.1001 (4) (a); and *to create* 66.1001 (4) (e) and 66.1001 (5) of the statutes; **relating to:** comprehensive planning by local governmental units.

Analysis by the Legislative Reference Bureau

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

1 **SECTION 2.** 66.1001 (2) (e) of the statutes is amended to read:
2 66.1001 **(2)** (e) *Agricultural, natural and cultural resources element.* A
3 compilation of objectives, policies, goals, maps and programs for the conservation,
4 and promotion of the effective management, of natural resources such as
5 groundwater, forests, productive agricultural areas, environmentally sensitive
6 areas, threatened and endangered species, stream corridors, surface water,

1 floodplains, wetlands, wildlife habitat, metallic and nonmetallic mineral resources
2 consistent with zoning limitations under s. 295.20 (2), parks, open spaces, historical
3 and cultural resources, community design, recreational resources and other natural
4 resources.

5 **SECTION 3.** 66.1001 (4) (a) of the statutes is amended to read:

6 66.1001 (4) (a) The governing body of a local governmental unit shall adopt
7 written procedures that are designed to foster public participation, including open
8 discussion, communication programs, information services, and public meetings for
9 which advance notice has been provided, in every stage of the preparation of a
10 comprehensive plan. The written procedures shall provide for wide distribution of
11 proposed, alternative, or amended elements of a comprehensive plan and shall
12 provide an opportunity for written comments on the plan to be submitted by
13 members of the public to the governing body and for the governing body to respond
14 to such written comments. The written procedures shall describe the methods the
15 governing body of a local governmental unit will use to distribute proposed,
16 alternative, or amended elements of a comprehensive plan to owners of property, or
17 to persons who have a leasehold interest in property pursuant to which the persons
18 may extract nonmetallic mineral resources in or on property, in which the allowable
19 use or intensity of use of the property is changed by the comprehensive plan.

20 **SECTION 4.** 66.1001 (4) (e) of the statutes is created to read:

21 66.1001 (4) (e) At least 30 days before the hearing described in par. (d) is held,
22 a local governmental unit shall provide written notice to all of the following:

23 1. An operator who has obtained, or made application for, a permit that is
24 described under s. 295.12 (3) (d).

1 2. A person who has registered a marketable nonmetallic mineral deposit
2 under s. 295.20.

3 3. Any other property owner or leaseholder who has an interest in property
4 pursuant to which the person may extract nonmetallic mineral resources, if the
5 property owner or leaseholder requests in writing that the local governmental unit
6 provide the property owner or leaseholder notice of the hearing described in par. (d).

7 **SECTION 5.** 66.1001 (5) of the statutes is created to read:

8 66.1001 (5) COMPREHENSIVE PLAN MAY TAKE EFFECT. Notwithstanding sub. (4),
9 a comprehensive plan, or an amendment of a comprehensive plan, may take effect
10 even if a local governmental unit fails to provide the notice that is required under
11 sub. (4) (e), unless the local governmental unit intentionally fails to provide the
12 notice.

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(END)