

CR 85-137

State of Wisconsin

DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny
Secretary

BOX 7921
MADISON, WISCONSIN 53707

STATE OF WISCONSIN)
DEPARTMENT OF NATURAL RESOURCES) SS

RECEIVED

OCT 25 1985
11:05 am
Revisor of Statutes
Bureau

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Bruce B. Braun, Deputy Secretary of the Department of Natural Resources and custodian of the official records of said Department, do hereby certify that the annexed copy of Natural Resources Board Order No. FA-26-85 was duly approved and adopted by this Department on August 21, 1985. I further certify that said copy has been compared by me with the original on file in this Department and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department at General Executive Facility #2 in the City of Madison, this 22nd day of October, 1985.

Bruce B. Braun
Bruce B. Braun, Deputy Secretary

(SEAL)

4645I

12-1-85

ORDER OF THE STATE OF WISCONSIN NATURAL RESOURCES BOARD
REPEALING AND AMENDING RULES

IN THE MATTER of repealing ss. NR 124.07(4)(a)5. :
and 124.08(1) to (4); and amending s. :
NR 124.08(5)(a), Wisconsin Administrative Code : FA-26-85
pertaining to the Wisconsin Fund Private Sewage :
Grant Program :
.....

Analysis by Department of Natural Resources

Statutes interpreted: ss. 144.245(9)(g) and (11)(b) and (c) as affected
by 1985 Wisconsin Act 29.

1985 Wisconsin Act 29 revises the method the Department must use to
allocate grant funds to participating governmental units and revises the
system to be used by governmental units for distributing grant funds to
eligible applicants. Consequently, ss. NR 124.07(4)(a)5. and 124.08(1) to (4)
are in conflict with statute. The attached order repeals those sections.

In addition, the attached order amends s. NR 124.08(5)(a) to delete the
second sentence of this provision which references the repealed sections.

Pursuant to the authority vested in the State of Wisconsin Natural
Resources Board by ss. 144.025, 144.245(2), and 227.02(1)(b), Stats., the
State of Wisconsin Natural Resources Board hereby repeals and amends rules
interpreting s. 144.245, Stats., as follows:

SECTION 1. NR 124.07(4)(a)5. and NR 124.08(1) to (4) are repealed.

SECTION 2. NR 124.08(5)(a) is amended to read:

NR 124.08(5) REVISION OF ALLOCATION OR AWARD. (a) If the department
finds that a property owner listed in the application of a governmental unit
does not meet the eligibility requirements under s. 144.245(5), Stats., the
department may reduce an allocation to the governmental unit in the current or
in a following fiscal year. ~~For each ineligible owner the amount of funds
withheld from the allocation shall be equal to the proration factor for each
year the ineligible owner was listed in the governmental units application.~~

The foregoing amendments were approved and adopted by the State of Wisconsin Natural Resources Board on August 21, 1985.

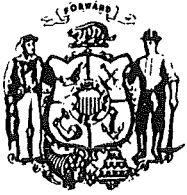
The amendments contained herein shall take effect as provided in s. 227.026(1) (intro.), Stats.

Dated at Madison, Wisconsin October 22, 1985

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

By Carroll D. Besadny
Carroll D. Besadny, Secretary

(SEAL)
3145C



State of Wisconsin

DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny
Secretary

BOX 7921
MADISON, WISCONSIN 53707

October 22, 1985

IN REPLY REFER TO: 1020

Mr. Orlan L. Prestegard
Revisor of Statutes
Suite 904
30 W. Mifflin Street

Dear Mr. Prestegard:

Enclosed are two copies, including one certified copy, of State of Wisconsin Natural Resources Board Order No. FA-26-85. These rules were reviewed by the Assembly Committee on Environmental Resources and the Senate Committee on Energy and Environmental Resources pursuant to s. 227.018, Stats. Summaries of the final regulatory flexibility analysis and comments of the legislative review committees is also enclosed.

You will note that this order takes effect following publication. Kindly publish it in the Administrative Code accordingly.

Sincerely,

A handwritten signature in cursive script that reads "C. D. Besadny".

C. D. Besadny
Secretary

Enc.
4645I