



CR 86-55

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

JUL 30 1986
2:30 pm
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. LC-14-86 was duly approved and adopted by this Department on February 27, 1986. 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 24th day of July, 1986.

Bruce B. Braun
Bruce B. Braun, Deputy Secretary

(SEAL)

8259H

Handwritten notes and signatures at the bottom of the page.

ORDER OF THE STATE OF WISCONSIN NATURAL RESOURCES BOARD
AMENDING RULES

.....
IN THE MATTER of amending s. .
NR 2.155(1) of the Wisconsin .
Administrative Code pertaining . LC-14-86
to judicial review of contested .
case decisions .
.....

Analysis Prepared by Department of Natural Resources

The rules are promulgated under the authority of ss. 227.11(2)(a) and 227.16(2)(b), Stats., and interpret s. 227.46, Stats.

1985 Wisconsin Act 29 created s. 227.09(8) [227.46(8)], Stats., allowing the Department of Natural Resources to petition for judicial review of a contested case decision issued by a hearing examiner from the Division of Hearings and Appeals, Department of Administration. The amendment to s. NR 2.155 reflects this option for the department.

SECTION 1. NR 2.155(1) is amended to read:

NR 2.155(1) EXAMINER DECISION. The hearing examiner shall prepare findings of fact, conclusions of law and decision subsequent to each contested case heard. Said Unless the department petitions for judicial review as provided in s. 227.46(8), Stats., the decision shall be the final decision of the department, but may be reviewed in the manner described in s. NR 2.20. Every decision shall include findings regarding compliance with the requirements of s. 1.11, Stats.

The foregoing rules were approved and adopted by the State of Wisconsin Natural Resources Board on February 27, 1986.

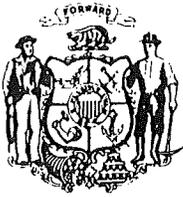
The rules shall take effect as provided in s. 227.22(2)(intro.), Stats.

Dated at Madison, Wisconsin July 24, 1986

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

By Carroll D. Besadny
Carroll D. Besadny, Secretary

(SEAL)



State of Wisconsin

DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny
Secretary

BOX 7921
MADISON, WISCONSIN 53707

July 23, 1986

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. LC-14-86. These rules were reviewed by the Assembly Committee on Environmental Resources and the Senate Committee on Energy and Environmental Resources pursuant to s. 227.19, 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,


C. D. Besadny
Secretary

Enc.

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