

CR 88-103

CERTIFICATE

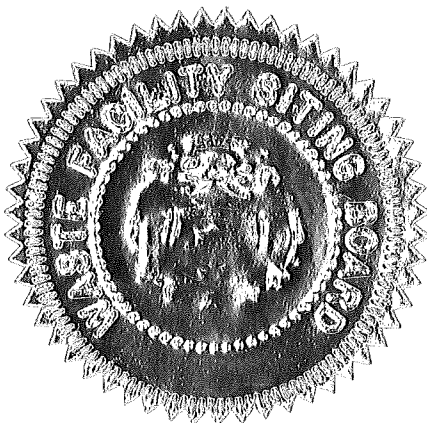
STATE OF WISCONSIN

Waste Facility Siting Board

)
) ss.
)

I, Patti W. Cronin, executive director of the Waste Facility Siting Board and custodian of the official records, do hereby certify that the permanent rule relating to the repeal of WFSB 12, relating to arbitration was duly adopted by this board on September 26, 1988.

I further certify that this copy has been compared by me with the original on file on this Board 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 Waste Facility Siting Board at 132 East Wilson Street, in the City of Madison, on September 26, 1988.

Patti W. Cronin

PATTI W. CRONIN
Executive Director

RECEIVED

SEP 30 1988

8:30 am
Revisor of Statutes
Bureau

12-1-88

ORDER
OF
WASTE FACILITY SITING BOARD

To repeal Chapter WFSB 12, relating to arbitration.

Analysis:

Statutory authority: s. 144.445(4), Stats.
Statutes interpreted: s. 144.445(10), Stats.

This rule repeals Chapter WFSB 12, relating to arbitration. Chapter WFSB 12 is repealed in its entirety because it is repetitive of existing statute, conflicts with existing statute, or is confusing.

WFSB 12.01 conflicts with s. 144.445(10)(k), Stats. The rule requires a public meeting that the statute states is optional.

WFSB 12.02 is repetitious of s. 144.445(10)(o), Stats. Both the rule and the statute allow the Board to conduct meetings as necessary with the parties.

WFSB 12.03 is repetitious of s. 144.445(10)(o), Stats. Both the rule and the statute allow the Board to conduct meetings as necessary with the parties.

WFSB 12.04 is confusing because it states that the Board may conduct an optional on-site inspection of a proposed facility after a public informational meeting and after a public hearing. A public informational meeting is optional and a public hearing is never held, so the time for an on-site visit as stated in the rule is without meaning.

WFSB 12.05 is meaningless because it limits the submission of briefs to 14 days after a public hearing although in an arbitration there is no required public hearing.

WFSB 12.06 is repetitious of s. 144.445(10)(p), Stats. Both the rule and the statute require that the Board must render an arbitration award in 90 days.

SECTION 1. Chapter WFSB 12 is repealed.

Initial Regulatory Flexibility Analysis:

This rule does not affect small businesses.

Fiscal Estimate:

The proposed rule has no fiscal effect.

Effective Date:

The adoption of this rule takes effect on the first day of the month following its publication in the Wisconsin administrative register under s. 227.22(2)(intro.), Stats.

Dated: August 10, 1988

A handwritten signature in cursive script, reading "Patti Cronin", written over a horizontal line.

Patti Cronin
Executive Director
Waste Facility Siting Board

State of Wisconsin



RECEIVED

SEP 30 1988

Waste Facility Siting Board
132 E. Wilson Street, Madison, WI 53702
(608) 267-7854

Lynn Nimz
Chairman

Revisor of Statutes
Bureau

Patti Cronin
Executive Director

September 29, 1988

Mr. Gary L. Paulson
Assistant Revisor
Revisor of Statutes Bureau
30 West Mifflin Street
Madison, WI 53702

Dear Mr. Paulson:

This letter informs you that neither the Senate nor the Assembly took any action within 30 days after receiving WFSB Chapter 12, the proposed rule to repeal the administrative rules regarding arbitration.

As a result, I am issuing the order to adopt this rule.

The original and a copy of this order are enclosed. Please publish them at your earliest convenience.

If you have any questions, please call me.

Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Patti Cronin".

Patti Cronin

PC/jf
Enc.