

State of Wisconsin



1997 Assembly Bill 402

Date of enactment: **June 3, 1998**
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1997 WISCONSIN ACT 241

AN ACT to amend 289.01 (1) (b) and 289.33 (7) (a) 1. of the statutes; relating to: the counties and municipalities that may participate in negotiation and arbitration concerning a proposed landfill or hazardous waste facility and the number of members on a local negotiating committee.

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

SECTION 1. 289.01 (1) (b) of the statutes is amended to read:

289.01 (1) (b) A town, city, village or county whose boundary is within ~~1,200~~ 1,500 feet of that portion of the facility designated by the applicant for the disposal of solid waste or the treatment, storage or disposal of hazardous waste in the feasibility report under s. 289.23, excluding buffers and similar areas.

SECTION 1m. 289.33 (7) (a) 1. of the statutes is amended to read:

289.33 (7) (a) 1. A town, city or village in which all or part of a facility is proposed to be located shall appoint 4 members or the number of members appointed under subds. 1m. and 2. plus 2, whichever is greater, no more than 2 of whom are elected officials or municipal employees.

SECTION 2. Nonstatutory provisions.

(1) PROCESS FOR CERTAIN PROPOSALS TO CONSTRUCT OR EXPAND FACILITIES.

(a) If a person has applied for local approvals under section 289.22 (1m) of the statutes before the effective

date of this subsection from the local governmental units that are affected municipalities under section 289.01 (1), 1995 stats., with respect to a proposal to construct a new facility or expand an existing facility but the department has not issued a determination of feasibility under section 289.29 of the statutes with respect to that proposal, the person shall apply for local approvals under section 289.22 (1m) of the statutes from local governmental units that become affected municipalities because of the treatment of section 289.01 of the statutes by this act no later than the 30th day after the effective date of this subsection.

(b) If the waste facility siting board has issued a notice under section 289.33 (6) (b) of the statutes on or before the effective date of this subsection with respect to a proposal for which a person is required to apply for local approvals under paragraph (a), section 289.33 (6) (c) applies.

SECTION 3. Initial applicability.

(1) This act first applies to a proposed new or expanded solid waste facility or hazardous waste facility for which the department issues a determination of feasibility under section 289.29 of the statutes on the effective date of this subsection.

* Section 991.11, WISCONSIN STATUTES 1995-96: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].