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## WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

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**2005 Assembly Bill 277**

**Assembly  
Amendment 1**

*Memo published:* June 17, 2005

*Contact:* Mark Patronsky, Senior Staff Attorney (266-9280)

*Assembly Bill 277* makes several changes to current law regarding air pollution control permits, including the following:

- Authorizes the Department of Natural Resources (DNR) by rule to exempt persons who qualify for a general permit from the requirement to obtain a construction permit.
- Prohibits DNR from specifying an expiration date for a registration permit except that DNR may specify an expiration date for the registration permit if any one of three conditions occurs.
- Modifies the current statute which provides that an emission limitation contained in a permit becomes effective, even if challenged by the owner, unless the owner obtains a stay of the emission limitation from the hearing examiner or court that is considering the challenge. The modification makes this applicable only to an emission limitation in a construction permit.

*Assembly Amendment 1* modifies the second part of the bill, described above, by specifying that the DNR may not specify that “coverage under” a registration permit expires, to make the new part of the bill consistent with the current statute, which prohibits an expiration date for “coverage under a general permit.” Assembly Amendment 1 makes the same change in the three conditions under which the DNR may specify an expiration date in a registration permit.

### **Legislative History**

Assembly Amendment 1 was offered by the Assembly Committee on Natural Resources. The Assembly Committee on Natural Resources recommended adoption of Assembly Amendment 1 by a vote of Ayes, 12; Noes, 3. On April 12, 2005, the Assembly adopted Assembly Amendment 1 on a voice vote and passed Assembly Bill 277, as amended, by a vote of Ayes, 73; Noes, 25.

The Senate Committee on Natural Resources and Transportation recommended concurrence in Assembly Bill 277 on June 16, 2005 by a vote of Ayes, 4; Noes, 1.

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