



NR 2

Filed January 6, 1976
10:20 am G. L. Poulson

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Anthony S. Earl
Secretary

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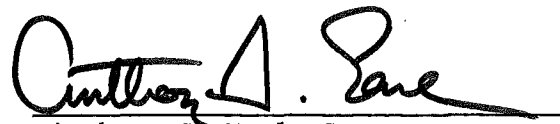
IN REPLY REFER TO: _____

STATE OF WISCONSIN)
) ss
DEPARTMENT OF NATURAL RESOURCES)

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Anthony S. Earl, 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. M-34-75 was duly approved and adopted by this Department on September 18, 1975. 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 Pyare Square Building in the Village of Shorewood Hills, this 2nd day of January, 1976.


Anthony S. Earl, Secretary

(SEAL)

STATE OF WISCONSIN NATURAL RESOURCES BOARD

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IN THE MATTER of creating NR 2.20 of the .
Wisconsin Administrative Code pertaining .
to review of contested case decisions. .
.....

M-34-75

ORDER OF THE STATE OF WISCONSIN NATURAL RESOURCES BOARD

CREATING RULES

Pursuant to the authority vested in the State of Wisconsin Natural Resources Board by chapter 227, Wisconsin Statutes, the State of Wisconsin Natural Resources Board hereby creates rules as follows:

SECTION 1 - NR 2.20 is created to read:

NR 2.20 Review of contested case decision. (1) Filing. Any party to a contested case who is adversely affected by a final decision of the department rendered after a public hearing on the matter, may within 10 days after entry of the decision, file a written petition for review by the secretary. Said petition shall specify in detail the grounds for the review, the relief which petitioner seeks and citation to supporting authorities which petitioner feels aids his case. The secretary shall not delegate the review to anyone who has had prior involvement in either the hearing or decision-making process.

(2) Service. Said petition for review shall be served either personally or by registered or certified mail upon the secretary and upon all other parties to the action.

(3) Decision. Within 14 days of the receipt of the petition, the secretary shall decide whether or not to grant the requested review. If the secretary decides to grant the review, he may order the filing of briefs, presentation of oral argument, or a rehearing of all or part of the evidence presented at the original public hearing (or any combination thereof).

(4) Appeal. A petition for review pursuant to this section shall not be a prerequisite for appeal or review under sections 227.15 to 227.16, Wis. Stats.

(5) Suspension of orders. The filing of a petition for review shall not suspend or delay the effective date of an order, and the order shall take effect on the date fixed by the department and shall continue in effect unless provisions of the order are specifically suspended or delayed by the secretary in writing. Petition for such suspension of the effective date of an order shall be clearly specified in the petition for review.

The foregoing rules were approved and adopted by the State of Wisconsin Natural Resources Board on September 18, 1975.

The rules contained herein shall take effect upon publication.

Dated at Madison, Wisconsin

2 January 1976

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

By

Anthony S. Earl

Anthony S. Earl, Secretary

(SEAL)