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1995 SENATE BILL 190

May 16, 1995 – Introduced by Senators LEEAN, ELLIS and RUDE, by request of Governor Tommy G. Thompson. Referred to Committee on Environment and Energy.

1 AN ACT to amend 144.9407 (7) (a) of the statutes; relating to: review of local

nonmetallic mining reclamation programs.

Analysis by the Legislative Reference Bureau

Current law requires each county to regulate the reclamation of nonmetallic mines. The law also authorizes a city, village or town to regulate the reclamation of nonmetallic mines. The law requires the department of natural resources (DNR) to review each local nonmetallic mining reclamation program and issue a written determination, every 3 years, of whether the local program complies with state standards. This bill authorizes DNR to review all of the nonmetallic mining reclamation programs in a county at one time and to issue the written determination every 10 years.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

- 3 SECTION 1. 144.9407 (7) (a) of the statutes is amended to read:
- 4 144.9407 (7) (a) *Review*. The department shall review the nonmetallic mining
- 5 reclamation program programs under this section of <u>in</u> each county and each city,

6 village or town that exercises jurisdiction under this section to ascertain compliance

- 7 with this section and the rules promulgated under this section. This review shall
- 8 include all of the following:

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1	1. A performance audit of the nonmetallic mining reclamation program of the
2	county <u>,</u> and each city, village or town <u>in the county that exercises jurisdiction under</u>
3	this section.
4	2. Verification, by on-site inspections, of county, city, village or town compliance
5	with this section and rules promulgated under this section by the county and each
6	city, village or town in the county that exercises jurisdiction under this section.
7	3. A written determination by the department, issued every 3 10 years, of

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8 whether or not the county, and each city, village or town in the county that exercises
9 jurisdiction under this section is in compliance with this section and rules
10 promulgated under this section.

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(END)