

## Assembly

### Record of Committee Proceedings

#### **Committee on Natural Resources**

##### **Assembly Bill 421**

Relating to: the issuance of, and exemptions from, certain individual permits, contracts, and general permits for structures, deposits, and other activities in or near navigable waters; areas of significant scientific value that are areas of special natural resource interest; repair and maintenance of boathouses and fixed houseboats; information required to be published on the Department of Natural Resources Internet Web site; expedited procedures for certain plan approvals; deadlines for action on certain approval applications; and granting rule-making authority.

By Representative Mursau; cosponsored by Senator Kedzie.

December 07, 2011 Referred to Committee on Natural Resources.

October 26, 2011 **PUBLIC HEARING HELD**

Present: (16) Representatives Mursau, Rivard, Williams, Kleefisch, Nerison, Severson, Steineke, Tiffany, Stroebel, Litjens, Molepske Jr, Mason, Danou, Clark, Milroy and Hulsey.

Absent: (0) None.

Excused: (0) None.

##### Appearances For

- Neal Kedzie, Madison — Senator, 11th Senate District
- William Rowe, Madison
- Tom Larson, Madison — Wisconsin Association of Realtors
- Bob Welch, Madison — Wisconsin Bio Industry Alliance - Wisconsin Corn growers Association
- Ed Wilusz, Appleton — Wisconsin Paper Council
- Joel Haubrich, Milwaukee — WE Energies
- Edward Kuharski, Madison

##### Appearances Against

- Amber Meyer Smith, Madison — Clean Wisconsin
- Carl Sinderbrand, Madison — Clean Wisconsin
- Mike Wiggins, Jr., Odanah — Bad River Band of Lake Superior Chippewa
- Cherie Pero, Odanah — Bad River Band of Lake Superior Chippewa
- Eldred Carbino, Odanah — Bad River Band of Lake Superior Chippewa

- Frank Connors, Odanah — Bad River Band of Lake Superior Chippewa
- Peter Lemieux, Odanah — Bad River Band of Lake Superior Chippewa
- Glenn Stoddard, Eau Claire — Bad River Band of Lake Superior Chippewa
- Bob Rice, Iron River — Bad River Watershed Association
- Nels Swenson, Oregon — Wisconsin Ducks Unlimited
- Jodi Habush Sinykin, Milwaukee — Midwest Environmental Advocates
- Shahla Werner, Madison — Sierra Club
- Lori Grant, Madison — River Alliance of Wisconsin
- Beth Bennett, Madison — Wisconsin Newspaper Association
- George Meyer, Madison — Wisconsin Wildlife Federation
- Don Hammes, Middleton — Wisconsin Wildlife Federation
- Chuck Matyska, Cecil — Wisconsin Wildlife Federation
- Betty Borchert, Oshkosh — Wisconsin Wildlife Federation
- Amy Moudlach — Save the Water's Edge Educational Team
- Sarah Rogers, Madison
- Jeff Smith, Madison — Trout Unlimited
- Gina Cook, Town of Harmony
- Denise Schmidt, Verona
- Julie de la Terre, Viola
- Angela Thorp, Madison
- Elaine Swanson, Pickett
- Kennedy Rubert-Nason, Madison — Wisconsin League of Conservation
- Jennifer Giegerich, Madison — Wisconsin League of Conservation Voters
- Thomas Thorensen, Fitchburg — Wisconsin League of Conservation Voters
- John Keckhaver, Madison — Wisconsin Association of Lakes
- Jerry Knuth, Plover
- Darlene Cook, Middleton — Save Copper Creek
- Michael Cain, Madison
- Amy Owen, Madison
- Karen Matteoni, Madison
- Margaret Wella Pulera, Darien
- Judy Treml, Green Bay
- Michael Arrowood, Oakfield
- Jim Limbach, Stevens Point
- Sharon Gaskill, Black Earth
- Bill Vance, Westfield — Friends of Central Sands
- Mary Relwoold, Ashland

- Warren Kehn, Ashland
- Sharon Gulseth, Madison
- Laura Priebe, Milwaukee
- Nancy Livingston, Albany
- Patrick Hammel, Madison
- Elizabeth Paerl, Middleton
- Brett Hulsey, Madison — Representative, 77th Assembly District
- Mark Perenboom, Appleton — Fox Valley Trout Unlimited
- Paul Dearlove, Madison — Lake Ripley Management District - Wisconsin Lakes - Friends of Lake Wingra

#### Appearances for Information Only

- Al Shea, Madison — WI Department of Natural Resources
- Erin O'Brien, Madison — Wisconsin Wetland Association

#### Registrations For

- Bill Matter, Deerbrook — Greater Bass Lake P&R Dist
- Jolene Plautz, Madison — WI Towns Association
- Cicily Smith, Madison
- Tom Larson, Madison — NDIOP-WI
- John Reinemann, Madison — Wisconsin Counties Association
- Scott Manley, Madison — Wisconsin Manufacturers and Commerce
- Jerry Deschane, Madison — Wisconsin Builders Association
- Chad Wuebber, Middleton

#### Registrations Against

- Cheryl Austin, Lancaster
- Mousey Miller, Waunakee
- Ann Knapstein, Madison
- Pam Robson, Portage
- Tom Robson, Portage
- Christa Westerberg, Stoughton
- David Bender, Madison
- Cal Goldsmith, Madison — Save Copper Creek
- Dana VanHoesen, Gays Mills — Save Copper Creek
- John Durben, Cecil — Wisconsin Council of Sports Fishing Organizations
- Traci Peloquin, Montello
- Mary and Tom Rondeal, Blue River
- Daniel Bach, Madison — Lake Beulah Protective and Improvement Association
- Karen Etter Hale, Madison — Madison Audubon Society and Wisconsin Audubon Council

- John Patterson, Monroe
- Karen Bassuer, Madison
- Barbara Timmel, Oconomowoc
- Katherine Conley, Oconomowoc
- Steve Born, Madison
- Mary Jo Vance, Westfield — Friends of the Central Sands
- Karen Walsh, Madison
- Lisa Conley, Oconomowoc — Rock River Coalition
- Twyla Clark, Madison
- JR Fahrenkrug, Neenah — Central Wisconsin River Keepers
- Severin Swanson, Pickett
- Casey Egelston, Madison — The Nature Conservancy
- Sally Drew, Madison
- Levi Wood, Madison — Audubon, Wisconsin Society of Ornithology
- Chris Gavin, Madison
- Melissa Gavin, Madison
- Virgil Schroeder, Cecil — Wisconsin Trappers
- Jayne Meyer, Madison
- Julie Steigerwaldt, Madison
- Jared Smith, Middleton
- Karen Thimlee, Madison
- Zach Alter, Madison
- John Bayley, Madison
- Paul Matteoni, Madison
- Dan Wang, Madison
- Marissa DeGroot, Madison
- Steve Brooks, Mount Horeb
- Linda Lehman, Wausau — Trout Unlimited
- Matea Varvodic, Madison
- Caroline Brock, Madison
- Jean MacCubbin, Madison
- Jennifer Lewis, Fitchburg
- Helen Findley, Madison
- Karen Pope, Madison
- Zach Schuster, Madison
- Bob Nauta, Oregon
- Barbara With, LaPointe
- George Borchort, Oshkosh — Wisconsin Wildlife Federation
- Charles Brown, Milton — Wisconsin Wildlife Federation
- Carolyn Brown, Milton — Wisconsin Wildlife Federation
- Kristine Pettersen, Madison — Madison for the Penokees
- Gerhard Luerschwager, Mount Horeb
- Sonja Luetschwager, Mount Horeb

- Jonathan Beers, Madison
- Katie Clements
- Mark Sethne, Plattville
- Mario Quintana, Sun Prairie
- Laura Chern, Madison
- Avier Lasrson, Madison
- Elizabeth Wheeler, Madison
- James Wishart, Madison
- Abigail Jackson, Madison
- David Pedersen, Madison
- Leonard Sobczaj, Milwaukee
- Molli MacDonald, Madison
- Matt Krueger, Madison
- Kerry Schumann, Madison
- Jennifer Jackson, Cassville — League of Conservation Voters
- Cecil Smith, Madison
- Eric Mosher, Madison
- Pat McKeever, Monona
- Alfonso Flores, Madison — Friends of Starkweather Creek
- Laura Riggs, Madison
- Maureen Early Ruzicka, Madison
- Steve Hiniker, Madison — 1000 Friends of Wisconsin
- William Kilgour, Madison
- Hugh Schmidt, Madison
- Christina Anderson, Madison
- Daniel Werner, Madison
- Robert Liska, Madison
- Donald Pay, Madison
- Lia Vellardita, Madison
- Martin David, Middleton
- Sherry Caves, Middleton
- Joanne Schwarzberg, Madison
- Mary Ann Alleei, Madison
- Tom Kastue, Middleton
- Linda Hechenblack, Madison
- Genie Ogden, Madison
- Whitney Steffen, Madison
- Valerie Van Horn, Madison
- Michael O'Rourke, Madison
- Matt Dannenberg, Madison
- Frances Rowe, Coloma
- Janet Bewley, Madsion — Representative, 74th Assembly District

- Kelda Helen-Roys, Madison — Representative, 81st Assembly District
- Terese Berceau, Madison — Representative, 76th Assembly District
- Thomas Stole, Eau Claire
- Natalie Byrne, Madison
- Elizabeth Ward, McFarland
- Gary Werner, Madison
- Sarah Lozanora, Madison
- Angela West Blank, Middleton
- Elizabeth Wessel, Madison
- Thomas Theresen, Fitchburg
- Kathy Liska, Madison
- Peter Cannon, Madison
- Will Gruber, Madison
- Jeremiah Thompson, Madison
- David Gritteath, Madison
- Cathy Loeb, Madison
- Christy Stamos — Madison
- Lawrence Landwehl, Middleton
- Eileen Breitweiter, Middleton
- Sandra Rae River, Madison
- Jane Liess, McFarland
- Stephen Laubach, Madison
- Kara Pennayer, Madison
- Don Ferber, Madison
- Wendy Schneider, Madison
- Chris Taylor, Madison — Representative, 48th Assembly District
- Denise O'Meara, Wauwatosa — Wisconsin League of Conservation Voters
- JoAnne Wroblewski, Oregon
- Lloyd and Sharon Jongeivs, Coloma
- Omar Poler, Madison
- Alycia Kaplan, Madison
- Jo Vukelich, Madison
- Mark Steward — Wisconsin County Code Administrators
- Bernie Schlafke, Madison
- Courtney Bateman, Madison
- Roger Larson, Madison
- Allison Werner, Madison
- Pete Christianson, Madison — Wisconsin Newspaper Association
- Samantha Treml, Green Bay

- Kendra Wochos, Madison
- Jessica Lovesta Banks, Madison
- Dennis Grzezinski, Milwaukee — Midwest Environmental Advocates
- Dana Haraman, Coloma
- Rita Keleny, Madison
- Dick Lamers, Colfax — Tainter Menomen Lakes Improvement Association
- John Wetzel, Holmen — LaCrosse County Conservation Alliance
- Alan Green, Spring Green
- Sierra Pope, Madison
- Staush Grustynski, Green Bay — Green Bay Trout Unlimited
- Todd Ambs, Madison — River Network
- Dean Hiegger, Sturgeon Bay — Clean Action Council of Northeast Wisconsin
- David Sanoers, Cambridge
- Rita Keleny, Madison
- John Hermanson, Luxemburg
- Robert Schaefer, Madison
- Tom Thrall, Fitchburg
- Garylord Yost, River Hills
- Diana Lawrence, Appleton
- Duane Barmore, Middleton
- Ned Gatzke, Sparta
- Tamara Baus Tupesis, Cambridge
- Diane Fansetta, MadisonJon — Wisconsin Network for Justice and Peace
- Jane Jiumaleh, Madison
- Mary Walters, Madison
- Lois Langenfeld, Madison
- Kevin Schiesser, Madison
- Carl Sack, Madison
- Mark Peerenboom, Appleton — Fox Valley Trout Unlimited
- Katya Leonard, Viroqua — Valley Stewardship Network
- David Pionre, Milwaukee — WLCY
- Cindy Breunig, Madison
- Seth Jensen, Madison
- Jon Becker, Madison

Registrations for Information Only

- Bob Obma, Mountain — Trout Unlimited

December 14, 2011 **EXECUTIVE SESSION HELD**

Present: (14) Representatives Mursau, Rivard, Kleefisch, Nerison, Severson, Steineke, Tiffany, Stroebel, Litjens, Mason, Danou, Clark, Milroy and Hulsey.  
Absent: (2) Representatives Williams and Molepske Jr.  
Excused: (0) None.

Moved by Representative Mursau, seconded by Representative Rivard that **Unanimous consent motion** be recommended for The public hearing record of testimony from 2011 September Special Session Assembly Bill 24 be applied to 2011 Assembly Bill 421.

Ayes: (14) Representatives Mursau, Rivard, Kleefisch, Nerison, Severson, Steineke, Tiffany, Stroebel, Litjens, Mason, Danou, Clark, Milroy and Hulsey.  
Noes: (0) None.  
Absent: (2) Representatives Williams and Molepske Jr.

THE PUBLIC HEARING RECORD OF TESTIMONY FROM  
2011 SEPTEMBER SPECIAL SESSION ASSEMBLY BILL 24  
BE APPLIED TO 2011 ASSEMBLY BILL 421  
RECOMMENDED, Ayes 14, Noes 0

Moved by Representative Rivard, seconded by Representative Kleefisch that **Assembly Amendment 1 to Assembly Substitute Amendment 1** be recommended for adoption.

Ayes: (10) Representatives Mursau, Rivard, Kleefisch, Nerison, Severson, Steineke, Tiffany, Stroebel, Litjens, Clark.  
Noes: (4) Representatives Mason, Danou, Milroy and Hulsey.  
Absent: (2) Representatives Williams and Molepske Jr.

ASSEMBLY AMENDMENT 1 TO ASSEMBLY SUBSTITUTE  
AMENDMENT 1 ADOPTION RECOMMENDED, Ayes 10,  
Noes 4

Moved by Representative Rivard, seconded by Representative Tiffany that **Assembly Amendment 2 to Assembly Substitute Amendment 1** be recommended for adoption.



Ayes: (8) Representatives Mursau, Rivard, Williams, Nerison, Severson, Tiffany, Stroebel and Litjens.  
Noes: (6) Representatives Steineke, Mason, Danou, Clark, Milroy and Hulsey.  
Absent: (2) Representatives Kleefisch and Molepske Jr.

ASSEMBLY AMENDMENT 2 TO ASSEMBLY SUBSTITUTE AMENDMENT 1 ADOPTION RECOMMENDED, Ayes 8, Noes 6

Moved by Representative Rivard, seconded by Representative Severson that **Assembly Substitute Amendment 1** be recommended for adoption.

Ayes: (13) Representatives Mursau, Rivard, Kleefisch, Nerison, Severson, Steineke, Tiffany, Stroebel, Litjens, Mason, Danou, Clark and Milroy.  
Noes: (1) Representative Hulsey.  
Absent: (2) Representatives Williams and Molepske Jr.

ASSEMBLY SUBSTITUTE AMENDMENT 1 ADOPTION RECOMMENDED, Ayes 13, Noes 1

Moved by Representative Rivard, seconded by Representative Kleefisch that **Assembly Bill 421** be recommended for passage as amended.

Ayes: (9) Representatives Mursau, Rivard, Kleefisch, Nerison, Severson, Steineke, Tiffany, Stroebel and Litjens.  
Noes: (5) Representatives Mason, Danou, Clark, Milroy and Hulsey.  
Absent: (2) Representatives Williams and Molepske Jr.

PASSAGE AS AMENDED RECOMMENDED, Ayes 9, Noes 5

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Tim Gary  
Committee Clerk