Assembly

Record of Committee Proceedings

Committee on Natural Resources

Assembly Bill 463

Relating to: permits for discharges into wetlands; wetland mitigation; wetland mapping and delineation; fees for permits and other authorizations or determinations by the Department of Natural Resources relating to structures, deposits, and other activities in or near navigable waters; making appropriations; and providing penalties.

By Representatives Mursau, Rivard, Brooks, Honadel, Jacque, Endsley, Marklein and Stone; cosponsored by Senators Kedzie and Schultz.

January 06, 2012 Referred to Committee on Natural Resources.

January 10, 2012 **PUBLIC HEARING HELD**

Present: (14) Representatives Mursau, Rivard, Kleefisch, Nerison, Steineke, Tiffany, Stroebel, Litjens,

Molepske Jr, Mason, Danou, Clark, Milroy and

Hulsey.

Absent: (2) Representatives Williams and Severson.

Excused: (0) None.

Appearances For

- Jeff Mursau, Madison Representative, 36th Assembly District
- Dan Wald, Pittsville
- Jane McDonald, Pittsville
- Jeff Stone, Madison Representative, 82nd Assembly District
- Jerry Deschane, Madison Wisconsin Builders Association
- Tom Larson, Madison Wisconsin Association of Realtors
- Jay Warzinski, Muskego Veolia ES Solid Waste
- Scott Manley, Madison Wisconsin Manufacturers and Commerce
- Rick Stadelman, Shawano Wisconsin Towns Association
- Ron Kuehn, Madison Wisconsin Cranberry Growers Association
- Pat Henderson, Sussex Quad Graphics
- Jayme Sellen, DePere Dairy Business Association

Appearances Against

- Tracy Hames, Madison Wisconsin Wetlands Association
- Erin O'Brien, Madison Wisconsin Wetlands Association

- Amber Meyer Smith, Madison Clean Wisconsin
- Galen Smith, Madison
- Don Hammes, Middleton Wisconsin Wildlife Federation
- Lori Grant, Madison River Alliance of Wisconsin
- Nells Swenson, Oregon Wisconsin Ducks Unlimited
- Cayrll Terrell, Madison Sierra Club John Muir Chapter
- James Doherty, Madison

Appearances for Information Only

- Ken Johnson, Madison Wisconsin Department of Natural Resources
- Liesa Lehman, Madison Wisconsin Department of Natural Resources
- Dave Seubert, Madison Wisconsin Department of Natural Resources
- Rebecca Graser US Army Corp of Engineers
- Madeline Gotkowitz, Madison Wisconsin Geological Survey

Registrations For

- Neal Kedzie, Madison Senator, 11th Senate District
- Bob Welch, Madison Safari Club International
- Pat Goss, Madison Wisconsin Transportation Builders Association
- Karen Gefvert, Madison Wisconsin Farm Bureau Federation
- Duane Maatz, Antigo Wisconsin Potato & vegetable Growers Association
- Ron Kulas, Oconomowoc Wisconsin Bowhunters Association
- Pete Christianson, Madison Veolia Environmental Services, Inc
- John Umhoefer, Madison Wisconsin Cheese Makers Association
- Joel Haubrich, Milwaukee WE Energies
- Curt Wytinski, Madison League of Wisconsin Municipalities
- Bob Welch, Madison Wisconsin Corn Growers Association
- Bob Welch, Madison Operating Engineers Local 139
- Greg Hubbard, Madison Waste Management
- Scott Meyer, Gleason United Sportsmen of Wisconsin
- Jeff Schoenfeldt, Madison National Solid Wastes Management Association
- Dean Hamilton, Waunakee United Sportsmen of Wisconsin

Registrations Against

- Jeff Smith, Madison Trout Unlimited
- Tod Highsmith, Madison
- Frances Rowe, Coloma Pleasant Lake Management District
- Casey Eggelston, Madison The Nature Conservancy
- Virgil Schroeder, Cottage Grove Wisconsin Trappers
- Jennifer Giegerich, Madison Wisconsin League of Conservation Voters
- Cheryl Nenn, Milwaukee Milwaukee River Keeper
- Lisa Conley, Oconomowoc Rock River Coalition
- Lisa Conley, Oconomowoc Town and Country RC&D
- Mickey Beil, Madison Dane County Executive Joe Parisi
- Oscar Bloch Citizens Climate Lobby
- Jacinda Tessmann, Madison
- Shahala Werner, Madison
- Elizabeth Ward, McFarland
- Arlene Kanno, Wisconsin Dells
- Rose Meinholz, Madison
- Chris Taylor, 48th Assembly District Representative
- Sharon Gaskill, Black Earth
- Peter Ostlind, Merrimac
- Mary Linton, Fort Atkinson
- Christine Sobocinski, Milwaukee
- John Ebsen, Madison
- Richard Reinke, Madison
- Laura Chern, Madison
- Erin Vennie-Vollrath, Madison
- Matt Krueger, Madison
- Helen Sarakinos, Madison
- Allison Werner, Madison
- Katie Beilfuss, Madison
- Andrea McMillen, Madison
- Scott Taylor, Stoughton
- Stephani Pescitelli, Madison
- Janet Jesberger, Sun Prairie
- Genie Ogden, Madison
- Peter Cannon, Madison
- Kim Wright, Madison
- Joan Braune, Madison
- Kathleen Dutilly, Stoughton
- Alexia Sabor, Madison

Registrations for Information Only

• None.

January 18, 2012 **EXECUTIVE SESSION 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.

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

Ayes: (14) Representatives Mursau, Rivard, Williams, Kleefisch, Nerison, Severson, Steineke, Tiffany, Stroebel, Litjens, Molepske Jr, Danou, Clark and Milroy.

Noes: (2) Representatives Mason and Hulsey.

ASSEMBLY AMENDMENT 1 ADOPTION RECOMMENDED, Ayes 14, Noes 2

Moved by Representative Molepske Jr, seconded by Representative Hulsey that **Assembly Amendment 2** be recommended for adoption.

Ayes: (6) Representatives Molepske Jr, Mason, Danou, Clark, Milroy and Hulsey.

Noes: (10) Representatives Mursau, Rivard, Williams, Kleefisch, Nerison, Severson, Steineke, Tiffany, Stroebel, Litjens.

ASSEMBLY AMENDMENT 2 ADOPTION NOT RECOMMENDED, Ayes 6, Noes 10

Moved by Representative Molepske Jr, seconded by Representative Danou that **Assembly Amendment 3** be recommended for adoption.

Ayes: (6) Representatives Molepske Jr, Mason, Danou, Clark, Milroy and Hulsey.

Noes: (10) Representatives Mursau, Rivard, Williams, Kleefisch, Nerison, Severson, Steineke, Tiffany, Stroebel, Litjens.

ASSEMBLY AMENDMENT 3 ADOPTION NOT RECOMMENDED, Ayes 6, Noes 10

Moved by Representative Molepske Jr, seconded by Representative Milroy that **Assembly Amendment 4** be recommended for adoption.

Ayes: (6) Representatives Molepske Jr, Mason, Danou, Clark, Milroy and Hulsey.

Noes: (10) Representatives Mursau, Rivard, Williams, Kleefisch, Nerison, Severson, Steineke, Tiffany, Stroebel, Litjens.

ASSEMBLY AMENDMENT 4 ADOPTION NOT RECOMMENDED, Ayes 6, Noes 10

Moved by Representative Molepske Jr, seconded by Representative Mason that **Assembly Amendment 5** be recommended for adoption.

Ayes: (6) Representatives Molepske Jr, Mason, Danou, Clark, Milroy and Hulsey.

Noes: (10) Representatives Mursau, Rivard, Williams, Kleefisch, Nerison, Severson, Steineke, Tiffany, Stroebel, Litjens.

ASSEMBLY AMENDMENT 5 ADOPTION NOT RECOMMENDED, Ayes 6, Noes 10

Moved by Representative Molepske Jr, seconded by Representative Mason that **Assembly Amendment 6** be recommended for adoption.

Ayes: (6) Representatives Molepske Jr, Mason, Danou, Clark, Milroy and Hulsey.

Noes: (10) Representatives Mursau, Rivard, Williams, Kleefisch, Nerison, Severson, Steineke, Tiffany, Stroebel, Litjens.

ASSEMBLY AMENDMENT 6 ADOPTION NOT RECOMMENDED, Ayes 6, Noes 10

Moved by Representative Molepske Jr, seconded by Representative Mason that **Assembly Amendment 7** be recommended for adoption.

Ayes: (6) Representatives Molepske Jr, Mason, Danou, Clark, Milroy and Hulsey.

Noes: (10) Representatives Mursau, Rivard, Williams, Kleefisch, Nerison, Severson, Steineke, Tiffany, Stroebel, Litjens.

ASSEMBLY AMENDMENT 7 ADOPTION NOT RECOMMENDED, Ayes 6, Noes 10

Moved by Representative Molepske Jr, seconded by Representative Mason that **Assembly Amendment 8** be recommended for adoption.

Ayes: (6) Representatives Molepske Jr, Mason, Danou, Clark, Milroy and Hulsey.

Noes: (10) Representatives Mursau, Rivard, Williams, Kleefisch, Nerison, Severson, Steineke, Tiffany, Stroebel, Litjens.

ASSEMBLY AMENDMENT 8 ADOPTION NOT RECOMMENDED, Ayes 6, Noes 10

Moved by Representative Molepske Jr, seconded by Representative Mason that **Assembly Amendment 9** be recommended for adoption.

Ayes: (6) Representatives Molepske Jr, Mason, Danou, Clark, Milroy and Hulsey.

Noes: (10) Representatives Mursau, Rivard, Williams, Kleefisch, Nerison, Severson, Steineke, Tiffany, Stroebel, Litjens.

ASSEMBLY AMENDMENT 9 ADOPTION NOT RECOMMENDED, Ayes 6, Noes 10

Moved by Representative Milroy, seconded by Representative Mason that **Assembly Amendment 10** be recommended for introduction and adoption.

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

Noes: (0) None.

INTRODUCTION AND ADOPTION OF ASSEMBLY AMENDMENT 10 RECOMMENDED, Ayes 16, Noes 0

Moved by Representative Rivard, seconded by Representative Williams that **Assembly Bill 463** be recommended for passage as amended.

Ayes: (10) Representatives Mursau, Rivard, Williams, Kleefisch, Nerison, Severson, Steineke, Tiffany, Stroebel, Litjens.

Noes: (6) Representatives Molepske Jr, Mason, Danou, Clark, Milroy and Hulsey.

PASSAGE AS AMENDED RECOMMENDED, Ayes 10, Noes 6

Tim Gary Committee Clerk