Senate

Record of Committee Proceedings

Committee on Natural Resources and Environment

Senate Bill 368

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

January 06, 2012 Referred to Committee on Natural Resources and Environment.

January 12, 2012 **PUBLIC HEARING HELD**

Present: (7) Senators Kedzie, Moulton, Wanggaard, Galloway, Wirch, Holperin and C. Larson.

Absent: (0) None.

Excused: (0) None.

Appearances For

- Neal Kedzie Senator, 11th Senate District
- Jerry Deschane WI Builders Association
- Tom Larson WI Realtors Association
- Ron Kuehn Wisconsin Cranberry Growers Association
- Scott Manley Wisconsin Manufacturers and Commerce
- Doug Weinkauf, Wausau
- Lynn Morgan Waste Management
- Jay Warzinski Veolia ES Solid Waste
- Shawn Pfaff, Madison WI Cheesemakers

Appearances Against

- Tracy Hames Wisconsin Wetlands Association
- Erin O'Brien Wisconsin Wetlands Association
- Todd Ambs, Oregon
- Lori Grant River Alliance of Wisconsin
- Michael Healy Adaptive Restoration LLC
- Jon Becker, Madison
- Don Hammes WI Wildlife Federation
- Caryl Terrell Sierra Club John Muir Chapter
- Miriam Ostrov Midwest Environmental Advocates
- Carl Sack, Madison

Appearances for Information Only

- Ken Johnson WI Department of Natural Resources
- Dave Siebert WI Department of Natural Resources
- Liesa Lehmann WI Department of Natural Resources
- Rebecca Graser US Army Corps of Engineers
- Madeline Gotkowitz, Madison WI Geological Survey
- Nels Swenson Ducks Unlimited
- Heather Patti RA Smith National
- Alice Thompson Thompson and Associates Wetlands Services
- Dan Salas, Verona

Registrations For

- Jim Boullion Associated General Contractors of Wisconsin
- Joel Haubrich WI Energy Corp.
- Scott Meyer United Sportsmen of Wisconsin
- Sherry Caves, Middleton
- Curt Witynski League of Wisconsin Municipalities
- Tom Larson NAIOP-WI
- Bob Welch, Madison Safari Club International/WI Bear Hunters Association/WI Hunters Rights Coalition/WI Force
- Bob Welch, Madison Safari Club International/WI Bear Hunters Association/WI Hunters Rights Coalition/WI Force
- Bob Welch Construction Business Group
- Bob Welch WI Bio Industry Alliance
- Pat Goss WI Transportation Builders Association
- Ron Kuehn, Madison WI Bowhunters
 Association/Cranberry Growers/Cattleman and Pork
 Producers/Potato and Vegetable Growers/Soybean Farmers
- Jeff Schoenfeldt National Solid Wastes Management Association
- Karen Gefvert WI Farm Bureau Federation
- Doug Weinkauf, Wausau
- Ann Jablonski WI Towns Association
- Jeff Mursau Representative, 36th Assembly District

Registrations Against

- Brett Hulsey Representative, 77th Assembly District
- Peter Overholt, Wauwatosa
- Gail Epping-Overholt, Wauwatosa
- Kendra Wochos, Madison
- Mitchell Nussbaum, Madison
- Caroline Brock, Madison
- Genie Ogden, Madison

- Josh Brown, Madison
- Ann Knapstein, Madison
- Jennifer Giegerich, Madison League of Conservation Voters
- P. Scott Hausmann, Verona
- Shala Werner, Madison
- Elizabeth Ward, McFarland
- Amy Owen, Madison
- Mickey Beil Dane County Exec. Joe Parisi
- Theodore Cochrane, Madison
- R. Tod Highsmith, Madison
- Alexia Sabor, Madison
- Brendan Reid, Madison
- Diane Farsetta, Madison
- Rodney Walter The Nature Conservancy
- Sharon Gaskill, Black Earth
- Brandon Mann, Madison
- Laura Chern, Madison
- Kathryn Gerndt, Madison
- Martin Jerich, Madison
- Virgil Schroeder WI Trappers Association
- Devon Cupery Thompson and Associates Wetland Service
- Jacqueline Edmunds, Madison
- Chuck Pils WI Chapter Wildlife Society
- Don Kirby WI Waterfowl Association
- Amber Meyer-Smith Clean Wisconsin
- S. Galen Smith, Madison
- Jim Ruwaldt, Lodi
- Tom Thrall, Fitchburg
- Barbara With, LaPointe

Registrations for Information Only

• None.

January 19, 2012 **EXECUTIVE SESSION HELD**

Present: (7) Senators Kedzie, Moulton, Wanggaard, Galloway, Wirch, Holperin and C. Larson.

Absent: (0) None. Excused: (0) None.

Moved by Senator Wanggaard, seconded by Senator Galloway that **Senate Amendment 1** be recommended for adoption.

Ayes: (6) Senators Kedzie, Moulton, Wanggaard, Galloway, Wirch and C. Larson.

Noes: (1) Senator Holperin.

ADOPTION OF SENATE AMENDMENT 1 RECOMMENDED, Ayes 6, Noes 1

Moved by Senator C. Larson, seconded by Senator Wirch that **Senate Amendment 2** be recommended for adoption.

Ayes: (3) Senators Wirch, Holperin and C. Larson.

Noes: (4) Senators Kedzie, Moulton, Wanggaard and Galloway.

ADOPTION OF SENATE AMENDMENT 2 NOT RECOMMENDED, Ayes 3, Noes 4

Moved by Senator C. Larson, seconded by Senator Wirch that **Senate Amendment 3** be recommended for adoption.

Ayes: (3) Senators Wirch, Holperin and C. Larson.

Noes: (4) Senators Kedzie, Moulton, Wanggaard and Galloway.

ADOPTION OF SENATE AMENDMENT 3 NOT RECOMMENDED, Ayes 3, Noes 4

Moved by Senator C. Larson, seconded by Senator Wirch that **Senate Amendment 4** be recommended for adoption.

Ayes: (3) Senators Wirch, Holperin and C. Larson.

Noes: (4) Senators Kedzie, Moulton, Wanggaard and Galloway.

ADOPTION OF SENATE AMENDMENT 4 NOT RECOMMENDED, Ayes 3, Noes 4

Moved by Senator C. Larson, seconded by Senator Holperin that **Senate Amendment 5** be recommended for adoption.

Ayes: (3) Senators Wirch, Holperin and C. Larson.

Noes: (4) Senators Kedzie, Moulton, Wanggaard and Galloway.

ADOPTION OF SENATE AMENDMENT 5 NOT RECOMMENDED, Ayes 3, Noes 4

Moved by Senator C. Larson, seconded by Senator Wirch that **Senate Amendment 6** be recommended for adoption.

Ayes: (3) Senators Wirch, Holperin and C. Larson.

Noes: (4) Senators Kedzie, Moulton, Wanggaard and Galloway.

ADOPTION OF SENATE AMENDMENT 6 NOT RECOMMENDED, Ayes 3, Noes 4

Moved by Senator C. Larson, seconded by Senator Holperin that **Senate Amendment 7** be recommended for adoption.

Ayes: (3) Senators Wirch, Holperin and C. Larson.

Noes: (4) Senators Kedzie, Moulton, Wanggaard and Galloway.

ADOPTION OF SENATE AMENDMENT 7 NOT RECOMMENDED, Ayes 3, Noes 4

Moved by Senator C. Larson, seconded by Senator Holperin that **Senate Amendment 8** be recommended for adoption.

Ayes: (3) Senators Wirch, Holperin and C. Larson.

Noes: (4) Senators Kedzie, Moulton, Wanggaard and Galloway.

ADOPTION OF SENATE AMENDMENT 8 NOT RECOMMENDED, Ayes 3, Noes 4

Moved by Senator C. Larson, seconded by Senator Wirch that **Senate Amendment 9** be recommended for adoption.

Ayes: (3) Senators Wirch, Holperin and C. Larson.

Noes: (4) Senators Kedzie, Moulton, Wanggaard and Galloway.

ADOPTION OF SENATE AMENDMENT 9 NOT RECOMMENDED, Ayes 3, Noes 4

Moved by Senator Galloway, seconded by Senator Moulton that **LRBa2150** be recommended for introduction and adoption.

Ayes: (7) Senators Kedzie, Moulton, Wanggaard, Galloway, Wirch, Holperin and C. Larson.

Noes: (0) None.

INTRODUCTION AND ADOPTION OF LRBA2150 RECOMMENDED, Ayes 7, Noes 0

Moved by Senator Galloway, seconded by Senator Moulton that **Senate Bill 368** be recommended for passage as amended.

Ayes: (4) Senators Kedzie, Moulton, Wanggaard and Galloway.

Noes: (3) Senators Wirch, Holperin and C. Larson.

PASSAGE AS AMENDED RECOMMENDED, Ayes 4, Noes 3

Dan Johnson

Committee Clerk