

## Record of Committee Proceedings

### Joint Committee on Finance

#### Senate Bill 488

Relating to: regulation of ferrous metallic mining and related activities, procedures for obtaining approvals from the Department of Natural Resources for the construction of utility facilities, making an appropriation, and providing penalties.

By Senators Galloway, Vukmir, Zipperer, Wanggaard, Darling, S. Fitzgerald, Lasee, Lazich, Leibham, Kedzie and Grothman; cosponsored by Representatives J. Fitzgerald, Suder, Williams, Tiffany, Honadel, August, Ballweg, Bernier, Bies, Brooks, Craig, Endsley, Farrow, Jacque, Kapenga, Kaufert, Kerkman, Kestell, Kleefisch, Klenke, Knilans, Knodl, Knudson, Kooyenga, Kramer, Krug, Kuglitsch, T. Larson, LeMahieu, Litjens, Loudenbeck, Marklein, Meyer, Mursau, Murtha, Nass, Nerison, Nygren, A. Ott, J. Ott, Petersen, Petrowski, Petryk, Pridemore, Ripp, Rivard, Severson, Spanbauer, Steineke, Stone, Strachota, Stroebel, Tauchen, Thiesfeldt, Tranel, Van Roy, Vos, Weininger and Wynn.

February 16, 2012 Referred to Joint Committee on Finance.

February 17, 2012 **PUBLIC HEARING HELD**

Present: (16) Senator Darling; Representative Vos; Senators Olsen, Harsdorf, Grothman, Leibham, Zipperer, Taylor and Jauch; Representatives Meyer, Strachota, LeMahieu, Nygren, Kleefisch, Mason and Richards.

Absent: (0) None.

Excused: (0) None.

#### Appearances For

- Scott Meyer, Gleason — United Sportsman of WI
- Annette Olsen, Glenwood — United Sportsman of WI
- Ken Wood, Madison — WI Mining Assoc
- Senator Pam Galloway
- James Buchen, Madison — WMC
- Scott Manley, Madison — WMC
- Brian Rule, LaCrosse — Dairland Power
- Mike Herro, laCrosse — Xcel Energy
- Bill Williams , Hurley — Gogebic Taconite
- Timothy Myers, Hurley — Gogebic Taconite
- Bob Seitz, Blanchardville — Gogebic Taconite
- Robert Walesewick, Hurley — WI Towns Assoc

- Rita Keleny, Madison
- Paul Lembrich, Janesville

Appearances Against

- Jason Huberty, Madison — the rocks
- Joseph Skulan, Lodi — self
- Peter Slaby, Milwaukee — self
- Pamela Richard, Milwaukee
- Mike Bakber, Bayfield — self
- Laura Armagost, Bayfield
- Dr. Nanly Langston, Albany
- Dan Harnmes, Middleton — WI Wildlife Federation
- Chuck Metysker, Cecil — WI Wildlife Federationn
- Pete Rasmussen, Marengo — Self
- Amy Syverson, Ashland — Self
- Maria Minikel, Brookfield — self
- James Minikel, Brookfield — self
- Mark Fuller, Janesville — self
- Earle Engerson, Elm Grove
- Sara Wroblewski, Red Cliff — Red Cliff Tribe
- Michael Defoe, Red Cliff — Red Cliff Tribe
- Will Stahl, Neenah — Sierra Club
- Donna Kokeetis, Madison — Self
- Megan Helt-Baldwir, Milwaukee — Self
- David French, Madison
- Joanne Ellarson, Mazomanie — self
- Jim Schroeder, Mazomanie — self
- Mary Siendberg-Stirling, Gays Mills — self
- Arthur Kohl-Riggs, Madison — self
- Lori Grant, Madison — River Alliance of WI
- Allison Werner, Madison — Bad River Watershed Assoc
- Holly Tourdot, LaPointe
- Susan Maronek, Milwaukee — self
- David Dexheimer, Monona — self
- Mary Maroaek, Madison
- Mark Gokee — self
- Gloria Rodriguez, Saxon — Bad River Tribe
- Zoey LaGrew, Saxon — Bad River
- Jennifer LaGrew, Saxon — Bad River
- Greg Matson — Oneida tribe
- Mary Lou Salawater, Ashland — Bad River Tribe
- Cherze Pero, Odanah — Bad River Tribal Council
- Martin David, Middleton
- Elizabeth David, Middleton

- Vincent Bender, Odanan
- Krow Satyagraha, Stevens Point — trees
- Thistle Petterson, Madison — self
- Par Durgan, Shawano
- Deboral Seiler
- Bill Meiin, Whitefish Bay — self
- Michele Bjella, Stevens Point — self
- Robert Agee, Black Earth
- Cy Griffin, Madison
- Joe Skulan, Lodi — self
- Dave Blouin, Madison — Sierra Club
- Patercia Hammel, Madison — self
- Santiria Michells, Shorewood — self
- Morena Taylor-Berell, Madison
- Juan Cortes, Madison
- Bruce Noble, Madison — self
- Bred Wertz, Madison — Outdoor Industry Assoc
- Edith Leoso, Odanah — self
- Julie Bay, LaCrosse
- Shelley Anthony, Madison
- Vill Grubed, Madison — self
- Janice Rosin, Hudson — Bad River Tribe
- Aurlona Conley, Odamah — Bad River Tribe
- Kareen McLaulothun, Madison — self
- Burt Munger, Milton
- Joseph Koob — self
- Sharon Davis, Baraboo — self
- Rebecca Parmentier, Madison — the Northwoods
- Cory Larson, Madison
- Brian Standing, Madison — self
- Deborah Griffin, Mt Horeb
- Paul Buhle, Madison
- Sharon Gulseth, Nekoosa — WI people
- Barbara With, LaPonte — self
- Carrie Schenpelz, Madison — self
- Don Roberts, Wausau
- Jenna Pope, Madison
- Deborah Werssour, Madison
- Zach Schuster, Madison
- John Sweers, Monona
- Jessica Walner, Milton
- Kay Reeder, Cross Plains — self
- Rep. Brett Hulsey, Madison — self
- Amber Meyer Smith, Madison — Clean Wisconsin

- Thomas Thoresen — WI league of Conservation voters
- Matt Dannenberg, Madison — self
- Ray Coleman, Madison
- Wilbur Austin, Lancaster — self
- Ann Maria Bell, Madison
- Jennifer Giegerich, Madison — WI leag of conservation voters
- George Meyer, Madison — WI Wildlife Federation
- Paula Cooper, Pardeeville — self
- Sarah Hammer, Fort Atkinson
- Linda Atkins, Prairie du Sac
- Jeremy Ryan, Madison
- Mary Jo Walters, Madison — self
- Scott Thompson, Madison
- Michelle Schenck, Madison — self
- Kathy Kennedy-Steffen, Madison
- Attorney Dennis Grzezinski — Bad Rivers Band of Lakes
- Hans Noelder, Oregon
- Erin Fuller, Madison
- Angela Thorp, Madison
- Christopher David Bootz, Madison
- Collen Leinberger, Darlinton
- Nathan Germain, Madison
- Tyler Hendricks, Sparta
- Cheryl Congdon, Horicon — self
- James Congdon, Horicon — Self
- Sharon Stewart, Berlin — self
- Kathryn Grimmes, Green Lake
- Bevin Moeller, Madison
- Callen Harty, Monona — self
- John Coleman, Madison — self
- Don Ferber, Madison — self
- Julie Smith, Madison
- Lisa Hejek, madison
- Rep. Grigsby

Appearances for Information Only

- None.

Registrations For

- Barb Dillow, Glenwood
- Jim Boullion, Madison
- Thomas Howells, Madison — WI Motor Carries Assoc
- Pat Osborne, madison

- Robert Fassbonder, Madison — WI economic Development Assoc
- Lucella Allen, Madison — self
- Kelly Klein, Hurley — Iron County
- Mitch Kaski, Montreal — City of Montreal
- Michael Kissick, Madison — self
- Jennifer Lecis, Fitchburg — self
- Kristen Felten, Middleton — self
- Greg Kindley, Madison
- Karen Kinsley, Madison
- Gary Storck, Madison — self
- Kathy Maues, Oregon — self
- Kathryn Simmers, Green Lake
- Sharon Stewart, Berlin

#### Registrations Against

- Christine Taylor
- Cindy Breunig, Madison
- Ann Coaltley — DNR
- Sara Crawford, Madison — self
- Geoffrey Cushman, Madison — WI Natural Resources
- Roberta Fosbinder-Bihorf, Monona
- Terri Wheeler, Monona
- Katherine Billorf, Monona
- Valerie VanHorn, Madison
- Pat DiBiase, Madison — self
- P. Jewell
- Amy Janczy, Lake Mills — self
- Scott Westlar
- Alice Ogden-Nussbauer, Madison
- Edward Kuharski, Madison — self
- Jackie Scherrer, Edgerton — WI conservation
- Carol Greene, Edgerton — Conservation
- Russell Phelps, madison — self
- Lobsang Yarpled, Madison
- Stephanine Endres, Waunakee
- Derek Endres, Wauakee
- Frank Olak, Merrimac
- Laura Olath, Merrimac — Citizens for safe water
- Deb Belongea, Black Earth
- Lars Pizip, Afton — Veterans for Peace
- Phil Praft, Fitchburg
- Sue Schneider, Oconomowoc — People of WI
- Helen Boley, madison — Conservation

- Kurt Elhson, Forestville — self
- Sarah Rogers, madison — Madison for the Penokees
- Peter Wolff, madison
- Judy Skog, Madison — self
- Kerry Schumann, Madison
- Amy Owen, Madison — self
- Elana Siegel, Madison
- Fiona Hammel, Madison
- Joau Kewble, Madison
- Patricia Fleming, Oregon
- Tim White, Verona — self
- Mark Sethne, Platteville — self
- Heidi Dyas-McBeth, Platteville — self
- William McBeth, Platteville
- David Cheney, Madison — self
- Omar Poler, Madison
- Charles Schuler, Madison
- Kate Carsan, Stevens Point
- Twyla Clark, Madison
- Mary Traenor, Madison — self
- Timothy Riley, Stoughton — self
- Tim Kendhamming, LaCrosse — self
- Erich Eifler, Madison
- Brook Kmiecik, Superior — self
- Jermone LaBarge, Lac du Flambeau — self
- Casey Martinson, Stevens Point
- Diane Farseth, Madison — self
- Carl Sack, Madison — self
- Meg Heitz, Cambridge — self
- Elsa Nekola, Madison
- Kennedy Rubert-Nason, Madison — self
- Joan Arnold, Madison — self
- Ana Winton, Springbrook — self
- Kevin Rusch, Wausau — self
- Andrew Spychalla, Madison — self
- Dylan Jennings, Madison — self
- Michael Weidert, New London
- Mary Saunders, Madison
- Nile Ostenso, Madison — self
- Hilde Dewulf, Greenfield
- Joan Hoyer, Madison — self
- Mary Schultz, Springgreen
- George Schultz, Spring Green
- Francis Cadotte, Bayfield — Red Cliff Tribe

- Collette Engerson, Elm Grove
- Chael Wilson , Green Bay — Oneida Tribe
- Kathryn Schreitmueller, Green Bay — self
- Monica Darrs, Monona — self
- Lawrence Lourden, Madison — self
- Jeff Evers, Mazomannie — self
- Kelly Westlund, Ashland — self
- Harry Harrison
- Maggie Thowia, Madison
- Darcy Guestarsson, Brookfield
- Omallic McMurray, Madison
- Jean Nordlund, Madison
- Arvina Martin, Madison — self
- John Haugen, Monona — self
- Barbara Skiles, Oregon — self
- Jackie Cody, Rhinelander — self
- Cheryl Andrist, Rhinelander
- Leonard Cody, Rhinelander
- Dylan Benton, Green Bay
- Sherrole Benton, Green Bay
- Robin John, DePere — self
- Laura Manthe, DePere — self
- Mark Essex, Lodi
- Joanne Suartberk, Madison
- Craig Spaulding, Madison
- Jean Sielaff, Mt. Horeb — self
- Wendy Schneider, Madison — self
- Michael Wurlkoth, Tomahawk — self
- Dennise Schmidt, Verona
- Lesie Shown, Madison
- Scott VanEgeren, Madison — the water
- Kim Andress, Fitchburg — self
- J. Louesta Banes, madison
- Karla Anderegg, Middleton — self
- Wajid Jenkins, Madison — self
- Luilo Jenkins, Madison — self
- Josef Anderegg, Middleton — self
- Garrett Gringer, Madison
- Gary Karch, Madison — self
- Mathew Miller, Madison — sandpipers institute
- Lauce Grean, Madison — self
- Kirke Anderson Elsass, Madison
- Debra Ketchum-Jircik, Eagle River
- Laura Lee Benerg, Monroe — self

- Rachel Friedman, Madison — self
- Jessica Lindnar, Madison
- Dr. Marvin Ladd, Madison
- Ariel Kaufman, Madison — self
- Cheryl Austin, Lancaster
- Brian Emerson, Madison
- Genie Ogden, Madison
- Peppi Elder, Madison
- Kimberlee Wright, Madison — self
- Kendra Wochos, Madison — self
- Donna Vukelich-Selve, Madison
- Miranda Delgado, Madison — Bad River
- Roger Larson, Madison — Self
- Marco Bravo, Madison — Bad River
- Laura Priebe, Madison — self
- Tracy Humes, Madison — WI wetland assoc
- Angela West Blane, Middleton
- Will Sandestran, madison
- Linda Hedleublud, Madison — self
- Caroline Greenwald, Madison — self
- Rep. Chris Taylor, Madison
- Thomas Stolp, Eau Claire
- Natalie Byrne, Madison — self
- Anne Sayers, Madison — self
- Laura Hermanns, Racine — self
- James Roberts, Fitchburg — self
- Ann Knapstein, Madison — self
- Pat Roberts, Wausau
- Diana Miller, Madison
- Julie Swanson, Madison — my family
- Andy Kosseff, Madison — self
- Nancy Kosseff, Madison — self
- Christopher Clayton, Madison — self
- Andrew Bean, Madison — self
- Matt Krueger, Madison
- Emily Popp, Madison
- Ryan Henke, Madison
- Ciddy Roswek, Madison — self
- Dale Decker, Madison
- Suzanne Bergen, Madison — self
- Jarrett Mirkes, Whitefish Bay — self
- Jane Walmer, Milton — self
- Judith Sweers, Monona
- Sheridan Bearheart, Madison — Bad River



- Ryan Conner, Madison — self
- Erica Case, madison
- Jessica Long, Madison — self
- Michelle Gooch, Madison — self
- Christopher Wilke, Madison
- William West, Madison — self
- Sarah Lloyd, WI Dells
- Leah Edgar, Madison
- JoAnne Garrett, Madison — self
- John Clark, Fort Akkison — self
- John Pope Jr., Madison — self
- Christina Anderson, Madison
- Molli McDonald, Madison
- Mike Miller, Madison
- James Killian, Stoughton
- Kristi Minahan, Madison
- Katherine Songer, Madison
- Ronald Dolen, Madison
- Henry Pullet, madison
- Elizabeth Singler, Madison — self
- Wenena Wolf, madison
- Casey Eddleston — the natural conservation
- Thomas Kaszulanis
- Bernie Schlafke, Madison — self
- Duncan Manelly, Madison — self
- Matt Calvert, Madison
- Theresa Wigchers, Madison — self
- Ann Renee Winget Nielsen, Madison — self
- Michael Salowon, Madison — self
- John Bell, Madison — self
- Char Brandl, Madison
- Mitchell Nussbaum, Madison
- Monica Merry-Mason, Madison — self
- Kara Slaughter, Madison — self
- Karolyn Beebe, Madison
- Dawn Matlak, Madison
- Gerald Campbell, Madison — self
- Amy Maurer, Madison — self
- Jim Winkle, Madison — self
- Kevin Clark, Madison — self
- Naomi Wright, Jefferson — self
- Steve Brooks, Mount Horeb — self
- Rebecca Alwid, Middleton
- Britta Pigorsch, Verona — self

- Thomas Kaseulanns, Middleton — self
- Patrick Gorski, Madison — self
- Jim Connors, Madison — self
- Cody Bigboy-Powless, Odenah
- Michael Powell, Madison
- Kelly Forman, Brooklyn
- Quinn Clark, madison
- Dylan Rewis, Madison
- Sam Martell, Madison
- Linda Shult, madison
- Anne Johnson, Lake Mills — self
- Ryan Sievert, Madison — self
- Joanne Kirkland, Madison — self
- Tate Classen, Madison
- Margaret Stafford, Cross Plains
- Shandra Metel, Madison — self
- Brenna Clark, Madison — self
- Jonathan Cooper, Madison
- Jane Richard, Madison
- Tony Castaneda, Madison — self
- Pam Robson, Portage — self
- Tom Robson, Portage — self
- Allen Hormann, Allenton — self
- Rep. Janis Ringhand
- Rep. JoCosta Zamarripa — AD 8th
- Timothy Bauer, Madison — self
- Stephan Laubach, Madison — self
- John Hamilton, Madison
- Harriet Rowan, Madison
- Madeline Fisher, Madison
- Carol Gruba, Madison — self
- Eilenn Vander Velden, Madison

Registrations for Information Only

- Russ Rasmussen — DNR
- Linda Pleiffer, Sauk City — UW Madison

March 2, 2012

**EXECUTIVE SESSION HELD**

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

March 5, 2012

**EXECUTIVE SESSION HELD**

Present: (16) Senator Darling; Representative Vos; Senators Olsen, Harsdorf, Grothman, Leibham, Zipperer, Taylor and Jauch; Representatives Meyer, Strachota, LeMahieu, Nygren, Kleefisch, Mason and Richards.

Absent: (0) None.

Excused: (0) None.

Moved by Senator Darling, seconded by Representative Vos that **Senate Substitute Amendment 1** be recommended for introduction.

Ayes: (16) Senator Darling; Representative Vos; Senators Olsen, Harsdorf, Grothman, Leibham, Zipperer, Taylor and Jauch; Representatives Meyer, Strachota, LeMahieu, Nygren, Kleefisch, Mason and Richards.

Noes: (0) None.

INTRODUCTION OF SENATE SUBSTITUTE AMENDMENT 1  
RECOMMENDED, Ayes 16, Noes 0

Moved by Senator Jauch, seconded by Representative Mason that **Senate Substitute Amendment 1** be recommended for adoption.

Ayes: (4) Senators Taylor and Jauch; Representatives Mason and Richards.

Noes: (12) Senator Darling; Representative Vos; Senators Olsen, Harsdorf, Grothman, Leibham and Zipperer; Representatives Meyer, Strachota, LeMahieu, Nygren and Kleefisch.

ADOPTION OF SENATE SUBSTITUTE AMENDMENT 1 NOT  
RECOMMENDED, Ayes 4, Noes 12

Moved by Senator Darling, seconded by Representative Vos that **Senate Substitute Amendment 2** be recommended for introduction.

Ayes: (16) Senator Darling; Representative Vos; Senators Olsen, Harsdorf, Grothman, Leibham, Zipperer, Taylor and Jauch; Representatives Meyer, Strachota, LeMahieu, Nygren, Kleefisch, Mason and Richards.

Noes: (0) None.

INTRODUCTION OF SENATE SUBSTITUTE AMENDMENT 2  
RECOMMENDED, Ayes 16, Noes 0

Moved by Senator Darling, seconded by Representative Vos that  
**Senate Substitute Amendment 2** be recommended for adoption.

Ayes: (12) Senator Darling; Representative Vos;  
Senators Olsen, Harsdorf, Grothman,  
Leibham and Zipperer; Representatives  
Meyer, Strachota, LeMahieu, Nygren and  
Kleefisch.

Noes: (4) Senators Taylor and Jauch; Representatives  
Mason and Richards.

ADOPTION OF SENATE SUBSTITUTE AMENDMENT 2  
RECOMMENDED, Ayes 12, Noes 4

Moved by Senator Darling, seconded by Representative Vos that  
**Senate Bill 488** be recommended for passage as amended.

Ayes: (12) Senator Darling; Representative Vos;  
Senators Olsen, Harsdorf, Grothman,  
Leibham and Zipperer; Representatives  
Meyer, Strachota, LeMahieu, Nygren and  
Kleefisch.

Noes: (4) Senators Taylor and Jauch; Representatives  
Mason and Richards.

PASSAGE AS AMENDED RECOMMENDED, Ayes 12, Noes 4

---

Joe Malkasian  
Committee Clerk