

1997-98 SESSION
COMMITTEE HEARING
RECORDS

Committee Name:

Senate Committee on
Agriculture and
Environmental
Resources
(SC-AER)

Sample:

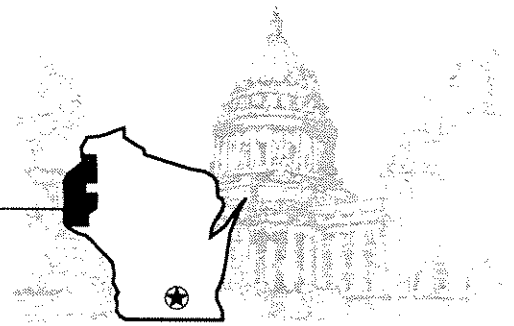
- Record of Comm. Proceedings
- 97hrAC-EdR_RCP_pt01a
- 97hrAC-EdR_RCP_pt01b
- 97hrAC-EdR_RCP_pt02

- Appointments ... Appt
-
- Clearinghouse Rules ... CRule
-
- Committee Hearings ... CH
-
- Committee Reports ... CR
-
- Executive Sessions ... ES
-
- Hearing Records ... HR
-
- Miscellaneous ... Misc
- 97hr_SC-AER_Misc_pt04f
- Record of Comm. Proceedings ... RCP
-



Alice Clausing

WISCONSIN STATE SENATOR



October 16, 1997

Joe Tregoning, Acting Secretary
Department of Agriculture, Trade, and Consumer Protection
2811 Agriculture Drive
Madison, WI 53708

Dear Secretary Tregoning:

The purpose of this letter is to request modifications to Clearinghouse Rule 97-043, relating to standards for repealing site-specific prohibitions against the use of pesticides found in groundwater.

The hearing on this Clearinghouse Rule on October 1st highlighted the fact that there are concerns about the proposal, specifically pertaining to the activation of the trigger for repealing a site-specific prohibition. On October 16th, by a vote of 3-2, the Senate Committee on Agriculture and Environmental Resources requested that the Department accept the rule for the purpose of making modifications.

Time is of the essence, so the committee requests a response by 4:00 pm on Friday, October 17th about whether the Department will accept the rule for modifications or reject the Senate's request.

I look forward to your reply, and I look forward to working with you to resolve this matter. Please contact my office if you have comments or questions.

Sincerely,

ALICE CLAUSING
State Senator
10th Senate District

AC/rr





State of Wisconsin
Tommy G. Thompson, Governor

Department of Agriculture, Trade and Consumer Protection

2811 Agriculture Drive
Madison, Wisconsin 53704-6777

PO Box 8911
Madison, WI 53708-8911

October 17, 1997

Honorable Alice Clausing
Room 308
100 N. Hamilton
Madison, WI 53703

Dear Senator Clausing,

We received your October 16th request for the department to consider modifications to Clearinghouse Rule 97-043, relating to standards for repealing site-specific prohibitions against the use of pesticides found in groundwater. We are willing to discuss possible modifications or clarifications. If you desire, we will meet with you to discuss your specific concerns about the rule and the need for changes.

Please contact me at (608) 224-5012 or Nick Neher at (608) 224-4567 to arrange a meeting at your earliest convenience.

Sincerely,

Joseph E. Tregoning
Acting Secretary



Alice Clausing

WISCONSIN STATE SENATOR



November 5, 1997

TO: Members, Senate Committee on Agriculture and Environmental Resources
FROM: Senator Alice Clausing, Chair
RE: Rules referred to committee

The following Clearinghouse Rules have been referred to the committee for review:

Clearinghouse Rule 96-113

Relating to water quality standards for wetlands, water quality certification and landfill location, performance and design criteria.

Submitted by the Department of Natural Resources.

Clearinghouse Rule 97-136

Relating to regulation of metallic mineral mining [covered in report on Clearinghouse Rule 97-057].

Submitted by the Department of Natural Resources.

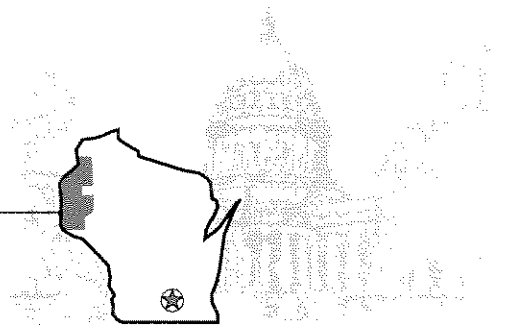
Please contact my office if you would like a copy of these administrative rules or if you would like to request a hearing.





Alice Clausing

WISCONSIN STATE SENATOR



TO: Members, Senate Committee on Agriculture and Environmental Resources

FROM: Senator Alice Clausing

DATE: November 5, 1997

RE: Paper ballot

PLEASE RETURN YOUR BALLOT BY FRIDAY, NOVEMBER 7 BY NOON

Motion by Senator Clausing that Senate Amendment 1 to Senate Bill 285 be introduced and adopted by the Senate Committee on Agriculture and Environmental Resources.

Aye Nay

Motion by Senator Clausing that Senate Bill 285 be recommended for passage as amended.

Aye Nay

Motion by Senator Clausing that the following appointees be recommended for confirmation:

Earl Orner, to the Snowmobile Recreation Council

Aye Nay

Debbie Peterson, to the Recycling Market Development Board

Aye Nay

James Toftness, to the Snowmobile Recreation Council

Aye Nay

Diane Scott, to the Veterinary Examining Board

Aye Nay

Clarence W. Malick, to the Minnesota-Wisconsin Boundary Area Commission

Aye Nay



Thomas Kell, to the Wisconsin Waterway Commission

Aye Nay

Richard Steimel, to the Snowmobile Recreation Council

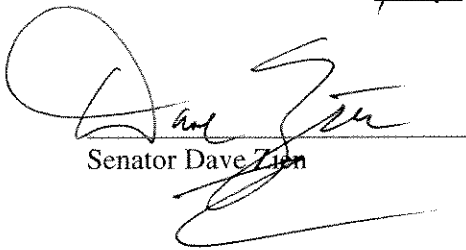
Aye Nay

Dennis Sorenson, to the Snowmobile Recreation Council

Aye Nay

Joseph Kapusta, to the Snowmobile Recreation Council

Aye Nay

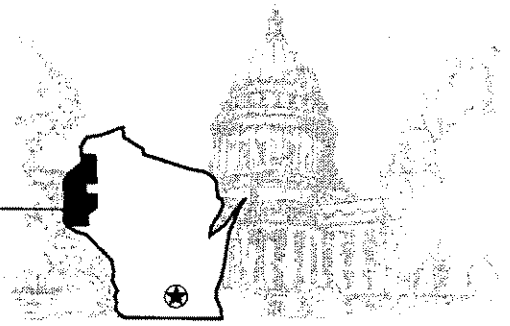


Senator Dave Zien



Alice Clausing

WISCONSIN STATE SENATOR



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FROM: Senator Alice Clausing
DATE: November 5, 1997
RE: Paper ballot

PLEASE RETURN YOUR BALLOT BY FRIDAY, NOVEMBER 7 BY NOON

Motion by Senator Clausing that Senate Amendment 1 to Senate Bill 285 be introduced and adopted by the Senate Committee on Agriculture and Environmental Resources.

Aye Nay

Motion by Senator Clausing that Senate Bill 285 be recommended for passage as amended.

Aye Nay

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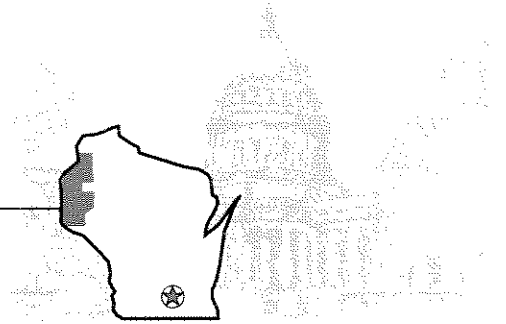


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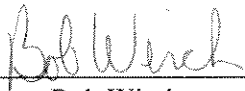
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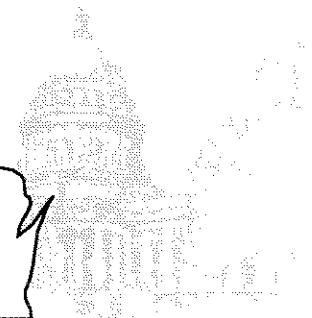
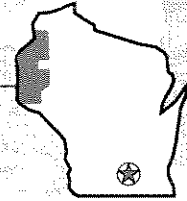


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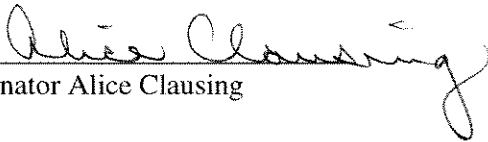
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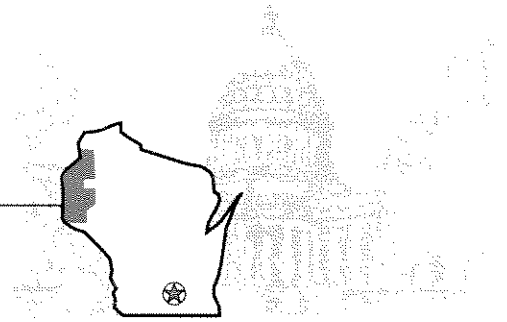


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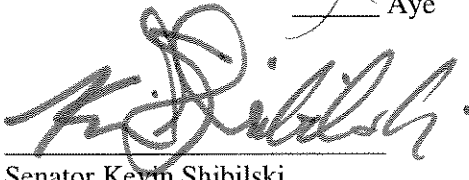
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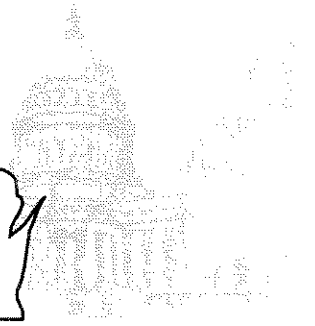
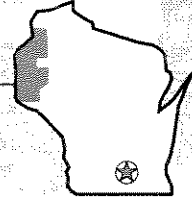


Senator Kevin Shibilski



Alice Clausing

WISCONSIN STATE SENATOR



TO: Members, Senate Committee on Agriculture and Environmental Resources

FROM: Senator Alice Clausing

DATE: November 14, 1997

RE: Paper ballot

PLEASE RETURN YOUR BALLOT BY MONDAY, NOVEMBER 17, 1997 BY 10:00 AM

Senate Resolution 3, relating to requesting the attorney general to appear for the state as a party in proceedings related to metallic mining.

Motion by Senator Clausing that Senate Resolution 3 be recommended for adoption.

Aye Nay

Senate Bill 355, relating to effective recycling programs, reports by materials recovery facilities, waste reduction and recycling demonstration grants, liability associated with materials reuse programs, requiring studies, and granting rule-making authority.

Motion by Senator Clausing that Senate Bill 355 be recommended for passage.

Aye Nay

Alice Clausing
 Senator Alice Clausing

Other committee business: The following administrative rule has been referred to the Senate Committee on Agriculture and Environmental Resources. Please call my office if you would like a copy:

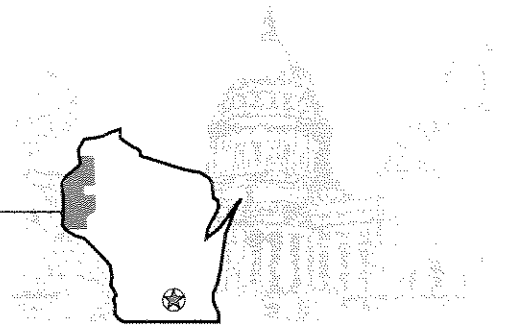
Clearinghouse Rule 97-086 (Department of Agriculture, Trade, and Consumer Protection) relating to commercial feed.





Alice Clausing

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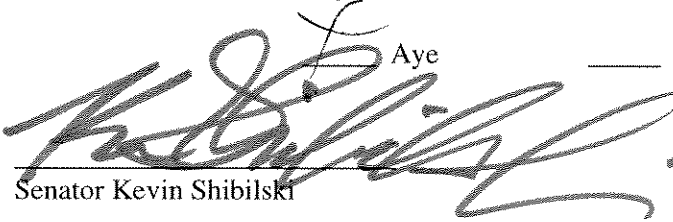
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Aye Nay

Senate Bill 355, relating to effective recycling programs, reports by materials recovery facilities, waste reduction and recycling demonstration grants, liability associated with materials reuse programs, requiring studies, and granting rule-making authority.

Motion by Senator Clausing that Senate Bill 355 be recommended for passage.

Aye Nay



Senator Kevin Shibilski

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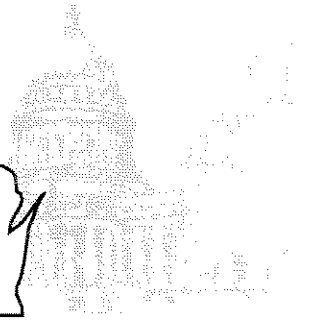
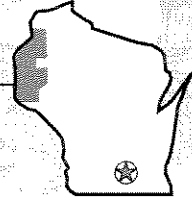
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Motion by Senator Clausing that Senate Bill 355 be recommended for passage.

Aye Nay

Sen. Bob Wirth

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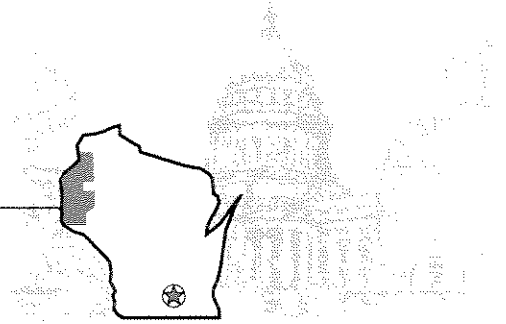
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Alice Clausing

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Motion by Senator Clausing that Senate Bill 355 be recommended for passage.

Aye Nay


 Senator Alan Lasee

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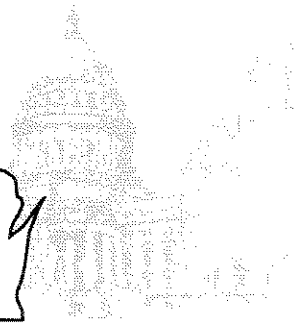
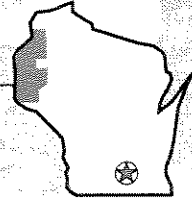
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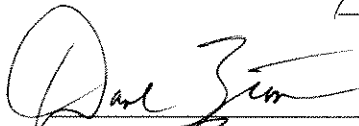
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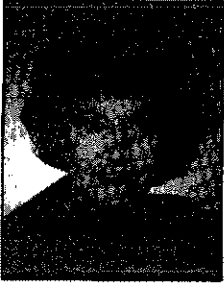


 Senator Dave Zien

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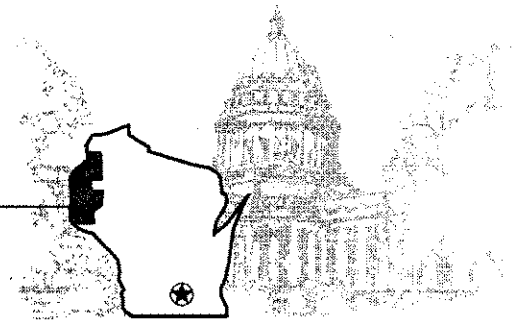
Clearinghouse Rule 97-086 (Department of Agriculture, Trade, and Consumer Protection) relating to commercial feed.





Alice Clausing

WISCONSIN STATE SENATOR



December 17, 1997

TO: Members, Senate Agriculture and Environmental Resources Committee

FROM: Senator Alice Clausing

RE: December 18th hearing and exec.

To accommodate the schedule of members, we will begin with the executive session discussion on items previously heard by the committee: **Clearinghouse Rule 97-136, Clearinghouse Rule 96-113, Assembly Joint Resolution 48, Assembly Bill 132, and Senate Bill 290**. The roll will be left open for Senator Zien who is unable to attend the hearing and exec.

In addition, I have enclosed some documents and amendments for committee discussion. I wanted to give members some time to review the documents prior to the hearing and exec.

1. A draft motion on Clearinghouse Rule 97-136, relating to regulation of metallic mineral mining.
2. A substitute amendment for Senate Bill 8
3. An amendment to Senate Bill 373

Because the roll will be left open, the committee reserves the right to exec any bills that are being heard on December 18th as well.

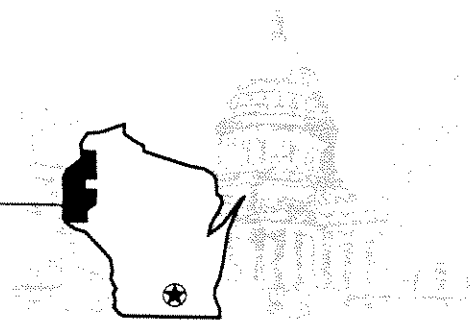
Please contact my office at 6-7745 if you have any comments or questions.





Alice Clausing

WISCONSIN STATE SENATOR



December 19, 1997

George Meyer, Secretary
Department of Natural Resources
101 S Webster, 5th Floor
Madison, WI 53707

Dear Secretary Meyer:

The purpose of this letter is to request modifications to Clearinghouse Rule 97-136, relating to regulation of metallic mineral mining.

On December 18th, by a vote of 4-1, the Senate Committee on Agriculture and Environmental Resources requested that the Department accept the rule for the purpose of making modifications. Enclosed is a copy of the motion approved by the committee.

The committee's review period of this rule ends on December 24th, so a written response is requested by 4:00 on the 24th about whether the Department will accept the rule for modifications or reject the Senate's request.

I look forward to your reply and I look forward to working with you to resolve any concerns on this matter. Please contact my office if you have comments or questions.

Sincerely,

Alice

ALICE CLAUSING
State Senator
10th Senate District

AC/rr



December 18, 1997
Motion #2

SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENTAL RESOURCES

**MOTION ON CLEARINGHOUSE RULE 97-136,
RELATING TO REGULATION OF METALLIC MINERAL MINING**

The Senate Agriculture and Environmental Resources Committee:

1. Recommends that the Department of Natural Resources agree to consider modifying, under s. 227.19 (4) (b) 2., Stats., Clearinghouse Rule 97-136, by:

(a) Establishing in proposed s. NR 132.085 (5) the minimum level of funding of a trust fund required under proposed s. NR 132.085 to be \$2 per ton of mining waste disposed of or backfilled in the mining operation; and

(b) Specifying in proposed s. NR 132.085 (5) (b) a standard for identifying worst case preventive or remedial measures that better protects public health and welfare and the environment.

2. If the department does not agree to consider the modifications identified in item 1. by December 24, 1997, objects under s. 227.19 (4) (d) 3. and 6., Stats., to proposed s. NR 132.085 on the grounds that it does not comply with legislative intent and is arbitrary.

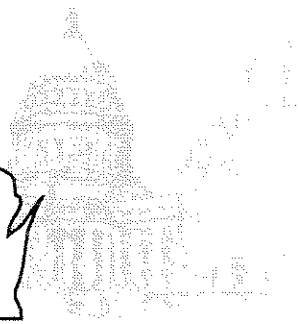
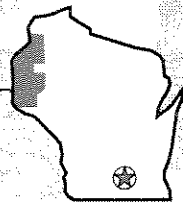
Post-it® Fax Note	7671	Date	12/18	# of pages	2
To	Randy Romanowski	From	John Stolzendorf		
Co./Dept.	Sen. Clausen	Co.	Leg. Council Staff		
Phone #		Phone #	6-2888		
Fax #	7-0369	Fax #			



DEC 22 1997

Alice Clausing

WISCONSIN STATE SENATOR



TO: Members, Senate Committee on Agriculture and Environmental Resources

FROM: Senator Alice Clausing

DATE: December 22, 1997

RE: Paper ballot

PLEASE RETURN YOUR BALLOT BY WEDNESDAY, DECEMBER 24, 1997 BY NOON

Senate Bill 8, relating to transferring the public intervenor to the Department of Justice and making an appropriation.

Motion by Senator Clausing that Senate Substitute Amendment 1 (LRB s0358/1) to Senate Bill 8 be introduced and adopted by the Senate Committee on Agriculture and Environmental Resources.

Aye Nay

Motion by Senator Clausing that Senate Bill 8 be recommended for passage as amended.

Aye Nay

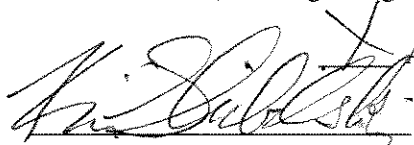
Senate Bill 110, relating to appointment of the secretary of agriculture, trade, and consumer protection.

Motion by Senator Clausing that Senate Bill 110 be recommended for passage.

Aye Nay

Senate Bill 275, relating to regulation of grain dealers and grain warehouse keepers.

Aye Nay



 Senator Kevin Shibilski

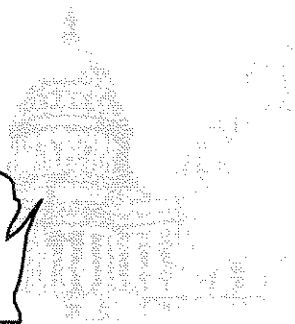
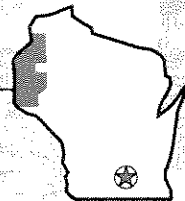
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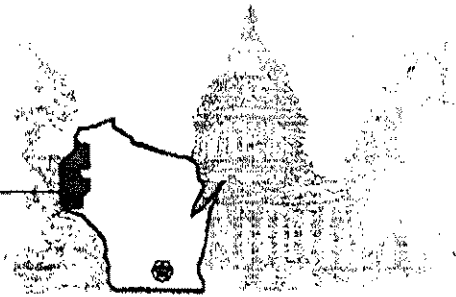
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Aye Nay

Senator Alan Lasee

Other committee business: The following administrative rules have been referred to the Senate Committee on Agriculture and Environmental Resources. Please call my office if you would like a copy:

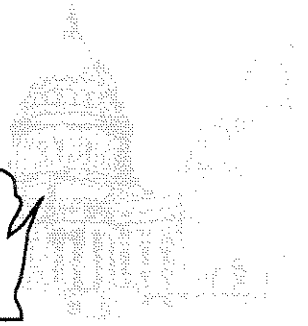
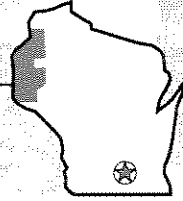
State Capitol, P.O. Box 7882, Madison, WI 53707-7882
1-800-862-1092 Toll-Free ■ 608-266-7745 Madison ■ 715-232-1390 Menomonie





Alice Clausing

WISCONSIN STATE SENATOR



TO: Members, Senate Committee on Agriculture and Environmental Resources

FROM: Senator Alice Clausing

DATE: December 22, 1997

RE: Paper ballot

PLEASE RETURN YOUR BALLOT BY WEDNESDAY, DECEMBER 24, 1997 BY NOON

Senate Bill 8, relating to transferring the public intervenor to the Department of Justice and making an appropriation.

Motion by Senator Clausing that Senate Substitute Amendment 1 (LRB s0358/1) to Senate Bill 8 be introduced and adopted by the Senate Committee on Agriculture and Environmental Resources.

_____ Aye Nay

Motion by Senator Clausing that Senate Bill 8 be recommended for passage as amended.

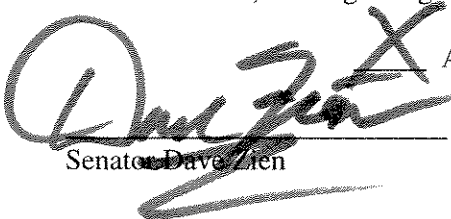
_____ Aye Nay

Senate Bill 110, relating to appointment of the secretary of agriculture, trade, and consumer protection.

Motion by Senator Clausing that Senate Bill 110 be recommended for passage.

_____ Aye Nay

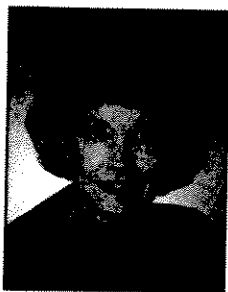
Senate Bill 275, relating to regulation of grain dealers and grain warehouse keepers.

 _____ Aye _____ Nay

Senator Dave Zien

Other committee business: The following administrative rules have been referred to the Senate Committee on Agriculture and Environmental Resources. Please call my office if you would like a copy:





Alice Clausing

WISCONSIN STATE SENATOR



January 20, 1998

TO: Members of Senate Committee on Agriculture and Environmental Resources
FROM: Senator Alice Clausing, Chair
RE: Rule referred to committee

The following Clearinghouse Rule has been referred to the Committee for review:

Clearinghouse Rule 97-057 (Department of Natural Resources) relating to regulation of metallic mineral mining.

Please contact Randy in my office if you would like a copy of the rule.





State of Wisconsin
Tommy G. Thompson, Governor

Department of Agriculture, Trade and Consumer Protection

Ben Brancel, Secretary

2811 Agriculture Drive
Madison, Wisconsin 53718-6777

PO Box 8911
Madison, WI 53708-8911

January 28, 1998

Honorable Alice Clausing
Room 308
100 N. Hamilton
Madison, WI 53703

Dear Senator Clausing,

On October 29, 1997 department staff met with you regarding your request for the department to consider modifications to Clearinghouse Rule 97-043, relating to standards for repealing site-specific prohibitions against the use of pesticides found in groundwater. In a subsequent phone conversation with you I related the modifications that the department would include in the rule proposal.

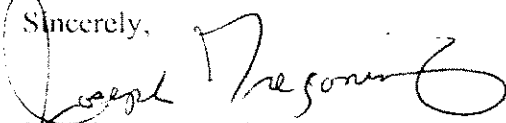
The department agreed to insert a note after the proposed 31.08(4)(b)2. The note explains that the repeal of a prohibition area does not limit the department's responsibility to take reasonable action to minimize contamination to achieve compliance with the preventive action limit. Further, the department may reinstate a repealed prohibition area if testing shows an increasing trend of pesticide contamination.

The note reads:

"The repeal of a prohibition area does not affect any responsibility which the department has under s. ATCP 31.07 to take other appropriate action to minimize the concentration of the pesticide substance where technically and economically feasible, and to restore and maintain compliance with the preventive action limit. The department may also reinstate a repealed prohibition area if groundwater testing at a point of standards application shows an increasing trend of pesticide contamination, suggesting that contamination may again attain or exceed the enforcement standard."

Please contact me at (608) 224-5012 or Nick Neher at (608) 224-4567 if you have questions.

Sincerely,

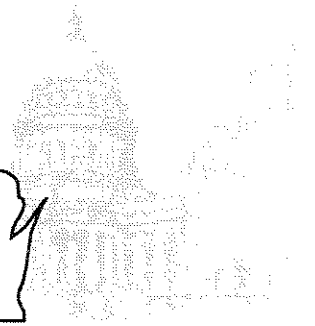
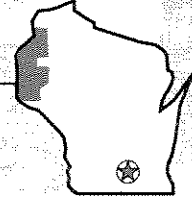


Joseph E. Tregoning
Deputy Secretary



Alice Clausing

WISCONSIN STATE SENATOR



January 30, 1998

TO: Members, Senate Committee on Agriculture and Environmental Resources

FROM: Senator Alice Clausing, Chair

RE: Committee Business

The committee has finally received a written response from the Department of Agriculture, Trade, and Consumer Protection about our request for modifications to Clearinghouse Rule 97-043, relating to standards for repealing site-specific prohibitions against the use of pesticides found in groundwater (the "generic" pesticide standards rule).

Enclosed for your review is a copy of DATCP's response dated January 28, 1998. The department agreed to insert a note in the rule that allows the department to take reasonable action to minimize contamination to achieve compliance with the preventive action limit. It also allows the department to reinstate a repealed prohibition area if testing shows an increasing trend of pesticide contamination.

The committee has 10 days from January 28 to take any action. Please contact Randy in my office if you have comments or questions.

In addition, the committee has received the following rule for consideration:

Clearinghouse Rule 97-125 (Department of Agriculture, Trade, and Consumer Protection)
relating to pesticide regulation.

Please contact my office if you would like a copy of the rule.

