

☞ **09hr_CRule_09-077_AC-NR_pt01**



Details:

(FORM UPDATED: 08/11/2010)

**WISCONSIN STATE LEGISLATURE ...
PUBLIC HEARING - COMMITTEE RECORDS**

2009-10

(session year)

Assembly

(Assembly, Senate or Joint)

**Committee on ... Natural Resources
(AC-NR)**

COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)
(**ab** = Assembly Bill) (**ar** = Assembly Resolution) (**ajr** = Assembly Joint Resolution)
(**sb** = Senate Bill) (**sr** = Senate Resolution) (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

* Contents organized for archiving by: Mike Barman (LRB) (Sept/2010)

Assembly

Record of Committee Proceedings

Committee on Natural Resources

Clearinghouse Rule 09-077

Relating to ensuring that lands acquired with funding from the stewardship program under ss. 23.0915 and 23.0917, Stats., are open to public hunting, trapping, fishing, hiking and cross county skiing.

Submitted by Department of Natural Resources.

February 12, 2010 Referred to Committee on Natural Resources.

March 24, 2010 **PUBLIC HEARING HELD**

Present: (14) Representatives Black, Danou, Molepske Jr.,
Steinbrink, Hraychuck, Mason, Milroy, Clark,
J. Ott, Gunderson, Huebsch, LeMahieu,
Mursau and Nerison.
Absent: (1) Representative Hebl.

Appearances For

- Pat Henderson, Madison — DNR
- Doug Haag, Madison — DNR
- Elizabeth Kluesner, Madison — DNR
- Ellen Gennrick, Brookfield — Waukesha County Land Conservancy
- Mike Carlson, Madison — Gathering Waters Conservancy
- Don Balone, Madison — USDA-NRCS
- Todd Holschbach, Manitowoc — The Nature Conservancy
- Matt Dallman, Tomahawk — The Nature Conservancy

Appearances Against

- Rep. Scott Gunderson, Waterford — 83rd Assembly District
- Ray Heidel, Onalaska
- Jeff Nania, Portage — Wisconsin Waterfowl Association
- Marvin Wanders, La Crosse — Human Powered Trails
- Bob Welch — WI Hunters Rights Coalition
- Larry Bonde, Kiel
- Don Hammes, Middleton — Wisconsin Wildlife Federation
- George Meyer, Madison — Wisconsin Wildlife Federation
- Hansi Johnson, Carlton — International Mountain Bicycling Association
- Sandy Heidel, Onalaska

- Gene Roberts, La Crosse — Human Powered Trails
- Jolene Plautz, Madison — U.S. Sportsman Alliance
- Virgil Schroedor, Cottage Grove — Wisconsin Trappers Association

Appearances for Information Only

- Peter Cannon, Madison — Madison Audobon Society

Registrations For

- Kurt Witynski, Madison — League of Wisconsin Municipalities

Registrations Against

- None.

Registrations for Information Only

- None.

John Maycroft
Committee Clerk



Vote Record Committee on Natural Resources

Date: 4/13/10

Moved by: Black

Seconded by: Huebsch

AB _____

SB _____

Clearinghouse Rule 09-077

AJR _____

SJR _____

Appointment _____

AR _____

SR _____

Other _____

A/S Amdt _____

A/S Amdt _____ to A/S Amdt _____

A/S Sub Amdt _____

A/S Amdt _____ to A/S Sub Amdt _____

A/S Amdt _____ to A/S Amdt _____ to A/S Sub Amdt _____

Be recommended for:

- Passage Adoption Confirmation Concurrence Indefinite Postponement
 Introduction Rejection Tabling Nonconcurrency Request Modifications

| <u>Committee Member</u> | <u>Aye</u> | <u>No</u> | <u>Absent</u> | <u>Not Voting</u> |
|--|-------------------------------------|--------------------------|--------------------------|--------------------------|
| Representative Spencer Black, Chair | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Representative Chris Danou | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Representative Louis Molepske | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Representative John Steinbrink | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Representative Ann Hraychuck | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Representative Gary Hebl | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Representative Cory Mason | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Representative Nick Milroy | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Representative Fred Clark | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Representative Jim Ott | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Representative Scott Gunderson | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Representative Michael Huebsch | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Representative Daniel LeMahieu | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Representative Jeffrey Mursau | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Representative Lee Nerison | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Totals: 18/15 0

Motion Carried

Motion Failed



April 8, 2010

Representative Spencer Black
210 North, State Capitol
Madison, WI 53708



Dear Representative Black,

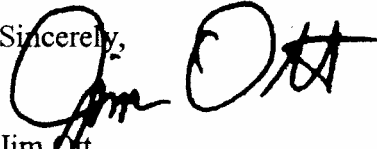
As members of the Assembly Natural Resources Committee, we are writing to respectfully request an executive session on the Stewardship access rule, Clearinghouse Rule 09-077.

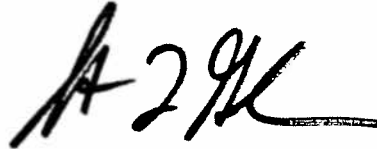
As we have stated before, Legislative review of administrative rules is an imperative check and balance to ensure what one branch of government, the Legislature, intended is what is actually being enacted by another branch of government, the administration. During the public hearing on Clearinghouse Rule 09-077, there was considerable testimony that the rule, as written by the Department of Natural Resources, does not reflect the legislative intent on a number of provisions. Therefore, it is imperative that the Assembly Natural Resources Committee hold an executive session to request modifications on Clearinghouse Rule 09-077.

It is our understanding, that following both the Senate and Assembly committees' public hearings on Clearinghouse Rule 09-077, Senator Miller assembled a working group of affected parties. This work group met several times to find and agree to a compromise version of Clearinghouse Rule 09-077. As you know, the Senate Committee on Environment included this compromise in their motion for modifications when returning the Stewardship access rule to the Department of Natural Resources. The Department has already responded to the Senate Committee on Environment its intent to consider the modification request.

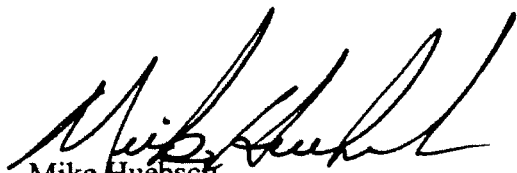
It is imperative that the Assembly sends a clear message to the Department of Natural Resources that the rule as written does not reflect original legislative intent, and that we, too, support the compromise reached by the affect parties. We request that you consider our request to schedule an executive session to request these modifications which will correctly implement the intent of the proposed rule.

Thank you in advance for your attention to this matter.

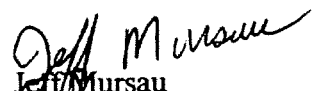
Sincerely,

Jim Ott
State Representative
23rd Assembly District


Scott Gunderson
State Representative
83rd Assembly District


Serving The Coulee Region's 94th Assembly District




Mike Huebsch
State Representative
94th Assembly District



Jeff Mursau
State Representative
36th Assembly District



Dan LeMaheiu
State Representative
59th Assembly District



Lee Nerison
State Representative
96th Assembly District