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(FORM UPDATED: 08/11/2010)

WISCONSIN STATE LEGISLATURE ... PUBLIC HEARING - COMMITTEE RECORDS

2011-12

(session year)

Assembly

(Assembly, Senate or Joint)

Committee on Natural Resources...

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: Stefanie Rose (LRB) (August 2013)

Assembly

Record of Committee Proceedings

Committee on Natural Resources

Assembly Bill 421

Relating to: the issuance of, and exemptions from, certain individual permits, contracts, and general permits for structures, deposits, and other activities in or near navigable waters; areas of significant scientific value that are areas of special natural resource interest; repair and maintenance of boathouses and fixed houseboats; information required to be published on the Department of Natural Resources Internet Web site; expedited procedures for certain plan approvals; deadlines for action on certain approval applications; and granting rule-making authority.

By Representative Mursau; cosponsored by Senator Kedzie.

December 07, 2011 Referred to Committee on Natural Resources.

October 26, 2011 **PUBLIC HEARING 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.

Appearances For

- Neal Kedzie, Madison — Senator, 11th Senate District
- William Rowe, Madison
- Tom Larson, Madison — Wisconsin Association of Realtors
- Bob Welch, Madison — Wisconsin Bio Industry Alliance - Wisconsin Corn growers Association
- Ed Wilusz, Appleton — Wisconsin Paper Council
- Joel Haubrich, Milwaukee — WE Energies
- Edward Kuharski, Madison

Appearances Against

- Amber Meyer Smith, Madison — Clean Wisconsin
- Carl Sinderbrand, Madison — Clean Wisconsin
- Mike Wiggins, Jr., Odanah — Bad River Band of Lake Superior Chippewa
- Cherie Pero, Odanah — Bad River Band of Lake Superior Chippewa
- Eldred Carbino, Odanah — Bad River Band of Lake Superior Chippewa

- Frank Connors, Odanah — Bad River Band of Lake Superior Chippewa
- Peter Lemieux, Odanah — Bad River Band of Lake Superior Chippewa
- Glenn Stoddard, Eau Claire — Bad River Band of Lake Superior Chippewa
- Bob Rice, Iron River — Bad River Watershed Association
- Nels Swenson, Oregon — Wisconsin Ducks Unlimited
- Jodi Habush Sinykin, Milwaukee — Midwest Environmental Advocates
- Shahla Werner, Madison — Sierra Club
- Lori Grant, Madison — River Alliance of Wisconsin
- Beth Bennett, Madison — Wisconsin Newspaper Association
- George Meyer, Madison — Wisconsin Wildlife Federation
- Don Hammes, Middleton — Wisconsin Wildlife Federation
- Chuck Matyska, Cecil — Wisconsin Wildlife Federation
- Betty Borchert, Oshkosh — Wisconsin Wildlife Federation
- Amy Moudlach — Save the Water's Edge Educational Team
- Sarah Rogers, Madison
- Jeff Smith, Madison — Trout Unlimited
- Gina Cook, Town of Harmony
- Denise Schmidt, Verona
- Julie de la Terre, Viola
- Angela Thorp, Madison
- Elaine Swanson, Pickett
- Kennedy Rubert-Nason, Madison — Wisconsin League of Conservation
- Jennifer Giegerich, Madison — Wisconsin League of Conservation Voters
- Thomas Thorensen, Fitchburg — Wisconsin League of Conservation Voters
- John Keckhaver, Madison — Wisconsin Association of Lakes
- Jerry Knuth, Plover
- Darlene Cook, Middleton — Save Copper Creek
- Michael Cain, Madison
- Amy Owen, Madison
- Karen Matteoni, Madison
- Margaret Wella Pulera, Darien
- Judy Treml, Green Bay
- Michael Arrowood, Oakfield
- Jim Limbach, Stevens Point
- Sharon Gaskill, Black Earth
- Bill Vance, Westfield — Friends of Central Sands
- Mary Relwoold, Ashland

- Warren Kehn, Ashland
- Sharon Gulseth, Madison
- Laura Priebe, Milwaukee
- Nancy Livingston, Albany
- Patrick Hammel, Madison
- Elizabeth Paerl, Middleton
- Brett Hulsey, Madison — Representative, 77th Assembly District
- Mark Perenboom, Appleton — Fox Valley Trout Unlimited
- Paul Dearlove, Madison — Lake Ripley Management District - Wisconsin Lakes - Friends of Lake Wingra

Appearances for Information Only

- Al Shea, Madison — WI Department of Natural Resources
- Erin O'Brien, Madison — Wisconsin Wetland Association

Registrations For

- Bill Matter, Deerbrook — Greater Bass Lake P&R Dist
- Jolene Plautz, Madison — WI Towns Association
- Cicily Smith, Madison
- Tom Larson, Madison — NDIOP-WI
- John Reinemann, Madison — Wisconsin Counties Association
- Scott Manley, Madison — Wisconsin Manufacturers and Commerce
- Jerry Deschane, Madison — Wisconsin Builders Association
- Chad Wuebber, Middleton

Registrations Against

- Cheryl Austin, Lancaster
- Mousey Miller, Waunakee
- Ann Knapstein, Madison
- Pam Robson, Portage
- Tom Robson, Portage
- Christa Westerberg, Stoughton
- David Bender, Madison
- Cal Goldsmith, Madison — Save Copper Creek
- Dana VanHoesen, Gays Mills — Save Copper Creek
- John Durben, Cecil — Wisconsin Council of Sports Fishing Organizations
- Traci Peloquin, Montello
- Mary and Tom Rondeal, Blue River
- Daniel Bach, Madison — Lake Beulah Protective and Improvement Association
- Karen Etter Hale, Madison — Madison Audubon Society and Wisconsin Audubon Council

- John Patterson, Monroe
- Karen Bassuer, Madison
- Barbara Timmel, Oconomowoc
- Katherine Conley, Oconomowoc
- Steve Born, Madison
- Mary Jo Vance, Westfield — Friends of the Central Sands
- Karen Walsh, Madison
- Lisa Conley, Oconomowoc — Rock River Coalition
- Twyla Clark, Madison
- JR Fahrenkrug, Neenah — Central Wisconsin River Keepers
- Severin Swanson, Pickett
- Casey Eggelston, Madison — The Nature Conservancy
- Sally Drew, Madison
- Levi Wood, Madison — Audubon, Wisconsin Society of Ornithology
- Chris Gavin, Madison
- Melissa Gavin, Madison
- Virgil Schroeder, Cecil — Wisconsin Trappers
- Jayne Meyer, Madison
- Julie Steigerwaldt, Madison
- Jared Smith, Middleton
- Karen Thimlee, Madison
- Zach Alter, Madison
- John Bayley, Madison
- Paul Matteoni, Madison
- Dan Wang, Madison
- Marissa DeGroot, Madison
- Steve Brooks, Mount Horeb
- Linda Lehman, Wausau — Trout Unlimited
- Matea Varvodic, Madison
- Caroline Brock, Madison
- Jean MacCubbin, Madison
- Jennifer Lewis, Fitchburg
- Helen Findley, Madison
- Karen Pope, Madison
- Zach Schuster, Madison
- Bob Nauta, Oregon
- Barbara With, LaPointe
- George Borchort, Oshkosh — Wisconsin Wildlife Federation
- Charles Brown, Milton — Wisconsin Wildlife Federation
- Carolyn Brown, Milton — Wisconsin Wildlife Federation
- Kristine Pettersen, Madison — Madison for the Penokees
- Gerhard Luerschwager, Mount Horeb
- Sonja Luetschwager, Mount Horeb

- Jonathan Beers, Madison
- Katie Clements
- Mark Sethne, Plattville
- Mario Quintana, Sun Prairie
- Laura Chern, Madison
- Avier Lasrson, Madison
- Elizabeth Wheeler, Madison
- James Wishart, Madison
- Abigail Jackson, Madison
- David Pedersen, Madison
- Leonard Sobczaj, Milwaukee
- Molli MacDonald, Madison
- Matt Krueger, Madison
- Kerry Schumann, Madison
- Jennifer Jackson, Cassville — League of Conservation Voters
- Cecil Smith, Madison
- Eric Mosher, Madison
- Pat McKeever, Monona
- Alfonso Flores, Madison — Friends of Starkweather Creek
- Laura Riggs, Madison
- Maureen Early Ruzicka, Madison
- Steve Hiniker, Madison — 1000 Friends of Wisconsin
- William Kilgour, Madison
- Hugh Schmidt, Madison
- Christina Anderson, Madison
- Daniel Werner, Madison
- Robert Liska, Madison
- Donald Pay, Madison
- Lia Vellardita, Madison
- Martin David, Middleton
- Sherry Caves, Middleton
- Joanne Schwarzberg, Madison
- Mary Ann Alleci, Madison
- Tom Kastue, Middleton
- Linda Hechenblack, Madison
- Genie Ogden, Madison
- Whitney Steffen, Madison
- Valerie Van Horn, Madison
- Michael O'Rourke, Madison
- Matt Dannenberg, Madison
- Frances Rowe, Coloma
- Janet Bewley, Madsion — Representative, 74th Assembly District

- Kelda Helen-Roys, Madison — Representative, 81st Assembly District
- Terese Berceau, Madison — Representative, 76th Assembly District
- Thomas Stole, Eau Claire
- Natalie Byrne, Madison
- Elizabeth Ward, McFarland
- Gary Werner, Madison
- Sarah Lozanora, Madison
- Angela West Blank, Middleton
- Elizabeth Wessel, Madison
- Thomas Theresen, Fitchburg
- Kathy Liska, Madison
- Peter Cannon, Madison
- Will Gruber, Madison
- Jeremiah Thompson, Madison
- David Gritteath, Madison
- Cathy Loeb, Madison
- Christy Stamos — Madison
- Lawrence Landwehl, Middleton
- Eileen Breitweiter, Middleton
- Sandra Rae River, Madison
- Jane Liess, McFarland
- Stephen Laubach, Madison
- Kara Pennayer, Madison
- Don Ferber, Madison
- Wendy Schneider, Madison
- Chris Taylor, Madison — Representative, 48th Assembly District
- Denise O'Meara, Wauwatosa — Wisconsin League of Conservation Voters
- JoAnne Wroblewski, Oregon
- Lloyd and Sharon Jongeivs, Coloma
- Omar Poler, Madison
- Alycia Kaplan, Madison
- Jo Vukelich, Madison
- Mark Steward — Wisconsin County Code Administrators
- Bernie Schlafke, Madison
- Courtney Bateman, Madison
- Roger Larson, Madison
- Allison Werner, Madison
- Pete Christianson, Madison — Wisconsin Newspaper Association
- Samantha Treml, Green Bay

- Kendra Wochos, Madison
- Jessica Lovesta Banks, Madison
- Dennis Grzezinski, Milwaukee — Midwest Environmental Advocates
- Dana Haraman, Coloma
- Rita Keleny, Madison
- Dick Lamers, Colfax — Tainter Menomen Lakes Improvement Association
- John Wetzal, Holmen — LaCrosse County Conservation Alliance
- Alan Green, Spring Green
- Sierra Pope, Madison
- Staush Grustynski, Green Bay — Green Bay Trout Unlimited
- Todd Ambs, Madison — River Network
- Dean Hiegger, Sturgeon Bay — Clean Action Council of Northeast Wisconsin
- David Sanoers, Cambridge
- Rita Keleny, Madison
- John Hermanson, Luxemburg
- Robert Schaefer, Madison
- Tom Thrall, Fitchburg
- Garylord Yost, River Hills
- Diana Lawrence, Appleton
- Duane Barmore, Middleton
- Ned Gatzke, Sparta
- Tamara Baus Tupesis, Cambridge
- Diane Fansetta, MadisonJon — Wisconsin Network for Justice and Peace
- Jane Jiumaleh, Madison
- Mary Walters, Madison
- Lois Langenfeld, Madison
- Kevin Schiesser, Madison
- Carl Sack, Madison
- Mark Peerenboom, Appleton — Fox Valley Trout Unlimited
- Katya Leonard, Viroqua — Valley Stewardship Network
- David Pionre, Milwaukee — WLCY
- Cindy Breunig, Madison
- Seth Jensen, Madison
- Jon Becker, Madison

Registrations for Information Only

- Bob Obma, Mountain — Trout Unlimited

December 14, 2011 **EXECUTIVE SESSION HELD**

Present: (14) Representatives Mursau, Rivard, Kleefisch, Nerison, Severson, Steineke, Tiffany, Stroebel, Litjens, Mason, Danou, Clark, Milroy and Hulsey.
Absent: (2) Representatives Williams and Molepske Jr.
Excused: (0) None.

Moved by Representative Mursau, seconded by Representative Rivard that **Unanimous consent motion** be recommended for The public hearing record of testimony from 2011 September Special Session Assembly Bill 24 be applied to 2011 Assembly Bill 421.

Ayes: (14) Representatives Mursau, Rivard, Kleefisch, Nerison, Severson, Steineke, Tiffany, Stroebel, Litjens, Mason, Danou, Clark, Milroy and Hulsey.
Noes: (0) None.
Absent: (2) Representatives Williams and Molepske Jr.

THE PUBLIC HEARING RECORD OF TESTIMONY FROM 2011 SEPTEMBER SPECIAL SESSION ASSEMBLY BILL 24 BE APPLIED TO 2011 ASSEMBLY BILL 421 RECOMMENDED, Ayes 14, Noes 0

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

Ayes: (10) Representatives Mursau, Rivard, Kleefisch, Nerison, Severson, Steineke, Tiffany, Stroebel, Litjens, Clark.
Noes: (4) Representatives Mason, Danou, Milroy and Hulsey.
Absent: (2) Representatives Williams and Molepske Jr.

ASSEMBLY AMENDMENT 1 TO ASSEMBLY SUBSTITUTE AMENDMENT 1 ADOPTION RECOMMENDED, Ayes 10, Noes 4

Moved by Representative Rivard, seconded by Representative Tiffany that **Assembly Amendment 2 to Assembly Substitute Amendment 1** be recommended for adoption.

Ayes: (8) Representatives Mursau, Rivard, Williams, Nerison, Severson, Tiffany, Stroebel and Litjens.
Noes: (6) Representatives Steineke, Mason, Danou, Clark, Milroy and Hulsey.
Absent: (2) Representatives Kleefisch and Molepske Jr.

ASSEMBLY AMENDMENT 2 TO ASSEMBLY SUBSTITUTE AMENDMENT 1 ADOPTION RECOMMENDED, Ayes 8, Noes 6

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

Ayes: (13) Representatives Mursau, Rivard, Kleefisch, Nerison, Severson, Steineke, Tiffany, Stroebel, Litjens, Mason, Danou, Clark and Milroy.
Noes: (1) Representative Hulsey.
Absent: (2) Representatives Williams and Molepske Jr.

ASSEMBLY SUBSTITUTE AMENDMENT 1 ADOPTION RECOMMENDED, Ayes 13, Noes 1

Moved by Representative Rivard, seconded by Representative Kleefisch that **Assembly Bill 421** be recommended for passage as amended.

Ayes: (9) Representatives Mursau, Rivard, Kleefisch, Nerison, Severson, Steineke, Tiffany, Stroebel and Litjens.
Noes: (5) Representatives Mason, Danou, Clark, Milroy and Hulsey.
Absent: (2) Representatives Williams and Molepske Jr.

PASSAGE AS AMENDED RECOMMENDED, Ayes 9, Noes 5



Tim Gary
Committee Clerk

Stroebel, Litjens, Mason, Danou, Clark and
Milroy.

Noes: (1) Representative Hulsey.

PASSAGE AS AMENDED, Ayes 9, Noes 5

Ayes: (9) Representatives Mursau, Rivard, Kleefisch,
Nerison, Severson, Steineke, Tiffany,
Stroebel and Litjens.

Noes: (5) Representatives Mason, Danou, Clark,
Milroy and Hulsey.

THE PUBLIC HEARING RECORD OF TESTIMONY FROM 2011
SEPTEMBER SPECIAL SESSION ASSEMBLY
BILL 24 BE APPLIED TO 2011 ASSEMBLY
BILL 421 RECOMMENDED, Ayes 14, Noes 0

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

Noes: (0) None.

Rep. Jeff Mursau

Representative Jeffrey Mursau
Chair

Vote Record Committee on Natural Resources

Date: 12-14-2011

Moved by: Rivard

Seconded by: Kleefisch

AB 421

SB _____

Clearinghouse Rule _____

AJR _____

SJR _____

Appointment _____

AR _____

SR _____

Other _____

A/S Amdt 1

A/S Amdt _____ to A/S Amdt _____

A/S Sub Amdt 1

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 Nonconcurrence

<u>Committee Member</u>	<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Not Voting</u>
Representative Jeffrey Mursau, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Roger Rivard	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Mary Williams	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Joel Kleefisch	<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"/>
Representative Erik Severson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Jim Steineke	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Thomas Tiffany	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Duey Stroebel	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Michelle Litjens	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Louis Molepske Jr	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Representative Cory Mason	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Chris Danou	<input type="checkbox"/>	<input checked="" 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 Nick Milroy	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Brett Hulsey	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Totals: 10 4 2 _____

Motion Carried Motion Failed

Vote Record Committee on Natural Resources

Date: 12-14-2011

Moved by: Rivard

Seconded by: SEVERSON

AB 421 SB _____ Clearinghouse Rule _____
 AJR _____ SJR _____ Appointment _____
 AR _____ SR _____ Other _____

A/S Amdt _____
 A/S Amdt _____ to A/S Amdt _____
 A/S Sub Amdt 1
 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 Nonconcurrence

Committee Member	Aye	No	Absent	Not Voting
Representative Jeffrey Mursau, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Roger Rivard	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Mary Williams	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Joel Kleefisch	<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"/>
Representative Erik Severson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Jim Steineke	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Thomas Tiffany	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Duey Stroebel	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Michelle Litjens	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Louis Molepske Jr	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Representative Cory Mason	<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 Fred Clark	<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 Brett Hulse	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Totals: 13 1 2 _____

Motion Carried Motion Failed

Vote Record Committee on Natural Resources

Date: 12-14-2011

Moved by: Rivard

Seconded by: Kleefisch

AB 421 SB _____ Clearinghouse Rule _____
 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 _____

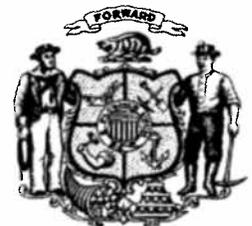
- Be recommended for:
- Passage Adoption Confirmation Concurrence Indefinite Postponement
 - Introduction Rejection Tabling Nonconcurrency

Committee Member	Aye	No	Absent	Not Voting
Representative Jeffrey Mursau, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Roger Rivard	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Mary Williams	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Representative Joel Kleefisch	<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"/>
Representative Erik Severson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Jim Steineke	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Thomas Tiffany	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Duey Stroebel	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Michelle Litjens	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Louis Molepske Jr	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Representative Cory Mason	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Chris Danou	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Fred Clark	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Nick Milroy	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Brett Hulse	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Totals:	<u>9</u>	<u>5</u>	<u>2</u>	_____

Motion Carried Motion Failed



WISCONSIN STATE LEGISLATURE





WISCONSIN'S BUSINESS VOICE SINCE 1911

TO: Members, Assembly Committee on Natural Resources
FROM: Scott Manley, Director of Environmental & Energy Policy
DATE: December 14, 2011
RE: Amendment to Assembly Bill 421

Wisconsin Manufacturers & Commerce (WMC) strongly supports an amendment offered by Rep. Tiffany to provide dispersion modeling relief to minor sources of air emissions.

Air dispersion modeling is sophisticated computer modeling used to predict future air quality associated with a business based upon circumstances unique to the facility. The modeling is expensive, and typically requires the hiring of outside consultants to perform the modeling analysis. Like any forecasting tool, dispersion modeling has inherent uncertainty, and often does not reflect actual air quality conditions observed by ambient air monitors.

Rep. Tiffany's amendment would clarify that the DNR is not require dispersion modeling when considering a permit for *minor sources of air emissions*.

A minor source is defined under federal law as a facility with a potential to emit less than 100 tons per year of a pollutant. They are often small businesses such as light manufacturers, printers, coaters, furniture makers and hospitals. These facilities are not even required to be permitted under the Clean Air Act, and many states choose not to permit them at all. However, in addition to requiring permits for minor sources, Wisconsin typically requires the same costly dispersion modeling for these facilities as if they were a "major" source like a power plant or refinery.

Because of the insignificant air emissions associated with minor facilities, it does not make sense to force these small businesses to endure the cost, delay and hassle associated with dispersion modeling. In fact, **an audit of Wisconsin's air management program by the Legislative Audit Bureau (LAB)¹ specifically recommended eliminating the modeling requirement for minor sources** as a means to reduce air permit backlogs and more efficiently use DNR permitting staff resources.

The LAB report noted that minor sources comprised 73 percent of all permitted facilities in Wisconsin, but **collectively accounted for only 1.2 percent of all emissions.**² These businesses do not significantly impact air quality, and it is therefore a waste of both private sector and public sector resources to require costly air dispersion modeling for permits.

¹ *Air Management Programs*, Audit 04-1, Wisconsin Legislative Audit Bureau; Page 44

² *Ibid*; Page 38

Rep. Tiffany's amendment would also specify that DNR may not require dispersion modeling to obtain coverage under registration permits or general permits. These "off the shelf" air permit streamlining tools were enacted in the bipartisan Jobs Creation Act (2003 Act 118) signed into law by Governor Doyle in 2004.

The intent of registration and general permits is a simplified and speedy permitting process for businesses with relatively small emissions that do not present unique permitting challenges. For example, registration permits may be applied for online, and DNR is required to issue or deny the permit within 15 days.

Unfortunately, dispersion modeling requirements have significantly diminished the value of registration permits by reintroducing the cost, delay and complexity that typically accompanies an individual permit. The modeling requirements have in many cases diluted the usefulness of these bipartisan streamlining tools without a corresponding environmental benefit, and have only succeeded in adding cost to small businesses.

WMC respectfully requests your support for the amendment to clarify that DNR may not require dispersion modeling for minor sources, registration permits or general permits.