

The Senate



SENATOR
PATRICIA L. BIRKHOLOZ
Chair

**Committee on Natural Resources
and Environmental Affairs**

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Minutes of the Standing Committee
on
Natural Resources and Environmental Affairs

Wednesday, September 9, 2009 3:00 p.m. Room 110, Farnum Building

The Senate Standing Committee on Natural Resources and Environmental Affairs was called to order by Senator Patricia Birkholz, Chair.

The Clerk called the roll; **members present were Senators Birkholz, Van Woerkom, and Gleason. (3/5)**

Members absent and excused were Senators Patterson and Basham. (2/5)

The Chair laid before the committee the minutes of July 15, 2009.

Senator Van Woerkom moved to adopt the minutes of July 15, 2009 as printed.

Senator Gleason supported the motion.

There being no objection the motion prevailed by unanimous consent; the minutes were adopted as printed.

The Chair laid before the committee Senate Bill 785.

Senate Bill No. 785, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 5202, 8807, 30105, 30301, 30305, 30306, 30306b, 30311, 30312, 30317, 32501, 32512, 32512a, and 32513 (MCL 324.5202, 324.8807, 324.30105, 324.30301, 324.30305, 324.30306, 324.30306b, 324.30311, 324.30312, 324.30317, 324.32501, 324.32512, 324.32512a, and 324.32513), section 5202 as added by 2002 PA 397, section 8807 as added by 1998 PA 287, section 30105 as amended by 2006 PA 531, sections 30301, 30305, 30306, 30312, 32501, and 32512 as amended and section 32512a as added by 2003 PA 14, section 30306b as added by 2006 PA 435, section 30311 as added by 1995 PA 59, section 30317 as amended by 1998 PA 228, and section 32513 as amended by 2008 PA 276, and by adding sections 30303b, 30303d, 30304b, 30305b, 30311b, 30311d, 30312b, 30312d, 30325, 30327, and 30329; and to repeal acts and parts of acts.

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Senator Birkholz, the bill sponsor, explained the reason for the legislation to the committee members.

Bob Wilson, Majority Policy Analyst, explained the contents of the bill.

Frank Ruswick, Senior Policy Advisor for the Department of Environmental Quality, and Kim Fish, Assistant Division Chief for the Land and Water Management Division for the Department of Environmental Quality, testified in support of the bill with changes. Following his remarks, Mr. Ruswick answered questions from the committee members. A copy of the department's handout is attached to the report-out-file for the bill.

Matt Smego and Carrie Vollmer-Sanders, representing Michigan Farm Bureau, expressed Farm Bureau's concerns with the bill. Mr. Smego addressed questions from committee members following his remarks. A copy of his handout is attached to the report-out-file for the bill.

Doug Roberts, representing the Michigan Chamber of Commerce, testified in opposition to the bill. Mr. Roberts responded to questions from committee members following his testimony. A copy of his handout is attached to the report-out-file for the bill.

Lee Schwartz, representing the Michigan Association of Home Builders, testified in support of the bill.

Lori Phalen, representing the Michigan Association of Conservation Districts, testified in support of the bill. A copy of her handout is attached to the report-out-file for the bill.

David Farhat, a board member of the Muskegon Conservation District, testified in support of the bill.

Ed Martel, representing Advanced GPS and GIS, testified in opposition to the bill. Mr. Martel answered questions from the committee members following his testimony.

Shirley Klungingzer testified in opposition to the bill.

Richard Buszek testified in opposition to the bill.

Pat McCollough, representing Save Our Shoreline, testified in opposition to the bill. Mr. McCollough answered questions from committee members. A copy of his handout is attached to the report-out-file for the bill.

Ron Ferrell spoke on the contents of the bill.

Steve Voice, representing Voice Environmental Group LLC, testified in support of the concept of the legislation, but feels that the legislation needs some changes.

The following individuals submitted a testimony cards, but did not wish to testify:

- David Bertram, representing the Michigan Townships Association, supports in concept;
- Judy Augenstein, representing the Michigan Association of Timberman, in support;
- Cathy Wilson, representing Consumers Energy, supports in concept;
- Maggie Cox, representing Michigan Forest Products, in support;
- Jean Hall, representing the Michigan Oil and Gas Association, neutral on the bill;

Brad Ward, representing the Michigan Association of Realtors, in support;
James Clift, representing the Michigan Environmental Council, in opposition to the bill;
Donald Dixon, representing Dixon Global LLC, neutral on the bill; and
Vern Brockway from Howell, Michigan, in opposition.

Senator Van Woerkom moved to excuse Senators Patterson and Basham from today's committee meeting.

Senator Gleason supported the motion.

There being no objections from the majority members present, the members were excused.

There being no other business before the committee; **Senator Van Woerkom moved to adjourn the meeting.**

Senator Gleason supported the motion.

The motion prevailed, the time being 4:50 p.m.

Patricia L. Birkholz, Chair

Senate Standing Committee on Natural Resources and Environmental Affairs

Joy A. E. Brewer, Committee Clerk

Date approved by the committee