

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**

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Wednesday, November 4, 2009                      1:30 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.

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Jacob and Maggie Gomola led the members of the committee in the recital of the *Pledge of Allegiance to the flag*.

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The Clerk called the roll; **members present were Senators Birkholz, Van Woerkom, Basham and Gleason. (4/5)**  
**Member absent and excused was Senator Patterson. (1/5)**

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The Chair laid before the committee the minutes of October 21, 2009 as printed.

**Senator Van Woerkom moved to adopt the minutes of October 21, 2009 as printed. Senator Basham supported the motion. There being no objection the motion prevailed by unanimous consent of the members present; the minutes were adopted as printed.**

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The Chair laid before the committee SB 934.

**Senate Bill No. 934, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 81101 (MCL 324.81101), as amended by 2004 PA 587.

Senator Ron Jelinek, the bill sponsor, explained the bill to the committee members.

Matt Smego, representing the Michigan Farm Bureau, testified in support of the bill.

Dan Eichinger, Legislative Liaison for the Department of Natural Resources, submitted testimony card stating the department is neutral on the issue, and did not wish to testify.

**Senator Van Woerkom report Senate 934 with the recommendation that the bill pass.**

**Senator Basham supported the motion.**

**The motion prevailed by an affirmative vote of a majority of the members appointed to and serving on the committee, voting as follows:**

**Yeas: Senators Birkholz, Van Woerkom and Basham, (3/5)**

**Nays: None. (0)**

**Senator Basham moved that the committee further recommend that the bill be given immediate effect.**

**Senator Van Woerkom supported the motion.**

**The motion prevailed by an affirmative vote of a majority of the members appointed to and serving on the committee, voting as follows:**

**Yeas: Senators Birkholz, Van Woerkom and Basham, (3/5)**

**Nays: None. (0)**

The bill was referred to the Committee of the Whole.

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Senator Gleason entered the room.

The Chair laid before the committee SB 578.

**Senate Bill No. 578, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 72101 (MCL 324.72101), as amended by 1997 PA 129, and by adding section 72114.

Senator Cameron Brown, the bill sponsor, explained the bill to the committee members. Following his testimony, Senator Brown responded to questions from committee members.

Representative Tim Moore testified in support of the bill. Following his testimony, Representative Moore addressed questions from committee members. A copy of his written testimony is attached to the report-out-file for the bill.

Kendra Everett, Legislative Director for Senator Cameron Brown, answered questions from committee members.

Mindy Koch, Resource Management Deputy for the Executive Division for the Department of Natural Resources, testified in opposition to the bill. Ms. Koch answered questions from members of the committee following her remarks.

**Senator Van Woerkom offered and moved to adopt the S-1 substitute for Senate Bill 578. Senator Basham supported the motion.**

**The motion prevailed by an affirmative vote of a majority of the members appointed to and serving on the committee, voting as follows:**

**Yeas: Senators Birkholz, Van Woerkom, Basham and Gleason, (4/5)**

**Nays: None. (0)**

Tom Casperson, representing the Back Country Horsemen, testified in support of the bill. Following his testimony, Mr. Casperson addressed questions from committee members. A copy of his handout is attached to the report-out-file for the bill.

Richard Kleinhardt, representing the Back Country Horsemen, testified in support of the bill. Following his testimony, Mr. Kleinhardt responded to questions from committee members. A copy of his handouts is attached to the report-out-file for the bill.

Dennis Muchmore explained his concerns with the legislation. Mr. Muchmore replied to committee members' questions after his testimony. A copy of his written testimony is attached to the report-out-file for the bill.

Randy Weber, representing the Horse Riders of Michigan, testified in support of the bill. A copy of his written testimony is attached to the report-out-file for the bill.

Jacob Gomola, representing the Back Country Horsemen of Michigan, testified in support of the legislation. A copy of his written testimony is attached to the report-out-file for the bill.

Dennis Hurley, representing the Highland Trail Riders, testified in support of the bill.

Norma Laine, representing the Back Country Horsemen of Michigan, testified in support of the legislation. A copy of her written testimony is attached to the report-out-file for the bill.

Vicki Reinhardt, representing the Back Country Horsemen of Michigan, testified in support of the legislation.

Linda Kreger, representing the Back Country Horsemen of Michigan, testified in support of the bill. A copy of her written testimony is attached to the report-out-file for the bill.

Gabrielle Hume, representing the Back Country Horsemen-Pigeon River, testified in support of the bill. Copy of her written testimony is attached to the report-out-file for the bill.

David Nyberg, representing Michigan United Conservation Clubs, testified in opposition to the bill. Copies of his handouts are attached to the report-out-file for the bill.

George Graves, representing the Back Country Horsemen of Michigan, testified in support of the bill.

The following individuals submitted testimony cards in support of the bill, but did not wish to testify:

Representative Joel Sheltroun;  
Representative Darwin L. Booher;  
Matt Smego, representing Michigan Farm Bureau\*;  
David Firman, representing Michigan Ropers Association;  
Gail Firman, representing Michigan Ropers Association;  
Marilyn Mannino, representing the Michigan Fox Trotter Association;  
Matt Smego, representing Michigan Farm Bureau;  
Jack Hoogendyk, representing Americans for Prosperity;  
Rita Parsh;  
John Pience;  
Randy Benner, representing Central Michigan Back Country Horseman;  
Marcia Nelson;  
Diane McConnell, representing Back Country Horseman;  
Ray Westphal, representing Back Country Horseman;  
Kathy Lowell, representing Back Country Horseman;  
Loretta Franklin, representing Back Country Horseman;  
Mary Ellen Jehnzen, representing Back Country Horseman;  
Mike Carlton, representing Back Country Horseman;  
Mike Stinson, representing Back Country Horseman;  
Karen J. Saia, representing Back Country Horseman;  
Allyn Jehnzen, representing Back Country Horseman;  
Jan Senneker, representing Back Country Horseman;  
Elaine Lokinski, representing Back Country Horseman;  
Phyllis Foster, representing Back Country Horseman;  
Darlene Harris, representing Back Country Horseman;  
Roy Wright, representing Back Country Horseman;  
David Wright, representing Back Country Horseman;  
Marlene S. Clark;  
Val Vance;  
Sharon Powers, representing Back Country Horseman;  
Kim Powers, representing Back Country Horseman;  
Larine Flick, representing Back Country Horseman;  
Judy Baker;  
Donald L. Baker;  
Kevin Cuthbertson, representing Back Country Horseman-Pigeon River;  
Kathy Lawless, representing Back Country Horseman;  
Julia Van Aken;  
Richard Clark;  
Robert Ricksgers, representing Back Country Horseman of Michigan;  
Brenda Ricksgers, representing Back Country Horseman of Michigan;  
Albert Bailey;  
Conard Fischhaber, representing Back Country Horseman;  
Gail Jacobs, representing Back Country Horseman of Michigan of Michigan;

Kelly Sible, representing Back Country Horseman;  
Bill Jacobs, representing Back Country Horseman of Michigan;  
John Kronienberg, representing Horse Riders;  
Maggie Gomola, representing Back Country Horseman-Pigeon River;  
Kevin R. Rider;  
David Gomola, representing Back Country Horseman;  
Connie Kleinhardt, representing Back Country Horseman of Michigan;  
Julie Rescoe, representing Back Country Horseman of Michigan;  
Kathy Jackson, representing Back Country Trail Riders;  
Larry Kleinhardt, representing Back Country Horseman;  
Judy Kleinhardt, representing Back Country Horseman;  
Sue Armstrong, representing Pinkney Trail Riders Association;  
Jean Tata, representing Back Country Horseman;  
Laura Fil, representing Back Country Horseman;  
Amelia Beyer;  
Barbara J. Henderson, representing Shore to Shore Trail Riders, Michigan Trail Riders Association, 4-H, and Tri-County Horse Association;  
Janet Day;  
Darlene Alexander, representing Back Country Horseman;  
Bonnie Cornelius, representing the Alpena Horse's Club;  
Jackie Konecke;  
Harley D. Jackson, representing Trail Riders;  
Ray Dodge, representing Trail Riders;  
Jeanie Keeher, representing Kensington Trail Riders Association;  
Barb Hertz, representing Kensington Trail Riders Association;  
Steve Hertz, representing Kensington Trail Riders Association;  
Kim Kauranen, representing Ostego County Mounted Division;  
Jessi Sheteron, representing Ostego County Mounted Division;  
Patricia Wahl, representing Shore to Shore Trail Riders and Tri-County Horse Association;  
Don L. Kleyer;  
Shirley A. Kleyes;  
Larry Wahl, representing Shore to Shore Trail Riders and Tri-County Horse Association;  
Bill Davis;  
Steven C. Rossman;  
Marieta Davis, representing Back Country Horseman-Pigeon River;  
Gordon R. Davis, representing Back Country Horseman;  
Ken Vandervest, representing Fort Custer Horse Friends;  
Chuck Fanslow, representing the Michigan Fox Trotter Association;  
Virginia Franklin, representing Shore to Shore Trail Riders;  
Ronald Beyer;  
Vicente Castellanos;  
Dick Ranney, representing Michigan Motorized Recreation Council; and  
Lewis Shuler, representing Cycle Conservation Club.

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The following individuals submitted testimony cards in opposition to the bill, but did not wish to testify:

Gayle Miller, representing Sierra Club, and  
Rachel Kuntzsch, representing the Heart of the Lakes Center for Land Conservation Policy.

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Per Rule 27 of the Senate Standing Committee on Natural Resources and Environmental Affairs Committee Rules, **Senator Patterson was excused from today's committee meeting.**

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There being no other business before the committee; **the Chair adjourned the meeting.**  
The time being 3:50 p.m.

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Patricia L. Birkholz, Chair  
Senate Standing Committee on Natural Resources and Environmental Affairs

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Joy A. E. Brewer, Committee Clerk

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Date approved by the committee