

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, May 26, 2010

1:00 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.

J. Scott Beckerman, Senior Vice President and Group Manager of the Environment Risk Management for Comerica Bank, led the members of the committee in the recital of the *Pledge of Allegiance to the flag*.

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)

The Chair laid before the committee the minutes of May 5, 2010 as printed.

Senator Van Woerkom moved to adopt the minutes of May 5, 2010 as printed.

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 Gleason, (3/5)

Nays: None. (0)

The minutes were adopted as printed.

Senator Basham entered the Committee Room.

The Chair laid before the committee Senate Bills 437, 1345, 1346, 1347, 1348 and 1349.

Senate Bill No. 437, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 20101 and 20120a (MCL 324.20101 and 324.20120a), section 20101 as amended by 1996 PA 383 and section 20120a as added by 1995 PA 71.

Senate Bill No. 1345, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 20114a, 20120a, 20120b, 20120c, and 20120d (MCL 324.20114a, 324.20120a, 324.20120b, 324.20120c, and 324.20120d), section 20114a as amended by 1996 PA 115, sections 20120a, 20120b, and 20120c as added by 1995 PA 71, and section 20120d as amended by 1996 PA 383, and by adding sections 20114b, 20114c, 20114d, 20120, and 20120e; and to repeal acts and parts of acts.

Senate Bill No. 1346, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 20101, 20104, and 20104a (MCL 324.20101, 324.20104, and 324.20104a), section 20101 as amended and section 20104a as added by 1996 PA 383 and section 20104 as amended by 1995 PA 71.

Senate Bill No. 1347, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 20112a, 20113, and 20114 (MCL 324.20112a, 324.20113, and 324.20114), section 20112a as added and section 20114 as amended by 1995 PA 71 and section 20113 as amended by 1996 PA 383.

Senate Bill No. 1348, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 20129, 20137, and 20139 (MCL 324.20129, 324.20137, and 324.20139), as amended by 1995 PA 71.

Senate Bill No. 1349, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 20107a and 20108b (MCL 324.20107a and 324.20108b), section 20107a as amended and section 20108b as added by 1996 PA 383.

Senator Birkholz provided the committee with a brief history on the legislation package.

Senator Basham, Minority Vice-Chair, commented on the bill package.

Bob Wilson, Senate Majority Policy Analyst, explained what has taken place with SB 437 to the committee members.

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

Matt Smego, representing the Michigan Farm Bureau;
Michael Gerdenich, Senior Remediation Specialist for the BASF Corporation;
Cathy Wilson, representing Consumers Energy;
Gary Melow, representing Michigan Biomass; and
Daniel C. O'Neill, representing the Michigan Chamber of Commerce.

Randy Gross, representing the Michigan Manufacturers Association, testified in support of the bills. A copy of his written testimony is attached to the report-out-file for the bills.

Doug Roberts and Arthur Siegal, representing the Michigan Chamber of Commerce, testified in support of the bill package. A copy of the Chamber's written testimony is attached to the report-out-file for the bills.

James Clift, representing the Michigan Environmental Council, testified in opposition to the bills.

Andy Schor, representing the Michigan Municipal League, testified in support of the bills.

Andy Such, representing the Michigan Chemistry Council, stated that the council is about ninety-five percent in support of the bill package as written.

Joelle Demand, representing the Michigan Bankers Association, testified in support of the bills.

J. Scott Beckerman, Senior Vice President and Group Manager of the Environment Risk Management for Comerica Bank, testified in support of the bill package.

John M. Griffin, representing the Associated Petroleum Industries of Michigan, expressed his concerns with the bill package.

Bob Wilson, Senate Majority Policy Analyst, explained the substitute (S-6) to the committee members.

Senator Birkholz offered the substitute (S-6) for Senate Bill 437.

Senator Van Woerkom moved to adopt the substitute (S-6) for Senate Bill 437.

Senator Gleason 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)

Senator Van Woerkom moved to report Senate Bill 437 with the recommendation that the substitute (S-6) be adopted and that the bill then pass.

Senator Gleason 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)

Senator Van Woerkom moved that the committee further recommend that the bill be given immediate effect.

Senator Gleason 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 Gleason, (3/5)

Nays: None, (0)

Pass: Senator Basham. (1/5)

The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

Bob Wilson, Senate Majority Policy Analyst, explained the contents of the bill to the committee members.

Senator Van Woerkom moved to report Senate Bill 1345 with the recommendation that the bill pass.

Senator Gleason 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)

Senator Van Woerkom moved that the committee further recommend that the bill be given immediate effect.

Senator Gleason 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 Gleason, (3/5)

Nays: None, (0)

Pass: Senator Basham. (1/5)

The bill was referred to the Committee of the Whole.

Bob Wilson, Senate Majority Policy Analyst, explained the contents of the bill to the committee members.

Senator Van Woerkom moved to report Senate Bill 1346 with the recommendation that the bill pass.

Senator Gleason 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)

Senator Van Woerkom moved that the committee further recommend that the bill be given immediate effect.

Senator Gleason 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 Gleason, (3/5)

Nays: None, (0)

Pass: Senator Basham. (1/5)

The bill was referred to the Committee of the Whole.

Bob Wilson, Senate Majority Policy Analyst, explained the contents of the bill to the committee members.

Senator Van Woerkom moved to report Senate Bill 1347 with the recommendation that the bill pass.

Senator Gleason 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)

Senator Van Woerkom moved that the committee further recommend that the bill be given immediate effect.

Senator Gleason 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 Gleason, (3/5)

Nays: None, (0)

Pass: Senator Basham. (1/5)

The bill was referred to the Committee of the Whole.

Bob Wilson, Senate Majority Policy Analyst, explained the contents of the bill to the committee members.

Senator Van Woerkom moved to report Senate Bill 1348 with the recommendation that the bill pass.

Senator Gleason 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)

Senator Van Woerkom moved that the committee further recommend that the bill be given immediate effect.

Senator Gleason 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 Gleason, (3/5)

Nays: None, (0)

Pass: Senator Basham. (1/5)

The bill was referred to the Committee of the Whole.

Bob Wilson, Senate Majority Policy Analyst, explained the contents of the bill to the committee members.

Senator Van Woerkom moved to report Senate Bill 1349 with the recommendation that the bill pass.

Senator Gleason 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)

Senator Van Woerkom moved that the committee further recommend that the bill be given immediate effect.

Senator Gleason 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 Gleason, (3/5)

Nays: None, (0)

Pass: Senator Basham. (1/5)

The bill was referred to the Committee of the Whole.

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

Senator Gleason 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)

Minutes of the Senate Standing Committee on Natural Resources and Environmental Affairs
Wednesday, May 26, 2010

7

Nays: None. (0)

Senator Patterson was excused from today's committee meeting.

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

Senator Van Woerkom supported the motion.

The motion prevailed, the time being 2:05 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