

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, May 13, 2009

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.

Representative Geoff Hansen from the One Hundredth House District 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 6, 2009.

**Senator Van Woerkom moved to adopt the minutes of May 6, 2009 as printed.**

**Senator Basham 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 House Bill 4145.

**House Bill No. 4145, entitled**

A bill to amend 2006 PA 237, entitled "An act to amend 1994 PA 451, entitled, "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending sections 80110, 80111, and 80112 (MCL 324.80110, 324.80111,

and 324.80112), as added by 1995 PA 58; and to repeal acts and parts of acts," by repealing enacting section 1.

Representative Hansen, the bill sponsor, explained the bill to the committee members.

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

Dan Eichinger, Legislative Liaison to the Department of Natural Resources,  
April Bennett, representing the Michigan United Conservation Clubs, and  
David Bertram, representing the Michigan Township Association.

**Senator Van Woerkom moved to report House Bill 4145 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 Van Woerkom moved that the committee further recommend that the bill be given immediate effect.**

**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)**

The bill was referred to the Committee of the Whole.

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The Chair laid before the committee House Bill 4579.

**House Bill No. 4579, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 41301, 41305, 41306, 41309, 41311, 41313, and 41323 (MCL 324.41301, 324.41305, 324.41306, 324.41309, 324.41311, 324.41313, and 324.41323), section 41301 as amended by 2005 PA 77, section 41305 as amended and section 41306 as added by 2005 PA 79, section 41309 as amended by 2005 PA 76, sections 41311 and 41313 as added by 2005 PA 80, and section 41323 as added by 2005 PA 75; and to repeal acts and parts of acts.

Bob Wilson, Senate Majority Policy Analyst, explained the substitute (S-2) for the bill to the committee members.

**Senator Van Woerkom offered and moved to adopt the substitute (S-2) for House Bill 4579.  
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)**

Representative Warren, the bill sponsor, explained the bill as amended to the committee members.

Dan Eichinger, Legislative Liaison for the Department of Natural Resources, testified in support of the legislation as amended.

**Senator Van Woerkom offered and moved to adopt the following amendments to House Bill 4579 (S-2):**

1. Amend page 2, line 5, after "**TO**" by striking out the balance of the line and inserting "**ALL OF THE FOLLOWING:**

**(A) THE LEGISLATURE.**

**(B) THE STANDING COMMITTEES OF THE SENATE AND HOUSE OF REPRESENTATIVES WITH PRIMARY RESPONSIBILITY FOR ANY OF THE FOLLOWING:**

**(i) AGRICULTURAL ISSUES.**

**(ii) ENVIRONMENTAL ISSUES.**

**(iii) NATURAL RESOURCES ISSUES."**

2. Amend page 2, line 14, after "**TO**" by striking out the balance of the line and inserting "**ALL OF THE FOLLOWING:**

**(A) THE LEGISLATURE.**

**(B) THE STANDING COMMITTEES OF THE SENATE AND HOUSE OF REPRESENTATIVES WITH PRIMARY RESPONSIBILITY FOR ANY OF THE FOLLOWING:**

**(i) AGRICULTURAL ISSUES.**

**(ii) ENVIRONMENTAL ISSUES.**

**(iii) NATURAL RESOURCES ISSUES."**

**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)**

Mitch Irwin, representing Michigan Agri Business Association, testified in support of the bill with amendments. Following his testimony, former Senator Irwin answered questions from committee members.

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

April Bennett, representing the Michigan United Conservation Clubs, and  
David Bertram, representing the Michigan Township Association.

**Senator Basham moved to report House Bill 4579 with the recommendation that the substitute (S-3) 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 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, Basham and Gleason, (4/5)**

**Nays: None. (0)**

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

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

**Senator Gleason supported the motion.**

**There being no objections from the majority members present, the member was excused.**

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

**Senator Basham supported the motion.**

The motion prevailed; the time being 2:34 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