

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, July 15, 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.

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 June 10, 2009.

Senator Van Woerkom moved to adopt the minutes of June 10, 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 House Bill 4199.

House Bill No. 4199, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 41325.

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

Dan Eichinger, Legislative Liaison to the Department of Natural Resources, testified in support of the bill. Following his testimony, Mr. Eichinger responded to questions from a committee member.

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

Tom Frazier, representing the Michigan Townships Association;

Teresa Edwards, representing the Michigan Waterfront Alliance; and

David Nyberg, representing the Michigan United Conservation Clubs.

Senator Birkholz offered the following amendment to House Bill 4199 (H-2):

1. Amend page 1, line 11, after “SITES.” by inserting “**THE DEPARTMENT SHALL INCLUDE THE NOTICE IN RELEVANT DEPARTMENT PUBLICATIONS AND POST THE NOTICE ON ITS WEBSITE.**”.

Senator Van Woerkom moved to adopt the amendment to House Bill 4199.

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)

Senator Van Woerkom moved to report House Bill 4199 with the recommendation that the substitute (S-1) be adopted and that the bill then 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, 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 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)

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

The Chair laid before the committee House Bill 4507.

House Bill No. 4507, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act,"

Representative Espinoza, the bill sponsor, explained the bill to the committee members. Following his introduction of the bill, Representative Espinoza answered a member's questions.

Chris Ball, representing Ball Equipment, testified in support of the bill.

William R. Dixon, representing the Sandusky Chamber of Commerce and the Sandusky Tribune, testified in support of the legislation. Mr. Dixon addressed questions from a member of the committee.

Paul Cowley, Mayor of Sandusky, testified in support of the bill.

Mike Patterson, representing Elk Township in Sanilac County, testified in support of the bill.

Greg Alexander, Sanilac County Drain Commissioner, testified in support of the legislation.

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

Eric Davis, representing Michigan Association of Counties, in support of the bill, and

Dan Eichinger, Legislative Liaison to the Department of Natural Resources, stating the department is neutral on this legislation.

Senator Van Woerkom moved to report House Bill 4507 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, 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 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).

The bill was referred to the Committee of the Whole.

The Chair laid before the committee the appointments of Mr. Gary F. Marowske to the Michigan State Watersway Commission.

Pursuant to Senate Rule 2.104(c), the Chair of Senate Government Operations Committee requests that Senate Natural Resources and Environmental Affairs Committee hold a hearing on the appointment of Mr. Gary F. Marowske to the Michigan State Waterways Commission, and make a written recommendation to the Government Operations Committee on this appointment.

Mr. Gary F. Marowske gave a brief statement. Following his remarks, Mr. Marowske addressed questions from various committee members.

Van Snider, representing the Michigan Boating Industries Association, submitted a testimony card in support of the appointments, but did not wish to testify.

Senator Basham moved that the Natural Resources and Environmental Affairs Committee recommend to the Government Operations Committee that they favorably report the

appointment of Mr. Gary F. Marowske to the Michigan State Waterways Commission to the Senate with a recommendation of advising and consenting to the appointment.

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, as follows:

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

Nays: None. (0)

The appointment of Mr. Gary F. Marowske to the Michigan State Waterways Commission was reported to the Senate Committee on Government Operations.

Andy Cook, son-law to Amando Rositas, Founder and Chief Executive Officer for Swimming Buddy, briefed the committee on his father-in-law's company's water safety device. Members of the committee followed their presentation with questions about their company's product.

James Clift and Scott Piggot, Co-Chairs of the Water Resources Advisory Council, presented their report on the Evaluation of the Water Withdrawal Assessment Screening Tool. Following the presentation, the Co-Chairs addressed questions from committee members.

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.

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

Senator Birkholz supported the motion.

The motion prevailed, the time being 2:24 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