

The Senate



SENATOR
PATRICIA L. BIRKHZOLZ
Chair

**Committee on Natural Resources
and Environmental Affairs**

P.O. BOX 30036
LANSING, MI 48909-7536
(517) 373-3447
Fax: (517) 373-5849

Minutes of the Standing Committee
on
Natural Resources and Environmental Affairs

Wednesday, September 21, 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.

Carol Linteau, Legislative Liaison for the Executive Division of the Department of Environmental Quality, 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, Patterson, Basham and Gleason. (5/5)**

The Chair laid before the committee House Bills 5055, 5221, 5222 and 5223.

House Bill No. 5055, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 30101, 30102, 30103, and 30104 (MCL 324.30101, 324.30102, 324.30103, and 324.30104), section 30101 as amended by 2006 PA 275, section 30102 as added by 1995 PA 59, section 30103 as amended by 2006 PA 33, and section 30104 as amended by 2008 PA 276, and by adding section 30106a.

House Bill No. 5221, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by repealing part 205 (MCL 324.20501 to 324.20519).

House Bill No. 5222, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by repealing part 317.

House Bill No. 5223, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 3118 and 3120 (MCL 324.3118 and 324.3120), section 3118 as amended by 2008 PA 2 and section 3120 as added by 2004 PA 91.

Greg McCullough, Legislative Assistant for Representative Bennett, the bill sponsor, referred to policy staff for explanation of the bill package.

Bob Wilson, Senate Majority Policy Analyst, briefed the committee on contents of the legislation.

Carol Linteau, Legislative Liaison for the Department of Environmental Quality, responded to questions from a committee member.

The following individuals were present from the Department of Environmental Quality if any of the members of the committee had questions:

William Creal, Chief of the Water Bureau for the Department of Environmental Quality;
Robert Avery, Chief of the Laboratory Services Section for the Environmental Science and Services Division of the Department of Environmental Quality; and
James Kasprzak, Chief of the Financial and Business Services Division of the Department of Environmental Quality.

James Clift, representing the Michigan Environmental Council, testified in support of the bill package.

Jennifer McKay, Policy Specialist for the Tip of the Mitt Watershed Council, submitted written testimony in support of House Bill 5055 (H-2) as passed by the House of Representatives. Her written testimony is attached to the report-out-file for the bill.

Senator Van Woerkom moved to adopt the substitute (S-1) for House Bill 5055.

Senator Patterson supported the bill.

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, Patterson, Basham and Gleason, (5/5)

Nays: None. (0)

Senator Gleason moved to report House Bill 5055 with the recommendation that the substitute (S-1) be adopted and that the bill then pass.

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, Patterson, Basham and Gleason, (5/5)

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, Patterson, Basham and Gleason, (5/5)

Nays: None. (0)

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

Senator Van Woerkom moved to report House Bill 5221 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, Patterson, Basham and Gleason, (5/5)

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, Patterson, Basham and Gleason, (5/5)

Nays: None. (0)

The bill was referred to the Committee of the Whole.

Senator Van Woerkom report House Bill 5222 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, Patterson, Basham and Gleason, (5/5)

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, Patterson, Basham and Gleason, (5/5)

Nays: None. (0)

The bill was referred to the Committee of the Whole.

Senator Basham moved to report House Bill 5223 with the recommendation that the bill pass.

Senator Gleason supported the motion.

Carol Linteau, Legislative Liaison for the Department of Environmental Quality, responded to questions from a committee member.

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, (5/5)

Nays: None, (0)

Pass: Senator Patterson. (1/5)

Senator Basham 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, Basham and Gleason, (5/5)

Nays: None, (0)

Pass: Senator Patterson. (1/5)

The bill was referred to the Committee of the Whole.

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 3:26 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