



MICHIGAN
HOUSE OF REPRESENTATIVES
P.O. Box 30014
LANSING, MICHIGAN 48909-7514

Minutes of the House Standing Committee
on
Natural Resources

Wednesday, May 9, 2018

9:00 a.m.

Room 326, House Office Building

The House Standing Committee on Natural Resources was called to order by Representative Gary Howell, Chair.

The Clerk called the roll; members present were **Representatives Howell, LaFave, Maturen, Bellino, Rendon, VanderWall, Sowerby, Chang, and Cambensy. (9/9)**
The Clerk announced that a quorum was present.

The Chair laid before the committee the minutes of May 2, 2018 as printed.

Representative Bellino moved to adopt the minutes of May 2, 2018, as printed. There being no objection the motion prevailed by unanimous consent of the members present; the minutes were adopted as printed.

The Chair laid before the committee House Bill 5638.

HB 5638 (Miller) Water; conservation; adverse resource impact from water withdrawal; revise standards for determining.

On Wednesday, May 2, 2018, the committee adopted a (H-1) substitute for House Bill 5638.

Representative Maturen offered and moved to adopt the following amendment to House Bill 5638 (H-1):

1. Amend page 11, following line 10, by inserting:
"(K) "PROFESSIONAL HYDROLOGIST OR HYDROGEOLOGIST" MEANS AN INDIVIDUAL HOLDING A CURRENT LICENSE OR REGISTRATION AS A PROFESSIONAL HYDROLOGIST, HYDROGEOLOGIST, OR GEOLOGIST, OR A CURRENT CERTIFICATION AS A PROFESSIONAL GEOLOGIST BY THE AMERICAN INSTITUTE OF PROFESSIONAL GEOLOGY." and relettering the remaining subdivisions.

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

Yeas: Representatives Howell, LaFave, Maturen, Bellino, Rendon, VanderWall, Sowerby, Chang and Cambensy, (9/9)

Nays: None. (0/9)

The amendment was adopted.

Representative Bellino offered and moved to adopt the following amendment to House Bill 5638 (H-1):

1. Amend page 9, following line 15, by inserting:

"(11) NOTHING IN THIS SECTION ALTERS ANY REQUIREMENT TO DISCLOSE INFORMATION OR ANY EXEMPTION FROM DISCLOSURE UNDER THE FREEDOM OF INFORMATION ACT, 1976 PA 442, MCL 15.231 TO 15.246, AS OTHERWISE PROVIDED UNDER SECTIONS 32707(6) AND 32708(4)." and renumbering the remaining subsection.

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

Yeas: Representatives Howell, LaFave, Maturen, Bellino, Rendon, VanderWall, Sowerby, Chang and Cambensy, (9/9)

Nays: None. (0/9)

The amendment was adopted.

Representative Cambensy offered and moved to adopt the following amendments to House Bill 5638 (H-1):

1. Amend page 2, line 19, after "**WITHIN**" by striking out "**10**" and inserting "**30**".
2. Amend page 2, line 27, after "**WITHIN**" by striking out "**10**" and inserting "**30**".

The motion did not prevail by an affirmative vote of a majority of the members appointed to and serving on the committee, voting as follows:

Yeas: Representatives Sowerby, Chang, and Cambensy, (3/9)

Nays: Representatives Howell, LaFave, Maturen, Bellino, Rendon, and VanderWall. (6/9)

The amendment was not adopted.

Representative Cambensy offered and moved to adopt the following amendment to House Bill 5638 (H-1):

1. Amend page 2, line 26, by striking out all of subdivision (a) and relettering the remaining subdivisions.

The motion did not prevail by an affirmative vote of a majority of the members appointed to and serving on the committee, voting as follows:

Yeas: Representatives Sowerby, Chang, and Cambensy, (3/9)

Nays: Representatives Howell, LaFave, Maturen, Bellino, Rendon, and VanderWall. (6/9)

The amendment was not adopted.

Representative Sowerby offered and moved to adopt substitute (H-2) to House Bill 5638. The motion did not prevail by an affirmative vote of a majority of the members appointed to and serving on the committee, voting as follows:

Yeas: Representatives Sowerby, Chang, and Cambensy, (3/9)

Nays: Representatives Howell, LaFave, Maturen, Bellino, Rendon, and VanderWall. (6/9)

The substitute was not adopted.

Representative VanderWall moved to report House Bill 5638 with recommendation, as amended, as substitute (H-3) and that the bill then pass.

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

Yeas: Representatives Howell, LaFave, Maturen, Bellino, Rendon, and VanderWall, (6/9)

Nays: Representatives Sowerby and Chang, (2/9)

Pass: Representative Cambensy. (1/9)

The bill and the substitute were referred to the order of Second Reading of Bills.

Amanda Fisher, Assistant State Director for National Federation of Independent Business, submitted written testimony and a card in support of the bill, but did not wish to testify. A copy is attached.

Jason Geer, Director of Energy and Environmental Policy for the Michigan Chamber of Commerce, submitted a testimony card in support of the bill, but did not wish to speak.

The Michigan Corn Growers Association submitted a card stating that their organization is in support of the bill.

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

David Hamilton, representing Nature Conservancy, and

Nicholas Occhipinti, Government Affairs Director Michigan League of Conservation Voters.

Dr. David P. Lusch, a retired Geology Professor from Michigan State University and a member of the Water Use Advisory Council, submitted written testimony for the bill, which is attached.

The Chair laid before the committee House Bill 5890.

HB 5890 (Pagel) Environmental protection; air pollution; location notification requirement; modify.

Tori Kletke, Representative Pagel's Legislative Assistant, introduced Sarah M. Howes, Legislative Liaison in the Executive Division of the Michigan Department of Environmental Quality, and Doug Needham, President of the Michigan Aggregates Association, who explained the bill. Questions followed.

Dale Klett, owner of Klett Recycle, submitted a testimony card in support of the bill, but did not wish to speak.

The Chair laid before the committee House Bills 5854 and 5855.

HB 5854 (Howell) Natural resources; wetlands; voluntary wetland restoration permit program; create.

HB 5855 (Bellino) Natural resources; wetlands; voluntary wetland restoration permit program; provide definitions for.

The Chair went at ease at the call of the Chair at 9:27 a.m.

The Chair handed over the gavel to the Majority Vice-Chair, Representative LaFave, at 9:28 a.m.

The Chair and Representative Bellino explained their bills. Questions followed.

The Majority Vice-Chair went at ease at the call of the Chair at 9:34 a.m.

Representative LaFave, the Majority Vice-Chair, turned over the gavel to the Chair at 9:35 a.m.

Gildo Tori, Director of Public Policy of Ducks Unlimited, Steve Wyckoff, Ducks Unlimited State Policy Chairman, and Jason Hill, Manager of Conservation Programs of Ducks Unlimited, testified in support of the bills, and submitted written testimony, which is attached. Questions followed.

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

Patty Troy, representing the St. Clair River Public Advisory Council;

David Bowers, representing Ducks Unlimited;

Marc Smith, Senior Policy Manager for the National Wildlife Federation-Great Lakes

Region;

Tony Demboski, President of the Upper Peninsula Sportsmen's Alliance;

Dennis Eade, Executive Director of Michigan Steelhead and Salmon Fishermen's Association;

Ryan Boyer, National Wild Turkey Federation;

Carol Rose, Upper Black River Council; and

Gary Gorniak, Straits Area Sportsmen's Club.

Robert Johnson, a private landowner from Saginaw, Michigan, submitted a testimony card wishing to speak in support of the bill, but due to time constraints he was not able to testify.

Sean Hammond, Deputy Policy Director for the Michigan Environmental Council, submitted a testimony card wishing to speak in opposition to the bill, but due to time constraints he was not able to testify. A copy of his written testimony is attached.

There being no further business before the committee; **Representative Bellino moved to adjourn the meeting.**

The motion prevailed, the time being 10:33 a.m.

The Chair declared the Committee adjourned.

Gary Howell, Chair
House Standing Committee on Natural Resources

Joy Brewer, Committee Clerk

Date approved by the committee