



HOUSE OF REPRESENTATIVES

COMMITTEE ON NATURAL RESOURCES AND OUTDOOR RECREATION

REP. GARY HOWELL

CHAIR

COMMITTEE MEETING MINUTES

Thursday, March 25, 2021

10:30 AM

Room 307, House Office Building

The House Committee on Natural Resources and Outdoor Recreation was called to order by Chair Howell.

The Chair requested attendance be called:

Present: Reps. Howell, Markkanen, LaFave, Eisen, Wakeman, Sowerby, Cambensy, Aiyash.

Absent: Rep. Marino.

Excused: Rep. Marino.

Representative Cambensy moved to adopt the meeting minutes from March 18, 2021. There being no objection, the motion prevailed by unanimous consent.

The Chair laid HB 4454, HB 4455, HB 4456, HB 4457, HB 4458, HB 4459, HB 4460 and HB 4461 before the committee:

HB 4454 (Rep. Howell)

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 11502 and 11503 (MCL 324.11502 and 324.11503), section 11502 as amended by 2018 PA 640 and section 11503 as amended by 2020 PA 85, and by designating sections 11501 to 11508 as subpart 1 of part 115.

HB 4455 (Rep. Cambensy)

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 11504, 11505, 11506, 11507, 11507a, and 11508 (MCL 324.11504, 324.11505, 324.11506, 324.11507, 324.11507a, and 324.11508), section 11504 as amended by 2020 PA 85, section 11505 as amended by 2018 PA 640, section 11506 as amended by 2018 PA 615, and

section 11507a as amended by 2004 PA 39.

HB 4456 (Rep. Sowerby)

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 11509, 11510, 11511, 11511a, 11511b, 11512, 11513, 11514, 11514b, 11515, 11516, 11517, 11518, 11519, 11519b, and 11521b (MCL 324.11509, 324.11510, 324.11511, 324.11511a, 324.11511b, 324.11512, 324.11513, 324.11514, 324.11514b, 324.11515, 324.11516, 324.11517, 324.11518, 324.11519, 324.11519b, and 324.11521b), sections 11509, 11510, 11512, 11513, 11515, 11516, and 11518 as amended and sections 11511a and 11519b as added by 2018 PA 640, section 11511 as amended by 2011 PA 215, section 11511b as amended by 2016 PA 437, section 11514 as amended by 2008 PA 394, section 11514b as added by 2018 PA 688, sections 11517 and 11519 as amended by 1996 PA 358, and section 11521b as added by 2014 PA 24, by designating sections 11509 to 11519b as subpart 2 and section 11521b as subpart 3 of part 115, and by adding sections 11512b, 11512d, 11512f, and 11512h; and to repeal acts and parts of acts.

HB 4457 (Rep. Rabhi)

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 11523, 11523a, 11523b, 11525, 11525a, and 11525b (MCL 324.11523, 324.11523a, 324.11523b, 324.11525, 324.11525a, and 324.11525b), sections 11523, 11523a, 11523b, 11525, and 11525b as amended by 2018 PA 640 and section 11525a as amended by 2019 PA 77, by designating sections 11523 to 11525f as subpart 4 of part 115, and by adding sections 11525d and 11525f.

HB 4458 (Rep. O'Malley)

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 11526, 11526a, 11527, 11528, 11531, 11532, 11533, 11539, 11540, 11541, 11546, and 11549 (MCL 324.11526, 324.11526a, 324.11527, 324.11528, 324.11531, 324.11532, 324.11533, 324.11539, 324.11540, 324.11541, 324.11546, and 324.11549), section 11526 as amended by 2004 PA 43, section 11526a as added by 2004 PA 40, sections 11528 and 11539 as amended by 2018 PA 640, section 11533 as amended by 2004 PA 44, section 11541 as amended by 1996 PA 358, section 11546 as amended by 2006 PA 56, and section 11549 as

amended by 2006 PA 58, and by designating sections 11526 to 11533 as subpart 5, sections 11539 to 11541 as subpart 6, and sections 11546 to 11549 as subpart 7 of part 115; and to repeal acts and parts of acts.

HB 4459 (Rep. Martin)

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 11550, 11553, and 11554 (MCL 324.11550, 324.11553, and 324.11554), section 11550 as amended by 2020 PA 201 and sections 11553 and 11554 as added by 2014 PA 178, and by designating section 11550 as subpart 8 and sections 11553 and 11554 as subpart 9 of part 115.

HB 4460 (Rep. VanSingel)

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding subpart 10 to part 115.

HB 4461 (Rep. Tate)

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding subpart 11 to part 115.

Travis Boeskool and Liz Browne, representing the Department of Environment, Great Lakes and Energy, testified in support of HB 4454, HB 4455, HB 4456, HB 4457, HB 4458, HB 4459, HB 4460 and HB 4461.

Tenisha Sanders and Kevin Kendall, representing the Michigan Waste and Recycling Association, testified with no position on HB 4454, HB 4455, HB 4456, HB 4457, HB 4458, HB 4459, HB 4460 and HB 4461. Questions and discussion followed.

Horst Schmidt, representing the Upper Peninsula Environmental Coalition, testified in support of HB 4454, HB 4455, HB 4456, HB 4457, HB 4458, HB 4459, HB 4460 and HB 4461.

John Dulmes, representing the Michigan Chemistry Council, testified in support of HB 4454, HB 4455, HB 4456, HB 4457, HB 4458, HB 4459, HB 4460 and HB 4461. Questions and discussion followed.

Sean Hammond, representing the Michigan Environmental Council, testified in support of HB 4454, HB 4455, HB 4456, HB 4457, HB 4458, HB 4459, HB 4460 and HB 4461.

Tom Fraizer, representing the Michigan Townships Association, testified in support of HB 4454, HB 4455, HB 4456, HB 4457, HB 4458, HB 4459, HB 4460 and HB 4461.

The following people submitted a card in support of HB 4454, HB 4455, HB 4456, HB 4457, HB 4458, HB 4459, HB 4460 and HB 4461, but did not wish to speak:

Kerrin O'Brien, representing the Michigan Recycling Coalition.

Amy Drumm, representing the Michigan Retailers Association.

The following person submitted a card with no position on HB 4454, HB 4455, HB 4456, HB 4457, HB 4458, HB 4459, HB 4460 and HB 4461, but did not wish to speak:

Ben Tirrell, representing the Michigan Farm Bureau.

The following person submitted a card in support of HB 4459, but did not wish to speak:

David Bertram, representing Michigan State University.

The following person submitted a card in support of HB 4460, but did not wish to speak:

Bill Whitley, representing the Composting Council of Michigan.

The following person submitted a card in support of HB 4460 and HB 4461, but did not wish to speak:

Renee Wallace, representing Food Plus Detroit.

Representative Cambensy moved to report out HB 4454 with recommendation. The motion prevailed 7-0-1:

FAVORABLE ROLL CALL

Yeas: Reps. Howell, Markkanen, Eisen, Wakeman, Sowerby, Cambensy, Aiyash.

Nays: None.

Pass: Rep. LaFave.

Representative Cambensy moved to report out HB 4455 with recommendation. The motion prevailed 7-0-1:

FAVORABLE ROLL CALL

Yeas: Reps. Howell, Markkanen, Eisen, Wakeman, Sowerby, Cambensy, Aiyash.

Nays: None.

Pass: Rep. LaFave.

Representative Sowerby offered the following amendment to HB 4456:

1. Amend page 64, line 19, by striking out all of enacting section 3 and inserting:
"Enacting section 3. This amendatory act does not take effect unless all of the following bills of the 101st Legislature are enacted into law:

(a) House Bill No. 4454.

(b) House Bill No. 4455.

(c) House Bill No. 4457.

(d) House Bill No. 4458.

(e) House Bill No. 4459.

(f) House Bill No. 4460.

(g) House Bill No. 4461."

Representative Sowerby moved to adopt the amendment to HB 4456. The motion prevailed 8-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Howell, Markkanen, LaFave, Eisen, Wakeman, Sowerby, Cambensy, Aiyash.

Nays: None.

Pass: None.

Representative Sowerby moved to report HB 4456 as amended, as substitute (H-1). The motion prevailed 7-0-1:

FAVORABLE ROLL CALL

Yeas: Reps. Howell, Markkanen, Eisen, Wakeman, Sowerby, Cambensy, Aiyash.

Nays: None.

Pass: Rep. LaFave.

Representative Markkanen offered the following amendment to HB 4457:

1. Amend page 33, line 22, by striking out all of enacting section 2 and inserting:
"Enacting section 2. This amendatory act does not take effect unless all of the following bills of the 101st Legislature are enacted into law:

(a) House Bill No. 4454.

(b) House Bill No. 4455.

(c) House Bill No. 4456.

(d) House Bill No. 4458.

(e) House Bill No. 4459.

(f) House Bill No. 4460.

(g) House Bill No. 4461."

Representative Markkanen moved to adopt the amendment to HB 4457. The motion prevailed 8-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Howell, Markkanen, LaFave, Eisen, Wakeman, Sowerby, Cambensy, Aiyash.

Nays: None.

Pass: None.

Representative Cambensy moved to report HB 4457 as amended, as substitute (H-1). The motion prevailed 7-0-1:

FAVORABLE ROLL CALL

Yeas: Reps. Howell, Markkanen, Eisen, Wakeman, Sowerby, Cambensy, Aiyash.

Nays: None.

Pass: Rep. LaFave.

Representative Wakeman moved to report out HB 4458 with recommendation. The motion prevailed 7-0-1:

FAVORABLE ROLL CALL

Yeas: Reps. Howell, Markkanen, Eisen, Wakeman, Sowerby, Cambensy, Aiyash.

Nays: None.

Pass: Rep. LaFave.

Representative Sowerby moved to report out HB 4459 with recommendation. The motion

prevailed 7-0-1:

FAVORABLE ROLL CALL

Yeas: Reps. Howell, Markkanen, Eisen, Wakeman, Sowerby, Cambensy, Aiyash.

Nays: None.

Pass: Rep. LaFave.

Representative Aiyash offered the following amendment to HB 4460:

1. Amend page 25, line 21, by striking out all of enacting section 2 and inserting:
"Enacting section 2. This amendatory act does not take effect unless all of the following bills of the 101st Legislature are enacted into law:

- (a) House Bill No. 4454.
- (b) House Bill No. 4455.
- (c) House Bill No. 4456.
- (d) House Bill No. 4457.
- (e) House Bill No. 4458.
- (f) House Bill No. 4459.
- (g) House Bill No. 4461."

Representative Aiyash moved to adopt the amendment to HB 4460. The motion prevailed 8-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Howell, Markkanen, LaFave, Eisen, Wakeman, Sowerby, Cambensy, Aiyash.

Nays: None.

Pass: None.

Representative Aiyash moved to report HB 4460 as amended, as substitute (H-1). The motion prevailed 7-0-1:

FAVORABLE ROLL CALL

Yeas: Reps. Howell, Markkanen, Eisen, Wakeman, Sowerby, Cambensy, Aiyash.

Nays: None.

Pass: Rep. LaFave.

Representative LaFave offered the following amendments to HB 4461:

1. Amend page 7, line 22, after "**section**" by striking out "**11578(2)**," and inserting "**11578(3)**,".

2. Amend page 17, line 5, after "**(a)**" by striking out the balance of the line through the "**review.**" on line 6 and inserting "**Obtain from the planning committee an MMP review. The CAA shall timely direct the planning committee to prepare and submit the review.**".

3. Amend page 22, line 27, after "**115.**" by striking out the balance of the page through "**receivership.**" on line 1 of page 23.

4. Amend page 23, following line 1, by inserting:

"This state may serve as a responsible party under this subdivision on behalf of a municipality if the municipality is under a financial consent order or in receivership."

5. Amend page 33, line 21, by striking out all of enacting section 2 and inserting:

"Enacting section 2. This amendatory act does not take effect unless all of the following bills of the 101st Legislature are enacted into law:

- (a) House Bill No. 4454.
- (b) House Bill No. 4455.
- (c) House Bill No. 4456.
- (d) House Bill No. 4457.
- (e) House Bill No. 4458.
- (f) House Bill No. 4459.
- (g) House Bill No. 4460."

Representative LaFave moved to adopt the amendments to HB 4461. The motion prevailed 8-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Howell, Markkanen, LaFave, Eisen, Wakeman, Sowerby, Cambensy, Aiyash.

Nays: None.

Pass: None.

Representative Markkanen moved to report HB 4461 as amended, as substitute (H-1). The motion prevailed 7-0-1:

FAVORABLE ROLL CALL

Yeas: Reps. Howell, Markkanen, Eisen, Wakeman, Sowerby, Cambensy, Aiyash.

Nays: None.

Pass: Rep. LaFave.

Representative LaFave moved to excuse Representative Marino from the meeting. There being no objection the motion prevailed by unanimous consent.

There being no further business before the committee, Rep. Gary Howell adjourned the meeting at 11:36 AM.

Representative Gary Howell, Chair

Molly Wingrove

Committee Clerk

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