



### Governor Delivers 2014 State of the State Address

Governor Snyder delivered his 2014 State-of-the-State Address on January 16. The State-of-the-State Address traditionally sets the table with respect to what issues are likely to see action in the Legislature for the remainder of the year. The Governor took time to highlight positive developments in Michigan since taking office, such as job and per-capita personal income growth, and laid out an agenda of what items he believes deserve action in 2014. As 2014 is an election year for not only the Governor, but for other statewide offices and every seat in the Legislature as well, the forthcoming campaign season will have a significant impact on the legislative agenda before legislators break for full-time campaign activity in the summer.

Of particular interest to MWA members is the Governor's call for an increased state effort to compact invasive species, and a forthcoming recommendation in his Fiscal Year 2014-2015 budget on new funding to combat both aquatic and terrestrial invasive species. More information should be available when the Governor releases his proposed budget on February 5.

### Senate Bill 444 Update

Senator Tom Casperson (R-Escanaba) is continuing to work diligently to find a consensus on his legislation to both reform state aquatic invasive species program management and enable local units of government to raise funds to combat aquatic invasive species via lake user assessments. The legislative process sometimes necessitates significant give-and-take to find the votes necessary to move a bill, and Senate Bill 444 has certainly proved to be no exception as Senator Casperson continues working to develop a final product stakeholders can agree to.

The latest changes to the legislation include a cap requested by some Senators to limit how much local units of government can charge for actions such as parking, launching a boat or using a wash station to \$10 per vehicle or trailer per day and \$45 per year. Local units of government must also review any ordinances at least once every three years and allow for public comment.

The DNR has asked that such ordinances only apply to locations of facilities under the control of a local unit of government, and that the fee not apply to general public access to a waterbody. This position has caused concern amongst lakefront property owners in Senator Casperson's district, as that provision seemingly creates a loophole that would allow lake users to avoid the fees simply by avoiding boat launch facilities under control of local units of government.

Senator Casperson is working hard to develop sound public policy for lakefront property owners, and has been very inclusive and open to concerns from MWA and other stakeholders. However, additional input from MWA members with local legislators can have a significant impact on whether this legislation moves forward and in what form, as it is a work in progress. Please do not hesitate to contact Matt Kurta at Karoub Associates for more information, updates, or simply to ask how you can help at [mkurta@karoubassociates.com](mailto:mkurta@karoubassociates.com).

#### Rep. Wayne Schmidt (R-Traverse City) introduces strategic land management legislation

As DNR Director Keith Creagh relayed to the MWA Board in December, Rep. Wayne Schmidt (R-Traverse City) has introduced legislation to repeal the cap on total acreage for which the DNR can acquire surface rights and approve the DNR's strategic plan for acquiring and disposing of land. The legislation, HB 5210, had a hearing before the House Natural Resources Committee this week.

Currently under state law as amended in 2012, the DNR can only own or acquire the surface rights on up to 4.626 million acres of land statewide until May 1, 2015. Beginning on that date, the cap would shift to to limit DNR land ownership to 3.91 million acres north of an artificial line across the Lower Peninsula between Mason and Arenac Counties, with a number of exceptions, such as land subject to conservation easements or acquired as a gift.

In response to concerns from legislators, citizens and local units of government in Northern Michigan and the U.P., the DNR has developed a strategic land management policy divided into regions with the hope of fostering better communication with local units of government and measurable strategic performance goals for state lands. MWA supported this legislation in committee, thanks Rep. Schmidt for his efforts, and will continue to follow this legislation going forward.

BILL	SPONSOR	PARTY	DESCRIPTION	STATUS
HB 4095	Rep. Greg MacMaster	R	Convert certain watercraft violations from misdemeanors to civil infractions	Referred to House Committee on Criminal Justice
HB 4096	Rep. Greg MacMaster	R	Exempt certain barges from lighting requirements	Referred to House Committee on Regulatory Reform
HB 4106	Rep. Bob Genetski	R	Clarify allowable use of Michigan Natural Resources Trust Fund for dredging of Great Lakes Harbors	Referred to House Committee on Natural Resources
HB 4122	Rep. Dian Slavens	D	Regulate exploration and operation of oil & gas wells in residential areas	Referred to House Committee on Energy & Technology
HB 4208	Rep. Dale Zorn	R	Revise residency requirements for resort districts	PA 245 of 2013
HB 4179	Rep. Al Pscholka	R	Allows tax increment financing for waterways dredging	Referred to House Committee on Natural Resources

HB 4197	Rep. Frank Foster	R	Appropriates \$30 million to DNR for waterways dredging	Referred to House Appropriations Committee
HB 4234	Rep. Andrea LaFontaine	R	Provide for sales tax on the difference between trade-in and purchase price for motor vehicles & titled watercraft	Public Act 159 of 2013
HB 4298	Rep. Jon Bumstead	R	Allow delinquent property tax notices to be posted online	House floor
HB 4339	Rep. Ed McBroom	R	Exempt county road commissions from wetland mitigation	Referred to House Committee on Transportation & Infrastructure
HB 4358	Rep. Wayne Schmidt	R	Eliminate flat gas tax and create refund period	Referred to House Committee on Transportation & Infrastructure
HB 4359	Rep. Wayne Schmidt	R	Establish wholesale gas tax	Referred to House Committee on Transportation & Infrastructure
HB 4398	Rep. Amanda Price	R	Revise permit fee for Great Lakes bottomlands dredging	Public Act 11 of 2013
HB 4399	Rep. Al Pscholka	R	Create expedited permit process in dredging emergencies	Public Act 12 of 2013
HB 4400	Rep. Peter Pettalia	R	Revise permit fee for Great Lakes bottomlands dredging	Public Act 13 of 2013
HB 4401	Rep. Peter Pettalia	R	Exempt certain mining operations from inland lakes & streams permit requirements	Referred to House Committee on Natural Resources
HB 4410	Rep. Andrea LaFontaine	R	Establishes marina dredging loan origination program	Referred to House Committee on Natural Resources
HB 4441 & 4442	Rep. Matt Lori	R	Revises penalties for operating watercraft while intoxicated or impaired	House floor

HB 4489	Rep. Thomas Stallworth	D	Authorize permit for oceangoing vessels on the Great Lakes if ballast tanks have been flushed with seawater	Referred to House Committee on Natural Resources
HB 4495	Rep. Dan Lauwers	R	Authorize permit for oceangoing vessels on the Great Lakes if ballast tanks have been flushed with seawater	Referred to House Committee on Natural Resources
HB 4510	Rep. Peter MacGregor	R	Authorize disposal of water-softening residuals through specific permitted facilities	Referred to House Committee on Natural Resources
HB 4539	Rep. Wayne Schmidt	R	Eliminate sales tax on gasoline	Referred to House Committee on Transportation & Infrastructure
HB 4622	Rep. Al Pscholka	R	Revise local drainage district boundaries	Referred to House Committee on Local Government
HB 4608	Rep. Shirkey	R	Increase registration fee for vehicles not subject to motor fuel or diesel fuel tax	Referred to House Committee on Transportation & Infrastructure
HB 4630	Rep. McCready	R	Modify vehicle registration fees	Referred to House Committee on Transportation & Infrastructure
HB 4632	Rep. Schmidt	R	Increase vehicle registration tax and create new registration tax for hybrid and alternative vehicles	Referred to House Committee on Transportation & Infrastructure
HB 4634	Rep. Schmidt	R	Modify trailer registration fees	Referred to House Committee on Transportation & Infrastructure
HB 4655	Rep. Yonker	R	Modify streamlined use tax on vehicles	Referred to House Committee on Tax Policy

HB 4678	Rep. Daley	R	Require water withdrawal dispute process for agricultural wells	Passed House, referred to Senate Committee on Government Operations
HB 4768	Rep. Crawford	R	Prohibit DEQ from limiting sodium concentration in groundwater discharge	Public Act 180 of 2013
HB 4793	Rep. Al Pscholka	R	Allow drainage district to institute condemnation proceedings to acquire right of way on private property	PA 262 of 2013
HB 4840	Rep. Nesbitt	R	Eliminate permit requirement for suction weed harvesting	Referred to House Committee on Natural Resources
HB 4841	Rep. Irwin	D	Create pesticide notification registry	Referred to House Committee on Regulatory Reform
HB 4856	Rep. Dillon	D	Allow local unit of government to charge for emergency rescue service during an emergency if individual was grossly negligent	House floor
HB 4857	Rep. VerHeulen	R	Allow local unit of government to charge for emergency rescue service during an emergency if individual was grossly negligent	House floor
HB 4885	Rep. Nesbitt	R	Reduce severance tax on production oil & gas from enhanced recovery projects	Referred to House Committee on Energy & Technology
HB 4899	Rep. Roberts	D	Require notice & public hearing prior to authorizing hydraulic fracturing	Referred to House Committee on Energy & Technology
HB 4900	Rep. Irwin	D	Require disclosure with respect to hydraulic fracturing	Referred to House Committee on Energy & Technology
HB 4901	Rep. Hovey-Wright	D	Provide for study of hydraulic fracturing	Referred to House Committee on Energy & Technology
HB 4902	Rep. Tlaib	D	Create presumption of liability from chemicals utilized in hydraulic fracturing process	Referred to House Committee on Energy & Technology

HB 4903	Rep. McCann	D	Require water withdrawal assessment tool for certain oil & gas operators	Referred to House Committee on Energy & Technology
HB 4904	Rep. Driskell	D	Eliminate preemption of local zoning of hydraulic fracturing operations	Referred to House Committee on Energy & Technology
HB 4905	Rep. Cochran	D	Prohibit usage of flowback water from hydraulic fracturing as dust suppression tool on dirt roads	Referred to House Committee on Energy & Technology
HB 4906	Rep. Barnett	D	Modify setback requirements for oil & gas wells	Referred to House Committee on Energy & Technology
HB 5107	Rep. Joe Graves	R	Create minor permit category for repair or replacement of a seawall	Passed House, Referred to Senate Natural Resources, Environment, and Great Lakes Committee
HB 5210	Rep. Wayne Schmidt	R	Remove acreage cap & approve DNR strategic land management plan	Referred to House Natural Resources Committee
SB 11	Sen. Tory Rocca	R	Establish sale prices as presumptive true cash value when a property is sold	Referred to Senate Finance Committee
SB 25	Sen. Dave Hildenbrand	R	Revise appeal process for personal residence exemptions	Public Act 140 of 2013
SB 78	Sen. Tom Casperson	R	Prohibit DNR designation of biodiversity areas	Passed the Senate, Referred to the House Committee on Natural Resources
SB 84-88	Senate Republicans	R	Gas tax package	Referred to Senate Appropriations Committee
SB 89 & 90	Sen. Dave Robertson	R	Provide for sales tax on the difference between trade-in and purchase price for motor vehicles & titled watercraft	SB 89 is now Public Act 160 of 2013, SB 90 Ordered Enrolled

SB 163	Sen. Mike Green	R	Revises permit exemptions for wetlands & inland lakes and streams, and requires additional justification from Department for denial of Part 13 permits	PA 98 of 2013
SB 164	Sen. Tom Casperson	R	Appropriates \$30 million to DNR for waterways dredging	Referred to Senate Appropriations Committee
SB 214	Sen. Tom Casperson	R	Expand appropriate use of MNRTF dollars	Referred to Senate Natural Resources, Environment, and Great Lakes Committee
SB 215	Sen. Jack Brandenburg	R	Reinstate state marina dredging loan program	Referred to Senate Outdoor Recreation & Tourism Committee
SB 218	Sen. Goeffrey Hansen	R	Allow water resource improvement tax increment finance authority to continue, and allow dredging	Public Act 25 of 2013
SB 229	Sen. John Moolenaar	R	Clarify that MNRTF dollars can be used for recreational dredging	On Senate Floor
SB 233	Sen. Darwin Boohar	R	Appropriates MNRTF projects for FY 2012	PA 9 of 2013
SB 243	Sen. Darwin Boohar	R	Requires half of Waterways Commission spending over next three fiscal years to be dedicated to recreational boating infrastructure, including breakwalls & dredging	Passed Senate, Referred to House Committee on Natural Resources
SB 252	Sen. Jack Brandenburg	R	Establishes marina dredging loan origination program	PA 10 of 2013
SB 264	Sen. Tom Casperson	R	Modify procedures for dredging permit issuance	PA 87 of 2013
SB 266	Sen. Mike Green	R	Authorize permits for oceangoing vessels on the Great Lakes if ballast tanks have been flushed with seawater	Referred to Senate Natural Resources, Environment, and Great Lakes Committee
SB 351	Sen. Arlan Meekhof	R	Clarifies that appropriate application of fertilizer is not a release	Public Act 141 of 2013



SB 394	Sen. Hune	R	Prohibit DEQ from limiting sodium concentration in groundwater discharge	Referred to Senate Natural Resources, Environment, and Great Lakes Committee
SB 444	Sen. Casperson	R	Revises aquatic species permit requirements, creates aquatic species database and website identifying infested lakes, and allows local ordinances and fees for aquatic nuisance control	On Senate Floor
SB 445	Sen. Booher	R	Remove Departmental authority to revise list of prohibited or restricted species	Referred to Senate Natural Resources, Environment, and Great Lakes Committee
SB 472	Sen. Walker	R	Modifications to State Survey and Remonumentation Act	Referred to Senate Committee on Local Government and Elections
SB 662	Sen. Robertson	R	Create minor permit category for repair or replacement of a seawall	Referred to Senate Natural Resources, Environment, and Great Lakes Committee