



Legislation introduced to overhaul aquatic invasive species rules and regulations

Sen. Tom Casperson (R-Escanaba) has introduced legislation that would enact significant changes to state law with respect to control of aquatic invasive species. SB 444, introduced on June 20, would amend the Natural Resources and Environmental Protection Act to do the following:

- Create multi-year permits that would be good for three years instead of one with a discount in the permit fee in the 3rd year,
- Allow fees to be paid and applications to be submitted electronically,
- Advance the DEQ approval deadline to April 1,
- Specify that the DEQ can begin work on permit applications or amendments to permits while the fee is being processed,
- Ensure DEQ can process permits year-round,
- Allow applicants to resubmit portions of permits to address points of concern if an application is denied rather than requiring resubmission of the entire application,
- Prohibit DEQ from charging another fee for resubmitted applications or amendments,
- Specify that an application is considered to be approved if DEQ misses the deadlines in the bill if the proposed treatment area is the same as was approved before,
- Require the DEQ to keep track of inland water bodies affected by aquatic nuisance species and list those bodies on the DEQ website.
- Permittees can expand their treatment area without waiting for DEQ approval if the treatment is for the same species and utilizes the same approach as already approved in the permit simply by requiring notification to DEQ and payment of the potential difference between fees.

Additionally, local units of government would now be able to adopt an ordinance to help control, prevent, or eradicate aquatic invasive species as follows:

- Locals would be allowed to charge a fee on the launching or use of a vessel on a waterbody to help with control efforts, administration (no more than 5% of the total fee), and enforcement if the DEQ verifies a waterbody is infested. A fee could not be charged after an invasive species is eradicated,
- The ordinance may exempt non-profits, government entities, or biologists helping with treatment, and
- The ordinance would only be enforceable if 50% of the locals with jurisdiction over the waterbody or 2/3 of the shoreline adopt the same ordinance.

The legislation was referred to the Senate Committee on Natural Resources, Environment, and Great Lakes, chaired by Sen. Casperson. The Senate is in recess for most of the summer, other than individual session days every two weeks, so the bill will not likely receive attention until the legislation returns to full session in the last week of August at the earliest. However, MWA members should take time to familiarize themselves with the details of the bill now, as it may see committee testimony and/or action in the fall, given numerous complaints legislators have received from local lakefront property owners and associations over current DEQ aquatic nuisance species control permit processes. The text of the bill is available at the following link:

<http://www.legislature.mi.gov/documents/2013-2014/billintroduced/Senate/pdf/2013-SIB-0444.pdf>

BILL	SPONSOR	PARTY	DESCRIPTION	STATUS
<i>HB 4095</i>	Rep. Greg MacMaster	R	Convert certain watercraft violations from misdemeanors to civil infractions	Referred to House Committee on Criminal Justice
<i>HB 4096</i>	Rep. Greg MacMaster	R	Exempt certain barges from lighting requirements	Referred to House Committee on Regulatory Reform
<i>HB 4106</i>	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
<i>HB 4122</i>	Rep. Dian Slavens	D	Regulate exploration and operation of oil & gas wells in residential areas	Referred to House Committee on Energy & Technology
<i>HB 4208</i>	Rep. Dale Zorn	R	Revise residency requirements for resort districts	Passed House, referred to Senate Committee on Local Government
<i>HB 4179</i>	Rep. Al Pscholka	R	Allows tax increment financing for waterways dredging	Referred to House Committee on Natural Resources
<i>HB 4197</i>	Rep. Frank Foster	R	Appropriates \$30 million to DNR for waterways dredging	Referred to House Appropriations Committee
<i>HB 4234</i>	Rep. LaFontaine	R	Provide for sales tax on the difference between trade-in and purchase price for motor vehicles & titled watercraft	Passed House, referred to Senate Finance Committee
<i>HB 4298</i>	Rep. Jon Bumstead	R	Allow delinquent property tax notices to be posted online	Referred to House Committee on Local Government
<i>HB 4339</i>	Rep. Ed McBroom	R	Exempt county road commissions from wetland mitigation	Referred to House Committee on Transportation & Infrastructure
<i>HB 4358</i>	Rep. Wayne Schmidt	R	Eliminate flat gas tax and create refund period	Referred to House Committee on Transportation & Infrastructure
<i>HB 4359</i>	Rep. Wayne Schmidt	R	Establish wholesale gas tax	Referred to House Committee on

				Transportation & Infrastructure
<i>HB 4398</i>	Rep. Amanda Price	R	Revise permit fee for Great Lakes bottomlands dredging	Public Act 11 of 2013
<i>HB 4399</i>	Rep. Al Pscholka	R	Create expedited permit process in dredging emergencies	Public Act 12 of 2013
<i>HB 4400</i>	Rep. Peter Pettalia	R	Revise permit fee for Great Lakes bottomlands dredging	Public Act 13 of 2013
<i>HB 4401</i>	Rep. Peter Pettalia	R	Exempt certain mining operations from inland lakes & streams permit requirements	Referred to House Committee on Natural Resources
<i>HB 4410</i>	Rep. Andrea LaFontaine	R	Establishes marina dredging loan origination program	Referred to House Committee on Natural Resources
<i>HB 4441 & 4442</i>	Rep. Matt Lori	R	Revises penalties for operating watercraft while intoxicated or impaired	House floor
<i>HB 4489</i>	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
<i>HB 4495</i>	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
<i>HB 4510</i>	Rep. Peter MacGregor	R	Authorize disposal of water-softening residuals through specific permitted facilities	Referred to House Committee on Natural Resources
<i>HB 4539</i>	Rep. Wayne Schmidt	R	Eliminate sales tax on gasoline	Referred to House Committee on Transportation & Infrastructure
<i>HB 4622</i>	Rep. Al Pscholka	R	Revise local drainage district boundaries	Referred to House Committee on Local Government
<i>HB 4608</i>	Rep. Shirkey	R	Increase registration fee for vehicles not subject to motor fuel	Referred to House Committee on

			or diesel fuel tax	Transportation & Infrastructure
<i>HB 4630</i>	Rep. McCready	R	Modify vehicle registration fees	Referred to House Committee on Transportation & Infrastructure
<i>HB 4632</i>	Rep. Schmidt	R	Increase vehicle registration tax and create new registration tax for hybrid and alternative vehicles	Referred to House Committee on Transportation & Infrastructure
<i>HB 4634</i>	Rep. Schmidt	R	Modify trailer registration fees	Referred to House Committee on Transportation & Infrastructure
<i>HB 4655</i>	Rep. Yonker	R	Modify streamlined use tax on vehicles	Referred to House Committee on Tax Policy
<i>HB 4678</i>	Rep. Daley	R	Require water withdrawal dispute process for agricultural wells	Passed House, referred to Senate Committee on Government Operations
<i>HB 4768</i>	Rep. Crawford	R	Prohibit DEQ from limiting sodium concentration in groundwater discharge	Passed House, Referred to Senate Committee on Natural Resources
<i>HB 4793</i>	Rep. Al Pscholka	R	Allow drainage district to institute condemnation proceedings to acquire right of way on private property	Referred to House Committee on Local Government
<i>HB 4840</i>	Rep. Nesbitt	R	Eliminate permit requirement for suction weed harvesting	Referred to House Committee on Natural Resources
<i>HB 4841</i>	Rep. Irwin	D	Create pesticide notification registry	Referred to House Committee on Regulatory Reform
<i>SB 11</i>	Sen. Tory Rocca	R	Establish sale prices as presumptive true cash value when a property is sold	Referred to Senate Finance Committee
<i>SB 25</i>	Sen. Dave Hildenbrand	R	Revise appeal process for personal residence	Referred to House Committee on

			exemptions	Tax Policy
<i>SB 78</i>	Sen. Tom Casperson	R	Prohibit DNR designation of biodiversity areas	Passed the Senate, Referred to the House Committee on Natural Resources
<i>SB 84-88</i>	Senate Republicans	R	Gas tax package	Referred to Senate Appropriations Committee
<i>SB 89 & 90</i>	Sen. Dave Robertson	R	Provide for sales tax on the difference between trade-in and purchase price for motor vehicles & titled watercraft	On House Floor
<i>SB 163</i>	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	Awaiting Governor's Signature
<i>SB 164</i>	Sen. Tom Casperson	R	Appropriates \$30 million to DNR for waterways dredging	Referred to Senate Appropriations Committee
<i>SB 214</i>	Sen. Tom Casperson	R	Expand appropriate use of MNRTF dollars	Referred to Senate Natural Resources, Environment, and Great Lakes Committee
<i>SB 215</i>	Sen. Jack Brandenburg	R	Reinstate state marina dredging loan program	Referred to Senate Outdoor Recreation & Tourism Committee
<i>SB 218</i>	Sen. Goeffrey Hansen	R	Allow water resource improvement tax increment finance authority to continue, and allow dredging	Public Act 25 of 2013
<i>SB 229</i>	Sen. John Moolenaar	R	Clarify that MNRTF dollars can be used for recreational dredging	On Senate Floor
<i>SB 233</i>	Sen. Darwin Booher	R	Appropriates MNRTF projects for FY 2012	PA 9 of 2013

<i>SB 243</i>	Sen. Darwin Booher	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
<i>SB 252</i>	Sen. Jack Brandenburg	R	Establishes marina dredging loan origination program	PA 10 of 2013
<i>SB 264</i>	Sen. Tom Casperson	R	Modify procedures for dredging permit issuance	Awaiting Governor's Signature
<i>SB 266</i>	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
<i>SB 351</i>	Sen. Arlan Meekhof	R	Clarifies that appropriate application of fertilizer is not a release	Senate Floor
<i>SB 394</i>	Sen. Hune	R	Prohibit DEQ from limiting sodium concentration in groundwater discharge	Referred to Senate Natural Resources, Environment, and Great Lakes Committee
<i>SB 444</i>	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	Referred to Senate Natural Resources, Environment, and Great Lakes Committee