



Friday, February 29, 2008

## **Birkholz Continues To Fight For Water Compact**

### **“Centerpiece”**

Senator Patty Birkholz (R-Saugatuck Twp.) says all sides appear to be close to an agreement on legislation that would put the state in a position to join the Great Lakes Compact as well as create new standards on how much water can be pumped out of the ground.

The Great Lakes Compact is an agreement among the eight states and two Canadian provinces bordering the Great Lakes that is designed to make the withdrawal of water from the Great Lakes basin difficult. To join the compact, each state must approve legislation outlining water withdrawal laws. Congress would be required to ratify the compact.

As the chair of the Senate Natural Resources and Environmental Affairs Committee, Birkholz has been working on water withdrawal legislation for five years and said “we’re pretty much in agreement” on the compact.

“The challenging part is coming to some sort of agreement on water withdrawal,” she said.

In 2003, a water withdrawal assessment tool was developed by University of Michigan researchers as a way to measure how much impact a particular water withdrawal would have on the state’s natural resources.

If someone wants to put in a well, the tool takes location, hydraulic factors and proximity to natural resources into account to measure exactly how much impact the withdrawal will have on the environment. The idea is that if the impact is minimum, the well will be approved and will not require a permit.

Areas that show an adverse impact would require a permit. Birkholz said the business community and some environmental groups, including the Michigan United Conservation Clubs (MUCC) are in support of using the tool. However, there’s still some work to do in regards to reaching an agreement on permitting.

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This week, the Senate Natural Resources and Environmental Affairs Committee unanimously moved bills addressing this issue, despite concerns from some environmentalists about the level of public involvement, among other issues.

Another piece of the compact puzzle that needs to fall into place before Michigan can join the eight-state pact is the ballast water issue. Michigan is the only state that requires ships to get rid of ballast water before entering its lakes. Ballast water frequently carries invasive species into new water sources.

Birkholz said Michigan is in a holding pattern on this issue and is waiting to see what the federal government does with water ballast laws before proceeding. Federal law preempts state law and there could be a problem if other states in the compact don't adhere to such laws.

Despite ongoing challenges facing Michigan's participation in the Great Lakes Compact, Birkholz said her committee will continue working on legislation to move the state forward.

### ***GCSEye on the Capitol***

#### ***Senate Ices Bowen Confirmation***

The Senate Commerce and Tourism Committee declined to vote on Gov. Jennifer Granholm's appointment of former State Employer Scott Bowen as Lottery Commissioner, citing Bowen's approval of automatic payroll deductions for political action committees (PAC) while he was state employer as reason for the non-endorsement.

The Senate plans to let the 60-day period in which the entire body needs to approve the appointment pass, meaning Bowen would take office without the Senate's blessing.

Granholm appointed Bowen to replace former lottery commissioner Gary Peters.

#### ***Senate Reviewing OFIS' Felony Licensing Approval***

The Senate is looking into why Office of Financial and Insurance Services (OFIS) Licensing Director Sonya Dungey gave insurance agent licenses to felons, despite a ruling issued by former OFIS Commissioner Linda Watters in 2004 that felons cannot receive the licenses.

OFIS' lead attorney believes Dungey knew she shouldn't give the licenses to an armed robber, three drug dealers and a sex offender. Dungey allegedly gave licenses to up to 14 convicted felons.

According to the attorney's letter to OFIS Acting Director Ken Ross, Dungey told a staff attorney that she approved the licenses for the felons because she didn't agree with the change in the agency's direction.

A labor relations investigator concluded last month that Dungey was not properly alerted in 2004 about OFIS' change in policy toward not licensing convicted felons to sell insurance.

The Senate is also expected to hold a confirmation hearing for Ross, who was appointed by Gov. Jennifer Granholm to replace Watters.

*Supremes Allow For Release of Kilpatrick Papers*

The state Supreme Court denied a request by the City of Detroit to keep documents detailing the City's \$8.4 million settlement with three Detroit police officers secret.

The *Detroit Free Press* requested the release of the documents on the grounds that they are public record. The documents further detail Detroit Mayor Kwame Kilpatrick's text-message scandal, which allegedly shows that the mayor ordered the dismissal of the officers for allegedly investigating wrongdoings in the mayor's office.

The *Detroit Free Press* has extensively covered the scandal, publishing entire segments of the text messages for public viewing.

**Look Ahead**

The three most talked about policy items in Lansing continue to be proposals to further dilute the state's electric choice law in connection with new alternative energy standards, reforms to the individual healthcare insurance market and the installation of new water withdrawal standards.

The latter, which is connected to Michigan's participation in a multi-state compact that makes out-of-basin water withdrawals next to impossible, saw movement in the Senate this week with a House committee expected to move its version next week.

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