

HOUSE BILL No. 4675

April 16, 1991, Introduced by Reps. Bartnik, Alley, DeMars, Weeks, Nye, Harder, Hoekman, Martin, Middaugh, Dalman, Jaye, Bodem, Hoffman, Niederstadt, Dobb and Middleton and referred to the Committee on Conservation, Recreation and Environment.

A bill to amend sections 1 and 11 of Act No. 245 of the Public Acts of 1929, entitled as amended

"An act to create a water resources commission to protect and conserve the water resources of the state, to have control over the pollution of any waters of the state and the Great Lakes, to have control over the alteration of the watercourses and the flood plains of all rivers and streams, with powers to make rules governing the same, and to prescribe the powers and duties of such commission; to require the registration of manufacturing products, production materials and waste products where certain wastes are discharged; to provide for surveillance fees upon discharges to the waters of the state in order to provide for investigation, monitoring and surveillance necessary to prevent and abate water pollution; to require permits to regulate the discharge or storage of any substance which may affect the quality of the waters of the state and to establish restrictions to assure compliance with applicable state standards and to authorize the establishment of permit restrictions and programs to assure compliance with applicable federal law and regulations; to prohibit the pollution of any waters of the state and the Great Lakes; to prohibit the obstruction of the floodways of the rivers and streams of the state; to designate the commission as the state agency to cooperate and negotiate with other governments and agencies in matters concerning the water resources of the state; and to provide penalties for the violation of this act,"

section 11 as amended by Act No. 19 of the Public Acts of 1990, being sections 323.1 and 323.11 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 1 and 11 of Act No. 245 of the Public
2 Acts of 1929, section 11 as amended by Act No. 19 of the Public
3 Acts of 1990, being sections 323.1 and 323.11 of the Michigan
4 Compiled Laws, are amended to read as follows:

5 Sec. 1. For the purpose of carrying out this act a water
6 resources commission, hereinafter referred to as the commission,
7 is created ~~which~~ WITHIN THE DEPARTMENT OF ENVIRONMENT AND HUMAN
8 HEALTH. THE WATER RESOURCES COMMISSION shall consist of the
9 director of ~~the department of natural resources~~ ENVIRONMENT AND
10 HUMAN HEALTH, the director of the department of ~~public health~~
11 NATURAL RESOURCES, the director of the department of THE state
12 ~~highways~~ TRANSPORTATION DEPARTMENT, the director of the depart-
13 ment of agriculture, and 3 citizens of the state to be appointed
14 by the governor, by and with the advice and consent of the
15 senate, 1 from groups representative of industrial management, 1
16 from groups representative of municipalities, and 1 from groups
17 representative of conservation associations or interests, for
18 terms of 3 years each. Vacancies shall be filled for the unex-
19 pired term in the same manner as original appointments. Members
20 of the commission shall be entitled to actual and necessary
21 expenses incurred in the performance of official duties. The
22 department of administration shall provide suitable office
23 facilities for the use of the commission. Each of the state
24 officers may designate a representative from his OR HER

1 department to serve in his OR HER stead as a member of the
2 commission for 1 or more meetings.

3 Sec. 11. As used in this act:

4 (a) "Commission" means the water resources commission.

5 (b) "Department" means the department of ~~natural resources~~
6 ENVIRONMENT AND HUMAN HEALTH.

7 (c) "Municipality" means the state, a county, city, village
8 or township, or an agency or instrumentality of any of these
9 entities.

10 (d) "Person" means an individual, municipality, industry,
11 public or private corporation, copartnership, firm or any other
12 entity whatsoever.

13 (e) "Rule" means a rule promulgated pursuant to the adminis-
14 trative procedures act of 1969, Act No. 306 of the Public Acts of
15 1969, being sections 24.201 to 24.328 of the Michigan Compiled
16 Laws.

17 (f) "Waters of the state" means groundwaters, lakes, rivers
18 and streams and all other watercourses and waters within the con-
19 fines of the state and also the Great Lakes bordering the state.

20 Section 2. This amendatory act shall not take effect unless
21 all of the following bills of the 86th Legislature are enacted
22 into law:

23 (a) Senate Bill No. _____ or House Bill No. 4674 (request
24 no. 02482'91).

25 (b) Senate Bill No. _____ or House Bill No. 4669 (request
26 no. 02483'91).