

SUBSTITUTE FOR
HOUSE BILL NO. 4305

A bill to make [, supplement, and adjust] appropriations for the department of environmental quality for the fiscal year ending September 30, 2000 and other fiscal periods; to prescribe the powers and duties of certain state agencies and officials; and to provide for the expenditure of the appropriations.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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PART 1
LINE-ITEM APPROPRIATIONS
Sec. 101. There is appropriated for the department of environmental quality to supplement former appropriations for the fiscal year ending September 30, 2000, from the following funds:
APPROPRIATION SUMMARY:
Full-time equated classified positions.....8.0
GROSS APPROPRIATION..... \$ 80,770,000
Interdepartmental grant revenues:

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For Fiscal Year Ending
September 30, 2000

1	Total interdepartmental grants and intradepartmental	
2	transfers.....	0
3	ADJUSTED GROSS APPROPRIATION.....	\$ 80,770,000
4	Federal revenues:	
5	Total federal revenues.....	0
6	Special revenue funds:	
7	Total local revenues.....	0
8	Total private revenues.....	0
9	Total other state restricted revenues.....	79,270,000
10	State general fund/general purpose.....	\$ 1,500,000

11 Sec. 102. DEPARTMENT OF ENVIRONMENTAL QUALITY**12 (1) APPROPRIATION SUMMARY:**

13	Full-time equated classified positions.....	8.0
14	GROSS APPROPRIATION.....	\$ 80,770,000
15	Interdepartmental grant revenues:	
16	Total interdepartmental grants and intradepartmental	
17	transfers.....	0
18	ADJUSTED GROSS APPROPRIATION.....	\$ 80,770,000
19	Special revenue funds:	
20	Clean Michigan initiative fund - administration.....	750,000
21	Clean Michigan initiative fund - clean water fund....	26,700,000
22	Clean Michigan initiative fund - contaminated	
23	sediments.....	5,220,000
24	Clean Michigan initiative fund - nonpoint source.....	100,000

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For Fiscal Year Ending
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1	Clean Michigan initiative fund - pollution prevention	
2	activities.....	3,000,000
3	Clean Michigan initiative fund - response activities.	13,000,000
4	Clean Michigan initiative fund - waterfront	
5	improvements.....	30,000,000
6	Retired engineers technical assistance fund.....	500,000
7	Total other state restricted revenues.....	79,270,000
8	State general fund/general purpose.....	\$ 1,500,000
9	(2) EXECUTIVE	
10	Environmental education curriculum.....	\$ <u>1,000,000</u>
11	GROSS APPROPRIATION.....	\$ 1,000,000
12	Appropriated from:	
13	Special revenue funds:	
14	Clean Michigan initiative fund - pollution prevention	
15	activities.....	1,000,000
16	State general fund/general purpose.....	\$ 0
17	(3) FINANCIAL AND BUSINESS SERVICES	
18	Financial support services.....	\$ <u>150,000</u>
19	GROSS APPROPRIATION.....	\$ 150,000
20	Appropriated from:	
21	Special revenue funds:	
22	Clean Michigan initiative fund - administration.....	150,000
23	State general fund/general purpose.....	\$ 0
24	(4) SURFACE WATER QUALITY	
25	Full-time equated classified positions.....	7.0
26	Water quality monitoring program support--	7.0 FTE
27	positions.....	\$ 525,000

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For Fiscal Year Ending
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1	Water quality monitoring program.....	3,000,000
2	Contaminated lake and river sediments cleanup program	5,220,000
3	Voluntary stormwater permit grants.....	3,000,000
4	Failing on-site septic systems.....	5,000,000
5	Protecting high quality waters.....	3,000,000
6	Illicit storm sewer connection grant program.....	5,000,000
7	Remedial action plan and lakewide management plan	
8	implementation grant program.....	5,000,000
9	Conservation reserve enhancement program match.....	3,000,000
10	Volunteer river, stream, and creek cleanup program...	<u>100,000</u>
11	GROSS APPROPRIATION..... \$	32,845,000
12	Appropriated from:	
13	Special revenue funds:	
14	Clean Michigan initiative fund - administration.....	525,000
15	Clean Michigan initiative fund - clean water fund....	25,500,000
16	Clean Michigan initiative fund - contaminated	
17	sediments.....	5,220,000
18	Clean Michigan initiative fund - nonpoint source.....	100,000
19	State general fund/general purpose..... \$	1,500,000
20	(5) ENVIRONMENTAL RESPONSE	
21	Brownfield grants and loans program..... \$	13,000,000
22	Waterfront redevelopment program.....	<u>30,000,000</u>
23	GROSS APPROPRIATION..... \$	43,000,000
24	Appropriated from:	
25	Special revenue funds:	
26	Clean Michigan initiative fund - response activities.	13,000,000

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For Fiscal Year Ending
September 30, 2000

1	Clean Michigan initiative fund - waterfront		
2	improvements.....		30,000,000
3	State general fund/general purpose.....	\$	0
4	(6) DRINKING WATER PROTECTION AND RADIOLOGICAL		
5	HEALTH		
6	Abandoned well management grants program.....	\$	<u>1,200,000</u>
7	GROSS APPROPRIATION.....	\$	1,200,000
8	Appropriated from:		
9	Special revenue funds:		
10	Clean Michigan initiative fund - clean water fund....		1,200,000
11	State general fund/general purpose.....	\$	0
12	(7) ENVIRONMENTAL ASSISTANCE DIVISION		
13	Full-time equated classified position.....	1.0	
14	Pollution prevention program support--	1.0 FTE	
15	position.....	\$	75,000
16	Retired engineers technical assistance program.....		500,000
17	Household hazardous waste collection program.....		1,000,000
18	Regional pollution prevention grant program.....		<u>1,000,000</u>
19	GROSS APPROPRIATION.....	\$	2,575,000
20	Appropriated from:		
21	Special revenue funds:		
22	Clean Michigan initiative fund - administration.....		75,000
23	Clean Michigan initiative fund - pollution prevention		
24	activities.....		2,000,000
25	Retired engineers technical assistance fund.....		500,000
26	State general fund/general purpose.....	\$	0

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PART 2

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PROVISIONS CONCERNING APPROPRIATIONS

5 **GENERAL SECTIONS**

6

Sec. 201. (1) Pursuant to section 30 of article IX of the state

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constitution of 1963, total state spending in this appropriation act is

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\$80,770,000.00 and state appropriations to be paid to local units of gov-

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ernment are estimated at \$64,200,000.00. The following itemized state-

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ment identifies appropriations from which spending to units of local gov-

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ernment will occur:

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DEPARTMENT OF ENVIRONMENTAL QUALITY

13

GRANTS

14

Abandoned well management grants program..... 1,200,000

15

Brownfield grants and loans program..... 13,000,000

16

Failing on-site septic systems..... 5,000,000

17

Household hazardous waste collection program..... 1,000,000

18

Illicit storm sewer connection grant program..... 5,000,000

19

Protecting high quality waters..... 3,000,000

20

Remedial action plan and lakewide management plan

21

implementation grant program..... 2,500,000

22

Voluntary stormwater permit grants..... 3,000,000

23

Volunteer river, stream, and creek cleanup program... 100,000

24

Water quality monitoring program..... 400,000

25

Waterfront redevelopment program..... 30,000,000

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TOTAL..... \$ 64,200,000

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1 (2) If it appears to the principal executive officer of a department
2 or agency that state spending to local units of government will be less
3 than the amount that was projected to be expended under subsection (1),
4 the principal executive officer shall immediately give notice of the
5 approximate shortfall to the state budget director, the senate and house
6 appropriations committees, and the senate and house fiscal agencies.

7 Sec. 202. As used in this act:

8 (a) "Department" means the department of environmental quality.

9 (b) "FTE" means full-time equated.

10 Sec. 203. The expenditures and fund sources authorized under this
11 act are subject to the management and budget act, 1984 PA 431,
12 MCL 18.1101 to 18.1594.

13 Sec. 204. The department of civil service shall bill departments
14 and agencies at the end of the first fiscal quarter for the 1% charges
15 authorized by section 5 of article XI of the state constitution of 1963.
16 Payments shall be made for the total amount of the billing by the end of
17 the second fiscal quarter.

18 Sec. 205. (1) From funds appropriated under part 1, the department
19 shall prepare the following reports:

20 (a) A report that lists all of the following regarding grant, loan,
21 or grant and loan programs administered by the department for the fiscal
22 year ending on September 30, 2000:

23 (i) The name of each program.

24 (ii) The goals, the criteria, including filing fees, and the nomi-
25 nating procedures, eligibility requirements, processes, and deadlines for
26 each program.

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1 (iii) The maximum and minimum grant and loan available and whether
2 there is a match requirement for each program.

3 (iv) The amount of any required match, and whether in-kind contribu-
4 tions may be used as part or all of a required match.

5 (v) Information pertaining to the application process, timeline for
6 each program, and the contact people within the department.

7 (vi) The source of funds for each program, including the citation of
8 pertinent authorizing acts.

9 (vii) Information regarding plans for the next fiscal year for the
10 phaseout, expansion, or changes for each program.

11 (b) A report that lists all recipients of grants or loans awarded by
12 the department by type and the amount of the grant or loan.

13 (2) The reports required under subsection (1)(a) shall be submitted
14 to the senate and house appropriations committees and the senate and
15 house fiscal agencies 30 days after appropriations are enacted. The
16 reports required under subsection (1)(b) shall be submitted to the senate
17 and house appropriations committees and the senate and house fiscal agen-
18 cies 30 days before notice of grant awards are provided to grant
19 applicants.

20 Sec. 206. If a department enters into a personal services contract
21 with any temporary service agency or similar contractor that hires or
22 subcontracts with a person who retired from employment in the department
23 under the early retirement program under section 19f of the state
24 employees' retirement act, 1943 PA 240, MCL 38.19f, the retired state
25 employee shall be limited to 500 hours for professional, technical, or
26 clerical services and 250 hours for management services. This limitation
27 does not apply to computer technology services. This provision only

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1 applies during a 24-month period after the date of retirement. This
2 section applies to each principal executive department and agency.

3 Sec. 207. The state budget director shall provide a list of pro-
4 posed work projects funded, in whole or in part, from appropriations in
5 this act to the house and senate appropriations committees on
6 November 15, 2000. This list shall provide detailed information includ-
7 ing a description of project activities and services, the total work
8 project funding level, spending for the fiscal year ending September 30,
9 2000, and the amount of budget authority required to complete the
10 project.

11 Sec. 208. (1) The department shall report all of the following
12 information relative to allocations made in part 1 of this act, the
13 brownfield grants and loans program, the national priority list municipal
14 landfill match grants program, the waterfront redevelopment grant pro-
15 gram, the contaminated lake and river sediments cleanup program, the non-
16 point source pollution prevention and control projects program, and the
17 environmental projects under section 19508(7) of the natural resources
18 and environmental protection act, 1994 PA 451, MCL 324.19508, to the
19 state budget director, the senate and house appropriations subcommittees
20 on environmental quality, and the senate and house fiscal agencies:

21 (a) The name of location of the site for which an allocation is
22 made.

23 (b) The nature of the problem encountered at the site.

24 (c) The estimated time necessary to prepare plans or complete any
25 necessary study if the allocation is for plans or a study.

26 (d) A brief description of how the problem will be resolved if the
27 allocation is for a response activity.

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1 (e) The estimated time to complete the response activity if the
2 allocation is for a response activity.

3 (f) The amount of the allocation, or the anticipated financing for
4 the site.

5 (g) A summary of the sites and the total amount of funds expended at
6 the sites at the conclusion of the fiscal year.

7 (h) The number of sites that would qualify as brownfields that were
8 redeveloped.

9 (2) The report prepared under subsection (1) shall also include the
10 status of all sites that are on the list compiled under part 201 of the
11 natural resources and environmental protection act, 1994 PA 451,
12 MCL 324.20101 to 324.20142, in which the state is liable under part 201
13 of the natural resources and environmental protection act, 1994 PA 451,
14 MCL 324.20101 to 324.20142.

15 (3) The report prepared under this section shall be made available
16 by June 2000.

17 Sec. 209. The appropriations in part 1 for environmental education
18 curriculum, contaminated lake and river sediments cleanup, voluntary
19 stormwater permit grants, failing on-site septic systems, protecting high
20 quality waters, illicit storm sewer connection grants, remedial action
21 plan and lakewide management plan implementation grants, volunteer river,
22 stream, and creek cleanup grants, brownfield grants and loans, waterfront
23 redevelopment, abandoned well management grants, household hazardous
24 waste collection, and regional pollution prevention grants are appropri-
25 ated for the biennium period October 1, 1999 through September 30, 2001.
26 Any unexpended funds shall lapse to the clean Michigan initiative fund
27 and be subject to reappropriation.

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Sec. 210. The department shall not approve or disburse any grant funds from appropriations in part 1, or any enacted appropriation that would [compete with] any Michigan private business or enterprise, or could result in the loss of jobs in another community or region of the state.

[Sec. 211. By March 1, 2000, the department of environmental quality shall submit to the senate and house of representatives appropriations committees and the standing committees of the senate and house of representatives with jurisdiction over issues primarily pertaining to natural resources and the environment, a plan for reporting on the expenditure of the proceeds of bonds issued under the clean Michigan initiative act, 1998 PA 284, MCL 324.95101 to 324.95108. The plan shall contain a proposal for preparation and distribution of reports to be issued beginning in 2003 and every 5 years thereafter until all bond proceeds have been expended and a final report that shall be issued within 1 year after all bond proceeds have been expended. The reports shall include, but are not limited to, all of the following:

(a) A cumulative update on the progress and accomplishments attributable to the expenditure of bond proceeds.

(b) The amount of bonds sold.

(c) The amount of bond proceeds expended.

(d) The number of and locations of sites in which bond proceeds have been expended.

(e) The number of and locations of sites that have been redeveloped with bond proceeds.

(f) A summary of the data collected with bond proceeds.

(g) A summary of the overall effectiveness of bond proceed expenditures.]

6 EXECUTIVE

7 Sec. 301. The appropriation in part 1 for environmental education
8 curriculum shall be used to support educator training, education material
9 development, and distribution of environmental education curriculum
10 materials. The department shall work with the department of education
11 and a technical advisory committee to develop and distribute environmen-
12 tal education curriculum. The department shall not distribute materials
13 that duplicate materials currently used by middle school educators.

14 SURFACE WATER QUALITY

15 Sec. 401. The department shall monitor the quality of surface
16 waters located in state parks and recreation areas. Water quality sam-
17 ples shall be collected and analyzed on a weekly basis between May 1 and
18 September 30, 2000. Site or beach summaries shall be posted on the
19 Internet and made available for general public use.

20 Sec. 402. The appropriation in part 1 for the volunteer river,
21 stream, and creek cleanup program shall be granted for river debris
22 cleanup projects. The local matching requirement in section 8802(4) of
23 the natural resources and environmental protection act, 1994 PA 451,

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- 1 MCL 324.8802, may be satisfied by local contributions, landfill fee
- 2 credits, and donated equipment.

[Sec. 403. The department shall track the expenditure of all clean Michigan initiative fund clean water fund, and of all clean Michigan initiative fund nonpoint source, expenditures according to the watershed in which they are being used.]