

SENATE BILL No. 861

October 27, 1999, Introduced by Senators SCHUETTE, GOUGEON, BENNETT, JOHNSON, BULLARD, GOSCHKA, MC MANUS, NORTH, HAMMERSTROM, SIKKEMA, LELAND, A. SMITH and PETERS and referred to the Committee on Economic Development, International Trade and Regulatory Affairs.

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
by amending section 20113 (MCL 324.20113), as amended by 1996 PA
383.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 20113. (1) Money required to implement the programs
2 described under this part and to pay for response activities rec-
3 ommended under this part shall be appropriated from the fund and
4 any other source the legislature considers necessary to implement
5 the requirements of this part.

6 (2) Money from the fund shall be appropriated only for
7 response activities at sites that have been subjected to the risk
8 assessment process described in section 20105.

9 (3) The department shall annually submit to the governor a
10 request for appropriation from the fund. The request ~~will~~

1 SHALL include a lump sum amount for EACH OF the purposes ~~of~~
2 DESCRIBED IN subsection (4)(a), ~~and a lump sum amount for the~~
3 ~~purposes of subsection (4)(f)~~ (F), AND (G). For EACH OF the
4 purposes ~~set forth~~ DESCRIBED in subsection (4)(b), (c), (d),
5 and (e), the request shall include a list of sites where the
6 department is proposing to expend funds. The list shall include
7 the following information for each site: the common name of the
8 site, the response activities that are planned to be conducted,
9 and the estimated amount of money that is needed to conduct the
10 response activities. The legislature shall approve by law the
11 list of sites to be addressed and shall provide a lump sum appro-
12 priation for these sites based on the total estimated amount
13 needed for the approved sites.

14 (4) Money from the fund may be used, upon appropriation, for
15 the following as determined by the department:

16 (a) National priority list municipal landfill cost-share
17 grants ~~to be~~ THAT ARE approved by the board pursuant to section
18 20109a.

19 (b) Superfund match, ~~which includes~~ INCLUDING funding for
20 any response activity that is required to match federal dollars
21 at a superfund site as required under the comprehensive environ-
22 mental response, compensation, and liability act of 1980, Public
23 Law 96-510, 94 Stat. 2767.

24 (c) Response activities to address actual or potential
25 public health or environmental problems.

26 (d) Completion of response activities initiated by the state
27 using ~~environmental protection bond funds~~ THE PROCEEDS OF BONDS

1 ISSUED UNDER PARTS 193 AND 195, or completion of response
2 activities at facilities initiated by a person who was liable
3 under this part prior to ~~Public Act 71 of 1995~~ JUNE 5, 1995,
4 but is not liable under section 20126 ~~of this part,~~ AND where
5 such response activities have ceased.

6 (e) Response activities at sites that will facilitate
7 redevelopment.

8 (f) Emergency response actions for sites to be determined by
9 the department.

10 (G) GRANTS TO FORECLOSING GOVERNMENTAL UNITS OTHER THAN THIS
11 STATE FOR RESPONSE ACTIVITIES ON PROPERTY IN THE POSSESSION OF
12 THE FORECLOSING GOVERNMENTAL UNIT PURSUANT TO SECTION 78M(7) OF
13 THE GENERAL PROPERTY TAX ACT, 1893 PA 206, MCL 211.78M.

14 (5) Money in the fund shall be expended first for the pur-
15 poses described in subsection (4)(b) and (f) and health or envi-
16 ronmental problems under subsection (4)(c) that are related to
17 acute health or environmental problems. Following these expendi-
18 tures, not less than 50% of the remaining money expended under
19 this section shall be expended for response activities that
20 facilitate redevelopment of urbanized areas. All additional
21 expenditures under this section shall be expended following the
22 expenditures described in this subsection. As used in this sub-
23 section, "urbanized area" means an urbanized area as determined
24 by the economics and statistics administration, United States
25 bureau of census, according to the 1990 census.

26 (6) The total amount of funds expended by the department for
27 national priority list municipal landfill cost-share grants shall

1 not exceed the lesser of 12% of the funds appropriated from the
2 fund in a fiscal year or \$6,000,000.00 in a fiscal year.

3 (7) Not later than December 31 of each year, the department
4 shall provide to the governor, the senate and house of represen-
5 tatives standing committees with jurisdiction over issues per-
6 taining to natural resources and the environment, and the senate
7 and house of representatives appropriations committees a list of
8 all projects financed under this part through the preceding
9 fiscal year. The list shall include the project site and loca-
10 tion, the nature of the project, the total amount of money autho-
11 rized, the total amount of money expended, and project status.