

Act No. 125
Public Acts of 1999
Approved by the Governor*
July 21, 1999
Filed with the Secretary of State
July 23, 1999
EFFECTIVE DATE: July 23, 1999

*Item Vetoes

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**STATE OF MICHIGAN
90TH LEGISLATURE
REGULAR SESSION OF 1999**

Introduced by Senators Bennett, Gast, McManus, North, Steil, Gougeon and Hoffman

ENROLLED SENATE BILL No. 364

AN ACT to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2000; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

The People of the State of Michigan enact:

PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. Subject to the conditions set forth in this act, the amounts listed in this part are appropriated for the department of environmental quality for the fiscal year ending September 30, 2000, from the funds indicated in this part. The following is a summary of the appropriations in this part:

DEPARTMENT OF ENVIRONMENTAL QUALITY

Full-time equated classified positions	1,610.7		
GROSS APPROPRIATION		\$	393,988,600
Interdepartmental grant revenues:			
Total interdepartmental grants and intradepartmental transfers			16,778,700
ADJUSTED GROSS APPROPRIATION		\$	377,209,900
Federal revenues:			
Total federal revenues			126,831,500
Special revenue funds:			
Total local revenues			1,195,600
Total private revenues			333,700
Total other state restricted revenues			152,602,700
State general fund/general purpose		\$	96,246,400
OPERATIONS APPROPRIATIONS SUMMARY:			
Full-time equated unclassified positions	6.0		
Full-time equated classified positions	1,607.7		
GROSS APPROPRIATION		\$	393,848,000
Interdepartmental grant revenues:			
IDG from MDOT, Michigan transportation fund			813,000
IDG-MSP			609,400

	For Fiscal Year Ending Sept. 30, 2000
IDG-MDCH.....	\$ 9,590,500
IDT, interdivisional charges	5,765,800
Total interdepartmental grants and intradepartmental transfers	16,778,700
ADJUSTED GROSS APPROPRIATION.....	\$ 377,069,300
Federal revenues:	
DOC, federal.....	3,047,700
DOD, federal.....	850,600
DOI, federal.....	456,300
EPA, federal.....	22,140,600
EPA-GWDW	3,715,600
EPA, superfund	8,428,800
EPA-UST	267,600
EPA-LUST trust.....	2,467,400
FEMA, federal	456,900
Federal revenues	85,000,000
Total federal revenues	126,831,500
Special revenue funds:	
Local funds.....	1,195,600
Total local revenues	1,195,600
Private funds	333,700
Total private revenues.....	333,700
Above ground storage tank fees.....	687,500
Hazardous waste facility closure revenue.....	1,000,000
Solid waste facility closure revenue.....	1,000,000
Air emissions fees.....	11,181,300
CESARS service fee	24,200
Cleanup and redevelopment fund	8,200,000
Drinking water revolving fund	5,829,400
Environmental response fund	9,089,200
Environmental education fund.....	172,100
Environmental pollution prevention fund.....	1,019,700
Environmental protection fund.....	6,000,000
Environmental training revenue	273,900
Fees and collections	723,600
Great Lakes protection fund	1,000,000
Hazardous materials transportation permit fund.....	114,300
Land and water permit fees	2,822,900
Landfill maintenance trust fund	46,500
Medical waste fees.....	397,000
Metallic mining surveillance fee revenue	62,900
Mineral well regulatory fee revenue.....	400,200
Michigan underground storage tank financial assurance fund.....	62,194,900
Oil and gas regulatory fund.....	9,115,000
Orphan well fund	1,308,000
Publication revenue	100,000
Public utility assessments	761,300
Public water supply fees	3,998,100
Revitalization revolving loan fund.....	1,000,000
Settlement funds.....	3,383,200
Sand extraction fee revenue	177,800
Scrap tire regulatory fund	1,607,000
Septage waste license fees.....	200,000
Sewage sludge land application fee	682,300
Solid waste program fees	1,165,200
Stormwater permit fees	1,269,800
Underground storage tank fees	6,441,900
Water analysis fees	2,268,700
Waste reduction fee revenue.....	3,565,200

		For Fiscal Year Ending Sept. 30, 2000
Water pollution control revolving fund	\$	3,108,000
Wastewater operator training fees		155,800
Water use reporting fees		55,800
Total other state restricted revenues		152,602,700
State general fund/general purpose	\$	96,105,800

Sec. 102. EXECUTIVE

Full-time equated unclassified positions	6.0	
Full-time equated classified positions	11.0	
Unclassified salaries		\$ 454,200
Executive direction—7.0 FTE positions		1,033,300
Office of the Great Lakes—4.0 FTE positions		767,000
GROSS APPROPRIATION		\$ 2,254,500
Appropriated from:		
Federal revenues:		
EPA, federal		223,200
DOI, federal		51,300
Special revenue funds:		
Environmental response fund		40,600
Environmental education fund		172,100
Oil and gas regulatory fund		84,300
Settlement funds		208,400
State general fund/general purpose	\$	1,474,600

Sec. 103. FINANCIAL AND BUSINESS SERVICES

Full-time equated classified positions	77.0	
Financial support services—27.0 FTE positions		\$ 1,497,400
Field operations support—20.0 FTE positions		1,380,900
Automated data processing—8.0 FTE positions		5,916,800
Office of special environmental projects—6.0 FTE positions		571,800
Personnel—12.0 FTE positions		756,100
Administrative hearings—4.0 FTE positions		386,200
GROSS APPROPRIATION		\$ 10,509,200
Appropriated from:		
IDT, interdivisional charges		5,765,800
Federal revenues:		
DOD, federal		15,000
EPA, superfund		56,400
Special revenue funds:		
Above ground storage tank fee revenue		22,900
Environmental response fund		766,800
Land and water permit fees		31,800
Michigan underground storage tank financial assurance fund		164,200
Oil and gas regulatory fund		413,900
Public water supply fees		156,500
Scrap tire regulatory fund		31,700
Settlement funds		183,900
State general fund/general purpose	\$	2,900,300

Sec. 104. DEPARTMENTAL OPERATION SUPPORT

Building occupancy charges	\$	2,210,600
Rent-privately owned property		4,691,700
Publications		100,000
GROSS APPROPRIATION	\$	7,002,300
Appropriated from:		
Special revenue funds:		
Air emissions fees		341,200
Environmental pollution prevention fund		37,900

		For Fiscal Year Ending Sept. 30, 2000
Environmental response fund	\$	417,400
Fees and collections		52,700
Land and water permit fees		62,600
Medical waste fees		18,600
Michigan underground storage tank financial assurance fund		132,300
Oil and gas regulatory fund		269,300
Publication revenue		100,000
Public utility assessments		11,300
Public water supply fees		167,000
Stormwater permit fees		43,300
Solid waste program fees		41,900
Scrap tire regulatory fund		35,000
Waste reduction revenue		52,000
Water analysis fees		92,900
Water pollution control revolving fund		79,400
Water use reporting fees		4,200
Underground storage tank fees		177,400
State general fund/general purpose	\$	4,865,900

Sec. 105. GEOLOGICAL SURVEY

Full-time equated classified positions	89.5	
Services to oil and gas programs—80.0 FTE positions	\$	8,415,800
Well plugging - orphan wells—2.5 FTE positions		1,308,000
Coal and sand dune management—3.0 FTE positions		582,800
Mineral wells management—3.0 FTE positions		400,200
Metallic mining reclamation program—1.0 FTE position		62,900
GROSS APPROPRIATION	\$	10,769,700
Appropriated from:		
Federal revenues:		
DOI, federal		405,000
Special revenue funds:		
Environmental response fund		71,200
Metallic mining surveillance fee revenue		62,900
Mineral well regulatory fee revenue		400,200
Orphan well fund		1,308,000
Oil and gas regulatory fund		8,219,100
Sand extraction fee revenue		177,800
State general fund/general purpose	\$	125,500

Sec. 106. LAND AND WATER MANAGEMENT

Full-time equated classified positions	147.0	
Land and water program direction—14.0 FTE positions	\$	1,229,800
Field permitting and project assistance—77.0 FTE positions		6,276,700
Dam safety, erosion control, and clean lakes—26.0 FTE positions		2,284,500
Great Lakes shorelands—30.0 FTE positions		3,162,900
GROSS APPROPRIATION	\$	12,953,900
Appropriated from:		
Interdepartmental grant revenues:		
IDG, Michigan transportation fund		813,000
Federal revenues:		
EPA, federal		681,800
DOC, federal		1,547,700
FEMA, federal		246,900
Special revenue funds:		
Local funds		148,700
Land and water permit fees		2,728,500
State general fund/general purpose	\$	6,787,300

Sec. 107. AIR QUALITY

Full-time equated classified positions	221.5	
Air quality programs—57.0 FTE positions.....	\$	4,893,800
Clean air act implementation—164.5 FTE positions.....		13,149,100
GROSS APPROPRIATION	\$	18,042,900
Appropriated from:		
Federal revenues:		
EPA, federal.....		3,243,900
Special revenue funds:		
Air emissions fees		8,562,400
Environmental response fund		82,200
State general fund/general purpose	\$	6,154,400

Sec. 108. SURFACE WATER QUALITY

Full-time equated classified positions	207.5	
Surface water compliance program—75.0 FTE positions.....	\$	6,156,500
Surface water permits program—35.0 FTE positions.....		3,177,100
Surface water surveillance program—65.5 FTE positions		7,115,500
State and local water quality management planning—8.0 FTE positions		1,641,500
Fish contaminant monitoring contracts.....		321,000
Sewage sludge land application program—9.5 FTE positions.....		682,300
Stormwater discharge program—14.5 FTE positions		1,152,900
GROSS APPROPRIATION	\$	20,246,800
Appropriated from:		
Federal revenues:		
EPA, federal.....		7,172,300
Special revenue funds:		
Local funds.....		1,046,900
CESARS service fee		24,200
Environmental response fund		136,000
State water pollution control revolving fund		554,100
Stormwater permit fees		1,146,500
Sewage sludge land application fee		682,300
State general fund/general purpose	\$	9,484,500

Sec. 109. DRINKING WATER PROTECTION AND RADIOLOGICAL HEALTH

Full-time equated classified positions	199.7	
Environmental health—31.0 FTE positions	\$	3,502,300
Laboratory services administration—69.0 FTE positions		5,951,700
Drinking water—81.2 FTE positions.....		11,713,800
Radiological protection—18.5 FTE positions		1,544,500
GROSS APPROPRIATION	\$	22,712,300
Appropriated from:		
Interdepartmental grant revenues		
IDG-MSP.....		609,400
Federal revenues:		
EPA, federal.....		1,003,700
EPA-GWDW		3,556,000
Special revenue funds:		
Drinking water revolving fund		3,280,700
Medical waste fees.....		378,400
Public water supply fees		2,274,600
Settlement funds.....		283,100
Water analysis fees		2,175,800
Water use reporting fees		51,600
Fees and collections		670,900
State general fund/general purpose	\$	8,428,100

Sec. 110. LOW-LEVEL RADIOACTIVE WASTE AUTHORITY

Full-time equated classified positions.....	2.0	
Low-level radioactive waste authority—2.0 FTE positions		\$ 750,000
GROSS APPROPRIATION.....		\$ 750,000
Appropriated from:		
Special revenue funds:		
Public utility assessments		750,000
State general fund/general purpose		\$ 0

Sec. 111. ENVIRONMENTAL RESPONSE

Full-time equated classified positions.....	263.0	
Environmental cleanup and redevelopment program.....		\$ 16,352,600
Contaminated site investigations, cleanup, and revitalization—211.0 FTE positions		15,527,100
State cleanup (Part 201 of 1994 PA 451).....		3,397,700
Emergency cleanup actions		2,000,000
Federal cleanup project management—52.0 FTE positions.....		5,112,100
Revitalization revolving loan program		7,000,000
Superfund cleanup		7,250,000
GROSS APPROPRIATION.....		\$ 56,639,500
Appropriated from:		
Federal revenues:		
DOD, federal.....		835,600
EPA, federal.....		1,411,000
EPA, superfund		8,372,400
Special revenue funds:		
Private funds		133,700
Cleanup and redevelopment fund		5,234,000
Environmental response fund		6,531,600
Environmental protection fund.....		6,000,000
Landfill maintenance trust fund		46,500
Revitalization revolving loan fund.....		1,000,000
Settlement funds.....		2,640,700
State general fund/general purpose		\$ 24,434,000

Sec. 112. STORAGE TANKS

Full-time equated classified positions.....	120.5	
MI underground storage tank financial assurance program—36.5 FTE positions.....		\$ 61,794,300
Underground storage tank program—45.0 FTE positions		6,534,100
Above ground storage tank program—9.0 FTE positions.....		664,600
Leaking underground storage tank cleanup program		5,966,000
Emergency cleanup actions		2,000,000
Leaking underground storage tank program—30.0 FTE positions		4,310,800
GROSS APPROPRIATION.....		\$ 81,269,800
Appropriated from:		
Federal revenues:		
EPA-LUST trust.....		2,467,400
EPA-UST		267,600
Special revenue funds:		
Above ground storage tank fees.....		664,600
Cleanup and redevelopment fund		2,966,000
Environmental response fund		1,043,400
Michigan underground storage tank financial assurance fund.....		61,794,300
Underground storage tank fees		6,264,500
State general fund/general purpose		\$ 5,802,000

Sec. 113. WASTE MANAGEMENT

Full-time equated classified positions.....	148.0	
Administration and technical support—20.0 FTE positions.....		\$ 1,488,900

		For Fiscal Year Ending Sept. 30, 2000
Compliance and enforcement—75.0 FTE positions.....	\$	4,548,300
Hazardous waste permits—25.0 FTE positions.....		1,936,700
Groundwater permits—17.0 FTE positions.....		1,307,900
Solid waste program—11.0 FTE positions		1,263,700
Hazardous waste program support		605,000
Hazardous waste disposal facility closures		1,000,000
Solid waste disposal facility closures		1,000,000
GROSS APPROPRIATION.....	\$	13,150,500
Appropriated from:		
Federal revenues:		
EPA, federal.....		2,903,000
Special revenue funds:		
Hazardous waste facility closure revenue.....		1,000,000
Hazardous materials transportation permit fund.....		114,300
Solid waste facility closure revenue.....		1,000,000
Environmental pollution prevention fund.....		981,800
Scrap tire regulatory fund		886,300
Solid waste program fees		1,123,300
State general fund/general purpose	\$	5,141,800

Sec. 114. ENVIRONMENTAL ASSISTANCE DIVISION

Full-time equated classified positions.....	101.0	
Municipal assistance—39.5 FTE positions	\$	3,192,400
Pollution prevention—29.0 FTE positions		2,562,600
Low-income community wastewater assistance		90,000
Environmental services—12.0 FTE positions		1,559,500
Pollution prevention outreach		200,000
Technical assistance—20.5 FTE positions		2,519,500
GROSS APPROPRIATION.....	\$	10,124,000
Appropriated from:		
Federal revenues:		
EPA, federal.....		783,300
EPA-GWDW		159,600
Special revenue funds:		
Private funds		200,000
Air emissions fees.....		612,900
Settlement funds.....		67,100
Drinking water revolving fund		1,218,700
Environmental training revenue		273,900
State water pollution control revolving fund		2,474,500
Stormwater permit fees		80,000
Waste reduction fee revenue.....		3,513,200
Wastewater operator training fees		155,800
State general fund/general purpose	\$	585,000

Sec. 115. CRIMINAL INVESTIGATIONS

Full-time equated classified positions.....	21.0	
Environmental investigations—21.0 FTE positions.....	\$	1,748,700
GROSS APPROPRIATION.....	\$	1,748,700
Appropriated from:		
Federal revenues:		
EPA, federal.....		128,400
Special revenue funds:		
MUSTFA fund		104,100
Oil and gas regulatory fund.....		128,400
Scrap tire regulatory fund		54,000
State general fund/general purpose	\$	1,333,800

For Fiscal Year
Ending Sept. 30,
2000

Sec. 116. GRANTS

Grants to counties—air pollution.....	\$	2,854,900
Water pollution control and drinking water revolving fund.....		102,353,500
Noncommunity water grants.....		1,400,000
Land resource program grants.....		1,800,000
Federal - nonpoint source water pollution grants.....		3,500,000
Federal - Great Lakes remedial action plan grants.....		700,000
Great Lakes research and protection grants.....		1,000,000
Radon grants.....		135,000
Septage waste compliance grants.....		200,000
Scrap tire grants.....		600,000
Drinking water revolving fund implementation.....		1,330,000
Local health department operations.....		9,590,500
GIS, floodplain mapping.....		210,000
GROSS APPROPRIATION.....	\$	125,673,900
Appropriated from:		
IDG-MDCH, local public health operations.....		9,590,500
Federal revenues:		
DOC, federal.....		1,500,000
EPA, federal.....		4,590,000
FEMA, federal.....		210,000
Federal revenues.....		85,000,000
Special revenue funds:		
Air emissions fees.....		1,664,800
Drinking water revolving fund.....		1,330,000
Great Lakes protection fund.....		1,000,000
Public water supply fees.....		1,400,000
Scrap tire regulatory fund.....		600,000
Septage waste license fees.....		200,000
State general fund/general purpose.....	\$	18,588,600

Sec. 117. BOND ADMINISTRATION SUMMARY

Full-time equated classified positions.....2.0		
GROSS APPROPRIATION.....	\$	140,600
ADJUSTED GROSS APPROPRIATION.....	\$	140,600
Special revenue funds:		
State general fund/general purpose.....	\$	140,600

Sec. 118. BOND WASTE MANAGEMENT

Full-time equated classified positions.....2.0		
Solid waste implementation staff—2.0 FTE positions.....	\$	140,600
GROSS APPROPRIATION.....	\$	140,600
Appropriated from:		
Special revenue funds:		
State general fund/general purpose.....	\$	140,600

PART 2

PROVISIONS CONCERNING APPROPRIATIONS

GENERAL SECTIONS

Sec. 201. (1) In accordance with the provisions of section 30 of article IX of the state constitution of 1963, total state spending in this appropriation act is \$248,849,100.00 and state appropriations to be paid to local units of government for fiscal year 1999-2000 are estimated at \$6,619,900.00. The itemized statement below identifies appropriations from which spending to units of local government will occur:

DEPARTMENT OF ENVIRONMENTAL QUALITY

GRANTS

Grants to counties - air pollution	\$	2,854,900
Septage waste compliance program		200,000
Scrap tire grants		600,000
Noncommunity water grants		1,400,000
Radon grants		135,000
Dam safety, erosion control, clean lakes		100,000
Drinking water grants		1,330,000
TOTAL	\$	6,619,900

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

Sec. 202. The appropriations made and the expenditures authorized under this act are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

Sec. 203. As used in this act:

- (a) "CESARS" means chemical evaluation search and retrieval system.
- (b) "CMI" means clean Michigan initiative.
- (c) "Department" means the department of environmental quality.
- (d) "DOC" means the United States department of commerce.
- (e) "DOC-NOAA" means the DOC national oceanic and atmospheric administration.
- (f) "DOD" means the United States department of defense.
- (g) "DOE" means the United States department of energy.
- (h) "DOI" means the United States department of interior.
- (i) "DOI-OSMRE" means the DOI office of surface mine reclamation.
- (j) "DOI-USGS" means the DOI United States geological survey.
- (k) "EPA" means the United States environmental protection agency.
- (l) "EPA-GWDW" means the EPA groundwater drinking water.
- (m) "EPA-LUST trust" means the EPA leaking underground storage tank trust fund.
- (n) "EPA, radon" means the EPA radon grants.
- (o) "EPA-UST" means the EPA underground storage tank.
- (p) "FEMA" means the federal emergency management agency.
- (q) "FTE" means full-time equated position.
- (r) "GIS" means geographic information system.
- (s) "IDG" means interdepartmental grant.
- (t) "IDT" means intradepartmental transfer.
- (u) "MDCH" means the Michigan department of community health.
- (v) "MDSP" means the Michigan department of state police.
- (w) "MI" means Michigan.
- (x) "MUSTFA" means the Michigan underground storage tank financial assurance fund.
- (y) "NPL" means the federal national priority list.

Sec. 204. (1) Beginning October 1, 1999, a hiring freeze is imposed on the state classified civil service. State departments and agencies are prohibited from hiring any new full-time state classified civil service employees or prohibited from filling any vacant state classified civil service positions. This hiring freeze does not apply to internal transfers of classified employees from 1 position to another within a department or to positions that are funded with 80% or more federal or restricted funds.

(2) The state budget director shall grant exceptions to this hiring freeze when the director believes that such a hiring freeze will result in rendering a state department or agency unable to deliver basic services. The state budget director shall report by the fifteenth of each month to the chairpersons of the senate and house appropriations

committees the number of exclusions to the hiring freeze approved during the previous month and the justification for each exclusion.

Sec. 205. The department of civil service shall bill the department at the end of the first fiscal quarter for the 1% charges authorized by section 5 of article XI of the state constitution of 1963. Payments shall be made for the total amount of the billing by the end of the second fiscal quarter.

Sec. 206. (1) From funds appropriated under part 1, the department shall prepare a report that lists all of the following regarding grant or loan or grant and loan programs administered by the department for the fiscal year ending on September 30, 2000:

(a) The name of each program.

(b) The goals of the program, the criteria, eligibility, process, filing fees, nominating procedures, and deadlines for each program.

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

(d) The amount of any required match, and whether in-kind contributions may be used as part or all of a required match.

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

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

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

(h) A listing of all recipients of grants or loans awarded by the department by type and amount of grant or loan.

(2) The reports required under this section shall be submitted to the senate and house of representatives appropriations committees and senate and house fiscal agencies by January 1, 2001.

Sec. 207. (1) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$30,000,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this bill pursuant to section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(2) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$5,000,000.00 for state restricted contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this bill pursuant to section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(3) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$100,000.00 for local contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this bill pursuant to section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(4) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$100,000.00 for private contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this bill pursuant to section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

Sec. 208. The department shall provide the state budget director, the subcommittees on natural resources and environmental quality of the house and senate appropriations committees, and the senate and house fiscal agencies with an annual report on restricted fund balances, projected revenues, and expenditures.

Sec. 209. The department shall provide an annual report on the total amount of funds received from responsible parties and legal settlements, and the disposition of these funds. Included in the report shall be a listing of the individual settlement cases, the location of the facilities involved, the type of violation committed, and the amount of funds received.

Sec. 210. (1) In addition to the funds appropriated for the environmental cleanup and redevelopment program listed in section 111, the department of environmental quality is authorized to expend amounts remaining from prior fiscal year appropriations to meet funding needs of legislatively approved sites.

(2) Unexpended and unencumbered amounts remaining from appropriations from the environmental protection bond fund contained in 1989 PA 180, 1990 PA 55, 1990 PA 194, 1991 PA 31, 1991 PA 160, 1993 PA 74, 1993 PA 353, 1994 PA 442, 1996 PA 353, and 1997 PA 114 are appropriated for expenditure for any site listed in this act and any site listed in the public acts referenced in this section.

(3) Unexpended and unencumbered amounts remaining from appropriations from the cleanup and redevelopment fund and unclaimed bottle deposits fund contained in 1996 PA 319, 1997 PA 113, 1997 PA 114, and 1998 PA 292 are appropriated for expenditure for any site listed in this act and any site listed in the public acts referenced in this section.

(4) The department shall provide an annual report by March 1, 2000, to the state budget director, the house and senate appropriations subcommittees on environmental quality, and the house and senate fiscal agencies that separately identifies the expenditures authorized by this section from the revenues available from the environmental bond fund, the unclaimed bottle deposit fund, the environmental response fund, and the cleanup and redevelopment fund. The report shall include the total amount of funds expended during the fiscal year and the amount of funds awaiting expenditure for environmental cleanup from the environmental protection bond appropriations, cleanup and redevelopment fund appropriations, environmental response fund appropriations, and general fund appropriations.

Sec. 211. (1) The department shall notify the legislature and offer a public meeting and public comment opportunity with respect to any request received by the state of Michigan to divert water from the Great Lakes pursuant to the water resources development act of 1986, Public Law 99-665, 100 Stat. 4082.

(2) By September 30, 2000, the department shall prepare and submit to the governor and legislature a report on anticipated Great Lakes water diversions in the twenty-first century and recommendations on a research program and other measures needed to evaluate the impact of proposed Great Lakes water diversions. The report shall also contain recommendations on appropriate state and federal policy and legislation needed to prevent or minimize, or both, the adverse impacts of new and increased Great Lakes water diversions, including proposals to draw water from the Great Lakes for commercial shipment outside the Great Lakes basin.

Sec. 212. The department shall implement a pilot program that places reports required by this act on the Internet, with electronic notification to legislative offices of Internet access to the reports. During fiscal year 2000, the department shall continue to distribute all of these reports to the legislature in the current printed format.

Sec. 213. Funds appropriated in part 1 shall not be used for the purchase of foreign goods or services, or both, if competitively priced American goods or services, or both, of comparable quality are available. By May 1, 2000, the department shall submit a report to the state budget director, the speaker and minority leader of the house of representatives, the majority and minority leaders of the senate, the chairpersons of the house and senate appropriations committees, and the house and senate fiscal agencies on efforts to comply with this section.

Sec. 214. (1) In the expenditure of funds appropriated under this act, the director of the department shall take all reasonable steps to ensure that businesses in deprived and depressed communities compete for and perform contracts to provide services or supplies, or both, for the department.

(2) The director of the department shall strongly encourage firms with which the department contracts to subcontract with businesses certified by the department of civil rights in depressed and deprived communities for services or supplies, or both.

Sec. 215. Sixty days before beginning any effort to privatize, the department shall submit a complete project plan to the appropriate house and senate appropriations subcommittees and the house and senate fiscal agencies. The plan shall include the criteria under which the privatization initiative will be evaluated. The evaluation shall be completed and submitted to the appropriate house and senate appropriations subcommittees and the house and senate fiscal agencies within 30 months.

Sec. 217. If a department enters into a personal services contract with any temporary service agency or similar contractor that hires or subcontracts with a person who retired from employment in the department under the early retirement program under section 19f of the state employees' retirement act, 1943 PA 240, MCL 38.19f, the retired state employee shall be limited to 500 hours for professional, technical, or clerical services and 250 hours for management services. This limitation does not apply to computer technology services. This provision only applies during a 24-month period after the date of retirement. This section applies to each principal executive department and agency.

Sec. 219. Of the money appropriated from the environmental education fund in section 102, \$5,000.00 shall be allocated to Michigan State University Extension Service - 4H Youth Programs to fund the Michigan Youth Conservation Council.

Sec. 220. The department shall provide a report prepared by the department's internal auditor on the activities of the internal auditor for the prior fiscal year. This report shall include a listing of each audit or investigation performed by the internal auditor pursuant to sections 486(4) and 487 of the management and budget act, 1984 PA 431, MCL 18.1486 and 18.1487. The report shall identify the proportion of time spent on each of the statutory responsibilities listed in sections 485(4), 486(4), and 487 of the management and budget act, 1984 PA 431, MCL 18.1485, 18.1486, and 18.1487,

and the time spent on all other activities performed in the internal audit function. The first report shall be due March 1, 2000, and biennially thereafter beginning on May 1 and shall be submitted to the governor, auditor general, the senate and house appropriations committees, the senate and house fiscal agencies, and the director.

Sec. 221. The departments and state agencies receiving appropriations under this act shall receive and retain copies of all reports funded from appropriations in part 1. These departments and state agencies shall follow federal and state guidelines for short-term and long-term retention of these reports and records.

Sec. 223. The state budget director shall provide a list of proposed work projects funded, in whole or in part, from appropriations in this act to the house and senate appropriations committees on November 15, 1999. This list shall provide detailed information including a description of project activities and services, the total work project funding level, spending for the fiscal year ending September 30, 1999, and the amount of budget authority required to complete the project.

Sec. 225. A joint legislative work group on court settlements is established. This work group shall consist of representatives of the house and senate standing committees and the house and senate appropriations subcommittees on natural resources and environmental quality. Members shall be appointed on a bipartisan basis by the speaker of the house of representatives and the senate majority leader. Assistance and staff support to the work group may be provided by the house and senate fiscal agencies. The work group shall issue a report on February 1, 2000, to the members of the legislature that includes a strategy for disbursing settlement revenue to impacted local governmental units in a manner consistent with court settlement agreements.

Sec. 226. The department shall cooperate with the department of natural resources in developing a transition plan for the future operation of the Michigan natural features inventory program. The plan shall provide for the orderly and effective assumption of responsibility for inventory activities, including, but not limited to, the survey, research, and documentation of the biological resources of the state. The plan shall ensure that an integrated, complete, and current record of information developed from this inventory program will be available to researchers and the general public.

Sec. 227. (1) The department shall submit to the department of management and budget, the house and senate appropriations committees, the house and senate fiscal agencies, and the house and senate standing committees having jurisdiction over technology issues quarterly reports on the department's efforts to change the department's computer software and hardware as necessary to perform properly in the year 2000 and beyond. These reports shall identify actual progress in comparison to the department's approved work plan for these efforts.

(2) Beginning with the report on April 1, 2000, the department shall submit to the department of management and budget, the senate and house of representatives standing committees on appropriations, the senate and house fiscal agencies, and the senate and house standing committees having jurisdiction over technology issues quarterly reports identifying for the immediately preceding quarter significant problems with information systems, occurrences of information system failure as a result of noncompliance with year 2000 standards, and previously unidentified areas of significant impact. These reports shall identify systems needing corrective action and the contractual obligations of accountable parties. These reports shall give the status of the progress made in repairing and testing applications, the status of vendor supplied solutions to problems, information on the activation of manual or contract processes used to correct problems, and an itemization of the additional costs incurred.

(3) The department may present progress billings to the department of management and budget for the costs incurred in changing computer software and hardware as necessary to perform properly in the year 2000 and beyond and for costs incurred as a result of initiating corrective actions. At the time progress billings are presented for reimbursement, the department shall identify the funding sources that should support the work performed and the department of management and budget shall forward the appropriated funding.

AIR QUALITY

Sec. 301. From the funds appropriated in section 107, the department shall report on the status of implementation planning and permit backlog reduction activities under part 55 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.5501 to 324.5542, including status of revenue collections, on an annual basis. The report shall be provided to the house of representatives and senate appropriations subcommittees on environmental quality, the standing committees of the house of representatives and the senate that are responsible for issues pertaining to air quality, and the governor on or before March 1, 2000.

SURFACE WATER QUALITY

Sec. 401. Of the funds appropriated in section 108 for surface water surveillance, a minimum of \$250,000.00 shall be designated for grants to local organizations for water quality monitoring activities.

DRINKING WATER

Sec. 501. Not later than September 30, 2000, the department, working with the legislature, shall develop and implement a laboratory accreditation program that conforms with the national environmental laboratory accreditation program.

Sec. 502. The department shall provide quarterly reports to the legislature on the revenues received and expenditures made by the drinking water and environmental units within the laboratory services appropriation line. The information shall include the types of tests conducted, the number of tests conducted at no charge, and the allocation of the general fund appropriation for each unit.

ENVIRONMENTAL RESPONSE

Sec. 601. From the appropriations in part 1 for the environmental cleanup and redevelopment program under part 201 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.20101 to 324.20142, the department shall continue to make authorizations for response activities at environmental contamination sites and for the administration of the environmental cleanup and redevelopment program.

Sec. 602. The unexpended portion of the appropriation in section 111 for the state cleanup program, environmental cleanup and redevelopment program, emergency cleanup action, NPL - municipal landfill match grants, state cleanup, and superfund cleanup projects is considered work project appropriations and any unencumbered or unallotted funds are carried forward into the succeeding fiscal year. The following is in compliance with section 451a(1) of the management and budget act, 1984 PA 431, MCL 18.1451a:

- (a) The purpose of the projects to be carried forward is to provide contaminated site cleanup.
- (b) The projects will be accomplished by contract.
- (c) The total estimated cost of all projects is identified in each line-item appropriation.
- (d) The tentative completion date is September 30, 2004.

Sec. 603. Of the funds appropriated in section 111 as state match for the superfund cleanup program, an amount not to exceed \$250,000.00 shall be expended as state match for the hazardous substance research center.

Sec. 604. The department shall report by March 1, 2001, all of the following information relative to allocations made in section 111 for the environmental cleanup and redevelopment program, state cleanup, emergency actions, superfund cleanup, and revitalization revolving loan fund and the environmental projects under section 19508(7) of the natural resources and environmental protection act, 1994 PA 451, MCL 324.19508, to the senate and house of representatives appropriations subcommittees on environmental quality and the senate and house fiscal agencies:

- (a) The name and location of the site for which an allocation is made.
- (b) The nature of the problem encountered at the site.
- (c) A brief description of how the problem will be resolved if the allocation is made for a response activity.
- (d) The estimated date that site closure activities will be completed.
- (e) The amount of the allocation, or the anticipated financing for the site.
- (f) A summary of the sites and the total amount of funds expended at the sites at the conclusion of the fiscal year.
- (g) The number of sites that would qualify as brownfields that were redeveloped.

Sec. 605. The funds appropriated in section 111 for the environmental cleanup and redevelopment program shall be used to fund redevelopment and cleanup activities on the following sites:

Alger: Res Wells Eben Junction
Allegan: A-1 Disposal LF
Allegan: Village of Douglas

Bay: Amyotte-Kurzeja-Drako #1
Calhoun: Albion-Scipio/Calhoun County Oil Field
Calhoun: West Urbandale Area Wells
Charlevoix: DME Company
Charlevoix: Hooker's Dry Cleaners
Cheboygan: Lownsberry Salvage
Clare: City of Clare Sanitary LF
Crawford: Fred Bear Archer Frmr
Delta: Delta Chemical & Iron Co.
Eaton: 916 S. Main Street (Hungry Howie's)
Eaton: Olivet Well #3
Eaton: Parsons Chemical
Grand Traverse: Woodmere Barrels
Gratiot: Gratiot County LF
Huron: Port Austin PCE Plume
Iosco: PCE Plume East Tawas
Jackson: Downtown Parma Wells
Jackson: Motor State Oil & Grease
Jackson: West Jackson GW Contam
Kalkaska: Bay Oil Bulk Plant
Kent: Former Autostyle Plastics, Inc.
Lake: Ivan's Canoe Rental
Lapeer: Marathon Otter Lake Oil Field
Livingston: Grossman Ideal Steel
Macomb: Rub-A-Dub Cleaners
Macomb: Superior Polishing
Manistee: City of Manistee Wells No. 6 and 7
Monroe: Good & Good/Deerfield/Monroe
Monroe: Zieman Grames Rds Dump Site Area
Muskegon: Muskegon River Drum Dump
Oakland: Coe's Cleaners
Oakland: Waterford Hills Sanitary LF
Osceola: Osceola Refinery Frmr
Osceola: Rohen Landfill
Ottawa: Southwest Ottawa County Landfill
Roscommon: Federal Ave. Bulk Plant Frmr
Saginaw: Dixie and Maple Roads Resident
Shiawassee: Ann Arbor Railroad Yard
St. Clair: Huron Development Sanitary LF
Washtenaw: 320 N. Main
Washtenaw: Armens Cleaners
Washtenaw: Staebler Road GW Contam
Washtenaw: Village of Dexter Municipal Wells
Wayne: CYB Tool (former)
Wayne: Feister Oil Co.
Wayne: General Oil Northville
Wayne: Michigan Tire Recycling
Wayne: Vulcan Mold & Iron Landfill

STORAGE TANKS

Sec. 701. (1) The funds appropriated in section 112 from the Michigan underground storage tank financial assurance fund for the purpose of carrying out the duties and responsibilities as specified in part 215 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.21501 to 324.21551, are considered work project appropriations and any unencumbered funds are carried forward into the succeeding fiscal year. The following is in compliance with section 451a(1) of the management and budget act, 1984 PA 431, MCL 18.1451a:

(a) The purpose of the projects to be carried forward is to carry out the responsibilities of part 215 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.21501 to 324.21551.

- (b) The projects will be accomplished by contract and state employees.
- (c) The total estimated cost is identified in a line-item appropriation.
- (d) The tentative completion date is September 30, 2004.

(2) The Michigan underground storage tank financial assurance policy board shall allocate the amount of the underground storage tank financial assurance fund to be distributed to the department. If the amount recommended by the board is less than that appropriated in section 112, expenditures shall be adjusted accordingly.

(3) Included in the amounts appropriated in section 112 from the Michigan underground storage tank financial assurance fund are amounts sufficient to pay debt service costs on the bonds or notes issued pursuant to part 215 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.21501 to 324.21551.

Sec. 702. The department shall provide reports to the state budget director, the senate and house of representatives appropriations subcommittees on environmental quality, and the senate and house fiscal agencies no later than March 31, 2000, and October 31, 2000, on the Michigan underground storage tank financial assurance fund. Reports shall include the fund balance, estimate of available revenues, number and dollar value of claims processed through September 30, 1999, and total estimated claims liability through December 22, 2001.

Sec. 703. The unexpended portion of the appropriation in section 112 for the leaking underground storage tank cleanup program is considered work project appropriations and any unencumbered or unallotted funds are carried over into the succeeding fiscal year. The following is in compliance with section 451a(1) of the management and budget act, 1984 PA 431, MCL 18.1451a:

- (a) The purpose of the projects to be carried over is to provide for redevelopment and contaminated site cleanup.
- (b) These projects will be accomplished by contract.
- (c) The total estimated costs of all projects is identified in each line-item appropriation.
- (d) The tentative completion date for these projects is September 30, 2004.

Sec. 704. The funds appropriated in section 112 for the leaking underground storage tanks cleanup program shall be used to fund redevelopment and cleanup activities on the following sites:

Alcona: Somers Mobil
 Allegan: Fennville Feed Supply
 Alpena: Former Dan's Party Store
 Berrien: Frederick's Auto Clinic
 Branch: K & H Tire and Alignment
 Branch: Union City Diesel
 Calhoun: McLeieer Oil
 Clinton: Ackels Car Care
 Clinton: State Road Service
 Eaton: City of Olivet Well #3
 Genesee: Grand Blanc Amoco
 Genesee: Sunshine Foods #119
 Hillsdale: North Adams Convenience
 Ingham: Campus Marathon
 Kalamazoo: Meijer Thrifty Acres
 Kalamazoo: Raitt Corp.
 Kent: Eastern Ave. Mobil Serv.
 Kent: Third Base Inc.
 Lenawee: Irish Hills Party Store
 Lenawee: James Edwards Property
 Monroe: Watersradt Bros. Tire Depot
 Monroe: River Front Marina
 Muskegon: Lakeview Mart
 Newaygo: Triangle Market
 Oakland: Sun Valley Properties
 Osceola: Andy's Standard
 Presque Isle: Former Alice's Restaurant
 Washtenaw: Arbor Wash
 Washtenaw: Former Total #2542
 Washtenaw: Madison & Main Streets
 Wexford: Mar-Lyns Lakeside Resort

ENVIRONMENTAL ASSISTANCE

Sec. 801. With funds appropriated in section 114, the department shall implement a community right-to-know project to facilitate convenient public access to information about the performance of individual facilities in complying with requirements of air, surface water, waste management, storage tank, and environmental response programs, and with any permits issued pursuant to these programs. The project shall also facilitate convenient public access to information about the overall quality of Michigan's air, water, groundwater, and drinking water and the generation of municipal solid waste and regulated hazardous waste. In implementing this section, the department shall consult with interested stakeholders on a periodic basis, including, but not limited to, industrial and environmental group representatives. By September 30, 2000, the department shall report to the legislature on the status of efforts to coordinate databases and to communicate this information to citizens, and shall make recommendations on any legislation or appropriations needed to complete this project.

Sec. 802. Of the funds appropriated in section 114 for environmental services, \$300,000.00 is for the Michigan RETAP program to initiate a pilot project with public universities to focus on assessment of hazardous materials use and training of personnel at small and medium sized businesses. The program shall include internship opportunities for students with professionals who evaluate business environments for materials handling, production efficiencies, and waste reduction processes. Overhead costs assigned to the project from participating universities shall not exceed 20% of the project total.

Sec. 803. The appropriation in section 114 for low income community wastewater assistance shall be provided to the Michigan community action agency association. This appropriation would enable the association to expand rural community assistance program services to all Michigan counties.

CRIMINAL INVESTIGATIONS

Sec. 901. The department shall provide training in support of local efforts to regulate solid waste disposal. Department environmental conservation officers shall be directed to help train law enforcement officers and other enforcement personnel to develop community partnerships to combat illegal dumping at the local level.

Sec. 902. Of the funds appropriated in section 115 for criminal investigations, 1.0 FTE and \$75,000.00 are designated primarily for inspections of incoming out-of-state waste, but can also be made available for other criminal investigation activities.

GRANTS

Sec. 1001. If a certified health department does not exist in a city, county, or district or does not fulfill its responsibilities under part 117 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.11701 to 324.11719, then the department may spend funds appropriated in section 116 under the septage waste compliance program in accordance with section 11716 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.11716.

Sec. 1002. Loans provided by the water pollution control revolving fund pursuant to the appropriation in section 116 are to be repaid on schedule and penalties shall be assigned for delinquent repayment as provided in part 53 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.5301 to 324.5316.

Sec. 1003. Of the funds appropriated in section 116 for Great Lakes research and protection fund grants, the department shall designate \$100,000.00 for research on the adequacy of department standards to protect children's health. The department shall recommend changes in air, water, and waste standards in a report to the legislature to promote the protection of Michigan children from environmental pollution. This report shall be provided to the house and senate appropriations subcommittees on environmental quality and the house and senate fiscal agencies by September 30, 2000.

Sec. 1004. Of the money appropriated in section 116 for scrap tire grants, \$100,000.00 shall be allocated to Benzie County for mitigating the costs associated with scrap tire fire suppression.

LAND AND WATER MANAGEMENT

Sec. 1101. (1) The department shall prepare a plan to collect Great Lakes bottomland permit fees uniformly and fairly from commercial and noncommercial users of the Great Lakes bottomlands. The plan prepared by the department shall be presented to the house and senate appropriations committees by May 1, 2000.

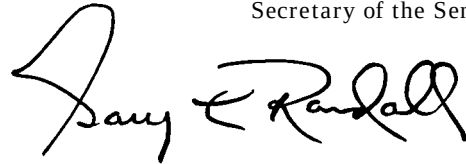
(2) If this plan is not presented by May 1, 2000, commercial and noncommercial users are exempt from the Great Lakes bottomland permit fees.

Sec. 1102. Of the funds appropriated in section 106 for dam safety, erosion control, and clean lakes, \$100,000.00 shall be used for removal of the dam at Big Rapids.

This act is ordered to take immediate effect.



Secretary of the Senate.



Clerk of the House of Representatives.

Approved _____

Governor.