

Act No. 52
Public Acts of 2000
Approved by the Governor*
March 29, 2000
Filed with the Secretary of State
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*Item Vetoes

Sec. 103. DEPARTMENT OF ENVIRONMENTAL QUALITY

Volunteer river, stream, and creek cleanup program \$100,000 (Page 3)

Sec. 402.

Entire Section. (Page 6)

**STATE OF MICHIGAN
90TH LEGISLATURE
REGULAR SESSION OF 2000**

Introduced by Reps. Byl, Pappageorge, Mead, Toy, Kukuk, Caul, Jellema, Godchaux, Cameron Brown,
Geiger, Jansen and Scranton

ENROLLED HOUSE BILL No. 4305

AN ACT to make, supplement, and adjust appropriations for the department of community health and 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:

PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. There is appropriated for the department of community health and 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.....	\$	84,270,000
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		0
ADJUSTED GROSS APPROPRIATION.....	\$	84,270,000
Federal revenues:		
Total federal revenues		0
Special revenue funds:		
Total local revenues		0
Total private revenues.....		0
Total other state restricted revenues		84,270,000
State general fund/general purpose	\$	0

Sec. 102. DEPARTMENT OF COMMUNITY HEALTH

(1) APPROPRIATION SUMMARY:

GROSS APPROPRIATION.....	\$	5,000,000
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		0
ADJUSTED GROSS APPROPRIATION.....	\$	5,000,000
Special revenue funds:		
Clean Michigan initiative fund - lead abatement		5,000,000
Total other state restricted revenues		5,000,000
State general fund/general purpose	\$	0

(2) LOCAL HEALTH ADMINISTRATION AND GRANTS

Lead abatement program.....	\$	5,000,000
GROSS APPROPRIATION.....	\$	5,000,000
Appropriated from:		
Special revenue funds:		
Clean Michigan initiative fund - lead abatement		5,000,000
State general fund/general purpose	\$	0

Sec. 103. DEPARTMENT OF ENVIRONMENTAL QUALITY

(1) APPROPRIATION SUMMARY:

Full-time equated classified positions.....	8.0	
GROSS APPROPRIATION.....	\$	79,270,000
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		0
ADJUSTED GROSS APPROPRIATION.....	\$	79,270,000
Special revenue funds:		
Clean Michigan initiative fund - administration		750,000
Clean Michigan initiative fund - clean water fund		26,700,000
Clean Michigan initiative fund - contaminated sediments		5,220,000
Clean Michigan initiative fund - nonpoint source		100,000
Clean Michigan initiative fund - pollution prevention activities.....		3,000,000
Clean Michigan initiative fund - response activities		13,000,000
Clean Michigan initiative fund - waterfront improvements		30,000,000
Retired engineers technical assistance fund.....		500,000
Total other state restricted revenues		79,270,000
State general fund/general purpose	\$	0

(2) EXECUTIVE

Environmental education curriculum.....	\$	1,000,000
GROSS APPROPRIATION.....	\$	1,000,000
Appropriated from:		
Special revenue funds:		
Clean Michigan initiative fund - pollution prevention activities.....		1,000,000
State general fund/general purpose	\$	0

(3) FINANCIAL AND BUSINESS SERVICES

Financial support services	\$	150,000
GROSS APPROPRIATION.....	\$	150,000
Appropriated from:		
Special revenue funds:		
Clean Michigan initiative fund - administration		150,000
State general fund/general purpose	\$	0

(4) SURFACE WATER QUALITY

Full-time equated classified positions.....	7.0	
Water quality monitoring program support—7.0 FTE positions	\$	525,000
Water quality monitoring program		1,500,000
Contaminated lake and river sediments cleanup program		5,220,000
Voluntary stormwater permit grants		3,000,000
Failing on-site septic systems		5,000,000
Protecting high quality waters		3,000,000

		For Fiscal Year Ending Sept. 30, 2000
Illicit storm sewer connection grant program.....	\$	5,000,000
Remedial action plan and lakewide management plan implementation grant program.....		5,000,000
Conservation reserve enhancement program match		3,000,000
Volunteer river, stream, and creek cleanup program.....		100,000
GROSS APPROPRIATION	\$	31,345,000
Appropriated from:		
Special revenue funds:		
Clean Michigan initiative fund - administration		525,000
Clean Michigan initiative fund - clean water fund		25,500,000
Clean Michigan initiative fund - contaminated sediments		5,220,000
Clean Michigan initiative fund - nonpoint source		100,000
State general fund/general purpose	\$	0
(5) ENVIRONMENTAL RESPONSE		
Brownfield grants and loans program	\$	13,000,000
Waterfront redevelopment program.....		30,000,000
GROSS APPROPRIATION	\$	43,000,000
Appropriated from:		
Special revenue funds:		
Clean Michigan initiative fund - response activities		13,000,000
Clean Michigan initiative fund - waterfront improvements		30,000,000
State general fund/general purpose	\$	0
(6) DRINKING WATER PROTECTION AND RADIOLOGICAL HEALTH		
Abandoned well management grants program	\$	1,200,000
GROSS APPROPRIATION	\$	1,200,000
Appropriated from:		
Special revenue funds:		
Clean Michigan initiative fund - clean water fund		1,200,000
State general fund/general purpose	\$	0
(7) ENVIRONMENTAL ASSISTANCE DIVISION		
Full-time equated classified position.....1.0		
Pollution prevention program support—1.0 FTE position	\$	75,000
Retired engineers technical assistance program		500,000
Household hazardous waste collection program		1,000,000
Regional pollution prevention grant program.....		1,000,000
GROSS APPROPRIATION	\$	2,575,000
Appropriated from:		
Special revenue funds:		
Clean Michigan initiative fund - administration		75,000
Clean Michigan initiative fund - pollution prevention activities.....		2,000,000
Retired engineers technical assistance fund.....		500,000
State general fund/general purpose	\$	0

PART 2

PROVISIONS CONCERNING APPROPRIATIONS

GENERAL SECTIONS

Sec. 201. (1) Pursuant to section 30 of article IX of the state constitution of 1963, total state spending in this appropriation act is \$84,270,000.00 and state appropriations to be paid to local units of government are estimated at \$64,200,000.00. The following itemized statement identifies appropriations from which spending to units of local government will occur:

DEPARTMENT OF ENVIRONMENTAL QUALITY GRANTS

Abandoned well management grants program	1,200,000
Brownfield grants and loans program	13,000,000

Failing on-site septic systems	5,000,000
Household hazardous waste collection program	1,000,000
Illicit storm sewer connection grant program.....	5,000,000
Protecting high quality waters	3,000,000
Remedial action plan and lakewide management plan implementation grant program.....	2,500,000
Voluntary stormwater permit grants	3,000,000
Volunteer river, stream, and creek cleanup program.....	100,000
Water quality monitoring program	400,000
Waterfront redevelopment program.....	30,000,000
TOTAL	\$ 64,200,000

(2) If it appears to the principal executive officer of a department or agency 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 state budget director, the senate and house appropriations committees, and the senate and house fiscal agencies.

Sec. 202. As used in this act:

- (a) "Department" means the department of environmental quality.
- (b) "FTE" means full-time equated.

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

Sec. 204. The department of civil service shall bill departments and agencies 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. 205. (1) From funds appropriated under part 1, the department shall prepare the following reports:

(a) A report, to be made available on the department's website, that lists all of the following regarding grant, loan, or grant and loan programs administered by the department for the fiscal year ending on September 30, 2000:

- (i) The name of each program.
 - (ii) The goals, the criteria, including filing fees, and the nominating procedures, eligibility requirements, processes, and deadlines for each program.
 - (iii) The maximum and minimum grant and loan available and whether there is a match requirement for each program.
 - (iv) The amount of any required match, and whether in-kind contributions may be used as part or all of a required match.
 - (v) Information pertaining to the application process, timeline for each program, and the contact people within the department.
 - (vi) The source of funds for each program, including the citation of pertinent authorizing acts.
 - (vii) Information regarding plans for the next fiscal year for the phaseout, expansion, or changes for each program.
- (b) A report that lists all recipients of grants or loans awarded by the department by type and the amount of the grant or loan.

(2) The reports required under subsection (1)(a) shall be available on the department's website not less than 30 days after the appropriations are enacted. Notification of the availability of the report on the department's website shall be submitted to the senate and house appropriations committees and the senate and house fiscal agencies 30 days after appropriations are enacted. The reports required under subsection (1)(b) shall be submitted to the senate and house appropriations committees and the senate and house fiscal agencies not less than 5 business days before notice of grant awards are provided to grant applicants.

Sec. 206. 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, 2000. 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, 2000, and the amount of budget authority required to complete the project.

Sec. 207. (1) The department shall report all of the following information relative to allocations made in part 1 of this act, the brownfield grants and loans program, the national priority list municipal landfill match grants program, the waterfront redevelopment grant program, the contaminated lake and river sediments cleanup program, the nonpoint

source pollution prevention and control projects program, and the environmental projects under section 19508(7) of the natural resources and environmental protection act, 1994 PA 451, MCL 324.19508, to the state budget director, the senate and house appropriations subcommittees on environmental quality, and the senate and house fiscal agencies:

- (a) The name of location of the site for which an allocation is made.
 - (b) The nature of the problem encountered at the site.
 - (c) The estimated time necessary to prepare plans or complete any necessary study if the allocation is for plans or a study.
 - (d) A brief description of how the problem will be resolved if the allocation is for a response activity.
 - (e) The estimated time to complete the response activity if the allocation is for a response activity.
 - (f) The amount of the allocation, or the anticipated financing for the site.
 - (g) A summary of the sites and the total amount of funds expended at the sites at the conclusion of the fiscal year.
 - (h) The number of sites that would qualify as brownfields that were redeveloped.
- (2) The report prepared under subsection (1) shall also include the status of all sites that are on the list compiled under part 201 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.20101 to 324.20142, in which the state is liable under part 201 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.20101 to 324.20142.
- (3) The report prepared under this section shall be made available by June 2000.

Sec. 208. The appropriations in part 1 for environmental education curriculum, contaminated lake and river sediments cleanup, voluntary stormwater permit grants, failing on-site septic systems, protecting high quality waters, illicit storm sewer connection grants, remedial action plan and lakewide management plan implementation grants, volunteer river, stream, and creek cleanup grants, brownfield grants and loans, waterfront redevelopment, abandoned well management grants, household hazardous waste collection, and regional pollution prevention grants are appropriated for the period October 1, 1999 through September 30, 2002. Any unexpended or unencumbered funds shall lapse to the clean Michigan initiative fund and be subject to reappropriation.

Sec. 209. 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.

EXECUTIVE

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

SURFACE WATER QUALITY

Sec. 401. The department shall expend not less than \$146,000.00 for contracts and grants to local health departments or other nonprofit agencies to monitor critical bathing beaches including, but not limited to, those located in state parks

and state recreation areas. The department shall begin development of a centralized statewide database to track bathing beach monitoring and results that will be made available electronically to the public. The department shall implement this section in accordance with the department's document entitled "A strategic environmental quality monitoring program for Michigan's surface waters", dated January 1997, which is the first priority for the expenditure of the clean water fund as specified under section 8807 of 1998 PA 287.

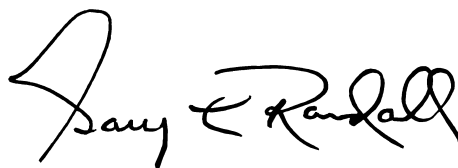
Sec. 402. The appropriation in part 1 for the volunteer river, stream, and creek cleanup program shall be granted for river debris cleanup projects. The local matching requirement in section 8802(4) of the natural resources and environmental protection act, 1994 PA 451, MCL 324.8802, may be satisfied by local contributions, landfill fee credits, and donated equipment.

Sec. 403. Grants or contracts awarded by the department under the clean Michigan initiative clean water fund, nonpoint source pollution prevention and control funds, and contaminated lake and river sediments remediation funds shall be tracked by the corresponding watershed.

DEPARTMENT OF COMMUNITY HEALTH

Sec. 501. The funds appropriated in part 1 for lead abatement shall be spent by the department of community health for a statewide program to abate lead in the residences of children who have been tested and show high blood lead levels, according to a plan that shall be prepared by the department of community health and submitted to the appropriations subcommittees on community health in the house and senate for approval. The department of community health shall continue to pursue grants from EPA and HUD to continue the federally funded lead abatement. The plan shall include exploration of the possibility of applying to the department of health and human services for the opportunity to use Medicaid funding to pay for the replacement of doors and windows that are contaminated with lead and require replacement as part of the abatement.

This act is ordered to take immediate effect.



Clerk of the House of Representatives.



Secretary of the Senate.

Approved _____

Governor.