

SUBSTITUTE FOR
HOUSE BILL NO. 4715

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
(MCL 324.101 to 324.90106) by adding section 41323; and to repeal
acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 41323. (1) THE COUNCIL SHALL DO ALL OF THE FOLLOWING:

2 (A) WITHIN 6 MONTHS AFTER THE EFFECTIVE DATE OF THE AMENDATORY
3 ACT THAT ADDED THIS SECTION, SUBMIT TO THE GOVERNOR AND THE
4 LEGISLATURE A REPORT THAT MAKES RECOMMENDATIONS ON ADDITIONS TO OR
5 DELETIONS FROM THE LIST OF PROHIBITED SPECIES AND RESTRICTED
6 SPECIES.

7 (B) BY MARCH 1 OF EACH YEAR, BEGINNING IN 2006, SUBMIT TO THE
8 GOVERNOR AND THE LEGISLATURE A REPORT THAT MAKES RECOMMENDATIONS ON

1 ALL OF THE FOLLOWING:

2 (i) THE ADOPTION OF LISTS FOR CLASSES OF PROHIBITED AND
3 RESTRICTED ORGANISMS OTHER THAN FISH, INSECTS, AND AQUATIC PLANTS.

4 (ii) THE STATUS OF VARIOUS PROHIBITED SPECIES AND OTHER
5 PROBLEMATIC INVASIVE ORGANISMS IN THIS STATE, INCLUDING, BUT NOT
6 LIMITED TO, A LIST OF INFESTED WATERBODIES BY SPECIES.

7 (iii) PREVENTING THE INTRODUCTION OF AND CONTROLLING OR
8 ERADICATING INVASIVE OR GENETICALLY ENGINEERED FISH, INSECTS, AND
9 AQUATIC PLANTS.

10 (iv) RESTORATION OR REMEDIATION OF HABITATS OR SPECIES DAMAGED
11 BY INVASIVE SPECIES OR GENETICALLY ENGINEERED ORGANISMS.

12 (v) PRIORITIZING EFFORTS TO PREVENT VIOLATIONS OF AND
13 OTHERWISE FURTHER THE PURPOSES OF THIS PART.

14 (vi) THE SPECIFIC AREAS OF RESPONSIBILITY FOR VARIOUS STATE
15 DEPARTMENTS UNDER THIS PART AND THE SHARING OF INFORMATION ON
16 PERMITS UNDER THIS PART AMONG RESPONSIBLE STATE DEPARTMENTS.

17 (vii) EDUCATING CITIZENS ABOUT THEIR RESPONSIBILITIES UNDER
18 THIS PART AND THEIR ROLE IN PREVENTING THE INTRODUCTION OF AND
19 CONTROLLING OR ERADICATING PROHIBITED SPECIES, RESTRICTED SPECIES,
20 AND INVASIVE OR GENETICALLY ENGINEERED FISH, INSECTS, OR AQUATIC
21 PLANTS.

22 (viii) SIMPLIFYING CITIZEN ACCESS TO STATE GOVERNMENT FOR
23 COMPLIANCE WITH THIS PART.

24 (ix) LEGISLATION AND FUNDING TO CARRY OUT THE COUNCIL'S
25 RECOMMENDATIONS AND OTHERWISE FURTHER THE PURPOSES OF THIS PART.

26 (x) OTHER MATTERS THAT THE COUNCIL CONSIDERS PERTINENT TO THE
27 PURPOSES OF THIS PART.

1 (C) ESTABLISH CRITERIA FOR IDENTIFYING WATERBODIES INFESTED BY
2 PROHIBITED SPECIES.

3 (D) MONITOR AND PROMOTE EFFORTS TO RESCIND THE EXEMPTION UNDER
4 40 CFR 122.3(A) FOR BALLAST WATER DISCHARGES.

5 (2) THE COUNCIL SHALL CARRY OUT ITS REPORTING AND OTHER DUTIES
6 IN COOPERATION WITH THE AQUATIC NUISANCE SPECIES COUNCIL CREATED
7 UNDER EXECUTIVE ORDER NO. 2002-21.

8 (3) THIS SECTION IS REPEALED EFFECTIVE 5 YEARS AFTER THE
9 EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SECTION.

10 Enacting section 1. This amendatory act does not take effect
11 unless all of the following bills of the 93rd Legislature are
12 enacted into law:

13 (a) Senate Bill No. 211 or House Bill No. 4710.

14 (b) Senate Bill No. 212 or House Bill No. 4711.

15 (c) Senate Bill No. 213 or House Bill No. 4712.

16 (d) Senate Bill No. 214 or House Bill No. 4716.

17 (e) Senate Bill No. 215 or House Bill No. 4713.

18 (f) Senate Bill No. 216 or House Bill No. 4714.