

SENATE BILL No. 1071

February 23, 2006, Introduced by Senators THOMAS, BRATER, JACOBS, SWITALSKI, LELAND and SCHAUER and referred to the Committee on Agriculture, Forestry and Tourism.

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
(MCL 324.101 to 324.90106) by adding sections 8637 and 8639.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 8637. (1) THE CAFO CLEANUP AND ENFORCEMENT FUND IS
2 CREATED WITHIN THE STATE TREASURY.

3 (2) THE STATE TREASURER SHALL DEPOSIT INTO THE FUND REVENUE AS
4 SPECIFIED UNDER SECTIONS 3115, 3120, AND 8623. THE STATE TREASURER
5 MAY RECEIVE MONEY OR OTHER ASSETS FROM ANY OTHER SOURCE FOR DEPOSIT
6 INTO THE FUND. THE STATE TREASURER SHALL DIRECT THE INVESTMENT OF
7 THE FUND. THE STATE TREASURER SHALL CREDIT TO THE FUND INTEREST AND
8 EARNINGS FROM FUND INVESTMENTS.

9 (3) MONEY IN THE FUND AT THE CLOSE OF THE FISCAL YEAR SHALL
10 REMAIN IN THE FUND AND SHALL NOT LAPSE TO THE GENERAL FUND.

11 (4) THE DEPARTMENT SHALL EXPEND MONEY FROM THE FUND, UPON

1 APPROPRIATION, ONLY FOR 1 OR MORE OF THE FOLLOWING PURPOSES:

2 (A) FOR CLEANUP AND REMEDIATION REQUIRED DUE TO DISCHARGES
3 FROM CAFOS.

4 (B) FOR ENFORCEMENT OF THIS PART AND PART 31 AGAINST OWNERS OR
5 OPERATORS OF CAFOS THAT ARE IN VIOLATION OF THIS PART.

6 (C) FOR THE COSTS OF THE DEVELOPMENT AND ISSUANCE OF NPDES
7 PERMITS FOR CAFOS.

8 SEC. 8639. A PERSON WHO VIOLATES THIS PART, A RULE PROMULGATED
9 UNDER THIS PART, OR AN ORDER OR PERMIT ISSUED UNDER THIS PART IS
10 SUBJECT TO THE SAME CIVIL SANCTIONS, CRIMINAL PENALTIES, AND
11 REMEDIES AS PROVIDED IN PART 31.

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

15 (a) Senate Bill No. 1072.

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17 (b) Senate Bill No. 1069.

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19 (c) Senate Bill No. 1065.

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21 (d) Senate Bill No. 1066.

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23 (e) Senate Bill No. 1063.

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25 (f) Senate Bill No. 1068.

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27 (g) Senate Bill No. 1067.

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2 (h) Senate Bill No. 1070.

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