

Act No. 75
Public Acts of 2005
Approved by the Governor
July 19, 2005
Filed with the Secretary of State
July 19, 2005
EFFECTIVE DATE: July 19, 2005

**STATE OF MICHIGAN
93RD LEGISLATURE
REGULAR SESSION OF 2005**

Introduced by Reps. Hansen, Schuitmaker, Pavlov, Jones, Wenke, Ball, Huizenga, Farhat, Elsenheimer, Kooiman, Walker, Vander Veen, Ward, Gillard, Emmons, Anderson, Stewart, Kolb, Williams, Farrah, LaJoy, Kathleen Law, Bieda, Acciavatti, Clack, Vagnozzi, Taub, Accavitti, Stakoe, Gleason, Shaffer, Nofs, Sak, Nitz, Stahl, Moolenaar, Palsrok, Dillon, Booher, Caul, Clemente, Gonzales, Gosselin, Hildenbrand, Kehrl, Lemmons, III, Lemmons, Jr., Marleau, Mayes, McDowell, Moore, Palmer, Pearce, Polidori, Proos, Sheltrown, Spade and Murphy

ENROLLED HOUSE BILL No. 4715

AN ACT to amend 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts," (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:

Sec. 41323. (1) The council shall do all of the following:

(a) Within 6 months after the effective date of the amendatory act that added this section, submit to the governor and the legislature a report that makes recommendations on additions to or deletions from the list of prohibited species and restricted species.

(b) By March 1 of each year, beginning in 2006, submit to the governor and the legislature a report that makes recommendations on all of the following:

(i) The adoption of lists for classes of prohibited and restricted organisms other than fish, insects, and aquatic plants.

(ii) The status of various prohibited species and other problematic invasive organisms in this state, including, but not limited to, a list of infested waterbodies by species.

(iii) Preventing the introduction of and controlling or eradicating invasive or genetically engineered fish, insects, and aquatic plants.

(iv) Restoration or remediation of habitats or species damaged by invasive species or genetically engineered organisms.

(v) Prioritizing efforts to prevent violations of and otherwise further the purposes of this part.

(vi) The specific areas of responsibility for various state departments under this part and the sharing of information on permits under this part among responsible state departments.

(vii) Educating citizens about their responsibilities under this part and their role in preventing the introduction of and controlling or eradicating prohibited species, restricted species, and invasive or genetically engineered fish, insects, or aquatic plants.

(viii) Simplifying citizen access to state government for compliance with this part.

(ix) Legislation and funding to carry out the council's recommendations and otherwise further the purposes of this part.

(x) Other matters that the council considers pertinent to the purposes of this part.

(c) Establish criteria for identifying waterbodies infested by prohibited species.

(d) Monitor and promote efforts to rescind the exemption under 40 CFR 122.3(a) for ballast water discharges.

(2) The council shall carry out its reporting and other duties in cooperation with the aquatic nuisance species council created under Executive Order No. 2002-21.

(3) This section is repealed effective 5 years after the effective date of the amendatory act that added this section.

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

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

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

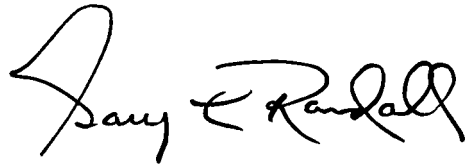
(c) Senate Bill No. 213 or House Bill No. 4712.

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

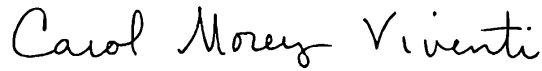
(e) Senate Bill No. 215 or House Bill No. 4713.

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

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved _____

Governor