

HOUSE SUBSTITUTE FOR
SENATE BILL NO. 1097

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2009; to provide for the expenditure of those appropriations; to create certain funds and accounts; to require certain reports; to prescribe the 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:

1

PART 1

2

LINE-ITEM APPROPRIATIONS

3

Sec. 101. Subject to the conditions set forth in this act, the

4

amounts listed in this part are appropriated for the department of

1 environmental quality for the fiscal year ending September 30,
 2 2009, from the funds indicated in this part. The following is a
 3 summary of the appropriations in this part:

4 **DEPARTMENT OF ENVIRONMENTAL QUALITY**

5 APPROPRIATION SUMMARY:

6	Full-time equated unclassified positions.....	6.0	
7	Full-time equated classified positions.....	1,513.7	
8	GROSS APPROPRIATION.....		\$ 368,483,700
9	Interdepartmental grant revenues:		
10	Total interdepartmental grants and intradepartmental		
11	transfers		19,071,200
12	ADJUSTED GROSS APPROPRIATION.....		\$ 349,412,500
13	Federal revenues:		
14	Total federal revenues.....		130,636,100
15	Special revenue funds:		
16	Total local revenues.....		0
17	Total private revenues.....		455,700
18	Total other state restricted revenues.....		173,317,100
19	State general fund/general purpose.....		\$ 45,003,600
20	FUND SOURCE SUMMARY:		
21	Full-time equated unclassified positions.....	6.0	
22	Full-time equated classified positions.....	1,513.7	
23	GROSS APPROPRIATION.....		\$ 368,483,700
24	Interdepartmental grant revenues:		
25	IDG-MDCH local public health operations.....		10,472,500
26	IDG-MDOT - Michigan transportation fund.....		1,247,900
27	IDG-MSP.....		883,200

1	IDT, interdivisional charges.....	2,053,400
2	IDT, laboratory services.....	4,414,200
3	Total interdepartmental grants and intradepartmental	
4	transfers	19,071,200
5	ADJUSTED GROSS APPROPRIATION.....	\$ 349,412,500
6	Federal revenues:	
7	DHS, federal.....	3,293,800
8	DOC-NOAA, federal.....	3,779,400
9	DOD, federal.....	1,202,700
10	DOI, federal.....	595,300
11	EPA, multiple.....	121,758,700
12	DHHS, federal.....	6,200
13	Total federal revenues.....	130,636,100
14	Special revenue funds:	
15	Private funds.....	455,700
16	Total private revenues.....	455,700
17	Aboveground storage tank fees.....	363,200
18	Air emissions fees.....	9,344,200
19	Aquifer protection revolving fund.....	400,000
20	Campground fund.....	238,900
21	Clean Michigan initiative fund - administration.....	120,100
22	Clean Michigan initiative fund - clean water fund....	3,390,800
23	Clean Michigan initiative fund - response activities .	5,663,200
24	Cleanup and redevelopment fund.....	12,428,500
25	Community pollution prevention fund.....	250,000
26	Environmental pollution prevention fund.....	944,400
27	Environmental protection fund.....	3,919,300

1	Environmental response fund.....	6,320,400
2	Fees and collections.....	446,500
3	Financial instruments.....	5,000,000
4	Great Lakes protection fund.....	1,605,800
5	Groundwater discharge permit fees.....	1,120,200
6	Hazardous material transportation permit fund.....	219,700
7	Infrastructure construction fund.....	398,000
8	Laboratory data quality recognition fund.....	16,100
9	Land and water permit fees.....	1,057,600
10	Landfill maintenance trust fund.....	56,200
11	Medical waste emergency response fund.....	240,900
12	Metallic mining surveillance fee revenue.....	94,200
13	Mineral well regulatory fee revenue.....	172,500
14	Nonferrous metallic mineral surveillance.....	221,700
15	NPDES fees.....	3,378,100
16	Oil and gas regulatory fund.....	7,860,300
17	Orphan well fund.....	2,053,100
18	Public swimming pool fund.....	544,300
19	Public utility assessments.....	787,400
20	Public water supply fees.....	3,962,900
21	Publication revenue.....	120,700
22	Refined petroleum fund.....	30,724,700
23	Restricted funds.....	17,169,700
24	Retired engineers technical assistance fund.....	1,474,300
25	Revitalization revolving loan fund.....	84,600
26	Revolving loan revenue bonds.....	11,400,000
27	Saginaw Bay and River restoration revenue.....	175,800

1	Sand extraction fee revenue.....	198,600
2	Scrap tire regulatory fund.....	5,852,000
3	Septage waste contingency fund.....	38,000
4	Septage waste program fund.....	722,000
5	Settlement funds.....	1,856,400
6	Sewage sludge land application fees.....	855,400
7	Soil erosion and sedimentation control training fund.	115,400
8	Solid waste program fees.....	4,014,400
9	Small business pollution prevention revolving loan	
10	fund	108,200
11	Stormwater permit fees.....	2,814,900
12	Strategic water quality initiatives fund.....	10,000,000
13	Underground storage tank fees.....	2,134,300
14	Waste reduction fee revenue.....	3,909,900
15	Wastewater operator training fees.....	172,800
16	Water analysis fees.....	3,328,400
17	Water pollution control revolving fund.....	3,081,000
18	Water quality protection fund.....	100,000
19	Water use reporting fees.....	247,100
20	Total other state restricted revenues.....	173,317,100
21	State general fund/general purpose.....	\$ 45,003,600
22	Sec. 102. EXECUTIVE OPERATIONS AND DEPARTMENT	
23	SUPPORT	
24	Full-time equated unclassified positions.....	6.0
25	Full-time equated classified positions.....	83.0
26	Unclassified salaries--6.0 FTE positions.....	\$ 587,600
27	Administrative hearings.....	446,400

1	Executive direction--18.0 FTE positions	2,316,800
2	Central operations--58.0 FTE positions	5,274,400
3	Office of the Great Lakes--7.0 FTE positions	1,053,500
4	Automated data processing	2,053,400
5	Environmental support projects	5,000,000
6	Internal audit services	228,500
7	Building occupancy charges	7,116,600
8	Rent - privately owned property	<u>2,145,900</u>
9	GROSS APPROPRIATION	\$ 26,223,100
10	Appropriated from:	
11	Interdepartmental grant revenues:	
12	IDG-MSP	112,300
13	IDG-MDOT - Michigan transportation fund	181,000
14	IDT, interdivisional charges	2,053,400
15	IDT, laboratory services	472,800
16	Federal revenues:	
17	DOC-NOAA, federal	22,600
18	DOI, federal	160,900
19	EPA, multiple	195,200
20	Special revenue funds:	
21	Financial instruments	5,000,000
22	Great Lakes protection fund	605,800
23	Restricted funds	11,963,500
24	Settlement funds	104,900
25	State general fund/general purpose	\$ 5,350,700
26	Sec. 103. AIR QUALITY	
27	Full-time equated classified positions	236.5

1	Air quality programs--236.5 FTE positions	\$	<u>26,100,600</u>
2	GROSS APPROPRIATION.....	\$	26,100,600
3	Appropriated from:		
4	Federal revenues:		
5	EPA, multiple.....		4,492,700
6	DHS, federal.....		1,708,400
7	Special revenue funds:		
8	Air emissions fees.....		8,952,900
9	Environmental response fund.....		106,700
10	Fees and collections.....		301,600
11	Oil and gas regulatory fund.....		108,200
12	Refined petroleum fund.....		2,864,800
13	State general fund/general purpose.....	\$	7,565,300
14	Sec. 104. ENVIRONMENTAL SCIENCE AND SERVICES		
15	DIVISION		
16	Full-time equated classified positions.....	175.0	
17	Laboratory services--60.0 FTE positions	\$	7,045,800
18	Municipal assistance--37.0 FTE positions		5,325,300
19	Pollution prevention outreach programs		300,000
20	Pollution prevention and technical assistance--48.0		
21	FTE positions		5,019,000
22	Program services and grant management--30.0 FTE		
23	positions		4,002,000
24	Retired engineers technical assistance program.....		<u>1,474,300</u>
25	GROSS APPROPRIATION.....	\$	23,166,400
26	Appropriated from:		
27	Interdepartmental grant revenues:		

1	IDT, laboratory services.....		3,790,500
2	Federal revenues:		
3	DOC-NOAA, federal.....		454,800
4	EPA, multiple.....		3,445,800
5	Special revenue funds:		
6	Private funds.....		300,000
7	Air emissions fees.....		391,300
8	Environmental protection fund.....		68,900
9	Environmental response fund.....		665,100
10	Laboratory data quality recognition fund.....		16,100
11	Public water supply fees.....		253,000
12	Revitalization revolving loan fund.....		84,600
13	Retired engineers technical assistance fund.....		1,474,300
14	Settlement revenue.....		235,200
15	Small business pollution prevention revolving loan		
16	fund		108,200
17	Stormwater permit fees.....		95,900
18	Strategic water quality initiatives fund.....		400,000
19	Waste reduction fee revenue.....		3,835,000
20	Wastewater operator training fees.....		172,800
21	Water analysis fees.....		3,328,400
22	Water pollution control revolving fund.....		2,409,100
23	State general fund/general purpose.....	\$	1,637,400
24	Sec. 105. OFFICE OF GEOLOGICAL SURVEY		
25	Full-time equated classified positions.....	67.0	
26	Coal and sand dune management--2.0 FTE positions	\$	627,000
27	Metallic mining reclamation program--1.0 FTE positions		94,200

1	Mineral wells management--2.0 FTE positions	247,500
2	Nonferrous metallic mining--2.0 FTE positions	221,700
3	Services to oil and gas programs--58.0 FTE positions .	7,509,500
4	Well plugging - orphan wells--2.0 FTE positions	<u>2,053,100</u>
5	GROSS APPROPRIATION.....	\$ 10,753,000
6	Appropriated from:	
7	Federal revenues:	
8	DOI, federal.....	428,400
9	Special revenue funds:	
10	Metallic mining surveillance fee revenue	94,200
11	Mineral well regulatory fee revenue	172,500
12	Nonferrous metallic mineral surveillance	221,700
13	Oil and gas regulatory fund.....	7,388,800
14	Orphan well fund.....	2,053,100
15	Publication revenue.....	120,700
16	Sand extraction fee revenue.....	198,600
17	State general fund/general purpose	\$ 75,000
18	Sec. 106. LAND AND WATER MANAGEMENT	
19	Full-time equated classified positions.....	121.0
20	Program direction--6.0 FTE positions	\$ 944,300
21	Field permitting and project assistance--72.0 FTE	
22	positions	7,552,200
23	Great Lakes shorelands--24.0 FTE positions	2,673,600
24	Water management--19.0 FTE positions	<u>2,703,600</u>
25	GROSS APPROPRIATION.....	\$ 13,873,700
26	Appropriated from:	
27	Interdepartmental grant revenues:	

1	IDG from MDOT - Michigan transportation fund.....		1,012,300
2	Federal revenues:		
3	DHS, federal.....		1,003,500
4	DOC-NOAA, federal.....		1,515,800
5	EPA, multiple.....		1,052,100
6	Special revenue funds:		
7	Land and water permit fees.....		705,100
8	State general fund/general purpose.....	\$	8,584,900
9	Sec. 107. REMEDIATION AND REDEVELOPMENT		
10	Full-time equated classified positions..... 285.0		
11	Federal cleanup project management--60.0 FTE positions	\$	8,413,600
12	Superfund cleanup.....		4,000,000
13	Contaminated site investigations, cleanup and		
14	revitalization--225.0 FTE positions.....		23,013,600
15	Emergency cleanup action.....		4,000,000
16	Environmental cleanup and redevelopment program.....		5,663,200
17	Refined petroleum product cleanup program.....		20,000,000
18	Environmental cleanup support.....		<u>2,340,000</u>
19	GROSS APPROPRIATION.....	\$	67,430,400
20	Appropriated from:		
21	Federal revenues:		
22	DOD, federal.....		1,174,500
23	EPA, multiple.....		8,403,500
24	HHS, federal.....		6,200
25	Special revenue funds:		
26	Private funds.....		155,700
27	Clean Michigan initiative fund - response activities .		5,663,200

1	Cleanup and redevelopment fund.....	12,428,500
2	Environmental protection fund.....	3,850,400
3	Environmental response fund.....	5,248,000
4	Landfill maintenance trust fund.....	56,200
5	Refined petroleum fund.....	26,813,500
6	Settlement funds.....	1,516,300
7	State general fund/general purpose..... \$	2,114,400
8	Sec. 108. WASTE AND HAZARDOUS MATERIALS DIVISION	
9	Full-time equated classified positions..... 173.0	
10	Hazardous waste management program--60.0 FTE positions \$	6,499,400
11	Low-level radioactive waste authority--2.0 FTE	
12	positions	787,400
13	Medical waste program--2.0 FTE positions	240,900
14	Radiological protection--12.0 FTE positions	1,423,500
15	Scrap tire regulatory program--11.0 FTE positions	1,066,800
16	Solid waste management program--45.0 FTE positions ...	4,589,300
17	Underground storage tank program--33.0 FTE positions .	3,404,100
18	Aboveground storage tank program--8.0 FTE positions ..	<u>763,200</u>
19	GROSS APPROPRIATION..... \$	18,774,600
20	Appropriated from:	
21	Interdepartmental grant revenues:	
22	IDG-MDSP.....	742,900
23	Federal revenues:	
24	EPA, multiple.....	4,027,500
25	Special revenue funds:	
26	Aboveground storage tank fees.....	363,200
27	Environmental pollution prevention fund.....	944,400

1	Hazardous material transportation permit fund.....		219,700
2	Medical waste emergency response fund.....		240,900
3	Public utility assessments.....		787,400
4	Scrap tire regulatory fund.....		1,066,800
5	Solid waste program fees.....		4,014,400
6	Underground storage tank fees.....		2,134,300
7	Waste reduction fee revenue.....		74,900
8	State general fund/general purpose.....	\$	4,158,200
9	Sec. 109. WATER DIVISION		
10	Full-time equated classified positions.....	351.2	
11	Drinking water and environmental health--120.0 FTE		
12	positions	\$	16,181,000
13	Surface water--102.0 FTE positions.....		15,208,200
14	NPDES nonstormwater program--98.2 FTE positions		11,027,500
15	Groundwater discharge--22.0 FTE positions.....		2,969,700
16	Sewage sludge land application program--6.0 FTE		
17	positions		855,400
18	Aquifer protection program.....		350,000
19	Aquifer protection and dispute resolution - IDG to		
20	Michigan department of agriculture.....		50,000
21	Expedited water/wastewater permits--3.0 FTE positions		398,000
22	Fish contaminant monitoring contracts.....		316,100
23	Water withdrawal assessment program.....		<u>5,000</u>
24	GROSS APPROPRIATION.....	\$	47,360,900
25	Appropriated from:		
26	Federal revenues:		
27	EPA, multiple.....		18,164,800

1	Special revenue funds:	
2	Aquifer protection revolving fund.....	400,000
3	Campground fund.....	238,900
4	Clean Michigan initiative fund - administration.....	120,100
5	Clean Michigan initiative fund - clean water fund....	3,390,800
6	Environmental response fund.....	168,100
7	Fees and collections.....	144,900
8	Groundwater discharge permit fees.....	1,120,200
9	Infrastructure construction fund.....	398,000
10	Land and water permit fees.....	352,500
11	NPDES fees.....	3,378,100
12	Public swimming pool fund.....	544,300
13	Public water supply fees.....	2,309,900
14	Refined petroleum fund.....	962,700
15	Saginaw Bay and River restoration revenue.....	175,800
16	Septage waste contingency fund.....	38,000
17	Septage waste program fund.....	322,000
18	Sewage sludge land application fees.....	855,400
19	Soil erosion and sedimentation control training fund.	115,400
20	Stormwater permit fees.....	2,719,000
21	Water pollution control revolving fund.....	671,900
22	Water use reporting fees.....	247,100
23	State general fund/general purpose.....	\$ 10,523,000
24	Sec. 110. CRIMINAL INVESTIGATIONS	
25	Full-time equated classified positions..... 22.0	
26	Environmental investigations--22.0 FTE positions.....	\$ <u>2,586,700</u>
27	GROSS APPROPRIATION.....	\$ 2,586,700

1	Appropriated from:		
2	Federal revenues:		
3	DHS, federal.....	557,400	
4	EPA, multiple.....	154,000	
5	Special revenue funds:		
6	Environmental response fund.....	132,500	
7	Oil and gas regulatory fund.....	363,300	
8	Scrap tire regulatory fund.....	285,200	
9	State general fund/general purpose.....	\$ 1,094,300	
10	Sec. 111. GRANTS		
11	Water pollution control and drinking water revolving		
12	funds	\$ 86,309,300	
13	Noncommunity water grants.....	1,400,000	
14	Grants to counties - air pollution.....	83,700	
15	Coastal management grants.....	2,000,000	
16	Federal - nonpoint source water pollution grants	6,500,000	
17	Federal - Great Lakes remedial action plan grants	700,000	
18	Great Lakes research and protection grants.....	1,000,000	
19	Radon grants.....	90,000	
20	Drinking water program grants.....	1,330,000	
21	Local health department operations.....	10,472,500	
22	Pollution prevention local grants.....	250,000	
23	Septage waste compliance grants.....	400,000	
24	Scrap tire grants.....	4,500,000	
25	Strategic water quality initiative loans.....	9,600,000	
26	Water quality protection grants.....	<u>100,000</u>	
27	GROSS APPROPRIATION.....	\$ 124,735,500	

1	Appropriated from:	
2	Interdepartmental grant revenues:	
3	IDG-MDCH, local public health operations	10,472,500
4	Federal revenues:	
5	DOC-NOAA, federal	1,700,000
6	EPA, multiple	80,463,000
7	Special revenue funds:	
8	Community pollution prevention fund	250,000
9	Great Lakes protection fund	1,000,000
10	Public water supply fees	1,400,000
11	Refined petroleum fund	83,700
12	Revolving loan revenue bonds	11,400,000
13	Scrap tire regulatory fund	4,500,000
14	Septage waste program fund	400,000
15	Strategic water quality initiatives fund	9,600,000
16	Water quality protection fund	100,000
17	State general fund/general purpose	\$ 3,366,300
18	Sec. 112. INFORMATION TECHNOLOGY	
19	Information technology services and projects	\$ <u>7,478,800</u>
20	GROSS APPROPRIATION	\$ 7,478,800
21	Appropriated from:	
22	Interdepartmental grant revenues:	
23	IDT, laboratory services	150,900
24	IDG from MSP	28,000
25	IDG from MDOT - Michigan transportation fund	54,600
26	Federal revenues:	
27	DHS, federal	24,500

1	DOC-NOAA, federal.....	86,200
2	DOD, federal.....	28,200
3	DOI, federal.....	6,000
4	EPA, multiple.....	1,360,100
5	Special revenue funds:	
6	Restricted funds.....	5,206,200
7	State general fund/general purpose.....	\$ 534,100

8 PART 2

9 PROVISIONS CONCERNING APPROPRIATIONS

10 GENERAL SECTIONS

11 Sec. 201. Pursuant to section 30 of article IX of the state

12 constitution of 1963, total state spending from state resources

13 under part 1 for fiscal year 2008-2009 is \$218,320,700.00 and state

14 spending from state resources to be paid to local units of

15 government for fiscal year 2008-2009 is \$4,050,000.00. The itemized

16 statement below identifies appropriations from which spending to

17 local units of government will occur:

18 DEPARTMENT OF ENVIRONMENTAL QUALITY

19 GRANTS

20	Noncommunity water grants.....	\$ 1,400,000
21	Scrap tire grants.....	2,250,000
22	Septage waste compliance program.....	<u>400,000</u>
23	TOTAL.....	\$ 4,050,000

24 Sec. 202. The appropriations authorized under this act are

25 subject to the management and budget act, 1984 PA 431, MCL 18.1101

1 to 18.1594.

2 Sec. 203. As used in this act:

3 (a) "Department" means the department of environmental
4 quality.

5 (b) "DHHS" means the United States department of health and
6 human services.

7 (c) "DHS" means the United States department of homeland
8 security.

9 (d) "DOC" means the United States department of commerce.

10 (e) "DOC-NOAA" means the DOC national oceanic and atmospheric
11 administration.

12 (f) "DOD" means the United States department of defense.

13 (g) "DOI" means the United States department of interior.

14 (h) "EPA" means the United States environmental protection
15 agency.

16 (i) "FTE" means full-time equated.

17 (j) "IDG" means interdepartmental grant.

18 (k) "IDT" means intradepartmental transfer.

19 (l) "MDCH" means the Michigan department of community health.

20 (m) "MDSP" means the Michigan department of state police.

21 (n) "NPDES" means national pollutant discharge elimination
22 system.

23 Sec. 204. The civil service commission shall bill departments
24 and agencies at the end of the first fiscal quarter for the 1%
25 charge authorized by section 5 of article XI of the state
26 constitution of 1963. Payments shall be made for the total amount
27 of the billing by the end of the second fiscal quarter.

1 Sec. 205. (1) A hiring freeze is imposed on the state
2 classified civil service. State departments and agencies are
3 prohibited from hiring any new full-time state classified civil
4 service employees and prohibited from filling any vacant state
5 classified civil service positions. This hiring freeze does not
6 apply to internal transfers of classified employees from 1 position
7 to another within a department.

8 (2) The state budget director shall grant exceptions to the
9 hiring freeze described in subsection (1) when the state budget
10 director believes that the hiring freeze will result in rendering a
11 state department or agency unable to deliver basic services, cause
12 a loss of revenue to the state, result in the inability of the
13 state to receive federal funds, or would necessitate additional
14 expenditures that exceed any savings from maintaining a vacancy.
15 The state budget director shall report quarterly to the
16 chairpersons of the senate and house of representatives standing
17 committees on appropriations the number of exceptions to the hiring
18 freeze approved during the previous quarter and the reasons to
19 justify the exception.

20 Sec. 206. The department shall use the Internet to fulfill the
21 reporting requirements of this act. This requirement may include
22 transmission of reports via electronic mail to the recipients
23 identified for each reporting requirement or it may include
24 placement of reports on an Internet or Intranet site.

25 Sec. 208. By February 15, 2009, the department shall provide
26 the state budget director, the subcommittees on environmental
27 quality of the senate and house appropriations committees, and the

1 senate and house fiscal agencies with an annual report on
2 restricted fund balances, projected revenues, and expenditures for
3 the fiscal years ending September 30, 2008 and September 30, 2009.

4 Sec. 209. (1) From funds appropriated under part 1, the
5 department shall prepare a report that lists all of the following
6 regarding grant or loan or grant and loan programs administered by
7 the department for the fiscal year ending September 30, 2009:

8 (a) The name of each program.

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

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

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

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

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

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

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

25 (2) The reports required under this section shall be submitted
26 to the state budget office, the senate and house appropriations
27 committees, and the senate and house fiscal agencies by January 1,

1 2009.

2 Sec. 210. (1) The department shall report all of the following
3 information relative to allocations made from appropriations for
4 the environmental cleanup and redevelopment program, state cleanup,
5 emergency actions, superfund cleanup, the revitalization revolving
6 loan program, the brownfield grants and loans program, the leaking
7 underground storage tank cleanup program, the contaminated lake and
8 river sediments cleanup program, the refined petroleum product
9 cleanup program, and the environmental protection bond projects
10 under section 19508(7) of the natural resources and environmental
11 protection act, 1994 PA 451, MCL 324.19508, to the state budget
12 director, the senate and house appropriations subcommittees on
13 environmental quality, and the senate and house fiscal agencies:

14 (a) The name and location of the site for which an allocation
15 is made.

16 (b) The nature of the problem encountered at the site.

17 (c) A brief description of how the problem will be resolved if
18 the allocation is made for a response activity.

19 (d) The estimated date that site closure activities will be
20 completed.

21 (e) The amount of the allocation, or the anticipated financing
22 for the site.

23 (f) A summary of the sites and the total amount of funds
24 expended at the sites at the conclusion of the fiscal year.

25 (g) The number of sites that would qualify as brownfields that
26 were redeveloped.

27 (2) The report prepared under subsection (1) shall also

1 include all of the following:

2 (a) The status of all state-owned facilities that are on the
3 list compiled under part 201 of the natural resources and
4 environmental protection act, 1994 PA 451, MCL 324.20101 to
5 324.20142.

6 (b) The report shall include the total amount of funds
7 expended during the fiscal year and the total amount of funds
8 awaiting expenditure.

9 (c) The total amount of bonds issued for the environmental
10 protection bond program pursuant to part 193 of the natural
11 resources and environmental protection act, 1994 PA 451, MCL
12 324.19301 to 324.19306, and bonds issued pursuant to the clean
13 Michigan initiative act, 1998 PA 284, MCL 324.95101 to 324.95108.

14 (3) The report shall be made available by March 31 of each
15 year.

16 Sec. 211. (1) The department of environmental quality is
17 authorized to expend amounts remaining from the current and prior
18 fiscal year appropriations to meet funding needs of legislatively
19 approved sites for the environmental cleanup and redevelopment
20 program, the leaking underground storage tank cleanup program, and
21 the refined petroleum product cleanup program.

22 (2) Unexpended and unencumbered amounts remaining from
23 appropriations from the environmental protection bond fund
24 contained in 2003 PA 173 and 2006 PA 343 are appropriated for
25 expenditure for any site listed in this act and any site listed in
26 the public acts referenced in this section.

27 (3) Unexpended and unencumbered amounts remaining from

1 appropriations from the cleanup and redevelopment fund and
2 unclaimed bottle deposits fund contained in 2003 PA 171, 2003 PA
3 173, 2003 PA 237, and 2004 PA 350 are appropriated for expenditure
4 for any site listed in this act and any site listed in the public
5 acts referenced in this section.

6 (4) Unexpended and unencumbered amounts remaining from
7 appropriations from the clean Michigan initiative fund - response
8 activities contained in 2000 PA 506, 2001 PA 120, 2003 PA 173, 2003
9 PA 237, 2004 PA 309, 2004 PA 350, 2005 PA 11, 2006 PA 343, and 2007
10 PA 121 are appropriated for expenditure for any site listed in this
11 act and any site listed in the public acts referenced in this
12 section.

13 (5) Unexpended and unencumbered amounts remaining from
14 appropriations from the environmental protection fund contained in
15 2001 PA 43, 2002 PA 520, 2003 PA 171, and 2004 PA 350 are
16 appropriated for expenditure for any site listed in this act and
17 any site listed in the public acts referenced in this section.

18 (6) Unexpended and unencumbered amounts remaining from
19 appropriations from the refined petroleum fund activities contained
20 in 2005 PA 154 and 2007 PA 121 are appropriated for expenditure for
21 any site listed in this act and any site listed in the public acts
22 referenced in this section.

23 Sec. 213. From the funds appropriated in part 1 for
24 information technology, departments and agencies shall pay user
25 fees to the department of information technology for technology-
26 related services and projects. These user fees shall be subject to
27 provisions of an interagency agreement between the department and

1 the department of information technology.

2 Sec. 214. Amounts appropriated in part 1 for information
3 technology may be designated as work projects and carried forward
4 to support technology projects under the direction of the
5 department of information technology. Funds designated in this
6 manner are not available for expenditure until approved as work
7 projects under section 451a of the management and budget act, 1984
8 PA 431, MCL 18.1451a.

9 Sec. 215. (1) Due to the current budgetary problems in this
10 state, out-of-state travel for the fiscal year ending September 30,
11 2009 shall be limited to situations in which 1 or more of the
12 following conditions apply:

13 (a) The travel is required by legal mandate or court order or
14 for law enforcement purposes.

15 (b) The travel is necessary to protect the health or safety of
16 Michigan citizens or visitors or to assist other states in similar
17 circumstances.

18 (c) The travel is necessary to produce budgetary savings or to
19 increase state revenues, including protecting existing federal
20 funds or securing additional federal funds.

21 (d) The travel is necessary to comply with federal
22 requirements.

23 (e) The travel is necessary to secure specialized training for
24 staff that is not available within this state.

25 (f) The travel is financed entirely by federal or nonstate
26 funds.

27 (2) If out-of-state travel is necessary but does not meet 1 or

1 more of the conditions in subsection (1), the state budget director
2 may grant an exception to allow the travel. Any exceptions granted
3 by the state budget director shall be reported on a monthly basis
4 to the senate and house of representatives standing committees on
5 appropriations.

6 (3) Not later than January 1 of each year, each department
7 shall prepare a travel report listing all travel by classified and
8 unclassified employees outside this state in the immediately
9 preceding fiscal year that was funded in whole or in part with
10 funds appropriated in the department's budget. The report shall be
11 submitted to the senate and house of representatives standing
12 committees on appropriations, the senate and house fiscal agencies,
13 and the state budget director. The report shall include the
14 following information:

15 (a) The name of each person receiving reimbursement for travel
16 outside this state or whose travel costs were paid by this state.

17 (b) The destination of each travel occurrence.

18 (c) The dates of each travel occurrence.

19 (d) A brief statement of the reason for each travel
20 occurrence.

21 (e) The transportation and related costs of each travel
22 occurrence, including the proportion funded with state general
23 fund/general purpose revenues, the proportion funded with state-
24 restricted revenues, the proportion funded with federal revenues,
25 and the proportion funded with other revenues.

26 (f) A total of all out-of-state travel funded for the
27 immediately preceding fiscal year.

1 Sec. 216. Funds appropriated in part 1 shall not be used for
2 the purchase of foreign goods or services, or both, if
3 competitively priced and comparable quality American goods or
4 services, or both, are available. Preference shall be given to
5 goods or services, or both, manufactured or provided by Michigan
6 businesses if they are competitively priced and of comparable
7 quality. In addition, preference shall be given to goods or
8 services, or both, that are manufactured or provided by Michigan
9 businesses owned or operated by veterans, if they are competitively
10 priced and of comparable quality.

11 Sec. 217. The director shall take all reasonable steps to
12 ensure businesses in deprived and depressed communities compete for
13 and perform contracts to provide services or supplies, or both. The
14 director shall strongly encourage firms with which the department
15 contracts to subcontract with certified businesses in depressed and
16 deprived communities for services, supplies, or both.

17 Sec. 218. Unexpended settlement revenues at the end of the
18 fiscal year may be carried forward into the settlement fund in the
19 succeeding fiscal year up to a maximum carryforward of
20 \$2,500,000.00.

21 Sec. 219. (1) The appropriation in section 102 includes
22 \$11,963,500.00 from restricted funds. This funding source shall
23 support the restricted fund requirements, pursuant to subsection
24 (3), for selected line items in the executive operations and
25 administrative support appropriation unit.

26 (2) The appropriation in section 112 includes \$5,206,200.00
27 from restricted funds. This funding source shall support the

1 restricted fund requirements, pursuant to subsection (3), for the
2 information technology appropriation.

3 (3) The department shall adopt a cost allocation plan for
4 revenue sources supporting line items listed in sections 102 and
5 112.

6 (4) The department shall provide a report on or before October
7 31, 2008 to the house and senate appropriations subcommittees on
8 environmental quality and the house and senate fiscal agencies of
9 the line item amounts and detailed revenue sources which support
10 the restricted fund appropriations in sections 102 and 112.

11 Sec. 220. The department shall not take disciplinary action
12 against an employee for communicating truthfully and factually with
13 a member of the legislature or his or her staff.

14 Sec. 221. The department shall annually report and post on its
15 website by December 31 to the state budget director, the senate and
16 house appropriations committees, and the senate and house fiscal
17 agencies an accounting of all civil and criminal fine revenue
18 collected during the previous fiscal year.

19 Sec. 224. Funds appropriated in part 1 shall not be used by a
20 principal executive department, state agency, or authority to hire
21 a person to provide legal services that are the responsibility of
22 the attorney general. This prohibition does not apply to legal
23 services for bonding activities and for those activities that the
24 attorney general authorizes.

25 Sec. 225. (1) In addition to the funds appropriated in part 1,
26 there is appropriated an amount not to exceed \$30,000,000.00 for
27 federal contingency funds. These funds are not available for

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expenditure until they have been transferred to another line item in this act under 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 act under 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 act under 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 act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

[Sec. 226. The department shall not increase the cost of any fee, license, or permit to utilize any department service or program. It is the intent of the legislature that no fee or permit increase shall take effect during the fiscal year ending September 30, 2009.]

Sec. 227. The department shall not administer the Michigan agriculture environmental assurance program during the fiscal year ending September 30, 2009.

Sec. 231. From the funds appropriated in part 1, the department shall develop, post, and maintain a user friendly and publicly accessible Internet site, all expenditures made by the agency within a fiscal year. The posting must include the purpose for which each expenditure is made.

Sec. 232. The director of the department shall develop a staff savings initiative program to invite employees to submit suggestions for saving costs for the department and shall recommend that 10% of any savings realized from those savings to be allocated to the unit, office, or program where that employee works.]

AIR QUALITY

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23 Sec. 302. From the funds appropriated in part 1, the
24 department shall continue to work with individuals, organizations,
25 and businesses to reach ozone attainment status in the 8 counties
26 in southeast Michigan that are currently in nonattainment. To the

1 fullest extent permitted by law and federal regulations, the
2 department shall develop an attainment strategy that balances the
3 public health, environmental, and economic interests of the
4 residents, organizations, and businesses in that area.

5 **ENVIRONMENTAL SCIENCE AND SERVICES**

6 Sec. 401. Revenues remaining in the interdepartmental
7 transfers, laboratory services at the end of the fiscal year shall
8 carry forward into the succeeding fiscal year.

9 **LAND AND WATER MANAGEMENT**

10 Sec. 601. The department shall waive permit fees for nonprofit
11 organizations conducting approved stream habitat improvement
12 projects.

13 Sec. 602. The department shall continue to make refinements to
14 the wetland mapping information as additional information becomes
15 available in an effort to provide a level of detail such that a
16 person can determine from the map with a reasonable amount of
17 certainty whether or not a parcel or substantial portion of a
18 parcel in question is in fact a wetland subject to regulation by
19 the department.

20 **REMEDIATION AND REDEVELOPMENT**

21 Sec. 701. The unexpended funds appropriated in part 1 for
22 emergency cleanup actions, the refined petroleum product cleanup
23 program, and the environmental cleanup and redevelopment program
24 are 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, 2013.

Sec. 703. The funds appropriated in part 1 for the refined petroleum product cleanup program shall be used to fund cleanup activities on the following sites:

Site Name	County
Phil's Sunoco	Alcona
Somers Inc.	Alcona
Laughing Whitefish Trading Post	Alger
Midway Resort Inc	Alger
Fennville Feed Supply	Allegan
Bellaire Bay Mart	Antrim
Butch's Tackle & Marine	Antrim
Pickup Capitol of the North	Antrim
Res Wells Torch Lake Twp	Antrim
Torch River Pit Stop	Antrim
Woodland Residential Wells	Barry
Lone Pine Party Store	Benzie
Res. Well Village of Honor	Benzie
Dave's Shell	Berrien

1	Frank's Pro Station	Berrien
2	Main & Fair, SW Corner	Berrien
3	Main & Ogden, NE Corner	Berrien
4	Schuler's Auto Repair	Berrien
5	Indian Lake Mini Super	Cass
6	Riggs Corner Store	Cass
7	Dockside Market	Charlevoix
8	Cook Corporation	Cheboygan
9	Mr. Mug's Donut Shop	Chippewa
10	Ackel's Car Care	Clinton
11	South End Mobil	Eaton
12	Farmers Petroleum Coop-Petoskey	Emmet
13	Central Distributing	Genesee
14	Fishermans Landing	Genesee
15	Flint, City of	Genesee
16	J&J Service Station	Genesee
17	Sunshine Foods #119 Burton	Genesee
18	Gazey Aleck Station	Gladwin
19	Winegars Trading Post	Gladwin
20	Evans Paint & Wallpaper	Grand Traverse
21	GJ's Party Store	Grand Traverse
22	Hoeflin Service Station	Grand Traverse
23	OTC Oil	Grand Traverse
24	Universal Car Wash II	Grand Traverse
25	Venture Investments	Grand Traverse
26	Woodland Shop and Go #175	Grand Traverse
27	Dunk's Garage	Huron

1	Port Austin Shell	Huron
2	Action Auto Inc	Ingham
3	Former Clark #531	Ingham
4	Webberville Oil	Ingham
5	Gene Carr	Ionia
6	Goss Corner Store	Ionia
7	Justice Junction/Nancy Justice	Ionia
8	Barbier Oil Bulk Plant	Iosco
9	Bublitz Oil Full Service Oscoda	Iosco
10	Alamo General Store	Kalamazoo
11	McDonalds Crosstown Service	Kalamazoo
12	McLeieer Oil	Kalamazoo
13	Moore's Millwood Service	Kalamazoo
14	Davis Country Corners	Kalkaska
15	Taffletown Tavern	Kalkaska
16	Hucks Corner Inc.	Kent
17	Riverview, N Park, Hubbard St area	Kent
18	Robinson Bulk Terminal	Kent
19	Uncle Lee's Trading Post/MRL Inc	Kent
20	Bass Lake Store	Lake
21	Chase General Store	Lake
22	Lakeland Montessori School	Livingston
23	Leon Bonner Prop	Livingston
24	Millies Market (dba Toms)	Livingston
25	Bob's Standard Service	Luce
26	Action Auto (Former)	Macomb
27	Montgomery Ward	Macomb

1	Arcadia Veteran's Mem. Marina	Manistee
2	Red Barn Market	Manistee
3	Greenwood Self Serve	Marquette
4	Harvey Oil Co Inc	Marquette
5	Joe & Son's Service	Marquette
6	Paton's Country Store	Marquette
7	Joes Tire Service/Ridderman Oil	Mecosta
8	Kregear's Service	Missaukee
9	The Landing	Missaukee
10	1034 Howard City Edmore Road	Montcalm
11	Amble Oil Co	Montcalm
12	Beard Oil - Former	Montcalm
13	Blackrick Service	Montcalm
14	Six Lakes General	Montcalm
15	Thelma Franklin	Montcalm
16	Mary D's Restaurant	Montmorency
17	Pointe Bait	Montmorency
18	Sports Center, Inc.	Montmorency
19	Bill's Auto & Stereo	Muskegon
20	Kelly's Corner Inc	Muskegon
21	Laketon Auto Clinic	Muskegon
22	MDNR Real Estate, White Cloud	Newaygo
23	Up North Gift Co	Newaygo
24	415 E. Hudson Ave.	Oakland
25	Emma Milner Property	Oakland
26	Farmers Petroleum Corp, Highland	Oakland
27	Jenny Ent/Wine Basket, Highland	Oakland

1	Little Caesar's Pizza, Ortonville	Oakland
2	Wayne Oakland Oil Company	Oakland
3	East Hart Party Store	Oceana
4	William Crawford Property	Oceana
5	Al's Service	Ogemaw
6	Franklin Forge Co	Ogemaw
7	MDNR Main St. Lupton	Ogemaw
8	Rose City Feed and Tack	Ogemaw
9	Oscelola Oil Company	Osceola
10	Family Book Shelf	Osceola
11	Jamestown Automotive Inc	Ottawa
12	Big Mac's Market	Roscommon
13	Chapin General Store	Saginaw
14	Kuchers Service	Saginaw
15	Court Abandoned	Shiawassee
16	Former Sav-U Station	Shiawassee
17	Payless SuperAmerica	St. Joseph
18	Imlay City Gas and Oil	Tuscola
19	Lakeside Kwik Stop	Van Buren
20	A.S.E. Inc dba S & S Shell	Washtenaw
21	Arbor Wash	Washtenaw
22	Cals Car Care Inc	Wayne
23	Levan Party Store	Wayne
24	Mercury Manufacturing	Wayne
25	Reclamation Oil Company	Wayne
26	Warren & Lakewood Service	Wayne
27	Jacks Resort	Wexford

1 Peterson's Standard Wexford

2 Village of Harrietta Wexford

3 Sec. 704. It is the intent of the legislature to repay the
4 refined petroleum fund for the \$70,000,000.00 that was transferred
5 to the environmental protection fund as part of the resolution for
6 the fiscal year 2006-2007 budget.

7 WATER

8 Sec. 901. By February 1, 2009, the department shall submit a
9 report on the department's use of the national pollutant discharge
10 elimination system fund created in MCL 324.3121 for the previous
11 fiscal year, to the senate and house appropriations subcommittees
12 on environmental quality, the standing committees of the
13 legislature with jurisdiction over issues primarily related to
14 natural resources and the environment, and the senate and house
15 fiscal agencies. The report shall include a summary of how the
16 appropriations in part 1 for NPDES nonstormwater program were used
17 for the various permissible uses of the fund and shall include
18 specific information on all of the following:

19 (a) The number of compliance and complaint inspections
20 completed, by category, the number of on-site compliance
21 inspections conducted, and the number of compliance inspections
22 that were not announced in advance to the permittee or licensee.

23 (b) The number and percent of permit and license inspections
24 that were found to be in significant noncompliance, by category.

25 (c) The number of administrative enforcement actions taken for
26 permit or license violations and the results of the enforcement

1 actions, including the amount of fines and penalties collected.

2 (d) The number of judicial enforcement actions taken for
3 permit or license violations and the results of the enforcement
4 actions, including the amount of fines and penalties collected.

5 (e) A listing of the supplemental environmental projects
6 agreed to as a result of a consent agreement including all of the
7 following: the case name, the monetary value of the supplemental
8 environmental project, and a description of the project.

9 Sec. 902. The unexpended portion of funds appropriated in part
10 1 of 2004 PA 309 for the contaminated lake and river sediments
11 cleanup program are appropriated for the same purpose for the
12 fiscal year ending September 30, 2009.

13 GRANTS

14 Sec. 1101. If a certified health department does not exist in
15 a city, county, or district or does not fulfill its
16 responsibilities under part 117 of the natural resources and
17 environmental protection act, 1994 PA 451, MCL 324.11701 to
18 324.11720, then the department may spend funds appropriated in part
19 1 under the septage waste compliance program in accordance with
20 section 11716 of the natural resources and environmental protection
21 act, 1994 PA 451, MCL 324.11716.

22 Sec. 1102. Of the funds appropriated in part 1 for scrap tire
23 grants, \$100,000.00 shall be available for grants to communities to
24 cover scrap tire fire suppression costs, provided owner liability
25 bonds and other available funding sources have been exhausted.