

SENATE SUBSTITUTE FOR
HOUSE BILL NO. 4446

A bill to make appropriations for the department of conservation for the fiscal year ending September 30, 2010; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe certain 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

Sec. 101. Subject to the conditions set forth in this act, the amounts listed in this part are appropriated for the department of conservation for the fiscal year ending September 30, 2010, from the funds indicated in this part. The following is a summary of the appropriations in this part:

DEPARTMENT OF CONSERVATION

APPROPRIATION SUMMARY:

Full-time equated unclassified positions..... 6.0

Full-time equated classified positions..... 3,586.6

GROSS APPROPRIATION..... \$ 623,918,000

Interdepartmental grant revenues:

Total interdepartmental grants and intradepartmental

transfers 11,235,800

ADJUSTED GROSS APPROPRIATION..... \$ 612,682,200

Federal revenues:

Total federal revenues..... 184,363,000

Special revenue funds:

Total local revenues..... 0

Total private revenues..... 5,927,400

Total other state restricted revenues..... 385,903,300

State general fund/general purpose..... \$ 36,488,500

Sec. 102. EXECUTIVE OPERATIONS AND DEPARTMENT SUPPORT

Full-time equated unclassified positions..... 6.0

Full-time equated classified positions..... 170.8

Commission (including travel expense--per diem) \$ 85,400

Unclassified salaries--6.0 FTE positions..... 542,400

Communications--62.3 FTE positions..... 4,873,600

1	Executive direction--36.0 FTE positions	4,301,300
2	Legal coordination--5.5 FTE positions	549,100
3	Building occupancy charges	8,335,900
4	Rent - privately owned property	2,235,900
5	Gifts and bequests	500,000
6	Administrative hearings	397,400
7	Central operations--60.0 FTE positions	5,281,100
8	Office of the Great Lakes--7.0 FTE positions	1,062,700
9	Automated data processing	2,053,400
10	Environmental support projects	<u>5,000,000</u>
11	GROSS APPROPRIATION	\$ 35,218,200
12	Appropriated from:	
13	Interdepartmental grant revenues:	
14	IDG-MSP	113,500
15	IDT, interdivisional charges	2,053,400
16	IDT, laboratory services	530,400
17	Federal revenues:	
18	DHS, federal	45,700
19	DOI, federal	937,200
20	Federal funds	384,000
21	Special revenue funds:	
22	Private funds	575,900
23	State restricted	25,786,700
24	State general fund/general purpose	\$ 4,791,400
25	Sec. 103. ADMINISTRATIVE SERVICES	
26	Full-time equated classified positions	46.0
27	Budget and support services--10.0 FTE positions	\$ 1,167,800

1	Financial services--23.0 FTE positions	2,443,800
2	Grants management--13.0 FTE positions	<u>1,281,100</u>
3	GROSS APPROPRIATION.....	\$ 4,892,700
4	Appropriated from:	
5	Interdepartmental grant revenues:	
6	Federal revenues:	
7	DOI, federal.....	204,600
8	Special revenue funds:	
9	Clean Michigan initiative fund.....	25,500
10	Forest development fund.....	806,400
11	Forest recreation account.....	33,500
12	Game and fish protection fund.....	883,800
13	Game and fish protection fund - deer habitat reserve .	25,100
14	Game and fish protection fund - turkey permit fees ...	17,100
15	Game and fish protection fund - waterfowl fees	3,900
16	Game and fish - wildlife resource protection fund....	16,400
17	Land exchange facilitation fund.....	41,200
18	Marine safety fund.....	129,000
19	Michigan natural resources trust fund.....	1,008,600
20	Michigan state parks endowment fund.....	125,400
21	Michigan state waterways fund.....	206,300
22	Nongame wildlife fund.....	12,600
23	Off-road vehicle trail improvement fund.....	13,700
24	Park improvement fund.....	588,700
25	Recreation improvement account.....	10,800
26	Snowmobile registration fee revenue.....	31,400
27	Snowmobile trail improvement fund.....	86,900

1	State general fund/general purpose	\$	621,800
2	Sec. 104. LAND AND FACILITIES		
3	Full-time equated classified positions.....	134.2	
4	Land and facilities--134.2 FTE positions	\$	<u>20,239,100</u>
5	GROSS APPROPRIATION.....	\$	20,239,100
6	Appropriated from:		
7	Interdepartmental grant revenues:		
8	IDG, engineering services to work orders		1,972,100
9	IDG, land acquisition services to work orders		417,000
10	IDG, MacMullan conference center revenue		1,413,100
11	Special revenue funds:		
12	Forest development fund.....		1,978,600
13	Forestland user charges.....		13,700
14	Forest recreation account.....		11,100
15	Game and fish protection fund.....		6,630,700
16	Game and fish protection fund - deer habitat reserve .		200,600
17	Game and fish protection fund - turkey permit fees ...		78,300
18	Game and fish - wildlife resource protection fund....		6,200
19	Land exchange facilitation fund.....		5,909,600
20	Marine safety fund.....		103,900
21	Michigan natural resources trust fund.....		5,900
22	Michigan state parks endowment fund.....		134,500
23	Michigan state waterways fund.....		269,800
24	Off-road vehicle trail improvement fund.....		24,200
25	Park improvement fund.....		511,000
26	Snowmobile registration fee revenue.....		40,600
27	Snowmobile trail improvement fund.....		79,900

1	State general fund/general purpose	\$	438,300
2	Sec. 105. WILDLIFE MANAGEMENT		
3	Full-time equated classified positions		205.0
4	Wildlife management--196.0 FTE positions	\$	28,772,700
5	Natural resources heritage--9.0 FTE positions		1,263,000
6	State game and wildlife area maintenance		<u>750,000</u>
7	GROSS APPROPRIATION	\$	30,785,700
8	Appropriated from:		
9	Federal revenues:		
10	DAG, federal		366,500
11	DOI, federal		13,812,100
12	EPA, federal		1,000
13	Special revenue funds:		
14	Private funds		114,600
15	Cervidae licensing and inspection fees		103,000
16	Forest development fund		65,500
17	Game and fish protection fund		9,039,300
18	Game and fish protection fund - deer habitat reserve .		2,768,300
19	Game and fish protection fund - turkey permit fees ...		1,693,000
20	Game and fish protection fund - waterfowl fees		103,600
21	Nongame wildlife fund		641,900
22	Sportsmen against hunger fund		257,600
23	State general fund/general purpose	\$	1,819,300
24	Sec. 106. FISHERIES MANAGEMENT		
25	Full-time equated classified positions		232.0
26	Aquatic resource mitigation--2.0 FTE positions	\$	912,500
27	Fish production--60.0 FTE positions		8,300,100

1	Fisheries resource management--170.0 FTE positions ...	<u>18,323,600</u>
2	GROSS APPROPRIATION.....	\$ 27,536,200
3	Appropriated from:	
4	Federal revenues:	
5	DAG, federal.....	134,400
6	DOC, federal.....	53,400
7	DOE, federal.....	1,000
8	DOI, federal.....	10,067,700
9	EPA, federal.....	165,500
10	Special revenue funds:	
11	Private funds.....	116,700
12	Game and fish protection fund.....	16,086,000
13	Game and fish protection fund - fisheries settlement .	911,500
14	State general fund/general purpose.....	\$ 0
15	Sec. 107. PARKS AND RECREATION	
16	Full-time equated classified positions.....	794.9
17	Recreational boating--163.5 FTE positions.....	\$ 14,776,100
18	State parks--631.4 FTE positions.....	46,698,700
19	State parks improvement revenue bonds - debt service .	<u>1,147,100</u>
20	GROSS APPROPRIATION.....	\$ 62,621,900
21	Appropriated from:	
22	Interdepartmental grant revenues:	
23	Federal revenues:	
24	EPA, federal.....	122,400
25	Special revenue funds:	
26	Private funds.....	370,300
27	Michigan civilian conservation corps endowment fund..	250,000

1	Michigan state parks endowment fund.....	13,293,200
2	Michigan state waterways fund.....	14,776,100
3	Off-road vehicle trail improvement fund.....	247,400
4	Park improvement fund.....	33,562,500
5	State general fund/general purpose.....	\$ 0
6	Sec. 108. FOREST, MINERAL, AND FIRE MANAGEMENT	
7	Full-time equated classified positions.....	383.0
8	Adopt-a-forest program.....	\$ 25,000
9	Cooperative resource programs--12.0 FTE positions	1,135,900
10	Forest fire equipment.....	500,000
11	Wildfire protection--122.0 FTE positions	11,451,500
12	Forest management initiatives--10.0 FTE positions	808,900
13	Forest recreation--51.0 FTE positions	4,824,000
14	Minerals management--23.0 FTE positions	2,565,400
15	State forest management and timber treatments--165.0	
16	FTE positions	<u>20,544,200</u>
17	GROSS APPROPRIATION.....	\$ 41,854,900
18	Appropriated from:	
19	Federal revenues:	
20	DAG, federal.....	2,436,000
21	DHS, federal.....	255,600
22	DOI, federal.....	2,000
23	EPA, federal.....	1,000
24	Special revenue funds:	
25	Private funds.....	941,000
26	Aircraft fees.....	263,000
27	Commercial forest fund.....	49,200

1	Forest development fund.....	25,730,700
2	Forestland user charges.....	536,500
3	Forest recreation account.....	1,240,500
4	Game and fish protection fund.....	1,481,000
5	Michigan natural resources trust fund.....	1,268,100
6	Michigan state parks endowment fund.....	574,700
7	Michigan state waterways fund.....	394,200
8	Off-road vehicle trail improvement fund.....	742,500
9	ORV safety education fund.....	6,200
10	Recreation improvement account.....	330,200
11	Shop fees.....	67,300
12	Snowmobile registration fee revenue.....	16,900
13	Snowmobile trail improvement fund.....	1,629,600
14	State general fund/general purpose.....	\$ 3,888,700
15	Sec. 109. LAW ENFORCEMENT	
16	Full-time equated classified positions.....	228.0
17	General law enforcement--228.0 FTE positions.....	\$ <u>28,629,000</u>
18	GROSS APPROPRIATION.....	\$ 28,629,000
19	Appropriated from:	
20	Federal revenues:	
21	DHS, federal.....	4,485,600
22	DOC, federal.....	18,400
23	DOI, federal.....	563,300
24	Special revenue funds:	
25	Cervidae licensing and inspection fees.....	65,100
26	Forest recreation account.....	61,000
27	Game and fish protection fund.....	16,467,800

1	Game and fish - wildlife resource protection fund....		1,566,800
2	Marine safety fund.....		1,614,100
3	Off-road vehicle trail improvement fund.....		1,251,400
4	ORV safety education fund.....		81,700
5	Park improvement fund.....		61,000
6	Snowmobile registration fee revenue.....		991,100
7	State general fund/general purpose.....	\$	1,401,700
8	Sec. 110. NATURAL RESOURCE GRANTS		
9	Federal - clean vessel act grants.....	\$	400,000
10	Federal - forest stewardship grants.....		3,125,000
11	Federal - land and water conservation fund payments ..		2,566,900
12	Federal - rural community fire protection.....		300,000
13	Federal - urban forestry grants.....		4,000,000
14	Grants to communities - federal oil, gas, and timber		
15	payments		3,450,000
16	National recreational trails.....		3,950,000
17	Accessibility grants.....		1,000,000
18	Game and nongame wildlife fund grants.....		10,000
19	Grant to counties - marine safety.....		4,275,000
20	Off-road vehicle safety training grants.....		150,000
21	Off-road vehicle trail improvement grants.....		2,454,000
22	Recreation improvement fund grants.....		1,100,000
23	Snowmobile law enforcement grants.....		1,142,000
24	Snowmobile local grants program.....		8,014,000
25	Trail easements.....		<u>700,000</u>
26	GROSS APPROPRIATION.....	\$	36,636,900
27	Appropriated from:		

1	Federal revenues:		
2	DAG, federal.....	10,625,000	
3	DHS, federal.....	1,470,000	
4	DOI, federal.....	3,116,900	
5	DOT, federal.....	3,900,000	
6	Special revenue funds:		
7	Private funds.....	1,150,000	
8	Marine safety fund.....	2,805,000	
9	Nongame wildlife fund.....	10,000	
10	Off-road vehicle trail improvement fund.....	2,454,000	
11	ORV safety education fund.....	150,000	
12	Permanent snowmobile trail easement fund.....	700,000	
13	Recreation improvement account.....	1,100,000	
14	Snowmobile registration fee revenue.....	1,142,000	
15	Snowmobile trail improvement fund.....	8,014,000	
16	State general fund/general purpose.....	\$ 0	
17	Sec. 111. CAPITAL OUTLAY		
18	(1) STATE PARK AND FOREST AREA IMPROVEMENTS		
19	State parks repair and maintenance.....	\$ 4,000,000	
20	Forest roads, bridges, and facilities.....	<u>1,400,000</u>	
21	GROSS APPROPRIATION.....	\$ 5,400,000	
22	Appropriated from:		
23	Special revenue funds:		
24	Private funds.....	2,000,000	
25	Forest development fund.....	1,300,000	
26	Forest recreation account.....	100,000	
27	Michigan state parks endowment fund.....	2,000,000	

1	State general fund/general purpose	\$	0
2	(2) WATERWAYS BOATING PROGRAM		
3	Infrastructure improvements - state projects	\$	1,228,400
4	Land acquisition		1,000,000
5	Boating program, state boating access projects:		
6	Port Austin, Huron County, new floating piers,		
7	utility upgrades, and comfort station (total		
8	authorized cost is increased from \$500,000 to		
9	\$3,000,000; state share is increased from \$500,000		
10	to \$3,000,000)		2,500,000
11	Boating program, harbors and docks, state facilities:		
12	Mackinaw City, Cheboygan County, new boat launch		
13	(total authorized cost is increased from		
14	\$12,075,000 to \$13,575,000; state share is		
15	increased from \$12,075,000 to \$13,575,000)		1,500,000
16	Lac La Belle, Keewenaw County, pilings and pier		
17	replacement (total authorized cost \$1,000,000;		
18	federal share \$750,000; state share \$250,000)		
19	Boating program, harbors and docks, local facilities:		
20	Naubinway, Mackinac County, breakwater protection		
21	and dredging (total authorized cost \$1,800,000;		
22	local share \$90,000; state share \$1,710,000)		
23	Leland, Leelanau County, dock replacements, utility		
24	upgrades, seawall protection (total authorized cost is		
25	increased from \$4,195,000 to \$4,900,000; local share		
26	is increased from \$990,000 to \$1,225,000; state		
27	share is increased from \$2,970,000 to \$3,675,000) ...		<u>705,000</u>

1	GROSS APPROPRIATION.....	\$	9,643,400
2	Appropriated from:		
3	Federal revenues:		
4	DHS, U.S. coast guard.....		1,228,400
5	DOI, federal.....		750,000
6	Special revenue funds:		
7	Michigan state waterways fund.....		7,665,000
8	State general fund/general purpose.....	\$	0
9	Sec. 112. AIR QUALITY		
10	Full-time equated classified positions.....		236.5
11	Air quality programs--236.5 FTE positions.....	\$	<u>25,360,000</u>
12	GROSS APPROPRIATION.....	\$	25,360,000
13	Appropriated from:		
14	Federal revenues:		
15	Federal funds.....		6,473,500
16	Special revenue funds:		
17	Air emissions fees.....		10,200,300
18	Environmental response fund.....		108,900
19	Fees and collections.....		307,600
20	Oil and gas regulatory fund.....		110,400
21	Refined petroleum fund.....		2,921,300
22	State general fund/general purpose.....	\$	5,238,000
23	Sec. 113. OFFICE OF POLLUTION PREVENTION AND		
24	COMPLIANCE ASSISTANCE		
25	Full-time equated classified positions.....		47.0
26	Pollution prevention and technical assistance--47.0		
27	FTE positions	\$	<u>6,243,900</u>

1	GROSS APPROPRIATION.....	\$	6,243,900
2	Appropriated from:		
3	Interdepartmental grant revenues:		
4	Federal revenues:		
5	Federal funds.....		818,400
6	Special revenue funds:		
7	Private funds.....		500,000
8	Air emissions fees.....		399,700
9	Settlement funds.....		227,200
10	Small business pollution prevention revolving loan		
11	fund		110,600
12	Waste reduction fee revenue.....		3,912,100
13	State general fund/general purpose.....	\$	275,900
14	Sec. 114. OFFICE OF GEOLOGICAL SURVEY		
15	Full-time equated classified positions.....	60.0	
16	Coal and sand dune management--1.0 FTE positions	\$	132,800
17	Metallic mining reclamation program--1.0 FTE positions		34,300
18	Mineral wells management--2.0 FTE positions		175,300
19	Nonferrous metallic mining--1.0 FTE positions		22,400
20	Services to oil and gas programs--53.0 FTE positions .		8,393,300
21	Well plugging-orphan wells--2.0 FTE positions		<u>2,060,200</u>
22	GROSS APPROPRIATION.....	\$	10,818,300
23	Appropriated from:		
24	Federal revenues:		
25	Federal funds.....		58,700
26	Special revenue funds:		
27	Metallic mining surveillance fee revenue		34,300

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1	Mineral well regulatory fee revenue.....	175,300
2	Nonferrous metallic mineral surveillance.....	22,400
3	Oil and gas regulatory fund.....	8,316,400
4	Orphan well fund.....	2,060,200
5	Publication revenue.....	76,900
6	Sand extraction fee revenue.....	74,100
7	State general fund/general purpose.....	\$ 0
8	Sec. 115. LAND AND WATER MANAGEMENT	
9	Full-time equated classified positions.....	101.0
10	Land and water interface programs--73.0 FTE positions	\$ <<7,207,500>>
11	Program direction and project assistance--28.0 FTE	
12	positions	2,375,000
13	Field permitting and project assistance.....	<<200>>
14	GROSS APPROPRIATION.....	\$ 9,582,700
15	Appropriated from:	
16	Interdepartmental grant revenues:	
17	Federal revenues:	
18	Federal funds.....	3,703,400
19	Special revenue funds:	
20	Land and water permit fees.....	314,100
21	State general fund/general purpose.....	\$ 5,565,200
22	Sec. 116. REMEDIATION AND REDEVELOPMENT	
23	Full-time equated classified positions.....	350.0
24	Federal cleanup project management--61.0 FTE positions	\$ 8,553,600
25	Superfund cleanup.....	3,000,000
26	Contaminated site investigations, cleanup and	
27	revitalization--230.0 FTE positions.....	23,994,600

1	Emergency cleanup action.....	4,000,000
2	Refined petroleum product cleanup program.....	20,000,000
3	Environmental cleanup support.....	1,840,000
4	Laboratory services--59.0 FTE positions.....	<u>7,368,700</u>
5	GROSS APPROPRIATION.....	\$ 68,756,900
6	Appropriated from:	
7	Interdepartmental grant revenues:	
8	IDT, laboratory services.....	3,800,300
9	Federal revenues:	
10	Federal funds.....	8,620,200
11	Special revenue funds:	
12	Private funds.....	158,900
13	Cleanup and redevelopment fund.....	6,550,800
14	Environmental protection fund.....	5,982,000
15	Environmental response fund.....	11,305,000
16	Landfill maintenance trust fund.....	57,300
17	Public water supply fees.....	257,200
18	Refined petroleum fund.....	26,932,700
19	Revitalization revolving loan fund.....	85,800
20	Settlement funds.....	1,550,700
21	Water analysis fees.....	3,311,200
22	State general fund/general purpose.....	\$ 144,800
23	Sec. 117. WASTE AND HAZARDOUS MATERIALS DIVISION	
24	Full-time equated classified positions..... 173.0	
25	Hazardous waste management program--60.0 FTE positions	\$ 6,105,100
26	Low-level radioactive waste authority--2.0 FTE	
27	positions	791,900

1	Medical waste program--2.0 FTE positions	246,200
2	Radiological protection program--12.0 FTE positions ..	1,197,900
3	Scrap tire regulatory program--11.0 FTE positions	1,089,400
4	Solid waste management program--45.0 FTE positions ...	4,928,300
5	Underground storage tank program--33.0 FTE positions .	3,588,100
6	Aboveground storage tank program--8.0 FTE positions ..	<u>774,600</u>
7	GROSS APPROPRIATION.....	\$ 18,721,500
8	Appropriated from:	
9	Interdepartmental grant revenues:	
10	IDG-MDSP.....	757,100
11	Federal revenues:	
12	Federal funds.....	4,039,600
13	Special revenue funds:	
14	Aboveground storage tank fees.....	371,200
15	Electronic waste recycling fund.....	245,000
16	Environmental pollution prevention fund.....	1,034,200
17	Hazardous materials transportation permit fund.....	224,400
18	Medical waste emergency response fund.....	246,200
19	Public utility assessments.....	791,900
20	Refined petroleum fund.....	1,404,500
21	Scrap tire regulatory fund.....	1,089,400
22	Solid waste management fund - staff account.....	4,606,800
23	Underground storage tank fees.....	2,170,200
24	Waste reduction fee revenue.....	76,500
25	State general fund/general purpose.....	\$ 1,664,500
26	Sec. 118. WATER DIVISION	
27	Full-time equated classified positions.....	402.2

1	Drinking water and environmental health--120.0 FTE	
2	positions	\$ 15,309,400
3	Surface water--109.0 FTE positions	15,271,400
4	NPDES nonstormwater program--98.2 FTE positions	10,821,600
5	Groundwater discharge--22.0 FTE positions	2,657,900
6	Municipal assistance--37.0 FTE positions	5,334,700
7	Sewage sludge land application program--6.0 FTE	
8	positions	870,300
9	Water withdrawal assessment program--7.0 FTE positions	655,800
10	Expedited water/wastewater permits--3.0 FTE positions	404,300
11	Fish contaminant monitoring contracts	<u>316,100</u>
12	GROSS APPROPRIATION	\$ 51,641,500
13	Appropriated from:	
14	Federal revenues:	
15	Federal funds	21,149,500
16	Special revenue funds:	
17	Campground fund	242,900
18	Clean Michigan initiative fund - administration	122,000
19	Clean Michigan initiative fund - clean water fund	3,770,800
20	Environmental response fund	170,800
21	Fees and collections	96,500
22	Groundwater discharge permit fees	1,160,300
23	Infrastructure construction fund	404,300
24	Land and water permit fees	505,200
25	NPDES fees	3,448,600
26	Public swimming pool fund	553,300
27	Public water supply fees	2,347,800

1	Refined petroleum fund.....	973,400
2	Septage waste contingency fund.....	38,600
3	Septage waste program fund.....	378,100
4	Sewage sludge land application fees.....	870,300
5	Soil erosion and sedimentation control training fund.	117,300
6	Stormwater permit fees.....	2,861,200
7	Strategic water quality initiatives fund.....	400,000
8	Wastewater operator training fees.....	175,000
9	Water pollution control revolving fund.....	3,128,300
10	Water use reporting fees.....	251,200
11	State general fund/general purpose.....	\$ 8,476,100
12	Sec. 119. CRIMINAL INVESTIGATIONS	
13	Full-time equated classified positions.....	23.0
14	Environmental investigations--23.0 FTE positions.....	\$ <u>2,604,400</u>
15	GROSS APPROPRIATION.....	\$ 2,604,400
16	Appropriated from:	
17	Federal revenues:	
18	Federal funds.....	684,000
19	Special revenue funds:	
20	Restricted funds.....	1,013,000
21	State general fund/general purpose.....	\$ 907,400
22	Sec. 120. ENVIRONMENTAL GRANTS	
23	Water pollution control and drinking water revolving	
24	funds	\$ 82,943,000
25	Noncommunity water grants.....	1,400,000
26	Grants to counties - air pollution.....	83,700
27	Coastal management grants.....	2,000,000

1	Federal - nonpoint source water pollution grants	6,500,000
2	Federal - Great Lakes remedial action plan grants	700,000
3	Great Lakes research and protection grants	1,000,000
4	Radon grants	90,000
5	Drinking water program grants	1,330,000
6	Pollution prevention local grants	250,000
7	Septage waste compliance grants	400,000
8	Scrap tire grants	3,700,000
9	Strategic water quality initiative loans	9,600,000
10	Water quality protection grants	<u>100,000</u>
11	GROSS APPROPRIATION	\$ 110,096,700
12	Appropriated from:	
13	Interdepartmental grant revenues:	
14	Federal revenues:	
15	Federal funds	82,163,000
16	Special revenue funds:	
17	Community pollution prevention fund	250,000
18	Great Lakes protection fund	1,000,000
19	Public water supply fees	1,400,000
20	Refined petroleum fund	83,700
21	Revolving loan revenue bonds	11,400,000
22	Scrap tire regulatory fund	3,700,000
23	Septage waste program fund	400,000
24	Strategic water quality initiatives fund	9,600,000
25	Water quality protection fund	100,000
26	State general fund/general purpose	\$ 0
27	Sec. 121. INFORMATION TECHNOLOGY	

1	Information technology services and projects	\$	<u>16,634,100</u>
2	GROSS APPROPRIATION.....	\$	16,634,100
3	Appropriated from:		
4	Interdepartmental grant revenues:		
5	IDT, laboratory services.....		150,900
6	IDG from MSP.....		28,000
7	Federal revenues:		
8	Federal funds.....		1,505,000
9	Special revenue funds:		
10	Commercial forest fund.....		5,100
11	Forest development fund.....		1,521,800
12	Forestland user charges.....		17,000
13	Forest recreation account.....		44,600
14	Game and fish protection fund.....		2,836,800
15	Game and fish protection fund - deer habitat reserve .		76,800
16	Game and fish protection fund - turkey permit fees ...		67,800
17	Game and fish protection fund - waterfowl fees		2,800
18	Game and fish - wildlife resource protection fund....		58,300
19	Land exchange facilitation fund.....		156,400
20	Marine safety fund.....		77,100
21	Michigan natural resources trust fund.....		479,400
22	Michigan state parks endowment fund.....		340,700
23	Michigan state waterways fund.....		671,000
24	Nongame wildlife fund.....		24,400
25	Off-road vehicle trail improvement fund.....		8,100
26	Park improvement fund.....		1,591,900
27	Recreation improvement account.....		12,000

1	Snowmobile registration fee revenue.....	47,800
2	Snowmobile trail improvement fund.....	77,100
3	Restricted funds.....	5,577,900
4	State general fund/general purpose.....	\$ 1,255,400

5 PART 2

6 PROVISIONS CONCERNING APPROPRIATIONS

7 SUBPART A GENERAL SECTIONS

8 Sec. 201. Pursuant to section 30 of article IX of the state
 9 constitution of 1963, total state spending from state resources
 10 under part 1 for fiscal year 2009-2010 is \$422,391,800.00 and state
 11 spending from state resources to be paid to local units of
 12 government for fiscal year 2009-2010 is \$10,722,000.00. The
 13 itemized statement below identifies appropriations from which
 14 spending to local units of government will occur:

15 DEPARTMENT OF CONSERVATION

16 CAPITAL OUTLAY

17	Waterways boating program.....	\$ 2,415,000
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18 GRANTS

19	Grants to counties - marine safety.....	\$ 2,805,000
20	Off-road vehicle safety training grants.....	150,000
21	Off-road vehicle trail improvement grants.....	450,000
22	Recreation improvement fund grants.....	110,000
23	Snowmobile law enforcement grants.....	1,142,000
24	Noncommunity water grants.....	1,400,000
25	Scrap tire grants.....	1,850,000

1	Septage waste compliance program.....	400,000
2	TOTAL.....	\$ 10,722,000

3 Sec. 202. The appropriations authorized under this act are
 4 subject to the management and budget act, 1984 PA 431, MCL 18.1101
 5 to 18.1594.

6 Sec. 203. As used in this act:

7 (a) "Commission" means the commission of natural resources.

8 (b) "DAG" means the United States department of agriculture.

9 (c) "Department" means the department of conservation.

10 (d) "DHS" means the United States department of homeland
 11 security.

12 (e) "Director" means the director of the department of
 13 conservation.

14 (f) "DOC" means the United States department of commerce.

15 (g) "DOE" means the United States department of energy.

16 (h) "DOI" means the United States department of interior.

17 (i) "DOT" means the United States department of
 18 transportation.

19 (j) "EPA" means the United States environmental protection
 20 agency.

21 (k) "FTE" means full-time equated.

22 (l) "IDG" means interdepartmental grant.

23 (m) "IDT" means intradepartmental transfer.

24 (n) "MDSP" means the Michigan department of state police.

25 (o) "NPDES" means national pollutant discharge elimination
 26 system.

27 Sec. 204. The civil service commission shall bill departments

1 and agencies at the end of the first fiscal quarter for charges
2 authorized by section 5 of article XI of the state constitution of
3 1963. Payments shall be made for the total amount of the billing by
4 the end of the second fiscal quarter.

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

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

23 Sec. 206. The department shall use the Internet to fulfill the
24 reporting requirements of this act. This requirement can be met if
25 reports are transmitted via electronic mail to the recipients
26 identified for each reporting requirement or it may include
27 placement of reports on an Internet or Intranet site.

1 Sec. 207. Within 14 days after the release of the executive
2 budget recommendation, the department shall provide the state
3 budget director, the senate and house appropriations subcommittees
4 on conservation, and the senate and house fiscal agencies with an
5 annual report on estimated restricted fund balances, projected
6 revenues, and expenditures for the fiscal years ending September
7 30, 2009 and September 30, 2010.

8 Sec. 208. (1) From the funds appropriated under part 1, the
9 department shall prepare a report that lists all of the following
10 regarding grant, loan, or grant and loan programs administered by
11 the department for the fiscal year ending on September 30, 2010:

12 (a) The name of each program.

13 (b) The goals, criteria, filing fees, nominating procedures,
14 eligibility requirements, processes, and deadlines for each
15 program.

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

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

20 (e) Information pertaining to the application process, the
21 timeline for each program, and the contact people within the
22 department.

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

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

27 (h) A listing of all recipients of grants or loans awarded by

the department by type and amount of grant or loan during the fiscal year ending September 30, 2009.

(2) The reports required under this section shall be submitted to the state budget director, the senate and house appropriations committees, and the senate and house fiscal agencies by January 1, 2010.

Sec. 209. Appropriations of state-restricted game and fish protection funds have been made to the following departments and agencies in their respective appropriation acts. The amounts appropriated to these departments and agencies are listed below:

Civil service commission.....	\$	876,100
Legislative auditor general.....		21,900
Attorney general.....		782,800
Department of management and budget.....		391,200
Department of treasury.....		1,793,300

Sec. 210. Before January 31, 2010, the department, in cooperation with the Michigan state waterways commission, shall provide to the state budget director, the senate and house appropriations subcommittees on conservation, and the senate and house fiscal agencies a list of projects completed by the state waterways commission in fiscal year 2008-2009, including the county and municipality in which each project is located.

Sec. 211. Pursuant to section 43703(3) of the natural resources and environmental protection act, 1994 PA 451, MCL 324.43703, there is appropriated from the game and fish protection trust fund to the game and fish protection account of the Michigan conservation and recreation legacy fund, \$6,000,000.00 for the

1 fiscal year ending September 30, 2010.

2 Sec. 212. From the funds appropriated in part 1 for
3 information technology, departments and agencies shall pay user
4 fees to the department of information technology for technology-
5 related services and projects. Such user fees shall be subject to
6 provisions of an interagency agreement between the department and
7 the department of information technology.

8 Sec. 213. (1) Due to the current budgetary problems in this
9 state, out-of-state travel for the fiscal year ending September 30,
10 2010 shall be limited to situations in which 1 or more of the
11 following conditions apply:

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

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

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

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

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

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

26 (2) If out-of-state travel is necessary but does not meet 1 or
27 more of the conditions in subsection (1), the state budget director

1 may grant an exception to allow the travel. Any exceptions granted
2 by the state budget director shall be reported on a monthly basis
3 to the house and senate standing committees on appropriations.

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

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

15 (b) The destination of each travel occurrence.

16 (c) The dates of each travel occurrence.

17 (d) A brief statement of the reason for each travel
18 occurrence.

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

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

26 Sec. 214. Funds appropriated in part 1 shall not be used for
27 the purchase of foreign goods or services, or both, if

1 competitively priced and comparable quality American goods or
2 services, or both, are available. Preference should be given to
3 goods or services, or both, manufactured or provided by Michigan
4 businesses if they are competitively priced and of comparable
5 quality. In addition, preference should be given to goods or
6 services, or both, that are manufactured or provided by Michigan
7 businesses owned and operated by veterans, if they are
8 competitively priced and of comparable quality.

9 Sec. 215. The director shall take all reasonable steps to
10 ensure businesses in deprived and depressed communities compete for
11 and perform contracts to provide services or supplies, or both. The
12 director shall strongly encourage firms with which the department
13 contracts to subcontract with certified businesses in depressed and
14 deprived communities for services, supplies, or both.

15 Sec. 216. The department shall not take disciplinary action
16 against an employee for communicating truthfully and factually with
17 a member of the legislature or his or her staff.

18 Sec. 217. (1) The department shall report not later than April
19 1, 2010 on each specific policy change made by the department to
20 implement a public act affecting that department that took effect
21 during the preceding calendar year. The department shall report to
22 the house and senate appropriations subcommittees on the budget for
23 the department, the joint committee on administrative rules, and
24 the senate and house fiscal agencies.

25 (2) Funds appropriated in part 1 shall not be used by the
26 department to adopt a rule that will apply to a small business and
27 that will have a disproportionate economic impact on small

1 businesses because of the size of those businesses if the
2 department fails to reduce the disproportionate economic impact of
3 the rule on small businesses as provided under section 40 of the
4 administrative procedures act of 1969, 1969 PA 306, MCL 24.240.

5 (3) As used in this section:

6 (a) "Rule" means that term as defined under section 7 of the
7 administrative procedures act of 1969, 1969 PA 306, MCL 24.207.

8 (b) "Small business" means that term as defined under section
9 7a of the administrative procedures act of 1969, 1969 PA 306, MCL
10 24.207a.

11 Sec. 218. Funds appropriated in part 1 shall not be used by a
12 principal executive department, state agency, or authority to hire
13 a person to provide legal services that are the responsibility of
14 the attorney general. This prohibition does not apply to legal
15 services for bonding activities and for those activities that the
16 attorney general authorizes.

17 Sec. 219. The department shall develop a plan for allocating
18 restricted funds among department administrative support and
19 regulatory activities. This plan shall be submitted to the house
20 and senate appropriations subcommittees on conservation by January
21 30, 2010. This plan shall include a cost allocation plan for
22 financial services support, office space rent and building
23 occupancy charges, and support division service for information
24 systems and technology and a methodology to use information
25 generated through activity reports that identifies the percentage
26 of employee time spent on restricted fund activities.

27 Sec. 220. (1) In addition to the funds appropriated in part 1,

1 there is appropriated an amount not to exceed \$33,000,000.00 for
2 federal contingency funds. These funds are not available for
3 expenditure until they have been transferred to another line item
4 in this act under section 393(2) of the management and budget act,
5 1984 PA 431, MCL 18.1393.

6 (2) In addition to the funds appropriated in part 1, there is
7 appropriated an amount not to exceed \$10,000,000.00 for state
8 restricted contingency funds. These funds are not available for
9 expenditure until they have been transferred to another line item
10 in this act under section 393(2) of the management and budget act,
11 1984 PA 431, MCL 18.1393.

12 (3) In addition to the funds appropriated in part 1, there is
13 appropriated an amount not to exceed \$200,000.00 for local
14 contingency funds. These funds are not available for expenditure
15 until they have been transferred to another line item in this act
16 under section 393(2) of the management and budget act, 1984 PA 431,
17 MCL 18.1393.

18 (4) In addition to the funds appropriated in part 1, there is
19 appropriated an amount not to exceed \$1,500,000.00 for private
20 contingency funds. These funds are not available for expenditure
21 until they have been transferred to another line item in this act
22 under section 393(2) of the management and budget act, 1984 PA 431,
23 MCL 18.1393.

24 Sec. 221. The department shall not approve the travel of more
25 than 1 departmental employee to a specific professional development
26 conference or training seminar that is located outside of this
27 state unless the professional development conference or training

1 seminar is funded by a federal or private funding source and
2 requires more than 1 person from a department to attend, or the
3 conference or training seminar includes multiple issues in which 1
4 employee from the department does not have expertise. This section
5 does not apply to meetings or to the purchase of excess federal
6 equipment.

7 Sec. 227. The departments and state agencies receiving
8 appropriations under this act shall receive and retain copies of
9 all reports funded from appropriations in part 1. These departments
10 and state agencies shall follow federal and state guidelines for
11 short-term and long-term retention of these reports. To the extent
12 consistent with federal and state guidelines, the requirements of
13 this section are satisfied if the reports funded from
14 appropriations in part 1 are retained in electronic format.

15 Sec. 228. (1) The department shall report all of the following
16 information relative to allocations made from appropriations for
17 the environmental cleanup and redevelopment program, state cleanup,
18 emergency actions, superfund cleanup, the revitalization revolving
19 loan program, the brownfield grants and loans program, the leaking
20 underground storage tank cleanup program, the contaminated lake and
21 river sediments cleanup program, the refined petroleum product
22 cleanup program, and the environmental protection bond projects
23 under section 19508(7) of the natural resources and environmental
24 protection act, 1994 PA 451, MCL 324.19508, to the state budget
25 director, the senate and house appropriations subcommittees on
26 conservation, and the senate and house fiscal agencies:

27 (a) The name and location of the site for which an allocation

1 is made.

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

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

5 (d) The estimated date that site closure activities will be
6 completed.

7 (e) The amount of the allocation, or the anticipated financing
8 for the site.

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

11 (g) The number of sites that would qualify as brownfields that
12 were redeveloped.

13 (2) The report prepared under subsection (1) shall also
14 include all of the following:

15 (a) The status of all state-owned facilities that are on the
16 list compiled under part 201 of the natural resources and
17 environmental protection act, 1994 PA 451, MCL 324.20101 to
18 324.20142.

19 (b) The report shall include the total amount of funds
20 expended during the fiscal year and the total amount of funds
21 awaiting expenditure.

22 (c) The total amount of bonds issued for the environmental
23 protection bond program pursuant to part 193 of the natural
24 resources and environmental protection act, 1994 PA 451, MCL
25 324.19301 to 324.19306, and bonds issued pursuant to the clean
26 Michigan initiative act, 1998 PA 284, MCL 324.95101 to 324.95108.

27 (3) The report shall be made available by March 31 of each

1 year.

2 Sec. 229. (1) The department is authorized to expend amounts
3 remaining from the current and prior fiscal year appropriations to
4 meet funding needs of legislatively approved sites for the
5 environmental cleanup and redevelopment program, the leaking
6 underground storage tank cleanup program, and the refined petroleum
7 product cleanup program.

8 (2) Unexpended and unencumbered amounts remaining from
9 appropriations from the environmental protection bond fund
10 contained in 2003 PA 173 and 2006 PA 343 are appropriated for
11 expenditure for any site listed in this act and any site listed in
12 the public acts referenced in this section.

13 (3) Unexpended and unencumbered amounts remaining from
14 appropriations from the cleanup and redevelopment fund contained in
15 2003 PA 173 are appropriated for expenditure for any site listed in
16 this act and any site listed in the public acts referenced in this
17 section.

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

25 (5) Unexpended and unencumbered amounts remaining from
26 appropriations from the environmental protection fund contained in
27 2001 PA 43, 2002 PA 520, and 2003 PA 171 are appropriated for

1 expenditure for any site listed in this act and any site listed in
2 the public acts referenced in this section.

3 (6) Unexpended and unencumbered amounts remaining from
4 appropriations from the refined petroleum fund activities contained
5 in 2005 PA 154, 2007 PA 121, and 2008 PA 247 are appropriated for
6 expenditure for any site listed in this act and any site listed in
7 the public acts referenced in this section.

8 Sec. 230. Unexpended settlement revenues at the end of the
9 fiscal year may be carried forward into the settlement fund in the
10 succeeding fiscal year up to a maximum carryforward of
11 \$2,500,000.00.

12 Sec. 231. (1) The appropriation in section 102 includes
13 restricted funds. This funding source shall support the restricted
14 fund requirements for selected line items in the executive
15 operations and administrative support appropriation unit.

16 (2) The appropriation for criminal investigations includes
17 restricted funds. This funding shall support the restricted fund
18 requirements for the criminal investigations appropriations.

19 (3) The appropriation for information technology includes
20 restricted funds. This funding source shall support the restricted
21 fund requirements for the information technology appropriation.

22 (4) The department shall adopt a cost allocation plan for
23 revenue sources supporting line items described in this section.

24 (5) The department shall provide a report on or before October
25 31, 2009 to the house and senate appropriations subcommittees on
26 conservation and the house and senate fiscal agencies of the line
27 item amounts and detailed revenue sources which support the

1 restricted fund appropriations in sections 102, 110, and 112.

2 Sec. 232. The department shall annually report and post on its
3 website by December 31 to the state budget director, the senate and
4 house appropriations committees, and the senate and house fiscal
5 agencies an accounting of all civil and criminal fine revenue
6 collected during the previous fiscal year.

7 Sec. 235. Not later than September 30, 2010, the department
8 shall prepare and transmit a report that provides for estimates of
9 the total general fund/general purpose appropriation lapses at the
10 close of the fiscal year. This report shall summarize the projected
11 year-end general fund/general purpose appropriation lapses by major
12 departmental program or program areas. The report shall be
13 transmitted to the office of the state budget, the chairpersons of
14 the senate and house appropriations committees, and the senate and
15 house fiscal agencies.

16 Sec. 236. The department shall use sound science and actual
17 data in managing and regulating best available retrofit technology
18 measures.

19 Sec. 237. By April 1, 2010, the department shall submit to the
20 senate and house appropriations subcommittees on conservation, the
21 senate and house fiscal agencies, and the state budget director a
22 plan for replacement of failing or obsolete computer and database
23 systems, including a schedule for system replacement and cost
24 estimates.

25 Sec. 238. If funding is available to support the information
26 technology necessary for implementation, the department shall
27 develop, post, and maintain a user friendly and publicly accessible

1 Internet site with all expenditures made by the department within a
2 fiscal year. The posting shall include the purpose for which each
3 expenditure is made.

4 Sec. 239. Semiannually, the department shall notify the senate
5 and house appropriation subcommittees on conservation, the senate
6 and house fiscal agencies, and the state budget director of all
7 requests made of the department under the freedom of information
8 act, 1976 PA 442, MCL 15.231 to 15.246, during the previous 6
9 months.

10 Sec. 240. By July 1, 2010, the department shall prepare and
11 submit a report to the state budget director, the legislature, the
12 chairs of the standing committees of the senate and house of
13 representatives with primary responsibility for issues related to
14 natural resources and the environment, and the chairs of the
15 subcommittees of the senate and house appropriations committees
16 with primary responsibility for appropriations for the department,
17 outlining the implementation of the Great Lakes water quality bond
18 provided for in part 197 of the natural resources and environmental
19 protection act, 1994 PA 451, MCL 324.19701 to 324.19708, including,
20 but not limited to, the amount of bonds issued and the date they
21 were issued, the number of applications received for loans from the
22 state water pollution control revolving fund created in section 16a
23 of the shared credit rating act, 1985 PA 227, MCL 141.1066a, the
24 total amount of loans requested, a listing of the applicants
25 receiving loans and the total amount of loans provided to those
26 applicants, a listing of applicants whose loan applications were
27 not approved and the reasons why those applications were not

1 approved, the amount of the loans granted that were leveraged from
2 bond proceeds, and the remaining bond proceeds and bond
3 authorization.

4 Sec. 241. From the amounts appropriated in part 1, the
5 department shall implement 2008 PA 389.

6 Sec. 243. The department shall perform a review of its
7 programs to determine how its programs compare to similar programs
8 in other Great Lake states. The analysis shall include, but not be
9 limited to, evaluation of permitting time, number of enforcement
10 actions, stringency of the controlling law, and the cost of the
11 relevant permits. The department shall report the findings of this
12 review to the senate and house appropriations committees not later
13 than April 1, 2010.

14 Sec. 244. The department shall engage in a process to
15 determine efficiencies that can be made in the air permitting
16 program, including renewable operating permits, the NPDES program,
17 and the remediation and redevelopment program. The department shall
18 report the findings of this effort to the senate and house
19 appropriations committees not later than April 1, 2010.

20 SUBPART B NATURAL RESOURCES MANAGEMENT

21 ADMINISTRATIVE SERVICES

22 Sec. 301. The department may charge the appropriations
23 contained in part 1, including all special maintenance and capital
24 projects appropriated for the fiscal year ending September 30,
25 2010, for engineering services provided, a standard percentage fee
26 to recover actual costs. The department may use the revenue derived

1 to support the engineering services charges provided for in part 1.

2 Sec. 302. The department may charge land acquisition projects
3 appropriated for the fiscal year ending September 30, 2010, and for
4 prior fiscal years, a standard percentage fee to recover actual
5 costs, and may use the revenue derived to support the land
6 acquisition service charges provided for in part 1.

7 Sec. 303. The department may charge both application fees and
8 transaction fees related to the exchange or sale of state-owned
9 land or rights in land authorized by part 21 of the natural
10 resources and environmental protection act, 1994 PA 451, MCL
11 324.2101 to 324.2162. The fees shall be set by the director at a
12 rate which allows the department to recover its costs for providing
13 these services.

14 Sec. 304. The department shall prominently display in a
15 prominent place in the fishing guide provided to each licensed
16 angler and paid for from the funds appropriated in part 1, the
17 website address for the department of community health. In
18 addition, the fishing guide shall include information on
19 alternative sources where interested parties without Internet
20 access may find information on fish advisories issued by the
21 department of community health.

22 Sec. 305. Within 21 days after the end of the fiscal year
23 ending September 30, 2010, the department shall submit to the
24 senate and house appropriations subcommittees on conservation a
25 report on all land transactions approved by the commission in the
26 previous fiscal year. For each land transaction, the report shall
27 include the size of the parcel, the county and municipality in

1 which the parcel is located, the dollar amount of the transaction,
2 the fund source affected by the transaction, and whether the
3 transaction is by purchase, public auction, transfer, exchange, or
4 conveyance.

5 **WILDLIFE MANAGEMENT**

6 Sec. 401. It is the intent of the legislature that, from the
7 funds appropriated in part 1, the department shall reimburse the
8 department of agriculture for costs incurred for indemnification
9 payments for livestock losses caused by wolves, coyotes, or cougars
10 under the animal industry act, 1988 PA 466, MCL 287.701 to 287.745.

11 Sec. 402. From the funds appropriated in part 1, the
12 department shall submit semiannual reports to the state budget
13 director, the senate and house appropriations subcommittees on
14 conservation, and the senate and house fiscal agencies that provide
15 detail about enforcement actions taken to eradicate bovine
16 tuberculosis, the number of infected deer found, new science it is
17 working on to detect bovine tuberculosis, and other relevant
18 information about the department's efforts to address the presence
19 of bovine tuberculosis in this state.

20 **FISHERIES MANAGEMENT**

21 Sec. 501. As a condition of expenditure of fisheries
22 management appropriations under part 1, the department shall not
23 impede the certification process for water control structures on
24 Michigan waterways. The department shall fund from funds
25 appropriated in part 1 all non-water-quality studies or

1 requirements that the department requests of the federal energy
2 regulatory commission as a condition of licensing under the federal
3 power act, 16 USC 791a to 825r.

4 Sec. 502. (1) From the appropriation in part 1 for aquatic
5 resource mitigation, not more than \$758,000.00 shall be allocated
6 for grants to watershed councils, resource development councils,
7 soil conservation districts, local governmental units, and other
8 nonprofit organizations for stream habitat stabilization and soil
9 erosion control.

10 (2) The fisheries division of the department shall develop
11 priority and cost estimates for all recommended projects.

12 Sec. 503. From the funds appropriated in part 1 for fish
13 production and fisheries resource management, the department shall
14 continue to operate the 6 hatcheries that were operational on
15 September 30, 2007.

16 **PARKS AND RECREATION**

17 Sec. 601. Pursuant to section 1902(2) of the natural resources
18 and environmental protection act, 1994 PA 451, MCL 324.1902, there
19 is appropriated from the Michigan natural resources trust fund to
20 the Michigan state parks endowment fund an amount not to exceed
21 \$10,000,000.00 for the fiscal year ending September 30, 2010.

22 Sec. 602. The department shall notify the house and senate
23 appropriations subcommittees on conservation and the house and
24 senate fiscal agencies if it intends to reduce operations or reduce
25 recreation opportunities at any state park or recreation area.

26 Sec. 603. The department shall not alter or halt operations of

1 the ski hill or demolish buildings related to the ski hill, the
2 assistant manager residence, the 3-unit apartment building, or the
3 carpenter's shop and garage in Porcupine Mountains wilderness state
4 park. The department shall collaborate with travel Michigan for the
5 marketing and promotion of the ski hill.

6 Sec. 604. From the funds appropriated in part 1, the
7 department shall maintain an appropriate number of defibrillators
8 in state parks. State parks shall accept donations of
9 defibrillators.

10 **FOREST, MINERAL, AND FIRE MANAGEMENT**

11 Sec. 801. In addition to the funds appropriated in part 1,
12 \$350,000.00 is appropriated to cover costs related to any declared
13 emergency involving the collapse of any abandoned mine shaft
14 located on state land. This appropriation shall not be expended
15 unless the state budget director recommends the expenditure and the
16 department notifies the house and senate committees on
17 appropriations.

18 Sec. 802. The department shall spend amounts appropriated in
19 part 1 for forest-related activities to employ or contract for
20 additional foresters to mark timber, pursuant to section 903.

21 Sec. 804. From the funds appropriated in part 1, the
22 department shall provide for a designated snowmobile route
23 connecting the village of Bellaire to the Jordan River Trail across
24 state owned land with associated reasonable restrictions that
25 mitigate negative impacts on the natural resources.

26 Sec. 805. In addition to the money appropriated in this act,

1 the department may receive and expend money from federal sources
2 for the purpose of providing response to wildfires as required by a
3 compact with the federal government. If additional expenditure
4 authorization is required, the department shall notify the state
5 budget office that expenditure under this section is required. The
6 department shall notify the house and senate appropriations
7 subcommittees on conservation and the house and senate fiscal
8 agencies of the expenditures under this section by November 1,
9 2010.

10 Sec. 806. The department shall continue to work cooperatively
11 with horseback riding interests to maximize riding opportunities in
12 the state.

13 LAW ENFORCEMENT

14 Sec. 901. The appropriation in part 1 for snowmobile law
15 enforcement grants shall be used to provide grants to county law
16 enforcement agencies to enforce part 821 of the natural resources
17 and environmental protection act, 1994 PA 451, MCL 324.82101 to
18 324.82160, including rules promulgated under that part and
19 ordinances enacted pursuant to that part. The department shall
20 consider the number of enforcement hours and the number of miles of
21 snowmobile trails in each county in allocating these grants. Any
22 funds not distributed to counties revert back to the snowmobile
23 registration fee subaccount created under section 82111 of the
24 natural resources and environmental protection act, 1994 PA 451,
25 MCL 324.82111. Counties shall provide semiannual reports to the
26 department on the use of grant money received under this section.

1 Sec. 902. From the funds appropriated in part 1, not less than
2 6 months before expiration of a contract or adoption of amendments
3 to an existing contract with the concessionaire at the Island Lake
4 shooting range, the department shall notify in the least expensive
5 method possible all residents within 5 miles of the shooting range
6 and the state and local elected officials representing Green Oak
7 Township in Livingston County of the contract expiration date or
8 adoption of amendments to an existing contract. If the department
9 intends to extend or amend the contract with the concessionaire, it
10 shall hold 1 public hearing in Livingston County on the matter not
11 less than 60 days before execution.

12 GRANTS

13 Sec. 1001. Federal pass-through funds to local institutions
14 and governments that are received in amounts in addition to those
15 included in part 1 for grants to communities - federal oil, gas,
16 and timber payments and that do not require additional state
17 matching funds are appropriated for the purposes intended. By
18 November 30, 2009, the department shall report to the senate and
19 house appropriations subcommittees on conservation, the senate and
20 house fiscal agencies, and the state budget director on all amounts
21 appropriated under this section during the fiscal year ending
22 September 30, 2009.

23 Sec. 1002. Subject to part 811 of the natural resources and
24 environmental protection act, 1994 PA 451, MCL 324.81101 to
25 324.81150, from the funds appropriated in part 1 for off-road
26 vehicle trail improvements grants, not less than \$980,000.00 shall

1 be spent on the development of new trails in accordance with the
2 off-road vehicle trail expansion plan submitted to the legislature
3 pursuant to section 807 of article 14 of 2005 PA 154.

4 **CAPITAL OUTLAY**

5 Sec. 1101. The appropriation made in this act for the harbors
6 and docks program is for the purpose of participating with the
7 federal government and assisting political entities and
8 subdivisions of this state in the construction and improvement of
9 recreational boating facilities within this state. Subject to the
10 approval of the state administrative board, this money shall be
11 allocated by the department to the federal government, or to the
12 political entities or local units of government involved in the
13 particular projects. An allocation shall not exceed the state
14 portion as listed with each project description. The department
15 shall take the steps necessary to match federal money available for
16 the construction and improvement of recreational boating facilities
17 within the state, and to meet requirements of the federal
18 government.

19 Sec. 1102. (1) The director shall allocate lump-sum
20 appropriations made in this act consistent with statutory
21 provisions and the purposes for which funds were appropriated.
22 Lump-sum allocations shall address priority program or facility
23 needs and may include, but are not limited to, design,
24 construction, remodeling and addition, special maintenance, major
25 special maintenance, energy conservation, and demolition.

26 (2) The state budget director may authorize that funds

1 appropriated for lump-sum appropriations shall be available for no
2 more than 3 fiscal years following the fiscal year in which the
3 original appropriation was made. Any remaining balance from
4 allocations made in this section shall lapse to the fund from which
5 it was appropriated pursuant to the lapsing of funds as provided in
6 the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

7 Sec. 1103. The appropriations in part 1 for capital outlay
8 shall be carried forward at the end of the fiscal year consistent
9 with the provisions of section 248 of the management and budget
10 act, 1984 PA 431, MCL 18.1248.

11 SUBPART C ENVIRONMENTAL PROTECTION

12 REMEDICATION AND REDEVELOPMENT

13 Sec. 1701. Revenues remaining in the interdepartmental
14 transfers, laboratory services at the end of the fiscal year shall
15 carry forward into the succeeding fiscal year.

16 Sec. 1705. The unexpended funds appropriated in part 1 for
17 emergency cleanup actions, the refined petroleum product cleanup
18 program, and the environmental cleanup and redevelopment program
19 are considered work project appropriations and any unencumbered or
20 unallotted funds are carried forward into the succeeding fiscal
21 year. The following is in compliance with section 451a(1) of the
22 management and budget act, 1984 PA 431, MCL 18.1451a:

23 (a) The purpose of the projects to be carried forward is to
24 provide contaminated site cleanup.

25 (b) The projects will be accomplished by contract.

26 (c) The total estimated cost of all projects is identified in

1 each line-item appropriation.

2 (d) The tentative completion date is September 30, 2013.

3 Sec. 1706. 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 Sec. 1707. (1) The department shall work with the legislature
8 to develop recommendations through an advisory workgroup process
9 for the appropriate use of administrative rules and operational
10 memoranda in the leaking underground storage tank program. This
11 advisory workgroup shall do all of the following:

12 (a) Review and make recommendations if operational memoranda
13 used by the department are necessary and used appropriately.

14 (b) Review and make recommendations regarding the rules,
15 methods, policies, or procedures used to develop operational
16 memoranda.

17 (c) Review and make recommendations regarding procedures for
18 determining if an inspected organization has acted in accordance
19 with operational memoranda.

20 (2) The workgroup under subsection (1) shall consist of 13
21 members, appointed as follows:

22 (a) Members of the senate and house appropriations
23 subcommittees on environmental quality.

24 (b) Three members appointed by the senate majority leader, 1
25 each representing an independent petroleum wholesale distributor-
26 marketer trade association, a petroleum refiner-supplier trade
27 association, and a service station dealers' trade association.

1 (c) Three members appointed by the speaker of the house, 1
2 each representing a truck stop operators' trade association, an
3 environmental public interest organization who is not associated
4 with any of the above organizations, and the largest general farm
5 organization in the state.

6 (d) The director of the department.

7 (3) The recommendations of the workgroup shall be submitted to
8 the department, the senate and house appropriations subcommittees
9 on conservation, the senate and house fiscal agencies, and the
10 state budget director by December 31, 2010.

11 Sec. 1708. The department shall not expend funds appropriated
12 in part 1 if using operational memoranda or other similar documents
13 that are in draft form to impose regulations on individuals or
14 businesses conducting environmental cleanup projects, except as
15 provided in part 213 of the natural resources and environmental
16 protection act, 1994 PA 451, MCL 324.21301 to 324.21331, or when
17 there is written consent between the department and the individual
18 or business.

19 **WATER**

20 Sec. 1902. By February 1, 2010, the department shall submit a
21 report on the department's use of the national pollutant discharge
22 elimination system fund created in MCL 324.3121 for the previous
23 fiscal year, to the senate and house appropriations subcommittees
24 on conservation, the standing committees of the legislature with
25 jurisdiction over issues primarily related to natural resources and
26 the environment, and the senate and house fiscal agencies. The

1 report shall include a summary of how the appropriations in part 1
2 for NPDES nonstormwater program were used for the various
3 permissible uses of the fund and shall include specific information
4 on all of the following:

5 (a) The number of compliance and complaint inspections
6 completed, by category, the number of on-site compliance
7 inspections conducted, and the number of compliance inspections
8 that were not announced in advance to the permittee or licensee.

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

11 (c) The number of administrative enforcement actions taken for
12 permit or license violations and the results of the enforcement
13 actions, including the amount of fines and penalties collected.

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

17 (e) A listing of the supplemental environmental projects
18 agreed to as a result of a consent agreement including all of the
19 following: the case name, the monetary value of the supplemental
20 environmental project, and a description of the project.

21 Sec. 1903. It is the intent of the legislature that the
22 department continue federal support of the Michigan agriculture
23 environmental assurance program and the work with small and medium
24 livestock operations in the department of agriculture. Any
25 reduction in the level of federal support from 319 funds shall be
26 reduced proportionally from all programs that were supported by
27 that federal grant in the fiscal year ending September 30, 2009.

1 **GRANTS**

2 Sec. 2101. If a certified health department does not exist in
3 a city, county, or district or does not fulfill its
4 responsibilities under part 117 of the natural resources and
5 environmental protection act, 1994 PA 451, MCL 324.11701 to
6 324.11720, then the department may spend funds appropriated in part
7 1 under the septage waste compliance program in accordance with
8 section 11716 of the natural resources and environmental protection
9 act, 1994 PA 451, MCL 324.11716.

10 Sec. 2102. Of the funds appropriated in part 1 for scrap tire
11 grants, \$100,000.00 shall be available for grants to communities to
12 cover scrap tire fire suppression costs, provided owner liability
13 bonds and other available funding sources have been exhausted.

14 Sec. 2103. (1) The appropriation in part 1 for real-time water
15 quality monitoring is a grant to Macomb County and St. Clair County
16 to support a real-time water quality monitoring program in the St.
17 Clair watershed. By September 30, 2010, the grant recipients shall
18 report to the department on the plan's implementation and the
19 status of the project. The department shall forward the report to
20 the state budget director, the senate and house appropriations
21 subcommittees on conservation, the senate and house standing
22 committees on natural resources and environmental issues, and the
23 senate and house fiscal agencies.

24 (2) The funding appropriated in part 1 for real-time water
25 quality monitoring is contingent upon both of the following:

26 (a) Submission by October 1, 2009 of a report by the grant

1 recipient on the status of the project and use of prior funding
2 provided by the state and other fund sources for this project.

3 (b) Submission by December 31, 2010 of a plan by the grant
4 recipient for long-term funding of operation and maintenance of the
5 real-time monitoring system for the Huron-Erie corridor. The
6 funding plan shall not require state funds for more than 50% of
7 total funding for the project and not more than \$250,000.00
8 annually.