

SENATE BILL No. 303

EXECUTIVE BUDGET BILL

March 3, 2009, Introduced by Senator SWITALSKI and referred to the Committee on Appropriations.

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2010; 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:

PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. Subject to the conditions set forth in this bill, the amounts listed in this part are appropriated for the department

1 of environmental quality for the fiscal year ending September 30,
 2 2010, 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..... 1,474.7

8 GROSS APPROPRIATION..... \$ 341,302,000

9 Interdepartmental grant revenues:

10 Total interdepartmental grants and intradepartmental

11 transfers 7,433,600

12 ADJUSTED GROSS APPROPRIATION..... \$ 333,868,400

13 Federal revenues:

14 Total federal revenues..... 129,349,300

15 Special revenue funds:

16 Total local revenues..... 0

17 Total private revenues..... 658,900

18 Total other state restricted revenues..... 170,732,300

19 State general fund/general purpose..... \$ 33,127,900

20 FUND SOURCE SUMMARY:

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

22 Full-time equated classified positions..... 1,474.7

23 GROSS APPROPRIATION..... \$ 341,302,000

24 Interdepartmental grant revenues:

25 IDG-MDSP..... 898,600

26 IDT, interdivisional charges..... 2,053,400

27 IDT, laboratory services..... 4,481,600

1	Total interdepartmental grants and intradepartmental	
2	transfers	7,433,600
3	ADJUSTED GROSS APPROPRIATION.....	\$ 333,868,400
4	Federal revenues:	
5	Federal funds.....	129,349,300
6	Total federal revenues.....	129,349,300
7	Special revenue funds:	
8	Private funds.....	658,900
9	Total private funds.....	658,900
10	Aboveground storage tank fees.....	371,200
11	Air emissions fees.....	9,661,700
12	Campground fund.....	242,900
13	Clean Michigan initiative - administration.....	122,000
14	Clean Michigan initiative - clean water fund.....	3,770,800
15	Cleanup and redevelopment fund.....	6,550,800
16	Community pollution prevention fund.....	250,000
17	Electronic waste recycling fund.....	245,000
18	Environmental education fund.....	251,500
19	Environmental pollution prevention fund.....	1,034,200
20	Environmental protection fund.....	5,982,000
21	Environmental response fund.....	11,584,700
22	Fees and collections.....	404,100
23	Financial instruments.....	5,000,000
24	Great Lakes protection fund.....	1,615,700
25	Groundwater discharge permit fees.....	1,160,300
26	Hazardous materials transportation permit fund.....	224,400
27	Infrastructure construction fund.....	404,300

1	Laboratory data quality recognition fund.....	16,300
2	Land and water permit fees.....	819,300
3	Landfill maintenance trust fund.....	57,300
4	Medical waste emergency response fund.....	246,200
5	Metallic mining surveillance fee revenue.....	34,300
6	Mineral well regulatory fee revenue.....	175,300
7	Nonferrous metallic mineral surveillance.....	22,400
8	NPDES fees.....	3,448,600
9	Oil and gas regulatory fund.....	8,426,800
10	Orphan well fund.....	2,060,200
11	Public swimming pool fund.....	553,300
12	Public utility assessments.....	791,900
13	Public water supply fees.....	4,005,000
14	Publication revenue.....	76,900
15	Refined petroleum fund.....	32,315,600
16	Restricted funds.....	17,993,200
17	Revitalization revolving loan fund.....	85,800
18	Revolving loan revenue bonds.....	11,400,000
19	Sand extraction fee revenue.....	74,100
20	Scrap tire regulatory fund.....	4,789,400
21	Septage waste contingency fund.....	38,600
22	Septage waste program fund.....	778,100
23	Settlement funds.....	1,884,600
24	Sewage sludge land application fee.....	870,300
25	Small business pollution prevention revolving loan	
26	fund	110,600
27	Soil erosion and sedimentation control training fund.	117,300

1	Solid waste management fund - staff account	4,606,800
2	Storm water permit fees	2,861,200
3	Strategic water quality initiatives fund	10,000,000
4	Underground storage tank fees	2,170,200
5	Waste reduction fee revenue	3,988,600
6	Wastewater operator training fees	175,000
7	Water analysis fees	3,384,000
8	Water pollution control revolving fund	3,128,300
9	Water quality protection fund	100,000
10	Water use reporting fees	251,200
11	Total other state restricted revenues	170,732,300
12	State general fund/general purpose	\$ 33,127,900
13	Sec. 102. EXECUTIVE OPERATIONS AND DEPARTMENT SUPPORT	
14	Full-time equated unclassified positions..... 6.0	
15	Full-time equated classified positions..... 83.0	
16	Central operations--58.0 FTE positions	\$ 5,323,300
17	Executive direction--18.0 FTE positions	2,280,500
18	Office of the Great Lakes--7.0 FTE positions	1,070,300
19	Administrative hearings	457,000
20	Automated data processing	2,053,400
21	Building occupancy charges	6,669,000
22	Environmental support projects	5,000,000
23	Rent - privately owned property	2,145,900
24	Unclassified salaries	<u>537,600</u>
25	GROSS APPROPRIATION	\$ 25,537,000
26	Appropriated from:	
27	Interdepartmental grant revenues:	

1	IDG-MDSP.....	113,500
2	IDT, interdivisional charges.....	2,053,400
3	IDT, laboratory services.....	477,300
4	Federal revenues:	
5	Federal funds.....	384,000
6	Special revenue funds:	
7	Environmental education fund.....	251,500
8	Financial instruments.....	5,000,000
9	Great Lakes protection fund.....	615,700
10	Restricted funds.....	11,402,300
11	Settlement funds.....	106,700
12	State general fund/general purpose.....	\$ 5,132,600
13	Sec. 103. AIR QUALITY	
14	Full-time equated classified positions..... 233.5	
15	Air quality programs--233.5 FTE positions.....	\$ <u>25,608,700</u>
16	GROSS APPROPRIATION.....	\$ 25,608,700
17	Appropriated from:	
18	Federal revenues:	
19	Federal funds.....	6,223,500
20	Special revenue funds:	
21	Air emissions fees.....	9,262,000
22	Environmental response fund.....	108,900
23	Fees and collections.....	307,600
24	Oil and gas regulatory fund.....	110,400
25	Refined petroleum fund.....	2,921,300
26	State general fund/general purpose.....	\$ 6,675,000
27	Sec. 104. ENVIRONMENTAL SCIENCE AND SERVICES	

1	Full-time equated classified positions.....	162.0	
2	Laboratory services--60.0 FTE positions.....		\$ 7,163,800
3	Municipal assistance--37.0 FTE positions.....		5,392,200
4	Pollution prevention and technical assistance--35.0		
5	FTE positions		4,503,700
6	Program services and grant management--30.0 FTE		
7	positions		3,729,800
8	Pollution prevention outreach.....		<u>500,000</u>
9	GROSS APPROPRIATION.....		\$ 21,289,500
10	Appropriated from:		
11	Interdepartmental grant revenues:		
12	IDT, laboratory services.....		3,853,400
13	Federal revenues:		
14	Federal funds.....		4,257,400
15	Special revenue funds:		
16	Private funds.....		500,000
17	Air emissions fees.....		399,700
18	Environmental protection fund.....		69,900
19	Environmental response fund.....		345,100
20	Laboratory data quality recognition fund.....		16,300
21	Public water supply fees.....		257,200
22	Revitalization revolving loan fund.....		85,800
23	Settlement funds.....		239,100
24	Small business pollution prevention revolving loan		
25	fund		110,600
26	Storm water permit fees.....		97,200
27	Strategic water quality initiatives fund.....		400,000

1	Waste reduction fee revenue.....		3,912,100
2	Wastewater operator training fees.....		175,000
3	Water analysis fees.....		3,384,000
4	Water pollution control revolving fund.....		2,445,500
5	State general fund/general purpose.....	\$	741,200
6	Sec. 105. OFFICE OF GEOLOGICAL SURVEY		
7	Full-time equated classified positions.....	67.0	
8	Coal and sand dune management--1.0 FTE positions.....	\$	132,800
9	Metallic mine reclamation--1.0 FTE position.....		34,300
10	Mineral wells management--2.0 FTE positions.....		175,300
11	Nonferrous metallic mining--1.0 FTE positions.....		22,400
12	Orphan well--2.0 FTE positions.....		2,060,200
13	Services to oil and gas--60.0 FTE positions.....		<u>8,393,300</u>
14	GROSS APPROPRIATION.....	\$	10,818,300
15	Appropriated from:		
16	Federal revenues:		
17	Federal funds.....		58,700
18	Special revenue funds:		
19	Metallic mining surveillance fee revenue.....		34,300
20	Mineral well regulatory fee revenue.....		175,300
21	Nonferrous metallic mineral surveillance.....		22,400
22	Oil and gas regulatory fund.....		8,316,400
23	Orphan well fund.....		2,060,200
24	Publication revenue.....		76,900
25	Sand extraction fee revenue.....		74,100
26	State general fund/general purpose.....	\$	0
27	Sec. 106. LAND AND WATER MANAGEMENT		

1	Full-time equated classified positions.....	91.0	
2	Land and water interface permit programs--73.0 FTE		
3	positions		\$ 8,080,500
4	Program direction and project assistance--18.0 FTE		
5	positions		<u>1,962,000</u>
6	GROSS APPROPRIATION.....		\$ 10,042,500
7	Appropriated from:		
8	Federal revenues:		
9	Federal funds.....		3,241,900
10	Special revenue funds:		
11	Land and water permit fees.....		314,100
12	State general fund/general purpose.....		\$ 6,486,500
13	Sec. 107. REMEDIATION AND REDEVELOPMENT		
14	Full-time equated classified positions.....	284.0	
15	Contaminated site investigation, cleanup, and		
16	revitalization--225.0 FTE positions.....		\$ 23,444,800
17	Federal cleanup project management--59.0 FTE positions		8,416,400
18	Emergency cleanup actions.....		4,000,000
19	Environmental cleanup support.....		1,840,000
20	Refined petroleum product cleanup program.....		20,000,000
21	Superfund cleanup.....		<u>3,000,000</u>
22	GROSS APPROPRIATION.....		\$ 60,701,200
23	Appropriated from:		
24	Federal revenues:		
25	Federal funds.....		8,474,900
26	Special revenue funds:		
27	Private funds.....		158,900

1	Cleanup and redevelopment fund.....	6,550,800
2	Environmental protection fund.....	5,912,100
3	Environmental response fund.....	10,959,900
4	Landfill maintenance trust fund.....	57,300
5	Refined petroleum fund.....	26,932,700
6	Settlement funds.....	1,538,800
7	State general fund/general purpose.....	\$ 115,800
8	Sec. 108. WASTE AND HAZARDOUS MATERIALS	
9	Full-time equated classified positions.....	173.0
10	Aboveground storage tank program--8.0 FTE positions ..	\$ 774,600
11	Hazardous waste management program--60.0 FTE positions	6,437,700
12	Low-level radioactive waste authority--2.0 FTE	
13	positions	791,900
14	Medical waste program--2.0 FTE positions	246,200
15	Radiological protection program--12.0 FTE positions ..	1,233,800
16	Scrap tire regulatory program--11.0 FTE positions	1,089,400
17	Solid waste management program--45.0 FTE positions ...	4,928,300
18	Underground storage tank program--33.0 FTE positions .	<u>3,588,100</u>
19	GROSS APPROPRIATION.....	\$ 19,090,000
20	Appropriated from:	
21	Interdepartmental grant revenues:	
22	IDG-MDSP.....	757,100
23	Federal revenues:	
24	Federal funds.....	4,039,600
25	Special revenue funds:	
26	Aboveground storage tank fees.....	371,200
27	Electronic waste recycling fund.....	245,000

1	Environmental pollution prevention fund.....		1,034,200
2	Hazardous materials transportation permit fund.....		224,400
3	Medical waste emergency response fund.....		246,200
4	Public utility assessments.....		791,900
5	Refined petroleum fund.....		1,404,500
6	Scrap tire regulatory fund.....		1,089,400
7	Solid waste management fund - staff account.....		4,606,800
8	Underground storage tank fees.....		2,170,200
9	Waste reduction fee revenue.....		76,500
10	State general fund/general purpose.....	\$	2,033,000
11	Sec. 109. WATER		
12	Full-time equated classified positions.....	358.2	
13	Drinking water and environmental health--120.0 FTE		
14	positions	\$	15,842,300
15	Expedited water/wastewater permits--3.0 FTE positions		404,300
16	Fish contaminant monitoring.....		316,100
17	Groundwater discharge--22.0 FTE positions.....		2,994,500
18	NPDES nonstormwater program--98.2 FTE positions.....		11,253,800
19	Sewage sludge land application program--6.0 FTE		
20	positions		870,300
21	Surface water--102.0 FTE positions.....		15,080,400
22	Water withdrawal assessment program--7.0 FTE positions		<u>729,000</u>
23	GROSS APPROPRIATION.....	\$	47,490,700
24	Appropriated from:		
25	Federal revenues:		
26	Federal funds.....		18,317,300
27	Special revenue funds:		

1	Campground fund.....	242,900
2	Clean Michigan initiative - administration.....	122,000
3	Clean Michigan initiative - clean water fund.....	3,770,800
4	Environmental response fund.....	170,800
5	Fees and collections.....	96,500
6	Groundwater discharge permit fees.....	1,160,300
7	Infrastructure construction fund.....	404,300
8	Land and water permit fees.....	505,200
9	NPDES fees.....	3,448,600
10	Public swimming pool fund.....	553,300
11	Public water supply fees.....	2,347,800
12	Refined petroleum fund.....	973,400
13	Septage waste contingency fund.....	38,600
14	Septage waste program fund.....	378,100
15	Sewage sludge land application fee.....	870,300
16	Soil erosion and sedimentation control training fund.	117,300
17	Storm water permit fees.....	2,764,000
18	Water pollution control revolving fund.....	682,800
19	Water use reporting fees.....	251,200
20	State general fund/general purpose.....	\$ 10,275,200
21	Sec. 110. CRIMINAL INVESTIGATIONS	
22	Full-time equated classified positions.....	23.0
23	Environmental investigations--23.0 FTE positions.....	\$ <u>2,805,100</u>
24	GROSS APPROPRIATION.....	\$ 2,805,100
25	Appropriated from:	
26	Federal revenues:	
27	Federal funds.....	684,000

1	Special revenue funds:		
2	Restricted funds.....		1,013,000
3	State general fund/general purpose.....	\$	1,108,100
4	Sec. 111. GRANTS		
5	Coastal management grants.....	\$	2,000,000
6	Drinking water program grants.....		1,330,000
7	Federal - Great Lakes remedial action plan grants....		700,000
8	Federal - nonpoint source water pollution grants.....		6,500,000
9	Grants to counties - air pollution.....		83,700
10	Great Lakes research and protection grants.....		1,000,000
11	Noncommunity water grants.....		1,400,000
12	Pollution prevention local grants.....		250,000
13	Radon grants.....		90,000
14	Scrap tire grants.....		3,700,000
15	Septage waste compliance grants.....		400,000
16	Strategic water quality initiative loans.....		9,600,000
17	Water quality protection grants.....		100,000
18	Water pollution control and drinking water revolving		
19	fund		<u>82,943,000</u>
20	GROSS APPROPRIATION.....	\$	110,096,700
21	Appropriated from:		
22	Federal revenues:		
23	Federal funds.....		82,163,000
24	Special revenue funds:		
25	Community pollution prevention fund.....		250,000
26	Great Lakes protection fund.....		1,000,000
27	Public water supply fees.....		1,400,000

1	Refined petroleum fund.....	83,700
2	Revolving loan revenue bonds.....	11,400,000
3	Scrap tire regulatory fund.....	3,700,000
4	Septage waste program fund.....	400,000
5	Strategic water quality initiatives fund.....	9,600,000
6	Water quality protection fund.....	100,000
7	State general fund/general purpose.....	\$ 0
8	Sec. 112. INFORMATION TECHNOLOGY	
9	Information technology services and projects.....	\$ <u>7,822,300</u>
10	GROSS APPROPRIATION.....	\$ 7,822,300
11	Appropriated from:	
12	Interdepartmental grant revenues:	
13	IDG-MDSP.....	28,000
14	IDT, laboratory services.....	150,900
15	Federal revenues:	
16	Federal funds.....	1,505,000
17	Special revenue funds:	
18	Restricted funds.....	5,577,900
19	State general fund/general purpose.....	\$ 560,500

20 PART 2

21 PROVISIONS CONCERNING APPROPRIATIONS

22 GENERAL SECTIONS

23 Sec. 201. Pursuant to section 30 of article IX of the state
 24 constitution of 1963, total state spending from state resources
 25 under part 1 for fiscal year 2009-2010 is \$203,860,200.00 and state

1 spending from state resources to be paid to local units of
 2 government for fiscal year 2009-2010 is \$3,650,000.00. The itemized
 3 statement below identifies appropriations from which spending to
 4 local units of government will occur:

5 DEPARTMENT OF ENVIRONMENTAL QUALITY

6 GRANTS

7	Noncommunity water grants.....	\$	1,400,000
8	Scrap tire grants.....		1,850,000
9	Septage waste compliance program.....		<u>400,000</u>
10	TOTAL.....	\$	3,650,000

11 Sec. 202. The appropriations authorized under this bill are
 12 subject to the management and budget act, 1984 PA 431, MCL 18.1101
 13 to 18.1594.

14 Sec. 203. As used in this bill:

- 15 (a) "Department" means the department of environmental
 16 quality.
 17 (b) "FTE" means full-time equated.
 18 (c) "IDG" means interdepartmental grant.
 19 (d) "IDT" means intradepartmental transfer.
 20 (e) "MDSP" means the Michigan department of state police.
 21 (f) "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 charges
 25 authorized by section 5 of article XI of the state constitution of
 26 1963. Payments shall be made for the total amount of the billing by
 27 the end of the second fiscal quarter.

1 Sec. 206. The department shall use the Internet to fulfill the
2 reporting requirements of this bill. This requirement may include
3 transmission of reports via electronic mail to the recipients
4 identified for each reporting requirement, or it may include
5 placement of reports on an Internet or Intranet site.

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

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

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

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

23 (d) The estimated date that site closure activities will be
24 completed.

25 (e) The amount of the allocation, or the anticipated financing
26 for the site.

27 (f) A summary of the sites and the total amount of funds

1 expended at the sites at the conclusion of the fiscal year.

2 (g) The number of sites that would qualify as brownfields that
3 were redeveloped.

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

6 (a) The status of all state-owned facilities that are on the
7 list compiled under part 201 of the natural resources and
8 environmental protection act, 1994 PA 451, MCL 324.20101 to
9 324.20142.

10 (b) The report shall include the total amount of funds
11 expended during the fiscal year and the total amount of funds
12 awaiting expenditure.

13 (c) The total amount of bonds issued for the environmental
14 protection bond program pursuant to part 193 of the natural
15 resources and environmental protection act, 1994 PA 451, MCL
16 324.19301 to 324.19306, and bonds issued pursuant to the clean
17 Michigan initiative act, 1998 PA 284, MCL 324.95101 to 324.95108.

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

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

26 (2) Unexpended and unencumbered amounts remaining from
27 appropriations from the environmental protection bond fund

1 contained in 2003 PA 173 and 2006 PA 343 are appropriated for
2 expenditure for any site listed in this act and any site listed in
3 the public acts referenced in this section.

4 (3) Unexpended and unencumbered amounts remaining from
5 appropriations from the cleanup and redevelopment fund contained in
6 2003 PA 173 are appropriated for expenditure for any site listed in
7 this act and any site listed in the public acts referenced in this
8 section.

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

16 (5) Unexpended and unencumbered amounts remaining from
17 appropriations from the environmental protection fund contained in
18 2001 PA 43, 2002 PA 520, and 2003 PA 171 are appropriated for
19 expenditure for any site listed in this act and any site listed in
20 the public acts referenced in this section.

21 (6) Unexpended and unencumbered amounts remaining from
22 appropriations from the refined petroleum fund contained in 2005 PA
23 154, 2007 PA 121, and 2008 PA 247 are appropriated for expenditure
24 for any site listed in this act and any site listed in the public
25 acts referenced in this section.

26 Sec. 213. From the funds appropriated in part 1 for
27 information technology, departments and agencies shall pay user

1 fees to the department of information technology for technology-
2 related services and projects. Such user fees shall be subject to
3 provisions of an interagency agreement between the departments and
4 agencies and the department of information technology.

5 Sec. 215. (1) Due to the current budgetary problems in this
6 state, out-of-state travel for the fiscal year ending September 30,
7 2010 shall be limited to situations in which 1 or more of the
8 following conditions apply:

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

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

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

17 (d) The travel is necessary to comply with federal
18 requirements.

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

21 (f) The travel is financed entirely by federal or nonstate
22 funds.

23 (2) Not later than January 1 of each year, each department
24 shall prepare a travel report listing all travel by classified and
25 unclassified employees outside this state in the immediately
26 preceding fiscal year that was funded in whole or in part with
27 funds appropriated in the department's budget. The report shall be

1 submitted to the senate and house of representatives standing
2 committees on appropriations, the senate and house fiscal agencies,
3 and the state budget director. The report shall include the
4 following information:

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

7 (b) The destination of each travel occurrence.

8 (c) The dates of each travel occurrence.

9 (d) A brief statement of the reason for each travel
10 occurrence.

11 (e) The transportation and related costs of each travel
12 occurrence, including the proportion funded with state general
13 fund/general purpose revenues, the proportion funded with state-
14 restricted revenues, the proportion funded with federal revenues,
15 and the proportion funded with other revenues.

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

18 Sec. 216. Funds appropriated in part 1 shall not be used for
19 the purchase of foreign goods or services, or both, if
20 competitively priced and comparable quality American goods or
21 services, or both, are available. Preference shall be given to
22 goods or services, or both, manufactured or provided by Michigan
23 businesses, if they are competitively priced and of comparable
24 quality. In addition, preference shall be given to goods or
25 services, or both, that are manufactured or provided by Michigan
26 businesses, owned or operated by veterans, if they are
27 competitively priced and of comparable quality.

1 Sec. 217. The director shall take all reasonable steps to
2 ensure businesses in deprived and depressed communities compete for
3 and perform contracts to provide services or supplies, or both. The
4 director shall strongly encourage firms with which the department
5 contracts to subcontract with certified businesses in depressed and
6 deprived communities for services, supplies, or both.

7 Sec. 218. Unexpended settlement revenues at the end of the
8 fiscal year may be carried forward into the settlement fund in the
9 succeeding fiscal year up to a maximum carryforward of
10 \$2,500,000.00.

11 Sec. 219. (1) The appropriation in section 102 includes
12 \$11,402,300.00 from restricted funds. This funding source shall
13 support the restricted fund requirements, pursuant to subsection
14 (4), for selected line items in the executive operations and
15 department support appropriation unit.

16 (2) The appropriation in section 110 includes \$1,013,000 from
17 restricted funds. This funding source shall support the restricted
18 fund requirements, pursuant to subsection (4), for the criminal
19 investigations appropriation.

20 (3) The appropriation in section 112 includes \$5,577,900.00
21 from restricted funds. This funding source shall support the
22 restricted fund requirements, pursuant to subsection (4), for the
23 information technology appropriation.

24 (4) The department shall adopt a cost allocation plan for
25 revenue sources supporting line items listed in sections 102, 110
26 and 112.

27 Sec. 224. Funds appropriated in part 1 shall not be used by a

1 principal executive department, state agency, or authority to hire
2 a person to provide legal services that are the responsibility of
3 the attorney general. This prohibition does not apply to legal
4 services for bonding activities and for those activities that the
5 attorney general authorizes.

6 Sec. 225. (1) In addition to the funds appropriated in part 1,
7 there is appropriated an amount not to exceed \$30,000,000.00 for
8 federal contingency funds. These funds are not available for
9 expenditure until they have been transferred to another line item
10 in this bill under section 393(2) of the management and budget act,
11 1984 PA 431, MCL 18.1393.

12 (2) In addition to the funds appropriated in part 1, there is
13 appropriated an amount not to exceed \$5,000,000.00 for state
14 restricted contingency funds. These funds are not available for
15 expenditure until they have been transferred to another line item
16 in this bill under section 393(2) of the management and budget act,
17 1984 PA 431, MCL 18.1393.

18 (3) In addition to the funds appropriated in part 1, there is
19 appropriated an amount not to exceed \$100,000.00 for local
20 contingency funds. These funds are not available for expenditure
21 until they have been transferred to another line item in this bill
22 under section 393(2) of the management and budget act, 1984 PA 431,
23 MCL 18.1393.

24 (4) In addition to the funds appropriated in part 1, there is
25 appropriated an amount not to exceed \$500,000.00 for private
26 contingency funds. These funds are not available for expenditure
27 until they have been transferred to another line item in this bill

1 under section 393(2) of the management and budget act, 1984 PA 431,
2 MCL 18.1393.

3 **ENVIRONMENTAL SCIENCE AND SERVICES**

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

7 **REMEDICATION AND REDEVELOPMENT**

8 Sec. 701. The unexpended funds appropriated in part 1 for
9 emergency cleanup actions and the refined petroleum product cleanup
10 program project appropriations and any unencumbered or unallotted
11 funds are carried forward into the succeeding fiscal year. The
12 following is in compliance with section 451a(1) of the management
13 and budget act, 1984 PA 431, MCL 18.1451a:

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

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

17 (c) The total estimated cost of all projects is identified in
18 each line-item appropriation.

19 Sec. 702. Effective October 1, 2009, surplus funds not to
20 exceed \$1,000,000.00 in the cleanup and redevelopment trust fund
21 are hereby appropriated to the environmental protection fund.

22 Sec. 703. Effective October 1, 2009, surplus funds not to
23 exceed \$1,000,000.00 in the community pollution prevention trust
24 fund are hereby appropriated to the environmental protection fund.

1 **WASTE AND HAZARDOUS MATERIALS**

2 Sec. 801. Effective October 1, 2009, surplus funds not to
3 exceed \$500,000.00 in the solid waste management fund perpetual
4 care account are hereby appropriated to the solid waste management
5 fund staff account.

6 **GRANTS**

7 Sec. 1101. If a certified health department does not exist in
8 a city, county, or district or does not fulfill its
9 responsibilities under part 117 of the natural resources and
10 environmental protection act, 1994 PA 451, MCL 324.11701 to
11 324.11720, then the department may spend funds appropriated in part
12 1 under the septage waste compliance program in accordance with
13 section 11716 of the natural resources and environmental protection
14 act, 1994 PA 451, MCL 324.11716.