

**SUBSTITUTE FOR
SENATE BILL NO. 91**

A bill to make appropriations for the department of environment, Great Lakes, and energy for the fiscal year ending September 30, 2022; and to provide for the expenditure of the appropriations.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1
2
3
4
5
6
7
8

PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. There is appropriated for the department of environment, Great Lakes, and energy for the fiscal year ending September 30, 2022, from the following funds:

**DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND
ENERGY**

APPROPRIATION SUMMARY

1	Full-time equated unclassified positions	6.0	
2	Full-time equated classified positions	1,418.0	
3	GROSS APPROPRIATION		\$ 565,270,500
4	IDG from department of state police		1,833,500
5	IDG from MDOT, Michigan transportation fund		122,500
6	IDG, MDOT - Michigan transportation fund		1,368,800
7	MDLARA		220,000
8	Total interdepartmental grants and		
9	intradepartmental transfers		3,544,800
10	ADJUSTED GROSS APPROPRIATION		\$ 561,725,700
11	Federal revenues:		
12	Federal funds		171,889,200
13	Total federal revenues		171,889,200
14	Special revenue funds:		
15	Private funds		1,411,200
16	Total private revenues		1,411,200
17	Air emissions fees		11,817,900
18	Aquatic nuisance control fund		1,073,200
19	Brownfield development fund		1,100,000
20	Campground fund		346,900
21	Clean Michigan initiative - clean water fund		2,617,100
22	Clean Michigan initiative - nonpoint source		2,000,000
23	Cleanup and redevelopment fund		28,060,800
24	Coal ash care fund		258,400
25	Community pollution prevention fund		150,000
26	Electronic waste recycling fund		375,600
27	Energy efficiency and renewable energy		
28	revolving loan fund		250,000

1	Environmental education fund	201,200
2	Environmental pollution prevention fund	4,833,600
3	Environmental response fund	31,321,900
4	Fees and collections	279,400
5	Financial instruments	9,921,100
6	Great Lakes protection fund	567,600
7	Groundwater discharge permit fees	1,674,800
8	Infrastructure construction fund	58,100
9	Laboratory services fees	8,850,400
10	Land and water permit fees	2,685,100
11	Medical waste emergency response fund	375,600
12	Metallic mining surveillance fee revenue	106,300
13	Mineral well regulatory fee revenue	222,300
14	Native copper mine fund	50,000
15	Nonferrous metallic mineral surveillance	438,500
16	NPDES fees	4,825,600
17	Oil and gas regulatory fund	4,965,000
18	Orphan well fund	2,461,200
19	Public swimming pool fund	712,600
20	Public utility assessments	2,666,900
21	Public water supply fees	5,213,300
22	Refined petroleum fund	42,583,100
23	Renew Michigan fund	73,980,600
24	Retired engineers technical assistance program	
25	fund	491,200
26	Revolving loan revenue bonds	15,000,000
27	Sand extraction fee revenue	99,500
28	Scrap tire regulatory fund	5,175,500

1	Septage waste program fund		561,300
2	Settlement funds		1,000,000
3	Sewage sludge land application fees		998,300
4	Small business pollution prevention revolving		
5	loan fund		134,400
6	Soil erosion and sedimentation control training		
7	fund		157,900
8	Solid waste management fund - staff account		7,542,000
9	Stormwater permit fees		2,525,600
10	Strategic water quality initiatives fund		1,371,300
11	Technologically enhanced naturally occurring		
12	radioactive material		248,900
13	Underground storage tank cleanup fund		20,423,500
14	Wastewater operator training fees		632,500
15	Water pollution control revolving fund		738,400
16	Water quality protection fund		100,000
17	Water use reporting fees		287,000
18	Total other state restricted revenues		304,531,400
19	State general fund/general purpose	\$	83,893,900
20	Sec. 102. DEPARTMENTAL ADMINISTRATION AND		
21	SUPPORT		
22	Full-time equated unclassified positions	6.0	
23	Full-time equated classified positions	106.0	
24	Unclassified salaries--FTEs	6.0	\$ 828,600
25	Accounting service center		1,463,500
26	Administrative hearings officers		910,000
27	Environmental investigations--* FTE positions	12.0	2,549,100
28	Environmental support--* FTE positions	56.0	8,379,400

1	Environmental support projects		6,000,000
2	Executive direction--* FTE positions	14.0	2,340,200
3	Facilities management		1,000,000
4	Financial support--* FTE positions	24.0	3,471,200
5	Property management		8,715,500
6	GROSS APPROPRIATION	\$	35,657,500
7	Appropriated from:		
8	IDG from department of state police		87,400
9	IDG from MDOT, Michigan transportation fund		122,500
10	Total interdepartmental grants and		
11	intradepartmental transfers		209,900
12	Federal funds		604,700
13	Total federal revenues		604,700
14	Private funds		750,800
15	Total private revenues		750,800
16	Air emissions fees		988,700
17	Aquatic nuisance control fund		88,000
18	Campground fund		29,300
19	Cleanup and redevelopment fund		2,210,800
20	Electronic waste recycling fund		42,700
21	Environmental education fund		196,400
22	Environmental pollution prevention fund		588,700
23	Fees and collections		25,100
24	Financial instruments		8,820,600
25	Great Lakes protection fund		48,200
26	Groundwater discharge permit fees		143,000
27	Infrastructure construction fund		5,300
28	Laboratory services fees		580,300

1	Land and water permit fees	225,500
2	Medical waste emergency response fund	42,700
3	Metallic mining surveillance fee revenue	10,600
4	Mineral well regulatory fee revenue	10,600
5	Nonferrous metallic mineral surveillance	51,000
6	NPDES fees	409,000
7	Oil and gas regulatory fund	833,000
8	Orphan well fund	98,800
9	Public swimming pool fund	58,800
10	Public utility assessments	682,100
11	Public water supply fees	432,200
12	Refined petroleum fund	3,549,300
13	Renew Michigan fund	3,095,800
14	Sand extraction fee revenue	10,500
15	Scrap tire regulatory fund	236,200
16	Septage waste program fund	48,200
17	Settlement funds	1,000,000
18	Sewage sludge land application fees	80,200
19	Soil erosion and sedimentation control training	
20	fund	13,400
21	Solid waste management fund - staff account	1,137,400
22	Stormwater permit fees	204,400
23	Strategic water quality initiatives fund	114,500
24	Underground storage tank cleanup fund	272,700
25	Wastewater operator training fees	51,000
26	Water pollution control revolving fund	60,900
27	Water use reporting fees	23,800
28	Total other state restricted revenues	26,519,700

1	State general fund/general purpose	\$	7,572,400
2	Sec. 103. OFFICE OF THE GREAT LAKES		
3	Full-time equated classified positions	15.0	
4	Great Lakes restoration initiative--* FTE		
5	positions	9.0	7,591,300
6	Office of the Great Lakes--* FTE positions	6.0	822,500
7	GROSS APPROPRIATION	\$	8,413,800
8	Appropriated from:		
9	Federal funds		7,617,300
10	Total federal revenues		7,617,300
11	Great Lakes protection fund		505,000
12	Total other state restricted revenues		505,000
13	State general fund/general purpose	\$	291,500
14	Sec. 104. WATER RESOURCES DIVISION		
15	Full-time equated classified positions	321.0	
16	Aquatic nuisance control program--* FTE		
17	positions	6.0	958,800
18	Coastal management grants--* FTE positions	7.0	2,512,600
19	Expedited water/wastewater permits--* FTE		
20	positions	1.0	51,200
21	Federal - Great Lakes remedial action plan		
22	grants		583,800
23	Federal - nonpoint source water pollution		
24	grants		4,083,300
25	Fish contaminant monitoring		316,100
26	Great lakes restoration initiative		3,608,200
27	Groundwater discharge permit program--* FTE		
28	positions	22.0	3,343,400

1	Land and water interface permit programs--* FTE		
2	positions	84.0	12,580,300
3	Nonpoint source pollution prevention and		
4	control project program		2,000,000
5	NPDES nonstormwater program--* FTE positions	83.0	13,622,700
6	Program direction and project assistance--* FTE		
7	positions	27.0	3,237,500
8	Sewage sludge land application program--* FTE		
9	positions	7.0	892,300
10	Stormwater activities--* FTE positions	27.5	5,302,600
11	Surface water--* FTE positions	51.5	8,650,300
12	Technology advancements for water monitoring		500,000
13	Water quality protection grants		100,000
14	Water withdrawal assessment program--* FTE		
15	positions	5.0	842,900
16	Wetlands program		1,000,000
17	GROSS APPROPRIATION	\$	64,186,000
18	Appropriated from:		
19	IDG, MDOT - Michigan transportation fund		1,332,000
20	Total interdepartmental grants and		
21	intradepartmental transfers		1,332,000
22	Federal funds		26,625,200
23	Total federal revenues		26,625,200
24	Aquatic nuisance control fund		958,800
25	Clean Michigan initiative - clean water fund		2,617,100
26	Clean Michigan initiative - nonpoint source		2,000,000
27	Environmental response fund		579,800
28	Groundwater discharge permit fees		1,490,200

1	Infrastructure construction fund		51,200
2	Land and water permit fees		2,393,200
3	NPDES fees		4,294,200
4	Refined petroleum fund		451,200
5	Sewage sludge land application fees		894,100
6	Soil erosion and sedimentation control training		
7	fund		140,500
8	Stormwater permit fees		2,259,600
9	Wastewater operator training fees		304,000
10	Water pollution control revolving fund		146,800
11	Water quality protection fund		100,000
12	Water use reporting fees		256,000
13	Total other state restricted revenues		18,936,700
14	State general fund/general purpose	\$	17,292,100
15	Sec. 105. LAW ENFORCEMENT		
16	GROSS APPROPRIATION	\$	
17	Appropriated from:		
18	State general fund/general purpose	\$	
19	Sec. 106. AIR QUALITY DIVISION		
20	Full-time equated classified positions	187.0	
21	Air quality programs--FTEs	187.0	30,416,600
22	GROSS APPROPRIATION	\$	30,416,600
23	Appropriated from:		
24	Federal funds		7,493,200
25	Total federal revenues		7,493,200
26	Air emissions fees		10,537,200
27	Fees and collections		213,400
28	Oil and gas regulatory fund		147,600

1	Public utility assessments		150,000
2	Refined petroleum fund		3,759,200
3	Total other state restricted revenues		14,807,400
4	State general fund/general purpose	\$	8,116,000
5	Sec. 107. REMEDIATION AND REDEVELOPMENT DIVISION		
6	Full-time equated classified positions	308.0	
7	Contaminated site investigations, cleanup, and		
8	revitalization--* FTE positions	130.0	19,079,000
9	Emergency cleanup actions		2,000,000
10	Environmental cleanup support		30,300,000
11	Federal cleanup project management--* FTE		
12	positions	40.0	7,263,600
13	Laboratory services--* FTE positions	39.0	8,420,100
14	Refined petroleum product cleanup program--*		
15	FTE positions	99.0	35,123,600
16	Superfund cleanup		1,000,000
17	Brownfield grants		1,100,000
18	GROSS APPROPRIATION	\$	104,286,300
19	Appropriated from:		
20	Federal funds		6,537,900
21	Total federal revenues		6,537,900
22	Brownfield development fund		1,100,000
23	Cleanup and redevelopment fund		24,173,100
24	Environmental response fund		30,742,100
25	Laboratory services fees		8,096,500
26	Public water supply fees		323,600
27	Refined petroleum fund		33,018,500
28	Total other state restricted revenues		97,453,800

1	State general fund/general purpose	\$	294,600
2	Sec. 108. UNDERGROUND STORAGE TANK AUTHORITY		
3	Full-time equated classified positions	5.0	
4	Underground storage tank cleanup program--* FTE		
5	positions	5.0	20,069,200
6	GROSS APPROPRIATION	\$	20,069,200
7	Appropriated from:		
8	Underground storage tank cleanup fund		20,069,200
9	Total other state restricted revenues		20,069,200
10	State general fund/general purpose	\$	0
11	Sec. 109. RENEWING MICHIGAN'S ENVIRONMENT		
12	Full-time equated classified positions	133.0	
13	Mapping and other support--* FTE positions	5.0	3,995,600
14	Renew Michigan program--* FTE positions	128.0	69,962,300
15	GROSS APPROPRIATION	\$	73,957,900
16	Appropriated from:		
17	Renew Michigan fund		69,962,300
18	Total other state restricted revenues		69,962,300
19	State general fund/general purpose	\$	3,995,600
20	Sec. 110. INFORMATION TECHNOLOGY		
21	Information technology services and projects		9,578,700
22	GROSS APPROPRIATION	\$	9,578,700
23	Appropriated from:		
24	IDG, MDOT - Michigan transportation fund		36,800
25	IDG from department of state police		25,600
26	Total interdepartmental grants and		
27	intradepartmental transfers		62,400
28	Federal funds		1,838,700

1	Total federal revenues	1,838,700
2	Private funds	15,200
3	Total private revenues	15,200
4	Air emissions fees	292,000
5	Aquatic nuisance control fund	26,400
6	Campground fund	8,800
7	Cleanup and redevelopment fund	654,500
8	Electronic waste recycling fund	12,800
9	Environmental education fund	4,800
10	Environmental pollution prevention fund	167,200
11	Fees and collections	6,400
12	Financial instruments	1,100,500
13	Great Lakes protection fund	14,400
14	Groundwater discharge permit fees	41,600
15	Infrastructure construction fund	1,600
16	Laboratory services fees	173,600
17	Land and water permit fees	66,400
18	Medical waste emergency response fund	12,800
19	Metallic mining surveillance fee revenue	3,200
20	Mineral well regulatory fee revenue	3,200
21	Nonferrous metallic mineral surveillance	15,200
22	NPDES fees	122,400
23	Oil and gas regulatory fund	246,400
24	Orphan well fund	29,600
25	Public swimming pool fund	17,600
26	Public utility assessments	12,800
27	Public water supply fees	129,600
28	Refined petroleum fund	1,062,500

1	Renew Michigan fund		922,500
2	Sand extraction fee revenue		3,200
3	Scrap tire regulatory fund		70,400
4	Septage waste program fund		14,400
5	Sewage sludge land application fees		24,000
6	Soil erosion and sedimentation control training		
7	fund		4,000
8	Solid waste management fund - staff account		340,800
9	Stormwater permit fees		61,600
10	Strategic water quality initiatives fund		34,400
11	Underground storage tank cleanup fund		81,600
12	Wastewater operator training fees		15,200
13	Water pollution control revolving fund		18,400
14	Water use reporting fees		7,200
15	Total other state restricted revenues		5,824,000
16	State general fund/general purpose	\$	1,838,400
17	Sec. 111. CLIMATE AND ENERGY		
18	Full-time equated classified positions	3.0	
19	Office of climate and energy--* FTE positions	3.0	262,900
20	GROSS APPROPRIATION	\$	262,900
21	Appropriated from:		
22	Federal funds		49,700
23	Total federal revenues		49,700
24	Public utility assessments		39,700
25	Total other state restricted revenues		39,700
26	State general fund/general purpose	\$	173,500
27	Sec. 112. DRINKING WATER AND ENVIRONMENTAL		
28	HEALTH		

1	Full-time equated classified positions	125.0	
2	Drinking water--* FTE positions	68.0	11,915,600
3	Environmental health--* FTE positions	57.0	7,179,200
4	Drinking water program grants		830,000
5	Noncommunity water grants		1,905,700
6	Septage waste compliance grants		275,000
7	GROSS APPROPRIATION		\$ 22,105,500
8	Appropriated from:		
9	Federal funds		10,555,900
10	Total federal revenues		10,555,900
11	Campground fund		308,800
12	Fees and collections		34,500
13	Public swimming pool fund		636,200
14	Public water supply fees		4,327,900
15	Refined petroleum fund		742,400
16	Septage waste program fund		498,700
17	Wastewater operator training fees		262,300
18	Total other state restricted revenues		6,810,800
19	State general fund/general purpose		\$ 4,738,800
20	Sec. 113. MATERIALS MANAGEMENT DIVISION		
21	Full-time equated classified positions	129.0	
22	Environmental sustainability and stewardship--*		
23	FTE positions	11.0	6,224,000
24	Hazardous waste management program--* FTE		
25	positions	45.0	5,826,800
26	Low-level radioactive waste authority--* FTE		
27	positions	2.0	246,200
28	Medical waste program--* FTE positions	2.0	320,100

1	Pollution prevention--* FTE positions	7.0	2,311,400
2	Radiological protection program--* FTE		
3	positions	12.0	2,035,500
4	Recycling initiative--* FTE positions	3.0	1,022,400
5	Scrap tire grants		3,500,000
6	Scrap tire regulatory program--* FTE positions	10.0	1,368,900
7	Solid waste management program--* FTE positions	37.0	6,642,300
8	GROSS APPROPRIATION	\$	29,497,600
9	Appropriated from:		
10	IDG from department of state police		1,720,500
11	Total interdepartmental grants and		
12	intradepartmental transfers		1,720,500
13	Federal funds		7,143,700
14	Total federal revenues		7,143,700
15	Private funds		645,200
16	Total private revenues		645,200
17	Cleanup and redevelopment fund		1,022,400
18	Coal ash care fund		258,400
19	Community pollution prevention fund		150,000
20	Electronic waste recycling fund		320,100
21	Energy efficiency and renewable energy		
22	revolving loan fund		250,000
23	Environmental pollution prevention fund		4,077,700
24	Medical waste emergency response fund		320,100
25	Public utility assessments		1,782,300
26	Retired engineers technical assistance program		
27	fund		491,200
28	Scrap tire regulatory fund		4,868,900

1	Small business pollution prevention revolving		
2	loan fund		134,400
3	Solid waste management fund - staff account		6,063,800
4	Technologically enhanced naturally occurring		
5	radioactive material		248,900
6	Total other state restricted revenues		19,988,200
7	State general fund/general purpose	\$	0
8	Sec. 114. OIL, GAS, AND MINERALS DIVISION		
9	Full-time equated classified positions	57.0	
10	Oil, gas, and mineral services--* FTE positions	57.0	11,630,900
11	GROSS APPROPRIATION	\$	11,630,900
12	Appropriated from:		
13	MDLARA		220,000
14	Total interdepartmental grants and		
15	intradepartmental transfers		220,000
16	Federal funds		150,000
17	Total federal revenues		150,000
18	Metallic mining surveillance fee revenue		92,500
19	Mineral well regulatory fee revenue		208,500
20	Native copper mine fund		50,000
21	Nonferrous metallic mineral surveillance		372,300
22	Oil and gas regulatory fund		3,738,000
23	Orphan well fund		2,332,800
24	Sand extraction fee revenue		85,800
25	Total other state restricted revenues		6,879,900
26	State general fund/general purpose	\$	4,381,000
27	Sec. 115. WATER INFRASTRUCTURE		
28	Full-time equated classified positions	29.0	

1	Municipal assistance--* FTE positions	29.0	5,007,600
2	Water state revolving funds		120,000,000
3	GROSS APPROPRIATION	\$	125,007,600
4	Appropriated from:		
5	Federal funds		103,272,900
6	Total federal revenues		103,272,900
7	Revolving loan revenue bonds		15,000,000
8	Strategic water quality initiatives fund		1,222,400
9	Water pollution control revolving fund		512,300
10	Total other state restricted revenues		16,734,700
11	State general fund/general purpose	\$	5,000,000
12	Sec. 116. ONE-TIME APPROPRIATIONS		
13	Emergency dam safety action fund		15,000,000
14	High water emergency infrastructure grants		10,000,000
15	Michigan Water Use Advisory Council		
16	Recommendations		5,200,000
17	GROSS APPROPRIATION	\$	30,200,000
18	Appropriated from:		
19	State general fund/general purpose	\$	30,200,000

20

21 PART 2

22 PROVISIONS CONCERNING APPROPRIATIONS

23 **GENERAL SECTIONS**

24 Sec. 201. Pursuant to section 30 of article IX of the state
25 constitution of 1963, total state spending from state sources under
26 part 1 for fiscal year 2021-2022 is \$376,425,300.00 and state
27 spending from state sources to be paid to local units of government
28 for fiscal year 2021-2022 is \$41,521,000.00. The itemized statement
29 below identifies appropriations from which spending to local units

of government will occur:

**DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND
ENERGY**

Surface water	\$	160,000
Technology advancements for water monitoring		500,000
Brownfield grants		1,000,000
Emergency cleanup actions		116,000
Refined petroleum product cleanup program		5,000,000
Renewing Michigan's environment program		20,000,000
Environmental health		400,000
Noncommunity water grants		1,900,000
Septage waste compliance grants	\$	125,000
Environmental sustainability and stewardship		250,000
Medical waste program		70,000
Scrap tire grants	\$	2,000,000
High water emergency infrastructure grants		10,000,000
TOTAL	\$	41,521,000

Sec. 202. The appropriations authorized under this part and part 1 are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

Sec. 203. As used in this part and part 1:

(a) "Department" means the department of environment, Great Lakes, and energy.

(b) "Director" means the director of the department.

(c) "FTE" means full-time equated.

(d) "IDG" means interdepartmental grant.

(e) "NPDES" means national pollution discharge elimination system.

Sec. 204. The departments and agencies receiving

1 appropriations in part 1 shall use the internet to fulfill the
2 reporting requirements of this part. This requirement shall include
3 transmission of reports via email to the recipients identified for
4 each reporting requirement, or it shall include placement of
5 reports on an internet or intranet site.

6 Sec. 205. To the extent permissible under section 261 of the
7 management and budget act, 1984 PA 431, MCL 18.1261:

8 (a) Funds appropriated in part 1 shall not be used for the
9 purchase of foreign goods or services, or both, if competitively
10 priced and of comparable quality American goods or services, or
11 both, are available.

12 (b) Preference shall be given to goods or services, or both,
13 manufactured or provided by Michigan businesses, if they are
14 competitively priced and of comparable quality.

15 (c) In addition, preference shall be given to goods or
16 services, or both, that are manufactured or provided by Michigan
17 businesses owned and operated by veterans, if they are
18 competitively priced and of comparable quality.

19 Sec. 206. The department shall not take disciplinary action
20 against an employee of the department or departmental agency in the
21 state classified civil service because the employee communicates
22 with a member of the senate or house or a member's staff, unless
23 the communication is prohibited by law and the department or agency
24 taking disciplinary action is exercising its authority as provided
25 by law.

26 Sec. 207. Consistent with section 217 of the management and
27 budget act, 1984 PA 431, MCL 18.1217, the departments and agencies
28 receiving appropriations in part 1 shall prepare a report on out-
29 of-state travel expenses not later than January 1 of each year. The

1 travel report shall be a listing of all travel by classified and
2 unclassified employees outside this state in the immediately
3 preceding fiscal year that was funded in whole or in part with
4 funds appropriated in the department's budget. The report shall be
5 submitted to the senate and house appropriations committees, the
6 senate and house fiscal agencies, and the state budget director.
7 The report shall include the following information:

8 (a) The dates of each travel occurrence.

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

14 Sec. 208. Funds appropriated in part 1 shall not be used by a
15 principal executive department, state agency, or authority to hire
16 a person to provide legal services that are the responsibility of
17 the attorney general. This prohibition does not apply to legal
18 services for bonding activities and for those outside services that
19 the attorney general authorizes.

20 Sec. 209. Not later than December 31, the state budget office
21 shall prepare and transmit a report that provides for estimates of
22 the total general fund/general purpose appropriation lapses at the
23 close of the prior fiscal year. This report shall summarize the
24 projected year-end general fund/general purpose appropriation
25 lapses by major departmental program or program areas. The report
26 shall be transmitted to the chairs of the senate and house
27 appropriations committees and the senate and house fiscal agencies.

28 Sec. 211. From the funds appropriated in part 1, the
29 department shall provide to the department of technology,

1 management, and budget information sufficient to maintain a
2 searchable website accessible by the public at no cost that
3 includes, but is not limited to, all of the following for the
4 department or agency:

5 (a) Fiscal year-to-date expenditures by category.

6 (b) Fiscal year-to-date expenditures by appropriation unit.

7 (c) Fiscal year-to-date payments to a selected vendor,
8 including the vendor name, payment date, payment amount, and
9 payment description.

10 (d) The number of active department employees by job
11 classification.

12 (e) Job specifications and wage rates.

13 Sec. 212. Within 14 days after the release of the executive
14 budget recommendation, the department shall provide to the state
15 budget office information sufficient to provide the senate and
16 house appropriations chairs, the senate and house appropriations
17 subcommittees chairs, and the senate and house fiscal agencies with
18 an annual report on estimated state restricted fund balances, state
19 restricted fund projected revenues, and state restricted fund
20 expenditures for the fiscal years ending September 30, 2021 and
21 September 30, 2022.

22 Sec. 213. The department shall maintain, on a publicly
23 accessible website, a department scorecard that identifies, tracks,
24 and regularly updates key metrics that are used to monitor and
25 improve the department's performance.

26 Sec. 214. Total authorized appropriations from all sources
27 under part 1 for legacy costs for the fiscal year ending September
28 30, 2022 are estimated at \$33,648,000.00. From this amount, total
29 department appropriations for pension-related legacy costs are

1 estimated at \$18,851,400.00. Total agency appropriations for
2 retiree health care legacy costs are estimated at \$14,796,600.00.

3 Sec. 216. (1) On a quarterly basis, the department shall
4 report to the senate and house appropriations committees, the
5 senate and house appropriations subcommittees on the department
6 budget, and the senate and house fiscal agencies the following
7 information:

8 (a) The number of FTEs in pay status by type of staff and
9 civil service classification.

10 (b) A comparison by line item of the number of FTEs authorized
11 from funds appropriated in part 1 to the actual number of FTEs
12 employed by the department at the end of the reporting period.

13 (2) By April 1 of the current fiscal year and semiannually
14 thereafter, the department shall report to the senate and house
15 appropriations committees, the senate and house appropriations
16 subcommittees on the department budget, and the senate and house
17 fiscal agencies the following information:

18 (a) Number of employees that were engaged in remote work in
19 2021.

20 (b) Number of employees authorized to work remotely and the
21 actual number of those working remotely in the current reporting
22 period.

23 (c) Estimated net cost savings achieved by remote work.

24 (d) Reduced use of office space associated with remote work.

25 Sec. 217. Appropriations in part 1 shall, to the extent
26 possible by the department, not be expended until all existing work
27 project authorization available for the same purposes is exhausted.

28 Sec. 218. If the state administrative board, acting under
29 section 3 of 1921 PA 2, MCL 17.3, transfers funds from an amount

1 appropriated under this article, the legislature may, by a
2 concurrent resolution adopted by a majority of the members elected
3 to and serving in each house, intertransfer funds within this
4 article for the particular department, board, commission, officer,
5 or institution.

6 Sec. 219. The departments and agencies receiving
7 appropriations in part 1 shall receive and retain copies of all
8 reports funded from appropriations in part 1. Federal and state
9 guidelines for short-term and long-term retention of records shall
10 be followed. The department may electronically retain copies of
11 reports unless otherwise required by federal and state guidelines.

12 Sec. 221. (1) Funds appropriated in part 1 shall not be used
13 by the department to promulgate a rule that will apply to a small
14 business and that will have a disproportionate economic impact on
15 small businesses because of the size of those businesses if the
16 department fails to reduce the disproportionate economic impact of
17 the rule on small businesses as provided under section 40 of the
18 administrative procedures act of 1969, 1969 PA 306, MCL 24.240.

19 (2) As used in this section:

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

22 (b) "Small business" means that term as defined under section
23 7a of the administrative procedures act of 1969, 1969 PA 306, MCL
24 24.207a.

25 Sec. 222. (1) The department shall report all of the following
26 information relative to allocations made from appropriations for
27 the environmental cleanup and redevelopment program, state
28 cleanups, emergency actions, superfund cleanups, the revitalization
29 revolving loan program, the brownfield grants and loans program,

1 the leaking underground storage tank cleanup program, the
2 contaminated lake and river sediments cleanup program, the refined
3 petroleum product cleanup program, and the environmental protection
4 bond projects under section 19508(7) of the natural resources and
5 environmental protection act, 1994 PA 451, MCL 324.19508, to the
6 state budget director, the senate and house appropriations
7 subcommittees on environmental quality, and the senate and house
8 fiscal agencies:

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

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

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

14 (d) The estimated date that site closure activities will be
15 completed.

16 (e) The amount of the allocation, or the anticipated financing
17 for the site.

18 (f) A summary of the sites and the total amount of funds
19 expended at the sites by September 30, 2022.

20 (g) The number of brownfield projects that were successfully
21 redeveloped.

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

24 (a) The status of all state-owned facilities that are on the
25 list compiled under section 20108c of the natural resources and
26 environmental protection act, 1994 PA 451, MCL 324.20108c.

27 (b) The report shall include the total amount of funds
28 expended during the fiscal year and the total amount of funds
29 awaiting expenditure.

1 (c) The total amount of bonds issued for the environmental
2 protection bond program pursuant to part 193 of the natural
3 resources and environmental protection act, 1994 PA 451, MCL
4 324.19301 to 324.19306, and bonds issued pursuant to the clean
5 Michigan initiative act, 1998 PA 284, MCL 324.95101 to 324.95108.

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

8 Sec. 223. (1) The department may expend amounts remaining from
9 the current and prior fiscal year appropriations to meet funding
10 needs of legislatively approved sites for the environmental cleanup
11 and redevelopment program, the refined petroleum product cleanup
12 program, brownfield grants and loans, waterfront grants, and the
13 environmental bond site reclamation program.

14 (2) Unexpended and unencumbered amounts remaining from
15 appropriations from the environmental protection bond fund
16 contained in 2003 PA 173, 2005 PA 109, 2006 PA 343, 2011 PA 63, and
17 2012 PA 236 are appropriated for expenditure for any site listed in
18 this part and part 1 and any site listed in the public acts
19 referenced in this section.

20 (3) Unexpended and unencumbered amounts remaining from
21 appropriations from the clean Michigan initiative fund - response
22 activities contained in 2000 PA 52, 2004 PA 309, 2005 PA 11, 2006
23 PA 343, 2007 PA 121, 2011 PA 63, 2013 PA 59, 2014 PA 252, 2015 PA
24 84, 2016 PA 268, and 2017 PA 107 are appropriated for expenditure
25 for any site listed in this part and part 1 and any site listed in
26 the public acts referenced in this section.

27 (4) Unexpended and unencumbered amounts remaining from
28 appropriations from the refined petroleum fund activities contained
29 in 2007 PA 121, 2008 PA 247, 2009 PA 118, 2010 PA 189, 2011 PA 63,

2012 PA 200, 2013 PA 59, 2014 PA 252, 2015 PA 84, 2016 PA 268, 2017 PA 107, 2018 PA 207, 2019 PA 57, and 2020 PA 166 are appropriated for expenditure for any site listed in this part and part 1 and any site listed in the public acts referenced in this section.

(5) Unexpended and unencumbered amounts remaining from the appropriations from the strategic water quality initiatives fund contained in 2011 PA 50, 2011 PA 63, 2012 PA 200, 2013 PA 59, 2014 PA 252, 2015 PA 84, 2016 PA 268, 2017 PA 107, and 2018 PA 207 are appropriated for expenditure for any site listed in this part and part 1 and any site listed in the public acts referenced in this section.

Sec. 224. Unexpended settlement revenues at the end of the fiscal year may be carried forward into the settlement fund in the succeeding fiscal year up to a maximum carryforward of \$2,500,000.00.

Sec. 235. The department shall prepare an annual report to the legislature by March 31 that details all of the following for each of the allocations from the clean Michigan initiative bond fund as described in section 19607(1)(a) to (i) of the natural resources and environmental protection act, 1994 PA 451, MCL 324.19607:

(a) The progress of each project funded in each category.

(b) The current cost to date of each project funded in each category.

(c) The estimated remaining cost of each project funded in each category.

(d) The remaining balance of money in the fund allocated for each category.

(e) The total debt obligation on all clean Michigan initiative bonds and the length of time remaining until full bond repayment is

1 achieved.

2 Sec. 236. The department shall provide a report detailing the
3 expenditure of departmental funds appropriated in 2015 PA 143, 2016
4 PA 3, 2016 PA 268, and 2016 PA 340. The report shall include the
5 following:

6 (a) The names and locations of entities receiving funds.

7 (b) The purpose for each expenditure.

8 (c) The status of programs supported by this funding.

9 (d) A brief description of how related problems have been or
10 will be resolved if expenditures are made for immediate response.

11 (e) The job titles and number of departmental FTEs engaged in
12 the Flint declaration of emergency response effort.

13 Sec. 237. From the funds appropriated in part 1, the
14 department shall be responsible for the necessary and reasonable
15 attorney fees and costs incurred by private and independent legal
16 counsel chosen by current and former classified and unclassified
17 department employees in the defense of the department employees
18 named as a party in any state or federal lawsuits or investigations
19 related to the city of Flint municipal water system.

20
21 **REMEDIATION AND REDEVELOPMENT DIVISION**

22 Sec. 305. It is the intent of the legislature to repay the
23 refined petroleum fund for the \$70,000,000.00 that was transferred
24 to the environmental protection fund created in section 503a of the
25 natural resources and environmental protection act, 1994 PA 451,
26 MCL 324.503a, as part of the resolution for the fiscal year 2006-
27 2007 budget.

28 Sec. 306. (1) The funds appropriated in part 1 for the refined
29 petroleum cleanup program shall be used to fund corrective actions

1 performed by the department pursuant to section 21320 of the
2 natural resources and environmental protection act, 1994 PA 451,
3 MCL 324.21320.

4 (2) By January 1, the department shall provide a report to the
5 house and senate subcommittees on environmental quality and the
6 state budget director on the refined petroleum product cleanup
7 program containing the following information:

8 (a) A list of sites the department intends to work on during
9 the current fiscal year, including the fiscal year the project
10 began.

11 (b) A list of sites at which the department performed
12 corrective actions during the previous fiscal year.

13 (c) A list of sites the department closed during the previous
14 fiscal year.

15 Sec. 308. The unexpended funds appropriated in part 1 for
16 emergency cleanup actions, emergency cleanup support, and the
17 refined petroleum product cleanup program are designated as work
18 project appropriations, and any unencumbered or unallotted funds
19 shall not lapse at the end of the fiscal year and shall be
20 available for expenditures for projects under this section until
21 the projects have been completed. The following is in compliance
22 with section 451a of the management and budget act, 1984 PA 431,
23 MCL 18.1451a:

24 (a) The purpose of the projects is to provide contaminated
25 site cleanup.

26 (b) The projects will be accomplished by utilizing contracts
27 with service providers.

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

1 (d) The tentative completion date is September 30, 2026.

2 Sec. 310. (1) Upon approval by the state budget director, the
3 department may expend from the general fund of the state an amount
4 to meet the cash-flow requirements of projects funded under any of
5 the following that are financed from bond proceeds and for which
6 bonds have been authorized but not yet issued:

7 (a) Part 52 of the natural resources and environmental
8 protection act, 1994 PA 451, MCL 324.5201 to 324.5206.

9 (b) Part 193 of the natural resources and environmental
10 protection act, 1994 PA 451, MCL 324.19301 to 324.19306.

11 (c) Part 196 of the natural resources and environmental
12 protection act, 1994 PA 451, MCL 324.19601 to 324.19616.

13 (2) Upon the sale of bonds for projects described in
14 subsection (1), the department shall credit the general fund of the
15 state an amount equal to that expended from the general fund.

16 Sec. 312. The unexpended funds appropriated in part 1 for
17 environmental cleanup support are designated as a work project
18 appropriation, and any unencumbered or unallotted funds shall not
19 lapse at the end of the fiscal year and shall be available for
20 expenditures for projects under this section until the projects
21 have been completed. The following is in compliance with section
22 451a of the management and budget act, 1984 PA 431, MCL 18.1451a:

23 (a) The purpose of the project is to provide contaminated site
24 cleanup.

25 (b) The project will be accomplished by utilizing contracts
26 with service providers.

27 (c) The total estimated cost of the project is \$29,300,000.00.

28 (d) The tentative completion date is September 30, 2026.

29

WATER RESOURCES DIVISION

Sec. 401. From the funds appropriated in part 1 for land and water interface permit programs, not less than \$350,000.00 is allocated for dam safety programs. These amounts are in addition to any funding utilized for this purpose in the fiscal year ending September 30, 2021.

Sec. 405. If a certified health department does not exist in a city, county, or district or does not fulfill its responsibilities under part 117 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.11701 to 324.11721, then the department may spend funds appropriated in part 1 under the septage waste compliance program in accordance with section 11716 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.11716.

Sec. 410. From the funds appropriated in part 1, the department shall compile a report by November 1 on the status of the implementation plan for the western Lake Erie basin collaborative agreement. In an effort to learn more about the presence and timing of harmful algal blooms, the report shall contain all of the following:

(a) An estimated cost of removal of total phosphorus per pound at the 4 major wastewater treatment plants.

(b) A description of the grants that have been awarded.

(c) A description of the work that has commenced on the issue of dissolved reactive phosphorus, the expected objectives and outcomes of that work, and a list of the parties involved in that effort.

(d) A description of the efforts and outcomes aimed at the total phosphorus reduction for the River Raisin watershed.

UNDERGROUND STORAGE TANK AUTHORITY

Sec. 701. The unexpended funds appropriated in part 1 for the underground storage tank cleanup program are designated as a work project appropriation, and any unencumbered or unallotted funds shall not lapse at the end of the fiscal year and shall be available for expenditures for projects under this section until the projects have been completed. The following is in compliance with section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a:

(a) The purpose of the project is to provide contaminated site cleanup.

(b) The project will be accomplished by utilizing contracts with service providers.

(c) The total estimated cost of the project is \$20,000,000.00.

(d) The tentative completion date is September 30, 2026.

MATERIALS MANAGEMENT DIVISION

Sec. 901. In addition to the money appropriated in part 1, the department may receive and expend money from the Volkswagen Environmental Mitigation Trust Agreement to provide funding for activities as outlined within the State's Mitigation Plan. The department shall prepare an annual report to the appropriations subcommittees, the fiscal agencies, and the state budget office by February 1, 2023 of the expenditures incurred under this section during the fiscal year ending September 30, 2022.

ONE-TIME APPROPRIATIONS

Sec. 1005. (1) The department shall award grants to local

1 health departments to provide free or low-cost water testing to
2 private well owners. Testing offered shall include coliforms,
3 nitrates/nitrites, arsenic, and other contaminants as determined by
4 application.

5 (2) On or before April 1, the department shall transmit to the
6 appropriations subcommittees, the fiscal agencies, and the state
7 budget office and post on the department's website a report on the
8 previous calendar year's activities funded with private well
9 testing funds. The report shall include a list of all grantees and
10 award amounts.

11 Sec. 1006. (1) From the appropriations in part 1 for high
12 water emergency infrastructure grants, the department shall develop
13 a competitive grant program to provide infrastructure grants that
14 directly address the impacts and vulnerabilities presented by
15 severe weather events.

16 (2) The infrastructure grants under subsection (1) shall focus
17 on projects that address flooding, coastline erosion, and
18 stormwater management.

19 (3) Eligible participants in the grant program are regional
20 councils of government and local units of government. A local unit
21 of government may act as a primary project sponsor and fiduciary
22 for a grant that includes partnerships or consortiums with other
23 public or nonprofit organizations.

24 (4) An infrastructure grant may not exceed \$1,000,000.00. A
25 20% match is required for all grants.

26 (5) The department shall develop the grant program, selection
27 criteria, timelines, and reporting and other requirements. Grant
28 program information will be published in an accessible location on
29 the department's website. The department may partner with other

1 state agencies as necessary to develop and operate the program.

2 Sec. 1007. From funds appropriated in part 1 for the water
3 resource division, the department shall provide funding for the
4 cooperative lakes monitoring program, in the amount of \$150,000.00,
5 to support the continuation of the department's contract for the
6 cooperative lakes monitoring program and to ensure the continued
7 operation of this program.

8 Sec. 1008. Unless otherwise specified through statute or rule,
9 previous grant awards shall not be used to disqualify applicants
10 from consideration of grant funding opportunities for any grant
11 program offered through the department or made from the funds
12 appropriated in part 1.

13 Sec. 1009. (1) The funds appropriated in part 1 for the
14 emergency dam safety action fund shall be expended for the
15 following purposes:

16 (a) \$3,000,000.00 for the department to take remedial or
17 corrective action to address significant safety risks posed by dams
18 should the dam owner be unwilling or unable to take remedial or
19 corrective action.

20 (b) \$12,000,000.00 to administer an emergency dam safety grant
21 program for the repair or alteration of a dam, reconstruction of a
22 failed dam, or for planning and design costs associated with those
23 activities.

24 (i) Grant applicants shall provide a 25% match.

25 (ii) Grants shall not exceed \$1,000,000.00 per applicant.

26 (2) Unexpended funds are designated as a work project
27 appropriation and any unencumbered or unallotted funds shall not
28 lapse at the end of the fiscal year and shall be available for
29 expenditures for projects under this section until the projects

1 have been completed.

2 (3) By December 31 annually, the department shall prepare a
3 report to be posted on the department's website and provided to the
4 relevant house and senate standing committees and appropriations
5 subcommittees. The report shall contain all of the following
6 information:

7 (a) The starting and ending balances of the fund.

8 (b) A list of the dams that required emergency action from the
9 fund, including their location, the name of the owner of each dam,
10 a description of the action or actions taken at each dam, and the
11 total expenditure at each dam.

12 (c) A list of grant recipients, including their location,
13 grant award, and a brief description of action.

14 Sec. 1011. (1) From the funds appropriated in part 1 for
15 Michigan Water Use Advisory Council (WUAC) Recommendations for
16 water conservation, data collection, and modeling the department
17 shall utilize the following as recommended in the December 2020
18 report by the WUAC:

19 (a) \$3,000,000.00, in coordination with the United States
20 Geological Survey (USGS), to conduct data collection and mapping to
21 expand geologic information in up to 25 targeted areas in this
22 state, including the priority counties of Allegan, Berrien,
23 Calhoun, Jackson, Montcalm, and Ottawa.

24 (b) \$900,000.00 for the creation of the Michigan Hydrologic
25 Framework.

26 (c) \$485,000.00 for the installation and development of a
27 groundwater monitoring well network.

28 (d) \$259,000.00, in coordination with the USGS, for streamflow
29 gages.

1 (e) \$200,000.00, in coordination with Michigan State
2 University Extension, to develop and execute an educational program
3 for agricultural water use efficiency.

4 (f) \$125,000.00 for the Michigan Integrated Water Management
5 database.

6 (g) \$55,000.00 to update statewide key aquifer properties for
7 use in the Water Withdrawal Assessment Tool (WWAT).

8 (h) \$50,000.00 to update the user interface for the WWAT.

9 (i) \$50,000.00 for analysis and planning for long-term data
10 collection priorities.

11 (j) \$50,000.00 for a report identifying water conservation
12 programming and policy needs as compared to existing programs at
13 the state and national level.

14 (k) \$40,000.00 for transition probability geostatistical
15 mapping in Cass and Calhoun Counties.

16 (2) The unexpended funds appropriated in part 1 for water
17 conservation, data collection, and modeling are designated as a
18 work project appropriation, and any unencumbered or unallotted
19 funds shall not lapse at the end of the fiscal year and shall be
20 available for expenditures for projects under this section until
21 the projects have been completed.

22 Sec. 1013. (1) From the funds appropriated in part 1 for
23 watershed council grants, \$600,000.00 in grant funds shall be
24 awarded to watershed councils for education, administration, and
25 conservation efforts. A grant to an individual watershed council
26 shall not exceed \$40,000.00.

27 (2) On or before April 1, the department shall transmit to the
28 appropriations subcommittees, the fiscal agencies, and the state
29 budget office and post on the department's website a report on the

- 1 previous calendar year's activities of the watershed grant program.
- 2 The report shall include a list of all grantees and award amounts.