

# HOUSE BILL NO. 5330

September 22, 2021, Introduced by Reps. Morse, Rogers, O'Neal, Thanedar, Hope, Steenland, Witwer, Neeley, Hood, LaGrand, Cherry, Sneller, Manoogian, Bolden, Cavanagh, Breen, Kupp, Sowerby, Brabec, Rabhi, Weiss, Aiyash, Brixie, Scott and Anthony and referred to the Committee on Appropriations.

A bill to amend 1994 PA 451, entitled  
"Natural resources and environmental protection act,"  
(MCL 324.101 to 324.90106) by adding part 192.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1           **PART 192 WATER MANAGEMENT INFRASTRUCTURE FUNDING**  
2           **Sec. 19201. As used in this part:**  
3           **(a) "Climate resiliency plan" means a plan that helps a**  
4 **political subdivision anticipate, prepare for, and respond to**  
5 **hazardous events, trends, and disturbances related to severe**

1 weather events and the effects of changing climate conditions.

2 (b) "Department" means the department of environment, Great  
3 Lakes, and energy.

4 (c) "Fund" means the water management infrastructure fund  
5 created in section 19203.

6 (d) "Green infrastructure" means a range of measures that uses  
7 plant or soil systems, permeable pavement or other permeable  
8 surfaces or substrates, stormwater harvest and reuse, or  
9 landscaping to store, infiltrate, or evapotranspire stormwater  
10 and reduce flows to sewer systems or surface water.

11 (e) "Political subdivision" means a county, city, village, or  
12 township of this state.

13 (f) "Program" means the water management infrastructure  
14 program created in section 19205.

15 Sec. 19203. (1) The water management infrastructure fund is  
16 created within the state treasury. The state treasurer may receive  
17 money or other assets from any source for deposit into the fund.  
18 The state treasurer shall direct the investment of the fund and  
19 credit to the fund interest and earnings from fund investments.  
20 Money in the fund at the end of the fiscal year remains in the fund  
21 and does not lapse to the general fund. The department is the  
22 administrator of the fund for auditing purposes.

23 (2) Upon appropriation, the department shall expend money from  
24 the fund only to support the program. At least 25% of the money in  
25 the fund must be used to provide grants under the program.

26 Sec. 19205. (1) The department, in consultation with other  
27 relevant state departments and agencies, shall establish the water  
28 management infrastructure program. The program must provide  
29 competitive grants and loans to political subdivisions to support

1 planning efforts to prepare for and strengthen resiliency against  
2 severe weather events and the effects of changing climate  
3 conditions and to address the impacts and vulnerabilities to  
4 infrastructure presented by severe weather events and changing  
5 climate conditions.

6 (2) The department shall provide grants and loans under the  
7 program to political subdivisions to construct, repair, or remove  
8 any of the following infrastructure:

9 (a) Stormwater retention or treatment.

10 (b) Sewage treatment.

11 (c) Flood control or mitigation including, but not limited to,  
12 any of the following projects:

13 (i) Repairing, rebuilding, or relocating roads.

14 (ii) Repairing or removing an existing dam.

15 (iii) Relocating water treatment or wastewater treatment.

16 (d) Green infrastructure.

17 (3) A political subdivision is not eligible to receive a grant  
18 or loan under the program to construct or repair a seawall, jetty,  
19 concrete or steel wall, or any other artificial structure installed  
20 to protect existing and continued property development along a  
21 shoreline.

22 (4) A political subdivision shall apply to the program on an  
23 application and in a manner provided by the department. To be  
24 eligible to participate in the program, the political subdivision  
25 shall meet both of the following requirements:

26 (a) Be able to contribute matching funds of at least 20%.

27 (b) Have a climate resiliency plan.

28 (5) In accordance with the administrative procedures act of  
29 1969, 1969 PA 306, MCL 24.201 to 24.328, the department shall

1 promulgate rules to implement the program, and establish all of the  
2 following:

3 (a) Eligibility and selection criteria to receive a  
4 competitive grant under the program.

5 (b) Eligibility and selection criteria to receive a loan under  
6 the program.

7 (c) Timelines.

8 (d) Reporting requirements.

9 (6) The department shall make information on the program  
10 available on the department's website.