

SUBSTITUTE FOR
SENATE BILL NO. 195

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2014; and to provide for the expenditure of the appropriations.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. There is appropriated for the department of environmental quality for the fiscal year ending September 30, 2014, from the following funds:

DEPARTMENT OF ENVIRONMENTAL QUALITY

APPROPRIATION SUMMARY

Full-time equated unclassified positions.....	6.0
Full-time equated classified positions.....	1,285.5

Senate Bill No. 195 as amended April 24, 2013

1	GROSS APPROPRIATION.....	\$ <<510,668,900>>
2	Interdepartmental grant revenues:	
3	Total interdepartmental grants and intradepartmental	
4	transfers	9,401,900
5	ADJUSTED GROSS APPROPRIATION.....	\$ 501,266,900
6	Federal revenues:	
7	Total federal funds.....	150,929,700
8	Special revenue funds:	
9	Total private funds.....	541,800
10	Total other state restricted revenues.....	320,690,900
11	State general fund/general purpose.....	\$ <<29,104,600>>
12	State general fund/general purpose schedule:	
13	Ongoing state general fund/general	
14	purpose	<<28,104,600>>
15	One-time state general fund/general	
16	purpose	1,000,000
17	FUND SOURCE SUMMARY	
18	Full-time equated unclassified positions.....	6.0
19	Full-time equated classified positions.....	1,285.5
20	GROSS APPROPRIATION.....	\$ <<510,668,900>>
21	Interdepartmental grant revenues:	
22	IDG, MDOT - Michigan transportation fund.....	1,285,700
23	IDG, MDSP.....	1,484,800
24	IDT, interdivisional charges.....	2,053,400
25	IDT, laboratory services.....	4,578,000
26	Total interdepartmental grants and intradepartmental	
27	transfers	9,401,900

1	ADJUSTED GROSS APPROPRIATION.....	\$	501,266,900
2	Federal revenues:		
3	Federal funds.....		150,929,700
4	Special revenue funds:		
5	Private funds.....		541,800
6	Air emissions fees.....		10,601,500
7	Campground fund.....		362,200
8	Clean Michigan initiative fund - clean water fund....		3,782,100
9	Cleanup and redevelopment fund.....		24,074,400
10	Community pollution prevention fund.....		250,000
11	Electronic waste recycling fund.....		326,400
12	Environmental education fund.....		162,900
13	Environmental pollution prevention fund.....		1,392,500
14	Environmental protection fund.....		2,814,700
15	Environmental response fund.....		6,247,200
16	Fees and collections.....		492,300
17	Financial instruments.....		5,000,000
18	Great Lakes protection fund.....		212,500
19	Groundwater discharge permit fees.....		1,681,400
20	Hazardous materials transportation permit fund.....		780,600
21	Infrastructure construction fund.....		100,000
22	Land and water permit fees.....		3,299,500
23	Landfill maintenance trust fund.....		30,100
24	Medical waste emergency response fund.....		344,100
25	Metallic mining surveillance fee revenue.....		162,500
26	Mineral well regulatory fee revenue.....		230,300
27	Nonferrous metallic mineral surveillance.....		102,100

1	NPDES fees.....	4,471,300
2	Oil and gas regulatory fund.....	11,183,300
3	Orphan well fund.....	2,357,000
4	Public swimming pool fund.....	739,100
5	Public utility assessments.....	282,900
6	Public water supply fees.....	5,084,700
7	Refined petroleum fund.....	50,465,300
8	Retired engineers technical assistance program.....	1,014,400
9	Revitalization revolving loan fund.....	99,900
10	Revolving loan revenue bonds.....	11,400,000
11	Sand extraction fee revenue.....	102,800
12	Scrap tire regulatory fund.....	5,097,100
13	Septage waste contingency fund.....	17,800
14	Septage waste program fund.....	635,900
15	Settlement funds.....	641,600
16	Sewage sludge land application fees.....	1,148,100
17	Small business pollution prevention revolving loan	
18	fund	168,300
19	Soil erosion and sedimentation control training fund.	155,900
20	Solid waste management fund - staff account.....	5,425,800
21	Stormwater permit fees.....	3,303,200
22	Strategic water quality initiatives fund.....	140,766,500
23	Waste reduction fee revenue.....	6,284,600
24	Wastewater operator training fees.....	691,400
25	Water analysis fees.....	2,559,700
26	Water pollution control revolving fund.....	3,759,000
27	Water quality protection fund.....	100,000

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1	Water use reporting fees.....	286,000
2	Total other state restricted revenues.....	320,690,900
3	State general fund/general purpose.....	\$ <<29,104,600>>
4	Sec. 102. EXECUTIVE OPERATIONS	
5	Full-time equated unclassified positions.....	6.0
6	Full-time equated classified positions.....	13.0
7	Unclassified salaries--6.0 FTE positions.....	\$ 707,000
8	Executive direction--13.0 FTE positions.....	<u>2,047,000</u>
9	GROSS APPROPRIATION.....	\$ 2,754,000
10	Appropriated from:	
11	Federal revenues:	
12	Federal funds.....	38,900
13	Special revenue funds:	
14	Environmental response fund.....	214,200
15	Oil and gas regulatory fund.....	391,900
16	Refined petroleum fund.....	580,900
17	Settlement funds.....	67,600
18	State general fund/general purpose.....	\$ 1,460,500
19	Sec. 103. OFFICE OF THE GREAT LAKES	
20	Full-time equated classified positions.....	12.0
21	Office of the Great Lakes--12.0 FTE positions.....	\$ 2,874,300
22	Coastal management grants.....	<u>1,750,000</u>
23	GROSS APPROPRIATION.....	\$ 4,624,300
24	Appropriated from:	
25	Federal revenues:	
26	Federal funds.....	3,415,700
27	Special revenue funds:	

1	Great Lakes protection fund.....		212,500
2	Settlement funds.....		111,300
3	State general fund/general purpose.....	\$	884,800
4	Sec. 104. GREAT LAKES RESTORATION INITIATIVE		
5	Full-time equated classified positions.....	6.0	
6	Great Lakes restoration initiative--6.0 FTE positions	\$	<u>15,020,600</u>
7	GROSS APPROPRIATION.....	\$	15,020,600
8	Appropriated from:		
9	Federal revenues:		
10	Federal funds.....		15,020,600
11	Special revenue funds:		
12	State general fund/general purpose.....	\$	0
13	Sec. 105. DEPARTMENT SUPPORT SERVICES		
14	Full-time equated classified positions.....	34.0	
15	Central support services--34.0 FTE positions	\$	4,036,100
16	Accounting service center.....		1,252,100
17	Administrative hearings.....		595,700
18	Automated data processing.....		2,053,400
19	Building occupancy charges.....		6,388,100
20	Environmental support projects.....		5,000,000
21	Rent - privately owned property.....		<u>2,152,100</u>
22	GROSS APPROPRIATION.....	\$	21,477,500
23	Appropriated from:		
24	Interdepartmental grant revenues:		
25	IDG, MDSP.....		164,800
26	IDT, interdivisional charges.....		2,053,400
27	IDT, laboratory services.....		459,100

1	Federal revenues:	
2	Federal funds.....	5,400
3	Special revenue funds:	
4	Air emissions fees.....	1,386,700
5	Campground fund.....	46,600
6	Cleanup and redevelopment fund.....	2,065,500
7	Electronic waste recycling fund.....	21,300
8	Environmental pollution prevention fund.....	358,800
9	Environmental response fund.....	634,600
10	Fees and collections.....	41,000
11	Financial instruments.....	5,000,000
12	Groundwater discharge permit fees.....	166,200
13	Hazardous materials transportation permit fund.....	40,700
14	Land and water permit fees.....	460,400
15	Medical waste emergency response fund.....	33,500
16	Metallic mining surveillance fee revenue.....	15,200
17	Mineral well regulatory fee revenue.....	19,000
18	NPDES fees.....	297,300
19	Oil and gas regulatory fund.....	821,400
20	Orphan well fund.....	56,600
21	Public swimming pool fund.....	48,800
22	Public utility assessments.....	40,200
23	Public water supply fees.....	369,600
24	Refined petroleum fund.....	1,579,600
25	Sand extraction fee revenue.....	13,100
26	Scrap tire regulatory fund.....	182,900
27	Septage waste program fund.....	82,500

1	Settlement funds.....		205,300
2	Sewage sludge land application fees.....		147,600
3	Small business pollution prevention revolving loan		
4	fund		24,800
5	Soil erosion and sedimentation control training fund.		13,200
6	Solid waste management fund - staff account		654,900
7	Stormwater permit fees.....		160,000
8	Waste reduction fee revenue.....		787,400
9	Wastewater operator training fees.....		73,700
10	Water analysis fees.....		232,500
11	Water use reporting fees.....		32,000
12	State general fund/general purpose.....	\$	2,681,900
13	Sec. 106. OFFICE OF ENVIRONMENTAL ASSISTANCE		
14	Full-time equated classified positions.....	44.0	
15	Office of environmental assistance--44.0 FTE positions	\$	6,687,200
16	Pollution prevention local grants.....		<u>250,000</u>
17	GROSS APPROPRIATION.....	\$	6,937,200
18	Appropriated from:		
19	Federal revenues:		
20	Federal funds.....		923,200
21	Special revenue funds:		
22	Private funds.....		356,600
23	Air emissions fees.....		133,600
24	Community pollution prevention fund.....		250,000
25	Environmental education fund.....		162,900
26	Fees and collections.....		117,600
27	Retired engineers technical assistance program.....		1,014,400

1	Settlement funds.....	257,400
2	Small business pollution prevention revolving loan	
3	fund	131,600
4	Waste reduction fee revenue.....	3,589,900
5	State general fund/general purpose.....	\$ 0
6	Sec. 107. WATER RESOURCE DIVISION	
7	Full-time equated classified positions.....	331.0
8	Land and water interface permit programs--86.0 FTE	
9	positions	\$ 12,208,000
10	Program direction and project assistance--30.0 FTE	
11	positions	3,049,000
12	Water withdrawal assessment program--4.0 FTE positions	605,200
13	Expedited water/wastewater permits--3.0 FTE positions	100,000
14	Fish contaminant monitoring.....	316,100
15	Groundwater discharge--22.0 FTE positions.....	3,024,800
16	NPDES nonstormwater program--89.0 FTE positions	12,648,800
17	Surface water--97.0 FTE positions.....	17,749,800
18	Federal - Great Lakes remedial action plan grants	700,000
19	Federal - nonpoint source water pollution grants	6,500,000
20	Wetland mitigation banking grants and loans	3,000,000
21	Water quality protection grants.....	<u>100,000</u>
22	GROSS APPROPRIATION.....	\$ 60,001,700
23	Appropriated from:	
24	Interdepartmental grant revenues:	
25	IDG, MDOT - Michigan transportation fund.....	1,209,200
26	Federal revenues:	
27	Federal funds.....	23,211,600

1	Special revenue funds:	
2	Clean Michigan initiative fund - clean water fund....	3,782,100
3	Environmental protection fund.....	668,100
4	Environmental response fund.....	199,900
5	Groundwater discharge permit fees.....	1,430,700
6	Infrastructure construction fund.....	100,000
7	Land and water permit fees.....	2,546,700
8	NPDES fees.....	4,029,100
9	Refined petroleum fund.....	439,500
10	Sewage sludge land application fees.....	928,000
11	Soil erosion and sedimentation control training fund.	136,400
12	Stormwater permit fees.....	3,062,600
13	Strategic water quality initiatives fund.....	3,000,000
14	Wastewater operator training fees.....	334,200
15	Water pollution control revolving fund.....	802,400
16	Water quality protection fund.....	100,000
17	Water use reporting fees.....	237,900
18	State general fund/general purpose.....	\$ 13,783,300
19	Sec. 108. LAW ENFORCEMENT DIVISION	
20	Full-time equated classified positions..... 14.0	
21	Environmental investigations--14.0 FTE positions.....	\$ <u>2,790,400</u>
22	GROSS APPROPRIATION.....	\$ 2,790,400
23	Appropriated from:	
24	Federal revenues:	
25	Federal funds.....	818,500
26	Special revenue funds:	
27	Air emissions fees.....	55,700

1	Campground fund.....	5,300
2	Cleanup and redevelopment fund.....	231,900
3	Electronic waste recycling fund.....	2,400
4	Environmental pollution prevention fund.....	39,700
5	Environmental response fund.....	95,900
6	Fees and collections.....	5,100
7	Groundwater discharge permit fees.....	19,300
8	Hazardous materials transportation permit fund.....	4,200
9	Land and water permit fees.....	37,400
10	Medical waste emergency response fund.....	3,400
11	Metallic mining surveillance fee revenue.....	1,700
12	Mineral well regulatory fee revenue.....	2,100
13	NPDES fees.....	28,400
14	Oil and gas regulatory fund.....	147,200
15	Orphan well fund.....	6,400
16	Public swimming pool fund.....	5,400
17	Public utility assessments.....	4,300
18	Public water supply fees.....	41,100
19	Refined petroleum fund.....	377,600
20	Sand extraction fee revenue.....	1,000
21	Scrap tire regulatory fund.....	37,900
22	Septage waste program fund.....	9,400
23	Sewage sludge land application fees.....	16,400
24	Small business pollution prevention revolving loan	
25	fund	2,900
26	Soil erosion and sedimentation control training fund.	1,200
27	Solid waste management fund - staff account	74,500

1	Stormwater permit fees.....	18,900
2	Waste reduction fee revenue.....	98,800
3	Wastewater operator training fees.....	8,100
4	Water analysis fees.....	26,200
5	Water use reporting fees.....	3,600
6	State general fund/general purpose.....	\$ 558,500
7	Sec. 109. AIR QUALITY DIVISION	
8	Full-time equated classified positions.....	203.0
9	Air quality programs--203.0 FTE positions.....	\$ <u>25,766,500</u>
10	GROSS APPROPRIATION.....	\$ 25,766,500
11	Appropriated from:	
12	Federal revenues:	
13	Federal funds.....	7,470,700
14	Special revenue funds:	
15	Air emissions fees.....	8,480,000
16	Fees and collections.....	279,200
17	Oil and gas regulatory fund.....	133,200
18	Refined petroleum fund.....	3,551,500
19	Waste reduction fee revenue.....	1,320,300
20	State general fund/general purpose.....	\$ 4,531,600
21	Sec. 110. RESOURCE MANAGEMENT DIVISION	
22	Full-time equated classified positions.....	316.5
23	Drinking water and environmental health--106.5 FTE	
24	positions	\$ 15,919,100
25	Hazardous waste management program--51.0 FTE positions	
26	Low-level radioactive waste authority--2.0 FTE	
27	positions	225,000

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1	Medical waste program--2.0 FTE positions	294,300
2	Municipal assistance--34.0 FTE positions	6,481,400
3	Radiological protection program--12.0 FTE positions ..	1,674,800
4	Scrap tire regulatory program--11.0 FTE positions	1,307,700
5	Oil, gas, and mineral services--61.0 FTE positions ...	11,916,700
6	Solid waste management program--37.0 FTE positions ...	4,872,000
7	Drinking water program grants	1,330,000
8	Noncommunity water grants	2,000,000
9	Septage waste compliance grants	275,000
10	Strategic water quality initiative grants and loans ..	97,000,000
11	Strategic water quality initiative loans	9,600,000
12	Water pollution control and drinking water revolving	
13	fund	85,443,000
14	Scrap tire grants	3,500,000
	<<City of Mason water tower	<u>100>></u>
15	GROSS APPROPRIATION	\$ <<246,670,700>>
16	Appropriated from:	
17	Interdepartmental grant revenues:	
18	IDG, MDSP	1,257,800
19	Federal revenues:	
20	Federal funds	89,348,900
21	Special revenue funds:	
22	Campground fund	292,500
23	Electronic waste recycling fund	294,600
24	Environmental pollution prevention fund	856,500
25	Fees and collections	33,800
26	Hazardous materials transportation permit fund	720,100
27	Medical waste emergency response fund	294,300

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1	Metallic mining surveillance fee revenue.....	139,800
2	Mineral well regulatory fee revenue.....	201,800
3	Nonferrous metallic mineral surveillance.....	102,100
4	Oil and gas regulatory fund.....	9,117,300
5	Orphan well fund.....	2,272,000
6	Public swimming pool fund.....	665,800
7	Public utility assessments.....	225,000
8	Public water supply fees.....	4,198,100
9	Refined petroleum fund.....	664,500
10	Revolving loan revenue bonds.....	11,400,000
11	Sand extraction fee revenue.....	83,700
12	Scrap tire regulatory fund.....	4,807,700
13	Septage waste contingency fund.....	17,800
14	Septage waste program fund.....	512,300
15	Solid waste management fund - staff account.....	4,399,900
16	Strategic water quality initiatives fund.....	107,766,500
17	Waste reduction fee revenue.....	177,500
18	Wastewater operator training fees.....	247,000
19	Water pollution control revolving fund.....	2,798,300
20	State general fund/general purpose.....	\$ <<3,775,100>>
21	Sec. 111. REMEDIATION AND REDEVELOPMENT DIVISION	
22	Full-time equated classified positions.....	312.0
23	Contaminated site investigations, cleanup and	
24	revitalization--204.0 FTE positions.....	\$ 27,754,700
25	Federal cleanup project management--60.0 FTE positions	9,546,900
26	Laboratory services--48.0 FTE positions.....	6,528,900
27	Emergency cleanup actions.....	4,000,000

1	Environmental cleanup support.....	1,840,000
2	Environmental cleanup and redevelopment program.....	30,000,000
3	Refined petroleum product cleanup program.....	32,500,000
4	Superfund cleanup.....	<u>3,000,000</u>
5	GROSS APPROPRIATION.....	\$ 115,170,500
6	Appropriated from:	
7	Interdepartmental grant revenues:	
8	IDT, laboratory services.....	4,017,900
9	Federal revenues:	
10	Federal funds.....	8,965,100
11	Special revenue funds:	
12	Private funds.....	185,200
13	Cleanup and redevelopment fund.....	20,915,200
14	Environmental protection fund.....	2,142,000
15	Environmental response fund.....	4,728,700
16	Landfill maintenance trust fund.....	30,100
17	Public water supply fees.....	300,200
18	Refined petroleum fund.....	41,575,400
19	Revitalization revolving loan fund.....	99,900
20	Strategic water quality initiatives fund.....	30,000,000
21	Water analysis fees.....	2,210,800
22	State general fund/general purpose.....	\$ 0
23	Sec. 112. INFORMATION TECHNOLOGY	
24	Information technology services and projects.....	<u>\$ 8,455,500</u>
25	GROSS APPROPRIATION.....	\$ 8,455,500
26	Appropriated from:	
27	Interdepartmental grant revenues:	

1	IDG, MDOT - Michigan transportation fund.....	76,500
2	IDG, MDSP.....	62,200
3	IDT, laboratory services.....	101,000
4	Federal revenues:	
5	Federal funds.....	1,711,100
6	Special revenue funds:	
7	Air emissions fees.....	545,500
8	Campground fund.....	17,800
9	Cleanup and redevelopment fund.....	861,800
10	Electronic waste recycling fund.....	8,100
11	Environmental pollution prevention fund.....	137,500
12	Environmental protection fund.....	4,600
13	Environmental response fund.....	373,900
14	Fees and collections.....	15,600
15	Groundwater discharge permit fees.....	65,200
16	Hazardous materials transportation permit fund.....	15,600
17	Land and water permit fees.....	255,000
18	Medical waste emergency response fund.....	12,900
19	Metallic mining surveillance fee revenue.....	5,800
20	Mineral well regulatory fee revenue.....	7,400
21	NPDES fees.....	116,500
22	Oil and gas regulatory fund.....	572,300
23	Orphan well fund.....	22,000
24	Public swimming pool fund.....	19,100
25	Public utility assessments.....	13,400
26	Public water supply fees.....	175,700
27	Refined petroleum fund.....	1,696,300

1	Sand extraction fee revenue.....		5,000
2	Scrap tire regulatory fund.....		68,600
3	Septage waste program fund.....		31,700
4	Sewage sludge land application fees.....		56,100
5	Small business pollution prevention revolving loan		
6	fund		9,000
7	Soil erosion and sedimentation control training fund.		5,100
8	Solid waste management fund - staff account.....		296,500
9	Stormwater permit fees.....		61,700
10	Waste reduction fee revenue.....		310,700
11	Wastewater operator training fees.....		28,400
12	Water analysis fees.....		90,200
13	Water pollution control revolving fund.....		158,300
14	Water use reporting fees.....		12,500
15	State general fund/general purpose.....	\$	428,900
16	Sec. 113. ONE-TIME BASIS ONLY APPROPRIATIONS		
17	Hazardous waste management one-time.....	\$	400,000
18	Wetlands program.....		<u>600,000</u>
19	GROSS APPROPRIATION.....	\$	1,000,000
20	Appropriated from:		
21	Special revenue funds:		
22	State general fund/general purpose.....	\$	1,000,000

23 PART 2
 24 PROVISIONS CONCERNING APPROPRIATIONS
 25 FOR FISCAL YEAR 2013-2014

Senate Bill No. 195 as amended April 24, 2013

1 GENERAL SECTIONS

2 Sec. 201. Pursuant to section 30 of article IX of the state
3 constitution of 1963, total state spending from state resources
4 under part 1 for fiscal year 2013-2014 is <<\$349,795,500.00>> and state
5 spending from state resources to be paid to local units of
6 government for fiscal year 2013-2014 is \$2,775,000.00. The itemized
7 statement below identifies appropriations from which spending to
8 local units of government will occur:

9 GRANTS

10	Noncommunity water grants.....	\$	2,000,000
11	Scrap tire grants.....		500,000
12	Septage waste compliance program.....		<u>275,000</u>
13	TOTAL.....	\$	2,775,000

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

17 Sec. 203. As used in this act:

- 18 (a) "Department" means the department of environmental
19 quality.
- 20 (b) "Director" means the director of the department.
- 21 (c) "FTE" means full-time equated.
- 22 (d) "IDG" means interdepartmental grant.
- 23 (e) "IDT" means intradepartmental transfer.
- 24 (f) "MDOT" means the state transportation department.
- 25 (g) "MDSP" means the department of state police.
- 26 (h) "NPDES" means national pollution discharge elimination
27 system.

1 Sec. 205. Unless otherwise specified, the department shall use
2 the Internet to fulfill the reporting requirements of this act.
3 This requirement may include transmission of reports via electronic
4 mail to the recipients identified for each reporting requirement,
5 or it may include placement of reports on an Internet or Intranet
6 site.

7 Sec. 207. The department and agencies receiving appropriations
8 in part 1 shall receive and retain copies of all reports funded
9 from appropriations in part 1. Federal and state guidelines for
10 short-term and long-term retention of records shall be followed.
11 The department may electronically retain copies of reports unless
12 otherwise required by federal and state guidelines.

13 Sec. 209. The departments and agencies receiving
14 appropriations in part 1 shall prepare a report on out-of-state
15 travel expenses not later than January 1 of each year. The travel
16 report shall be a listing of all travel by classified and
17 unclassified employees outside this state in the immediately
18 preceding fiscal year that was funded in whole or in part with
19 funds appropriated in the department's budget. The report shall be
20 submitted to the house and senate appropriations committee, the
21 house and senate fiscal agencies, and the state budget director.
22 The report shall include the following information:

23 (a) The dates of each travel occurrence.

24 (b) The total transportation and related costs of each travel
25 occurrence, including the proportion funded with state general
26 fund/general purpose revenues, the proportion funded with state
27 restricted revenues, the proportion funded with federal revenues,

1 and the proportion funded with other revenues.

2 Sec. 210. Funds appropriated in part 1 shall not be used for
3 the purchase of foreign goods or services, or both, if
4 competitively priced and of comparable quality American goods or
5 services, or both, are available. Preference shall be given to
6 goods or services, or both, manufactured or provided by Michigan
7 businesses if they are competitively priced and of comparable
8 quality. In addition, preference shall be given to goods or
9 services, or both, that are manufactured or provided by Michigan
10 businesses owned and operated by veterans, if they are
11 competitively priced and of comparable quality.

12 Sec. 211. The director shall take all reasonable steps to
13 ensure businesses in deprived and depressed communities compete for
14 and perform contracts to provide services or supplies, or both. The
15 director shall strongly encourage firms with which the department
16 contracts to subcontract with certified businesses in depressed and
17 deprived communities for services, supplies, or both.

18 Sec. 212. The department shall not take disciplinary action
19 against an employee for communicating with a member of the
20 legislature or his or her staff.

21 Sec. 213. (1) Funds appropriated in part 1 shall not be used
22 by the department to promulgate a rule that will apply to a small
23 business and that will have a disproportionate economic impact on
24 small businesses because of the size of those businesses if the
25 department fails to reduce the disproportionate economic impact of
26 the rule on small businesses as provided under section 40 of the
27 administrative procedures act of 1969, 1969 PA 306, MCL 24.240.

1 (2) As used in this section:

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

4 (b) "Small business" means that term as defined under section
5 7a of the administrative procedures act of 1969, 1969 PA 306, MCL
6 24.207a.

7 Sec. 214. Funds appropriated in part 1 shall not be used by a
8 principal executive department, state agency, or authority to hire
9 a person to provide legal services that are the responsibility of
10 the attorney general. This prohibition does not apply to legal
11 services for bonding activities and for those activities that the
12 attorney general authorizes.

13 Sec. 215. (1) In addition to the funds appropriated in part 1,
14 there is appropriated an amount not to exceed \$30,000,000.00 for
15 federal contingency funds. These funds are not available for
16 expenditure until they have been transferred to another line item
17 in this act under section 393(2) of the management and budget act,
18 1984 PA 431, MCL 18.1393.

19 (2) In addition to the funds appropriated in part 1, there is
20 appropriated an amount not to exceed \$5,000,000.00 for state
21 restricted contingency funds. These funds are not available for
22 expenditure until they have been transferred to another line item
23 in this act under section 393(2) of the management and budget act,
24 1984 PA 431, MCL 18.1393.

25 (3) In addition to the funds appropriated in part 1, there is
26 appropriated an amount not to exceed \$100,000.00 for local
27 contingency funds. These funds are not available for expenditure

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

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

10 Sec. 216. (1) The department shall report all of the following
11 information relative to allocations made from appropriations for
12 the environmental cleanup and redevelopment program, state cleanup,
13 emergency actions, superfund cleanup, the revitalization revolving
14 loan program, the brownfield grants and loans program, the leaking
15 underground storage tank cleanup program, the contaminated lake and
16 river sediments cleanup program, the refined petroleum product
17 cleanup program, and the environmental protection bond projects
18 under section 19508(7) of the natural resources and environmental
19 protection act, 1994 PA 451, MCL 324.19508, to the state budget
20 director, the senate and house appropriations subcommittees on
21 environmental quality, and the senate and house fiscal agencies:

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

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

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

27 (d) The estimated date that site closure activities will be

1 completed.

2 (e) The amount of the allocation, or the anticipated financing
3 for the site.

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

6 (g) The number of brownfield projects that were successfully
7 redeveloped.

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

10 (a) The status of all state-owned facilities that are on the
11 list compiled under part 201 of the natural resources and
12 environmental protection act, 1994 PA 451, MCL 324.20101 to
13 324.20142.

14 (b) The report shall include the total amount of funds
15 expended during the fiscal year and the total amount of funds
16 awaiting expenditure.

17 (c) The total amount of bonds issued for the environmental
18 protection bond program pursuant to part 193 of the natural
19 resources and environmental protection act, 1994 PA 451, MCL
20 324.19301 to 324.19306, and bonds issued pursuant to the clean
21 Michigan initiative act, 1998 PA 284, MCL 324.95101 to 324.95108.

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

24 Sec. 217. (1) The department may expend amounts remaining from
25 the current and prior fiscal year appropriations to meet funding
26 needs of legislatively approved sites for the environmental cleanup
27 and redevelopment program, the refined petroleum product cleanup

1 program, brownfield grants and loans, and the environmental bond
2 site reclamation program.

3 (2) Unexpended and unencumbered amounts remaining from
4 appropriations from the environmental protection bond fund
5 contained in 1991 PA 160, 2003 PA 173, 2005 PA 109, 2006 PA 343,
6 2011 PA 63, and 2012 PA 236 are appropriated for expenditure for
7 any site listed in this act and any site listed in the public acts
8 referenced in this section.

9 (3) Unexpended and unencumbered amounts remaining from
10 appropriations from the clean Michigan initiative fund - response
11 activities contained in 2000 PA 52, 2001 PA 120, 2004 PA 309, 2005
12 PA 11, 2006 PA 343, 2007 PA 121, and 2011 PA 63 are appropriated
13 for expenditure for any site listed in this act and any site listed
14 in the public acts referenced in this section.

15 (4) Unexpended and unencumbered amounts remaining from
16 appropriations from the refined petroleum fund activities contained
17 in 2007 PA 121, 2008 PA 247, 2009 PA 118, 2010 PA 189, 2011 PA 63,
18 and 2012 PA 200 are appropriated for expenditure for any site
19 listed in this act and any site listed in the public acts
20 referenced in this section.

21 (5) Unexpended and unencumbered amounts remaining from the
22 appropriations from the strategic water quality initiatives fund
23 contained in 2011 PA 50, 2011 PA 63, and 2012 PA 200 are
24 appropriated for expenditure for any site listed in this act and
25 any site listed in the public acts referenced in this section.

26 Sec. 219. Unexpended settlement revenues at the end of the
27 fiscal year may be carried forward into the settlement fund in the

1 succeeding fiscal year up to a maximum carryforward of
2 \$2,500,000.00.

3 Sec. 221. Not later than November 15, the department shall
4 work with the state budget office to prepare and transmit a report
5 that provides for estimates of the total general fund/general
6 purpose appropriation lapses at the close of the previous fiscal
7 year. This report shall summarize the projected year-end general
8 fund/general purpose appropriation lapses by major departmental
9 program or program areas. The report shall be transmitted to the
10 office of the state budget, the chairpersons of the senate and
11 house appropriations committees, and the senate and house fiscal
12 agencies.

13 Sec. 222. Within 14 days after the release of the executive
14 budget recommendation, the department shall provide the state
15 budget director, the senate and house appropriations chairs, the
16 senate and house appropriations subcommittee chairs, and the senate
17 and house fiscal agencies with an annual report on estimated state
18 restricted fund balances, state restricted fund projected revenues,
19 and state restricted fund expenditures for the fiscal years ending
20 September 30, 2013 and September 30, 2014.

21 Sec. 223. Part 1 provides authorizations to fund 1,285.5 FTE
22 classified positions during the fiscal year ending September 30,
23 2014. Line-item appropriations include limitations on the number of
24 payroll hours to be funded, on the basis of 2,088 hours per each
25 FTE position. The department shall report the number of funded FTE
26 positions within 15 days after the effective date of this act. The
27 number of classified employees compensated through each line item

1 is limited by the authorized FTE positions indicated in this
2 article, as adjusted for the number of reported funded FTE
3 positions. The report shall be provided to the house and senate
4 appropriations subcommittees on environmental quality and the house
5 and senate fiscal agencies.

6 Sec. 224. On a quarterly basis, the department shall report on
7 the number of FTEs in pay status by civil service classification to
8 the senate and house appropriations subcommittees on environmental
9 quality and the senate and house fiscal agencies.

10 Sec. 225. The department shall cooperate with the department
11 of technology, management, and budget to maintain a searchable
12 website accessible by the public at no cost that includes, but is
13 not limited to, all of the following for each department or agency:

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

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

16 (c) Fiscal year-to-date payments to a selected vendor,
17 including the vendor name, payment date, payment amount, and
18 payment description.

19 (d) The number of active department employees by job
20 classification.

21 (e) Job specifications and wage rates.

22 Sec. 228. The department shall provide a report on the
23 customer satisfaction evaluation program and the feedback received
24 to the house and senate appropriations subcommittees on
25 environmental quality and the house and senate fiscal agencies by
26 July 1, 2014.

27 Sec. 229. The department shall provide a report on the

1 expedited permitting program to the house and senate appropriations
2 subcommittees on environmental quality and the house and senate
3 fiscal agencies by July 1, 2014. The report shall include a list of
4 all actions and program changes taken to implement the expedited
5 permitting program, the department's plan and timeline for
6 implementation of the program, and any estimated costs associated
7 with that implementation plan.

8 Sec. 231. The department shall maintain, on a publicly
9 accessible website, a department scorecard that identifies, tracks,
10 and regularly updates key metrics that are used to monitor and
11 improve the agency's performance.

12 Sec. 232. Effective October 1, 2013, surplus funds not to
13 exceed \$72,600.00 in the publication revenue fund are appropriated
14 to the oil and gas regulatory fund created in section 61525b of the
15 natural resources and environmental protection act, 1994 PA 451,
16 MCL 324.61525b.

17 REMEDIATION DIVISION

18 Sec. 301. Revenues remaining in the interdepartmental
19 transfers, laboratory services at the end of the fiscal year shall
20 carry forward into the succeeding fiscal year.

21 Sec. 302. The unexpended funds appropriated in part 1 for
22 emergency cleanup actions, the environmental cleanup and
23 redevelopment program, and the refined petroleum product cleanup
24 program are considered work project appropriations and any
25 unencumbered or unallotted funds are carried forward into the
26 succeeding fiscal year. The following is in compliance with section

1 451a(1) of the management and budget act, 1984 PA 431, MCL
2 18.1451a:

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

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

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

8 (d) The tentative completion date is September 30, 2018.

9 Sec. 303. Effective October 1, 2013, surplus funds not to
10 exceed \$1,000,000.00 in the cleanup and redevelopment trust fund
11 are appropriated to the environmental protection fund created in
12 section 503a of the natural resources and environmental protection
13 act, 1994 PA 451, MCL 324.503a.

14 Sec. 304. Effective October 1, 2013, surplus funds not to
15 exceed \$1,000,000.00 in the community pollution prevention fund
16 created in section 3f of 1976 IL 1, MCL 445.573f, are appropriated
17 to the environmental protection fund created in section 503a of the
18 natural resources and environmental protection act, 1994 PA 451,
19 MCL 324.503a.

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

26 Sec. 306. (1) The funds appropriated in part 1 for the refined
27 petroleum product cleanup program shall be used to fund cleanup

1 activities on the following sites:

2	Site Name	County
3	Midway Resort Inc.	Alger
4	Country Party Store	Alpena
5	Hubbard Lake General Store	Alpena
6	Don's Auto	Antrim
7	Res. Wells Torch Lake Twp.	Antrim
8	Bud's in Honor	Benzie
9	Frankfort Station	Benzie
10	Randy's Amoco	Berrien
11	Baker Oil (E. Michigan)	Calhoun
12	Clark #767 (Marshall)	Calhoun
13	Clark #768 (Albion)	Calhoun
14	Clark Service Station #500	Calhoun
15	Pioneer Auto Truck Stop	Calhoun
16	Te-Khi Truck Auto Plaza Inc.	Calhoun
17	Dave's Repair	Cass
18	Herb's Auto Care	Cass
19	Unocal 76, Edwardsburg (Energy Oil)	Cass
20	Arnold's Bait and Tackle	Charlevoix
21	Clare's Country Corners	Charlevoix
22	Cook Corporation Site	Cheboygan
23	Corner Store	Cheboygan
24	Donald Johnson	Cheboygan
25	The Depot	Clare
26	State Road Service	Clinton
27	Bay Petroleum Corp	Eaton

1	South End Mobil	Eaton
2	Farmers Petroleum Coop - Petoskey	Emmet
3	Odyssey House, Flint	Genesee
4	Spartan Express (truck terminal)	Genesee
5	Taber's Oil Co., Inc.	Genesee
6	Watkins & Himelhoch Inc.	Genesee
7	Estey Service Station	Gladwin
8	Three Rivers Store	Gladwin
9	Wilson's Grocery	Gratiot
10	Action Auto Store #30	Ingham
11	Bay Gas Station, 3306 N. East St.	Ingham
12	Clark Station #1995	Ingham
13	Former Clark #531	Ingham
14	Fresh-Up Car Wash	Ingham
15	Miller Oil Company	Ingham
16	Washington, 114 N.	Iosco
17	Beach Products	Kalamazoo
18	Davis Country Corners	Kalkaska
19	1200 Monroe Avenue NW	Kent
20	1558 28th Street SW	Kent
21	Lakeside Resort and Party Store	Leelanau
22	Ralph Herman Farms	Leelanau
23	Blissfield Marathon	Lenawee
24	Clark 1457 Adrian	Lenawee
25	Lakeland Montessori School	Livingston
26	Leon Bonner Prop	Livingston
27	Millies Market (dba Toms)	Livingston

1	The Clark Station #2128	Livingston
2	The Oasis Truck Stop	Livingston
3	White Star Tavern	Manistee
4	Travis Thurow Property	Mason
5	Morley General Store	Mecosta
6	Cole's Garage (Allen J Cole)	Midland
7	Dutch Hutch	Missaukee
8	A-1 Party Mart	Montmorency
9	Sports Center, Inc.	Montmorency
10	Ravenna Sunoco	Muskegon
11	Star Mini-Mart #2	Muskegon
12	Village of Ravenna	Muskegon
13	Clear Lake (2 - 213 sites combined)	Ogemaw
14	Hersey Party Store	Osceola
15	Onaway Tax Service	Presque Isle
16	Clark #1072	Saginaw
17	H+Z Oil (Imperial #43)	Saginaw
18	M+K Investments (Imperial #41)	Saginaw
19	Norge Village	Saginaw
20	AMCO Group	Sanilac
21	Sangster Property	Sanilac
22	Raymond Ayotte	Shiawassee
23	Duff's Shell	St. Joseph
24	State-Wide 213 Triage	Statewide
25	Clark Service Station #1586, Former	Tuscola
26	Elm Street, 3474	Tuscola
27	Broekhutzen Produce	Van Buren

1 Anmas Inc.

Wayne

2 (2) The department shall provide a report to the legislature
3 on the amount actually spent at each site listed in subsection (1)
4 and give a detailed account of the work actually performed at each
5 site.

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

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

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

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

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

20 **WATER RESOURCES DIVISION**

21 Sec. 401. From the funds appropriated in part 1 for surface
22 water, not less than \$700,000.00 and 5.0 FTEs shall be allocated to
23 support the permit review program within the aquatic nuisance
24 control program. The department shall report to the house and
25 senate appropriations subcommittees on environmental quality and
26 the house and senate fiscal agencies by September 30, 2014 on the

1 use of this funding and the number of permit applications processed
2 by the program in 2014.

3 Sec. 402. From the funds appropriated in part 1, the
4 department shall fund a groundwater dispute resolution process in
5 such a manner that maintains a strategically selected dispute
6 resolution process given funds available. The department may
7 utilize any and all available resources in providing this process
8 and shall report to the legislature on the need for additional
9 funds.

10 Sec. 403. From the funds appropriated in part 1, the
11 department shall support funding for the aquatic invasive species
12 advisory council to provide recommendations to appropriate parties
13 and bodies for a basin-wide approach to managing invasive species.

14 Sec. 405. If a certified health department does not exist in a
15 city, county, or district or does not fulfill its responsibilities
16 under part 117 of the natural resources and environmental
17 protection act, 1994 PA 451, MCL 324.11701 to 324.11720, then the
18 department may spend funds appropriated in part 1 under the septage
19 waste compliance program in accordance with section 11716 of the
20 natural resources and environmental protection act, 1994 PA 451,
21 MCL 324.11716.

22 **RESOURCE MANAGEMENT DIVISION**

23 Sec. 602. (1) The department is encouraged to use available
24 pollution prevention funds and work with local public health
25 departments, the department of agriculture and rural development,
26 and the United States department of agriculture to maintain and

1 expand programs for the safe disposal of hazardous household
2 chemicals and prescription drugs.

3 (2) The department shall report to the house and senate
4 appropriations subcommittees on environmental quality and the house
5 and senate fiscal agencies by March 1, 2014 on clean sweep
6 locations in this state and on factors affecting program success
7 and expansion including funding requirements.

8 PART 2A

9 PROVISIONS CONCERNING ANTICIPATED APPROPRIATIONS

10 FOR FISCAL YEAR 2014-2015

11 **GENERAL SECTIONS**

12 Sec. 1201. It is the intent of the legislature to provide
13 appropriations for the fiscal year ending on September 30, 2015 for
14 the line items listed in part 1. The fiscal year 2014-2015
15 appropriations are anticipated to be the same as those for fiscal
16 year 2013-2014, except that the line items will be adjusted for
17 changes in caseload and related costs, federal fund match rates,
18 economic factors, and available revenue. These adjustments will be
19 determined after the January 2014 consensus revenue estimating
20 conference.

21 Sec. 1202. It is the intent of the legislature that the
22 department identify the amounts for normal retirement costs and
23 legacy retirement costs for the fiscal year ending on September 30,
24 2015 for the line items listed in part 1.