

Act No. 156
Public Act of 1989
July 27, 1989
Filed by the Secretary of State
July 27, 1989

**STATE OF MICHIGAN
85TH LEGISLATURE
REGULAR SESSION OF 1989**

Introduced by Reps. Alley, Middaugh, Bartnik, Brown, DeMars, DeBeaussiaert, Niederstadt, Hickner, Kosteva, Dolan, Gubow, Stupak, Gnodtke, Pridnia, Sikkema, Trim and Varga

ENROLLED HOUSE BILL No. 4709

AN ACT to amend the title of Act No. 128 of the Public Acts of 1985, entitled "An act to establish the office of the Great Lakes within the department of natural resources and to designate the office as the lead agency within state government for the development of policies, programs, and procedures to protect, enhance, and manage the Great Lakes; to prescribe the powers and duties of state departments; and to require the governor to submit certain reports, analyses, and inventories," being sections 323.31 to 323.34 of the Michigan Compiled Laws; and to add sections 2a, 5, 6, 7, 8, 9, and 10.

The People of the State of Michigan enact:

Section 1. The title of Act No. 128 of the Public Acts of 1985, being sections 323.31 to 323.34 of the Michigan Compiled Laws, is amended and sections 2a, 5, 6, 7, 8, 9, and 10 are added to read as follows:

TITLE

An act to establish the office of the Great Lakes within the department of natural resources and to designate the office as the lead agency within state government for the development of policies, programs, and procedures to protect, enhance, and manage the Great Lakes; to create a board; to create a fund and provide for its use; to prescribe the powers and duties of certain state agencies and officials; and to require the governor to submit certain reports, analyses, and inventories.

Sec. 2a. As used in this act:

- (a) "Board" means the Michigan Great Lakes protection fund technical advisory board created in section 8.
- (b) "Fund" means the Michigan Great Lakes protection fund created in section 5.

Sec. 5. (1) The Michigan Great Lakes protection fund is created in the state treasury.

(2) The fund shall receive money from the following sources:

- (a) Money received by the state from the Great Lakes protection fund authorized in the Great Lakes protection fund authorization act.
- (b) Gifts and contributions to the fund.
- (c) Other sources provided by law.

(3) The state treasurer shall direct the investment of the fund. Interest and earnings of the fund shall be credited to the fund. Money in the fund at the end of the fiscal year shall remain in the fund and shall not revert to the general fund.

(4) The state treasurer shall annually report to the board and the water resources commission on the amount of money in the fund.

Sec. 6. The state treasurer shall credit all money the state receives from the Great Lakes protection fund as authorized in the Great Lakes protection fund authorization act to the fund.

Sec. 7. Money in the fund shall be used only for programs or grants to supplement existing Great Lakes research and protection programs consistent with the purposes of the Great Lakes protection fund authorization act including, but not limited to, the following:

- (a) Research on the economic, environmental, and human health effects of contamination in the Great Lakes.
- (b) The collection and analysis of data on the Great Lakes.
- (c) The development of new or improved environmental cleanup technologies.
- (d) Research to assess the effectiveness of pollution control policies.
- (e) The assessment of the health of Great Lakes fish, waterfowl, and other organisms.
- (f) Other programs consistent with the purposes of the Great Lakes protection fund authorization act.

Sec. 8. (1) The Michigan Great Lakes protection fund technical advisory board is created within the water resources commission. The board shall consist of the following members:

(a) A citizen member of the water resources commission or an individual appointed by the water resources commission who has knowledge or expertise in Great Lakes water issues.

(b) A citizen member of the air pollution control commission or an individual appointed by the air pollution control commission who has knowledge or expertise in the effects of air pollution on the Great Lakes.

(c) Six individuals appointed by the commission of natural resources as follows:

- (i) One individual from an environmental organization.
- (ii) One individual from a business or industry related to the Great Lakes.
- (iii) One individual who has performed research related to the water quality of the Great Lakes.
- (iv) One individual who has performed research related to public health concerns associated with the Great Lakes.
- (v) One individual who has knowledge or expertise in the demographics of the Great Lakes region or the climatology of the Great Lakes region.

(vi) One individual who represents the hazardous substance research center.

(2) A member of the board shall serve for a term of 3 years. However, of the first appointments to the board by the commission of natural resources under subsection (1)(c), 3 shall be appointed to serve 2-year terms and 3 shall be appointed to serve 1-year terms.

(3) A member of the board may be removed for inefficiency, neglect of duty, or malfeasance in office by the body that appointed him or her.

(4) The board shall elect a chairperson from among its members. The board shall meet at the call of the chairperson at least annually. A meeting of the board shall be held in compliance with the open meetings act, Act No. 267 of the Public Acts of 1976, being sections 15.261 to 15.275 of the Michigan Compiled Laws. Public notice of the time, date, and place of the meeting shall be given in the manner required by that act.

(5) A member of the board shall not receive a grant under this act.

Sec. 9. The board shall do both of the following:

(a) Advise this state's representatives on the board of directors of the Great Lakes protection fund authorized in the Great Lakes protection fund authorization act.

(b) Consult with the technical advisory committee of the Great Lakes protection fund.

Sec. 10. (1) The board shall annually determine the programs or grants that should be funded under this act and shall submit a list of these programs or grants to the water resources commission for its approval. This list shall be compiled in order of priority. Upon approval of the list, the water resources commission shall submit the list to the legislature in January of each year.

(2) The water resources commission and the board shall include with each list submitted under subsection (1), a statement of the guidelines used in listing and assigning the priority of the proposed programs or grants.

(3) The legislature shall annually appropriate money from the fund for programs or grants pursuant to this act.

Section 2. This amendatory act shall not take effect unless Senate Bill No. 396 of the 85th Legislature is enacted into law.

This act is ordered to take immediate effect.

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Clerk of the House of Representatives.

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Secretary of the Senate.

Approved.....

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Governor.