

Act No. 49
Public Acts of 1990
Approved by the Governor
April 5, 1990
Filed with the Secretary of State
April 6, 1990

**STATE OF MICHIGAN
85TH LEGISLATURE
REGULAR SESSION OF 1990**

Introduced by Reps. DeBeaussiaert, Alley, Middaugh, Bartnik, DeMars, Palamara, Giese, Hickner, Gire, Hart, Niederstadt, Gnodtke, Kosteva, Gubow, Brown, Varga, Stupak, Trim, Dolan, Sikkema, Nye, Hillegonds, Stacey, Crandall, Allen, Knight, Muxlow, Runco, Bandstra, Power, Strand, Hoekman, Bender, Randall, London, Camp, Ostling, Bankes, Fitzgerald and Hertel

ENROLLED HOUSE BILL No. 4929

AN ACT to amend the title and section 10 of Act No. 128 of the Public Acts of 1985, entitled as amended "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," section 10 as added by Act No. 156 of the Public Acts of 1989, being section 323.40 of the Michigan Compiled Laws; and to add section 11.

The People of the State of Michigan enact:

Section 1. The title and section 10 of Act No. 128 of the Public Acts of 1985, section 10 as added by Act No. 156 of the Public Acts of 1989, being section 323.40 of the Michigan Compiled Laws, are amended and section 11 is 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 certain funds and provide for the use of the funds; 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. 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 Michigan Great Lakes protection fund and from the Great Lakes spill prevention research fund for programs or grants pursuant to this act.

Sec. 11. (1) The Great Lakes spill prevention research fund is created in the state treasury.

(2) The research fund may receive money as appropriated by the legislature, from gifts and contributions to the fund, and as otherwise provided by law. The state treasurer shall direct the investment of the research fund. Interest and earnings of the research fund shall be credited to the research fund. Money in the research fund at the close of the fiscal year shall remain in the research fund and shall not revert to the general fund.

(3) Money in the research fund shall be used only for the following purposes:

(a) Research into the prevention of spills during the transportation of hazardous materials on the Great Lakes and major tributaries of the Great Lakes.

(b) Research on selected pollution incidents to determine causal factors in spills of hazardous materials on the Great Lakes and major tributaries of the Great Lakes.

(c) Research into a total systems approach to address Great Lakes pollution problems that include human factors and socio-technical considerations.

(d) Research into the role of human factors in spills of hazardous materials on the Great Lakes and major tributaries of the Great Lakes, including human factors in pollution alarms, pollution monitoring systems, and instrumentation.

(e) Research into the deployment of existing and new technology related to transportation of hazardous materials on the Great Lakes and major tributaries of the Great Lakes and the appropriate allocation of functions between individuals and machines.

(f) Research to determine the relative contribution of spills of hazardous materials into the Great Lakes and major tributaries of the Great Lakes to the total pollution of the Great Lakes basin.

(g) Research on and modeling of spills to determine their effect on water intakes.

(4) As used in this section:

(a) "Great Lakes" means the Great Lakes and their connecting waterways over which the state has jurisdiction.

(b) "Hazardous material" means a chemical or other material which is or may become injurious to the public health, safety, or welfare, or to the environment.

(c) "Major tributary of the Great Lakes" means a river that flows into the Great Lakes that has a drainage area in excess of 700 square miles or has a drainage area that contains a population of 1,000,000 or more individuals.

(d) "Research fund" means the Great Lakes spill prevention research fund created in subsection (1).

(e) "Spill" means any leaking, pumping, pouring, emptying, emitting, discharging, escaping, leaching, or disposing of a hazardous material in a quantity which is or may become injurious to the public health, safety, welfare, or to the environment.

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.