

Act No. 155  
Public Acts of 1989  
Approved by the Governor  
July 25, 1989  
Filed with the Secretary of State  
July 27, 1989

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

Introduced by Senator Vernon J. Ehlers

# **ENROLLED SENATE BILL No. 396**

AN ACT to provide for the participation of the state in a regional Great Lakes protection fund; and to prescribe the powers and duties of certain state officials.

*The People of the State of Michigan enact:*

Sec. 1. This act shall be known and may be cited as the "Great Lakes protection fund authorization act".

Sec. 2. The legislature finds and declares that:

(a) The Great Lakes protection fund has been created to advance the principle goals and objectives of the Great Lakes toxic substances control agreement and the Great Lakes water quality agreement of 1978.

(b) The Great Lakes protection fund has been created to finance and support state and regional projects for the protection, research, and cleanup of the Great Lakes.

(c) There is a need for a stable and predictable funding commitment for the preservation of Great Lakes water quality.

(d) The protection of the Great Lakes is of paramount public concern in the interest of the health, safety, and general welfare of the citizens of the state and the participation of the state in the Great Lakes protection fund will assist in achieving this protection.

Sec. 3. As used in this act:

(a) "Agreement" means the document entitled "Great Lakes protection fund agreement" signed by the governor on February 26, 1989.

(b) "Great Lakes protection fund" or "fund" means the Great Lakes protection fund approved in the agreement.

(c) "Great Lakes toxic substance control agreement" means the document entitled "Great Lakes toxic substance control agreement" signed by the governor on May 21, 1986.

(d) "Great Lakes water quality agreement of 1978" means the "Great Lakes water quality agreement of 1978" between the United States and Canada signed November 22, 1978, including the phosphorous load reduction supplement signed October 7, 1983, and as amended by protocol signed November 18, 1987.

Sec. 4. (1) The governor, on behalf of this state, is authorized to take all steps necessary to join with other states in the formation and operation of the Great Lakes protection fund provided that the fund does all of the following:

(a) Provides for the fund to receive money from each of the participating states and to expend only the interest and earnings of the fund for the purposes of subdivision (b).

(b) Provides for the funding of activities related to Great Lakes research and protection including but not limited to:

- (i) Research on the economic, environmental, and human health effects of contamination in the Great Lakes.
- (ii) The collection and analysis of data on the Great Lakes.
- (iii) The development of new or improved environmental cleanup technologies.
- (iv) Research to assess the effectiveness of pollution control policies.
- (v) The assessment of the health of Great Lakes fish, waterfowl, and other organisms.
- (2) The governor shall do all things necessary to carry out the agreement.
- (3) The governor shall appoint members to the board of directors of the Great Lakes protection fund in accordance with the agreement.

Sec. 5. (1) If, by February 28, 1991, fewer than 4 states whose representatives signed the agreement have enacted legislation and provided funding as required by the agreement to participate in the fund, the governor shall take all steps necessary to withdraw the participation of the state in the fund, to dissolve the fund, and to equitably distribute the assets of the fund.

(2) If 2/3 of the states whose representatives signed the agreement agree to extend the deadline provided in subsection (1), the governor shall not withdraw the participation of the state during the extension period.

Sec. 6. The governor may delegate his or her responsibilities under this act to the director of the department of natural resources.

Sec. 7. This act shall not take effect unless House Bill No. 4709 of the 85th Legislature is enacted into law.

This act is ordered to take immediate effect.

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Secretary of the Senate.

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Clerk of the House of Representatives.

Approved .....

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Governor.

