

# HOUSE BILL No. 4709

April 26, 1989, Introduced by Reps. Alley, Middaugh, Bartnik, Brown, DeMars, DeBeaussaert, Niederstadt, Hickner, Kosteva, Dolan, Gubow, Stupak, Gnodtke, Pridnia, Sikkema, Trim and Varga and referred to the Committee on Conservation, Recreation and Environment.

A bill to amend the title of Act No. 128 of the Public Acts  
of 1985, entitled

"Great Lakes protection act,"

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:**

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

5	TITLE
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6 An act to establish the office of the Great Lakes within the  
7 department of natural resources and to designate the office as  
8 the lead agency within state government for the development of  
9 policies, programs, and procedures to protect, enhance, and

1 manage the Great Lakes; TO CREATE A BOARD; TO CREATE A FUND AND  
2 PROVIDE FOR ITS USE; to prescribe the powers and duties of  
3 CERTAIN state ~~departments~~ AGENCIES AND OFFICIALS; and to  
4 require the governor to submit certain reports, analyses, and  
5 inventories.

6 SEC. 2A. AS USED IN THIS ACT:

7 (A) "BOARD" MEANS THE MICHIGAN GREAT LAKES PROTECTION FUND  
8 ADVISORY BOARD CREATED IN SECTION 8.

9 (B) "DIRECTOR" MEANS THE DIRECTOR OF THE DEPARTMENT OF NATU-  
10 RAL RESOURCES.

11 (C) "FUND" MEANS THE MICHIGAN GREAT LAKES PROTECTION FUND  
12 CREATED IN SECTION 5.

13 SEC. 5. (1) THE MICHIGAN GREAT LAKES PROTECTION FUND IS  
14 CREATED IN THE STATE TREASURY.

15 (2) THE FUND SHALL RECEIVE MONEY FROM THE FOLLOWING  
16 SOURCES:

17 (A) MONEY RECEIVED BY THE STATE FROM THE GREAT LAKES PROTEC-  
18 TION FUND AUTHORIZED IN THE GREAT LAKES PROTECTION FUND AUTHORI-  
19 ZATION ACT.

20 (B) GIFTS AND CONTRIBUTIONS TO THE FUND.

21 (C) OTHER SOURCES PROVIDED BY LAW.

22 (3) THE STATE TREASURER SHALL DIRECT THE INVESTMENT OF THE  
23 FUND. INTEREST AND EARNINGS OF THE FUND SHALL BE CREDITED TO THE  
24 FUND. MONEY IN THE FUND AT THE END OF THE FISCAL YEAR SHALL  
25 REMAIN IN THE FUND AND SHALL NOT REVERT TO THE GENERAL FUND.

26 (4) THE STATE TREASURER SHALL ANNUALLY REPORT TO THE BOARD  
27 AND THE DIRECTOR ON THE AMOUNT OF MONEY IN THE FUND.

1        SEC. 6.    THE STATE TREASURER SHALL CREDIT ALL MONEY THE  
2 STATE RECEIVES FROM THE GREAT LAKES PROTECTION FUND AS AUTHORIZED  
3 IN THE GREAT LAKES PROTECTION FUND ACT TO THE FUND.

4        SEC. 7.    MONEY IN THE FUND SHALL BE USED ONLY FOR PROGRAMS  
5 OR GRANTS TO SUPPLEMENT EXISTING GREAT LAKES PROTECTION PROGRAMS  
6 CONSISTENT WITH THE PURPOSES OF THE GREAT LAKES PROTECTION FUND  
7 AUTHORIZATION ACT INCLUDING, BUT NOT LIMITED TO, THE FOLLOWING:

8            (A) THE ECONOMIC, ENVIRONMENTAL, AND HUMAN HEALTH EFFECTS OF  
9 CONTAMINATION IN THE GREAT LAKES.

10          (B) THE COLLECTION AND ANALYSIS OF DATA ON THE GREAT LAKES.

11          (C) THE DEVELOPMENT OF NEW OR IMPROVED ENVIRONMENTAL CLEANUP  
12 TECHNOLOGIES.

13          (D) RESEARCH TO ASSESS THE EFFECTIVENESS OF POLLUTION CON-  
14 TROL POLICIES.

15          (E) THE ASSESSMENT OF THE HEALTH OF GREAT LAKES FISH, WATER-  
16 FOWL, AND OTHER ORGANISMS.

17          (F) OTHER PROGRAMS CONSISTENT WITH THE PURPOSES OF THE GREAT  
18 LAKES PROTECTION FUND AUTHORIZATION ACT.

19        SEC. 8.    (1) THE MICHIGAN GREAT LAKES PROTECTION FUND TECH-  
20 NICAL ADVISORY BOARD IS CREATED WITHIN THE DEPARTMENT OF NATURAL  
21 RESOURCES.    THE BOARD SHALL CONSIST OF THE FOLLOWING MEMBERS:

22            (A) A CITIZEN MEMBER OF THE WATER RESOURCES COMMISSION OR AN  
23 INDIVIDUAL APPOINTED BY THE WATER RESOURCES COMMISSION WHO HAS  
24 KNOWLEDGE OR EXPERTISE IN GREAT LAKES WATER ISSUES.

25            (B) A CITIZEN MEMBER OF THE AIR POLLUTION CONTROL COMMISSION  
26 OR AN INDIVIDUAL APPOINTED BY THE AIR POLLUTION CONTROL

1 COMMISSION WHO HAS KNOWLEDGE OR EXPERTISE IN THE EFFECTS OF AIR  
2 POLLUTION ON THE GREAT LAKES.

3 (C) FIVE INDIVIDUALS APPOINTED BY THE GOVERNOR AS FOLLOWS:

4 (i) ONE INDIVIDUAL FROM AN ENVIRONMENTAL ORGANIZATION.

5 (ii) ONE INDIVIDUAL FROM A BUSINESS OR INDUSTRY RELATED TO  
6 THE GREAT LAKES.

7 (iii) ONE INDIVIDUAL FROM A COLLEGE OR UNIVERSITY WHO HAS  
8 PERFORMED RESEARCH RELATED TO THE WATER QUALITY OF THE GREAT  
9 LAKES.

10 (iv) ONE INDIVIDUAL FROM A COLLEGE OR UNIVERSITY WHO HAS  
11 PERFORMED RESEARCH RELATED TO PUBLIC HEALTH CONCERNS ASSOCIATED  
12 WITH THE GREAT LAKES.

13 (v) ONE INDIVIDUAL FROM A COLLEGE OR UNIVERSITY WHO HAS  
14 KNOWLEDGE OR EXPERTISE IN THE DEMOGRAPHICS OF THE GREAT LAKES  
15 REGION OR THE CLIMATOLOGY OF THE GREAT LAKES REGION.

16 (2) A MEMBER OF THE BOARD SHALL SERVE FOR A TERM OF 3  
17 YEARS. HOWEVER, OF THE FIRST APPOINTMENTS TO THE BOARD BY THE  
18 GOVERNOR UNDER SUBSECTION (1)(C), 3 SHALL BE APPOINTED TO SERVE  
19 2-YEAR TERMS AND 2 SHALL BE APPOINTED TO SERVE 1-YEAR TERMS.

20 (3) A MEMBER OF THE BOARD MAY BE REMOVED BY THE INDIVIDUAL  
21 OR BODY THAT APPOINTED HIM OR HER FOR INEFFICIENCY, NEGLECT OF  
22 DUTY, OR MALFEASANCE IN OFFICE.

23 (4) THE BOARD SHALL ELECT A CHAIRPERSON FROM AMONG ITS  
24 MEMBERS. THE BOARD SHALL MEET AT THE CALL OF THE CHAIRPERSON AT  
25 LEAST ANNUALLY. A MEETING OF THE BOARD SHALL BE HELD IN COMPLI-  
26 ANCE WITH THE OPEN MEETINGS ACT, ACT NO. 267 OF THE PUBLIC ACTS  
27 OF 1976, BEING SECTIONS 15.261 TO 15.275 OF THE MICHIGAN COMPILED

1 LAWS. PUBLIC NOTICE OF THE TIME, DATE, AND PLACE OF THE MEETING  
2 SHALL BE GIVEN IN THE MANNER REQUIRED BY THAT ACT.

3 (5) A MEMBER OF THE BOARD SHALL NOT RECEIVE A GRANT UNDER  
4 THIS ACT.

5 SEC. 9. THE BOARD SHALL DO BOTH OF THE FOLLOWING:

6 (A) ADVISE THIS STATE'S REPRESENTATIVES ON THE BOARD OF  
7 DIRECTORS OF THE GREAT LAKES PROTECTION FUND AUTHORIZED IN THE  
8 GREAT LAKES PROTECTION FUND AUTHORIZATION ACT.

9 (B) CONSULT WITH THE TECHNICAL ADVISORY COMMITTEE OF THE  
10 GREAT LAKES PROTECTION FUND.

11 SEC. 10. (1) THE BOARD SHALL ANNUALLY DETERMINE THE PRO-  
12 GRAMS OR GRANTS THAT SHOULD BE FUNDED UNDER THIS ACT AND SHALL  
13 SUBMIT A LIST OF THESE PROGRAMS OR GRANTS TO THE DIRECTOR FOR HIS  
14 OR HER APPROVAL. THIS LIST SHALL BE COMPILED IN ORDER OF  
15 PRIORITY. UPON APPROVAL OF THE LIST, THE DIRECTOR SHALL SUBMIT  
16 THE LIST TO THE LEGISLATURE IN JANUARY OF EACH YEAR.

17 (2) THE DIRECTOR AND THE BOARD SHALL INCLUDE WITH EACH LIST  
18 SUBMITTED UNDER SUBSECTION (2), A STATEMENT OF THE GUIDELINES  
19 USED IN LISTING AND ASSIGNING THE PRIORITY OF THE PROPOSED PRO-  
20 GRAMS OR GRANTS.

21 (3) THE LEGISLATURE SHALL ANNUALLY APPROPRIATE MONEY FROM  
22 THE FUND FOR PROGRAMS OR GRANTS PURSUANT TO THIS ACT.

23 Section 2. This amendatory act shall not take effect unless  
24 Senate Bill No. \_\_\_\_\_ or House Bill No. 4710 (request  
25 no. 00546'89) of the 85th Legislature is enacted into law.