

HOUSE BILL No. 4710

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

A bill 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:

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

3 Sec. 2. The legislature finds and declares that:

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

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

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

3 (d) The protection of the Great Lakes is of paramount public
4 concern in the interest of the health, safety, and general wel-
5 fare of the citizens of the state and the participation of the
6 state in the Great Lakes protection fund will assist in achieving
7 this protection.

8 Sec. 3. As used in this act:

9 (a) "Agreement" means the document entitled "Great Lakes
10 protection fund agreement" signed by the governor on February 26,
11 1989.

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

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

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

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

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

4 (b) Provides for the funding of activities related to the
5 Great Lakes including but not limited to:

6 (i) The economic, environmental, and human health effects of
7 contamination in the Great Lakes.

8 (ii) The collection and analysis of data on the Great
9 Lakes.

10 (iii) The development of new or improved environmental
11 cleanup technologies.

12 (iv) Research to assess the effectiveness of pollution con-
13 trol policies.

14 (v) The assessment of the health of Great Lakes fish, water-
15 fowl, and other organisms.

16 (2) The governor shall do all things necessary to carry out
17 the agreement.

18 Sec. 5. (1) If, by February 28, 1991, fewer than 4 states
19 whose representatives signed the agreement have enacted legisla-
20 tion and provided funding as required by the agreement to partic-
21 ipate in the fund, the governor shall take all steps necessary to
22 withdraw the participation of the state in the fund, to dissolve
23 the fund, and to equitably distribute the assets of the fund.

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

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

4 Sec. 7. This bill shall not take effect unless Senate Bill
5 No. _____ or House Bill No. 4709 (request no. 02677'89) of the
6 85th Legislature is enacted into law.