

SUBSTITUTE FOR

SENATE BILL NO. 140

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2018; and to provide for the expenditure of the appropriations.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 PART 1

2 LINE-ITEM APPROPRIATIONS

3 Sec. 101. There is appropriated for the department of
4 environmental quality for the fiscal year ending September 30,
5 2018, from the following funds:

6 DEPARTMENT OF ENVIRONMENTAL QUALITY

7 APPROPRIATION SUMMARY

8	Full-time equated unclassified positions.....	6.0
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9	Full-time equated classified positions.....	1,230.0
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1	GROSS APPROPRIATION.....	\$	490,003,200
2	Interdepartmental grant revenues:		
3	Total interdepartmental grants and intradepartmental		
4	transfers		3,100,500
5	ADJUSTED GROSS APPROPRIATION.....	\$	486,902,700
6	Federal revenues:		
7	Total federal revenues.....		170,042,600
8	Special revenue funds:		
9	Total private revenues.....		555,300
10	Total other state restricted revenues.....		269,802,400
11	State general fund/general purpose.....	\$	46,502,400
12	State general fund/general purpose schedule:		
13	Ongoing state general fund/general		
14	purpose		46,002,400
15	One-time state general fund/general		
16	purpose		500,000
17	FUND SOURCE SUMMARY		
18	Full-time equated unclassified positions.....		6.0
19	Full-time equated classified positions.....		1,230.0
20	GROSS APPROPRIATION.....	\$	490,003,200
21	Interdepartmental grant revenues:		
22	IDG, MDOT - Michigan transportation fund.....		1,345,900
23	IDG, MDSP.....		1,754,600
24	Total interdepartmental grants and intradepartmental		
25	transfers		3,100,500
26	ADJUSTED GROSS APPROPRIATION.....	\$	486,902,700
27	Federal revenues:		

1	Federal funds.....	170,042,600
2	Special revenue funds:	
3	Private funds.....	555,300
4	Air emissions fees.....	12,224,200
5	Aquatic nuisance control fund.....	918,800
6	Campground fund.....	319,300
7	Clean Michigan initiative - clean water fund.....	3,417,100
8	Clean Michigan initiative - contaminated sediments...	1,565,000
9	Clean Michigan initiative - nonpoint source.....	2,000,000
10	Cleanup and redevelopment fund.....	19,583,600
11	Community pollution prevention fund.....	250,000
12	Electronic waste recycling fund.....	329,200
13	Environmental education fund.....	168,500
14	Environmental pollution prevention fund.....	6,676,100
15	Environmental protection fund.....	2,447,600
16	Environmental response fund.....	3,776,600
17	Fees and collections.....	391,900
18	Financial instruments.....	9,455,900
19	Great Lakes protection fund.....	392,800
20	Groundwater discharge permit fees.....	1,762,000
21	Infrastructure construction fund.....	50,900
22	Laboratory services fees.....	4,115,100
23	Land and water permit fees.....	3,247,600
24	Landfill maintenance trust fund.....	31,000
25	Medical waste emergency response fund.....	332,600
26	Metallic mining surveillance fee revenue.....	100,600
27	Mineral well regulatory fee revenue.....	220,400

1	Nonferrous metallic mineral surveillance.....	358,900
2	NPDES fees.....	4,567,100
3	Oil and gas regulatory fund.....	5,164,500
4	Orphan well fund.....	2,415,200
5	Public swimming pool fund.....	655,000
6	Public utility assessments.....	413,500
7	Public water supply fees.....	4,938,700
8	Refined petroleum fund.....	41,712,900
9	Revitalization revolving loan fund.....	103,100
10	Revolving loan revenue bonds.....	15,000,000
11	Sand extraction fee revenue.....	92,600
12	Scrap tire regulatory fund.....	5,095,100
13	Septage waste contingency fund.....	3,400
14	Septage waste program fund.....	525,900
15	Settlement funds.....	426,100
16	Sewage sludge land application fees.....	994,500
17	Small business pollution prevention revolving loan	
18	fund	165,700
19	Soil erosion and sedimentation control training fund.	169,900
20	Solid waste management fund - staff account.....	5,114,600
21	Stormwater permit fees.....	3,024,800
22	Strategic water quality initiatives fund.....	81,196,000
23	Underground storage tank cleanup fund.....	20,016,800
24	Wastewater operator training fees.....	588,600
25	Water analysis fees.....	2,249,300
26	Water pollution control revolving fund.....	647,300
27	Water quality protection fund.....	100,000

1	Water use reporting fees.....	286,100
2	Total other state restricted revenues.....	269,802,400
3	State general fund/general purpose.....	\$ 46,502,400
4	Sec. 102. EXECUTIVE OPERATIONS	
5	Full-time equated unclassified positions.....	6.0
6	Full-time equated classified positions.....	52.0
7	Unclassified salaries--6.0 FTE positions.....	\$ 776,600
8	Accounting service center.....	1,401,300
9	Administrative hearings officers.....	383,900
10	Central support services--34.0 FTE positions.....	4,184,100
11	Communications and community outreach--5.0 FTE	
12	positions	1,013,800
13	Environmental support projects.....	5,000,000
14	Executive direction--13.0 FTE positions.....	2,117,800
15	Facilities management.....	1,000,000
16	Property management.....	<u>7,070,500</u>
17	GROSS APPROPRIATION.....	\$ 22,948,000
18	Appropriated from:	
19	Interdepartmental grant revenues:	
20	IDG, MDSP.....	61,000
21	Federal revenues:	
22	Federal funds.....	27,600
23	Special revenue funds:	
24	Air emissions fees.....	1,309,700
25	Campground fund.....	14,700
26	Cleanup and redevelopment fund.....	1,516,900
27	Electronic waste recycling fund.....	15,300

1	Environmental pollution prevention fund.....	802,700
2	Environmental protection fund.....	319,800
3	Environmental response fund.....	525,500
4	Fees and collections.....	27,900
5	Financial instruments.....	7,298,800
6	Great Lakes protection fund.....	14,100
7	Groundwater discharge permit fees.....	209,200
8	Laboratory services fees.....	155,300
9	Land and water permit fees.....	590,400
10	Medical waste emergency response fund.....	16,700
11	Metallic mining surveillance fee revenue.....	4,700
12	Mineral well regulatory fee revenue.....	8,400
13	Nonferrous metallic mineral surveillance.....	800
14	NPDES fees.....	260,700
15	Oil and gas regulatory fund.....	1,004,800
16	Orphan well fund.....	49,100
17	Public swimming pool fund.....	25,500
18	Public utility assessments.....	20,200
19	Public water supply fees.....	274,800
20	Refined petroleum fund.....	2,497,500
21	Sand extraction fee revenue.....	3,900
22	Scrap tire regulatory fund.....	157,700
23	Septage waste program fund.....	18,700
24	Settlement funds.....	49,500
25	Sewage sludge land application fees.....	120,700
26	Small business pollution prevention revolving loan	
27	fund	18,000

1	Soil erosion and sedimentation control training fund.	17,600
2	Solid waste management fund - staff account	314,800
3	Stormwater permit fees	255,400
4	Wastewater operator training fees	32,100
5	Water analysis fees	141,300
6	Water use reporting fees	23,000
7	State general fund/general purpose	\$ 4,743,200
8	Sec. 103. OFFICE OF THE GREAT LAKES	
9	Full-time equated classified positions..... 11.0	
10	Coastal management grants	\$ 1,250,000
11	Office of the Great Lakes--11.0 FTE positions	<u>2,033,700</u>
12	GROSS APPROPRIATION	\$ 3,283,700
13	Appropriated from:	
14	Federal revenues:	
15	Federal funds	2,043,600
16	Special revenue funds:	
17	Great Lakes protection fund	371,100
18	Settlement funds	113,700
19	State general fund/general purpose	\$ 755,300
20	Sec. 104. GREAT LAKES RESTORATION INITIATIVE	
21	Full-time equated classified positions..... 6.0	
22	Great Lakes restoration initiative--6.0 FTE positions	\$ <u>15,095,600</u>
23	GROSS APPROPRIATION	\$ 15,095,600
24	Appropriated from:	
25	Federal revenues:	
26	Federal funds	15,095,600
27	Special revenue funds:	

1	State general fund/general purpose.....	\$	0
2	Sec. 105. OFFICE OF ENVIRONMENTAL ASSISTANCE		
3	Full-time equated classified positions.....	37.0	
4	Office of environmental assistance--37.0 FTE positions	\$	6,140,700
5	Pollution prevention local grants.....		<u>250,000</u>
6	GROSS APPROPRIATION.....	\$	6,390,700
7	Appropriated from:		
8	Federal revenues:		
9	Federal funds.....		704,700
10	Special revenue funds:		
11	Private funds.....		364,200
12	Air emissions fees.....		138,500
13	Community pollution prevention fund.....		250,000
14	Environmental education fund.....		168,500
15	Environmental pollution prevention fund.....		1,507,300
16	Fees and collections.....		120,100
17	Settlement funds.....		262,900
18	Small business pollution prevention revolving loan		
19	fund		134,400
20	State general fund/general purpose.....	\$	2,740,100
21	Sec. 106. WATER RESOURCES DIVISION		
22	Full-time equated classified positions.....	316.0	
23	Aquatic nuisance control program--6.0 FTE positions..	\$	918,800
24	Contaminated lake and river sediment cleanup program.		1,565,000
25	Expedited water/wastewater permits--1.0 FTE position.		50,900
26	Federal - Great Lakes remedial action plan grants....		583,800
27	Federal - nonpoint source water pollution grants.....		4,083,300

1	Fish contaminant monitoring.....	316,100
2	Groundwater discharge--22.0 FTE positions.....	3,214,800
3	Land and water interface permit programs--82.0 FTE	
4	positions	11,671,500
5	Nonpoint source pollution prevention and control	
6	project program	2,000,000
7	NPDES nonstormwater program--83.0 FTE positions	13,060,600
8	Program direction and project assistance--27.0 FTE	
9	positions	3,055,100
10	Real-time beach monitoring program.....	500,000
11	Surface water--86.0 FTE positions.....	15,557,000
12	Water quality and use initiative/general--5.0 FTE	
13	positions	1,645,700
14	Water quality protection grants.....	100,000
15	Water withdrawal assessment program--4.0 FTE positions	1,428,600
16	Wetland mitigation banking grants and loans.....	3,000,000
17	Wetlands program.....	<u>1,000,000</u>
18	GROSS APPROPRIATION.....	\$ 63,751,200
19	Appropriated from:	
20	Interdepartmental grant revenues:	
21	IDG, MDOT - Michigan transportation fund.....	1,259,800
22	Federal revenues:	
23	Federal funds.....	20,268,800
24	Special revenue funds:	
25	Aquatic nuisance control fund.....	918,800
26	Clean Michigan initiative - clean water fund.....	3,417,100
27	Clean Michigan initiative - contaminated sediments...	1,565,000

1	Clean Michigan initiative - nonpoint source	2,000,000
2	Environmental response fund.....	204,800
3	Groundwater discharge permit fees.....	1,457,300
4	Infrastructure construction fund.....	50,900
5	Land and water permit fees.....	2,313,200
6	NPDES fees.....	4,133,100
7	Refined petroleum fund.....	442,000
8	Sewage sludge land application fees.....	838,700
9	Soil erosion and sedimentation control training fund.	139,300
10	Stormwater permit fees.....	2,681,000
11	Strategic water quality initiatives fund.....	3,000,000
12	Wastewater operator training fees.....	283,700
13	Water pollution control revolving fund.....	140,100
14	Water quality protection fund.....	100,000
15	Water use reporting fees.....	246,700
16	State general fund/general purpose.....	\$ 18,290,900
17	Sec. 107. LAW ENFORCEMENT	
18	Full-time equated classified positions.....	14.0
19	Environmental investigations--14.0 FTE positions	\$ <u>2,830,100</u>
20	GROSS APPROPRIATION.....	\$ 2,830,100
21	Appropriated from:	
22	Federal revenues:	
23	Federal funds.....	575,600
24	Special revenue funds:	
25	Air emissions fees.....	57,200
26	Campground fund.....	2,100
27	Cleanup and redevelopment fund.....	188,200

1	Electronic waste recycling fund.....	1,600
2	Environmental pollution prevention fund.....	108,000
3	Environmental response fund.....	41,200
4	Fees and collections.....	4,100
5	Financial instruments.....	521,600
6	Great Lakes protection fund.....	1,500
7	Groundwater discharge permit fees.....	18,800
8	Laboratory services fees.....	15,800
9	Land and water permit fees.....	78,300
10	Medical waste emergency response fund.....	2,400
11	Metallic mining surveillance fee revenue.....	700
12	Mineral well regulatory fee revenue.....	1,200
13	NPDES fees.....	32,300
14	Oil and gas regulatory fund.....	87,300
15	Orphan well fund.....	7,100
16	Public swimming pool fund.....	3,700
17	Public utility assessments.....	2,000
18	Public water supply fees.....	26,500
19	Refined petroleum fund.....	364,700
20	Sand extraction fee revenue.....	600
21	Scrap tire regulatory fund.....	29,400
22	Septage waste program fund.....	2,700
23	Sewage sludge land application fees.....	12,200
24	Small business pollution prevention revolving loan	
25	fund	2,600
26	Soil erosion and sedimentation control training fund.	2,600
27	Solid waste management fund - staff account.....	41,700

1	Stormwater permit fees.....	17,500
2	Wastewater operator training fees.....	4,600
3	Water analysis fees.....	18,200
4	Water use reporting fees.....	3,100
5	State general fund/general purpose.....	\$ 553,000
6	Sec. 108. AIR QUALITY DIVISION	
7	Full-time equated classified positions.....	189.0
8	Air quality programs--189.0 FTE positions.....	\$ <u>27,132,400</u>
9	GROSS APPROPRIATION.....	\$ 27,132,400
10	Appropriated from:	
11	Federal revenues:	
12	Federal funds.....	7,196,800
13	Special revenue funds:	
14	Air emissions fees.....	10,052,400
15	Fees and collections.....	205,300
16	Oil and gas regulatory fund.....	136,400
17	Public utility assessments.....	150,000
18	Refined petroleum fund.....	3,577,500
19	State general fund/general purpose.....	\$ 5,814,000
20	Sec. 109. RESOURCE MANAGEMENT DIVISION	
21	Full-time equated classified positions.....	305.0
22	Drinking water and environmental health--106.0 FTE	
23	positions	\$ 14,982,500
24	Drinking water program grants.....	830,000
25	Hazardous waste management program--45.0 FTE positions	6,506,900
26	Low-level radioactive waste authority--2.0 FTE	
27	positions	233,400

1	Medical waste program--2.0 FTE positions	303,500
2	Municipal assistance--29.0 FTE positions	4,818,800
3	Noncommunity water grants	1,905,700
4	Oil, gas, and mineral services--59.0 FTE positions ...	10,680,900
5	Radiological protection program--12.0 FTE positions ..	1,977,200
6	Recycling initiative--3.0 FTE positions	1,011,800
7	Scrap tire grants	3,500,000
8	Scrap tire regulatory program--10.0 FTE positions	1,343,700
9	Septage waste compliance grants	275,000
10	Solid waste management program--37.0 FTE positions ...	5,077,800
11	Strategic water quality initiative grants and loans ..	62,000,000
12	Water state revolving funds	<u>120,000,000</u>
13	GROSS APPROPRIATION	\$ 235,447,200
14	Appropriated from:	
15	Interdepartmental grant revenues:	
16	IDG, MDSP	1,667,800
17	Federal revenues:	
18	Federal funds	116,450,300
19	Special revenue funds:	
20	Campground fund	294,100
21	Electronic waste recycling fund	305,800
22	Environmental pollution prevention fund	3,798,700
23	Fees and collections	34,500
24	Medical waste emergency response fund	303,500
25	Metallic mining surveillance fee revenue	92,500
26	Mineral well regulatory fee revenue	205,900
27	Nonferrous metallic mineral surveillance	357,800

1	Oil and gas regulatory fund.....	3,609,400
2	Orphan well fund.....	2,329,500
3	Public swimming pool fund.....	610,700
4	Public utility assessments.....	233,400
5	Public water supply fees.....	4,178,900
6	Refined petroleum fund.....	688,700
7	Revolving loan revenue bonds.....	15,000,000
8	Sand extraction fee revenue.....	85,800
9	Scrap tire regulatory fund.....	4,843,700
10	Septage waste contingency fund.....	3,400
11	Septage waste program fund.....	493,200
12	Solid waste management fund - staff account.....	4,586,900
13	Strategic water quality initiatives fund.....	63,196,000
14	Wastewater operator training fees.....	249,000
15	Water pollution control revolving fund.....	499,800
16	State general fund/general purpose.....	\$ 11,327,900
17	Sec. 110. REMEDIATION AND REDEVELOPMENT DIVISION	
18	Full-time equated classified positions.....	295.0
19	Contaminated site investigations, cleanup and	
20	revitalization--131.0 FTE positions.....	\$ 15,097,800
21	Emergency cleanup actions.....	3,000,000
22	Environmental cleanup and redevelopment program.....	15,000,000
23	Environmental cleanup support.....	1,840,000
24	Federal cleanup project management--40.0 FTE positions	6,986,500
25	Laboratory services--39.0 FTE positions.....	6,205,200
26	Refined petroleum product cleanup program--85.0 FTE	
27	positions	34,491,100

1	Superfund cleanup.....	<u>1,000,000</u>
2	GROSS APPROPRIATION.....	\$ 83,620,600
3	Appropriated from:	
4	Federal revenues:	
5	Federal funds.....	6,354,900
6	Special revenue funds:	
7	Private funds.....	191,100
8	Cleanup and redevelopment fund.....	17,086,300
9	Environmental protection fund.....	2,040,400
10	Environmental response fund.....	2,839,500
11	Laboratory services fees.....	3,879,200
12	Landfill maintenance trust fund.....	31,000
13	Public water supply fees.....	310,500
14	Refined petroleum fund.....	32,457,100
15	Revitalization revolving loan fund.....	103,100
16	Strategic water quality initiatives fund.....	15,000,000
17	Water analysis fees.....	2,015,500
18	State general fund/general purpose.....	\$ 1,312,000
19	Sec. 111. UNDERGROUND STORAGE TANK AUTHORITY	
20	Full-time equated classified positions..... 5.0	
21	Underground storage tank cleanup program--5.0 FTE	
22	positions	\$ <u>20,016,800</u>
23	GROSS APPROPRIATION.....	\$ 20,016,800
24	Appropriated from:	
25	Special revenue funds:	
26	Underground storage tank cleanup fund.....	20,016,800
27	State general fund/general purpose.....	\$ 0

1	Sec. 112. INFORMATION TECHNOLOGY	
2	Information technology services and projects	\$ <u>8,986,900</u>
3	GROSS APPROPRIATION	\$ 8,986,900
4	Appropriated from:	
5	Interdepartmental grant revenues:	
6	IDG, MDOT - Michigan transportation fund	86,100
7	IDG, MDSP	25,800
8	Federal revenues:	
9	Federal funds	1,324,700
10	Special revenue funds:	
11	Air emissions fees	666,400
12	Campground fund	8,400
13	Cleanup and redevelopment fund	792,200
14	Electronic waste recycling fund	6,500
15	Environmental pollution prevention fund	459,400
16	Environmental protection fund	87,400
17	Environmental response fund	165,600
18	Financial instruments	1,635,500
19	Great Lakes protection fund	6,100
20	Groundwater discharge permit fees	76,700
21	Laboratory services fees	64,800
22	Land and water permit fees	265,700
23	Medical waste emergency response fund	10,000
24	Metallic mining surveillance fee revenue	2,700
25	Mineral well regulatory fee revenue	4,900
26	Nonferrous metallic mineral surveillance	300
27	NPDES fees	141,000

1	Oil and gas regulatory fund.....	326,600
2	Orphan well fund.....	29,500
3	Public swimming pool fund.....	15,100
4	Public utility assessments.....	7,900
5	Public water supply fees.....	148,000
6	Refined petroleum fund.....	1,685,400
7	Sand extraction fee revenue.....	2,300
8	Scrap tire regulatory fund.....	64,300
9	Septage waste program fund.....	11,300
10	Sewage sludge land application fees.....	22,900
11	Small business pollution prevention revolving loan	
12	fund	10,700
13	Soil erosion and sedimentation control training fund.	10,400
14	Solid waste management fund - staff account.....	171,200
15	Stormwater permit fees.....	70,900
16	Wastewater operator training fees.....	19,200
17	Water analysis fees.....	74,300
18	Water pollution control revolving fund.....	7,400
19	Water use reporting fees.....	13,300
20	State general fund/general purpose.....	\$ 466,000
21	Sec. 113. ONE-TIME BASIS ONLY APPROPRIATIONS	
22	Drill core storage facility.....	\$ <u>500,000</u>
23	GROSS APPROPRIATION.....	\$ 500,000
24	Appropriated from:	
25	Special revenue funds:	
26	State general fund/general purpose.....	\$ 500,000

PART 2

PROVISIONS CONCERNING APPROPRIATIONS

FOR FISCAL YEAR 2017-2018

GENERAL SECTIONS

Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state resources under part 1 for fiscal year 2017-2018 is \$316,304,800.00 and state appropriations paid to local units of government are \$4,531,000.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:

DEPARTMENT OF ENVIRONMENTAL QUALITY

Drinking water program grants.....	\$	600,000
Emergency cleanup actions.....		106,000
Noncommunity water grants.....		1,800,000
Scrap tire grants.....		500,000
Pollution prevention local grants.....		250,000
Real-time beach monitoring program.....		500,000
Recycling initiative.....		450,000
Septage waste compliance grants.....		100,000
Medical waste program.....		65,000
Surface water.....		<u>160,000</u>
TOTAL.....	\$	4,531,000

Sec. 202. The appropriations authorized under this part and part 1 are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

Sec. 203. As used in this part and part 1:

(a) "Department" means the department of environmental

1 quality.

2 (b) "Director" means the director of the department.

3 (c) "FTE" means full-time equated.

4 (d) "IDG" means interdepartmental grant.

5 (e) "NPDES" means national pollution discharge elimination
6 system.

7 Sec. 204. The departments and agencies receiving
8 appropriations in part 1 shall use the internet to fulfill the
9 reporting requirements of this part. This requirement may include
10 transmission of reports via electronic mail to the recipients
11 identified for each reporting requirement, or it may include
12 placement of reports on an internet or intranet site.

13 Sec. 205. Funds appropriated in part 1 shall not be used for
14 the purchase of foreign goods or services, or both, if
15 competitively priced and of comparable quality American goods or
16 services, or both, are available. Preference shall be given to
17 goods or services, or both, manufactured or provided by Michigan
18 businesses if they are competitively priced and of comparable
19 quality. In addition, preference shall be given to goods or
20 services, or both, that are manufactured or provided by Michigan
21 businesses owned and operated by veterans, if they are
22 competitively priced and of comparable quality.

23 Sec. 206. The director shall take all reasonable steps to
24 ensure businesses in deprived and depressed communities compete for
25 and perform contracts to provide services or supplies, or both. The
26 director shall strongly encourage firms with which the department
27 contracts to subcontract with certified businesses in depressed and

1 deprived communities for services, supplies, or both.

2 Sec. 207. The departments and agencies receiving
3 appropriations in part 1 shall prepare a report on out-of-state
4 travel expenses not later than January 1 of each year. The travel
5 report shall be a listing of all travel by classified and
6 unclassified employees outside this state in the immediately
7 preceding fiscal year that was funded in whole or in part with
8 funds appropriated in the department's budget. The report shall be
9 submitted to the house and senate appropriations committees, the
10 house and senate fiscal agencies, and the state budget director.
11 The report shall include the following information:

12 (a) The dates of each travel occurrence.

13 (b) The total transportation and related costs of each travel
14 occurrence, including the proportion funded with state general
15 fund/general purpose revenues, the proportion funded with state
16 restricted revenues, the proportion funded with federal revenues,
17 and the proportion funded with other revenues.

18 Sec. 208. Funds appropriated in part 1 shall not be used by a
19 principal executive department, state agency, or authority to hire
20 a person to provide legal services that are the responsibility of
21 the attorney general. This prohibition does not apply to legal
22 services for bonding activities and for those activities that the
23 attorney general authorizes.

24 Sec. 209. Not later than November 30, the state budget office
25 shall prepare and transmit a report that provides for estimates of
26 the total general fund/general purpose appropriation lapses at the
27 close of the prior fiscal year. This report shall summarize the

1 projected year-end general fund/general purpose appropriation
2 lapses by major departmental program or program areas. The report
3 shall be transmitted to the chairpersons of the senate and house
4 appropriations committees and the senate and house fiscal agencies.

5 Sec. 210. (1) In addition to the funds appropriated in part 1,
6 there is appropriated an amount not to exceed \$30,000,000.00 for
7 federal contingency funds. These funds are not available for
8 expenditure until they have been transferred to another line item
9 in part 1 under section 393(2) of the management and budget act,
10 1984 PA 431, MCL 18.1393.

11 (2) In addition to the funds appropriated in part 1, there is
12 appropriated an amount not to exceed \$5,000,000.00 for state
13 restricted contingency funds. These funds are not available for
14 expenditure until they have been transferred to another line item
15 in part 1 under section 393(2) of the management and budget act,
16 1984 PA 431, MCL 18.1393.

17 (3) In addition to the funds appropriated in part 1, there is
18 appropriated an amount not to exceed \$100,000.00 for local
19 contingency funds. These funds are not available for expenditure
20 until they have been transferred to another line item in part 1
21 under section 393(2) of the management and budget act, 1984 PA 431,
22 MCL 18.1393.

23 (4) In addition to the funds appropriated in part 1, there is
24 appropriated an amount not to exceed \$500,000.00 for private
25 contingency funds. These funds are not available for expenditure
26 until they have been transferred to another line item in part 1
27 under section 393(2) of the management and budget act, 1984 PA 431,

1 MCL 18.1393.

2 Sec. 211. The department shall cooperate with the department
3 of technology, management, and budget to maintain a searchable
4 website accessible by the public at no cost that includes, but is
5 not limited to, all of the following for each department or agency:

6 (a) Fiscal year-to-date expenditures by category.

7 (b) Fiscal year-to-date expenditures by appropriation unit.

8 (c) Fiscal year-to-date payments to a selected vendor,
9 including the vendor name, payment date, payment amount, and
10 payment description.

11 (d) The number of active department employees by job
12 classification.

13 (e) Job specifications and wage rates.

14 Sec. 212. Within 14 days after the release of the executive
15 budget recommendation, the department shall cooperate with the
16 state budget office to provide the senate and house appropriations
17 chairs, the senate and house appropriations subcommittee chairs,
18 and the senate and house fiscal agencies with an annual report on
19 estimated state restricted fund balances, state restricted fund
20 projected revenues, and state restricted fund expenditures for the
21 fiscal years ending September 30, 2017 and September 30, 2018.

22 Sec. 213. The department shall maintain, on a publicly
23 accessible website, a department scorecard that identifies, tracks,
24 and regularly updates key metrics that are used to monitor and
25 improve the agency's performance.

26 Sec. 214. Total authorized appropriations from all sources
27 under part 1 for legacy costs for the fiscal year ending September

1 30, 2018 are \$32,219,000.00. From this amount, total agency
2 appropriations for pension-related legacy costs are estimated at
3 \$16,580,100.00. Total agency appropriations for retiree health care
4 legacy costs are estimated at \$15,638,900.00.

5 Sec. 216. (1) The department shall report all of the following
6 information relative to allocations made from appropriations for
7 the environmental cleanup and redevelopment program, state cleanup,
8 emergency actions, superfund cleanup, the revitalization revolving
9 loan program, the brownfield grants and loans program, the leaking
10 underground storage tank cleanup program, the contaminated lake and
11 river sediments cleanup program, the refined petroleum product
12 cleanup program, and the environmental protection bond projects
13 under section 19508(7) of the natural resources and environmental
14 protection act, 1994 PA 451, MCL 324.19508, to the state budget
15 director, the senate and house appropriations subcommittees on
16 environmental quality, and the senate and house fiscal agencies:

17 (a) The name and location of the site for which an allocation
18 is made.

19 (b) The nature of the problem encountered at the site.

20 (c) A brief description of how the problem will be resolved if
21 the allocation is made for a response activity.

22 (d) The estimated date that site closure activities will be
23 completed.

24 (e) The amount of the allocation, or the anticipated financing
25 for the site.

26 (f) A summary of the sites and the total amount of funds
27 expended at the sites at the conclusion of the fiscal year.

1 (g) The number of brownfield projects that were successfully
2 redeveloped.

3 (2) The report prepared under subsection (1) shall also
4 include all of the following:

5 (a) The status of all state-owned facilities that are on the
6 list compiled under part 201 of the natural resources and
7 environmental protection act, 1994 PA 451, MCL 324.20101 to
8 324.20142.

9 (b) The report shall include the total amount of funds
10 expended during the fiscal year and the total amount of funds
11 awaiting expenditure.

12 (c) The total amount of bonds issued for the environmental
13 protection bond program pursuant to part 193 of the natural
14 resources and environmental protection act, 1994 PA 451, MCL
15 324.19301 to 324.19306, and bonds issued pursuant to the clean
16 Michigan initiative act, 1998 PA 284, MCL 324.95101 to 324.95108.

17 (3) The report shall be made available by March 31 of each
18 year.

19 Sec. 217. (1) The department may expend amounts remaining from
20 the current and prior fiscal year appropriations to meet funding
21 needs of legislatively approved sites for the environmental cleanup
22 and redevelopment program, the refined petroleum product cleanup
23 program, brownfield grants and loans, waterfront grants, and the
24 environmental bond site reclamation program.

25 (2) Unexpended and unencumbered amounts remaining from
26 appropriations from the environmental protection bond fund
27 contained in 2003 PA 173, 2005 PA 109, 2006 PA 343, 2011 PA 63, and

1 2012 PA 236 are appropriated for expenditure for any site listed in
2 this part and part 1 and any site listed in the public acts
3 referenced in this section.

4 (3) Unexpended and unencumbered amounts remaining from
5 appropriations from the clean Michigan initiative fund - response
6 activities contained in 2000 PA 52, 2004 PA 309, 2005 PA 11, 2006
7 PA 343, 2007 PA 121, 2011 PA 63, 2013 PA 59, 2014 PA 252, 2015 PA
8 84, and 2016 PA 268 are appropriated for expenditure for any site
9 listed in this part and part 1 and any site listed in the public
10 acts referenced in this section.

11 (4) Unexpended and unencumbered amounts remaining from
12 appropriations from the refined petroleum fund activities contained
13 in 2007 PA 121, 2008 PA 247, 2009 PA 118, 2010 PA 189, 2011 PA 63,
14 2012 PA 200, 2013 PA 59, 2014 PA 252, 2015 PA 84, and 2016 PA 268
15 are appropriated for expenditure for any site listed in this part
16 and part 1 and any site listed in the public acts referenced in
17 this section.

18 (5) Unexpended and unencumbered amounts remaining from the
19 appropriations from the strategic water quality initiatives fund
20 contained in 2011 PA 50, 2011 PA 63, 2012 PA 200, 2013 PA 59, 2014
21 PA 252, 2015 PA 84, 2016 PA 268 are appropriated for expenditure
22 for any site listed in this part and part 1 and any site listed in
23 the public acts referenced in this section.

24 Sec. 219. Unexpended settlement revenues at the end of the
25 fiscal year may be carried forward into the settlement fund in the
26 succeeding fiscal year up to a maximum carryforward of
27 \$2,500,000.00.

1 Sec. 220. The department shall not take disciplinary action
2 against an employee for communicating with a member of the
3 legislature or his or her staff.

4 Sec. 221. (1) Funds appropriated in part 1 shall not be used
5 by the department to promulgate a rule that will apply to a small
6 business and that will have a disproportionate economic impact on
7 small businesses because of the size of those businesses if the
8 department fails to reduce the disproportionate economic impact of
9 the rule on small businesses as provided under section 40 of the
10 administrative procedures act of 1969, 1969 PA 306, MCL 24.240.

11 (2) As used in this section:

12 (a) "Rule" means that term as defined under section 7 of the
13 administrative procedures act of 1969, 1969 PA 306, MCL 24.207.

14 (b) "Small business" means that term as defined under section
15 7a of the administrative procedures act of 1969, 1969 PA 306, MCL
16 24.207a.

17 Sec. 235. The department shall prepare an annual report to the
18 legislature that details all of the following for each of the
19 allocations from the clean Michigan initiative bond fund as
20 described in section 19607(1)(a) to (i) of the natural resources
21 and environmental protection act, 1994 PA 451, MCL 324.19607:

22 (a) The progress of projects funded in each category.

23 (b) The current cost to date of all projects funded in each
24 category.

25 (c) The estimated remaining cost of all projects funded in
26 each category.

27 (d) The remaining balance of money in the fund allocated for

1 each category.

2 Sec. 236. The department shall provide a report detailing the
3 expenditure of departmental funds appropriated in 2015 PA 143, 2016
4 PA 3, 2016 PA 268, and 2016 PA 340. The report shall include the
5 following:

6 (a) The names and locations of entities receiving funds.

7 (b) The purpose for each expenditure.

8 (c) The status of programs supported by this funding.

9 (d) A brief description of how related problems have been or
10 will be resolved if expenditures are made for immediate response.

11 (e) The job titles and number of departmental FTEs engaged in
12 the Flint declaration of emergency response effort.

13 Sec. 237. From the funds appropriated in part 1, the
14 department shall be responsible for the necessary and reasonable
15 attorney fees and costs incurred by private and independent legal
16 counsel chosen by current and former classified and unclassified
17 department employees in the defense of the department employees
18 named as a party in any state or federal lawsuits or investigations
19 related to the city of Flint municipal water system.

20 REMEDICATION DIVISION

21 Sec. 301. Revenues remaining in the interdepartmental
22 transfers, laboratory services at the end of the fiscal year shall
23 carry forward into the succeeding fiscal year.

24 Sec. 302. The unexpended funds appropriated in part 1 for
25 emergency cleanup actions, the environmental cleanup and
26 redevelopment program, and the refined petroleum product cleanup

1 program are considered work project appropriations and any
2 unencumbered or unallotted funds are carried forward into the
3 succeeding fiscal year. The following is in compliance with section
4 451a(1) of the management and budget act, 1984 PA 431, MCL
5 18.1451a:

6 (a) The purpose of the projects to be carried forward is to
7 provide contaminated site cleanup.

8 (b) The projects will be accomplished by contract.

9 (c) The total estimated cost of all projects is identified in
10 each line-item appropriation.

11 (d) The tentative completion date is September 30, 2022.

12 Sec. 303. Effective October 1, 2017, surplus funds not to
13 exceed \$1,000,000.00 in the cleanup and redevelopment trust fund
14 are appropriated to the environmental protection fund created in
15 section 503a of the natural resources and environmental protection
16 act, 1994 PA 451, MCL 324.503a.

17 Sec. 304. Effective October 1, 2017, surplus funds not to
18 exceed \$1,000,000.00 in the community pollution prevention fund
19 created in section 3f of 1976 IL 1, MCL 445.573f, are appropriated
20 to the environmental protection fund created in section 503a of the
21 natural resources and environmental protection act, 1994 PA 451,
22 MCL 324.503a.

23 Sec. 305. It is the intent of the legislature to repay the
24 refined petroleum fund for the \$70,000,000.00 that was transferred
25 to the environmental protection fund created in section 503a of the
26 natural resources and environmental protection act, 1994 PA 451,
27 MCL 324.503a, as part of the resolution for the fiscal year 2006-

1 2007 budget.

2 Sec. 310. (1) Upon approval by the state budget director, the
3 department may expend from the general fund of the state an amount
4 to meet the cash-flow requirements of projects funded under any of
5 the following that are financed from bond proceeds and for which
6 bonds have been authorized but not yet issued:

7 (a) Part 52 of the natural resources and environmental
8 protection act, 1994 PA 451, MCL 324.5201 to 324.5206.

9 (b) Part 193 of the natural resources and environmental
10 protection act, 1994 PA 451, MCL 324.19301 to 324.19306.

11 (c) Part 196 of the natural resources and environmental
12 protection act, 1994 PA 451, MCL 324.19601 to 324.19616.

13 (2) Upon the sale of bonds for projects described in
14 subsection (1), the department shall credit the general fund of the
15 state an amount equal to that expended from the general fund.

16 **WATER RESOURCES DIVISION**

17 Sec. 405. If a certified health department does not exist in a
18 city, county, or district or does not fulfill its responsibilities
19 under part 117 of the natural resources and environmental
20 protection act, 1994 PA 451, MCL 324.11701 to 324.11720, then the
21 department may spend funds appropriated in part 1 under the septage
22 waste compliance program in accordance with section 11716 of the
23 natural resources and environmental protection act, 1994 PA 451,
24 MCL 324.11716.

25 Sec. 407. The unexpended funds appropriated in part 1 for the
26 contaminated lake and river sediment cleanup program are considered

1 work project appropriations and any unencumbered or unallotted
2 funds are carried forward into the succeeding fiscal year. The
3 following is in compliance with section 451a(1) of the management
4 and budget act, 1984 PA 431, MCL 18.1451a:

5 (a) The purpose of the projects to be carried forward is to
6 provide contaminated sediment cleanup.

7 (b) The projects will be accomplished by contract.

8 (c) The total estimated cost of all projects is \$1,565,000.00.

9 (d) The tentative completion date is September 30, 2022.

10 Sec. 410. From the funds appropriated in part 1, the
11 department shall compile a report on the status of the
12 implementation plan for the western Lake Erie basin collaborative
13 agreement. In an effort to learn more about the presence and timing
14 of harmful algal blooms, the report shall contain all of the
15 following:

16 (a) An estimated cost of removal of total phosphorus per pound
17 at the 4 major wastewater treatment plants.

18 (b) A description of the grants that have been awarded.

19 (c) A description of the work that has commenced on the issue
20 of dissolved reactive phosphorus, the expected objectives and
21 outcomes of that work, and a list of the parties involved in that
22 effort.

23 (d) A description of the efforts and outcomes aimed at the
24 total phosphorus reduction for the River Raisin watershed.

25 **RESOURCE MANAGEMENT DIVISION**

26 Sec. 603. From the funds appropriated in part 1, by December

31, 2017, the department shall compile and make available to the public on a publicly accessible website a report containing a summary document of each completed asset management plan for any stormwater, asset management, or wastewater grant awarded to a local unit of government to fund the development of a plan. As a condition of receiving a stormwater, asset management, or wastewater grant, a local unit of government shall make its asset management plan available to the department upon request when completed and shall retain copies of the plan that can be made available to the public for a minimum of 15 years. The department shall make available a summary document of each plan on a publicly accessible website by September 30 of the year it was completed. The summary document shall include a summary of the plan and contact information for the local unit of government.

UNDERGROUND STORAGE TANK AUTHORITY

Sec. 701. The unexpended funds appropriated in part 1 for the underground storage tank cleanup program are considered work project appropriations, and any unencumbered or unallotted funds are carried forward into the succeeding fiscal year. The following is in compliance with section 451a(1) of the management and budget act, 1984 PA 431, MCL 18.1451a:

(a) The purpose of the projects to be carried forward is to provide contaminated site cleanup.

(b) The projects will be accomplished by contract.

(c) The total estimated cost of all projects is \$20,000,000.00.

- 1 (d) The tentative completion date is September 30, 2021.