

SENATE BILL No. 678

June 30, 2005, Introduced by Senators BROWN, BIRKHOLZ, ALLEN, VAN WOERKOM, GILBERT, PATTERSON, CROUSEY, KUIPERS, BISHOP and GEORGE and referred to the Committee on Natural Resources and Environmental Affairs.

A bill to amend the Initiated Law of 1976, entitled

"A petition to initiate legislation to provide for the use of returnable containers for soft drinks, soda water, carbonated natural or mineral water, other nonalcoholic carbonated drink, and for beer, ale, or other malt drink of whatever alcoholic content, and for certain other beverage containers; to provide for the use of unredeemed bottle deposits; to prescribe the powers and duties of certain state agencies and officials; and to prescribe penalties and provide remedies,"

by amending section 3f (MCL 445.573f), as added by 1996 PA 384.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 3f. (1) The community pollution prevention fund is
2 created within the state treasury.

3 (2) The state treasurer may receive money or other assets from
4 any source for deposit into the community pollution prevention
5 fund. The state treasurer shall direct the investment of the

1 community pollution prevention fund. The state treasurer shall
2 credit to the community pollution prevention fund interest and
3 earnings from fund investments.

4 (3) Money in the community pollution prevention fund at the
5 close of the fiscal year shall remain in the community pollution
6 prevention fund and shall not lapse to the general fund.

7 (4) **THE DEPARTMENT OF ENVIRONMENTAL QUALITY SHALL EXPEND**
8 **\$1,000,000.00 FROM THE COMMUNITY POLLUTION PREVENTION FUND AS**
9 **FOLLOWS:**

10 (A) **TO DEVELOP AND IMPLEMENT A PROGRAM FOR STATEWIDE EDUCATION**
11 **OF THE CITIZENS OF THIS STATE REGARDING RECYCLING OF WASTE**
12 **MATERIAL. MONEY EXPENDED UNDER THIS SUBDIVISION MAY BE EXPENDED FOR**
13 **A PROGRAM ESTABLISHED UNDER SECTION 611A OF THE DRIVER EDUCATION**
14 **AND TRAINING SCHOOLS ACT, 1974 PA 369, MCL 256.611A.**

15 (B) **TO FUND THE RECYCLING ADVISORY COUNCIL CREATED IN SECTION**
16 **17302 OF THE NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT,**
17 **1994 PA 451, MCL 324.17302.**

18 (5) ~~(4) The~~ **AFTER MAKING THE EXPENDITURE UNDER SUBSECTION**
19 **(4), THE** department of environmental quality shall expend interest
20 and earnings of the community pollution prevention fund only, upon
21 appropriation, for grants for the purpose of preventing pollution,
22 with an emphasis on the prevention of groundwater contamination and
23 resulting risks to the public health, ecological risks, and public
24 and private cleanup costs. The department of environmental quality
25 shall enter into contractual agreements with grant recipients, who
26 shall include county governments, local health departments,
27 municipalities, and regional planning agencies. Activities to be

1 performed by grant recipients and program objectives and
2 deliverables shall be specified in the contractual agreements.
3 Grant recipients shall provide a financial match of not less than
4 25% nor more than 50%. Not more than \$100,000.00 may be granted in
5 any fiscal year to a single recipient. Eligible pollution
6 prevention activities include all of the following:

7 (a) Drinking water wellhead protection, including the
8 delineation of wellhead protection areas and implementation of
9 wellhead protection plans pursuant to the safe drinking water act,
10 ~~Act No. 399 of the Public Acts of 1976, being sections 325.1001 to~~
11 ~~325.1023 of the Michigan Compiled Laws 1976 PA 399, MCL 325.1001~~
12 ~~TO 325.1023.~~

13 (b) The review of pollution incident prevention plans prepared
14 by, and the inspection of, facilities whose storage or handling of
15 hazardous materials may pose a risk to the groundwater.

16 (c) The identification and plugging of abandoned wells other
17 than oil and gas wells.

18 (d) Programs to educate the general public and businesses that
19 use or handle hazardous materials on pollution prevention methods,
20 technologies, and processes, with an emphasis on the direct
21 reduction of toxic material releases or disposal at the source.

22 (6) ~~—(5)—~~ The department of environmental quality shall
23 annually prepare a report summarizing the grants made under ~~this~~
24 ~~section~~ **SUBSECTION (4)**, contractual commitments made and achieved,
25 and a preliminary evaluation of the effectiveness of this section
26 not later than September 30, 1997, and September 30 of each year
27 thereafter, and shall provide a copy of this report to the chairs

1 of the house and senate appropriations subcommittees for the
2 department of environmental quality.

3 Enacting section 1. This amendatory act does not take effect
4 unless all of the following bills of the 93rd Legislature are
5 enacted into law:

6 (a) Senate Bill No. 676.

7

8 (b) Senate Bill No. 681.

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