

## **Chapter 299**

### **NATURAL RESOURCES**

#### **DEPARTMENT OF NATURAL RESOURCES**

##### **Act 17 of 1921**

299.1-299.10 Repealed. 1994, Act 451, Eff. Mar. 30, 1995.

#### **EXECUTIVE REORGANIZATION ORDER**

##### **E.R.O. No. 1973-2**

##### **299.11 Transfer and consolidation of environmental functions.**

**Compiler's Notes:** <Paragraph><P>Executive Reorganization Order No. 1976-1 was promulgated June 30, 1976, as Executive Order No. 1976-8 and became effective September 1, 1976. Executive Order No. 1976-8a, promulgated August 25, 1976, extended the effective date of Executive Order No. 1976-8 to November 1, 1976.</P></Paragraph><Paragraph><P>For transfer of powers and duties of department of natural resources and environment to department of natural resources, see E.R.O. No. 2011-1, compiled at MCL 324.99921.</P></Paragraph>

**Admin Rule:** <Paragraph><P>R 281.21 et seq.; R 299.3001 et seq.; R 323.1311 et seq.; R 336.201 et seq.; R 336.501 et seq.; and R 560.101 et seq. of the Michigan Administrative Code.</P></Paragraph>

#### **EXECUTIVE REORGANIZATION ORDER**

##### **E.R.O. No. 1988-1**

##### **299.12 Transfer of toxic substance control commission to department of natural resources.**

**Compiler's Notes:** <Paragraph><P>Executive Reorganization Order No. 1988-1 was promulgated February 26, 1988, as Executive Order No. 1988-4 and became effective April 30, 1988.</P></Paragraph><Paragraph><P>For transfer of powers and duties of department of natural resources and environment to department of natural resources, see E.R.O. No. 2011-1, compiled at MCL 324.99921.</P></Paragraph>

#### **EXECUTIVE REORGANIZATION ORDER**

##### **E.R.O. No. 1991-22**

**299.13 Transfer of powers and duties of the commission of natural resources, the department of natural resources, the director of the department of natural resources, and various agencies, boards, and commissions contained therein relating to natural resources management and environmental protection to the director of a new department of natural resources.**

**Constitutionality:** <Paragraph><P>In *House Speaker v Governor*, 195 Mich App 376; 491 NW2d 832 (1992), the Michigan Court of Appeals affirmed a lower court decision finding Executive Order No. 1991-31 to be a violation of the Separation of Powers Clause and the Executive Organization Act. The Michigan Supreme Court, 443 Mich 560; 506 NW2d 190 (1993), unanimously reversed the decision of the Court of Appeals. The Supreme Court held that (1) the not-for-profit corporate plaintiffs had standing to sue under MCR 2.201(B)(4); (2) the issues presented were justiciable political questions; (3) E.O. 1991-31 was a constitutional expression of the governor's authority; and (4) E.O. 1992-19 did not wrongfully delegate rule-making authority to the Environmental Science Board.</P></Paragraph>

**Compiler's Notes:** <Paragraph><P>House Concurrent Resolution No. 487, a resolution to disapprove Executive Order No. 1991-31 (E.R.O. 1991-22) pertaining to the reorganization of the department of natural resources, was adopted by the House of Representatives on November 21, 1991, and referred to the Senate Committee on Government Operations. A motion to discharge the Committee on Government Operations from further consideration of House Concurrent Resolution No. 487 did not prevail on a vote of 14-20 recorded December 4, 1991.</P></Paragraph><Paragraph><P>For transfer of powers and duties of department of natural resources and environment to department of natural resources, see E.R.O. No. 2011-1, compiled at MCL 324.99921.</P></Paragraph>

## **ENVIRONMENTAL EDUCATION ACT**

### **Act 310 of 1994**

299.31-299.36 Repealed. 1995, Act 60, Imd. Eff. May 24, 1995.

## **ABORIGINAL RECORDS AND ANTIQUITIES**

### **Act 173 of 1929**

299.51-299.57 Repealed. 1995, Act 58, Imd. Eff. May 24, 1995.

## **RECREATIONAL FACILITIES**

### **Act 27 of 1944 (1st Ex. Sess.)**

299.101-299.109 Repealed. 1964, Act 256, Eff. Aug. 28, 1964.

## **OUTDOOR RECREATION**

### **Act 316 of 1965**

299.111-299.116 Repealed. 1995, Act 58, Imd. Eff. May 24, 1995.

## **RECREATION AND CULTURAL ARTS SECTION**

### **Act 326 of 1965**

299.121-299.127 Repealed. 1966, Act 167, Imd. Eff. July 1, 1966;—1995, Act 58, Imd. Eff. May 24, 1995.

## **MICHIGAN TRAILWAYS ACT**

### **Act 27 of 1993**

299.131-299.144 Repealed. 1995, Act 58, Imd. Eff. May 24, 1995.

## **NONGAME FISH AND WILDLIFE TRUST FUND ACT**

### **Act 285 of 1986**

299.151-299.161 Repealed. 1995, Act 57, Imd. Eff. May 24, 1995.

## **WILDLIFE RESTORATION, MANAGEMENT, AND RESEARCH**

### **Act 281 of 1939**

299.201 Repealed. 1995, Act 57, Imd. Eff. May 24, 1995.

## **WILDLIFE PRESERVATION**

### **Act 179 of 1974**

299.211-299.214 Repealed. 1986, Act 285, Eff. Jan. 22, 1987;—1995, Act 57, Imd. Eff. May 24, 1995.

## **ENDANGERED SPECIES ACT OF 1974**

### **Act 203 of 1974**

299.221-299.230 Repealed. 1995, Act 59, Imd. Eff. May 24, 1995.

## **BIOLOGICAL DIVERSITY CONSERVATION ACT**

### **Act 93 of 1992**

299.231-299.237 Repealed. 1995, Act 59, Imd. Eff. May 24, 1995.

## **FOREST AND MINERAL RESOURCE DEVELOPMENT ACT**

### **Act 188 of 1988**

299.251-299.257 Repealed. 1995, Act 60, Imd. Eff. May 24, 1995.

## **RESOURCE RECOVERY ACT**

### **Act 366 of 1974**

299.301-299.321 Repealed. 1994, Act 451, Eff. Mar. 30, 1995.

## **PCB COMPOUNDS**

### **Act 60 of 1976**

299.351-299.360 Repealed. 1994, Act 451, Eff. Mar. 30, 1995.

## **CLEAN MICHIGAN FUND ACT**

### **Act 249 of 1986**

299.371-299.393 Repealed. 1994, Act 451, Eff. Mar. 30, 1995.

## **SOLID WASTE MANAGEMENT ACT**

### **Act 641 of 1978**

299.401-299.437 Repealed. 1979, Act 10, Eff. Mar. 1, 1980; 1994, Act 451, Eff. Mar. 30, 1995.

## **RECYCLING TARGET ENTERPRISE DEVELOPMENT COUNCIL**

**Act 416 of 1988**

299.451-299.455 Repealed. 1988, Act 416, Eff. Apr. 1, 1991.

**RECYCLING MAKES CENTS, OFFICE PAPER RECOVERY ACT**

**Act 411 of 1988**

299.461-299.464 Repealed. 1994, Act 451, Eff. Mar. 30, 1995.

**PLASTICS RECYCLING DEVELOPMENT FUND ACT**

**Act 415 of 1988**

299.471-299.478 Repealed. 1988, Act 415, Eff. Jan. 1, 1992.

**LABELING OF PLASTIC PRODUCTS**

**Act 414 of 1988**

299.481-299.484 Repealed. 1994, Act 451, Eff. Mar. 30, 1995.

**HAZARDOUS WASTE MANAGEMENT ACT**

**Act 64 of 1979**

299.501-299.551 Repealed. 1982, Act 486, Eff. Mar. 30, 1983; 1987, Act 246, Eff. Oct. 1, 1988; 1993, Act 47, Eff. Jan. 1, 1994; 1994, Act 451, Eff. Mar. 30, 1995.

**Popular Name:** Act 64

**SCRAP TIRE REGULATORY ACT**

**Act 133 of 1990**

299.561-299.572 Repealed. 1994, Act 451, Eff. Mar. 30, 1995.

**THE ENVIRONMENTAL RESPONSE ACT**

**Act 307 of 1982**

299.601-299.618 Repealed. 1990, Act 234, Eff. July 1, 1991;â€”1994, Act 451, Eff. Mar. 30, 1995.

**LANDFILL MAINTENANCE TRUST FUND**

**Act 171 of 1986**

299.621-299.625 Repealed. 1994, Act 451, Eff. Mar. 30, 1995.

**ENVIRONMENTAL PROTECTION BOND AUTHORIZATION ACT**

**Act 326 of 1988**

299.651-299.660 Repealed. 1995, Act 60, Imd. Eff. May 24, 1995.

**ENVIRONMENTAL PROTECTION BOND IMPLEMENTATION ACT**

**Act 328 of 1988**

299.671-299.685 Repealed. 1995, Act 60, Imd. Eff. May 24, 1995.

**UNDERGROUND STORAGE TANK REGULATORY ACT**

**Act 423 of 1984**

299.701-299.712 Repealed. 1987, Act 227, Imd. Eff. Dec. 28, 1987;â€”1988, Act 479, Imd. Eff. Dec. 28, 1988;â€”1989, Act 151, Imd. Eff. July 18, 1989;â€”1994, Act 451, Eff. Mar. 30, 1995.

**WASTE MINIMIZATION ACT**

**Act 245 of 1987**

299.731-299.740 Repealed. 1987, Act 245, Eff. Sept. 30, 1992.

**WASTE REDUCTION ASSISTANCE ACT**

**Act 247 of 1987**

299.751-299.765 Repealed. 1987, Act 247, Eff. Sept. 30, 1992.

## **ENVIRONMENTAL TECHNOLOGY ACT**

### **Act 222 of 1987**

299.781-299.787 Repealed. 1987, Act 222, Eff. Dec. 28, 1989.

## **MICHIGAN UNDERGROUND STORAGE TANK FINANCIAL ASSURANCE ACT**

### **Act 518 of 1988**

299.801-299.828 Repealed. 1993, Act 1, Imd. Eff. Feb. 8, 1993; 1993, Act 212, Imd. Eff. Oct. 26, 1993; 1994, Act 451, Imd. Eff. Mar. 30, 1995.

## **LEAKING UNDERGROUND STORAGE TANK ACT**

### **Act 478 of 1988**

299.831-299.850 Repealed. 1993, Act 213, Imd. Eff. Oct. 26, 1993; 1994, Act 451, Eff. Mar. 30, 1995.

## **DISPOSAL OF BATTERIES**

### **Act 20 of 1990**

299.861-299.869 Repealed. 1994, Act 451, Eff. Mar. 30, 1995.

## **WASTE REDUCTION ASSISTANCE ACT**

### **Act 148 of 1993**

299.871-299.882 Repealed. 1994, Act 451, Eff. Mar. 30, 1995.

## **WASTE MINIMIZATION ACT**

### **Act 147 of 1993**

299.891-299.898 Repealed. 1994, Act 451, Eff. Mar. 30, 1995.

## EXECUTIVE REORGANIZATION ORDER

E.R.O. No. 1994-4

**299.901 Creation of the underground storage tank division within the department of natural resources; transfer of powers and duties of the leaking underground storage tank program to the underground storage tank division of department of natural resources by type II transfer; transfer of Michigan underground storage tank financial assurance policy board and powers and duties of the underground storage tank financial assurance program to the department of natural resources by type II transfer.**

## EXECUTIVE REORGANIZATION ORDER

E.R.O. No. 1995-3

**299.911 Creation of office of administrative hearings within the department of natural resources and transfer of authority to make decisions regarding administrative appeals of surface water discharge permit applications from the commission of natural resources to the office of administrative hearings.**

**Compiler's Notes:** <Paragraph><P>For transfer of the Office of Administrative Hearings, including but not limited to authority, powers, duties, functions, and responsibilities, to the Director of the Michigan Department of Environmental Quality, see E.R.O. No. 1995-16, compiled at MCL 324.99901 of the Michigan Compiled Laws.</P></Paragraph>