

HOUSE BILL No. 4319

February 23, 1999, Introduced by Reps. Callahan, Hale, Rivet and Lockwood and referred to the Committee on Great Lakes and Tourism.

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 8807 (MCL 324.8807), as added by 1998 PA 287, and by adding section 8807a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 8807. (1) The clean water fund is created within the
2 state treasury.

3 (2) The state treasurer may receive money or other assets
4 from any source for deposit into the fund. The state treasurer
5 shall direct the investment of the fund. The state treasurer
6 shall credit to the fund interest and earnings from fund
7 investments.

8 (3) Money in the fund at the close of the fiscal year shall
9 remain in the fund and shall not lapse to the general fund.

1 (4) Except as otherwise provided in this section, the
2 ~~department shall expend~~ money in the fund ~~, upon~~
3 ~~appropriation, for any of the following~~ SHALL BE EXPENDED AS
4 FOLLOWS:

5 (a) ~~To implement the programs described in the department's~~
6 ~~document entitled "A strategic environmental quality monitoring~~
7 ~~program for Michigan's surface waters", dated January 1997. In~~
8 ~~implementing these programs, the department may contract with any~~
9 ~~person.~~ \$30,000,000.00 SHALL BE TRANSFERRED TO THE WATER QUALITY
10 TRUST FUND CREATED IN SECTION 8807A.

11 (b) ~~Water pollution control activities.~~ UP TO
12 \$20,000,000.00, BUT NOT LESS THAN \$5,000,000.00, BY THE DEPART-
13 MENT FOR LOW-INTEREST LOANS FOR STORM WATER POLLUTION PREVENTION
14 AND CONTROL PROJECTS FOR IMPAIRED OR THREATENED WATERS, WITH THE
15 PRIORITY BEING GIVEN TO PROJECTS AFFECTING WATERS WITH THE GREAT-
16 EST USE IMPAIRMENT.

17 (c) ~~Wellhead protection activities.~~ UP TO \$15,000,000.00,
18 BUT NOT LESS THAN \$3,750,000.00, BY THE DEPARTMENT FOR A "CLEAN
19 LAKES PROGRAM". FUNDS FROM THE CLEAN LAKES PROGRAM SHALL BE
20 EXPENDED TO DEVELOP AND IMPLEMENT INLAND LAKE AND LAKE ST. CLAIR
21 WATERSHED MANAGEMENT PLANS THAT REDUCE AND PREVENT POLLUTION FROM
22 NUTRIENTS, PESTICIDES, EROSION, AND OTHER NONPOINT SOURCES. THE
23 DEPARTMENT MAY PROVIDE GRANTS FOR THIS PURPOSE TO LOCAL UNITS OF
24 GOVERNMENT, NONPROFIT ORGANIZATIONS, OR LAKE ASSOCIATIONS.

25 (d) ~~Storm water treatment projects and activities.~~ UP TO
26 \$10,000,000.00, BUT NOT LESS THAN \$2,500,000.00, BY THE
27 DEPARTMENT FOR AN "INNOVATIVE WATER POLLUTION PREVENTION AND

1 CONTROL TECHNOLOGIES DEMONSTRATION PROGRAM". THE DEPARTMENT
2 SHALL PROVIDE GRANTS OR LOANS UNDER THIS PROGRAM TO MUNICIPALITI-
3 TIES FOR THE DEMONSTRATION OF COST-EFFECTIVE ALTERNATIVES TO TRA-
4 DITIONAL WASTEWATER TREATMENT TECHNOLOGIES.

5 (E) UP TO \$5,000,000.00, BUT NOT LESS THAN \$1,250,000.00, BY
6 THE DEPARTMENT FOR CLOSING ABANDONED WELLS, WITH PRIORITY GIVEN
7 TO WELLS IN WELLHEAD PROTECTION AREAS WHOSE CLOSURE IS INCLUDED
8 IN APPROVED WELLHEAD PROTECTION PLANS.

9 (F) UP TO \$10,000,000.00, BUT NOT LESS THAN \$2,000,000.00,
10 BY THE DEPARTMENT FOR THE EXTENSION OF MUNICIPAL SEWER SYSTEMS TO
11 REPLACE SEPTIC TANKS IN AREAS WHERE CLUSTERS OF FAILING TANKS
12 HAVE BEEN DETERMINED TO CONTRIBUTE TO WATER QUALITY IMPAIRMENTS,
13 IF THE AREAS TO RECEIVE SEWER EXTENSIONS ARE ALREADY INTENSIVELY
14 DEVELOPED.

15 (5) Money in the fund shall not be expended for combined
16 sewer overflow corrections.

17 ~~-(6) The first priority for expenditure of money in the fund~~
18 ~~shall be for the programs described in subsection (4)(a).~~

19 (6) ~~-(7)~~ Money in the fund shall not be expended until
20 rules are promulgated under section 8808.

21 SEC. 8807A. (1) THE WATER QUALITY TRUST FUND IS CREATED
22 WITHIN THE STATE TREASURY.

23 (2) THE STATE TREASURER MAY RECEIVE MONEY OR OTHER ASSETS
24 FROM ANY SOURCE FOR DEPOSIT INTO THE WATER QUALITY TRUST FUND.
25 THE STATE TREASURER SHALL DIRECT THE INVESTMENT OF THE WATER
26 QUALITY TRUST FUND. THE STATE TREASURER SHALL CREDIT TO THE

1 WATER QUALITY TRUST FUND INTEREST AND EARNINGS FROM WATER QUALITY
2 TRUST FUND INVESTMENTS.

3 (3) MONEY IN THE WATER QUALITY TRUST FUND AT THE CLOSE OF
4 THE FISCAL YEAR SHALL REMAIN IN THE WATER QUALITY TRUST FUND AND
5 SHALL NOT LAPSE TO THE GENERAL FUND.

6 (4) SUBJECT TO SUBSECTION (5), INTEREST AND EARNINGS ONLY
7 FROM THE WATER QUALITY TRUST FUND SHALL BE EXPENDED, UPON APPRO-
8 PRIATION, FOR WATER QUALITY MONITORING.

9 (5) FIFTY PERCENT OF THE MONEY EXPENDED FROM THE WATER QUAL-
10 ITY TRUST FUND EACH YEAR SHALL BE USED BY THE DEPARTMENT TO PRO-
11 VIDE GRANTS TO LOCAL UNITS OF GOVERNMENT OR NONPROFIT ORGANIZA-
12 TIONS FOR IMPLEMENTING MONITORING PROPOSALS APPROVED BY THE
13 DEPARTMENT. PRIORITY FOR GRANTS SHALL BE GIVEN TO MONITORING
14 PROPOSALS TO DETERMINE THE SOURCE AND NATURE OF WATER QUALITY
15 IMPAIRMENTS AT LOCATIONS WITH A HISTORY OF WATER QUALITY SAMPLING
16 AND A HISTORY OF BEACH CLOSURES.

17 (6) THE DEPARTMENT SHALL MAKE ALL MONITORING INFORMATION
18 COLLECTED USING MONEY EXPENDED FROM THE WATER QUALITY TRUST FUND,
19 AFTER QUALITY ASSURANCE, ACCESSIBLE TO THE PUBLIC BOTH ELECTRONI-
20 CALLY AND IN PAPER FORMAT.