

HOUSE SUBSTITUTE FOR  
SENATE BILL NO. 859

A bill to amend 1994 PA 451, entitled  
"Natural resources and environmental protection act,"  
by amending section 32713 (MCL 324.32713), as amended by 2006 PA  
33.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1       Sec. 32713. (1) The department may request the attorney  
2       general to commence a civil action for appropriate relief,  
3       including a permanent or temporary injunction, for a violation of  
4       this part or a rule promulgated under this part, **INCLUDING**  
5       **FALSIFYING A RECORD SUBMITTED UNDER THIS PART.** An action under this  
6       section shall be brought in the circuit court for the county of  
7       Ingham or for the county in which the defendant is located,  
8       resides, or is doing business. The court has jurisdiction to  
9       restrain the violation and to require compliance.
- 10       (2) In addition to any other relief granted **UNDER SUBSECTION**

1 (1), the court may impose a civil fine ~~of not more than \$1,000.00.~~  
2 ~~However,~~ **AS FOLLOWS:**

3 (A) **FOR** a person who knowingly violates section 32721 or 32723  
4 or the terms of a permit issued under section 32723, ~~is responsible~~  
5 ~~for the payment of a civil fine of not more than \$5,000.00~~  
6 **\$10,000.00** per day of violation.

7 (B) **FOR ALL OTHER VIOLATIONS OF THIS PART, A CIVIL FINE OF NOT**  
8 **MORE THAN \$1,000.00.**

9 (3) In addition to a fine **IMPOSED UNDER SUBSECTION (2)**, the  
10 attorney general may file a suit in a court of competent  
11 jurisdiction to recover the full value of the costs of surveillance  
12 and enforcement by the state resulting from the violation.

13 Enacting section 1. This amendatory act takes effect 90 days  
14 after the date it is enacted into law.

15 Enacting section 2. This amendatory act does not take effect  
16 unless all of the following bills of the 94th Legislature are  
17 enacted into law:

- 18 (a) Senate Bill No. 212.  
19 (b) Senate Bill No. 723.  
20 (c) Senate Bill No. 727.  
21 (d) Senate Bill No. 858.  
22 (e) Senate Bill No. 860.  
23 (f) House Bill No. 4343.  
24 (g) House Bill No. 5065.  
25 (h) House Bill No. 5066.  
26 (i) House Bill No. 5067.  
27 (j) House Bill No. 5069.

1 (k) House Bill No. 5073.