

Act No. 167
Public Acts of 2011
Approved by the Governor
October 11, 2011
Filed with the Secretary of State
October 11, 2011
EFFECTIVE DATE: October 11, 2011

**STATE OF MICHIGAN
96TH LEGISLATURE
REGULAR SESSION OF 2011**

Introduced by Senator Schuitmaker

ENROLLED SENATE BILL No. 507

AN ACT to amend 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending sections 60101, 60102, 60104, 60105, 60106, 60107, and 60108 (MCL 324.60101, 324.60102, 324.60104, 324.60105, 324.60106, 324.60107, and 324.60108), as added by 1995 PA 57; and to repeal acts and parts of acts.

The People of the State of Michigan enact:

Sec. 60101. As used in this part:

- (a) "Governing institution" means the state university within which the Michigan geological survey is established or continued under section 60102.
- (b) "State geologist" means the chief of the office of oil, gas, and minerals, or a successor office, of the department of environmental quality.
- (c) "State university" means a state university described in section 4, 5, or 6 of article VIII of the state constitution of 1963.

Sec. 60102. (1) Subject to subsection (2), the Michigan geological survey is established within western Michigan university and shall continue as an entity within a governing institution. The governing institution shall do both of the following:

- (a) Oversee the operations of the Michigan geological survey.
- (b) Appoint a director to supervise and carry out the duties of the Michigan geological survey.

(2) If western Michigan university, or a successor governing institution under this subsection, ceases to have an academic program that is primarily engaged in the study of geology or geosciences or substantially fails to fulfill the duties of the Michigan geological survey under this part in an adequate manner, or if the governing institution notifies the state geologist that it does not desire the Michigan geological survey to remain as an entity within that governing institution, the director of the department of environmental quality shall issue an order to transfer the Michigan geological survey to and establish it within another state university that has an academic program that is primarily engaged in the study of geology or geosciences. Before issuing an order under this subsection, the director of the department of environmental quality shall do all of the following:

- (a) Provide public notice, including notice to the legislature, and an opportunity for public comment.
- (b) Consider the recommendations of the state geologist.

(3) The Michigan geological survey may enter into an agreement with any state university to perform designated duties described in sections 60104 to 60106. Subject to the terms of the agreement, the state university entering into the agreement with the Michigan geological survey, or a department or office of that state university, may directly receive money or other assets to implement the agreement in the same manner as the Michigan geological survey under section 60108.

Sec. 60104. The Michigan geological survey shall continue to make a thorough geological survey of this state, which may include a determination of the succession and arrangement, thickness, and position of all strata and rocks; their mineral character and contents and their economical uses; an investigation of soils and subsoils and the determination of their character and agricultural adaptation; and the investigation of all deposits of brines, coal, marl, clay, gypsum, lime, petroleum, natural gas, metals and metallic ores, building stone, marble, gritstone, materials for mortar and cement, mineral paint, and all other geological productions or features in this state capable of being converted to the uses of humans.

Sec. 60105. The Michigan geological survey shall provide for the collection and conservation of cores, samples, and specimens for the illustration of every division of the geology and mineralogy of this state, to the extent that facilities and funds are available to do so.

Sec. 60106. The Michigan geological survey shall prepare and submit to the state geologist an annual report of progress and other reports, documents, and maps as necessary to fulfill its responsibilities.

Sec. 60107. All notes, memoranda, compilations, collections, specimens, diagrams, and illustrations that are made in the operation of the Michigan geological survey are the property of this state and shall be under the control of the governing institution.

Sec. 60108. The Michigan geological survey may receive money or other assets to implement this part from any of the following:

- (a) Funds appropriated by the legislature.
- (b) Federal, state, municipal, or private grants.
- (c) Any other source approved by the governing institution.

Enacting section 1. All of the following are repealed:

- (a) Section 50 of 1846 RS 60, MCL 322.350.
- (b) Section 60103 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.60103.

This act is ordered to take immediate effect.

Carol Morey Viventi

Secretary of the Senate

Jay E. Randall

Clerk of the House of Representatives

Approved

.....
Governor