

No. 52
STATE OF MICHIGAN
Journal of the Senate
96th Legislature
REGULAR SESSION OF 2012

Senate Chamber, Lansing, Tuesday, May 29, 2012.

10:00 a.m.

The Senate was called to order by the President, Lieutenant Governor Brian N. Calley.

The roll was called by the Secretary of the Senate, who announced that a quorum was present.

Anderson—present
Bieda—present
Booher—present
Brandenburg—present
Casperson—present
Caswell—present
Colbeck—present
Emmons—present
Gleason—present
Green—present
Gregory—present
Hansen—excused
Hildenbrand—present

Hood—present
Hopgood—present
Hune—present
Hunter—excused
Jansen—present
Johnson—excused
Jones—present
Kahn—present
Kowall—present
Marleau—present
Meekhof—present
Moolenaar—present
Nofs—present

Pappageorge—present
Pavlov—present
Proos—present
Richardville—present
Robertson—present
Rocca—present
Schuitmaker—present
Smith—present
Walker—present
Warren—present
Whitmer—present
Young—present

Senator Patrick J. Colbeck of the 7th District offered the following invocation:

We come before the great people of this state after celebrating Memorial Day weekend that celebrates the lives and the passing of those who dedicated their lives in service to this country and have emulated our Lord's admonition that there is no greater love for our fellow man than to lay one's life down for a friend.

God, please help us to honor that love as we go through our proceedings today. Help us to go forward and make their sacrifice for our freedoms a worthy sacrifice, God, before You and that will be solemn and true to all those who surround us. Help us to go forward with love for our colleagues, with our constituents, and all the people we encounter throughout this week.

Especially, Lord, please help that our love will help alleviate the burdens of those who have had passings in their families. This past weekend as well, especially remember the Hansen family and Senator Hansen's son Collin who passed away. We ask You to lift up their family with Your love and also lift up the family of Representative Shirkey on the passing of his father as well, Lord.

We just ask that we go forth and emulate the love that You gave for us in all of our duties and all of our words and all of our actions throughout this week. In Your name we pray. Amen.

The President, Lieutenant Governor Calley, led the members of the Senate in recital of the *Pledge of Allegiance*.

Motions and Communications

Senator Pappageorge entered the Senate Chamber.

Senator Bieda moved that Senators Hunter and Johnson be excused from today's session.
The motion prevailed.

Senator Meekhof moved that Senator Hansen be excused from today's session.
The motion prevailed.

Senator Meekhof moved that rule 2.106 be suspended to allow committees to meet during Senate session.
The motion prevailed, a majority of the members serving voting therefor.

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, May 24:
House Bill Nos. 4243 4244 4497 4498 4518 4519 4632 5159 5162 5323 5324 5463 5611

The Secretary announced that the following official bills and joint resolution were printed on Thursday, May 24, and are available at the legislative website:

Senate Bill Nos. 1136 1137 1138 1139 1140 1141 1142 1143 1144 1145
House Bill Nos. 5661 5662 5663 5664 5665 5666 5667 5668 5669 5670 5671 5672
House Joint Resolution TT

The Secretary announced that the following official bills and joint resolution were printed on Friday, May 25, and are available at the legislative website:

House Bill Nos. 5673 5674 5675 5676 5677 5678 5679
House Joint Resolution UU

Messages from the Governor

The following message from the Governor was received:

Date: May 23, 2012
Time: 8:49 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 1064 (Public Act No. 143), being

An act to amend 2006 PA 110, entitled "An act to codify the laws regarding local units of government regulating the development and use of land; to provide for the adoption of zoning ordinances; to provide for the establishment in

counties, townships, cities, and villages of zoning districts; to prescribe the powers and duties of certain officials; to provide for the assessment and collection of fees; to authorize the issuance of bonds and notes; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,” (MCL 125.3101 to 125.3702) by adding section 3514.

(Filed with the Secretary of State on May 24, 2012, at 10:50 a.m.)

Respectfully,
Rick Snyder
Governor

The following messages from the Governor were received and read:

May 15, 2012

I respectfully submit to the Senate the following appointments to office:

Michigan Aeronautics Commission

Roger F. Salo of 10972 Wellington Court, Plymouth, Michigan 48170, county of Wayne, succeeding James Collins, is appointed for a term expiring May 27, 2016.

Rick J. Fiddler of 8525 Baileau Oaks, N.E., Ada, Michigan 49301, county of Kent, succeeding Sidney Adams, is appointed for a term expiring May 27, 2016.

May 16, 2012

I respectfully submit to the Senate the following appointment to office:

Farm Produce Insurance Authority Board

Aaron R. Somers of 19475 Stevens Road, Henderson, Michigan 48841, county of Saginaw, representing producers from the largest Michigan organization representing general farm interests of Michigan, succeeding Derek LeCronier, is appointed for a term expiring June 20, 2015.

Sincerely,
Rick Snyder
Governor

The appointments were referred to the Committee on Government Operations.

Recess

Senator Meekhof moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 10:07 a.m.

10:13 a.m.

The Senate was called to order by the President, Lieutenant Governor Calley.

Messages from the House

Senator Meekhof moved that consideration of the following bill be postponed for today:

Senate Bill No. 300

The motion prevailed.

Senate Bill No. 557, entitled

A bill to provide procedures to determine the paternity of children in certain circumstances; to allow acknowledgments, determinations, and judgments relating to paternity to be set aside in certain circumstances; to provide for the powers and duties of certain state and local governmental officers and entities; and to provide remedies.

The House of Representatives has amended the bill as follows:

1. Amend page 6, line 3, after “in” by striking out “a divorce action” and inserting “an action for divorce or separate maintenance”.
2. Amend page 9, line 3, after “state” by inserting “or if an action under section 2(b) of chapter XIIA of the probate code of 1939, 1939 PA 288, MCL 712A.2, is pending in a circuit court of this state”.

- 3. Amend page 9, line 15, after “a” by striking out “child”.
- 4. Amend page 9, line 21, after “finds” by striking out “by clear and convincing”.
- 5. Amend page 11, line 20, after “the” by inserting “reasonable”.
- 6. Amend page 12, following line 19, by inserting:

“(15) An action may not be brought under this act if the child is under court jurisdiction under chapter XIIA of the probate code of 1939, 1939 PA 288, MCL 712A.1 to 712A.32, and a petition has been filed to terminate the parental rights to the child, unless the court having jurisdiction under chapter XIIA of the probate code of 1939, 1939 PA 288, MCL 712A.1 to 712A.32, first finds that allowing an action under this act would be in the best interests of the child.”

The House of Representatives has passed the bill as amended and ordered that it be given immediate effect. Pursuant to rule 3.202, the bill was laid over one day.

Senate Bill No. 560, entitled

A bill to amend 1998 PA 386, entitled “Estates and protected individuals code,” by amending section 2114 (MCL 700.2114), as amended by 2004 PA 314.

The House of Representatives has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The question on concurring in the committee recommendation to give the bill immediate effect, Senator Meekhof moved that further consideration of the bill be postponed for today. The motion prevailed.

Senate Bill No. 320, entitled

A bill to amend 1939 PA 288, entitled “Probate code of 1939,” by amending sections 10, 13a, and 14 of chapter XIIA (MCL 712A.10, 712A.13a, and 712A.14), section 10 as amended by 1988 PA 92, section 13a as amended by 2004 PA 475, and section 14 as amended by 2001 PA 211, and by adding sections 14a and 14b to chapter XIIA.

Substitute (H-1).

The question being on concurring in the substitute made to the bill by the House, The substitute was concurred in, a majority of the members serving voting therefor, as follows:

Roll Call No. 386

Yeas—35

Anderson	Green	Kowall	Robertson
Bieda	Gregory	Marleau	Rocca
Booher	Hildenbrand	Meekhof	Schuitmaker
Brandenburg	Hood	Moolenaar	Smith
Casperson	Hopgood	Nofs	Walker
Caswell	Hune	Pappageorge	Warren
Colbeck	Jansen	Pavlov	Whitmer
Emmons	Jones	Proos	Young
Gleason	Kahn	Richardville	

Nays—0

Excused—3

Hansen	Hunter	Johnson
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Not Voting—0

The question being on concurring in the committee recommendation to give the bill immediate effect,
 The recommendation was concurred in, 2/3 of the members serving voting therefor.
 The Senate agreed to the title as amended.
 The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Conference Reports

Senator Meekhof moved that joint rule 9 be suspended to permit immediate consideration of the conference reports relative to the following bills:

Senate Bill No. 953

Senate Bill No. 960

The motion prevailed, a majority of the members serving voting therefor.

Senator Green submitted the following:

FIRST CONFERENCE REPORT

The Committee of Conference on the matters of difference between the two Houses concerning

Senate Bill No. 953, entitled

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2013; and to provide for the expenditure of the appropriations.

Recommends:

First: That the House recede from the Substitute of the House as passed by the House.

Second: That the Senate and House agree to the Substitute of the Senate as passed by the Senate, amended to read as follows:

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2013; and to provide for the expenditure of the appropriations.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. There is appropriated for the department of environmental quality for the fiscal year ending September 30, 2013, from the following funds:

DEPARTMENT OF ENVIRONMENTAL QUALITY

APPROPRIATION SUMMARY

Full-time equated unclassified positions.....	6.0	
Full-time equated classified positions	1,321.5	
GROSS APPROPRIATION		\$ 431,429,900
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		9,021,200
ADJUSTED GROSS APPROPRIATION		\$ 422,408,700
Federal revenues:		
Total federal revenues.....		161,687,500
Special revenue funds:		
Total private revenues.....		533,200
Total other state restricted revenues		230,375,600
State general fund/general purpose		\$ 29,812,400

State general fund/general purpose schedule:

Ongoing state general fund/general purpose	25,652,300
One-time state general fund/general purpose	4,160,100

FUND SOURCE SUMMARY

Full-time equated unclassified positions.....	6.0	
Full-time equated classified positions	1,321.5	
GROSS APPROPRIATION		\$ 431,429,900
Interdepartmental grant revenues:		
IDG, MDOT - Michigan transportation fund		1,231,400
IDG, MDSP		1,157,100

	For Fiscal Year Ending Sept. 30, 2013
IDT, interdivisional charges.....	\$ 2,053,400
IDT, laboratory services	4,530,500
Interdepartmental grant revenues.....	48,800
Total interdepartmental grants and intradepartmental transfers	9,021,200
ADJUSTED GROSS APPROPRIATION	\$ 422,408,700
Federal revenues:	
Federal funds	161,687,500
Special revenue funds:	
Private funds.....	533,200
Aboveground storage tank fees	521,700
Air emissions fees	10,258,500
Campground fund.....	340,900
Clean Michigan initiative fund - clean water fund.....	3,785,300
Cleanup and redevelopment fund	22,872,400
Community pollution prevention fund	250,000
Electronic waste recycling fund	287,000
Environmental education fund.....	50,700
Environmental pollution prevention fund.....	2,647,900
Environmental protection fund	2,743,100
Environmental response fund	6,001,800
Fees and collections	371,800
Financial instruments.....	5,000,000
Great Lakes protection fund.....	695,800
Groundwater discharge permit fees	1,859,400
Hazardous materials transportation permit fund	950,300
Infrastructure construction fund	458,700
Land and water permit fees.....	3,277,300
Landfill maintenance trust fund	29,300
Medical waste emergency response fund	330,700
Metallic mining surveillance fee revenue.....	147,700
Mineral well regulatory fee revenue.....	240,800
Nonferrous metallic mineral surveillance.....	100,000
NPDES fees.....	5,005,500
Oil and gas regulatory fund.....	11,054,500
Orphan well fund.....	2,318,200
Public swimming pool fund	743,500
Public utility assessments.....	272,400
Public water supply fees.....	5,109,700
Refined petroleum fund.....	49,037,600
Retired engineers technical assistance program	991,900
Revitalization revolving loan fund	97,300
Revolving loan revenue bonds.....	11,400,000
Sand extraction fee revenue.....	95,300
Scrap tire regulatory fund.....	5,149,000
Septage waste contingency fund	17,400
Septage waste program fund	687,700
Settlement funds.....	625,500
Sewage sludge land application fees	1,084,900
Small business pollution prevention revolving loan fund	165,100
Soil erosion and sedimentation control training fund	150,000
Solid waste management fund - staff account.....	5,301,800
State restricted revenues	920,400
Stormwater permit fees	3,979,800
Strategic water quality initiatives fund.....	45,743,800
Underground storage tank fees.....	2,616,100

	For Fiscal Year Ending Sept. 30, 2013
Waste reduction fee revenue.....	\$ 6,340,400
Wastewater operator training fees	571,200
Water analysis fees	3,595,600
Water pollution control revolving fund	3,679,200
Water quality protection fund.....	100,000
Water use reporting fees	300,700
Total other state restricted revenues	230,375,600
State general fund/general purpose	\$ 29,812,400
Sec. 102. EXECUTIVE OPERATIONS	
Full-time equated unclassified positions.....	6.0
Full-time equated classified positions	13.0
Unclassified salaries—6.0 FTE positions.....	\$ 700,000
Executive direction—13.0 FTE positions.....	1,980,400
GROSS APPROPRIATION	<u>\$ 2,680,400</u>
Appropriated from:	
Interdepartmental grant revenues:	
Federal revenues:	
Federal funds	37,700
Special revenue funds:	
Environmental response fund	207,600
Oil and gas regulatory fund.....	383,300
Refined petroleum fund.....	568,900
Settlement funds.....	65,300
State general fund/general purpose	\$ 1,417,600
Sec. 103. OFFICE OF THE GREAT LAKES	
Full-time equated classified positions	18.0
Office of the Great Lakes—18.0 FTE positions.....	\$ 2,806,600
Coastal management grants	1,750,000
GROSS APPROPRIATION	<u>\$ 4,556,600</u>
Appropriated from:	
Federal revenues:	
Federal funds	3,376,200
Special revenue funds:	
Great Lakes protection fund	695,800
Settlement funds.....	108,800
State general fund/general purpose	\$ 375,800
Sec. 104. GREAT LAKES RESTORATION INITIATIVE	
Great Lakes restoration initiative	\$ 25,000,000
GROSS APPROPRIATION	<u>\$ 25,000,000</u>
Appropriated from:	
Federal revenues:	
Federal funds	25,000,000
State general fund/general purpose	\$ 0
Sec. 105. DEPARTMENT SUPPORT SERVICES	
Full-time equated classified positions	34.0
Central support services—34.0 FTE positions.....	\$ 3,923,100
Accounting service center	1,214,800
Administrative hearings.....	553,500
Automated data processing.....	2,053,400
Building occupancy charges	6,082,800
Environmental support projects.....	5,000,000
Rent - privately owned property.....	1,960,800
GROSS APPROPRIATION	<u>\$ 20,788,400</u>
Appropriated from:	
Interdepartmental grant revenues:	
IDG, MDSP	135,400

	For Fiscal Year Ending Sept. 30, 2013
IDT, interdivisional charges.....	\$ 2,053,400
IDT, laboratory services	493,200
Federal revenues:	
Federal funds	5,300
Special revenue funds:	
Aboveground storage tank fees	68,700
Air emissions fees	1,328,000
Campground fund	38,400
Cleanup and redevelopment fund	1,614,300
Environmental pollution prevention fund	238,100
Environmental response fund	560,900
Fees and collections	46,200
Financial instruments.....	5,000,000
Groundwater discharge permit fees	149,400
Hazardous material transportation permit fund	35,500
Land and water permit fees	429,800
Medical waste emergency response fund	29,700
Metallic mining surveillance fee revenue.....	7,400
Mineral well regulatory fee revenue.....	29,400
NPDES fees.....	173,200
Oil and gas regulatory fund.....	857,900
Orphan well fund.....	63,400
Public swimming pool fund	65,100
Public utility assessments.....	36,600
Public water supply fees.....	426,500
Refined petroleum fund.....	1,710,800
Sand extraction fee revenue.....	9,200
Scrap tire regulatory fund.....	241,900
Septage waste program fund	74,100
Settlement funds.....	199,500
Sewage sludge land application fees	120,200
Small business pollution prevention revolving loan fund	24,800
Soil erosion and sedimentation control training fund	11,400
Solid waste management fund - staff account.....	649,000
Stormwater permit fees	165,400
Underground storage tank fees	234,600
Waste reduction fee revenue.....	561,800
Wastewater operator training fees	2,900
Water analysis fees	313,000
Water use reporting fees	48,000
State general fund/general purpose	\$ 2,536,000
Sec. 106. OFFICE OF ENVIRONMENTAL ASSISTANCE	
Full-time equated classified positions	44.0
Office of environmental assistance—44.0 FTE positions	\$ 6,832,600
Pollution prevention local grants.....	250,000
GROSS APPROPRIATION	\$ <u>7,082,600</u>
Appropriated from:	
Federal revenues:	
Federal funds	902,700
Special revenue funds:	
Private funds.....	348,700
Air emissions fees	130,700
Community pollution prevention fund	250,000
Environmental education fund.....	50,700

	For Fiscal Year Ending Sept. 30, 2013
Retired engineers technical assistance program	\$ 991,900
Settlement funds	251,900
Small business pollution prevention revolving loan fund	128,700
Waste reduction fee revenue.....	4,027,300
State general fund/general purpose	\$ 0
Sec. 107. WATER RESOURCE DIVISION	
Full-time equated classified positions	321.0
Land and water interface permit programs—85.0 FTE positions	\$ 10,846,100
Program direction and project assistance—30.0 FTE positions	2,951,400
Water withdrawal assessment program—4.0 FTE positions	589,000
Expedited water/wastewater permits—3.0 FTE positions	458,700
Fish contaminant monitoring.....	316,100
Groundwater discharge—22.0 FTE positions.....	3,189,000
NPDES nonstormwater program—89.0 FTE positions	13,140,600
Surface water—88.0 FTE positions.....	16,855,300
Federal - Great Lakes remedial action plan grants	700,000
Federal - nonpoint source water pollution grants.....	6,500,000
Water quality protection grants	100,000
GROSS APPROPRIATION	\$ 55,646,200
Appropriated from:	
Interdepartmental grant revenues:	
IDG, MDOT - Michigan transportation fund	1,170,200
Federal revenues:	
Federal funds	22,787,300
Special revenue funds:	
Clean Michigan initiative fund - clean water fund.....	3,785,300
Environmental protection fund	646,400
Environmental response fund	195,600
Groundwater discharge permit fees	1,640,100
Infrastructure construction fund	458,700
Land and water permit fees	2,572,400
NPDES fees.....	4,748,000
Refined petroleum fund.....	436,800
Soil erosion and sedimentation control training fund	133,400
Stormwater permit fees	3,737,400
Water pollution control revolving fund	784,900
Water quality protection fund.....	100,000
Water use reporting fees	230,300
State general fund/general purpose	\$ 12,219,400
Sec. 108. LAW ENFORCEMENT DIVISION	
Full-time equated classified positions	14.0
Environmental investigations—14.0 FTE positions	\$ 2,711,100
GROSS APPROPRIATION	\$ 2,711,100
Appropriated from:	
Federal revenues:	
Federal funds	795,200
Special revenue funds:	
Aboveground storage tank fees	7,800
Air emissions fees	54,100
Campground fund	4,200
Cleanup and redevelopment fund	182,000
Environmental pollution prevention fund.....	27,100
Environmental response fund	89,400

	For Fiscal Year Ending Sept. 30, 2013
Fees and collections	\$ 5,000
Groundwater discharge permit fees	16,700
Hazardous material transportation permit fund	4,100
Land and water permit fees	57,400
Medical waste emergency response fund	3,300
Metallic mining surveillance fee revenue	900
Mineral well regulatory fee revenue	3,300
NPDES fees	18,700
Oil and gas regulatory fund	143,000
Orphan well fund	7,200
Public swimming pool fund	7,400
Public utility assessments	4,200
Public water supply fees	48,100
Refined petroleum fund	393,100
Sand extraction fee revenue	1,000
Scrap tire regulatory fund	44,600
Septage waste program fund	8,300
Sewage sludge land application fees	13,800
Small business pollution prevention revolving loan fund	2,800
Solid waste management fund - staff account	74,300
Stormwater permit fees	18,400
Soil erosion and sedimentation control training fund	1,200
Underground storage tank fees	26,300
Waste reduction fee revenue	73,400
Water analysis fees	28,400
Water use reporting fees	5,300
State general fund/general purpose	\$ 541,100
Sec. 109. AIR QUALITY DIVISION	
Full-time equated classified positions	203.0
Air quality programs—203.0 FTE positions	\$ 25,046,100
GROSS APPROPRIATION	\$ 25,046,100
Appropriated from:	
Federal revenues:	
Federal funds	7,261,800
Special revenue funds:	
Air emissions fees	8,243,000
Fees and collections	271,400
Oil and gas regulatory fund	129,500
Refined petroleum fund	3,452,200
Waste reduction fee revenue	1,283,400
State general fund/general purpose	\$ 4,404,800
Sec. 110. RESOURCE MANAGEMENT DIVISION	
Full-time equated classified positions	325.5
Drinking water and environmental health—104.5 FTE positions	\$ 15,327,400
Hazardous waste management program—51.0 FTE positions	6,769,700
Low-level radioactive waste authority—2.0 FTE positions	218,500
Medical waste program—2.0 FTE positions	287,100
Municipal assistance—39.0 FTE positions	6,922,900
Radiological protection program—12.0 FTE positions	1,310,500
Scrap tire regulatory program—11.0 FTE positions	1,275,500
Oil, gas, and mineral services—61.0 FTE positions	11,670,400
Sewage sludge land application program—6.0 FTE positions	907,600
Solid waste management program—37.0 FTE positions	4,746,900

	For Fiscal Year Ending Sept. 30, 2013
Drinking water program grants	\$ 1,330,000
Noncommunity water grants.....	2,000,000
Septage waste compliance grants	275,000
Strategic water quality initiative loans	9,600,000
Water pollution control and drinking water revolving fund	85,443,000
Radon grants.....	90,000
Scrap tire grants	3,500,000
GROSS APPROPRIATION	\$ 151,674,500
Appropriated from:	
Interdepartmental grant revenues:	
IDG-MDSP	993,300
Federal revenues:	
Federal funds	89,335,500
Special revenue funds:	
Campground fund	284,700
Electronic waste recycling fund	287,000
Environmental pollution prevention fund	2,298,100
Fees and collections	32,900
Hazardous material transportation permit fund	897,200
Medical waste emergency response fund	287,100
Metallic mining surveillance fee revenue.....	136,800
Mineral well regulatory fee revenue.....	197,700
Nonferrous metallic mineral surveillance.....	100,000
Oil and gas regulatory fund.....	8,928,800
Orphan well fund.....	2,225,100
Public swimming pool fund	648,200
Public utility assessments.....	218,500
Public water supply fees.....	4,139,500
Refined petroleum fund.....	646,900
Revolving loan revenue bonds.....	11,400,000
Sand extraction fee revenue.....	82,000
Scrap tire regulatory fund.....	4,775,500
Septage waste contingency fund	17,400
Septage waste program fund	579,000
Sewage sludge land application fees	907,600
Solid waste management fund - staff account.....	4,287,000
Strategic water quality initiatives fund.....	10,743,800
Waste reduction fee revenue.....	172,900
Wastewater operator training fees	567,300
Water pollution control revolving fund	2,744,000
State general fund/general purpose	\$ 3,740,700
Sec. 111. REMEDIATION DIVISION	
Full-time equated classified positions	349.0
Contaminated site investigations, cleanup and revitalization—204.0 FTE positions	\$ 27,020,000
Federal cleanup project management—60.0 FTE positions	9,308,400
Laboratory services—48.0 FTE positions	7,381,400
Aboveground storage tank program—8.0 FTE positions	877,700
Underground storage tank program—29.0 FTE positions.....	4,048,000
Brownfield grants and loans.....	5,000,000
Emergency cleanup actions	4,000,000
Environmental cleanup support	1,840,000
Environmental cleanup and redevelopment program	30,000,000
Refined petroleum product cleanup program	30,000,000
Superfund cleanup	3,000,000
GROSS APPROPRIATION	\$ 122,475,500

	For Fiscal Year Ending Sept. 30, 2013
Appropriated from:	
Interdepartmental grant revenues:	
IDT, laboratory services	\$ 3,939,200
Federal revenues:	
Federal funds	10,071,400
Special revenue funds:	
Private funds	180,300
Aboveground storage tank fees	420,700
Cleanup and redevelopment fund	20,467,900
Environmental protection fund	2,085,300
Environmental response fund	4,630,700
Landfill maintenance trust fund	29,300
Public water supply fees	294,300
Refined petroleum fund	39,887,400
Revitalization revolving loan fund	97,300
Strategic water quality initiatives fund	35,000,000
Underground storage tank fees	2,223,800
Water analysis fees	3,147,900
State general fund/general purpose	\$ 0
Sec. 112. INFORMATION TECHNOLOGY	
Information technology services and projects	\$ 8,219,300
GROSS APPROPRIATION	\$ 8,219,300
Appropriated from:	
Interdepartmental grant revenues:	
IDT, laboratory services	98,100
IDG, MDSP	28,400
IDG, MDOT - Michigan transportation fund	61,200
Federal revenues:	
Federal funds	1,698,700
Special revenue funds:	
Aboveground storage tank fees	24,500
Air emissions fees	502,700
Campground fund	13,600
Cleanup and redevelopment fund	608,200
Environmental pollution prevention fund	84,600
Environmental protection fund	11,400
Environmental response fund	317,600
Fees and collections	16,300
Groundwater discharge permit fees	53,200
Hazardous material transportation permit fund	13,500
Land and water permit fees	217,700
Medical waste emergency response fund	10,600
Metallic mining surveillance fee revenue	2,600
Mineral well regulatory fee revenue	10,400
NPDES fees	65,600
Oil and gas regulatory fund	612,000
Orphan well fund	22,500
Public swimming pool fund	22,800
Public utility assessments	13,100
Public water supply fees	201,300
Refined petroleum fund	1,941,500
Sand extraction fee revenue	3,100
Scrap tire regulatory fund	87,000
Septage waste program fund	26,300

	For Fiscal Year Ending Sept. 30, 2013
Sewage sludge land application fees	\$ 43,300
Small business pollution prevention revolving loan fund	8,800
Soil erosion and sedimentation control training fund	4,000
Solid waste management fund - staff account.....	291,500
Stormwater permit fees	58,600
Underground storage tank fees.....	131,400
Waste reduction fee revenue.....	221,600
Wastewater operator training fees	1,000
Water analysis fees	106,300
Water pollution control revolving fund	150,300
Water use reporting fees.....	17,100
State general fund/general purpose	\$ 416,900
Sec. 113. ONE-TIME BASIS ONLY APPROPRIATIONS	
State employee lump-sum payments	\$ 1,549,200
Drinking water revolving fund state match.....	2,500,000
Wetlands program.....	1,500,000
GROSS APPROPRIATION	\$ 5,549,200
Appropriated from:	
Interdepartmental grant revenues:	
Interdepartmental grant revenues.....	48,800
Federal revenues:	
Federal funds	415,700
Special revenue funds:	
Private funds.....	4,200
State restricted revenues	920,400
State general fund/general purpose	\$ 4,160,100

PART 2
PROVISIONS CONCERNING APPROPRIATIONS
FOR FISCAL YEAR 2012-2013

GENERAL SECTIONS

Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state resources under part 1 for fiscal year 2012-2013 is \$260,188,000.00 and state spending from state resources to be paid to local units of government for fiscal year 2012-2013 is \$2,775,000.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:

GRANTS

Noncommunity water grants.....	\$ 2,000,000
Scrap tire grants.	500,000
Septage waste compliance program.	275,000
TOTAL.....	\$ 2,775,000

Sec. 202. The appropriations authorized under this act are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

Sec. 203. As used in this act:

- (a) "Department" means the department of environmental quality.
- (b) "Director" means the director of the department.
- (c) "FTE" means full-time equated.
- (d) "IDG" means interdepartmental grant.
- (e) "IDT" means intradepartmental transfer.
- (f) "MDOT" means the state transportation department.
- (g) "MDSP" means the department of state police.
- (h) "NPDES" means national pollution discharge elimination system.

Sec. 204. The civil service commission shall bill the department and agencies at the end of the first fiscal quarter for the 1% charge authorized by section 5 of article XI of the state constitution of 1963. Payments shall be made for the total amount of the billing by the end of the second fiscal quarter.

Sec. 205. Unless otherwise specified, the department shall use the Internet to fulfill the reporting requirements of this act. This requirement may include transmission of reports via electronic mail to the recipients identified for each reporting requirement, or it may include placement of reports on an Internet or Intranet site.

Sec. 206. Amounts appropriated in part 1 for information technology may be designated as work projects and carried forward to support technology projects under the direction of the department of technology, management, and budget. Funds designated in this manner are not available for expenditure until approved as work projects under section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a.

Sec. 207. The department and agencies receiving appropriations in part 1 shall receive and retain copies of all reports funded from appropriations in part 1. Federal and state guidelines for short-term and long-term retention of records shall be followed. The department may electronically retain copies of reports unless otherwise required by federal and state guidelines.

Sec. 208. From the funds appropriated in part 1 for information technology, departments and agencies shall pay user fees to the department of technology, management, and budget for technology-related services and projects. The user fees shall be subject to provisions of an interagency agreement between the department and agencies and the department of technology, management, and budget.

Sec. 209. The departments and agencies receiving appropriations in part 1 shall prepare a report on out-of-state travel expenses not later than January 1 of each year. The travel report shall be a listing of all travel by classified and unclassified employees outside this state in the immediately preceding fiscal year that was funded in whole or in part with funds appropriated in the department's budget. The report shall be submitted to the house and senate standing committees on appropriations, the house and senate fiscal agencies, and the state budget director. The report shall include the following information:

(a) The dates of each travel occurrence.

(b) The total transportation and related costs of each travel occurrence, including the proportion funded with state general fund/general purpose revenues, the proportion funded with state restricted revenues, the proportion funded with federal revenues, and the proportion funded with other revenues.

Sec. 210. Funds appropriated in part 1 shall not be used for the purchase of foreign goods or services, or both, if competitively priced and of comparable quality American goods or services, or both, are available. Preference shall be given to goods or services, or both, manufactured or provided by Michigan businesses if they are competitively priced and of comparable quality. In addition, preference shall be given to goods or services, or both, that are manufactured or provided by Michigan businesses owned and operated by veterans, if they are competitively priced and of comparable quality.

Sec. 211. The director shall take all reasonable steps to ensure businesses in deprived and depressed communities compete for and perform contracts to provide services or supplies, or both. The director shall strongly encourage firms with which the department contracts to subcontract with certified businesses in depressed and deprived communities for services, supplies, or both.

Sec. 212. The department shall not take disciplinary action against an employee for communicating with a member of the legislature or his or her staff.

Sec. 213. (1) Funds appropriated in part 1 shall not be used by the department to promulgate a rule that will apply to a small business and that will have a disproportionate economic impact on small businesses because of the size of those businesses if the department fails to reduce the disproportionate economic impact of the rule on small businesses as provided under section 40 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.240.

(2) As used in this section:

(a) "Rule" means that term as defined under section 7 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.207.

(b) "Small business" means that term as defined under section 7a of the administrative procedures act of 1969, 1969 PA 306, MCL 24.207a.

Sec. 214. Funds appropriated in part 1 shall not be used by a principal executive department, state agency, or authority to hire a person to provide legal services that are the responsibility of the attorney general. This prohibition does not apply to legal services for bonding activities and for those activities that the attorney general authorizes.

Sec. 215. (1) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$30,000,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this article under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(2) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$5,000,000.00 for state restricted contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this article under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(3) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$100,000.00 for local contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this article under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(4) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$500,000.00 for private contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this article under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

Sec. 216. (1) The department shall report all of the following information relative to allocations made from appropriations for the environmental cleanup and redevelopment program, state cleanup, emergency actions, superfund cleanup, the revitalization revolving loan program, the brownfield grants and loans program, the leaking underground storage tank cleanup

program, the contaminated lake and river sediments cleanup program, the refined petroleum product cleanup program, and the environmental protection bond projects under section 19508(7) of the natural resources and environmental protection act, 1994 PA 451, MCL 324.19508, to the state budget director, the senate and house appropriations subcommittees on environmental quality, and the senate and house fiscal agencies:

- (a) The name and location of the site for which an allocation is made.
 - (b) The nature of the problem encountered at the site.
 - (c) A brief description of how the problem will be resolved if the allocation is made for a response activity.
 - (d) The estimated date that site closure activities will be completed.
 - (e) The amount of the allocation, or the anticipated financing for the site.
 - (f) A summary of the sites and the total amount of funds expended at the sites at the conclusion of the fiscal year.
 - (g) The number of brownfield projects that were successfully redeveloped.
- (2) The report prepared under subsection (1) shall also include all of the following:
- (a) The status of all state-owned facilities that are on the list compiled under part 201 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.20101 to 324.20142.
 - (b) The report shall include the total amount of funds expended during the fiscal year and the total amount of funds awaiting expenditure.
 - (c) The total amount of bonds issued for the environmental protection bond program pursuant to part 193 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.19301 to 324.19306, and bonds issued pursuant to the clean Michigan initiative act, 1998 PA 284, MCL 324.95101 to 324.95108.
- (3) The report shall be made available by March 31 of each year.

Sec. 217. (1) The department may expend amounts remaining from the current and prior fiscal year appropriations to meet funding needs of legislatively approved sites for the environmental cleanup and redevelopment program, the leaking underground storage tank cleanup program, and the refined petroleum product cleanup program.

(2) Unexpended and unencumbered amounts remaining from appropriations from the environmental protection bond fund contained in 1993 PA 353, 2003 PA 173, 2006 PA 343, and 2011 PA 63 are appropriated for expenditure for any site listed in this act and any site listed in the public acts referenced in this section.

(3) Unexpended and unencumbered amounts remaining from appropriations from the cleanup and redevelopment fund contained in 2000 PA 275 and 2002 PA 520 are appropriated for expenditure for any site listed in this act and any site listed in the public acts referenced in this section.

(4) Unexpended and unencumbered amounts remaining from appropriations from the clean Michigan initiative fund - response activities contained in 2000 PA 506, 2001 PA 120, 2004 PA 309, 2004 PA 350, 2005 PA 11, 2006 PA 343, 2007 PA 121, and 2011 PA 63 are appropriated for expenditure for any site listed in this act and any site listed in the public acts referenced in this section.

(5) Unexpended and unencumbered amounts remaining from appropriations from the environmental protection fund contained in 2001 PA 43, 2002 PA 520, and 2003 PA 171 are appropriated for expenditure for any site listed in this act and any site listed in the public acts referenced in this section.

(6) Unexpended and unencumbered amounts remaining from appropriations from the refined petroleum fund activities contained in 2005 PA 154, 2007 PA 121, 2008 PA 247, 2009 PA 118, 2010 PA 189, and 2011 PA 63 are appropriated for expenditure for any site listed in this act and any site listed in the public acts referenced in this section.

(7) Unexpended and unencumbered amounts remaining from the appropriations from the strategic water quality initiatives fund contained in 2011 PA 50 and 2011 PA 63 are appropriated for expenditure for any site listed in this act and any site listed in the public acts referenced in this section.

Sec. 218. It is the intent of the legislature that all principal executive departments and agencies cooperate with the development and implementation of the department of technology, management, and budget statewide office space consolidation plan.

Sec. 219. Unexpended settlement revenues at the end of the fiscal year may be carried forward into the settlement fund in the succeeding fiscal year up to a maximum carryforward of \$2,500,000.00.

Sec. 221. Not later than November 15, the department shall prepare and transmit a report that provides for estimates of the total general fund/general purpose appropriation lapses at the close of the previous fiscal year. This report shall summarize the projected year-end general fund/general purpose appropriation lapses by major departmental program or program areas. The report shall be transmitted to the office of the state budget, the chairpersons of the senate and house of representatives standing committees on appropriations, and the senate and house fiscal agencies.

Sec. 222. Within 14 days after the release of the executive budget recommendation, the department shall provide the state budget director, the senate and house appropriations chairs, the senate and house appropriations subcommittees on environmental quality, respectively, and the senate and house fiscal agencies with an annual report on estimated state restricted fund balances, state restricted fund projected revenues, and state restricted fund expenditures for the fiscal years ending September 30, 2012 and September 30, 2013.

Sec. 223. Part 1 provides authorizations to fund 1,321.5 FTE classified positions during the fiscal year ending September 30, 2013. Line-item appropriations include limitations on the number of payroll hours to be funded, on the basis of 2,088 hours per each FTE position. The department shall report the number of funded FTE positions within 15 days after the effective date of this act. The number of classified employees compensated through each line item is limited by the authorized FTE positions indicated in this act, as adjusted for the number of reported funded FTE positions. The report shall be provided to the house and senate appropriations subcommittees on environmental quality and the house and senate fiscal agencies.

Sec. 224. On a quarterly basis, the department shall report on the number of FTEs in pay status by civil service classification to the senate and house appropriations subcommittees on environmental quality and the senate and house fiscal agencies.

Sec. 225. The department shall maintain a searchable website accessible by the public at no cost that includes, but is not limited to, all of the following:

- (a) Fiscal year-to-date expenditures by category.
- (b) Fiscal year-to-date expenditures by appropriation unit.
- (c) Fiscal year-to-date payments to a selected vendor, including the vendor name, payment date, payment amount, and payment description.
- (d) The number of active department employees by job classification.
- (e) Job specifications and wage rates.

Sec. 227. The department shall provide a report on the implementation of a permit application status tracking tool on the department's public internet website to the house and senate appropriations subcommittees on environmental quality, the standing committees of the house and senate with primary responsibility for environmental quality issues, and the house and senate fiscal agencies by December 31, 2012. This permit application status tracking tool shall allow permit applicants and the general public to track and review pending permit applications. Searchable parameters shall include, but are not limited to, applicant name and address, county of request, date of application, most recent activity, and status of the permit application. The report shall include a list of all actions and program changes taken to implement the tracking tool, the department's plan and timeline for implementation of the tool, and any estimated costs associated with that implementation plan.

Sec. 228. The department shall provide a report on the customer satisfaction evaluation program and the feedback received to the house and senate appropriations subcommittees on environmental quality and the house and senate fiscal agencies by July 1, 2013.

Sec. 229. The department shall provide a report on the expedited permitting program to the house and senate appropriations subcommittees on environmental quality and the house and senate fiscal agencies by July 1, 2013. The report shall include a list of all actions and program changes taken to implement the expedited permitting program, the department's plan and timeline for implementation of the program, and any estimated costs associated with that implementation plan.

Sec. 230. By October 31, 2012, the department shall identify 10 principal measurable outcomes to be affected by expenditure of the funds appropriated in part 1 and submit a report to the house and senate appropriations committees, the house and senate fiscal agencies, and the state budget director that ranks the outcomes by level of importance and contains current data on those outcomes. Beginning on April 1, 2013, the department shall provide biannual updates to the house and senate appropriations committees on changes in those measurable outcomes and departmental efforts to improve the outcomes.

REMEDIATION DIVISION

Sec. 301. Revenues remaining in the interdepartmental transfers, laboratory services at the end of the fiscal year shall carry forward into the succeeding fiscal year.

Sec. 302. The unexpended funds appropriated in part 1 for emergency cleanup actions and the refined petroleum product cleanup program are considered work project appropriations and any unencumbered or unallotted funds are carried forward into the succeeding fiscal year. The following is in compliance with section 451a(1) of the management and budget act, 1984 PA 431, MCL 18.1451a:

- (a) The purpose of the projects to be carried forward is to provide contaminated site cleanup.
- (b) The projects will be accomplished by contract.
- (c) The total estimated cost of all projects is identified in each line-item appropriation.
- (d) The tentative completion date is September 30, 2017.

Sec. 303. Effective October 1, 2012, surplus funds not to exceed \$1,000,000.00 in the cleanup and redevelopment trust fund are appropriated to the environmental protection fund created in section 503a of the natural resources and environmental protection act, 1994 PA 451, MCL 324.503a.

Sec. 304. Effective October 1, 2012, surplus funds not to exceed \$1,000,000.00 in the community pollution prevention fund created in section 3f of 1976 IL 1, MCL 445.573f, are appropriated to the environmental protection fund created in section 503a of the natural resources and environmental protection act, 1994 PA 451, MCL 324.503a.

Sec. 305. It is the intent of the legislature to repay the refined petroleum fund for the \$70,000,000.00 that was transferred to the environmental protection fund created in section 503a of the natural resources and environmental protection act, 1994 PA 451, MCL 324.503a, as part of the resolution for the fiscal year 2006-2007 budget.

Sec. 306. (1) The funds appropriated in part 1 for the refined petroleum product cleanup program shall be used to fund cleanup activities on the following sites:

Site Name	County
Former Tavern and Gas Station	Alcona
Midway Resort Inc	Alger
Country Party Store	Alpena
Hubbard Lake Garage	Alpena
Hubbard Lake General Store	Alpena
Res. Wells Torch Lake Twp.	Antrim
Torch River Pit Stop	Antrim
Freeport Auto Service	Barry
Bud's in Honor	Benzie
Coloma Citgo	Berrien
Nyes Shell Service	Berrien
Randy's Amoco	Berrien
Clark #767 (Marshall)	Calhoun
Clark #768 (Albion)	Calhoun
Clark Service Station #500	Calhoun
Helmer I-94	Calhoun
Korner Krossroads Party Store	Calhoun
Logan's Gas & Deli	Calhoun
Unocal 76, Edwardsburg (Energy Oil)	Cass
Arnold's Bait and Tackle	Charlevoix
J.J.'s General Store	Charlevoix
Northern Oil (former)	Charlevoix
Club Rd Property	Cheboygan
Corner Store	Cheboygan
Ackels Car Care	Clinton
State Road Service	Clinton
D & L Fuels	Eaton
South End Mobil	Eaton
Beckon & Larks Lake Rd.	Emmet
Farmers Petroleum Coop - Petoskey	Emmet
Action Auto #10	Genesee
Central Distributing	Genesee
City of Flint Fire Department	Genesee
Odyssey House, Flint	Genesee
Spartan Express (truck terminal)	Genesee
Tabers Oil Co., Inc.	Genesee
United Cleaners, Inc	Genesee
Watkins & Himelhoch Inc	Genesee
Howard Jameson A+H Racing	Gladwin
Sportsmans Landing	Gladwin
Winegar's Trading Post	Gladwin
4 Corners	Grand Traverse
Stop N Shop	Grand Traverse
Wilson's Grocery	Gratiot
Engelhardt Petroleum, Inc. Gas Station	Huron
Mouch's Auto Sales	Huron
Action Auto Inc	Ingham
Action Auto Store #30	Ingham
Bay Gas Station, 3306 N. East St.	Ingham
Bay Petroleum, S. MLK	Ingham
Bay Petroleum, W. Willow	Ingham
Citgo #7	Ingham
Clark Station #1995	Ingham
Fresh-Up Car Wash	Ingham
Miller Oil Company	Ingham

Don Bessemer/Haight's Garage	Ionina
Bublitz Oil Full Service Oscoda	Iosco
Graham Oil Bulk Plant	Iosco
Firstbank-Winn Branch	Isabella
Clark #501	Jackson
McDonald's Crosstown Service	Kalamazoo
Meijers Thrifty Acres	Kalamazoo
Dutton Mill Properties	Kent
Great Northern Packaging	Kent
Hurley's Lodge	Lake
Church & Sons Gas Station	Lapeer
E.J. Green	Lapeer
Lakeside Resort and Party Store	Leelanau
Blissfield Marathon	Lenawee
Blissfield Vacant Lot	Lenawee
Clark 1457 Adrian	Lenawee
Lakeland Montessori School	Livingston
Leon Bonner Prop	Livingston
The Pit	Livingston
Action Auto (former)	Macomb
Sokana Mobil	Macomb
Red Barn Market	Manistee
Airport Road, 1933 East	Midland
Dutch Hutch	Missaukee
A.N. Russell & Son Inc	Montcalm
R.V. Jensen Inc.	Montcalm
A-1 Party Mart	Montmorency
Mary D's Restaurant	Montmorency
Pointe Bait	Montmorency
Sports Center, Inc.	Montmorency
Strolle Oil	Montmorency
Williams Service Station	Montmorency
Bennett Pump	Muskegon
Bernie's Amoco	Muskegon
Reliable Truck & Crane	Muskegon
Hardy Grocery	Newaygo
Clark #903, Keego Harbor	Oakland
DOC Optical	Oakland
Jenny Enterprises/Wine Basket, Highland	Oakland
South Lyon Service Station Inc	Oakland
Wayne Oakland Oil Company	Oakland
Shady Shores Restaurant	Ogemaw
Andy's Standard	Osceola
Eagle Village	Osceola
Hersey Party Store	Osceola
Neal's Service	Osceola
Tiel Oil Co.	Osceola
Don's Marathon	Oscoda
Charlie's Place	Roscommon
AMCO Group	Sanilac
Sangster property	Sanilac
Frank's Service	Shiawassee
Raymond Ayotte	Shiawassee
Decker Service	St. Joseph
Gagetown Gas and Oil, former	Tuscola
One Stop Party Store	Tuscola
Jimmie's Filling Station	Washtenaw

B & H Food & Gas/Dix-Toledo Petro Mart	Wayne
Cal's Car Care, Incorporated - BTEX	Wayne
City of Detroit - DOT - 14044 Schaefer	Wayne
City of Detroit - DOT - 5600 Wabash St.	Wayne
City of Detroit - DOT - 5800 Russell St.	Wayne
Hail Investments Inc.	Wayne
JJ Curran Crane	Wayne
K & A Gas	Wayne
Master Petroleum	Wayne
Micks Auto	Wayne
Speedy's Gas & Goodies	Wayne

(2) The department shall provide a report to the legislature on the amount actually spent at each site listed in subsection (1) and give a detailed account of the work actually performed at each site.

Sec. 307. For the state fiscal year ending September 30, 2013, there is appropriated from clean Michigan initiative – response activities revenue \$300,000.00 for an engineering study pertaining to the Wickes Manufacturing TCE plume site.

Sec. 309. The funds appropriated in part 1 for the brownfield grants and loans program are considered work project appropriations, and any unencumbered or unallotted funds are carried forward into the succeeding fiscal year. The following is in compliance with section 451a(1) of the management and budget act, 1984 PA 431, MCL 18.1451a:

- (a) The purpose of the projects is to provide contaminated site cleanup.
- (b) The projects will be accomplished by contract.
- (c) The total estimated cost of all projects is \$5,000,000.00.
- (d) The tentative completion date is September 30, 2017.

Sec. 310. (1) Upon approval by the state budget director, the department may expend from the general fund of the state an amount to meet the cash-flow requirements of projects funded under any of the following that are financed from bond proceeds and for which bonds have been authorized but not yet issued:

- (a) Part 52 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.5201 to 324.5206.
- (b) Part 193 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.19301 to 324.19306.
- (c) Part 196 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.19601 to 324.19616.

(2) Upon the sale of bonds for projects described in subsection (1), the department shall credit the general fund of the state an amount equal to that expended from the general fund.

WATER RESOURCES DIVISION

Sec. 401. From the funds appropriated in part 1 for surface water, not less than \$700,000.00 and 5.0 FTEs shall be allocated to support the aquatic nuisance control program. The department shall report to the house and senate appropriations subcommittees on environmental quality and the house and senate fiscal agencies by September 30, 2013 on the use of this funding and the number of permit applications processed by the program in 2013.

Sec. 402. From the funds appropriated in part 1, the department shall fund a groundwater dispute resolution process in such a manner that maintains a strategically selected dispute resolution process given funds available. The department may utilize any and all available resources in providing this process and shall report to the legislature on the need for additional funds.

Sec. 403. From the funds appropriated in part 1, the department shall support funding for the aquatic invasive species advisory council to provide recommendations to appropriate parties and bodies for a basin-wide approach to managing invasive species.

Sec. 405. If a certified health department does not exist in a city, county, or district or does not fulfill its responsibilities under part 117 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.11701 to 324.11720, then the department may spend funds appropriated in part 1 under the septage waste compliance program in accordance with section 11716 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.11716.

RESOURCE MANAGEMENT DIVISION

Sec. 601. (1) The department shall provide a report on the state's solid waste policy that includes the department's plan for long-term funding for the solid waste management program and all actions and program changes taken, including progress on the feasibility of contracting out landfill inspections, to implement the recommendations of the June 30, 2012 report to the legislature required by section 601 of article VII of 2011 PA 63.

(2) The department shall provide the report prepared under subsection (1) to the state budget director, the house and senate appropriations subcommittees on environmental quality, and the house and senate fiscal agencies by June 30, 2013.

Sec. 602. (1) The department is encouraged to use available pollution prevention funds and work with local public health departments, the department of agriculture and rural development, and the United States department of agriculture to maintain and expand programs for the safe disposal of hazardous household chemicals and prescription drugs.

(2) The department shall report to the house and senate appropriations subcommittees on environmental quality and the house and senate fiscal agencies by March 1, 2013 on clean sweep locations in this state and on factors affecting program success and expansion including funding requirements.

PART 2A
PROVISIONS CONCERNING ANTICIPATED APPROPRIATIONS
FOR FISCAL YEAR 2013-2014

GENERAL SECTIONS

Sec. 1201. It is the intent of the legislature to provide appropriations for the fiscal year ending on September 30, 2014 for the line items listed in part 1. The fiscal year 2013-2014 appropriations are anticipated to be the same as those for fiscal year 2012-2013, except that the line items will be adjusted for changes in caseload and related costs, federal fund match rates, economic factors, and available revenue. These adjustments will be determined after the January 2013 consensus revenue estimating conference.

Third: That the Senate and House agree to the title of the bill to read as follows:

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2013; and to provide for the expenditure of the appropriations.

Mike Green
Roger Kahn
Hoon-Yung Hopgood
Conferees for the Senate

Eileen Kowall
Jon Bumstead
Sean McCann
Conferees for the House

The question being on the adoption of the conference report,

The first conference report was adopted, a majority of the members serving voting therefor, as follows:

Roll Call No. 387

Yeas—25

Booher	Hildenbrand	Marleau	Proos
Casperson	Hopgood	Meekhof	Richardville
Caswell	Jansen	Moolenaar	Robertson
Colbeck	Jones	Nofs	Rocca
Emmons	Kahn	Pappageorge	Schuitmaker
Gleason	Kowall	Pavlov	Walker
Green			

Nays—10

Anderson	Gregory	Smith	Whitmer
Bieda	Hood	Warren	Young
Brandenburg	Hune		

Excused—3

Hansen	Hunter	Johnson
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Not Voting—0

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect, The recommendation was not concurred in, 2/3 of the members serving not voting therefor.

Senator Green submitted the following:

FIRST CONFERENCE REPORT

The Committee of Conference on the matters of difference between the two Houses concerning **Senate Bill No. 960, entitled**

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 2013; and to provide for the expenditure of the appropriations.

Recommends:

First: That the House recede from the Substitute of the House as passed by the House.

Second: That the Senate and House agree to the Substitute of the Senate as passed by the Senate, amended to read as follows:

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 2013; and to provide for the expenditure of the appropriations.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. There is appropriated for the department of natural resources for the fiscal year ending September 30, 2013, from the following funds:

DEPARTMENT OF NATURAL RESOURCES

APPROPRIATION SUMMARY

Full-time equated unclassified positions.....	6.0	
Full-time equated classified positions	2,093.8	
GROSS APPROPRIATION		\$ 337,882,800
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		2,027,200
ADJUSTED GROSS APPROPRIATION		\$ 335,855,600
Federal revenues:		
Total federal revenues.....		66,524,800
Special revenue funds:		
Total private revenues.....		7,239,200
Total other state restricted revenues		242,353,700
State general fund/general purpose		\$ 19,737,900
State general fund/general purpose schedule:		
Ongoing state general fund/general purpose	17,641,700	
One-time state general fund/general purpose	2,096,200	

FUND SOURCE SUMMARY

Full-time equated unclassified positions.....	6.0	
Full-time equated classified positions	2,093.8	
GROSS APPROPRIATION		\$ 337,882,800
Interdepartmental grant revenues:		
IDG, land acquisition services to work orders.....		436,500
IDG, MacMullan conference center revenue.....		1,579,400
Interdepartmental grant revenues.....		11,300
Total interdepartmental grants and intradepartmental transfers		2,027,200
ADJUSTED GROSS APPROPRIATION		\$ 335,855,600
Federal revenues:		
Federal funds		66,524,800
Total federal revenues.....		66,524,800
Special revenue funds:		
Private funds.....		7,206,600
Private - Mann house trust fund.....		32,600
Total private revenues.....		7,239,200
Aircraft fees.....		301,400
Cervidae licensing and inspection fees		132,300
Clean Michigan initiative fund.....		28,200
Commercial forest fund.....		52,100
Forest development fund		36,205,200

	For Fiscal Year Ending Sept. 30, 2013
Forest land user charges	\$ 574,800
Forest recreation account.....	2,176,000
Game and fish protection fund.....	63,397,200
Game and fish protection fund - deer habitat reserve	2,579,100
Game and fish protection fund - fisheries settlement	934,800
Game and fish protection fund - turkey permit fees	1,651,100
Game and fish protection fund - waterfowl fees.....	116,800
Game and fish - wildlife resource protection fund	1,142,400
Game and fish protection fund - youth hunting and fishing education and outreach fund.....	57,100
History fees fund.....	311,400
Land exchange facilitation fund.....	5,876,600
Local public recreation facilities fund.....	858,400
Mackinac Island state park fund	1,784,400
Mackinac Island state park operation fund	187,500
Marine safety fund	3,991,900
Michigan heritage publications fund	52,200
Michigan natural resources trust fund.....	1,217,300
Michigan state parks endowment fund.....	27,221,100
Michigan state waterways fund.....	20,334,400
Michigan trailways fund.....	25,600
Museum operations fund	575,100
Nongame wildlife fund.....	687,400
Off-road vehicle safety education fund	317,800
Off-road vehicle trail improvement fund.....	3,635,500
Park improvement fund	43,090,100
Permanent snowmobile trail easement fund.....	700,000
Public use and replacement deed fees.....	52,400
Recreation improvement account	1,276,700
Recreation passport fees.....	7,853,900
Snowmobile registration fee revenue	1,665,700
Snowmobile trail improvement fund	9,750,400
Sportsmen against hunger fund.....	30,300
State restricted revenues	1,509,100
Total other state restricted revenues	242,353,700
State general fund/general purpose	\$ 19,737,900
Sec. 102. EXECUTIVE OPERATIONS	
Full-time equated unclassified positions.....	6.0
Full-time equated classified positions	11.6
Natural resources commission.....	\$ 77,100
Unclassified salaries—6.0 FTE positions.....	700,000
Executive direction—11.6 FTE positions.....	2,038,900
GROSS APPROPRIATION	\$ 2,816,000
Appropriated from:	
Special revenue funds:	
Forest development fund	395,800
Forest land user charges	7,900
Forest recreation account.....	14,700
Game and fish protection fund.....	1,173,400
Game and fish protection fund - deer habitat reserve	31,100
Game and fish protection fund - turkey permit fees	18,500
Game and fish protection fund - waterfowl fees.....	200
Game and fish protection fund - wildlife resource protection fund.....	14,600
Land exchange facilitation fund.....	16,400

	For Fiscal Year Ending Sept. 30, 2013
Marine safety fund	\$ 27,200
Michigan natural resources trust fund.....	1,400
Michigan state parks endowment fund.....	151,700
Michigan state waterways fund.....	179,300
Nongame wildlife fund.....	5,200
Off-road vehicle trail improvement fund.....	43,500
Park improvement fund	426,400
Recreation improvement account	3,500
Snowmobile registration fee revenue	12,100
Snowmobile trail improvement fund	27,100
Sportsmen against hunger fund	100
State general fund/general purpose	\$ 265,900
Sec. 103. DEPARTMENT INITIATIVES	
Great Lakes restoration initiative	\$ 5,500,000
Summer youth initiative	3,000,000
GROSS APPROPRIATION	\$ 8,500,000
Appropriated from:	
Federal revenues:	
Federal funds	5,500,000
State general fund/general purpose	\$ 3,000,000
Sec. 104. DEPARTMENT SUPPORT SERVICES	
Full-time equated classified positions	99.5
Finance and operations—95.5 FTE positions.....	\$ 15,640,600
Accounting service center	1,377,100
Legal services—4.0 FTE positions.....	556,300
Building occupancy charges	2,961,900
Rent - privately owned property.....	488,400
Gifts and bequests	5,000,000
GROSS APPROPRIATION	\$ 26,024,300
Appropriated from:	
Interdepartmental grant revenues:	
IDG, land acquisition services to work orders.....	436,500
Federal revenues:	
Federal funds	225,500
Special revenue funds:	
Private funds.....	5,000,000
Clean Michigan initiative fund.....	28,200
Commercial forest fund.....	100
Forest development fund	2,633,900
Forest land user charges	26,000
Forest recreation account.....	45,000
Game and fish protection fund.....	4,863,500
Game and fish protection fund - deer habitat reserve	242,200
Game and fish protection fund - turkey permit fees	156,800
Game and fish protection fund - waterfowl fees.....	800
Game and fish protection fund - wildlife resource protection fund.....	33,100
Game and fish protection fund - youth hunting and fishing education and outreach fund.....	100
Land exchange facilitation fund	5,749,500
Local public recreation facilities fund.....	87,100
Marine safety fund	352,900
Michigan natural resources trust fund.....	1,194,900
Michigan state parks endowment fund.....	453,900
Michigan state waterways fund.....	534,000
Nongame wildlife fund.....	16,200
Off-road vehicle trail improvement fund.....	38,300

	For Fiscal Year Ending Sept. 30, 2013
Park improvement fund	\$ 1,161,000
Public use and replacement deed fees	52,400
Recreation improvement account	17,000
Snowmobile registration fee revenue	62,600
Snowmobile trail improvement fund	196,600
Sportsmen against hunger.....	400
State general fund/general purpose	\$ 2,415,800
Sec. 105. COMMUNICATION AND CUSTOMER SERVICES	
Full-time equated classified positions	127.3
Marketing and outreach—77.3 FTE positions.....	\$ 13,408,300
Michigan historical center—35.0 FTE positions.....	3,700,600
Archives—8.0 FTE positions	837,100
Museum stores—6.0 FTE positions	575,100
Special programs (Mann house)—1.0 FTE positions.....	43,100
GROSS APPROPRIATION	\$ 18,564,200
Appropriated from:	
Federal revenues:	
Federal funds	2,068,400
Special revenue funds:	
Private funds.....	377,300
Private - Mann house trust fund.....	32,600
Forest development fund	126,900
Forest recreation account.....	15,900
Game and fish protection fund.....	8,212,400
Game and fish protection fund - youth hunting and fishing education and outreach fund.....	51,600
History fees fund.....	311,400
Land exchange facilitation fund.....	44,200
Marine safety fund	34,100
Michigan heritage publications fund	52,200
Michigan state parks endowment fund.....	85,400
Michigan state waterways fund.....	140,900
Museum operations fund	575,100
Nongame wildlife fund.....	10,400
Off-road vehicle safety education fund.....	56,000
Off-road vehicle trail improvement fund.....	19,600
Park improvement fund	2,491,900
Recreation passport fees	22,800
Snowmobile registration fee revenue	60,500
Snowmobile trail improvement fund	43,500
Sportsmen against hunger fund.....	29,200
State general fund/general purpose	\$ 3,701,900
Sec. 106. WILDLIFE MANAGEMENT	
Full-time equated classified positions	205.5
Wildlife management—196.5 FTE positions	\$ 29,547,700
Natural resources heritage—9.0 FTE positions.....	1,145,700
State game and wildlife area maintenance	750,000
GROSS APPROPRIATION	\$ 31,443,400
Appropriated from:	
Federal revenues:	
Federal funds	15,964,400
Special revenue funds:	
Private funds.....	180,800
Cervidae licensing and inspection fees	81,600

	For Fiscal Year Ending Sept. 30, 2013
Forest development fund	\$ 74,300
Game and fish protection fund	9,264,600
Game and fish protection fund - deer habitat reserve	2,130,000
Game and fish protection fund - turkey permit fees	1,387,300
Game and fish protection fund - waterfowl fees	113,600
Nongame wildlife fund	611,600
State general fund/general purpose	\$ 1,635,200
Sec. 107. FISHERIES MANAGEMENT	
Full-time equated classified positions	210.0
Aquatic resource mitigation—2.0 FTE positions	\$ 934,800
Fish production—58.0 FTE positions	9,115,000
Fisheries resource management—150.0 FTE positions	19,074,800
Cormorant population mitigation program	100,000
GROSS APPROPRIATION	\$ 29,224,600
Appropriated from:	
Federal revenues:	
Federal funds	11,105,800
Special revenue funds:	
Private funds	129,200
Game and fish protection fund	16,954,800
Game and fish protection fund - fisheries settlement	934,800
State general fund/general purpose	\$ 100,000
Sec. 108. LAW ENFORCEMENT	
Full-time equated classified positions	215.0
General law enforcement—215.0 FTE positions	\$ 29,018,100
GROSS APPROPRIATION	\$ 29,018,100
Appropriated from:	
Federal revenues:	
Federal funds	5,634,100
Special revenue funds:	
Cervidae licensing and inspection fees	50,700
Forest development fund	42,900
Forest recreation account	68,800
Game and fish protection fund	17,308,600
Game and fish protection fund - wildlife resource protection fund	1,044,900
Marine safety fund	1,513,000
Michigan state parks endowment fund	67,500
Michigan state waterways fund	20,300
Off-road vehicle safety education fund	92,300
Off-road vehicle trail improvement fund	959,000
Park improvement fund	68,800
Snowmobile registration fee revenue	861,800
State general fund/general purpose	\$ 1,285,400
Sec. 109. PARKS AND RECREATION DIVISION	
Full-time equated classified positions	877.9
MacMullan conference center—15.0 FTE positions	\$ 1,579,400
Recreational boating—163.5 FTE positions	16,550,100
State parks—651.4 FTE positions	56,330,000
Forest recreation—48.0 FTE positions	5,553,300
State parks improvement revenue bonds - debt service	1,157,000
GROSS APPROPRIATION	\$ 81,169,800
Appropriated from:	
Interdepartmental grant revenues:	
IDG, MacMullan conference center revenue	1,579,400

	For Fiscal Year Ending Sept. 30, 2013
Federal revenues:	
Federal funds	\$ 3,145,300
Special revenue funds:	
Forest recreation account.....	1,977,600
Private funds.....	405,800
Michigan state parks endowment fund.....	18,757,200
Michigan state waterways fund.....	13,992,800
Michigan trailways fund.....	25,500
Off-road vehicle safety education fund.....	7,100
Off-road vehicle trail improvement fund.....	814,400
Park improvement fund.....	37,733,100
Recreation improvement account.....	317,500
Recreation passport fees.....	258,300
Snowmobile registration fee revenue.....	15,000
Snowmobile trail improvement fund.....	1,874,800
State general fund/general purpose.....	\$ 266,000
Sec. 110. MACKINAC ISLAND STATE PARK COMMISSION	
Full-time equated classified positions.....	15.0
Historical facilities system—13.0 FTE positions.....	\$ 1,784,400
Mackinac Island state park operations—2.0 FTE positions.....	187,500
GROSS APPROPRIATION.....	\$ 1,971,900
Appropriated from:	
Special revenue funds:	
Mackinac Island state park fund.....	1,784,400
Mackinac Island state park operation fund.....	187,500
State general fund/general purpose.....	\$ 0
Sec. 111. FOREST RESOURCES DIVISION	
Full-time equated classified positions.....	332.0
Adopt-a-forest program.....	\$ 25,000
Cooperative resource programs—10.0 FTE positions.....	1,207,300
Forest management and timber market development—177.0 FTE positions.....	25,353,900
Forest fire equipment.....	431,500
Wildfire protection—110.0 FTE positions.....	12,753,700
Forest management initiatives—10.0 FTE positions.....	987,600
Minerals management—25.0 FTE positions.....	3,200,200
GROSS APPROPRIATION.....	\$ 43,959,200
Appropriated from:	
Federal revenues:	
Federal funds.....	2,987,500
Special revenue funds:	
Private funds.....	998,000
Aircraft fees.....	301,400
Commercial forest fund.....	47,500
Forest development fund.....	31,268,700
Forest land user charges.....	486,500
Game and fish protection fund.....	1,808,300
Michigan state parks endowment fund.....	2,507,300
Michigan state waterways fund.....	48,000
State general fund/general purpose.....	\$ 3,506,000
Sec. 112. GRANTS	
Dam management grant program.....	\$ 350,000
Deer habitat improvement partnership initiative.....	50,000
Federal - clean vessel act grants.....	400,000
Federal - forest stewardship grants.....	3,125,000

	For Fiscal Year Ending Sept. 30, 2013
Federal - land and water conservation fund payments.....	\$ 2,566,900
Federal - rural community fire protection.....	300,000
Federal - urban forestry grants.....	3,024,000
Game and nongame wildlife fund grants.....	8,900
Grants to communities - federal oil, gas, and timber payments.....	3,450,000
Grant to counties - marine safety.....	3,647,400
National recreational trails.....	3,900,000
Off-road vehicle safety training grants.....	150,000
Off-road vehicle trail improvement grants.....	1,742,200
Recreation improvement fund grants.....	918,900
Recreation passport local grants.....	771,300
Snowmobile law enforcement grants.....	604,800
Snowmobile local grants program.....	7,489,400
Trail easements.....	700,000
GROSS APPROPRIATION	\$ 33,198,800
Appropriated from:	
Federal revenues:	
Federal funds.....	18,333,300
Special revenue funds:	
Private funds.....	100,000
Game and fish protection fund - deer habitat reserve.....	50,000
Local public recreation facilities fund.....	771,300
Marine safety fund.....	1,980,000
Nongame wildlife fund.....	8,900
Off-road vehicle safety education fund.....	150,000
Off-road vehicle trail improvement fund.....	1,742,200
Permanent snowmobile trail easement fund.....	700,000
Recreation improvement account.....	918,900
Snowmobile registration fee revenue.....	604,800
Snowmobile trail improvement fund.....	7,489,400
State general fund/general purpose.....	\$ 350,000
Sec. 113. INFORMATION TECHNOLOGY	
Information technology services and projects.....	\$ 9,723,400
GROSS APPROPRIATION	\$ 9,723,400
Appropriated from:	
Special revenue funds:	
Commercial forest fund.....	4,500
Forest development fund.....	1,662,700
Forest land user charges.....	54,400
Forest recreation account.....	54,000
Game and fish protection fund.....	3,811,600
Game and fish protection fund - deer habitat reserve.....	125,800
Game and fish protection fund - turkey permit fees.....	88,500
Game and fish protection fund - waterfowl fees.....	2,200
Game and fish protection fund - wildlife resource protection fund.....	49,800
Game and fish protection fund - youth hunting and fishing education and outreach fund.....	5,400
Land exchange facilitation fund.....	66,500
Marine safety fund.....	84,700
Michigan natural resources trust fund.....	21,000
Michigan state parks endowment fund.....	645,000
Michigan state waterways fund.....	468,500
Michigan trailways fund.....	100
Nongame wildlife fund.....	35,100

	For Fiscal Year Ending Sept. 30, 2013
Off-road vehicle safety education fund	\$ 12,400
Off-road vehicle trail improvement fund.....	18,500
Park improvement fund	1,208,900
Recreation improvement account	19,800
Snowmobile registration fee revenue	48,900
Snowmobile trail improvement fund.....	119,000
Sportsmen against hunger fund	600
State general fund/general purpose	\$ 1,115,500
Sec. 114. CAPITAL OUTLAY	
(a) STATE PARK AND FOREST AREA IMPROVEMENTS	
State parks repair and maintenance.....	\$ 12,125,900
GROSS APPROPRIATION.....	\$ 12,125,900
Appropriated from:	
Federal revenues:	
Special revenue funds:	
Michigan state parks endowment fund.....	4,553,100
Recreation passport fees.....	7,572,800
State general fund/general purpose	\$ 0
(b) WATERWAYS BOATING PROGRAM	
Infrastructure improvements - local projects.....	\$ 737,000
Boating program, state boating access projects:	
State infrastructure improvement and land acquisition	2,091,400
Port Austin state harbor, Huron County, dredging, utilities, and replacement of docks and piers, phase III (total authorized cost is increased from \$5,000,000 to \$7,283,600; federal share \$1,100,000; state share is increased from \$3,900,000 to \$6,183,600)	2,283,600
Presque Isle, Marquette County, removal and reconstruction of boat launch, phase I (total authorized cost is \$402,400; state share is \$201,200; local share is \$201,200).....	201,200
Munising, Alger County, east breakwall extension, phase I (total authorized cost is \$874,800; state share is \$437,400; local share is \$437,400)	437,400
Boating program, harbors and docks, state facilities:	
Boating program, harbors and docks, local facilities:	
Manistique, Schoolcraft County, floating docks, and replacement of bin-walls, phase II (total authorized cost is increased from \$1,660,000 to \$2,660,000; state share is increased from \$830,000 to \$1,330,000; local share is increased from \$830,000 to \$1,330,000)	500,000
GROSS APPROPRIATION	\$ 6,250,600
Appropriated from:	
Federal revenues:	
Federal funds	1,300,000
Special revenue funds:	
Michigan state waterways fund.....	4,950,600
State general fund/general purpose	\$ 0
Sec. 115. ONE-TIME BASIS ONLY APPROPRIATIONS	
State employee lump-sum payments	\$ 1,892,600
Dam management program.....	2,000,000
GROSS APPROPRIATION	\$ 3,892,600
Appropriated from:	
Interdepartmental grant revenues:	
Interdepartmental grant revenues.....	11,300
Federal revenues:	
Federal funds	260,500
Special revenue funds	
Private funds.....	15,500
State restricted revenues	1,509,100
State general fund/general purpose	\$ 2,096,200

PART 2
PROVISIONS CONCERNING APPROPRIATIONS
FOR FISCAL YEAR 2012-2013

GENERAL SECTIONS

Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state resources under part 1 for fiscal year 2012-2013 is \$262,091,600.00 and state spending from state resources to be paid to local units of government for fiscal year 2012-2013 is \$5,921,100.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:

DEPARTMENT OF NATURAL RESOURCES

GRANTS

Dam management grant program	\$ 175,000
Grants to counties – marine safety	1,980,000
Off-road vehicle safety training grants.....	150,000
Off-road vehicle trail improvement grants	272,500
Recreation improvement fund grants.....	91,900
Recreation passport local grants.....	771,300
Snowmobile law enforcement grants.....	604,800

CAPITAL OUTLAY

Waterways boating program	\$ 1,875,600
TOTAL	\$ 5,921,100

Sec. 202. The appropriations authorized under this act are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

Sec. 203. As used in this act:

- (a) "Commission" means the natural resources commission.
- (b) "Department" means the department of natural resources.
- (c) "FTE" means full-time equated.
- (d) "IDG" means interdepartmental grant.
- (e) "IDT" means intradepartmental transfer.

Sec. 204. The civil service commission shall bill the department and agencies at the end of the first fiscal quarter for the 1% charge authorized by section 5 of article XI of the state constitution of 1963. Payments shall be made for the total amount of the billing by the end of the second fiscal quarter.

Sec. 205. Unless otherwise specified, the department shall use the Internet to fulfill the reporting requirements of this act. This requirement may include transmission of reports via electronic mail to the recipients identified for each reporting requirement, or it may include placement of reports on an Internet or Intranet site.

Sec. 206. Appropriations of state restricted game and fish protection funds have been made in the following amounts to the following departments and agencies in their respective appropriation acts:

Legislative auditor general	\$ 25,800
Attorney general	838,000
Department of technology, management, and budget	475,400
Department of treasury	1,205,500

Sec. 207. Pursuant to section 43703(3) of the natural resources and environmental protection act, 1994 PA 451, MCL 324.43703, there is appropriated from the game and fish protection trust fund to the game and fish protection account of the Michigan conservation and recreation legacy fund, \$6,000,000.00 for the fiscal year ending September 30, 2013.

Sec. 208. From the funds appropriated in part 1 for information technology, departments and agencies shall pay user fees to the department of technology, management, and budget for technology-related services and projects. The user fees shall be subject to provisions of an interagency agreement between the department and agencies and the department of technology, management, and budget.

Sec. 210. Funds appropriated in part 1 shall not be used for the purchase of foreign goods or services, or both, if competitively priced and of comparable quality American goods or services, or both, are available. Preference shall be given to goods or services, or both, manufactured or provided by Michigan businesses if they are competitively priced and of comparable quality. In addition, preference should be given to goods or services, or both, that are manufactured or provided by Michigan businesses owned and operated by veterans, if they are competitively priced and of comparable quality.

Sec. 211. The director of the department shall take all reasonable steps to ensure businesses in deprived and depressed communities compete for and perform contracts to provide services or supplies, or both. The director shall strongly encourage firms with which the department contracts to subcontract with certified businesses in depressed and deprived communities for services, supplies, or both.

Sec. 212. The department shall not take disciplinary action against an employee for communicating with a member of the legislature or his or her staff.

Sec. 214. Funds appropriated in part 1 shall not be used by a principal executive department, state agency, or authority to hire a person to provide legal services that are the responsibility of the attorney general. This prohibition does not apply to legal services for bonding activities and for those outside services that the attorney general authorizes.

Sec. 215. (1) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$3,000,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(2) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$10,000,000.00 for state restricted contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(3) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$100,000.00 for local contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(4) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$1,000,000.00 for private contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

Sec. 216. Amounts appropriated in part 1 for information technology may be designated as work projects and carried forward to support technology projects under the direction of the department of technology, management, and budget. Funds designated in this manner are not available for expenditure until approved as work projects under section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a.

Sec. 217. The department and agencies receiving appropriations in part 1 shall receive and retain copies of all reports funded from appropriations in part 1. Federal and state guidelines for short-term and long-term retention of records shall be followed. The department may electronically retain copies of reports unless otherwise required by federal and state guidelines.

Sec. 218. The departments and agencies receiving appropriations in part 1 shall prepare a report on out-of-state travel expenses not later than January 1 of each year. The travel report shall be a listing of all travel by classified and unclassified employees outside this state in the immediately preceding fiscal year that was funded in whole or in part with funds appropriated in the department's budget. The report shall be submitted to the house and senate standing committees on appropriations, the house and senate fiscal agencies, and the state budget director. The report shall include the following information:

(a) The dates of each travel occurrence.

(b) The total transportation and related costs of each travel occurrence, including the proportion funded with state general fund/general purpose revenues, the proportion funded with state restricted revenues, the proportion funded with federal revenues, and the proportion funded with other revenues.

Sec. 219. It is the intent of the legislature that all principal executive departments and agencies cooperate with the development and implementation of the department of technology, management, and budget statewide office space consolidation plan.

Sec. 220. Not later than November 15, the department shall prepare and transmit a report that provides for estimates of the total general fund/general purpose appropriation lapses at the close of the fiscal year. This report shall summarize the projected year-end general fund/general purpose appropriation lapses by major departmental program or program areas. The report shall be transmitted to the office of the state budget, the chairpersons of the senate and house of representatives standing committees on appropriations, and the senate and house fiscal agencies.

Sec. 222. Within 14 days after the release of the executive budget recommendation, the department shall provide the state budget director, the senate and house appropriations chairs, the senate and house appropriations subcommittees on natural resources, respectively, and the senate and house fiscal agencies with an annual report on estimated state restricted fund balances, state restricted fund projected revenues, and state restricted fund expenditures for the fiscal years ending September 30, 2012 and September 30, 2013.

Sec. 223. Before January 31, 2013, the department, in cooperation with the Michigan state waterways commission, shall provide to the state budget director, the senate and house appropriations subcommittees on natural resources, and the senate and house fiscal agencies a list of projects completed by the commission in fiscal year 2011-2012, including the county and municipality in which each project is located.

Sec. 230. By October 31, 2012, the department shall identify 10 principal measurable outcomes to be affected by expenditure of the funds appropriated in part 1 of this act and submit a report to the house and senate appropriations committees, the house and senate fiscal agencies, and the state budget director that ranks the outcomes by level of importance and contains current data on those outcomes. Beginning on April 1, 2013, the department shall provide biannual updates to the house and senate appropriations committees on changes in those measurable outcomes and departmental efforts to improve the outcomes.

Sec. 233. On a quarterly basis, the department shall report on the number of FTEs in pay status by civil service classification to the senate and house appropriations subcommittees on natural resources and environment and the senate and house fiscal agencies.

Sec. 234. The department shall maintain a searchable website accessible by the public at no cost that includes, but is not limited to, all of the following:

(a) Fiscal year-to-date expenditures by category.

- (b) Fiscal year-to-date expenditures by appropriation unit.
- (c) Fiscal year-to-date payments to a selected vendor, including the vendor name, payment date, payment amount, and payment description.
- (d) The number of active department employees by job classification.
- (e) Job specifications and wage rates.

DEPARTMENT SUPPORT SERVICES

Sec. 302. The department may charge land acquisition projects appropriated for the fiscal year ending September 30, 2013, and for prior fiscal years, a standard percentage fee to recover actual costs, and may use the revenue derived to support the land acquisition service charges provided for in part 1.

Sec. 303. As appropriated in part 1, the department may charge both application fees and transaction fees related to the exchange or sale of state-owned land or rights in land authorized by part 21 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.2101 to 324.2162. The fees shall be set by the director of the department at a rate which allows the department to recover its costs for providing these services.

COMMUNICATION AND CUSTOMER SERVICES

Sec. 404. For the purposes of administering the museum store as provided in section 7a of 1913 PA 271, MCL 399.7a, the department is exempt from section 261 of the management and budget act, 1984 PA 431, MCL 18.1261.

Sec. 405. As appropriated in part 1, proceeds in excess of costs incurred in the conduct of auctions, sales, or transfers of artifacts no longer considered suitable for the collections of the state historical museum may be expended upon receipt for additional material for the collection. The department shall notify the chairpersons, vice chairpersons, and minority vice chairpersons of the senate and house appropriations subcommittees on natural resources 1 week prior to any auctions or sales. Any unexpended funds may be carried forward into the next succeeding fiscal year.

Sec. 406. As appropriated in part 1, funds collected by the department for historical markers; document reproduction and services; conferences, admissions, workshops, and training classes; and the use of specialized equipment, facilities, exhibits, collections, and software shall be used for expenses necessary to provide the required services. The department may charge fees for the aforementioned services, including admission fees. It is the intent of the legislature that if sufficient revenues are available, as a condition of the expenditure of revenue from admission fees to the Michigan historical museum, admission to the museum shall be free for children under 18 years of age. The department may accept voluntary admissions contributions of \$2.00 for children under 18 years of age. Any unexpended funds may be carried forward into the next succeeding fiscal year.

Sec. 408. By October 21, 2012, the department shall submit to the senate and house appropriations subcommittees on natural resources a report on all land transactions approved by the commission in the fiscal year ending September 30, 2012. For each land transaction, the report shall include the size of the parcel, the county and municipality in which the parcel is located, the dollar amount of the transaction, the fund source affected by the transaction, and whether the transaction is by purchase, public auction, transfer, exchange, or conveyance.

Sec. 409. By January 1, 2013, the department shall produce a report identifying active oil and gas leases entered into before July 1995 which are larger than 160 acres in size and where the acreage held in a producing unit is less than or equal to 1/4 of the total lease acreage.

WILDLIFE DIVISION

Sec. 503. From the funds appropriated in part 1, the department shall produce a report detailing any efforts undertaken to enforce the invasive species order on swine raised under the husbandry of residents of this state. The report shall include fund sources used and the amount of expenditures and shall be submitted to the legislature by December 31, 2012.

Sec. 504. From the funds appropriated in part 1, the department shall provide a report to the legislature on the use of registration fees collected from privately owned cervid operations. Appropriations in part 1 from cervidae licensing and inspection fees shall not be used for anything other than work directly related to the regulation of privately owned cervids in this state.

FISHERIES DIVISION

Sec. 601. (1) From the appropriation in part 1 for aquatic resource mitigation, not more than \$758,000.00 shall be allocated for grants to watershed councils, resource development councils, soil conservation districts, local governmental units, and other nonprofit organizations for stream habitat stabilization and soil erosion control.

(2) The fisheries division in the department shall develop priority and cost estimates for all projects recommended for grants under subsection (1).

Sec. 602. As a condition of expenditure of fisheries management appropriations under part 1, the department of natural resources shall not impede the certification process for water control structures on Michigan waterways. The department of natural resources shall fund from funds appropriated in part 1 all non-water-quality studies or requirements that the department requests of either of the following:

(a) The department of environmental quality as a condition for issuance of a certification under section 401 of the federal water pollution control act, 33 USC 1341.

(b) The federal energy regulatory commission as a condition of licensing under the federal power act, 16 USC 791a to 825r.

Sec. 603. The department shall provide a quarterly report to the legislature on use of funding provided for cormorant management. The department shall use general fund/general purpose revenue for this purpose and submit revenue appropriated in this act for cormorant management to the United States department of agriculture animal and plant health inspection service to allow for increased taking of cormorants and their nests.

PARKS AND RECREATION DIVISION

Sec. 702. The department shall notify the house and senate appropriations subcommittees on natural resources and the house and senate fiscal agencies if it intends to reduce operations or reduce recreation opportunities in any state park or recreation area.

FOREST RESOURCES DIVISION

Sec. 801. In addition to the funds appropriated in part 1, \$350,000.00 is appropriated to the department to cover costs related to any declared emergency involving the collapse of any abandoned mine shaft located on state land. This appropriation shall not be expended unless the state budget director recommends the expenditure and the department notifies the house and senate committees on appropriations.

Sec. 802. Of the funds appropriated in part 1, the department shall, subject to the forest certification process, prescribe treatment on 79,000 acres, prepare appropriate treatment for not less than 67,500 acres at the current average rate of 12.5 to 15 cords per acre, and offer those cords for sale in the 2012-2013 fiscal year, provided that the department shall take into consideration the impact of timber harvesting on wildlife habitat and recreation uses. The department shall, subject to the forest certification process, increase marking or treatment of hardwood timber for sale and harvest by 10% over 2011-2012 fiscal year levels. In addition, the department shall take into consideration silvicultural analysis and report annually to the legislature on plans and efforts to address factors limiting management of timber. The department shall increase the number of prepared acres if it appears that regional market demand requires increased volumes of harvested timber. The department shall provide quarterly reports on the number of acres treated, pursuant to this section, to the senate and house appropriations subcommittees on natural resources and the standing committees of the senate and house of representatives with primary responsibility for natural resources issues. The department shall complete and deliver these reports no later than 45 days after the end of the fiscal quarter.

Sec. 803. In addition to the money appropriated in this act, the department may receive and expend money from federal sources for the purpose of providing response to wildfires as required by a compact with the federal government. If additional expenditure authorization is required, the department shall notify the state budget office that expenditure under this section is required. The department shall notify the house and senate appropriations subcommittees on natural resources and the house and senate fiscal agencies of the expenditures under this section by November 1, 2013.

Sec. 804. The department shall continue to work cooperatively with horseback riding interests to maximize riding opportunities in the state.

Sec. 805. The department shall spend amounts appropriated in part 1 for forest-related activities to employ or contract for sufficient foresters to mark timber, pursuant to section 802.

Sec. 806. It is the intent of the legislature that forest campgrounds proposed for closure by the department will be open and accessible to the general public.

LAW ENFORCEMENT

Sec. 901. The appropriation in part 1 for snowmobile law enforcement grants shall be used by the department to provide grants to county law enforcement agencies to enforce part 821 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.82101 to 324.82160, including rules promulgated under that part and ordinances enacted pursuant to that part. The department shall consider the number of enforcement hours and the number of miles of snowmobile trails in each county in allocating these grants. Any funds not distributed to counties revert back to the snowmobile registration fee subaccount created under section 82111 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.82111. Counties shall provide semiannual reports to the department on the use of grant money received under this section.

Sec. 902. The department shall provide a report on the marine safety grant program to the senate and house appropriations subcommittees on natural resources and the senate and house fiscal agencies by December 1, 2012. The report shall include the following information for the preceding year: the total amount of revenue received for watercraft registrations, the amount deposited into the marine safety fund, and the expenditures made from the marine safety fund, including the amounts expended for department administration, other state agencies, the law enforcement division, and grants to counties. The report shall also include the distribution methodology used by the department to distribute the marine safety grants and a list of the grants and the amounts awarded by county.

GRANTS

Sec. 1001. Federal pass-through funds to local institutions and governments that are received in amounts in addition to those included in part 1 for grants to communities - federal oil, gas, and timber payments and that do not require additional state matching funds are appropriated for the purposes intended. By November 30, 2012, the department shall report to the senate and house appropriations subcommittees on natural resources, the senate and house fiscal agencies, and the state budget director on all amounts appropriated under this section during the fiscal year ending September 30, 2012.

Sec. 1002. Subject to part 811 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.81101 to 324.81150, from the funds appropriated in part 1 for off-road vehicle trail improvements grants, not less than \$980,000.00 shall be spent on the development of new trails in accordance with the off-road vehicle trail expansion plan submitted to the legislature pursuant to section 807 of article 14 of 2005 PA 154.

Sec. 1003. (1) The appropriation in part 1 for the dam management grant program shall be used by the department to provide grants for the maintenance, repair, or removal of failing dams. The department shall require each grant application to include a written long-term plan for each dam that is covered by the application.

(2) The unexpended funds appropriated in part 1 for the dam management grant program are considered work project appropriations, and any unencumbered or unallotted funds are carried forward into the succeeding fiscal year. The following is in compliance with section 451a(1) of the management and budget act, 1984 PA 431, MCL 18.1451a:

(a) The purpose of the projects to be carried forward is to provide for maintenance, repair, or removal of dams.

(b) The projects will be accomplished by contract.

(c) The total estimated cost of all projects is \$2,000,000.00.

(d) The tentative completion date is September 30, 2017.

CAPITAL OUTLAY

Sec. 1101. The appropriation made in this act for the harbors and docks program is for the purpose of participating with the federal government and assisting local units of government, public colleges and universities, or other governmental entities in this state with the construction and improvement of recreational boating facilities within this state. Subject to the approval of the state administrative board, this money shall be allocated by the department to the federal government, or to the governmental entities involved in the particular projects. An allocation shall not exceed the state portion as listed with each project description. The department shall take the steps necessary to match federal money available for the construction and improvement of recreational boating facilities within the state, and to meet requirements of the federal government.

Sec. 1102. (1) The director of the department shall allocate lump-sum appropriations to the department made in this act consistent with statutory provisions and the purposes for which funds were appropriated. Lump-sum allocations shall address priority program or facility needs and may include, but are not limited to, design, construction, remodeling and addition, special maintenance, major special maintenance, energy conservation, and demolition.

(2) The state budget director may authorize that funds appropriated for lump-sum appropriations shall be available for no more than 3 fiscal years following the fiscal year in which the original appropriation was made. Any remaining balance from allocations made in this section shall lapse to the fund from which it was appropriated pursuant to the lapsing of funds as provided in the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

Sec. 1103. The appropriations in part 1 for capital outlay shall be carried forward at the end of the fiscal year consistent with the provisions of section 248 of the management and budget act, 1984 PA 431, MCL 18.1248.

PART 2A

PROVISIONS CONCERNING ANTICIPATED APPROPRIATIONS FOR FISCAL YEAR 2013-2014

GENERAL SECTIONS

Sec. 1201. It is the intent of the legislature to provide appropriations for the fiscal year ending on September 30, 2014 for the line items listed in part 1. The fiscal year 2013-2014 appropriations are anticipated to be the same as those for fiscal year 2012-2013, except that the line items will be adjusted for changes in caseload and related costs, federal fund match rates, economic factors, and available revenue. These adjustments will be determined after the January 2013 consensus revenue estimating conference.

Third: That the Senate and House agree to the title of the bill to read as follows:

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 2013; and to provide for the expenditure of the appropriations.

Mike Green
Roger Kahn
Hoon-Yung Hopgood
Conferees for the Senate

Jon Bumstead
Eileen Kowall
Conferees for the House

The question being on the adoption of the conference report,

The first conference report was adopted, a majority of the members serving voting therefor, as follows:

Roll Call No. 388

Yeas—25

Anderson
Booher

Green
Hildenbrand

Kowall
Marleau

Pavlov
Proos

Brandenburg
Casperson
Caswell
Colbeck
Gleason

Hopgood
Jansen
Jones
Kahn

Meekhof
Moolenaar
Nofs
Pappageorge

Richardville
Schuitmaker
Walker
Whitmer

Nays—10

Bieda
Emmons
Gregory

Hood
Hune
Robertson

Rocca
Smith

Warren
Young

Excused—3

Hansen

Hunter

Johnson

Not Voting—0

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect,
The recommendation was not concurred in, 2/3 of the members serving not voting therefor.

By unanimous consent the Senate proceeded to the order of

General Orders

Senator Meekhof moved that the Senate resolve itself into the Committee of the Whole for consideration of the General Orders calendar.

The motion prevailed, and the President, Lieutenant Governor Calley, designated Senator Proos as Chairperson.

After some time spent therein, the Committee arose; and the President, Lieutenant Governor Calley, having resumed the Chair, the Committee reported back to the Senate, favorably and without amendment, the following bill:

Senate Bill No. 873, entitled

A bill to amend 1933 PA 254, entitled "The motor carrier act," (MCL 475.1 to 479.43) by adding section 21 to article V.
The bill was placed on the order of Third Reading of Bills.

Resolutions

The question was placed on the adoption of the following resolution consent calendar:

Senate Resolution No. 156

The resolution consent calendar was adopted.

Senator Proos offered the following resolution:

Senate Resolution No. 156.

A resolution designating June 2012 as Michigan Golf Month.

Whereas, The golf industry in Michigan has an annual \$4.2 billion direct and indirect impact on Michigan's economy; and

Whereas, Michigan has nearly 500,000 avid golfers and is No. 1 in the United States with the number of public golf courses; and

Whereas, The state of Michigan boasts almost 850 golf courses, many of which are championship and world-class golf resort facilities attracting travelers from far and near; and

Whereas, *Golf Digest* selected Michigan as the twelfth-best golf destination in the world; and

Whereas, Michigan has earned the reputation as America's Summer Golf Capital. It has been the host to national celebrity and professional golf events, including the Buick Open, Ryder Cup, PGA Championship, and the 2012 Senior PGA Championship; now, therefore, be it

Resolved by the Senate, That we hereby designate June as Michigan Golf Month. We encourage citizens and visitors to celebrate with any one of the many activities taking place at our beautiful golf courses from spring until snowfall.

Senators Anderson, Bieda, Booher, Brandenburg, Hopgood, Kowall, Marleau, Nofs, Robertson and Warren were named co-sponsors of the resolution.

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senator Kowall introduced

Senate Bill No. 1146, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 20a (MCL 257.20a), as added by 1996 PA 404.

The bill was read a first and second time by title and referred to the Committee on Transportation.

Senator Warren introduced

Senate Bill No. 1147, entitled

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending section 61 (MCL 38.1361), as amended by 2010 PA 75.

The bill was read a first and second time by title and referred to the Committee on Appropriations.

Senator Caswell introduced

Senate Bill No. 1148, entitled

A bill to amend 1974 PA 198, entitled "An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to impose and provide for the disposition of an administrative fee; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties," by amending section 9 (MCL 207.559), as amended by 2008 PA 516.

The bill was read a first and second time by title and referred to the Committee on Finance.

Senator Young introduced

Senate Bill No. 1149, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 1076.

The bill was read a first and second time by title and referred to the Committee on Transportation.

Senator Meekhof introduced

Senate Bill No. 1150, entitled

A bill to amend 1921 PA 246, entitled "An act to regulate the service, rates, fares and charges of carriers by water within this state," (MCL 460.201 to 460.206) by amending the title and by adding sections 9 and 11; and to repeal acts and parts of acts.

The bill was read a first and second time by title and referred to the Committee on Government Operations.

Senator Meekhof introduced

Senate Bill No. 1151, entitled

A bill to amend 1921 PA 246, entitled "An act to regulate the service, rates, fares and charges of carriers by water within this state," by amending the title and sections 1, 2, 3, 4, 5, and 6 (MCL 460.201, 460.202, 460.203, 460.204, 460.205, and 460.206) and by adding sections 7, 8, and 10.

The bill was read a first and second time by title and referred to the Committee on Government Operations.

House Bill No. 4243, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 435 (MCL 206.435), as amended by 2010 PA 346.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

The bill was read a first and second time by title.

Senator Meekhof moved that rule 3.203 be suspended and that the bill be referred to the Committee of the Whole and placed on the order of General Orders.

The motion prevailed, a majority of the members serving voting therefor.

House Bill No. 4244, entitled

A bill to establish the boy scouts of Michigan fund in the department of treasury; to provide for the distribution of the money from the fund; to prescribe the powers and duties of certain agencies and officials; and to provide for appropriations.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

The bill was read a first and second time by title.

Senator Meekhof moved that rule 3.203 be suspended and that the bill be referred to the Committee of the Whole and placed on the order of General Orders.

The motion prevailed, a majority of the members serving voting therefor.

House Bill No. 4497, entitled

A bill to establish the American Red Cross Michigan fund in the department of treasury; to provide for the distribution of the money from the fund; to prescribe the powers and duties of certain agencies and officials; and to provide for appropriations.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

The bill was read a first and second time by title.

Senator Meekhof moved that rule 3.203 be suspended and that the bill be referred to the Committee of the Whole and placed on the order of General Orders.

The motion prevailed, a majority of the members serving voting therefor.

House Bill No. 4498, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 435 (MCL 206.435), as amended by 2008 PA 560.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

The bill was read a first and second time by title.

Senator Meekhof moved that rule 3.203 be suspended and that the bill be referred to the Committee of the Whole and placed on the order of General Orders.

The motion prevailed, a majority of the members serving voting therefor.

House Bill No. 4518, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 435 (MCL 206.435), as amended by 2010 PA 346.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

The bill was read a first and second time by title.

Senator Meekhof moved that rule 3.203 be suspended and that the bill be referred to the Committee of the Whole and placed on the order of General Orders.

The motion prevailed, a majority of the members serving voting therefor.

House Bill No. 4519, entitled

A bill to establish the Michigan Alzheimer's association fund in the department of treasury; to provide for the distribution of the money from the fund; to prescribe the powers and duties of certain agencies and officials; and to provide for appropriations.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

The bill was read a first and second time by title.

Senator Meekhof moved that rule 3.203 be suspended and that the bill be referred to the Committee of the Whole and placed on the order of General Orders.

The motion prevailed, a majority of the members serving voting therefor.

House Bill No. 4632, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 435 (MCL 206.435), as amended by 2010 PA 346.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

The bill was read a first and second time by title.

Senator Meekhof moved that rule 3.203 be suspended and that the bill be referred to the Committee of the Whole and placed on the order of General Orders.

The motion prevailed, a majority of the members serving voting therefor.

House Bill No. 5159, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 1082 (MCL 600.1082), as added by 2004 PA 224.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

The bill was read a first and second time by title and referred to the Committee on Judiciary.

House Bill No. 5162, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding chapter 12.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

The bill was read a first and second time by title and referred to the Committee on Judiciary.

House Bill No. 5323, entitled

A bill to establish the ALS of Michigan ("Lou Gehrig's disease") fund in the department of treasury; to provide for the distribution of the money from the funds; to prescribe the powers and duties of certain agencies and officials; and to provide for appropriations.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

The bill was read a first and second time by title.

Senator Meekhof moved that rule 3.203 be suspended and that the bill be referred to the Committee of the Whole and placed on the order of General Orders.

The motion prevailed, a majority of the members serving voting therefor.

House Bill No. 5324, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 435 (MCL 206.435), as amended by 2010 PA 346.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

The bill was read a first and second time by title.

Senator Meekhof moved that rule 3.203 be suspended and that the bill be referred to the Committee of the Whole and placed on the order of General Orders.

The motion prevailed, a majority of the members serving voting therefor.

House Bill No. 5463, entitled

A bill to amend 1975 PA 197, entitled "An act to provide for the establishment of a downtown development authority; to prescribe its powers and duties; to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans in the districts; to promote the economic growth of the districts; to create a board; to prescribe its powers and duties; to authorize the levy and collection of taxes; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to reimburse downtown development authorities for certain losses of tax increment revenues; and to prescribe the powers and duties of certain state officials," by amending section 4 (MCL 125.1654), as amended by 2006 PA 279, and by adding section 28a.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

The bill was read a first and second time by title and referred to the Committee on Finance.

House Bill No. 5611, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 531 (MCL 436.1531), as amended by 2005 PA 97.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

The bill was read a first and second time by title and referred to the Committee on Regulatory Reform.

Recess

Senator Meekhof moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 10:39 a.m.

11:59 a.m.

The Senate was called to order by the President pro tempore, Senator Schuitmaker.

By unanimous consent the Senate returned to the order of

General Orders

Senator Meekhof moved that the Senate resolve itself into the Committee of the Whole for consideration of the General Orders calendar.

The motion prevailed, and the President pro tempore, Senator Schuitmaker, designated Senator Proos as Chairperson.

After some time spent therein, the Committee arose; and the President pro tempore, Senator Schuitmaker, having resumed the Chair, the Committee reported back to the Senate, favorably and with a substitute therefor, the following bill:

Senate Bill No. 797, entitled

A bill to amend 1965 PA 314, entitled "Public employee retirement system investment act," by amending sections 12b, 13, 14, 15, 19, 19a, 20c, 20d, 20h, 20k, and 20m (MCL 38.1132b, 38.1133, 38.1134, 38.1135, 38.1139, 38.1139a, 38.1140c, 38.1140d, 38.1140h, 38.1140k, and 38.1140m), sections 12b, 14, and 20c as amended by 2000 PA 307, section 13 as amended by 2009 PA 84, section 15 as amended and section 20k as added by 1996 PA 485, sections 19 and 20d as amended and section 19a as added by 2008 PA 425, section 20h as amended by 2002 PA 728, and section 20m as amended by 2007 PA 22, and by adding section 21.

Substitute (S-3).

The following are the amendments to the substitute recommended by the Committee of the Whole:

1. Amend page 32, line 21, after "**BY**" by striking out "**EITHER**" and inserting "**ANY**".
2. Amend page 33, following line 1, by inserting:

"(C) THE PROCESS FOR THE REMOVAL OF A MEMBER OF THE BOARD OR BODY THAT IS CONTAINED IN THE SYSTEM'S PLAN PROVISIONS IF THAT PROCESS IS LESS RESTRICTIVE THAN EITHER PROCESS PROVIDED FOR IN SUBDIVISION (A) OR (B)."

The Senate agreed to the substitute as amended recommended by the Committee of the Whole, and the bill as substituted was placed on the order of Third Reading of Bills.

By unanimous consent the Senate returned to the order of

Third Reading of Bills

Senator Meekhof moved that the rules be suspended and that the following bill, now on the order of Third Reading of Bills, be placed on its immediate passage at the head of the Third Reading of Bills calendar:

Senate Bill No. 797

The motion prevailed, a majority of the members serving voting therefor.

The following bill was read a third time:

Senate Bill No. 797, entitled

A bill to amend 1965 PA 314, entitled "Public employee retirement system investment act," by amending sections 12b, 12c, 13, 14, 15, 17, 19, 19a, 20c, 20d, 20h, 20k, and 20m (MCL 38.1132b, 38.1132c, 38.1133, 38.1134, 38.1135, 38.1137, 38.1139, 38.1139a, 38.1140c, 38.1140d, 38.1140h, 38.1140k, and 38.1140m), sections 12b, 12c, 14, 17, and 20c as amended by 2000 PA 307, section 13 as amended by 2009 PA 84, section 15 as amended and section 20k as added by 1996 PA 485, sections 19 and 20d as amended and section 19a as added by 2008 PA 425, section 20h as amended by 2002 PA 728, and section 20m as amended by 2007 PA 22, and by adding sections 13e, 13f, and 21.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 389**Yeas—30**

Anderson	Hood	Meekhof	Robertson
Bieda	Hopgood	Moolenaar	Rocca
Brandenburg	Hune	Nofs	Schuitmaker
Caswell	Jansen	Pappageorge	Smith
Colbeck	Jones	Pavlov	Walker
Gleason	Kahn	Proos	Warren
Gregory	Kowall	Richardville	Whitmer
Hildenbrand	Marleau		

Nays—5

Booher	Emmons	Green	Young
Casperson			

Excused—3

Hansen	Hunter	Johnson
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Not Voting—0

In The Chair: Schuitmaker

The Senate agreed to the title of the bill.

Committee Reports

The Committee on Finance reported

Senate Bill No. 1037, entitled

A bill to amend 2007 PA 36, entitled “Michigan business tax act,” by amending sections 111, 113, 201, 305, 403, 413, 433, and 511 (MCL 208.1111, 208.1113, 208.1201, 208.1305, 208.1403, 208.1413, 208.1433, and 208.1511), section 111 as amended by 2011 PA 305, section 113 as amended by 2011 PA 77, section 201 as amended by 2009 PA 135, section 305 as amended by 2007 PA 205, section 403 as amended by 2008 PA 434, section 413 as amended by 2011 PA 316, section 433 as amended by 2007 PA 215, and section 511 as amended by 2011 PA 292.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

The committee further recommends that the bill be given immediate effect.

Jack M. Brandenburg
Chairperson

To Report Out:

Yeas: Senators Brandenburg, Jansen, Pappageorge, Proos, Robertson and Bieda

Nays: Senator Warren

The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

The Committee on Finance reported

Senate Bill No. 1046, entitled

A bill to amend 2002 PA 712, entitled “Michigan Amber alert act,” (MCL 28.751 to 28.754) by amending the title, as amended by 2005 PA 205; and by adding section 5.

With the recommendation that the bill pass.

The committee further recommends that the bill be given immediate effect.

Jack M. Brandenburg
Chairperson

To Report Out:

Yeas: Senators Brandenburg, Jansen, Pappageorge, Proos, Robertson, Bieda and Warren

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Finance reported

Senate Bill No. 1047, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 435 (MCL 206.435), as amended by 2010 PA 346.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

The committee further recommends that the bill be given immediate effect.

Jack M. Brandenburg
Chairperson

To Report Out:

Yeas: Senators Brandenburg, Jansen, Pappageorge, Proos, Robertson, Bieda and Warren

Nays: None

The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Finance submitted the following:

Meeting held on Wednesday, May 23, 2012, at 12:30 p.m., Room 210, Farnum Building

Present: Senators Brandenburg (C), Jansen, Pappageorge, Proos, Robertson, Bieda and Warren

The Committee on Agriculture reported

Senate Resolution No. 140.

A resolution to memorialize the President of the United States and the United States Secretary of Agriculture to declare the Southwest Michigan fruit-growing region a disaster area in the wake of weather conditions that have devastated grape production.

(For text of resolution, see Senate Journal No. 37, p. 597.)

With the recommendation that the following substitute (S-1) be adopted and that the resolution then be adopted:

A resolution to memorialize the President of the United States and the United States Secretary of Agriculture to declare Southwest Michigan and all of Michigan's fruit-growing regions disaster areas in the wake of weather conditions that have devastated fruit crop production and grape production in particular.

Whereas, Michigan produces a variety of fruits for export around the nation. Fruit crops in Michigan generate over \$350 million revenue annually; and

Whereas, In 2010, Michigan produced 36,000 tons of grapes with a net value of \$15.4 million. Grapes grown in Southwest Michigan are used for juice and wine production around the country. Welch's Foods relies on Michigan growers for 17 percent of its grape supplies for its juice production; and

Whereas, Warm temperatures in Michigan have wreaked havoc on Michigan's grape, apple, and other fruit and vegetable crops. The early warmth caused plants to sprout prematurely, putting them at risk of damage when devastating frost occurred in early April; and

Whereas, An estimated 10,000 acres or approximately 95 percent of the crop in Southwest Michigan were destroyed by the April frost. It is projected that grape farmers alone will realize a loss of over \$20 million for the 2012 season; and

Whereas, The U.S. Department of Agriculture offers several programs to help farmers recover financially from a natural disaster. In order for low-interest loans and other federal assistance to be available to the fruit and vegetable growers, Southwest Michigan must be declared a disaster area; now, therefore, be it

Resolved by the Senate, That we urge the President of the United States and the United States Secretary of Agriculture to declare Southwest Michigan and all of Michigan's fruit-growing regions disaster areas in the wake of weather conditions that have devastated fruit-crop production and grape production in particular; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, the U.S. Secretary of Agriculture, and the members of the Michigan congressional delegation.

Joe Hune
Chairperson

To Report Out:

Yeas: Senators Hune, Booher and Emmons

Nays: None

The resolution and the substitute recommended by the committee were placed on the order of Resolutions.

The Committee on Agriculture reported

Senate Resolution No. 149.

A resolution to memorialize the President of the United States and the United States Secretary of Agriculture to monitor closely the conditions of Northwest and North Central Michigan's fruit crop to determine if disaster assistance is needed.

(For text of resolution, see Senate Journal No. 44, p. 770.)

With the recommendation that the resolution be adopted.

Joe Hune

Chairperson

To Report Out:

Yeas: Senators Hune, Booher and Emmons

Nays: None

The resolution was placed on the order of Resolutions.

The Committee on Agriculture reported

Senate Concurrent Resolution No. 27.

A concurrent resolution to encourage the Michigan Economic Development Corporation to work through the Pure Michigan campaign and with the Department of Agriculture and Rural Development to promote and brand Pure Michigan-grown foods.

(For text of resolution, see Senate Journal No. 14, p. 197.)

With the recommendation that the concurrent resolution be adopted.

Joe Hune

Chairperson

To Report Out:

Yeas: Senators Hune, Booher and Emmons

Nays: None

The concurrent resolution was placed on the order of Resolutions.

The Committee on Agriculture reported

Senate Bill No. 996, entitled

A bill to provide for indemnification for livestock, domestic animals, and pets that are killed by certain wildlife; and to prescribe the powers and duties of certain state agencies and officials.

With the recommendation that the substitute (S-2) be adopted and that the bill then pass.

The committee further recommends that the bill be given immediate effect.

Joe Hune

Chairperson

To Report Out:

Yeas: Senators Hune, Booher and Emmons

Nays: None

The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Agriculture submitted the following:

Meeting held on Thursday, May 24, 2012, at 8:41 a.m., Room 210, Farnum Building

Present: Senators Hune (C), Booher, Emmons and Gleason

Excused: Senator Hansen

The Committee on Outdoor Recreation and Tourism reported

Senate Bill No. 984, entitled

A bill to amend 1969 PA 207, entitled "An act to permit residents to purchase rifles and shotguns in contiguous states and to provide for reciprocity," by amending sections 1 and 2 (MCL 3.111 and 3.112).

With the recommendation that the bill pass.
The committee further recommends that the bill be given immediate effect.

Dave Hildenbrand
Acting Chairperson

To Report Out:

Yeas: Senators Hildenbrand, Meekhof, Casperson, Moolenaar and Gleason
Nays: None
The bill was referred to the Committee of the Whole.

The Committee on Outdoor Recreation and Tourism reported

Senate Bill No. 1045, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 40111 and 81133 (MCL 324.40111 and 324.81133), section 40111 as added by 1995 PA 57 and section 81133 as amended by 2008 PA 365.

With the recommendation that the substitute (S-2) be adopted and that the bill then pass.
The committee further recommends that the bill be given immediate effect.

Dave Hildenbrand
Acting Chairperson

To Report Out:

Yeas: Senators Hildenbrand, Meekhof, Casperson, Moolenaar and Gleason
Nays: None
The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

The Committee on Outdoor Recreation and Tourism reported

House Bill No. 5053, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 48729 (MCL 324.48729), as added by 1995 PA 57.

With the recommendation that the bill pass.
The committee further recommends that the bill be given immediate effect.

Dave Hildenbrand
Acting Chairperson

To Report Out:

Yeas: Senators Hildenbrand, Meekhof, Casperson, Moolenaar, Gleason and Young
Nays: None
The bill was referred to the Committee of the Whole.

The Committee on Outdoor Recreation and Tourism reported

House Bill No. 5164, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 1301, 2035, 44501, 44511, 44516, 44518, 44520, 44520a, and 44524 (MCL 324.1301, 324.2035, 324.44501, 324.44511, 324.44516, 324.44518, 324.44520, 324.44520a, and 324.44524), section 1301 as amended by 2011 PA 218, section 2035 as added and sections 44501, 44511, and 44518 as amended by 2004 PA 587, sections 44516, 44520, and 44524 as added by 1995 PA 57, and section 44520a as added by 2006 PA 183, and by adding section 44522a; and to repeal acts and parts of acts.

With the recommendation that the bill pass.
The committee further recommends that the bill be given immediate effect.

Dave Hildenbrand
Acting Chairperson

To Report Out:

Yeas: Senators Hildenbrand, Meekhof, Casperson, Moolenaar and Gleason
Nays: Senator Young
The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Outdoor Recreation and Tourism submitted the following:
Meeting held on Thursday, May 24, 2012, at 12:30 p.m., Room 210, Farnum Building
Present: Senators Hildenbrand, Meekhof, Casperson, Moolenaar, Gleason and Young
Excused: Senator Hansen (C)

COMMITTEE ATTENDANCE REPORT

The Conference Committee on Natural Resources (SB 960) submitted the following:
Meeting held on Thursday, May 24, 2012, at 2:30 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building
Present: Senators Green (C), Kahn and Hopgood

COMMITTEE ATTENDANCE REPORT

The Conference Committee on Environmental Quality (SB 953) submitted the following:
Meeting held on Thursday, May 24, 2012, at 2:45 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building
Present: Senators Green (C), Kahn and Hopgood

COMMITTEE ATTENDANCE REPORT

The Conference Committee on Licensing and Regulatory Affairs (SB 958) submitted the following:
Meeting held on Tuesday, May 29, 2012, at 8:30 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building
Present: Senators Jansen (C) and Kahn
Excused: Senator Johnson

COMMITTEE ATTENDANCE REPORT

The Conference Committee on Judiciary (SB 957) submitted the following:
Meeting held on Tuesday, May 29, 2012, at 8:45 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building
Present: Senators Proos (C) and Kahn
Excused: Senator Johnson

Scheduled Meetings

Administrative Rules - Thursday, May 31, 9:00 a.m., Room 100, Farnum Building (373-5773)

Appropriations -**Subcommittee -**

K-12, School Aid (SB 961) - Wednesday, May 30, 12:00 noon, Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Economic Development - Wednesday, May 30, 1:00 p.m., Room 110, Farnum Building (373-5323)

Families, Seniors and Human Services - Wednesday, May 30, 3:00 p.m., Room 210, Farnum Building (373-5324)

Health Policy - Thursday, May 31, 2:30 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-5314)

Local Government and Elections - Wednesday, May 30, 3:00 p.m., Room 100, Farnum Building (373-5314)

Natural Resources, Environment and Great Lakes - Thursday, May 31, 8:00 a.m., Room 210, Farnum Building (373-5323)

Regulatory Reform - Thursday, May 31, 12:30 p.m., Room 110, Farnum Building (373-5307)

Senator Meekhof moved that the Senate adjourn.
The motion prevailed, the time being 12:05 p.m.

The President pro tempore, Senator Schuitmaker, declared the Senate adjourned until Wednesday, May 30, 2012, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate