



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536

BILL ANALYSIS



Telephone: (517) 373-2768
Fax: (517) 373-1986
TDD: (517) 373-0543

Senate Bill 176 (S-1 as passed by the Senate)

Committee: Appropriations

FY 2010-11 Year-to-Date Gross Appropriation	\$395,665,700
---	---------------

Changes from FY 2010-11 Year-to-Date:

- | | |
|--|--------------|
| 1. Office of Pollution Prevention and Compliance Assistance (OPPCA). The Governor and Senate reduced funding for this office, including 9.0 FTEs. Pollution prevention and compliance activities would be reduced as a result of this GF/GP reduction. | (1,200,000) |
| 2. Nonmetallic Mine Reclamation. Gov./Senate eliminated program as funding & demand for program declined. | (23,800) |
| 3. Geologic Mapping and Information Program. The Governor and Senate eliminated this program. Western Michigan University would take over these responsibilities. | (358,000) |
| 4. Administrative Reductions. The Governor and Senate made various administrative reductions. Savings would primarily be achieved by holding positions vacant. 9.0 FTEs were also eliminated; \$1,012,000 of gross savings would be GF/GP. | (1,268,500) |
| 5. Air Emissions Fees Increase. The Governor and Senate include an unspecified increase in air emissions fees which are expected to raise an additional \$1.0 million for the program. Additional spending authorization of \$840,000 was also included. | 840,000 |
| 6. Solid Waste Management Fee Increase. The Governor proposed raising these fees from 7 cents to 12 cents per cubic yard. This increase is expected to raise \$1.9 million. | 0 |
| 7. Wastewater Operator Certification Exam Fee. The Governor and Senate included funding from a new fee structure for certification exams. It is estimated that the fee would raise \$356,000 and would offset \$200,000 in GF/GP currently used for the program. | 156,000 |
| 8. Fee Sunsets. The Governor and Senate budgets are predicated on extending sunsets for 14 fees. | 0 |
| 9. Strategic Water Quality Initiatives Fund. Gov./Senate included funding for nonpoint source environmental cleanups per PA 232 of 2010. Estimated \$900,000 annual debt service would be incurred as a result. | 30,000,000 |
| 10. State Sites Cleanup Fund (SSCUP). The Governor and Senate included a provision for spending the remainder of the SSCUP on Part 201 cleanup projects at State-owned sites. | 4,400,000 |
| 11. Coastal and Inland Water Permit System. The Governor and Senate included funding for the replacement of a 25-year-old system that handles these permits. | 3,200,000 |
| 12. Aquatic Invasive Species Advisory Council. The Senate included a placeholder appropriation contingent on the Council's creation. | 100 |
| 13. Excess FTE authorization. The Senate reduced excess FTE authorization by 100.6. | 0 |
| 14. Fund Shifts. Gov./Senate included two GF/GP to restricted fund shifts: \$400,000 in Critical Dunes program, \$738,000 in Hazardous Waste Management program. Resulting in \$1,138,000 GF/GP savings. | 0 |
| 15. Excess Spending Authorization. The Governor and Senate included reductions to various programs in an effort to match those appropriations with available revenue, including a \$25.0 million reduction in the Great Lakes Restoration Initiative Federal grant. | (31,663,200) |
| 16. Early Retirement Savings. Savings from retirement incentive in FY 2009-10. | (738,100) |
| 17. Economic Adjustments. DIT Economics: \$137,600 Gross, \$7,100 GF/GP. | 6,697,200 |
| 18. Comparison to Gov.'s Rec. Senate is \$131,900 below Gov.'s rec for Gross and even with GF/GP. | |

Total Changes	\$10,041,700
---------------------	--------------

FY 2011-12 Senate-Passed Gross Appropriation	\$405,707,400
--	---------------

Changes from FY 2010-11 Year to Date:

1. **Out-of-State Travel.** The Governor and Senate eliminated sections restricting out-of-state travel, as well as attendance to conferences and training seminars. (Sec. 209 & 225)
2. **Purchasing Guidelines.** The Governor eliminated and the Senate restored a section favoring the purchase of domestic and Michigan-made goods as well as a section favoring goods and services purchased from depressed and deprived communities. (Sec. 203 and 211)
3. **Outside Legal Counsel.** The Governor removed and Senate restored a section prohibiting the Department from using legal services that are the responsibility of the Attorney General. (Sec. 214)
4. **Communication with the Legislature.** The Governor eliminated and the Senate restored a section prohibiting disciplinary procedures against employees who communicate truthfully with the Legislature was eliminated. (Sec. 212)
5. **Restricted Fund and FTE Reports.** The Governor and Senate eliminated sections requiring various reports on State restricted fund balances as well as FTE reports. (Sec. 222 & 233)
6. **Expenditure Posting.** The Governor and Senate eliminated sections requiring expenditure posting on the internet. (Sec. 233 & 234)
7. **Small Business Rules.** The Governor and Senate eliminated language prohibiting rules from disproportionately affecting small businesses. (Sec. 213)
8. **Permits Considered Administratively Complete.** The Governor and Senate eliminated a section declaring environmental permits outstanding for more than 2 years as of January 1, 2011 administratively complete. (Sec. 218)
9. **Refined Petroleum Fund Use.** The Governor eliminated and the Senate restored a section stating the Legislature's intent to use the RPF for its intended purpose. (Sec. 221)
10. **Refined Petroleum Fund Intent to Repay.** The Governor and Senate eliminated a section stating the Legislature's intent to repay \$70.0 million transferred from the RPF in FY 2006-07. (Sec. 405)
11. **Draft Memoranda.** The Governor and Senate eliminated a section prohibiting the use of operational memoranda in draft status. (Sec. 406)
12. **Aquatic Nuisance Control (ANC) Program.** The Governor and Senate eliminated a section allocating \$100,000 and 1 FTE for the ANC program as well as a report on the program. (Sec. 651)
13. **Groundwater Dispute Resolution.** The Governor eliminated and the Senate restored a section requiring the Department to fund a groundwater dispute resolution program and report to the Legislature with additional funding needs. (Sec. 601)
14. **Surplus Fund Transfers.** The Governor and Senate eliminated a section which transferred \$2.0 million from the Solid Waste Management Fund Perpetual Care Account to the Solid Waste Management Fund Staff Account. (Sec. 407) The Governor and Senate included two new transfers: \$2.0 million from the Small Business Pollution Prevention Loan Fund to the Environmental Pollution Prevention Fund, and \$1.3 million from the Small Business Pollution Prevention Loan Fund to the Environmental Protection Fund. (Sec. 406 & 407)
15. **Refined Petroleum Fund Site List.** The Governor eliminated and the Senate restored a section listing the leaking underground storage tank cleanups that would be funded during the fiscal year. The Senate updated the list to contain projects for fiscal year 2011-12. (Sec. 405)
16. **Pollution Control Tax Exemption Certificates.** The Senate included a new section requiring the Department to enter into an MOU with the Department of Treasury to develop a process to approve these certificates in accordance with certain lists of approved pollution control equipment as approved by the State Tax Commission. (Sec. 408)
17. **Aquatic Invasive Species Advisory Council.** The Senate included a section which would provide funding for this Council provided one is created. (Sec. 602)

Date Completed: 4-28-11

Fiscal Analyst: Josh Sefton