

# HOUSE BILL NO. 6500

November 29, 2022, Introduced by Rep. Alexander and referred to the Committee on Appropriations.

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2023; to provide for certain conditions on appropriations; and to provide for the expenditure of the appropriations.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

**1**

PART 1

**2**

LINE-ITEM APPROPRIATIONS

Sec. 101. There is appropriated for various state departments and agencies to supplement appropriations for the fiscal year ending September 30, 2023, from the following funds:

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**APPROPRIATION SUMMARY**

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**GROSS APPROPRIATION** **\$ 65,925,000**

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Interdepartmental grant revenues:

Total interdepartmental grants and  
intradepartmental transfers 0

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**ADJUSTED GROSS APPROPRIATION** **\$ 65,925,000**

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Federal revenues:

Total federal revenues 47,925,000

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Special revenue funds:

Total local revenues 0

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Total private revenues 0

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Total other state restricted revenues 0

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**State general fund/general purpose** **\$ 18,000,000**

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**Sec. 102. DEPARTMENT OF ENVIRONMENT, GREAT  
LAKES, AND ENERGY**

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**(1) APPROPRIATION SUMMARY**

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**GROSS APPROPRIATION** **\$ 65,925,000**

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Interdepartmental grant revenues:

Total interdepartmental grants and  
intradepartmental transfers 0

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**ADJUSTED GROSS APPROPRIATION** **\$ 65,925,000**

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Federal revenues:

Total federal revenues 47,925,000

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Special revenue funds:

Total local revenues 0

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1	Total private revenues	0
2	Total other state restricted revenues	0
3	<b>State general fund/general purpose</b>	<b>\$ 18,000,000</b>
4	<b>(2) ONE-TIME APPROPRIATIONS</b>	
5	ARP - drilling studies	\$ 32,500,000
6	ARP - geological data collection	5,000,000
7	ARP - geophysical studies	3,125,000
8	ARP - integrity monitoring	3,300,000
9	ARP - monitoring wells	4,000,000
10	Geological data collection	12,000,000
11	Michigan geological survey repository for	
12	research and education	6,000,000
13	<b>GROSS APPROPRIATION</b>	<b>\$ 65,925,000</b>
14	Appropriated from:	
15	Federal revenues:	
16	Coronavirus state fiscal recovery fund	47,925,000
17	<b>State general fund/general purpose</b>	<b>\$ 18,000,000</b>

## PART 2

## PROVISIONS CONCERNING APPROPRIATIONS

GENERAL SECTIONS

Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state sources under part 1 for the fiscal year ending September 30, 2023 is \$18,000,000.00 and total state spending from state sources to be paid to local units of government is \$0.00.

Sec. 202. The appropriations made and expenditures authorized under this part and part 1 and the departments, commissions, boards, offices, and programs for which appropriations are made

under this part and part 1 are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

Sec. 203. Funds appropriated in part 1 are subject to applicable federal audit and reporting requirements. Prompt action must be taken if instances of noncompliance are identified, including noncompliance identified in an audit finding. If any instance of noncompliance is identified, including noncompliance identified in an audit finding, the state budget director shall take necessary and immediate action to rectify it. The state budget director shall notify the senate and house appropriations committees and the senate and house fiscal agencies when an instance of noncompliance is identified.

Sec. 204. Funds appropriated in part 1 from the federal American rescue plan act of 2021, Public Law 117-2, must be allocated and expended in a manner consistent with federal rules and regulations.

Sec. 205. The state budget director shall report on the status of funds appropriated in part 1, and all funds appropriated related to the coronavirus relief effort, to the senate and house appropriations committees and the senate and house fiscal agencies on a monthly basis until all funds are exhausted.

#### **DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY**

Sec. 301. (1) Funds appropriated in part 1 for ARP - drilling studies must be used to conduct bedrock drilling to garner raw data that will depict water availability, aggregate location, and PFAS. This state's competitive bidding process must be followed for selection of professional drilling services. Drilling services must be subject to integrity monitoring as described in section 303.

1 Drilling studies must be conducted in the following counties, in an  
2 order prioritized by the state geologist, the Michigan geological  
3 survey, and the technical review committee established under  
4 section 307:

- 5 (a) Montcalm.
- 6 (b) Ottawa.
- 7 (c) Allegan.
- 8 (d) Jackson.
- 9 (e) Branch.
- 10 (f) Cass.
- 11 (g) Washtenaw.
- 12 (h) Oakland.
- 13 (i) Ionia.
- 14 (j) Van Buren.
- 15 (k) Hillsdale.
- 16 (l) Gratiot.
- 17 (m) Isabella.
- 18 (n) Monroe.
- 19 (o) Livingston.
- 20 (p) Charlevoix.
- 21 (q) Macomb.
- 22 (r) Lapeer.
- 23 (s) Shiawassee.
- 24 (t) Delta.
- 25 (u) Newago.
- 26 (v) Ingham.
- 27 (w) Lake.
- 28 (x) Lenawee.
- 29 (y) Manistee.

1           (2) Funds appropriated in part 1 for ARP - drilling studies  
2 may be used to conduct drilling to the bedrock in locations other  
3 than those listed in subsection (1) that contain critical minerals  
4 needed for this nation's green economy, if funding is available.

5           (3) The unexpended funds appropriated in part 1 for ARP -  
6 drilling studies are designated as a work project appropriation.  
7 Any unencumbered or unallotted funds shall not lapse at the end of  
8 the fiscal year and shall be available for expenditures for the  
9 project under this section until the project has been completed.  
10 The following is in compliance with section 451a of the management  
11 and budget act, 1984 PA 431, MCL 18.1451a:

12           (a) The purpose of the project is to conduct drilling to the  
13 bedrock to garner raw data that will depict water availability,  
14 aggregate location, and PFAS.

15           (b) The project will be accomplished by utilizing the Michigan  
16 geological survey, state employees, and contracts with private  
17 vendors.

18           (c) The total estimated cost of the project is \$32,500,000.00.

19           (d) The tentative completion date is September 30, 2027.

20           (4) As used in this section, "PFAS" means a perfluoroalkyl or  
21 polyfluoroalkyl substance.

22           Sec. 302. (1) Funds appropriated in part 1 for ARP -  
23 geological data collection must be allocated to the Michigan  
24 geological survey to conduct data collection and mapping of data  
25 obtained from bedrock drilling under section 301. Data collected  
26 under this section must be made available to the public, and the  
27 data and mapping must be applied to a standardized groundwater  
28 database. Mapping must be subject to integrity monitoring as  
29 described in section 303.

1           (2) The unexpended funds appropriated in part 1 for ARP -  
2 geological data collection are designated as a work project  
3 appropriation. Any unencumbered or unallotted funds shall not lapse  
4 at the end of the fiscal year and shall be available for  
5 expenditures for the project under this section until the project  
6 has been completed. The following is in compliance with section  
7 451a of the management and budget act, 1984 PA 431, MCL 18.1451a:

8           (a) The purpose of the project is to conduct data collection  
9 and mapping of data obtained from bedrock drilling.

10          (b) The project will be accomplished by utilizing the Michigan  
11 geological survey, state employees, and contracts with private  
12 vendors.

13          (c) The total estimated cost of the project is \$5,000,000.00.

14          (d) The tentative completion date is September 30, 2027.

15          Sec. 303. (1) Funds appropriated in part 1 for ARP - integrity  
16 monitoring must be used to contract with an integrity oversight  
17 monitor to ensure legal compliance, detect misconduct, and promote  
18 best practices in the expenditure of funds appropriated under part  
19 1. The integrity oversight monitor must supplement this state's  
20 existing compliance control mechanisms to prevent the inefficient  
21 expenditure of state funds.

22          (2) The integrity oversight monitor must be selected from a  
23 list of 1 or more integrity oversight monitors created and  
24 maintained by the department of technology, management, and budget.

25          (3) A person may not interfere with, prevent, or prohibit the  
26 integrity oversight monitor from carrying out its duties as  
27 established in this section.

28          (4) The department must give the integrity oversight monitor  
29 any necessary assistance required by the integrity oversight

1 monitor in the performance of the duties of the integrity oversight  
2 monitor.

3 (5) The integrity oversight monitor must communicate with and  
4 coordinate its activities with the auditor general and office of  
5 internal audit services to ensure against any duplication of  
6 efforts.

7 (6) The integrity oversight monitor must annually provide a  
8 detailed report to the senate and house of representatives  
9 appropriations subcommittees on environment, Great Lakes, and  
10 energy, the senate and house fiscal agencies, and the state budget  
11 office. The report must include all of the following:

12 (a) Details of the integrity oversight monitor's services for  
13 the current fiscal year.

14 (b) Details of findings of malfeasance or inefficiency.

15 (c) Recommendations for corrective actions.

16 (7) The unexpended funds appropriated in part 1 for ARP -  
17 integrity monitoring are designated as a work project  
18 appropriation. Any unencumbered or unallotted funds shall not lapse  
19 at the end of the fiscal year and shall be available for  
20 expenditures for the project under this section until the project  
21 has been completed. The following is in compliance with section  
22 451a of the management and budget act, 1984 PA 431, MCL 18.1451a:

23 (a) The purpose of the project is to contract with an  
24 integrity oversight monitor to ensure legal compliance, detect  
25 misconduct, and promote best practices in the expenditure of funds  
26 appropriated under part 1.

27 (b) The project will be accomplished by contracting with an  
28 integrity oversight monitor.

29 (c) The total estimated cost of the project is \$3,300,000.00.



1 (d) The tentative completion date is September 30, 2027.

2 (8) As used in this section, "integrity oversight monitor"  
3 means a private entity that contracts to provide specialized  
4 services to ensure legal compliance, detect misconduct, and promote  
5 best practices in the administration of geological, geophysical,  
6 and hydrogeological projects, and whose services may include, but  
7 are not limited to, all of the following:

8 (a) Legal.

9 (b) Investigative.

10 (c) Accounting and forensic accounting.

11 (d) Engineering.

12 (e) Other professional specialties.

13 (f) Risk assessment.

14 (g) Developing compliance system constructs.

15 (h) Loss prevention.

16 (i) Monitoring.

17 (j) Contract managers.

18 (k) Independent private inspectors general.

19 Sec. 304. (1) Funds appropriated in part 1 for ARP -  
20 monitoring wells must be used to install monitoring wells in all of  
21 the following counties:

22 (a) Barry.

23 (b) Berrien.

24 (c) Calhoun.

25 (d) Cass.

26 (e) St. Joseph.

27 (f) Ottawa.

28 (g) Allegan.

29 (h) Kalamazoo.

1 (i) Remaining counties as prioritized by the Michigan  
2 geological survey, the state geologist, and the technical review  
3 committee established under section 307.

4 (2) This state's competitive bidding process must be followed  
5 for installment of monitoring wells. Monitoring well installment  
6 must be subject to integrity monitoring as described in section  
7 303.

8 (3) The unexpended funds appropriated in part 1 for ARP -  
9 monitoring wells are designated as a work project appropriation.  
10 Any unencumbered or unallotted funds shall not lapse at the end of  
11 the fiscal year and shall be available for expenditures for the  
12 project under this section until the project has been completed.  
13 The following is in compliance with section 451a of the management  
14 and budget act, 1984 PA 431, MCL 18.1451a:

15 (a) The purpose of the project is to install monitoring wells.

16 (b) The project will be accomplished by utilizing the Michigan  
17 geological survey, state employees, and contracts with private  
18 vendors.

19 (c) The total estimated cost of the project is \$4,000,000.00.

20 (d) The tentative completion date is September 30, 2027.

21 Sec. 305. (1) Funds appropriated in part 1 for ARP -  
22 geophysical studies may be used in conjunction with funds  
23 appropriated in part 1 for ARP - drilling studies to yield a more  
24 enhanced 3-dimensional profile for areas studied under section 301.  
25 Services may include 2-dimensional electrical earth resistivity  
26 profiling, ground penetrating radar, P-wave seismic reflection  
27 profiling, S-wave seismic reflection profiling, multichannel  
28 analysis, horizontal vertical spectra ratio (HVSr - passive  
29 seismic), and downhole gamma logging. This state's competitive

1 bidding process must be followed for selection of professional  
2 geophysical services through either private vendors or Michigan  
3 universities. Drilling services must be subject to integrity  
4 monitoring as described in section 303.

5 (2) The unexpended funds appropriated in part 1 for ARP -  
6 geophysical studies are designated as a work project appropriation.  
7 Any unencumbered or unallotted funds shall not lapse at the end of  
8 the fiscal year and shall be available for expenditures for the  
9 project under this section until the project has been completed.  
10 The following is in compliance with section 451a of the management  
11 and budget act, 1984 PA 431, MCL 18.1451a:

12 (a) The purpose of the project is to yield a more enhanced 3-  
13 dimensional profile for areas studied under section 301.

14 (b) The project will be accomplished by utilizing the Michigan  
15 geological survey, state employees, and contracts with private  
16 vendors.

17 (c) The total estimated cost of the project is \$3,125,000.00.

18 (d) The tentative completion date is September 30, 2027.

19 Sec. 306. (1) Funds appropriated in part 1 for geological data  
20 collection must be allocated to the Michigan geological survey to  
21 conduct data collection and mapping of data obtained from drilling  
22 under section 301. Data collected under this section must be made  
23 available to the public, and the data and mapping must be applied  
24 to a standardized groundwater database. Mapping must be subject to  
25 integrity monitoring as described in section 303.

26 (2) The unexpended funds appropriated in part 1 for geological  
27 data collection are designated as a work project appropriation. Any  
28 unencumbered or unallotted funds shall not lapse at the end of the  
29 fiscal year and shall be available for expenditures for the project

1 under this section until the project has been completed. The  
2 following is in compliance with section 451a of the management and  
3 budget act, 1984 PA 431, MCL 18.1451a:

4 (a) The purpose of the project is to conduct data collection  
5 and mapping of data obtained from drilling.

6 (b) The project will be accomplished by utilizing the Michigan  
7 geological survey, Michigan universities, and contracts with  
8 private vendors.

9 (c) The total estimated cost of the project is \$12,000,000.00.

10 (d) The tentative completion date is September 30, 2027.

11 Sec. 307. (1) From the funds appropriated in part 1, a  
12 technical review committee must be established to recommend and  
13 review all methods, mapping protocols, and study processes to meet  
14 United States Geological Survey standards and protocols. The  
15 technical review committee must review contract labor and request  
16 for proposal notices and bid awards. The technical review committee  
17 must include all of the following members:

18 (a) The state geologist.

19 (b) The state hydrogeologist.

20 (c) The director of the Michigan geological survey.

21 (d) Two independent geologists, 1 of whom shall be the  
22 president of Strata Environmental Services, Inc.

23 (e) The president of the American Hydrogeology Corporation.

24 (f) Two private industry aggregate experts, 1 being the  
25 owner/geologist of Bill Langer Research Geologist, LLC and 1 being  
26 the certified professional geologist of Pangea Environments, LLC.

27 (g) One individual who serves under a joint agreement between  
28 Michigan State University Extension and Purdue Extension to provide  
29 leadership and education to irrigated crop producers in this state

1 and Indiana.

2 (h) The deputy director of the Upper Midwest Water Science  
3 Center of the United States Geological Survey.

4 (i) The project chief for the United States Geological  
5 Survey's Great Lakes Geologic Mapping Project.

6 (j) The water use assessment unit supervisor for the  
7 department of environment, Great Lakes, and energy.

8 (k) The source water unit supervisor for the department of  
9 environment, Great Lakes, and energy.

10 (l) The chair of the Michigan agriculture environmental  
11 assurance program advisory council cropping system sub-committee.

12 (m) The president of the Michigan Agri-Business Association.

13 (n) The manager of the Michigan Farm Bureau's Agricultural  
14 Ecology Department.

15 (o) A representative of the Michigan Association of Counties.

16 (2) Each member of the technical review committee shall  
17 receive, as full compensation for the member's services on the  
18 committee, a per diem to be fixed at \$50.00, together with mileage  
19 and necessary expenses incurred in the performance of their  
20 official duties in accordance with rates established by the latest  
21 edition of the standard travel regulations of this state.

22 Sec. 308. (1) Funds appropriated in part 1 for Michigan  
23 geological survey repository for research and education must be  
24 allocated to the Michigan geological survey to purchase a larger  
25 facility or expand the current facility located in Kalamazoo,  
26 Michigan where core samples from Michigan's subsurface formations  
27 and shallow cores from roads, bridges, and infrastructure projects  
28 are stored.

29 (2) The unexpended funds appropriated in part 1 for Michigan

1 geological survey repository for research and education are  
2 designated as a work project appropriation. Any unencumbered or  
3 unallotted funds shall not lapse at the end of the fiscal year and  
4 shall be available for expenditures for the project under this  
5 section until the project has been completed. The following is in  
6 compliance with section 451a of the management and budget act, 1984  
7 PA 431, MCL 18.1451a:

8 (a) The purpose of the project is to purchase a larger  
9 facility or expand the current facility where core samples are  
10 stored.

11 (b) The project will be accomplished by the allocation of  
12 money to the Michigan geological survey.

13 (c) The total estimated cost of the project is \$6,000,000.00.

14 (d) The tentative completion date is September 30, 2027.