

SUBSTITUTE FOR  
SENATE BILL NO. 532

A bill to amend 1994 PA 451, entitled  
"Natural resources and environmental protection act,"  
by amending section 8901 (MCL 324.8901) and by adding sections  
8905d and 8905e.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 8901. As used in this part:

2       (a) "Department" means the department of environmental  
3 quality.

4       (b) "Fund" means the illegal dumping reward fund created in  
5 section 8905e.

6       (c) ~~(a)~~ "Litter" means all rubbish, refuse, waste material,  
7 garbage, offal, paper, glass, cans, bottles, trash, debris, or  
8 other foreign substances.

9       (d) ~~(b)~~ "Public or private property or water" includes, but  
10 is not limited to, any of the following:

1 (i) The right-of-way of a road or highway, a body of water or  
2 watercourse, or the shore or beach of the body of water or  
3 watercourse, including the ice above the water.

4 (ii) A park, playground, building, refuge, or conservation or  
5 recreation area.

6 (iii) Residential or farm properties or timberlands.

7 (e) ~~-(e)-~~ "Vehicle" means ~~every~~ a motor vehicle registered  
8 under the Michigan vehicle code, ~~Act No. 300 of the Public Acts~~  
9 ~~of 1949, being sections 257.1 to 257.923 of the Michigan Compiled~~  
10 ~~Laws 1949 PA 300, MCL 257.1 to 257.923.~~

11 (f) ~~-(d)-~~ "Vessel" means a vessel registered under ~~the~~  
12 ~~marine safety act, Act No. 303 of the Public Acts of 1967, being~~  
13 ~~sections 281.1001 to 281.1199 of the Michigan Compiled Laws part~~  
14 ~~801.~~

15 Sec. 8905d. (1) A person who provides information that  
16 materially contributes to the imposition of a civil fine against  
17 any person under section 8905a may be paid a reward pursuant to  
18 rules adopted by the department under subsection (6). The reward  
19 shall be 50% of the amount of the civil fine under section 8905a  
20 that is collected.

21 (2) A person is not eligible for a reward under this section  
22 for a violation previously known to the investigating agency  
23 unless the information materially contributes to the civil  
24 infraction judgment.

25 (3) If there is more than 1 person who provides information  
26 pursuant to subsection (1) for a single violation, the first  
27 person to notify the investigating agency is eligible for the

1 reward. If more than 1 notification is received on the same day,  
2 the reward shall be divided equally among those persons providing  
3 the information.

4 (4) Public officers and employees of the United States or any  
5 state or political subdivision thereof are not eligible for the  
6 reward under this section unless reporting those violations does  
7 not relate in any manner to their responsibilities as public  
8 officers or employees.

9 (5) An employee of a business who provides information that  
10 the business violated this part is not eligible for a reward if  
11 the employee intentionally caused the violation or if the  
12 employee had an opportunity to take reasonable action to stop the  
13 violation but failed to take that action.

14 (6) The department shall promulgate rules that establish  
15 procedures for the receipt and review of claims for payment of  
16 rewards. All decisions concerning the eligibility for an award  
17 and the materiality of the provided information shall be made  
18 pursuant to these rules. In each case brought under section  
19 8905a, whichever office prosecuted the action shall determine  
20 whether the information materially contributed to the imposition  
21 of a civil fine.

22 (7) A reward shall not be paid under subsection (1) until  
23 rules are promulgated by the department under subsection (6).

24 (8) The department shall periodically publicize the  
25 availability of the rewards provided for in this section to the  
26 public.

27 (9) A claim for a reward under this section may be submitted

1 only for information provided on or after the effective date of  
2 this section.

3 (10) In addition to any other sanction provided for by law, a  
4 person who knowingly provides false information to obtain a  
5 reward under subsection (1) is liable to both of the following:

6 (a) To the department, for some or all of the expenses  
7 incurred by the department as a direct result of the false  
8 information.

9 (b) To the person against whom the false information was  
10 provided, for the expenses, including, but not limited to,  
11 reasonable attorney fees, incurred by that person in proceedings  
12 under this part as a direct result of the false information.

13 Sec. 8905e. (1) The illegal dumping reward fund is created  
14 within the state treasury.

15 (2) Fifty percent of all civil fines collected under section  
16 8905a shall be deposited into the fund. The state treasurer may  
17 also receive money or other assets from any other source for  
18 deposit into the fund. The state treasurer shall direct the  
19 investment of the fund. The state treasurer shall credit to the  
20 fund interest and earnings from fund investments.

21 (3) Money in the fund at the close of the fiscal year shall  
22 remain in the fund and shall not lapse to the general fund.

23 (4) The department shall expend money from the fund, upon  
24 appropriation, only for the following purposes in the following  
25 order of priority:

26 (a) Payment of rewards under section 8905d.

27 (b) Publicizing the availability of rewards as required under

1 section 8905d.