

HOUSE BILL No. 4655

April 13, 1989, Introduced by Reps. Jonker, Brown, DeMars,
Hoekman and Harrison and referred to the Committee on Public Health.

A bill to amend Act No. 368 of the Public Acts of 1978,
entitled as amended

"Public health code,"

as amended, being sections 333.1101 to 333.25211 of the Michigan
Compiled Laws, by adding section 12703a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Act No. 368 of the Public Acts of 1978, as
2 amended, being sections 333.1101 to 333.25211 of the Michigan
3 Compiled Laws, is amended by adding section 12703a to read as
4 follows:

5 SEC. 12703A. (1) WHENEVER A PERSON CONSTRUCTS A WELL THAT
6 WILL PROVIDE DRINKING WATER FOR HUMAN CONSUMPTION, THAT PERSON
7 SHALL HAVE THE WATER IN THAT WELL TESTED FOR AT LEAST BOTH OF THE
8 FOLLOWING SUBSTANCES:

1 (A) TOTAL COLIFORM BACTERIA.

2 (B) NITRATE.

3 (2) IF THE DEPARTMENT OR A LOCAL HEALTH DEPARTMENT KNOWS
4 THAT AN AREA IN THE VICINITY OF A WELL IS CONTAMINATED, THE
5 DEPARTMENT OR THE LOCAL HEALTH DEPARTMENT MAY REQUIRE TESTING FOR
6 SUBSTANCES IN ADDITION TO THOSE REQUIRED IN SUBSECTION (1), WHERE
7 THAT ADDITIONAL TESTING IS NECESSARY TO PROTECT THE PUBLIC HEALTH
8 AND WELFARE.

9 (3) A SAMPLE OF WATER TAKEN IN CONJUNCTION WITH A WATER TEST
10 PERFORMED UNDER THIS SECTION SHALL BE TAKEN IN ACCORDANCE WITH
11 STANDARD SAMPLING PROCEDURES THAT ASSURE THE ACCURACY OF THE
12 TEST.

13 (4) THE TESTS CONDUCTED UNDER SUBSECTION (1) OR (2) SHALL BE
14 PERFORMED BY A LABORATORY APPROVED BY THE DIRECTOR UNDER
15 SUBSECTION (6). THE LABORATORY CONDUCTING THIS TEST SHALL CER-
16 TIFY TO THE ACCURACY OF THE TEST PERFORMED AND SHALL PREPARE A
17 WRITTEN REPORT OF THE TEST THAT INCLUDES AT LEAST ALL OF THE
18 FOLLOWING:

19 (A) WHETHER ANY OF THE SUBSTANCES TESTED FOR ARE PRESENT.

20 (B) THE AMOUNT OF EACH SUBSTANCE MEASURED.

21 (C) WHETHER THE AMOUNT OF A SUBSTANCE EXCEEDS THE STATE
22 DRINKING WATER STANDARD FOR THAT SUBSTANCE, IF APPLICABLE.

23 (D) IF THERE IS NO STATE DRINKING WATER STANDARD FOR A SUB-
24 STANCE, AN EXPLANATION OF WHAT THE TEST RESULT SIGNIFIES.

25 (5) THE PERSON HAVING THE WATER TESTED UNDER THIS SECTION
26 SHALL DELIVER A COPY OF THE LABORATORY REPORT PROVIDED FOR UNDER
27 SUBSECTION (4) TO THE OWNER OF THE PROPERTY ON WHICH THE WELL IS

1 LOCATED, THE LOCAL HEALTH DEPARTMENT, AND THE DEPARTMENT WITHIN
2 30 DAYS AFTER THE WELL HAS BEEN CONSTRUCTED AND A PUMP HAS BEEN
3 INSTALLED.

4 (6) THE DIRECTOR SHALL PREPARE A LIST OF LABORATORIES THAT
5 ARE QUALIFIED TO PERFORM THE TESTS THAT ARE REQUIRED UNDER THIS
6 SECTION AND UPON REQUEST SHALL MAKE THAT LIST AVAILABLE TO ANY
7 PERSON.

8 Section 2. This amendatory act shall take effect upon the
9 expiration of 6 months after the date of its enactment.

10 Section 3. This amendatory act shall not take effect unless
11 Senate Bill No. _____ or House Bill No. 4656 (request
12 no. 00541'89)^{**} of the 85th Legislature is enacted into law.