

HOUSE BILL No. 5765

May 16, 1990, Introduced by Reps. Mathieu, Bartnik, Alley, Middaugh, Pridnia, Gnodtke, Brown, Hickner, Kosteva, Hart, Varga, DeMars and Stupak and referred to the Committee on Conservation, Recreation and Environment.

A bill to amend section 16a of Act No. 227 of the Public Acts of 1985, entitled as amended

"Shared credit rating act,"

as added by Act No. 316 of the Public Acts of 1988, being section 141.1066a of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 16a of Act No. 227 of the Public Acts of
2 1985, as added by Act No. 316 of the Public Acts of 1988, being
3 section 141.1066a of the Michigan Compiled Laws, is amended to
4 read as follows:

5 Sec. 16a. (1) The authority shall establish a state water
6 pollution control revolving fund that complies with the require-
7 ments and objectives of the federal water pollution control act.
8 The authority may fund the state water pollution control
9 revolving fund through federal grants, revenues of the authority,

1 or through any other means permitted under the federal water
2 pollution control act and the rules promulgated under that act.
3 The authority may provide assistance as that term is defined in
4 the state clean water assistance act, ACT NO. 317 OF THE PUBLIC
5 ACTS OF 1988, BEING SECTIONS 323.451 TO 323.470 OF THE MICHIGAN
6 COMPILED LAWS, to a governmental unit for a project with proceeds
7 of the state water pollution control revolving fund. If the
8 assistance is in the form of a loan, the loan shall be made
9 through a loan agreement in which a governmental unit agrees to
10 make loan repayments to the authority or through the purchase or
11 refinancing of municipal obligations in fully marketable form.
12 Loan agreements with governmental units shall contain appropriate
13 provisions relating to maturity or length of loan, repayment
14 terms, state or local funding requirements, and other provisions
15 as are necessary to comply with the provisions of the federal
16 water pollution control act and any agreements entered into with
17 the federal government for implementation of the federal water
18 pollution control act. ~~Projects~~ EXCEPT AS PROVIDED IN
19 SUBSECTION (2), PROJECTS eligible for assistance from the state
20 water pollution control revolving fund shall be determined pursu-
21 ant to ~~the state clean water assistance act~~ ACT NO. 317 OF THE
22 PUBLIC ACTS OF 1988. The maximum amount of any municipal obliga-
23 tion purchased with proceeds of the state water pollution control
24 revolving fund and the maximum interest rate on a loan or municipi-
25 pal obligation shall be determined pursuant to ~~the state clean~~
26 ~~water assistance act~~ ACT NO. 317 OF THE PUBLIC ACTS OF 1988.

1 (2) THE AUTHORITY SHALL ESTABLISH A COMBINED SEWER OVERFLOW
2 ACCOUNT WITHIN THE STATE WATER POLLUTION CONTROL REVOLVING FUND.
3 THIS ACCOUNT MAY RECEIVE MONEY FROM ANY SOURCE CONSIDERED APPRO-
4 PRIATE BY THE AUTHORITY AND AS OTHERWISE PROVIDED BY LAW.
5 INTEREST AND EARNINGS OF THIS ACCOUNT SHALL BE CREDITED TO THE
6 ACCOUNT. LOAN REPAYMENTS OF LOANS FROM THIS ACCOUNT SHALL BE
7 CREDITED TO THE ACCOUNT. MONEY IN THIS ACCOUNT SHALL BE SEGRE-
8 GATED AND SHALL NOT REVERT TO ANY OTHER ACCOUNTS IN THE STATE
9 WATER POLLUTION CONTROL REVOLVING FUND OR TO THE GENERAL FUND.
10 MONEY IN THIS ACCOUNT SHALL BE USED PURSUANT TO ACT NO. 317 OF
11 THE PUBLIC ACTS OF 1988 TO PROVIDE ASSISTANCE TO MUNICIPALITIES
12 FOR SEWAGE TREATMENT WORKS PROJECTS TO CORRECT OR SEPARATE COM-
13 BINED SEWER SYSTEMS TO ELIMINATE COMBINED SEWER OVERFLOWS.
14 HOWEVER, MONEY IN THIS ACCOUNT SHALL NOT BE EXPENDED UNTIL ALL
15 FEDERAL MONEY MADE AVAILABLE THROUGH THE UNITED STATES
16 ENVIRONMENTAL PROTECTION AGENCY'S CAPITALIZATION GRANTS PROGRAM
17 UNDER THE FEDERAL WATER POLLUTION CONTROL ACT AND THE CORRESPOND-
18 ING REQUIRED STATE MATCH HAVE BEEN COMMITTED.

19 (3) AS USED IN THIS SECTION:

20 (A) "COMBINED SEWER SYSTEM" MEANS A SEWER INTENDED TO SERVE
21 AS A SANITARY SEWER AND A STORM SEWER.

22 (B) "COMBINED SEWER OVERFLOW" MEANS A DISCHARGE FROM A COM-
23 BINED SEWER SYSTEM THAT OCCURS WHEN THE FLOW CAPACITY OF THE COM-
24 BINED SEWER SYSTEM IS EXCEEDED.

25 (C) "SANITARY SEWER" MEANS A SEWER INTENDED TO CARRY ONLY
26 SANITARY AND INDUSTRIAL WASTE FROM RESIDENCES, COMMERCIAL
27 BUILDINGS, INDUSTRIAL PLANTS, AND INSTITUTIONS.

1 (D) "STORM SEWER" MEANS A SEWER INTENDED TO CARRY ONLY STORM
2 WATERS, SURFACE RUNOFF, STREET WASH WATERS, AND DRAINAGE.

3 Section 2. This amendatory act shall not take effect unless
4 all of the following bills of the 85th Legislature are enacted
5 into law:

6 (a) Senate Bill No. _____ or House Bill No. _____ (request
7 no. 05673'90).

8 (b) Senate Bill No. _____ or House Bill No. _____ (request
9 no. 05673'90 a).