

SENATE BILL No. 657

November 1, 1989, Introduced by Senators CARL, GEAKE, DE GROW, SHINKLE, WELBORN, DINGELL, CHERRY, O'BRIEN, DI NELLO, CRUCE, SEDERBURG, GEO. HART, FAXON and SCHWARZ and referred to the Committee on Natural Resources and Environmental Affairs.

A bill to amend Act No. 17 of the Public Acts of 1921, entitled as amended

"An act to prescribe the powers and duties of the department of management and budget; to define the authority and functions of its director and its organizational entities; to authorize the department to issue directives; to provide for the capital outlay program; to provide for the leasing, planning, constructing, maintaining, altering, renovating, demolishing, conveying of lands and facilities; to provide for centralized administrative services such as purchasing, payroll, record retention, data processing, and publishing; to provide for a system of internal accounting and administrative control for certain principal departments; to provide for an internal auditor in certain principal departments; to provide for certain powers and duties of certain state officers and agencies; to codify, revise, consolidate, classify, and add to the powers, duties, and laws relative to budgeting, accounting, and the regulating of appropriations; to provide for the implementation of certain constitutional provisions; to create funds and accounts; to make appropriations; to prescribe penalties; to rescind certain executive reorganization orders; to prescribe penalties; and to repeal certain acts and parts of acts."

as amended, being sections 299.1 to 299.10 of the Michigan Compiled Laws, by adding section 3c.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Act No. 17 of the Public Acts of 1921, as
2 amended, being sections 299.1 to 299.10 of the Michigan Compiled
3 Laws, is amended by adding section 3c to read as follows:

4 SEC. 3C. (1) BEFORE THE DEPARTMENT OF NATURAL RESOURCES
5 PURCHASES A PARCEL OF REAL PROPERTY, THE DEPARTMENT SHALL CONDUCT
6 A VISUAL INSPECTION OF THE PROPERTY AND REVIEW THE OWNERSHIP AND
7 USE HISTORY OF THE PROPERTY TO DETERMINE WHETHER A PROBABILITY
8 EXISTS THAT THE PROPERTY IS A SITE OF ENVIRONMENTAL
9 CONTAMINATION. IF THE VISUAL INSPECTION OR THE OWNERSHIP AND USE
10 HISTORY, OR BOTH, SHOW THERE IS A SIGNIFICANT PROBABILITY THAT
11 THE PROPERTY IS A SITE OF ENVIRONMENTAL CONTAMINATION, THE
12 DEPARTMENT OF NATURAL RESOURCES SHALL CONDUCT, OR CAUSE TO BE
13 CONDUCTED, AN ENVIRONMENTAL ASSESSMENT OF THE PROPERTY THAT
14 INCLUDES AT LEAST BOTH OF THE FOLLOWING:

15 (A) AN ON-SITE EVALUATION OF ANY TOXIC OR OTHER CONTAMINA-
16 TION OF THE SOIL OR GROUNDWATER, OR BOTH, ON THE PROPERTY.

17 (B) AN INSPECTION OF ALL PERMANENT STRUCTURES ON THE PROP-
18 ERTY FOR THE PRESENCE OF ASBESTOS OR OTHER TOXIC MATERIALS.

19 (2) IF THE DEPARTMENT OF NATURAL RESOURCES ELECTS TO PUR-
20 CHASE PROPERTY THAT IS SHOWN BY THE ENVIRONMENTAL ASSESSMENT
21 REQUIRED IN SUBSECTION (1) TO BE A SITE OF ENVIRONMENTAL CONTAMI-
22 NATION, THE DEPARTMENT SHALL DOCUMENT THE CIRCUMSTANCES THAT JUS-
23 TIFY THE PURCHASE OF CONTAMINATED PROPERTY.

24 (3) AS USED IN THIS SECTION, "SITE OF ENVIRONMENTAL
25 CONTAMINATION" MEANS THAT TERM AS IT IS DEFINED IN THE
26 ENVIRONMENTAL RESPONSE ACT, ACT NO. 307 OF THE PUBLIC ACTS OF

1 1982, BEING SECTIONS 299.601 TO 299.611 OF THE MICHIGAN COMPILED
2 LAWS.