

HOUSE BILL No. 6056

November 29, 2016, Introduced by Rep. Schor and referred to the Committee on Appropriations.

A bill to amend 1976 PA 399, entitled "Safe drinking water act," (MCL 325.1001 to 325.1023) by adding sections 11e and 11f.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 11E. (1) THE LEAD ABATEMENT FUND IS CREATED WITHIN THE
2 STATE TREASURY.

3 (2) THE STATE TREASURER MAY RECEIVE MONEY OR OTHER ASSETS FROM
4 ANY SOURCE FOR DEPOSIT INTO THE LEAD ABATEMENT FUND. THE STATE
5 TREASURER SHALL DIRECT THE INVESTMENT OF THE LEAD ABATEMENT FUND.
6 THE STATE TREASURER SHALL CREDIT TO THE LEAD ABATEMENT FUND
7 INTEREST AND EARNINGS FROM FUND INVESTMENTS.

8 (3) MONEY IN THE LEAD ABATEMENT FUND AT THE CLOSE OF THE
9 FISCAL YEAR SHALL REMAIN IN THE LEAD ABATEMENT FUND AND SHALL NOT
10 LAPSE TO THE GENERAL FUND.

11 (4) THE DEPARTMENT SHALL BE THE ADMINISTRATOR OF THE LEAD

1 ABATEMENT FUND FOR AUDITING PURPOSES.

2 (5) THE DEPARTMENT SHALL EXPEND MONEY FROM THE LEAD ABATEMENT
3 FUND, UPON APPROPRIATION, ONLY FOR LEAD ABATEMENT GRANTS ISSUED
4 UNDER SECTION 11F.

5 SEC. 11F. (1) THE DEPARTMENT SHALL ESTABLISH AND ADMINISTER A
6 LEAD ABATEMENT GRANT PROGRAM THAT PROVIDES GRANTS FOR LEAD
7 INFRASTRUCTURE REMEDIATION. A GRANT MAY BE AWARDED FOR 1 OR MORE OF
8 THE FOLLOWING:

9 (A) SURVEYING WATER SUPPLY SYSTEMS FOR THE PRESENCE OF
10 INFRASTRUCTURE THAT MAY REPRESENT A LEAD HAZARD, INCLUDING PIPES,
11 CONNECTORS, AND SOLDER CONTAINING LEAD, LEAD ALLOYS, AND GALVANIZED
12 IRON.

13 (B) REPLACING MAINS, CONNECTORS, OR SERVICE LINES TO REMOVE
14 LEAD FROM CONTACT WITH DRINKING WATER. ALL SERVICE LINE
15 REPLACEMENTS FINANCED IN WHOLE OR IN PART WITH A GRANT UNDER THIS
16 SECTION MUST INCLUDE THE ENTIRE LENGTH FROM THE CONNECTION BOX TO
17 THE BUILDING OR WATER FAUCET. AN APPLICATION THAT PROPOSES ONLY
18 PARTIAL LEAD SERVICE LINE REPLACEMENTS SHALL NOT BE APPROVED.

19 (C) REPLACING VALVES FOR THE PURPOSES OF CONDUCTING SAFE LEAD
20 ABATEMENT IN THE WATER SUPPLY SYSTEM.

21 (D) PLANT UPGRADES DESIGNED TO OPTIMIZE CORROSION CONTROL.

22 (2) AN APPLICATION FOR A GRANT UNDER THIS SECTION MAY BE
23 SUBMITTED BY A SUPPLIER OF WATER THAT PROVIDES WATER TO A COMMUNITY
24 SUPPLY OR A NONCOMMUNITY SUPPLY. THE APPLICATION SHALL INCLUDE BOTH
25 OF THE FOLLOWING:

26 (A) A DETAILED PLAN, BUDGET, AND TIMELINE. THE PLAN SHALL, AT
27 A MINIMUM, CONTAIN ALL OF THE FOLLOWING:

1 (i) THE METHODS THAT WILL BE USED TO SYSTEMATICALLY IDENTIFY
2 PLUMBING MATERIALS ACROSS THE WATER SUPPLY SYSTEM.

3 (ii) HOW THE PLAN WILL SEEK TO MAXIMIZE REDUCTIONS IN LEAD
4 LEVELS AT WATER CONSUMERS' TAPS.

5 (iii) THE METHODS THAT WILL BE USED TO ASSESS LEAD LEVELS AT
6 THE TAP BEFORE AND AFTER REMEDIATION.

7 (iv) AN IDENTIFICATION OF CURRENT LEAD LEVELS AT THE TAP AND
8 THE SAMPLING PROCEDURES USED.

9 (v) A COMPREHENSIVE PLAN TO PREVENT THE REMEDIATION EFFORT
10 ITSELF FROM CAUSING ANY ADDITIONAL LEAD EXPOSURES.

11 (B) THE LOCAL RESOURCES THAT WILL BE COMMITTED TO THE
12 REMEDIATION. AN APPLICANT FOR A GRANT SHALL PROVIDE A MATCH OF NOT
13 LESS THAN 25% OF THE COST OF THE PROJECT. HOWEVER, UP TO 50% OF THE
14 MATCH MAY BE PROVIDED AS GOODS AND SERVICES.

15 (3) IN REVIEWING GRANT APPLICATIONS UNDER THIS SECTION, THE
16 DEPARTMENT SHALL CONSIDER ALL OF THE FOLLOWING:

17 (A) WHETHER A PROPOSED PROJECT MEETS THE REQUIREMENTS OF THE
18 GRANT PROGRAM.

19 (B) WHETHER THE PROPOSED PROJECT IS FEASIBLE.

20 (C) THE LEVEL OF LOCAL FUNDING COMMITMENT FROM PUBLIC AND
21 PRIVATE SOURCES RELATIVE TO AVAILABLE LOCAL RESOURCES.

22 (D) THE LEVEL OF COMMITMENT FROM OTHER GOVERNMENTAL AGENCIES.

23 (E) WHETHER THERE IS EVIDENCE OF ADVERSE ECONOMIC AND
24 SOCIOECONOMIC CONDITIONS IN THE COMMUNITY WHERE THE WATER SUPPLY
25 SYSTEM IS LOCATED.

26 (F) THE REDUCTION IN POPULATION EXPOSURE TO LEAD THAT WILL BE
27 ACHIEVED BY THE PROJECT RELATIVE TO OTHER GRANT APPLICATIONS.

1 (4) THE DEPARTMENT SHALL PRIORITIZE THE APPLICATIONS RECEIVED
2 BASED UPON WHICH PROJECTS WILL PROVIDE THE GREATEST VALUE TO THE
3 STATE CONSIDERING THE LIKELIHOOD OF THE LOCAL COMMUNITY UNDERTAKING
4 THE PROJECT IN THE ABSENCE OF THE GRANT AND WHICH PROJECTS WILL
5 ACCOMPLISH THE GREATEST REDUCTION IN LEAD LEVELS FOR THE MONEY
6 EXPENDED.

7 (5) FOLLOWING APPROVAL OF A GRANT UNDER THIS SECTION, BUT
8 PRIOR TO RELEASING ANY FUNDS, THE DEPARTMENT SHALL ENTER INTO A
9 GRANT AGREEMENT WITH THE GRANT RECIPIENT. THE GRANT AGREEMENT SHALL
10 INCLUDE PROVISIONS REQUIRED BY THE DEPARTMENT INCLUDING A
11 REQUIREMENT THAT THE GRANT RECIPIENT PROVIDE TO THE DEPARTMENT A
12 COMPLETE ACCOUNTING OF THE MONEY RECEIVED.

13 (6) THE DEPARTMENT SHALL ANNUALLY SUBMIT A REPORT TO THE
14 LEGISLATURE THAT INCLUDES ALL OF THE FOLLOWING:

15 (A) THE NUMBER OF APPLICATIONS RECEIVED.

16 (B) THE NUMBER OF GRANTS ISSUED.

17 (C) A DESCRIPTION OF THE PURPOSE OF EACH GRANT THAT WAS ISSUED
18 AND THE AMOUNT OF THE GRANT.

19 Enacting section 1. This amendatory act does not take effect
20 unless the question provided for in the clean Michigan initiative
21 reauthorization act is approved by a majority of the registered
22 electors voting on the question at the next general election.