

# HOUSE BILL No. 5405

March 1, 2016, Introduced by Reps. Neeley, LaVoy, Chang, Plawecki, Wittenberg, Greig, Pagan, Irwin, Townsend, Brunner, Smiley, Geiss, Driskell, Phelps, Hoadley, Yanez, Santana, Hovey-Wright and Lucido and referred to the Committee on Natural Resources.

A bill to amend 1976 PA 399, entitled  
"Safe drinking water act,"  
by amending section 3 (MCL 325.1003).

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 3. (1) Subject to **SUBSECTION (2) AND THE** limitations  
2 contained in this act, the department shall have power and control  
3 over public water supplies and suppliers of water. The director may  
4 enter upon the waterworks system of a supplier of water at  
5 reasonable times for the purpose of inspecting the system and  
6 carrying out this act and rules promulgated under this act.

7           (2) **THE WATER RESOURCES COMMISSION CREATED IN SECTION 3102 OF**  
8 **THE NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT, 1994 PA**  
9 **451, MCL 324.3102, SHALL DO ALL OF THE FOLLOWING:**

1 (A) PROVIDE OVERSIGHT OVER ALL RESPONSIBILITIES OF THE  
2 DEPARTMENT UNDER THIS ACT.

3 (B) HOLD PUBLIC HEARINGS AND RECEIVE PUBLIC COMMENT ON ALL  
4 POLICIES OF THE DEPARTMENT REGARDING THE PROVISION OF DRINKING  
5 WATER UNDER THIS ACT.

6 (C) RECEIVE COMPLAINTS RELATED TO DRINKING WATER THAT IS  
7 ALLEGED TO NOT MEET STATE DRINKING WATER STANDARDS OR OTHERWISE TO  
8 BE IN VIOLATION OF THIS ACT, THE RULES PROMULGATED UNDER THIS ACT,  
9 OR ANY DETERMINATION, PERMIT, OR ORDER ISSUED UNDER THIS ACT.

10 (D) IN RESPONSE TO A COMPLAINT REGARDING DRINKING WATER, DO  
11 EITHER OR BOTH OF THE FOLLOWING:

12 (i) REQUIRE THE DIRECTOR OR THE DEPARTMENT TO TAKE  
13 INVESTIGATORY OR ENFORCEMENT ACTION.

14 (ii) REQUEST THE ATTORNEY GENERAL TO COMMENCE AN ACTION IN  
15 COURT TO ENFORCE THIS ACT.

16 Enacting section 1. This amendatory act takes effect 90 days  
17 after the date it is enacted into law.

18 Enacting section 2. This amendatory act does not take effect  
19 unless Senate Bill No. \_\_\_\_ or House Bill No. 5404 (request no.  
20 05109'16 \*) of the 98th Legislature is enacted into law.