



**House
Legislative
Analysis
Section**

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**UNDERGROUND TANK ACT AMENDMENTS
RECEIVED**

House Bill 4528 as enrolled
Second Analysis (9-7-89)

OCT 19 1989

Sponsor: Rep. Mary C. Brown
House Committee: Conservation, Recreation, &
Environment
Senate Committee: None

THE APPARENT PROBLEM:

Public Act 152 of 1989 (SB 266) amended the Michigan Underground Storage Tank Financial Assurance Act to establish a revenue source for the Michigan Underground Storage Tank Financial Assurance Fund and the Emergency Response Fund. During conference committee negotiations concerning the bill two new provisions were added. (One provision prohibits the use of money in the fund for corrective cleanup of a substance in excess of the state drinking water standard for the substance in order to curtail exorbitant cleanup costs, and the other provision requires a study of the economic costs associated with cleanup standards since there is no data currently available concerning this topic). However, in retrospect the two provisions are thought to be inappropriately placed in the act, and legislation is needed to delete the provisions.

THE CONTENT OF THE BILL:

The bill would amend the Michigan Underground Storage Tank Financial Assurance Act to make technical corrections to the act by deleting two provisions: one would require a study of the costs associated with various levels of cleanup standards for corrective actions on underground storage tank systems and has been added to Public Act 157 of 1989 and another would prohibit the use of money in the Michigan Underground Storage Tank Financial Assurance Fund for corrective cleanup of a substance in excess of the state drinking water standard for the substance.

MCL 299.806, 299.807, and 299.812

FISCAL IMPLICATIONS:

According to the Department of Public Health, the bill would have no fiscal implications for the state. (9-7-89)

ARGUMENTS:

For:

The provisions should be deleted because neither specifically addresses issues about the financial assurance of underground storage tanks. In addition, one provision has already been added to another act and would cause confusion if left in both acts. Further, conference committee protocol, which dictates that only issues upon which the House and Senate differ are to be addressed during conference committee negotiations, would be violated and a dangerous precedent established if the provisions remained in the act.

H.B. 4528 (9-7-89)