



**House  
Legislative  
Analysis  
Section**

Olds Plaza Building, 10th Floor  
Lansing, Michigan 48909  
Phone: 517/373-6466

**FUND FOR STATE POLLUTERS**

**House Bill 4508**

**Sponsor: Rep. Donald Van Singel**

**Committee: Conservation, Recreation &  
Environment**

**Complete to 4-22-91**

**A SUMMARY OF HOUSE BILL 4508 INTRODUCED 3-7-91**

Currently, the water resources commission act prohibits the discharge into state water of anything that might harm the public health. The act establishes civil fines, ranging from \$2,500 to \$25,000, for a violation of the act. In addition, fines of at least \$500,000 to \$5 million are imposed for civil and criminal liability for substantial endangerment to public health, safety, or welfare. House Bill 4508 would amend the act to specifically include unlawful discharge into state waters by a state agency. Under the bill, a state department or agency that endangered the public health by unlawfully discharging into state waters would be fined an amount equal to three times the amount ordinarily imposed in a civil action for a violation of the act or for civil liability. Money received from the fines would be deposited into a community reimbursement fund, which would be used solely to issue grants to municipalities and other persons directly and adversely impacted by the state agency's discharge. The fund and the grant application process would be administered by the Department of Management and Budget, and investment of the fund would be directed by the state treasurer.

One-third of each assessed triple fine would be reserved for grants for affected municipalities; the remainder would be used for grants to other eligible persons, including municipalities. A grant from the fund could be used either to undertake response activity (which would mean an activity necessary to protect the public health, including evaluation, cleanup, removal, containment, isolation, treatment, monitoring, maintenance, replacement of water supplies, temporary relocation of people, and reimbursement for certain expenses) or to reimburse a person who undertook response activity to mitigate the impact of an unlawful discharge. A municipality that received the grant could also use it to improve the quality of life within the municipality that was adversely impacted by the discharge. Nothing in the bill could be construed to constrict or limit a state agency that was responsible for a discharge from responsibility for other response activity.

MCL 323.10 and 323.10a