



**Senate Fiscal Agency**  
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BILL



ANALYSIS

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Senate Bill 582 (Substitute S-3 as reported)  
Sponsor: Senator Loren Bennett  
Committee: Natural Resources and Environmental Affairs

### **CONTENT**

The bill would amend Part 215 (Underground Storage Tank Financial Assurance) of the Natural Resources and Environmental Protection Act to require the State Treasurer or the Michigan Underground Storage Tank Financial Assurance (MUSTFA) Authority to make payment directly to the owner or operator of an underground storage tank if he or she submitted to the MUSTFA Fund Administrator a signed affidavit stating that the consultant and all contractors listed on a work invoice had been paid in full. The affidavit would have to list the work invoice and claim to which it applied. The Department of Natural Resources would not be required to verify affidavits submitted. If a check already had been issued to the owner or operator and the consultant, the owner or operator would have to return the original check to the Fund Administrator. An owner or operator who returned a check together with an affidavit would be reissued a check following payment of all approved work invoices that had not previously been paid. Once payment was made under these provisions, the Fund would not be liable for any claim on the basis of that payment. The bill would delete the requirement that work invoices include authorization by the owner or operator of an underground storage tank system as to whether the State Treasurer should make payment to the owner or operator or to the consultant.

The bill also would increase from \$1 million to \$3 million the maximum limit for the Emergency Response Fund and the maximum that may be spent from the Fund in any year.

MCL 324.21503

Legislative Analyst: L. Burghardt

### **FISCAL IMPACT**

The bill addresses technical changes to the operating of the MUSTFA program and would have no fiscal impact on State or local government.

Date Completed: 4-25-96

Fiscal Analyst: G. Cutler

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.