

# Legislative Analysis

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## PRIVATE WASTEWATER UTILITIES

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**Senate Bill 356 as passed by the Senate**  
**Sponsor: Sen. Bruce Patterson**

**Senate Bill 419 as passed by the Senate**  
**Sponsor: Sen. Jason E. Allen**

**House Committee: Natural Resources, Great Lakes, Land Use, and Environment**  
**Senate Committee: Economic Development, Small Business and Regulatory Reform**

**Complete to 6-15-05**

## A SUMMARY OF SENATE BILLS 356 AND 419 AS PASSED BY THE SENATE 5-10-05

The bills would regulate the construction and operation of private wastewater treatment facilities.

**Senate Bill 356** would amend Part 53 (Clean Water Assistance) of the Natural Resources and Environmental Protection Act (MCL 324.5309a) to specify that the activities of a private, investor-owned wastewater utility would have to comply with all applicable provisions of NREPA, local zoning and other ordinances, and the construction and operation requirements of the Federal Water Pollution Control Act (i.e. the Clean Water Act) and the National Environmental Policy Act of 1969. (The bill appears to incorrectly refer to the *Natural* Environmental Policy Act.)

**Senate Bill 419** would amend Public Act 3 of 1939 (MCL 460.6) to provide the Public Service Commission with the regulatory authority over private, investor-owned wastewater utilities, as provided for in Senate Bill 356.

## FISCAL IMPACT:

**Senate Bill 356** would have no fiscal impact on the state or local units of government.

**Senate Bill 419** adds additional regulatory and administrative duties to the Michigan Public Service Commission, the cost of which would be funded by increased utility assessments on regulated industries. The number of private wastewater facilities that would be subject to regulation is indeterminate. Initially, it may be difficult to estimate assessments needed to fund the new regulatory and administrative responsibilities.

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