

HOUSE SUBSTITUTE FOR  
SENATE BILL NO. 356

A bill to amend 1994 PA 451, entitled  
"Natural resources and environmental protection act,"  
by amending section 4108 (MCL 324.4108).

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

1       Sec. 4108. **(1)** The department shall exercise due care to see  
2   that sewerage systems are properly planned, constructed, and  
3   operated to prevent unlawful pollution of the streams, lakes, and  
4   other water resources of the state. ~~The department shall counsel~~  
5   ~~owners and operators of sewerage systems or any parts of sewerage~~  
6   ~~systems when disputes between public agencies over sewerage service~~  
7   ~~or sewage treatment rates occur and may act as arbitrator in these~~  
8   ~~cases when called upon to do so by a majority of the parties to the~~  
9   ~~controversy.~~ The department shall cooperate with appropriate

1 federal or state agencies in the determination of grants of  
2 assistance for the preparation of plans or for the construction of  
3 waterworks systems, sewerage systems, or waste treatment projects,  
4 or both.

5 (2) THE ACTIVITIES OF A PRIVATE, INVESTOR-OWNED WASTEWATER  
6 UTILITY SHALL COMPLY WITH ALL APPLICABLE PROVISIONS OF THIS ACT,  
7 LOCAL ZONING AND OTHER ORDINANCES, AND THE CONSTRUCTION AND  
8 OPERATION REQUIREMENTS OF THE FEDERAL WATER POLLUTION CONTROL ACT  
9 AND THE NATIONAL ENVIRONMENTAL POLICY ACT OF 1969, 42 USC 4321,  
10 4331 TO 4335, AND 4341 TO 4347.

11 (3) AS USED IN THIS SECTION, "PRIVATE, INVESTOR-OWNED  
12 WASTEWATER UTILITY" MEANS A UTILITY THAT DELIVERS WASTEWATER  
13 TREATMENT SERVICES THROUGH A SEWAGE SYSTEM AND THE PHYSICAL ASSETS  
14 OF WHICH ARE WHOLLY OWNED BY AN INDIVIDUAL OR GROUP OF INDIVIDUAL  
15 SHAREHOLDERS.