

WATER QUALITY, AFFORDABILITY, AND ACCESSIBILITY BILLS 2017-18 MICHIGAN LEGISLATIVE SESSION

Water Quality:

House Bill 4125 (Phelps): Lead and Copper Action Level – Establishes criteria for the action level or engagement of State Department as it relates to the Lead and Copper Rule. *Referred to House committee on Natural Resources.*

House Bill 4124 (Neeley)/Senate Bill 154 (Ananich): Program for Schools and Child Day Care – Establishes water testing and interventions for schools, child day care centers as well as repair and replacement of sources of lead contamination. *Referred to House committee on Natural Resources.*

House Bill 4120 (Zemke) 4378, 4372, 4379 (Kosowski): Water Quality Testing – These bills require water quality testing at regular intervals for schools, colleges/universities/Nonpublic schools and hospitals. *Referred to House committee on Natural Resources.*

House Bill 4206 (Neeley)/Senate Bill 155 (Young): Pre-flushing - This bill stipulates that the DEQ and all water authorities must be compliant with EPA guidelines and it mandates that procedurally no entity including DEQ will be permitted to use pre-flushing as a water sample collecting method. *Referred to House committee on Natural Resources and Senate committee on Government Operations.*

House Bill 4179 (Hughes): Loans to local governments – This bill would allow the Drinking Water Revolving Fund to give out low-interest loans to local governments to replace lead service lines. *Referred to House committee on Natural Resources.*

House Bill 4175 (Kosowski): Drinking Water Loan Fund – Creates the Drinking Water Emergency Loan fund which would allow for the owner or operator of a public water supply to apply for emergency funding for remedial purposes if it is found there is a threat of contamination to its drinking water. *Referred to House committee on Natural Resources.*

House Bill 4339 (Kosowski): Lead Free Pipes/Fittings – Updates the definition of what constitutes “lead free” for purposes of pipes and pipe fittings. This legislation brings the definition in line with the Federal Safe Drinking Water Act language. Currently, the statute allows for pipes and pipe fittings to contain up to 8% lead. This bill reduces that amount to 0.25%. *Referred to House committee on Regulatory Reform.*

Senate Bill 63 (Ananich): Blood Lead Action Level – Gradually lowers Michigan’s lead action level in drinking water from 15 parts per billion (ppb) by to 5 ppb by the end of 2021, with a goal of eventually reaching 0. *Referred to Senate committee on Government Operations.*

Senate Bill 57 (Ananich) & 58 (Hertel): Childhood Lead Commission – Codifies the Governor's Executive Order which established the Childhood Lead Poisoning Prevention and Control Commission within MDHHS, for the purpose of developing strategic recommendations for reducing childhood lead poisoning in the state. *Referred to Senate committee on Government Operations.*

Senate Bill 62 (Hertel): Blood Lead Action Level in Rental Properties - Lowers the blood lead action level from 10 to 5 micrograms per deciliter for children living in rental properties, per the recommendation of the CDC. *Referred to Senate committee on Health Policy.*

Senate Bill 227 (Ananich)/House Bill 4352 (Brinks): Environmental Justice - updates the state's environmental justice plan and mandates training across all state agencies. *Referred to Senate committee on Natural Resources.*

Citizen Oversight and Transparency:

House Bill 4201 (Neeley), 4214 (Phelps): MDEQ Citizen Oversight Commissions – This bill package restores a gubernatorial-appointed citizen oversight commissions for water quality. *Referred to House committee on Natural Resources.*

House Bill 4375 (Neeley): Water Ombudsman – Establishes a Water Ombudsman to advocate for residents throughout the state concerning water related issues. *Referred to House committee on Natural Resources.*

House Bill 4121 (Chang): Transparency - Increases transparency by requiring water providers to submit an annual report to DHHS regarding water rates and how they were determined, along with information about shut-offs in the previous year. *Referred to House committee on Natural Resources.*

Water Billing and Rates:

House Bill 4393 (Chang) Shut-off Protections - Institutes water shut-off protections for seniors, families with minor children, and those who are disabled, and provides for clearer notices and a process for potential shutoffs. Creates a low-income water assistance fund similar to the vulnerable household warmth fund. This is a revised bill based on HB 5122 from last term and is intended to mirror the statute Michigan has for utility shut-off protections. *Referred to House committee on Local Government.*

House Bill 4392 (Hammoud): Regulation of Water Rates by MPSC – Grants the Michigan Public Service Commission the power and jurisdiction to regulate rates, fares, fees, and charges of any water or sewer authority in the state. According to an LSB research memo from 2015, water utilities fall under the purview of 45 other state public service commissions. *Referred to House Committee on Local Government.*

House Bill 4394 (Chang)/Senate Bill 87 (Johnson): Affordability - Addresses the water rate structure that unduly burdens low income residents by amending the social welfare act to create a residential water affordability program within DHHS in order to ensure that water bills are based on household income. *Referred to House Committee on Local Government*

House Bill 4389/4390 (Chang/Garrett): Decriminalization - Decriminalizes the act of re-connecting water service (because of a shut-off due to inability to pay) from a five year felony to a civil infraction for a first or second offense and a misdemeanor for the third offense. *Referred to House committee on Local Government.*

House Bill 4388 (Yanez): Water Meters – Requires that a provider shall not make water or sewerage service to a residential customer contingent on the installation of an advanced meter or use of an advanced meter function. *Referred to House committee on Local Government.*

House Bill TBD (Garrett): Billing – Allows some customers, who have not received a water bill by ten days after the end of the billing period, to no longer be responsible for paying that bill if s/he contacted the department in writing twice and the department did not respond within 30 days.

Access to Water:

House Bill 4363 (Canfield): Water Access – Requires access points for safe drinking water be available in places where residents are not supplied municipal water hook ups. *Referred to Hose committee on Local Government.*

House Bill 4391 (Hammoud): Michigan Accessible and Affordable Water Act- Creates the “Accessible and Affordable Water Act,” which would require that all state departments and agencies employ all reasonable means to revise, adopt, or establish policies, regulations, and grant criteria to establish certain water affordability criteria as appropriate, to the extent that those actions do not affect eligibility for federal funds. *Referred to House committee on Local Government.*

Other:

House Bill 4289 (Phelps) and 4076 (Kesto) Data Manipulation – Criminalizes and creates sentencing guidelines for the manipulation of data. *Referred to House committee for Law and Justice.*