

HOUSE BILL No. 5743

May 10, 1990, Introduced by Reps. Alley, Niederstadt, Hart, DeBeaussaert, Perry Bullard, Profit, Varga and Stupak and referred to the Committee on Conservation, Recreation and Environment.

A bill to amend the title of Act No. 3 of the Public Acts of 1939, entitled as amended

"An act to provide for the regulation and control of public utilities and other services affected with a public interest within this state; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law therein on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to provide for a restructuring of rates for certain utilities; to encourage the utilization of resource recovery facilities; to provide for appeals; to provide appropriations; to declare the effect of this act; to prescribe penalties; and to repeal all acts contrary to this act,"

as amended, being sections 460.1 to 460.8 of the Michigan

Compiled Laws, and to add section 10.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. The title of Act No. 3 of the Public Acts of
2 1939, as amended, being sections 460.1 to 460.8 of the Michigan

1 Compiled Laws, is amended and section 10 is added to read as
2 follows:

3 TITLE

4 An act to provide for the regulation and control of public
5 utilities and other services affected with a public interest
6 within this state; to create a public service commission and to
7 prescribe and define its powers and duties; TO CREATE AN OFFICE
8 OF SOLID WASTE DISPOSAL OVERSIGHT AND PRESCRIBE ITS POWERS AND
9 DUTIES; to abolish the Michigan public utilities commission and
10 to confer the powers and duties vested by law therein on the
11 public service commission; to provide for the continuance, trans-
12 fer, and completion of certain matters and proceedings; to abol-
13 ish automatic adjustment clauses; to prohibit rate increases
14 without notice and hearing; to qualify residential energy conser-
15 vation programs permitted under state law for certain federal
16 exemption; to provide for a restructuring of rates for certain
17 utilities; to encourage the utilization of resource recovery
18 facilities; to provide for appeals; to provide appropriations; to
19 declare the effect of this act; to prescribe penalties; and to
20 repeal all acts contrary to this act.

21 SEC. 10. (1) THE OFFICE OF SOLID WASTE DISPOSAL OVERSIGHT
22 IS CREATED WITHIN THE DEPARTMENT OF COMMERCE UNDER THE CONTROL
23 AND SUPERVISION OF THE MICHIGAN PUBLIC SERVICE COMMISSION.

24 (2) THE OFFICE OF SOLID WASTE DISPOSAL OVERSIGHT SHALL DO
25 ALL OF THE FOLLOWING:

26 (A) REGISTER SOLID WASTE TRANSPORTERS PURSUANT TO
27 SECTION 20B OF THE SOLID WASTE MANAGEMENT ACT, ACT NO. 641 OF THE

1 PUBLIC ACTS OF 1978, BEING SECTION 299.420B OF THE MICHIGAN
2 COMPILED LAWS.

3 (B) RECEIVE INFORMATION ON LANDFILL CHARGES AND CHANGES IN
4 LANDFILL CHARGES FILED PURSUANT TO SECTION 19C OF ACT NO. 641 OF
5 THE PUBLIC ACTS OF 1978, BEING SECTION 299.419C OF THE MICHIGAN
6 COMPILED LAWS.

7 (C) MAINTAIN RECORDS OF CURRENT CHARGES OF LANDFILLS
8 THROUGHOUT THE STATE.

9 (D) RECEIVE DISCLOSURE STATEMENTS SUBMITTED PURSUANT TO
10 SECTIONS 19C AND 20B OF ACT NO. 641 OF THE PUBLIC ACTS OF 1978.

11 (E) MAKE INFORMATION RECEIVED PURSUANT TO THIS SECTION
12 AVAILABLE TO ANY PERSON UPON REQUEST.

13 (F) REPORT ANNUALLY TO THE LEGISLATURE, THE DEPARTMENT OF
14 NATURAL RESOURCES, AND THE SCIENCE AND TECHNOLOGY DIVISION OF THE
15 LEGISLATIVE SERVICE BUREAU ON THE INFORMATION RECEIVED UNDER THIS
16 SECTION.

17 (G) DEPOSIT PROCESSING FEES RECEIVED UNDER SECTION 19C OF
18 ACT NO. 641 OF THE PUBLIC ACTS OF 1978, AND REGISTRATION FEES
19 RECEIVED PURSUANT TO SECTION 20B OF ACT NO. 641 OF THE PUBLIC
20 ACTS OF 1978, INTO THE GENERAL FUND, WHICH SHALL BE AVAILABLE FOR
21 APPROPRIATION TO THE OFFICE FOR ADMINISTRATIVE EXPENSES OF OPER-
22 ATING THE OFFICE.

23 Section 2. This amendatory act shall not take effect unless
24 Senate Bill No. _____ or House Bill No. _____ (request
25 no. 05543'90) of the 85th Legislature is enacted into law.