

HOUSE BILL No. 5808

May 23, 1990, Introduced by Reps. Hickner and Brown and referred to the Committee on Conservation, Recreation and Environment.

A bill to authorize the assessment of membership fees by the Michigan environmental assurance corporation; and to prescribe certain powers and duties of the board of directors of the Michigan environmental assurance corporation.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. As used in this act:

2 (a) "Disposal facility", "hazardous waste", "treatment
3 facility", and "storage facility" mean those terms as they are
4 defined in the hazardous waste management act, Act No. 64 of the
5 Public Acts of 1979, being sections 299.501 to 299.551 of the
6 Michigan Compiled Laws.

7 (b) "Solid waste" means that term as it is defined in the
8 solid waste management act, Act No. 641 of the Public Acts of
9 1978, being sections 299.401 to 299.437 of the Michigan Compiled
10 Laws.

1 Sec. 2. (1) For a period of 5 years after the effective
2 date of this act, the board of directors of the Michigan environ-
3 mental assurance corporation provided for in the Michigan envi-
4 ronmental assurance corporation act may annually assess member-
5 ship fees, in amounts not greater than those provided in this
6 section, against members of the corporation and may collect those
7 fees to fund projected liabilities of the Michigan environmental
8 assurance fund established pursuant to the Michigan environmental
9 assurance corporation act. The membership fees assessed may be
10 collected at 1 of the following:

11 (a) The point of disposal, treatment, or storage, or trans-
12 portation out of state, of hazardous waste at a rate not greater
13 than \$30.00 per ton or \$30.00 per cubic yard of hazardous waste
14 disposed of in a disposal facility, treated at a treatment facil-
15 ity, stored in a storage facility for more than 1 year, or trans-
16 ported out of state.

17 (b) The point of disposal or transportation out of state of
18 solid waste at a rate not greater than 75 cents per cubic yard of
19 solid waste disposed of in a landfill or incinerator regulated
20 under the solid waste management act, Act No. 641 of the Public
21 Acts of 1978, being sections 299.401 to 299.437 of the Michigan
22 Compiled Laws, or transported out of state.

23 (2) Fees assessed under subsection (1) shall be assessed in
24 such a manner so as not to impose a fee more than once on the
25 same waste.

26 (3) Fees shall not be assessed under subsection (1) on waste
27 that is being recycled.

1 (4) Within 1 year after the effective date of this act, the
2 board of directors of the Michigan environmental assurance corpo-
3 ration shall recommend to the legislature an appropriate amount
4 for the legislature to authorize for assessments against the
5 owners of property containing sites.

6 Sec. 3. This act shall not take effect unless either of the
7 following bills of the 85th Legislature are enacted into law:

8 (a) Senate Bill No. 375.

9 (b) Senate Bill No. _____ or House Bill No. _____ (request
10 no. 05196'90).