

# HOUSE BILL No. 4381

February 26, 1991, Introduced by Reps. Hickner, Brown, DeMars and Alley 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) If legislation creating the Michigan  
2 environmental assurance corporation is enacted into law, for a  
3 period of 5 years after the effective date of this act, the board  
4 of directors of the Michigan environmental assurance corporation  
5 may annually assess membership fees, in amounts not greater than  
6 those provided in this section, against members of the corpora-  
7 tion and may collect those fees to fund projected liabilities of  
8 the Michigan environmental assurance fund, if that fund is cre-  
9 ated by legislative enactment. The membership fees assessed may  
10 be 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.