

# SENATE BILL No. 721

September 23, 2003, Introduced by Senators BRATER, PATTERSON, BASHAM,  
SCHAUER, SCOTT and EMERSON and referred to the Committee on Natural Resources  
and Environmental Affairs.

A bill to amend 1994 PA 451, entitled  
"Natural resources and environmental protection act,"  
(MCL 324.101 to 324.90106) by adding sections 11532a, 11532b, and  
11532c.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 11532a. (1) A solid waste disposal surcharge of \$3.00  
2 is assessed for each ton of municipal and commercially generated  
3 solid waste that is disposed of in a landfill.

4       (2) The owner or operator of a landfill shall forward solid  
5 waste disposal surcharges under this section to the state  
6 treasurer for deposit into the waste diversion fund created in  
7 section 11532b.

8       (3) As used in this section, "municipal and commercially  
9 generated solid waste" means solid waste generated by residents  
10 and by businesses but does not include any of the following:

1 (a) Construction and demolition waste or debris.

2 (b) Industrial waste.

3 (c) Sludge.

4 (d) Ash.

5 (e) Manufacturing process waste.

6 Sec. 11532b. (1) The waste diversion fund is created within  
7 the state treasury.

8 (2) The state treasurer may receive money or other assets  
9 from any source for deposit into the waste diversion fund. The  
10 state treasurer shall direct the investment of the waste  
11 diversion fund. The state treasurer shall credit to the waste  
12 diversion fund interest and earnings from fund investments.

13 (3) Money in the waste diversion fund at the close of the  
14 fiscal year shall remain in the fund and shall not lapse to the  
15 general fund.

16 (4) The department, upon appropriation, shall annually expend  
17 money in the waste diversion fund as follows:

18 (a) Ninety percent for recycling formula grants to counties  
19 for new programs or enhancements to existing programs that  
20 increase recycling participation. Money that is allocated under  
21 this subdivision shall be distributed as follows:

22 (i) Fifty percent of the money shall be distributed in equal  
23 amounts to each of the counties in the state.

24 (ii) Fifty percent of the money shall be distributed to  
25 counties based on the population of the counties.

26 (b) Ten percent for the department to conduct inspections of  
27 landfills in the state to determine compliance with this part.

1           (5) The department shall provide for the distribution of  
2 grants under subsection (4).

3           Sec. 11532c. (1) The department and the department of  
4 management and budget shall jointly establish a recycled products  
5 procurement advisory committee. The committee shall consist of  
6 members from business and industry, members from environmental  
7 organizations, and members from the department and the department  
8 of management and budget.

9           (2) The advisory committee established under subsection (1)  
10 shall review the state's procurement policies for recycled  
11 products and materials. The committee shall identify whether  
12 state procurement policies prevent or discourage the procurement  
13 of recycled products and materials. The committee shall submit a  
14 report to the legislature and the governor on its review and  
15 shall make recommendations on changes in procurement policies  
16 that would encourage the use of recycled products and materials  
17 by the state.