

# HOUSE BILL No. 5652

May 12, 2016, Introduced by Reps. Byrd, Sheppard, Hughes, Hovey-Wright and LaVoy and referred to the Committee on Local Government.

A bill to amend 1984 PA 270, entitled  
"Michigan strategic fund act,"  
by amending section 4 (MCL 125.2004), as amended by 2014 PA 507.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 4. As used in this act:

2           (a) "Board" means the board of directors of the Michigan  
3 strategic fund, except where the context clearly requires a  
4 different definition.

5           (b) "Economic development project" means an endeavor related  
6 to industrial, commercial, or agricultural enterprise. Economic  
7 development project includes, but is not limited to, a theme or  
8 recreation park; agricultural or forestry production, harvesting,  
9 storage, or processing facilities or equipment; port facilities;  
10 and the use of equipment or facilities designed to produce energy  
11 from renewable resources. Economic development project does not

1 include that portion of an endeavor devoted to the sale of goods at  
2 retail, except that, as used in relation to the fund insuring a  
3 transaction entered into by a depository institution, and as used  
4 in relation to a loan by the fund to a minority owned business, an  
5 economic development project may include that portion of an  
6 endeavor devoted to the sale of goods at retail. Economic  
7 development project does not include that portion of an endeavor  
8 devoted to housing or a program or activity authorized under  
9 chapter 8A.

10 (c) "Financial institution" means a state or nationally  
11 chartered bank or a state or federally chartered savings and loan  
12 association, savings bank, or credit union whose deposits are  
13 insured by an agency of the United States government and that  
14 maintains a principal office or branch office in this state under  
15 the laws of this state or the United States.

16 (d) "Fund" means the Michigan strategic fund created under  
17 section 5, except where the context clearly requires a different  
18 definition.

19 (e) "Green chemistry" means chemistry and chemical engineering  
20 to design chemical products or processes that reduce or eliminate  
21 the use or generation of hazardous substances, while producing  
22 high-quality products through safe and efficient manufacturing  
23 processes. Green chemistry is guided by the following 12  
24 principles:

25 (i) Prevent waste: Design chemical syntheses to prevent waste,  
26 leaving no waste to treat or clean up.

27 (ii) Design safer chemicals and products: Design chemical

1 products to be fully effective, yet have little or no toxicity.

2 (iii) Design less hazardous chemical syntheses: Design  
3 syntheses to use and generate substances with little or no toxicity  
4 to humans and the environment.

5 (iv) Use renewable feedstocks: Use raw materials and  
6 feedstocks that are renewable rather than depleting. Renewable  
7 feedstocks are often made from agricultural products or are the  
8 wastes of other processes; depleting feedstocks are made from  
9 fossil fuels, including petroleum, natural gas, or coal, or are  
10 mined.

11 (v) Use catalysts, not stoichiometric reagents: Minimize waste  
12 by using catalytic reactions. Catalysts are used in small amounts  
13 and can carry out a single reaction many times. They are preferable  
14 to stoichiometric reagents, which are used in excess and work only  
15 once.

16 (vi) Avoid chemical derivatives: Avoid using blocking or  
17 protecting groups or any temporary modifications if possible.  
18 Derivatives use additional reagents and generate waste.

19 (vii) Maximize atom economy: Design syntheses so that the  
20 final product contains the maximum proportion of the starting  
21 materials. There should be few, if any, wasted atoms.

22 (viii) Use safer solvents and reaction conditions: Avoid using  
23 solvents, separation agents, or other auxiliary chemicals. If these  
24 chemicals are necessary, use innocuous chemicals.

25 (ix) Increase energy efficiency: Run chemical reactions at  
26 ambient temperature and pressure whenever possible.

27 (x) Design chemicals and products to degrade after use: Design

1 chemical products to break down to innocuous substances after use  
2 so that they do not accumulate in the environment.

3 (xi) Analyze in real-time to prevent pollution: Include in-  
4 process real-time monitoring and control during syntheses to  
5 minimize or eliminate the formation of by-products.

6 (xii) Minimize the potential for accidents: Design chemicals  
7 and their forms, including solid, liquid, or gas, to minimize the  
8 potential for chemical accidents, including explosions, fires, and  
9 releases to the environment.

10 (f) "Michigan economic development corporation" or "MEDC"  
11 means the Michigan economic development corporation, the public  
12 body corporate created under section 28 of article VII of the state  
13 constitution of 1963 and the urban cooperation act of 1967, 1967  
14 (Ex Sess) PA 7, MCL 124.501 to 124.512, by a contractual interlocal  
15 agreement effective April 5, 1999, and subsequently amended,  
16 between local participating economic development corporations  
17 formed under the economic development corporations act, 1974 PA  
18 338, MCL 125.1601 to 125.1636, and the fund.

19 (g) "Municipality" means a county, city, village, township,  
20 port district, development organization, institution of higher  
21 education, community or junior college, or subdivision or  
22 instrumentality of any of the legal entities listed in this  
23 subdivision.

24 (h) "Person" means an individual, sole proprietorship,  
25 partnership, limited partnership, limited liability partnership,  
26 limited liability company, joint venture, profit or nonprofit  
27 corporation including a public or private college or university,

1 public utility, municipality, local industrial development  
2 corporation, economic development corporation, other association of  
3 persons organized for agricultural, commercial, or industrial  
4 purposes, a lender, or any other entity approved by the board.

5 (i) "Port facilities" means seawall jetties; piers; wharves;  
6 docks; boat landings; marinas; warehouses; storehouses; elevators;  
7 grain bins; cold storage plants; bunkers; oil tanks; ferries;  
8 canals; locks; bridges; tunnels; seaways; conveyors; modern  
9 appliances for the economical handling, storage, and transportation  
10 of freight and handling of passenger traffic; transfer and terminal  
11 facilities required for the efficient operation and development of  
12 ports and harbors; other harbor improvements; or improvements,  
13 enlargements, remodeling, or extensions of any of these buildings  
14 or structures; **AND OTHER REAL OR PERSONAL PROPERTY NECESSARY TO**  
15 **ENHANCE COMMERCIAL MARITIME ACTIVITIES.** Port facilities do not  
16 include an international bridge or international tunnel.

17 (j) "Project" means an economic development project and, in  
18 addition, means the acquisition, construction, reconstruction,  
19 conversion, or leasing of an industrial, commercial, retail,  
20 agricultural, or forestry enterprise, or any part of these, to  
21 carry out the purposes and objectives of this act and of the fund,  
22 including, but not limited to, acquisition of land or interest in  
23 land, buildings, structures, or other planned or existing planned  
24 improvements to land including leasehold improvements, machinery,  
25 equipment, or furnishings which include, but are not limited to,  
26 the following: research parks; office facilities; engineering  
27 facilities; research and development laboratories; warehousing

1 facilities; parts distribution facilities; depots or storage  
2 facilities; port facilities; railroad facilities, including  
3 trackage, right of way, and appurtenances; airports; bridges and  
4 bridge facilities; water and air pollution control equipment or  
5 waste disposal facilities; theme or recreational parks; equipment  
6 or facilities designed to produce energy from renewable resources;  
7 farms, ranches, forests, and other agricultural or forestry  
8 commodity producers; agricultural harvesting, storage,  
9 transportation, or processing facilities or equipment; grain  
10 elevators; shipping heads and livestock pens; livestock;  
11 warehouses; wharves and dock facilities; dredging of recreational  
12 or commercial harbors; water, electricity, hydro electric, coal,  
13 petroleum, or natural gas provision facilities; dams and irrigation  
14 facilities; sewage, liquid, and solid waste collection, disposal  
15 treatment, and drainage services and facilities. Project does not  
16 include a program or activity authorized under chapter 8A.

17 (k) "Private sector" means other than the fund, a state or  
18 federal source, or an agency of a state or the federal government.