

HOUSE BILL No. 5176

September 13, 2005, Introduced by Reps. Acciavatti, Pavlov, Palsrok, Ward, Hoogendyk, Taub, Brandenburg, Amos, Vander Veen, Robertson, Hummel, Gosselin, Walker, Stahl, Shaffer, Elsenheimer, Casperson, Huizenga, Proos, Moolenaar, Caswell, Schuitmaker, Booher, Caul, Moore, Jones, Kahn, Farhat, Hansen, Pearce, Nofs, David Law, Green, Marleau, Mortimer, Emmons, Kooiman, Pastor, Ball, Rocca and Hildenbrand and referred to the Committee on Natural Resources, Great Lakes, Land Use, and Environment.

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
(MCL 324.101 to 324.90106) by adding section 11526e.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 11526E. (1) SUBJECT TO SUBSECTION (3), A PERSON SHALL NOT
2 DELIVER FOR DISPOSAL, IN A LANDFILL OR INCINERATOR IN THIS STATE,
3 MUNICIPAL SOLID WASTE, INCLUDING, BUT NOT LIMITED TO, MUNICIPAL
4 SOLID WASTE INCINERATOR ASH, THAT WAS GENERATED OUTSIDE OF THE
5 UNITED STATES.

6 (2) SUBJECT TO SUBSECTION (3), THE OWNER OR OPERATOR OF A
7 LANDFILL IN THIS STATE SHALL NOT ACCEPT FOR DISPOSAL MUNICIPAL
8 SOLID WASTE, INCLUDING, BUT NOT LIMITED TO, MUNICIPAL SOLID WASTE
9 INCINERATOR ASH, THAT WAS GENERATED OUTSIDE OF THE UNITED STATES.

1 (3) SUBSECTIONS (1) AND (2) APPLY NOTWITHSTANDING ANY OTHER
2 PROVISION OF THIS PART. HOWEVER, SUBSECTIONS (1) AND (2) DO NOT
3 APPLY UNLESS CONGRESS ENACTS LEGISLATION UNDER CLAUSE 3 OF SECTION
4 8 OF ARTICLE I OF THE CONSTITUTION OF THE UNITED STATES AUTHORIZING
5 SUCH PROHIBITIONS. SUBSECTIONS (1) AND (2) DO NOT APPLY UNTIL 90
6 DAYS AFTER THE EFFECTIVE DATE OF SUCH FEDERAL LEGISLATION OR 90
7 DAYS AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS
8 SECTION, WHICHEVER IS LATER.