

HOUSE BILL No. 5595

February 20, 2018, Introduced by Reps. Maturen, Chang, VanSingel, Sowerby, Inman, Rabhi, Garrett, Cambensy, Peterson, Geiss, Wittenberg, Crawford, Wentworth, Yaroch, VanderWall, Marino, Pagan, Faris and Bellino and referred to the Committee on Natural Resources.

A bill to prohibit certain public entities from entering into certain contracts with certain entities that remove or abate asbestos; to require certain entities to disclose certain information when bidding on certain contracts with public entities; and to impose certain duties and responsibilities on certain public entities.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the
2 "public entity asbestos removal disclosure act".

3 Sec. 3. As used in this act:

4 (a) "Asbestos" means a group of naturally occurring minerals
5 that separate into fibers, including chrysotile, amosite,
6 crocidolite, anthophyllite, tremolite, and actinolite.

7 (b) "Asbestos abatement contractor" means a business entity

1 that is licensed under the asbestos abatement contractors licensing
2 act, 1986 PA 135, MCL 338.3101 to 338.3319, and that carries on the
3 business of asbestos abatement on the premises of another business
4 entity and not on the asbestos abatement contractor's premises.

5 (c) "Asbestos abatement project" means any activity involving
6 persons working directly with the demolition, renovation, or
7 encapsulation of friable asbestos materials.

8 (d) "Public entity" means this state or an agency or authority
9 of this state, school district, community college district,
10 intermediate school district, city, village, township, county, land
11 bank, public authority, or public airport authority.

12 Sec. 5. (1) A public entity shall not enter into an asbestos
13 abatement project with an asbestos abatement contractor or a
14 general contractor that contracts with an asbestos abatement
15 contractor for the abatement of asbestos unless the asbestos
16 abatement contractor seeking to bid on the asbestos abatement
17 project, before entering into a contract with the public entity,
18 files an affidavit describing any criminal convictions relating to
19 compliance with environmental laws or regulations and any violation
20 notices of environmental laws or regulations, or whether it is
21 subject to an administrative order or consent judgment within the
22 immediately preceding 5 years.

23 (2) If an asbestos abatement contractor enters into a contract
24 with a public entity for an asbestos abatement project, the
25 asbestos abatement contractor shall not enter into a contract with
26 another asbestos abatement contractor unless that asbestos
27 abatement contractor files an affidavit described in subsection

1 (1) .