

HOUSE BILL No. 5759

May 15, 1990, Introduced by Reps. Emmons, Sikkema, Fitzgerald, Crandall, Sparks, Bartnik, Gilmer, Bennett, Martin, Trim, Munsell, Krause, Dolan, Hoekman, Bandstra, Camp, Strand and Wartner and referred to the Committee on Conservation, Recreation and Environment.

A bill to amend the title of Act No. 307 of the Public Acts
of 1982, entitled as amended

"The environmental response act,"

as amended, being sections 299.601 to 299.611 of the Michigan
Compiled Laws; and to add section 9e.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. The title of Act No. 307 of the Public Acts of
2 1982, as amended, being sections 299.601 to 299.611 of the
3 Michigan Compiled Laws, is amended and section 9e is added to
4 read as follows:

5	TITLE
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6 An act TO PROTECT THE PUBLIC HEALTH, SAFETY, WELFARE, AND
7 THE ENVIRONMENT FROM ENVIRONMENTAL CONTAMINATION AT CERTAIN SITES
8 IN THIS STATE; to provide for the identification, risk
9 assessment, and priority evaluation of environmental

1 contamination at certain sites in this state; to provide for
2 response activity; to prescribe certain powers and duties of the
3 governor and certain state agencies and officials; TO CREATE AN
4 OFFICE OF ENVIRONMENTAL DISPUTE RESOLUTION AND PRESCRIBE ITS
5 POWERS AND DUTIES; to provide for the promulgation of rules; to
6 create an environmental response fund, a Michigan unclaimed
7 bottle fund, ~~and~~ a long-term maintenance trust fund AND AN
8 ENVIRONMENTAL CLEANUP REVOLVING LOAN FUND, AND PROVIDE FOR THEIR
9 USE; to create a long-term maintenance trust fund board and to
10 prescribe its powers and duties; and to provide certain remedies
11 and penalties.

12 SEC. 9E. (1) THE ENVIRONMENTAL CLEANUP REVOLVING LOAN FUND
13 IS CREATED IN THE STATE TREASURY.

14 (2) THE LOAN FUND SHALL RECEIVE, AS REVENUE, MONEY AS PRO-
15 VIDED IN THIS ACT, MONEY AS PROVIDED BY LAW, AND ANY GIFTS OR
16 CONTRIBUTIONS TO THE LOAN FUND. THE STATE TREASURER SHALL DIRECT
17 THE INVESTMENT OF THE LOAN FUND. INTEREST AND EARNINGS OF THE
18 LOAN FUND SHALL BE CREDITED TO THE LOAN FUND. MONEY IN THE LOAN
19 FUND AT THE CLOSE OF THE FISCAL YEAR SHALL REMAIN IN THE LOAN
20 FUND AND SHALL NOT REVERT TO THE GENERAL FUND.

21 (3) MONEY IN THE LOAN FUND SHALL BE USED FOR LOANS, PURSUANT
22 TO RULES OF THE DEPARTMENT, TO ASSIST SMALL BUSINESSES THAT ARE
23 THE OWNERS OF SITES OF ENVIRONMENTAL CONTAMINATION OR ARE RESPON-
24 SIBLE FOR RESPONSE ACTIVITIES AT SUCH SITES IN FINANCING THE
25 RESPONSE ACTIVITIES PURSUANT TO AN APPROVED REMEDIAL ACTION
26 PLAN.

1 (4) AS USED IN THIS SECTION:

2 (A) "LOAN FUND" MEANS THE ENVIRONMENTAL CLEANUP REVOLVING
3 LOAN FUND CREATED IN SUBSECTION (1).

4 (B) "SMALL BUSINESS" MEANS THAT TERM AS IT IS DEFINED IN
5 SECTION 7A OF THE ADMINISTRATIVE PROCEDURES ACT OF 1969, ACT
6 NO. 306 OF THE PUBLIC ACTS OF 1969, BEING SECTION 24.207A OF THE
7 MICHIGAN COMPILED LAWS.

8 Section 2. This amendatory act shall not take effect unless
9 Senate Bill No. ____ or House Bill No. ____ (request
10 no. 04197'89) of the 85th Legislature is enacted into law.