

SUBSTITUTE FOR  
HOUSE BILL NO. 5176

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 OR INCINERATOR IN THIS STATE SHALL NOT ACCEPT FOR DISPOSAL  
8 MUNICIPAL SOLID WASTE, INCLUDING, BUT NOT LIMITED TO, MUNICIPAL  
9 SOLID WASTE INCINERATOR ASH, THAT WAS GENERATED OUTSIDE OF THE

1 UNITED STATES.

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