

SENATE BILL No. 173

February 6, 2007, Introduced by Senators BASHAM, GARCIA, SCHAUER, GLEASON, BRATER and BIRKHOLZ and referred to the Committee on Natural Resources and Environmental Affairs.

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 19102 (MCL 324.19102) and by adding part 175.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

PART 175 ELECTRONIC EQUIPMENT RECYCLING PROGRAM

SEC. 17501. AS USED IN THIS PART:

(A) "CATHODE RAY TUBE" MEANS A VACUUM TUBE, COMPRISED PRIMARILY OF GLASS, THAT IS THE VIDEO DISPLAY COMPONENT OF A TELEVISION OR COMPUTER MONITOR.

(B) "DEPARTMENT" MEANS THE DEPARTMENT OF ENVIRONMENTAL QUALITY.

(C) "ELECTRONIC EQUIPMENT" MEANS A DEVICE THAT CONTAINS COMPLEX CIRCUITRY, CIRCUIT BOARDS, OR SIGNAL PROCESSING COMPONENTS,

1 AND THAT CONTAINS HAZARDOUS MATERIALS THAT MAY POSE A RISK TO
2 PUBLIC HEALTH OR THE ENVIRONMENT IF DISCARDED AS PART OF MIXED
3 SOLID WASTE OR DISPOSED OF IN A SOLID WASTE DISPOSAL FACILITY.

4 SEC. 17503. THE ELECTRONIC EQUIPMENT RECYCLING PROGRAM IS
5 CREATED IN THE DEPARTMENT. THE DEPARTMENT SHALL DEVELOP AND
6 IMPLEMENT THE ELECTRONIC EQUIPMENT RECYCLING PROGRAM TO DETERMINE
7 THE MOST EFFICIENT MEANS OF COLLECTING, STORING, TRANSPORTING,
8 PROCESSING, AND RECYCLING ELECTRONIC EQUIPMENT. THE ELECTRONIC
9 EQUIPMENT RECYCLING PROGRAM SHALL ACCOMPLISH ALL OF THE FOLLOWING:

10 (A) WORK WITH LOCAL GOVERNMENTS AND BUSINESSES TO DETERMINE
11 THE MOST EFFICIENT MEANS OF COLLECTING, STORING, TRANSPORTING,
12 PROCESSING, AND RECYCLING ELECTRONIC EQUIPMENT.

13 (B) DEVELOP PUBLIC EDUCATION PROGRAMS ON THE BENEFITS OF
14 ELECTRONIC EQUIPMENT RECYCLING AND HOW TO ACCOMPLISH IT.

15 (C) PROVIDE ASSISTANCE TO PERSONS TO RECYCLE ELECTRONIC
16 EQUIPMENT UNDER PROGRAMS ESTABLISHED IN PART 191 OR 195.

17 (D) PROVIDE ASSISTANCE TO MUNICIPALITIES IN EDUCATING CITIZENS
18 UNDER THE HOUSEHOLD HAZARDOUS WASTE DISPOSAL GRANT PROGRAM
19 ESTABLISHED UNDER SECTION 19115 AS TO THE HANDLING AND DISPOSAL OF
20 ELECTRONIC EQUIPMENT.

21 (E) ANNUALLY, ON OR BEFORE THE FIRST DAY OF NOVEMBER, SUBMIT A
22 REPORT TO THE LEGISLATURE THAT DOES BOTH OF THE FOLLOWING:

23 (i) EVALUATES THE EFFECTIVENESS OF THE ELECTRONIC EQUIPMENT
24 RECYCLING PROGRAM IN CREATING SATISFACTORY MARKETS, A SUFFICIENT
25 RECOVERY INFRASTRUCTURE, AND AN ADEQUATE FUNDING MECHANISM TO
26 SUPPORT ELECTRONIC EQUIPMENT RECYCLING IN THIS STATE.

27 (ii) MAKES RECOMMENDATIONS FOR ACHIEVING THE GOALS UNDER

1 SUBPARAGRAPH (i).

2 (F) OTHERWISE CARRY OUT THE PURPOSES OF THIS PART AND PROMOTE
3 THE RECYCLING OF ELECTRONIC EQUIPMENT.

4 SEC. 17505. BY JANUARY 1, 2008, THE DEPARTMENT SHALL PUBLISH A
5 LIST OF ELECTRONIC EQUIPMENT FOR THE PURPOSES OF THIS PART.

6 SEC. 17507. (1) AFTER JANUARY 1, 2010, A PERSON SHALL NOT
7 KNOWINGLY DISPOSE OF A CATHODE RAY TUBE IN MIXED SOLID WASTE.

8 (2) AFTER JANUARY 1, 2010, A SOLID WASTE DISPOSAL FACILITY
9 SHALL NOT KNOWINGLY ACCEPT FOR DISPOSAL A CATHODE RAY TUBE, OR A
10 TRUCKLOAD OR CONTAINER OF SOLID WASTE THAT INCLUDES A CATHODE RAY
11 TUBE.

12 (3) A PERSON WHO VIOLATES THIS SECTION IS SUBJECT TO A CIVIL
13 FINE OF NOT MORE THAN \$50.00 FOR EACH VIOLATION, IN ADDITION TO ANY
14 OTHER PENALTIES AUTHORIZED UNDER ANY OTHER LAW OR ORDINANCE
15 GOVERNING THE ILLEGAL DISPOSAL OF CATHODE RAY TUBES.

16 (4) IN ADDITION TO A FINE IMPOSED UNDER SUBSECTION (3), A
17 PERSON WHO VIOLATES THIS SECTION MAY BE ENJOINED FROM CONTINUING
18 THE VIOLATION.

19 (5) FOR THE PURPOSES OF SUBSECTION (3), THE DISPOSAL OF EACH
20 CATHODE RAY TUBE IS A SEPARATE VIOLATION OF THIS SECTION.

21 (6) ALL FINES COLLECTED FOR A VIOLATION OF THIS SECTION SHALL
22 BE DEPOSITED IN THE CLEAN MICHIGAN FUND CREATED BY SECTION 19104.

23 SEC. 17509. THE DEPARTMENT SHALL PROMULGATE RULES AS NECESSARY
24 TO IMPLEMENT THIS PART PURSUANT TO THE ADMINISTRATIVE PROCEDURES
25 ACT OF 1969, 1969 PA 306, MCL 24.201 TO 24.328.

26 Sec. 19102. (1) "Approved solid waste management plan" means a
27 solid waste management plan submitted and approved under part 115.

1 (2) "Capital costs" means those allowable costs, as determined
2 by the department, of constructing or equipping, or both, a solid
3 waste transfer facility, a recycling project, or a composting
4 project.

5 (3) "Composting project" means a project in which yard wastes,
6 including leaves and grass clippings, are converted into humus
7 through natural biological processes.

8 (4) "Disposal area" means disposal area as defined in part
9 115.

10 (5) "Fund" means the clean Michigan fund created in section
11 19104.

12 (6) **"HOUSEHOLD HAZARDOUS WASTE" INCLUDES, BUT IS NOT LIMITED**
13 **TO, ELECTRONIC EQUIPMENT AS THAT TERM IS DEFINED IN SECTION 17501.**

14 (7) ~~(6)~~—"Municipality" means a county, city, village,
15 township, or an agency of a county, city, village, or township; an
16 authority or any other public body created by or pursuant to state
17 law; or this state or an agency or department of this state.

18 (8) ~~(7)~~—"Nonprofit private entity" means a private entity that
19 carries out any lawful purpose or purposes not involving pecuniary
20 profit or gain for its directors, officers, shareholders, or
21 members.