



HOUSE BILL No. 4734

April 25, 1995, Introduced by Reps. Willard, Freeman, Gire, Ciaramitaro, Gubow, Price and Olshove and referred to the Committee on Appropriations.

A bill to amend section 11 of Act No. 328 of the Public Acts of 1988, entitled "Environmental protection bond implementation act," being section 299.681 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 11 of Act No. 328 of the Public Acts of
2 1988, being section 299.681 of the Michigan Compiled Laws, is
3 amended to read as follows:

4 Sec. 11. The ~~commission~~ DEPARTMENT shall not make a grant
5 or a loan under section 8(1)(a) or (b) unless all of the follow-
6 ing conditions are met:

7 (a) The applicant demonstrates that the proposed project is
8 in compliance with all applicable state laws and rules, or the
9 proposed project will result in compliance with state laws and
10 rules.

1 (b) The applicant demonstrates to the ~~commission~~
2 DEPARTMENT the capability to carry out the proposed project.

3 (c) The applicant provides the ~~commission~~ DEPARTMENT with
4 evidence that a licensed professional engineer has approved the
5 plans and specifications for the project, if appropriate.

6 (d) The applicant demonstrates to the ~~commission~~
7 DEPARTMENT that there is an identifiable source of funds for the
8 future maintenance and operation of the proposed project.

9 (E) THE APPLICANT CERTIFIES TO THE DEPARTMENT THAT THEY WILL
10 EMPLOY MICHIGAN RESIDENTS OR CONTRACT WITH ANY ENTITY THAT
11 EMPLOYS MICHIGAN RESIDENTS TO WORK ON THE PROPOSED PROJECT UNLESS
12 THE DEPARTMENT MAKES A WRITTEN DETERMINATION THAT EMPLOYING
13 NONMICHIGAN RESIDENTS OR CONTRACTING WITH AN ENTITY THAT EMPLOYS
14 NONMICHIGAN RESIDENTS IS NECESSARY FOR THE TIMELY COMPLETION OF
15 THE PROPOSED PROJECT AND THAT THERE ARE NO MICHIGAN RESIDENTS OR
16 ENTITIES THAT EMPLOY MICHIGAN RESIDENTS AVAILABLE TO WORK ON THE
17 PROPOSED PROJECT.

18 (F) THE APPLICANT CERTIFIES TO THE DEPARTMENT THAT THEY WILL
19 COMPETITIVELY BID ALL GOODS AND SERVICES USED IN THE PROPOSED
20 PROJECT UNLESS THE DEPARTMENT MAKES A WRITTEN DETERMINATION THAT
21 ANOTHER FORM OF PROCUREMENT IS NECESSARY AND THAT THE COMPETITIVE
22 BIDDING PROCESS WILL BE OPEN TO ALL MICHIGAN RESIDENTS AND
23 MICHIGAN BUSINESSES.