

# HOUSE BILL No. 5286

November 6, 2003, Introduced by Reps. Farrah, Kolb, Gillard, Bieda, Gleason, Condino, Adamini, Elkins, Minore, Byrum, Tobocman, Wojno, Sak, Spade, Lipsey, Paletko, Plakas, Hopgood, Law, Hunter, Gielegem, O'Neil, Accavitti, Vagnozzi, Meisner, Anderson and Reeves and referred to the Committee on Land Use and Environment.

A bill to amend 1994 PA 451, entitled  
"Natural resources and environmental protection act,"  
by amending section 11549 (MCL 324.11549).

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 11549. (1) A person who violates this part, a rule  
2 promulgated under this part, or a condition of a permit, license,  
3 or final order issued pursuant to this part is guilty of a  
4 misdemeanor punishable by a fine of not more than \$1,000.00 for  
5 each violation and costs of prosecution and, if in default of  
6 payment of fine and costs, imprisonment for not more than  
7 6 months. Each day upon which a violation occurs is a separate  
8 offense.

9       (2) A person who intentionally makes a false statement,  
10 representation, or certification in an application for or form  
11 pertaining to a permit or license under this part or in a notice

1 or report required under this part or rules promulgated under  
2 this part or under the terms and conditions of a permit or  
3 license, or who intentionally renders inaccurate a record  
4 required to be maintained under this part or rules promulgated  
5 under this part, is guilty of a felony. The person may be  
6 imprisoned for not more than 2 years and shall be fined not less  
7 than \$2,500.00 or more than \$25,000.00. However, if the  
8 conviction is for a violation committed after a first conviction  
9 of the person under this subsection, the person is guilty of a  
10 felony and may be imprisoned for not more than 2 years and shall  
11 be fined not less than \$25,000.00 or more than \$50,000.00.

12 (3) A person convicted under subsection (2) may be debarred  
13 from participation as a vendor in a state bid process and from  
14 award of a state contract as provided in section 264 of the  
15 management and budget act, 1984 PA 431, MCL 18.1264, and  
16 Executive Order No. 2003-1.