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**SUBSTITUTE FOR
SENATE BILL NO. 157**

A bill to preempt local ordinances regulating, prohibiting, restricting, or mandating the use of certain materials for certain public works projects; and to allow competition for the use or supply of certain materials and products on certain public works projects.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the
2 "public works quality materials procurement act".

3 Sec. 2. As used in this act:

4 (a) "Ordinance" means an ordinance, resolution, or other
5 appropriate legislative enactment of the governing body of a public
6 entity.



(b) "Pipe and piping materials" means pipes and piping materials used to transport drinking water and wastewater.

(c) "Public entity" means a school district, community college district, intermediate school district, city, village, township, county, public authority, or public airport authority.

(d) "Public funds" includes state legislative appropriations and state tax revenue for public works projects.

(e) "Public works project" means a water supply project or a wastewater project.

(f) "Wastewater project" means sanitary sewers, pipe and piping materials, interceptors or waste treatment facilities, and facilities for the collection and disposal of liquid and solid waste.

(g) "Water supply project" means pipe and piping materials, lines, and other facilities needed for the pumping, treatment, and distribution of drinking water.

Sec. 3. A public entity shall not adopt or enforce an ordinance that does either of the following:

(a) Limits the professional judgment of the project's engineer to select any acceptable pipe and piping materials that meet the requirements of the public works project that is financed in whole or in part by public funds.

(b) Prohibits, restricts, or limits the evaluation, comparison, and usage of certain pipe and piping materials that meet current American Society for Testing and Materials, American Water Works Association, or NSF International standards to be used for a public works project that is financed in whole or in part by



1 public funds.

