

HB 1905 -- Solid Waste Management

Sponsor: Ruzicka

This bill changes the laws regarding solid waste management. In its main provisions, the bill:

(1) Allows the governing body of a county to submit a request to the Department of Natural Resources that the county be placed with another regional grouping during the last three months of every year, starting in 2014. Currently, a request can only be made during a specified period every three years;

(2) Repeals the ability of a county to form a solid waste management district;

(3) Requires administrative and other district operations services to be bid and obtained and not be a part of the contract with a city or county within the district to provide solid waste management services;

(4) Allows, rather than requires, the governing body of each city with a population of more than 500 within a district and the governing body of each county within the district to appoint members to the solid waste management council for each district;

(5) Changes the requirement that the solid waste management council meet at least twice annually to that it meet at least once annually;

(6) Repeals the provision requiring the executive board of the council to identify illegal dump sites and requires it to also annually review and report to the department by October 30 on the performance and effectiveness of the solid waste management district; evaluate, rank, and accept as complete and eligible grant proposals to be submitted to the department for approval of funding; and meet at least quarterly;

(7) Prohibits the executive board from entering into a contract for district administrative services;

(8) Prohibits any person from participating in the evaluating, ranking, and accepting as complete a grant proposal from a business, institution, or government to which he or she is affiliated;

(9) Repeals the provision requiring the solid waste management plan to be submitted within 18 months of the formation of the solid waste management district and the provisions requiring the plan to establish a timetable for the reduction of solid waste

placed in landfills and a timetable and proposed method of financing for the development, construction, and operation of the solid waste management system and its estimated cost;

(10) Specifies that no annual adjustment can be made beyond October 1, 2005, except for an adjustment in the amount needed to fund the operating costs of the department. Currently, the department cannot make an annual adjustment to the fees charged to solid waste sanitary landfills or transfer stations from October 1, 2005, to October 1, 2014, except for an adjustment in the amount needed to fund the operating costs of the department;

(11) Transfers the duty to measure the effectiveness of the program to develop markets for recovered materials from the Environmental Improvement and Energy Resources Authority to the department. The department must provide a report to the Governor and General Assembly by January 15, 2014, and by January 15 of each year thereafter regarding the effectiveness of the program;

(12) Repeals the requirement that up to \$200,000 from the Solid Waste Management Fund be annually distributed as grants to solid waste management districts for district operations;

(13) Reduces from 61% to 51% the amount of revenues from the Solid Waste Management Fund that must be used for grants to cities, counties, and solid waste management districts. The 10% must be allocated to fund the cleanup of closed abandoned disposal sites, illegal sites, or closed or abandoned recovery sites including composting sites. The bill reduces, from 50% to 30%, the maximum amount of this funding that may be awarded to districts;

(14) Repeals the provision which specifies that certain moneys from the fund may be used for the used motor oil program;

(15) Requires the department to conduct sample audits of specified grants. Currently, the department and the authority are required to do this;

(16) Requires the Solid Waste Advisory Board to be composed of one member of each solid waste management district, and all members must be representative of the general interest of the public or of solid waste systems; and

(17) Requires the department director to appoint six members, instead of up to five, to the board and specifies the representation of each member. The board must meet at least four times a year. In addition to its current duties, the board must advise the department regarding solid waste management problems experienced by the public or members of the solid waste industry

and the effectiveness of the solid waste management districts in meeting solid waste management needs within each district's planning and service area.