

A bill for an act

relating to solid waste; establishing composting competitive grant program;
appropriating money; proposing coding for new law in Minnesota Statutes,
chapter 115A.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. **[115A.559] COMPOSTING COMPETITIVE GRANT PROGRAM.**

Subdivision 1. Definition. For purposes of this section, "local governmental unit" means a county, statutory or home rule charter city, town, school district, soil and water conservation district, other special district, or other political subdivision or public corporation.

Subd. 2. Grant program established. The commissioner shall make competitive grants to local governmental units and nonprofit organizations to increase composting and reduce the amount of organic wastes entering disposal facilities. To achieve the purpose of the grant program, the commissioner shall actively recruit potential applicants beyond traditional solid waste professionals and organizations, such as soil and water conservation districts and schools.

Subd. 3. Application. (a) The commissioner must develop forms and procedures for soliciting and reviewing applications for grants under this section.

(b) The determination of whether to make a grant under this section is within the discretion of the commissioner, subject to subdivision 4. The commissioner's decisions are not subject to judicial review, except for abuse of discretion.

Subd. 4. Priorities; eligible projects. (a) If applications for grants exceed the available appropriations, grants must be made for projects that, in the commissioner's judgment, provide the highest return in public benefits.

(b) Eligible projects include those that emphasize local administration of programs, have measurable outcomes, and emphasize:

- (1) reducing costs associated with hauling wastes;
- (2) reducing food wastes and other organics entering the mixed municipal solid waste stream;
- (3) increasing composting opportunities;
- (4) increasing cooperation among local organizations, including government, schools, lake associations, soil and water conservation districts, and local road authorities;
- (5) increasing educational programs that support composting activities;
- (6) developing erosion control practices that use compost;
- (7) encouraging residential composting by homeowners;
- (8) reducing food waste from schools; or
- (9) other methods of increasing composting and reducing the amount of organic wastes entering disposal facilities.

Subd. 5. **Cancellation of grant.** If a grant is awarded under this section and funds are not encumbered for the grant within four years after the award date, the grant must be canceled.

Sec. 2. REPORT.

By December 15, 2011, the commissioner of the Pollution Control Agency shall report to the legislative committees with jurisdiction over environment and natural resources policy on:

- (1) the mixed municipal solid waste diversion rates accomplished by the grant program under Minnesota Statutes, section 115A.559;
- (2) participants in the grant program and the programs developed with grant funds;
- and
- (3) the potential for new permanent programs based on results of projects funded with grants issued under Minnesota Statutes, section 115A.559.

Sec. 3. APPROPRIATION.

\$500,000 in fiscal year 2010 and \$500,000 in fiscal year 2011 are appropriated from the environmental fund to the commissioner of the Pollution Control Agency to administer the grant program under Minnesota Statutes, section 115A.559. If the appropriation in either year is insufficient, the appropriation for the other year is available for it. This amount is added to the agency base.