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State of Minnesota  
HOUSE OF REPRESENTATIVES

EIGHTY-SEVENTH SESSION

H. F. No. 2063

02/01/2012 Authored by Greiling, Scalze, Wagenius, Kahn, Hausman and others

The bill was read for the first time and referred to the Committee on Environment, Energy and Natural Resources Policy and Finance

1.1 A bill for an act  
1.2 relating to solid waste; amending process for cities to implement organized  
1.3 collection of solid waste; amending Minnesota Statutes 2010, section 115A.94,  
1.4 subdivisions 2, 5, by adding subdivisions; repealing Minnesota Statutes 2010,  
1.5 section 115A.94, subdivision 4.

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

1.7 Section 1. Minnesota Statutes 2010, section 115A.94, subdivision 2, is amended to read:

1.8 Subd. 2. **Local authority.** A city or town may organize collection, ~~after public~~  
1.9 ~~notification as required~~ provided in subdivision 4 subdivisions 4a to 4c. A county may  
1.10 organize collection as provided in subdivision 5.

1.11 **EFFECTIVE DATE.** This section is effective the day following final enactment.

1.12 Sec. 2. Minnesota Statutes 2010, section 115A.94, is amended by adding a subdivision  
1.13 to read:

1.14 Subd. 4a. **Committee establishment.** (a) Before implementing an ordinance,  
1.15 franchise, license, contract, or other means of organizing collection, a city or town,  
1.16 by resolution of the governing body, must establish an organized collection options  
1.17 committee to identify, examine, and evaluate various methods of organized collection.  
1.18 The governing body shall appoint the committee members.

1.19 (b) The organized collection options committee is subject to chapter 13D. For the  
1.20 purposes of this section, "governing body" of a town means the board of supervisors.

1.21 **EFFECTIVE DATE.** This section is effective the day following final enactment.

2.1 Sec. 3. Minnesota Statutes 2010, section 115A.94, is amended by adding a subdivision  
2.2 to read:

2.3 Subd. 4b. **Committee duties.** The committee established under subdivision 4a shall:

2.4 (1) determine which methods of organized collection to examine, which must  
2.5 include:

2.6 (i) a system in which a single collector collects solid waste from all sections of  
2.7 a city or town; and

2.8 (ii) a system in which multiple collectors, either singly or as members of an  
2.9 organization of collectors, collect solid waste from different sections of a city or town;

2.10 (2) establish a list of impacts on which the organized collection methods selected  
2.11 for examination will be evaluated, which may include: costs to residential subscribers,  
2.12 miles driven by collection vehicles on city streets and alleys, initial and operating costs  
2.13 to the city of implementing the organized collection system, providing incentives for  
2.14 waste reduction, impacts on solid waste collectors, and other physical, economic, fiscal,  
2.15 social, environmental, and aesthetic impacts;

2.16 (3) collect information regarding the operation and efficacy of existing methods of  
2.17 organized collection in other cities and towns;

2.18 (4) seek input from, at a minimum:

2.19 (i) the governing body of the city or town;

2.20 (ii) the local official of the city or town responsible for solid waste issues;

2.21 (iii) persons currently licensed to operate solid waste collection and recycling  
2.22 services in the city or town; and

2.23 (iv) residents of the city or town who currently pay for residential solid waste  
2.24 collection services; and

2.25 (5) issue a report on the committee's research, findings, and any recommendations to  
2.26 the governing body of the city or town.

2.27 **EFFECTIVE DATE.** This section is effective the day following final enactment.

2.28 Sec. 4. Minnesota Statutes 2010, section 115A.94, is amended by adding a subdivision  
2.29 to read:

2.30 Subd. 4c. **Governing body; implementation.** The governing body of the city or  
2.31 town shall consider the report and recommendations of the organized collection options  
2.32 committee. The governing body must hold at least one public hearing before deciding  
2.33 to implement organized collection. Organized collection may begin no sooner than six  
2.34 months after the effective date of the decision of the governing body of the city or town to  
2.35 implement organized collection.

3.1 **EFFECTIVE DATE.** This section is effective the day following final enactment.

3.2 Sec. 5. Minnesota Statutes 2010, section 115A.94, subdivision 5, is amended to read:

3.3 Subd. 5. **County organized collection.** (a) A county may by ordinance require  
3.4 cities and towns within the county to organize collection. Organized collection ordinances  
3.5 of counties may:

3.6 (1) require cities and towns to require the separation and separate collection of  
3.7 recyclable materials;

3.8 (2) specify the material to be separated; and

3.9 (3) require cities and towns to meet any performance standards for source separation  
3.10 that are contained in the county solid waste plan.

3.11 (b) A county may itself organize collection under ~~subdivision 4~~ subdivisions 4a to 4c  
3.12 in any city or town that does not comply with a county organized collection ordinance  
3.13 adopted under this subdivision, and the county may implement, as part of its organized  
3.14 collection, the source separation program and performance standards required by its  
3.15 organized collection ordinance.

3.16 **EFFECTIVE DATE.** This section is effective the day following final enactment.

3.17 Sec. 6. **REPEALER.**

3.18 Minnesota Statutes 2010, section 115A.94, subdivision 4, is repealed.

3.19 **EFFECTIVE DATE.** This section is effective the day following final enactment.