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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 2564

03/03/2014 Authored by Hornstein, Wagenius, Slocum, Nelson, Mullery and others

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

03/21/2014 Adoption of Report: Amended and re-referred to the Committee on Environment, Natural Resources and Agriculture Finance

1.1 A bill for an act
1.2 relating to solid waste; establishing statewide source reduction goal; expanding
1.3 definition of recycling; requiring recycling in certain sports facilities and
1.4 commercial buildings; amending county recycling goals in metropolitan area;
1.5 appropriating money; amending Minnesota Statutes 2012, sections 115A.151;
1.6 115A.55, subdivision 4; 115A.551, subdivisions 1, 2a; 297H.13, subdivision 1,
1.7 by adding a subdivision; repealing Minnesota Statutes 2012, sections 115A.551,
1.8 subdivision 2; 297H.13, subdivision 2.

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

1.10 Section 1. Minnesota Statutes 2012, section 115A.151, is amended to read:

1.11 **115A.151 RECYCLABLE MATERIAL CONTAINER REQUIREMENTS;**
1.12 **PUBLIC ENTITIES, SPORTS FACILITIES, AND COMMERCIAL BUILDINGS.**

1.13 (a) A public entity, the owner of a sports facility, and the owner of a commercial
1.14 building shall:

1.15 (1) ensure that facilities under its control, from which mixed municipal solid waste
1.16 is collected, have containers for at least three recyclable materials, such as, but not limited
1.17 to, paper, glass, plastic, and metal; and

1.18 (2) transfer all recyclable materials collected to a recycler.

1.19 (b) For the purposes of this section:

1.20 (1) "public entity" means the state, an office, agency, or institution of the state,
1.21 the Metropolitan Council, a metropolitan agency, the Metropolitan Mosquito Control
1.22 Commission, the legislature, the courts, a county, a statutory or home rule charter city, a
1.23 town, a school district, a special taxing district, or any entity that receives an appropriation
1.24 from the state for a capital improvement project after August 1, 2002;

1.25 (2) "metropolitan agency" and "Metropolitan Council," have the meanings given
1.26 them in section 473.121; and

2.1 (3) "Metropolitan Mosquito Control Commission" means the commission created
2.2 in section 473.702;

2.3 (4) "commercial building" means a building that contains a business classified in
2.4 sectors 42 to 81 under the North American Industrial Classification System and that
2.5 contracts for two cubic yards or more per week of solid waste collection; and

2.6 (5) "sports facility" means a professional or collegiate sports facility at which
2.7 competitions take place before a public audience.

2.8 **EFFECTIVE DATE.** This section is effective January 1, 2015.

2.9 Sec. 2. Minnesota Statutes 2012, section 115A.55, subdivision 4, is amended to read:

2.10 Subd. 4. **Statewide source reduction goal.** (a) It is a goal of the state ~~that there~~
2.11 ~~be a minimum ten percent per capita reduction in the amount of mixed and counties to~~
2.12 reduce the generation of municipal solid waste generated in the state by December 31,
2.13 2000, based on a reasonable estimate of the amount of mixed municipal solid waste that
2.14 was generated in calendar year 1993.

2.15 (b) As part of the ~~1997~~ report required under section 115A.411, the commissioner
2.16 shall submit to the senate and house of representatives committees having jurisdiction
2.17 over environment and natural resources and environment and natural resources finance
2.18 a proposed strategy for meeting the goal in paragraph (a). The strategy must include a
2.19 discussion of the different reduction potentials to be found in various sectors and may
2.20 include recommended interim goals. The commissioner shall report progress on meeting
2.21 the goal in paragraph (a), as well as recommendations and revisions to the proposed
2.22 strategy, as part of the ~~1999~~ report required under section 115A.411.

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

2.24 Sec. 3. Minnesota Statutes 2012, section 115A.551, subdivision 1, is amended to read:

2.25 Subdivision 1. **Definition.** (a) For the purposes of this section, "recycling" means,
2.26 in addition to the meaning given in section 115A.03, subdivision 25b, yard waste and
2.27 source-separated compostable materials composting; and recycling that occurs through
2.28 mechanical or hand separation of materials that are then delivered ~~for reuse in their~~
2.29 ~~original form~~ or for use in manufacturing processes that do not cause the destruction of
2.30 recyclable materials in a manner that precludes further use.

2.31 (b) For the purposes of this section, "total solid waste generation" means the total
2.32 by weight of:

2.33 (1) materials separated for recycling;

3.1 (2) materials separated for yard waste and source-separated compostable materials
3.2 composting;

3.3 (3) mixed municipal solid waste plus ~~yard waste~~, motor and vehicle fluids and
3.4 filters, tires, lead acid batteries, and major appliances; and

3.5 (4) residential and commercial waste materials that would be mixed municipal solid
3.6 waste but for the fact that they are not collected as such.

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

3.8 Sec. 4. Minnesota Statutes 2012, section 115A.551, subdivision 2a, is amended to read:

3.9 Subd. 2a. **Supplementary County recycling goals.** (a) By December 31, 1996
3.10 2030, each county will have as a goal to recycle the following amounts:

3.11 (1) for a county outside of the metropolitan area, 35 percent by weight of total
3.12 solid waste generation; and

3.13 (2) for a metropolitan county, ~~50~~ 75 percent by weight of total solid waste generation.

3.14 (b) Each county will develop and implement or require political subdivisions within
3.15 the county to develop and implement programs, practices, or methods designed to meet its
3.16 recycling goal. Nothing in this section or in any other law may be construed to prohibit a
3.17 county from establishing a higher recycling goal.

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

3.19 Sec. 5. Minnesota Statutes 2012, section 297H.13, subdivision 1, is amended to read:

3.20 Subdivision 1. **Deposit of revenues.** The revenues derived from the taxes imposed
3.21 on waste management services under this chapter shall be deposited by the commissioner
3.22 of revenue in the environmental fund in the state treasury, established in section 16A.531,
3.23 subdivision 1.

3.24 Sec. 6. Minnesota Statutes 2012, section 297H.13, is amended by adding a subdivision
3.25 to read:

3.26 Subd. 2a. **Appropriation.** Fifty percent of the revenue deposited in the
3.27 environmental fund under this chapter is appropriated to the commissioner of the Pollution
3.28 Control Agency to be distributed to counties under section 115A.557, except that none of
3.29 these funds may be used for the purposes of section 115A.557, subdivision 2, clause (8).

3.30 Sec. 7. **REPEALER.**

4.1 Minnesota Statutes 2012, sections 115A.551, subdivision 2; and 297H.13,
4.2 subdivision 2, are repealed.

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

APPENDIX
Repealed Minnesota Statutes: H2564-1

115A.551 RECYCLING.

Subd. 2. **County recycling goals.** By December 31, 1993, each county outside of the metropolitan area will have as a goal to recycle a minimum of 25 percent by weight of total solid waste generation; and by December 31, 1993, each county within the metropolitan area will have as a goal to recycle a minimum of 35 percent by weight of total solid waste generation. Each county will develop and implement or require political subdivisions within the county to develop and implement programs, practices, or methods designed to meet its recycling goal. Nothing in this section or in any other law may be construed to prohibit a county from establishing a higher recycling goal.

297H.13 DEPOSIT OF REVENUES; USE OF PROCEEDS; REPORT ON RECEIPTS.

Subd. 2. **Allocation of revenues.** (a) \$33,760,000, or 70 percent, whichever is greater, of the amounts remitted under this chapter must be credited to the environmental fund established in section 16A.531, subdivision 1.

(b) The remainder must be deposited into the general fund.