

HOUSE BILL No. 4145

February 3, 1999, Introduced by Rep. Jannick and referred to the Committee on Conservation and Outdoor Recreation.

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
(MCL 324.101 to 324.90106) by adding section 11521a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 SEC. 11521A. (1) A PERSON SHALL NOT PLACE YARD CLIPPINGS IN
2 A PLASTIC BAG FOR COLLECTION AND MANAGEMENT AT A FACILITY THAT
3 RECEIVES YARD CLIPPINGS FOR COMPOSTING.
- 4 (2) THE OWNER OR OPERATOR OF A SOLID WASTE TRANSFER FACILITY
5 OR A FACILITY THAT RECEIVES YARD CLIPPINGS FOR COMPOSTING SHALL
6 REFUSE TO ACCEPT YARD CLIPPINGS CONTAINED IN A PLASTIC BAG AT
7 THAT FACILITY.
- 8 (3) THIS SECTION DOES NOT APPLY TO A BAG THAT, WHEN CLOSED,
9 ALLOWS ACCESS OF OXYGEN TO THE CONTENTS OF THE BAG SUFFICIENT TO
10 DETER ANAEROBIC DECOMPOSITION, AND HAS BEEN CERTIFIED BY THE
11 DEPARTMENT AS MEETING APPLICABLE AMERICAN SOCIETY OF TESTING AND

1 MATERIALS BIODEGRADABILITY AND COMPOSTING STANDARDS OR OTHER
2 STANDARDS APPROVED BY THE DEPARTMENT. A MANUFACTURER THAT WISHES
3 TO HAVE ITS BAGS CERTIFIED BY THE DEPARTMENT SHALL PROVIDE THE
4 DEPARTMENT WITH DOCUMENTATION AND TESTING RESULTS THAT DEMON-
5 STRATE THAT THE MANUFACTURER'S BAGS MEET THE STANDARDS. A MANU-
6 FACTURER OF BAGS CERTIFIED UNDER THIS SECTION SHALL PRINT ON EACH
7 BAG IN EASILY IDENTIFIABLE PRINT AS APPROVED BY THE DEPARTMENT:
8 "THIS BAG MEETS MDEQ COMPOSTING STANDARDS.". BEGINNING 2 YEARS
9 AFTER THE EFFECTIVE DATE OF THIS SECTION, THIS SUBSECTION DOES
10 NOT APPLY UNLESS THE DEPARTMENT DETERMINES, AND PROVIDES NOTICE
11 TO THE LEGISLATURE, THAT THIS SUBSECTION HAS NOT BEEN AN IMPEDI-
12 MENT TO EFFECTIVE COMPOSTING OPERATIONS IN THIS STATE AND SHOULD
13 CONTINUE TO BE APPLICABLE.

14 (4) SUBSECTION (3) DOES NOT PROHIBIT A LOCAL UNIT OF GOVERN-
15 MENT THAT ON THE EFFECTIVE DATE OF THIS SECTION PROHIBITS THE USE
16 OF PLASTIC BAGS IN ITS COMPOSTING OPERATIONS FROM PROHIBITING THE
17 USE OF BAGS DESCRIBED IN SUBSECTION (3) IN ITS COMPOSTING
18 OPERATIONS.

19 (5) AS USED IN THIS SECTION, "FACILITY" DOES NOT INCLUDE A
20 PUBLIC SERVICE AUTHORITY CREATED IN 1951 PURSUANT TO 1947 PA 179,
21 MCL 123.301 TO 123.310.

22 Enacting section 1. This amendatory act takes effect 1 year
23 after the date this amendatory act is enacted.