

Reps. Brandenburg, LaJoy, Amos, Casperson, Sheen, Kratz, Steil, Milosch, Moolenaar, Stahl, Caswell, Shaffer, Robertson, Newell, Hummel, Tabor, Ruth Johnson, Vander Veen, Bieda, Garfield, Pastor, Richardville, Taub, Acciavatti, Middaugh, Accavitti, DeRossett, Julian, Palmer, Rocca, Shulman, Stakoe, Woodward, Meyer and Shackleton offered the following resolution:

House Resolution No. 10

A resolution to memorialize the Congress of the United States to enact legislation to authorize States to enact laws prohibiting or limiting the receipt and disposal of municipal solid waste generated out-of-state.

Whereas, In 1992, the United States Supreme Court, in Fort Gratiot Sanitary Landfill v. Michigan Department of Natural Resources, ruled that states could not regulate or ban the importation of solid waste because Congress has the ultimate authority to regulate interstate commerce. Since that time, Michigan has become the dumping ground for increasing amounts of solid waste from out of our state and our country; and

Whereas, Michigan is the third-largest importer of solid waste in the country. Approximately 15 percent of all trash in Michigan landfills now originates outside of Michigan. The amounts have increased significantly in the past several years, and recent reports of a major contract with Ontario and of the closing of the nation's largest landfill in New York seem to indicate this issue will loom larger in the future; and

Whereas, An agreement between the city of Vaughan, Ontario, and Carleton Farms in Wayne County's Sumpter Township will thrust Michigan into being the second-largest importer of solid waste in the country next year, as Michigan will be accepting a large majority of the city of Toronto's municipal solid waste.

Whereas, Accepting unlimited volumes of trash from outside our state has serious long-term consequences. Long after the money from the contracts has been spent, a potential environmental threat continues, as does an obligation to monitor disposal sites to protect water and public health from toxic releases. Clearly, any state accepting these long-term risks should be able to regulate the creation of that risk, regardless of where it originates; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to enact legislation to give states the authority to regulate importation of out-of-state solid waste; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.