

Senator Sanborn offered the following resolution:

Senate Resolution No. 43.

A resolution to memorialize the Congress of the United States to enact H.R. 593 to provide the states with authority to regulate the flow and importation of solid waste from outside the country.

Whereas, For the past seven years, the amount of solid waste coming into Michigan for disposal has increased from 5.6 million cubic yards to over 15 million cubic yards each year. Carefully planned landfill space, intended to be used for solid waste generated in Michigan, is being quickly filled by waste from other states and Canada. Michigan has enacted several laws to control the solid waste stream coming into the state in an attempt to protect our environment, water, and public health; and

Whereas, The United States Supreme Court limited the state's ability to further restrict out-of-state waste when it ruled in *Fort Gratiot Sanitary Landfill v. Michigan Department of Natural Resources* that the states do not have authority to regulate or ban the importation of solid waste. The court further ruled that Congress can provide states with such authority by enacting appropriate legislation; and

Whereas, United States Representative Mike Rogers has introduced legislation, H.R. 593, to allow Michigan and other states to control the flow of solid waste coming from other countries into their states. Specifically, H.R. 593 would allow Michigan to enact legislation banning or restricting the disposal of Canadian waste in Michigan landfills. Although supported by members of Congress on both sides of the aisle, bills on this topic introduced in prior congressional sessions did not pass the House of Representatives; now, therefore, be it

Resolved by the Senate, That we memorialize the Congress of the United States to enact H.R. 593 to provide the states with authority to regulate the flow and importation of solid waste from outside the country; 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.