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**House
Legislative
Analysis
Section**

NO PLASTIC BAGS IN COMPOST

House Bill 4145

Sponsor: Rep. Ruth Jamnick

**Committee: Conservation and Outdoor
Recreation**

Complete to 4-22-99

A REVISED SUMMARY OF HOUSE BILL 4145 AS INTRODUCED 2-3-99

House Bill 4145 would amend Part 115 of the Natural Resources and Environmental Protection Act (NREPA), which regulates solid waste management, to prohibit yard clippings from being placed in a plastic bag when they are to be collected and managed at a facility that receives yard clippings for composting, and would also require that the owner or operator of a facility that received yard clippings for composting refuse to accept yard clippings contained in a plastic bag at that facility. However, these provisions would not apply to plastic bags that were biodegradable. The provisions would be effective one year after the bill's effective date.

Biodegradable Standards. The provisions of the bill would not apply to a bag that, when closed, allowed access of oxygen to the contents of the bag "sufficient to deter anaerobic decomposition," and that had been certified by the Department of Environmental Quality (DEQ) as meeting applicable American Society of Testing and Materials' (ASTM) biodegradability and composting standards, or other standards approved by the DEQ.

Manufacturing Requirements. If a manufacturer wished to have its bags certified by the DEQ, it would have to provide the department with documentation and testing results that demonstrated that its bags met the specified standards. Once certified under these provisions, the manufacturer would have to print on each bag, in easily identifiable print, as approved by the DEQ: "THIS BAG MEETS MDEQ COMPOSTING STANDARDS."

Expiration Date. The provisions of the bill would expire two years after the bill's effective date unless the DEQ determined, and provided notice to the legislature, that they had not impeded effective composting operations and should continue to be applicable.

Exceptions. A local unit of government that, on the effective date of the bill, had prohibited the use of plastic bags in its composting operations could also prohibit the use of bags described under the bill from its composting operations. In addition, the provisions of the bill would not apply to a facility that had been designated a public service authority in 1951 under the provisions of the garbage and rubbish disposal and dog pound authority act (MCL 123.301 et al.)

MCL 324.11521a

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.