

Legislative Analysis



REQUIRE STATE AGENCIES TO COLLECT AND RECYCLE BEVERAGE CONTAINERS

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House Bills 4215 & 4216

Sponsor: Rep. Fred Miller

Committee: Great Lakes and Environment

Complete to 6-3-09

A SUMMARY OF HOUSE BILLS 4215 & 4216 AS INTRODUCED 2-10-09

House Bill 4215 would require the Department of Management and Budget to direct public buildings and facilities owned or operated by a state agency to provide for the recycling of glass, plastic, and aluminum beverage containers, beginning October 1, 2010, with certain exceptions. (MCL 18.1229)

House Bill 4216 would require state agencies to collect and recycle certain beverage containers when beverages are offered at their public events. (MCL 324.16601)

DETAILED SUMMARY:

House Bill 4215

In general, House Bill 4215 would amend the Management and Budget Act to require the Department of Management and Budget (DMB) to issue directives requiring all buildings and facilities that are owned or operated by a state agency and open to the public to provide for the recycling of glass, plastic, and aluminum beverage containers.

Recycling stations. A building or facility would be required to have a recycling station only if one could be placed in a practical location where it could be accommodated and receive recycling services, and where the building or facility would have significant recycling activity.

Effective date. The bill would take effect on October 1, 2010 (the beginning of a new state fiscal year), except as to buildings or facilities that use private janitorial services. In those, the bill would not apply until the beginning or renewal of a contract for the private janitorial services occurring *after* October 1, 2010.

Leased buildings/facilities. A building or facility leased by a state agency would be subject to the recycling directives if it could accommodate the recycling or "as the agency moves into new leases and locations."

Competitive bidding. Recycling services contracts would have to be competitively bid, and the DMB could require the vendor to provide any necessary recycling containers if that reduced the state's costs.

[Note: Except for its effective date, House Bill 4215 is identical to the House-passed version of House Bill 4211 (Substitute H-3) from last session.]

House Bill 4216

House Bill 4216 would amend the Natural Resources and Environmental Protection Act (MCL 324.16601) to require a state agency conducting an event open to the public to place receptacles specifically designated for the collection of recyclable plastic, aluminum, or glass containers on the premises where the event is held, if beverages are provided at the event in such containers. If a state agency entered into a contract with someone else to conduct the event, the contract would have to require the collection and recycling of beverage containers in compliance with the bill.

The term "**state agency**" would refer to the Legislature, a state court, a state university, or any other agency, department, board, commission, or council of the State of Michigan. A beverage container would be considered "**recyclable**" if it could be easily and readily placed into a stream of material for which there is a well-established market for reuse or recycling or if it could be returned for a refund under Michigan's Beverage Container Deposit Law.

Further, the state agency would have to make a reasonable effort to transfer beverage containers deposited in the receptacles to an appropriate location for reuse, recycling, or deposit refunds.

Exceptions. The bill would not apply to an event for which the contract to conduct the event was entered into before the bill's effective date nor to events at which the only beverages in recyclable containers came from vending machines.

[Note: This bill is identical to the House-passed version of House Bill 4210 (Substitute H-4) from last session.]

FISCAL IMPACT:

Any expenses related to these requirements would be absorbed within appropriated funds. No new revenue source would be created by this legislation.

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