



# SENATE BILL No. 23

January 13, 1993, Introduced by Senators EHLERS and WARTNER and referred to the Committee on Natural Resources and Environmental Affairs.

A bill to amend Act No. 641 of the Public Acts of 1978, entitled as amended  
"Solid waste management act,"  
as amended, being sections 299.401 to 299.437 of the Michigan Compiled Laws, by adding sections 18c, 18d, 30b, 30c, and 30d.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Act No. 641 of the Public Acts of 1978, as  
2 amended, being sections 299.401 to 299.437 of the Michigan  
3 Compiled Laws, is amended by adding sections 18c, 18d, 30b, 30c,  
4 and 30d to read as follows:

5 SEC. 18C. (1) BEGINNING 1 YEAR AFTER THE EFFECTIVE DATE OF  
6 THIS SECTION, AN AIR CONDITIONER, CLOTHES DRYER, CLOTHES WASHER,  
7 DISHWASHER, FREEZER, OVEN, REFRIGERATOR, OR STOVE SHALL NOT BE  
8 DISPOSED OF IN A LANDFILL.

1        SEC. 18D. A COUNTY OR MUNICIPALITY SHALL NOT PROHIBIT THE  
2 DISPOSAL OF ANY ITEM IN A LANDFILL THAT IS NOT PROHIBITED BY  
3 STATE OR FEDERAL LAW, UNLESS THE COUNTY OR MUNICIPALITY DETER-  
4 MINES THAT SUCH A PROHIBITION IS NECESSARY TO PROTECT HUMAN  
5 HEALTH OR THE ENVIRONMENT, OR BOTH.

6        SEC. 30B. BEGINNING 1 YEAR AFTER THE EFFECTIVE DATE OF THIS  
7 SECTION, A SOLID WASTE HAULER SHALL CHARGE HIS OR HER CUSTOMERS  
8 FOR THE COLLECTION AND DISPOSAL OF SOLID WASTE BASED UPON THE  
9 QUANTITY OF SOLID WASTE THAT IS COLLECTED FOR DISPOSAL. IF THE  
10 SOLID WASTE HAULER PROVIDES A CONTAINER TO THE CUSTOMER, THE  
11 SOLID WASTE HAULER SHALL PROVIDE THE OPTION OF AT LEAST 2 DIFFER-  
12 ENT SIZED CONTAINERS FOR THE CUSTOMER TO CHOOSE FROM. A SOLID  
13 WASTE HAULER WHO IS REQUIRED UNDER SECTION 30C TO PROVIDE  
14 CURBSIDE COLLECTION OF RECYCLABLE MATERIALS SHALL NOT CHARGE THE  
15 CUSTOMER FOR COLLECTION OF THE RECYCLABLE MATERIALS, BUT MAY  
16 IMPOSE HIGHER CHARGES ON THE COLLECTION OF SOLID WASTE TO OFFSET  
17 ANY INCREASED COSTS OF COLLECTING THE RECYCLABLE MATERIALS.

18        SEC. 30C. (1) A SOLID WASTE HAULER WHO OPERATES IN A MUNIC-  
19 IPALITY DESCRIBED IN SUBDIVISION (A), (B), OR (C) SHALL PROVIDE  
20 CURBSIDE COLLECTION OF RECYCLABLE MATERIALS TO HIS OR HER CUSTOM-  
21 ERS WITHIN THE JURISDICTION OF THE MUNICIPALITY AS PROVIDED IN  
22 THIS SECTION:

23        (A) BEGINNING 2 YEARS AFTER THE EFFECTIVE DATE OF THIS SEC-  
24 TION, A MUNICIPALITY THAT HAS 25,000 OR MORE RESIDENTS AS DETER-  
25 MINED BY THE 1990 FEDERAL DECENNIAL CENSUS.

1 (B) BEGINNING 3 YEARS AFTER THE EFFECTIVE DATE OF THIS  
2 SECTION, A MUNICIPALITY THAT HAS 15,000 OR MORE RESIDENTS AS  
3 DETERMINED BY THE 1990 FEDERAL DECENNIAL CENSUS.

4 (C) BEGINNING 5 YEARS AFTER THE EFFECTIVE DATE OF THIS SEC-  
5 TION, A MUNICIPALITY THAT HAS 10,000 OR MORE RESIDENTS AS DETER-  
6 MINED BY THE 1990 FEDERAL DECENNIAL CENSUS.

7 (2) THE CURBSIDE COLLECTION OF RECYCLABLE MATERIALS REQUIRED  
8 UNDER SUBSECTION (1) SHALL BE AS FOLLOWS:

9 (A) FOR RESIDENTIAL CUSTOMERS, A SOLID WASTE HAULER SHALL  
10 DESIGNATE AND COLLECT BOTH OF THE FOLLOWING:

11 (i) AT LEAST 3 OF THE FOLLOWING CATEGORIES OF RECYCLABLE  
12 MATERIALS:

13 (A) NEWSPRINT.

14 (B) PLASTIC CONTAINERS MADE OF HIGH DENSITY POLYETHYLENE  
15 (HDPE).

16 (C) CONTAINERS MADE OF ANY COLOR GLASS.

17 (D) METAL CONTAINERS USED FOR FOOD PRODUCTS.

18 (ii) AT LEAST 2 OF THE FOLLOWING CATEGORIES OF RECYCLABLE  
19 MATERIALS THAT WERE NOT DESIGNATED PURSUANT TO SUBPARAGRAPH (i):

20 (A) CORRUGATED CARDBOARD.

21 (B) HIGH-GRADE PAPER.

22 (C) LOW-GRADE PAPER, INCLUDING MIXED PAPER, MAGAZINES, OR  
23 TELEPHONE BOOKS.

24 (D) OTHER FERROUS AND NONFERROUS METALS.

25 (E) POLYETHYLENE TEREPHTHALATE (PETE).

26 (F) VINYL (V).

- 1 (G) LOW DENSITY POLYETHYLENE (LDPE) .  
2 (H) POLYPROPYLENE (PP) .  
3 (I) POLYSTYRENE (PS) .  
4 (J) MULTI-LAYER OR OTHER PLASTICS .  
5 (K) NEWSPRINT .  
6 (L) PLASTIC CONTAINERS MADE OF HIGH DENSITY POLYETHYLENE  
7 (HDPE) .  
8 (M) CONTAINERS MADE OF ANY COLOR GLASS .  
9 (N) METAL CONTAINERS USED FOR FOOD PRODUCTS .  
10 (B) FOR NONRESIDENTIAL CUSTOMERS, A SOLID WASTE HAULER SHALL  
11 DESIGNATE AND COLLECT AT LEAST 1 CATEGORY OF RECYCLABLE MATERIALS  
12 FROM AMONG THOSE LISTED IN SUBDIVISION (A) .  
13 (3) THE RECYCLABLE MATERIALS DESIGNATED BY A SOLID WASTE  
14 HAULER UNDER SUBSECTION (2) SHALL BE DESIGNATED FOR AT LEAST A  
15 1-YEAR PERIOD .  
16 (4) A SOLID WASTE HAULER REQUIRED UNDER SUBSECTION (1) TO  
17 PROVIDE CURBSIDE COLLECTION OF RECYCLABLE MATERIALS SHALL PROVIDE  
18 THAT COLLECTION AT LEAST ONCE EVERY 2 WEEKS .  
19 (5) A SOLID WASTE HAULER REQUIRED UNDER SUBSECTION (1) TO  
20 PROVIDE CURBSIDE COLLECTION OF RECYCLABLE MATERIALS SHALL NOT MIX  
21 SOLID WASTE WITH THE RECYCLABLE MATERIALS BEING COLLECTED DURING  
22 THE LOADING AND TRANSPORT OF THE SOLID WASTE AND RECYCLABLE  
23 MATERIALS . THIS SUBSECTION DOES NOT PROHIBIT THE MIXING OF  
24 BAGGED RECYCLABLE MATERIALS WITH SOLID WASTE FOR THE PURPOSE OF  
25 COLLECTION AND TRANSPORT IF THE BAG USED TO CONTAIN RECYCLABLE  
26 MATERIALS IS OF SUFFICIENT DURABILITY AND STRENGTH TO PREVENT  
27 BREAKAGE DURING LOADING AND TRANSPORT .

1 (6) A GOVERNMENTAL ENTITY, INCLUDING A SCHOOL, THAT RECEIVES  
2 FUNDING FROM THE STATE AND THAT IS LOCATED WITHIN A MUNICIPALITY  
3 OF 25,000 OR MORE RESIDENTS AS DETERMINED BY THE 1990 FEDERAL  
4 DECENNIAL CENSUS SHALL SEPARATE FROM OTHER SOLID WASTE GENERATED  
5 BY THE GOVERNMENTAL ENTITY THE RECYCLABLE MATERIALS BEING COL-  
6 LECTED BY THE SOLID WASTE HAULER THAT SERVICES THE BUILDINGS OR  
7 OPERATIONS OF THAT GOVERNMENTAL ENTITY.

8 (7) A MUNICIPALITY MAY WAIVE THE REQUIREMENT OF  
9 SUBSECTION (1) THAT ALL SOLID WASTE HAULERS OPERATING WITHIN THE  
10 MUNICIPALITY PROVIDE CURBSIDE COLLECTION OF RECYCLABLE MATERIALS  
11 IF THE MUNICIPALITY PROVIDES CURBSIDE COLLECTION OF RECYCLABLE  
12 MATERIALS AS PROVIDED IN THIS SECTION OR REIMBURSES SOLID WASTE  
13 HAULERS FOR THEIR COST OF PROVIDING SUCH CURBSIDE COLLECTION. A  
14 MUNICIPALITY MAY FUND A CURBSIDE COLLECTION PROGRAM OR THE REIM-  
15 BURSEMENT OF SOLID WASTE HAULERS PURSUANT TO THIS SUBSECTION FROM  
16 ANY OF THE FOLLOWING:

17 (A) THE MUNICIPALITY'S GENERAL FUND.

18 (B) IN CONJUNCTION WITH A COUNTY PURSUANT TO SECTION 8A OF  
19 THE URBAN COOPERATION ACT OF 1967, ACT NO. 7 OF THE PUBLIC ACTS  
20 OF THE EXTRA SESSION OF 1967, BEING SECTION 124.508A OF THE  
21 MICHIGAN COMPILED LAWS.

22 (C) PURSUANT TO SECTION 1 OF ACT NO. 298 OF THE PUBLIC ACTS  
23 OF 1917, BEING SECTION 123.261 OF THE MICHIGAN COMPILED LAWS.

24 (8) THIS SECTION DOES NOT REQUIRE THE CURBSIDE COLLECTION OF  
25 CONTAMINATED RECYCLABLE MATERIALS. A SOLID WASTE HAULER MAY  
26 REFUSE TO COLLECT CONTAMINATED RECYCLABLE MATERIALS OR MAY  
27 DISPOSE OF THE CONTAMINATED RECYCLABLE MATERIALS AS SOLID WASTE.

1 (9) AS USED IN THIS SECTION:

2 (A) "RESIDENTIAL" MEANS SINGLE FAMILY OR MULTIFAMILY  
3 RESIDENCES.

4 (B) "CURBSIDE COLLECTION" MEANS THE COLLECTION OF RECYCLABLE  
5 MATERIALS FROM THE PROPERTY OF A CUSTOMER OR THE EDGE OF A ROAD  
6 BORDERING THE PROPERTY. FOR MULTIFAMILY RESIDENTIAL PROPERTY,  
7 CURBSIDE COLLECTION MAY INCLUDE A CENTRAL COLLECTION LOCATION ON  
8 THE PROPERTY OF THE MULTIFAMILY RESIDENTIAL PROPERTY.

9 SEC. 30D. THE DEPARTMENT SHALL ASSIST COUNTIES, MUNICIPALITI-  
10 TIES, SOLID WASTE HAULERS, AND OTHER INTERESTED PERSONS IN ESTAB-  
11 LISHING AND OPERATING RECYCLING PROGRAMS.