

SUBSTITUTE FOR
HOUSE BILL NO. 4730

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
(MCL 324.101 to 324.90106) by adding section 11521a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 11521A. (1) A PERSON SHALL NOT PLACE YARD CLIPPINGS IN
2 A PLASTIC BAG FOR COLLECTION AND MANAGEMENT AT A FACILITY THAT
3 RECEIVES YARD CLIPPINGS FOR COMPOSTING.

4 (2) THE OWNER OR OPERATOR OF A SOLID WASTE TRANSFER FACILITY
5 OR A FACILITY THAT RECEIVES YARD CLIPPINGS FOR COMPOSTING SHALL
6 REFUSE TO ACCEPT YARD CLIPPINGS CONTAINED IN A PLASTIC BAG AT
7 THAT FACILITY.

8 (3) THIS SECTION DOES NOT APPLY TO A BAG THAT, WHEN CLOSED,
9 ALLOWS ACCESS OF OXYGEN TO THE CONTENTS OF THE BAG SUFFICIENT TO
10 DETER ANAEROBIC DECOMPOSITION, AND HAS BEEN CERTIFIED BY THE
11 DEPARTMENT AS MEETING APPLICABLE AMERICAN SOCIETY OF TESTING AND

HB4730, As Passed House, February 3, 1998

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1 MATERIALS BIODEGRADABILITY AND COMPOSTING STANDARDS OR OTHER
2 STANDARDS APPROVED BY THE DEPARTMENT. A MANUFACTURER THAT WISHES
3 TO HAVE ITS BAGS CERTIFIED BY THE DEPARTMENT SHALL PROVIDE THE
4 DEPARTMENT WITH DOCUMENTATION AND TESTING RESULTS THAT DEMON-
5 STRATE THAT THE MANUFACTURER'S BAGS MEET THE STANDARDS. A MANU-
6 FACTURER OF BAGS CERTIFIED UNDER THIS SECTION SHALL PRINT ON EACH
7 BAG IN EASILY IDENTIFIABLE PRINT AS APPROVED BY THE DEPARTMENT:
8 "THIS BAG MEETS MDEQ COMPOSTING STANDARDS.". BEGINNING 2 YEARS
9 AFTER THE EFFECTIVE DATE OF THIS SECTION, THIS SECTION DOES NOT
10 APPLY UNLESS THE DEPARTMENT DETERMINES, AND PROVIDES NOTICE TO
11 THE LEGISLATURE, THAT THIS SUBSECTION HAS NOT BEEN AN IMPEDIMENT
12 TO EFFECTIVE COMPOSTING OPERATIONS IN THIS STATE AND SHOULD CON-
13 TINUE TO BE APPLICABLE. THIS SUBSECTION DOES NOT PROHIBIT A
14 LOCAL UNIT OF GOVERNMENT THAT ON THE EFFECTIVE DATE OF THIS SEC-
15 TION PROHIBITS THE USE OF PLASTIC BAGS IN ITS COMPOSTING OPERA-
16 TIONS FROM PROHIBITING THE USE OF BAGS DESCRIBED IN THIS SUBSEC-
17 TION IN ITS COMPOSTING OPERATIONS.

18 (4) AS USED IN THIS SECTION, "FACILITY" DOES NOT INCLUDE A
19 PUBLIC SERVICE AUTHORITY CREATED IN 1951 PURSUANT TO 1947 PA 179,
20 MCL 123.301 TO 123.310.

21 Enacting section 1. This amendatory act takes effect 1 year
22 after the date this amendatory act is enacted.