



**House
Legislative
Analysis
Section**

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PROHIBIT BURNING OF GRASS AND LEAVES

House Bill 4834 (Substitute H-1)
First Analysis (5-16-90)

Sponsor: Rep. Kay M. Hart
Committee: Conservation, Recreation, & Environment

THE APPARENT PROBLEM:

The burning of leaves and grass clippings is a fall ritual for some individuals, especially those in rural communities. However, the burning of these materials can result in the emission of smoke that is as toxic as the smoke emitted from some industrial facilities. Recently, both the state and federal governments have addressed concerns about toxins emitted into the air through the implementation of policies and programs that will serve to reduce air pollution. In addition, they have encouraged programs that will provide alternative uses for these materials, such as composting. Some feel that the state should adopt a policy which would prohibit the burning of composting materials, thereby encouraging alternative uses of those materials.

THE CONTENT OF THE BILL:

The bill would amend the Solid Waste Management Act to prohibit after January 1, 1994 the open burning of leaves and grass clippings unless specifically authorized by local ordinance. However, the bill would not be construed to allow a county or municipality to permit open burning of grass clippings and leaves by ordinance that would otherwise be prohibited under the Air Pollution Act.

MCL 299.418b

FISCAL IMPLICATIONS:

According to the Department of Natural Resources, the bill could result in increased enforcement costs, but the fiscal implications cannot be determined at this time. (5-15-90)

ARGUMENTS:

For:

Grass clippings and leaves are natural recyclable materials. The reduction of the burning and landfilling of recyclable materials has been one of the focuses of the state's policy for reduction of waste entering its waste stream. Although several communities ban the burning of composting materials such as grass and leaves, some communities do not. The bill would establish a state policy on the burning of these materials. Further, this bill and House Bill 4872, which would ban incineration and landfilling of yard waste, would encourage communities to establish composting programs. However, if a ban on burning was unfeasible for a certain community, the bill would allow the local unit to pass an ordinance to authorize continued burning of grass and leaves.

POSITIONS:

The American Lung Association of Michigan supports the bill. (5-16-90)

The Department of Natural Resources supports the bill. (5-16-90)

The Michigan Farm Bureau supports the bill. (5-16-90)

The Michigan Food Processors Association supports the bill. (5-16-90)

The Michigan Townships Association supports the concept of the bill. (5-16-90)

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