

Reps. Acciavatti, Ball, Palsrok, Accavitti, Angerer, Bennett, Bieda, Brandenburg, Byrnes, Byrum, Casperson, Caul, Donigan, Elsenheimer, Emmons, Farrah, Gaffney, Gillard, Gleason, Green, Hansen, Hopgood, Jones, Kolb, Kooiman, LaJoy, Lemmons, III, Marleau, McDowell, Miller, Mortimer, Nitz, Pastor, Pavlov, Pearce, Proos, Robertson, Rocca, Sak, Alma Smith, Stahl, Stakoe, Taub, Walker, Zelenko, Farhat, Palmer, Shaffer and Sheltroun offered the following resolution:

House Resolution No. 310.

A resolution to memorialize the United States Senate to pass, and the President of the United States to sign legislation to permit the states to regulate the importation of foreign municipal solid waste.

Whereas, In 1992, the United States Supreme Court, in *Fort Gratiot Sanitary Landfill v. Michigan Department of Natural Resources*, ruled that states could not regulate or ban the importation of solid waste because Congress has exclusive authority to regulate interstate commerce. Since that time, the amount of solid waste transported from Canada for disposal in Michigan landfills has continued to increase at an alarming rate; and

Whereas, Michigan has become one of the country's largest recipients of imported solid waste. More than 18 percent of all trash dumped in landfills in Michigan originates in Canada. This situation will only become a bigger issue in the future as landfill space in Michigan begins to decline; and

Whereas, The United States House of Representatives recently passed H.R. 2491, the International Solid Waste Importation and Management Act of 2005. This bill would provide states with the authority to enact laws or issue regulations or orders restricting the receipt and disposal of foreign municipal solid waste within their borders; and

Whereas, Six Ontario municipalities, including Toronto, have recently agreed to stop sending municipal solid waste to Michigan for landfill disposal as of 2010. However, this agreement affects just one-third of the solid waste coming into Michigan from Canada. Industrial and commercial solid waste imported into our state by private haulers is not covered under the agreement and will continue to be disposed of in Michigan after 2010; and

Whereas, Some out-of-state shipments of solid waste have been found to contain medical waste, illegal drugs, and illegal currency. Customs officials do not have an effective method to screen solid waste hauling vehicles for chemical, nuclear, biological, and radiological weapons; and

Whereas, We should pursue all avenues available to reduce and eventually stop the foreign solid waste being brought into Michigan for disposal. To do this, we need to support H.R. 2491 and continue to push for funding for inspections of Canadian trash trucks that will enter our state even if municipal solid waste shipments are halted; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the United States Senate to pass, and the President of the United States to sign H.R. 2491 to permit the states to regulate the importation of foreign municipal solid waste; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.