

# Legislative Analysis

---



## **\$7.50 PER TON SURCHARGE ON SOLID WASTE**

Mitchell Bean, Director  
Phone: (517) 373-8080  
<http://www.house.mi.gov/hfa>

### **House Bill 5558**

**Sponsor: Rep. Dan Scripps**

**Committee: Great Lakes and Environment**

**Complete to 10-28-09**

### **A SUMMARY OF HOUSE BILL 5558 AS INTRODUCED 10-28-09**

The bill would amend Part 115 (Solid Waste Management) of the Natural Resources and Environmental Protection Act to assess, as of October 1, 2009, a \$7.50 per ton surcharge on solid waste disposed of in a landfill or municipal solid waste incinerator.

- Landfill and municipal incinerator owners or operators would pay the surcharge, called the "recycling and waste diversion surcharge," to the Department of Environmental Quality (DEQ) on a quarterly basis. The DEQ, in turn, would forward surcharge revenue to the state treasurer for deposit into a new fund called the "Recycling and Waste Diversion Fund." Money remaining in this fund at the end of the state fiscal year would remain in it and not lapse to the General Fund.
- Landfill and municipal incinerator owners or operators could pass through and collect the surcharge from the generators of the solid waste or from the persons who arranged for its delivery to the hauler or transfer facility, notwithstanding contractual provisions to the contrary or the absence of any contract or agreement.
- Existing surcharges found in Section 11525a, set to expire on October 1, 2011, would instead expire on October 1, 2009. References to municipal incinerators would be deleted from two existing provisions, Section 11525a(2)-(3).

Tie bar. The bill is tie-barred to House Bill 5559 (which spells out how money from the new fund is to be distributed), which means that it will not take effect unless that bill is also enacted.

MCL 324.11525a, 324.11532a-11532b

### **FISCAL IMPACT:**

A fiscal analysis is in process.

Legislative Analyst: Shannan Kane  
Fiscal Analyst: Viola Bay Wild

---

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.