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APR 18 2001
WAYS & MEANS CALENDAR

HOUSE FILE 722
BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO HF 668)
(SUCCESSOR TO HF 255)

Passed House, Date ^{P. 1569} 4/26/01 Passed Senate, Date ^(P. 1408) 4/30/01
Vote: Ayes 95 Nays 0 Vote: Ayes 50 Nays 0
Approved May 7, 2001

A BILL FOR

1 An Act relating to tonnage fees and moneys in the solid waste
2 account of the groundwater protection fund, and providing an
3 effective date.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 722

1 Section 1. Section 455B.310, subsection 4, Code 2001, is
2 amended to read as follows:

3 4. Ninety-five If a planning area achieves the fifty
4 percent waste reduction goal provided in section 455D.3,
5 ninety-five cents of the tonnage fee shall be retained by a
6 city, county, or public or private agency and. If the fifty
7 percent waste reduction goal has not been met, one dollar and
8 twenty cents of the tonnage fee shall be retained by a city,
9 county, or public or private agency. Moneys retained by a
10 city, county, or public or private agency shall be used as
11 follows:

12 a. To meet comprehensive planning requirements of section
13 455B.306, the development of a closure or postclosure plan,
14 the development of a plan for the control and treatment of
15 leachate including the preparation of facility plans and
16 detailed plans and specifications, and the preparation of a
17 financial plan.

18 b. Forty-five If a planning area achieves the fifty
19 percent waste reduction goal provided in section 455D.3,
20 forty-five cents of the retained funds shall be used for
21 implementing waste volume reduction and recycling requirements
22 of comprehensive plans filed under section 455B.306. If the
23 fifty percent waste reduction goal has not been met, seventy
24 cents of the retained funds shall be used for implementing
25 waste volume reduction and recycling requirements of
26 comprehensive plans filed under section 455B.306. The funds
27 shall be distributed to a city, county, or public agency
28 served by the sanitary disposal project. Fees collected by a
29 private agency which provides for the final disposal of solid
30 waste shall be remitted to the city, county, or public agency
31 served by the sanitary disposal project. However, if a
32 private agency is designated to develop and implement the
33 comprehensive plan pursuant to section 455B.306, fees under
34 this paragraph shall be retained by the private agency.

35 c. For other environmental protection activities.

1 d. Each sanitary landfill owner or operator shall submit a
2 return to the department identifying the use of all fees
3 retained under this section including the manner in which the
4 fees were distributed. The return shall be submitted
5 concurrently with the return required under subsection 7.

6 Sec. 2. Section 455D.3, subsection 3, paragraph a,
7 unnumbered paragraph 2, Code 2001, is amended to read as
8 follows:

9 If at any time the department determines that a planning
10 area has met or exceeded the twenty-five percent goal, but has
11 not met or exceeded the fifty percent goal, a planning area
12 shall subtract ~~fifty~~ sixty cents from the total amount of the
13 tonnage fee imposed pursuant to section 455B.310. If at any
14 time the department determines that a planning area has met or
15 exceeded the fifty percent goal, a planning area shall
16 subtract fifty cents from the total amount of the tonnage fee
17 imposed pursuant to section 455B.310. The reduction in
18 tonnage fees pursuant to this paragraph shall be taken from
19 that portion of the tonnage fees which would have been
20 allocated for funding alternatives to landfills pursuant to
21 section 455E.11, subsection 2, paragraph "a", subparagraph
22 (1).

23 Sec. 3. Section 455E.11, subsection 2, paragraph a,
24 subparagraph (1), unnumbered paragraph 1, Code 2001, is
25 amended to read as follows:

26 ~~One-dollar-and-seventy-five-cents-of~~ After the one dollar
27 and fifty-five cents is allocated pursuant to subparagraph
28 (2), the remaining moneys from the tonnage fee shall be used
29 for funding alternatives to landfills and shall be allocated
30 as follows:

31 Sec. 4. Section 455E.11, subsection 2, paragraph a,
32 subparagraph (1), subparagraph subdivision (b), Code 2001, is
33 amended to read as follows:

34 (b) Sixty-five One hundred sixty-five thousand dollars to
35 the waste management assistance division of the department to

1 be used for the by-products and waste search service at the
2 university of northern Iowa.

3 Sec. 5. Section 455E.11, subsection 2, paragraph a,
4 subparagraph (2), unnumbered paragraph 1, Code 2001, is
5 amended to read as follows:

6 ~~The remaining one~~ One dollar and fifty-five cents shall be
7 used as follows:

8 Sec. 6. This Act, with the exception of section 4 of this
9 Act, shall take effect July 1, 2002.

10 EXPLANATION

11 This bill amends provisions of the Code relating to solid
12 waste tonnage fees.

13 The bill increases the amount a city, county, or public or
14 private agency retains from the tonnage fee from \$.95 to \$1.20
15 if the 50 percent waste reduction goal has not been met by the
16 solid waste planning area. The bill provides that the
17 additional \$.25 retained shall be used for implementing waste
18 volume reduction and recycling requirements of a comprehensive
19 plan.

20 The bill provides that if a planning area meets or exceeds
21 the 25 percent waste reduction goal, but does not meet or
22 exceed the 50 percent goal, the planning area may retain an
23 additional \$.10 of the tonnage fee.

24 The bill provides that, of the tonnage fee moneys deposited
25 in the solid waste account of the groundwater protection fund,
26 \$1.55 of the tonnage fee is to be used by the department of
27 natural resources for various purposes, by the university of
28 northern Iowa to develop and maintain the Iowa waste reduction
29 center for the safe and economic management of solid waste and
30 hazardous substances, and by the department of public health.
31 The bill provides that the remaining moneys from the tonnage
32 fees shall be for funding alternatives to landfills. The bill
33 increases, from \$65,000 to \$165,000, the amount of the tonnage
34 fees used by the waste management assistance division of the
35 department of natural resources for by-products and waste

1 search service at the university of northern Iowa.

2 With the exception of the provision in the bill relating to
3 increase in tonnage fee moneys used by the waste management
4 assistance division of the department of natural resources for
5 by-products and waste search service at the university of
6 northern Iowa, the remainder of the bill takes effect July 1,
7 2002.

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**HOUSE FILE 722
FISCAL NOTE**

A fiscal note for **House File 722** is hereby submitted pursuant to Joint Rule 17. Data used in developing this fiscal note is available from the Legislative Fiscal Bureau to members of the Legislature upon request.

House File 722 changes the allocations of the tonnage fees that are deposited into the Solid Waste Account of the Groundwater Protection Fund. Currently, the tonnage fee is \$4.25 per ton and \$0.95 is retained by the landfill operators. The remaining \$3.30 per ton funds the Solid Waste Account of the Groundwater Protection Fund. The Bill specifies that an additional \$0.25 be retained by a sanitary landfill operator that has not met the 50% waste reduction goal. A sanitary landfill operator that meets or exceeds the 25% waste reduction goal but has not met the 50% reduction waste reduction goal can retain an additional \$0.10 of the tonnage fee. The Bill specifies that the allocation to the University of Northern Iowa for waste reduction programs be increased from \$65,000 to \$165,000.

ASSUMPTIONS

There will be a decrease of \$750,000 to the Solid Waste Account in the Groundwater Protection Fund. This would decrease the number of projects that receive funding each year for low-cost loans.

FISCAL IMPACT

House File 722 would decrease funding to the Solid Waste Account in the Groundwater Protection Fund in the Department of Natural Resources by \$750,000 for FY 2002 and subsequent years.

SOURCE

Department of Natural Resources

(LSB 2005hz, DFK)

FILED APRIL 19, 2001

BY DENNIS PROUTY, FISCAL DIRECTOR

HOUSE FILE 722

AN ACT

RELATING TO TONNAGE FEES AND MONEYS IN THE SOLID WASTE ACCOUNT
OF THE GROUNDWATER PROTECTION FUND, AND PROVIDING AN
EFFECTIVE DATE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 455B.310, subsection 4, Code 2001, is amended to read as follows:

4. Ninety-five If a planning area achieves the fifty percent waste reduction goal provided in section 455D.3, ninety-five cents of the tonnage fee shall be retained by a city, county, or public or private agency and. If the fifty percent waste reduction goal has not been met, one dollar and twenty cents of the tonnage fee shall be retained by a city, county, or public or private agency. Moneys retained by a

city, county, or public or private agency shall be used as follows:

a. To meet comprehensive planning requirements of section 455B.306, the development of a closure or postclosure plan, the development of a plan for the control and treatment of leachate including the preparation of facility plans and detailed plans and specifications, and the preparation of a financial plan.

b. Forty-five If a planning area achieves the fifty percent waste reduction goal provided in section 455D.3, forty-five cents of the retained funds shall be used for implementing waste volume reduction and recycling requirements of comprehensive plans filed under section 455B.306. If the fifty percent waste reduction goal has not been met, seventy cents of the retained funds shall be used for implementing waste volume reduction and recycling requirements of comprehensive plans filed under section 455B.306. The funds shall be distributed to a city, county, or public agency served by the sanitary disposal project. Fees collected by a private agency which provides for the final disposal of solid waste shall be remitted to the city, county, or public agency served by the sanitary disposal project. However, if a private agency is designated to develop and implement the comprehensive plan pursuant to section 455B.306, fees under this paragraph shall be retained by the private agency.

c. For other environmental protection activities.

d. Each sanitary landfill owner or operator shall submit a return to the department identifying the use of all fees retained under this section including the manner in which the fees were distributed. The return shall be submitted concurrently with the return required under subsection 7.

Sec. 2. Section 455D.3, subsection 3, paragraph a, unnumbered paragraph 2, Code 2001, is amended to read as follows:

If at any time the department determines that a planning area has met or exceeded the twenty-five percent goal, but has not met or exceeded the fifty percent goal, a planning area shall subtract ~~fifty sixty~~ cents from the total amount of the tonnage fee imposed pursuant to section 455B.310. If at any time the department determines that a planning area has met or exceeded the fifty percent goal, a planning area shall subtract fifty cents from the total amount of the tonnage fee imposed pursuant to section 455B.310. The reduction in tonnage fees pursuant to this paragraph shall be taken from that portion of the tonnage fees which would have been allocated for funding alternatives to landfills pursuant to section 455E.11, subsection 2, paragraph "a", subparagraph (1).

Sec. 3. Section 455E.11, subsection 2, paragraph a, subparagraph (1), unnumbered paragraph 1, Code 2001, is amended to read as follows:

~~One-dollar-and-seventy-five-cents-of~~ After the one dollar and fifty-five cents is allocated pursuant to subparagraph (2), the remaining moneys from the tonnage fee shall be used for funding alternatives to landfills and shall be allocated as follows:

Sec. 4. Section 455E.11, subsection 2, paragraph a, subparagraph (1), subparagraph subdivision (b), Code 2001, is amended to read as follows:

(b) ~~Sixty-five~~ One hundred sixty-five thousand dollars to the waste management assistance division of the department to be used for the by-products and waste search service at the university of northern Iowa.

Sec. 5. Section 455E.11, subsection 2, paragraph a, subparagraph (2), unnumbered paragraph 1, Code 2001, is amended to read as follows:

~~The-remaining-one~~ One dollar and fifty-five cents shall be used as follows:

Sec. 6. This Act, with the exception of section 4 of this Act, shall take effect July 1, 2002.

BRENT SIEGRIST
Speaker of the House

MARY E. KRAMER
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 722, Seventy-ninth General Assembly.

Approved 5/7, 2001

MARGARET THOMSON
Chief Clerk of the House

THOMAS J. VILSACK
Governor