



H.B. 459

124th General Assembly
(As Introduced)

Reps. Schuring, Metzger, Hagan, Cirelli, Webster, Widowfield, Jones

BILL SUMMARY

- Establishes the Solid Waste and Construction and Demolition Debris Commission, which is to consist of four members from the General Assembly and 27 other members representing state and local government, the solid waste and construction and demolition debris industry, environmental advocacy organizations, and members of the public.
- Requires the appointment by the Governor of an individual with expertise in the area of solid waste and construction and demolition debris for the purpose of preparing a report on certain issues related to solid waste and construction and demolition debris.
- Requires subcommittees of the Commission to study various issues related to solid waste and construction and demolition debris and to submit their findings to the individual preparing the report.
- Requires the report to be submitted to the Governor, the Speaker of the House of Representatives, the President of the Senate, and the Director of Environmental Protection not later than 12 months after the bill's effective date.

CONTENT AND OPERATION

Solid Waste and Construction and Demolition Debris Commission

The bill creates the Solid Waste and Construction and Demolition Debris Commission. The Commission is required to consist of two members of the House of Representatives, with one member appointed by the Speaker of the House of Representatives and one member appointed by the Minority Leader, two

members of the Senate, with one member appointed by the President of the Senate and one member appointed by the Minority Leader, and 27 appointed members, with three members representing each of the following: counties, municipal corporations, townships, solid waste management districts, local boards of health, the Environmental Protection Agency, solid waste landfill operators and construction and demolition debris facility operators, statewide environmental advocacy organizations, and the public.

The bill requires the Governor, the Speaker of the House of Representatives, and the President of the Senate to appoint one member from each of the above nine categories. All appointments must be made not later than one month after the effective date of the bill. A vacancy must be filled by the appointing authority who appointed the vacating member. The Commission must hold its first meeting not later than two months after the bill's effective date; at that meeting, the Commission must select a chairperson and a vice-chairperson and establish necessary procedures and protocols for its operation. The Environmental Protection Agency must provide technical assistance to the Commission. (Section 1(A).)

The chairperson of the Commission must appoint five subcommittees of the Commission. Each subcommittee must be assigned to address one of the five topics that must be addressed in the report that is required to be submitted under the bill (see below). Each subcommittee must report its findings to the expert individual who is appointed under the bill to prepare the report. (Section 1(A).)

Appointment of waste expert and submission of study report

At the time that appointments are made to the Commission, the Governor, with the advice of the Speaker of the House of Representatives and the President of the Senate, must appoint an individual from an institution of higher education or a research institution or organization with expertise in environmental science and other states' laws regarding solid waste and construction and demolition debris management for the purpose of preparing the report required by the bill (see below). The individual cannot be a member of the Commission. (Section 1(B).)

Not later than 12 months after the bill's effective date, the individual must prepare and submit to the Governor, the Speaker of the House of Representatives, the President of the Senate, and the Director of Environmental Protection a report that includes: (1) an evaluation of the applicable rules adopted by the Environmental Protection Agency for the purpose of determining if those rules encourage the use of the best available technology for the management of solid waste and construction and demolition debris, and proposals for changes to those rules, (2) an evaluation of the statutes providing for the enforcement of the solid waste and construction and demolition debris laws and of the procedures used to

execute that enforcement, and proposals for changes in the enforcement statutes and procedures, (3) an evaluation of the purposes for which moneys generated from fees charged under the solid waste and construction and demolition debris laws may be and are used, and proposals for altering or restricting those purposes, (4) an evaluation of the status of recycling activities in Ohio, and proposals for promoting increased recycling activities in this state, and (5) any other evaluations or proposals that are determined by the Commission to be relevant to the effective management of solid waste and construction and demolition debris in Ohio. (Section 1(C).)

The report must include recommendations for specific changes to the Revised Code. It must be based on all of the findings of the expert individual appointed under the bill, a review of other states' laws regarding solid waste and construction and demolition debris, and input from the Commission. The expert individual must consult with the Commission in preparing the report. (Section 1(C).)

Copies of the report must be made available by the Director of Environmental Protection to the public upon request (Section 1(C)). Upon the submission of the report, the Commission ceases to exist (Section 1(D)).

HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	12-20-01	p. 1180

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