

1.1 CONFERENCE COMMITTEE REPORT ON S.F. No. 663

1.2 A bill for an act

1.3 relating to state government; making changes to resource recovery provisions;
1.4 amending Minnesota Statutes 2012, section 115A.15, subdivisions 2, 9, 10.

1.5 April 30, 2014

1.6 The Honorable Sandra L. Pappas
1.7 President of the Senate

1.8 The Honorable Paul Thissen
1.9 Speaker of the House of Representatives

1.10 We, the undersigned conferees for S.F. No. 663 report that we have agreed upon the
1.11 items in dispute and recommend as follows:

1.12 That the House recede from its amendments and that S.F. No. 663 be further
1.13 amended as follows:

1.14 Delete everything after the enacting clause and insert:

1.15 "Section 1. Minnesota Statutes 2012, section 115A.15, subdivision 2, is amended to
1.16 read:

1.17 Subd. 2. **Duties of commissioner of administration.** The commissioner of
1.18 administration shall develop policies to require state agencies and the state legislature to
1.19 separate all recyclable and reusable commodities wherever feasible. ~~The commissioner~~
1.20 ~~shall develop and institute procedures for the separation, collection, and storage of used~~
1.21 ~~commodities wherever feasible in state agencies and shall establish policies for the reuse,~~
1.22 ~~sale, or disposition of recovered materials and surplus property. The commissioner shall~~
1.23 ~~promote and publicize the waste reduction and waste separation and recovery procedures~~
1.24 ~~on an ongoing basis to all state employees.~~ The commissioner shall issue guidelines
1.25 for the procurement of recyclable commodities and commodities containing recycled
1.26 materials that include definitions of recycled materials, the percentage of recycled
1.27 materials to be contained in each commodity and performance specifications. To the
1.28 extent practicable, the guidelines shall be written so as to give preference to recyclable
1.29 commodities and commodities containing recycled materials. The commissioner shall

2.1 inform state agencies whenever recycled commodities are available for purchase. The
2.2 commissioner shall investigate opportunities for the inclusion of and may include local
2.3 governments and regional agencies in administrative state programs to reduce waste, and
2.4 to separate and recover recyclable and reusable commodities.

2.5 Sec. 2. Minnesota Statutes 2012, section 115A.15, subdivision 9, is amended to read:

2.6 Subd. 9. **Recycling goal.** ~~By December 31, 1996, the commissioner~~ Each state
2.7 agency shall recycle at least 60 percent by weight of the solid waste generated by state
2.8 its offices and other state operations located in the metropolitan area at a rate that is the
2.9 highest of: (1) 60 percent by weight; (2) the recycling rate required of a metropolitan
2.10 county under section 115A.551, subdivision 2a; or (3) the recycling rate in compliance
2.11 with the solid waste management policy plan goals under section 473.149. Each state
2.12 agency shall recycle at least 60 percent by weight of the solid waste generated by its
2.13 offices and other operations located outside of the metropolitan area. By March 1 of each
2.14 year, ~~the commissioner~~ each state agency shall report to the Pollution Control Agency
2.15 the estimated recycling rates ~~by county for state offices and other state operations in the~~
2.16 ~~metropolitan area for the previous calendar year~~ from the previous calendar year. State
2.17 agencies shall report progress in achieving the recycling goal in the format specified by
2.18 the Pollution Control Agency. The Pollution Control Agency shall incorporate these
2.19 figures into the reports submitted by the counties under section 115A.557, subdivision 3,
2.20 to determine each county's progress toward the goal in section 115A.551, subdivision ~~2~~ 2a.

2.21 Each state agency ~~in the metropolitan area~~ shall work to meet the recycling goal
2.22 individually. ~~If the goal is not met by an agency, the commissioner shall notify that~~
2.23 ~~agency that the goal has not been met and the reasons the goal has not been met and shall~~
2.24 ~~provide information to the employees in the agency regarding recycling opportunities~~
2.25 ~~and expectations.~~ If the recycling goal is not met by a state agency, that agency shall
2.26 provide information to all employees in the agency regarding recycling opportunities and
2.27 expectations, and notify the Pollution Control Agency of the action that has been taken to
2.28 meet the recycling goal.

2.29 Sec. 3. Minnesota Statutes 2012, section 115A.15, subdivision 10, is amended to read:

2.30 Subd. 10. **Materials recovery facility; materials collection; waste audits.** ~~(a) The~~
2.31 ~~commissioner of the Department of Administration shall establish a central materials~~
2.32 ~~recovery facility to manage recyclable materials collected from state offices and other state~~
2.33 ~~operations in the metropolitan area. The facility must be located as close as practicable to~~
2.34 ~~the State Capitol complex and must be large enough to accommodate temporary storage~~

3.1 ~~of recyclable materials collected from state offices and other state operations in the~~
3.2 ~~metropolitan area and the processing of those materials for market.~~

3.3 ~~(b)~~ (a) The commissioner shall establish a recyclable materials collection and
3.4 transportation system for state offices and other state operations in the metropolitan area
3.5 that will maximize the types and amount of materials collected and the number of state
3.6 offices and other state operations served, and will minimize barriers to effective and
3.7 efficient collection, transportation, and marketing of recyclable materials.

3.8 ~~(c) The commissioner shall perform regular audits on the solid waste and recyclable~~
3.9 ~~materials collected to identify materials upon which to focus waste reduction, reuse,~~
3.10 ~~and recycling activities and to measure:~~

3.11 ~~(1) progress made toward the recycling goal in subdivision 9;~~

3.12 ~~(2) progress made to reduce waste generation; and~~

3.13 ~~(3) potential for additional waste reduction, reuse, and recycling.~~

3.14 ~~(d)~~ (b) The commissioner may contract with private entities for the activities required
3.15 in this subdivision if the commissioner determines that it would be cost-effective to do so.

3.16 Sec. 4. Minnesota Statutes 2012, section 115A.151, is amended to read:

3.17 **115A.151 RECYCLABLE MATERIAL CONTAINER RECYCLING**
3.18 **REQUIREMENTS; PUBLIC ENTITIES; COMMERCIAL BUILDINGS.**

3.19 (a) A public entity and an owner of a commercial building shall:

3.20 (1) ensure that facilities under its control, from which mixed municipal solid waste
3.21 is collected, ~~have containers for~~ also collect at least three recyclable materials, such as, but
3.22 not limited to, paper, glass, plastic, and metal; and

3.23 (2) transfer all recyclable materials collected to a recycler.

3.24 (b) For the purposes of this section:

3.25 (1) "public entity" means the state, an office, agency, or institution of the state,
3.26 the Metropolitan Council, a metropolitan agency, the Metropolitan Mosquito Control
3.27 Commission, the legislature, the courts, a county, a statutory or home rule charter city, a
3.28 town, a school district, a special taxing district, or any entity that receives an appropriation
3.29 from the state for a capital improvement project after August 1, 2002;

3.30 (2) "metropolitan agency" and "Metropolitan Council," have the meanings given
3.31 them in section 473.121; ~~and~~

3.32 (3) "Metropolitan Mosquito Control Commission" means the commission created
3.33 in section 473.702; and

3.34 (4) "commercial building" means a building that:

3.35 (i) is located in a metropolitan county, as defined in section 473.121;

- 4.1 (ii) contains a business classified in sectors 42 to 81 under the North American
4.2 Industrial Classification System; and
4.3 (iii) contracts for four cubic yards or more per week of solid waste collection.

4.4 **EFFECTIVE DATE.** This section is effective January 1, 2016.

4.5 Sec. 5. Minnesota Statutes 2012, section 116.78, subdivision 4, is amended to read:

4.6 Subd. 4. **Sharps.** (a) A person shall not place sharps with recyclable materials, as
4.7 defined in section 115A.03.

4.8 (b) Sharps, except those generated from a household or from a farm operation or
4.9 agricultural business:

4.10 (1) must be placed in puncture-resistant containers;

4.11 (2) may not be compacted or mixed with other waste material whether or not the
4.12 sharps are decontaminated unless it is part of an infectious waste decontamination process
4.13 approved by the commissioner of the Pollution Control Agency that will prevent exposure
4.14 during transportation and disposal; and

4.15 (3) may not be disposed of at refuse-derived fuel facilities or at other facilities
4.16 where waste is hand sorted.

4.17 **EFFECTIVE DATE.** This section is effective the day following final enactment."

4.18 Delete the title and insert:

4.19 "A bill for an act
4.20 relating to environment; making changes to resource recovery provisions;
4.21 amending Minnesota Statutes 2012, sections 115A.15, subdivisions 2, 9, 10;
4.22 115A.151; 116.78, subdivision 4."

We request the adoption of this report and repassage of the bill.

Senate Conferees:

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Alice M. Johnson

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John Marty

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David J. Osmek

House Conferees:

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Clark Johnson

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Frank Hornstein

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Denny McNamara