

House Research Act Summary

CHAPTER: 45

SESSION: 2013 Regular Session

TOPIC: Organized solid waste collection

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Overview

Changes the process for local governments to organize solid waste collection. Effective May 8, 2013.

Under current law, cities and towns over a certain size must ensure that all residences and businesses have solid waste collection and disposal.¹

Section

- 1 Local authority.** Exempts a city or town that has organized collection as of May 1, 2013, from the provisions of Minnesota Statutes, section 115A.94, subdivisions 4a to 4d (enacted in sections 2 to 5 of this act).
- 2 Committee establishment.** Requires a city or town to establish a committee to study organized collection options before implementing an ordinance to establish it. Provides that the committee is subject to the open meeting law.
- 3 Committee duties.** Requires the committee to: determine which methods of collection to examine; establish what criteria will be used to be evaluate options; collect information on how other cities and towns organize collection; seek input from the city council or town board, residents, and haulers; and issue a report.
- 4 Governing body; implementation.** Requires the city council or town board to consider the report and hold a public hearing before deciding to implement organized collection. Provides that organized collection must not begin sooner than six months after the effective date of the decision.

Section

- 5** **Participating collectors proposal requirement.** Requires a city or town with more than one licensed hauler to allow the haulers 60 days to develop a proposal through negotiations with the city or town. If the city or town reaches an agreement with the haulers, sections 2 to 4 do not apply. The contract under the agreement must be for a period of three to seven years.
- 6** **County organized collection.** Permits a county to organize collection in the same manner as cities and towns if the cities or towns do not do so as required by the county.
- 7** **Repealer.** Repeals Minnesota Statutes, section 115A.94, subdivision 4, which governs current city and town process for organizing collection.

ⁱ Minn. Stat. § 115A.941, provides:

(a) Except as provided in paragraph (b), each city, and town described in section 368.01, with a population of 1,000 or more, and any other town with a population of 5,000 or more shall ensure that every residential household and business in the city or town has solid waste collection service. To comply with this section, a city or town may organize collection, provide collection, or require by ordinance that every household and business has a contract for collection services. An ordinance adopted under this section must provide for enforcement.

(b) A city or town described in paragraph (a) may exempt a residential household or business in the city or town from the requirement to have solid waste collection service if the household or business ensures that an environmentally sound alternative is used.

(c) To the extent practicable, the costs incurred by a city or town under this section must be incorporated into the collection system or the enforcement mechanisms adopted under this section by the city or town.