

# SENATE BILL 99

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CF 7lr0704

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By: **Senator Middleton**

Introduced and read first time: January 12, 2017

Assigned to: Education, Health, and Environmental Affairs

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## A BILL ENTITLED

1 AN ACT concerning

2 **Department of the Environment – Yard Waste and Food Residuals Diversion**  
3 **and Infrastructure – Study**

4 FOR the purpose of requiring the Department of the Environment, in consultation with  
5 certain persons, to study, review, explore, identify, and make recommendations  
6 regarding certain matters that relate to the diversion of yard waste from refuse  
7 disposal facilities, including certain infrastructure; requiring the Department to  
8 report its interim and final findings and recommendations to the Governor and the  
9 General Assembly on or before certain dates; and generally relating to yard waste  
10 and food residuals diversion and infrastructure.

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
12 That:

13 (a) The Department of the Environment shall:

14 (1) study the diversion of yard waste and food residuals from refuse  
15 disposal facilities in the State, including any State laws or regulations governing the  
16 diversion of yard waste or food residuals;

17 (2) study the laws and regulations of other states governing the diversion  
18 of yard waste or food residuals;

19 (3) review the status of infrastructure for the diversion of yard waste and  
20 food residuals in the State and other states, including the availability of infrastructure in  
21 relation to:

22 (i) large generators of food waste, identified by type and geographic  
23 distribution; and

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (ii) organizations that use surplus food, identified by type and  
2 geographic distribution;

3 (4) explore ways to promote composting of yard waste and food residuals  
4 and other methods of organic waste reduction and diversion, including ways to encourage  
5 a decentralized and diverse infrastructure;

6 (5) identify means to encourage investment in infrastructure and provide  
7 economic incentives to expand capacity for yard waste and food residuals diversion in the  
8 State, including identification of:

9 (i) properties or development zones where diversion infrastructure  
10 may be developed; and

11 (ii) any tax or other incentives that already exist to encourage  
12 infrastructure development;

13 (6) recommend a refuse disposal fee to finance a grant program that  
14 provides financial assistance to develop infrastructure and expand capacity for yard waste  
15 and food residuals diversion in the State;

16 (7) recommend measures to promote the diversion of yard waste and food  
17 residuals in the State, including any necessary programmatic, legislative, or regulatory  
18 changes; and

19 (8) recommend a pilot program for the region in which Elkrige and Jessup  
20 are located to prioritize infrastructure development and food waste recovery from large food  
21 waste generators.

22 (b) In conducting the activities required under subsection (a) of this section, the  
23 Department shall consult with:

24 (1) the Department of Agriculture;

25 (2) the Department of Commerce;

26 (3) the Maryland Environmental Service;

27 (4) the MD–DC Compost Council;

28 (5) the American Biogas Council;

29 (6) the Restaurant Association of Maryland;

30 (7) the Maryland Retailers Association;

31 (8) the Maryland Food Bank;

- 1           (9)    the Institute for Local Self-Reliance;
- 2           (10)   the Maryland Recycling Network;
- 3           (11)   the Maryland Farm Bureau;
- 4           (12)   the Maryland-Delaware Solid Waste Association;
- 5           (13)   the Chesapeake Foodshed Network;
- 6           (14)   the Maryland Horse Council;
- 7           (15)   the Johns Hopkins University Center for a Livable Future;
- 8           (16)   the Future Harvest/Chesapeake Alliance for Sustainable Agriculture;
- 9           (17)   the Maryland Association of Counties;
- 10          (18)   the Maryland Municipal League; and
- 11          (19)   a private business based in the State that provides food waste collection  
12 services.

13           (c)    On or before July 1, 2018, the Department shall report its interim findings  
14 and recommendations to the Governor and, in accordance with § 2-1246 of the State  
15 Government Article, the General Assembly.

16           (d)    On or before July 1, 2019, the Department shall report its final findings and  
17 recommendations to the Governor and, in accordance with § 2-1246 of the State  
18 Government Article, the General Assembly.

19           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
20 1, 2017.