

State of South Dakota

SEVENTY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 1997

309A0422

HOUSE ENGROSSED NO. **HB1150** - 2/13/97

Introduced by: Representatives Wetz, Brooks, Gabriel, Jaspers, Koskan, Madden, McNenny, Napoli, Richter, and Wick and Senators Aker, Everist, and Whiting

1 FOR AN ACT ENTITLED, An Act to repeal certain landfill disposal bans.

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

3 Section 1. That § 34A-6-67 be amended to read as follows:

4 34A-6-67. In achieving the waste reduction goals provided for under § 34A-6-60, every
5 municipality or other political subdivision responsible for solid waste management shall
6 implement the following landfill waste reduction targets in accordance with the following
7 implementation dates:

8 (1) Beginning on January 1, 1995, all yard wastes shall be eliminated from landfilled
9 wastes;

10 (2) Beginning July 1, 1995, all lead acid batteries and waste motor oil shall be eliminated
11 from landfilled wastes;

12 (3) ~~Beginning on January 1, 1996, all white good appliances shall be eliminated from~~
13 ~~landfilled wastes;~~

14 (4) ~~Beginning on July 1, 1996, all office and computer paper shall be eliminated from~~
15 ~~landfill wastes;~~

1 (5) Beginning on January 1, 1997, all printed paper products and corrugated cardboard
2 shall be eliminated from landfill wastes; and

3 (6) Beginning on July 1, 1997, all containers made from glass, plastic, aluminum or steel
4 shall be eliminated from landfill wastes.

5 Every municipality or other political subdivision responsible for solid waste management shall
6 comply with each of these landfill waste reduction targets. However, if the governing body, after
7 open meeting and allowing public input, makes a resolution finding that recycling of the solid
8 waste in a manner consistent with the reduction targets provided by this section is unavailable,
9 the governing body may by ordinance exempt the political subdivision from any of the waste
10 reduction targets provided by this section. The term, unavailable, means that recycling is
11 determined by the governing body to cost more than the true and total cost of unsubsidized
12 landfilling, including long-term costs of all options analyzed in the waste evaluation.

13 The governing body shall review any determination made under this section at least once
14 every two years if it determines that recycling is unavailable. The determination required by this
15 section regarding recycling shall be made separately for each subdivision of this section.

16 Any resolution exempting a political subdivision from a landfill waste reduction target shall
17 be subject to a referendum of the voters of the municipality or political subdivision. Referendum
18 procedures shall conform to the provisions of chapter 9-20.

1 **BILL HISTORY**

2 1/29/97 First read in House and referred to Agriculture & Natural Resources. H.J. 196

3 1/30/97 Scheduled for Committee hearing on this date.

4 2/4/97 Scheduled for Committee hearing on this date.

5 2/6/97 Scheduled for Committee hearing on this date.

6 2/6/97 Agriculture & Natural Resources Do Pass, Failed, AYES 5, NAYS 3. H.J. 334

7 2/6/97 Agriculture & Natural Resources Do Pass, AYES 8, NAYS 4.

8 2/10/97 Motion to Amend. H.J. 385

9 2/10/97 Deferred with pending amendment (Rule 5-17). H.J. 385

10 2/12/97 Motion to Amend. H.J. 446

11 2/12/97 House of Representatives Do Pass Amended, AYES 39, NAYS 30. H.J. 447