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State of Minnesota
HOUSE OF REPRESENTATIVES

**EIGHTY-FIFTH
SESSION**

HOUSE FILE No. 3540

February 28, 2008

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The bill was read for the first time and referred to the Committee on Environment and Natural Resources

1.1 A bill for an act
1.2 relating to solid waste; amending the definition of mixed municipal solid
1.3 waste; defining reuse; establishing principles of product stewardship; requiring
1.4 recycling of construction and demolition waste in state buildings; requiring a
1.5 study; requiring a resource recovery facility to recover and recycle metals; setting
1.6 recycling goals for certain construction and demolition projects; regulating waste
1.7 management charges; setting standards for compost containers; establishing
1.8 eligibility of waste management activities as greenhouse gas offset projects;
1.9 exempting certain equipment from the state sales tax; regulating charges for
1.10 nonmixed municipal solid waste; allowing residents to decline to receive local
1.11 telephone directories; requiring a model ordinance; establishing a task force;
1.12 providing penalties; appropriating money; amending Minnesota Statutes 2006,
1.13 sections 115A.03, subdivisions 21, 32a, by adding a subdivision; 115A.93,
1.14 subdivisions 3, 3a; 115A.9301; 297A.68, subdivision 24; 297H.02, subdivision
1.15 2; 297H.04; Minnesota Statutes 2007 Supplement, section 216B.241, by adding a
1.16 subdivision; proposing coding for new law in Minnesota Statutes, chapters 16B;
1.17 115A; 325E; repealing Minnesota Statutes 2006, sections 115A.175; 115A.18;
1.18 115A.19; 115A.191; 115A.192; 115A.194; 115A.195; 115A.20; 115A.24;
1.19 115A.28, subdivision 3; 115A.30; 115A.301; 115A.31; 115A.55, subdivision 4;
1.20 115A.5501, subdivision 1; 115A.551, subdivision 7; Minnesota Statutes 2007
1.21 Supplement, sections 115A.193; 115A.28, subdivision 2.

1.22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.23 Section 1. **[16B.327] RECYCLING CONSTRUCTION AND DEMOLITION**
1.24 **WASTE FROM STATE BUILDINGS; REQUIREMENT.**

1.25 The Department of Administration shall require in contracts for the construction,
1.26 renovation or demolition of a state building that the contractor and any subcontractor
1.27 must divert from deposit in a landfill and must recycle 40 percent of the waste tonnage
1.28 produced by the project. This requirement shall apply to all construction, renovation or
1.29 demolition projects for state buildings receiving funding from the bond proceeds fund
1.30 after January 1, 2009.

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

2.2 Sec. 2. Minnesota Statutes 2006, section 115A.03, subdivision 21, is amended to read:

2.3 Subd. 21. **Mixed municipal solid waste.** (a) "Mixed municipal solid waste" means
2.4 garbage, refuse, and other solid waste from residential, commercial, industrial, and
2.5 community activities that the generator of the waste aggregates for collection, except as
2.6 provided in paragraph (b).

2.7 (b) Mixed municipal solid waste does not include auto hulks, street sweepings, ash,
2.8 construction debris, mining waste, sludges, tree and agricultural wastes, tires, lead acid
2.9 batteries, motor and vehicle fluids and filters, and other materials collected, processed,
2.10 and disposed of as separate waste streams, ~~but does include source-separated compostable~~
2.11 ~~materials.~~

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

2.13 Sec. 3. Minnesota Statutes 2006, section 115A.03, is amended by adding a subdivision
2.14 to read:

2.15 Subd. 28c. **Reuse.** "Reuse" means:

2.16 (1) using materials for the purpose for which they were originally intended or for
2.17 another purpose that does not cause their destruction in a manner that precludes their
2.18 further use;

2.19 (2) using food manufactured for human consumption for human consumption by
2.20 humans for whom it was not originally intended; and

2.21 (3) diverting food manufactured for human consumption to consumption by animals.

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

2.23 Sec. 4. Minnesota Statutes 2006, section 115A.03, subdivision 32a, is amended to read:

2.24 Subd. 32a. **Source-separated compostable materials.** "Source-separated
2.25 compostable materials" means ~~mixed municipal solid waste~~ materials that:

2.26 (1) ~~is~~ are separated at the source by waste generators for the purpose of preparing
2.27 ~~it~~ them for use as compost;

2.28 (2) ~~is~~ are collected separately from ~~other~~ mixed municipal solid ~~wastes~~ waste, and
2.29 are governed by the licensing provisions of section 115A.93;

2.30 (3) ~~is~~ are comprised of food wastes, fish and animal waste, plant materials,
2.31 diapers, sanitary products, and paper that is not recyclable because the commissioner has
2.32 determined that no other person is willing to accept the paper for recycling; ~~and~~

3.1 (4) ~~is~~ are delivered to a facility to undergo controlled microbial degradation to yield
3.2 a humus-like product meeting the agency's class I or class II, or equivalent, compost
3.3 standards and where process residues do not exceed 15 percent by weight of the total
3.4 material delivered to the facility; and

3.5 (5) may be delivered to a transfer station, mixed municipal solid waste processing
3.6 facility, or recycling facility only for the purposes of composting or transfer to a
3.7 composting facility, unless the commissioner determines that no other person is willing
3.8 to accept the materials.

3.9 **Sec. 5. [115A.0712] PRODUCT STEWARDSHIP.**

3.10 Subdivision 1. Principles. Consistent with Minnesota Statutes, section 115A.02, it
3.11 is the goal of this state to promote resource conservation and protect public health and
3.12 the environment through product stewardship. Product stewardship is a preferred method
3.13 the state may implement to conserve resources, prevent waste, and reduce the toxicity of
3.14 product constituents. The principles of product stewardship are:

3.15 (a) All parties who have a role in designing, producing, or selling a product or
3.16 product component assume responsibility for achieving the following goals:

3.17 (1) ensuring that the principles of design for the environment govern product design
3.18 so that toxic and hazardous constituents of products are reduced or eliminated, and product
3.19 reuse and recycling are facilitated;

3.20 (2) reducing the toxicity and amount of waste resulting from the manufacture, use
3.21 and disposal of products; and

3.22 (3) using materials, energy and water efficiently at every stage of a product's life
3.23 cycle, including manufacture, distribution, sale, use and recovery.

3.24 (b) Purchasers and users play an important role in selecting products that reflect
3.25 design for the environment practices and managing the products appropriately at the
3.26 end of the product's life.

3.27 (c) The more influence a party has over a product's life-cycle impacts, the greater the
3.28 party's responsibility to address those impacts.

3.29 (d) Product stewardship programs should be flexible, transparent, and sustainable.

3.30 (e) End-of-life costs to recover resources and manage products are internalized into
3.31 product costs, so they are not transferred to government and taxpayers.

3.32 (f) Product stewardship programs are designed to maximize economic efficiency,
3.33 promote market competition, stimulate innovation, reduce costs, and provide convenient
3.34 collection opportunities.

4.1 (g) Government provides leadership in product stewardship in all its activities,
4.2 including, but not limited to, purchasing products and services, making capital investments
4.3 in buildings and infrastructure and, if appropriate, facilitating collection and recycling
4.4 options for products in conjunction with other parties.

4.5 Subd. 2. **Recommendations.** By January 15, 2009, the commissioner must
4.6 present to the chairs and ranking minority members of the senate and house committees
4.7 with primary jurisdiction over environmental policy and environmental finance,
4.8 recommendations for establishing a comprehensive product stewardship approach to
4.9 reducing environmental and health risks posed by the use or disposal of certain products in
4.10 this state.

4.11 The recommendations must include, at a minimum:

4.12 (1) a set of criteria to be used to evaluate products proposed for product stewardship
4.13 solutions;

4.14 (2) a process for designating products for product stewardship solutions, and the role
4.15 the legislature would play in that process;

4.16 (3) typical components of product stewardship plans;

4.17 (4) options to facilitate the creation of industry-managed stewardship management
4.18 organizations;

4.19 (5) methods to identify and monitor progress towards stewardship performance
4.20 goals for specific products; and

4.21 (6) strategies to implement the use of standards, certifications, and eco-labels to
4.22 promote environmentally preferable products.

4.23 To the extent possible, the recommendations must be consistent with existing
4.24 product stewardship programs in North America. In developing the recommendations,
4.25 the commissioner must consult with manufacturers, retailers, recyclers, environmental
4.26 advocacy organizations, local units of government and other interested parties.

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

4.28 Sec. 6. **[115A.413] SOLID WASTE CHARACTERIZATION STUDY.**

4.29 Beginning in 2010, and at least every ten years thereafter, the agency must conduct
4.30 a solid waste characterization study of waste generated by households and industrial,
4.31 commercial and institutional generators both inside and outside the seven-county
4.32 metropolitan area. The study must conduct field sorting events at multiple locations under
4.33 a sampling and sorting plan that insures that the data collected allows for an accurate
4.34 estimate of the composition of the waste stream by type of material, which estimate must

5.1 have a statistical margin of error at least as reliable as that in the agency's Statewide
 5.2 Municipal Solid Waste Composition Study published in March 2000.

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

5.4 Sec. 7. **[115A.559] RESOURCE RECOVERY FACILITY; RECYCLING**
 5.5 **REQUIREMENT.**

5.6 As of January 1, 2011, a resource recovery facility that incinerates waste to produce
 5.7 energy must recover ferrous and nonferrous metals for reuse or recycling from waste
 5.8 that is delivered for processing.

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

5.10 Sec. 8. **[115A.5591] CONSTRUCTION AND DEMOLITION WASTE**
 5.11 **RECYCLING REQUIREMENT.**

5.12 A contractor constructing or demolishing a building of more than square feet
 5.13 located in the seven-county metropolitan area must recycle or reuse or arrange for the
 5.14 recycling or reuse of 40 percent of the waste, by weight, from the project. The waste
 5.15 must be recycled on-site or delivered to recycling facilities permitted by the agency, but
 5.16 may not be buried on-site.

5.17 **EFFECTIVE DATE.** This section is effective July 1, 2009.

5.18 Sec. 9. Minnesota Statutes 2006, section 115A.93, subdivision 3, is amended to read:

5.19 Subd. 3. **License requirements; pricing based on volume or weight.** (a) A
 5.20 licensing authority shall require licensees to impose charges for collection of mixed
 5.21 municipal solid waste that increase with the volume or weight of the waste collected.

5.22 (b) A licensing authority may impose requirements that are consistent with the
 5.23 county's solid waste policies as a condition of receiving and maintaining a license.

5.24 (c) A licensing authority ~~shall~~ must prohibit mixed municipal solid waste collectors
 5.25 from imposing a ~~greater charge on residents who recycle than on residents who do not~~
 5.26 ~~recycle~~ lesser charge for waste collection and disposal services on generators who
 5.27 combine recyclable materials with mixed municipal solid waste than the charge imposed
 5.28 for waste collection and disposal services on generators who separate recyclable materials
 5.29 from mixed municipal solid waste that is collected and delivered to landfills or waste
 5.30 to energy facilities.

5.31 (d) The commissioner may exempt a licensing authority from the requirements of
 5.32 paragraph (a) if the county within which the authority is located has an approved solid

6.1 waste management plan that concludes that variable rate pricing is not appropriate for that
 6.2 jurisdiction because it is inconsistent with other incentives and mechanisms implemented
 6.3 within the jurisdiction that are more effective in attaining the goals of this chapter to
 6.4 discourage on-site disposal, littering, and illegal dumping.

6.5 (e) In the interim between revisions to the county solid waste management plan, the
 6.6 commissioner may exempt a licensing authority from the requirements of paragraph (a)
 6.7 if the commissioner makes the determination otherwise made by the plan in paragraph
 6.8 (d) and finds that the licensing authority:

6.9 (1) operates or contracts for the operation of a residential recycling program that
 6.10 collects more categories of recyclable materials than required in section 115A.552;

6.11 (2) has a residential participation rate in its recycling programs of at least 70 percent
 6.12 or in excess of the participation rate for the county in which it is located, whichever
 6.13 is greater; and

6.14 (3) is located in a county that has exceeded the recycling goals in section 115A.551.

6.15 An exemption granted by the commissioner in the interim between revisions to the county
 6.16 solid waste management plan is only effective until the county solid waste management
 6.17 plan is revised.

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

6.19 Sec. 10. Minnesota Statutes 2006, section 115A.93, subdivision 3a, is amended to read:

6.20 Subd. 3a. **Volume requirement.** A licensing authority that requires a pricing system
 6.21 based on volume instead of weight under subdivision 3 shall determine a base unit size for
 6.22 an average small quantity household generator and an average commercial generator and
 6.23 establish, or require the licensee to establish, a multiple unit pricing system that ensures
 6.24 that amounts of waste generated in excess of the base unit amount are priced higher than
 6.25 the base unit price.

6.26 **EFFECTIVE DATE.** This section is effective January 1, 2010.

6.27 Sec. 11. Minnesota Statutes 2006, section 115A.9301, is amended to read:

6.28 **115A.9301 SOLID WASTE COLLECTION; VOLUME- OR WEIGHT-BASED**
 6.29 **PRICING.**

6.30 Subdivision 1. **Requirement.** (a) A local government unit that collects charges for
 6.31 solid waste collection directly from waste generators ~~shall~~ must implement charges that
 6.32 increase as the volume or weight of the waste collected on-site from each generator's
 6.33 residence or place of business increases.

7.1 (b) A local government unit may not impose a lesser charge for waste collection
7.2 and disposal services on generators who combine recyclable materials with mixed
7.3 municipal solid waste than the charge imposed for waste collection and disposal services
7.4 on generators who separate recyclable materials from mixed municipal solid waste that is
7.5 collected and delivered to landfills or waste to energy facilities.

7.6 Subd. 2. **Volume requirement.** If a local government unit implements a pricing
7.7 system based on volume instead of weight under subdivision 1, it shall determine a base
7.8 unit size for an average small quantity household generator and an average commercial
7.9 generator and establish a multiple unit pricing system that ensures that amounts of waste
7.10 generated in excess of the base unit amount are priced higher than the base unit price.

7.11 Subd. 3. **Alternative.** A local government unit may satisfy the requirements of this
7.12 section by establishing at least three price categories for collection of household mixed
7.13 municipal solid waste to include, for households that generate small volumes of waste,
7.14 a waste collection unit that is smaller than and priced lower than for other generators if
7.15 the local government unit:

7.16 (1) operates or contracts for the operation of a residential recycling program that
7.17 collects more categories of recyclable materials than required in section 115A.552;

7.18 (2) has a residential participation rate in its recycling programs of at least 70 percent
7.19 or in excess of the participation rate for the county in which it is located, whichever
7.20 is greater;

7.21 (3) is located in a county that has exceeded the recycling goals in section 115A.551;
7.22 and

7.23 (4) generates, by all waste generators in the city, an amount of mixed municipal solid
7.24 waste that is managed by incineration, production of refuse-derived fuel, mixed municipal
7.25 solid waste composting, or disposal that is no greater, in proportion to the total amount of
7.26 waste managed as listed above by all waste generators in the county in which the city is
7.27 located, than it was for calendar year 1993.

7.28 Subd. 4. **Exemption.** (a) The commissioner may exempt a local government
7.29 unit from the requirements of subdivision 1 with respect to residential generators if the
7.30 county within which the local government unit is located has an approved solid waste
7.31 management plan that concludes that variable rate pricing is not appropriate for that
7.32 jurisdiction because it is inconsistent with other incentives and mechanisms implemented
7.33 within the jurisdiction that are more effective in attaining the goals of this chapter to
7.34 discourage on-site disposal, littering, and illegal dumping.

7.35 (b) In the interim between revisions to the county solid waste management plan, the
7.36 commissioner may exempt a local government unit from the requirements of subdivision

8.1 1 if the commissioner makes the determination otherwise made by the plan in paragraph
8.2 (a) and finds that the local government unit:

8.3 (1) operates or contracts for the operation of a residential recycling program that
8.4 collects more categories of recyclable materials than required in section 115A.552;

8.5 (2) has a residential participation rate in its recycling programs of at least 70 percent
8.6 or in excess of the participation rate for the county in which it is located, whichever
8.7 is greater; and

8.8 (3) is located in a county that has exceeded the recycling goals in section 115A.551.

8.9 An exemption granted by the commissioner in the interim between revisions to the county
8.10 solid waste management plan is only effective until the county solid waste management
8.11 plan is revised.

8.12 **EFFECTIVE DATE.** This section is effective January 1, 2010.

8.13 Sec. 12. **[115A.933] MATERIALS USED FOR COMPOSTING.**

8.14 After January 1, 2009, any plastic bag or container containing yard waste or food
8.15 waste delivered by a person to a compost facility in the seven-county metropolitan area
8.16 and not removed from the compost facility by the person must meet all the specifications
8.17 in ASTM Standard Specification for Compostable Plastics (D6400). For purposes of this
8.18 section "ASTM" has the meaning given in section 296A.01, subdivision 6.

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

8.20 Sec. 13. Minnesota Statutes 2007 Supplement, section 216B.241, is amended by
8.21 adding a subdivision to read:

8.22 Subd. 1h. **Solid waste reduction activities that reduce greenhouse gases.** (a) A
8.23 utility may spend up to ... percent of its required conservation improvement expenditures
8.24 on a project that reduces greenhouse gas emissions resulting from solid waste management
8.25 activities, provided that it meets the following conditions:

8.26 (1) the activities undertaken by the project would not occur in the absence of the
8.27 project;

8.28 (2) the project activities are carried out entirely within Minnesota; and

8.29 (3) the reduction in greenhouse gases attributable to the project are permanent,
8.30 quantifiable, verifiable and enforceable.

8.31 (b) Projects eligible as offsets include, but are not limited to, activities that meet
8.32 the requirements of paragraph (a) and that:

8.33 (1) improve recycling infrastructure;

- 9.1 (2) increase the amount of recyclable materials collected from residential,
 9.2 commercial or industrial generators;
 9.3 (3) improve the efficiency of the recycling system; and
 9.4 (4) increase the quality and value of recycled materials.

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

9.6 Sec. 14. Minnesota Statutes 2006, section 297A.68, subdivision 24, is amended to read:

9.7 Subd. 24. **Waste processing equipment.** (a) Equipment used for processing solid or
 9.8 hazardous waste at a resource recovery facility, as defined in section 115A.03, subdivision
 9.9 28, is exempt, including pollution control equipment at a resource recovery facility that
 9.10 burns refuse-derived fuel or mixed municipal solid waste as its primary fuel. An electric
 9.11 generation facility that processes and utilizes waste tires as its primary fuel is a resource
 9.12 recovery facility for the purposes of this section.

9.13 (b) Equipment used to process construction waste and demolition waste generated in
 9.14 this state in order to segregate recyclable materials is exempt.

9.15 (c) For the purposes of this subdivision, "construction waste" and "demolition
 9.16 waste" have the meanings given in section 115A.1512, subdivision 1, paragraphs (b)
 9.17 and (c), respectively.

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

9.19 Sec. 15. Minnesota Statutes 2006, section 297H.02, subdivision 2, is amended to read:

9.20 Subd. 2. **Rates.** The rate of tax under this section is 9.75 ... percent.

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

9.22 Sec. 16. Minnesota Statutes 2006, section 297H.04, is amended to read:

9.23 **297H.04 NONMIXED MUNICIPAL SOLID WASTE.**

9.24 Subdivision 1. **Imposition.** (a) A tax is imposed upon the ~~volume~~ sales price of
 9.25 nonmixed municipal solid waste ~~that is managed~~ management services received by a
 9.26 generator.

9.27 (b) The tax is imposed upon the difference between the market price and the tip
 9.28 fee at a processing or disposal facility where the tip fee is less than the market price
 9.29 and the political subdivision subsidizes the cost of service at the facility. The political
 9.30 subdivision is liable for the tax.

10.1 (c) The tax is imposed upon the market price of waste management services where a
 10.2 political subdivision directly bills on a property tax statement for organized collection of
 10.3 mixed municipal solid waste. The political subdivision is liable for the tax.

10.4 (d) Section 297H.02, subdivision 1, paragraph (d), applies to paragraphs (b) and (c)
 10.5 of this subdivision.

10.6 Subd. 2. **Rate.** ~~(a) Commercial generators that generate nonmixed municipal~~
 10.7 ~~solid waste shall pay a solid waste management tax of 60 cents per noncompacted~~
 10.8 ~~cubic yard of periodic waste collection capacity purchased by the generator, based on~~
 10.9 ~~the size of the container for the nonmixed municipal solid waste, the actual volume,~~
 10.10 ~~or the weight-to-volume conversion schedule in paragraph (c). However, the tax must~~
 10.11 ~~be calculated by the waste management service provider using the same method for~~
 10.12 ~~calculating the waste management service fee so that both are calculated according to~~
 10.13 ~~container capacity, actual volume, or weight.~~

10.14 ~~(b) Notwithstanding section 297H.02, a residential generator that generates~~
 10.15 ~~nonmixed municipal solid waste shall pay a solid waste management tax in the same~~
 10.16 ~~manner as provided in paragraph (a):~~

10.17 ~~(c) The weight-to-volume conversion schedule for:~~

10.18 ~~(1) construction debris as defined in section 115A.03, subdivision 7, is one ton~~
 10.19 ~~equals 3.33 cubic yards, or \$2 per ton;~~

10.20 ~~(2) industrial waste as defined in section 115A.03, subdivision 13a, is equal to~~
 10.21 ~~60 cents per cubic yard. The commissioner of revenue after consultation with the~~
 10.22 ~~commissioner of the Pollution Control Agency, shall determine, and may publish by~~
 10.23 ~~notice, a conversion schedule for various industrial wastes; and~~

10.24 ~~(3) infectious waste as defined in section 116.76, subdivision 12, and pathological~~
 10.25 ~~waste as defined in section 116.76, subdivision 14, is 150 pounds equals one cubic yard, or~~
 10.26 ~~60 cents per 150 pounds. The rate of tax under this section is ... percent for a commercial~~
 10.27 ~~generator and ... percent for a residential generator.~~

10.28 Subd. 3. **Incineration with mixed waste; rate.** Nonmixed municipal solid waste
 10.29 that is separately collected and processed, but must be incinerated with mixed municipal
 10.30 solid waste in accordance with an industrial solid waste management plan approved by the
 10.31 Pollution Control Agency, ~~shall be~~ is taxed at the rate for nonmixed municipal solid waste.

10.32 Subd. 4. **Disposal with mixed waste; rate.** Nonmixed municipal solid waste that is
 10.33 separately collected or processed, but is disposed of within the permitted boundaries of
 10.34 a land disposal facility that is also actively accepting and disposing of mixed municipal
 10.35 solid waste, ~~shall be~~ is taxed at the rate for mixed municipal solid waste, unless the facility
 10.36 owner and operator can demonstrate a physical separation between the mixed municipal

11.1 solid waste disposal area and nonmixed municipal solid waste disposal area, such that any
 11.2 air or liquid emissions being collected from the disposal areas are collected separately.

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

11.4 Sec. 17. **[325E.319] LOCAL TELEPHONE DIRECTORIES; OPTION TO**
 11.5 **DECLINE DELIVERY.**

11.6 **Subdivision 1. Definitions.** For the purposes of this section, the following terms
 11.7 have the meanings given.

11.8 (a) "Deliver" means to physically bring to a resident by personal delivery, but
 11.9 does not include actions by the United States Postal Service, a commercial courier, or
 11.10 a commercial package delivery service that allows a customer to track the status of a
 11.11 shipment by destination, date and time of delivery.

11.12 (b) "'Do Not Receive' registry" means a list established and maintained by a person
 11.13 who publishes and delivers local telephone directories to residents that contains the names
 11.14 and addresses of residents who have notified the person that they do not wish to receive a
 11.15 local telephone directory.

11.16 (c) "Local telephone directory" means a publication listing the names, addresses, and
 11.17 telephone numbers of local businesses by type and containing advertisements promoting
 11.18 those businesses or the products they sell.

11.19 (d) "Resident" means a person that has a mailing address in Minnesota that is not a
 11.20 post office box.

11.21 **Subd. 2. Option to decline delivery.** (a) A person publishing and delivering local
 11.22 telephone directories in this state must print in boldfaced type in .. point font or larger on
 11.23 the outside front cover of each directory the following information:

11.24 (1) a statement that reads: "IF YOU NO LONGER WISH TO RECEIVE THIS
 11.25 DIRECTORY, PLEASE CALL THE FOLLOWING NUMBER, WRITE TO THE
 11.26 FOLLOWING ADDRESS, OR E-MAIL THE FOLLOWING E-MAIL ADDRESS:"

11.27 (2) a toll-free telephone number, mailing address, and an e-mail address and Internet
 11.28 web site that a resident may use to contact the person delivering the local telephone
 11.29 directory to provide notice that the resident no longer wishes to receive the local directory
 11.30 and wishes to be entered into the "Do Not Receive" registry.

11.31 (b) A person publishing and delivering local telephone directories in this state must
 11.32 prominently and conspicuously place on the homepage of its Internet web site instructions
 11.33 detailing how residents can enter their name, or verify that their name has been entered,
 11.34 into the "Do Not Receive" registry.

12.1 (c) A person publishing and delivering local telephone directories in this state must
12.2 place into the "Do Not Receive" registry the name of a resident who requests to be entered
12.3 on it under paragraph (b), and must not remove the name unless the person receives
12.4 notice from the resident that the resident's name is to be removed from the "Do Not
12.5 Receive" registry.

12.6 (d) A person publishing and delivering local telephone directories in this state
12.7 must not deliver a local telephone directory to a resident whose name is in the "Do Not
12.8 Receive" registry.

12.9 Subd. 3. **Enforcement.** (a) The attorney general or the county attorney located in
12.10 the county in which a violation occurs may enforce this section by commencing a civil
12.11 action in district court against a violator or to prevent a violation of this section. A civil
12.12 penalty of \$500 may be assessed for each violation of this section.

12.13 (b) In any action pursuant to paragraph (a), it is a defense that the defendant
12.14 delivered a local telephone directory to a resident in error.

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

12.16 Sec. 18. **MODEL ORDINANCE; CONSTRUCTION AND DEMOLITION**
12.17 **WASTE.**

12.18 By January 1, 2009, the agency must develop a model ordinance requiring
12.19 contractors to process and recycle waste from construction and demolition projects located
12.20 in Minnesota. The model ordinance must include provisions specifying that the contractor
12.21 and any subcontractor must divert a portion of construction waste and demolition waste
12.22 from being deposited in a landfill and recycle those wastes.

12.23 For the purposes of this subdivision, "construction waste" and "demolition waste"
12.24 have the meanings given in section 115A.1512, subdivision 1, paragraphs (b) and (c),
12.25 respectively.

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

12.27 Sec. 19. **TASK FORCE ESTABLISHED; REPORT.**

12.28 Subdivision 1. **Establishment.** The Recycling and Composting 2020 Task Force is
12.29 established to make recommendations to the legislature regarding strategies to increase
12.30 the proportion of solid waste that is recycled and composted in this state.

12.31 Subd. 2. **Membership.** The task force is composed of the following members,
12.32 appointed by the commissioner of pollution control: representatives of counties inside and

13.1 outside the metropolitan area, recycling facilities, composting facilities, waste haulers,
 13.2 members of environmental organizations and other interested parties.

13.3 Subd. 3. **Charge.** The task force is charged to analyze and recommend options
 13.4 for achieving the following goals by 2020:

13.5 (1) an increase in county recycling rates to 60 percent of the weight of total solid
 13.6 waste generation; and

13.7 (2) the diversion, prior to delivery to landfills and waste-to energy plants, and the
 13.8 recycling or reuse of an amount of source-separated compostable materials equal to 15
 13.9 percent of total solid waste generation.

13.10 In addition to making recommendations for strategies designed to achieve these
 13.11 goals, the task force must estimate the economic costs of the strategies analyzed. The
 13.12 agency shall serve as staff to the task force.

13.13 Subd. 4. **Report.** The task force shall submit its recommendations to the chairs and
 13.14 ranking minority members of the senate and house committees with primary jurisdiction
 13.15 over solid waste policy by January 1, 2009.

13.16 Subd. 5. **Expiration.** This section expires July 1, 2009.

13.17 **Sec. 20. APPROPRIATION.**

13.18 \$..... is appropriated from the environmental fund to the commissioner of pollution
 13.19 control for the purpose of development markets for materials separated from construction
 13.20 and demolition wastes for recycling.

13.21 **Sec. 21. REVISOR'S INSTRUCTION.**

13.22 In Minnesota Statutes, section 115A.03, the Revisor is instructed to renumber the
 13.23 subdivisions in alphabetical order.

13.24 **Sec. 22. REPEALER.**

13.25 Minnesota Statutes 2006, sections 115A.175; 115A.18; 115A.19; 115A.191;
 13.26 115A.192; 115A.194; 115A.195; 115A.20; 115A.24; 115A.28, subdivision 3; 115A.30;
 13.27 115A.301; 115A.31; 115A.55, subdivision 4; 115A.5501, subdivision 1; and 115A.551,
 13.28 subdivision 7, and Minnesota Statutes 2007 Supplement, sections 115A.193; and 115A.28,
 13.29 subdivision 2, are

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