

House Study Bill 267

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
ENVIRONMENTAL PROTECTION
BILL BY CHAIRPERSON
D. OLSON)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to a waste tire stewardship and management fund
2 and making appropriations.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 2674HC 83
5 tm/rj/14

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1 1 Section 1. Section 455D.11, subsection 2, Code 2009, is
1 2 amended to read as follows:

1 3 2. Land disposal of waste tires is prohibited beginning
1 4 July 1, 1991, unless the tire has been processed in a manner
1 5 established by the department. A sanitary landfill shall not
1 6 refuse to accept a waste tire which has been properly
1 7 processed 2009.

1 8 Sec. 2. Section 455D.11C, Code 2009, is amended by
1 9 striking the section and inserting in lieu thereof the
1 10 following:

1 11 455D.11C. WASTE TIRE STEWARDSHIP AND MANAGEMENT FUND.

1 12 1. a. A waste tire stewardship and management fund is
1 13 created within the state treasury. Beginning July 1, 2009, a
1 14 stewardship fee of one dollar per tire shall be charged for
1 15 each new tire sold at retail within the state. The
1 16 stewardship fee shall not be charged for a tire bought for
1 17 purposes of resale. The stewardship fee shall be added to the
1 18 total cost of the new tire after the applicable sales taxes
1 19 have been computed. Tires not subject to the stewardship fee
1 20 shall include used tires, recapped tires, and tires for
1 21 bicycles.

1 22 b. The department of revenue shall administer, collect,
1 23 and enforce the stewardship fee authorized pursuant to this
1 24 section.

1 25 c. A retailer shall remit the stewardship fees to the
1 26 department of revenue on a quarterly basis pursuant to rules
1 27 adopted by the department of revenue. The department of
1 28 revenue shall remit all revenue collected under the provisions
1 29 of this section to the treasurer of state for deposit in the
1 30 waste tire stewardship and management fund. All revenue
1 31 credited to the fund are appropriated to the department of
1 32 natural resources for the purposes provided in subsection 2.

1 33 d. Notwithstanding section 8.33, moneys appropriated in
1 34 this section that remain unencumbered or unobligated at the
1 35 close of the fiscal year shall not revert but shall remain
2 1 available for expenditure for the purposes designated until
2 2 the close of the succeeding fiscal year. Notwithstanding
2 3 section 12.7, any interest or earnings on investments from
2 4 moneys in the fund shall be credited to the fund.

2 5 e. Moneys from the fund that are expended by the
2 6 department in closing or bringing into compliance a waste tire
2 7 collection site pursuant to section 455D.11A and later
2 8 recouped by the department shall be credited to the fund.

2 9 2. Moneys in the waste tire stewardship and management
2 10 fund shall be used for the following purposes:

2 11 a. Up to four hundred thousand dollars shall be used each
2 12 fiscal year for all of the following purposes:

2 13 (1) The issuing of permits and registrations of tire
2 14 processing, storage, and hauling activities.

2 15 (2) The administration of the waste tire stockpile
2 16 abatement program and to support illegal dumping enforcement.

2 17 (3) To conduct outreach and perform educational activities

2 18 that promote the proper management of waste tires.
2 19 (4) The management of cost=share grants that assist in
2 20 promotion and reuse of recycled waste tire materials and
2 21 products.
2 22 (5) To provide waste tire and illegal dumping prevention,
2 23 education, and assistance to local governments.
2 24 b. The remainder of moneys in the fund each fiscal year
2 25 shall be allocated as follows:
2 26 (1) Ten percent of the moneys shall be used for public
2 27 education and awareness initiatives related to proper tire and
2 28 solid waste recycling and disposal options and the
2 29 environmental and health hazards posed by improper tire
2 30 storage and illegal dumping of solid waste.
2 31 (2) Thirty percent of the moneys shall be used for the
2 32 provision of a grant program for end users of recycled waste
2 33 tire materials and products.
2 34 (3) Fifteen percent of the moneys shall be used for the
2 35 provision of grants to local governments and entities
3 1 established pursuant to chapter 28E for establishing
3 2 prevention, education, and enforcement programs targeted at
3 3 illegal dumping of waste tires. Moneys allocated pursuant to
3 4 this subparagraph shall not be used to fund programs commonly
3 5 known as illegal dumping amnesty events.
3 6 (4) Five percent of the moneys shall be used for grants to
3 7 local public health agencies for education and awareness
3 8 initiatives related to the risks posed by insect and vermin
3 9 populations, and insect=borne and vermin=borne diseases
3 10 fostered by the illegal disposal of waste tires.
3 11 (5) Forty percent of the moneys shall be used for waste
3 12 tire stockpile abatement and illegal solid waste dump site
3 13 cleanup. The department may require a cost=share agreement
3 14 with a responsible party.

3 15 EXPLANATION

3 16 This bill relates to a waste tire stewardship and
3 17 management fund.
3 18 The bill eliminates an exception to the prohibition against
3 19 the land disposal of waste tires.
3 20 The bill eliminates the waste tire management fund and
3 21 replaces it with a waste tire stewardship and management fund.
3 22 The bill provides that, beginning July 1, 2009, a stewardship
3 23 fee of \$1 per tire shall be charged for each new tire sold at
3 24 retail within the state. The stewardship fee shall not be
3 25 charged for a tire bought for purposes of resale. The bill
3 26 provides that tires not subject to the stewardship fee include
3 27 used tires, recapped tires, and tires for bicycles.
3 28 The bill provides that a retailer shall remit the
3 29 stewardship fees to the department of revenue on a quarterly
3 30 basis and the department of revenue shall remit all revenue
3 31 collected to the treasurer of state for deposit in the waste
3 32 tire stewardship and management fund. All revenue credited to
3 33 the fund is appropriated to the department of natural
3 34 resources for the purposes provided in the bill.
3 35 The bill provides that up to \$400,000 in the fund shall be
4 1 used each fiscal year for issuing of permits and registrations
4 2 of tire processing, storage, and hauling activities; the
4 3 administration of the waste tire stockpile abatement program
4 4 and to support illegal dumping enforcement; to conduct
4 5 outreach and perform educational activities that promote the
4 6 proper management of waste tires; the management of cost=share
4 7 grants that assist in promotion and reuse of recycled waste
4 8 tire materials and products; and to provide waste tire and
4 9 illegal dumping prevention, education, and assistance to local
4 10 governments. The remainder of moneys in the fund each fiscal
4 11 year shall be allocated as follows: 10 percent for public
4 12 education and awareness initiatives; 30 percent for the
4 13 provision of a grant program for end users of recycled waste
4 14 tire materials and products; 15 percent for the provision of
4 15 grants to local governments and entities established pursuant
4 16 to chapter 28E; 5 percent for grants to local public health
4 17 agencies for education and awareness initiatives; and 40
4 18 percent for waste tire stockpile abatement and illegal solid
4 19 waste dump site cleanup.

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