

FILED MAR 16 1995

SENATE FILE 404
BY COMMITTEE ON NATURAL
RESOURCES, ENVIRONMENT
AND ENERGY

(SUCCESSOR TO SSB 332)

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

A BILL FOR

1 An Act relating to solid waste by removing wine and alcoholic
2 liquor as mandatory deposit beverages, requesting the
3 allocation of landfill alternative grant moneys, and making
4 encouragement of curbside recycling a public policy of the
5 state.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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S.F. 404

1 Section 1. Section 455C.1, subsection 1, Code 1995, is
2 amended to read as follows:

3 1. "Beverage" means ~~wine-as-defined-in-section-123-3,~~
4 ~~subsection-37,-alcoholic-liquor-as-defined-in-section-123-3,~~
5 ~~subsection-5,~~ beer as defined in section 123.3, subsection 7,
6 mineral water, soda water and similar carbonated soft drinks
7 in liquid form and intended for human consumption.

8 Sec. 2. Section 455C.3, subsection 2, Code 1995, is
9 amended to read as follows:

10 2. A distributor shall accept and pick up from a dealer
11 served by the distributor or a redemption center for a dealer
12 served by the distributor at least weekly, or when the
13 distributor delivers the beverage product if deliveries are
14 less frequent than weekly, any empty beverage container of the
15 kind, size and brand sold by the distributor, and shall pay to
16 the dealer or person operating a redemption center the refund
17 value of a beverage container and the reimbursement as
18 provided under section 455C.2 within one week following pickup
19 of the containers or when the dealer or redemption center
20 normally pays the distributor for the deposit on beverage
21 products purchased from the distributor if less frequent than
22 weekly. A distributor or employee or agent of a distributor
23 is not in violation of this subsection if a redemption center
24 is closed when the distributor attempts to make a regular
25 delivery or a regular pickup of empty beverage containers.
26 ~~This-subsection-does-not-apply-to-a-distributor-selling~~
27 ~~alcoholic-liquor-to-the-alcoholic-beverages-division-of-the~~
28 ~~department-of-commerce.~~

29 Sec. 3. Section 455C.3, subsection 5, Code 1995, is
30 amended by striking the subsection.

31 Sec. 4. Section 455C.4, subsections 3 and 4, Code 1995,
32 are amended by striking the subsections.

33 Sec. 5. Section 455C.5, subsection 2, paragraph a, Code
34 1995, is amended by striking the paragraph.

35 Sec. 6. Section 455C.16, Code 1995, is amended to read as

1 follows:

2 455C.16 BEVERAGE CONTAINERS -- DISPOSAL AT SANITARY
3 LANDFILL PROHIBITED.

4 Beginning July 1, 1990, the final disposal of beverage
5 containers by a dealer, distributor, or manufacturer, or
6 person operating a redemption center, in a sanitary landfill,
7 is prohibited. ~~Beginning-September-17-1992,-the-final~~
8 ~~disposal-of-beverage-containers-used-to-contain-alcoholic~~
9 ~~liquor-as-defined-in-section-123.3,-subsection-8,-by-a-dealer,~~
10 ~~distributor,-or-manufacturer,-or-person-operating-a-redemption~~
11 ~~center-in-a-sanitary-landfill,-is-prohibited.~~

12 Sec. 7. Section 455D.4, Code 1995, is amended by adding
13 the following new subsection:

14 NEW SUBSECTION. 6. It is the policy of this state to
15 encourage unified, comprehensive waste collection and
16 recycling programs by encouraging the development of curbside
17 recycling programs for collection of household waste.

18 Sec. 8. DEPARTMENT OF NATURAL RESOURCES. The department
19 shall use landfill alternative grant moneys under section
20 455E.11 to provide incentives to a glass processing company to
21 locate a glass processing plant in a central location within
22 the state.

23 EXPLANATION

24 The bill removes wine and alcoholic liquor from the
25 definition of beverages so that containers containing these
26 beverages are no longer subject to the five cent mandatory
27 beverage container deposit.

28 The bill requests the department of natural resources to
29 use landfill alternative grant moneys to provide a grant to a
30 glass processing company to locate a glass processing plant in
31 central Iowa. Landfill alternative grant moneys are allocated
32 to the department from the solid waste account of the
33 groundwater protection fund under section 455E.11 and are used
34 to encourage alternatives to landfilling.

35 Finally, the bill establishes as a public policy of the

1 state, the encouragement of curbside recycling programs.

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SENATE FILE 404

S-3283

- 1 Amend Senate File 404 as follows:
- 2 1. Page 2, by striking lines 18 through 22.
- 3 2. Title page, lines 2 and 3, by striking the
- 4 words "requesting the allocation of landfill
- 5 alternative grant moneys,".

By MARY LUNDBY
BILL FINK

S-3283 FILED MARCH 29, 1995

SENATE FILE 404

S-3295

- 1 Amend Senate File 404 as follows:
- 2 1. Page 2, by striking lines 19 through 21 and
- 3 inserting the following: "may use landfill
- 4 alternative financial assistance moneys under section
- 5 455E.11 to provide incentives with the goal of
- 6 locating an end manufacturer or processor for crushed
- 7 recycled glass in a central location within".
- 8 2. Title page, line 2, by striking the words "as
- 9 mandatory deposit beverages" and inserting the
- 10 following: "from the definition of beverage in the
- 11 mandatory beverage container deposit law".
- 12 3. Title page, line 3, by striking the word
- 13 "grant" and inserting the following: "financial
- 14 assistance".

By BILL FINK

S-3295 FILED MARCH 29, 1995

SENATE FILE 404

S-3276

- 1 Amend Senate File 404 as follows:
- 2 1. Page 2, by inserting after line 22 the
- 3 following:
- 4 "Sec. ____ . CONDITIONAL EFFECTIVE DATE. Sections 1
- 5 through 6 of this Act do not take effect until at
- 6 least ninety-five percent of the domestic wine and
- 7 alcoholic liquor beverage containers offered for sale
- 8 within this state are made of clear glass, color-
- 9 coated clear glass, or other recyclable materials, as
- 10 determined by the department of natural resources.
- 11 For purposes of this section, "recyclable materials"
- 12 shall not include green or brown glass. The
- 13 department shall notify the secretary of state, the
- 14 Iowa Code editor, and other appropriate persons of its
- 15 determination under this section."
- 16 2. Title page, line 5, by inserting after the
- 17 word "state" the following: "and providing a
- 18 conditional effective date".

By BILL FINK

S-3276 FILED MARCH 29, 1995

Fink
Lundby
Sorensen

SSB 332
Natural Resources
Succeeded By
SENATE FILE 404
BY (PROPOSED COMMITTEE ON
NATURAL RESOURCES,
ENVIRONMENT AND ENERGY BILL
BY CHAIRPERSON FINK)

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

A BILL FOR

1 An Act relating to solid waste by removing penalties for failure
2 to meet waste reduction and recycling goals, removing wine and
3 alcoholic liquor as mandatory deposit beverages, requesting
4 the allocation of landfill alternative grant moneys, and
5 making encouragement of curbside recycling a public policy of
6 the state.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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14 less frequent than weekly, any empty beverage container of the
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16 the dealer or person operating a redemption center the refund
17 value of a beverage container and the reimbursement as
18 provided under section 455C.2 within one week following pickup
19 of the containers or when the dealer or redemption center
20 normally pays the distributor for the deposit on beverage
21 products purchased from the distributor if less frequent than
22 weekly. A distributor or employee or agent of a distributor
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25 delivery or a regular pickup of empty beverage containers.
26 ~~This-subsection-does-not-apply-to-a-distributor-selling~~
27 ~~alcoholic-liquor-to-the-alcoholic-beverages-division-of-the~~
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35 Sec. 6. Section 455C.16, Code 1995, is amended to read as

1 follows:

2 455C.16 BEVERAGE CONTAINERS -- DISPOSAL AT SANITARY
3 LANDFILL PROHIBITED.

4 Beginning July 1, 1990, the final disposal of beverage
5 containers by a dealer, distributor, or manufacturer, or
6 person operating a redemption center, in a sanitary landfill,
7 is prohibited. Beginning-September-17-1992-the-final
8 disposal-of-beverage-containers-used-to-contain-alcoholic
9 liquor-as-defined-in-section-123.37-subsection-87-by-a-dealer,
10 distributor,or-manufacturer,or-person-operating-a-redemption
11 center-in-a-sanitary-landfill, is prohibited.

12 Sec. 7. Section 455D.3, subsection 4, Code 1995, is
13 amended to read as follows:

14 4. Solid waste management techniques. A planning area
15 that fails to meet the twenty-five percent goal shall
16 implement the following solid waste management techniques:

17 a.---Remit-fifty-cents-per-ton-to-the-department,as-of-July
18 17-1995.---The-funds-shall-be-deposited-in-the-solid-waste
19 account-under-section-455E.117-subsection-27-paragraph-"a"7-to
20 be-used-in-accordance-with-section-455E.117-subsection-27,
21 paragraph-"a"7-subparagraph-(9).---Moneys-under-this-paragraph
22 shall-be-remitted-until-such-time-as-evidence-of-attainment-of
23 the-twenty-five-percent-goal-is-documented-in-subsequent
24 comprehensive-plans-submitted-to-the-department.

25 b. a. Notify the public of the planning area's failure to
26 meet the waste volume reduction goals of this section,
27 utilizing standard language developed by the department for
28 that purpose.

29 c. b. Develop draft ordinances which shall be used by
30 local governments for establishing collection fees that are
31 based on volume or on the number of containers used for
32 disposal by residents.

33 d. c. Conduct an educational and promotional program to
34 inform citizens of the manner and benefits of reducing,
35 reusing, and recycling materials and the procurement of

1 products made with recycled content. The program shall
2 include the following:

3 (1) Targeted waste reduction and recycling education for
4 residents, including multifamily dwelling complexes having
5 five or more units.

6 (2) An intensive one-day seminar for the commercial sector
7 regarding the benefits of and opportunities for waste
8 reduction and recycling.

9 (3) Promotion of recycling through targeted community and
10 media events.

11 (4) Recycling notification and education packets to all
12 new residential, commercial, and institutional collection
13 service customers that include, at a minimum, the manner of
14 preparation of materials for collection, and the reasons for
15 separation of materials for recycling.

16 Sec. 8. Section 455D.4, Code 1995, is amended by adding
17 the following new subsection:

18 NEW SUBSECTION. 6. It is the policy of this state to
19 encourage unified, comprehensive waste collection and
20 recycling programs by encouraging the development of curbside
21 recycling programs for collection of household waste.

22 Sec. 9. DEPARTMENT OF NATURAL RESOURCES. The department
23 shall use landfill alternative grant moneys under section
24 455E.11 to provide incentives to a glass processing company to
25 locate a glass processing plant in a central location within
26 the state.

27 EXPLANATION

28 This bill amends section 455D.3, to provide that planning
29 areas that do not meet the July 1, 1994, waste reduction and
30 recycling goals are not required to remit an additional 50
31 cents per ton tonnage fee to the department of natural
32 resources.

33 The bill removes wine and alcoholic liquor from the
34 definition of beverages so that containers containing these
35 beverages are no longer subject to the five cent mandatory

1 beverage container deposit.

2 The bill requests the department of natural resources to
3 use landfill alternative grant moneys to provide a grant to a
4 glass processing company to locate a glass processing plant in
5 central Iowa. Landfill alternative grant moneys are allocated
6 to the department from the solid waste account of the
7 groundwater protection fund under section 455E.11 and are used
8 to encourage alternatives to landfilling.

9 Finally, the bill establishes as a public policy of the
10 state, the encouragement of curbside recycling programs.

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