

Department of Legislative Services
Maryland General Assembly
2010 Session

FISCAL AND POLICY NOTE

House Bill 1230

(Delegate Olszewski, *et al.*)

Environmental Matters

Task Force to Develop Strategies to Encourage Recycling and Reduce Litter in Maryland's Waterways

This bill establishes the Task Force to Develop Strategies to Encourage Recycling and Reduce Litter in Maryland's Waterways. The Maryland Department of the Environment (MDE) and the Department of Legislative Services (DLS) must jointly provide staff support for the task force. A final report with findings and recommendations is due by December 31, 2010.

The bill takes effect June 1, 2010, and terminates December 31, 2010.

Fiscal Summary

State Effect: Given the State's fiscal difficulties, agency budgets have been constrained. Thus, the requirement to staff the task force and develop the report in the short timeframe specified by the bill may not be absorbable within the existing budgeted resources of DLS or MDE without a redirection of priorities from other projects. It is assumed that any expense reimbursements can be absorbed with existing budgeted resources.

Local Effect: None.

Small Business Effect: None.

Analysis

Bill Summary: The task force is charged with studying:

- the effectiveness of State laws relating to recycling and reducing litter in Maryland's waterways, including determining if any of the laws should be revised;
- the feasibility of implementing a statewide education outreach program to inform the public of the impact of litter on State waterways;
- the recycling and reuse programs of other states that have higher recycling rates than Maryland, and the feasibility of implementing those programs in the State; and
- any other issue relevant to the goal of encouraging recycling and reducing litter in Maryland's waterways.

The task force must report its findings and recommendations to the Governor and the General Assembly by December 31, 2010.

Task force members may not receive compensation but are entitled to reimbursement for expenses under the standard State travel regulations, as provided in the State budget.

Current Law/Background:

Recycling in Maryland

In 1988, the Maryland Recycling Act required each county to submit a recycling plan. Jurisdictions with more than 150,000 residents were required to reduce their solid waste by 20%, and jurisdictions with less than 150,000 residents were required to reduce their solid waste by 15%. According to MDE, by 2000, every county had met or exceeded their percentage requirements under the Maryland Recycling Act. Further legislation enacted in 2000 established a voluntary statewide diversion goal of 40% by 2005.

Counties have flexibility to determine the best way to reach the required recycling rates. However, the county recycling plan, revised on a triennial basis, must address specified issues such as the feasibility of composting mixed solid waste, methods for the separate collection and composting of yard waste, and methods of financing county recycling efforts, among other issues. Chapters 264 and 265 of 2009 added to this list a strategy for collecting, processing, marketing, and disposing of recyclable materials from county public schools.

Beginning January 1, 1992, each State agency was required to implement a recycling plan created in part by MDE's Office of Recycling to reduce through recycling the amount of the solid waste stream generated for disposal by the State government by at least 20% or to an amount that is determined practical and economically feasible, but in no case less than 10%. Chapter 408 of 2009 requires the State to place a recycling bin at

all State-owned and -operated office buildings and devise a system for the recycling of aluminum, glass, paper, and plastic.

According to the U.S. Environmental Protection Agency (EPA), in 2008 (the most recent year for which data is available) 54.2% of the municipal solid waste stream was discarded in landfills, 24.3% was recycled, 12.6% was recovered as energy through combustion, and 8.9% was composted. MDE reports that, in 2008, Maryland had a recycling rate of 43.9% and a waste diversion rate of 47.5%.

In addition to the issue of landfill diversion, recycling is encouraged due to the potential for significant reductions in virgin material extraction, energy use, and emissions of greenhouse gases. For example, according to EPA, nationwide recycling and composting activities in 2008 prevented the equivalent of 182 million tons of carbon dioxide emissions; this is the same level of emissions produced by 33 million cars.

Litter Control in Maryland

A person may not dispose or allow the disposal of litter on a highway or any public or private property, unless the person is authorized to do so and the property is designated for the disposal of the litter or unless disposed of in a litter receptacle. Public or private property includes a body of water or watercourse or the shores or beaches of a body of water or watercourse.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Maryland Department of the Environment; U.S. Environmental Protection Agency; Department of Legislative Services

Fiscal Note History: First Reader - March 11, 2010
mpc/lgc

Analysis by: Evan M. Isaacson

Direct Inquiries to:
(410) 946-5510
(301) 970-5510