

HB0858/643329/1

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 858
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “**and Wims**” and substitute “**Wims, Boyce, and Lehman**”.

On page 2, in line 7, strike “(j-4),”.

AMENDMENT NO. 2

On page 2, in line 37, strike “and reuse”.

On page 3, in line 18, strike “reuse,”.

On page 4, strike in their entirety lines 15 through 21, inclusive; and in lines 22 and 27, strike “**(J-3)**” and “**(J-4)**”, respectively, and substitute “**(J-2)**” and “**(J-3)**”, respectively.

On page 5, in line 2, strike “**REUSE,**”.

On page 6, in lines 23 and 24, strike “**AND REUSE**”.

On page 11, in line 1, after “**STATE**” insert “**OR FEDERAL**”.

On page 12, in line 16, strike “**, REUSE,**”.

On page 13, in line 7, strike “**PROFITABILITY AND**”; in line 19, strike “**REUSE AND**”; in line 21, strike “**REUSE,**”; and in line 22, strike “**ANY**”.

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On page 14, in line 1, after “FROM” insert “IN-STATE”; in the same line, after “COMMERCIAL,” insert “OR”; in the same line, after “INSTITUTIONAL” insert “CONSUMERS”; in line 2, after “OTHER” insert “IN-STATE”; strike beginning with “DESIGNATED” in line 18 down through “AREA” in line 19; in line 28, strike “AND”; and in line 30, after “SERVICE” insert “; AND”

3. CARRY OUT A STATEWIDE ASSESSMENT OF NEEDS AND COSTS”.

On page 15, in line 8, after “(5)” insert “(I)”; in lines 9 and 11, strike “(I)” and “(II)”, respectively, and substitute “1.” and “2.”, respectively; in line 12, after “REMIT” insert “, AT THE POINT OF SALE,”; after line 14, insert:

“(I) THE UNIFORM MATTRESS STEWARDSHIP ASSESSMENT REQUIRED UNDER SUBPARAGRAPH (I)1 OF THIS PARAGRAPH MAY BE TIERED BASED ON MATTRESS WEIGHT, CONSTRUCTION, SIZE, TYPE, RECYCLABILITY, RETAIL PRICE, OR ANY OTHER FACTOR THE PRODUCER OR REPRESENTATIVE ORGANIZATION DETERMINES WILL DISTRIBUTE THE ASSESSMENT MORE FAIRLY.”;

in lines 17 and 18, strike “, INCLUDING CLOSED-LOOP RECYCLING”; in line 19, strike “THE” and substitute “IN COORDINATION WITH THE RENOVATORS AND TO THE EXTENT PRACTICABLE, THE”; in line 20, strike “THE” and substitute “IN COORDINATION WITH LOCAL JURISDICTIONS AND TO THE EXTENT PRACTICABLE, THE”; in line 25, strike “THE” and substitute “(I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE”; and after line 27, insert:

“(II) THE TOTAL AMOUNT OF THE MATTRESS STEWARDSHIP ASSESSMENT MAY INCLUDE A FINANCIAL RESERVE SUFFICIENT TO OPERATE THE PROGRAM OVER A MULTIYEAR PERIOD.”

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On page 16, strike beginning with “(I)” in line 8 down through “(11)” in line 15; and in line 21, after “APPEAL” insert “TO THE MATTRESS STEWARDSHIP ADVISORY BOARD ESTABLISHED UNDER § 9-1742 OF THIS SUBTITLE OR TO THE DEPARTMENT UNDER TITLE 10, SUBTITLE 2 OF THE STATE GOVERNMENT ARTICLE”.

On page 18, in line 23, strike “, REUSE,”.

On page 19, in line 11, strike “, REUSE,”; and in line 25, strike “THE” and substitute “IN COORDINATION WITH LOCAL JURISDICTIONS AND TO THE EXTENT PRACTICABLE, THE”.

On pages 21 through 23, strike in their entirety the lines beginning with line 9 on page 21 through line 25 on page 23, inclusive.

On page 23, in line 28, strike “(1)”; in the same line, strike the first comma and substitute “OR”; and in the same line, strike “, OR REPRESENTATIVE ORGANIZATION”.

On page 24, strike in their entirety lines 1 through 3, inclusive; and in line 7, strike “9-1742.” and substitute “9-1741.”.

On page 25, in line 5, after “That” insert “the Laws of Maryland read as follows”; after line 5, insert:

“Article – Environment

9-1742.

(A) THERE IS A MATTRESS STEWARDSHIP ADVISORY BOARD.

(Over)

(B) THE PURPOSE OF THE ADVISORY BOARD IS TO ADVISE ON THE PROPER IMPLEMENTATION AND SUSTAINABILITY OF THE MATTRESS STEWARDSHIP PROGRAM.

(C) THE ADVISORY BOARD CONSISTS OF THE FOLLOWING MEMBERS:

(1) ONE MEMBER OF THE SENATE OF MARYLAND, APPOINTED BY THE PRESIDENT OF THE SENATE;

(2) ONE MEMBER OF THE HOUSE OF DELEGATES, APPOINTED BY THE SPEAKER OF THE HOUSE;

(3) THE SECRETARY, OR THE SECRETARY'S DESIGNEE;

(4) THE SECRETARY OF HEALTH, OR THE SECRETARY'S DESIGNEE;

(5) THE SECRETARY OF COMMERCE, OR THE SECRETARY'S DESIGNEE;

(6) THE COMPTROLLER, OR THE COMPTROLLER'S DESIGNEE; AND

(7) THE FOLLOWING INDIVIDUALS, APPOINTED BY THE GOVERNOR:

(I) ONE REPRESENTATIVE OF MATTRESS RETAILERS;

(II) ONE REPRESENTATIVE OF THE MATTRESS

MANUFACTURING INDUSTRY;

(III) ONE REPRESENTATIVE OF MATTRESS RECYCLERS;

(IV) ONE REPRESENTATIVE OF THE MARYLAND CHAPTER OF THE SIERRA CLUB;

(V) ONE REPRESENTATIVE OF AN ENVIRONMENTAL ADVOCACY GROUP;

(VI) ONE REPRESENTATIVE OF AN ADVOCACY GROUP FOR THE REHABILITATION OF FORMERLY INCARCERATED INDIVIDUALS;

(VII) ONE REPRESENTATIVE OF INDEPENDENT HAULERS OF BULK WASTE;

(VIII) ONE REPRESENTATIVE OF THE MARYLAND ASSOCIATION OF COUNTIES;

(IX) ONE REPRESENTATIVE OF THE MARYLAND MUNICIPAL LEAGUE; AND

(X) ONE CONSUMER REPRESENTATIVE EACH FROM WESTERN MARYLAND, CENTRAL MARYLAND, SOUTHERN MARYLAND, AND THE EASTERN SHORE.

(D) IN APPOINTING INDIVIDUALS TO THE ADVISORY BOARD, THE GOVERNOR SHALL CONSIDER APPOINTING INDIVIDUALS FROM UNDERSERVED, OVERBURDENED, LOW-INCOME, AND HISTORICALLY MARGINALIZED

(Over)

COMMUNITIES.

(E) (1) THE ADVISORY BOARD SHALL:

(I) REVIEW AND EVALUATE THE STRUCTURE, FINANCING, AND OTHER ASPECTS OF THE MATTRESS STEWARDSHIP PROGRAM;

(II) REVIEW AND EVALUATE EACH MATTRESS STEWARDSHIP PLAN REQUIRED UNDER § 9-1739(A) OF THIS SUBTITLE BEFORE THE PLAN IS SUBMITTED TO THE DEPARTMENT FOR APPROVAL;

(III) CONSULT WITH AND ADVISE PRODUCERS AND REPRESENTATIVE ORGANIZATIONS AS THEY PREPARE THE MATTRESS STEWARDSHIP PLAN;

(IV) 1. RECEIVE AND REVIEW THE MATTRESS STEWARDSHIP PLANS SUBMITTED IN ACCORDANCE WITH § 9-1739 OF THIS SUBTITLE; AND

2. MAKE RECOMMENDATIONS TO THE DEPARTMENT REGARDING MATTRESS STEWARDSHIP PLAN APPROVAL;

(V) 1. RECEIVE AND REVIEW ANNUAL REPORTS SUBMITTED IN ACCORDANCE WITH § 9-1739 OF THIS SUBTITLE; AND

2. MAKE RECOMMENDATIONS TO THE DEPARTMENT REGARDING THE NEED FOR ANY PLAN AMENDMENTS OR OTHER REQUIREMENTS BASED ON THE ADVISORY BOARD'S REVIEW OF THE REPORTS; AND

(VI) REVIEW AND COMMENT ON DRAFT REGULATIONS RELEVANT TO THE IMPLEMENTATION OF THE MATTRESS STEWARDSHIP PROGRAM.

(2) THE ADVISORY BOARD SHALL MEET AT LEAST QUARTERLY UNTIL THE INITIAL ROUND OF STEWARDSHIP PLANS HAVE BEEN APPROVED, AND SEMIANNUALLY OR ANNUALLY, AS DETERMINED BY THE DEPARTMENT, THEREAFTER.

(3) THE ADVISORY BOARD SHALL ELECT A CHAIR FROM AMONG THE MEMBERS BY A SIMPLE MAJORITY VOTE.

(4) THE ADVISORY BOARD MAY ADOPT BYLAWS AND A CHARTER FOR THE OPERATION OF THE ADVISORY BOARD'S BUSINESS IN ACCORDANCE WITH THIS PART.

(5) THE DEPARTMENT SHALL PROVIDE STAFF FOR THE ADVISORY BOARD.

(6) ON OR BEFORE APRIL 1, 2027, THE ADVISORY BOARD SHALL REPORT, AND IF APPLICABLE SUBMIT A MINORITY REPORT ON, ITS FINDINGS AND RECOMMENDATIONS, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, TO THE GENERAL ASSEMBLY.

SECTION 3. AND BE IT FURTHER ENACTED, That:";

in line 12, strike "3." and substitute "4.;" and in line 13, after "2025." insert "Section 2 of this Act shall remain effective for a period of 5 years and, at the end of June 30, 2030, Section 2 of this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.".