

SENATE BILL 116

M3, C8

(PRE-FILED)

11r0849
CF HB 164

By: ~~Senators Kagan and West~~ **Senators Kagan, West, and Hester**

Requested: October 5, 2020

Introduced and read first time: January 13, 2021

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: January 29, 2021

CHAPTER _____

1 AN ACT concerning

2 **Department of the Environment – Office of Recycling – Recycling Market**
3 **Development**

4 FOR the purpose of requiring the Office of Recycling in the Department of the Environment
5 to promote the development of markets for recycled materials and recycled products
6 in the State in a certain manner; requiring a certain report submitted to the General
7 Assembly on or before a certain date each year to include certain activities; requiring
8 the Office to coordinate certain activities with certain entities; requiring the
9 Department of Commerce, the Department of General Services, the Department of
10 Transportation, and the Maryland Environmental Service to report to the Office on
11 certain information available to promote the development of markets for recycled
12 material and recycled products; altering the contents of a certain report; declaring
13 the intent of the General Assembly; and generally relating to markets for recycled
14 materials and recycled products in the State.

15 BY repealing and reenacting, without amendments,
16 Article – Environment
17 Section 9–1702(a) and (f)
18 Annotated Code of Maryland
19 (2014 Replacement Volume and 2020 Supplement)

20 BY repealing and reenacting, with amendments,
21 Article – Environment
22 Section 9–1702(d) and (e)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Annotated Code of Maryland
2 (2014 Replacement Volume and 2020 Supplement)

3 BY adding to
4 Article – Environment
5 Section 9–1702.1
6 Annotated Code of Maryland
7 (2014 Replacement Volume and 2020 Supplement)

8 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
9 That the Laws of Maryland read as follows:

10 **Article – Environment**

11 9–1702.

12 (a) There is an Office of Recycling created within the Department.

13 (d) The Office shall:

14 (1) Assist the counties in developing an acceptable recycling plan required
15 under § 9–1703 of this subtitle and § 9–505 of this title, including technical assistance to
16 the local governments;

17 (2) Coordinate the efforts of the State to facilitate the implementation of
18 the recycling goals at the county level;

19 (3) Review all recycling plans submitted as part of a county plan as
20 required under § 9–505 of this title and advise the Secretary on the adequacy of the
21 recycling plan; [and]

22 (4) Administer the Statewide Electronics Recycling Program under Part IV
23 of this subtitle; **AND**

24 **(5) PROMOTE THE DEVELOPMENT OF MARKETS FOR RECYCLED**
25 **MATERIALS AND RECYCLED PRODUCTS IN THE STATE IN ACCORDANCE WITH §**
26 **9–1702.1 OF THIS SUBTITLE.**

27 (e) Beginning on January 1, 1990, and biannually thereafter, the Office shall, in
28 coordination with the Maryland Environmental Service, study and report to the Governor
29 and, subject to § 2–1257 of the State Government Article, the General Assembly on:

30 (1) [The availability of local, national, and international markets for
31 recycling materials;

1 (2) The identification and location of recycling centers, including an
2 analysis of existing recycling centers and the need to expand these facilities or construct
3 new recycling centers;

4 [(3)] (2) Programs necessary to educate the public on the need to
5 participate in recycling efforts;

6 [(4)] (3) The economics and financing of existing and proposed systems of
7 waste disposal and recycling;

8 [(5)] (4) State procurement policies for the purchase of recycled
9 materials;

10 [(6)] (5) Programs necessary to reduce the amount of solid waste
11 generated for disposal by a State agency or unit;

12 [(7)] (6) The liaison role with local governments, the federal government,
13 and the private sector;

14 [(8)] (7) The percentage reduction in the amount of solid waste that has
15 been achieved by each county; and

16 [(9)] (8) Economically feasible methods for the recycling of scrap
17 automobile tires, batteries, and white goods.

18 (f) (1) By December 1, 1988, the Office shall, in coordination with the
19 Maryland Environmental Service and the Governor's Task Force on Solid Waste, make
20 recommendations to the General Assembly for the financing of a comprehensive system of
21 recycling at the State and local level, including funding for recycling centers, recycling
22 equipment, recycling education, and marketing strategies.

23 (2) After the financing recommendations are made under paragraph (1) of
24 this subsection, each county may submit to the Office and the Governor a detailed request
25 for funds necessary to assist in the development and implementation of a recycling plan
26 under guidelines developed by the Office.

27 **9-1702.1.**

28 **(A) IN ACCORDANCE WITH SUBSECTION (C) OF THIS SECTION AND TO CARRY**
29 **OUT THE REQUIREMENTS OF § 9-1702(D)(5) OF THIS SUBTITLE, THE OFFICE SHALL:**

30 **(1) (I) EVALUATE THE AVAILABILITY OF LOCAL, NATIONAL, AND**
31 **INTERNATIONAL MARKETS FOR RECYCLED MATERIALS AND RECYCLED PRODUCTS;**

1 **(II) MAKE RECOMMENDATIONS TO IMPROVE MARKETS FOR**
2 **RECYCLED MATERIALS AND RECYCLED PRODUCTS IN THE STATE, INCLUDING**
3 **MEASURES FOR REDUCING CONTAMINATION OF RECYCLABLE MATERIALS;**

4 **(III) IDENTIFY THE RECYCLABLE MATERIALS REPRESENTING**
5 **THE LARGEST PORTION OF THE RECYCLING WASTE STREAM; AND**

6 **(IV) 1. IDENTIFY THE RECYCLABLE MATERIALS THAT ARE IN**
7 **NEED OF RECYCLING ASSISTANCE; AND**

8 **2. IDENTIFY THE METHODS FOR COLLECTING AND**
9 **PROCESSING, AND MARKETING OPPORTUNITIES FOR, RECYCLABLE MATERIALS**
10 **THAT ARE IN NEED OF RECYCLING ASSISTANCE;**

11 **(2) IDENTIFY BUSINESSES IN THE STATE THAT USE RECYCLED**
12 **MATERIALS, INCLUDING BUSINESSES THAT REUSE, REPAIR, AND REMANUFACTURE**
13 **RECYCLED MATERIALS;**

14 **(3) IDENTIFY OPPORTUNITIES FOR BUSINESSES IN THE STATE TO**
15 **INCREASE THEIR USE OF RECYCLED MATERIALS;**

16 **(4) PROVIDE RESOURCES TO BUSINESSES TO MATCH SOURCES OF**
17 **RECYCLED MATERIALS WITH POTENTIAL USERS;**

18 **(5) EXAMINE BUSINESSES THAT HAVE CLOSED IN THE STATE FOR**
19 **THE POTENTIAL FOR REOPENING TO USE RECYCLED MATERIALS;**

20 **(6) EXAMINE OPPORTUNITIES FOR THE CO-LOCATION OF**
21 **BUSINESSES THAT USE, REUSE, REPAIR, AND REMANUFACTURE RECYCLED**
22 **MATERIALS;**

23 **(7) (I) EXAMINE EXISTING FUNDING MECHANISMS FOR**
24 **RECYCLING MARKET DEVELOPMENT; AND**

25 **(II) DETERMINE WHETHER ADDITIONAL FUNDING**
26 **MECHANISMS ARE NECESSARY TO EXPAND RECYCLING MARKETS IN THE STATE;**

27 **(8) ESTABLISH AND PROMOTE THE “MARYLAND IS OPEN FOR**
28 **RECYCLING BUSINESS” CAMPAIGN TO ATTRACT NEW BUSINESSES TO THE STATE;**
29 **AND**

30 **(9) PROVIDE ADVISORY AND TECHNICAL SERVICES TO SUPPORT THE**
31 **DEVELOPMENT OF MARKETS FOR RECYCLED MATERIALS AND RECYCLED PRODUCTS**
32 **IN THE STATE.**

1 (B) ON OR BEFORE SEPTEMBER 1, 2022, AND EACH SEPTEMBER 1
2 THEREAFTER, THE ANNUAL MARYLAND SOLID WASTE MANAGEMENT AND
3 DIVERSION REPORT REQUIRED UNDER § 9-204(N) OF THIS TITLE SHALL INCLUDE
4 THE ACTIVITIES CONDUCTED UNDER THIS SECTION.

5 (C) THE OFFICE SHALL COORDINATE ACTIVITIES CONDUCTED UNDER THIS
6 SECTION WITH THE DEPARTMENT OF COMMERCE, THE DEPARTMENT OF GENERAL
7 SERVICES, THE DEPARTMENT OF TRANSPORTATION, THE MARYLAND
8 ENVIRONMENTAL SERVICE, THE NORTHEAST MARYLAND WASTE DISPOSAL
9 AUTHORITY, LOCAL GOVERNMENTS, AND PRIVATE ORGANIZATIONS.

10 SECTION 2. AND BE IT FURTHER ENACTED, That on or before July 1, 2022, the
11 Department of Commerce, the Department of General Services, the Department of
12 Transportation, and the Maryland Environmental Service shall report to the Office of
13 Recycling in the Department of the Environment on relevant programs, tools, training
14 guides, campaigns, and technologies available for promoting the development of markets
15 for recycled materials and recycled products in the State, including efforts in State
16 government to increase the use, reuse, and remanufacturing of recycled materials and the
17 use of recycled products.

18 SECTION 3. AND BE IT FURTHER ENACTED, That it is the intent of the General
19 Assembly that the Office of Recycling in the Department of the Environment seek input
20 from all interested parties to develop a comprehensive understanding of the programs,
21 tools, training guides, and technologies available to promote the development of markets
22 for recycled materials and recycled products in the State.

23 SECTION 4. AND BE IT FURTHER ENACTED, That it is the intent of the General
24 Assembly that the Department of General Services, the Department of Commerce, and the
25 Department of Transportation shall assist the Office of Recycling in the Department of the
26 Environment in the development of markets for recycled materials and recycled products.

27 SECTION 5. AND BE IT FURTHER ENACTED, That this Act shall take effect
28 October 1, 2021.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.