

Dear Chair and Committee,

RE: 2662

Thank you for hearing HB 2662 today. HB 2662 is a bill that addresses a significant change in solid waste policy in Johnson County. Today you will hear from residents of Johnson County impacted by these regulations.

I first heard of the problems associated with the new solid waste rules when my elderly neighbor expressed her displeasure with the increase in her trash bill. She wanted to know who picked up the trash for my family, since she knew that we didn't use Deffenbaugh Industries. Shortly thereafter, I began to hear from other constituents about the new rules and the increase in their bills.

The concerns I heard include: 1) Yard waste could no longer be picked up with regular trash service and could not enter the landfill. 2) Recycling was mandatory\* 3) There would now be a volume restriction put upon how much trash could be collected each week. 4) Yard waste must be placed in paper bags to be composted instead of the plastic bags most previously used. These paper bags will hold less yard waste, but cost approximately 40 cents for one bag. 5) A family business would be put out of business due to their inability to comply with the new stipulations

The County Commission directly discussed how to implement the recycling mandate without calling it a mandate. I refer to this discussion on 1/28/2010 Committee of the Whole meeting in which this was said:

COMM. EILERT: One comment you made caught my ear, and that's when you said there is no mandatory recycling. In fact, I have to pay for it. I don't have to set anything out, but I have to pay for it. To my ears, it's mandatory if I have to pay for it. It seems to me like that's trying to put in a distinction that's really no different, and I think needlessly could raise questions in constituents' minds. I would hope we wouldn't go there with that kind of language. I mean, it is mandatory; if you're going to have to pay for it, it is mandatory.

MS. KEMPER: I would say participation isn't mandatory. I understand the distinction you're trying to make, and we would not want to deliberately confuse the issue with people.

THE CHAIRMAN: If someone so chose, they could put their recyclables in the trash. Therefore, we really aren't mandating it.

MS. KEMPER: Participation is not mandated. However, Commissioner Eilert is correct. It's a mandatory pay system. The way we have addressed this is by requiring haulers to cover the cost in their base rate. Therefore, it's included in the base rate, but it's not split out as a separate charge. We've learned the hard way that people really don't like that, seeing an extra charge on their bill for a service they believe really ought to be free because they're doing it out of the public interest. In fact, it is a service that does cost money. The hauler has to send another truck down the street and then has to pay to recycle the material. Therefore, it is a service that we are requiring the hauler to provide.

It was well understood that the residents of Johnson County would ill appreciate a mandate. Though the wording and actions are couched in a way in which it can be argued that recycling is not mandated, the resident MUST pay for the recycling whether or not they actually choose to recycle. The question many are asking is: When will the act of recycling cease to be the choice of the resident and be an enforceable act?

Finally, I know that the argument for home rule will be addressed by those in opposition to this bill.

When citizens seek reprieve from burdensome and overreaching regulations, who should they seek help from but their elected officials? When those same elected officials are the imposers of those same burdensome and overreaching regulations, from whom should they seek help? I ask you today to provide that assistance for these citizens.

Thank you for your time. I stand for questions.

Amanda Grosserode

State Representative, District 16