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FISCAL IMPACT REPORT

SPONSOR: Williams DATE TYPED: 03/07/03 HB 737/aHTRC

SHORT TITLE: Municipality Yard Waste Fees SB _____

ANALYST: Padilla

REVENUE

Estimated Revenue		Subsequent Years Impact	Recurring or Non-Rec	Fund Affected
FY03	FY04			
	Indeterminate but minimal—see narrative		Recurring	City Governments

(Parenthesis () Indicate Revenue Decreases)

Duplicates SB 601

SOURCES OF INFORMATION

LFC Files

Responses Received From
 Environment Department
 Attorney General's Office

SUMMARY

Synopsis of HTRC Amendment

The House Taxation and Revenue Committee amendment adds a definition of “yard waste” to current statute, thereby clarifying some confusion in the original bill.

Synopsis of Original Bill

House Bill 737 amends the Municipal Code to allow municipalities that provide for the collection and disposal of yard waste to charge a fee. The fee would apply to persons owning or controlling real property.

Significant Issues

Existing statute allows municipalities to charge fees for “refuse” collection and disposal. It is unclear why “yard waste” cannot be considered “refuse” and treated as such with regard to disposal fees. NMED notes that municipalities may currently elect to collect yard trimmings along with regular residential refuse, thereby not require special handling.

FISCAL IMPLICATIONS

If municipalities are currently incurring expenses for the collection and disposal of yard waste that are not covered by the refuse collection fee they are authorized to collect, this bill would help them cover those expenses.

DUPLICATION

The bill duplicates SB 601.

OTHER SUBSTANTIVE ISSUES

NMED notes that the bill does not encourage municipalities to compost the yard waste that is collected. Many cities in the U.S. are taking such waste materials and treating it as a resource for their composting systems.

TECHNICAL ISSUES

The Attorney General’s office recommends including a definition section to define and/or distinguish “yard waste” and “refuse.”

LP/njw:sb