



House of Representatives
Commonwealth of Pennsylvania

To: All House Members
From: Representative Mario M. Scavello
Date: January 5, 2011
Re: Administrative Fees to Fund County Recycling (Former HB 1069)

Many counties in the Commonwealth of Pennsylvania have relied on "administrative fees" to help promote and fund their recycling programs. Recently, the State Supreme Court ruled that counties can no longer impose this fee stating that the counties were not given explicit or specific authority to charge such fees onto other existing tipping fees under Act 101 of 1988.

In the near future, I am planning to introduce legislation that would amend Act 101 of 1988 authorizing counties to collect fees to continue to fund County Recycling Programs.

- Requires the fee to be paid to the county in which the solid waste was generated and to the county receiving the solid waste from outside the Commonwealth
- The bill sets limits and conditions on the fees to address the concerns raised by the waste industry that past fees were sometimes exorbitant and did not always go to waste and recycling programs.
- Language is included to allow a designated agent, such as a solid waste authority to act on behalf of the county.
- Pass through provisions have been added to assure that the waste industry does not get left holding the bill for the fees. If a contract does not have specific provisions to allow such adjustments, this section will allow haulers to pass these costs through to their customers.
- Activities for which the funds can be used are specified and include, among other things, innovative initiatives such as the purchase of alternative energy collection vehicles.
- A provision to allow counties to negotiate other fees if they and their disposal facilities can agree to terms was also added.

If you would like to cosponsor this legislation, please contact Kendra Snuffer via e-mail at ksnuffer@pahousegop.com or by phone at 787-7732.

Previous Co-sponsors; McILVAINE SMITH , GEORGE , PEIFER , SIPTROTH , BELFANTI , BEYER , BRENNAN , BROOKS , FABRIZIO , FAIRCHILD , FRANKEL , FREEMAN , GEIST , GIBBONS , HARHART , HARRIS , HELM , HENNESSEY , HOUGHTON , M. KELLER , KORTZ , LONGIETTI , MAHONEY , MAJOR , MILLARD , MILLER , MOUL , MURT , PASHINSKI , PYLE , THOMAS , WAGNER , WANSACZ , YOUNGBLOOD and EVERETT