

ARIZONA HOUSE OF REPRESENTATIVES  
Fifty-second Legislature – First Regular Session

**COMMITTEE ON ENERGY, ENVIRONMENT AND NATURAL RESOURCES**

Report of Regular Meeting  
Monday, March 2, 2015  
House Hearing Room 1 -- 2:00 p.m.

**Convened** 4:16 p.m.

**Recessed**

**Reconvened**

**Adjourned** 5:01 p.m.

**Members Present**

Mrs. Barton  
Mr. Clark  
Mr. Finchem  
Mr. Leach  
Mr. Saldate  
Ms. Steele  
Mr. Bowers, Vice-Chairman  
Mr. Pratt, Chairman

**Members Absent**

Mrs. Carter

**Request to Speak**

Report – Attachment 1

**Presentations**

**Name**

None

**Organization**

**Attachments (Handouts)**

**Committee Action**

**Bill**

**Action**

**Vote**

**Attachments (Summaries,  
Amendments, Roll Call)**

SB1079 DISCUSSED AND HELD

2



Angela Diaz, Chairman Assistant  
March 3, 2015

(Original attachments on file in the Office of the Chief Clerk; video archives available at <http://www.azleg.gov>)

# Information Registered on the Request to Speak System

---

*House Energy, Environment and Natural Resources  
(3/2/2015)*

## **SB1079, solid waste collection; multifamily housing**

### **Support:**

Courtney Gilstrap LeVinus, Arizona Multihousing Association; Courtney Gilstrap LeVinus, Arizona Multihousing Association

### **Neutral:**

Scott Butler, MESA, CITY OF

### **Oppose:**

Gerald Stoops, representing self; Michele Manos, representing self; Ryan Harper, SIERRA VISTA, CITY OF; Dale Wiebusch, Legislative Associate, LEAGUE OF ARIZONA CITIES & TOWNS; Brent Stoddard, Director of Intergovernmental Programs, GLENDALE, CITY OF; Sandy Bahr, Sierra Club - Grand Canyon Chapter

### **All Comments:**

Gerald Stoops, Self: I strongly support mandated recycling for residential, commercial and multifamily dwellings with no exceptions.; Michele Manos, Self: I am opposed to any new legislation that potentially restricts implementation of recycling requirements for apartments, businesses and industry; Scott Butler, MESA, CITY OF: The City of Mesa is neutral based upon language added in the Senate clarifying that cities can't be mandated to be the "provider of last resort."



# HOUSE OF REPRESENTATIVES

SB 1079

solid waste collection; multifamily housing

Sponsors: Senators Griffin, McGuire; Representative Mitchell, et al.

---

X Committee on Energy, Environment and Natural Resources  
Caucus and COW  
House Engrossed

---

## OVERVIEW

SB 1079 prohibits municipalities from preventing a private enterprise from delivering recycling or solid waste services to multifamily residential properties beginning July 1, 2016.

## HISTORY

Current statute prohibits a municipality from prohibiting or unreasonably restraining the private delivery of commercial or industrial recycling or solid waste management services within the boundaries of the municipality. The municipality is required to prescribe rules which promote competition and delivery for these services (Arizona Revised Statutes (A.R.S.) § 49-746).

*Solid waste* means any garbage, trash, rubbish, waste tire, refuse, sludge from a waste treatment plant, water supply treatment plant or pollution control facility, and other discarded material, including solid, liquid, semisolid or contained gaseous material (A.R.S. § 49-701.01). *Recycling* means the process of collecting, separating, cleansing, treating and reconstituting post-consumer materials that would otherwise become solid waste and returning them to the economic stream in the form of raw material for reconstituted products which meet the quality standards necessary to be used in the marketplace, but does not include incineration or other similar processes (A.R.S. § 49-831).

## PROVISIONS

1. Prohibits municipalities from unreasonably restraining or preventing a private enterprise from delivering recycling or solid waste services to multifamily residential properties.
2. Requires municipalities to prescribe rules for the delivery of solid waste management services for multifamily properties.
3. Specifies that this Act will not mandate a municipality to provide recycling and solid waste services.
4. Defines *multifamily residential properties* as a property with one or more structures that contains five or more dwelling units.
5. Applies the statutory definition of *dwelling unit* in A.R.S § 33-1310, the Residential Landlord and Tenant Act.
6. Contains a delayed effective date of July 1, 2016.
7. Makes technical and conforming changes.