

# Senate Bill 1081

Sponsored by Senator PATTERSON, Representative ANDERSEN

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Authorizes city within Marion County to control or direct disposal, transfer or material or energy recovery of solid waste.

## A BILL FOR AN ACT

1  
2 Relating to solid waste in Marion County; amending ORS 459.125 and 459.145.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 459.125 is amended to read:

5 459.125. (1) Subject to **subsection (3) of this section** and ORS 459.145 and the requirements  
6 of ORS 459.005 to 459.437 and 459.705 to 459.790, the board of county commissioners of Marion  
7 County may:

8 (a) Sell, enter into short or long-term contracts, solicit bids, enter into direct negotiations, deal  
9 with brokers or use other methods of sale or disposal for the products or by-products of the disposal  
10 sites of the county.

11 (b) Require any person or class of persons who generate solid waste to make use of the disposal,  
12 transfer or material or energy recovery sites or facilities of the county or disposal, transfer or ma-  
13 terial or energy recovery sites or facilities designated by the county.

14 (c) Require any person or class of persons who pick up, collect or transport solid waste to make  
15 use of the disposal, transfer or material or energy recovery sites or facilities of the county or dis-  
16 posal, transfer or material or energy recovery sites or facilities designated by the county.

17 (d) Regulate, license, franchise and certify disposal, transfer and material or energy recovery  
18 sites or facilities; establish, maintain and amend rates charged by disposal, transfer and material or  
19 energy recovery sites or facilities; establish and collect license or franchise fees; and otherwise  
20 control and regulate the establishment and operation of all public or private disposal, transfer and  
21 material or energy recovery sites or facilities located within the county. Licenses or franchises  
22 granted by the board may be exclusive.

23 (e) Cause solid wastes received and accepted at the disposal sites of the county to be processed,  
24 recycled or reused.

25 (2) Contracts and other agreements authorized under subsection (1) of this section may be for  
26 terms not longer than 20 years.

27 **(3)(a) Notwithstanding subsection (1) of this section, a city within Marion County may**  
28 **control or direct the disposal, transfer or material or energy recovery of any solid waste**  
29 **generated within the city and enter into contracts for the disposal, transfer or material or**  
30 **energy recovery of any solid waste generated within the city.**

31 **(b) Before exercising the authorities granted to the city under paragraph (a) of this**

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted.  
New sections are in **boldfaced** type.

1 subsection, a city must adopt an ordinance setting forth the extent to which the city will  
2 exercise those authorities.

3 **SECTION 2.** ORS 459.145 is amended to read:

4 459.145. (1) ORS 459.125 and 459.135 do not apply to, or grant to Marion County any authority  
5 over:

6 [(1)] (a) Material kept separate from waste material for the purpose of recycling or reuse by  
7 persons who generate solid waste and which is handled separately from waste material.

8 [(2)] (b) Material or energy recovery involving the collection, storage, processing or use of ma-  
9 terials kept separate from waste material for the purpose of recycling or reuse by persons who  
10 generate solid waste.

11 **(2) ORS 459.125 (1) and (2) and 459.135 do not apply to, and ORS 459.125 and 459.135 do not**  
12 **grant to Marion County any authority over, the disposal, transfer or material or energy re-**  
13 **covery of solid waste controlled or directed by a city under ORS 459.125 (3).**