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HOUSE JOINT RESOLUTION NO. 385

Offered January 28, 2000

*Memorializing the Congress of the United States to enact the Solid Waste Interstate Transportation and Local Authority Act of 1999 (HR 1190) that gives state and local governments additional authority to regulate the importation of municipal solid waste into their jurisdictions.*

Patron—Davis

Consent to introduce

Referred to Committee on Conservation and Natural Resources

WHEREAS, recent reports issued by the Virginia Department of Environmental Quality reveal that Virginia is currently the second largest importer of municipal solid waste from other states in the nation, second only to Pennsylvania, and is currently importing approximately four million tons of municipal solid waste from other states; and

WHEREAS, the amount of municipal solid waste being imported into Virginia from other states is expected to increase in coming years due to the impending closure of the Fresh Kills Landfill in New York; and

WHEREAS, the importation of significant amounts of municipal solid waste from other states is prematurely exhausting Virginia's limited landfill capacity; and

WHEREAS, the importation of significant amounts of municipal solid waste from other states has created many short-term environmental problems for Virginia as a result of an increase in the number of garbage trucks on its roads and an increase in the number of garbage barges on its rivers; and

WHEREAS, the importation of significant amounts of municipal solid waste from other states also creates serious long-term environmental problems for Virginia; and

WHEREAS, the importation of significant amounts of municipal solid waste from other states is inconsistent with Virginia's efforts to promote the Commonwealth as a national and international destination of tourism and high-tech economic development; and

WHEREAS, the Commerce Clause of the United States Constitution and the interpretation and application of the Commerce Clause by the United States Supreme Court and other federal courts with respect to interstate solid waste transportation have left Virginia and other states with limited alternatives in regulating, limiting or prohibiting the importation of municipal solid waste from other states; and

WHEREAS, it is the belief of the General Assembly of Virginia that state and local governments should be given more authority to control the importation of municipal solid waste into their jurisdictions; now, therefore, be it

RESOLVED, by the House of Delegates, the Senate concurring, That the Congress of the United States be urged to enact the Solid Waste Interstate Transportation and Local Authority Act of 1999 (HR 1190) that gives state and local governments additional authority to regulate the importation of municipal solid waste into their jurisdictions.

RESOLVED FURTHER, That the Clerk of the House of Delegates transmit copies of this resolution to the Speaker of the United States House of Representatives, the President of the United States Senate, and the members of the Virginia Congressional Delegation in order that they may be apprised of the sense of the Virginia General Assembly in this matter.

INTRODUCED

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