

Senator Ross I. Romero proposes the following substitute bill:

**CITY AND COUNTY CARBON CREDITS FOR
SEQUESTRATION OF WASTE STREAM**

MATERIALS

2010 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ross I. Romero

House Sponsor: _____

LONG TITLE

General Description:

This bill allows municipalities and counties to seek carbon credits for certain conversions of waste material.

Highlighted Provisions:

This bill:

- ▶ allows municipalities, counties, and local districts to seek and sell carbon credits for certain conversions of waste material to charcoal or biochar; and
- ▶ makes technical changes.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

17-34-1, as last amended by Laws of Utah 2003, Chapter 275

ENACTS:



26 **10-7-15.5**, Utah Code Annotated 1953
27 **17B-1-905**, Utah Code Annotated 1953



29 *Be it enacted by the Legislature of the state of Utah:*

30 Section 1. Section **10-7-15.5** is enacted to read:

31 **10-7-15.5. Waste and garbage collection -- Carbon credits.**

32 A municipality providing waste and garbage collection and disposal services that
33 converts material to charcoal or biochar and sequesters the charcoal or biochar as fertilizer as
34 part of the waste and garbage collection and disposal services may seek and sell or trade carbon
35 credits on any market or exchange for carbon credits.

36 Section 2. Section **17-34-1** is amended to read:

37 **17-34-1. Counties may provide municipal services -- Limitation -- First class**
38 **counties to provide certain services -- Counties allowed to provide certain services in**
39 **recreational areas.**

40 (1) For purposes of this chapter, except as otherwise provided in Subsection (3):

41 (a) "Greater than class C radioactive waste" has the same meaning as in Section
42 19-3-303.

43 (b) "High-level nuclear waste" has the same meaning as in Section 19-3-303.

44 (c) "Municipal-type services" means:

45 (i) fire protection service;

46 (ii) waste and garbage collection and disposal;

47 (iii) planning and zoning;

48 (iv) street lighting;

49 (v) in a county of the first class:

50 (A) advanced life support and paramedic services; and

51 (B) detective investigative services; and

52 (vi) all other services and functions that are required by law to be budgeted,
53 appropriated, and accounted for from a municipal services fund or a municipal capital projects
54 fund as defined under Chapter 36, Uniform Fiscal Procedures Act for Counties.

55 (d) "Placement" has the same meaning as in Section 19-3-303.

56 (e) "Storage facility" has the same meaning as in Section 19-3-303.

- 57 (f) "Transfer facility" has the same meaning as in Section 19-3-303.
- 58 (2) A county may:
- 59 (a) provide municipal-type services to areas of the county outside the limits of cities
60 and towns without providing the same services to cities or towns;
- 61 (b) fund those services by:
- 62 (i) levying a tax on taxable property in the county outside the limits of cities and towns;
63 or
- 64 (ii) charging a service charge or fee to persons benefitting from the municipal-type
65 services.
- 66 (3) A county may not:
- 67 (a) provide, contract to provide, or agree in any manner to provide municipal-type
68 services, as these services are defined in Section 19-3-303, to any area under consideration for
69 a storage facility or transfer facility for the placement of high-level nuclear waste, or greater
70 than class C radioactive waste; or
- 71 (b) seek to fund services for these facilities by:
- 72 (i) levying a tax; or
- 73 (ii) charging a service charge or fee to persons benefitting from the municipal-type
74 services.
- 75 (4) Each county of the first class shall provide to the area of the county outside the
76 limits of cities and towns:
- 77 (a) advanced life support and paramedic services; and
- 78 (b) detective investigative services.
- 79 (5) (a) A county may provide fire, paramedic, and police protection services in any area
80 of the county outside the limits of cities and towns that is designated as a recreational area in
81 accordance with the provisions of this Subsection (5).
- 82 (b) A county legislative body may designate any area of the county outside the limits of
83 cities and towns as a recreational area if:
- 84 (i) the area has fewer than 1,500 residents and is primarily used for recreational
85 purposes, including canyons, ski resorts, wilderness areas, lakes and reservoirs, campgrounds,
86 or picnic areas; and
- 87 (ii) the county legislative body makes a finding that the recreational area is used by

88 residents of the county who live both inside and outside the limits of cities and towns.

89 (c) Fire, paramedic, and police protection services needed to primarily serve those
90 involved in the recreation activities in areas designated as recreational areas by the county
91 legislative body in accordance with Subsection (5)(b) may be funded from the county general
92 fund.

93 (6) A county providing waste and garbage collection and disposal services that
94 converts material to charcoal or biochar and sequesters the charcoal or biochar as fertilizer as
95 part of the waste and garbage collection and disposal services may seek and sell or trade carbon
96 credits on any market or exchange for carbon credits.

97 Section 3. Section **17B-1-905** is enacted to read:

98 **17B-1-905. Garbage collection and disposal services -- Carbon credits.**

99 A local district providing garbage collection and ~~to~~ ~~or~~ disposal services that converts
99a material
100 to charcoal or biochar and sequesters the charcoal or biochar as fertilizer as part of the garbage
101 collection and disposal services may seek and sell or trade carbon credits on any market or
102 exchange for carbon credits.

Fiscal Note**S.B. 128 1st Sub. (Green) - City and County Carbon Credits for
Sequestration of Waste Stream Materials**

2010 General Session

State of Utah

State Impact

Enactment of this bill will not require additional appropriations.

Individual, Business and/or Local Impact

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals or businesses. Local governments may be impacted by provisions of this bill.
