



Ohio Revised Code

Section 3734.49 Materials management advisory council.

Effective: September 29, 2015

Legislation: House Bill 64 - 131st General Assembly

(A) There is hereby created within the environmental protection agency the materials management advisory council consisting of the following thirteen members who shall be appointed by the governor with the advice and consent of the senate:

(1) One member who is an employee of a health district whose duties include enforcement of the solid waste provisions of this chapter;

(2) One member representing the interests of counties;

(3) One member representing the interests of municipal corporations;

(4) One member representing the interests of townships;

(5) One member representing the interests of solid waste management districts;

(6) One member representing a statewide environmental advocacy organization;

(7) One member representing the public;

(8) Six members, representing private industry, with knowledge of or experience in waste management, recycling, or litter prevention programs. Those members also shall represent a broad range of interests, including manufacturing, wholesale, retail, labor, raw materials, commercial recycling, and solid waste management.

(B)(1) The governor shall make initial appointments to the advisory council not later than forty-five days after the effective date of this section.

(2) The following initial members of the advisory council each shall be appointed for a term ending



July 1, 2016:

- (a) The member representing the interests of counties;
- (b) The member representing the interests of solid waste management districts;
- (c) Three of the members with knowledge of or experience in waste management, recycling, or litter prevention programs.

(3) The following initial members of the advisory council each shall be appointed for a term ending July 1, 2017:

- (a) The member who is an employee of a health district whose duties include enforcement of the solid waste provisions of this chapter;
- (b) The member representing the interests of municipal corporations;
- (c) Three of the members with knowledge of or experience in waste management, recycling, or litter prevention programs.

(4) The following initial members of the advisory council each shall be appointed for a term ending July 1, 2018:

- (a) The member representing the interests of townships;
- (b) The member representing a statewide environmental advocacy organization;
- (c) The member representing the public.

Thereafter, terms of office shall be for three years. Each member shall hold office from the date of the member's appointment until the end of the term for which the member was appointed. In the event of death, removal, resignation, or incapacity of a member, the governor, with the advice and consent of the senate, shall appoint a successor who shall hold office for the remainder of the term



for which the successor's predecessor was appointed. A member shall continue in office subsequent to the expiration date of the member's term until the member's successor takes office or until a period of sixty days has elapsed, whichever occurs first. Members may be reappointed. The governor at any time may remove a member for misfeasance, nonfeasance, or malfeasance in office.

(C) The advisory council shall hold at least two meetings each year. Special meetings may be held at the request of the chairperson or a majority of the members. The director of environmental protection shall select from among the advisory council's members a chairperson. The advisory council annually shall select from among its members a vice-chairperson and a secretary to keep a record of its proceedings. Not later than two hundred days after the selection of the first chairperson of the advisory council, the advisory council shall adopt bylaws governing its procedural operations. A majority vote of the members of the advisory council is necessary to take action on any matter.

(D) Membership on the advisory council does not constitute holding a public office or position of employment under the laws of this state and does not constitute grounds for removal of public officers or employees from their offices or positions of employment.

(E) A member of the advisory council shall serve without compensation for attending advisory council meetings, but shall be reimbursed for all ordinary and necessary expenses incurred in the performance of duties as a member.

(F) The advisory council shall do all of the following:

(1) Advise and assist the director with preparation of the state solid waste management plan and periodic revisions to the plan under section 3734.50 of the Revised Code;

(2) Approve or disapprove the draft state solid waste management plan and periodic revisions prior to adoption of the plan under section 3734.50 of the Revised Code;

(3) Annually review implementation of the state solid waste management plan;

(4) Prepare and submit an annual report to the general assembly on the state's solid waste management system and efforts towards achieving the goals, restrictions, and objectives established



under divisions (A) to (C) of section 3734.50 of the Revised Code. The report may recommend legislative action.

(5) Triennially advise the director in conducting a review of the progress made toward achieving the objectives, restrictions, and goals established under divisions (A) to (C) of section 3734.50 of the Revised Code;

(6) With the approval of the director, establish criteria by which to certify, and certify, agencies of the state and political subdivisions for receipt of grants for activities or projects that are intended to accomplish the purposes of any of the programs established under section 3736.02 or 3736.05 of the Revised Code;

(7) Advise the director on establishing and implementing statewide source reduction, recycling, recycling market development, and litter prevention programs;

(8) Research and respond to questions posed to the advisory council by the director;

(9) Establish and develop formal and informal partnerships with other entities that foster a productive marketplace for the collection and use of recycled materials.