



General Assembly

Substitute Bill No. 5600

February Session, 2016

* _____HB05600PD_____032116_____*

**AN ACT CONCERNING MATTRESS STEWARDSHIP PROGRAM
RECYCLING FEES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (c) of section 22a-905a of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *January 1, 2017*):

4 (c) The council shall establish and implement a fee structure that
5 covers, but does not exceed, the costs of: [developing] (1) Developing
6 the plan described in subsection (b) of this section, (2) operating and
7 administering the program described in subsection (a) of this section,
8 (3) compensating each municipality that hosts a mattress recycling
9 facility, and (4) maintaining a financial reserve sufficient to operate the
10 program over a multiyear period of time in a fiscally prudent and
11 responsible manner. The portion of the fee structure providing
12 compensation to each municipality that hosts a mattress recycling
13 facility shall be an annual fee equal to twenty-five cents per capita
14 based upon the population of such municipality according to the most
15 recent federal decennial census. The council shall maintain all records
16 relating to the program for a period of not less than three years.

17 Sec. 2. Subsection (h) of section 22a-905a of the general statutes is
18 repealed and the following is substituted in lieu thereof (*Effective*

19 *January 1, 2017*):

20 (h) On or before July 1, 2014, and every two years thereafter, the
21 council shall propose a mattress stewardship fee for all mattresses sold
22 in this state except crib and bassinette mattresses. The council may
23 propose a change to the mattress stewardship fee more frequently than
24 once every two years if the council determines such change is needed
25 to avoid funding shortfalls or excesses for the mattress stewardship
26 program. Any proposed mattress stewardship fee shall be reviewed by
27 an auditor to assure that such assessment does not exceed the [cost to
28 fund the mattress stewardship program described in subsection (a) of
29 this section and to maintain financial reserves sufficient to operate said
30 program over a multiyear period in a fiscally prudent and responsible
31 manner] fee structure restrictions established in subsection (c) of this
32 section. Not later than sixty days after the council proposes a mattress
33 stewardship fee, the auditor shall render an opinion to the
34 Commissioner of Energy and Environmental Protection as to whether
35 the proposed mattress stewardship fee is reasonable to achieve the
36 goals set forth in this section. If the auditor concludes that the mattress
37 stewardship fee is reasonable, then the proposed fee shall go into effect
38 not less than ninety days after the auditor notifies the commissioner
39 that the fee is reasonable. If the auditor concludes that the mattress
40 stewardship fee is not reasonable, the auditor shall provide the council
41 with written notice explaining the auditor's opinion. Not later than
42 fourteen days after the council's receipt of the auditor's opinion, the
43 council may either propose a new mattress stewardship fee or provide
44 written comments on the auditor's opinion. If the auditor concludes
45 that the fee is not reasonable, the Commissioner of Energy and
46 Environmental Protection shall decide, based on the auditor's opinion
47 and any comments provided by the council, whether to approve the
48 proposed mattress stewardship fee. Such auditor shall be selected by
49 the council. The cost of any work performed by such auditor pursuant
50 to the provisions of this subsection and subsection (k) of this section
51 shall be funded by the mattress stewardship fee described in this
52 subsection.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>January 1, 2017</i>	22a-905a(c)
Sec. 2	<i>January 1, 2017</i>	22a-905a(h)

PD *Joint Favorable Subst.*