

## STATEMENT OF PURPOSE

RS32352 / S1112

This legislation updates sections within Idaho Code 31-44 by defining and prohibiting the practice of “flow control” by local units of government pertaining to solid waste. This legislation also ensures there is an enhancement to the process, whereby the public can be made aware of any pending decision to create a new solid waste facility and the opportunity to bid on such projects. Flow control creates a perverse incentive for government run facilities as they operate and regulate themselves. The practice of local governments using flow control, limits the ability of private haulers to deliver waste in a logistically and fiscally responsible way. The use of these flow control mandates become predatory and anti-competitive. This legislation does not change the ability for private or public sector entities to build, own, or operate such facilities so long as they follow the process of notifying the public.

### FISCAL NOTE

There is no impact to the state general fund nor any local unit of government. Passage of this legislation does not compel local units of government to incur any additional costs.

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**DISCLAIMER:** This statement of purpose and fiscal note are a mere attachment to this bill and prepared by a proponent of the bill. It is neither intended as an expression of legislative intent nor intended for any use outside of the legislative process, including judicial review (Joint Rule 18).