

SPEAKER BAACK: It is withdrawn.

CLERK: Senator Morrissey, Senator, AM4000, I have a note, I believe you want to withdraw and substitute.

SENATOR MORRISSEY: Yes.

SPEAKER BAACK: No objection, so ordered.

CLERK: And substitute, Senator, 4307, right? (The Morrissey amendment appears on pages 2145-47 of the Legislative Journal.)

SENATOR MORRISSEY: Right. That's correct.

SPEAKER BAACK: Senator Morrissey.

SENATOR MORRISSEY: Thank you, Mr. Speaker, members, 4307 is the amendment that incorporates Senator Johnson's amendment and the amendment that I have had filed and printed. Not a lot to it. The first portion of the amendment deals with the biodegradable bags and their availability and beverage container six-pack rings, if you will, and the problems on definition of what is biodegradable and what is and is not available. So it adds the words "or recyclable" so that it would read, if the beverage... "no person shall sell or offer at retail any beverage for human consumption if the beverage container is connected to another beverage by a device which is constructed of a material which is not biodegradable or photodegradable", we add "or recyclable". Discussed this with Senator Hefner. And there's a problem in availability with those. The same thing with garbage bags, yard waste bags. And then we discussed on General File the problem of denying access or denying farmers the ability to dump on their own land if a new system was not available. We did not want to do that because then they would have nowhere to go legally with their waste. So Senator Johnson's amendment that we worked on allows for administrative... for the DEC to give an administrative waiver to the farmers if the systems are not available, and to the cities and counties if they have made the good faith effort to do their planning and everything is going on and they just haven't got the construction completed yet. The reality is we will have some municipalities that won't be able to reach the deadline and with the DEC in control of our program they can review what they've done, make sure they have been working towards that end and allow them the time needed so