

HOUSE BILL REPORT

2SSB 5842

As Passed House-Amended:

April 16, 1997

Title: An act relating to litter control and recycling.

Brief Description: Pertaining to litter control and recycling.

Sponsors: Senate Committee on Agriculture & Environment (originally sponsored by Senators Swecker, Winsley and Fraser).

Brief History:

Committee Activity:

Agriculture & Ecology: 3/31/97, 4/3/97 [DPA].

Floor Activity:

Passed House-Amended: 4/16/97, 94-3.

HOUSE COMMITTEE ON AGRICULTURE & ECOLOGY

Majority Report: Do pass as amended. Signed by 10 members: Representatives Chandler, Chairman; Parlette, Vice Chairman; Schoesler, Vice Chairman; Linville, Ranking Minority Member; Cooper; Delvin; Koster; Mastin; Regala and Sump.

Minority Report: Do not pass. Signed by 1 member: Representative Anderson, Assistant Ranking Minority Member.

Staff: Rick Anderson (786-7114).

Background: The Model Litter Control Act was enacted in 1971 as the legislative alternative to an initiative that would have established a consumer deposit on glass beverage containers. The 1971 legislation enacted a tax of .015 percent (or \$1.50 on every \$10,000 of sales) on the sale of 13 specified categories which include food, cigarettes, beverages, and packaging materials. The tax is paid to the Department of Revenue on an annual basis. The tax generates approximately \$4 million per year. The Legislature has not changed the original tax base but has broadened the purposes of how tax revenues can be used by including waste reduction, recycling, and market development for recyclable materials.

Litter tax funds are currently appropriated to a number of state agencies that provide litter pickup, recycling, or market development services. The Department of Ecology (DOE) uses litter tax funds to administer a youth litter pickup program, to conduct public

education programs, and to provide technical assistance to local government recycling programs. The Clean Washington Center, within the Department of Community, Trade and Economic Development, uses the tax to develop markets for recyclable materials. The Department of Natural Resources uses the tax for litter pickup on state lands. The Department of Revenue uses tax revenues to ensure taxpayer compliance with the litter tax. The Parks and Recreation Commission uses the tax for statutorily required recycling efforts in state parks. In 1990, the Legislature directed the DOE to provide grants to local governments to fund litter pickup programs.

Revenues from the tax are subject to a statutory formula as follows: (1) 40 to 50 percent for a youth litter patrol program; and (2) up to 60 percent for public education and awareness programs relating to the act, recycling programs, market development for recyclable materials, and litter tax compliance. In practice, the statutory distribution formula has generally been applied only for appropriations made to the DOE.

Summary of Bill: After July 30, 1997, expenditures from the litter control account must be used as follows:

- 50 percent for youth litter patrol programs;
- 20 percent to provide grants to local government for litter cleanup; and
- 30 percent for public education, waste reduction, and recycling programs.

Beginning January 1, 1998, the litter tax is collected by the Department of Revenue on a quarterly basis. The DOE is authorized to enter into an interagency agreement with the Department of Corrections to provide for litter cleanup in areas that are not accessible to youth crews. References to market development and the Clean Washington Center are deleted.

A task force convened by the DOE is created to make recommendations on: appropriate funding levels for the litter pickup programs and the DOE's education and awareness programs, coordinating or consolidating existing litter pickup programs, and taxpayer compliance and equity issues. The task force consists of legislators and one or more representatives of agencies, local governments, private recyclers, and industries who pay the litter tax. The task force must submit recommendations to the Legislature by December 1, 1997.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: The state highways are a mess. More of the litter tax funds should be used for litter pickup. The tax should be capped at \$150,000 per taxpayer. A task force

is needed to make recommendations on appropriate funding levels for litter, recycling, and education activities. Increasing the legislative appropriation for the youth litter pickup program, grants to local governments, and to education is a good idea. The DOE's recycling technical assistance to local government should be funded at current levels.

Testimony Against: None.

Testified: Bob Gee, Washington Food Industry; Bill Vogler, Washington State Association of Counties; and Elizabeth Schrag, Washington State Recycling Association (in favor). Jim Pendowski, Department of Ecology, Solid Waste Program (commented).