

FINAL BILL REPORT

2SHB 3058

PARTIAL VETO

C 257 L 98

Synopsis as Enacted

Brief Description: Changing statutes for waste reduction, recycling, and litter control.

Sponsors: By House Committee on Appropriations (originally sponsored by Representatives Chandler and Linville).

House Committee on Agriculture & Ecology

House Committee on Appropriations

Senate Committee on Ways & Means

Background: The Model Litter Control Act (renamed the Waste Reduction, Recycling, and 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 0.015 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.

Litter tax revenues are appropriated to a number of state agencies, including the Department of Ecology, the Department of Natural Resources, the Department of Revenue, and the Parks and Recreation Commission. Total funding for the litter control, waste reduction, and recycling programs administered by these agencies was approximately \$10.9 million for the 1997-1999 biennium. Revenues from the tax are subject to a statutory formula as follows: 40 to 50 percent of litter tax revenues must be used for the youth litter pickup program administered by the Department of Ecology; and no more than 60 percent may be used for public education and awareness programs to control litter, for programs to foster local recycling efforts, encourage recycling, and develop markets for recyclable materials and for compliance with the litter tax. In practice, the statutory distribution formula has been applied only for appropriations made to the Department of Ecology.

A Litter Task Force composed of state agencies, the associations of cities and counties, payers into the litter tax, and recyclers was convened in July 1997 to examine the effectiveness of the state's litter control programs. The task force made a number of recommendations, including making a single agency responsible and accountable for administering agency allocations of litter tax funds, establishing a local government funding program for litter control activities by cities and counties, encouraging the Department of Revenue to increase taxpayer compliance with the

litter tax, and creating an additional competitive source of capital and operating funds for local or state agencies. Equipment purchases would receive priority from this fund.

The Department of Transportation is authorized to install "adopt-a-highway" litter control road signs with some restrictions. These signs may not display trademarks or business logos.

Summary: Several changes are made to the Waste Reduction, Recycling, and Model Litter Control Act. References to marketing and the Clean Washington Center are removed as a purpose of the act. The term "illegal dumping" is included in the definition of litter. The term "waste reduction" is defined. The Department of Ecology (DOE) is responsible for administering the distribution of appropriations from the waste reduction, recycling, and litter control account to state agencies and local governments. Funds for local governments are no longer distributed as grants but through funding agreements.

The distribution of the litter tax is changed and additional responsibilities are provided to the DOE. Fifty percent of the litter tax is provided to the DOE for use by state agencies for litter collection programs and the development of statewide programs to increase public awareness of recycling. In addition, these funds support a new central coordination function to be provided by the DOE for all litter control efforts statewide and a new biennial litter survey. Twenty percent of the litter tax is provided to the DOE for use by local governments to control litter. Thirty percent of the tax is provided to the DOE for waste reduction and recycling efforts.

Between 5 and 10 percent of the amount appropriated into the waste reduction, recycling, and litter control account must be reserved for equipment purchases that will allow the DOE to achieve the greatest progress toward the goals of waste reduction, recycling, and litter control.

The Department of Revenue is charged with enforcing litter tax collection. In addition, the Department of Revenue will collect the tax at the same time and frequency that tax payers pay their business and occupations taxes.

The DOE is required to develop criteria for evaluating projects proposed by state agencies and local governments, and give priority to those projects that achieve the greatest progress toward waste reduction, recycling, and litter control. All agencies must report information on their litter collection programs to the DOE. The DOE must report to the Legislature in even-numbered years summarizing waste reduction, litter control, and recycling activities.

Trademarks or logos may be displayed on adopt-a-highway litter control road signs.

Votes on Final Passage:

House 95 0

Senate 41 3

Effective: June 11, 1998

Partial Veto Summary: The section of this bill that would allow the use of logos on adopt-a-highway signs to recognize business participation in litter control is vetoed.