

# SENATE BILL REPORT

## 2SHB 3058

---

As Reported By Senate Committee On:  
Ways & Means, March 10, 1998

**Title:** An act relating to waste reduction, recycling, and litter control.

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

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

**Brief History:**

**Committee Activity:** Ways & Means: 3/2/98, 3/10/98 [DP].

---

### SENATE COMMITTEE ON WAYS & MEANS

**Majority Report:** Do pass.

Signed by Senators West, Chair; Deccio, Vice Chair; Strannigan, Vice Chair; Fraser, Hochstatter, Long, McDonald, Roach, Rossi, Schow, Spanel, Winsley and Zarelli.

**Staff:** Kari Guy (786-7437)

**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 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. 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 revenues are currently appropriated to a number of state agencies. The Department of Ecology uses litter tax funds to administer the youth litter patrol program, to conduct public education programs, and to provide technical assistance to local government recycling programs. 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 Department of Ecology to provide grants to local governments to fund litter pickup programs.

Total funding for this program 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. No more than 60 percent may be used for public education and awareness programs to control litter, programs to foster local recycling efforts, encourage recycling, and develop markets for recyclable

materials; and 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 comprised 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 litter control programs under current law. 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.

**Summary of Bill:** Several changes are made to current law. References to marketing and the Clean Washington Center are removed as a purpose of the Waste Reduction, Recycling, and Model Litter Control Act. The term "illegal dumping" is included in the definition of litter. The term "waste reduction" is defined and the term is added to appropriate sections of this chapter. The Department of Ecology 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 Department of Ecology. Fifty percent is provided to the Department of Ecology 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 Department of Ecology for all litter control efforts statewide and a biennial litter survey. Twenty percent is provided to the Department of Ecology for use by local governments to control litter. Thirty percent is provided to the Department of Ecology for waste reduction and recycling efforts.

Between 5-10 percent of the amount appropriated into the waste reduction, recycling, and litter control account must be reserved for equipment purchases that will allow the Department of Ecology 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 occupation taxes.

The Department of Ecology is required to develop criteria for evaluating projects proposed by state agencies and local governments, and required to give priority to those projects that achieve the greatest progress toward waste reduction, recycling, and litter control.

Trademarks or logos may be displayed on highway road signs in order to encourage more highway adoption for litter collection.

**Appropriation:** None.

**Fiscal Note:** Available.

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

**Testimony For:** The bill is the result of a litter task force that met over the interim to develop consensus recommendations on allocation of funds from the litter account. The bill requires the Department of Ecology to evaluate the effectiveness of various agency programs, and to coordinate litter control and waste reduction activities funded by the litter account. This will ensure greater accountability for use of litter account funds.

**Testimony Against:** None.

**Testified:** PRO: Bob Gee, Washington Food Industries; Bill Vogler, Washington State Association of Counties; Jill Will, Jail Industries Board.