
SENATE BILL 5842

State of Washington

55th Legislature

1997 Regular Session

By Senators Swecker, Winsley and Fraser

Read first time 02/17/97. Referred to Committee on Agriculture & Environment.

1 AN ACT Relating to litter control and recycling; and amending RCW
2 70.93.010, 70.93.020, 70.93.180, 70.95.280, and 82.19.010.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 70.93.010 and 1992 c 175 s 1 are each amended to read
5 as follows:

6 (1) The legislature finds:

7 (a) Washington state is experiencing rapid population growth and
8 its citizens are increasingly mobile;

9 (b) There is a fundamental need for a healthful, clean, and
10 beautiful environment;

11 (c) The proliferation and accumulation of litter discarded
12 throughout this state impairs this need and constitutes a public health
13 hazard;

14 (d) There is a need to conserve energy and natural resources, and
15 the effective litter control and recovery and recycling of litter
16 materials will serve to accomplish such conservation; and

17 (e) In addition to effective litter control, there must be
18 effective programs to accomplish waste reduction, the state's highest
19 waste management priority(~~and~~

1 ~~(f) There must also be effective systems to accomplish all~~
2 ~~components of recycling, including collection, processing, and the~~
3 ~~marketing of recyclable materials and recycled content products)).~~

4 (2) Recognizing the multifaceted nature of the state's solid waste
5 management problems, the legislation enacted in 1971 and entitled the
6 "Model Litter Control and Recycling Act" is hereby renamed the "waste
7 reduction, recycling, and model litter control act."

8 **Sec. 2.** RCW 70.93.020 and 1992 c 175 s 2 are each amended to read
9 as follows:

10 The purpose of this chapter is to accomplish litter control,
11 increase waste reduction, and stimulate all components of recycling
12 throughout this state by delegating to the department of ecology the
13 authority to:

14 (1) Conduct a permanent and continuous program to control and
15 remove litter from this state to the maximum practical extent possible;

16 (2) Recover and recycle waste materials related to litter and
17 littering;

18 (3) Foster public and private recycling of recyclable materials;
19 and

20 (4) Increase public awareness of the need for recycling and litter
21 control.

22 ~~((It is further the intent and purpose of this chapter to promote~~
23 ~~markets for recyclable materials through programs of the clean~~
24 ~~Washington center and other means.))~~

25 It is further the intent and purpose of this chapter to create jobs
26 for employment of youth in litter cleanup and related activities and to
27 stimulate and encourage small, private recycling centers. This program
28 shall include the compatible goal of recovery of recyclable materials
29 to conserve energy and natural resources wherever practicable. Every
30 other department of state government and all local governmental units
31 and agencies of this state shall cooperate with the department of
32 ecology in the administration and enforcement of this chapter. The
33 intent of this chapter is to add to and to coordinate existing
34 recycling and litter control and removal efforts and not terminate or
35 supplant such efforts.

36 **Sec. 3.** RCW 70.93.180 and 1992 c 175 s 8 are each amended to read
37 as follows:

1 (1) There is hereby created an account within the state treasury to
2 be known as the "waste reduction, recycling, and litter control
3 account". Moneys in the account may be spent only after appropriation.
4 After June 30, 1997, expenditures from the waste reduction, recycling,
5 and litter control account shall be used as follows:

6 (a) ~~((From July 1, 1992, to June 30, 1993, funds shall be used for
7 programs to: Control litter; encourage recycling; develop markets for
8 recyclable materials; and enforce compliance with the litter tax
9 imposed in RCW 82.19.010.~~

10 (b) ~~After June 30, 1993, funds shall be used as follows:~~

11 ~~((i) Not less than forty percent nor more than fifty percent))
12 Forty-five percent for a litter patrol program to employ youth from the
13 state to remove litter from places and areas that are most visible to
14 the public and ten percent to ~~((enforce compliance with the litter tax
15 imposed in RCW 82.19.010))~~ provide grants to local governments for
16 litter cleanup under RCW 70.93.090 and 70.93.250; ((and~~

17 ~~((ii) Not more than sixty percent))~~ (b) Twenty percent for ~~((the
18 following purposes:))~~ public education and awareness programs to
19 control litter~~((; programs))~~ and to promote ((public education and))
20 awareness of the model litter control and recycling act, including the
21 1-800-RECYCLE state information line; ((programs to foster private
22 local recycling efforts, encourage recycling, and develop markets for
23 recyclable materials))

24 (c) Ten percent for local government grants for public education
25 and awareness programs of the model litter control and recycling act;

26 (d) Two percent for grants or contract funding for industrial or
27 commercial-based consumer education programs that foster litter control
28 and recycling under this chapter; and

29 (e) The remainder as follows: For the department of revenue to
30 increase compliance with the litter tax imposed in RCW 82.19.010, for
31 department of ecology administrative costs under this chapter, and for
32 funding the collection of data from the biannual report under RCW
33 70.95.280.

34 (2) All taxes imposed in RCW 82.19.010 and fines and bail
35 forfeitures collected or received pursuant to this chapter shall be
36 deposited in the waste reduction, recycling, and litter control account
37 and used for the programs under subsection (1) of this section, and
38 except as required to be otherwise distributed under RCW 70.93.070.

1 **Sec. 4.** RCW 70.95.280 and 1989 c 431 s 13 are each amended to read
2 as follows:

3 The department of ecology shall determine the best management
4 practices for categories of solid waste in accordance with the priority
5 solid waste management methods established in RCW 70.95.010. In order
6 to make this determination, the department shall conduct a
7 comprehensive solid waste stream analysis and evaluation. Following
8 establishment of baseline data resulting from an initial in-depth
9 analysis of the waste stream, the department shall develop a less
10 intensive method of monitoring the disposed waste stream including, but
11 not limited to, changes in the amount of waste generated and waste
12 type. The department shall monitor curbside collection programs and
13 other waste segregation and disposal technologies to determine, to the
14 extent possible, the effectiveness of these programs in terms of cost
15 and participation, their applicability to other locations, and their
16 implications regarding rules adopted under this chapter. Persons who
17 collect solid waste shall (~~annually~~) report on a biannual basis to
18 the department the types and quantities of solid waste that are
19 collected and where it is delivered. The department shall adopt
20 guidelines for reporting and for keeping proprietary information
21 confidential.

22 **Sec. 5.** RCW 82.19.010 and 1992 c 175 s 3 are each amended to read
23 as follows:

24 In addition to any other taxes, there is hereby levied and there
25 shall be collected by the department of revenue from every person for
26 the privilege of engaging within this state in business as a
27 manufacturer, as a wholesaler, or as a retailer, (~~an annual~~) a
28 quarterly litter tax equal to the value of products listed in RCW
29 82.19.020, including byproducts, manufactured within this state,
30 multiplied by fifteen one-thousandths of one percent in the case of
31 manufacturers, and equal to the gross proceeds of sales of the products
32 listed in RCW 82.19.020 that are sold within this state multiplied by
33 fifteen one-thousandths of one percent in the case of wholesalers and
34 retailers. The tax levied and collected on any person under this
35 section may not exceed one hundred thousand dollars annually.

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