

SENATE BILL REPORT

SB 5093

As Reported by Senate Committee On:
Environment, Energy & Technology, February 7, 2019

Title: An act relating to enhancing litter control along state highways.

Brief Description: Enhancing litter control along state highways.

Sponsors: Senator Fortunato.

Brief History:

Committee Activity: Environment, Energy & Technology: 1/24/19, 1/31/19, 2/07/19 [DPS-TRAN].

Brief Summary of First Substitute Bill

- Prioritizes litter control along state highways.
- Requires the Department of Ecology to contract with the Department of Transportation to schedule litter prevention messaging and coordination of litter emphasis patrols with the Washington State Patrol.

SENATE COMMITTEE ON ENVIRONMENT, ENERGY & TECHNOLOGY

Majority Report: That Substitute Senate Bill No. 5093 be substituted therefor, and the substitute bill do pass and be referred to Committee on Transportation.

Signed by Senators Carlyle, Chair; Palumbo, Vice Chair; Ericksen, Ranking Member; Billig, Brown, Das, Hobbs, McCoy, Nguyen, Rivers, Short and Wellman.

Staff: Jan Odano (786-7486)

Background: A tax is imposed on businesses whose products, including packaging, wrapping, and containers, are reasonably related to the litter problem in the state. The types of products that fall under this tax include beer, cigarettes, soft drinks, newspapers and magazines, glass containers, metal containers, and household paper and paper products.

The revenues from the litter tax are allocated from the Waste Reduction, Recycling, and Litter Control Account (WRRLA) to the Department of Ecology (DOE). DOE is the coordinating agency between organizations looking to assist in waste reduction, litter control,

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and recycling, as well as with state agencies, including the Department of Corrections (DOC) and DOT, and local governments that receive funding for litter control and recycling activities. In addition, DOE employs teens through the Ecology Youth Corps to collect litter from highways, parks, and other public areas. DOE is required to develop criteria for evaluating the effectiveness and efficiency of the participating agencies' litter collection programs.

Litter Tax Account Distribution. The funds in the litter tax account are distributed as follows:

1. Fifty percent is provided to DOE for their use and for the Department of Natural Resources (DNR), DOC, DOT, and the Parks and Recreation Commission for litter collection programs. The Department of Revenue also receives a small portion of the revenue for administering the funds in the account. These funds are also used for statewide public awareness programs, and to defray local government administration costs so they can apply all of their funding to achieving program goals.
2. Twenty percent of the litter tax revenues goes to local governments for waste reduction, litter control, and recycling activities.
3. Thirty percent of the funds go to DOE for waste reduction and recycling efforts.

The statewide Adopt-A-Highway Program is a roadside cleanup program administered by DOT. Through the program, volunteers adopt a section of highway by agreeing to take care of it for two to four years. DOT provides safety training and equipment. In addition, DOT installs signs giving recognition to the group or individuals adopting the highway.

Summary of Bill (First Substitute): DOE must give priority to litter control along state highways when distributing funds.

DOE must contract with DOT to schedule litter prevention messaging, coordination of litter emphasis patrols with WSP, and litter pickup during scheduled lane closures.

EFFECT OF CHANGES MADE BY ENVIRONMENT, ENERGY & TECHNOLOGY COMMITTEE (First Substitute):

- Removes the requirement for DOT to coordinate with DOC using DOC crews for litter pick up during nondaytime hours.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

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

Staff Summary of Public Testimony on Original Bill: *The committee recommended a different version of the bill than what was heard.* PRO: The litter tax provides funding to counties to pick up litter and for other programs to reduce the amount and type of litter. The department has not been able to run the programs due to funds being transferred to other

agencies. The department works to make sure the litter pick up efforts are being conducted in a coordinated fashion.

OTHER: The amount of litter is overwhelming, frustrating, and a continuing challenge. The top priority is life and safety. Litter control is important but the lowest priority for the agency. Using corrections crews is a security concern. Not all of the litter tax funds have been returned for use in the litter programs. This is all about the funding to be able to pick up litter.

Persons Testifying: OTHER: Ted DeVol, citizen.

Persons Signed In To Testify But Not Testifying: CON: Holly Chisa, Northwest Grocery Association; Carolyn Logue, Washington Food Industry Association; Laurie Davies, Department of Ecology.

OTHER: Pasco Bakotich, Director of Maintenance Operations, Department of Transportation.