

E2SSB 5022 - H AMD TO APP COMM AMD (H-1491.1/21) **645**
By Representative Dye

ADOPTED 04/07/2021

1 On page 7, beginning on line 5, after "(i)" strike all material
2 through "products." on line 19 and insert "Prepare an annual workload
3 analysis for public comment that identifies the annual costs it
4 expects to incur to implement, administer, and enforce this section
5 and sections 4 through 7 and 12(1), (2), and (4) of this act,
6 including rule making, in the next fiscal year for each category of
7 covered products;

8 (ii) Determine a total annual fee payment by producers or their
9 third-party representatives for each category of covered products
10 that is adequate to cover, but not exceed, the workload identified in
11 (a)(i) of this subsection;

12 (iii) Until rules are adopted under (a)(iv) of this subsection,
13 issue a general order to all entities falling within the definition
14 of producer. The department must equitably determine fee amounts for
15 an individual producer or third-party representatives within each
16 category of covered product;

17 (iv) By 2024, adopt rules to equitably determine annual fee
18 payments by producers or their third-party representatives within
19 each category of covered product. Once such rules are adopted, the
20 general order issued under (a)(iii) of this subsection is no longer
21 effective; and

22 (v) Send notice to producers or their third-party representatives
23 of fee amounts due consistent with either the general order issued
24 under (a)(iii) of this subsection or rules adopted under (a)(iv) of
25 this subsection."

26 On page 7, line 28, after "submit a" insert "fee"

EFFECT: (1) Requires the Department of Ecology to prepare an annual workload analysis for public comment that identifies the annual costs that it expects to incur related to postconsumer recycled content requirements.

(2) Bases the annual payment to the Department of Ecology by producers on the costs identified in the Department of Ecology's workload analysis.

(3) Specifies that until 2024, the Department of Ecology must equitably determine the amounts owed to the Department by producers through a general order issued to all entities that are producers.

(4) Requires the Department of Ecology to adopt rules no later than 2024 that equitably determine payment amounts owed to the Department by producers.

(5) Clarifies that the payments owed by producers to the Department of Ecology to cover the Department of Ecology's implementation, administration, and enforcement costs are fees.

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