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**SENATE BILL 5093**

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**State of Washington**

**66th Legislature**

**2019 Regular Session**

**By** Senator Fortunato

Prefiled 01/07/19.

1 AN ACT Relating to enhancing litter control along state highways;  
2 amending RCW 70.93.180 and 70.93.220; adding a new section to chapter  
3 47.01 RCW; and creating a new section.

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

5 **Sec. 1.** RCW 70.93.180 and 2015 c 15 s 3 are each amended to read  
6 as follows:

7 (1) There is hereby created an account within the state treasury  
8 to be known as the waste reduction, recycling, and litter control  
9 account. Moneys in the account may be spent only after appropriation.  
10 Expenditures from the waste reduction, recycling, and litter control  
11 account shall be used as follows:

12 (a) ~~((Fifty))~~ Forty percent to the department of transportation  
13 for a highway focused litter collection effort. The department of  
14 transportation shall manage all highway litter collection efforts in  
15 coordination with the existing state adopt-a-highway program in RCW  
16 47.40.100, and expand existing contracts with the ecology youth corps  
17 and the department of corrections inmates for more comprehensive  
18 litter collection along state highways;

19 (b) Ten percent to the department of ecology, for use by the  
20 departments of ecology, natural resources, revenue,  
21 ~~((transportation,))~~ and corrections, and the parks and recreation

1 commission, for use in nonhighway litter collection programs, to be  
2 distributed under RCW 70.93.220. The amount to the department of  
3 ecology shall also be used for a central coordination function for  
4 litter control efforts statewide; for statewide public awareness  
5 programs under RCW 70.93.200(7); and to support employment of youth  
6 in litter cleanup as intended in RCW 70.93.020, and for litter pick  
7 up using other authorized agencies. The amount to the department  
8 shall also be used to defray the costs of administering the funding,  
9 coordination, and oversight of local government programs for waste  
10 reduction, litter control, recycling, and composting so that local  
11 governments can apply one hundred percent of their funding to  
12 achieving program goals. The amount to the department of revenue  
13 shall be used to enforce compliance with the litter tax imposed in  
14 chapter 82.19 RCW;

15 ~~((b))~~ (c)(i) Twenty percent to the department for local  
16 government funding programs for waste reduction, litter control,  
17 recycling activities, and composting activities by cities and  
18 counties under RCW 70.93.250, to be administered by the department of  
19 ecology; and (ii) any unspent funds under ~~((b))~~ (c)(i) of this  
20 subsection may be used to create and pay for a matching fund  
21 competitive grant program to be used by local governments and  
22 nonprofit organizations for local or statewide education programs  
23 designed to help the public with litter control, waste reduction,  
24 recycling, and composting of primarily the products taxed under  
25 chapter 82.19 RCW. Grants must adhere to the following requirements:  
26 (A) No grant may exceed sixty thousand dollars; (B) grant recipients  
27 shall match the grant funding allocated by the department by an  
28 amount equal to twenty-five percent of eligible expenses. A local  
29 government's share of these costs may be met by cash or contributed  
30 services; (C) the obligation of the department to make grant payments  
31 is contingent upon the availability of the amount of money  
32 appropriated for this subsection (1) ~~((b))~~ (c); and (D) grants are  
33 managed under the guidelines for existing grant programs; and

34 ~~((e))~~ (d) Thirty percent to the department of ecology to: (i)  
35 Implement activities under RCW 70.93.200 for waste reduction,  
36 recycling, and composting efforts; (ii) provide technical assistance  
37 to local governments for commercial business and residential  
38 recycling programs primarily for the products taxed under chapter  
39 82.19 RCW designed to educate citizens about waste reduction, litter  
40 control, and recyclable and compostable products and programs; and

1 (iii) increase access to waste reduction, composting, and recycling  
2 programs, particularly for food packaging and plastic bags and  
3 appropriate composting techniques.

4 (2) All taxes imposed in RCW 82.19.010 and fines and bail  
5 forfeitures collected or received pursuant to this chapter shall be  
6 deposited in the waste reduction, recycling, and litter control  
7 account and used for the programs under subsection (1) of this  
8 section.

9 (3) Not less than five percent and no more than ten percent of  
10 the amount appropriated into the waste reduction, recycling, and  
11 litter control account every biennium shall be reserved for capital  
12 needs, including the purchase of vehicles for transporting crews and  
13 for collecting litter and solid waste. The ten percent cap may be  
14 exceeded by the department of transportation in a given biennium in  
15 order to obtain equipment capable of picking up larger litter items  
16 along state highways. Capital funds shall be distributed among state  
17 agencies and local governments according to the same criteria  
18 provided in RCW 70.93.220 for the remainder of the funds, so that the  
19 most effective waste reduction, litter control, recycling, and  
20 composting programs receive the most funding. The intent of this  
21 subsection is to provide funds for the purchase of equipment that  
22 will enable the department of ecology and the department of  
23 transportation to account for the greatest return on investment in  
24 terms of reaching a zero litter goal.

25 (4) Funds in the waste reduction, recycling, and litter control  
26 account, collected under chapter 82.19 RCW, must be prioritized for  
27 the products identified under RCW 82.19.020 solely for the purposes  
28 of recycling, composting, and litter collection, reduction, and  
29 control programs.

30 **Sec. 2.** RCW 70.93.220 and 2014 c 76 s 3 are each amended to read  
31 as follows:

32 (1) The department is the coordinating and administrative agency  
33 working with the departments of natural resources, revenue,  
34 transportation, and corrections, and the parks and recreation  
35 commission in developing a biennial budget request for funds for the  
36 various agencies' litter collection programs.

37 (2) Funds may be used to meet the needs of efficient and  
38 effective litter collection and illegal dumping programs identified  
39 by the various agencies. The department shall develop criteria for

1 evaluating the effectiveness and efficiency of the waste reduction,  
2 litter control, and recycling programs being administered by the  
3 various agencies listed in RCW 70.93.180, and shall distribute funds  
4 according to the effectiveness and efficiency of those programs, with  
5 a priority given to litter control along state highways. In addition,  
6 the department shall approve funding requests for efficient and  
7 effective waste reduction, litter control, and recycling programs,  
8 provide funds, and monitor the results of all agency programs.

9 (3) All agencies are responsible for reporting information on  
10 their litter collection programs as requested by the department.

11 NEW SECTION. **Sec. 3.** A new section is added to chapter 47.01  
12 RCW to read as follows:

13 The department shall administer a litter collection program using  
14 funds distributed under RCW 70.93.180(1)(a) in coordination with its  
15 existing state adopt-a-highway program in RCW 47.40.100 and  
16 consistent with chapter 70.93 RCW.

17 NEW SECTION. **Sec. 4.** This act may be known and cited as the  
18 welcome to Washington act.

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