

# HOUSE BILL REPORT

## SB 5040

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### As Passed House - Amended:

April 7, 2021

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

**Brief Description:** Enhancing litter control along state highways.

**Sponsors:** Senators Fortunato, Lovelett and Wilson, J..

### Brief History:

#### Committee Activity:

Environment & Energy: 3/19/21, 3/25/21 [DPA].

#### Floor Activity:

Passed House: 4/7/21, 96-1.

### Brief Summary of Bill (As Amended By House)

- Requires the Department of Ecology (Ecology) to contract with the Washington State Department of Transportation to schedule litter prevention messaging and coordination of litter emphasizes patrols with the Washington State Patrol.
- Authorizes local governments to initiate and apply to Ecology for reimbursement of litter clean-up activities on state highway ramps located within the jurisdiction of the local government.

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## HOUSE COMMITTEE ON ENVIRONMENT & ENERGY

**Majority Report:** Do pass as amended. Signed by 12 members: Representatives Fitzgibbon, Chair; Duerr, Vice Chair; Dye, Ranking Minority Member; Klicker, Assistant Ranking Minority Member; Abbarno, Berry, Boehnke, Goehner, Harris-Talley, Ramel, Shewmake and Slatter.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.*

**Staff:** Nikkole Hughes (786-7156).

**Background:**

The Waste Reduction, Recycling, and Litter Control Act (Act), dating to 1971, establishes statewide programs to prevent and clean up litter, reduce waste, and increase recycling. The Act also prohibits littering on state and private lands not owned by the litterer. The Act gives police powers to enforce littering restrictions to a variety of government agencies and personnel, including the Department of Ecology (Ecology) and State Parks and Recreation Commission employees, local government agencies with law enforcement capabilities, Washington State Patrol officers, the Department of Fish and Wildlife officers, fire wardens, and forest rangers.

A tax is imposed on businesses whose products, including packaging, wrapping, and containers, are reasonably related to littering. 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 to Ecology from the Waste Reduction, Recycling, and Litter Control Account. Ecology is the coordinating agency between organizations looking to assist in waste reduction, litter control, and recycling, as well as with state agencies, including the Department of Corrections and the Washington State Department of Transportation, and local governments that receive funding for litter control and recycling activities. Ecology employs teenagers through the Ecology Youth Corps to collect litter from highways, parks, and other public areas. Ecology is required to develop criteria for evaluating the effectiveness and efficiency of the participating agencies' litter collection programs.

**Summary of Amended Bill:**

The Department of Ecology (Ecology) must contract with the Washington State Department of Transportation (WSDOT) to schedule litter prevention messaging and coordination of litter emphasis patrols with the Washington State Patrol. Additionally, the WSDOT may coordinate with Ecology to conduct litter pickup during schedule maintenance closures as situations allow.

Local governments may initiate and apply to Ecology for reimbursement of litter clean-up activities on state highway ramps located within the jurisdiction of the local government.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the

bill is passed.

**Staff Summary of Public Testimony:**

(In support) This bill would reimburse local governments for keeping state highway ramps clean. This bill would also encourage greater coordination between state agencies with litter control programs.

(Opposed) The litter problem in Washington is growing across the state, not just on state highways. Grants for waste management are important for local governments. This bill reprioritizes the allocation of those grants away from local governments.

(Other) A preferred approach to solving the problem of litter is to reduce waste at the source. Local governments should have the flexibility to determine which areas have the greatest need.

**Persons Testifying:** (In support) Senator Fortunato, prime sponsor; and Anne McEnerly-Ogle, City of Vancouver.

(Opposed) Paul Jewell, Washington State Association of Counties.

(Other) Heather Trim, Zero Waste Washington.

**Persons Signed In To Testify But Not Testifying:** None.