
HOUSE BILL 1947

State of Washington 52nd Legislature 1991 Regular Session

By Representatives G. Fisher and Sprenkle.

Read first time February 15, 1991. Referred to Committee on Environmental Affairs.

1 AN ACT Relating to recyclable materials; amending RCW 81.77.150;
2 adding a new section to chapter 36.58 RCW; and adding a new section to
3 chapter 35.21 RCW.

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

5 **Sec. 1.** RCW 81.77.150 and 1989 c 431 s 29 are each amended to read
6 as follows:

7 (1) Beginning July 1, 1991, on its own motion, or upon petition by
8 any person, the commission shall determine the competitiveness of a
9 market for the collection of source separated recyclable materials from
10 residences, except for markets served by cities or towns, or under
11 contract with cities, towns, or counties. If the commission finds that
12 the market is effectively competitive it shall award authority to
13 collect such recyclable materials using a competitive bidding process.
14 For purposes of this section "effective competition" means that:

1 (a) Sufficient competition exists to ensure that no single
2 competitor can exercise undue market power in the bidding process; and

3 (b) Use of competitive bidding will result in cost-effective
4 recycling.

5 (2) Authority awarded using competitive bidding shall last no
6 longer than five years.

7 (3) The competitive bidding process shall be ~~((conducted according
8 to commission rules))~~ consistent with RCW 35.21.156. The selection of
9 the winning bid shall be made by the ~~((local government with solid
10 waste planning authority for the market area. The local government may
11 reject all bids. After the local government has selected a winning
12 bidder, that))~~ commission. The winning bidder shall be subject to
13 commission jurisdiction for purposes of enforcing compliance with the
14 terms of the bid. If the commission awards authority using competitive
15 bidding, a local government may not use its option under RCW 81.77.020
16 until the expiration of the authority.

17 The commission shall adopt rules to implement this section no later
18 than October 1, 1990.

19 If the commission approves a program to collect source separated
20 recyclables from residences from July 23, 1989, through June 30, 1991,
21 the approval shall not be for more than three years.

22 ~~((This section expires June 30, 1991.))~~

23 NEW SECTION. Sec. 2. A new section is added to chapter 36.58 RCW
24 to read as follows:

25 The legislative authority of any county providing incentive rates
26 to citizens using residential collection service for recyclable
27 materials, shall also provide for identical incentives to citizens
28 transporting such recyclable materials to a local recycling facility.

1 NEW SECTION. **Sec. 3.** A new section is added to chapter 35.21 RCW
2 to read as follows:

3 Any city or town providing incentive rates to citizens using
4 residential collection service for recyclable materials, shall also
5 provide for identical incentives to citizens transporting such
6 recyclable materials to a local recycling facility.