
HOUSE BILL 1309

State of Washington

63rd Legislature

2013 Regular Session

By Representatives Upthegrove, Short, Magendanz, Nealey, Morris, Walsh, Takko, McCoy, Llias, Springer, Pollet, and Kagi

Read first time 01/23/13. Referred to Committee on Environment.

1 AN ACT Relating to directing state investments of existing litter
2 tax revenues under chapter 82.19 RCW in material waste management
3 efforts without increasing the tax rate; and amending RCW 70.93.020,
4 70.93.180, and 70.93.200.

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

6 **Sec. 1.** RCW 70.93.020 and 1998 c 257 s 2 are each amended to read
7 as follows:

8 (1) The purpose of this chapter is to accomplish litter control,
9 increase waste reduction, and stimulate all components of recycling and
10 composting throughout this state by delegating to the department of
11 ecology the authority to:

12 ~~((1))~~ (a) Conduct a permanent and continuous program to control
13 and remove litter from this state to the maximum practical extent
14 possible;

15 ~~((2))~~ (b) Recover and recycle waste materials related to litter
16 and littering;

17 ~~((3))~~ (c) Foster public and private recycling of recyclable
18 materials and composting of compostable materials;

1 ~~((4))~~ (d) Increase public awareness of the need for waste
2 reduction, recycling, ~~((and))~~ litter control, and composting; ~~((and~~
3 ~~(5))~~ (e) Coordinate the litter collection efforts ~~((and~~
4 ~~expenditure of funds for litter collection))~~ by other agencies
5 identified in this chapter; and

6 (f) Coordinate and expend funds collected under chapter 82.19 RCW
7 with priority given to products identified under RCW 82.19.020 and
8 solely for the purposes of recycling, composting, and litter
9 collection, reduction, and control programs.

10 (2) It is further the intent and purpose of this chapter to: (a)
11 Create jobs for employment of youth in litter cleanup and related
12 activities ~~((and to))~~; (b) stimulate and encourage ~~((small, private))~~
13 recycling ~~((centers))~~; and (c) encourage proper and appropriate
14 composting. This program shall include the compatible goal of recovery
15 of recyclable materials to conserve energy and natural resources
16 wherever practicable. Every other department of state government and
17 all local governmental units and agencies of this state shall cooperate
18 with the department of ecology in the administration and enforcement of
19 this chapter. The intent of this chapter is to add to and to
20 coordinate existing recycling and litter control and removal efforts
21 and not terminate or supplant such efforts.

22 **Sec. 2.** RCW 70.93.180 and 2011 1st sp.s. c 50 s 963 are each
23 amended to read as follows:

24 (1) There is hereby created an account within the state treasury to
25 be known as the ~~((the))~~ waste reduction, recycling, and litter control
26 account~~((the))~~. Moneys in the account may be spent only after
27 appropriation. Expenditures from the waste reduction, recycling, and
28 litter control account shall be used as follows:

29 (a) Fifty percent to the department of ecology, for use by the
30 departments of ecology, natural resources, revenue, transportation, and
31 corrections, and the parks and recreation commission, for use in litter
32 collection programs, to be distributed under RCW 70.93.220. The amount
33 to the department of ecology shall also be used for a central
34 coordination function for litter control efforts statewide~~((the))~~; for
35 the ~~((biennial))~~ litter survey under RCW 70.93.200(8)~~((the and))~~; for
36 statewide public awareness programs under RCW 70.93.200(7); to support
37 employment of youth in litter clean up as intended in RCW 70.93.020;

1 and for litter pick up using other authorized agencies. The amount to
2 the department shall also be used to defray the costs of administering
3 the funding, coordination, and oversight of local government and
4 matching grant programs for waste reduction, litter control, ~~((and))~~
5 recycling, and composting, so that local governments can apply one
6 hundred percent of their funding to achieving program goals. The
7 amount to the department of revenue shall be used to enforce compliance
8 with the litter tax imposed in chapter 82.19 RCW;

9 (b) Twenty percent to the department: (i) For local government
10 funding programs for waste reduction, litter control, ~~((and))~~ recycling
11 activities, and composting activities by cities and counties under RCW
12 70.93.250, to be administered by the department of ecology; and (ii) to
13 create a matching fund competitive grant program to be used by local
14 governments and nonprofit organizations for local or statewide
15 education programs designed to help the public with litter reduction,
16 recycling, and composting of primarily the products taxed under chapter
17 82.19 RCW. Unspent funds from (a) and (c) of this subsection may be
18 applied to the competitive grant program; and

19 (c) Thirty percent to the department of ecology ~~((for waste~~
20 ~~reduction and recycling efforts))~~ to: (i) Implement activities under
21 RCW 70.93.200 for waste reduction, recycling, and composting efforts;
22 (ii) provide technical assistance to local governments for commercial
23 business and residential recycling and composting programs primarily
24 for the products taxed under chapter 82.19 RCW designed to educate
25 citizens about waste and litter reduction, and recyclable and
26 compostable products and programs; and (iii) increase access to
27 composting and recycling programs, particularly for food packaging and
28 plastic bags and appropriate composting techniques.

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

33 (3) Not less than five percent and no more than ten percent of the
34 amount appropriated into the waste reduction, recycling, and litter
35 control account every biennium shall be reserved for capital needs,
36 including the purchase of vehicles for transporting crews and for
37 collecting litter and solid waste. Capital funds shall be distributed
38 among state agencies and local governments according to the same

1 criteria provided in RCW 70.93.220 for the remainder of the funds, so
2 that the most effective waste reduction, litter control, ~~((and))~~
3 recycling, and composting programs receive the most funding. The
4 intent of this subsection is to provide funds for the purchase of
5 equipment that will enable the department to account for the greatest
6 return on investment in terms of reaching a zero litter goal.

7 ~~(4) ((During the 2009-2011 fiscal biennium, the legislature may
8 transfer from the waste reduction, recycling, and litter control
9 account to the state general fund such amounts as reflect the excess
10 fund balance of the account. Additionally, during the 2009-2011 fiscal
11 biennium, subsection (1)(a), (b), and (c) of this section is suspended.~~

12 ~~(5) During the 2011-2013 fiscal biennium, the legislature may
13 transfer from the waste reduction, recycling, and litter control
14 account to the state general fund such amounts as reflect the excess
15 fund balance of the account. Additionally, during the 2011-2013 fiscal
16 biennium, subsection (1)(a), (b), and (c) of this section is
17 suspended.)) Funds from the waste reduction, recycling, and litter
18 control account, collected under chapter 82.19 RCW, must be prioritized
19 for the products identified under RCW 82.19.020 solely for the purposes
20 of recycling, composting, and litter collection, reduction, and control
21 programs.~~

22 **Sec. 3.** RCW 70.93.200 and 1998 c 257 s 8 are each amended to read
23 as follows:

24 ~~((In addition to the foregoing,))~~ The department of ecology shall
25 use the moneys from RCW 70.93.180 of the waste reduction, recycling,
26 and litter control account to:

27 (1) Serve as the coordinating agency between the various industry
28 organizations seeking to aid in the waste reduction, anti-litter,
29 ~~((and))~~ recycling, and composting efforts;

30 (2) Serve as the coordinating and administrating agency for all
31 state agencies and local governments receiving funds for waste
32 reduction, litter control, ~~((and))~~ recycling, and composting under this
33 chapter;

34 (3) Recommend to the governing bodies of all local governments that
35 they adopt ordinances similar to the provisions of this chapter;

36 (4) Cooperate with all local governments to accomplish coordination

1 of local waste reduction, anti-litter, ~~((and))~~ recycling, and
2 composting efforts;

3 (5) Encourage, organize, and coordinate all voluntary local waste
4 reduction, anti-litter, and recycling campaigns seeking to focus the
5 attention of the public on the programs of this state to reduce waste,
6 control and remove litter, and foster recycling and composting;

7 (6) Investigate the availability of, and apply for funds available
8 from any private or public source to be used in the program outlined in
9 this chapter;

10 (7) Develop statewide programs by working with local governments,
11 payers of the waste reduction, recycling, and litter control tax, and
12 industry organizations that are active in waste reduction, anti-litter,
13 ~~((and))~~ recycling, and composting efforts to:

14 (a) Increase public awareness of and participation in recycling and
15 composting; and ~~((to))~~

16 (b) Stimulate and encourage local private recycling and composting
17 centers, public participation in recycling and composting, and research
18 and development in the field of litter control, and recycling, removal,
19 and disposal of litter-related recycling materials, and composting;

20 (8) Conduct a ~~((biennial))~~ statewide litter survey every five years
21 targeted at litter composition, sources, demographics, and geographic
22 trends; and

23 (9) Provide a ~~((biennial))~~ summary of all waste reduction, litter
24 control, ~~((and))~~ recycling, and composting efforts statewide including
25 those of the department of ecology, and other state agencies and local
26 governments funded for such programs under this chapter. ~~((This report~~
27 ~~is due to the legislature in March of even-numbered years.))~~

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