

S

B

5

00

AMENDMENT #1

OFFERED IN THE SENATE:

BY: V. FISCHER

TO: CS

SENATE BILL No. 500 (SA)

HOUSE BILL No. _____

PAGE: 4

LINE: 3

DELETE: ~~JANUARY~~ JULY 1, 1984

INSERT: JANUARY 1, 1985

SB 500 -- Litter bill

I checked with both DEC and Pepsi and got the same answer from both-- neither sees any problem with (b) on page 4 (lines 3-9). The section would require that the degradable plastic rings that have been required since 1981 bear a mark approved by the department. ^{US manufacturers} All distributors are already using rings marked with a little diamond or star, and the bill would simply confirm that in law-- it wouldn't require anything new. There would not be a replay of the situation that occurred with the pull tabs-- which everyone agrees was a problem. To anyone's knowledge, there are no retailers anywhere in the state who now have stocks that include nondegradable rings. (If there is still any question, the department has no problem with amending line 3 to replace "July 1, 1984" with "January 1, 1985".)

FYI-- the degradable rings used are photodegradable, meaning that when exposed to ^{sun}light they become brittle and break into little pieces ^{within 2 years}. This prevents, for example, animals from getting their heads stuck in discarded rings. Rings that are not exposed to sunlight (deep in the woods or underwater) take much longer to degrade.



Alaska State Legislature

Senate Committee on State Affairs

Vic Fischer, Chair • Pouch V
Juneau, Alaska 99811
(907) 465-4954

Official Business

*successful
Bill & chips supported by
ind & comm. envis.*

MEMORANDUM

TO: Senate State Affairs Committee
FROM: Senate State Affairs Committee Staff
RE: SB 500
DATE: March 8, 1984

SB 500 extends the life of the litter program in DEC for three more years. Without this extension, statutory authorization for the program will end on July 1 of this year.

The bill additionally makes clarifying amendments to the program.

DEC has proposed one further amendment to clear up possible confusion in Section 5.

A recent Legislative Budget & Audit Committee audit recommended continuation of the program.

Fiscal information

This bill has a zero fiscal note

Back-up information

Governor's transmittal letter
letter from Commissioner Neve' 2/23/84
position paper Dept. of Environmental /Conserv. 2/27/84
portions of Legislative Audit report 8/29/83

SB 500 (State Affairs CS)

This is a good bill, extending the life of the litter program in DEC for three more years, and making some clarifying amendments. (Without the bill, statutory authority for the program would end July 1.)

The CS differs from the original in just one place. Section 5 (beginning bottom of page 3), relating to the packaging rings that hold six-packs together, was amended at the request of DEC to consolidate and clarify. It was not a substantive change, and it was supported by both the packaging industry and the environmental community.

Attachments:

CS

original bill

committee memo (3-8-84)

fiscal note (0)

gov's transmittal letter

DEC position paper

DEC amendment

portions of LB&A audit report

NL

COMMITTEE REPORT

SENATE

FURTHER:

2/14/84

Date 3/12/84

Mr. President

The Committee on STATE AFFAIRS considered SB 500

reduction of litter and the recovery of materials and energy from litter;
aid.

and (a majority of the committee) (the committee) reports it back with
the following recommendations:

- do pass
- do pass with attached amendment(s)
- replace with/or adopt CS for SB 500 (state affairs)
- new title
- same title and recommends _____
- and attached a "LETTER OF INTENT" NEW FISCAL NOTE
- reports it back without recommendation 2000 per cent 15%
- recommends referral to _____ Committee

MEMBERS SIGNING
DO PASS

[Signature]

[Signature]

[Signature]

MEMBERS HAVING
OTHER RECOMMENDATIONS

[Signature]

Chairman

do pass

Chairman recommendation



Alaska State Legislature

Senate Committee on State Affairs

Vic Fischer, Chair • Pouch V
Juneau, Alaska 99811
(907) 465-4954

Official Business

TESTIFY:

Someone from Dec.
(will explain bill)
someone from At. Environ
Lobby

MEMORANDUM

TO: Senate State Affairs Committee
FROM: Senate State Affairs Committee Staff
RE: SB 500
DATE: March 8, 1984

THIS BILL EXTENDS
THE PROGRAM FOR
REDUCING AND PREVENTING
LITTER IN THE STATE.
(and makes a few changes)
NL thinks the bill should be
MOVED out with a CS
ADDITIONAL amendment outlined
in the letter from D.E.C.

SB 500 extends the life of the litter program in DEC for three more years. Without this extension, statutory authorization for the program will end on July 1 of this year.

The bill additionally makes clarifying amendments to the program.

DEC has proposed one further amendment to clear up possible confusion in Section 5.

A recent Legislative Budget & Audit Committee audit recommended continuation of the program.

Fiscal information

This bill has a zero fiscal note

Back-up information

Governor's transmittal letter
letter from Commissioner Neve' 2/23/84
position paper Dept. of Environmental /Conserv. 2/27/84
portions of Legislative Audit report 8/29/83

STATE OF ALASKA 1984 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Reauthorization _____

FISCAL DETAIL

Bill/Resolution No.: of AS 46.06
Title: Recycling and Reduction
of Litter

Agency Affected: Environmental Conservation
Program Category Affected: Environmental
Quality Management

Sponsor: _____

BRU, Program or Subprogram(s) Affected:

Requestor: D.E.C.

Litter Reduction & Resource Recovery Program

Date of Request: 1/30/84

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
OPERATING						
100 PERSONAL SERVICES		0	0	0		
200 TRAVEL		0	0	0		
300 CONTRACTUAL		0	0	0		
400 SUPPLIES		0	0	0		
500 EQUIPMENT		0	0	0		
600 LAND & STRUCTURES		0	0	0		
700 GRANTS, CLAIMS		0	0	0		
800 MISCELLANEOUS		0	0	0		
TOTAL OPERATING		0	0	0		
CAPITAL		0	0	0		
REVENUE		0	0	0		

FUNDING: (Thousands of Dollars)

CENERAL FUND		0	0	0		
FEDERAL FUNDS		0	0	0		
OTHER		0	0	0		
TOTAL		0	0	0		

POSITIONS:

FULL-TIME		0	0	0		
PART-TIME		0	0	0		
TEMPORARY		0	0	0		

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

NOTE: This is an ongoing program, with a "sunset" date of July 1, 1984.
Funding for this program is included in the Governor's FY'85 budget.

ANALYSIS: Attach a separate page for analysis

Prepared By: Christopher Noah Phone: 465-2600

Division: Commissioner's Office Date: 1/30/84

Approved by Commissioner: Christopher Noah Date: 1/30/84

Agency: Environmental Conservation

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

12/1/83

Fiscal Note

BILL SHEFFIELD
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

February 13, 1984

The Honorable Jalmar Kerttula
Alaska State Senate
Pouch V
Juneau, AK 99811

Dear Senator Kerttula:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill to extend the life of the current Alaska Statutes regarding recycling and reduction of litter, and making other minor amendments to those statutes. The amendments include requirements for degradable beverage packaging material sold in the state (secs. 5 and 8 of the bill).

The Litter Act (AS 46.06.010 -- 46.06.150) expires on July 1, 1984, leaving the state with no framework for an organized statewide program for reducing and ultimately preventing litter, and no state law prohibiting the use of nondegradable beverage packaging.

I believe all Alaskans would benefit by a three-year extension of this law, allowing the vital work of the Department of Environmental Conservation in reducing litter and preserving the unique environment of Alaska to continue. The division of legislative audit recommended extension of the Litter Act in its August 29, 1983 performance report prepared in compliance with sec. 4, ch. 149, SLA 1980.

Sincerely,

A handwritten signature in cursive script that reads "Bill Sheffield".

Bill Sheffield
Governor

Governor's Letter 2/13/84

STATE OF ALASKA

BILL SHEFFIELD, GOVERNOR

ML
VF

DEPT. OF ENVIRONMENTAL CONSERVATION

OFFICE OF THE COMMISSIONER
POUCH O, JUNEAU, ALASKA 99811

Telephone: (907)
Address:

465-2600

February 23, 1984

The Honorable Vic Fischer, Chairman
State Affairs Committee
Alaska State Senate
Pouch V
Juneau, AK 99811

Dear Senator Fischer:

The Department of Environmental Conservation strongly supports enactment of SB 500. I recommend only one amendment to this bill, as follows:

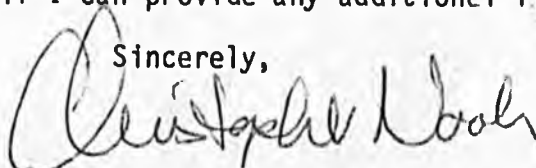
Delete Section 90(c) and 90(d) and amend Section (b) to read:

- (b) Beginning July 1, 1984, a person may not sell or offer to sell in Alaska, beverage containers which are held together by plastic rings or similar plastic devices unless such rings or devices are degradable and bear a distinguishing mark approved by the department. The department may require test data which shows that the plastic rings or similar plastic devices meet or exceed the department's standards of degradability.

The reason for this recommendation is to consolidate these three sections and make the wording clearer. The wording in sections 90(b), (c) and (d) is somewhat confusing, in that different words are used to describe the same thing, i.e., "plastic devices," "plastic beverage packaging," "packaging material," "plastic beverage packaging material." The proposed amendment refers consistently to "plastic rings or similar plastic devices."

The Recycling and Reduction of Litter Act is important to the people of Alaska, as it provides the framework for an organized program to reduce litter, through a wide range of educational activities as well as enforcement provisions. I would greatly appreciate your assistance in seeing that this important bill is expedited through the legislative process. Please let me know if I can provide any additional information.

Sincerely,



For: Richard A. Neve
Commissioner

RAN/SES/ne

Letter from DEC Commissioner

Position Paper

Department of Environmental Conservation

Senate Bill 500

For an Act entitled "An Act relating to the reduction of litter and the recovery of materials and energy from litter; and providing for an effective date".

The Department of Environmental Conservation strongly urges passage of SB 500, reauthorizing the Recycling and Reduction of Litter Act (AS 46.06) which expires on July 1, 1984.


AS 46.06 provides the framework for a statewide program to reduce and ultimately prevent litter. The Act authorizes a wide range of projects to achieve a litter-free environment, including community relations, grants, youth patrols, public awareness, enforcement, litter receptacle requirements, distribution of litter bags, and the recycling of litter. The Act also prohibits littering, uncovered truckloads and nondegradable beverage packaging.

Many Alaskans consider litter to be the state's number one environmental problem. The litter/recycling program has strong support from the public and from industry. It has accomplished a great deal in its first three years. Grants were awarded to 36 organizations; "Spring Clean-ups" were held statewide, with 170 communities participating in 1982. The department distributed nearly 120,000 large litter bags for use in the 1982 cleanups. Also, many types of public awareness activities were undertaken to promote recycling and discourage littering, such as radio and television announcements, school curriculum development, and statewide proclamation of Spring Clean-up Month and Recycling Month. Public participation is a vital aspect of the litter/recycling program, and the program's advisory council provides an excellent forum for the public's concerns to be heard. The Litter Reduction and Resource Recovery Advisory Council, as citizen representatives of varied regions of Alaska, has provided invaluable direction to the program and demonstrated a strong commitment to litter reduction and recycling.

If the act were not reauthorized, the positive program activities described above would end. There would also be no statewide law specifically prohibiting littering, uncovered truckloads and nondegradable beverage packaging. It is probable that litter would increase, adversely affecting Alaskans and tourists alike.

Scientific surveys commissioned by the state indicate that during the three years of the litter/recycling program's existence, there has been an overall decrease in litter of approximately 35%. Additionally, the Division of Legislative Audit recommended continuation of AS 46.06 in their August 29, 1983, performance report. Reenactment of this law will allow the department to continue its vital work in reducing litter and preserving our unique environment, to the benefit of all Alaskan residents and visitors.

SES/ne


for: Richard A. Neve, Commissioner

2/27/84
Date

Position Paper / DEC

NOTE REGARDING THE FOLLOWING FRAME(S) ON MICROFILM:
COMPLETE DOCUMENT IS AVAILABLE IN ORIGINAL FILES.
TITLE PAGE ONLY HAS BEEN FILMED.

A PERFORMANCE REPORT
ON THE
LITTER REDUCTION
AND RESOURCE RECOVERY PROGRAM

August 29, 1983

Audit Control Number

18-1115-83-R

Commissioner, Department of
Environmental Conservation

Richard A. Neve'

Deputy Commissioner, Department of
Environmental Conservation

Vacant

3/8

VIC--

SB 500.

This is DEC-offered amendment t
the DEC ~~offered amendment~~ that is in packets. The industry
(I talked to Pepsi-Cola) supports the bill with the amendment.
(The amendment is clarifying, not substantive, and clears up
confusion.)

Concerns:

1. Fiscal note is 0 because the money for continuing the
program is already in the gov's FY 85 budget. This budget is
being heard in Finance subcommittee this afternoon at the same
time as State Affairs. There is the possibility that the subcommittee
could strike the funding and require it as a fiscal note. I asked
DEC to bring budget info with them in case there are questions.

Question: What level of effort does DEC expect to continue
under bill and requested funding? What would happen if the program
weren't funded? What would happen if it were funded but SB 500
didn't pass?

2. Emphasis seems to be on litter control. What efforts will be
made to continue recycling part of program? Should we include
some specific statutory language to cover recycling? (People at
the Recycling Center in Anchorage are very concerned about the
lack of continuing commitment to recycling.)

NL

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

1 IN THE SENATE

2

SENATE BILL NO. 500

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6

For an Act entitled: "An Act relating to the reduction of litter and the
7 recovery of materials and energy from litter; and
8 providing for an effective date."

9

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

10

* Section 1. AS 46.06.010(9) is amended to read:

11

(9) develop methods for the measurement of litter in the

12

state and encourage competition between municipalities to reduce

13

littering [ESTABLISH WHICH MUNICIPALITY HAS THE LEAST LITTER].

14

* Sec. 2. AS 46.06.050(a) is amended to read:

15

(a) The department shall designate one or more types and sizes

16

of litter receptacles for use in the state. The department shall

17

designate and make available for distribution throughout the state an

18

anti-litter symbol of uniform color and design adopted by the depart-

19

ment. This anti-litter symbol must bear a statement of penalties for

20

littering and must be designed [THE DEPARTMENT SHALL DESIGN THE ANTI-

21

LITTER SYMBOL] so that it may be attached to litter receptacles. To

22

aid public recognition and use of litter receptacles, the department

23

may adopt an anti-litter symbol used in another state. The anti-

24

litter symbol designated [DESIGNED] by the department must be attached

25

to litter receptacles located in the public places of the state by the

26

person or agency responsible for the placement of those receptacles.

27

* Sec. 3. AS 46.06.060 is amended to read:

28

Sec. 46.06.060. LITTER BAGS. The department shall design and

29

have produced a [BIODEGRADABLE] litter bag bearing the state anti-

1 litter symbol and a statement of the penalties for littering in the
2 state. The department shall make litter bags available to the divi-
3 sion of motor vehicles in the Department of Public Safety for this
4 purpose. To the greatest extent practicable, the division of motor
5 vehicles shall distribute one litter bag to each person who applies
6 for registration or reregistration of his motor vehicle and shall
7 not the person of his responsibilities under the law. The depart-
8 ment shall make litter bags available to all vehicle and vessel opera-
9 tors [OWNERS AND PERSONS] entering the state [BY AUTOMOBILE]. The
10 commissioner shall designate distribution points for the broadest
11 possible distribution of litter bags to persons entering the state by
12 vehicle [AUTOMOBILE] or vessel.

13 * Sec. 4. AS 46.06.070(a) is amended to read:

14 (a) The department may [SHALL] establish a youth litter patrol
15 program for the employment of young people on a seasonal basis. The
16 department shall cooperate with federal, state or municipal programs
17 that either employ young people or encourage their employment. The
18 department may contract with other state agencies to provide adminis-
19 tration and other support for the youth litter patrol established by
20 this section.

21 * Sec. 5. AS 46.06.090 is amended to read:

22 Sec. 46.06.090. PROHIBITED BEVERAGE CONTAINERS; PACKAGING RE-
23 QUIREMENTS. (a) Beginning October 1, 1981, a person may not sell or
24 offer to sell a nonglass beverage container which is designed and
25 constructed so that the container is opened by detaching a metal ring
26 or tab. This section does not apply to a beverage container which is
27 opened by a detachable piece of tape, foil, or other soft material.

28 (b) Beginning July 1, 1984 [OCTOBER 1, 1981], a person may not
29 sell or offer to sell beverage containers which are held together by

1 plastic [RINGS OR SIMILAR PLASTIC] devices which are not degradable.

2 (c) Beginning July 1, 1984, all degradable plastic beverage
3 packaging sold or offered for sale in the state must bear a distin-
4 guishing mark approved by the department to distinguish approved
5 degradable packaging material from nondegradable packaging material.

6 (d) Beginning July 1, 1984, a person may not import beverage
7 containers into the state for wholesale distribution unless the person
8 has provided to the department test data which shows that the plastic
9 beverage packaging material used meets or exceeds the department's
10 standards of degradability.

11 (e) A person who violates this section is guilty of a violation.
12 Each sale or offer to sell is a separate offense.

13 * Sec. 6. AS 46.06.150(4) is amended to read:

14 (4) "litter" means all waste material including disposable
15 packages or containers disposed of in a manner prohibited by AS 46.-
16 06.080, but [MATERIALS SUSCEPTIBLE TO BEING DROPPED, DEPOSITED, DIS-
17 CARDED OR OTHERWISE DISPOSED OF UPON PROPERTY IN THE STATE OR IN
18 WATERS UNDER STATE JURISDICTION; "LITTER"] does not include the wastes
19 [WASTE] of the primary processes of mining [OR OTHER EXTRACTION PRO-
20 CESS], logging, sawmilling, farming or manufacturing;

21 * Sec. 7. AS 46.06.150(6) is amended to read:

22 (6) "public place" means public or private property that is
23 used or held out for use by the public, whether owned or operated by
24 public or private interests, including but not limited to highways or
25 other roads upon which vehicles are moved, parks, campgrounds, trailer
26 parks, drive-in and fast food restaurants, gasoline service stations,
27 parking lots for taverns, shopping centers and grocery stores and
28 other parking lots which have a capacity for more than 50 vehicles,
29 marinas, boat launching areas, boat moorage and fueling stations,

1 public and private piers, beaches, bathing areas, school grounds,
2 sporting event sites with seating capacity for more than 200 specta-
3 tors, and business district sidewalks;

4 * Sec. 8. AS 46.06.150 is amended by adding a new paragraph to read:

5 (9) "degradable" means a characteristic of a material that
6 allows the material to be broken down by biological, chemical, photo-
7 chemical, or other physical processes within two years to a particle
8 size and chemical composition that may be assimilated harmlessly and
9 aesthetically into the environment without producing a residue or
10 by-product determined by the department to be hazardous.

11 * Sec. 9. Section 5, ch. 149, SLA 1980 is amended to read:

12 Sec. 5. TERMINATION. This Act terminates July 1, 1987 [1984].

13 * Sec. 10. This Act takes effect July 1, 1984.

Nancy Lord

Alaska Center for the Environment
Anchorage Recycling Center
1306 Chugach Way
Anchorage, Alaska 99503

Jeff Bowen
Jay Nelson
410 6th Ave. Suite 328
Juneau, Alaska 99803

Dear Jay and Jeff,

Feb. 1, 1984

As lobbyist for the environmental community of Alaska I would appreciate if you could address concerns that are facing the Anchorage Recycling Center and the recycling industry in Alaska. There are several issues that affect Alaska's attitude toward the future of recycling in the state. Currently only one bill is directly related to the State's position on recycling. If it is possible in your busy schedule to address these concerns it will assist the future of recycling in Alaska.

In the past the DEC has determined the State's position on recycling through the Litter Reduction and Recycling Program. This program was established by Alaska Statute 4606 in 1980 with a sunset clause for July of this year. As money has declined, the program has been cut from full grant allocation to only a support staff. The staff is now three regional field officers, one Recovery Specialist in Juneau and support from the public information office. With the sunset of Statute 4606, the DEC is currently considering several options. 1) Discontinue the Litter Reduction and Recycling Program, 2) Continue the program as it currently exists, 3) Move the current staff to the Public Information Office. The preferred option is to continue the current program. Placing the program in the Public Information Office will dilute the intent of Statute 4606. Discontinuation of the Litter Reduction and Recycling Program is completely unacceptable to the environmental and recycling community. I would encourage the continuation of the DEC Litter Reduction and Recycling Program so that the State of Alaska has some (if minimum) direction for resource recovery.

An equally important aspect of the continuation of Statute 4606 is the emphasis on recycling. In the past the Litter Reduction and Recycling Program has concentrated it's efforts on litter. There has been attempts to discontinue the recycling aspect of the Statute and devote full efforts on litter. Of course this is totally unacceptable to the Anchorage Recycling Center. The position of Resource Recovery Specialist is an important aspect in setting the State's direction on further recycling efforts. This position should not be removed or cut from the DEC budget no matter what is decided in the Litter Reduction and Recycling Program. Placing recycling with the litter program was a compromise in 1980. To remove the recycling emphasis would be a breach of the original indent of Statute 4606. The ideal would be to concentrate state efforts on recycling as an alternative to the waste management system. A private organizations, as ALPAR, exist combat to the litter. Recycling needs it's own staff and support to achieve state-wide recycling alternatives to the landfill. Any assistance that you may provide in relaying this message to Juneau will be appreciated.

A major concern facing the Anchorage Recycling Center and a threat to the survival of recycling in Alaska is the rate and classification charged for worker's compensation. The rate of the Anchorage Recycling Center has been reclassified, which has resulted in an increase from 4.8% of gross payroll to 16% of gross payroll! It is impossible to survive with such a high cost structure on operations. The rate is established by classifications set by the Alaska Council on Compensation Insurance, an industry service. In Colorado the state has both a state worker's comp. coverage and/or private coverage. My knowledge in the insurance industry is just beginning so I am not sure of the alternatives from a state viewpoint. The Anchorage Recycling Center is currently appealing the classification. If this should fail we may be forced to seek government assistance in new laws or direct grants in order to continue recycling operations in Alaska. This classification will affect both present and potential recycler's in Alaska. If a suitable rate and classification is not agreed upon I feel that the recycling industry will be non-existent in Alaska. Any assistance or information from the state insurance commission or other state agencies would be of great help.

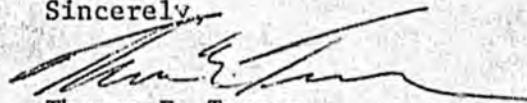
The recycling industry is still very young in Alaska. Without any specific bills pending it is hard to pinpoint the exact request of your time. In the course of your lobbying efforts, please advise me of any bills concerning the following areas that affect recycling.

- 1) Use of recycled materials.
- 2) Bills relating to rate increases or reductions, anything that may affect the cost of shipping materials to Seattle or the Orient.
- 3) Trade arrangements with the Pacific Rim countries.
- 4) Items relating to the landfill or solid waste system.
- 5) Loans or assistance to resource management that may have recycling potential.

I will be able to provide any assistance possible through my position on the Board of Directors for the Alaska Recycler's Association, which is just beginning to develop strategy and organization. If you are in need of support in other areas that concern recycling and environmental concerns please let me know if I can be of assistance. I may be reached at the Anchorage Recycling Center at 562-2435.

Thank you for your time and consideration in helping to conserve Alaska's Resources through recycling.

Sincerely,



Thomas E. Turner
Director, Anch. Recycling Center

Resource Recovery Development Specialist
Stan Osborn
-talking w/Tom