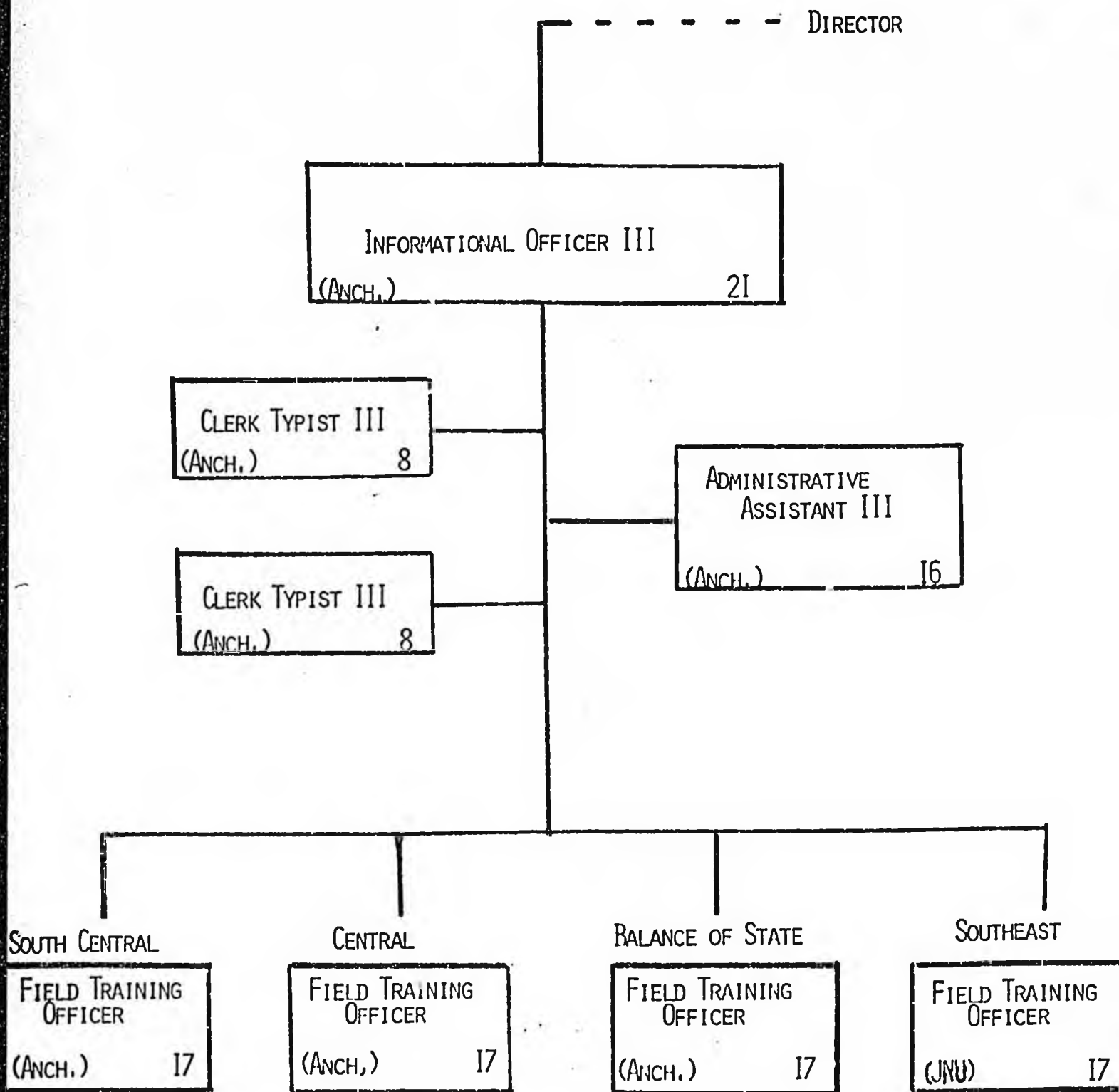


LEG. FINANCE - BILLS 1979 - 1980 1236

SB 2 cont., thru CSSB 2 1236

# STAFF CHART



FUNCTIONAL CHART

----- DIRECTOR



IO III

PROGRAM ADVOCATE  
PROGRAM STAFF REVIEW/SUPERVISION/EVALUATION  
BUDGET PREPARATION  
PROGRAM REVIEW & EVALUATION  
STAFF DEVELOPMENT



(AA-III)  
PURCHASING  
RECYCLING COORDINATION  
MEDIA & TRAINING MATERIALS  
DEVELOPMENT

(2-CIII's) CLERICAL SUPPORT



(4-FTO's)

FIELD OPERATIONS  
GRANT NEGOTIATION & IMPLEMENTATION  
GRANT MONITORING & EVALUATION  
EDUCATION & TECHNICAL ASSISTANCE





# RECORDS CERTIFICATION



I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original records after microfilm reproductions have been made.

James O. Smith  
Signature of Camera Operator

3/20/90  
Date

COMMITTEE REPORT

HOUSE

(11)

5/20/80

FURTHER:

Date: 5/27/80

Mr. Speaker: (Taken from Judiciary 5/19/80)

The Committee on FINANCE has had CSSB 2

"An Act relating to the comprehensive recycling and reduction of litter; and providing for an effective date."

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

- do pass  do not pass
- do pass with attached amendments(s)
- replace with <sup>H</sup>CS for CSSB 2  same title  
 new title
- and recommends w/amendment
- AND attaches a "Letter of Intent"  New Fiscal Note
- reports it back without <sup>individual</sup> recommendation
- referred to the \_\_\_\_\_ Committee

MEMBERS SIGNING  
DO PASS

[Signature]

[Signature]

Montgomery

[Signature]

Rogers Do Pass and bottle bill is better

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

MEMBERS HAVING  
OTHER RECOMMENDATIONS:

Ferguson No Rec

[Signature] No Rec

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Ferguson  
CHAIRMAN

Vice

AMENDMENT

OFFERED IN THE HOUSE:

By: Finance Committee

To: HCS CS HOUSE BILL No. \_\_\_\_\_

SENATE BILL No. 2

PAGE: 6

LINE: 12

After "purpose." delete "The" and insert "To the greatest extent practicable the"

THE LEGISLATURE OF THE STATE OF ALASKA  
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HCS CSSB 2 am  
 Title reduction of litter & recovery of materials & energy from litter.  
 Requested by House Finance Date 5/27/80

II. FISCAL DETAIL

Agency Affected Dept. Environmental Conservation  
 Program Category Affected Solid Waste Management  
 BRU, Program, or Subprogram(s) Affected Environmental Quality Management  
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
MISCELLANEOUS		\$500.0				
TOTAL		\$500.0				

FUNDING (Thousands of Dollars)

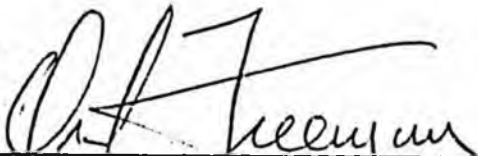
GENERAL FUND		\$500.0				
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

The Department shall submit to the Legislative Budget and Audit Committee their plan for expenditure of the funds.

  
 Oral Freeman, Vice-Chairman  
 House Finance Committee

IV. DATE 5/27/80 PREPARED BY House Finance Committee  
 AGENCY \_\_\_\_\_  
 PHONE \_\_\_\_\_

Original: Legislative Finance  
 cc: Budget and Management  
 Prime Sponsor (First Legislator Named)

Original Sponsors: Colletta, Kerttula,  
Sackett, et al

Offered: 3/27/80  
Referred: Judiciary

1 IN THE SENATE

BY THE STATE AFFAIRS COMMITTEE

2

HOUSE CS FOR CS SENATE BILL NO. 2

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

ELEVENTH 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."

8

9

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

10

\* Section 1. LEGISLATIVE INTENT. (a) It is the intent of the legisla-  
11 ture to encourage the recovery of resources from litter and maintain the  
12 natural environment of the state as nearly litter free as possible so that  
13 our cities, boroughs, rural regions, highways, roads, and recreational areas  
14 can be viewed and enjoyed by both present and future citizens and visitors in  
15 their finest scenic state, unblemished by litter.

16

(b) It is the belief of the legislature that the official encouragement  
17 and stimulation of private and public recovery of materials and energy from  
18 litter through recycling centers and other means, will result in the recovery  
19 and reuse of major quantities of basic materials with accompanying signifi-  
20 cant conservation and savings of energy.

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(c) It is the belief of the legislature that a litter-free environment  
22 is possible through enactment of a strong and well-balanced program of litter  
23 prevention, a program of public awareness designed to make littering an  
24 unacceptable practice in the minds of all citizens and visitors; and a pro-  
25 gram of public education with emphasis on younger people who are the future  
26 of the state.

27

(d) It is the intent of the legislature that appropriations made to  
28 finance the programs created under AS 41.21 enacted in sec. 2 of this Act  
29 should be spent to encourage local solutions for the prevention of littering.

1 \* Sec. 2. AS 41 is amended by adding a new chapter to read:

2 CHAPTER 21. RECYCLING AND REDUCTION OF LITTER.

3 Sec. 41.21.010. POWERS AND DUTIES OF THE DEPARTMENT. The depart-  
4 ment shall

5 (1) serve as the coordinating agency among the various  
6 government and private organizations in the state which are involved in  
7 litter control and reduction and the recovery of energy or materials  
8 from litter;

9 (2) assist local governments in the adoption and amendment of  
10 ordinances relating to litter control and reduction;

11 (3) encourage, organize and coordinate voluntary local in-  
12 formation campaigns which seek to focus the attention of the public on  
13 the reduction of litter and the recovery of materials and energy from  
14 litter;

15 (4) encourage, organize and coordinate voluntary or nonprofit  
16 local programs for the recovery of materials or energy from litter;

17 (5) encourage federal, state and local agencies to aid pro-  
18 grams for the recovery of materials and energy from litter by providing  
19 publicity which encourages those programs and by allowing the use of  
20 publicly owned land, buildings, or equipment for those programs whenever  
21 possible;

22 (6) investigate the availability of, apply for, receive, and  
23 expend grants, loans or other funds available from any source, and, if  
24 it is appropriate and feasible, accept nonmonetary assistance in the  
25 form of services or equipment for use in programs established under this  
26 chapter;

27 (7) determine the types of materials or energy which may be  
28 profitably recovered from litter, and adopt regulations under the Admin-  
29 istrative Procedure Act (AS 44.62) which require the recovery of the

1 materials or energy;

2 (8) adopt other regulations under the Administrative Proce-  
3 dure Act (AS 44.62) necessary to implement this chapter; and

4 (9) develop methods for the measurement of litter in the  
5 state and encourage competition between municipalities to establish  
6 which municipality has the least litter.

7 Sec. 41.21.020. ANNUAL REPORT. Not later than six months after  
8 the end of each fiscal year, the department shall prepare a detailed  
9 report describing and evaluating the actions taken and programs estab-  
10 lished under this chapter for submission to the governor and the  
11 legislature. The report must include

12 (1) the status and results of all grants made under this  
13 chapter;

14 (2) an evaluation of the progress achieved by litter control  
15 and reduction programs; and

16 (3) an evaluation of the resources and energy recovered from  
17 litter in the state.

18 Sec. 41.21.030. ADVISORY COUNCIL. (a) There is created an advi-  
19 sory council to the department, which shall advise the department con-  
20 cerning the litter control and reduction, source separation and other  
21 programs for the recovery of energy and materials from litter under this  
22 chapter. The council may encourage the participation of industry,  
23 labor, municipalities, and the public in the programs administered by  
24 the department.

25 (b) The council consists of seven members appointed by the  
26 governor who are aware of and concerned with achieving the goals of this  
27 chapter. The members serve at the pleasure of the governor.

28 (c) The council shall meet annually, and may meet more frequently  
29 if necessary or desired. The members of the council serve without

1 compensation but are entitled to per diem and travel expenses authorized  
2 by law for boards and commissions.

3 Sec. 41.21.040. PUBLIC AWARENESS; MOTIVATION. The department  
4 shall establish, provide advice concerning, and coordinate programs  
5 designed to

6 (1) encourage the public to recover material and energy from  
7 litter;

8 (2) use existing, and develop new, techniques and programs to  
9 reduce litter and littering;

10 (3) encourage the public not to litter and to engage in  
11 clean-up efforts; and

12 (4) advise the public of the state's anti-litter laws and  
13 regulations and encourage enforcement of those laws and regulations.

14 Sec. 41.21.050. LITTER RECEPTACLES AND ANTI-LITTER SYMBOL. (a)  
15 The department shall designate one or more types and sizes of litter  
16 receptacles for use in the state. The department shall make available  
17 for distribution throughout the state an anti-litter symbol of a uniform  
18 color and design adopted by the department. This anti-litter symbol  
19 must bear a statement of the penalties for littering, and the department  
20 shall design the anti-litter symbol so that it may be attached to litter  
21 receptacles. To aid public recognition and use of litter receptacles,  
22 the department may adopt an anti-litter symbol used in another state.  
23 The anti-litter symbol designed by the department must be attached to  
24 litter receptacles located in the public places of the state by the  
25 person or agency responsible for the placement of those receptacles.

26 (b) Litter receptacles designated for use in the state by the  
27 department shall be placed at public places in the state unless the  
28 public place is specifically exempted by regulations adopted by the com-  
29 missioner under the Administrative Procedure Act (AS 44.62). The number

1 of receptacles required to be placed in each public place shall be  
2 determined by a formula related to the need for those receptacles. The  
3 requirements of this subsection are satisfied by the use of a litter  
4 receptacle which was in use before July 1, 1980, if the anti-litter  
5 symbol of the state is attached to the receptacle.

6 (c) A person owning or operating a privately owned public place at  
7 which litter receptacles are required under (b) of this section shall  
8 place litter receptacles at the public place at his own expense.

9 (d) Compliance with this section requires proper upkeep, mainte-  
10 nance and repair of a litter receptacle sufficient to permit the re-  
11 ceptacle to serve the function for which it was designed and to prevent  
12 the receptacle from becoming unsightly.

13 (e) Responsibility for the placement of litter receptacles at  
14 publicly owned public places and for the removal of litter from those  
15 litter receptacles remains with the municipality or other public agency  
16 performing litter removal. Removal of litter from litter receptacles  
17 placed at privately owned public places remains the responsibility of  
18 the owner or operator of the privately owned public place.

19 (f) A person may not damage, deface, abuse or misuse a litter re-  
20 ceptacle not owned by him so as to interfere with its proper function or  
21 to detract from its appearance.

22 (g) A person may not deposit leaves, clippings, prunings, garden  
23 refuse or household waste materials in a litter receptacle unless he has  
24 the permission of the owner of that receptacle.

25 (h) Except as provided in (i) of this section, a person who vio-  
26 lates the provisions of (b) - (g) of this section is guilty of a viola-  
27 tion and in addition to the punishment imposed by AS 12.55.035(b)(5),  
28 the court may order a person who violates this section to gather and  
29 dispose of litter in an area and for a length of time determined by the

1 . . . . . rt.

2 (i) If a municipality of the state adopts an ordinance which pro-  
3 hibits the same conduct prohibited by (b) - (g) of this section, a  
4 violation of (b) - (g) of this section which occurs in the municipality  
5 is punishable under the provisions of the municipal ordinance if the  
6 punishment imposed under the ordinance is equal to or greater than the  
7 punishment imposed by AS 12.55.035(b)(5).

8 Sec. 41.21.060. LITTER BAGS. The department shall design and have  
9 produced a biodegradable litter bag bearing the state anti-litter symbol  
10 and a statement of the penalties for littering in the state. The  
11 department shall make litter bags available to the division of motor  
12 vehicles in the Department of Public Safety for this purpose. The  
13 division of motor vehicles shall distribute one litter bag to each  
14 person who applies for registration or reregistration of his motor  
15 vehicle and shall notify the person of his responsibilities under the  
16 law. The department shall make litter bags available to all vessel  
17 owners and persons entering the state by automobile. The commissioner  
18 shall designate distribution points for the broadest possible distri-  
19 bution of litter bags to persons entering the state by automobile or  
20 vessel.

21 Sec. 41.21.070. LITTER PATROL. (a) The department shall  
22 establish a youth litter patrol program for the employment of young  
23 people on a seasonal basis. The department shall cooperate with  
24 federal, state or municipal programs that either employ young people or  
25 encourage their employment. The department may contract with other  
26 state agencies to provide administration and other support for the youth  
27 litter patrol established by this section.

28 (b) The department may adopt regulations under the Administrative  
29 Procedure Act (AS 44.62) which are necessary to implement this section.

1           Sec. 41.21.080. LITTERING PROHIBITED. (a) A person may not  
2 throw, drop, deposit, discard or otherwise dispose of litter from a  
3 vehicle or otherwise, on public or private property in the state or in  
4 waters in the state or under state jurisdiction unless

5           (1) the property is designated by a state agency or munici-  
6 pality as a site for the sanitary disposal of garbage or refuse, and the  
7 person is authorized to use the site for that purpose; or

8           (2) litter is placed in a litter receptacle so that the  
9 litter is prevented from being carried away or deposited by the elements  
10 upon public or private property or waters in the state or under state  
11 jurisdiction.

12           (b) A vehicle may not be driven or moved on a public highway or  
13 right-of-way unless it is constructed, loaded or covered to prevent  
14 its load from dropping, sifting, leaking or otherwise escaping from  
15 the vehicle. This subsection does not apply to a vehicle used (1) to  
16 deposit salt or sand to secure traction, (2) by a public agency to  
17 clean or maintain highways, or (3) to transport agricultural, mining or  
18 timber products. A person who operates a vehicle from which an object  
19 has fallen or escaped which obstructs or endangers travel upon a public  
20 highway or right-of-way shall immediately remove the object at his own  
21 expense or pay the cost of removal incurred by the state or by a  
22 person.

23           (c) A person who violates this section is guilty of a class B  
24 misdemeanor, and in addition to the punishment imposed by AS 12.55.035-  
25 (b)(4) and 12.55.135(b), the court may order the person to gather and  
26 dispose of litter in an area and for a length of time determined by the  
27 court.

28           Sec. 41.21.090. PROHIBITED BEVERAGE CONTAINERS. (a) Beginning  
29 October 1, 1981, a person may not sell or offer to sell a non-glass

1 beverage container which is designed and constructed so that the con-  
2 tainer is opened by detaching a metal ring or tab. This section does  
3 not apply to a beverage container which is opened by a detachable piece  
4 of tape, foil, or other soft material.

5 (b) Beginning October 1, 1981, a person may not sell or offer to  
6 sell beverage containers which are held together by plastic rings or  
7 similar plastic devices which are not degradable.

8 (c) A person who violates this section is guilty of a violation.  
9 Each sale or offer to sell is a separate offense.

10 Sec. 41.21.100. NOTICE TO PUBLIC. The penalties imposed for  
11 littering shall be posted along the public highways of the state, at  
12 visitor centers, at entrances to state parks and recreational areas, at  
13 public beaches, and other publicly owned public places the commissioner  
14 determines necessary to accomplish the purposes of this chapter. The  
15 state agency or municipality responsible for litter removal from a  
16 public place shall post the notice required by this section.

17 Sec. 41.21.110. ENFORCEMENT AUTHORITY. (a) The following persons  
18 are authorized to enforce the provisions of this chapter:

19 (1) a state employee authorized by the commissioner; and

20 (2) a peace officer.

21 (b) The department shall prescribe a citation form which shall be  
22 used by all peace officers and persons in the state who are authorized  
23 to enforce the provisions of this chapter.

24 Sec. 41.21.120. GRANTS. The department may make grants to state  
25 agencies, to municipalities, and to private organizations including  
26 nonprofit organizations for the establishment and operation of programs  
27 authorized under this chapter. A grant under this section may not  
28 exceed 18 months. A program qualifying for a grant under this section  
29 may include

- 1 (1) courses of instruction at, or the distribution of infor-  
2 mative materials to, elementary and secondary schools;
- 3 (2) purchase and erection of roadside signs;
- 4 (3) organization and operation of litter removal activities,  
5 conducted by municipalities, private organizations or service groups  
6 using volunteer help;
- 7 (4) a public information program to inform the public con-  
8 cerning the reduction of litter using the media including use of the  
9 electronic media;
- 10 (5) expansion of existing and planning, design and construc-  
11 tion of new facilities for the recovery of materials and energy from  
12 litter;
- 13 (6) research and evaluation of markets for the materials and  
14 energy recovered from litter;
- 15 (7) advice and assistance, including information and con-  
16 sultation on available technology, operating procedures, organizational  
17 arrangements, markets for materials or energy obtained from litter,  
18 transportation alternatives, and publicity techniques;
- 19 (8) surveys by public agencies or recognized research organi-  
20 zations to assess the amount and composition of litter, and rates of  
21 littering;
- 22 (9) the purchase of litter receptacles;
- 23 (10) the creation or expansion of litter law enforcement  
24 programs;
- 25 (11) the initial purchase or lease of recycling equipment, the  
26 cost of operating that equipment, and the cost of storing and transport-  
27 ing materials before and after those materials are recycled.

28 Sec. 41.21.130. CONDITIONS FOR GRANTS. (a) The department shall  
29 adopt regulations under the Administrative Procedure Act (AS 44.62)

1 which establish

2 (1) eligibility requirements for applicants for a grant under  
3 AS 41.21.120;

4 (2) standards for the evaluation of proposals submitted by  
5 applicants for grants under AS 41.21.120; and

6 (3) other conditions for the receipt of a grant under AS 41.-  
7 21.120 which are necessary to achieve the purposes of this chapter.

8 (b) The regulations adopted by the department under (a) of this  
9 section must meet the following criteria:

10 (1) if there is not enough money for grants to all eligible  
11 applicants, the following shall receive priority:

12 (A) a proposed program or project which most efficiently  
13 recovers materials or energy from litter;

14 (B) the proposed program or project which creates the  
15 greatest number of new jobs;

16 (2) the maximum amount for a single grant shall be estab-  
17 lished so that available money is distributed to a variety of programs,

18 (3) a grant may be made for new programs or for improvements  
19 to or additions to existing programs which were not previously financed  
20 by other existing resources of financing.

21 Sec. 41.21.140. FEDERAL REQUIREMENTS. If a federal department o  
22 agency issues a formal ruling that a section of this chapter will pre-  
23 vent the state from receiving federal financial participation in a  
24 program or activity established under this chapter, the section does not  
25 apply to the extent that it causes the program or activity to lose  
26 federal funding.

27 Sec. 41.21.150. DEFINITIONS. In this chapter,

28 (1) "beverage container" means the individual, separate,  
29 sealed glass, metal or plastic bottle, can, jar or carton containing

1 beer or other malt beverages or carbonated soft drinks, in liquid form;

2 (2) "commissioner" means the commissioner of environmental  
3 conservation;

4 (3) "department" means the Department of Environmental Con-  
5 servation;

6 (4) "litter" means all waste materials susceptible to being  
7 dropped, deposited, discarded or otherwise disposed of upon property in  
8 the state or in waters under state jurisdiction; "litter" does not  
9 include the waste of the primary processes of mining or other extraction  
10 process, logging, sawmilling, farming or manufacturing;

11 (5) "litter bag" means a bag, sack or other container made of  
12 any material which is large enough and suitable to serve as a receptacle  
13 for litter inside a vehicle or vessel;

14 (6) "public place" means public or private property that is  
15 used or held out for use by the public, including but not limited to  
16 highways or other roads upon which vehicles are moved, parks, camp-  
17 grounds, trailer parks, drive-in and fast food restaurants, gasoline  
18 service stations, parking lots for taverns, shopping centers and grocery  
19 stores and other parking lots which have a capacity for more than 50  
20 vehicles, marinas, boat launching areas, boat moorage and fueling sta-  
21 tions, public and private piers, beaches, bathing areas, school grounds,  
22 sporting event sites with seating capacity for more than 200 spectators,  
23 and business district sidewalks;

24 (7) "vehicle" means a mechanically driven device of any kind  
25 which is used for the transportation of a person or property on a public  
26 highway, trail or path;

27 (8) "vessel" means all descriptions of watercraft used or  
28 capable of being used as a means of transportation on the water.

29 \* Sec. 3. AS 11.46.488 and AS 19.17.010 are repealed.

1 \* Sec. 4. REVIEW AND EVALUATION. The Legislative Budget and Audit Com-  
2 mittee shall review and evaluate the extent to which the purposes of this Act  
3 have been and are being achieved and the need for the continuation of the  
4 programs and requirements established under this Act. That review and eval-  
5 uation shall be completed at least six months before the date specified in  
6 sec. 5 of this Act.

7 \* Sec. 5. TERMINATION. This Act terminates July 1, 1984.

8 \* Sec. 6. This Act takes effect July 1, 1980.  
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A M E N D M E N T

OFFERED IN THE HOUSE:

BY: Finance Committee

TO: HCS CS HOUSE BILL No. \_\_\_\_\_

SENATE BILL No. 2

PAGE: 6

LINE: 12

After "purpose." delete "The" and insert "To the greatest extent practicable the"

Original Sponsors: Colletta, Kerttula,  
Sackett, et al

Offered: 3/27/80  
Referred: Judiciary

1 IN THE SENATE BY THE STATE AFFAIRS COMMITTEE  
2 HOUSE CS FOR CS SENATE BILL NO. 2  
3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 ELEVENTH 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:

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18 Sec. 41.21.030. ADVISORY COUNCIL. (a) There is created an advi-  
19 sory council to the department, which shall advise the department con-  
20 cerning the litter control and reduction, source separation and other  
21 programs for the recovery of energy and materials from litter under this  
22 chapter. The council may encourage the participation of industry,  
23 labor, municipalities, and the public in the programs administered by  
24 the department.

25 (b) The council consists of seven members appointed by the  
26 governor who are aware of and concerned with achieving the goals of this  
27 chapter. The members serve at the pleasure of the governor.

28 (c) The council shall meet annually, and may meet more frequently  
29 if necessary or desired. The members of the council serve without

1 compensation but are entitled to per diem and travel expenses authorized  
2 by law for boards and commissions.

3 Sec. 41.21.040. PUBLIC AWARENESS; MOTIVATION. The department  
4 shall establish, provide advice concerning, and coordinate programs  
5 designed to

6 (1) encourage the public to recover material and energy from  
7 litter;

8 (2) use existing, and develop new, techniques and programs to  
9 reduce litter and littering;

10 (3) encourage the public not to litter and to engage in  
11 clean-up efforts; and

12 (4) advise the public of the state's anti-litter laws and  
13 regulations and encourage enforcement of those laws and regulations.

14 Sec. 41.21.050. LITTER RECEPTACLES AND ANTI-LITTER SYMBOL. (a)  
15 The department shall designate one or more types and sizes of litter  
16 receptacles for use in the state. The department shall make available  
17 for distribution throughout the state an anti-litter symbol of a uniform  
18 color and design adopted by the department. This anti-litter symbol  
19 must bear a statement of the penalties for littering, and the department  
20 shall design the anti-litter symbol so that it may be attached to litter  
21 receptacles. To aid public recognition and use of litter receptacles,  
22 the department may adopt an anti-litter symbol used in another state.  
23 The anti-litter symbol designed by the department must be attached to  
24 litter receptacles located in the public places of the state by the  
25 person or agency responsible for the placement of those receptacles.

26 (b) Litter receptacles designated for use in the state by the  
27 department shall be placed at public places in the state unless the  
28 public place is specifically exempted by regulations adopted by the com-  
29 missioner under the Administrative Procedure Act (AS 44.62). The number

1 of receptacles required to be placed in each public place shall be  
2 determined by a formula related to the need for those receptacles. The  
3 requirements of this subsection are satisfied by the use of a litter  
4 receptacle which was in use before July 1, 1980, if the anti-litter  
5 symbol of the state is attached to the receptacle.

6 (c) A person owning or operating a privately owned public place at  
7 which litter receptacles are required under (b) of this section shall  
8 place litter receptacles at the public place at his own expense.

9 (d) Compliance with this section requires proper upkeep, mainte-  
10 nance and repair of a litter receptacle sufficient to permit the re-  
11 ceptacle to serve the function for which it was designed and to prevent  
12 the receptacle from becoming unsightly.

13 (e) Responsibility for the placement of litter receptacles at  
14 publicly owned public places and for the removal of litter from those  
15 litter receptacles remains with the municipality or other public agency  
16 performing litter removal. Removal of litter from litter receptacles  
17 placed at privately owned public places remains the responsibility of  
18 the owner or operator of the privately owned public place.

19 (f) A person may not damage, deface, abuse or misuse a litter re-  
20 ceptacle not owned by him so as to interfere with its proper function or  
21 to detract from its appearance.

22 (g) A person may not deposit leaves, clippings, prunings, garden  
23 refuse or household waste materials in a litter receptacle unless he has  
24 the permission of the owner of that receptacle.

25 (h) Except as provided in (i) of this section, a person who vio-  
26 lates the provisions of (b) - (g) of this section is guilty of a viola-  
27 tion and in addition to the punishment imposed by AS 12.55.035(b)(5),  
28 the court may order a person who violates this section to gather and  
29 dispose of litter in an area and for a length of time determined by the

1 court.

2 (i) If a municipality of the state adopts an ordinance which pro-  
3 hibits the same conduct prohibited by (b) - (g) of this section, a  
4 violation of (b) - (g) of this section which occurs in the municipality  
5 is punishable under the provisions of the municipal ordinance if the  
6 punishment imposed under the ordinance is equal to or greater than the  
7 punishment imposed by AS 12.55.035(b)(5).

8 Sec. 41.21.060. LITTER BAGS. The department shall design and have  
9 produced a biodegradable litter bag bearing the state anti-litter symbol  
10 and a statement of the penalties for littering in the state. The  
11 department shall make litter bags available <sup>to the greatest extent</sup> to the division of motor  
12 vehicles in the Department of Public Safety for this purpose. <sup>to the greatest extent practicable</sup> The  
13 division of motor vehicles shall distribute one litter bag to each  
14 person who applies <sup>(in person) MVD rec. av.</sup> for registration or reregistration of his motor  
15 vehicle and shall notify the person of his responsibilities under the  
16 law. The department shall make litter bags available to all vessel  
17 owners and persons entering the state by automobile. The commissioner  
18 shall designate distribution points for the broadest possible distri-  
19 bution of litter bags to persons entering the state by automobile or  
20 vessel.

21 Sec. 41.21.070. LITTER PATROL. (a) The department shall  
22 establish a youth litter patrol program for the employment of young  
23 people on a seasonal basis. The department shall cooperate with  
24 federal, state or municipal programs that either employ young people or  
25 encourage their employment. The department may contract with other  
26 state agencies to provide administration and other support for the youth  
27 litter patrol established by this section.

28 (b) The department may adopt regulations under the Administrative  
29 Procedure Act (AS 44.62) which are necessary to implement this section.

1           Sec. 41.21.080. LITTERING PROHIBITED. (a) A person may not  
2 throw, drop, deposit, discard or otherwise dispose of litter from a  
3 vehicle or otherwise, on public or private property in the state or in  
4 waters in the state or under state jurisdiction unless

5           (1) the property is designated by a state agency or munici-  
6 pality as a site for the sanitary disposal of garbage or refuse, and the  
7 person is authorized to use the site for that purpose; or

8           (2) litter is placed in a litter receptacle so that the  
9 litter is prevented from being carried away or deposited by the elements  
10 upon public or private property or waters in the state or under state  
11 jurisdiction.

12           (b) A vehicle may not be driven or moved on a public highway or  
13 right-of-way unless it is constructed, loaded or covered to prevent  
14 its load from dropping, sifting, leaking or otherwise escaping from  
15 the vehicle. This subsection does not apply to a vehicle used (1) to  
16 deposit salt or sand to secure traction, (2) by a public agency to  
17 clean or maintain highways, or (3) to transport agricultural, mining or  
18 timber products. A person who operates a vehicle from which an object  
19 has fallen or escaped which obstructs or endangers travel upon a public  
20 highway or right-of-way shall immediately remove the object at his own  
21 expense or pay the cost of removal incurred by the state or by a  
22 person.

23           (c) A person who violates this section is guilty of a class B  
24 misdemeanor, and in addition to the punishment imposed by AS 12.55.035-  
25 (b)(4) and 12.55.135(b), the court may order the person to gather and  
26 dispose of litter in an area and for a length of time determined by the  
27 court.

28           Sec. 41.21.090. PROHIBITED BEVERAGE CONTAINERS. (a) Beginning  
29 October 1, 1981, a person may not sell or offer to sell a non-glass

1 beverage container which is designed and constructed so that the con-  
2 tainer is opened by detaching a metal ring or tab. This section does  
3 not apply to a beverage container which is opened by a detachable piece  
4 of tape, foil, or other soft material.

5 (b) Beginning October 1, 1981, a person may not sell or offer to  
6 sell beverage containers which are held together by plastic rings or  
7 similar plastic devices which are not degradable.

8 (c) A person who violates this section is guilty of a violation.  
9 Each sale or offer to sell is a separate offense.

10 Sec. 41.21.100. NOTICE TO PUBLIC. The penalties imposed for  
11 littering shall be posted along the public highways of the state, at  
12 visitor centers, at entrances to state parks and recreational areas, at  
13 public beaches, and other publicly owned public places the commissioner  
14 determines necessary to accomplish the purposes of this chapter. The  
15 state agency or municipality responsible for litter removal from a  
16 public place shall post the notice required by this section.

17 Sec. 41.21.110. ENFORCEMENT AUTHORITY. (a) The following persons  
18 are authorized to enforce the provisions of this chapter:

- 19 (1) a state employee authorized by the commissioner; and  
20 (2) a peace officer.

21 (b) The department shall prescribe a citation form which shall be  
22 used by all peace officers and persons in the state who are authorized  
23 to enforce the provisions of this chapter.

24 Sec. 41.21.120. GRANTS. The department may make grants to state  
25 agencies, to municipalities, and to private organizations including  
26 nonprofit organizations for the establishment and operation of programs  
27 authorized under this chapter. A grant under this section may not  
28 exceed 18 months. A program qualifying for a grant under this section  
29 may include

1 (1) courses of instruction at, or the distribution of infor-  
2 mative materials to, elementary and secondary schools;

3 (2) purchase and erection of roadside signs;

4 (3) organization and operation of litter removal activities  
5 conducted by municipalities, private organizations or service groups  
6 using volunteer help;

7 (4) a public information program to inform the public con-  
8 cerning the reduction of litter using the media including use of the  
9 electronic media;

10 (5) expansion of existing and planning, design and construc-  
11 tion of new facilities for the recovery of materials and energy from  
12 litter;

13 (6) research and evaluation of markets for the materials and  
14 energy recovered from litter;

15 (7) advice and assistance, including information and con-  
16 sultation on available technology, operating procedures, organizational  
17 arrangements, markets for materials or energy obtained from litter,  
18 transportation alternatives, and publicity techniques;

19 (8) surveys by public agencies or recognized research organi-  
20 zations to assess the amount and composition of litter, and rates of  
21 littering;

22 (9) the purchase of litter receptacles;

23 (10) the creation or expansion of litter law enforcement  
24 programs;

25 (11) the initial purchase or lease of recycling equipment, the  
26 cost of operating that equipment, and the cost of storing and transport-  
27 ing materials before and after those materials are recycled.

28 Sec. 41.21.130. CONDITIONS FOR GRANTS. (a) The department shall  
29 adopt regulations under the Administrative Procedure Act (AS 44.62)

1 which establish

2 (1) eligibility requirements for applicants for a grant under  
3 AS 41.21.120;

4 (2) standards for the evaluation of proposals submitted by  
5 applicants for grants under AS 41.21.120; and

6 (3) other conditions for the receipt of a grant under AS 41.-  
7 21.120 which are necessary to achieve the purposes of this chapter.

8 (b) The regulations adopted by the department under (a) of this  
9 section must meet the following criteria:

10 (1) if there is not enough money for grants to all eligible  
11 applicants, the following shall receive priority:

12 (A) a proposed program or project which most efficiently  
13 recovers materials or energy from litter;

14 (B) the proposed program or project which creates the  
15 greatest number of new jobs;

16 (2) the maximum amount for a single grant shall be estab-  
17 lished so that available money is distributed to a variety of programs,

18 (3) a grant may be made for new programs or for improvements  
19 to or additions to existing programs which were not previously financed  
20 by other existing resources of financing.

21 Sec. 41.21.140. FEDERAL REQUIREMENTS. If a federal department or  
22 agency issues a formal ruling that a section of this chapter will pre-  
23 vent the state from receiving federal financial participation in a  
24 program or activity established under this chapter, the section does not  
25 apply to the extent that it causes the program or activity to lose  
26 federal funding.

27 Sec. 41.21.150. DEFINITIONS. In this chapter,

28 (1) "beverage container" means the individual, separate,  
29 sealed glass, metal or plastic bottle, can, jar or carton containing

1 beer or other malt beverages or carbonated soft drinks, in liquid form;

2 (2) "commissioner" means the commissioner of environmental  
3 conservation;

4 (3) "department" means the Department of Environmental Con-  
5 servation;

6 (4) "litter" means all waste materials susceptible to being  
7 dropped, deposited, discarded or otherwise disposed of upon property in  
8 the state or in waters under state jurisdiction; "litter" does not  
9 include the waste of the primary processes of mining or other extraction  
10 process, logging, sawmilling, farming or manufacturing;

11 (5) "litter bag" means a bag, sack or other container made of  
12 any material which is large enough and suitable to serve as a receptacle  
13 for litter inside a vehicle or vessel;

14 (6) "public place" means public or private property that is  
15 used or held out for use by the public, including but not limited to  
16 highways or other roads upon which vehicles are moved, parks, camp-  
17 grounds, trailer parks, drive-in and fast food restaurants, gasoline  
18 service stations, parking lots for taverns, shopping centers and grocery  
19 stores and other parking lots which have a capacity for more than 50  
20 vehicles, marinas, boat launching areas, boat moorage and fueling sta-  
21 tions, public and private piers, beaches, bathing areas, school grounds,  
22 sporting event sites with seating capacity for more than 200 spectators,  
23 and business district sidewalks;

24 (7) "vehicle" means a mechanically driven device of any kind  
25 which is used for the transportation of a person or property on a public  
26 highway, trail or path;

27 (8) "vessel" means all descriptions of watercraft used or  
28 capable of being used as a means of transportation on the water.

29 \* Sec. 3. AS 11.46.488 and AS 19.17.010 are repealed.

1 \* Sec. 4. REVIEW AND EVALUATION. The Legislative Budget and Audit Com-  
2 mittee shall review and evaluate the extent to which the purposes of this Act  
3 have been and are being achieved and the need for the continuation of the  
4 programs and requirements established under this Act. That review and eval-  
5 uation shall be completed at least six months before the date specified in  
6 sec. 5 of this Act.

7 \* Sec. 5. TERMINATION. This Act terminates July 1, 1984.

8 \* Sec. 6. This Act takes effect July 1, 1980.

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# STATE OF ALASKA

DEPT. OF ENVIRONMENTAL CONSERVATION

JAY S. HAMMOND, GOVERNOR

465-2601

POUCH 0 - JUNEAU 99811

May 23, 1980

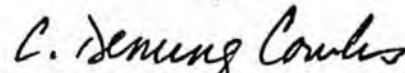
The Honorable Russ Meekins  
Chairman  
House Finance Committee  
Pouch V  
Juneau, Alaska 99811

Dear Representative Meekins:

Enclosed is a packet of information describing the effects of CSSB 2, concerning resource recovery and litter reduction, if it is passed in this year's legislative session. The Department of Environmental Conservation supports passage of this bill, which will do much to reduce unsightly litter throughout the State, and will provide for an effective Statewide resource recovery effort.

The packet includes a one-page summary of the bill's provisions, the Department's testimony on the bill before the House State Affairs Committee earlier this year, and the fiscal note. We believe that most questions on the bill should be included in this information. but we would be more than happy to provide additional information that may be needed, or answer any questions which may come up.

Sincerely,



C. Deming Cowles  
Deputy Commissioner

Enclosure

ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
FACT SHEET ON C.S. B-2  
COMPREHENSIVE RESOURCE RECOVERY AND LITTER REDUCTION

- I. LEGISLATIVE INTENT:
- A. ENCOURAGE RESOURCE RECOVERY, AND MAINTAIN ENVIRONMENT IN LITTER-FREE CONDITION
  - B. DEVELOP A STRONG AND WELL BALANCED PROGRAM OF PUBLIC AWARENESS AND EDUCATION IN LITTER PREVENTION
  - C. ESTABLISH GRANTS TO ENCOURAGE RESOURCE RECOVERY AND LITTER PREVENTION.

II. LITTER REDUCTION PROGRAMS:

- A. COMMUNITY AND PUBLIC INVOLVEMENT - to be emphasized through increased community cleanup campaign efforts and public awareness; includes radio and TV announcements, distribution of information, and grants to communities.
- B. LITTER PATROLS - to be used alongside major roadways to clean up litter, and within communities as requested. Patrols will employ Alaskan youth, and will operate during summer months.
- C. STATEWIDE SYMBOL - or logo, to focus attention on litter reduction and resource recovery. The department will sponsor a contest to aid in selecting a logo appropriate to Alaska.
- D. LITTER RECEPTACLES - to be required and maintained at all public facilities. Will affect both private establishments as well as state and local governments, with matching grants if funds are not otherwise available.
- E. BIODEGRADABLE LITTER BAGS - to be distributed with each annual vehicle registration.
- F. PULL TABS AND PLASTIC RING HOLDERS - to be prohibited after October 1, 1981.

III. RESOURCE RECOVERY PROGRAMS:

- A. ECONOMIC ANALYSIS - economic evaluations and feasibility demonstrations of recovering/recycling materials in Alaska. Will work with industry, communities and organizations to develop resource recovery/recycling throughout the Alaskan economy.
- B. GRANTS - to provide incentives to communities and private organizations for separation, collection and processing of materials for reclaiming.

IV. RESOURCES TO IMPLEMENT BILL: Fiscal note totals \$1,093 and includes:

- A. \$282.0 to establish and run youth litter patrols
- B. \$250.0 for recycling, resource conservation grants
- C. \$200.0 for litter reduction and public awareness grants
- D. \$361.0 to establish and fund 6 positions within the department to carry out the programs under the bill.

ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION

TESTIMONY PRESENTED BEFORE THE  
HOUSE STATE AFFAIRS COMMITTEE  
ON  
CSSB-2 RESOURCE RECOVERY AND LITTER REDUCTION

March 20, 1980

The Department of Environmental Conservation has worked extensively with the sponsors of this bill in an effort to make it effective and responsive to the Alaskan needs. We support the bill, and believe that through its implementation there should be considerable reduction in unsightly litter throughout Alaskan communities and an effective statewide resource recovery effort initiated.

This bill recognizes that state involvement is needed to effectively combat and reduce the large amounts of litter which are all too apparent throughout Alaska. If the bill is passed, the department is prepared to and will initiate the litter reduction efforts which I will be describing more fully in this presentation. Perhaps more important, this bill recognizes the close relationship between a clean environment and resource recovery of those very items which are causing much of the litter in this state. This bill will allow the department to work with communities to actively encourage recycling of these materials, which should not only reduce the volume of solid wastes to be disposed of, but will substantially cut down on the litter which is painfully apparent to us all.

I would like to briefly review the bill and how the department will implement its various requirements. First, litter reduction: The bill heavily emphasizes community and public involvement, providing for

the Department of Natural Resources is being phased out. Because of this action, the department must establish its own administration and procedures to conduct this specialized activity.

The second major part of this bill encourages resource recovery. Not only will this reduce the amount of potential litter but could significantly reduce the amount of solid waste to be disposed of in community landfills. Our interpretation is that the bill would allow for resource recovery of all materials which could potentially become litter. Grants will emphasize small community projects which would provide for source separation, collection, and eventual selling of the materials for reclaiming. Anchorage, for instance, has a community recycling center established, and here in Juneau the Teen Club has for the past year been recycling aluminum cans. This bill and its funding would enable the department to assist efforts such as these, help them become self-sustaining and encourage similar operations in other Alaskan communities.

There are no magical solutions, but encouragement by the state should do much to expand resource recovery throughout Alaska. Not only could we conserve resources and save energy, but it will also go hand-in-hand in reducing litter throughout the state. As is becoming increasingly apparent, our country's resources are becoming scarcer each year, and everything we can do to encourage our state's conservation and recycling of these resources will be beneficial in the years to come.

While the litter reduction and resource recycling are both important concerns, I wish to point out that the programs envisioned by this bill will be expensive. I have attached a detailed fiscal note, which totals

# **CORRECTION**

**THIS DOCUMENT  
HAS BEEN REPHOTOGRAPHED  
TO ASSURE LEGIBILITY**

ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION

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HOUSE STATE AFFAIRS COMMITTEE  
ON  
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I would like to briefly review the bill and how the department will implement its various requirements. First, litter reduction: The bill heavily emphasizes community and public involvement, providing for

grants to carry out cleanup campaigns and public awareness efforts. The department is already actively involved in spring cleanup activities with many Alaskan communities, and through this bill the department's cleanup activities can be greatly expanded to cover more communities for a longer period of time.

The bill also requires the department to establish and distribute a statewide logo for litter receptacles. It prescribes the logo's placement and proper maintenance of litter receptacles in public places. While these requirements place an obligation on communities, state agencies, and private establishments for these receptacles, the bill also provides for grants to be used for the purchase of receptacles should no other funds be available. The State of Washington, which has requirements similar to this bill, found that a similar grant provision was necessary for small communities which did not have the resources to comply with their litter receptacle regulations.

The bill also requires the distribution of litter bags at the time of registering motor vehicles. The Division of Motor Vehicles is to distribute bags every year when license plates are issued or renewed. DEC is to design and provide the bags to the Motor Vehicles Division. The intent of this effort is to develop an anti-litter ethic and a greater sense of pride in a clean environment.

Finally, the bill provides for litter reduction patrols. Youths would be hired on a part-time basis during the summer to clean litter from major roadways. While the department supports this part of the bill, we are disappointed to find that a similar patrol effort operated through

the Department of Natural Resources is being phased out. Because of this action, the department must establish its own administration and procedures to conduct this specialized activity.

The second major part of this bill encourages resource recovery. Not only will this reduce the amount of potential litter but could significantly reduce the amount of solid waste to be disposed of in community landfills. Our interpretation is that the bill would allow for resource recovery of all materials which could potentially become litter. Grants will emphasize small community projects which would provide for source separation, collection, and eventual selling of the materials for reclaiming. Anchorage, for instance, has a community recycling center established, and here in Juneau the Teen Club has for the past year been recycling aluminum cans. This bill and its funding would enable the department to assist efforts such as these, help them become self-sustaining and encourage similar operations in other Alaskan communities.

There are no magical solutions, but encouragement by the state should do much to expand resource recovery throughout Alaska. Not only could we conserve resources and save energy, but it will also go hand-in-hand in reducing litter throughout the state. As is becoming increasingly apparent, our country's resources are becoming scarcer each year, and everything we can do to encourage our state's conservation and recycling of these resources will be beneficial in the years to come.

While the litter reduction and resource recycling are both important concerns, I wish to point out that the programs envisioned by this bill will be expensive. I have attached a detailed fiscal note, which totals

\$1,093,000 for FY-81. This amount is to be funded through the companion bill Senate Bill 237am, which would provide the necessary general funds from a business tax. Of the total amount, fully two-thirds will go to grants for funding litter reduction and resource recovery projects (\$450,000) and youth litter patrol activities (\$282,000). While a reduction in this fiscal note could readily be made through these items - for instance reducing the number of youth litter patrols from the proposed 3 to only 1 would save \$188,000 - we recommend that the full amount be funded to demonstrate the full merit of this bill's provisions.

In reviewing the draft bill, we would like to recommend two modifications. First, it will greatly strengthen our litter enforcement capability by specifically giving the department authority to develop a uniform litter violation citation form. This can be accomplished by adding a subsection (b) to AS 41.21.110 on page 8 to read as follows:

"(b) The department shall prescribe a citation form which shall be used by all law enforcement officers in the state for a violation of this chapter."

The other change is a minor one. The definition of "resource recovery" on page 11 is limited to litter-related materials, which is in conflict with the definition found in the national Resource Conservation and Recovery Act. We suggest that this bill expand the term which is defined to read, "resource recovery from litter", since this legislation is not intended to cover all aspects of resource recovery. This will avoid any possibility of conflict with national legislation, and at the same time will accomplish the purposes of this act.

We thank you for the opportunity to testify on this bill. We look forward to eliminating one of the State's most visible environmental problems. We have every reason to look forward to a cleaner looking state and effective conservation of resources.

THE LEGISLATURE OF THE STATE OF ALASKA  
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. CSSB-2

Title Comprehensive Recycling - and Reduction of Litter

Requested by \_\_\_\_\_ Date \_\_\_\_\_

II. FISCAL DETAIL

Agency Affected Department of Environmental Conservation

Program Category Affected Solid Waste Management

BRU, Program, or Subprogram(s) Affected Environmental Quality Management

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
100 PERSONAL SERVICES	-	349.5	384.0	423.0	465.0	-
200 TRAVEL	-	74.0	81.0	90.0	98.0	-
300 CONTRACTUAL	-	155.5	165.5	182.0	200.0	-
400 COMMODITIES	-	17.0	18.5	20.6	22.6	-
500 EQUIPMENT	-	47.0	49.0	52.0	54.4	-
600 LAND & STRUCTURES	-					-
700 - GRANTS, CLAIMS, ETC.	-	450.0	450.0	450.0	450.0	-
<b>TOTAL</b>	-	1,093.0	1,148.0	1,217.6	1,290.0	

FUNDING (Thousands of Dollars)

GENERAL FUND	-	1,093.0	1,148.0	1,217.6	1,290.0	-
FEDERAL FUNDS	-	-	-	-	-	-
OTHER (Specify Fund Source)	-	-	-	-	-	-

POSITIONS

FULL TIME	-	7	7	7	7	7
PART TIME	-	36	36	36	36	36
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

ASSUMPTIONS: 1. Assumes full bill to be enacted, including litter reduction regulations established and enforced, public information campaigns, resource recovery and litter reduction programs implemented including grants to communities/organizations, 3 litter patrol units activated each year for three months. 10% inflation assumed on personal services, travel and commodities, 5% inflation on all other figures.

IV. DATE March 20, 1980

PREPARED BY [Signature]

AGENCY Department of Environmental Conservation

PHONE 45-2121

Original: Legislative Finance

cc: Budget and Management

Prime Sponsor (First Legislator Named)

Original Sponsors: Colletta, Kerttula,  
Sackett, et al

Offered: 3/27/80  
Referred: Judiciary

1 IN THE SENATE BY THE STATE AFFAIRS COMMITTEE

2 HOUSE CS FOR CS SENATE BILL NO. 2

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH 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. LEGISLATIVE INTENT. (a) It is the intent of the legisla-  
11 ture to encourage the recovery of resources from litter and maintain the  
12 natural environment of the state as nearly litter free as possible so that  
13 our cities, boroughs, rural regions, highways, roads, and recreational areas  
14 can be viewed and enjoyed by both present and future citizens and visitors in  
15 their finest scenic state, unblemished by litter.

16 (b) It is the belief of the legislature that the official encouragement  
17 and stimulation of private and public recovery of materials and energy from  
18 litter through recycling centers and other means, will result in the recovery  
19 and reuse of major quantities of basic materials with accompanying signifi-  
20 cant conservation and savings of energy.

21 (c) It is the belief of the legislature that a litter-free environment  
22 is possible through enactment of a strong and well-balanced program of litter  
23 prevention, a program of public awareness designed to make littering an  
24 unacceptable practice in the minds of all citizens and visitors; and a pro-  
25 gram of public education with emphasis on younger people who are the future  
26 of the state.

27 (d) It is the intent of the legislature that appropriations made to  
28 finance the programs created under AS 41.21 enacted in sec. 2 of this Act  
29 should be spent to encourage local solutions for the prevention of littering.

1 \* Sec. 2. AS 41 is amended by adding a new chapter to read:

2 CHAPTER 21. RECYCLING AND REDUCTION OF LITTER.

3 Sec. 41.21.010. POWERS AND DUTIES OF THE DEPARTMENT. The depart-  
4 ment shall

5 (1) serve as the coordinating agency among the various  
6 government and private organizations in the state which are involved in  
7 litter control and reduction and the recovery of energy or materials  
8 from litter;

9 (2) assist local governments in the adoption and amendment of  
10 ordinances relating to litter control and reduction;

11 (3) encourage, organize and coordinate voluntary local in-  
12 formation campaigns which seek to focus the attention of the public on  
13 the reduction of litter and the recovery of materials and energy from  
14 litter;

15 (4) encourage, organize and coordinate voluntary or nonprofit  
16 local programs for the recovery of materials or energy from litter;

17 (5) encourage federal, state and local agencies to aid pro-  
18 grams for the recovery of materials and energy from litter by providing  
19 publicity which encourages those programs and by allowing the use of  
20 publicly owned land, buildings, or equipment for those programs whenever  
21 possible;

22 (6) investigate the availability of, apply for, receive, and  
23 expend grants, loans or other funds available from any source, and, if  
24 it is appropriate and feasible, accept nonmonetary assistance in the  
25 form of services or equipment for use in programs established under this  
26 chapter;

27 (7) determine the types of materials or energy which may be  
28 profitably recovered from litter, and adopt regulations under the Admin-  
29 istrative Procedure Act (AS 44.62) which require the recovery of the

1 materials or energy;

2 (8) adopt other regulations under the Administrative Proce-  
3 dure Act (AS 44.62) necessary to implement this chapter; and

4 (9) develop methods for the measurement of litter in the  
5 state and encourage competition between municipalities to establish  
6 which municipality has the least litter.

7 Sec. 41.21.020. ANNUAL REPORT. Not later than six months after  
8 the end of each fiscal year, the department shall prepare a detailed  
9 report describing and evaluating the actions taken and programs estab-  
10 lished under this chapter for submission to the governor and the  
11 legislature. The report must include

12 (1) the status and results of all grants made under this  
13 chapter;

14 (2) an evaluation of the progress achieved by litter control  
15 and reduction programs; and

16 (3) an evaluation of the resources and energy recovered from  
17 litter in the state.

18 Sec. 41.21.030. ADVISORY COUNCIL. (a) There is created an advi-  
19 sory council to the department, which shall advise the department con-  
20 cerning the litter control and reduction, source separation and other  
21 programs for the recovery of energy and materials from litter under this  
22 chapter. The council may encourage the participation of industry,  
23 labor, municipalities, and the public in the programs administered by  
24 the department.

25 (b) The council consists of seven members appointed by the  
26 governor who are aware of and concerned with achieving the goals of this  
27 chapter. The members serve at the pleasure of the governor.

28 (c) The council shall meet annually, and may meet more frequently  
29 if necessary or desired. The members of the council serve without

1 compensation but are entitled to per diem and travel expenses authorized  
2 by law for boards and commissions.

3 Sec. 41.21.040. PUBLIC AWARENESS; MOTIVATION. The department  
4 shall establish, provide advice concerning, and coordinate programs  
5 designed to

6 (1) encourage the public to recover material and energy from  
7 litter;

8 (2) use existing, and develop new, techniques and programs to  
9 reduce litter and littering;

10 (3) encourage the public not to litter and to engage in  
11 clean-up efforts; and

12 (4) advise the public of the state's anti-litter laws and  
13 regulations and encourage enforcement of those laws and regulations.

14 Sec. 41.21.050. LITTER RECEPTACLES AND ANTI-LITTER SYMBOL. (a)  
15 The department shall designate one or more types and sizes of litter  
16 receptacles for use in the state. The department shall make available  
17 for distribution throughout the state an anti-litter symbol of a uniform  
18 color and design adopted by the department. This anti-litter symbol  
19 must bear a statement of the penalties for littering, and the department  
20 shall design the anti-litter symbol so that it may be attached to litter  
21 receptacles. To aid public recognition and use of litter receptacles,  
22 the department may adopt an anti-litter symbol used in another state.  
23 The anti-litter symbol designed by the department must be attached to  
24 litter receptacles located in the public places of the state by the  
25 person or agency responsible for the placement of those receptacles.

26 (b) Litter receptacles designated for use in the state by the  
27 department shall be placed at public places in the state unless the  
28 public place is specifically exempted by regulations adopted by the com-  
29 missioner under the Administrative Procedure Act (AS 44.62). The number

1 of receptacles required to be placed in each public place shall be  
2 determined by a formula related to the need for those receptacles. The  
3 requirements of this subsection are satisfied by the use of a litter  
4 receptacle which was in use before July 1, 1980, if the anti-litter  
5 symbol of the state is attached to the receptacle.

6 (c) A person owning or operating a privately owned public place at  
7 which litter receptacles are required under (b) of this section shall  
8 place litter receptacles at the public place at his own expense.

9 (d) Compliance with this section requires proper upkeep, mainte-  
10 nance and repair of a litter receptacle sufficient to permit the re-  
11 ceptacle to serve the function for which it was designed and to prevent  
12 the receptacle from becoming unsightly.

13 (e) Responsibility for the placement of litter receptacles at  
14 publicly owned public places and for the removal of litter from those  
15 litter receptacles remains with the municipality or other public agency  
16 performing litter removal. Removal of litter from litter receptacles  
17 placed at privately owned public places remains the responsibility of  
18 the owner or operator of the privately owned public place.

19 (f) A person may not damage, deface, abuse or misuse a litter re-  
20 ceptacle not owned by him so as to interfere with its proper function or  
21 to detract from its appearance.

22 (g) A person may not deposit leaves, clippings, prunings, garden  
23 refuse or household waste materials in a litter receptacle unless he has  
24 the permission of the owner of that receptacle.

25 (h) Except as provided in (i) of this section, a person who vio-  
26 lates the provisions of (b) - (g) of this section is guilty of a viola-  
27 tion and in addition to the punishment imposed by AS 12.55.035(b)(5),  
28 the court may order a person who violates this section to gather and  
29 dispose of litter in an area and for a length of time determined by the

1 court.

2 (i) If a municipality of the state adopts an ordinance which pro-  
3 hibits the same conduct prohibited by (b) - (g) of this section, a  
4 violation of (b) - (g) of this section which occurs in the municipality  
5 is punishable under the provisions of the municipal ordinance if the  
6 punishment imposed under the ordinance is equal to or greater than the  
7 punishment imposed by AS 12.55.035(b)(5).

8 Sec. 41.21.060. LITTER BAGS. The department shall design and have  
9 produced a biodegradable litter bag bearing the state anti-litter symbol  
10 and a statement of the penalties for littering in the state. The  
11 department shall make litter bags available to the division of motor  
12 vehicles in the Department of Public Safety for this purpose. The  
13 division of motor vehicles shall distribute one litter bag to each  
14 person who applies for registration or reregistration of his motor  
15 vehicle and shall notify the person of his responsibilities under the  
16 law. The department shall make litter bags available to all vessel  
17 owners and persons entering the state by automobile. The commissioner  
18 shall designate distribution points for the broadest possible distri-  
19 bution of litter bags to persons entering the state by automobile or  
20 vessel.

21 Sec. 41.21.070. LITTER PATROL. (a) The department shall  
22 establish a youth litter patrol program for the employment of young  
23 people on a seasonal basis. The department shall cooperate with  
24 federal, state or municipal programs that either employ young people or  
25 encourage their employment. The department may contract with other  
26 state agencies to provide administration and other support for the youth  
27 litter patrol established by this section.

28 (b) The department may adopt regulations under the Administrative  
29 Procedure Act (AS 44.62) which are necessary to implement this section.

1           Sec. 41.21.080. LITTERING PROHIBITED. (a) A person may not  
2 throw, drop, deposit, discard or otherwise dispose of litter from a  
3 vehicle or otherwise, on public or private property in the state or in  
4 waters in the state or under state jurisdiction unless

5           (1) the property is designated by a state agency or munici-  
6 pality as a site for the sanitary disposal of garbage or refuse, and the  
7 person is authorized to use the site for that purpose; or

8           (2) litter is placed in a litter receptacle so that the  
9 litter is prevented from being carried away or deposited by the elements  
10 upon public or private property or waters in the state or under state  
11 jurisdiction.

12           (b) A vehicle may not be driven or moved on a public highway or  
13 right-of-way unless it is constructed, loaded or covered to prevent  
14 its load from dropping, sifting, leaking or otherwise escaping from  
15 the vehicle. This subsection does not apply to a vehicle used (1) to  
16 deposit salt or sand to secure traction, (2) by a public agency to  
17 clean or maintain highways, or (3) to transport agricultural, mining or  
18 timber products. A person who operates a vehicle from which an object  
19 has fallen or escaped which obstructs or endangers travel upon a public  
20 highway or right-of-way shall immediately remove the object at his own  
21 expense or pay the cost of removal incurred by the state or by a  
22 person.

23           (c) A person who violates this section is guilty of a class B  
24 misdemeanor, and in addition to the punishment imposed by AS 12.55.035-  
25 (b)(4) and 12.55.135(b), the court may order the person to gather and  
26 dispose of litter in an area and for a length of time determined by the  
27 court.

28           Sec. 41.21.090. PROHIBITED BEVERAGE CONTAINERS. (a) Beginning  
29 October 1, 1981, a person may not sell or offer to sell a non-glass

1 beverage container which is designed and constructed so that the con-  
2 tainer is opened by detaching a metal ring or tab. This section does  
3 not apply to a beverage container which is opened by a detachable piece  
4 of tape, foil, or other soft material.

5 (b) Beginning October 1, 1981, a person may not sell or offer to  
6 sell beverage containers which are held together by plastic rings or  
7 similar plastic devices which are not degradable.

8 (c) A person who violates this section is guilty of a violation.  
9 Each sale or offer to sell is a separate offense.

10 Sec. 41.21.100. NOTICE TO PUBLIC. The penalties imposed for  
11 littering shall be posted along the public highways of the state, at  
12 visitor centers, at entrances to state parks and recreational areas, at  
13 public beaches, and other publicly owned public places the commissioner  
14 determines necessary to accomplish the purposes of this chapter. The  
15 state agency or municipality responsible for litter removal from a  
16 public place shall post the notice required by this section.

17 Sec. 41.21.110. ENFORCEMENT AUTHORITY. (a) The following persons  
18 are authorized to enforce the provisions of this chapter:

19 (1) a state employee authorized by the commissioner; and

20 (2) a peace officer.

21 (b) The department shall prescribe a citation form which shall be  
22 used by all peace officers and persons in the state who are authorized  
23 to enforce the provisions of this chapter.

24 Sec. 41.21.120. GRANTS. The department may make grants to state  
25 agencies, to municipalities, and to private organizations including  
26 nonprofit organizations for the establishment and operation of programs  
27 authorized under this chapter. A grant under this section may not  
28 exceed 18 months. A program qualifying for a grant under this section  
29 may include

1 (1) courses of instruction at, or the distribution of infor-  
2 mative materials to, elementary and secondary schools;

3 (2) purchase and erection of roadside signs;

4 (3) organization and operation of litter removal activities  
5 conducted by municipalities, private organizations or service groups  
6 using volunteer help;

7 (4) a public information program to inform the public con-  
8 cerning the reduction of litter using the media including use of the  
9 electronic media;

10 (5) expansion of existing and planning, design and construc-  
11 tion of new facilities for the recovery of materials and energy from  
12 litter;

13 (6) research and evaluation of markets for the materials and  
14 energy recovered from litter;

15 (7) advice and assistance, including information and con-  
16 sultation on available technology, operating procedures, organizational  
17 arrangements, markets for materials or energy obtained from litter,  
18 transportation alternatives, and publicity techniques;

19 (8) surveys by public agencies or recognized research organi-  
20 zations to assess the amount and composition of litter, and rates of  
21 littering;

22 (9) the purchase of litter receptacles;

23 (10) the creation or expansion of litter law enforcement  
24 programs;

25 (11) the initial purchase or lease of recycling equipment, the  
26 cost of operating that equipment, and the cost of storing and transport-  
27 ing materials before and after those materials are recycled.

28 Sec. 41.21.130. CONDITIONS FOR GRANTS. (a) The department shall  
29 adopt regulations under the Administrative Procedure Act (AS 44.62)

1 which establish

2 (1) eligibility requirements for applicants for a grant under  
3 AS 41.21.120;

4 (2) standards for the evaluation of proposals submitted by  
5 applicants for grants under AS 41.21.120; and

6 (3) other conditions for the receipt of a grant under AS 41.-  
7 21.120 which are necessary to achieve the purposes of this chapter.

8 (b) The regulations adopted by the department under (a) of this  
9 section must meet the following criteria:

10 (1) if there is not enough money for grants to all eligible  
11 applicants, the following shall receive priority:

12 (A) a proposed program or project which most efficiently  
13 recovers materials or energy from litter;

14 (B) the proposed program or project which creates the  
15 greatest number of new jobs;

16 (2) the maximum amount for a single grant shall be estab-  
17 lished so that available money is distributed to a variety of programs,

18 (3) a grant may be made for new programs or for improvements  
19 to or additions to existing programs which were not previously financed  
20 by other existing resources of financing.

21 Sec. 41.21.140. FEDERAL REQUIREMENTS. If a federal department or  
22 agency issues a formal ruling that a section of this chapter will pre-  
23 vent the state from receiving federal financial participation in a  
24 program or activity established under this chapter, the section does not  
25 apply to the extent that it causes the program or activity to lose  
26 federal funding.

27 Sec. 41.21.150. DEFINITIONS. In this chapter,

28 (1) "beverage container" means the individual, separate,  
29 sealed glass, metal or plastic bottle, can, jar or carton containing

1 beer or other malt beverages or carbonated soft drinks, in liquid form;

2 (2) "commissioner" means the commissioner of environmental  
3 conservation;

4 (3) "department" means the Department of Environmental Con-  
5 servation;

6 (4) "litter" means all waste materials susceptible to being  
7 dropped, deposited, discarded or otherwise disposed of upon property in  
8 the state or in waters under state jurisdiction; "litter" does not  
9 include the waste of the primary processes of mining or other extraction  
10 process, logging, sawmilling, farming or manufacturing;

11 (5) "litter bag" means a bag, sack or other container made of  
12 any material which is large enough and suitable to serve as a receptacle  
13 for litter inside a vehicle or vessel;

14 (6) "public place" means public or private property that is  
15 used or held out for use by the public, including but not limited to  
16 highways or other roads upon which vehicles are moved, parks, camp-  
17 grounds, trailer parks, drive-in and fast food restaurants, gasoline  
18 service stations, parking lots for taverns, shopping centers and grocery  
19 stores and other parking lots which have a capacity for more than 50  
20 vehicles, marinas, boat launching areas, boat moorage and fueling sta-  
21 tions, public and private piers, beaches, bathing areas, school grounds,  
22 sporting event sites with seating capacity for more than 200 spectators,  
23 and business district sidewalks;

24 (7) "vehicle" means a mechanically driven device of any kind  
25 which is used for the transportation of a person or property on a public  
26 highway, trail or path;

27 (8) "vessel" means all descriptions of watercraft used or  
28 capable of being used as a means of transportation on the water.

29 \* Sec. 3. AS 11.46.488 and AS 19.17.010 are repealed.

1 \* Sec. 4. REVIEW AND EVALUATION. The Legislative Budget and Audit Com-  
2 mittee shall review and evaluate the extent to which the purposes of this Act  
3 have been and are being achieved and the need for the continuation of the  
4 programs and requirements established under this Act. That review and eval-  
5 uation shall be completed at least six months before the date specified in  
6 sec. 5 of this Act.

7 \* Sec. 5. TERMINATION. This Act terminates July 1, 1984.

8 \* Sec. 6. This Act takes effect July 1, 1980.

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THE LEGISLATURE OF THE STATE OF ALASKA  
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. CSSB-2  
Title Comprehensive Recycling - and Reducti n of Litter  
Requested by \_\_\_\_\_ Date \_\_\_\_\_

II. FISCAL DETAIL

Agency Affected Department of Environmental Conservation  
Program Category Affected Solid Waste Management  
BRU, Program, or Subprogram(s) Affected Environmental Quality Management  
(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
100 PERSONAL SERVICES		226.1				
200 TRAVEL		64.0				
300 CONTRACTUAL		88.5				
400 COMMODITIES		16.8				
500 EQUIPMENT		46.5				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		441.6				

FUNDING (Thousands of Dollars)

GENERAL FUND		441.6				
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME		3				
PART TIME		36				
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

*162  
in N. L. B. A.*

IV. DATE \_\_\_\_\_ PREPARED BY \_\_\_\_\_  
AGENCY \_\_\_\_\_  
Original: Legislative Finance PHONE \_\_\_\_\_  
Budget and Management  
Prime Sponsor (First Legislator Named)

A. POSITIONS AND RESOURCES FOR ADEC

Personal Services:

(position descriptions attached)

1 resource recovery economist (R20)	43.3
1 litter reduction program supervisor (R18)	37.7
1 public information officer I (R14)	28.1
Total Personal Services	109.1
Travel	10.1
Contractual	37.5
To support positions	7.5
For public information	30.0
Commodities	1.5
Equipment	1.5
	<u>159.5</u>

D. LITTER PATROL (36 part-time positions)

Per Patrol:

11 youths & supervisor	
@ \$1,300/youth/patrol	39.0
Travel	18.0
Contracted	17.0
Commodities	5.0
Equipment	15.0
	<u>94.0</u>

Cost for 3 patrols: 282.0

TOTAL FISCAL FOR CSSB - 2 441.6

LITTER REDUCTION PROGRAM SUPERVISOR Ecologist III Range 18, located in Juneau

Job Description: Under general supervision, develops and oversees the establishment and operation of the statewide litter reduction program; defines program goals and policies; coordinates effective public relations efforts with the Department's Public Information Officer, Advisory Council and regional field officers; develops litter reduction regulations and enforcement policies; establishes litter reduction program progress; develops annual work plans for accomplishing program objectives.

RESOURCE RECOVERY PROGRAM ANALYST Economist II Range 20, located in Juneau

Job Description: Under general supervision, develops and oversees the establishment of a statewide resource recovery program; defines program goals and policies; conducts detailed economic analyses to determine areas where resource recovery from litter-related materials can be accomplished; establishes demonstration projects and programs to show feasibility of resource recovery; evaluates statewide economic potential for resource recovery from litter-related materials; coordinates public relations efforts with the Department's Public Information Officer, Advisory Council and regional field officers on resource recovery matters; develops resource recovery grant policies and procedures; collects and analyzes data to determine resource recovery program effectiveness; writes summary reports on resource recovery; develops annual work-plans for accomplishing resource recovery objectives.

PUBLIC INFORMATION OFFICER Range 14, located in Juneau

Job Description: Under supervision, prepares public information releases, brochures and documents concerning litter reduction and resource recovery; works with communities in organizing public information campaigns for litter cleanup efforts.

36 YOUTH PATROL POSITIONS, Range 9, all part-time, located in Interior Alaska

Job Description: Under direct supervision, conduct litter cleanup activities alongside roadways and within communities.

## POSITION DESCRIPTIONS FOR CSSB-2

3 ECOLOGIST II positions, Range 16, to be located in each of the department's 3 field offices in Fairbanks, Anchorage, and Juneau.

Job Description: Range 16; Assists communities and public organizations in conducting litter cleanup campaigns, investigates and assures compliance with litter and litter receptacle regulations; coordinates state grants to further litter reduction and resource recovery; collects and compiles data to identify litter reduction and resource recovery opportunities within communities; answers complaints and provides public information concerning litter reduction and resource recovery requirements and opportunities.

LITTER REDUCTION PROGRAM SUPERVISOR Ecologist III Range 18, located in Juneau

Job Description: Under general supervision, develops and oversees the establishment and operation of the statewide litter reduction program; defines program goals and policies; coordinates effective public relations efforts with the Department's Public Information Officer, Advisory Council and regional field officers; develops litter reduction regulations and enforcement policies; establishes litter reduction program progress; develops annual work plans for accomplishing program objectives.

RESOURCE RECOVERY PROGRAM ANALYST Economist II Range 20, located in Juneau

Job Description: Under general supervision, develops and oversees the establishment of a statewide resource recovery program; defines program goals and policies; conducts detailed economic analyses to determine areas where resource recovery from litter-related materials can be accomplished; establishes demonstration projects and programs to show feasibility of resource recovery; evaluates statewide economic potential for resource recovery from litter-related materials; coordinates public relations efforts with the Department's Public Information Officer, Advisory Council and regional field officers on resource recovery matters; develops resource recovery grant policies and procedures; collects and analyzes data to determine resource recovery program effectiveness; writes summary reports on resource recovery; develops annual work-plans for accomplishing resource recovery objectives.

PUBLIC INFORMATION OFFICER Range 14, located in Juneau

Job Description: Under supervision, prepares public information releases, brochures and documents concerning litter reduction and resource recovery; works with communities in organizing public information campaigns for litter cleanup efforts.

7; YOUTH PATROL POSITIONS, Range 9, all part-time, located in Interior Alaska

Job Description: Under direct supervision, conduct litter cleanup activities alongside roadways and within communities.

A. POSITIONS AND RESOURCES FOR ADEC

Personal Services:  
(position descriptions attached)

1 resource recovery economist (R20)	43.3
1 litter reduction program supervisor (R18)	37.7
1 public information officer I (R14)	28.1
1 administrative assistant (R12)	25.3
3 field positions (R16)	98.1

Total Personal Services	232.5
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Travel	20.0
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Contractual	104.5
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To support positions	74.5
For public information	30.0

Commodities	2.0
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Equipment	2.0
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<u>SUBTOTAL ADEC EXPENSES</u>	<u>361.0</u>
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B. GRANTS TO LOCAL GOVERNMENT FOR LITTER CONTROL 200.0

Will include supplemental funds to supplement/  
encourage litter cleanup efforts

C. RECYCLING, RESOURCE CONSERVATION GRANTS 250.0

Will include funds to initiate, and demonstration  
grants to show feasibility of, promising recycling  
and resource conservation projects.

D. LITTER PATROL (36 part-time positions)

Per Patrol:

11 youths & supervisor	
@ \$1,300/youth/patrol	39.0
Travel	18.0
Contracted	17.0
Commodities	5.0
Equipment	15.0
	<u>94.0</u>

Cost for 3 patrols:	282.0
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TOTAL FISCAL FOR CSSB-2	1,093.0
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SENATE JOURNAL

The Honorable Clem Tillion  
President of the Senate  
Alaska State Legislature

LETTER OF INTENT ---- SB 2

Senate Bill 2, An Act relating to the comprehensive recycling and reduction of litter, and providing for an effective date, contains two elements; i.e., the program and the financing mechanism. In order to avoid possible constitutional problems involving the single subject rule, the Community and Regional Affairs Committee has developed Committee Substitute for Senate Bill 2, which covers program elements of SB 2. The Community and Regional Affairs Committee has developed a companion bill to cover the financing mechanisms and respectfully requests the introduction of this bill.

SENATE COMMUNITY AND REGIONAL AFFAIRS COMMITTEE

Archie Sturgulowski  
Chairman

\* Companion bill to SB 2 is AB 237

HOUSE CS FOR CS SENATE BILL NO. 2

An Act relating to the reduction of litter....

Department of Public Safety, Division of Motor Vehicles, would like to see an amendment on Page 6, Line 14: insert "in person" after word "applies".

If this amendment is made the fiscal note from Public Safety can be withdrawn.

This recommendation is to eliminate the need to mail out litter bags in those instances in which vehicle registration is done by mail. To have to mail out litter bags would destroy our time-saving automated renewal system.

License tabs are currently mailed out in a computer generated form, not in an envelope. Thus to comply with the bill as written Motor Vehicles would have to switch back to a manual type system, which would be more costly and time consuming, plus decrease efficiency.

For any additional information contact Bill Brown,  
465-4335 - *Public Safety*

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HCS CSSB-2  
 Title An Act relating to reduction of litter  
 Requested by \_\_\_\_\_ Date May 20, 1980

II. FISCAL DETAIL

Agency Affected Public Safety  
 Program Category Affected Public Protection  
 BRU, Program, or Subprogram(s) Affected Driver/Vehicle Services

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
100 PERSONAL SERVICES		19.0	19.0	19.0	19.0	19.0
200 TRAVEL						
300 CONTRACTUAL		25.0	26.3	27.6	28.8	30.0
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
<b>TOTAL</b>		<b>44.0</b>	<b>45.3</b>	<b>46.6</b>	<b>47.8</b>	<b>49.0</b>

FUNDING (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
GENERAL FUND		44.0	45.3	46.6	47.8	49.0
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
FULL TIME		1	1	1	1	1
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

- A. Each set of vehicle license tabs or plates mailed out must be accompanied by a litter bag. This would require conversion of automated mail-out system back to manual system.
- B. 100 - One position, Document Processing Clerk I, to prepare envelopes for mailing. Salary \$15,156; benefits - \$3,789 = \$18,945.  
 300 - Additional postage and larger envelopes. Approximately 100,000 registrations renewed each year by mail. 100,000 x .25 = \$25,000.

Anticipate growth rate of 5% in number of registrations renewed by mail each year.  
 Cost of living increase not included for FY82/83/84/85.

IV. DATE May 20, 1980 PREPARED BY Bill Brown  
 AGENCY Public Safety - Motor Vehicles  
 PHONE 465-4335  
 Original: Legislative Finance  
 cc: Budget and Management  
 Prime Sponsor (First Legislator Named)

THE LEGISLATURE OF THE STATE OF ALASKA  
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. CSSB2 (Revised 3-8-79)

Title An act relating to the comprehensive recycling and reduction of litter...

Requested by Senate C R A Date \_\_\_\_\_

II. FISCAL DETAIL

Agency Affected Community and Regional Affairs

Program Category Affected Development

Budget Request Unit(s) Affected \_\_\_\_\_

EXPENDITURES (Thousands of Dollars)

	FY 79	FY 80	FY 81	FY 82	FY 83	FY 84
100 PERSONAL SERVICES		161.1	271.7	288.0	305.3	
200 TRAVEL		44.0	98.6	104.5	110.7	
300 CONTRACTUAL		54.3	126.0	133.6	141.6	
400 COMMODITIES		1.0	1.7	1.8	1.9	
500 EQUIPMENT		15.1	.5	0	0	
600 LAND & STRUCTURES		0	0	0	0	
700 GRANTS, CLAIMS, ETC.		80.0	175.0	140.0	112.0	
<b>TOTAL</b>		355.5	673.5	667.9	671.5	

FUNDING (Thousands of Dollars)

GENERAL FUND		355.0	673.4	713.3	756.0	
FEDERAL FUNDS						
OTHER (Specify)						

POSITIONS

FULL TIME		8.0	9.0	9.0	9.0	
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

(see attachments)

IV. DATE 3-8-79

PREPARED BY Eric Lee, Director

AGENCY Community and Regional Affairs

PHONE 465-4708

Original: Legislative Finance

cc: Budget and Management

Prime Sponsor (First Legislator Named)

CSSB2 FISCAL NOTE (REVISED 3-8-79)

ASSUMPTIONS:

1. Will function as a program within an existing division
2. Will be located in Anchorage, with field office in Juneau
3. Communities are concerned about implementing comprehensive litter reduction programs and Department staff will act in support of these communities through education and technical assistance. The communities will ultimately have self-sufficient programs.
4. Administrative costs are defined as those costs which do not directly impact program objectives.
5. Annual inflation rate @ 6%
6. It will take six months to gearup for full program operations due to position classifications, media materials development, staff training, drafting regulations, etc. (see program summary)

PROGRAM SUMMARY:

Implementation of this act by the Department will be primarily by staff participation in public education and technical assistance to political subdivisions.

Staff will evaluate other state programs, and make available experiences to properly evaluate and assist program efficiency and effectiveness. Grants will also be available for direct cleanup activities primarily to promote local interest and involvement. After FY'81, the grants will be reduced with the increased self-sufficiency of the communities. Eight (8) staff will be utilized to implement the program. An Information Officer III will supervise the program and act as the program advocate under a Director in an existing Division (see attached organization chart). The clerical support will be provided by (2) Clerk Typist III's. An Administrative Assistant III will accomplish the purchasing of materials and equipment, media and training materials development and to initiate a litter recycling effort. Four (4) field training officers (one for each major region- Southeast, South Central, Central, and Balance of State) will deal directly with communities and organizations and will provide the public education and technical assistance. In FY'81, an additional position will be added to coordinate the recycling effort on a full time basis.

Due to the problems involved in the establishment of a new program, the FY'80 figures reflect a six month period of administrative implementation which will include establishment of positions and implementation of personnel procedures, recruitment and hiring of staff, drafting regulations, development and ordering of materials and equipment, and staff training; it also includes six months of program operation. The Department anticipates the following hiring schedule:

July 1, 1979 - Program Supervisor (Info. Officer) and Clerk Typist

October 1, 1979 - Administrative Assistant and Field Training Officer

January 1, 1980 - Clerk Typist, 3 Field Training Officers

The revised fiscal note reflects this schedule.

It was assumed that the administrative costs were defined as those costs which do not directly impact program objectives. These costs were identified to the personnel services and other related costs of the two clerk typists and 50% of the Information Officer and the costs of travel for the advisory council. The Administrative costs were 20.80% (\$73,950) of the FY'80 total.

CSSB2 FISCAL NOTE (REVISED 3-8-79)

FY'80 BUDGET

	TOTAL	PROGRAM	ADMINISTRATIVE
Personnel Services	161,100	114,200	46,900
TRAVEL			
Staff	36,000	25,000	11,000
Advisory Council	7,950		7,950
	<u>43,950</u>	<u>25,000</u>	<u>18,950</u>
CONTRACTUAL SERVICES			
Communications	10,000	8,700	1,300
Printing & Advertising	500	500	
Space Expense	9,100	6,500	2,600
Copier rental	1,200	1,200	
Word Processing rental	3,000		3,000
Film education materials, etc.	30,000	30,000	
Other	500	500	
	<u>54,300</u>	<u>47,400</u>	<u>6,900</u>
Commodities	1,000	800	200
Equipment	15,100	14,100	1,000
Grants	80,000	80,000	
Total	<u>355,450</u>	<u>281,500</u>	<u>73,950</u>
Distribution (%)	100%	79.2%	20.8%

STAFF CHART

DIRECTOR

INFORMATIONAL OFFICER III  
(ANCH.) 21

CLERK TYPIST III  
(ANCH.) 8

ADMINISTRATIVE ASSISTANT III  
(ANCH.) 16

CLERK TYPIST III  
(ANCH.) 8

SOUTH CENTRAL

CENTRAL

PALANCE OF STATE

SOUTHEAST

FIELD TRAINING OFFICER  
(ANCH.) 17

FIELD TRAINING OFFICER  
(ANCH.) 17

FIELD TRAINING OFFICER  
(ANCH.) 17

FIELD TRAINING OFFICER  
(ANCH.) 17

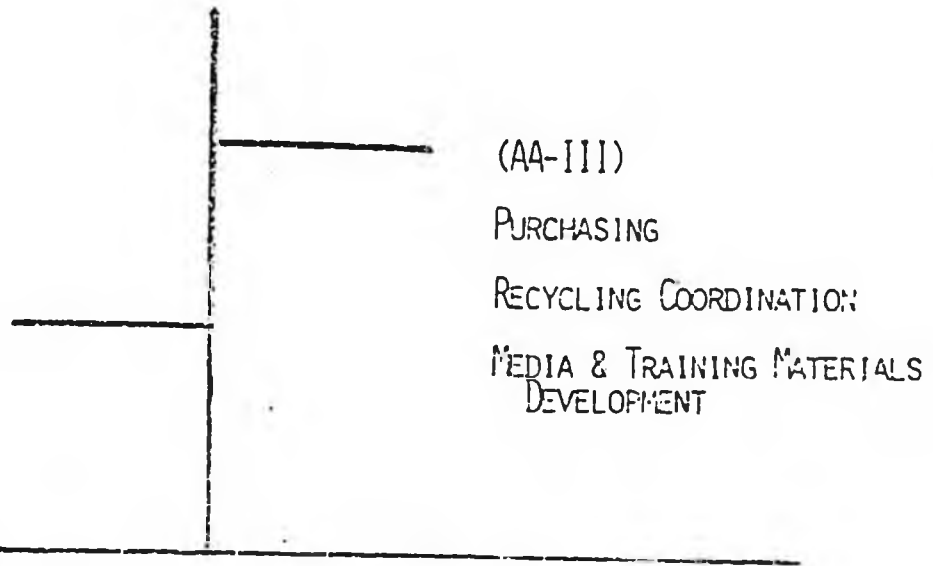
FUNCTIONAL CHART



10 III

PROGRAM ADVOCATE  
PROGRAM STAFF REVIEW/SUPERVISION/EVALUATION  
BUDGET PREPARATION  
PROGRAM REVIEW & EVALUATION  
STAFF DEVELOPMENT

(2-CIII's) CLERICAL SUPPORT



(AA-III)  
PURCHASING  
RECYCLING COORDINATION  
MEDIA & TRAINING MATERIALS  
DEVELOPMENT

(4-FTO's)

FIELD OPERATIONS  
GRANT NEGOTIATION & IMPLEMENTATION  
GRANT MONITORING & EVALUATION  
EDUCATION & TECHNICAL ASSISTANCE

THE LEGISLATURE OF THE STATE OF ALASKA  
ELEVENTH LEGISLATURE

MAR 21 1980

FISCAL NOTE

REQUEST

Bill/Resolution No. CSSB-2

Title Comprehensive Recycling - and Reduction of Litter

Requested by \_\_\_\_\_ Date \_\_\_\_\_

FISCAL DETAIL

Agency Affected Department of Environmental Conservation

Program Category Affected Solid Waste Management

BRU, Program, or Subprogram(s) Affected Environmental Quality Management

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
100 PERSONAL SERVICES	-	349.5	384.0	423.0	465.0	-
200 TRAVEL	-	74.0	81.0	90.0	98.0	-
300 CONTRACTUAL	-	155.5	165.5	182.0	200.0	-
400 COMMODITIES	-	17.0	18.5	20.6	22.6	-
500 EQUIPMENT	-	47.0	49.0	52.0	54.4	-
600 LAND & STRUCTURES	-					-
700 - GRANTS, CLAIMS, ETC.	-	450.0	450.0	450.0	450.0	-
TOTAL	-	1,093.0	1,148.0	1,217.6	1,290.0	

FUNDING (Thousands of Dollars)

GENERAL FUND	-	1,093.0	1,148.0	1,217.6	1,290.0	-
FEDERAL FUNDS	-	-	-	-	-	-
OTHER (Specify Fund Source)	-	-	-	-	-	-

POSITIONS

FULL TIME	-	7	7	7	7	7
PART TIME	-	36	36	36	36	36
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

ASSUMPTIONS: 1. Assumes full bill to be enacted, including litter reduction regulations established and enforced, public information campaigns, resource recovery and litter reduction programs implemented including grants to communities/organizations, 3 litter patrol units activated each year for three months. 10% inflation assumed on personal services, travel and commodities, 5% inflation on all other figures.

IV. DATE March 20, 1980

PREPARED BY Thomas P. Hanna

AGENCY Department of Environmental Conservation

PHONE 45-2121

Original: Legislative Finance

cc: Budget and Management

Prime Sponsor (First Legislator Named)

A. POSITIONS AND RESOURCES FOR ADEC

Personal Services: .  
(position descriptions attached)

1 resource recovery economist (R20)	43.3
1 litter reduction program supervisor (R18)	37.7
1 public information officer I (R14)	28.1
1 administrative assistant (R12)	23.3
3 field positions (R16)	98.1

Total Personal Services 232.5

Travel 20.0

Contractual 104.5

To support positions	74.5
For public information	30.0

Commodities 2.0

Equipment 2.0

SUBTOTAL ADEC EXPENSES 361.0

B. GRANTS TO LOCAL GOVERNMENT FOR LITTER CONTROL 200.0

Will include supplemental funds to supplement/  
encourage litter cleanup efforts

C. RECYCLING, RESOURCE CONSERVATION GRANTS 250.0

Will include funds to initiate, and demonstration  
grants to show feasibility of, promising recycling  
and resource conservation projects.

D. LITTER PATROL (36 part-time positions)

Per Patrol:

11 youths & supervisor	
@ \$1,300/youth/patrol	39.0
Travel	18.0
Contracted	17.0
Commodities	5.0
Equipment	15.0
	<u>94.0</u>

Cost for 3 patrols: 282.0

TOTAL FISCAL FOR CSSB-2 1,093.0

POSITION DESCRIPTIONS FOR CSSB-2

3 ECOLOGIST II positions, Range 16, to be located in each of the department's 3 field offices in Fairbanks, Anchorage, and Juneau.

Job Description: Range 16; Assists communities and public organizations in conducting litter cleanup campaigns, investigates and assures compliance with litter and litter receptacle regulations; coordinates state grants to further litter reduction and resource recovery; collects and compiles data to identify litter reduction and resource recovery opportunities within communities; answers complaints and provides public information concerning litter reduction and resource recovery requirements and opportunities.

LITTER REDUCTION PROGRAM SUPERVISOR Ecologist III Range 18, located in Juneau

Job Description: Under general supervision, develops and oversees the establishment and operation of the statewide litter reduction program; defines program goals and policies; coordinates effective public relations efforts with the Department's Public Information Officer, Advisory Council and regional field officers; develops litter reduction regulations and enforcement policies; establishes litter reduction program progress; develops annual work plans for accomplishing program objectives.

RESOURCE RECOVERY PROGRAM ANALYST Economist II Range 20, located in Juneau

Job Description: Under general supervision, develops and oversees the establishment of a statewide resource recovery program; defines program goals and policies; conducts detailed economic analyses to determine areas where resource recovery from litter-related materials can be accomplished; establishes demonstration projects and programs to show feasibility of resource recovery; evaluates statewide economic potential for resource recovery from litter-related materials; coordinates public relations efforts with the Department's Public Information Officer, Advisory Council and regional field officers on resource recovery matters; develops resource recovery grant policies and procedures; collects and analyzes data to determine resource recovery program effectiveness; writes summary reports on resource recovery; develops annual work-plans for accomplishing resource recovery objectives.

PUBLIC INFORMATION OFFICER Range 14, located in Juneau

Job Description: Under supervision, prepares public information releases, brochures and documents concerning litter reduction and resource recovery; works with communities in organizing public information campaigns for litter cleanup efforts.

36 YOUTH PATROL POSITIONS, Range 9, all part-time, located in Interior Alaska

Job Description: Under direct supervision, conduct litter cleanup activities alongside roadways and within communities.

THE LEGISLATURE OF THE STATE OF ALASKA  
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST  
 Bill/Resolution No. SB 2  
 Title Comprehensive Recycling and Reduction of Litter  
 Requested by Colletta Date 02/05/79

II. FISCAL DETAIL  
 Agency Affected Department of Public Safety  
 Program Category Affected Public Protection  
 Budget Request Unit(s) Affected Driver/Vehicle Services

EXPENDITURES (Thousands of Dollars)

	FY 79	FY 80	FY 81	FY 82	FY 83	FY 84
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL		25.0	26.3	27.6	28.8	30.0
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL						

FUNDING (Thousands of Dollars)

GENERAL FUND		25.0	26.3	27.6	28.8	30.0
FEDERAL FUNDS						
OTHER (Specify)						

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

Approximately 100,000 registrations are renewed each year by mail.

$$100,000 \times .25 = 25,000$$

Beginning in 1981 an anticipated 5% increase in the number of registrations will be renewed by mail each year.

IV. DATE 02/05/79 PREPARED BY Robert J. Stickles  
 AGENCY Public Safety  
 PHONE 465-4330

Original: Legislative Finance  
 cc: Budget and Management  
 Prime Sponsor (First Legislator Named)

RICHARD B. LAUBER

To: Rep. C. Parr:

With the "hutter law"  
in your committee I  
thought you might find  
this press release of  
some interest.

If I can be of  
any help on this bill  
please let me know.

Rick Lauber

SB 2 file

GLASS PACKAGING INSTITUTE, 1800 K Street N.W.  
Washington, D.C. 20006 Phone: 202/872-1280

Bottle Bills Continue To Lose Favor

Washington, D.C.-----A new public opinion survey indicates that mandatory beverage container deposits, "bottle bills," are losing public support as people are realizing that there are better and more efficient ways to deal with litter and solid waste problems.

Proponents of mandatory deposit or "bottle bill" legislation often cite studies indicating tremendous public support for deposit laws. The truth is that these so-called studies never offer the public an alternative to "bottle bills." The results of these studies are always the same, support for a "bottle bill."

However, over the past decade, an alternative to deposits called the litter/recycling law has gained favor in eight states, including California. Litter/recycling laws combine education, enforcement and recycling to attack the total solid waste and litter problem--not just the bottle and can segment. Washington state, for example, has witnessed a 66% reduction in total litter. The state now has a \$90 million recycling industry employing 4,000 people at over 600 recycling locations statewide.

The state of Virginia enacted a litter/recycling law a few years ago. A preliminary study recently released already indicates a 60% reduction in litter in the state.

(more)

Meantime, two counties, both Washington, D.C. suburbs, opted to implement a mandatory deposit law on soft drink containers. In one of those counties, Fairfax, significant economic impact data shows that many consumers have left Fairfax to shop elsewhere, that soft drink prices have increased dramatically and that the County (with a population equal about the size of a major American city such as Syracuse, NY) has lost significant income in tax revenues because of this consumer exodus.

The same thing was also experienced in Michigan, a "bottle bill" state when prices for a six-pack of soft drinks increased 36¢ and a six-pack of beer increased 30¢. Because of the price disparity, Michigan consumers have flocked out of state to buy beverages. This is evidenced by recent Michigan State data showing a \$2 million revenue loss, directly attributable to the "bottle bill."

A little more than a year ago, Cambridge Reports, a major public opinion survey research firm with considerable experience in political issues, was retained to conduct a national survey of consumer attitudes about the "bottle bill." They learned that the majority of voters, 55%, favored litter/recycling laws over the "bottle bill," 31% favored mandatory deposits and 14% remained undecided.

Meantime, the most recent Cambridge survey conducted this February in Fairfax County indicates the trend toward litter/recycling laws continues. The Cambridge survey shows that "two-thirds (63%) of the public believe the Virginia litter/recycling law will do more than the bottle bill to actually help clean up litter and 81% support the litter/recycling law."

(more)

In addition, the Cambridge data shows:

- o 54% believe the "bottle bill" has driven up the cost of soft drinks.
- o 86% believe items like paper, plastic and other items often found in litter make up much more of it than soft drink containers.
- o 81% of those who shop for soft drinks outside Fairfax say they purchase other items as well.
- o 18% said they have cut back on consumption because of the ordinance.

This most recent survey of voter attitudes on the container controversy indicates a strong trend away from forced deposits and toward a more practical, comprehensive approach. No state, through voter initiative, has enacted "bottle bill" legislation since 1976. Several states have implemented litter/recycling laws. Perhaps the time has come to take a fresh look at an old problem. What's needed is a comprehensive solution to a complex environmental problem. The litter/recycling law may indeed be that very solution.

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4/11/80

AB/h

THE LEGISLATURE OF THE STATE OF ALASKA  
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HCS CSSB 2  
 Title An Act relating to reduction of litter  
 Requested by \_\_\_\_\_ Date May 20, 1980

II. FISCAL DETAIL

Agency Affected Public Safety  
 Program Category Affected Public Protection  
 BRU, Program, or Subprogram(s) Affected Driver/Vehicle Services

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
100 PERSONAL SERVICES		19.0	19.0	19.0	19.0	19.0
200 TRAVEL						
300 CONTRACTUAL		25.0	26.3	27.6	28.8	30.0
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
<b>TOTAL</b>		<b>44.0</b>	<b>45.3</b>	<b>46.6</b>	<b>47.8</b>	<b>49.0</b>

FUNDING (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
GENERAL FUND		44.0	45.3	46.6	47.8	49.0
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
FULL TIME		1	1	1	1	1
PART TIME						
TEMPORARY						

III. ANALYSIS (Sec Fiscal Note Preparation Instructions, Section III)

- A. Each set of vehicle license tabs or plates mailed out must be accompanied by a litter bag. This would require conversion of automated mail-out system back to manual system.
- B. 100 - One position, Document Processing Clerk I, to prepare envelopes for mailing. Salary \$15,156; benefits - \$3,789 = \$18,945.  
 300 - Additional postage and larger envelopes. Approximately 100,000 registrations renewed each year by mail. 100,000 x .25 = \$25,000.

Anticipate growth rate of 5% in number of registrations renewed by mail each year.  
 Cost of living increase not included for FY82/83/84/85.

IV. DATE May 20, 1980 PREPARED BY *Bill Brown*  
 AGENCY Public Safety - Motor Vehicles  
 PHONE 465-4335

Original: Legislative Finance  
 cc: Budget and Management  
 Prime Sponsor (First Legislator Named)