

CONFIDENTIAL
LEGISLATIVE BILL REVIEW FORM: 2014

Bill Number: S.208 Name of Bill: AN ACT RELATING TO SOLID WASTE MANAGEMENT

Agency/Dept.: ANR/DEC

Author of Bill Review: Cathy Jamieson

Date of Bill Review: 1/2/2014

Status of Bill (check one):

Upon Introduction As passed by 1st body As passed by both bodies Fiscal

Recommended Position:

Support Oppose Remain Neutral Support with modifications identified in #8 below

Analysis of Bill

1. Summary of bill and issue it addresses. *Describe what the bill is intended to accomplish and why.*

There are four main provisions in this bill:

- (A) modify the beverage container redemption program to eliminate all liquor containers and any beverage container more than 1 liter in size (why: to reduce the containers subject to the redemption program);
- (B) exempt haulers of solid waste to provide curbside services for mandated recyclables if area is delineated in an approved solid waste plan as having alternative services (why: to allow drop off recycling facilities to substitute for curbside pickup of recyclables in certain areas, especially in areas where recyclables are not collected as single stream);
- (C) create a solid waste infrastructure fund and increase the franchise fee an additional \$1 /ton (why: to provide funding for collection and management of recyclables and food scraps);
- (D) require municipalities/districts to report to ANR as to the amounts of various materials collected in their area, ANR compile data received, and ANR report to the legislature (why: to have municipalities provide similar data to ANR).

2. Is there a need for this bill? *Please explain why or why not.* For each of the main provisions as summarized in (1) above: (A) There is no need to modify the beverage container redemption program; ANR recommends implementing the Universal Recycling Law before making modifications to the Bottle Bill. (B) There is no need for the curbside recycling exemption if the convenience of curbside services is being sought. (C) There is a need to create a solid waste infrastructure fund to manage the additional recyclables and food scraps that will be collected as the Universal Recycling Law is implemented. There is no need for a solid waste infrastructure advisory committee because ANR recently had a consultant evaluate infrastructure, indicate gaps, and estimate the costs of needed infrastructure. (D) There is a benefit to require municipalities to report to ANR, as many municipalities would gain better understanding of how solid waste is managed in their area.

3. What are likely to be the fiscal and programmatic implications of this bill for this Department?

The modifications proposed do not support the staffing anticipated for expansion of the program. ANR would be required to administer the solid waste infrastructure assistance fund, compile additional data submitted by municipalities, and review plans that contain curbside hauler exemptions for recyclables. ANR would also have to administer changes to the beverage container redemption program.

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The concept of creating a solid waste infrastructure fund was included in ANR's Nov. 2013 report to the legislature; however, this proposal is inadequate to meet the anticipated costs for infrastructure improvements.

4. **What might be the fiscal and programmatic implications of this bill for other departments in state government, and what is likely to be their perspective on it?** The Department of Liquor Control would no longer be required to manage returned liquor bottles through the redemption program. This would result in a savings to Liquor Control and would likely to be in favor of the proposal.
5. **What might be the fiscal and programmatic implications of this bill for others, and what is likely to be their perspective on it?** *(for example: public, municipalities, organizations, business, regulated entities, etc.)* There would likely be fewer containers recycled, and therefore, more containers disposed with the proposed changes to the Bottle Bill, which is in conflict with the goals of the Universal Recycling Law.

The franchise fee increase and fund transfer proposal are inadequate to support the estimated demand for infrastructure improvements.

6. Other Stakeholders:

6.1 Who else is likely to support the proposal and why?

Beverage distributors because there would be fewer containers in the container redemption program (especially for liquor and large soda containers); redemption centers, who would have less revenue; certain solid waste haulers who would not have to provide collection of recyclables in certain areas; and solid waste districts who want to see more consistent data collected statewide.

6.2 Who else is likely to oppose the proposal and why?

Environmental groups who would not be in favor of decreasing the types of containers in the beverage container redemption program; certain solid waste haulers who may want more consistent curbside collection of recyclables; and municipalities who may find reporting of solid waste data challenging.

7. **Rationale for recommendation:** *Justify recommendation stated above.* There is a strong need for a fund for additional solid waste infrastructure to fully implement the Universal Recycling Law.

8. **Specific modifications that would be needed to recommend support of this bill:** *Not meant to rewrite bill, but rather, an opportunity to identify simple modifications that would change recommended position.*

Delete the provisions that modify the Bottle Bill and the exemption for curbside collection of recyclables.

Change the franchise fee proposal to \$12 /ton, as recommended by ANR in a the Nov 2013 report to the legislature; the increased revenues are needed to better meet the demand of infrastructure to implement the Universal Recycling Law.

Eliminate the transfer of 10% of the fund, as this is insufficient and the funds are needed before 2021.

Establish the increase in the franchise fee be used for the infrastructure fund, effective July 2014.

Eliminate the solid waste infrastructure advisory committee because it is unnecessary - ANR had a consultant conduct a review of the infrastructure, and the program regularly meets with the stakeholders to get feedback on program initiatives.

Commissioner has reviewed this document:

DJK

Date:

1/9/14

Secretary has reviewed this document:

D. M. J.

Date:

1-13-14