

KCC Alert



Kentucky Conservation Committee, P.O. Box 1152, Frankfort, KY 40602

502-875-0909

Senate Bill 14 Threatens Air Quality

This bill would force Jefferson County to exempt motorcycles from the Vehicle Emissions Testing program. The bill is poorly drafted and is potentially much broader in scope. The bill is the first step by the state legislature to limit local air pollution program, when the law has previously expressly allowed local programs to go beyond the state minimum.

Motorcycles fail the liberal standards of the VET program frequently. Of 3,398 motorcycles tested in 1998, 400 initially failed. While the Air Pollution District

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Key Committee Assignments

Senate Agriculture and Natural Resources

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Senate State and Local Government

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House Appropriations and Revenue

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House Natural Resources and Environment

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KCC To Do List:

- Call your county clerk's office, department of voter registration. Find out who your State Senator and State Representative are.
- Call your State Senator. Ask him/her to oppose Senate Bill 14.
- Also, ask your Senator to support Senate Bill 37 – the extension of the hazardous waste cleanup.
- Call your state representative. Ask him/her to support HB 1, (container recycling). Have your friends and relatives call too.
- Do a "message in a bottle" project with a school, church, or scouting group (see article).
- Come lobby with Wade and Dick. Call the KCC number to arrange.

The Battle Over Container Deposits Begins

House Bill 1, Greg Stumbo's visionary anti-litter bill had its first hearing before the House Appropriations and Revenue Committee on Jan. 18. Representative Greg Stumbo did an excellent job explaining the bill.

The Bill has three components: 1) a requirement that each county implement a garbage collection system providing collection for all residents, 2) a refundable deposit on soft drinks and alcoholic beverages, and 3) an advanced disposal fee that would be levied against disposable packaging.

A range of special interests that profit from the current, one-way, disposable container system are lobbying against the bill. They include the bottlers, Coca-Cola, distributors, and some grocers. They have generated petitions that misrepresent the proposed law as a "tax". The bill is supported by the conservation community, the Kentucky Farm Bureau, solid waste coordinators, and some county officials.

The House Appropriations and Revenue Committee will hear testimony on the bill Jan. 25, Feb. 1, and Feb. 8. Sen. Moberly has promised an opportunity to anyone who wants to testify. The committee could vote as early as Feb. 8. If it passes, the bill will be sent to the House floor for a vote. Then it's on to the Senate.

This fight can be won only with grass roots pressure. Call your state senator and representative. Also call all the members of the House Appropriations and Revenue Committee, listed in the side panel. (Also See "Message in a Bottle", pg. 2).

Details

House Bill 1 creates a 5 or 10 cent deposit on "beverage containers" including beer, carbonated soft drinks, water, wine, fruit juices in less than 24 ounce-containers or packaged in less than threes, sports drinks and coffee and tea drinks. The bill excludes infant formula, milk, household cleaners, and fruit/vegetable drinks packaged in more than 3 or in 24 oz. or greater containers. The deposit is not placed on refillable containers.

For containers of 4-20 ounces, the deposit is 5 cents; 10 cents for 20 ounces to 1 gallon in size, and is paid by the consumer at the time of purchase. It is not part of the taxable price. The deposit is refunded to the consumer at a redemption center. Each county is required to ensure that there is at least one redemption center. Counties may establish their own centers, designate or contract with private or regional centers, or designate the state Cabinet to run the center. The containers would bear a Kentucky stamp and redemption centers can limit the

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number of containers they redeem from one person in order to minimize fraud.

Distributors pay to the "Container Recycling Authority" the minimum refund value for all containers sold or transferred to dealers or consumers. The distributors are also required to pay an advance disposal fee of .0025 cents (a mere 1/4 of one cent) per fast food beverage cup or fast food packaging sold to a fast-food retail establishment. The money received will go into the "Kentuckians Against Trash Fund," which will reimburse the redemption centers for what they've paid out plus a 2 cent handling fee for each container, adjusted for aluminum. The advance disposal fees, fees from sales of the recyclable material sold by the state, and from fines, are apportioned by percentage to handling fees for redemption centers, administrative costs, the "adopt-a-highway program," public service announcements, illegal dump and roadside cleanup, and to county solid waste programs.

Fighting the Misinformation Campaign

- Nutritional food items such as infant formula and milk are exempt.
- The deposits are not a tax, they are fully refundable.
- The disposal, recycling and litter cleanup of no-return containers represent a hidden cost to local government.
- The bill allows but does not require the retailers to be redemption centers. If they become redemption centers, they are paid a handling fee for doing so.
- The specter of bottles and cans piled at local businesses, attracting vermin and bugs, is absurd. Redemption centers in deposit states do not suffer from these problems.
- Modern "reverse vending machines" allow individuals to return cans and bottles for deposits, which are then spent at these retail businesses.
- There is no evidence that container deposit systems hurt retail sales or result in price increases.
- Deposit legislation won't hurt border sales. Because Kentucky doesn't impose a sales tax on many food goods and neighboring states do, a deposit is unlikely to cause any shift in purchases of Kentucky groceries across state lines.
- Material recovery is greatest with a combination of deposit and curbside programs.
- Communities with curbside systems can become redemption centers and increase revenues.
- No state with a bottle bill has ever repealed it, despite industry efforts to do so.
- In those states with bottle bills, surveys show that the public overwhelmingly supports the law.
- In Kentucky, a UK survey in the Fall of 1998 showed 74% supported a deposit on containers, and only 23% opposed it.
- Bottle Bills create jobs, both skilled and unskilled: 1200 in Iowa, 1800 in Massachusetts, 4,684 in Michigan, 3,800 in New York, over 400 in Vermont and 1,500 estimated new jobs for Kentuckians.
- Data from the Solid Waste Coordinators of Kentucky show that 54% of rural road litter and 43% of urban road litter are bottles and cans.

-- Analysis courtesy of Tom FitzGerald

Message in a Bottle

Want an attention grabbing device to make your point about the container deposit legislation? You can send a soft drink bottle through the mail. Here's how:

1. Get a used plastic soft drink bottle with screw-on lid (20 oz size works best) and wash it out.
2. Write a note to your legislator on an 8.5 x 11 sheet of paper.
3. Roll the paper up real tight and insert it through the top of the bottle. It will protrude about ¼ inch, but that is ok.
4. Screw the lid on securely.
5. Remove the glued on label and place your own address label on the bottle addressed to
Your Legislator
Capitol Annex
Frankfort, KY 40601
6. Put 55 cents of postage on the bottle.
7. Drop it in a letter box.
8. Teach someone else how to do it. Teach whole groups. Flood the Capitol with soft drink bottles.

Air quality, cont from pg 1

claims 60 pounds per summer day of reductions towards our plan to reduce ozone-forming emissions in Jefferson County, testing motorcycles actually removes between 205 and 885 pounds of such emissions each summer day from the air in Jefferson County.

In addition to representing a direct threat to the health of Jefferson Countians, the bill threatens the economic growth of the county. The bill shifts the burden of pollution reductions to 600,000 people in order to cater to 3300 motorcycle users.

The Senate Agriculture and Natural Resources Committee passed the bill without dissenting vote. **Please call your Senator before Tuesday and ask him or her to vote against Senate Bill 14.**

Legislative Information On the Internet

The Bill summaries, status, the full text of all filed bills, the legislative calendar, the orders of the day, legislators' email addresses, and more (updated daily) are available on the Legislative Research Commission's Web Site. <http://www.lrc.state.ky.us/home.htm>

Important Legislative Phone Numbers

Legislator Message Line: 1-800-372-7181
To talk to a legislator: 1-502-564-8100
Bill Status Line: 1-800-776-9158
Committee Calendar Line: 1-800-633-9650

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2000 KCC Lobbyists

Wade Helm, 502-568-1541

Dick Shore, 888-44J-MUIR

Bill Summaries and KCC Position

Bill No.	Position	Sponsor	Summary	Status
HB 1	Strongly Support	G. Stumbo	Container deposits, universal garbage collection	House Approp & Revenue
HB 2	Monitor	J. Vincent	Prohibits buying of petition signatures	Senate State & Local Gov.
HB 16	Oppose	J. Adams	Allows Area Devp Dist reps to be other than elected officials or staff	Senate State & Local Gov.
HB 32	Oppose	B. Yonts	Excuses logging from highway load limits	House Judiciary
HB 96	Monitor	G. Stumbo	Set up Tobacco Settlement Trust Fund for Phase 2 \$\$	Senate Ag and Nat Resource
HB 99	Monitor	G. Stumbo	Create Inspector General to enforce all environmental regs	Senate Ag and Nat Resource
HB 150	Oppose	J. Adams	Gives large power to Area Dev Dist, lacks citizen input	To House calendar
HB 203	Oppose	P. Marcotte	Allows owner of Ag land to defer assessment for water lines	Posted in House Ag & Small Bus.
HB 209	Monitor	J. Stacky	Rural Devp Assist to industrial parks if 2 counties benefit; & hi unemployment	House Economic Develop.
HB 216	Support	L. Belcher	Create Senior/Disable Hunting/Fishing license	House Rules
HB 221	Strongly Support	J. Haydon	Creates Rail to Trails office in State Gov. Sets out duties.	House State and Local Gov
HB 231	Oppose	J. Turner	Exempts trailers used only for ATV from liscensing	House Transportation
HB 236	Strongly Oppose	P. Clark	Vehicle Emission Test exemption for motorcycles; companion to SB 14	House Local Gov
HB 241	Monitor	G. Stumbo	Reorganize Ec Devp so Coal approves Econ Development money	Passed House, to Senate
HB 275	Monitor	J. Adams	Interlocal agreements would go to Dept of LG not Atty Genl (need study)	Posted House Local Gov
HB 277	Oppose	J. Arnold	Watershed Cons Distr shift cost from homes to farms	House Nat Res & Env
HB 280	Support	T. Riner	Prohibit legislators from asking or accepting money from lobbyist during session	Posted House State Gov
HB 299	Oppose	R. Cox	Defines Evolution Theories that can & cannot be taught	House Education
HB 301	Oppose	A. Simpson	Takings assessment	Withdrawn
HB 306	Oppose	J. Fischer	Delink Vehicle Emission Test & registration of Vehicles	House Local Gov
HB 307	Monitor	T. Feeley	Utilities includes sewage lines	House Tourism & Energy
HB 308	Monitor	T. Feeley	Utilities Natural Gas pipe safety	House Tourism & Energy
HB 314	Monitor	B. Heleringer	Reciprical Vehicle Emission certificates from other states accepted for new arrivals.	House Local Gov.
HB 334	Monitor	R. Adams	Plan & Zone Manufactured vs Mobile home	House Local Gov.
HB 339	Support	T. Riner	Encourages Lobbyist not to contribute during session	House State Gov.
HB 356	Monitor	R. Adkins	Lower quorum requirement for Flood Control Boards	Posted House Local Gov
HB 357	Monitor	R. Adams	Creates license-free events for fish and wildlife and multisport license	House vote 1/21
HB 359	Strongly oppose	R. Wilkey	local Bd of Ethics S>local code of ethics. O>exempting from disclosure	House Local Gov
HB 381	Oppose	R. Palumbo	Lumps data from individual Coal Companies	House Econmic Dev
HB 388	Monitor	M. Treesh	Property tax Ag & Mineral Rights unified	House Approp & Revenue
HB 391	Oppose	J. Gray	Excludes Gravel mining from Regs	House Nat Res & Enviro
HCR 34	Support	R. Adams	Extends task force on Wildlife & Conservation to execute plans	House Nat Res & Enviro
SB 2	Support	D. Williams	Prevents contributions from state contractors to gubernatorial races.	Posted Senate State & Local Govt
SB 14	Strongly Oppose	D. Seum	Vehicle Emission Test exemption for motorcycles; companion to HB 236. Limits local standards to state minimum.	Senate floor vote 1/25
SB 21	Support	D. Adams	Certify all Petroleum Storage Tank subs & vendors already paid	Senate Rules
SB 22	Oppose	D. Adams	Coal Revitalization subsidy for coal	Senate Ag & Nat Res
SB 23	Oppose	D. Adams	Extends KY Rural Ec Devp moneys to 2 Years for Non-Ag Industry	Senate Economic Dev.
SB 37	Support	D. Kelly	Extends HazWaste Generator Fee beyond 7/2000 to support cleanup.	Senate Ag & Nat Res
SB 78	Oppose	T. Buford	Create Special License plate for Duck Unlimited	Senate Transportation
SCR 16	Support	J. Pendleton	Reauthorize Task Force on Funding Wildlife Consvation	Senate Ag & Nat Res

The Earth Needs a Friend in Frankfort**Please check all that apply:**

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Email address: _____ Fax number: (_____) _____ - _____

Ways I will help KCC:

Telephone Tree Writing letters Monitoring Interim Committees Lobbying during the session

Because one of KCC's main activities is influencing legislation, contributions are not tax deductible. Please send your check and membership information to: KCC, P.O. Box 1152, Frankfort, KY 40602. For more information call: 502-227-9555.

Internet Access of the Alert

We are currently attempting to deliver The Alert via the internet, both with E-Mail and world-wide-web access. Sierra Club and louky.com web sites have offered to make the Alert available on their sites. We are currently trying to work out the technical details. Email has become troublesome because of incompatibility of systems. We will experiment with some different formats. In the meantime, we will continue to deliver the hardcopy.

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