

KCC Alert



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

502-875-0909

An Aggregate of Solid Waste Bills

Continuing the efforts of recent years to deal with Kentucky's solid waste problems, various bills are under consideration.

HB 28, introduced by Larry Clark is similar to the governor's solid waste bill from the last session. It requires mandatory curbside collection by 2004, or an alternative system, and requires the clean up all dumps in each county by that date or else that county will lose up to 10% of their road funds. The bill also allows the assessment and collecting of fees for waste disposal, and empowers solid waste coordinators to enforce litter laws.

The requirement to clean up all open dumps, particularly without funding, is unrealistic. The bill also needs a funding mechanism for counties to pay the capital cost of setting up their waste collection programs.

Rep. Hoffman is sponsoring **HB 173**, which imposes a \$5 per ton fee at landfills to assist local governments remediating and closing old landfills. The Natural Resources Cabinet would prioritize landfills for funding by risk. Local governments would be eligible for the funds on a 4:1 matching basis. 10% of the fees would go directly to the host county and 10% would be transferred to the hazardous waste management fund to remediate the top 3 orphan non-governmental landfills.

This bill should not be used as a replacement for reauthorizing the hazardous waste assessment fund. Any funding assistance to counties should be tied to the adoption of mandatory garbage collection programs. Additionally, the tipping fee should be imposed at the first transfer point so that garbage is not disposed of outside state approved

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KCC To Do List:

- ❑ Call your county clerk to find out who your state Senator and Representative are.
- ❑ Call your state Representative. Ask him/her to support HB174, Greg Stumbo's bill to clean up garbage.
- ❑ Call your state Representative. Ask him/her to support HB355, Jim Wayne's clean campaign financing initiative.
- ❑ Call your Senator. Ask him/her to oppose HB102, Sen. Seum's rollback of vehicle emission testing
- ❑ Come spend a day with Wade and Dick. Call the KCC number to arrange.

Clean Money Campaign Financing Introduced Committee Hearing Scheduled for Jan. 31

A measure to create a voluntary program of publicly financed campaigns for state legislators was introduced by Jim Wayne-D, Louisville at a news conference on Jan. 22. HB 355 is modeled after successful programs in Maine and Arizona.

Under this bill interested candidates file a "declaration of intent" to forego private fund raising and take part in the public financing system.

Senate candidates qualify for public funds by collecting 275 contributions not to exceed a total of \$1500, House candidates must collect 100 contributions not exceeding a total of \$500. No single contribution can exceed \$10.

Qualified candidates in a contested Senate primary or general election would receive \$54,000. House candidates would receive \$20,000. Over time, the amounts would be adjusted for inflation.

In order to maintain a financially level playing field, publicly funded candidates who are outspent by privately financed opponents would receive matching funds up to twice the original allotment.

According to Clean Money Kentucky, a supporter of this bill, campaigns cost too much money. Special interest money is driving public policy and influences the outcome of elections. Candidates spend too much time raising money and not enough time talking to voters. The result is that good people can't run for office without relying on big money contributions or personal wealth.

The aim of this bill is to end the skyrocketing cost of campaigns and reduce the amount of time candidates spend fund raising, reduce the influence of special interest money, level the playing field for candidates, and encourage more good people to run for office.

About one-third of all candidates in Maine and Arizona ran under Clean Election programs last year. One-third of Maine's winners were Clean Money candidates. In the Maine Senate, 17 out of 35 members won without private funding. In the House, 45 out of 151 winners were Clean Money candidates. The law is transforming politics in both states, as candidates from all parties embrace the opportunities created by the new programs.

"We're finding we need to have 'friend raisers' instead of fund raisers," said state Sen. Susan Longley (D), an incumbent from Liberty, Maine. In the past, "I was thinking about how to raise \$38,000," she said. "Now, I'm thinking about how to get votes from my 38,000 constituents."

Key Committee Assignments

Senate Agriculture and Natural Resources

Ernie Harris, **Chair** (R), Vernie McGaha, **Vice Chair** (R), Paul Herron Jr (D), Daniel Kelly (R), Robert Leeper (R), Virgil Moore (R), Joey Pendleton (D), Ernesto Scorsone (D), Tim Shaughnessy (D), Elizabeth Tori (R), Ed Worley (D)

Senate State & Local Government

Albert Robinson, **Chair** (R), Alice Kerr, **Vice Chair** (R), Walter Blevins (D), Charlie Borders (R), David Boswell (D), Ernie Harris (R), Ed Miller (D), Ernesto Scorsone (D), Elizabeth Tori (R), Johnny Turner (D), David L. Williams (R)

House Agriculture and Small Business

Roger Thomas, **Chair** (D), Royce Adams, **Vice Chair** (D), John Arnold Jr., **Vice Chair** (D), William Scott, **Vice Chair** (D), Ken Upchurch, **Vice Chair** (R), Adrian Arnold (D), Sheldon Baugh (R), James Bruce (D), Dwight Butler (R), Mike Cherry (D), Phillip Childers (D), Jack Coleman (D), James Comer (R), Charlie Hoffman (D), Thomas McKee (D), Fred Nesler (D), Don Pasley (D), Dottie Sims (D), Gary Tapp (R), Mark Treesh (R), Tommy Turner (R)

House Appropriations and Revenue

Harry Moberly, **Chair** (D), Mike Cherry, **Vice Chair** (D), Robert Damron, **Vice Chair** (D), Bob DeWeese, **Vice Chair** (R), Bob Heleringer, **Vice Chair** (R), Joni Jenkins, **Vice Chair** (D), Robin L. Webb, **Vice Chair** (D), Royce Adams (D), Rocky Adkins (D), Joe Barrows (D), Dwight Butler (R), Jim Callahan (D), Larry Clark (D), Jack Coleman (D), Barbara White Colter (R), Jesse Crenshaw (D), Danny Ford (R), Jimmie Lee (D), Mary Lou Marzian (D), Thomas McKee (D), Lonnie Napier (R), Fred Nesler (D), Stephen Nunn (R), Charles Siler (R), John Will Stacy (D), Mark Treesh (R), John Vincent (R), Jim Wayne (D), Rob Wilkey (D)

House Natural Resources and Environment

James Gooch, **Chair** (D), Woody Allen, **Vice Chair** (R), Phillip Childers, **Vice Chair** (D), Keith Hall, **Vice Chair** (D), Rocky Adkins (D), Ira Branham (D), Scott Brinkman (R), Hubert Collins (D), Howard Cornett (R), Don Pasley (D), Tanya Pullin (D), Marie Rader (R), Jim Stewart (R), Johnnie Turner (R), Robin L. Webb (D), Brent Yonts (D)

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landfills to avoid the fees. The need for this bill points out the failure of current law that allows the operation of landfills without a closure bond. This hole needs to be filled.

Greg Stumbo, continuing to lead on solid waste issues, is sponsoring **HB 174**. It imposes an environmental impact fee of ½ cent on disposable cups and fast food packaging, and a \$1 per ton tipping fee on municipal solid waste disposed at landfills. These fees would fund debt service on loans to local communities for closing former landfills, finance a grant program to local governments to clean up illegal dumps, and fund the environmental education master plan.

To be eligible, counties must hire a solid waste coordinator, and enforce their solid waste and anti-litter laws. If the community fails to achieve and maintain 85% participation in proper disposal of wastes by mid-2007, the state may assume responsibility for the program. Also, authority to collect delinquent waste fees with property taxes is provided.

This bill needs to allow more flexibility for communities to utilize approaches *other than* county-wide curbside collection due to funding constraints and demographic limitations in some counties. Requiring the state to assume responsibility for solid waste collection programs in defaulting counties rewards them for failure. Instead they should be held in default and penalized, not rewarded by having the state assume their responsibility.

HB 244, introduced by Rep Wilkey, removes the sunset clause on the state hazardous waste assessment fund. This program sunsets this year unless renewed by the legislature. Hazardous waste generators are charged a fee, under this program, to fund the cleanup of abandoned state hazardous waste sites.

Back for the third session in a row is Greg Stumbo's constitutional amendment to allow a referendum on a statewide container deposit program, this time with bill number **HB 323**.

Also preparing to sunset is the waste tire disposal fund. This program charges a \$1 per tire disposal fee to fund clean up waste tire dumps. **HB 422** sponsored by Rep. Pasley reauthorizes the waste tire fund until July 31, 2006, and it authorizes a waste tire amnesty program.

Legislation review assisted by Tom FitzGerald

Granny D to testify for Clean Money Elections

Come to the capitol Annex, Room 125 at 10:00 AM on Thursday, Jan 31 to hear the renown Granny D testify before the House Elections, Constitutional Amendments, and Inter-governmental Affairs on HB 355.

Contacting Your Legislators

Who are my legislators? You can look up your legislators on the web at www.lrc.state.ky.us/whoswho/whoswho.htm or you can call your local county clerk. All they need is your address.

How do I communicate with them? There are several ways to communicate.

The legislative message line will get you an operator who will write down a message for you, no questions asked. Use the number listed under Legislative Message line in our phone number box. The number is frequently busy. Early mornings seem to work best.

You can send a fax, the number is listed here. Faxes can be sent to multiple legislators, or whole committees.

Many legislators have email. They can be found from the web address listed above. Some legislators respond, some do not.

If the issue is not urgent, regular mail can be sent to The Capitol Annex, Frankfort, KY 40601.

What do I say? Your message can be as simple as "Please support bill xyz." You don't have to be an expert. Personal experiences that relate can be effective.

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
Governor Paul Patton: 502-564-2611
Secretary James Bickford: 502-564-3350
Legislator Fax line: 502-564-6543

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2002 KCC Lobbyists

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Bill Summaries and KCC Position

Bill No	Position	Sponsor	Summary	Status
HJR24	Monitor	Moberly	Create a subcommittee to study the production of ethanol.	House Ag and Small Bus.
HB24	Monitor	Draud	Merchant power plant siting subject to environmental compatibility and approval by Pub. Serv. Comm. and local government	House Tourism Dvlpmnt & Energy
HB28	Strong Support	L.Clark	Require counties cleanup all open dumps or implement mandatory curbside waste collection system by January 2004,	House Natural Resources and Environment
HB40	Support	Tapp, Arnold	Require all diesel fuel sold in the Commonwealth to contain 2% biodiesel (vegetable oil, animal fat), increase to 5% in 2007	House 2 nd reading, to Rules
HB46	Monitor	Marcotte	Exempt cars 4 model years and younger from VET testing	House Transportation
HB48	Support	Riggs	Require hearings on local indebtedness & set criteria for denial of bond issue, replace appeal to State Debt Comm. w/ appeals to Circuit Crt	Posted for passage in House 1/22/02, Floor amend. filed
HB64	Support	Damron	Adopt Interstate Wildlife Violator Compact: reciprocal agreements to enforce hunting violations and revoking hunting privileges	Passed House
HB75	Oppose	Belcher	Remove wastewater treatment plants owned by fiscal courts from PSC control	House Tourism Development and Energy
HB118	Support	Marcotte	Persons applying for a permit to mine any mineral except coal to obtain an ordinance from county fiscal court that states that county road conditions will not be degraded by the increased truck traffic	House Natural Resources and Environment
HB137	Oppose	Gooch	Amend constitution to exempt unmined minerals from property tax.	House Elections and Const.
HB173	Support	Hoffman	\$5 tipping fee to fund closing of old landfills. Local government eligible for funds on a 4:1 matching basis.	House Natural Resources and Environment
HB174	Strong Support	Stumbo, et al	½ cent fee on beverage & fast food containers plus \$1/ton tipping fee to fund cleanup of dumps, Env. Ed. Master Plan, roadside cleanup, county solid waste coordinators. State to manage waste collection in counties not reaching 85% participation by 2007.	House Appropriations and Revenue
HB214	Support	Riggs	Expands energy efficiency requirements to leased buildings. Creates revolving loan fund to pay for efficiency improvements. Allows state to enter into guaranteed energy saving contracts (see SB61)	House State Government
HB 244	Strong Support	Wilkey	Eliminates sunset of the hazardous waste assessment fund used for superfund cleanup and pollution prevention assistance	Posted House Approp & Rev.
HB275	Oppose	Gooch	Reallocates 5% to 8% of the all NOx credits to new power plants in 2004, with 5% thereafter. 10% set aside for "efficient energy" sources.	House Natural Resources and Environment
HB317	Monitor	Kerr	Exclude farm trucks from vehicle emission control programs	House Local Government
HB319	Support	Arnold et. al.	Require state agencies to buy KY-grown food if available (see SB13)	Posted House Ag. & Small Bus.
HB323	Strong Support	Stumbo	Amend Constitution to allow a referendum on container deposits.	House Elections, Const. Amend & Intergov. Affairs
HB355	Strong Support	Wayne	Clean Election Act: public funding for General Assembly candidates	House Elections, Const. Amend. & Intergov. Affairs
HB367	Strong Oppose	Gooch, et.al.	Documents filed under the Ag. Water Quality Act to be confidential	Posted House Nat.Res. & Env
HB405	Oppose	Turner, et. al.	Construction related coal mining under 5000 tons where coal or proceeds are donated to nonprofit orgs exempted from permitting.	Posted House Nat Res & Envi
HB408	Oppose	Gooch	Rellocate NOx credits from early reductions to sources unable to meet compliance deadlines	Posted House Nat Res & Env.
HB422	Strong Support	Pasely, et.al.	Extend waste tire fee to July 2006 and allow a tire amnesty program	Posted House Nat Res & Env
HB460	Monitor	Bratcher	Allow monetary claims for victims of airport noise	
SCR17	Support	Guthrie	Create task force to study managing water supply on a watershed basis.	Passed Senate 1/22/02
SB13	Support	Jackson	Require state agencies to buy KY-grown food if available (see HB319)	Senate Ag and Nat Res
SB21	Oppose	Adams	10-year tax credit on 10% of capital costs for new companies that mine or process coal	Senate Ag. and Nat Resources
SB34	Monitor	Harris	Anti-litter education program & tax check off to fund it	Senate Ag & Nat Res
SB37	Oppose	Mongiardo	Allow industry to buy power from merchant power plant in the state.	Withdrawn by sponsor
SB61	Support	Sanders	Expands energy efficiency requirements to leased buildings. Creates revolving loan fund to pay for efficiency improvements. Allows state to enter into guaranteed energy saving contracts (see HB214)	Sen Posted on Orders of Day 1/17, Passed over & retained Floor amend filed
SB72	Strong Support	Westwood	Tax credits for certain rehabilitation/restoration projects	Sen Econ Dev, Tour. & Labor
SB102	Strong Oppose	Seum	Eliminates Vehicle Emission Tests (VET) as a means of reaching attainment of ambient air quality standards	Senate Ag. and 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: 502-875-0909.

Internet Access of the Alert

Sierra Club graciously posts the Alert on their web site, go to <http://www.sierraclub.org/chapters/ky/>

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