

one program for the young people, which seem to be very successful. Mr. Ermatinger didn't think this bill should be passed because it is shooting at the wrong target, that the target is the litter bug. The only way to do this is through educational programs such as the ones that this organization has already developed. Inform and stimulate people into self-help of preventing the litter problem.

INFORMATIONAL:

Next to testify to the committee was Mr. Robert Yost, Supervising Probation Officer of Clark County Juvenile Court, and Associate Professor at UNLV. His talk was to represent issues and about a recycling center in Las Vegas and its operation and funding. Mr. Yost mentioned that this recycling center employs high risk delinquents as a work project. There are 27 boys that work there now, and are trained for this type of work. There are several different work projects for these juveniles, but this recycling center has been the best so far because of the money it makes and the beverage company supplies the equipment to use for these operations. This center is an involvement of three community agencies; the Beverage Association, Beautification Program, and the Juvenile Court, getting together and working on this type of project and it has been proved to be very helpful for some of the juveniles and the environment, also. Mr. Yost concluded by discussing future summer plans for the center, and said that this testimony was only for information about the recycling center, but no stand on the bill.

Questions:

Mr. Smalley asked Mr. Yost, that if the bill passes, would it have any effect on the center, and Mr. Yost answered that it would practically depend of the Beverage Company, since they are the source of supplying the equipment.

Another question was asked about how many pick-up centers they have and shouldn't there be more closer, and Mr. Yost agreed that they should have more, because there is only one right now.

INFORMATIONAL:

Daisy Talvitie testified next providing information and questions about the bill. Ms. Talvitie represents the League of Women Voters of Nevada. (Her testimony is attached at Exhibit 3).

FOR:

Mrs. Jean Stoess, housewife and interested consumer, spoke in favor of A.B. 131. (Her testimony is also attached-Exhibit 4).

AGAINST:

From the U.S. Brewers Association, Mr. David Hagen testified against this bill. (His testimony is attached as Exhibit 5).

Questions:

Mr. Lowman, in reference to Mr. Hagen's statement about the percentages of litter of beverage containers in either item or volume has not been reduced in Oregon, asked how he accounted for the discrepancy between his and Mr. Getto's, whose statement said that litter had been reduced by 75% according the the Governor's news release that Mr. Getto mentioned Mr. Hagen answered that the total litter on the roadside in general was down, and said that what the Governor of Oregon must be saying is that

of a 25-mile radius by month to month pick-up goes down, and it seems to be a logical conclusion, but if all of the items and all of the volume picked up month by month on those measured miles, the percentages of beverage containers in litter has been about the same and maybe slightly higher. He said that Mr. Don Waggoner would be able to answer this question better.

A five-minute break was called by Chairman Bremner at 9:15 a.m. The hearing continued at 9:20 a.m. and the next witness was called up to testify.

FOR:

Mr. Wayne Capurro, President of the Nevada Wildlife Federation, testified against A.B. 131. He began by saying that basically, all would agree that something more has to be done about the solid waste problem and litter situation along our highways and streets, and especially along our streams and lakeshores. He believes that the Bottle Bill is a good bill and a beginning to the solution of these problems. This bill brings out use and reuse, instead of use and discard. Doesn't believe this bill would cause any industries and companies to go bankrupt. He concluded that this bill should be passed this session, because the next session might be too late. Do it now before it gets worse.

AGAINST:

Chairman Bremner then called on Mr. Wendall Tobler to testify. Mr. Tobler was representing the Food City Rancho Markets, in opposition of this bill. He is also President of the Southern Nevada Retail Grocers Association including 116 retail stores. He announced that he would mostly talk about America the Beautiful. 90% of litter is done by tourists. Why are we going back into the past to do something that we know we already have handled before. Are you trying to make a garbage dump out of stores with all the returnable beverage containers? He also said that there is not that much room in markets to store all of these containers. Mr. Tobler went on to say that if this is passed and goes into legislation, it will distract everybody in the industry, causing more work to clean up the back room and not pay attention to what is being sold up front. They have become a collection agency--be reasonable. He boldly stated for those people to get old cars out their yards, get rid of trash and garbage lurking in the countryside and that trash lurk in their own back yards. He did not want this bill to come out of this committee, because it will be doing the public an injustice and cause more price to the consumer.

FOR:

From the Nevada State Park System, Bill Wood next came up for testimony speaking for the bill. He did not have much to say because of not enough research. However, they are interested in solving the litter problem, but cannot say how much this bill would help, because of this lack of research.

AGAINST:

Testifying against the Bottle Bill, is Paul Moore, Vice-President of the Retail Grocers Association and owner of the Boulevard Supermarket. His main argument was the more costs for the consumer and the retailer. He was speaking against the subject where he had started his living 30

years ago as a bottle washer. He said that bottle washing was a lousy job then, and a lousy job now. He mentioned that those garbage men that weren't already millionaires, would be when they would return all of the returnable bottles that consumers throw away and also aluminum cans. Mr. Moore went on about the pull-tab cans, and said they are dangerous, but he thinks that children would hurt themselves more with a can opener than the pull-tabs. They are popular and they sell, and also a five cent deposit on bottles are not going to make the people bring them back or keep from littering.

Dr. Broadbent commented to Mr. Moore that he was compassionate with his point of view. That the real losers are the young people that are growing up in this society right now. He suggested to Mr. Moore, instead of complaint, to try to think of a solution to this problem.

FOR:

Mr. Myron Leavitt, Chairman of the Board of Clark County Commissioners, testified for the bill. From an article that Mr. Leavitt read, it mentioned that Oregon spent during the 1970 to 1971 fiscal year \$600,000 on litter pick-up, and from 1969 to 1971 cans and bottles jumped from 16% to 62% in litter pick-up. He read another issue in a Coors magazine about a garbage bill in which a 450 resident town recovered and cleaned up 28,000 cans from roadsides, hills, and surrounding. So one could imagine what type of litter problem a big city would have. He also mentioned that he heard some testimonies, where it was said that people do not return bottles, but he showed in a newspaper ad, where it said that "over the years practically all of the bottles of Coca Cola of the San Diego Bottling Company have been returned", and he asked if this was false advertising. Another article from LIFE magazine was in favor of returnable bottles because it takes four times as much energy to melt down glass for more bottles, than having returnable bottles. Also Mr. Leavitt said that the cost of how much returnable bottles would be 1/2¢ per ounce.

Chairman Bremner then announced that one more testimony would be heard, and then the hearing will reconvene after morning recess from session. There were quite a few more testimonies to hear still, and then Mr. Waggoner would be there, also.

FOR:

Mr. Bill Kuhn, Sales Manager for the DeLuca Importing Company, and also the President of the Southern Nevada B.E.N. Organization, testified next. He spoke of a program in which he was going to give a little history of, about recycling centers and redemption centers. B.E.N., a non-profitable organization, focuses on the solution to the environmental problems in the community. His company was involved with the work projects of the juvenile boys working in the recycling center mentioned earlier by Mr. Robert Yost. Besides being a recycling center for cans, Mr. Kuhn said that this center is also a "recycling of boys". He mentioned paper cycling, but he said that paper recycling is not worth that much; paper by ton is worth 5 to 16 dollars and a ton of aluminum cans are worth 300 dollars a ton. Aluminum is of more economical value. In conclusion, Mr. Kuhn announced that a new "press-tab" will be introduced possibly this summer to the public, to block out the "pull-tabs".

At 10:20 a.m. the hearing was recessed until after the morning session.

The hearing was called back to order at 11:25 a.m. by Chairman Bremner. He suggested that the testimonies be right to the point, since there was a limited amount of time, and still a lot of people to be heard.

The chairman called Mr. Buddy Moore up to testify.

FOR:

Mr. Buddy Moore, Vice-President of the Nevada Chapter (Reno) Trout Unlimited, spoke in favor of A.B. 131 because Trout Unlimited is a conservation group in favor of cleaning up streams and lakeshores. He gave a souvenir, a netted sack advertising to pick up a limit of litter, to each member of the committee.

AGAINST:

Joe DeGrazia, owner of DeGrazia Wholesale in Wells, Nevada, testified in opposition to this bill. He said that Wells, 350 miles from Reno, has to get their supply for their company from Salt Lake City, Utah (canned soft drinks). Then they are shipped out on common carrier. The point was, that if everything is returnable, then how will they be able to afford to get the containers shipped back.

Questions:

Mrs. Gojack asked how would they go about to switching to bottles, and Mr. DeGrazia said he did not know how they would, but people buy more cans than bottles.

Mr. Jacobsen asked the rate per case to ship, and the answer was 12¢ per case.

Mrs. Gojack also asked where he would have to ship the cans to be recycled, and Mr. DeGrazia said that it would be Portland, Oregon.

FOR:

Testifying in strong support to this Bottle Bill was Dorcas Criteser, from the Toiyabe Chapter of the Sierra Club. She talked about the litter problem in the wilderness areas of the state. She said this bill will be good because it is a good start in combatting the litter bug, and this bill is also very much in the interest of the people. She concluded that she is in great hope that this bill be passed this session

AGAINST:

Manager of the Coca Cola Plant in Las Vegas, President of the Southern Nevada Bottling Association, and Secretary-Treasurer of the Beverage Industry of Nevada, Mr. Bob Delbert testified in opposition to the bill. His argument was that instead of this bill, bring out something to control litter problems directly. The trippage of bottles used to be 20 to 25 times, but now returnable bottles with 5¢ deposits, only average a trippage of 1 1/2 times. Also, with the cost going up, the consumer is sometimes directed toward a cheaper item like KOOL-AID for the family.

AGAINST:

Mr. Don Waggoner, President of the Environmental Council in Portland, Oregon, confronted the committee in support of A.B. 131. He provided information about the Oregon Bottle Bill and its great success. He distributed copies of the OREGON'S "BOTTLE BILL" PROGRESS REPORT to all of the members and left more out for any other interested witnesses. He focused on litter reduction, can and bottle sales in beer and soft drinks, and litter in item and volume.

Mr. Don Waggoner--Questions:

Mrs. Ford asked if the Legislature is now in session in Oregon, and if they have any plans of changing the bill, and Mr. Waggoner said they were in session, and the only change up to date is maybe adding the bottles from wine and liquor to the list of refundables.

Chairman Bremner adjourned the hearing at 12:05 p.m., and since there were more people to testify, he asked that the hearing recovene on Friday, February 16, at 8:00 a.m. If this room was not available on Friday morning, then the hearing would be held in room 214.

STATE OF NEVADA

ENVIRONMENT & PUBLIC RESOURCES COMMITTEE

GUEST REGISTER

Exhibit 1

PLEASE PRINT

DATE: FEBRUARY 14 & 16

BILL NUMBER 131--Bottle Bill

NAME	REPRESENTING
ROBERT YOST	CLARK COUNTY JUV. CT.--RECYCLING CENTER
MIKE TOONE	NEVADA WILDLIFE FEDERATION
JAMES WILSON	7-UP BOTTLING CO., RENO
CRAIG BAIR	7-UP DISTRIBUTORS, ELKO
WILLIAM L. BROOKS	7-UP, Reno
BUD HART	VALLEY DISTRICT, FALLON
JACK WALTHER	7-UP, RENO
DAVID W. HAGEN	U.S. BREWERS ASSOCIATION
JOE DIGRAZIA	 DIGRAZIA WHOLESALE, WELLS NV
FRANK F. KNAFELC	O.K. DISTRIBUTORS, INC.
TED GELBER	LUCE & SON, INC.
LOUIS PERALDO	L.W. PERALDO CO. & WINNEVA DIST. CO.
C.B. HANDWRIGHT	ELKO BOTTLING CO., ELKO, NV
DON TAYLOR	ADOLPH COORS CO.
DANIEL WALDRON	ANHEUSER-BUSCH, INC.
JOSEPH MORREY	MORREY DIST. CO, RENO
FRED DAVIS	NEVADA ASSOCIATION OF CHAMBER OF COMMER
DAVID DREW	COCA-COLA CO., RENO
LESTER P. HELM	COCA-COLA CO, RENO
DANIEL R. HICKEY	HICKEY DISTRIBUTING CO., MINDEN
GARY GRAY	CLARK COUNTY TEACHERS ASSOC.
ANN EHRENBURG	REVIEW-JOURNAL
DARREL WALTON	<i>Chairman-Environmental Education, NV PTA</i>
DILLION OXBORROW	EAGLE THRIFTY MARKETS
C.O. WATSON	BEST BRANDS, INC., SPARKS
JACK W. SWAIN	PABST BREWING CO.
JIM WILKERSON	LAS VEGAS-TEAMSTERS #4
ERNIE GREGORY	STATE HEALTH DIVISION
LEW DODGION	STATE HEALTH DIVISION
A.J. VANDENBERG	STATE HEALTH DIVISION

STATE OF NEVADA

ENVIRONMENT & PUBLIC RESOURCES COMMITTEE

GUEST REGISTERDATE: FEBRUARY 14, and 16PLEASE PRINT

A.B. 131--BOTTLE BILL

NAME	REPRESENTING
DAISY TALVITIE	LEAGUE OF WOMEN VOTERS OF NEVADA
MARK KIMBROUGH	RNR UNIVERSITY RECREATION CLUB
JAMES MOORE	U OF N OUTDOOR RECREATION CLUB
ALEX GLOCK	ORMSBY SPORTSMAN'S CLUB
W.W. MOORE (<i>Buddy</i>)	RENO CHAPTER TROUT UNLIMITED
T.A. DICKERSON	INTERN
JEAN STOESS	INTERESTED CONSUMER
JULIAN MARCUERQUIAGA	SEVEN UP BOTTLING CO., WINNEMUCCA
EDITH MARCUERQUIAGA	SEVEN UP BOTTLING CO., WINNEMUCCA
ANNA REBOL	INTERESTED CONSUMER
BILL WOOD	STATE PARKS
PETE KELLEY	NEVADA RETAIL ASSOCIATION
GARY OWEN	ASSEMBLY BILL DRAFTER
VIRGIL GETTO	ASSEMBLYMAN
WAYNE CAPURRO	NEVADA WILDLIFE FEDERATION
WENDALL TOBLER	FOOD CITY RANCHO MARKETS
PAUL MOORE	BOULEVARD STORES (MARKET)
MYRON LEAVITT	<i>Chairman of Board of County Commissioners</i>
BILL KUHN	<i>Manager of DeLuca Importing Co.</i>
BOB DELBERT	MANAGER, COCA COLA, LAS VEGAS
DON WAGGONER	PRESIDENT, OREGON ENVIRONMENTAL COUNCIL
LEE ADLER	GAZETTE
DICK KINNER	PEPSI COLA, RENO
PETE BARENGO	PEPSI COLA, RENO
JIM WILSON	SEVEN UP, RENO
JACK FOSTER	COCA COLA & EMERALD CANNING CO., OREGON
HARRY PHOMIN	SAME AS ABOVE, COMPTROLLER
WILLIAM WEST	CONCORD BEVERAGE, COORS DIST., CALIFORNIA
ROBERT W. HEMSAIT	WINDEN NEVADA, A&H LIQUOR
BARBARA SILBERLING	MYSELF

ENVIRONMENT & PUBLIC RESOURCES COMMITTEE

GUEST REGISTER

PLEASE PRINT

DATE: FEBRUARY 14 and 16

A.B. 131--BOTTLE BILL

NAME	REPRESENTING
CONNIE LARSEN	STATE PARENT TEACHER ASSOCIATION
LES KOFOED	GAMING INDUSTRY ASSN. OF NEVADA
MARILYN SKENDER	LEGISLATIVE INTERN
AL WITTENBERG	ASSEMBLYMAN, RENO
KATHY SMITH	WOOSTER HIGH SCHOOL, RENO
YVETTE LINDBLOM	WOOSTER HIGH SCHOOL, RENO
GRACE BORDEWICH	LEAGUE OF WOMEN VOTERS OF NEVADA
DAVE BROUGH	
TINA NAPPE	
RALPH E. ERMATINGER	<i>Herself</i>
DORCAS CRITESER	<i>Director of U.S. Brewer's Assoc. & Pitchman</i>
J.R. McELHONE	SIERRA CLUB, TOIYABE CHAPTER
MICHAEL PARENTI	VICE PRESIDENT AND MANAGER PEPSI COLA
JIM COSTELLO	
<i>HOMER ANRICK</i>	<i>MAINTENANCE ENGINEER FOR HIGHWAY DEPT.</i>



State of Oregon
OFFICE OF THE GOVERNOR

Contact: Ron Schmidt
Administrative Assistant (378-3121)

MONDAY
2/12/73

Exhibit
2

PRELIMINARY REPORTS INDICATE BOTTLE BILL CUTTING BACK ON HIGHWAY LITTER

Governor Tom McCall said today that the "bottle bill" adopted by the 1971 Legislature appears to have brought about a vast reduction in highway litter.

"Based on the early evidence, I would say the bill is a rip-roaring success," McCall said.

McCall released figures from a Highway Division study showing that litter from bottles and cans declined almost 75 per cent between October 1 and January 1 on 25 randomly-chosen one-mile sections of highway.

Highway Division maintenance crews cleaned all the litter from along the test sections last October 1, when the bottle bill took effect. The sections are cleaned again at the first of every month, except December 1, when snowfall prevented it.

On October 1 the Highway Division found 3,958 bottles and cans in the test sections, including 3,347 nonreturnable beer and soft drink bottles and cans. The number dropped to 1,897 bottles and cans on November 1, and 1,149 on January 1.

The bottle bill requires a cash deposit on all soft drink and beer bottles and cans. Most bottlers now are using returnables.

McCall said he was disturbed that the commercial can and bottle lobby is using the Highway Division figures to try to prove the bill has not worked. An industry spokesman said recently that the beverage container share of all litter has increased in the few months of the survey.

The governor said the percentage of bottle and can litter to the total is up, but that the figure is meaningless. "All that this shows is that there has been a shift in the type of litter," McCall said. "The significant thing is that littering has been substantially decreased since the bill took effect."

McCall said the industry spokesman apparently didn't reveal the piece counts but only the percentages. "He gave a shockingly distorted view of what is happening," the governor said.

McCall said his office has had calls from legislative and state officials in New York, New Mexico, Idaho, Minnesota and Pennsylvania regarding the industry statement. "They all wondered what went wrong," McCall said. "We were able to assure them that nothing went wrong, and that the bill is working out to our great satisfaction."

The governor also said that estimates by solid waste collectors indicate a substantial lessening of solid waste as a result of the bottle bill. Returns from questionnaires mailed to site operators and/or collectors last fall showed a 40 per cent reduction in bottles and a 60 per cent reduction in cans, McCall said.

"I don't want to give anyone the impression that the results we have so far are indicative of results for an entire year," McCall said, "but a definite trend is obvious."

The state has received \$50,000 from the federal Environmental Protection Agency to do a comprehensive study of the effect of the bottle bill. Surveys will be conducted through the end of the tourist season, McCall said, to give the state a complete view of the impact the bill has had on reducing highway litter and solid waste.

The federal agency said the Oregon legislation possibly could be of substantial national benefit if adopted by other states. The study is to provide the agency with detailed information concerning the effect of the bottle bill over a long period.

STATEMENT OF LEAGUE OF WOMEN VOTERS OF NEVADA, FEB. 14, 1973
BY: DIASY J. TALVITIE, ENVIRONMENTAL QUALITY CHAIRMAN
TO: COMMITTEE ON ENVIRONMENT AND PUBLIC RESOURCES
RE: A.B. 131

Exhibit 3

The League of Women Voters of the United States, and its member League, the League of Women Voters of Nevada, is presently studying questions of economic incentives to encourage solutions to solid waste problems. In addition to a search of the literature, the League has also held a national conference in Washington, D.C., with at least one person from each State in attendance. I was privileged to be Nevada's representative. While the League has not yet reached consensus as to the best approach to economic incentives and neither opposes or supports A.B. 131 at this time, we have felt that we should share with you some of the questions we are asking ourselves in regard to A.B. 131 in hopes that your consideration of the same questions will assist you in making your decisions.

In developing economic incentives, one must first determine the goals we wish to accomplish--Do we want reuse or do we want recycle? Recycle differs from reuse in that reuse--or in the case of containers, refill--requires simply cleaning the container after the beverage has been consumed. Recycle means the container is broken and melted before it is made into a new container. Bottles lend themselves to either approach since there is a ready market for the cullet in industry provided that the cost of collecting and shipment can be made low enough to make it profitable. Cans, on the other hand, do not lend themselves to refill or reuse since they present sterilization problems, and will not hold up through multiple uses but become dented, etc. Of course, section 16 of A.B. 131 automatically means that the can cannot be refilled since the consumer must open it with a can opener. (Incidentally, the elimination of pull-tabs is certainly a desirable goal) It is generally conceded, therefore, that the mandatory deposit incentive approach has as its aim the elimination of cans as beverage containers and a return to refillable bottles. The Oregon law is seemingly accomplishing this aim as reports are that the beverage can is disappearing in Oregon.

If one's aim is established as recycle--allowing both cans and bottles to be used as beverage containers, then the usual approach is to impose a tax on non-refillable containers with the tax being designated for use in clean-up of litter, etc. Both approaches have as their ultimate goals a reduction in litter and conservation of our natural resources. The mandatory refund seems to accomplish a reduction of litter from cans and bottles but, of course, does not attack other sources of litter. A low, earmarked tax does not reduce the litter but provides for its clean-up including all other types of litter. If the tax can be structured so that there is a partial tax return or tax credit to the container supplier ^{based on his use of recycled material,} then it is believed that the supplier can

make more use of recycle by using his return or credit to buy back the cans for reprocessing. A high tax would probably also result in a return to refillable bottles if so structured as to allow either no tax ~~so~~ or a lower tax on the refillables. The question then that must be asked is what do we want? Do we want a return to refillable bottles and elimination of the cans as beverage containers or do we want to promote can recycle? For A.B. 131 cannot accomplish both. Since the ultimate goal is clearly to eliminate the cans, would its passage eliminate the recycle centers presently operating in Nevada such as the one in Las Vegas operated in conjunction with the Juvenile Court? And could the recycle center there perhaps find another material such as paper for its operation?

A.B. 131 requires a mandatory deposit of no less than 3¢ on uncertified containers and of no less than 2¢ on those that are certified. The certification is for the purpose of encouraging standardization of containers so that they can be used by more than one manufacturer. The question that we ask ourselves is whether or not this will work out in actual practice. Standardization seems to be a desirable goal--but we wonder if people would actually return bottles at a 2¢ rate in light of today's economy when 2¢ is really a very small price to pay for the convenience of throwing a bottle in the garbage can. Of course, the bill estestablishes the refunds rate as minimum, so one possible result might be that the bottler will be simply not wish to bother with the distinction and will end up charging the same deposit for all bottles--thereby defeating standardization.

Another question that we ask relates to Section 14 which allows the grocer to refuse to accept the bottle and pay the refund if he has a redemption center to handle the process for him as described in Section 17. Does this all the Mayfair stores, all the Seven-Eleven stores, all the Safeways, etc. in an area to get together with one redemption center somewhere in the city? In order to really serve the convenience of the public how many redemption centers would there have to be? What would be the cost of manning these centers to make them convenient to the public? Every center must be a manned center as the refunds must be made and accounts kept. They ~~re~~ cannot be just collection points for transfer to a centralized operation. The crux of the matter is, should the consumer who has to pay a mandatory deposit be required to make a special trip to a redemption center at the expense of extra gasoline and extra inconvenience or should he be assured that his refund will be repaid at the place of purchase on his next regular trip to the grocery store? Will he actually return bottles if the extra trip is required?

Throughout all the literature on the problems of solid waste and also at the national conference where we heard speakers from all segments of the American society--industry, all levels of government, and the private sector--there are several points of consistent agreement. 1. The technology for dealing with solid waste problems and the depletion of our natural resources is already available. Manufacturers have for many years used recycled materials as an integral part of their raw material output. For example, the rate of recycle for aluminum today is 48%, for steel is 28%, for paper is 19%. Unfortunately, in the last few years the rate of recycle is diminishing rather than expanding. 2. Manufacturers only use recycled materials if it is to their economic advantage to do so. The use of recycled materials will only increase when they can be marketed on an economically sound basis in direct competition with virgin materials. ~~This, and only this, will have the effect~~ This means that recycled materials must have economic equality--the same policies, the same benefits, the same materials as primary materials. This, and only this, will have the effect of the necessary market stimulation. 3. There is little justification for or need for an expansion collection-redemption centers as long as the market for the collected material is not available. Experience is already showing that oftentimes, materials are collected and still end on the neighborhood dumps. 4. The stumbling blocks in the way of recycle are (a) Inequities in freight rates giving virgin materials an economic advantage (b) Federal tax structures which promote the use of virgin materials over the use of recycled materials (c) Government purchasing policies at all levels of government which require the purchase of products made from virgin materials (d) Labelling and advertising which give the consumer the impression that products made from virgin materials are superior in quality when oftentimes just the reverse is true.

The questions we in the League ask ourselves are (1) Does A.B. 131 serve the purpose of market stimulation for recycle? (2) In the case of beverage containers, since collection will be of little value without assurances that there will be a ready market for the containers, is the best approach the promotion of reuse-refill as expected by A.B. 131? (3) Are there other measures that the Nevada Legislature could take at this time to serve the purpose of recycle promotion? Could Nevada be a pioneer state in establishing purchasing policies to use recycled materials? Could we take measures to alter labelling which discriminates against recycled products? Should the Nevada Legislature memorialize Congress to require the Interstate Commerce Commission to adjust freight rates? Should we memorialize Congress to develop tax structures eliminating the discrimination against recycled materials? And until such time as recycle is more economically feasible, should the Legislature authorize aid to local communities to deal with...

More practical measures on containers and facts

Jean Stoess 747-1870
(Mrs. A. W. Stoess)
1600 Royal Drive
Reno, NV 89503

Exhibit 4

Mr. Chairman, Ladies and Gentlemen:

My name is Jean Stoess, I live in Reno, and I'm appearing today as an interested consumer. *Have also considered LWV question but am in favor of AB 131*

For the past few years I've been involved in various programs and projects dealing with environmental problems. As co-chairman of Eco-Operation 1971, an Earth Week observance held concurrently at Idlewild Park and the Washoe County Library; as chairman of Eco-Operation 1972, an exhibit at the Washoe County Library; and as newsletter editor for the Nevada Environmental Education Council I have worked with beverage industry representatives from throughout the state. Most of them were co-operative and seemed genuinely concerned about our litter and solid waste problems. I hope that this aura of co-operation and concern will continue and that the Legislature will be able to pass a beverage container bill acceptable to the industry as well as the citizens of Nevada.

At the beginning I would like to make this "perfectly clear." Our litter and solid waste problems are greatly aggravated by our excess packaging practices and our "throwaway" economy. How often do we use a container once and then throw it away? Whether that container is a non-refillable cigarette lighter, a flashlight whose bulb cannot be replaced, or a beer can--each uses up a little more of our natural resources and contributes to our waste problems.

The beverage industry is not being singled out because only its containers fall into the "throwaway" category. They don't. *Other does well.* But it's a good place for us to start reordering our priorities--so I speak in favor of AB 131. *Favor reuse*

Contrary to misinformation being circulated, AB 131 would not prohibit the sale of metal beverage containers. It only would prohibit retail sales of cans with pull-tab openings.

As the mother of children who have cut their feet on these devices, I would welcome a ban on pull-tab openers. It is ludicrous that children at Tahoe,

Pyramid or Lake Lahontan sometimes must wear shoes on the beach to avoid injury from these ubiquitous pull-tabs.

Alternative means of opening metal cans are being tested by the beverage industry and, according to Business Week magazine, appear promising. And there's always the can opener--the church key--for those who demand metal cans no matter what.

As proposed in AB 131, metal containers without pull-tab openers would have a deposit of not less than five cents. Containers certified under Section 17 would carry a refund value of not less than two cents.

What does this mean in terms of cost to the consumer? First, it means each beverage container unit will increase in price according to its assigned deposit. But, because it is only a deposit, this increase can be refunded.

Second, the consumer can expect the unit cost to increase--and this increase is not refundable. Of course the beverage industry's costs will rise and probably profits will decline for a period during the transition required by AB 131. It is not unreasonable to expect that most or all of these increased costs will be passed on to the consumer.

And I, for one, am willing to pay the additional price. It's part of the price we should pay to try in some way to make less impact on our environment. It's not that prices of beverages in this situation will be unrealistically high--I believe that beverage prices in the past and at the present time are artificially low. Costs of disposing of containers are now borne by the general public, and these costs should be borne instead by beverage consumers and the industry.

I would like to add that in this time of spiralling food costs (and with three growing children) it is difficult to decide to accept higher prices.

Convenience is another factor affecting the consumer. Again, my personal opinion is that I'm willing to take a little extra effort to rinse out containers and return them to the store, or to save metal containers for redemption. It is a nuisance at times, and empty containers do add to household clutter.

Contrary as it is to my own code of consumerism (obtaining the best quality at lowest price), I've passed up a 99¢ six-pack on sale because it was in a steel container and purchased instead recyclable containers at \$1.19. At that time steel, or bi-metal, containers were not recyclable in Reno.

ALTHOUGH I FAVOR REUSE RATHER THAN RECYCLING PERHAPS RECYCLING WOULD BE MORE ACCEPTABLE TO MANY PARTIES
The economic incentive to return containers is very important. Except for HERE TODAY.

deposits on returnable bottles, there is little reason financially to do anything but throw away most containers. QUESTION CAN'T REDEMPTION CENTERS ACCEPT BOTH FOR REUSE AS WELL AS CANS FOR RECYCLING.

Aluminum cans are relatively lucrative. They are redeemed at 10¢ a pound, or roughly 1/2¢ each.

Those bi-metal cans, for example, usually are redeemed at only 1/2¢ a pound. So is glass. This is assuming, of course, that a redemption center exists in your area. To give you an idea of the disincentives involved under our present system: two years ago my family took six paper cartons of glass containers and bi-metal cans to a redemption center. All the cans had been crushed, and all the bottles had been rinsed and the labels removed. By the way, try crushing a steel can--it's not easy. What economic reward did we receive? 38¢!

But think of the incentive if turn-in value were 5¢ or even 2¢ per container instead of 1/2¢ for a whole pound.

Several beverage industry firms operate their own redemption programs and are to be commended. It is an extra cost to them and an inconvenience--perhaps even the industry would welcome a redemption center which would free them from this project.

I realize that a new recycling center on Eureka Avenue has just been opened by Reno-Sparks beer and soft drink distributors. Frankly, I view this with some skepticism. It is the third such venture this group has undertaken in two years--all amid great fanfare. The first two closed--quietly. We'll all be watching to see how long this one lasts.

Even with our existing meager economic incentives we know there is public interest and support for redemption centers. Of course it helps if they are

centrally located, not ten miles north of the city, for example. Surely the promise of a healthy refund would stimulate the redemption business. ^{AND CAN'T A}
 REDEMPTION CENTER OPERATE ~~THE~~ PROFITABLY UNDER ^{CONDITIONS IMPOSED}
 BY AB 131

On the two days a week when one local distributor accepts cans people come with paper cartons, gunny sacks, and pickup truck loads full of containers. Business has been so good that I've waited 45 minutes in line.

And it's not just Boy Scouts out on an ecology kick. One boy of about 14 had been collecting cans to buy a mini-bike (in this case, trading container pollution for noise pollution).

An elderly man told me he pays for a trip to Mexico every year with his beer can proceeds. He has an arrangement for turning in all the containers from a local bar. When I asked which bar, he refused to answer. A trade secret.

My three children enjoy beer can hunting because they feel good about cleaning up the litter as well as earning a little money. They have found that one of the best spots for beer cans is behind a fraternity house on Sunday morning.

The interest continues. When one of our local redemption centers closed I received phone calls from others who had been saving up containers but waited too long to redeem them. Most of these people were not active "environmentalists."

Now, our litter problem won't be wholly eliminated either by imposition of deposits or by public education programs. Some people will throw away their containers--either as litter or in the garbage--no matter what deposit they paid.

Opponents of AB 131 may cite statements by Prof. Frank Bowerman of USC indicating that "if beverage containers are eliminated or substantially reduced" from a community's solid waste that "this will destroy one of the major incentives for resource recovery of all reusable materials."

But one wonders when Nevada cities will have the sophisticated waste separation and recycling systems he discusses. Will smaller communities ever afford such a system? And if some people still throw away their beverage containers, is this a legitimate fear? Industry releases tell us that beverage containers are a minor contribution to solid waste. Who are we to believe?

Some opponents say that tourists may avoid Nevada because of deposits on beverage containers. That seems a bit far-fetched. Tourism, if anything, should be enhanced by recreation areas that are not defaced with metal pull-tabs and excessive cans and bottles.

I grew up in Oregon, and I'm proud that my home state adopted such environmentally aware legislation as their "bottle bill." I hope that Nevada, my adopted state, will exercise the same foresight.

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STATEMENT FOR THE NEVADA ASSEMBLY:

Exhibit 5

I am David Hagen, representing the United States Brewers Association. The USBA, whose brewer members produce 85% of the beer brewed in this county, is a trade association of brewers and allied industries.

Assembly Bill 131, with an exception I will note later, is word for word a measure which became effective in the State of Oregon last October 1st, following a similar enactment in British Columbia, which became effective January 1, 1971. Identical proposals were defeated last month in the Montana and Virginia legislatures, in Arizona on February 1, 1973, and the one pending in the Utah legislature, according to my information, has been consigned to the house rules committee with the understanding that it will be referred to an interim committee for study with no other action contemplated this session. In Idaho an Oregon-type measure was defeated last year on the Senate floor; this year it was introduced again, reported out by the Senate Resources Committee without recommendation and referred back by the Senate to that committee. In our own state, Senate Bill 22 in the last session was a much abbreviated version of the Oregon measure. It was considered in the Senate Ecology Committee and was never reported out.

In 1971, an Oregon type bill was passed by the Clark County Commission on condition that it be passed by each municipality within the County. The bill was defeated in the City of Las Vegas, tabled in the Cities of Boulder and Henderson and, after consideration by the City of North Las Vegas, not even introduced.

I have presented to you, Mr. Chairman, a copy of the report to the U.S. Department of Commerce on the Oregon bottle bill and understand that you have previously received that report and that each member of your Committee is in possession of a copy. I think you will agree the report ably demonstrates how numerous and complex the facts and issues related to this measure are.

The Oregon statute was enacted in the hope this it would reduce litter there. On December 15, the Wall Street Journal reported that a spokesman for Governor McCall of Oregon stated it was too early to ascertain the impact of the legislation in that state. However, preliminarily it is known that the legislation has not reduced the percentages of beverage containers in litter either by item or by volume. According to information received by American Can Company from the Oregon State Highway Commission, the maintenance engineer for the Oregon State Highway Division makes roadside litter pick-ups on 25 different measured miles on state highways (the same miles each month). All of the litter along those measured miles is collected monthly, categorized and counted. The September pick-up conducted immediately prior to the effective date of the Oregon statute, showed beverage containers 14.4 per cent by item and 17.3 by volume in litter. The October pick-up on the same miles showed 18.2 per cent by item and 24.5 per cent by volume. And the December pick-up (the last available) showed 17.5 per cent by item and 24.5 per cent by volume.

Of course, the Oregon Legislature was uncertain as to what economic impact the law would have on industry and commerce as well as to the law's effectiveness in reducing litter. For this reason, in Section 11 of the Oregon Act, there is contained a direction that a study be made by the Legislative Fiscal Committee and a report be made to the Legislature prior to January 1, 1975.

The whole purpose of A.B. 131 is to eliminate beverage containers from litter by the elimination of non-returnable beverage containers from the market. Will it work? I urge you that it will not; that the economic chaos that this bill would visit upon our community would be for naught. Measures to eliminate non-returnable containers have been tried before in this country. In Vermont, a four-year outright ban on non-returnable bottles failed to lessen the quantity of such litter on the roadways there and the project was abandoned. Since 1971, a British Columbia law has required that beer and soft drinks be sold in containers bearing two cent refunds. Previous to January, 1971, most of packaged beer there was already sold in returnable bottles, but soft drinks were readily available in cans. Studies have shown that since the bill went into effect, total beverage container litter in British Columbia has not been reduced. Instead, British Columbia has not been reduced? Instead, British Columbians now have more glass on their roadsides. Surveys conducted by the Canadian Research Service for the Glass Container Council of Canada, both before and after the British Columbia statute went into effect, show that littering in returnable bottles increased 300 per cent under the law and that, indeed, littering of beverage containers generally went up two percentage points.

Where does the container that ends up in litter come from? Is it from the beverage that it consumed at home or on premises? Or is it from the beverages consumed out of doors or in automobiles? Bearing in mind that this measure imposes its burden upon all beer and soft drink containers marketed, regardless where they are to be consumed, consider the following: A 1970 survey on the location of consumption of beer and soft drinks conducted in 25 American cities by Beldo & Associates for the American Can Company, showed that 94% of beer and soft drink products marketed were consumed either on premises (25%) or in the home (69%). These containers became a part of solid waste - not litter. Only six out of every 100 such containers marketed had their contents consumed out of doors; approximately three in recreational areas and three elsewhere. Only these six out of 100 are a potential of becoming a part of litter. Of these, Beldo & Associates concluded five were disposed of in litter receptacles and one became a part of litter. Think of it. In an attempt, and I emphasize the word "attempt", to prevent one container in 100 from becoming litter, this statute would burden the other 99 purchasers of beer and soft drinks. And at that, it seems most likely that the statute would not even prevent the one from becoming part of litter. A study conducted by the National Academy of Science Highway Research Board in 1969 showed the composition of roadside litter to include nearly as many returnable bottles as non-returnable. The bottle has not prevented our more slovenly motorists from littering with it.

I know that it has been said that a deposit on containers discarded in litter would encourage children to clean them up in order to make a little money. I think you probably shudder as much as I at the thought of our children exposing themselves to risk of harm along state and

county highways. But even if there were no risk, it is apparent that it would not happen. No one, not housewives, not children, is in practice of returning deposit bottles. The years just after the Korean war trippage, the number of times a returnable bottle is returned to the bottler to the bottler for refilling, was around 30. It has dropped ever since. The consumer's preference for one-trip containers caused them to choose not to return deposit bottles. For example, take Clark County. As recently as a year ago, Coca Cola's five cent deposit bottle there had a trippage of only 2. Before Pepsi Cola did away with the returnable bottle in the Clark County area, their experience was that trippage had fallen to less than one. So will a deposit work here? It hasn't been shown to work anywhere else that I know of to prevent litter; it hasn't worked in Clark County. How can it be said that this bill will suddenly make it work?

There is another important factor to take into account when considering whether to enact a deposit statute even if it were stipulated that every deposit bottle would be returned and none would end up in litter. Ours is a tourist economy. Jud Allen told me yesterday that 12,000,000 tourists visit Northern Nevada annually. Only about 400,000 of them come by air. Twenty million tourists visit the Las Vegas area annually. Only about 1,500,000 come by air. Most of them get here by automobile and most motorists come from California, either over Interstate 80 for Northern Nevada or Interstate 15 to Southern Nevada. No doubt most are weekenders. They may come for a variety of reasons, outdoor recreation in Nevada being a principal one, gaming being another. What of the slovenly user of our roadways who might come from California, having loaded up a cooler in his camper with beer and soft drinks before he left Sacramento? Does the deposit in Nevada, even if it were effective to prevent beverage containers from getting into litter, prevent his getting into litter? Absolutely not.

Finally, what is the price tag for this doubtful experiment? You have heard testimony on the terrible effects on the retail industry, to the wholesaler, and to the brewer. What about the consumer? We know at once that the amount of the deposit, whatever it is, will be passed on to the consumer? We know at once that the amount of the deposit, whatever it is, will be passed on to the consumer. And we all know from experience that the increase in costs from the manufacturing level down through distribution by the wholesaler and the retailer will be eventually passed on to the consumer. It is he who in the end will pay the bill for increased storage space, increase in the number of retail personnel to process containers, increase in the number of trucks of the distributor, increased freightage on the part of brewers shipping from distant points, depreciation on equipment which might be purchased by bottlers for the processing of returnable containers, and on goes the list of "horribles" mentioned in the report which you all have. All of this would be passed on to the consumer, who, if the studies are correct, is innocent of lettering 99% of the time; all of this would be passed on to all consumers in a futile effort to get that one litterer out of a hundred.

Finally, I ask you to note once again that the Oregon Legislature has commissioned its Legislative Fiscal Committee to conduct a study of the operation of the act and report back to the 1975 Legislature, the economic impact, the problems of distribution, the effectiveness of the statute

and the costs incurred in the act. In addition, constitutionality of the Oregon measure is yet to be finally determined in litigation now pending in the Oregon courts. You have been asked to profit from the Oregon example. I ask you to profit from all of it; refrain from adopting this measure unless and until it can be said with conviction that it will work economically, practically and legally.

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