

SENATE COMMITTEE ON EDUCATION, HEALTH,
WELFARE AND STATE INSTITUTIONS

FEBRUARY 23, 1977

The meeting was called to order on Wednesday, February 23, 1977, at 8:14 a.m. in Room 131. Senator Joe Neal was in the Chair, until the arrival of Senator Jack Schofield at 8:45 a.m.

PRESENT: Chairman Jack Schofield
Vice-Chairman Joe Neal
Senator William Raggio
Senator Richard Blakemore
Senator Wilbur Faiss
Senator William Hernstadt

GUESTS: Senator Clifton Young -- PRO S.B. 90
Joe Midmore--CON S.B. 90
H. Laverne Rosse--Proj. Director of Solid Waste Management
PRO S.B. 90
Wm. Kottinger-- Reno Chamber of Commerce, CON S.B. 90
James A. Edmundson-- State Health Division, PRO S.B. 90
Robert Delbert-- Representing Coca-Cola, CON S.B. 90
Sig Radtke-- Store-owner in Oregon, PRO S.B. 90
Tom Wiesner--Former Clark County Commissioner, CON S.B. 90
Michael Parenti--Representing Pepsi-Cola, CON S.B. 90
Jerry Petrie--Gen. Man. of BIRP, CON S.B. 90
Ted Siegler-- Univ. of Nevada Reno, PRO S.B. 90
Frank Carmen-- Clark Co. Juvenile Probation, CON S.B. 90
(See Exhibit "A" for guests who did not speak)

S.B. 90

Senator Clifton Young who sponsors the bill began the testimony. The Senator said this bill was first introduced in the 56th session. Young said that this legislation will enhance the ecological aspects and assist the financial problems in the State. Young said the average solid waste accumulated per person in the U.S. is approximately 4 lbs/day. And the throw away consumer package is about 34% of that solid waste. In 1958 there were only 2% of the soft drinks in non-returnable containers and 42% of the beer and by 1972 this increased to 59% were contained in non-returnable beverage containers and 77% of the beer. A total of approximately 60 billion containers were manufactured in 1972. There was a decline in breweries in 1972 from 400 to 147, and that trend continues, and the instrument in this decline is the non-returnable container. By 1969 2½ times one billion beverage containers were being deposited on the roadsides of this country. The bottle bill has been introduced in Oregon, Vermont, South Dakota, and in both Michigan and Maine by a referendum adopted this type of legislation. In 1976 in Nevada, the Highway Department reports that it spent some \$500,000 in cleaning litter, and in a study of the National Academy of Science in 1969, it was indicated that beer and soft drink cans constituted 47% of litter in Nevada and beer and soft drink bottles constituted approximately 7% of the litter. This was

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conducted by the Highway Research Board of the National Academy of Science. The bill provides a disincentive to those who have the tendency to litter. Senator Young said that in polls he has conducted, around 80% of the Northern Nevadans contacted responded that they favor this type of legislation. The Nevada Recreation and Parks Society endorsed this bill, the Administrator of the State Parks System in Nevada, the Supervisor of the Toiyabe National Forest, Supervisor of the Humboldt National Forest, the Nevada Wildlife Federation, State Director of B.L.M, the National Wildlife Federation, and the first period class of Chaparral High School (Exhibit "B") also all endorse this type of legislation.

Senator Hernstadt asked if it might be more effective to try and enact a resolution that would favor a national adoption of this type of legislation? Senator Young answered that a national law would be more effective, as none are identical, but he felt that members of the beverage industry would support the resolution and yet try to defeat enactment.

Senator Raggio asked what has been the economic impact of this type of legislation in Oregon? Senator Young said the canning plants have been badly affected, there has been some economic dislocation, the number of people used to collect the bottles has increased.

Senator Blakemore questioned why the bill does not deal with the entire litter problem, and not just the bottles. Senator Young said that it is unlikely that this state will impose a tax on newspapers, food stores and beverage producers for litter collection.

Senator Hernstadt asked why this bill had not passed in the prior two sessions it had been introduced? Senator Young responded because of a strong effort by the beverage industry to defeat this bill. The Senator said they spend about \$20 million per year to pay lobbyists, and there aren't any paid proponents for the bill. Senator Blakemore remarked that he wasn't influenced by any monetary offers, and people that contacted him were in favor of this legislation.

Mr. Joe Midmore spoke as the introductory speaker in behalf of the opposition of this bill. Senators Raggio and Hernstadt both emphasized they presently did not have any feelings either pro or con on this issue and wanted to listen fairly to both sides.

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Mr. Midmore read from a news story of the Reno Evening Gazette (2/2/77) which said, "a reduction of litter in the past year in Reno and Sparks by 48%" was caused by an organization titled Up-Keep and is done on a purely voluntary basis, (Exhibit "C")

Senator Hernstadt asked if any of the \$20 million spent on lobbying was used to conduct any viable polls? Mr. Midmore said he didn't know of any \$20 million.

Mr. Laverne Rosse of the Environmental Protection Services Agency of the Department of Human Resources spoke in behalf of S.B. 90 and offered possible amendments, (Exhibit "D"). Aside from the suggestion that this legislation be transferred from the Health Division to the Environmental Commission, Mr. Rosse was also concerned that this bill did not have a fiscal note, and would cost approximately \$50,000 to \$60,000 to implement. Senator Raggio questioned why it would take this amount to implement this program, and Mr. Rosse said this would involve two people to start the regulations and the assistance of a deputy from the Attorney General's office.

Mr. Wm. Kottinger of the Reno Chamber of Commerce spoke in opposition to the bill. Mr. Kottinger said that the problem is people and not packaging, and also the bill is drafted in a discriminatory manner.

Mr. James A. Edmundson of the State Health Division spoke in support of Mr. Laverne Rosse's comments and amendments, and said that it would cost about the same (\$50,000) to implement in his Department.

Mr. Robert Delbert, branch manager of the Coca-Cola Bottling Company in Las Vegas, spoke in opposition of S.B. 90 and submitted a written statement, (Exhibit "E"). Senator Hernstadt asked what do the re-cycling plants pay for litter? Mr. Delbert said there are nine re-cycling plants in Nevada which pay 1/2¢ per pound for metal, and .17¢ per pound for aluminum. Mr. Delbert commented that if the consumers have a choice, they will go for the non-recyclable containers.

Senators Faiss and Neal discussed the sanitary aspects of returnable bottles, and the number of times that a bottle can be recycled. Mr. Delbert said that there is always a chance of contamination with a returnable bottle and Mr. Parenti will comment on the number of times possible to recycle a bottle.

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Mr. Sig Radtke spoke in behalf of the legislation as a part-owner of a store in Oregon. Mr. Radtke said that the bill in Oregon has not had any detrimental affect on his business. Senator Hernstadt asked if Mr. Radtke had to build additional space for the storage of bottles? Mr. Radtke said yes, but they were already storing bottles, as Oregon had not been completely non-returnable at the passing of the bill.

Mr. Tom Weisner, a former Clark County Commissioner spoke as a private citizen in opposition to S.B. 90. Mr. Weisner said that there should be cooperation between the government and private industry. Senator Hernstadt asked if it could be possible to employ prison crews from Jean, Nevada for the re-cycling program? Mr. Weisner said it was a good idea and in Clark County they had worked with the Juvenile Probation department to hire youths for this purpose.

Mr. Michael Parenti, Vice-President and area manager for Pepsi-Cola Metropolitan Bottling Company and current President of BIN (Beverage Industry Nevada). Mr. Parenti said that the re-cycling plant goes on year-round and involves many respected members of the communities. Mr. Parenti said that Pepsi had to close down the St. George, Utah bottling plant because none were being returned, and he could not afford to continue to buy glass for production. Mr. Parenti said that the non-returnable bottles use a rinser that uses about 1/10th of the water that the old washers used. Senator Raggio asked if Pepsi uses both types of bottles? Mr. Parenti said that Oregon has both, but not in Nevada, and in Las Vegas the company caters to the airlines, and the airlines will not come there if the cost increased \$1.20 per case for deposits. Senator Hernstadt asked if there wasn't any choice, wouldn't this educate the people to return the bottles? Mr. Parenti said that the areas surrounding St. George, Utah were all returnable, and the bottles still didn't come back.

Mr. Jerry Petrie, general manager of BIRP (Beverage Industry Recycling Program) from Arizona spoke in opposition, (Exhibit "F"). Mr. Petrie gave a slide presentation showing the percentage of litter items returned for re-cycling and the money paid out. Mr. Petrie said that this bill has reduced can sales in Oregon by 83%, but can litter only reduced about 10.6%, so they were not equitable. Througout his presentation Mr. Petrie used figures relative to the State of Arizona, and these can be found in the handout, Exhibit "F". Mr. Petrie also said that education towards the problem of litter is vital, and the "Keep America Beautiful" program has really helped to identify the areas where education is needed.

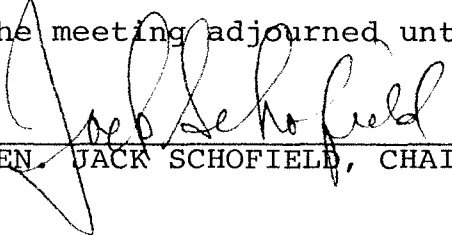
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Mr. Ted Siegler spoke in favor of the legislation as a research assistant with the Department of Resource Economics at the University of New Hampshire, and submitted a written testimony to the Committee, (Exhibit "G").

Mr. Frank Carmen spoke in favor of re-cycling and in opposition of S.B. 90 as Director of Clark County Juvenile Court Services. Mr. Carmen said that the re-cycling program employed 200 juveniles over the past three years and out of the 200, at least 1/3 went over to other successful employment. Mr. Carmen said to Senator Hernstadt that he felt this could also be implemented with the low-risk prisoners who will be housed in the Jean, Nevada facility.

The meeting adjourned until 5:00 p.m. of this same date.


SEN. JACK SCHOFIELD, CHAIRMAN

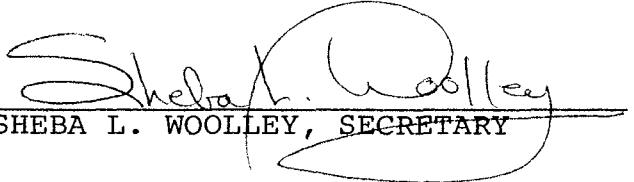

SHEBA L. WOOLLEY, SECRETARY

EXHIBIT "A"

GUEST LIST OF THOSE INDIVIDUALS WHO WISHED TO HAVE REPRESENTATION BUT WERE NOT ABLE TO RETURN TO THE 5:00 P.M. MEETING:

Chic Handwright: Pepsi-Cola, Elko, Nevada (CON)
Joseph E. DiGrazia: DiGrazia Dist., Wells, Nevada (CON)
Louis Peraldo, L.W. Peraldo Co., Winnemucca, Nevada (CON)
Wendy Lucas, Inland Beer Distributors Recycling Fund (CON)
Julian Marcuerquaga, 7-Up Company, Winnemucca, Nevada (CON)
R.J. Wells, Wells Recycling Center (CON)
Joe Morrey, Morrey Dist. Co. (CON)
Ted Gelber, Morrey Dist. Co. (CON)
Richard Evans, Southland Corp (7-Eleven Food Stores) (CON)
Gayle H. Patrick: 7-Eleven Convenience Stores, L.V. (CON)
Jean Stress: (PRO)
Jon Athey: Stop-N-Go Markets, L.V. (CON)
Larry Childress: Division Manager, Smith Food King (CON)
 See Exhibit "H" for submitted speech.
Jerome Maretto, Valley Dist. Inc., Fallon (CON)
Baldwin Bateman, 7-UP Bottling Co., L.V. (CON)
Charles Hecht, Mt. Valley Water Co, and L.V. Dist. Co. (CON)
League of Women Voters: League Solid Waste Committee
 See Exhibit "I" for submitted speech.

EXHIBIT "B"

February 11, 1977

Dear Senator Young,

Our first period Government class of Chaparral High School would like to take this opportunity to express our support of the "Bottle Bill" (SB 90) which you introduced into the Senate. We have chosen this bill to work on as a class project and have broken up into three committees which include a Petition Committee, a Pamphlet Committee, and a Public Relations Committee. The two page ditto sheet which is enclosed is the work of the Pamphlet Committee. The petitions however are not completed as of yet. We will be sending you the signed petitions on Monday the 14th in hope that they will get to you by Wednesday the 16th in time for you to present them to the Committee on Education, Health, Welfare, and State Institutions which is holding the hearing that day. Also, we would like you to present them when the issue is being debated on the floor of the Senate and Assembly.

Thank you

<i>Jug Crossman</i>	<i>John P. Kinney</i>	<i>Don Jackson</i>
<i>Katie Vorce</i>	<i>John P. Kinney</i>	<i>William P. Smith</i>
<i>Michelle Less</i>	<i>Cathy Korth</i>	<i>Cathy Wellendorf</i>
<i>Terri Howard</i>	<i>Mark Fisher</i>	<i>Dana Strumman</i>
<i>John Wilson</i>	<i>Renando del Guabo</i>	<i>Linda Syata</i>
<i>Fandi Meeser</i>	<i>Robert Williams</i>	<i>Donna Beau</i>
<i>Becky Arnoldt</i>	<i>Subbi Rajai</i>	<i>Doug Wells</i>
<i>Christa</i>	<i>Janet Magallon</i>	

EXHIBIT "C"

DEPARTMENT OF HUMAN RESOURCES
ENVIRONMENTAL PROTECTION SERVICES

Suggested Amendments to S.B. 90
February 16, 1977

Page 1, line 18:

Sec. 5. ["Board" means the state board of health.]

"Commission" means the state environmental commission.

Sec. 7A. "Department" means the department of human resources.

Page 2, line 36:

Sec. 17. The [board] commission may adopt any regulations...

Sec. 17A. The department is authorized to enforce regulations adopted, amended, or promulgated by the commission. Such regulations shall be reasonable and consistent with the purpose and intent of this act.

Page 2, line 38:

Sec. 18. 1. If, after notice and hearing, the [board] commission finds that any...

32—Reno Evening Gazette Wednesday, Feb. 2, 1977

Litter cleanup goal announced

By LENITA POWERS

Litter in Reno and Sparks was reduced by 48 per cent last year and the goal of UPKEEP, the cities' anti-litter committee, is to reduce it by 65 per cent in 1977, Hans Wolfe, UPKEEP chairman, said today.

Representatives from local businesses, the Washoe County School District and the two cities attended UPKEEP's annual meeting this morning in Reno.

UPKEEP, United People Keeping Effective Environmental Policies, was started 2½ years ago under the auspices of the Reno and Sparks city councils.

This year's campaign slogan is "Can the Little Critter." The campaign will include a litter barrel, litter bag, trash bag and bumper sticker drive, as well as continuation of educational presentations for schools and local organizations.

While no members of the Reno City Council attended the early-morning meeting, Sparks Mayor Jim Lillard and Councilman Valdo Renucci were present.

Sparks is considering action to help curb litter in the city, Lillard said. He mentioned the possibility of an ordinance he endorses which would prohibit parking on streets during days the street sweeper cleans certain areas.

"I think it takes the pride of the public to stop litter," Lillard said. "Whenever an area is kept clean, it makes other people not want to litter. Cleanliness causes more cleanliness."

When UPKEEP first began in 1975, it was initiated by a program called Action Research Model (ARM). The ARM program was part of a campaign by the U.S. Brewers Association to defeat a bottle bill before the Nevada Legislature.

That bill to prohibit disposable beverage containers presented a costly problem to the brewers association which maintained it was the duty of citizens, not just the bottle industry, to bear the expenses of cleaning up litter.

However, UPKEEP chairman Wolfe said whatever the group's origin, it is now "a 100 per cent, independent community group," which is not affiliated with either ARM or the brewers association.

UPKEEP is non-profit and has no budget, dependent only on community support, Wolfe said.

"The idea came from them," he said of the brewers association, "but we have never been associated with, affiliated with or contacted by any outside groups."

UPKEEP is a non-political group solely interested in cleaning up the cities of Reno and Sparks, as is being done in similar anti-litter movements in some 40 cities throughout the United States, Wolfe said.

MR. CHAIRMAN AND MEMBERS OF THE HEALTH EDUCATION AND WELFARE COMMITTEE, MY NAME IS BOB DELBERT AND I AM THE BRANCH OPERATIONS MANAGER FOR THE COCA-COLA BOTTLING COMPANY - LAS VEGAS PAST PRESIDENT OF THE SOUTHERN NEVADA BOTTLERS ASSOCIATION, AND THE BEVERAGE INDUSTRY OF NEVADA. I WOULD LIKE TO EXPRESS OUR VIEWS IN OPPOSITION TO THE NEWLY PROPOSED SENATE BILL S.B. 90.

FIRST, A COMMENT OR TWO ON THE INDUSTRY I REPRESENT. SOFT DRINKS ARE ONLY ONE OF A LARGE FAMILY OF COMMODITIES AND SERVICES WHICH CONTRIBUTE TO THE GROWTH AND ECONOMY OF THE STATE OF NEVADA.

SOFT DRINKS ARE A FOOD PRODUCT AND ARE RECOGNIZED AS SUCH BY EVERY STATE AND FEDERAL GOVERNMENT. THEREFORE, AS A SOFT DRINK MANUFACTURER AND PROCESSOR, IT IS MOST IMPORTANT THAT WE DO EVERYTHING TO PROTECT OUR RESPECTIVE BUSINESSES AND TO SEE THAT THEY CONTINUE TO GROW.

THE SOFT DRINK INDUSTRY SHARES CONCERN OVER THE ESTHETICS OF OUR ENVIRONMENT AND RECOGNIZES OUR RESPONSIBILITY AS CITIZENS OF THE COMMUNITY IN MAKING EVERY EFFORT TO BRING ABOUT IMPROVEMENTS THROUGH EFFECTIVE AND PRODUCTIVE PROGRAMS THAT BENEFIT THE ENTIRE PUBLIC AT LARGE AND BELIEVE THERE ARE THREE BASIC APPROACHES TO THE PROBLEM:

SOLID WASTE MANAGEMENT

EDUCATION

RECYCLING

RECOGNIZING THAT THE PROPOSED LEGISLATION IS BASICALLY AN ANTI-LITTER BILL, LET US SPEAK ON THAT FOR JUST A MOMENT:

RECYCLING

IN 1972, WE OF THE SOFT DRINK AND BEER INDUSTRY FORMED A CORPORATION CALLED "BIN" TO WORK WITH THE JUVENILE AUTHORITIES IN LAS VEGAS, OPENING A RECYCLING CENTER ~~ON LAS VEGAS STREET~~. THIS PROGRAM HAS BEEN BENEFICIAL IN TWO WAYS:

1. WE HAVE RECYCLED BOTTLES AND CANS OR 5,815,000 POUNDS OF GLASS AND CANS THROUGH OUR CENTER SINCE 1974. THE NUMEROUS CLUBS AND ORGANIZATIONS THAT HAVE COLLECTED THIS WASTE MATERIAL, AND BROUGHT IT TO OUR CENTER FOR RECYCLING, HAVE RECEIVED \$ 341,500 PAID BY US TO FINANCE MANY OF THEIR CIVIC PROJECTS.
2. WE HAVE ASSISTED THE JUVENILE AUTHORITIES IN THEIR EFFORTS TO CORRECT THE PROBLEMS OF MANY YOUNGSTERS BY GIVING THEM JOBS IN THE COMMUNITY TO OCCUPY THEIR TIME INSTEAD OF SPENDING IT ELSEWHERE. SINCE 1974, WE PAID THESE YOUNGSTERS \$ 50,177 THROUGH THE JUVENILE COURTS, LETTING THEM EARN WHILE THEY LEARN TO BE GOOD CITIZENS. WE HAVE

AS YOU SEE, WE HAVE ACCOMPLISHED A GREAT DEAL IN ~~THE~~ ^{A SHORT PERIOD OF} TIME, BUT WE KNOW WE HAVE ONLY SCRATCHED THE SURFACE AND THERE IS MORE TO BE DONE. WE HAVE PLEDGED OUR INDUSTRY TO OVERCOME THIS ECOLOGY PROBLEM, BUT IF A BILL LIKE THIS IS PASSED, WE CANNOT CONTINUE OUR PROGRESS.

ALTHOUGH CONTAMINATION OF OUR AIR AND WATER IS OF REAL CONCERN TO MOST OF US, THE MATTER OF LITTER IS ONE THAT HAS CAUGHT THE ATTENTION OF ECOLOGISTS AND ENVIRONMENTAL GROUPS, PRIMARILY BECAUSE OF ITS GREAT VISIBILITY. RECYCLING IS AN IMPORTANT EFFORT IN THIS THREE-PRONGED DRIVE TO CLEAN UP OUR ENVIRONMENT. AS AN INDUSTRY, WE ACKNOWLEDGE THE FACT THAT THIS IS AN INTERIM SOLUTION AT BEST. IT HAS MADE ONE VERY IMPORTANT CONTRIBUTION IN THAT IT HAS MADE THE PUBLIC MORE AWARE OF THE LITTER PROBLEM AND THE IMPORTANCE OF RETURNING MATERIAL FOR REUSE.

EDUCATION

AND NOW A FEW COMMENTS ON POINT NO. 2 -- EDUCATION.

THERE IS NO DENYING THAT WE HAVE A LITTER PROBLEM BUT THERE HAVE BEEN IMPROVEMENTS AND THE SITUATION CAN CONTINUE TO IMPROVE THROUGH EDUCATION -- MAKING THE PUBLIC AWARE OF THE PROBLEM

AND METHODS BY WHICH THE SITUATION MUST BE CHANGED. THE PACKAGING AND BEVERAGE INDUSTRIES' EFFORTS ALONG THESE LINES HAVE BEEN THROUGH FINANCIAL SUPPORT OF ORGANIZATIONS SUCH AS KEEP AMERICA BEAUTIFUL. THIS ORGANIZATION, WHILE RETAINING ITS PRIMARY GOALS OF ATTEMPTING TO CONTROL LITTER THROUGH PUBLIC EDUCATION, HAS TAKEN DEFINITE STEPS TO EXPAND ITS ACTIVITIES THROUGH COOPERATIVE PROGRAMS WITH ITS INDUSTRY SUPPORTERS, VOLUNTARY ORGANIZATIONS AND GOVERNMENT AT ALL LEVELS. THEY SERVE AS AN EDUCATIONAL AND ADVISORY GROUP THROUGH WHICH OTHER ORGANIZATIONS, SUCH AS BOTTLERS, MAY PARTICIPATE IN STATEWIDE OR LOCAL PROGRAMS TO PREVENT POLLUTION.

CURRENTLY WE ARE TEST MARKETING A CAN THAT KEEPS THE POP TAB ATTACHED TO THE CAN.

SOLID WASTE MANAGEMENT

THE IMPORTANT FACET OF SOLID WASTE MANAGEMENT IS RESOURCE RECOVERY. RECOVERY OF SALVAGEABLE MATERIALS FROM MUNICIPAL REFUSE SEEMS TO BE THE LONG RANGE SOLUTION TO PRESENT SOLID WASTE PROBLEMS. MANY NEW IDEAS HAVE BEEN DEVELOPED USING THESE SALVAGEABLE MATERIALS. THE MAIN ROAD COMING INTO LAS VEGAS HAS BEEN PAVED USING GLASS FILL. A BUILDING IN UTAH INCORPORATED RECYCLED GLASS IN THE MATERIAL USED TO CONSTRUCT THIS BUILDING. THESE ARE JUST A FEW EXAMPLES; MANY MORE WILL FOLLOW IF INDUSTRY IS GIVEN SUFFICIENT TIME TO DEVELOP THESE IDEAS.

RECOGNIZING THE INADEQUACY OF PRESENT DAY SOLID WASTE HANDLING AND DISPOSAL PRACTICES, LEADERS OF DIVERSE AMERICAN INDUSTRIES AND LABOR UNIONS JOINED IN 1970 TO FORM WHAT IS NOW THE "NATIONAL CENTER FOR RESOURCE RECOVERY." UNDER ITS CHARTER, THE NON-PROFIT CORPORATION IS COORDINATING THE EFFORTS OF INDUSTRY AND LABOR WITH THOSE OF THE U.S. ENVIRONMENTAL PROTECTION AGENCY AND OTHER PUBLIC AND PRIVATE INSTITUTIONS IN DEVELOPING LONG RANGE SOLUTIONS TO THE NATION'S SOLID WASTE DILEMMA. THIS IS BEING FUNDED BY PRIVATE INDUSTRY WITH GOVERNMENT GRANTS FOR SPECIAL PROJECTS.

ECONOMICS

THE SOFT DRINK BOTTLING PLANTS ARE MANUFACTURERS: WE PAY ALL THE SAME TAXES PAID BY OTHER NEVADA FOOD INDUSTRIES, PLUS ALL LOCAL, COUNTY, AND STATE TAXES AND LICENSES. THEREFORE, OUR OBJECTION TO THE PROPOSED BILL IS THAT THE SOFT DRINK AND BEER INDUSTRIES ARE BEING SINGLED OUT AND ASKED TO PAY DEPOSITS THAT ARE NOT LEVIED ON OTHER FOOD INDUSTRIES IN NEVADA.

IT IS A FUNDAMENTAL FACT THAT SOFT DRINKS ARE ONLY ONE OF A LARGE FAMILY OF COMMODITIES AND SERVICES WHICH COMPRISE THE STRENGTH OF INDUSTRY AND COMMERCE. AS SUCH, THEY GENERATE INCOME AND EMPLOYMENT AND ENTER INTO THE NEVADA TAX BASE IN THE SAME WAY AS DO OTHER COMMODITIES AND SERVICES. A CONTINUATION OF EQUAL TREATMENT IS ALL THAT WE ASK, OR EXPECT.

SOFT DRINKS ARE IN DIRECT AND KEEN COMPETITION FOR THE CONSUMER'S FAVOR AND MONEY WITH COFFEE, TEA, CANNED JUICES, FRUIT CONCENTRATES, AND A BROAD GROUP OF OTHER CONSUMER ITEMS, AND AS YOU KNOW, MANY OF THESE ITEMS ARE IN CONVENIENCE CONTAINERS. THIS DEPOSIT LAW WOULD DISCRIMINATE AGAINST SOFT DRINKS IN FAVOR OF SUCH COMPETITIVE BUSINESSES AS JUICES, COFFEE, TEA, MILK AND SIMILAR ITEMS WHICH COMPETE WITH US FOR THE CONSUMER'S FAVOR. PAST EXPERIENCE REVEALS THE GENERAL CONSUMER PREFERS CONVENIENCE CONTAINERS. WE PURPOSELY MARKETED CONVENIENCE AND RETURNABLE CONTAINERS FOR YEARS BUT THEIR PREFERENCE MADE US DEVELOP OUR CURRENT PACKAGE LINE.

OVER 50% OF SOFT DRINKS SOLD ARE TO HOUSEWIVES IN CARTONS OF SIX OR EIGHT, OR CASES OF TWENTY-FOUR BOTTLES. THIS ADDITIONAL DEPOSIT ON SOFT DRINKS UNDER BILL S.B. 90, WHICH WOULD INCREASE THE COST 5¢ PER BOTTLE, WOULD FORCE THIS CONSUMER WITH A LIMITED BUDGET TO DISCONTINUE BUYING SOFT DRINKS.

CONSUMERS PURCHASING SOFT DRINKS FROM VENDING MACHINES, WOULD HAVE TO PAY AN ADDITIONAL 10¢ PER CONTAINER FOR OUR PRODUCTS TO RECEIVE A 5¢ REBATE WHEN RETURNING THIS SAME PACKAGE TO THE RECLAIMING CENTER, IF THE DEALER EXPECTS TO RECEIVE THE SAME PERCENTAGE OF PROFIT HE IS CURRENTLY MAKING. YOU KNOW WHAT THIS WOULD DO TO OUR BUSINESS.

GENTLEMEN, IN SUMMARY MAY I STATE THAT:

1. THE SOFT DRINK INDUSTRY BELIEVES THAT LITTER WOULD NOT BE MATERIALLY AND SIGNIFICANTLY REDUCED UNDER S.B. 90.

2. SOFT DRINK SALES UNDER SUCH RESTRICTIVE LEGISLATION WOULD DECREASE, WITH SUBSEQUENT ADVERSE ECONOMIC EFFECTS.

IN CLOSING, MAY I STATE THE POLICY OF THE SOFT DRINK ASSOCIATION WHICH IS TO "PRESERVE THE RIGHT OF THE INDUSTRY TO UTILIZE ALL PACKAGING MATERIALS AND CONCEPTS AVAILABLE TO OTHER FOOD MANUFACTURERS IN THE RETAIL MARKETPLACE. IT SHALL FURTHER BE THE POLICY OF THE INDUSTRY TO ACTIVELY JOIN AND SUPPORT ANY EQUALLY AND FAIRLY ADMINISTERED EFFORT TO REDUCE THE IMPACT OF PACKAGING ON THE LITTER AND SOLID WASTE PROBLEMS, WHILE AT THE SAME TIME, PRESERVING FREEDOM OF CHOICE IN THE MARKETPLACE FOR OUR CUSTOMERS.

THANK YOU FOR THIS OPPORTUNITY TO PRESENT OUR VIEWS IN THIS VERY IMPORTANT MATTER.

BIRP Reports Record

EXHIBIT "F"

(Continued from page 1)

cause needless industry spending which raises consumer beverage prices, reduces industry payrolls and wastes energy. They tend to eliminate average can sales because of the trouble retailers have in handling redemptions, which would directly affect nine can plants in Arizona,

including the new National Can facility under development in Phoenix.

Petrie reported that beer distributors here have to ship the returnable containers they now sell an average of over 800 miles back to the brewery. "How can you save energy when you are shipping empty containers over

800 miles to be refilled?", he asked. He called bottles a problem at twice the size and 15 to 22 times the weight of cans. "Bottles simply do not have a high recycling value. We have been losing money on bottle recycling since we began", he added.

DECEMBER OPERATIONS

	1976	1975	1974
ALUMINUM	735,204	589,502	512,836
STEEL	115,862	109,818	136,107
GLASS	539,675	325,899	354,801
NEWSPAPERS	722,496	—	—
TOTAL POUNDS	2,113,237	1,025,219	1,003,744
TOTAL PAYMENTS	\$122,010.92	\$91,144.87	\$81,346.27
Phoenix Totals	840,001	637,080	585,639
Mesa Toals	449,082	86,566	112,501
Glendale Total	177,263	—	—
Tucson Totals	569,511	301,573	305,604
Flagstaff Total	77,380	—	—

TOTAL POUNDS COLLECTED TO DATE¹ 58,078,962
TOTAL PAYMENTS TO PUBLIC TO DATE² \$3,848,083.78

¹Includes \$165,773 paid out for bottles at 1¢ each.

²Totals Since April 1, 1971.

1976 Summary

MONTH	ALUMINUM	STEEL	GLASS	NEWSPAPER	TOTAL POUNDS	MONEY PAID
January	568,134	131,156	379,556	—	1,078,846	\$ 88,235.47
February	487,630	102,370	354,907	—	944,907	\$ 76,110.73
March	569,680	119,257	416,714	—	1,105,651	\$ 88,987.79
April	674,924	119,136	359,771	—	1,153,831	\$ 104,485.57
May	747,410	114,711	369,855	222,978	1,454,954	\$ 117,980.87
June	818,135	114,013	449,143	238,202	1,619,493	\$ 129,338.69
July	893,179	108,572	382,289	240,472	1,624,512	\$ 140,064.65
August	797,478	104,454	466,680	297,015	1,665,627	\$ 126,724.46
September	660,036	86,048	312,164	326,605	1,384,853	\$ 105,191.65
October	670,925	107,213	591,724	446,653	1,816,515	\$ 109,752.80
November	610,896	105,183	482,178	545,321	1,743,578	\$ 101,181.79
December	735,204	115,862	539,675	722,496	2,113,237	\$ 122,010.92
76 TOTALS	8,233,631	1,327,975	5,104,656	3,039,742	17,706,004	\$1,310,065.39
75 TOTALS	6,573,360	1,615,273	5,291,681	—	13,480,494	\$1,029,972.36
74 TOTALS	4,777,778	1,792,523	4,075,529	—	10,645,830	\$ 698,517.41

1976 BY LOCATION

Phoenix	5,026,646	531,928	2,716,110	281,357	8,556,041	\$ 768,388.98
Mesa	691,389	188,278	522,320	1,920,582	3,322,569	\$ 116,490.76
Glendale	313,121	111,110	180,751	352,830	957,812	\$ 52,502.41
Tucson	2,260,645	474,561	1,641,961	404,381	4,781,548	\$ 354,464.66
Flagstaff	41,824	22,093	43,511	81,042	188,470	\$ 18,664.83

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NEWS

Do Not
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IN ARIZONA, RECYCLING IS THE ANSWER

Vol. 6, No. 1 Beverage Industry Recycling Program/2651 S. 22nd Avenue, Phoenix, AZ 85009 January, 1977

BIRP Reports Record Operations At Sixth Legislative Meeting

Arizona's successful container recycling program, expanded last year to include newspaper purchases, reported that a record 17,706,004 pounds of materials were collected in 1976 for \$1,310,065.39.

Jerry Petrie, general manager of BIRP, told state legislators that the non-profit industry sponsored effort continues to be the nation's most successful effort of its kind and is now collecting about a pound of recyclable material for every man, woman and child in the state each month.

He thanked legislators for not undermining the program by passing mandatory container deposit legislation which he said would put BIRP



BIRP MANAGERS — The men who have guided BIRP's growth during the past six years gathered together during the 1977 legislative report luncheon program. From left, Jerry Petrie, BIRP general manager; Dewey Wilcoxson, manager of Barq's Bottling Co., Phoenix who serves as the current chairman of the BIRP management committee; Arthur Pearce, head of Zeb Pearce & Sons — Coors, Phoenix who is the past chairman of the management committee; and George Taylor, owner of Paul Navarre's Casual Furniture, Phoenix, BIRP's first management committee chairman. Taylor is the former general manager of Phoenix Coca-Cola Bottling Co.



PETRIE REPORTS — BIRP general manager Jerry Petrie delivers his sixth annual report to Arizona legislators at the Phoenix Country Club this month. More than 70 of the 90 lawmakers attended the meeting along with industry and local government officials.

out of business. Arizona is far ahead of Oregon, which has such a law, in reducing container litter and solid waste, he said.

Aluminum Price Boosted

The price paid for aluminum cans is now 17 cents per pound, up from 15 cents per pound last week. Steel (tin) cans are purchased for a penny a pound, newspapers for $\frac{3}{4}$ of a cent per pound and glass bottles and jars, sorted by color, for $\frac{1}{2}$ cent a pound.

He called BIRP a \$2 million industry for the state between the cash pay-

ments to the public, the \$400,000 paid in 1976 for payroll to the more than 30 BIRP employees and to local suppliers, and the nearly \$300,000 saved by cities which did not have to collect and bury the materials.

Petrie rapped Oregon's "bottle law" and the efforts of Sen. Mark Hatfield (R., Oregon) and former Oregon Governor Tom McCall to push similar national legislation. He called on Arizona's congressional delegation to promote the "Arizona Story".

He said mandatory deposit laws

(Continued on page 2)

B.I.R.P.'s better than new laws

"After state-wide successes in both Maine and Michigan," reported Conservation News, "renewed attempts will be made to enact a nationwide "bottle-bill" requiring refundable deposits on all beverage containers as an incentive to encourage reuse and recycling activities."

Proponents of Oregon's and Vermont's "bottle laws" also point to successes in those states and cry out for a nationwide law which would require that all beverages be contained in returnable bottles.

Arizonans might well wonder why the need for government regulation, when a program exists in this state which has eliminated such a need, a program without governmental interference in private industry.

Arizona's answer is to simply keep the litter and recycle it.

Since 1971 more than 650 million cans and bottles have been reclaimed through the Beverage Industry Recycling Program (BIRP). This year the collection of newspapers has been added to the effort which currently saves nearly 2,000,000 pounds of recyclables each month -- "about a pound for each man, woman and child," BIRP officials note.

Recycling of materials is not the public's only motivation -- they have been paid more than \$3.5 million for their efforts -- an amount that averages close to \$125,000 per month today.

These dollars and cents amounts are an effective answer to governmental imposed restrictions, an answer that reduces waste without disrupting an economy, restricting container choice in the market or raising beverage prices.

BIRP is the first such state-wide non-profit cooperative effort between industry and state and local governments involving household containers. The Glendale center on North 62nd Drive is one of six in the state.

The centers have just raised the they pay for aluminum cans cents a pound. They pay a

penny a pound for steel (tin) cans and 1/2 cent a pound for newspapers and glass. BIRP officials point out that "while not as much as a deposit, this is new money to our customers, not the return of their deposit funds."

Highest use of the centers is made by senior citizens and low income families trying to augment their incomes. "Many have developed sophisticated collection routes of their own in trucks financed from recycling funds," says Jerry Petrie, BIRP's general manager.

BIRP's program has created a steady market for recyclables. "It has boosted the state's economy where a deposit law would have drained it," said Petrie.

Bottle laws would eliminate such a program, for it is the sale of the aluminum cans which keeps it going. Half of all the cans sold in the state are recycled through those centers.

Without the cans, not only would BIRP shut down, but many of the state's nine can manufacturing plants would as well. Bottles cost the industry more to use in warehouse space, delivery weight and loss to breakage. These costs would be passed to consumers; citizens of Oregon pay higher prices for beverages than do others.

In addition, studies of Oregon, although contradictory, show that only 10 percent of its solid litter has been reduced, results that some say are more from an aggressive litter collection effort than the bottle law itself.

While Arizona may still have a lot of litter, cities here save \$25,000 a month in collection and landfill burial costs of recycled containers.

Conservationists have long held that recycling and general resource recovery of valuable materials is necessary. But while Oregon, Maine, Michigan and Vermont have their proponents of bottle laws, Arizona has proved that new laws are not the only way to handle a problem.



★ Beverage Industry Recycling Program

GLENDALE NEWS-HERALD

Glendale, Az.

January 12, 1977

Arguments in favor of Senate Bill 90

- (1) The potential for reducing solid waste generation and the associated public costs.
- (2) Recycling and returnable container legislation.
- (3) Customer convenience or market penetration.
- (4) The social costs of nonreturnables.

- (1) The potential for reducing solid waste generation and associated public costs.

Deposit legislation can be viewed both as a means of reducing litter and of reducing solid waste quantities and associated costs. I would like to concentrate on the reduction of solid waste.

(a) Solid waste is a significant problem in all large cities. For example, in the Baltimore metropolitan area where 2,000,000 tons of solid waste are generated each year, there is sufficient landfill capacity for less than one-half of the total. This is primarily because of strong opposition to the location of new landfill sites. Closer to Nevada; both Los Angeles (with over 7 million tons per year) and San Francisco (with over 2 million tons per year) have found that even though land is available for landfill sites outside the city limits, the cost of hauling solid waste long distances (collection and hauling represent 80% of all solid waste costs) makes the solid waste budget one of the largest city budgets.

(b) Rapid growth in Reno and Las Vegas will put increasing pressure on land close to the cities. Therefore, even though substantial land for new landfill sites may exist outside of Reno and Las Vegas; transportation costs will increase substantially. This will be exacerbated by increased fuel costs in the near future (garbage trucks average less than 5 miles per gallon).

(c) Extrapolating an average waste generation per capita figure to the 1980 projected combined population of Reno and Las Vegas of 607,000, indicates that Reno and Las Vegas will generate about 280,000 tons of solid waste in 1980. Most analyses of returnable container legislation estimate that solid waste would be reduced by 5%. On this basis 14,000 tons of bottles and cans could be eliminated from the solid waste streams of Reno and Las Vegas per year. This would mean a potential savings, at today's average cost of \$50/ton to collect haul and dispose of solid waste; of 700,000 dollars. It should be noted that this figure includes only residents. If the tourists were accounted for, the savings would be well over 1,000,000 dollars.

- (2) Recycling and returnable container legislation.

The traditional argument used by opponents of returnable container legislation is that recycling is the answer, and that modern "resource recovery" facilities eliminate the need for returnable container legislation. This argument has the following deficiencies:

(a) Most of the containers affected by the legislation will be aluminum or glass. There is no economical method available at the present time for separating these materials in any proposed or operating resource recovery facility in this country. In fact, there are still numerous technical difficulties that must be worked out.

(b) In plants employing hand separators, there is still sufficient material with marketable potential remaining so that hand separators would not have to be laid off. These materials include used newsprint, used corrugated containers, and the remaining tin cans.

(c) A large portion of the energy saved by separating cans and bottles at central plants is lost by; transporting the cans and bottles to the plant, construction and operation of the plant, and the additional energy used to fabricate new cans and bottles with the recycled material. None of this energy is lost in a returnable container system.

(d) Primary support for "resource recovery" facilities has come from the bottle and can industries. In fact, some large can companies are directly involved in bidding, building and operating resource recovery facilities which handle, as part of the waste stream, the waste they produce. Unfortunately, it is the public that pays for the plants.

(3) Customer convenience or market penetration.

Many opponents of returnable container legislation claim the nonreturnables were introduced because of demand by consumers. This may not have been the case at all. One of the primary effects of (it might be argued - reasons for) the introduction of nonreturnable containers by the large beer and soft drink dealers, was to force many small breweries out of business. Between the mid 1950's (when nonreturnables first entered the market) and 1967, the number of breweries in this country dropped from 262 to 188 (a 28% drop). By 1975 there were less than 100 breweries in the country. Nonreturnables allowed the large breweries to penetrate local markets since nonreturnables eliminated the need to handle; i.e., incur the transportation and handling costs of empty containers.

The result has been the transfer of a once accepted business cost from the breweries and distributors to the general public. This brings me to my final point.

(4) The social cost of nonreturnables.

In an era when considerable thought is being given to internalizing the social/environmental costs of doing business; so that the full (real) cost of a commodity is reflected in its selling price - returnable container legislation stands out as a perfect example of what can be done through legislation to internalize a cost now being borne by the general public.

Smith's Food King

2987 Las Vegas Boulevard North
North Las Vegas, Nevada 89030
(702) 649-7770

WHY WE SHOULD NOT HAVE DEPOSIT BOTTLES IN NEVADA

IN OPPOSITION OF: SENATE BILL No. SB 90

LARRY CHILDRESS

DIVISION MANAGER

SMITH'S FOOD KING

CLARK COUNTY NEVADA

WE OPERATE 12 SUPERMARKETS IN CLARK COUNTY. WE HAVE JUST COMPLETED AND OPENED 3 NEW STORES THIS PAST YEAR IN LAS VEGAS WITH CONVENTIONAL BACK ROOMS AND STORAGE SPACE, WITH NO ALLOTTED SPACE FOR BOTTLES, CANS OR CONTAINERS.

1. COST

UNDER THIS DEPOSIT PROGRAM, IN OUR PRESENT OPERATION, WE WOULD HAVE AN AVERAGE INCREASE OF 475 HOURS PER WEEK AT A MINIMUM HOURLY WAGE OF \$2.50 PER HOUR, AND WOULD RESULT IN AN INCREASE OF \$1,187.00 PER WEEK, OR \$61,750.00 PER YEAR, PLUS, HUNDREDS OF THOUSANDS OF DOLLARS FOR REMODELS TO OUR STORES, FOR EXTRA STORAGE.

WE ARE MAKING EVERY EFFORT TO CONTROL PRICES TO THE CONSUMER, AND WITH THE COST OF THE DEPOSIT PROGRAM, WE COULD NO LONGER OFFER THE CONSUMER THE VALUE THEY ARE NOW RECEIVING. I REALIZE THAT IN THIS BILL THAT WE HAVE EVERY RIGHT TO REFUSE CONTAINERS IF THEY ARE NOT CLEAN, BUT HERE AGAIN, HOW CAN WE REFUSE CONTAINERS WITHOUT CAUSING BAD FEELINGS ON THE CONSUMERS PART AND TURNING AWAY CUSTOMERS.

Smith's Food King

2987 Las Vegas Boulevard North
North Las Vegas, Nevada 89030
(702) 649-7770

2. HEALTH HAZARD

- A. GERMS
- B. ROACHES
- C. OTHER INSECTS
- D. FILTH IN GENERAL

WE KEEP VERY CLEAN STORES AND COMPLY WITH HEALTH DEPARTMENT REGULATIONS. YOU ARE ASKING US TO BRING FILTH, DIRT, INSECTS INTO OUR STORES THAT WILL EFFECT THE CLEANLINESS OF OUR STORES AND THE HEALTH OF OUR CUSTOMERS AND EMPLOYEES.

3. N I C CLAIMS

AS IN PAST EXPERIENCE, N.I.C. CLAIMS WOULD INCREASE FROM BROKEN BOTTLES, CAUSING SEVERE CUTS AND BLEEDING.

N.I.C. RATES WOULD INCREASE WHICH WOULD BE AN ADDITIONAL COST. AGAIN, WE WOULD HAVE TO PASS ON TO THE CONSUMER.

4. STORAGE SPACE

THE HOT, DRY CLIMATE IN CLARK COUNTY, CREATES A HEAVIER CONSUMPTION OF BEVERAGES THAN OTHER AREAS. WE DO NOT HAVE ADEQUATE STORAGE SPACE FOR THE RETURNS. THIS WOULD MEAN ADDITIONAL COST FOR BUILDING STORAGE SPACE AND IN SOME OF MY STORES, I HAVE NO PLACE TO EXPAND.

5. THIS BILL IS SOMETHING THAT WE, AS MERCHANTS, CANNOT LIVE WITH.

STATEMENT OF THE LEAGUE OF WOMEN VOTERS OF NEVADA ON SB 90 -- AN ACT RELATING TO BEVERAGE CONTAINERS, February 23, 1977

The League of Women Voters of Nevada supports the principles and provisions of SB 90 which requires a 5¢ minimum refund value for soft drink and malt beverage containers and bans the sale of metal containers with detachable tops. This support is based on our strong positions on the prudent use of natural resources and the conservation of energy, as well as our concern over the increasing burden of solid waste.

Reduction of waste generation is one of the easiest and most rational approaches to the problem of solid waste management which at the same time promotes energy conservation and wise use of natural resources. SB 90 provides this kind of approach and we believe its provisions will be of benefit to all Nevada citizens. Consumers will again have a choice of products as well as dollar savings available; there can be a reduction in litter and solid waste; and there can be a significant impact on energy savings.

For the first time in many years there will be a real choice available to the consumer as to the kind of packaging ~~will~~^{to} be purchased. There will be an option to purchase and throw away the packaging at a higher cost ~~or~~ to "borrow" it and return it for reuse at a lower cost. In stores which already provide this choice through sale of their own brands in returnable containers, the monetary advantage to the consumer is quite evident. A recent check at a Las Vegas national chain store (Safeway) showed the store label selling at 3 quarts for one dollar plus a 10¢ per bottle deposit, totalling \$1.30. On the same shelves an equal quantity of a nationally known soda in non returnable containers without a deposit cost \$1.89. The store's own brand in non returnable containers cost about 20¢ to 25¢ more than the returnables ~~plus~~ deposit. Generally beverages purchased in one-way containers without deposit cost more than

returnables with a deposit.

Consumers will respond to these choices as is shown in figures from surveys in Oregon and Vermont, both of which do have "Bottle Bill" legislation. Since Oregon was a 50% returnable user state before passage of its Bottle Bill, perhaps its percent of returnable use is not terribly surprising, Vermont, however, was a low percentage user of returnables and testimony from Dr. Martin Johnson of the Vermont Environmental Conservation Agency indicates that "trippage" or the number of times a bottle is being returned and reused, is at a 90% rate.

The consumer also benefits from the reduction of both roadside litter and the volume of solid waste which must be collected and disposed of by local and state governments: first, in terms of aesthetics and health, and secondly, in terms of costs related to lower volumes of solid waste. Bottles and cans make up 60% to 80% of litter by volume and up to 40% by item count according to federal studies. Both Oregon and Vermont surveys and data confirm earlier federal studies showing decreases in highway litter ranging from 65% to 95%. Beer and soft drink containers constitute 6% of the municipal solid waste volume -- a figure which could be cut by 50% to 75% through the use of returnable containers.

Previously emphasis has been upon the litter and solid waste reduction benefits of a return to reusable containers, but the League is equally if not more concerned with the effects upon energy conservation and wiser use of resources which would result from such action. The more refills of a reusable bottle and the more recycling of returnable cans, the fewer virgin materials will be required to produce non returnable containers and less energy needlessly consumed. Both the Illinois and federal studies clearly show that refillable glass bottles used ten times consume one-third less energy than any one-way container on the market. That means less pollution

in both air and water in addition to the savings in fuel consumption. Recycling of 90% of the aluminum cans (which would be encouraged through a required deposit) could save over two thirds of the energy required to produce the can from virgin materials. Americans lowered their highway speeds to 55 mph in the midst of the 1973-74 energy crunch which amounted to a savings of 200,000 barrels of oil per day. A shift to returnable containers on a nationwide basis would add another 115, 000 barrels per day savings.

The labelling required in Section 16 is necessary to inform the consumer as to which containers are returnable as well as to remind purchasers of the monetary value of the container. We will not change habits developed from the lack of choice overnight. Just as we have been constantly reminded over more than twenty years that a container is non-returnable, we must now be reminded that there are returnable containers which may be "rented" rather than purchased. Such labelling will aid the consumer in choosing between the proliferation of sizes and kinds of containers on the shelves.

SB 90 does not do away with cans but rather provides an incentive for return and recycle. Experience in states with similar legislation indicates a recovery of can sales after an initial drop upon implementation of the legislation and also an increase in the number of returns. (Up to 80% return in Oregon and 70% return has been shown in a pilot project at Yosemite National Park.) In Oregon many recycling centers have contracted with beverage distributors to handle the returns and thus continue their activities and earnings.

The logic against throwaways is strong both in terms of economics and conservation. We would not literally throw dollar bills into the garbage, yet this is exactly what we are doing when we pay for a non returnable container and throw it out immediately upon use. It is especially ironic

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when we know better, but have no other choice. In establishing priorities for energy uses, the place of the non returnable container must be carefully examined and scrutinized. It also appears that most of our present litter laws are unenforcable because of the costs of police and court work as well as the other priorities of law officers. The market place is more likely to affect our purchasing and disposing habits than warning signs along the highway.

The League supports passage of SB 90, but would ask that time be allowed for the development of rules and regulations by the Health Board prior to actual implementation of the provisions of the law.