

Senate Finance Committee:

I am writing this letter in reference to SB18-045 to repeal the Architectural Paint Stewardship Act. I appreciate anyone that is fiscally conservative, but I do have some concerns about what eliminating the Architectural Paint Stewardship Act could mean for my community and other rural communities in Colorado. I understand that the purpose of the bill is because it is felt that the Act 'costs consumers millions of dollars (while) creating a tacit monopoly.' Paint is a hazardous material to dispose of. Prior to this bill, Colorado citizens were having to pay out of pocket to properly dispose of paint, or local governments were having to use tax dollars to fund responsible paint disposal. Both options were costing more than the nominal fee assessed by PaintCare. The 501(c)(3), PaintCare, was established by paint manufacturers to address a problem that they saw, that of disposing paint properly.

I am the mayor of Westcliffe. I have been the mayor for nine years and sat on the Town Board for the five years prior. I feel that I have a pretty in depth understanding of my community. We are a small town located in south central Colorado. The entirety of Custer County has 4,300 residents, yet we encompass over 700 miles. We have a lot of long, empty, country roads. Prior to this bill being in place, we were finding a lot of paint on the side of roads, in ditches, and being 'snuck' into our local landfill. This is done because citizens either have no idea how or where to properly dispose of paint, or do not want to spend the money or take the time to dispose of it properly. Prior to this bill, the closest place to recycle paint was over an hour away, in Pueblo. This is neither cost effective for our citizens, nor convenient.

The town of Westcliffe has an annual budget of \$650,000. Custer County has an annual budget of \$7.7 million. We must be incredibly conservative in how we spend our money. Our governments do not have the extra money to put toward disposing of illegally dumped paint. We also do not have the money to fund a project such as paint disposal. The beauty of the Architectural Paint Stewardship Act, is that we do not have to. Our local hardware store is a drop off location. Now, our citizens only need to travel into Westcliffe to dispose of paint. According to the owner, he has not been negatively impacted, financially or otherwise, by this program and the program is easy to administer. Bins are dropped at his store, and when they are full, he makes a phone call and they are picked up and replaced with empty bins. He has seen a lot of paint being brought in to be recycled. As a community, we are not seeing paint being illegally dumped anymore.

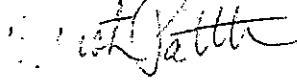
Regarding concerns about the PaintCare monopoly; there is nothing to stop another organization from getting the required certifications to become authorized to do the same thing that PaintCare does. In fact, if PaintCare has 'accrued a surplus of over \$2 million,' it would seem to me that this would be a great opportunity for another company to want to get involved. So, while the Constitution of Colorado specifically prohibits the General Assembly from 'granting any corporation exclusive privilege,' I do not think that it states anything regarding *not* allowing a corporation an opportunity strictly because they are the only corporation with the required certifications. It is my understanding that the additional \$2 million that is in question, will be used to set up paint drop off locations in more rural parts of Colorado. Even though these are not heavily populated areas, the need to recycle paint is still great and small communities cannot afford to fund projects like this. As far as 'thousands of gallons of reusable paint being taken out of circulation,' I can tell you that in southern Colorado, paint that has been recycled has been resold at local Habitat for Humanities, been given to many non-profits for use, and has been given to many rural local governments for use. Anyone concerned with the cost of paint can understand how these donations and lower prices have truly helped many Colorado residents.

In summary, I am urging you to think about the positive impact that the Paint Stewardship Act has on Colorado. Rural Colorado must be considered before a repeal like this is passed. It absolutely does not just 'benefit the paint manufacturers and hurt the people of Colorado.' It is very beneficial to the people of Colorado, particularly those that do not live in an area where recycling facilities are readily available.

If you would like to discuss this with me further, or would like to speak to more of my rural Colorado counterparts, then please do not hesitate to contact me at 719-371-4928 or email at christy@townofwestcliffe.com

Thank you for your time.

Sincerely,

A handwritten signature in black ink, appearing to read "Christy Patterson". The signature is written in a cursive style with a large, stylized initial "C".

Christy Patterson
Mayor
Town of Westcliffe