



Agenda Report

TO: CCCSWA BOARD OF DIRECTORS
FROM: LOIS COURCHAIINE, PROGRAM MANAGER
DATE: OCTOBER 20, 2009
SUBJECT: 2009 LEGISLATIVE RESULTS

SUMMARY

September's Legislative Update to the Board stated that the next report to the Board would be in April 2010. However, since last meeting, the Governor has taken action on bills that were passed by the legislature. The majority of bills signed this session were related to water and energy, transportation, health care and prison reform.

This report provides an overview of the results for California solid waste related legislation for the session which ended on September 11, 2009.

RECOMMENDED ACTION

1. This is an update only. No action is required.

DISCUSSION

Of the four bills of Board interest, passed by the legislature, three were vetoed by the Governor, and one was signed.

AB 473 (Blumenfeld) – Multi-Family Recycling (Mandates property owner and managers to provided recycling for tenants.)

The Board supported this bill and letters were sent to both applicable legislators and the Governor; however, it was vetoed for the fourth time (Attachment A).

Effect: It is estimated that approximately 90% of the multi-family dwellings in the Authority's service area have access to recycling. Therefore, the effect of the governor's veto is negligible.

AB 1173 (Huffman) – Fluorescent Lamp Toxics Reduction and Recycling (Prohibits the distribution of moneys from energy efficiency investment funds, such as PG&E, unless the lamps meet certain criteria and a recycling program is offered.)

This bill was watched by Authority staff, and vetoed by the Governor (Attachment B).

Effect: Although the bill would have incentivized retailers to provide fluorescent light recycling, it did not guarantee programs; therefore the effects are unknown.

SB 402 (Wolk) – California Redemption Value Containers (Revises the list of applicable containers to include vegetable, fruit, nut, grain, or soy drinks.)

This bill replaced SB 55 (Corbett) that was supported by the Board. SB 402 was introduced late in the session and was supported; however, it was vetoed by the Governor (Attachment C)

Effect: It is estimated by Pacific Rim Recycling that the Authority will not be able to realize \$100,000 annually in revenue as a result of the California State Department of Conservation CRV payment reductions that went into effect July 1, 2009. Additionally, the Authority was informed today that the State intends further decreases beginning November 1, 2009.

Had SB 402 passed, the Authority would have been able to realize substantial revenue increases for the DIF fund. According to recyclers, it would be difficult to measure revenue that the Authority would have been gained from SB 402.

SB 486 (Simitian) – Home Generated Sharps Waste Collection (Requires sharps manufacturers to submit a recycling plan to the State by July 2010.)

The Board supported this bill and letters were sent to applicable legislators. It was signed by the governor.

Effect: Since this bill requires manufacturers of self-injectable devices to only submit a recycling plan to the State by July 2010, it is unlikely that manufacturer take-back programs would be offered before that date. However, it is likely that plans will be implemented the following year; although no start-up date requirement is mentioned in the bill. It is hoped that SB 486 will eventually result in more sharps drop-off locations in the Authority's service area.

CONCLUSION

The Legislature reconvenes on January 4, 2010; and it is suggested that the Ad-Hoc Legislative Committee convene during March, 2010. The first Board report for that session is anticipated to be in April, 2010.

ATTACHMENTS

- A. Governor's Veto Message – AB 473
- B. Governor's Veto Message – AB 1173
- C. Governor's Veto Message – SB 402