



Agenda Report

TO: CCCSWA BOARD OF DIRECTORS
FROM: LOIS COURCHAIINE, PROGRAM MANAGER
DATE: APRIL 22, 2010

SUBJECT: UPDATE ON LEGISLATION

SUMMARY

The information included in this update is current as of April 21, 2010. It provides the status of bills requested by the Legislative Ad-hoc Committee and the Board and presents new information regarding AB 1998 upon which the Board took a “watch” position at their March Meeting.

RECOMMENDED ACTION

1. This Staff report is intended mainly for information but the Board might consider taking a position on the amended version of AB 1998 (Brownley), dealing with single-use plastic and paper carry bags.

DISCUSSION

The following bills were selected by the Ad-Hoc Legislative Committee and endorsed by the Board for support. Support letters were written for bills where indicated in the table below. During this session, the Board did not take an “oppose” position on any bills, and no action has been taken for bills to be watched.

AB 1998’s (Brownley) original language banned single-use plastic carry bags and required a fee be established for those consumers using paper carry bags. During the March 25 meeting, the Board directed that the bill be watched and not supported because of the fee component. Since then, the bill has been substantively amended to ban both plastic and paper single-use bags, negating any fees and is now ready to be heard at the appropriations committee; therefore staff is recommending that the Board consider taking a position on AB 1998.

Legislative Bill	Original Position	Action to Date	Status as of April 21, 2010
<p>1. SB 1100 (Corbett) – Product Stewardship: Household Batteries</p> <p>Summary. Would require battery manufacturers to design, fund, and operate a take-back program to properly manage batteries at the end of their useful life. The bill will create green jobs collecting and recycling batteries that would otherwise pollute our environment.</p>	Strong Support	Support letter sent 3/26/2010	SB 1100 passed the Senate Environmental Quality Committee on April 5. Goes to Senate Appropriations Committee May 3. Amendments were made that require less government oversight.

Legislative Bill	Original Position	Action to Date	Status as of April 21, 2010
<p><u>2. AB 1998 (Brownley) - Plastic and Paper Carryout Bags</u> Original Summary. This bill would reduce plastic bag litter pollution by banning single-use plastic bags at large retail outlets. Stores would have to offer either reusable bags, for purchase by the customer, or provide paper carryout bags that would be subject to a green bag fee. Members of the CCCSWA Ad-Hoc Legislative Committee recognize that there is a need for regulating lightweight, single use plastic packaging. However, they are concerned with endorsing fees on other types of bags (e.g. paper).</p>	Watch	None taken	AB 1998 was amended to include the banning of paper bags as well as plastic and eliminated the "green bag fee." The bill passed Assembly Natural Resources Committee on April 12. Goes to Assembly Appropriations Committee on May 5.
<p><u>3. AB 2138 (Chesbro) – Recycling: Food Service Packaging and Carryout Bags</u> Summary. This bill would enact the Plastic Ocean Pollution Reduction, Recycling, and Composting Act and would require the fast food industry to reduce and recycle packaging waste and litter by requiring the use of packaging that is recyclable or compostable in the communities where it is used.</p>	Support	Support letter sent 3/26/10	AB 2138 was amended to include only food packaging and not bags. It passed Assembly Natural Resources Committee on April 12. Referred to the Assembly Appropriations Committee (hearing date is not available yet).
<p><u>4. AB 2139 (Chesbro) – Solid Waste: Product Stewardship for Sharps, Pesticide Containers, Butane Lighters and Personal Use Propane Tanks</u> Summary. This bill would create the California Product Stewardship Act and would define the term "covered product" to include medical sharps, containers used to contain pesticides intended for residential use, small personal use propane tanks, and personal butane lighters.</p>	Support	Support letter sent 3/26/10	AB 2139 was amended, but not substantively. Heard by the Assembly Environmental Safety and Toxic Materials Committee on April 13, and was referred to a second hearing by the Assembly Natural Resources Committee on April 19. Bill passed out of committee and is to be heard by Assembly Appropriations Committee.
<p><u>5. AB 2176 (Blumenfeld) – Hazardous Waste: Lighting Products</u> Summary. The purpose of this act is to establish a system for the recycling of fluorescent lamps generated by households and small businesses. This system should be free and convenient for end users and promote the rapid development and uptake of more efficient and low-toxicity lighting products to minimize the public health impacts from lighting.</p>	Support	Support letter sent 3/26/10	AB 2176 was heard in Assembly Environmental Safety & Toxic Materials Committee on April 15. It was referred back to that committee and was re-heard on April 20. Passed out of committee and was re-referred to Assembly Appropriations Committee.
<p><u>6. AB 1343 (Huffman) – Architectural Paint Recovery Program</u> Summary. This measure will require paint manufacturers to develop and implement a program to collect, transport, and process postconsumer paint to reduce the costs and environmental impacts of the disposal of</p>	Support	Support letter sent 3/26/10	AB 1343 passed through the Assembly side and Senate Environmental Quality Committee but was held in Senate Appropriations. This is now a 2-year bill.

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postconsumer paint in this state.			