



Agenda Report

TO: CCCSWA BOARD OF DIRECTORS
FROM: LOIS COURCHAIINE, PROGRAM MANAGER
DATE: MAY 20, 2010
SUBJECT: UPDATE ON LEGISLATION

SUMMARY

The information included in this update is current as of May 17, 2010. It provides the status of bills requested by the Legislative Ad-hoc Committee and the Board. Of the six bills the board chose to follow, only SB 1100 (Corbett) is still active; all other bills have been moved to the suspense file or have been designated as two year bills.

RECOMMENDED ACTION

1. This staff report is for informational purposes only.

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.

Senate Bill SB 1100 (Corbett), listed below, seeks to use an Extended Producer Responsibility model, which is supported by the Authority, to ensure that household batteries are properly collected and disposed. Although residents within the CCCSWA service area currently have access to several retail battery drop-off locations; the cost for collection and disposal of those materials (approximately \$120,000) is borne by the agency and its ratepayers, not by the appropriate stakeholders: manufacturers, retailers and users.

Legislative Bill	Original Position	Action to Date	Status as of April 21, 2010
<p><u>1. SB 1100 (Corbett) – Product Stewardship: Household Batteries</u> 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. <i>Passed Senate Appropriations Committee May 3. Bill will be heard on the Senate Floor on May 24, 2010.</i>

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." <i>The bill passed Assembly Natural Resources Committee on April 12. Went to Assembly Appropriations Committee on May 5; where it was sent to the suspense file.</i>
<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. <i>Referred to the Assembly Appropriations Committee and was heard of April 28; where it was sent to the suspense file.</i>
<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. <i>Bill passed out of committee and was heard by Assembly Appropriations Committee, where it was placed on the suspense file on May 5.</i>
<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. <i>Passed out of committee and was re-referred to Assembly Appropriations Committee; where it was sent to the suspense file May 5.</i>
<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 postconsumer paint in this state.</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. <i>This is now a 2-year bill.</i>