



Agenda Report

TO: CCCSWA BOARD OF DIRECTORS
FROM: LOIS COURCHAINE, PROGRAM MANAGER
DATE: JUNE 15, 2010
SUBJECT: UPDATE ON LEGISLATION

SUMMARY

The California State Legislature's 2010 session is drawing to a close. The CCCSWA endorsed support for several bills this year related to its mission, which are listed in the chart below. Since the last Legislative Update on May 27, 2010, the majority of bills were put on the suspense file. However, there are two bills that are still active.

RECOMMENDED ACTION

1. This Staff report is intended mainly for information, but the Board should consider approval of sending a support letter for SB 1100 (Corbett – Battery Recycling) to the Environmental Safety and Toxic Materials Committee Chair. Additionally, The Board may wish to consider sending a letter of support to the Senate Environmental Quality Committee regarding AB 1998 (Brownley – Plastic Bags).

DISCUSSION

The bills outlined in this Staff Report 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.

Currently, there are only two bills that were followed by the Authority that are still being considered by the California State Legislature.

AB 1998 (Brownley). AB 1998 would ban most grocery and pharmacies from giving away plastic bags intended for single use. The bill would also mandate a charge for the distribution of paper carry bags of no less than \$0.05 per bag.

Although AB 1998 was placed on the suspense file in late May, negotiations with the California Grocers' Association led to its revival. Those negotiations led to the revision of the bill; mandating preemption of local government ordinances, in order to decrease the potential for a “patchwork” of ordinances being implemented on a municipal level. Since then, AB 1998 has passed the Assembly Appropriations Committee and an Assembly floor vote. On June 28, the bill will be heard by the Senate Environmental Quality Committee.

Given this bill's resurrection and approval in the Assembly, the Board may wish to send a letter of support (Attachment B).

Senate Bill SB 1100 (Corbett). This bill 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 CCCSWA. SB 1100 has passed through the Senate Appropriations Committee, the Senate Floor vote, and will be heard by the Assembly Environmental Safety and Toxic Materials Committee on June 29. Therefore, the author's office requested a letter of support from our agency for SB 1100 be forwarded to the Environmental Safety and Toxic Materials Committee chair-person prior to the June 29 hearing (Attachment A).

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	<i>Please see comments under "Discussion"</i>
<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	<i>Please see comments under "Discussion"</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. Referred to the Assembly Appropriations Committee and was heard of April 28; where it was sent to the suspense file.
<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,</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 was heard by

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and personal butane lighters.			Assembly Appropriations Committee, where it was placed on the suspense file on May 5. Taken off suspense file in early June, but was voted down on the Assembly Floor by one vote.
<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; where it was sent to the suspense file May 5.
<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. This is now a 2-year bill.

ATTACHMENT

- A. Support letter for SB 1100 to Assembly Environmental Safety and Toxic Materials Committee Chair
- B. Support letter for AB 1998 to Senate Environmental Quality Committee