



Agenda Report

TO: CCCSWA BOARD OF DIRECTORS
FROM: LOIS COURCHAINE, PROGRAM MANAGER
DATE: JULY 20, 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. Currently, there are only two bills that are still active.

RECOMMENDED ACTION

1. This Staff report is intended for information to the Board and to generate discussion.
2. Consider approving support letters to the applicable committee chairs for the two active bills:
 - a. SB 1100 (Corbett – Battery Recycling) to the Assembly Appropriations Committee Chair, and
 - b. AB 1998 (Brownley – Plastic Bags) to the Senate Appropriations Committee Chair.

DISCUSSION

During the June Board of Directors meeting, staff reported that two of the six bills originally being followed were still being considered by the California State Legislature. The Board then approved sending support letters to the appropriate committee chair for each bill. Those support letters were sent out on June 25, 2010.

Both AB 1998 (Brownley) and SB 1100 (Corbett) have advanced through the legislative process and are now being heard in the applicable Appropriations Committee. Therefore, staff is recommending that additional support letters be sent to the committees that are now dealing with these proposed measures.

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.

This bill was heard by the Senate Environmental Quality Committee on July 15, 2010 and was passed out of that committee by a 5 to 2 vote. It was re-referred to the Senate Appropriations Committee and will be heard on August 2, 2010. It is suggested that a support letter be sent directly to the Senate Appropriations Committee Chair, Christine Kehoe (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 and make that process the financial responsibility of the manufacturers.

SB 1100 has passed through the Senate Appropriations Committee, a Senate Floor vote, and was heard by the Assembly Environmental Safety and Toxic Materials Committee on June 29, where it was passed by a 6 to 3 vote. It will be heard by the Assembly Appropriations Committee on August 4, 2010. It is also suggested that a support letter be sent to the Assembly Appropriations Committee Chair, Felipe Fuentes (Attachment A).

Chart 1 – Original Legislation Being Tracked

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

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and personal butane lighters.			committee and was heard by 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.

ATTACHMENTS

- A. Support letter for SB 1100 to Assembly Appropriations Committee Chair
- B. Support letter for AB 1998 to Senate Appropriations Committee Chair