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SOLID WASTE ASSOCIATION
of North America

CALIFORNIA CHAPTERS

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August 19, 2005

The Honorable Carole Migden
Chair, Senate Appropriations Committee
State Capitol Building, Room 2206
Sacramento, CA 95814

RE: Office of Administrative Law: regulations - SUPPORT

Dear Senator Migden,

The Solid Waste Association of North America (SWANA) is composed of approximately 7000 public and private sector solid waste management professionals throughout North America dedicated to the development and enhancement of environmentally and economically sound practices and policies for the integrated management of municipal solid waste. There are approximately 900 members of SWANA in California, and on their behalf I am writing in support of AB 1351 (Vargas).

In 1982, new statutory enactments under the APA permitted Office of Administrative Law to begin issuing determinations whether an agency rule or guideline was an underground regulation. An "underground regulation" is a regulation that is used or enforced by an agency without first being properly adopted using APA procedural requirements.

AB 1351 establishes new procedural requirements to govern the OAL issuances of determinations that a state agency's rules or guidelines were adopted without following the Administrative Procedure Act (APA). The bill also requires OAL to adopt implementing regulations.

The California Chapters of SWANA urge you to support AB 1351 (Vargas) when it is heard before your committee.

Sincerely,

Yvette Gomez Agredano
Legislative Advocate
SWANA, California Chapters

cc: Other Members, Senate Appropriations Committee
Assemblymember Vargas
Consultants, Senate Appropriations Committee
Will Dickinson, Chair, SWANA California Chapters Legislative Task Force
Mark Urquhart, Secretary, SWANA California Chapters Legislative Task Force