



SWANA[®]

SOLID WASTE ASSOCIATION
of North America

CALIFORNIA CHAPTERS

FOUNDING

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GOLDRUSH

LEGISLATIVE TASK FORCE

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March 29, 2006

The Honorable Carole Migden
Chair, Senate Public Safety Committee
State Capitol, Room 2031
Sacramento, CA 95814

**RE: AB 1688 (Niello) Illegal dumping enforcement officers
- SUPPORT IF AMENDED**

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 to urge you to support AB 1688 (Niello), regarding illegal dumping enforcement officers.

This bill would add persons employed by a city, county, or city and county as investigators or inspectors for illegal dumping to the list of persons who are not peace officers but may exercise powers of arrest of a peace officer if that person completes the Penal Code 832 course. Currently the bill would allow this addition if the investigator's or inspector's primary duty is the enforcement of illegal dumping laws.

SWANA is supportive of the movement to provide enforcers of illegal dumping laws the authority to exercise powers of arrest, however, it would be more beneficial to allow this authority in all counties. In some of California's rural counties, the duty to enforce illegal dumping laws may not be the exclusive or primary duty of one person. Instead that may be "one of" their duties.

SWANA recommends replacing the word "primary" in regards to the description of the duties of the person who enforces illegal dumping laws with a more broad characterization, such as "one of the duties." This would allow a rural county employee, whose duty to enforce illegal dumping laws may not be his or her primary duty, to be granted this authority as well.

For these reasons, the California Chapters of SWANA support AB 1688 if amended to reflect the changes described above. Thank you for your consideration of our position.

Sincerely,

Yvette Gomez Agredano
Legislative Advocate
SWANA, California Chapters

cc: Members, Senate Public Safety Committee
The Honorable Roger Niello
Consultants, Senate Public Safety Committee
R. Scott Johnston, Chair, SWANA California Chapters Legislative Task Force
Mark Urquhart, Secretary, SWANA California Chapters Legislative Task Force