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SOLID WASTE ASSOCIATION
of North America

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LEGISLATIVE TASK FORCE

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August 19, 2005

Governor Arnold Schwarzenegger
State Capitol Building, Room
Sacramento, CA 95814

RE: Solid waste: handling services: delinquent charges: liens - SUPPORT

Dear Governor Schwarzenegger,

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 signature of AB 259 (Hancock).

Existing law authorizes county boards of supervisors to collect or contract for the collection of solid waste. Government Code Section 25828 further specifies that if the solid waste service is provided by a county and if the service is provided at the request of the property owners, delinquent solid waste charges may be collected by the county through specified mechanisms including the lien assessment process.

Because some counties "franchise" as opposed to "collect or contract for the collection" of solid waste, they do not provide solid waste collection services pursuant to Government Code Section 25827. Consequently, the question of whether these counties are prohibited from collecting unpaid fees is unclear. AB 259 seeks to clarify this application of the law.

Without this clarification, counties that franchise for the purposes of collecting solid waste are unable to effectively ensure that residents are paying for their garbage services. The cumulative effect of non-payment results in significant amounts of uncollected trash because of service stoppage, and illegal dumping, both of which present a substantial health and safety problem to the public and the environment.

By clarifying that all counties have the authority to collect delinquent fees for solid waste collection through the lien assessment process, AB 259 would ensure that those counties that have franchise agreements for solid waste collection also have this much needed tool to address the problems associated with unpaid solid waste collection bills. For these reasons, the California Chapters of SWANA urge your signature of AB 259 (Hancock).

Sincerely,

Yvette Gomez Agredano
Legislative Advocate
SWANA, California Chapters

cc: Assemblymember Hancock
Will Dickinson, Chair, SWANA California Chapters Legislative Task Force
Mark Urquhart, Secretary, SWANA California Chapters Legislative Task Force