



## ***In This Issue:***

*Click on the topic for which you would like to see additional information*

### **2007-2008 Legislation**

#### **Priority Legislation**

[SB 1016 \(Wiggins\) Diversion: Annual Report](#)

[SB 1020 \(Padilla\) Solid Waste: Diversion](#)

[SB 1252 \(Padilla\) Vehicles: dealers:  
consumer protection](#)

[AB 1390 \(Huffman\) Solid Waste: diversion:  
illegal dumping: fees](#)

[AB 2640 \(Huffman\) Solid Waste:  
compostable organics management](#)

[AB 2695 \(Jones\) Solid Waste: enforcement:  
illegal dumping](#)

[AB 2866 \(De Leon\) Solid Waste: closure  
liability: solid waste disposal fees](#)

[Additional Legislation of Interest](#)

### **2007-2008 Legislation**

This section provides the final status of each bill acted on by the LTF since the beginning of the 2007-2008 legislative session.

#### **Resources**

[Online Guide to the Legislative Process](#)

#### **Legislative Task Force Business**

LTF Meeting Agendas and Minutes are available on the LTF website ([www.swanacal-leg.org](http://www.swanacal-leg.org)). Click [here](#) to view.

### **2007-2008 Legislation**

The Legislature has now concluded their legislative business for 2007-2008, however they will be reconvening for a Special Session (Sometime in November) to discuss the State Budget which is already forecasted to have a \$10 billion deficit for 2008-09. Below are the bills that the LTF has taken positions on throughout the session and the final actions taken by the Governor. Position letters that SWANA has written to the legislature can be found on the Legislative Task Force website at [www.swanacal-leg.org](http://www.swanacal-leg.org) (*Click on the bill number to go to the bill's legislative page, sponsored by Legislative Counsel*):

### **Priority Legislation (in order of significance)**

We would like to highlight the six most significant pieces of legislation for the 2007-2008 legislative session.

[SB 1016 \(Wiggins\) Diversion: Annual Report](#)

**SB 1016 has two primary components: 1) change the diversion rate reporting requirements to a jurisdictional equivalent disposal measurement requirement, as an indicator of program implementation; and, 2) Reduce the frequency of reporting and reviewing of the annual report, based on compliance.** SB 1016 does not change the AB 939 50% requirement but is attempting to build on AB 939 compliance requirements by implementing a simplified and timelier indicator of jurisdictions' performance by changing to a disposal based number as reported by disposal facilities. The author's office and all interested stakeholders met and worked tirelessly on the proposal since its introduction last year. SWANA was able to offer its SUPPORT after a final amendment was taken to include intent language to confirm that the purpose of this legislation is to move away from a "bean counting" form a determining compliance and consider all aspects of a jurisdictions effort to achieve compliance to include programs and economic factors.

**LTF Position:** Support

**Status:** Signed by the Governor, Chapter Number 343, Statutes of 2008

### **SB 1020 (Padilla) Solid Waste: diversion**

The current language of the bill would require the board, by July 1, 2009, to develop a strategic and comprehensive plan to achieve, on or before January 1, 2020, a diversion of 75% of solid waste statewide from landfill disposal or transformation. There have been extensive discussions with the author's office and other stakeholders as to how this will be affected by the changes proposed in SB 1016. The author's office has also indicated that there will be a mandatory commercial recycling ordinance.

*(Significant amendments were being developed however the bill was never amended)*

**LTF Position:** Oppose

**Status:** Died- Failed to pass Legislative deadline

### **SB 1252 (Padilla) Vehicles: dealers: consumer protection**

SB 1252 was the vehicle of choice to include language from Senator Padilla's failed SB 1020. The bill was never amended; however amendments were placed on the Assembly desk and this bill was watched very closely in the last few days of session.

**LTF Position:** Oppose

**Status:** Died- Never amended to include language from SB 1020

### **AB 1390 (Huffman) Solid waste: diversion: illegal dumping: fees:**

AB 1390 was a last minute play by Senate Padilla and Assemblyman Huffman to incorporate the language from AB 2640, AB 2695, AB 2866 and SB 1020 into one "Super Solid Waste Bill." However due to extensive lobbying the bill was held in Senate Rules.

**LTF Position:** Oppose

**Status:** Died- Held in Senate Rules

### **AB 2640 (Huffman) Solid Waste: compostable organics management**

This bill would impose a \$1.40 per ton quarterly fee on green waste used for beneficial reuse, including use as alternative daily cover, at solid waste disposal facilities. Placing a tax on the reuse of one type of waste material is unprecedented. This bill is in addition to the California Integrated Waste Management Board's strategic directive in

setting a goal of 50% reduction in “compostable organics” by 2020. The LTF will remain opposed to this legislation as long as there are any fees included in the language.

**LTF Position:** Oppose

**Status:** Died- Failed to pass fiscal committee

### **AB 2866 (DeLeon) Solid Waste: closure liability: solid waste disposal fees**

AB 2866 would require the board to establish the amount of the “tipping” fee in an amount not exceeding \$2 per ton and would require \$0.60 of that fee to be deposited by the State Board of Equalization in the Solid Waste Mitigation Account, which this bill would create in the fund.

**LTF Position:** Oppose

**Status:** Died- Failed to pass fiscal committee

## **Additional Legislation of Interest**

### **AB 48 (Saldana) Hazardous Waste: electronic waste**

This bill expands the scope of electronic products that would be banned from sale in California if they are banned from sale in the European Union (EU) pursuant to the Reduction of Hazardous Substances (RoHS) directive.

**LTF Position:** Support

**Status:** Vetoed by the Governor

### **AB 501 (Swanson) Pharmaceutical devices**

This bill would require a pharmaceutical manufacturer whose product is administered for home use through a prefilled syringe, prefilled pen, or other prefilled injection device to arrange to provide, upon request from a consumer, a postage prepaid, mail-back sharps container that has been approved by the United States Postal Service.

**LTF Position:** Support

**Status:** Vetoed by the Governor

### **AB 546 (Brownley) Electronic Waste**

Requires the California Integrated Waste Management Board (CIWMB) to compile a list, by county, of authorized electronic waste collection centers, which retailers must provide to consumers.

**LTF Position:** Support if Amended

**Status:** Vetoed by Governor

### **AB 642 (Wolk) Design Build: counties, cities and special districts**

This bill would authorize a qualified entity, as defined, that operates a wastewater facility, solid waste management facility, or water recycling facility, with the approval of the appropriate governing body to enter into design-build contracts.

**LTF Position:** Support with Amendments

**Status:** Signed by the Governor, Chapter Number 314, Statutes of 2008

### **AB 822 (Levine) Solid Waste: multifamily dwellings**

AB 822 would require on or after July 1, 2009, an owner of a multifamily dwelling to arrange for recycling services that are consistent with state or local laws or requirements, including local ordinances or agreements. "Multifamily dwellings" are defined as residential facilities that consist of five or more living units

**LTF Position:** Support

**Status:** Died- Did not pass legislative deadline

#### **AB 904 (Feuer) Recycling: food containers**

This bill would enact the Plastic and Marine Debris Reduction, Recycling, and Composting Act. This measure would on and after July 1, 2012, prohibit providers of takeout food from distributing single-use food service packaging to consumers unless the packaging is either compostable or recyclable.

**LTF Position:** Support

**Status:** Died- Did not pass out of fiscal committee

#### **AB 1023 (DeSaulnier) Recycling: compostable and biodegradable plastic trash bags**

AB 1023 would exempt manufacturers of compostable and biodegradable trash bags from California's recycled-content requirements for plastic trash bags. In part to address the issue of contamination, some trash bag manufacturers have begun to market compostable or biodegradable trash bags for use as yard waste bags. Because of the degradable nature of these bags, they are incompatible with conventional recycled plastic.

**LTF Position:** Support

**Status:** Signed by the Governor, Chapter 143, Statutes of 2007

#### **AB 1109 (Huffman) Energy Resources- lighting efficiency: hazardous waste**

This bill would enact the California Lighting Efficiency and Toxics Reduction Act and would prohibit, on and after January 1, 2010, a person from manufacturing for sale in the state specified general purpose lights that contain levels of hazardous substances prohibited by the European Union pursuant to the RoHS Directive.

**LTF Position:** Support

**Status:** Signed by the Governor, Chapter 534, Statutes of 2007

#### **AB 1195 (Torrico) Recycling: used oil: incentive payments**

This bill requires used oil to be tested and analyzed by a lab accredited by the State Department of Public Health prior to being shipped or, if shipped to a California permitted transfer facility or used oil recycling facility.

**LTF Position:** Support

**Status:** Died- Did not pass out of fiscal committee

#### **AB 1391 (Brownley) Electronic Waste**

This bill would a retailer who sells covered electronic devices to provide a consumer at the point of sale the Integrated Waste Management Board's website. The website would provide information on where and how to return, recycle and dispose of a covered electronic devices.

**LTF Position:** Support

**Status:** Vetoed by the Governor

**AB 1447 (Calderon) Hazardous Waste: major appliances**

This bill would revise existing requirements to allow appliance service technicians to remove refrigerant from a major appliances.

**LTF Position:** Support

**Status:** Signed by the Governor, Chapter 709, Statutes of 2007

**AB 1473 (Feuer) Solid Waste: temporary permits**

This bill requires the CIWMB to adopt emergency regulations to authorize enforcement agencies to issue a temporary solid waste facilities permit.

**LTF Position:** Support

**Status:** Signed by the Governor, Chapter 547, Statutes of 2007

**AB 1535 (Huffman) Electronic Waste: fee payment**

This bill would require the manufacturer of a covered electronic device to pay the electronic waste recycling fee.

**LTF Position:** Support

**Status:** Died- Did not pass out of policy committee

**AB 1751 (Fuentes) Vehicles: nuisance abatement: impoundment**

This bill would authorize a city or county to adopt an ordinance declaring a motor vehicle to be a nuisance subject to impoundment for not more than 30 days when the motor vehicle is involved in the commission of specified crimes related to illegal dumping of commercial quantities of waste matter and prostitution.

**LTF Position:** Support with Amendments

**Status:** Vetoed by the Governor

**AB 1860 (Huffman) Unsafe products: recall or warning**

This bill would require a manufacturer of a recalled product to establish and maintain a collection system in the event a recall is issued for that product.

**LTF Position:** Support

**Status:** Signed by the Governor, Chapter 569, Statutes of 2008

**AB 1972 (DeSaulnier) Solid Waste: plastic bags: food and beverage containers**

This bill would prohibit the sale of a plastic bag that is labeled as "compostable" or "marine degradable," unless that bag meets the ASTM Standard Specification for Compostable Plastics D6400, the ASTM Standard Specification for Non-Floating Biodegradable Plastics in the Marine Environment D7081, or a standard adopted by the California Integrated Waste Management Board, as specified. The bill also would prohibit the sale of a plastic bag that is labeled as "biodegradable," "degradable," "decomposable," or as otherwise specified.

**LTF Position:** Oppose

**Status:** Signed by the Governor, Chapter 436, Statutes of 2008

### **AB 2347 (Ruskin) Mercury-added Thermostats: collection program**

This bill would enact the Mercury Thermostat Collection Act of 2008 and would require a manufacturer that owns or owned a name brand of mercury-added thermostats sold in this state before January 1, 2006, to establish and maintain a collection, transportation, recycling, and disposal program for out-of-service mercury-added thermostats.

**LTF Position:** Support and Seek Amendments

**Status:** Signed by the Governor, Chapter 572, Statutes of 2008

### **AB 2829 (Davis) Recycling: plastic carryout bags**

This bill will require on and after July 1, 2009 plastic bags provided by a store to have printed or display on the bag an environmental awareness message describing the negative impacts on the environment and wildlife caused by littering and encouraging the use of reusable bags.

**LTF Position:** Support

**Status:** Died- Failed passage from Assembly Natural Resources

### **SB 1021 (Padilla) Beverage Containers: grants**

SB 1021 would authorize up to \$15 million in grants from January 1, 2008, to January 1, 2009, to place source separated beverage container recycling receptacles in multifamily housing.

**LTF Position:** Support

**Status:** Signed by the Governor, Chapter 724, Statutes of 2007

### **SB 1165 (Kuehl) Environmental Impact Reports**

SB 1165 bill provides that any EIR over five years old must be re-circulated before it may be used again. This is an arbitrary expiration date and will largely stop the use of program EIRs and subsequent/supplemental EIRs, thereby eliminating a major streamlining tool from CEQA.

**LTF Position:** Oppose

**Status:** Died- Failed passage from Senate

### **SB 1321 (Correa) School Recycling programs**

SB 1321 would require each school district to acquire and maintain a sufficient number of beverage container recycling bins on each campus and public office in that school district.

**LTF Position:** Support if amended

**Status:** Died- Did not pass fiscal committee

### **SB 1357 (Padilla) Beverage Containers: grants**

This bill will authorize the Department of Conservation to expend up to \$20,000,000 from January 1, 2009, to January 1, 2010, for either grants for beverage container recycling and litter reduction programs or focused, regional community beverage container recycling and litter reduction programs.

**LTF Position:** Support

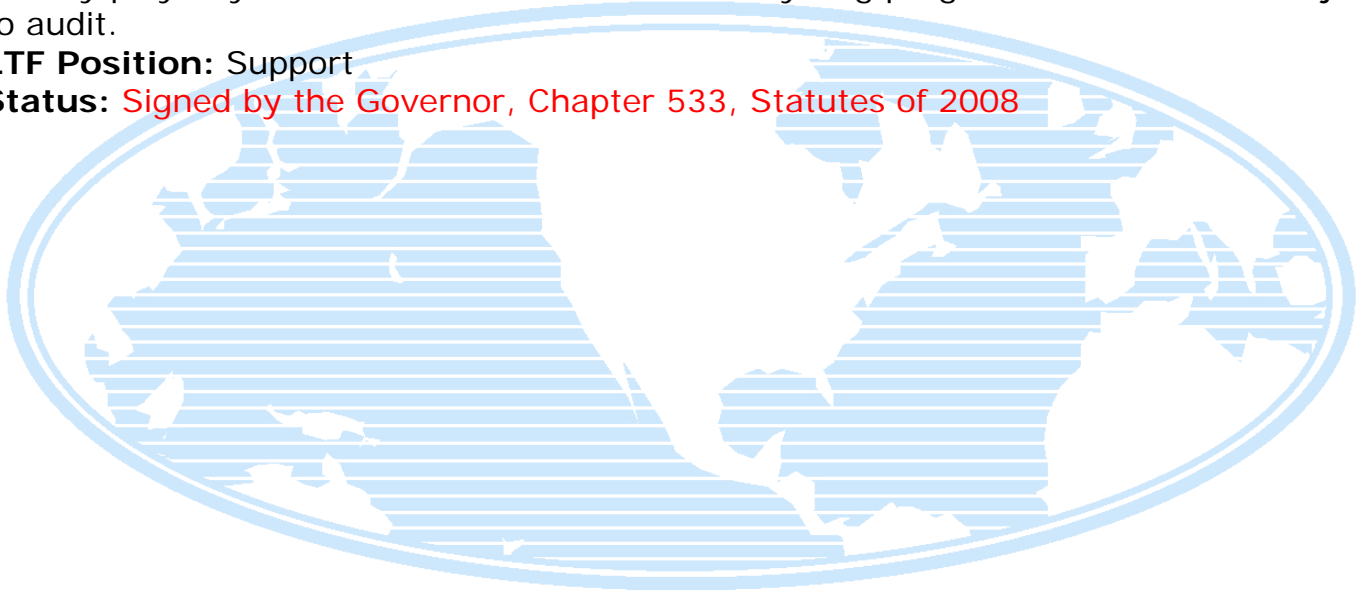
**Status:** Signed by the Governor, Chapter 697, Statutes of 2008

**SB 1723 (Maldonado) Agriculture: pesticide recycling program and certification**

This bill would require every person who is the first to sell any agriculture, structural, industrial or institutional-use pesticide for use in this state that is packaged in high density polyethylene containers to establish a recycling program that would be subject to audit.

**LTF Position:** Support

**Status:** Signed by the Governor, Chapter 533, Statutes of 2008



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