

SWANA Bill Matrix
As of 6/4/2012

Bill ID/Topic	Location	Summary	Position
<p>AB 480 Solorio D</p> <p>Insurance: solid waste facilities.</p>	<p>SENATE APPR. 5/29/2012 - Read second time and amended. Re-referred to Com. on APPR.</p>	<p>Existing law regulates solid waste facilities and requires that any person owning or operating a solid waste landfill submit evidence of financial ability to provide for the cost of closure and postclosure maintenance, except as specified. Existing law provides that if the evidence of financial ability for closure, postclosure, or corrective action is demonstrated by use of insurance, either through an independent insurer or where the insurance carrier is established by a solid waste facility operator to meet the financial assurance obligations of that operator, the insurance mechanism may be approved by the Department of Resources Recycling and Recovery if the insurance carrier meets specified requirements. This bill would specify that, until January 1, 2018 , an insurance carrier established by a solid waste facility operator to meet the financial assurance obligations of that operator that meets all of those specified requirements shall be eligible to provide that insurance and shall not be required to be a California admitted insurer nor be required to provide the insurance through a surplus line broker. The bill would add as a requirement for approval of a solid waste facility operator meeting its financial assurance obligations by establishing an insurance carrier that the insurance mechanism not provide in excess of 50% of the financial assurance obligation that the solid waste facility operator is required to meet in the state. The bill would also require the Department of Resources Recycling and Recovery, in consultation with the Department of Insurance, to submit to the Legislature, on or before January 1, 2016, a report on the use of the mechanisms demonstrating financial ability to provide for the cost of closure and postclosure maintenance, including, among other things, any financial liability the state may assume if the mechanisms permitted under this bill and existing law fail .</p> <p>Last Amended on 5/29/2012</p>	<p>Oppose</p>
<p>AB 549 Carter D</p> <p>Recycling: electronic waste.</p>	<p>SENATE APPR. 5/31/2012 - Read second time and amended. Re-referred to Com. on APPR.</p>	<p>Existing law, the Electronic Waste Recycling Act of 2003 (act), requires a retailer selling a covered electronic device in this state to collect a covered electronic waste recycling fee from the consumer, as specified. These fees are deposited in the Electronic Waste Recovery and Recycling Account, and the Department of Resources Recycling and Recovery (department) is continuously appropriated the money in the account to, among other things, make electronic waste recovery payments and recycling payments. The department is authorized to make these payments only if certain conditions are met. Existing law requires the act to be enforced pursuant to the hazardous waste control laws, a violation of which, including the making of a false statement or representation in a document, is a crime. This bill would additionally require, as a condition of making these payments, that the covered electronic waste is demonstrated to have been generated by a</p>	

		<p>person who used the covered electronic device while located in this state. The bill would specify that covered electronic waste generated outside of the state and subsequently brought into the state is not eligible for payment and would require the department to establish documentation requirements necessary to demonstrate that covered electronic waste was generated in the state and eligible for payment. Since a false statement or representation in that document would be a crime, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.</p> <p>Last Amended on 5/31/2012</p>	
<p>AB 640 Logue R</p> <p>Water discharges: mandatory minimum civil penalties.</p>	<p>SENATE E.Q. 2/16/2012 - Referred to Com. on E.Q.</p>	<p>Under existing law, the State Water Resources Control Board and the California regional water quality control boards prescribe waste discharge requirements in accordance with the federal Clean Water Act and the Porter-Cologne Water Quality Control Act (state act). The state act, with certain exceptions, imposes a mandatory minimum penalty of \$3,000 for each serious waste discharge violation, as defined, and for certain other described violations if those violations occur 4 or more times in any period of 6 consecutive months. This bill would expand that definition to include a POTW serving a community of 20,000 persons or fewer or a rural county, as specified . This bill contains other existing laws.</p> <p>Last Amended on 1/4/2012</p>	
<p>AB 812 Ma D</p> <p>Solid waste: recycled asphalt.</p>	<p>SENATE T. & H. 2/16/2012 - Referred to Coms. on T. & H. and E.Q.</p> <p>6/12/2012 1:30 p.m. - John L. Burton Hearing Room (4203) SENATE TRANSPORTATION AND HOUSING, DESAULNIER, Chairman</p>	<p>Under existing law, it is the policy of the state to conserve and protect resources by encouraging the recycling of solid waste and the purchase of those recycled materials, including recycled concrete and rubberized asphalt concrete. This bill would authorize the Department of Transportation , by January 1, 2014, to establish specifications for the use of reclaimed asphalt pavement (RAP) of up to 40% for hot mix asphalt mixes . The bill would require the department to submit a report to the Legislature, by March 1, 2016, on its progress, since the year 2011, toward the development and implementation of these specifications. This bill contains other existing laws.</p> <p>Last Amended on 1/12/2012</p>	Support
<p>AB 837 Nestande R</p> <p>Solid waste: plastic food containers.</p>	<p>SENATE E.Q. 5/15/2012 - In committee: Hearing postponed by committee. (Refers to 5/8/2012 hearing)</p>	<p>Existing law requires rigid plastic packaging containers sold or offered for sale in this state to meet specified criteria, including, but not limited to, that the container be made from 25% postconsumer material. Existing law prohibits a person from selling a plastic food or beverage container that is labeled as "biodegradable," "compostable," "degradable," or as otherwise specified, unless, at the time of the sale, the container meets the ASTM standard specification for compostable plastics, as specified, for the term used on the label. This bill would define terms and would prohibit a manufacturer or supplier from selling a plastic food container in this state that is advertised with a specific recycled content amount unless the manufacturer or supplier is able to provide certification of the stated recycled content in a format that is easy to understand and accurate. A manufacturer or supplier would be required to provide this information within 90 days from the date of a request by a member of the public or state agency or to post a link to a document on its Internet Web site containing this information . This bill contains other related provisions.</p>	

		Last Amended on 6/20/2011	
<u>AB 1359</u> <u>Skinner D</u> Solid waste: beverage containers: fiberglass.	SENATE APPR. 3/20/2012 - From committee: Do pass and re-refer to Com. on APPR. (Ayes 6. Noes 0.) (March 19). Re-referred to Com. on APPR.	Existing law, the California Beverage Container Recycling and Litter Reduction Act, requires the Department of Resources Recycling and Recovery to establish reporting periods of 6 months each for redemption rates and recycling rates for specified types of beverage containers. The act also requires the department to determine the redemption rates and recycling rates for those beverage containers for each reporting period and to issue a report on those determinations. The act defines various words for purposes of those provisions, including "redemption rate." This bill would delete the provisions that require the department to establish reporting periods for redemption rates and that require the department to determine redemption rates for specified types of beverage containers. The bill also would delete the definition of "redemption rate" and make other conforming changes. This bill contains other related provisions and other existing laws. Last Amended on 1/4/2012	Watch
<u>AB 1442</u> <u>Wieckowski D</u> Pharmaceutical waste.	SENATE RLS. 5/31/2012 - In Senate. Read first time. To Com. on RLS. for assignment.	The existing Medical Waste Management Act, administered by the State Department of Public Health, regulates the management and handling of medical waste, as defined. Existing law requires that all medical waste be hauled by either a registered hazardous waste hauler or by a person with an approved limited-quantity exemption granted pursuant to specified provisions of law. Violation of these provisions of law is a crime. This bill would define pharmaceutical waste for purposes of the Medical Waste Management Act, and would authorize a medical waste generator or parent organization that employs health care professionals who generate pharmaceuticals to apply to the enforcement agency for a pharmaceutical waste hauling exemption if the generator, health care professional, or parent organization retains specified documentation and meets specified requirements and if the facility receiving the medical waste retains specified documentation . The bill would authorize pharmaceutical waste to be transported by the generator or health care professional who generated the pharmaceutical waste, a staff member of the generator or health care professional, or common carrier, as defined, pursuant to these provisions. By expanding the definition of a crime, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws. Last Amended on 3/27/2012	Support
<u>AB 1508</u> <u>Carter D</u> Junk dealers and recyclers: nonferrous materials.	SENATE B., P. & E.D. 5/24/2012 - Referred to Com. on B., P. & E.D.	Existing law requires junk dealers and recyclers, as defined, to keep written records of all sales and purchases made in the course of their business. Existing law prohibits a junk dealer or recycler from providing payment for nonferrous materials, as defined, unless the payment is made by cash or check, the check is mailed or the cash or check is provided no earlier than 3 days after the date of sale, and the dealer or recycler obtains a photograph or video of the seller and certain other identifying information, as specified, which information is to be retained by the dealer or recycler for a specified period of time. Existing law exempts from the payment by cash or check requirement, among others, the	Watch

		redemption of nonferrous materials of a certain value when the primary purpose of the transaction is the redemption of beverage containers, as specified. This bill would modify that exemption to apply when the majority of the transaction is for the redemption of beverage containers, as specified , and would exclude the redemption of materials made of copper or copper alloys from the exemption . Last Amended on 5/10/2012	
<u>AB 1541 Dickinson D</u> Public Utilities Commission: public records.	SENATE E. U., & C. 5/24/2012 - Referred to Coms. on E., U. & C. and JUD. From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on E., U. & C. 6/11/2012 2 p.m. or upon adjournment of Business, Professions and Economic Development SENATE ENERGY, UTILITIES AND COMMUNICATIONS, PADILLA, Chair	Existing law, the California Public Records Act, requires any public record of a state or local agency to be open to inspection at all times during office hours of the agency and, upon request, a copy shall be made promptly available to any person upon payment of copying costs. The act makes certain records exempt from disclosure. This bill would subject to the California Public Records Act, except as specified, an order or recommendation made by the commission and any accident report filed with the commission pursuant to these requirements. This bill contains other related provisions and other existing laws. Last Amended on 5/24/2012	
<u>AB 1583 Hernández, Roger D</u> Bulk merchandise pallets.	SENATE B., P. & E.D. 5/24/2012 - Referred to Com. on B., P. & E.D.	(1) Existing law authorizes junk dealers and recyclers, as defined, to sell and purchase junk, which includes secondhand and used furniture, pallets, or other personal property, as specified. Existing law requires junk dealers and recyclers to maintain written records of specified information, and makes a violation of the recordkeeping requirements a misdemeanor. This bill would prohibit junk dealers and recyclers from purchasing or receiving bulk merchandise pallets, as defined, marked with an indicia of ownership, as defined, from anyone except the indicated owner, unless specified information is provided to the junk dealer or recycler, and would require the junk dealer or recycler to maintain a written record of that information. The bill would also require that payment by the junk dealer for 5 or more bulk merchandise pallets be made by check mailed to the address of the seller, as specified, or by check or cash on or after the 3rd business day following the transaction. This bill contains other related provisions and other existing laws. Last Amended on 4/9/2012	Watch
<u>AB 1598 Buchanan D</u> Public contracts: public works: installation.	SENATE L. & I.R. 5/17/2012 - Referred to Com. on L. & I.R. 6/13/2012 9:30 a.m. - Rose Ann Vuich Hearing Room	Existing law defines the term "public works" for purposes of requirements regarding the payment of prevailing wages. Existing law generally defines "public works" to include construction, alteration, demolition, installation, or repair work done under contract and paid for in whole or in part out of public funds. Existing law makes a willful violation of laws relating to the payment of prevailing wages on public works a misdemeanor. This bill would modify the definition of installation to include the assembly and disassembly of	

	(2040) SENATE LABOR AND INDUSTRIAL RELATIONS, LIEU, Chair	freestanding and affixed modular office systems. Because this bill would expand the definition of a crime, it would impose a state-mandated local program. This bill contains other related provisions and other existing laws. Last Amended on 4/26/2012	
AB 1612 Lara D Administrative practices.	SENATE T. & H. 4/19/2012 - Referred to Coms. on T. & H. and E.Q. 6/12/2012 1:30 p.m. - John L. Burton Hearing Room (4203) SENATE TRANSPORTATION AND HOUSING, DESAULNIER, Chairman	Existing law requires every state agency subject to the Administrative Procedure Act to provide an initial statement of reasons for proposing the adoption, amendment, or repeal of a regulation. Existing law requires that the initial statement of reasons include, among other things, facts, evidence, documents, testimony, or other evidence on which the agency relies to support a specified determination. This bill would additionally require that if a regulation that is a building standard impacts housing, the initial statement of reasons include the estimated cost of compliance and the potential benefits of the regulation and the related assumptions used in determining that estimate, except as specified. This bill contains other related provisions and other existing laws.	Watch
AB 1620 Wieckowski D Hazardous waste: treatment.	SENATE APPR. 5/15/2012 - From committee: Do pass and re-refer to Com. on APPR. with recommendation: to consent calendar. (Ayes 6. Noes 0.) (May 14). Re-referred to Com. on APPR.	Existing law defines the term "treatment" for purposes of the hazardous waste control laws and excludes certain activities conducted either onsite in accordance with the requirements of the hazardous waste control law or conducted in accordance with the conditions issued pursuant to a permit issued by the Department of Toxic Substances Control. Existing law prohibits the owner or operator of a hazardous waste treatment facility from treating hazardous waste at the facility, unless the operator or operations hold a hazardous waste facilities permit or other grant of authorization from the department. This bill would additionally exclude from the definition of the term "treatment," the separation of air and particulate matter by physical means and the compaction of compatible waste by physical means to reduce volume if the process does not increase the risk of fire or cause the release of hazardous gaseous emissions.	Watch
AB 1647 Gordon D Solid waste: waste tires: enforcement.	SENATE RLS. 5/25/2012 - In Senate. Read first time. To Com. on RLS. for assignment.	Existing law requires, upon the order of the Department of Resources Recycling and Recovery, a person who stores, stockpiles, or accumulates waste tires in violation of the provisions regulating the storage, stockpiling, or accumulation of waste tires to clean up those waste tires and abate the effects of the waste tires or take other necessary remedial actions in the case of threatened pollution or nuisance. Existing law requires the Attorney General, at the request of the department, to petition the appropriate superior court for the issuance of an injunction if the person fails to comply with the cleanup or abatement order. Existing law authorizes, at the request of the department, the district attorney or county counsel of the county in which the violation occurred to petition the court for the issuance of an injunction if the Attorney General fails to petition the court within 45 days of the department's request to the Attorney General. This bill would shorten that time period to 30 days. This bill contains other related provisions and other existing laws. Last Amended on 5/2/2012	Support
AB 1831	SENATE RLS.	Existing law requires the hiring practices and promotional practices of a local agency, as	Oppose

<p><u>Dickinson D</u></p> <p>Local government: hiring practices.</p>	<p>5/29/2012 - In Senate. Read first time. To Com. on RLS. for assignment.</p>	<p>defined, to conform to the federal Civil Rights Act of 1964 and prohibits any local agency from, as a part of its hiring practices or promotional practices, employing any educational prerequisites or testing or evaluation methods that are not job-related , unless there is no adverse effect. This bill would prohibit a local agency from inquiring into or considering the criminal history of an applicant or including any inquiry about criminal history on any initial employment application. The bill would authorize a local agency to inquire into or consider an applicant's criminal history after the applicant's qualifications have been screened and the agency has determined the applicant meets the minimum employment requirements, as stated in any notice issued for the position. The bill would not apply to a position that a local agency is otherwise required by law to conduct a criminal history background check or to any position within a criminal justice agency, as defined. This bill contains other related provisions.</p> <p>Last Amended on 5/17/2012</p>	
<p><u>AB 1834 Brownley D</u></p> <p>Recycling: reusable bags.</p>	<p>SENATE APPR. 5/25/2012 - Re-referred to Com. on APPR. pursuant to Joint Rule 10.5.</p>	<p>The California Integrated Waste Management Act of 1989, as administered by the Department of Resources Recycling and Recovery, requires an operator of a store, as defined, to establish an at-store recycling program that provides customers the opportunity to return clean plastic carryout bags to that store and to make reusable bags , as defined, available to customers. Existing law prohibits a city, county, or other local public agency from taking specified regulatory actions with regard to plastic carryout bags. A violation of these requirements is subject to civil liability penalties imposed by a local agency or the state. These requirements and prohibitions are repealed on January 1, 2013. This bill would revise the definition of the term "reusable bag" to require the bag to meet specified requirements concerning lifetime use, volume, contest, labeling, and washability, and would require the operator of a store to make these reusable bags available to customers after July 1, 2013. The bill also would delete the prohibition on a city, county, or other local public agency from taking specified regulatory actions with regard to plastic carryout bags . This bill contains other related provisions.</p> <p>Last Amended on 5/24/2012</p>	<p>Watch</p>
<p><u>AB 1900 Gatto D</u></p> <p>Renewable energy resources: biomethane.</p>	<p>SENATE SENATE 5/31/2012 - Read third time. Passed. Ordered to the Senate.</p>	<p>Existing law requires the Public Utilities Commission (PUC) to specify the maximum amount of vinyl chloride that may be found in landfill gas. Existing law prohibits a gas producer from knowingly selling, supplying, or transporting to a gas corporation, and a gas corporation from knowingly purchasing, landfill gas containing vinyl chloride in a concentration exceeding the maximum amount determined by the PUC. Existing law requires a person who produces, sells, supplies, or releases landfill gas for sale offsite to a gas corporation to sample and test, bimonthly, the gas at the point of distribution for chemicals known to the state to cause cancer or reproductive toxicity. This bill would require the PUC to identify all constituents that may be found in landfill gas that is to be injected into a common carrier pipeline and that could adversely impact the health and safety of the public, and to specify the maximum amount of those constituents that may be</p>	<p>Watch</p>

		<p>found in that landfill gas. This bill would require the PUC to develop reasonable and prudent testing protocols for gas collected from a solid waste landfill that is to be injected into a common carrier pipeline to determine if the gas contains any of the identified constituents at levels that exceed the standards set by the PUC. This bill would prohibit a gas producer from knowingly selling, supplying, transporting, or purchasing gas collected from a hazardous waste landfill. This bill contains other related provisions and other existing laws.</p> <p>Last Amended on 5/25/2012</p>	
<p>AB 1933 Gordon D</p> <p>Beverage containers: enforcement.</p>	<p>SENATE APPR. 5/15/2012 - From committee: Do pass and re-refer to Com. on APPR. (Ayes 6. Noes 0.) (May 14). Re-referred to Com. on APPR.</p>	<p>The existing California Beverage Container Recycling and Litter Reduction Act requires a distributor of specified beverage containers to pay a redemption payment to the Department of Resource Recycling and Recovery, for each beverage container, as defined, sold or transferred, for deposit in the California Beverage Container Recycling Fund. Existing law requires any person importing more than a 100 pounds of aluminum, bimetal, or plastic beverage container material, or more than 1,000 pounds of glass beverage container material, into the state to report the material and provide an opportunity for inspection and prohibits any person from falsifying documents required pursuant to the act or the regulations adopted by the department. A violation of the act is a crime. This bill would decrease the amount of materials for which a person is required to report to the department to 25 pounds of aluminum, bimetal, or plastic beverage container material, or more than 250 pounds of glass beverage container material, and would additionally require the person to provide the department with certain documentation regarding those materials. Since a violation of this requirement would be crime, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.</p>	Watch
<p>AB 1971 Buchanan D</p> <p>Theft: junk, metals, and secondhand materials.</p>	<p>SENATE PUB. S. 5/24/2012 - Referred to Com. on PUB. S.</p> <p>6/12/2012 9 a.m. - Room 3191 SENATE PUBLIC SAFETY, HANCOCK, Chair</p>	<p>Existing law provides that every dealer in or collector of junk, metals, or secondhand materials, or the agent, employee, or representative of that dealer or collector, who buys or receives any wire, cable, copper, lead, solder, mercury, iron, or brass which he or she knows or reasonably should know is ordinarily used by or ordinarily belongs to a railroad or other transportation, telephone, telegraph, gas, water, or electric light company or county, city, city and county, or other political subdivision of this state engaged in furnishing public utility service without using due diligence to ascertain that the person selling or delivering the same has a legal right to do so, is guilty of criminally receiving that property, and shall be punished by imprisonment as specified, by a fine of not more than \$250, or by both that fine and imprisonment. This bill would increase that maximum fine to an amount not to exceed \$1,000. This bill contains other related provisions and other existing laws.</p> <p>Last Amended on 4/30/2012</p>	
<p>AB 1986 Davis D</p>	<p>SENATE E. & C.A. 5/17/2012 - Referred to Coms. on E. &</p>	<p>Existing law, as added by constitutional initiative, establishes the Citizens Redistricting Commission, and charges it with various duties and responsibilities in connection with</p>	Watch

Redistricting.	C.A. and PUB. S.	redistricting Assembly, Senate, Board of Equalization, and congressional districts, as specified. Existing law requires the Department of Corrections and Rehabilitation to furnish to the Citizens Redistricting Commission, not sooner than April 1, 2020, and not later than July 1, 2020, and in each year of the decennial census thereafter, specified information regarding the last known place of residence, as defined, of each inmate incarcerated in a state adult correctional facility, except an inmate whose last known place of residence is outside of California. Existing law requests the Citizens Redistricting Commission to deem each incarcerated person as residing at his or her last known place of residence, rather than at the institution of his or her incarceration, and to utilize the above information in carrying out its redistricting responsibilities. This bill would require the department to exclude all inmates in state custody for whom a last known place of residence within California cannot be determined and inmates in federal custody in a facility within California from the information furnished to the commission. The bill also would request the commission to refrain from publishing any information regarding a specific inmate's last known place of residence and would make clarifying and conforming changes. Last Amended on 3/29/2012	
<u>AB 2003</u> <u>Torres D</u> Junk dealers and recyclers: nonferrous materials: payment.	SENATE B., P. & E.D. 6/1/2012 - In committee: Hearing postponed by committee. (Refers to 5/31/2012 hearing)	Existing law requires junk dealers and recyclers, as defined, to keep written records of all sales and purchases made in the course of their business. Existing law prohibits a junk dealer or a recycler from providing payment for nonferrous material, as defined, unless the payment is made by cash or check, the check is mailed or the cash or check is provided no earlier than 3 days after the date of sale, and other specified requirements are met. This bill would allow payment for nonferrous materials by check only.	Watch
<u>AB 2063</u> <u>Alejo D</u> Ex parte communications.	SENATE E.Q. 5/31/2012 - Referred to Com. on E.Q.	Under existing law, the Porter-Cologne Water Quality Control Act, the State Water Resources Control Board and the 9 California regional water quality control boards are the principal state agencies with responsibility for the coordination and control of water quality in the state. The act requires the state board to formulate and adopt state policies for water quality control, and authorizes the state board to hold any hearings and conduct any investigations in any part of the state necessary to carry out the powers vested in the state board, as specified. The act also requires the regional boards to adopt regional water quality control plans in compliance with the state policies. Existing law requires each regional board to conduct certain proceedings, including, but not limited to, holding at least 6 regular meetings each calendar year. This bill would prohibit a state board member, a regional board member, or any interested person, from engaging in a communication that would be considered ex parte under the Administrative Procedure Act. The bill would provide that a communication is not ex parte if the communication is between a state or regional board staff member acting in his or her official capacity and	Watch

		<p>any of the following: a state board member, regional board member, or any interested person. The bill would also provide that a communication is not ex parte if the communication is limited entirely to procedure or practice, as specified. The bill would provide that an otherwise prohibited ex parte communication is permissible if the state or regional board member fully discloses the communication, and the communication is in regard to waste discharge requirements, water quality certifications, or conditional waivers of waste discharge requirements, as specified. The bill would also provide that an otherwise prohibited ex parte communication is permissible if a regional board member fully discloses the communication, and the communication is in regard to a municipal separate storm sewer permit, as defined. This bill contains other existing laws.</p> <p>Last Amended on 4/30/2012</p>	
<p><u>AB 2196</u> <u>Chesbro D</u></p> <p>Renewable energy resources.</p>	<p>SENATE RLS. 5/25/2012 - In Senate. Read first time. To Com. on RLS. for assignment.</p>	<p>Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including electrical corporations, as defined, while local publicly owned electric utilities, as defined, are under the direction of their governing board. The existing California Renewables Portfolio Standard Program (RPS program) requires a retail seller of electricity, as defined, and local publicly owned electric utilities to purchase specified minimum quantities of electricity products from eligible renewable energy resources, as defined, for specified compliance periods. The specified minimum quantities of electricity products are based upon a percentage of the utility's total retail sales of electricity in California. This bill would amend the RER program's definition of a renewable electrical generation facility to provide that if the RPS program eligibility of a facility is based on the use of landfill gas, digester gas, or another renewable fuel delivered to the facility through a common carrier pipeline, the transaction for the procurement of that fuel , including the source of the fuel and delivery method, shall meet certain conditions, as specified. This bill contains other related provisions and other existing laws.</p> <p>Last Amended on 5/15/2012</p>	Watch
<p><u>AB 2298</u> <u>Ma D</u></p> <p>Junk dealers and recyclers.</p>	<p>SENATE PUB. S. 5/17/2012 - Referred to Com. on PUB. S.</p>	<p>Existing law requires junk dealers and recyclers, as defined, to keep written records of all sales and purchases made in the course of their business. Existing law requires a junk dealer or recycler to allow for periodic inspection by specified persons, including persons authorized by the county sheriff or the head of a city police department, of any premises maintained for purposes of determining compliance with the recordkeeping requirements, and, upon inspection, requires the junk dealer or recycler to produce sales and purchase records. This bill would, in addition, authorize persons appointed by the head of a county agricultural commission to carry out the periodic inspection of the premises of junk dealers and recyclers.</p> <p>Last Amended on 3/29/2012</p>	Watch
<p><u>AB 2378</u> <u>Huber D</u></p>	<p>SENATE AGRI. 5/24/2012 - Referred to Coms. on</p>	<p>Existing law generally regulates persons engaged in certain businesses dealing with dead animals and pet food processing, including, among others, renderers, collection center operators, pet food processors, dead animal haulers, and transporters of inedible kitchen</p>	

Rendering: enforcement.	AGRI. and PUB. S.	<p>grease. These regulatory provisions are enforced by the Department of Food and Agriculture. A person who violates these provisions is generally subject to imprisonment in a county jail for not more than one year or a fine of not more than \$1,000, or both that fine and imprisonment. A person who violates these provisions either after a prior conviction for violating these provisions or with the intent to defraud or mislead is subject to punishment in a county jail or the state prison, as specified, and a fine of not more than \$10,000, or both that imprisonment and fine. Existing law also authorizes the Secretary of Food and Agriculture to levy a civil penalty not to exceed \$1,000 for each violation against a person who violates provisions governing renderers and transporters of inedible kitchen grease and any regulations adopted pursuant to those provisions. A person against whom a civil penalty is levied may appeal the penalty to the secretary within 10 days of receiving notification of the penalty. This bill would increase the maximum fines for the crimes described above to \$5,000 and \$15,000, respectively. The bill would increase the maximum civil penalty that may be imposed to \$5,000, and would extend the period of time in which a person may appeal the civil penalty to 20 days. The bill would authorize the secretary to file with the superior court a certified copy of the final decision that directs payment of a civil penalty, as specified. This bill contains other related provisions and other existing laws.</p> <p>Last Amended on 3/29/2012</p>	
<p>AB 2390 Chesbro D</p> <p>Electricity: biomass: incentive programs.</p>	<p>SENATE SENATE 5/31/2012 - Read third time. Passed. Ordered to the Senate.</p>	<p>Existing law authorizes the Public Utilities Commission (PUC), in consultation with the State Energy Resources Conservation and Development Commission (Energy Commission), to authorize electrical corporations to collect moneys for the self-generation incentive program (SGIP) at 2008 calendar year levels through December 31, 2014. Existing law requires the PUC to require electrical corporations to administer the SGIP, until January 1, 2016. Existing law limits eligibility for SGIP incentives to distributed energy resources that the PUC, in consultation with the State Air Resources Board, determines will achieve reductions in emissions of greenhouse gases pursuant to the California Global Warming Solutions Act of 2006. This bill would state legislative findings and declarations regarding the use of waste products from forest thinning and fire prevention activities to generate electricity at biomass facilities. The bill would require the Energy Commission, in consultation with the Department of Forestry and Fire Protection, to establish an incentive program to compensate producers and collectors of biomass material associated with forest fuel reduction and fire prevention activities that are delivered to eligible biomass facilities, as defined, for use as a fuel source.</p> <p>Last Amended on 5/1/2012</p>	Watch
<p>AB 2563 Smyth R</p> <p>California</p>	<p>ASSEMBLY NAT. RES. 5/7/2012 - In committee: Set, first hearing. Hearing canceled at the request</p>	<p>The California Global Warming Solutions Act of 2006 requires the State Air Resources Board to adopt regulations to require the reporting and verification of emissions of greenhouse gases and to monitor and enforce compliance with the reporting and verification program, and requires the state board to adopt a statewide greenhouse gas</p>	Watch

Global Warming Solutions Act of 2006: offsets.	of author.	emissions limit equivalent to the statewide greenhouse gas emissions level in 1990 to be achieved by 2020. The act requires the state board to adopt rules and regulations in an open public process to achieve the maximum technologically feasible and cost-effective greenhouse gas emission reductions. The act authorizes the state board to include the use of market-based compliance mechanisms. This bill , if the state board uses its authority to include the use of market-based compliance mechanisms, would require the state board , on or before January 1, 2013, to adopt a specified process for the review and consideration of new offset protocols and, commencing in 2012 and continuing annually thereafter, use that process to review and consider new offset protocols. This bill contains other related provisions. Last Amended on 4/30/2012	
<u>AB 2670</u> Committee on Natural Resources Solid waste recycling: facilities.	SENATE E.Q. 5/24/2012 - Referred to Com. on E.Q. 6/18/2012 1:30 p.m. - Room 112 SENATE ENVIRONMENTAL QUALITY, SIMITIAN, Chairman	The California Integrated Waste Management Act of 1989 requires rigid plastic packaging containers that are sold or offered for sale in this state to meet, on average, one of specified criteria and defines terms for purposes of those requirements. One of those criteria that a rigid plastic packaging container may meet to satisfy this requirement is that the container be source reduced. The act provides for the enforcement of these requirements by the Department of Resources Recycling and Recovery and provides that an entity making a false certification pursuant to those requirements is subject to a violation for fraud. This bill would revise the definitions of the various terms used in the those requirements, including revising the definition of the term "source reduced" to impose new requirements, thereby imposing a state-mandated local program by changing the definition of a crime. This bill contains other related provisions and other existing laws. Last Amended on 4/10/2012	
<u>AB 2675</u> Committee on Labor and Employment Public works: prevailing wage rates: penalty assessment.	SENATE L. & I.R. 5/24/2012 - Referred to Com. on L. & I.R. 6/13/2012 9:30 a.m. - Rose Ann Vuich Hearing Room (2040) SENATE LABOR AND INDUSTRIAL RELATIONS, LIEU, Chair	Existing law regulating public works contracts requires the awarding body of a public works contract to withhold and retain all amounts required to satisfy any civil wage and penalty assessment issued by the Labor Commissioner before making payments to the contractor of money due under the contract. This bill would specify that upon receipt of a final order that is no longer subject to judicial review, the retained amounts necessary to satisfy the final order shall be deemed forfeited by the contractor or subcontractor . Last Amended on 4/16/2012	
<u>SB 419</u> <u>Simitian D</u> Solid waste: home-generated sharps.	ASSEMBLY INACTIVE FILE 1/9/2012 - Ordered to inactive file on request of Assembly Member Allen.	Existing law requires a pharmaceutical manufacturer selling or distributing medication that is intended to be self-injected at home to submit, on an annual basis, to the Department of Resources Recycling and Recovery a plan supporting the safe collection and proper disposal of specified waste devices. The manufacturer is required to post and maintain a copy of the plan on its Internet Web site. This bill would require the above plan to be submitted in an electronic format as prescribed by the department. The bill	Watch

		would require the manufacturer to post and maintain a copy of the plan in a readily accessible location on its Internet Web site.	
<p><u>SB 965</u> <u>Wright D</u></p> <p>State Water Resources Control Board and California regional water quality control boards: ex parte communications.</p>	<p>ASSEMBLY DESK 5/30/2012 - In Assembly. Read first time. Held at Desk.</p>	<p>Under existing law, the State Water Resources Control Board (state board) and the California regional water quality control boards (regional boards) implement the Federal Water Pollution Control Act and the Porter-Cologne Water Quality Control Act by prescribing waste discharge requirements for discharges to the waters of the state, as specified. Existing law authorizes the state board and regional boards to hold hearings necessary for carrying out their duties, as specified. This bill would provide that the ex parte communications provisions of the Administrative Procedure Act do not apply to specified proceedings of the state board or a regional board. The bill would , instead, define an ex parte communication as an oral or written communication with one or more board members regarding those specified state or regional board proceedings. The bill would permit oral ex parte communications at any time by any board member if the board member involved in the communication notifies, and provides for the participation of, all parties, as specified. The bill would permit written ex parte communications by any party provided that the interested person, as defined, who makes the communications provides copies of the communication to all parties, as specified. The bill would require that if an individual ex parte communication meeting or call is granted to any interested party, all other parties shall also be granted individual ex parte meetings of a substantially equal period of time with the board member. This bill contains other related provisions and other existing laws.</p> <p>Last Amended on 5/2/2012</p>	Support
<p><u>SB 972</u> <u>Simitian D</u></p> <p>Environmental quality: California Environmental Quality Act: scoping meeting and notice of completion.</p>	<p>ASSEMBLY DESK 4/23/2012 - In Assembly. Read first time. Held at Desk.</p>	<p>The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report (EIR) on a project that it proposes to carry out or approve that may have a significant effect on the environment, or to adopt a negative declaration if it finds that the project will not have that effect. This bill would additionally require the lead agency to provide the above notice to a public agency that has filed a written request for the notice, thereby imposing a state-mandated local program. This bill contains other related provisions and other existing laws.</p> <p>Last Amended on 4/9/2012</p>	
<p><u>SB 1045</u> <u>Emmerson R</u></p> <p>Metal theft: damages.</p>	<p>ASSEMBLY JUD. 5/25/2012 - Referred to Com. on JUD.</p>	<p>Existing law governs the business of buying, selling, and dealing in secondhand and used machinery and all ferrous and nonferrous scrap metals and alloys, also known as "junk." Existing law further requires junk dealers and recyclers to keep and maintain a written record of all sales and purchases made in the course of their business, including the name and address of each person to whom junk is sold or disposed of. This bill would prohibit any junk dealer or recycler from possessing a fire hydrant, fire department connection,</p>	

		<p>manhole cover or lid or any part of that cover or lid, or backflow device or connection to that device without a written certification on the letterhead of the agency or utility that owns or previously owned the material certifying that the entity has sold or is offering the material for sale and that the person possessing and identified in the certificate is authorized to negotiate the sale of the material. The bill would make junk dealers and recyclers civilly liable for actual damages and also for exemplary damages of 3 times the agency's or utility's actual damages, including the value of the material, repair and replacement costs, and labor costs , unless the court determines that extenuating circumstances do not justify awarding exemplary damages .</p> <p>Last Amended on 5/8/2012</p>	
<p><u>SB 1118</u> <u>Hancock D</u></p> <p>Solid waste: used mattresses.</p>	<p>ASSEMBLY DESK 5/31/2012 - In Assembly. Read first time. Held at Desk.</p>	<p>Existing law requires a retailer of various specified products, such as rechargeable batteries and cell phones, sold in the state to have in place a system for the acceptance and collection of those products for reuse, recycling, or proper disposal. This bill would require manufacturers of mattresses, on and after July 1, 2013, to establish and implement a program to collect and recycle used mattresses from consumers, as specified. The bill would also require a retailer, on and after July 1, 2013, in coordination with a manufacturer, to provide or arrange for the pickup of a used mattress from a consumer purchasing a new mattress. The bill would authorize the manufacturer, in lieu of establishing the program, to remit, on a voluntary basis, to the Department of Resources Recycling and Recovery a mattress recovery and recycling payment for each mattress sold in the state. The department would be required to establish the mattress recovery and recycling payment at an amount that is sufficient for, but does not exceed, the department's costs of implementing a program to facilitate the recovery and recycling of used mattresses. The bill would require the moneys remitted to be deposited in the Mattress Recovery and Recycling Account, which the bill would establish in the Integrated Waste Management Fund. The bill would require moneys in the account, upon appropriation by the Legislature, to be expended by the department to implementthat program .</p> <p>Last Amended on 5/29/2012</p>	<p>Oppose Unless Amended</p>
<p><u>SB 1122</u> <u>Rubio D</u></p> <p>Energy: renewable biomass and biogas projects.</p>	<p>ASSEMBLY DESK 5/30/2012 - In Assembly. Read first time. Held at Desk.</p>	<p>Under existing law, the Public Utilities Commission has regulatory authority over public utilities. Existing law , adopted prior to the enactment of the California Renewables Portfolio Standard Program, provides that until the commission completes an electric generation procurement methodology that values the environmental and diversity costs and benefits associated with various generation technologies, the commission shall direct that a specific portion of future electrical generating capacity needed for California be reserved or set aside for renewable resources. This bill would require the commission to adopt a methodology , by June 1, 2014, that accounts for the benefits to ratepayers and the environment from reducing air pollution and global warming emissions by generating electricity from specified sources of biogas and biomass .</p>	

		Last Amended on 5/29/2012	
<u>SB 1139</u> <u>Rubio D</u> Greenhouse gas: carbon capture and storage.	ASSEMBLY DESK 5/30/2012 - In Assembly. Read first time. Held at Desk.	Existing law requires the Division of Oil, Gas, and Geothermal Resources to regulate the construction and operation of wells. Under existing federal law, the division has been delegated with the responsibility of regulating class II wells under the federal Underground Injection Control program. This bill would , upon the adoption by the State Air Resources Board of a final methodology for carbon capture and storage projects seeking to demonstrate geologic sequestration of greenhouse gases, specifically require the division to regulate carbon dioxide enhanced oil recovery projects that seek to demonstrate carbon sequestration under various laws providing for the reduction of greenhouse gas emissions. This bill contains other related provisions and other existing laws. Last Amended on 5/29/2012	
<u>SB 1159</u> <u>Calderon D</u> Plastic bag: labeling.	SENATE E.Q. 5/1/2012 - Set for hearing May 14.	Existing law requires an operator of a store, as defined, to establish an at-store recycling program that provides to customers the opportunity to return clean plastic carryout bags to that store. Existing law prohibits a city, county, or other local public agency from taking specified regulatory actions with regard to the recycling of plastic carryout bags. These requirements and prohibitions are repealed on January 1, 2013. This bill would enact the Plastic Bag Reduction and Recycling Act of 2012 and would prohibit the operator of a supermarket, as defined, on and after July 1, 2013, from distributing a plastic carryout bag to a customer unless the plastic carryout bag displays the phrase "Please Recycle This Bag," in accordance with specified requirements. The bill would provide that a violation of this requirement by the operator of a supermarket is an infraction, thereby imposing a state-mandated local program by creating a new crime. The bill would authorize the city attorney or district attorney to bring an action against the operator of the supermarket convicted of violating this requirement for the recovery of the costs of the enforcement action. This bill contains other related provisions and other existing laws. Last Amended on 4/17/2012	Watch
<u>SB 1219</u> <u>Wolk D</u> Recycling: plastic bags.	ASSEMBLY NAT. RES. 5/10/2012 - Referred to Com. on NAT. RES.	Existing law requires an operator of a store, as defined, to establish an at-store recycling program that provides to customers the opportunity to return clean plastic carryout bags to that store. This requirement is repealed on January 1, 2013. Existing law prohibits a city, county, or other local public agency from taking specified regulatory actions with regard to the recycling of plastic carryout bags. Existing law provides for the enforcement of those provisions by local agencies and by the state and requires the civil penalties collected by the state to be expended by the Attorney General, upon appropriation by the Legislature, to implement these requirements. This bill would extend those at-store recycling program requirements until January 1, 2020, and would repeal the provisions preempting local regulatory action.	Watch
<u>SB 1306</u>	ASSEMBLY DESK	Under existing law, the Porter-Cologne Water Quality Control Act, the State Water	

<p>Blakeslee R</p> <p>State Water Resources Control Board.</p>	<p>5/25/2012 - In Assembly. Read first time. Held at Desk.</p>	<p>Resources Control Board (state board) and the 9 California regional water quality control boards are the principal state agencies with responsibility for the coordination and control of water quality in the state. The act requires the state board to formulate and adopt state policies for water quality control, and requires the regional boards to adopt regional water quality control plans in compliance with the state policies. This bill would add the adoption of general permit application requirements for stormwater discharges by the state board and would add a conditional waiver of waste discharge requirements from irrigated lands adopted by a regional water quality control board to the definition of rule for the purposes of the above provisions, and would require these provisions to apply only when fees are available to cover the state board's or a regional board's costs of complying with these provisions. This bill would also deem the state board or a regional board to have complied with the above provisions if a scientific peer review has been done on the scientific basis or scientific portion of an adopted rule. This bill contains other existing laws.</p> <p>Last Amended on 5/22/2012</p>	
<p>SB 1329 Simitian D</p> <p>Prescription drugs: collection and distribution program.</p>	<p>ASSEMBLY HEALTH 5/25/2012 - Referred to Com. on HEALTH.</p>	<p>Existing law authorizes a county to establish, by ordinance, a repository and distribution program under which a pharmacy that is owned by or contracts with the county may distribute surplus unused medications, as defined, to persons in need of financial assistance to ensure access to necessary pharmaceutical therapies. Existing law requires a county that has established a program to establish procedures to, among other things, ensure proper safety and management of any medications collected and maintained by a participating pharmacy. Existing law authorizes a skilled nursing facility, specified drug manufacturer, or pharmacy wholesaler to donate medications to the program. Existing law requires medication under the program to be dispensed to an eligible patient, destroyed, or returned to a reverse distributor, as specified. Except in cases of noncompliance, bad faith, or gross negligence, existing law prohibits certain people and entities from being subject to criminal or civil liability for injury caused when donating, accepting, or dispensing prescription drugs in compliance with the program's provisions. This bill would authorize a county to establish the program by action of the county board of supervisors or by action of a public health officer of the county, as prescribed. This bill would also authorize specified primary care clinics and pharmacies to participate in the program. This bill would require a pharmacy or clinic seeking to participate in the program to inform the county health department in writing of its intent and prohibit the pharmacy or clinic from participating until the county health department has confirmed that it has received this notice. This bill would require participating pharmacies and clinics to disclose specified information to the county health department and require the county board of supervisors or public health officer to make this information available upon request to the California State Board of Pharmacy. This bill would authorize the county board of supervisors, public health officer, and California State Board of Pharmacy to prohibit a pharmacy or</p>	<p>Watch</p>

		<p>clinic from participating in the program, under certain circumstances. This bill would authorize licensed health and care facilities, as specified, to donate unused medications to the program. This bill would also make other conforming changes to those provisions.</p> <p>Last Amended on 5/14/2012</p>	
<p>SB 1359 Simitian D</p> <p>Solid waste: compost.</p>	<p>ASSEMBLY NAT. RES. 5/17/2012 - Referred to Com. on NAT. RES.</p>	<p>The California Integrated Waste Management Act of 1989, which is administered by the Department of Resources Recycling and Recovery, defines "compost" for purposes of the act as the product resulting from the controlled biological decomposition of organic wastes that are source separated from the municipal solid waste stream or source separated at a centralized facility and includes vegetable, yard, and wood wastes that are not hazardous waste. Existing law also defines "compost" for purposes of certain provisions within the act requiring the purchase of compost by state agencies in similar a manner except that it does not include wastes source separated at a centralized facility and does not specify that wastes include vegetable, yard, or wood wastes that are not hazardous waste. This bill would revise the definition of compost applicable to state agency purchases to conform to the definition applicable to the whole act. This bill contains other related provisions.</p>	Watch
<p>SB 1387 Emmerson R</p> <p>Metal theft.</p>	<p>ASSEMBLY B.,P. & C.P. 5/25/2012 - Referred to Coms. on B., P. & C.P. and PUB. S.</p>	<p>Existing law governs the business of buying, selling, and dealing in secondhand and used machinery and all ferrous and nonferrous scrap metals and alloys, also known as "junk." Existing law requires junk dealers and recyclers to keep a written record of all sales and purchases made in the course of their business, including the name and address of each person to whom junk is sold or disposed of, and to preserve the written record for at least 2 years after making the final entry of any purchase or sale of junk. Existing law provides that the failure to keep a written record as required is punishable as a misdemeanor. This bill would prohibit any junk dealer or recycler from possessing a fire hydrant, fire department connection, including, but not limited to, bronze or brass fittings or parts, a manhole cover or lid, or any part of that cover or lid, or a backflow device and connections to that device without a written certification on the letterhead of the agency or utility that owns or previously owned the material and that the entity has sold or is offering the material for sale, and that the person possessing the certificate and identified in the certificate is authorized to negotiate the sale of the material. By imposing this prohibition, the violation of which would be a misdemeanor pursuant to other provisions of existing law, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.</p> <p>Last Amended on 4/19/2012</p>	Watch
<p>SB 1455 Kehoe D</p> <p>Alternative fuels.</p>	<p>ASSEMBLY DESK 5/31/2012 - In Assembly. Read first time. Held at Desk.</p>	<p>Existing law requires the State Energy Resources Conservation and Development Commission, in partnership with the State Air Resources Board, to develop and adopt a state plan to increase the use of alternative transportation fuels. This bill would require the commission and the state board, among other things, to coordinate efforts to implement the state alternative fuels goal, as specified. The bill would require the commission and</p>	Watch

		<p>the state board, on or before November 1, 2014, to update a specified economic analysis, evaluate how the use of new and existing investment programs could be used to attain the state alternative transportation fuels goal, and evaluate how the impact of federal fuel policies and existing state policies will help attain the state alternative transportation fuels goal. The bill would require the commission and the state board, on or before November 1, 2015 , and every 2 years thereafter, to report in the integrated energy policy report, as specified, the status and implementation of reaching the state alternative transportation fuels goals, as specified, and make specified evaluations. The bill would require the state board to include a finding on the effect of proposed regulations related to the state alternative transportation fuels goal.</p> <p>Last Amended on 5/29/2012</p>	
<p>SB 1547 Simitian D</p> <p>Recycling: beverage containers: enforcement.</p>	<p>ASSEMBLY DESK 5/7/2012 - In Assembly. Read first time. Held at Desk.</p>	<p>The California Beverage Container Recycling and Litter Reduction Act requires a distributor of specified beverage containers to pay a redemption payment to the Department of Resources Recycling and Recovery, for each beverage container, as defined, sold or transferred. Existing law prohibits any person from paying, claiming, or receiving any refund value, processing payment, handling fee, or administrative fee for imported beverage container material, previously redeemed containers, rejected containers, line breakage, or other ineligible material. Existing law also prohibits any person from redeeming or attempting to redeem those containers or materials, returning previously redeemed containers to the marketplace for redemption, or bringing those containers or materials to the marketplace for redemption, as specified. This bill would also require the department, when conducting those surveys, to exclude other ineligible material. This bill contains other existing laws.</p>	Watch
<p>SB 1572 Pavley D</p> <p>California Global Warming Solutions Act of 2006: Greenhouse Gas Reduction Account.</p>	<p>ASSEMBLY DESK 5/31/2012 - In Assembly. Read first time. Held at Desk.</p>	<p>The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The state board is required to adopt a statewide greenhouse gas emissions limit equivalent to the statewide greenhouse gas emissions level in 1990 to be achieved by 2020, and to adopt rules and regulations in an open public process to achieve the maximum, technologically feasible, and cost-effective greenhouse gas emission reductions. The act authorizes the state board to include use of market-based compliance mechanisms. The act authorizes the state board to adopt a schedule of fees to be paid by the sources of greenhouse gas emissions regulated pursuant to the act, and requires the revenues collected pursuant to that fee schedule be deposited into the Air Pollution Control Fund and be available, upon appropriation by the Legislature, for the purposes of carrying out the act. This bill would create the Greenhouse Gas Reduction Fund. The bill would require moneys, as specified, collected pursuant to a market-based compliance mechanism to be deposited in this fund . The bill also would require those moneys, upon appropriation by the Legislature, be used for purposes of carrying out the act.</p> <p>Last Amended on 5/29/2012</p>	Watch

