Date: March 25, 2020  
TO: Waste Management Authority Board  
FROM: Jeff Becerra, Communications Manager  
SUBJECT: Legislative Positions for 2020

SUMMARY:
This is the second year of the 2019/2020 legislative session. As of the February 21 bill introduction deadline, 2,334 bills were introduced.

Working with Jason Schmelzer and Priscilla Quiroz of Shaw Yoder Antwih Schmelzer and Lange (our contract lobbyist in Sacramento), we are tracking priority bills in the legislative process. Several bills are still in “spot” language form and will only be able to be analyzed once more language is included. Many bills do not have committee analyses yet.

Due to the COVID-19 pandemic, the Legislature is in joint recess from March 20, 2020, until April 13, 2020. We will return to the WMA in June with a status update on these bills and the state of the California legislature.

DISCUSSION:
Each year, the Agency picks priority legislative areas to focus on in the coming legislative year. These are subject areas that StopWaste staff and our lobbyist devote more time and attention to. This could be in the form of additional letters of support to committee members, recruiting support from other government agencies and organizations, testifying at hearings, proposing changes to regulations and working closely with bill sponsors.

In November 2019, the Waste Management Authority Board approved its legislative priorities for 2020, emphasizing plastic pollution/packaging, climate change, and organics to landfill (via implementation of SB 1383).

Below is a list of bills, organized by topic category, with a brief description, recommended position, current status, and a link to the bill language and bill analysis (where available) that includes a list of those in support or opposition.
StopWaste positions on these bills include:

Support Priority (SP): Priority bills with strong support and testimony including input on bill language

Strong Support (S1): Strong support and testimony as requested

Support (S2/3): Letters of support and signing on to other support letters

Support If Amended: Letters of support with recommended amendments

Oppose:

Watch: Indicates that bill language and details are still evolving and we will continue to watch and provide input and take a support/oppose position where necessary.

Plastic Pollution Prevention

AB 1080 (Gonzalez/SB 54 (Allen, Skinner): Solid waste: packaging and products
https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB54

Would develop a comprehensive framework for reducing plastic pollution and reforming wasteful product packaging. These bills would require all single-use packaging and certain food (plates, bowls, cups, stirrers, straws) to be recyclable or compostable by 2030. It would also require a 75% reduction statewide by producers of waste generated from single-use packaging and certain food ware through source reduction, recycling, or composting by 2030.

Agency position: Support (SP)
Support: More than 60 organizations that include Californians Against Waste, CPSC, ReThink Waste, Story of Stuff Project, Sierra Club.

Recycling

SB 667 (Hueso): Recycling Infrastructure and Facilities
https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB667

This bill focuses on funding for infrastructure and requires the State Air Resources Board to develop a 5-year investment strategy to drive innovation and infrastructure, in order to meet specified organic waste reduction and recycling targets.

This bill will require CalRecycle, in coordination with the Treasurer and the California Pollution Control Financing Authority (CPCFA), on or before June 1, 2021, to develop financial incentive mechanisms to fund organic waste diversion and recycling infrastructure. It will also require the Treasurer to coordinate with the states of Nevada, Oregon, and Washington on infrastructure financing to support the recycling needs of the region.

Agency position: Support (S1)
AB 2612 (Maienschien) Greenhouse Gas Reduction Fund: Recycling; appropriation
https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB2612
This bill would have the state invest in local recycling infrastructure, in both solid waste and organics. Specifically, the bill would annually appropriate $200 million from the Greenhouse Gas Reduction Fund to CalRecycle.

Agency position: Support (S1)
Sponsor/Support: County of Los Angeles Board of Supervisors, Rural County Representative of California, California State Association of Counties, Californians Against Waste.

AB 3141 (Friedman) Retail plastics recycling program: plastic bags, packaging, and shipping envelopes
https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB3141
This bill would reinstate the in-store plastic bag takeback program, mandate online retailers to pick up packaging at the time of delivery, and provide in-store takeback for packaging from online purchases.

Agency position: Support if Amended
Suggested Amendments: The At Store Recycling Program for Carryout Bags should not be limited to “carryout bags,” so that stores distributing plastic bags for produce, bulk items, etc. are required to participate in the program.
Support: Californians Against Waste

Climate/Energy
SB 43 (Allen): Carbon intensity and pricing: retail products
https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB43
Requires the State Air Resources Board to study and submit a report to the Legislature on the feasibility of calculating the carbon intensity of all retail products subject to the Sales and Use Tax Law.

Agency position: Support (S1)

SB 1258 (Stern) California Climate Technology and Infrastructure Financing Act
https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB1258
This bill would enact the California Climate Technology and Infrastructure Financing Act to require the California Infrastructure and Economic Development Bank, in consultation with specified agencies to administer the Climate Catalyst Revolving Fund, which would establish to provide financial assistance to eligible climate catalyst projects.

Agency position: Support If Amended
Suggested Amendments: To include organic recycling infrastructure as an eligible “climate catalyst project.”
Support: ReThink Waste, Support if Amended
Extended Producer Responsibility (EPR)/Circular Economy

**AB 1509 (Mullin): Solid waste: lithium-ion batteries**  
https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB1509  
AB 1509 would create a recycling program for both loose lithium-ion batteries and those embedded in toys, toothbrushes, keychains and other products to prevent them from being improperly disposed of in the waste stream.

Agency position: Support (S1)  

**AB 1672 (Bloom) Solid waste: nonwoven disposable products**  
https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB1672  
This bill will help reduce expensive repairs and maintenance to sewers and water treatment equipment caused by misled consumers flushing mislabeled wipes that do not degrade. The bill requires clear, accurate labeling of “flushable” and “non-flushable” wipes.

Agency Position: Support (S3)  
Sponsor/Support: National Stewardship Action Council, CASA, EBMUD, County of Alameda

Organics/Composting

**SB 1191 (Dahle): Organic waste: reduction goals: local jurisdictions: noncompliance and penalties**  
http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB1191  
This bill would require CalRecycle to consider whether a jurisdiction made good faith efforts to implement its organic waste reduction program and other factors before imposing a compliance order or penalties on that jurisdiction for failure to meet SB 1383 organic waste requirements.

Agency Position: Watch (We expect to contribute bill language once SB 1383 regulations are finalized)  
Support: Rural County Representative of California, Solid Waste Association of North America

Other

**AB 2243 (Eggman): Income tax: credits: food banks**  
https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB2243  
This bill would extend the Farm to Food Bank tax credit from January 1, 2022 to January 1, 2027.

Agency position: Support (S1)  
Support: California Farm Bureau Federation
**Bills to Watch**

There are several bills that are on the “watch” list. These are bills that do not have details and are “spot” bills that will evolve over the next few months.

**Plastic Pollution Prevention**


**Recycling**

AB 1840 (Ting): Recycling: reports
AB 2381 (Choi): The California Beverage Container Recycling and Litter Reduction Act: processing payments and handling fees
AB 2562 (Holden): California Beverage Container Recycling and Litter Reduction Act: empty beverage container redemption
AB 2733 (Flora): California Beverage Container Recycling Fund: reporting
AB 3158 (Melendez): Solid waste: Rechargeable Battery Recycling Act
SB 1132 (Dodd): Recycling: beverage containers

**Climate/Energy**

AB 1839 (Bonta): Climate change: California Green New Deal
AB 2148 (Quirk): Climate change: adaptation: regional climate adaptation planning groups: regional climate adaptation plans
AB 2371 (Friedman): Climate change: adaptation
AB 2441 (Rivas): Climate change: Safeguarding California Plan
AB 2832 (C. Garcia): Greenhouse gases: carbon neutrality
AB 3256 (E. Garcia): Climate risks: bond measure
SB 45 (Allen): Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2020
SB 964 (Skinner): Greenhouse Gas Reduction Fund: investment plan
SB 1100 (Atkins): Coastal resources: sea level rise
SB 1320 (Stern): Climate change: California Climate Change Assessment

**Extended Producer Responsibility**

SB 424 (Jackson): Solid waste: sharps disposal
AB 1770 (Frazier): Tire recycling program: rubberized pavement

**Organics/Composting**

AB 1506 (McCarty): Solid waste commercial and organic waste: recycling bins
AB 1567 (Aguiar-Curry): Organic waste: scoping plan
AB 2680 (Aguiar-Curry): Solid waste: green material: land application
AB 2959 (Calderon): Solid waste: byproducts from the processing of food or beverages
SB 1332 (Allen): Solid waste: recycling and composting infrastructure

Other
AB 793 (Ting): Solid waste: biomass
AB 1952 (Stone): Washing machines: microfiber filters: state laundry facilities: pilot program
AB 2298 (Carrillo): Hazardous waste
AB 2368 (Quirk): Contractors: discipline: illegal dumping
AB 2511 (C. Garcia): Hazardous waste
AB 3232 (Friedman): Commercial washing machines: microfiber filter.
AB 3336 (Carrillo): California Hazardous Substances Act: misbranded and banned hazardous substances
SB 409 (Wilk): Illegal dumping
SB 1152 (Skinner): Litter: receptacles
SB 1227 (Skinner): Road Maintenance and Rehabilitation Program
SB 1156 (Archuleta): Lithium-ion batteries: illegal disposal: penalties

RECOMMENDATION
That the WMA Board adopt the recommended positions for the 2020 session of the California Legislature.