



Date: May 27, 2014

TO: Programs and Administration Committee
Planning and Organization Committee/ Recycling Board

FROM: Gary Wolff, Executive Director

BY: Jeff Becerra, Communications Manager

SUBJECT: Legislative Positions for 2014

BACKGROUND:

This is the second year of the 2013/2014 legislative session and through our contract lobbyist we are tracking several bills that are in different stages of the legislative process. The report below highlights the status of the eighteen bills the Agency took positions on in April, 2014. Staff is recommending changing our position on the battery bill from support to watch.

DISCUSSION:

In November, 2013, the Waste Management Authority Board approved three legislative priorities for 2013/2014: extended producer responsibility, organics processing, and other areas of concern such as strengthening green building codes. Below is a status of bills that the Board is tracking. We have provided links to bill language. Fifteen of the eighteen bills we are tracking are still alive, and have passed out of their house of origin. The next deadline is June 27th, which is the last day for policy committees to meet and report bills to the house floor. August 31st is the last day for each house to pass bills onto the Governor.

Extended Producer Responsibility

- **AB 1893 (Stone-Eggman) Home-generated Sharps:** Would require all sharps sold to the general public in California in quantities of 50 or more to include a free sharps waste container that meets applicable state and federal standards for collection and disposal of medical sharps waste.
Sponsor/Support: CA Product Stewardship Council
Bill link:
http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140AB1893&search_keywords=
Position: Support
Status: Failed to get off Assembly floor. Dead.
- **AB 2284 (Williams) Single-use household batteries:** The bill was amended to remove all manufacturer responsibility. There is a need for manufacturer responsibility to address end of life costs of proper battery disposal, which was the original intent of the bill. The bill now requires

the state to provide up to 3 local grants for pilot battery recycling programs, at an expense of \$1.5 million. Since many of our member agencies already have curbside battery recycling, funding of 3 more pilot collection programs, statewide, is of very limited use, unless a pilot were implemented in Alameda County that helps us move beyond current practice.

Sponsor/Support: CA Product Stewardship Council

Bill link:

http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140AB2284

Proposed Agency Position: Change support to watch

Status: Senate

- **AB 2748 (ESTM Committee) Used Paint Recovery: Business Plans:** This bill encourages the take-back of used paint by eliminating duplicative reporting requirements on business that are part of Cal Recycle's approved paint stewardship program. This should make it easier for smaller stores to participate in the PaintCare program.

Sponsor/Support: PaintCare

Bill Link:

http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140AB2748

Position: Support

Status: Senate floor

- **SB 1014 (Jackson) – Home-generated Pharmaceutical Waste:** This bill would require the department to adopt regulations to authorize a participant to establish a program to collect and properly dispose of home-generated pharmaceutical waste, based upon the model guidelines developed by the department pursuant to those repealed provisions and to include specified requirements and provisions in those regulations.

Sponsor/Support: Alameda County; CPSC; Clean Water Action and others

Bill Link:

http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140SB1014

Position: Support

Status: Assembly, committee to be assigned.

- **SB 1274 (Hancock) Mattress Recovery and Recycling:** Follow-up legislation to fix elements of last year's mattress legislation (SB 254- Hancock) to ensure that urban and rural local governments and participating solid waste facilities that accept mattresses may do so at no cost.

Bill link: http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140SB1274

Position: Support

Status: Assembly Natural Resources Committee.

Plastic Bags/Single use take-out containers

- **SB 1194 (Hueso) Plastic pollution:** Amended 4/21/14 to require manufacturers of plastic products to provide a report on whether the manufacturer has established a sustainability policy. There is no definition of what the sustainability policy should include, and no requirement for a sustainability policy, making the requirement vague and the purpose unclear.

Bill link: http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140SB1194

Position: Support (would have recommended change to "watch" if the bill was still alive)

Status: Dead.

- **SB 270 (Padilla) Single-use Carryout Bags:** Would, as of July 1, 2015, prohibit a specified set of stores (the same set of stores covered under the Alameda County ordinance) from providing a

single-use carryout bag to a customer. The bill would also prohibit those stores from selling or distributing a recycled paper bag or reusable bag at the point of sale unless the store makes that bag available for purchase for not less than \$0.10. The bill would also allow those stores, on or after July 1, 2015, to distribute compostable bags at the point of sale only in jurisdictions that meet specified requirements and at a cost of not less than \$0.10. The bill allows jurisdictions who have adopted a bag ordinance prior to September, 2014, to continue to enforce that ordinance. It allows those jurisdictions to expand their ordinance to a broader set of stores and/or to increase the minimum charge for bags, but limits other changes, to be consistent with the specifications in the bill.

Bill link:

http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140SB270

Position: Support. Staff have verified that the use of RMDZ funds will no longer be used as the source of funding.

Status: Assembly floor

Medical Waste

- **AB 333 (Wieckowski) Medical Waste Management Act Reform:** Would provide for technical amendments to the Medical Waste Management Act. The bill is intended to harmonize California law with federal law. Some concerns over proposed draft language that may preempt local government authority and limit small quantity generator exemption. Staff will review more fully when substantive amendments are added.

Sponsor: Stericycle

Bill link: http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140AB333

Position: Watch

Status: Will be heard in Senate Environmental Quality on 6/18

Green Buildings and Construction

- **AB 1918 (Williams) Title 24 and HVAC Compliance:** Calls for the establishment of an incentive program for local building agencies and operators through the CPUC to promote verification of compliance and benchmarking of HVAC and other Title 24 energy efficiency.

Sponsor/Support: US Green Building Council and NRDC. Amended 3/26.

Bill link: http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140AB1918

Position: Support

Status: Senate Committee to be assigned

- **AB 2282 (Gatto) Recycled Water Infrastructure:** Directs the Building Standards Commission to establish mandatory dual plumbing to be installed in new buildings in certain areas and dwellings in the state, based on local need and capacity determination. The bill originally promoted gray water reuse on site, which often saves energy, but has since been modified to focus only on recycled water, which can, depending on circumstances, use more energy. We will watch the bill and encourage measures that reduce energy use while increasing water supply reliability.

Sponsor/support: US Green Building Council and Pipefitters Union

Bill link:

http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140AB2282

Position: Watch

Status: Senate Committee to be assigned

- **AB 2355 (Levine) Local Use of Recycled Material:** This bill would require, by January 1, 2017, a local government that has jurisdiction over a street or highway to either adopt the standards developed by the Department of Transportation for recycled paving materials and for recycled base, subbase, and pervious backfill materials, or discuss why it is not adopting those standards at a public hearing.
Sponsor/Support: CA Construction and Industrial Materials Association; Marin Builders Association
Bill Link:
http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140AB2355
Position: Support
Status: Senate Transportation and Housing Committee. Hearing to be set.

Cap and Trade Revenues

- **AB 1970 (Gordon) Community Investment and Innovation program:** Would award Cap and Trade funds to local agencies that submit plans to develop and implement integrated community-level greenhouse gas emissions reduction projects in their region. Amended April 10
Sponsor: Author
Bill Link:
http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140AB1970
Position: Support
Status: Dead. Held in Assembly Appropriations due to extensive cost

Recycling: Market Development

- **AB 1021 (Eggman) Alternative Energy: Recycled Feedstock:** This bill expands sales and use tax credits to manufacturers using recycling feedstock, as defined, that is intended for the production of another product or soil amendment.
Sponsor/Support: Californians Against Waste
Bill link:
http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140AB1021
Position: Support
Status: Held in Senate Appropriations Committee from 2013
- **AB 1022 (Eggman) Electronic Waste: CRT Glass Market Development Payments:** This bill directs the Department of Toxic Substances Control to spend up to \$10 million of their surplus e-waste funds for direct incentive payments for value-added processing of CRT glass in California.
Sponsor: Californians Against Waste
Bill link:
http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140AB1022
Position: Support
Status: Held in Senate Appropriations Committee from 2013

Organics Processing

- **AB 1594 (Williams) ADC.** This bill, commencing January 1, 2020, would provide that the use of green material, not including materials left over from the composting process, as alternative daily

cover does not constitute diversion through recycling and would be considered disposal for purposes of the act.

Sponsor: CAW and Compost Coalition

Bill Link: http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140AB1594

Position: Support

Status: Senate Committee to be assigned

- **AB 1826 (Chesbro) Commercial organic waste recycling:** Would reduce the threshold amount of organic waste that would cause a commercial business to be required to recycle organic waste from 8 cubic yards per week effective January 1, 2016 to 4 cubic yards per week effective January 1, 2017 and to 1 cubic yard per week effective January 1, 2019. Would require local jurisdictions to implement organics diversion programs to support these objectives as of January 1, 2016; however, if a local program as of that date implements a mandatory commercial organic waste recycling policy or ordinance that addresses organic waste recycling, or requires a mandatory organic diversion program through their franchise agreement, a new local program is not required.

Sponsor: CAW

Bill link:

http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140AB1826

Position: Support

Status: Senate Environmental Quality. Hearing to be set.

Governance

- **AB 2170 (Mullin) Joint Powers Authority:** Would clarify that joint powers authorizes may exercise any power common to the contracting parties, including levying fees and taxes.

Sponsor: Author

Bill link:

http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140AB2170&search_keywords=

Position: Support

Status: Senate Governance & Finance

RECOMMENDATION:

Staff recommends that the Boards receive this status update on Agency legislative positions for the 2014 session of the California Legislature and change the Agency position on AB 2284 from support to watch.