



DATE: December 10, 2020

TO: Programs & Administration Committee
Planning Committee/Recycling Board

FROM: Jeff Becerra, Communications Manager

SUBJECT: 2021 Legislative Priorities

SUMMARY

This January the California legislature begins a new two-year session. At the December 10 committee meetings, staff will lead a discussion of current policy issues and ask the committees to provide a 2021 legislative priority recommendation to the Waste Management Authority for adoption later this month.

DISCUSSION

The legislature will start the year in the same challenging spot where it finished the 2020 session, adapting to changing priorities and limitations on how it can conduct business in the Covid era. As a result, the legislature is likely to send fewer bills to the Governor again this year, and legislative priorities will remain focused on issues like Covid relief, housing/homelessness and wildfire relief.

This change in emphasis by the legislature means that we should adapt as well, and rather than having multiple priority areas like in a typical year, for 2021 staff is proposing a singular focus on providing relief to jurisdictions on SB 1383 implementation deadlines.

This doesn't mean we will ignore other important issues in line with the Agency's Guiding Principles (expected to be updated at the December WMA meeting) like packaging, right to repair, and climate change when they come up, but it focuses our contract lobbying team (Shaw Yoder Antwih Schmelzer & Lange) time on what jurisdictions have conveyed to us is the top issue for them.

SB 1383 Implementation Relief

In 2020, StopWaste joined the League of California Cities, California State Association of Counties, and Rural Counties Representatives of California, requesting state officials and CalRecycle to grant grace periods and temporary relief from SB 1383 implementation requirements as a result of the Covid pandemic. The policy goals of SB 1383 are admirable, and we supported the legislation when it was in the Legislature, however the impacts of jurisdictions dealing with Covid fallout warrant a reprieve in the policy's implementation schedule. CalRecycle has shared that implementation dates could only be delayed through legislation. Therefore the staff recommendation is to join with the coalition we've previously been working with to introduce legislation seeking to modify SB 1383

implementation timelines. If the Board agrees, our lobbying team would focus their efforts on garnering additional support and helping to move the legislation through the 2021 session.

Additional State Policy Related Issues

After many months of vacancy, the Governor has appointed Rachel Wagoner as Director of CalRecycle (pending expected CA Senate confirmation). She is experienced and well respected in the environmental community, most recently serving as Deputy Legislative Secretary in the Office of the Governor. Her previous roles have included Chief Consultant for the California State Senate Committee on Environmental Quality, and Director of Legislative Affairs at the California Department of Toxic Substances Control. Among Wagoner's priorities will be addressing problems with the State Bottle Bill.

Statewide Commission on Recycling Markets and Curbside Recycling

This new group was modeled after the National Sword Task Force that StopWaste organized, and formed as a result of AB 1583 – the California Recycling Market Development Act. It is designed to provide policy and messaging recommendations to CalRecycle, along with identifying which items are recyclable or compostable statewide. The commission is required to submit preliminary policy recommendations (for which StopWaste has been consulted) to the legislature by January 1, 2021. Staff will update the Board on recommendations when they are available.

California Recycling and Plastic Pollution Reduction Act

Led by Recology, this voter initiative closely matches the provisions of the failed SB 54/AB 1080, which sought to reduce single-use food ware packaging throughout the state. Once the measure is confirmed to be on the 2022 ballot, staff will provide a recommended position for the Board to adopt.

Next Steps/Key Dates

Staff will return to the Board in March for review of recommended positions on new bills. Key dates for the 2021 session include:

- December: WMA Board adopts legislative priorities for the upcoming year.
- January: Governor's proposed 2021-22 budget is released.
- February: Deadline for introduction of new bills.
- March: Bill authors and organizational sponsors seek letters of support for new bills; staff reviews bills and recommends positions for Board adoption.
- May: Governor's May revision of the budget is released.
- June: Board receives status update on bills and provides direction as appropriate. The 2021-22 budget must be passed.
- September: Deadline for bills to pass the Legislature.
- October: Deadline for Governor to sign or veto bills; Status update provided to Board after Governor takes action.

RECOMMENDATION

Discuss legislative priorities for calendar year 2021 and provide a recommendation to the Waste Management Authority for adoption at its December 16 meeting. The staff recommendation is to join efforts with partners to introduce and support legislation seeking to modify SB 1383 implementation timelines.