



Date: April 25, 2018
TO: Waste Management Authority
FROM: Wendy Sommer, Executive Director
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SUBJECT: Legislative Positions for 2018

SUMMARY:

This is the second year of the 2017/2018 legislative session. More than 5,440 bills and resolutions were introduced in the 2017/18 two-year cycle. 859 bills were chaptered last year. This year, the legislature is considering over 2,600 bills.

Working with our partners such as Californians Against Waste and EcoConsult (our contract lobbyist in Sacramento), we are tracking several bills that are in different stages of the legislative process. The report below recommends positions on these bills. We will return to the WMA in June with a status update on these bills.

DISCUSSION:

In January 2018, the Waste Management Authority Board approved its legislative priorities for 2018, which included extended producer responsibility, organics, and circular economy legislation and regulation. 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. The bills need to pass out of their house of origin by June 1. August 31 is the last day for each house to pass bills on to the Governor.

StopWaste is tracking 33 bills that are categorized under:

- EPR/Circular Economy (3 bills)
- Organics (3 bills)
- Packaging (3 bills)
- Pollution Prevention (7 bills)
- Recycling (4 bills)
- Energy/Climate (5 bills)
- Water Conservation (2 bills)
- Funding (5 bills)
- Environmental Education (1 bill)

StopWaste positions on these bills include:

Support S1: Strong support and where letters of support have been submitted

Support: Agency support that could include letters and testimony as needed

Oppose: Opposition

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.

Track: Bills that are of interest to the Agency but do not require any additional follow up.

Extended Producer Responsibility (EPR)/Circular Economy

AB 2110 (Eggman): California Right to Repair Act

Position: SUPPORT (S1)

[Bill Text](#)

Provides a fair marketplace for the repair of electronic equipment and to prohibit intentional barriers and limitations to third-party repair. It requires manufacturers of electronics to make diagnostic and repair information, as well as equipment or service parts, available to product owners and to independent repair shops. This bill would not apply to any devices needed for health care.

Sponsor: Californians Against Waste

Status: Privacy and Consumer Protection Committee

AB 2832 (Dahle): Recycle and Reuse: Lithium Ion Batteries

Position: WATCH

[Bill Text](#)

Requires the Department of Toxic Substances Control (DTSC) to work with stakeholders to identify approaches for the reuse or recycling of lithium-ion batteries from electric vehicles and to submit a report to the Legislature, on or before July 1, 2020, and to develop a grant program to fund the development of recycling and reuse opportunities for lithium-ion batteries at no cost to the consumer.

AB 2493 (Bloom): Beverage Containers: Convenience Zones and Payments

Position: TRACK

[Bill Text](#)

Existing law defines convenience zone as either the area within a 1/2-mile radius of a supermarket or the area designated by the department. This bill, on or before December 1, 2020, would require the department to adopt regulations to redefine convenience zone.

Organics/Composting

AB 1036 (McCarty): Organic Waste: Composting

Position: SUPPORT

[Bill Text](#)

Requires streamlining of Air District permitting by classifying composting facilities as Essential Public Services and by allowing Air Districts to count the net reduction in emissions by diverting material from a landfill to a composting facility.

Sponsor: Californians Against Waste

AB 2411 (McCarty): Solid Waste: Use of Compost-Planning

Position: SUPPORT

[Bill Text](#)

Requires CalRecycle to develop and implement a plan to maximize the use of compost for slope stabilization and establishing vegetation in the course of providing debris removal services following a fire. In coordination with the Department of Transportation, identify best practices for the cost effective use of compost along roadways and develop a plan to expand the identified best practices to the other districts prior to December 2019.

AB 1952 (Arambula): Envision a Hunger Free California Act

Position: SUPPORT

[Bill Text](#)

Requires state departments to develop a plan to end hunger no later than January 1, 2020, with a request for budget appropriation of \$11,500,000. The bill would also require the UC and CSU campuses to develop systems that allow EBT cards to be used on their respective campuses.

Packaging

SB 1335 (Allen): Take Out Food Packaging at Parks, Beaches and State Facilities

Position: SUPPORT (\$1)

[Bill Text](#)

This bill will help reduce plastic pollution in our oceans by requiring state parks, beaches, and other facilities to serve only sustainable food packaging. Specifically, under this measure the State will lead by example, ensuring that all disposable food service packaging provided at these locations is locally recyclable or composted at a 75% rate.

Sponsor: Californians Against Waste/Clean Seas Lobby Coalition

AB 2766 (Berman): CA Beverage Container Recycling and Litter Reduction Act

Position: SUPPORT (\$1)

[Bill Text](#)

Reauthorizes the successful Plastic Market Development program that funds domestic processing remanufacturing of PET plastics. The program sunsets at the end of 2017, and payments end in April, so this is a so-called "urgency" bill that requires a 2/3 vote but goes into effect immediately upon passage.

Sponsor: Californians Against Waste

AB 2921 (Low): Expanded Polystyrene Food Service Packaging Recovery and Recycling Act

Position: OPPOSE

[Bill Text](#)

Sponsored by Dart Container Corporation as a response to the efforts to phase out polystyrene, this bill would create a voluntary stewardship organization for polystyrene manufacturers that would be allowed to assess a fee on its own products and use that money to fund recycling grants in communities that do not have bans.

Sponsor: Dart Container Corporation

Pollution Prevention

AB 2379 (Bloom): Waste management: Polyester Microfibers

Position: SUPPORT (\$1)

[Bill Text](#)

This bill requires that all clothing made primarily of polyester include a label that warns of plastic microfiber shedding (to encourage people to buy alternatives) and recommends handwashing the item.
Sponsor: Californians Against Waste/Story of Stuff

AB2779 (Stone & Calderon): Single Use Plastic Beverage Container Caps (Connect the Cap)

Position: SUPPORT (S1)

[Bill Text](#)

This is a reintroduction of last year's AB 319. It requires bottle caps to be tethered to bottles in order to prevent one of the most easily avoidable forms of plastic pollution.

AB 1884 (Calderon): Solid Waste: Single Use Plastic Straws

Position: SUPPORT (S1)

[Bill Text](#)

Prohibits a food facility where food is consumed on the premises from providing single-use plastic straws to consumers unless requested by the consumer. The bill would specify that the first and second violations would result in a warning and any subsequent violation would include a fine of \$25 for each day the food facility is in violation.

Recycling

SB 168 (Wieckowski): Recycled Content in Beverage Containers

Position: SUPPORT (S1)

[Bill Text](#)

Provides CalRecycle authority to set recycled content requirements for all beverage containers, an unprecedented opportunity to create markets for recycled plastics in California and contains a study on EPR alternatives to California's Bottle Bill.

AB 3178 (Rubio): Solid Waste Recycling and Diversion

Position: WATCH

[Bill Text](#)

Authorizes a jurisdiction to temporarily arrange for the disposal of recyclable material if the disposal is necessary for the facility to operate within its design or permit storage limits. This bill provides for "good faith" protection of local governments against fines and penalties for not meeting diversion requirements until January 2023.

Energy/Climate

AB 3001 (Bonta/Friedman): Zero Emissions Building and Source of Heat Energy

Position: SUPPORT (S1)

[Bill Text](#)

Requires the PUC to make policy changes to support the achievement of zero-emissions buildings and include societal and environmental costs of energy use in determining the cost-effectiveness of programs. It also requires the inclusion of thermal storage and electric vehicle smart charging as qualifying resources for incentives and procurement requirements for energy storage systems.

Sponsor: Natural Resources Defense Council (NRDC)

SB 1477 (STERN): Zero Emissions Building and Source of Heat Energy

Position: SUPPORT

[Bill Text](#)

Requires the State Energy Resources Conservation and Development Commission to develop and administer the New Zero-Emission Building (NZEB) Program to provide incentives to eligible applicants for the deployment of near-zero-emission building technologies to significantly reduce the emissions of greenhouse gases from buildings.

AB 3232 (Friedman): Zero Emissions Building and Source of Heat Energy

Position: SUPPORT

[Bill Text](#)

By 2020, requires the State Energy Resources Conservation and Development Commission to establish a plan to achieve the goal that all new residential and nonresidential buildings built on or after January 1, 2030, be zero-emission buildings. Develops a strategy to achieve the goal that the emissions of greenhouse gases from the state's residential and nonresidential building stock be reduced to at least 50% below 1990 levels by January 1, 2030.

Funding

AB 1933 (Maienschein): GGRF Funding: Recycling Infrastructure Projects

Position: SUPPORT

[Bill Text](#)

Creates a \$200 million appropriation for CalRecycle from the Greenhouse Gas Reduction Fund for organics processing infrastructure until 2020. This bill would specify that activities that expand and improve waste diversion and recycling include food rescue, waste prevention, and organic waste recycling.

AB 2377 (Irwin): Technical Assistance Grant Program: Healthy Soils

Position: SUPPORT

[Bill Text](#)

Requires the Department of Food and Agriculture to provide assistance to Healthy Soils Program, alternative manure management practices programs, and State Water Efficiency and Enhancement Program, grant applicants, and make available to the grant program at least 15% of the funds appropriated to the department for those programs.

Other Bills of Interest That We Are Watching or Tracking

Watch

AB 2094 (Kalra): Hazardous Waste Facilities: Inspections

SB 212 (Jackson): Medical Waste

AB 444 (Ting): Home generated Sharps Waste

SB 452 (Glazer): Beverage Container Recycling and Litter Reduction

SB 71 (Wiener): Solid Waste Disposal

AB 1288 (Eggman): Organics Infrastructure Funding

AB 1981 (Limon): Organic Waste – Composting

SB 1048 (Allen): Repeal Environmental Education

SB1401 (Wieckowski): Climate Change, Climate Adaptation: Clearing House

Track

AB 2021 (Steinworth): Solicitations: Do Not Contact List

AB 1967 (Patterson): Zero Net energy Project

AB 2908 (Berman): Tire Recycling Incentive Program

AB 2062 (Maienschein): State Highways – Landscaping
SB 606 (Skinner/Hertzberg): Water management Planning

RECOMMENDATION

Staff recommends that the WMA Board adopt the positions recommended for the Agency for the 2018 session of the California Legislature.