



Date: September 26, 2018

TO: Waste Management Authority

FROM: Wendy Sommer, Executive Director

BY: Anu Natarajan, Legislative Affairs Manager

SUBJECT: Update on 2018 Legislative Bills

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 considered over 2,600 bills.

This memo provides an update on the various bills and other legislative efforts for which the Agency took a position or played an active role. Based on direction from the WMA Board in April, we actively followed 31 bills and worked closely with EcoConsult, our lobbyist in Sacramento, in addition to strong collaboration with our partners Californians Against Waste and California Product Stewardship Council.

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 in addition to pollution prevention and recycling. August 31 was the last day for each house to pass bills to the Governor, who has until September 30 to veto the bills or sign them into law.

Below is a status of the bills.

Extended Producer Responsibility (EPR)/Circular Economy

The California Right to Repair Act (AB 2110, Eggman) and Recycle and Reuse of Lithium Batteries (AB 2832, Dahle) did not move forward this year. We anticipate these bills to resurface next year.

SB 212 (Jackson): Medical Waste that requires manufacturers of sharps and specified pharmaceutical drugs to establish, fund, and promote a statewide take-back system was enrolled and is awaiting the Governor's signature. This is the first statewide bill in the country and is designed to not preempt existing ordinances like the Alameda County ordinance that has been in place since 2015.

Pollution Prevention

Bills that are now at the Governor's desk include:

- AB 1884 (Calderon): Requires restaurants to offer straws only upon request for food facilities where food is consumed on the premises. The bill specifies warnings for the first two violations and a \$25 fine for subsequent violations, with the assumption that cities will do the enforcement.
- SB 1335 (Allen): Prohibits non-recyclable and non-compostable takeout food packaging at state facilities, including parks, beaches, colleges, and fairgrounds.

Two bills that did not move forward:

AB 2379 (Bloom): Polyester microfiber bill that required labeling of polyester clothing with recommendation for handwashing.

AB 2779 (Stone & Calderon): Single-Use Plastic Beverage Container Caps (Connect the Cap/Leash the Lid) required bottle caps to be tethered to bottles.

Recycling

The following bills were enrolled and submitted to the Governor:

SB 168 (Wieckowski): Recycled Content in Beverage Containers provides CalRecycle the authority to set recycled content requirements for all beverage containers, and requires a study on EPR alternatives to California's Bottle Bill.

AB 3178 (Rubio): Solid Waste Recycling and Diversion 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. This bill was in response to the National Sword and recycling markets upheaval.

SB 452 (Glazer): Beverage Container Recycling and Litter Reduction requires CalRecycle to increase exemptions for recycling centers located within one mile of an unserved convenience zone.

Funding

We are following the allocation of the Greenhouse Gas Reduction Fund (Cap and Trade) by CalRecycle. As part of the State budget, CalRecycle was allocated \$23.75 million in its 2018-19 budget and has \$8.5 million remaining from last year's budget. \$17 million has been allocated to the Organics grant program and \$9 million for the Recycled Fiber, Plastic and Glass grant program. CalRecycle is also proposing some funding for us to initiate an online food rescue communications platform.

RECOMMENDATION

This report is an informational update. Staff will return to the Board in December 2018 to obtain input on priorities for the 2018 legislative year.