

SEPTEMBER 2013 LEGISLATIVE SUMMARY

The Task Force continuously monitors and analyzes pending legislative bills that may impact solid waste management in Los Angeles County. Below is a summary and status of pending legislation the Task Force has taken a position on through September 2013.

| 2013/2014 Legislative Session | | | |
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| Bill Number/Author | Task Force Position | Status | Summary |
| AB 5 Ammiano | Oppose | Assembly Appropriations (2-year bill) | This bill would enact the Homeless Person's Bill of Rights and Fairness Act, which would provide that every homeless person has the right, among others, to self-employment, including, but not limited to, junk removal and recycling that requires the collection, possession, redemption, and storage of goods for reuse and recycling, without being subject to criminal or civil sanctions, or arrest by law enforcement, public or private security personnel, or BID agents because he or she is homeless. |
| AB 8 Perrea | Support | Signed and Chaptered | This bill, among other things, will extend until January 1, 2024, the sunset dates associated with the California Alternative and Renewable Fuel, Vehicle Technology, Clean Air and Carbon Reduction Act of 2007 (AB 118, Núñez). This program provides grants and other financial incentives to accelerate the development and deployment of clean, efficient, low carbon alternative fuels and technology. |
| AB 153 Bonilla | Support | Assembly Appropriations (2-year bill) | This bill would require the State Air Resources Board (CARB), on or before January 1, 2015, to adopt a specified process for the review and consideration of new greenhouse gas emissions offset protocols and, commencing in 2014 and continuing annually thereafter, use that process to review and consider new protocols, if CARB includes the use of market-based compliance mechanisms to comply with AB 32 (Núñez, 2006). |
| AB 158 Levine | Support | Assembly Appropriations (2-year bill) | This bill would prohibit specified stores from providing a single-use carryout bag to a customer and would require those stores to meet requirements regarding providing recycled paper bags, compostable bags or reusable bags. |
| AB 323 Chesbro | Oppose | Assembly Appropriations (2-year bill) | This bill would require CalRecycle to develop regulations that would state that the use of green material as alternative daily cover does not constitute diversion. |
| AB 371 Salas | Oppose | Assembly (2-year bill) | This bill would authorize the Kern County Board of Supervisors, upon a majority vote, to regulate or prohibit by ordinance, in a manner more stringent than state or federal law and in a nondiscriminatory manner, the land application of sewage sludge in unincorporated areas in the jurisdiction of the county, as prescribed. |
| AB 403 Stone | Support | Assembly Appropriations (2-year bill) | This bill would require a producer of home-generated sharps or a stewardship organization to submit a home-generated sharps stewardship plan to CalRecycle for approval providing for the development and implementation of a recovery program for used sharps. |

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| AB 416 Gordon | Support | Assembly Appropriations (2-year bill) | This bill would require money to be available from the General Fund for purposes of providing grants and other financial assistance to develop and implement greenhouse gas emissions reduction projects in the state. |
| AB 488 Williams | Support | Assembly Appropriations (2-year bill) | The bill would require a producer of single-use primary household batteries or a stewardship organization created by one or more producers to submit a single-use primary household battery stewardship plan to CalRecycle for approval providing for the development and implementation of a recovery program of household batteries. |
| AB 513 Frazier | Support | Signed and Chaptered | This bill will require CalRecycle to award grants to cities, counties, and other public agencies for the funding of public works projects that utilize rubberized asphalt concrete. |
| AB 521 Hueso/ Stone | Oppose | Assembly Appropriations (2-year bill) | Would require CalRecycle, by July 1, 2014 and in consultation with other agencies, to adopt a list or category of items that CalRecycle finds are major sources of marine plastic pollution. Producers of those items would be required to design and submit a plan to reduce the producer's proportion of the marine plastic pollution caused by those items, through "recovery" of those items. The bill also classifies "gasification" as transformation, thus eliminating its current eligibility for diversion credit and RPS, and would redefine "recovery" as "the retrieval or diversion from disposal or from a transformation facility, for the purpose of recycling, reuse or composting". |
| AB 794 Gorell | Oppose | Assembly Natural Resources Committee (2-year bill) | This bill would exempt CEQA requirements for a project that takes landfill materials/organic waste and converts them into renewable energy if the lead agency finds that the project will result in a net reduction in greenhouse gas emissions. |
| AB 997 Chesbro | Support | Senate Environmental Quality Committee (2-year bill) | This bill would provide that a local enforcement agency (LEA), when exercising the authority or fulfilling the duties specified in certain provisions of AB 939, would be deemed to be carrying out a state function governed by the act. The bill would also provide that, in carrying out this state function, the LEA would be deemed to be independent from the local governing body and the LEA's actions would not be subject to the authority of the local governing body. (This bill was "gutted and amended" since the Task Force voted to support) |
| AB 1001 Gordon | Watch | Senate Environmental Quality Committee (2-year bill) | This bill would extend an exemption for manufacturers, importers, agents, or suppliers from offering for sale or for promotional purposes a package that includes certain regulated metals if the manufacturer or supplier prepares, retains, and biennially updates documentation with certain information about the package or packaging components. |
| AB 1021 Eggman | Support if Amended | Senate Appropriations Committee (2-year bill) | This bill would authorize the California Alternative Energy and Advance Transportation Financing Authority to provide financial assistance to projects that process or utilize recycled feedstock. |
| AB 1023 Eggman | Watch | Assembly Appropriations Committee (2-year bill) | This bill would require CalRecycle, in consultation with the State Air Resources Board, to annually identify industry sectors that can reduce their greenhouse gas emissions through the increased use of recycled content or by recovering putrescible materials that would have emitted greenhouse gases if disposed. |

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| AB 1126 Gordon/ Mullin | Oppose | Signed and Chaptered | Among other things, this bill defines the term “Engineered municipal solid waste conversion (EMSW)” and clarifies that EMSW Conversion facilities are disposal facilities. The bill excludes EMSW conversion from the definition of transformation, but allows a transformation facility that meets the requirements of EMSW conversion to elect to be considered an EMSW facility. The bill also excludes certain used/waste tires or biomass materials that are converted at an EMSW conversion facility from being considered disposal. |
| AB 1337 Allen | Oppose | Died in Assembly | This bill would have prohibited a city, county, or other public agency from adopting, implementing, or enforcing an ordinance, resolution, regulation, or rule that prohibits a retail establishment from offering to its customers, or otherwise prohibits a person from using, a single-use plastic carryout bag for purposes of containing specified products. |
| SB 11 Pavely/ Canella | Support | Assembly Transportation Committee (2-year bill) | This bill would require the Air Resources Board in consultation with the Bureau of Automotive Repair in the Department of Consumer Affairs, to provide compensation for the retirement of passenger vehicles, and light-duty and medium-duty trucks that are high polluters. |
| SB 254 Hancock | Oppose Unless Amended | Signed and Chaptered | This bill will require a manufacturer of mattresses sold in the state or stewardship organization to provide a plan to CalRecycle that ensures that the manufacturer/organization will be responsible for the collection/recycling of used mattresses. |
| SB 405 Padilla | Support if Amended | Senate (2-year bill) | This bill would prohibit stores from providing a single-use carryout bag to a customer and would require those stores to meet requirements regarding providing recycled paper bags, compostable bags or reusable bags. The bill would allow a local public agency that has adopted a bag ordinance, resolution, regulation, or rule prior to September 1, 2013, to continue to enforce and implement that ordinance, resolution, regulation, or rule, but any amendments to that ordinance, resolution, regulation, or rule would be subject to state preemption. |
| SB 529 Leno | Support if Amended | Senate Appropriations Committee (2-year bill) | This bill would prohibit a fast food facility from distributing disposable food service packaging or a single-use carryout bag to a customer, unless the packaging/bag meets specified criteria for compostable or recyclable packaging. |
| SB 700 Wolk | Oppose | Senate Appropriations Committee (2-year bill) | This bill would require a retail establishment, as defined, to collect a charge of \$0.05 for each single-use carryout bag provided to a customer. The bill would require the retail establishment to retain \$0.005 of that charge and would allow a retail establishment to retain an additional \$0.005 if the retail establishment credits the consumer no less than \$0.05 for each carryout bag provided by the consumer for packaging his or her purchases, and meets other requirements |
| SB 715 Lara | Support and Amend | Senate Committee on Energy, Utilities and Communication (2-year bill) | This bill would provide that a facility engaged in the combustion of municipal solid waste can be considered an eligible renewable energy resource if it is located in the County of Los Angeles, in addition to Stanislaus County, and was operational prior to September 26, 1996. |

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| SB 727 Jackson | Support | Senate Environmental Quality Committee (2-year bill) | This bill would require a producer of a pharmaceutical sold in the state to, individually or through a stewardship organization, submit a plan, on or before January 1, 2015, to CalRecycle. The bill would require the plan to provide for the development of a program to collect, transport, and process home-generated pharmaceutical drugs and to include specified aspects, including a minimum amount of collection sites. |
| SB 804 Lara | Support | Vetoed | This bill would have revised the definition of “biomass conversion” to include conversion technologies capable of converting biomass (a defined set of source separated compostable organic solid waste) into marketable products and fuels through non-combustion thermal, chemical, or biological processes. |
| H.R. 1686 Moran | Oppose Unless Amended | House of Representatives Natural Resources Committee and House and Means Committee | This bill would impose a five-cent tax on every paper or plastic disposable bag that retailers provide to customers. Businesses would be responsible for collecting the tax which would need to be itemized on receipts. Reusable bags as well as packaged plastic bags (trash bags, pet waste bags) would be exempt from this tax. Monies collected from this bill would go to the Land and Water Conservation Fund. |

For more information on these bills or copies of Task Force letters, please visit the Task Force website, <http://dpw.lacounty.gov/epd/tf/>, or contact Coby Skye, County of Los Angeles Department of Public Works, at 626-458-5163, M-Th, 7 a.m. to 5:30 p.m. or Mike Mohajer, Task Force, at 909-592-1147.