

**STATUS OF STATE LEGISLATIVE BILLS PRESENTED TO THE
LOS ANGELES COUNTY INTEGRATED WASTE MANAGEMENT TASK FORCE
2005-2006 SESSION
November 17, 2005**

BILLS	AUTHOR	STATUS	SUMMARY	TASK FORCE POSITION
AB 32	Pavley	Amended 8-15-05 In Senate Environmental Quality Committee 2 year bill	<p>Existing Law AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.</p> <p>Proposed Law: This bill would require the State Resource Agency to establish a program that monitors and reports the amount of greenhouse gas emitted by various industries, including the solid waste and industrial waste hauling and disposal industries.</p>	
AB 177	Bogh	Introduced 1-24-05 In Assembly Natural Resources Committee Related Bills: AB 727 and AB 1090 2 year bill	<p>Existing Law AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.</p> <p>Proposed Law: This spot bill would:</p> <ul style="list-style-type: none"> • Redefine "transformation" to only mean incineration of solid waste. • Redefine "biomass conversion" to only mean the thermal conversion, chemical conversion, or biological conversion, other than composting, of biomass waste used for producing electricity, heat, or a reconstituted product that meets the quality standards of the marketplace. • Define "biomass" to mean the organic material that is source separated from the municipal solid waste stream or that is separated at a centralized facility. • Delete the 10% limit for waste diversion through biomass conversion for a Source Reduction and Recycling Element submitted after January 1, 1990, and delete the requirement that the SRRE not include transformation. 	
AB 259	Hancock	Chaptered 10-6-05	<p>Existing Law State law allows local governments (who provide trash collection services through their own forces) to place on a lien on a property if the owner fails to pay their trash collection fees. However, private haulers cannot do the same.</p>	

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			<p>Proposed Law: This bill expands the authorization of counties to attach liens to real property with delinquent solid waste collection bills to include solid waste collection services.</p> <p><i>Previously</i>, this bill would have allowed Contra Costa County to place a lien on a property on behalf of their private franchise hauler for any unpaid fees.</p>	
AB 338	Levine	Chaptered 10-7-05	<p>Existing Law Cal Trans is required to award contracts for pavement using recycled materials (e.g., crumb rubber) only if the price for recycled materials is cost-effective. In determining cost-effectiveness, the following factors must be included: the lifespan and durability of the recycled pavement, and the cost to maintain the recycled pavement.</p> <p>Proposed Law: This bill would require the Department of Transportation to require the use of crumb rubber (CRM) at a specified percentage, per metric ton, of the total amount of asphalt paving materials used for state highway construction and repair projects that use asphalt as a construction material.</p> <p>The bill would require the amount of asphalt paving materials containing crumb rubber, on and after January 1, 2007, not to be less than 6.62 pounds of CRM per metric ton, 8.27 pounds of CRM per metric ton by January 1, 2010, and 11.58 pounds of CRM per metric ton on and after January 1, 2013, unless the Department of Transportation delays the implementation of these requirements, pursuant to a specified procedure .</p> <p><i>Previously</i>, this bill would require Caltrans to increase the amount of asphalt containing crumb rubber in proportion to the total amount of asphalt paving materials used, to be not less than 20% by Jan. 1, 2007, 25% by Jan. 1, 2010, and 35% by Jan. 1, 2013.</p>	Letter of Support sent 8-25-04 and 3-16-05

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AB 399	Montanez	Vetoed 10-07-05	<p>Existing Law AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.</p>	Letter of Opposition Sent on 5-19-05, 8-31-05, and 10-4-05
			<p>Proposed Law: This bill would require the Waste Board, by March 1, 2007, to make available one or more model ordinances for multifamily recycling. The bill would also require a local agency, when issuing a building permit for a new construction or a substantial rehabilitation of a multifamily dwelling to provide information recycling programs.</p> <p><i>Previously</i>, this bill would have required the owners of new multifamily dwellings to arrange for onsite recycling services for residents.</p>	
AB 574	Wolk	Chaptered 10-7-05	<p>Existing Law AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.</p>	Support if Amended, Letter Sent 7-12-05
			<p>Proposed Law: This bill would authorize the use of recycled concrete materials, if the user has been fully informed that the concrete may contain recycled concrete materials. This bill would prohibit recycled concrete from being offered, provided, or sold to the Department of Transportation or the Department of General Services for any use unless specifically requested and approved by the department.</p>	

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AB 575	Wolk	Chaptered 7-18-05	<p>Existing Law: In 2003, the State enacted the Electronic Waste Recycling Act, which imposes a \$6 to \$10 fee on each Covered Electronic Waste (e.g., televisions, computer monitors, and laptops) sold at point of purchase. The Act was amended in 2004 to clarify various provisions including establishing January 1, 2005, as the commencement date for imposition of the fee and establishing a Statewide payment system that prescribes how the collected fees will be distributed to collectors and recyclers of these Covered Electronic Wastes.</p> <p>Proposed Law: This bill resolves the Fee collection confusion for lessors by allowing them to work with retailers to appropriately collect and remit the fee. It provides that a retailer may elect to pay the Fee on behalf of the consumer by paying the Fee to the retailer's vendor, if it meets various conditions. The bill would take effect immediately as an urgency statute.</p>	
AB 727	Bermudez	<p>Introduced 2-17-05</p> <p>In Assembly Natural Resources Committee</p> <p>2 year bill</p> <p>Related Bills: AB 177 and AB 1090</p>	<p>Existing Law: AB 939 established the following three-tiered solid waste management hierarchy (in order of priority): source reduction, recycling and composting, and environmentally safe transformation and landfilling.</p> <p>Proposed Law: This spot bill would expand the hierarchy into the following four tiers: source reduction, recycling and composting, recovery through conversion technology (or other beneficial use technologies), and environmentally safe transformation and landfilling.</p>	

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AB 1001	Nava	Vetoed 9-30-05	<p>Existing Law: Caltrans is required to award contracts for pavement using recycled materials (e.g., recycled aggregate base) only if the price for recycled materials is cost-effective. In determining cost-effectiveness, the following factors must be included: the lifespan and durability of the recycled pavement, and the cost to maintain the recycled pavement.</p> <p>Proposed Law This bill would increase the maximum automobile dealer preparation charge from \$45 to \$55. This bill will only become operative is AB 68 is enacted</p> <p><i>Previously</i>, This bill would have required Caltrans to increase the amount of recycled aggregate base used.</p>	Letter of Support sent 5-19-05
AB 1007	Pavley	Chaptered 9-29-05	<p>Existing Law: Existing law imposes various limitations on emissions of air contaminants for the control of air pollution from vehicular and non-vehicular sources.</p> <p>Proposed Law: This bill would require, no later than January 1, 2007, that the State Air Resources Board, in consultation with specified state agencies, develop and adopt a state plan to increase the use of alternative fuels.</p>	
AB 1049	Koretz	<p>Amended 4-19-05</p> <p>In Assembly Appropriations Committee</p> <p>2 year bill</p>	<p>Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.</p> <p>Proposed Law: This bill would encourage the placement of a label on specified packages or items informing the consumer that the package-item can be recycled through a substantial majority of California curbside recycling programs.</p> <p><i>Previously</i>, this bill would have required all beverage and food containers be color labeled with "trash," "recycle," or "compost" to inform the consumer on how to manage these containers.</p>	

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AB 1065	Matthews	Chaptered 10-05-05	<p>Existing Law: Existing law authorizes registered transporters or licensed renderers to transport inedible kitchen grease.</p> <p>Proposed Law: The bill would require licensed renderers to be registered as transporters in order to transport inedible kitchen grease.</p>	
AB 1090	Matthews	<p>Introduced 2-22-05</p> <p>In Assembly Natural Resources Committee</p> <p>Related Bills: AB 177 and AB 727</p> <p>2 year bill</p>	<p>Existing Law: AB 939 established the following three-tiered solid waste management hierarchy (in order of priority): source reduction, recycling and composting, and environmentally safe transformation and landfilling.</p> <p>Proposed Law: This bill would:</p> <ul style="list-style-type: none"> • Modify the hierarchy to the following: source reduction; recovery through recycling, composting, conversion technology, or other beneficial use technologies; and, environmentally safe transformation and landfilling. • Repeals the definition of "gasification." • Defines "conversion technology," "beneficial use," and "recovery." • Revises the definition of "transformation" to only include incineration. • Provide jurisdictions the option to utilize conversion technologies in meeting AB 939's 50% waste reduction mandate provided specified conditions are met. 	Letter of Support sent 3-30-05
AB 1103	Karnette	<p>Amended 4-12-05</p> <p>In Assembly Natural Resources</p>	<p>Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.</p>	

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		Committee 2 year bill	<p>Proposed Law: This bill would require bicycle retailers to inform their customers that the State encourages the donation of bicycles to charitable organizations rather than disposing of it through the trash.</p> <p><i>Previously</i>, the bill would have:</p> <ul style="list-style-type: none"> • Established a Statewide bicycle recycling program to be administered by the Waste Board. • Imposed a \$7 fee on each new bicycle sold in the State. A CRV sticker would be affixed to these bicycles. • Required the Waste Board to establish Statewide bicycle recycling centers. All bicycles (with a CRV sticker) brought to these centers are eligible for a \$3 refund. 	

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AB 1125	Pavley	Chaptered 10-06-05	<p>Existing Law AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.</p> <p>Proposed Law: The act would require, on and after July 1, 2006, a retailer would have in place a system for the acceptance and collection of used rechargeable batteries for reuse, recycling, or proper disposal, including take back at no cost to the consumer. The bill prohibits the sale of a rechargeable battery to a consumer after July 1, 2006, unless the retailer complies with the act.</p> <p><i>Previously,</i> This bill would require retailers of household batteries to establish a system to accept and collect household batteries by February 1, 2006 otherwise they will be prohibited from selling household batteries.</p>	
AB 1193	Hancock	<p>Introduced 2-22-05</p> <p>In Assembly Arts, Entertainment, Sports, Tourism and Internet Media Committee</p> <p>2 year bill</p>	<p>Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.</p> <p>Proposed Law: This Bill would prohibit the mass mailings of CDs and DVDs for commercial purposes unless prior consent is given or a postage paid return mailing envelope is provided.</p>	Letter of Support sent 5-19-05

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AB 1333	Frommer	Amended 8-31-05 Placed in Inactive File	<p>Existing Law: Existing law generally regulates haulers of grease.</p> <p>Proposed Law: This bill would make it an offense to reinsert or otherwise improperly deposit grease materials into a grease trap, manhole, or sewer appurtenance, discharge it in or on any waters of the state, or transport grease removed from a grease trap or grease interceptor in the same vehicle used for transporting other waste.</p> <p>It would make it an offense to manage or dispose of grease into a land treatment unit, as defined, as well as make offenses punishable by imprisonment in a county jail for not more than 6 months and a fine of \$10,000 for a 1st offense, or one year imprisonment and a fine of \$25,000 for a 2nd or subsequent offense.</p>	
AB 1351	Vargas	Vetoed 10-06-05	<p>Existing Law: Existing law prohibits a state agency from issuing, utilizing, enforcing, or attempting to enforce any guideline, criterion, bulletin, manual, instruction, order, standard of general application, or other rule, unless it has been adopted as a regulation and filed with the Secretary of State.</p> <p>Proposed Law This bill would permit the San Diego County Regional Airport Authority to additionally issue notes, commercial paper notes, or any other type of obligation allowable by law. This bill would make legislative findings and declarations as to the necessity of a special statute.</p> <p><i>Previously</i>, this bill would have required the Office of Administrative Law, within 30 days after receiving a petition, to decide whether or not to consider the petition on its merits and would make this decision not subject to judicial review. It also would provide that, if the office decides to consider the petition then the office is required no later than 150 days after public notice of this petition to determine whether the agency action is an underground regulation.</p>	Letter of Support sent 8-25-05

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AB 1389	Oropeza	Amended 4-13-05 In Assembly Public Safety Committee 2 year bill	Existing Law: It is a crime punishable by a fine to discard, drop, or scatter waste matter in or upon any public or private property other than in a container for the proper disposal thereof, and to throw any cigarette, match, or glowing or flaming substance, or any substance or thing that may cause a fire upon any highway, sidewalk, or upon any public or private property.	
			Proposed Law: This bill would increase the fine for both of these offenses to not less than \$750 nor more than \$1,500, for a first offense, not less than \$1000 nor more than \$2,000, for a second offense, and not less than \$2,000 nor more than \$3,000 upon a third or subsequent conviction.	
AB 1666	Frommer	Chaptered 9-22-05	Existing Law: Existing law provides certain protections for members of the National Guard ordered into active state service by the Governor or active federal service by the President of the United States for emergency purposes, and for reservists called to active duty.	
			Proposed Law: This bill would provide protections for military personal called to active duty with respect to recording fees for a power of attorney, termination of a mobile telephone services contract, military leave of absence from specified educational institutions, waiver of attorney membership fees, payment of arrearages under terminated motor vehicle leases, and continuation of gas with respect to the continuation of gas and electric service, electric, water, sewer, and garbage and refuse collection service .	
AB 1688	Niello	Amended 4-14-05 In Assembly Public Safety Committee 2 year bill	Existing Law: Existing laws provides that certain persons who are not peace officers may exercise the powers of arrest and can serve warrants as specified.	
			Proposed Law: This would add to this list of persons, illegal dumping officers, whose primary duty is the enforcement of illegal dumping laws.	

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SB 120	Florez	Amended 5-11-05 In the Senate 2 year bill	Existing Law: Existing law requires the state board to develop a state pretreatment program to regulate the discharge of pollutants into publicly owned treatment works (POTW) and requires the regional board to prescribe effluent limitations as part of the waste discharge requirements of a POTW for specified substances.	
			Proposed Law: This bill would require a publicly owned treatment works (POTW) submit certification to the regional board that any sewage sludge transferred from the facility for disposal or further processing, meets the requirements and standards for any pollutants listed in the waste discharge requirements for the POTW. It would require the POTW to indemnify the receiving party for any liability for remediation costs associated with the disposal or processing of the sewage sludge.	
SB 227	Lowenthal	Amended 9-2-05 In the Senate 2 year bill	Existing Law: Existing law authorizes the board of supervisors of a county to collect and/or contract for the collection of garbage, waste, refuse, rubbish, offal, trimmings, or other refuse. Existing law authorizes a county, city, district, or local government agency to determine whether solid waste handling services are to be provided by nonexclusive, partially exclusive, or wholly exclusive franchise, contract, license, permit, or otherwise.	
			Proposed Law: This bill would declare the intent of the Legislature to enact subsequent legislation to address the application of local franchise agreements and related fees, for solid waste handling services that are provided to state agencies and schools.	

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SB 318	Romero	Amended 05-03-05 In Senate Appropriations Committee 2 year bill	Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.	
			Proposed Law: This bill would establish a Solid Waste Advisor office within the Waste Board. The office would be responsible to provide objective information to the public living near a proposed solid waste facility or a facility proposed for expansion. <i>Previously</i> , this bill would have required the Waste Board and local jurisdictions to maximize their waste reduction public education programs.	
SB 369	Simitian	Amended 5-03-05 In Senate Appropriations Committee 2 year bill	Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.	
			Proposed Law: This bill would require CalEPA to establish a program whereby producers and distributors can affix a "Green Bear Eco-Label" to their product or service provided it meets specified criteria and a fee is paid for use of the label.	
SB 411	Alarcon	Amended 4-26-05 In Senate Rules Committee 2 year bill	Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.	Letter of Opposition sent 7-12-05
			Proposed Law: The bill would require the CIWMB to develop a schedule for excluding solid waste used as an alternative daily cover and that is comprised of woody and green material from being included in meeting the 50% diversion requirements of the act.	

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SB 420	Simitian	Amended 3-29-05 In Senate Environmental Quality Committee Related Bill: SB 928 2 year bill	Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.	Letter of Opposition sent 5-19-05
			Proposed Law: This bill would increase the 50% diversion requirement to 75% by 2015.	
SB 423	Simitian	Amended 7-05-05 In Assembly Environmental Safety and Toxic Materials Committee 2 year bill	Existing Law: SB 20 (2003, the Electronic Waste Recycling Act) imposes a \$6.00 to \$10.00 fee on covered electronic waste and requires the Waste Board to annually establish and update, as necessary, statewide electronic waste recycling goals.	
			Proposed Law: This bill would generally prohibit a person from selling, offering to sell, or distributing for promotional purposes in this state, a mercury switch or mercury relay, as defined. <i>Previously</i> , this bill would have required the Waste Board to establish and update the statewide electronic waste recycling goals in consultation with the Department of Toxic Substances Control.	
SB 563	Alarcon	Introduced 2-18-05 In Senate Rules Committee 2 year bill	Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.	
			Proposed Law: This spot bill would establish a State certified green business program.	

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SB 757	Kehoe	Amended 5-27-05 In Assembly Transportation Committee 2 year bill	<p>Existing Law: Requires the State Energy Resources Conservation and Development Commission to implement and administer various energy generation and conservation programs.</p> <p>Proposed Law: The bill would require the State Air Resources Board in adopting or amending rules and regulations to reduce air pollution and toxic air contaminants from motor vehicle fuels to consider requirements, incentives, and partnerships for fleet operators, both public and private to purchase and install alternative fuel vehicles and advanced transportation technologies taking into account life cycle operating costs, public health, and environmental and energy benefits.</p> <p>This bill requires air quality districts to develop and adopt rules and regulations to ensure that all petroleum refining, storage, waste treatment and disposal sources are equipped with the best available control technology and pollution prevention measures over a ten-year period.</p>	
SB 926	Florez	Amended 6-21-05 In Assembly Local Government Committee 2 year bill	<p>Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.</p> <p>Proposed Law: This bill would specify that those provisions of the Porter Cologne Water Quality Control Act do not prohibit the Kern County Board of Supervisors from adopting an ordinance to regulate or prohibit the land application of sewage sludge in the unincorporated areas of Kern County. The bill would require such a prohibition, if enacted, to exempt a land application permitted by a state or local entity before the effective date of the prohibition.</p> <p><i>Previously</i>, this bill would have allowed the Kern County Board of Supervisors to regulate or prohibit, by ordinance, the importation of sewage sludge from another California county for application to land within the county's jurisdiction.</p>	Letter of Opposition sent 5-19-05

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SB 928	Perata	Amended 5-02-05 In Assembly Natural Resources Committee 2 year bill Related Bill: SB 420	Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.	Letter of Opposition sent 7-12-05
			Proposed Law: Requires an unspecified percentage of solid waste to be diverted on and after January 1, 2011	
SB 942	Chesbro	Amended 5-03-05 In Senate Appropriation Committee 2 year bill	Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.	
			Proposed Law: This bill would impose a fee on each cigarette sold using those funds toward cigarette letter cleanup efforts.	
SB 984	McClintock	Amended 5-18-05 In Senate Appropriations Committee 2 year bill	Existing Law: Existing law establishes the State Energy Resources Conservation and Development Commission (Energy Commission), and requires the Energy Commission, among other things, to analyze the social, economic, and environmental consequences of trends in the consumption of energy.	
			Proposed Law: This bill would also require an assessment of identification and comparative analysis of the life-cycle costs and environmental impacts of existing and proposed <i>major</i> electric generation technologies, including fossil, nuclear, renewable, and hydroelectric technologies. The bill would require that the analysis be based on a survey of available data from government, academic, industry, and public sources.	
SB 1076	Perata	Introduced 2-22-05 In Senate Rules Committee 2 year bill	Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.	
			Proposed Law: This spot bill relates to solid waste management.	

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SB 1106	The Senate Environmental Quality Committee	Chaptered 10-06-05	<p>Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.</p> <p>Proposed Law: This bill would consolidate, update, and clarify existing recycling laws, eliminate duplicative provisions, and establish or restate recycling goals and reporting requirements of state agencies in accordance with specified timeframes. The bill would also require local public entities to purchase recycled products instead of non-recycled products. The bill also makes technical changes to solid waste reporting requirements for local agencies.</p> <p><i>Previously</i>, this cleanup bill would have:</p> <ul style="list-style-type: none"> • Required local governments and State agencies to purchase recycled products instead of non-recycled products if it cost the same or less than non-recycled products and if the fitness and quality are equal. • Required bidders for local government purchasing contracts specify the amount of recycled content their products contain even if it meets the minimum recycled content specification. • Required State agencies allocate ½ of their purchasing budget for specified products be for the purchase of recycled products. 	Letter of Support sent 5-19-05

FEDERAL LEGISLATION

S. 1607	Lautenberg	<p>Introduced 7-29-05</p> <p>In Senate Commerce, Science, and Transportation</p> <p>Related Bill H. 3577</p>	<p>Existing Law: Interstate Commerce Commission Termination Act of 1995 gives the federal Surface Transportation Board the authority to exempt rail operators from complying with state and local solid waste laws and regulations.</p> <p>Proposed Law: This bill would exclude solid waste disposal from the jurisdiction of the Surface Transportation Board.</p>	
H. 3577	Menendez	Referred to the House Committee on Transportation and Infrastructure.	Same language as Senate Bill 1607.	