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# **2009-2010 Legislative Summary**

**Legislative Affairs Office**



California Department of Resources Recycling and Recovery

**November 2010**

**S T A T E   O F   C A L I F O R N I A**

**Arnold Schwarzenegger**  
Governor

**Lester Snow**  
Secretary, California Natural Resources Agency

**DEPARTMENT OF RESOURCES RECYCLING AND  
RECOVERY**

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## Preface

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The Department of Resources Recycling and Recovery (CalRecycle), housed under the Natural Resources Agency, is the lead agency responsible for overseeing California's Beverage Container Recycling Program, as well as a variety of programs aimed at waste reduction and disposal, recycling, and product reuse.

CalRecycle's Legislative Affairs Office serves as the primary resource on waste management and recycling issues for the Administration, providing technical expertise and policy advice relating to pending legislation.

During the 2009-2010 Session, the California State Legislature introduced more than 4,700 bills. CalRecycle's legislative staff analyzed 80 bills addressing a wide variety of issues including beverage container recycling, organics management, extended producer responsibility, single-use plastic bags, postclosure maintenance of landfills, and more. Of those, 30 bills passed the Legislature. Twenty-two were signed into law and nine were vetoed by Governor Schwarzenegger. The Legislature also approved one concurrent resolution relating to beverage container recycling.

This summary includes brief descriptions of legislation tracked by the Legislative Affairs Office during the 2009-2010 Legislative Session. Bills are displayed by author, subject, and numerical order. Year-end status is noted as Chaptered, Vetoed, Dead, or N/A (which refers to bills that once but no longer relate to waste management or recycling).

With the passage of SB 63 (Strickland, Chapter 21, Statutes of 2009), the California Integrated Waste Management Board (CIWMB) was abolished and its programs and functions were combined with the Division of Recycling (DOR) to form CalRecycle under the California Natural Resources Agency. As a result, all legislation introduced prior to January 1, 2010 related to the CIWMB will be referenced as the "former CIWMB" in this document.

Information regarding legislation, both state and federal, is widely available on the Internet. The following sites provide up-to-date information, including status, history, and other valuable information on legislation and the legislative process.

- Official California legislative information is provided by the Legislative Counsel: [www.leginfo.ca.gov/](http://www.leginfo.ca.gov/).
- Official Internet site of the California State Assembly: [www.assembly.ca.gov/](http://www.assembly.ca.gov/).
- Official Internet site of the California State Senate: [www.senate.ca.gov/](http://www.senate.ca.gov/).
- Information regarding federal legislation: <http://thomas.loc.gov/>



## Acronyms

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**AB:** Assembly Bill (State)

**ANR:** Assembly Natural Resources Committee

**APA:** Administrative Procedures Act

**ART:** Assembly Revenue and Taxation Committee

**ASTM:** American Society for Testing Materials

**ARB:** Air Resources Board

**BCRF/Fund:** Beverage Container Recycling Fund

**BCRP/Program:** Beverage Container Recycling Program

**BOE:** Board of Equalization

**BTHA:** Business, Transportation, and Housing Agency

**Cal/EPA:** California Environmental Protection Agency

**CalRecycle/Department:** Department of Resources Recycling and Recovery

**CBSC:** California Building Standards Council

**CCC:** California Conservation Corps

**CDFA:** California Department of Food and Agriculture

**CHPS:** Collaborative for High Performance Schools

**CIWMB:** California Integrated Waste Management Board

**CRV:** California Refund Value

**CTRMF:** California Tire Recycling Management Fund

**DGS:** Department of General Services

**DHS:** Department of Health Services

**DOC:** Department of Conservation

**DOR:** Division of Recycling

**DPR:** Department of Pesticide Regulation

**DTSC:** Department of Toxic Substances Control

**EPR:** Extended Producer Responsibility

## Acronyms

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**EWRRA:** Electronic Waste Recovery and Recycling Account

**HHW:** Household Hazardous Waste

**GHG:** Greenhouse Gas

**IWM:** Integrated Waste Management

**IWMA:** Integrated Waste Management Act

**LCCC:** Local Community Conservation Corps

**OAL:** Office of Administrative Law

**OCIO:** Office of the State Chief Information Officer

**OEHHA:** Office of Environmental Health Hazard Assessment

**OPC:** Ocean Protection Council

**PRC:** Public Resources Code

**RMDZ:** Recycling Market Development Zone

**RPPC:** Rigid Plastic Packaging Container

**SAB:** State Allocation Board

**SB:** Senate Bill

**SB&FR:** Senate Budget & Fiscal Review Committee

**SDE:** State Department of Education

**SEQ:** Senate Environmental Quality Committee

**SOS:** Secretary of State

**SWPTF:** Solid Waste Postclosure Trust Fund

**SWRCB:** State Water Resources Control Board

**UOP:** Used Oil Program

## **BILLS BY SUBJECT**

(Bills may appear under multiple subject headings, as appropriate)



## Bills by Subject

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### BEVERAGE CONTAINER RECYCLING

|         |          |   |             |
|---------|----------|---|-------------|
| AB 747  | Emmerson | School Facilities: Recycling Programs     | Dead        |
| AB 983  | Skinner  | Recycling: CA Redemption Value Containers | Dead        |
| AB 1164 | Tran     | Maintenance of the Codes                  | Chapter 140 |
| AB 2718 | Adams    | Recycling: Beverage Containers            | Dead        |
| ABX8 7  | Budget   | Environmental Pollution: Program Funding  | Chapter 5   |
| ACR 128 | Emmerson | School Districts: Recycling Programs      | Chapter 48  |
| SB 309  | Ducheny  | Beverage Container Recycling Fund         | N/A         |
| SB 402  | Wolk     | Recycling: California Redemption Value    | Vetoed      |
| SB 855  | SB&FR    | Budget Act of 2010: Resources             | Chapter 718 |
| SB 1401 | Simitian | Beverage Containers: Redemption Payments  | Dead        |

### BUDGET

|        |       |                               |             |
|--------|-------|-------------------------------|-------------|
| SB 855 | SB&FR | Budget Act of 2010: Resources | Chapter 718 |
| SB 870 | SB&FR | Budget Act of 2010            | Chapter 712 |

### CIWMB REORGANIZATION

|         |            |   |            |
|---------|------------|---|------------|
| ABX3 36 | Gaines     | Integrated Waste Management                 | Dead       |
| AB 1150 | Gaines     | Solid Waste: Resources Recycling & Recovery | Dead       |
| AB 1329 | Brownley   | Waste Management                            | Dead       |
| SB 44   | Denham     | Integrated Waste Management                 | Dead       |
| SB 63   | Strickland | Waste Management                            | Chapter 21 |
| SBX3 39 | Denham     | Integrated Waste Management                 | Dead       |

### CLIMATE CHANGE

|        |         |                               |             |
|--------|---------|-------------------------------|-------------|
| AB 478 | Chesbro | Greenhouse Gas Emissions      | Dead        |
| AB 737 | Chesbro | Solid Waste: Diversion        | Dead        |
| SB 855 | SB&FR   | Budget Act of 2010: Resources | Chapter 718 |

### CODE CLEANUP

|         |      |   |             |
|---------|------|---|-------------|
| AB 1164 | Tran | Maintenance of the Codes                  | Chapter 140 |
| AB 1581 | ANR  | Solid Waste: Recycling Market Development | N/A         |

### COMPOST AND ORGANICS

|         |         |                                  |      |
|---------|---------|----------------------------------|------|
| AB 2137 | Chesbro | Fertilizing Material: Labels     | Dead |
| SB 624  | Romero  | Solid Waste: Anaerobic Digestion | N/A  |

## Bills by Subject

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### ELECTRONIC WASTE

|         |            |                                       |        |
|---------|------------|---------------------------------------|--------|
| AB 147  | Saldana    | Hazardous Waste: Electronic Waste     | Vetoed |
| AB 903  | Chesbro    | Solid Waste: Compostable Plastic Bags | Dead   |
| AB 1280 | Villines   | Electronic Waste Recycling            | N/A    |
| AB 2611 | Ma         | Recycling: Electronic Waste           | Dead   |
| AB 2788 | ART        | Taxation: Administration              | N/A    |
| SB 723  | DeSaulnier | Electronic Waste Recovery Payments    | Dead   |
| SB 1326 | Oropeza    | Solid Waste: Tires                    | Dead   |
| SBX8 30 | Oropeza    | California Conservation Corps         | Dead   |

### EXTENDED PRODUCER RESPONSIBILITY

|         |                |   |             |
|---------|----------------|---|-------------|
| AB 283  | Chesbro        | Solid Waste: Extended Producer Responsibility | Dead        |
| AB 1343 | Huffman        | Architectural Paint: Recovery Program         | Chapter 420 |
| AB 2139 | Chesbro        | Solid Waste: Product Stewardship              | Dead        |
| AB 2398 | Perez, John A. | Product Stewardship: Carpet                   | Chapter 681 |
| SB 1100 | Corbett        | Product Stewardship: Household Batteries      | Dead        |

### GENERAL GOVERNMENT

|         |            |  |             |
|---------|------------|--|-------------|
| AB 471  | Nava       | Legal Services                           | Vetoed      |
| AB 1659 | Huber      | State Government: Agency Repeals         | Chapter 666 |
| AB 1787 | Swanson    | Administrative Procedure: Regulations    | Dead        |
| AB 1899 | Eng        | State Agencies: Information              | Vetoed      |
| AB 1993 | Strickland | Reports: Declarations                    | Dead        |
| AB 2466 | Smyth      | Regulations: Legislative Validation      | Dead        |
| AB 2529 | Fuentes    | State Agencies: Regulations: Review      | N/A         |
| AB 2537 | Silva      | State Agencies: Adjudications            | Dead        |
| AB 2738 | Niello     | Regulations: Agency Statement of Reasons | Chapter 398 |
| SB 1351 | Wright     | State Agencies: Regulation Adoption      | N/A         |

### GREEN BUILDING

|        |         |                          |            |
|--------|---------|--------------------------|------------|
| AB 210 | Hayashi | Green Building Standards | Chapter 89 |
| AB 828 | Lieu    | Green Building Standards | Vetoed     |

### HAZARDOUS/UNIVERSAL WASTE

|         |             |                                       |             |
|---------|-------------|---------------------------------------|-------------|
| AB 1173 | Huffman     | Hazardous Waste: Fluorescent Lamps    | Vetoed      |
| AB 1343 | Huffman     | Architectural Paint: Recovery Program | Chapter 420 |
| AB 2176 | Blumenfield | Hazardous Waste: Lighting Products    | Dead        |

## Bills by Subject

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|         |         |  |      |
|---------|---------|--|------|
| SB 1100 | Corbett | Product Stewardship: Household Batteries | Dead |
|---------|---------|--|------|

### LANDFILLS

|         |            |                                       |             |
|---------|------------|---------------------------------------|-------------|
| AB 274  | Portantino | Solid Waste: Landfills: Closure Plans | Chapter 318 |
| AB 1004 | Portantino | State Solid Waste Postclosure Fund    | Chapter 417 |
| AB 2106 | Anderson   | Solid Waste: Landfills                | Dead        |
| SB 524  | Correa     | Solid Waste: Auto Shredder Residue    | Dead        |

### MEDICAL WASTE

|        |          |                                |             |
|--------|----------|--------------------------------|-------------|
| SB 26  | Simitian | HHW: Small Quantity Generators | Dead        |
| SB 486 | Simitian | Medical Waste: Sharps Waste    | Chapter 591 |

### PLASTIC MATERIALS

|         |            |  |             |
|---------|------------|--|-------------|
| AB 903  | Chesbro    | Solid Waste: Compostable Plastic Bags      | Dead        |
| AB 925  | Saldana    | Single-use Plastic Beverage Container Caps | Dead        |
| AB 993  | Fletcher   | Solid Waste: Rigid Plastic Containers      | Dead        |
| AB 1329 | Brownley   | Waste Management                           | Dead        |
| AB 2138 | Chesbro    | Single-use Recyclable Packaging Containers | Dead        |
| SB 228  | DeSaulnier | Plastic Bags: Compostable Plastic Bags     | Chapter 406 |
| SB 1454 | DeSaulnier | Recycling: Plastic Products                | Vetoed      |

### RENEWABLE ENERGY

|        |       |                  |      |
|--------|-------|------------------|------|
| AB 222 | Adams | Energy: Biofuels | Dead |
|--------|-------|------------------|------|

### RECYCLING MARKET DEVELOPMENT ZONE

|         |       |   |             |
|---------|-------|---|-------------|
| AB 1581 | ANR   | Solid Waste: Recycling Market Development | N/A         |
| SB 390  | Kehoe | Solid Waste: Recycling Market Development | Chapter 275 |

### SHARPS WASTE

|         |          |                           |      |
|---------|----------|---------------------------|------|
| AB 1939 | Fletcher | Solid Waste: Sharps Waste | Dead |
|---------|----------|---------------------------|------|

### SINGLE-USE CARRYOUT BAGS

|         |          |                                       |      |
|---------|----------|---------------------------------------|------|
| AB 68   | Brownley | Solid Waste: Single-use Carryout Bags | Dead |
| AB 87   | Davis    | Single-use Carryout Bags              | Dead |
| AB 1141 | Calderon | Carryout Bags                         | Dead |
| AB 1998 | Brownley | Solid Waste: Single-use Carryout Bags | Dead |

## Bills by Subject

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### SOLID WASTE, DIVERSION, AND RECYCLING

|         |             |  |             |
|---------|-------------|--|-------------|
| AB 85   | Berryhill   | Junk Dealers and Recyclers                       | Chapter 78  |
| AB 473  | Blumenfield | Solid Waste: Recycling: Multifamily Dwellings    | Vetoed      |
| AB 479  | Chesbro     | Solid Waste: Diversion                           | Dead        |
| AB 737  | Chesbro     | Solid Waste: Diversion                           | Vetoed      |
| AB 747  | Emmerson    | School Facilities: Recycling Programs            | Dead        |
| AB 1789 | Gilmore     | Solid Waste: Diversion Requirements              | Dead        |
| AB 2179 | Monning     | Public Resources: Recycling                      | N/A         |
| ACR 128 | Emmerson    | School Districts: Recycling Programs             | Chapter 48  |
| SB 25   | Padilla     | Solid Waste: Rendering                           | Dead        |
| SB 531  | DeSaulnier  | Solid Waste: At-Store Recycling Program          | Dead        |
| SB 627  | Calderon    | Catalytic Converters: Junk Dealers/Recyclers     | Chapter 603 |
| SB 832  | SEQ         | California Pollution Control Financing Authority | Chapter 643 |
| SB 855  | SB&FR       | Budget Act of 2010: Resources                    | Chapter 718 |

### USED OIL

|        |           |  |             |
|--------|-----------|--|-------------|
| AB 907 | Chesbro   | California Oil Recycling Enhancement Act | Dead        |
| SB 26  | Simitian  | HHW: Small Quantity Generators           | N/A         |
| SB 546 | Lowenthal | Used Oil                                 | Chapter 353 |
| SB 579 | Lowenthal | Used Oil                                 | Chapter 504 |

### WASTE TIRES

|         |         |                                  |             |
|---------|---------|----------------------------------|-------------|
| SB 167  | Ducheny | Solid Waste: Waste Tires         | Chapter 333 |
| SB 230  | Cogdill | Waste Tire Haulers: Registration | Chapter 41  |
| SB 1326 | Oropeza | Solid Waste: Tires               | Dead        |

**BILLS BY AUTHOR**



## Assembly Bills by Author

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### ADAMS

|         |                                |      |
|---------|--------------------------------|------|
| AB 222  | Energy: Biofuels               | Dead |
| AB 2718 | Recycling: Beverage Containers | Dead |

### ANDERSON

|         |                        |      |
|---------|------------------------|------|
| AB 2106 | Solid Waste: Landfills | Dead |
|---------|------------------------|------|

### BERRYHILL

|       |                            |            |
|-------|----------------------------|------------|
| AB 85 | Junk Dealers and Recyclers | Chapter 78 |
|-------|----------------------------|------------|

### BLUMENFIELD

|         |   |        |
|---------|---|--------|
| AB 473  | Solid Waste: Recycling: Multifamily Dwellings | Vetoed |
| AB 2176 | Hazardous Waste: Lighting Products            | Dead   |

### BROWNLEY

|         |                                       |      |
|---------|---------------------------------------|------|
| AB 68   | Solid Waste: Single-use Carryout Bags | Dead |
| AB 1329 | Waste Management                      | Dead |
| AB 1998 | Solid Waste: Single-use Carryout Bags | Dead |

### CALDERON

|         |               |      |
|---------|---------------|------|
| AB 1141 | Carryout Bags | Dead |
|---------|---------------|------|

### CHESBRO

|         |   |        |
|---------|---|--------|
| AB 283  | Solid Waste: Extended Producer Responsibility | Dead   |
| AB 478  | Greenhouse Gas Emissions                      | Dead   |
| AB 479  | Solid Waste: Diversion                        | Dead   |
| AB 737  | Solid Waste: Diversion                        | Vetoed |
| AB 903  | Solid Waste: Compostable Plastic Bags         | Dead   |
| AB 907  | California Oil Recycling Enhancement Act      | Dead   |
| AB 2137 | Fertilizing Material: Labels                  | Dead   |
| AB 2138 | Single-Use Recyclable Packaging Containers    | Dead   |
| AB 2139 | Solid Waste: Product Stewardship              | Dead   |

### DAVIS

|       |                          |      |
|-------|--------------------------|------|
| AB 87 | Single-Use Carryout Bags | Dead |
|-------|--------------------------|------|

### EMMERSON

|        |                                       |      |
|--------|---------------------------------------|------|
| AB 747 | School Facilities: Recycling Programs | Dead |
|--------|---------------------------------------|------|

## Assembly Bills by Author

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ACR 128 School Districts: Recycling Programs Chapter 48

### ENG

AB 1899 State Agencies: Information Vetoed

### FLETCHER

AB 993 Solid Waste: Rigid Plastic Containers Dead

AB 1939 Solid Waste: Sharps Waste Dead

### FUENTES

AB 2529 State Agencies: Regulations: Review N/A

### GAINES

AB 1150 Solid Waste: Resource Recycling & Recovery Dead

ABX3 36 Integrated Waste Management Dead

### GILMORE

AB 1789 Solid Waste: Diversion Requirements Dead

### HAYASHI

AB 210 Green Building Standards Chapter 89

### HUBER

AB 1659 State Government: Agency Repeals Chapter 666

### HUFFMAN

AB 1173 Hazardous Waste: Fluorescent Lamps Vetoed

AB 1343 Architectural Paint: Recovery Program Chapter 420

### LIEU

AB 828 Green Building Standards Vetoed

### MA

AB 2611 Recycling: Electronic Waste Dead

### MONNING

AB 2179 Public Resources: Recycling N/A

### NAVA

AB 471 Legal Services Vetoed

## Assembly Bills by Author

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### **NIELLO**

AB 2738 Regulations: Agency Statement of Reasons Chapter 398

### **PEREZ, JOHN A.**

AB 2398 Product Stewardship: Carpet Chapter 681

### **PORTANTINO**

AB 274 Solid Waste: Landfills: Closure Plans Chapter 318

AB 1004 State Solid Waste Postclosure/Corrective Action Chapter 417

### **SALDANA**

AB 147 Hazardous Waste: Electronic Waste Vetoed

AB 925 Single-use Plastic Beverage Container Caps Dead

### **SKINNER**

AB 983 Recycling: CA Redemption Value Containers Dead

### **SILVA**

AB 2537 State Agencies: Adjudications Dead

### **SMYTH**

AB 2466 Regulations: Legislative Validation Dead

### **STRICKLAND**

AB 1993 Reports: Declarations Dead

### **SWANSON**

AB 1787 Administrative Procedure: Regulations Dead

### **TRAN**

AB 1164 Maintenance of the Codes Chapter 140

### **VILLINES**

AB 1280 Electronic Waste Recycling N/A

## **Assembly Bills by Author**

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### **ASSEMBLY COMMITTEES**

#### **COMMITTEE ON BUDGET**

ABX8 7      Environmental Pollution: Program Funding      Chapter 5

#### **COMMITTEE ON NATURAL RESOURCES**

AB 1581      Solid Waste: Recycling Market Development      N/A

#### **COMMITTEE ON REVENUE AND TAXATION**

AB 2788      Taxation: Administration      N/A

## Senate Bills by Author

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### **CALDERON**

SB 627 Catalytic Converters: Junk Dealers/Recyclers Chapter 603

### **COGDILL**

SB 230 Waste Tire Haulers: Registration Chapter 41

### **CORBETT**

SB 1100 Product Stewardship: Household Batteries Dead

### **CORREA**

SB 524 Solid Waste: Auto Shredder Residue Dead

### **DENHAM**

SB 44 Integrated Waste Management Dead

SBX3 39 Integrated Waste Management Dead

### **DeSAULNIER**

SB 228 Plastic Bags: Compostable Plastic Bags Chapter 406

SB 531 Solid Waste: At-Store Recycling Program Dead

SB 723 Electronic Waste Recovery Payments Dead

SB 1454 Recycling: Plastic Products Vetoed

### **DUCHENY**

SB 167 Solid Waste: Waste Tires Chapter 333

SB 309 Beverage Container Recycling Fund N/A

### **KEHOE**

SB 390 Solid Waste: Recycling Market Development Chapter 275

### **LOWENTHAL**

SB 546 Used Oil Chapter 353

SB 579 Used Oil Chapter 504

### **OROPEZA**

SB 1326 Solid Waste: Tires Dead

SBX8 30 California Conservation Corps Dead



# **LEGISLATIVE SUMMARIES**



## Legislative Summaries

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### AB 68 (Brownley)

***Solid Waste: Single-Use Carryout Bags***

***Sponsor: Heal the Bay***

***Status: Dead***

Establishes a new program to reduce the use of single-use carryout bags, which includes plastic, paper, and compostable plastic bags. AB 68 (1) prohibits a store from providing single-use carryout bags to customers on or after July 1, 2011, unless the store charges a fee of at least \$0.25 per bag; (2) authorizes stores to remit the majority of the fees collected to BOE and establishes the Bag Pollution Fund in the State Treasury; (3) requires the former CIWMB to administer and enforce the law; (4) requires the former CIWMB to expend monies in the fund for grants to cities and counties to reduce and cleanup the effects of single-use carryout bags; and (5) expends monies, in consultation with the OPC, SWRCB, and DTSC to develop programs related to the use of single-use carryout bags.

### AB 85 (Berryhill)

***Junk Dealers and Recyclers***

***Sponsor: California Farm Bureau***

***Status: Chapter 78, Statutes of 2009***

Corrects erroneous cross-references in the record production provisions and deletes duplicate provisions.

### AB 87 (Davis)

***Single-Use Carryout Bags: Environmental Effects: Mitigation***

***Sponsor: Los Angeles County***

***Status: Dead***

Modifies the current At-Store Recycling Program, which is plastic bags only, to reduce the use of all types of single-use carryout bags. AB 87 (1) prohibits a store from providing single-use carryout bags to customers on or after July 1, 2010, unless the store charges a fee of at least \$0.25 per bag; (2) authorizes stores to remit the majority of the fees collected to BOE and establishes the Bag Pollution Fund in the State Treasury; (3) requires the former CIWMB to administer and enforce the law; and (4) expends monies in the Fund for specified purposes.

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### AB 147 (Saldana)

**Hazardous Waste: Electronic Waste**  
**Sponsor: Californians Against Waste**  
**Status: Vetoed**

Requires a manufacturer, at the request of DTSC, to prepare and submit to DTSC, within 28 days, documentation that an electronic device for sale is not prohibited from being sold in the state.

### AB 210 (Hayashi)

**Green Building Standards**  
**Sponsor: California Building Industry Association**  
**Status: Chapter 89, Statutes of 2010**

Clarifies that cities and counties may amend state green building standards if they make a finding that the amendments are reasonably necessary because of local climatic, geological, or topographical conditions.

### AB 222 (Adams)

**Energy: Biofuels**  
**Sponsor: Bioenergy Producers Association**  
**Status: Dead**

Defines “anaerobic digestion” and specifically excludes it from the definition of “transformation;” repeals the definition of “gasification;” and defines and adds the term “biorefinery” to the existing definition of “transformation.”

### AB 274 (Portantino)

**Solid Waste: Landfills: Closure Plans**  
**Sponsor: Waste Management Inc.**  
**Status: Chapter 318, Statutes of 2009**

Establishes the SWPTF that is funded by a voluntary \$0.12 per ton fee assessed on solid waste disposed in California.

### AB 283 (Chesbro)

**Solid Waste: Extended Producer Responsibility Program**  
**Sponsor: Author**  
**Status: Dead**

Creates the California Product Stewardship Act of 2009 and requires the former CIWMB to develop, implement, and administer an EPR framework program.

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### AB 471 (Nava)

***Legal Services***

***Sponsor: Office of the Attorney General***

***Status: Vetoed***

Makes technical, non-substantive changes to existing law relating to the ability of state agencies to retain legal counsel and to use the services of the Attorney General's Office.

### AB 473 (Blumenfield)

***Solid Waste: Recycling: Multifamily Dwellings***

***Sponsor: Californians Against Waste***

***Status: Vetoed***

Requires owners of multifamily dwellings to arrange for recycling services for residents by July 1, 2010.

### AB 478 (Chesbro)

***Greenhouse Gas Emissions: Recycling and Waste Management***

***Sponsor: Author***

***Status: Dead***

Requires ARB to consult with the former CIWMB in developing the regulations required under AB 32 (Nunez, Chapter 488, Statutes of 2006), specifically for the purposes of implementing rules that would result in the reduction of GHG emissions through solid waste reduction and recycling.

### AB 479 (Chesbro)

***Solid Waste: Diversion***

***Sponsor: Californians Against Waste***

***Status: Dead***

Requires jurisdictions to achieve a 60 percent solid waste diversion rate by January 1, 2015, and the state to divert 75 percent by 2020. Additionally, the bill mandates commercial recycling for some businesses and increases the IWM Fee from \$1.40/ton to \$3.90/ton.

### AB 737 (Chesbro)

***Solid Waste: Diversion***

***Sponsor: Californians Against Waste***

***Status: Vetoed***

Requires CalRecycle to report to the Legislature by January 1, 2013, on the current diversion rate in the state and provide strategies to increase the diversion

## Legislative Summaries

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rate to 75 percent by 2020, including the costs associated with each strategy; requires businesses that meet specified thresholds in the bill to arrange for recycling services by January 1, 2011; streamlines the amendment process for non-disposal facility elements, by allowing changes without approval from a local task force; and allows a solid waste facility to modify its existing permit, instead of having to undergo a permit revision, under specified circumstances.

### **AB 747 (Emmerson)**

***School Facilities: Recycling Programs***

***Sponsor: Author***

***Status: Dead***

Encourages each school district, the University of California, California State University, and the California Community Colleges to establish and maintain a paper and beverage container recycling program.

### **AB 828 (Lieu)**

***Green Building Standards***

***Sponsor: Natural Resources Defense Council***

***Status: Vetoed***

Requires CBSC or any state agency, when developing and proposing green building standards, to seek the input of specified state agencies, including the former CIWMB, that have expertise on green building.

### **AB 903 (Chesbro)**

***Solid Waste: Compostable Plastic Bags***

***Sponsor: Biodegradable Products Institute***

***Status: Dead***

Originally, would have expanded the current requirement for each state agency to submit an annual report to CalRecycle summarizing its progress in reducing solid waste to include electronic waste data. This bill was subsequently amended to require manufacturers of a compostable plastic bag meeting specific ASTM standards to ensure that the bag is “readily and easily identifiable” and submit a report to the former CIWMB detailing such efforts.

### **AB 907 (Chesbro)**

***California Oil Recycling Enhancement Act: Rerefined Oil***

***Sponsor: Californians Against Waste***

***Status: Dead***

Recasts the UOP, shifting the focus towards the collection of oil from “Do-It-Yourselfers,” streamlining local jurisdiction grants, reducing incentive payments that are provided for used oil that is collected as a part of doing business, and

## Legislative Summaries

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providing incentives to manufacturers of re-refined oil in order to develop additional capacity for the re-refining of used oil.

### **AB 925 (Saldana)**

***Recycling: Single-Use Plastic Beverage Container Caps***

***Sponsor: Faith2Green***

***Status: Dead***

Prohibits a retailer from selling or offering for sale in California a single-use plastic beverage container with a cap unless the cap is tethered to the beverage container or the cap includes an opening from which the beverage can be consumed while the cap is affixed to the container.

### **AB 983 (Skinner)**

***Recycling: California Redemption Value Containers***

***Sponsor: Author***

***Status: Dead***

Adds vegetable, nut, grain, soy drinks, and noncarbonated fruit drinks that contain any percentage of juice to the BCRP and eliminates the 16-ounce container restriction on vegetable drinks. The bill also adds to the BCRP flexible foil, plastic pouch, and aseptic containers that deliver more than seven fluid ounces; changes the threshold for the \$0.10 deposit from containers that carry 24 or more fluid ounces to containers that carry 20 or more fluid ounces; increases the amount of grant funds that may be allocated to LCCCs; and maintains, suspends, or eliminates funding for other parts of the BCRP.

### **AB 993 (Fletcher)**

***Solid Waste: Rigid Plastic Containers***

***Sponsor: Author***

***Status: Dead***

Makes a technical, nonsubstantive change to a provision of law concerning rigid plastic containers.

### **AB 1004 (Portantino)**

***State Solid Waste Postclosure and Corrective Action Trust Fund***

***Sponsor: Waste Management***

***Status: Chapter 417, Statutes of 2010***

Delays the effective date of the SWPTF from January 1, 2012 to July 1, 2012, an extension of six months, and revises all subsequent dates relating to the administration of the SWPTF and reporting requirements by a specified amount of time. This bill also gives the landfill owners, rather than landfill operators, the final say as to whether to participate in the SWPTF.

## Legislative Summaries

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### AB 1141 (Calderon)

***Carryout Bags***

***Sponsor: American Chemistry Council***

***Status: Dead***

Extends the sunset on the current At-Store Recycling Program to January 1, 2017, and requires the former CIWMB to establish a 50 percent recycling goal for plastic bag waste by 2014. Beginning July 1, 2011, requires a manufacturer or distributor of plastic bags to pay a single-use bag EPR fee of \$0.001 per bag to the former CIWMB. Requires the former CIWMB to convene an advisory panel of specified members to assist the former CIWMB in determining how the fee revenue should be distributed.

### AB 1150 (Gaines)

***Solid Waste: Resource Recycling and Recovery***

***Sponsor: Author***

***Status: Dead***

Abolishes the CIWMB and transfers all of its authority, duties, powers, purposes, responsibilities, and jurisdiction to DOC and DTSC.

### AB 1164 (Tran)

***Maintenance of the Codes***

***Sponsor: Author***

***Status: Chapter 140, Statutes of 2009***

Makes a number of non-substantive changes to provisions of existing law relating to solid waste diversion and beverage container recycling.

### AB 1173 (Huffman)

***Hazardous Materials: Fluorescent Lamps: Recycling***

***Sponsor: Californians Against Waste***

***Status: Vetoed***

Establishes a system for the recycling of certain residentially-generated fluorescent lamps that is free and convenient for end users by requiring manufacturers that receive subsidized funding for compact fluorescent lamps to implement a recycling program.

## Legislative Summaries

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### AB 1280 (Villines)

***Electronic Waste Recycling***  
***Sponsor: STS Ventures, LLC***  
***Status: N/A***

Originally, would have exempted from the definition of a “covered electronic device” a video display device that is contained within a freezer, induction cook top or range, beverage maker, and food steamer. This bill was subsequently amended and is no longer related to waste management or recycling.

### AB 1329 (Brownley)

***Waste Management***  
***Sponsor: Author***  
***Status: Dead***

Originally, would have prohibited a retailer from selling, distributing, or importing in commerce a single-use recyclable packaging container that is comprised predominantly of rigid PVC. This bill was subsequently amended to delay until January 1, 2011, the implementation of SB 63 (Strickland, Chapter 21, Statutes of 2009), which abolishes the CIWMB and transfers its functions, as well as DOR, to CalRecycle,

### AB 1343 (Huffman)

***Solid Waste: Architectural Paint: Recovery Program***  
***Sponsor: Californians Against Waste***  
***Status: Chapter 420, Statutes of 2010***

Creates an architectural paint recovery program that requires manufacturers to develop and implement a program to collect, transport, and process postconsumer paint.

### AB 1659 (Huber)

***State Government: Agency Repeals***  
***Sponsor: Author***  
***Status: Chapter 666, Statutes of 2010***

Creates the Joint Sunset Review Committee, which is required to conduct a comprehensive analysis of every non-Constitutional state agency to determine if the agency is cost-effective and necessary.

## Legislative Summaries

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### AB 1787 (Swanson)

***Administrative Procedure: Regulations: Narrative Description***

***Sponsor: Author***

***Status: Dead***

Amends the APA to require any state agency, when submitting regulations to OAL, to include a narrative description of any additions/deletions that would result from the adoption of the proposed regulations.

### AB 1789 (Gilmore)

***Solid Waste: Diversion Requirements***

***Sponsor: Author***

***Status: Dead***

Makes non-substantive changes to portions of existing law that relate to diversion requirements for rural cities and counties.

### AB 1899 (Eng)

***State Agencies: Information: Internet Website***

***Sponsor: Author***

***Status: Vetoed***

Requires state agencies, DGS, and OCIO to post specified audits and contracts to the State's Reporting Transparency in Government Internet website.

### AB 1939 (Fletcher)

***Solid Waste: Sharps Waste***

***Sponsor: Author***

***Status: Dead***

Makes nonsubstantive changes to the annual reporting requirements of pharmaceutical manufacturers to CalRecycle.

### AB 1993 (Strickland)

***Reports: Declarations***

***Sponsor: Author***

***Status: Dead***

Requires the head of any state agency that submits a mandated report or other document requested by the Legislature to include a signed affidavit certifying that the factual contents of the report are accurate, to the best of his or her knowledge.

## Legislative Summaries

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### AB 1998 (Brownley)

***Solid Waste: Single-Use Carryout Bags***

***Sponsor: Heal the Bay***

***Status: Dead***

Establishes a new program to prohibit the use of single-use carryout bags at supermarkets, large retail establishments with a licensed pharmacy, and convenience food stores/food marts, beginning in 2012 for large stores and in 2013 for smaller stores. Requires stores to offer reusable bags for sale or at no cost, and recyclable paper bags for their actual average cost. Requires CalRecycle to administer a certification process for reusable grocery bag producers, allows the Department to inspect and audit any entity subject to reusable grocery bag standards and producer certification, and allows a city, county, or the state to impose civil penalties for violations of other provisions.

### AB 2106 (Anderson)

***Solid Waste: Landfills***

***Sponsor: Author***

***Status: Dead***

Declares the intent of the Legislature to enact legislation to address waste management in the state.

### AB 2137 (Chesbro)

***Fertilizing Material: Labels***

***Sponsor: Author***

***Status: Dead***

States that a composter's use of a nutrient analysis that contains a specific clause speaking to the variability of the compost, would not constitute a labeling claim and would therefore be exempt from the registration fee, mill taxes, and CDFR oversight.

### AB 2138 (Chesbro)

***Product Management: Single-Use Recyclable Packaging Containers***

***Sponsor: Californians Against Waste***

***Status: Dead***

Enacts the Plastic Ocean Pollution Reduction, Recycling, and Composting Act, prohibiting a food provider from distributing a disposable food service packaging or single-use carryout bag unless the packaging or bag meets specified criteria for being compostable or recyclable. On and after January 1, 2013, the bill prohibits a food provider from distributing the packaging or bag unless CalRecycle determines that it is recovered for composting or recovered for recycling at a rate of 25 percent or more.

## Legislative Summaries

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### AB 2139 (Chesbro)

***Solid Waste: Product Stewardship***

***Sponsor: Author***

***Status: Dead***

Creates the California Product Stewardship Act and requires the Department, by January 1, 2012, in consultation with specified state agencies, to submit a report to the Legislature recommending that one or more consumer products be included as a covered product for purposes of the act.

### AB 2176 (Blumenfield)

***Hazardous Waste: Lighting Products***

***Sponsor: Natural Resources Defense Council***

***Status: Dead***

Enacts the California Lighting Toxics Reduction and Jobs Act which establishes a producer responsibility program for mercury-containing lamps.

### AB 2179 (Monning)

***Public Resources: Recycling***

***Sponsor: Author***

***Status: N/A***

Originally, would have stated the intent of the Legislature to enact legislation that enhanced the recycling requirements in the state. This bill was subsequently amended and is no longer related to waste management or recycling.

### AB 2398 (John A. Perez)

***Product Stewardship: Carpet***

***Sponsor: Author***

***Status: Chapter 681, Statutes of 2010***

Creates a product stewardship program for carpet and requires a manufacturer or product stewardship organization acting on behalf of a manufacturer(s), to establish and submit to CalRecycle a product stewardship plan aimed at increasing the amount of carpet diverted from landfills and recycled into secondary products.

### AB 2466 (Smyth)

***Regulations: Legislative Validation: Effective Date***

***Sponsor: Author***

***Status: Dead***

Postpones the effective date of regulations from 30 days after OAL files them with the SOS to 90 days, and requires the OAL to submit a copy of each

## Legislative Summaries

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regulation sent to the SOS to each house of the Legislature for review and potential recommended repeal.

### AB 2529 (Fuentes)

***State Agencies: Regulations: Review***  
***Sponsor: Author***  
***Status: N/A***

Originally, would have required the State Auditor to conduct a cost benefit analysis of any proposed state agency regulation; extended the effective date of a regulation from 30 to 60 days; and required the Appropriations Committee in each house to issue a recommendation regarding the validity of any proposed regulation. This bill was subsequently amended and is no longer related to waste management or recycling.

### AB 2537 (Silva)

***State Agencies: Adjudications: Presiding Officers***  
***Sponsor: Author***  
***Status: Dead***

Requires agencies that conduct adjudicative proceedings with a presiding officer who is an administrative law judge to develop regulations to allow a peremptory challenge of that presiding officer.

### AB 2611 (Ma)

***Recycling: Electronic Waste***  
***Sponsor: Author***  
***Status: Dead***

Changes the screen size threshold for a covered electronic device from four inches measured diagonally to greater than nine square inches of screen space.

### AB 2718 (Adams)

***Recycling: Beverage Containers: Recycling Centers***  
***Sponsor: California Grocers Association***  
***Status: Dead***

Provides assistance and incentives aimed at reducing the number of unserved convenience zones; areas where a grocery store that is required to provide convenient recycling opportunities is unable to do so.

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### AB 2738 (Niello)

***Regulations: Agency Statement of Reasons***

***Sponsor: Author***

***Status: Chapter 398, Statutes of 2010***

Requires each state agency to provide a description of any performance standard that was considered as an alternative. This becomes operative on January 1, 2012, and remains in effect until January 1, 2014.

### AB 2788 (Committee on Revenue and Taxation)

***Taxation: Administration***

***Sponsor: Author***

***Status: N/A***

Originally, would have made non-substantive changes to existing law as it relates to electronic waste. This bill was subsequently amended and is no longer related to waste management or recycling.

### ABX3 36 (Gaines)

***Integrated Waste Management: Transfer of Authority***

***Sponsor: Author***

***Status: Dead***

Abolishes the CIWMB and transfers all of its authority, duties, powers, purposes, responsibilities, and jurisdiction to DOC and DTSC.

### ABX8 7 (Committee on Budget)

***Environmental Pollution: Program Funding***

***Sponsor: Author***

***Status: Chapter 5, Statutes of 2010***

Mandates CalRecycle to review the BCRF every three months and report the Fund status on the Internet; mandates that BCRF expenditures may not be reduced or eliminated without 90 days notification; accelerates the timeframe by which distributors submit CRV to the Department from 90 days after the month of sale to 60 days; suspends or eliminates funding for several Program participants for two years; caps the amount the Department may expend for "processing fee offsets," which reduce program costs to manufacturers; and authorizes the Department to retroactively pay program participants that received reduced or eliminated funding during the period of January 1, 2010 to June 30, 2010.

## Legislative Summaries

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### ACR 128 (Emmerson)

***School Districts: Recycling Programs***

***Sponsor: Author***

***Status: Resolution Chapter 48, Statutes of 2010***

Encourages each school district to establish and maintain a paper and beverage container recycling program.

### SB 25 (Padilla)

***Solid Waste: Rendering***

***Sponsor: Author***

***Status: Dead***

Originally, would have required jurisdictions to achieve a 60 percent solid waste diversion rate by January 1, 2015, and the state to divert 75 percent by 2020. Additionally, would have mandated commercial recycling for some businesses and increases the IWM Fee from \$1.40/ton to \$2.13/ton. This bill was subsequently amended to specify that “renderer” and “rendering” do not include waste management facilities or activities that are already permitted by CalRecycle.

### SB 26 (Simitian)

***HHW: Small Quantity Generators***

***Sponsor: Author***

***Status: Dead***

Originally, would have required the California State Board of Pharmacy to coordinate with other state agencies, local governments, drug manufacturers, and pharmacies to develop sustainable, efficient policies and programs to properly manage pharmaceutical wastes and the disposal of these wastes, including a provision to authorize a pharmacy to accept the return of home-generated pharmaceutical and home-generated sharps waste. This bill was subsequently amended to make technical, nonsubstantive changes to the UOP’s rerefining incentive. The bill was amended again to address limits on the amount of latex paint that a DTSC-certified, HHW facility could accept per month.

### SB 44 (Denham)

***Integrated Waste Management***

***Sponsor: Author***

***Status: Dead***

Abolishes the CIWMB and transfers all of its authority, duties, powers, purposes, responsibilities, and jurisdiction to DOC and DTSC.

## Legislative Summaries

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### SB 63 (Strickland)

***Waste Management***

***Sponsor: Author***

***Status: Chapter 21, Statutes of 2009***

Abolishes the CIWMB, transfers its duties and responsibilities, as well as DOR, to CalRecycle, within the Natural Resources Agency.

### SB 167 (Ducheny)

***Solid Waste: Waste Tires***

***Sponsor: Author***

***Status: Chapter 333, Statutes of 2009***

Requires the Five-Year Tire Plan to include, as a border activity, the development of projects in Mexico's California-Mexico border region. Specifically, such efforts include education, infrastructure, mitigation, cleanup, prevention, reuse, and recycling projects to address the movement of used tires from California to Mexico that are eventually disposed in California.

### SB 228 (DeSaulnier)

***Plastic Bags: Compostable Plastic Bags***

***Sponsor: Biodegradable Products Institute***

***Status: Chapter 406, Statutes of 2010***

Requires manufacturers of compostable plastic bags meeting specific ASTM Standards to ensure that the bag is "readily and easily identifiable" from other plastic bags.

### SB 230 (Cogdill)

***Waste Tire Haulers: Registration***

***Sponsor: San Joaquin County Board of Supervisors***

***Status: Chapter 41, Statutes of 2009***

Exempts a person from having to register as a waste and used tire hauler when a person is transporting illegally dumped waste and/or used tires to an amnesty day or other former CIWMB-authorized facility, as long as the person has received written authorization from the local enforcement agency, including documentation that a police report has been filed.

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### SB 309 (Ducheny)

#### **Beverage Container Recycling Fund**

***Sponsor: Author***

***Status: N/A***

Originally, would have authorized CalRecycle to expend an undetermined amount annually, upon appropriation by the Legislature, for existing and new CCC and community conservation corps programs. The programs would have included opening residential corps member facilities, litter abatement, recycling, emergency response, fire brush clearance, energy conservation, green technology jobs, and related activities that educate, train, and employ at-risk youth. Because the moneys in the fund would have been used for purposes other than those related to beverage containers, the bill would have imposed a tax. The bill was subsequently amended and is no longer related to the BCRP.

### SB 390 (Kehoe)

#### ***Solid Waste: Recycling Market Development***

***Sponsor: Author***

***Status: Chapter 275, Statutes of 2010***

Extends the sunset date from July 1, 2011 to July 1, 2021, for the RMDZ Loan Program, administered by CalRecycle. It also eliminates the current requirement that funds transferred from CalRecycle's IWMA to the RMDZ Loan Subaccount be treated as a loan and repaid with interest.

### SB 402 (Wolk)

#### ***Recycling: California Redemption Value***

***Sponsor: Author***

***Status: Vetoed***

Adds vegetable, nut, grain, soy drinks, and noncarbonated fruit drinks that contain any percentage of juice to the BCRP and eliminates the 16-ounce container restriction on vegetable drinks. The bill also adds to the BCRP flexible foil, plastic pouch, and aseptic containers that deliver more than seven fluid ounces; changes the threshold for the \$0.10 deposit from containers that carry 24 or more fluid ounces to containers that carry 20 or more fluid ounces; increases the amount of grant funds that may be allocated to LCCCs; and maintains, suspends, or eliminates funding for other parts of the BCRP.

## Legislative Summaries

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### SB 486 (Simitian)

***Medical Waste: Sharps Waste***

***Sponsor: Author***

***Status: Chapter 591, Statutes of 2009***

Requires a pharmaceutical manufacturer who sells or distributes medication sold in California that is injected at home through a sharps device, such as a hypodermic needle, to submit to the former CIWMB, a plan on or before July 1, 2010, and annually thereafter, that describes how it supports the safe collection and disposal of home-generated sharps waste.

### SB 524 (Correa)

***Solid Waste: Auto Shredder Residue***

***Sponsor: Institute of Scrap Recycling Industries***

***Status: Dead***

Requires the former CIWMB to be part of a working group to evaluate the existing practice of using treated auto shredder residue as alternative daily cover and report the findings of the working group to the Legislature by December 1, 2010.

### SB 531 (DeSaulnier)

***Solid Waste: At-Store Recycling Program***

***Sponsor: Californians for Extended Producer Responsibility***

***Status: Dead***

Adds specifics to the educational materials required to be developed by manufacturers of plastic carryout bags in the current At-Store Recycling Program for plastic carryout bags. Such materials would have to be approved by the former CIWMB after manufacturers consult with specific local government associations, private and public waste services, stores, and the former CIWMB.

### SB 546 (Lowenthal)

***Used Oil***

***Sponsor: Evergreen Oil***

***Status: Chapter 353, Statutes of 2009***

Recasts the UOP, making the Program more efficient and allowing the former CIWMB to focus on collection of oil from "Do-It-Yourselfers," streamline local jurisdiction grants, discourage illegal disposal of used oil, and provide incentives to manufacturers of re-refined oil in order to develop additional capacity for the re-refining of used oil.

## Legislative Summaries

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### SB 579 (Lowenthal)

***Used Oil***

***Sponsor: Author***

***Status: Chapter 504, Statutes of 2010***

Makes clarifying changes and corrects erroneous changes made to the UOP by SB 546 (Lowenthal, Chapter 353, Statutes of 2009).

### SB 624 (Romero)

***Solid Waste: Anaerobic Digestion***

***Sponsor: Author***

***Status: N/A***

Originally, would have defined “anaerobic digestion” and “composting operation/facility,” and revised the definition of the term “transformation” to explicitly exclude anaerobic digestion. This bill was subsequently amended and is no longer related to waste management or recycling.

### SB 627 (Calderon)

***Catalytic Converters: Junk Dealers and Recyclers***

***Sponsor: Author***

***Status: Chapter 603, Statutes of 2009***

Requires core recyclers to comply with additional recordkeeping and identification procedures and new payment restrictions when purchasing catalytic converters.

### SB 723 (DeSaulnier)

***Electronic Waste Recovery Payments***

***Sponsor: Californians Against Waste***

***Status: Dead***

Requires the former CIWMB to establish the recovery portion of the electronic waste payment schedule every year on July 1, while leaving the recycling payment at every two years.

### SB 832 (Committee on Environmental Quality)

***California Pollution Control Financing Authority: Solid Waste Diversion***

***Sponsor: Author***

***Status: Chapter 643, Statutes of 2009***

As it relates to the former CIWMB, makes non-controversial changes to existing law that sets diversion levels for local jurisdictions (PRC Section 41780).

## Legislative Summaries

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### **SB 855 (Committee on Budget and Fiscal Review)**

***Budget Act of 2010: Resources***

***Sponsor: Author***

***Status: Chapter 718, Statutes of 2010***

Specifies the manner in which CalRecycle must provide quarterly updates to the Legislature on the status of the BCRF. The bill also includes various technical clean-up provisions as it relates to the Program; makes clarifying and conforming changes to the IWM Fee as it relates to Water Board and regional water boards' regulatory activities; and requires the Governor to submit a report to the Legislature by April 1, 2011 for the 2011-12 budget that includes a zero-based budget methodology for all state agency climate change programs.

### **SB 870 (Committee on Budget and Fiscal Review)**

***Budget Act of 2010***

***Sponsor: Author***

***Status: Chapter 712, Statutes of 2010***

Makes appropriations for the support of state government for the 2010-11 Fiscal Year.

### **SB 1100 (Corbett)**

***Product Stewardship: Household Batteries***

***Sponsor: StopWaste.Org***

***Status: Dead***

Creates a product stewardship program for household batteries and requires a producer, a registered hazardous waste transporter acting on behalf of a producer(s), or a product stewardship organization acting on behalf of the producer, to establish and submit to CalRecycle a product stewardship plan that provides for the collection and safe management of household batteries.

### **SB 1326 (Oropeza)**

***Solid Waste: Tires***

***Sponsor: Author***

***Status: Dead***

Requires a public entity, before it submits a grant application for CalRecycle's Local Government Waste Tire Cleanup and Amnesty Event Grant Programs, to ask the local community conservation corps if it wishes to assist with cleanup or amnesty events.

## Legislative Summaries

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### SB 1351 (Wright)

***State Agencies: Regulation Adoption Requirements***

***Sponsor: Author***

***Status: N/A***

Originally, would have required a state agency when adopting a regulation that requires the use of a new or emerging technology for purposes of compliance, to post on its Internet website and the California Regulatory Notice Register, whether the technology would be commercially available prior to the effective date of the regulation. This bill was subsequently amended and is no longer related to waste management or recycling.

### SB 1401 (Simitian)

***Beverage Containers: Redemption Payments***

***Sponsor: Author***

***Status: Dead***

Makes a small change to provisions of current law enacted under AB 7 (Assembly Budget Committee, Chapter 5, Statutes of the 2010, Eighth Extraordinary Session), by adjusting the timeframe under which CalRecycle may reduce or eliminate expenditures from the BCRF from 90 to 80 days after the Legislature is notified.

### SB 1454 (DeSaulnier)

***Recycling: Plastic Products***

***Sponsor: Californians Against Waste***

***Status: Vetoed***

Combines two similar chapters in current law, which prohibit the sale of a plastic bag or a plastic food or beverage container from being labeled as “compostable,” “marine degradable,” “biodegradable,” “degradable,” and “decomposable,” unless it meets specific ASTM Standards. The bill also expands the scope of plastic products subject to the sales prohibition, and allows CalRecycle to adopt existing standards for qualified or specific claims (such as “home compostable”) that are more stringent than ASTM Standards.

## Legislative Summaries

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### SBX3 39 (Denham)

***Integrated Waste Management: Transfer of Authority***

***Sponsor: Author***

***Status: Dead***

Abolishes the CIWMB and transfers all of its authority, duties, powers, purposes, responsibilities, and jurisdiction to DOC and DTSC.

### SBX8 30 (Oropeza)

***California Conservation Corps: Local Conservation Corps***

***Sponsor: Author***

***Status: Dead***

Appropriates \$15 million from the EWRRA and \$5 million from the CTRMF to the CCC for direct grants to the LCCCs to collect and recycle covered electronic devices and waste tires. The bill also appropriates \$10 million from EWRRA to the CCC for collection and recycling of electronic waste, and reappropriates unspent funding from Proposition 84 bond funds for the CCC.

## **CHAPTERED BILLS**



## Chaptered Bills

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|         |                  |  |             |
|---------|------------------|--|-------------|
| AB 85   | Berryhill        | Junk Dealers and Recyclers             | Chapter 78  |
| AB 210  | Hayashi          | Green Building Standards               | Chapter 89  |
| AB 274  | Portantino       | Solid Waste: Landfills: Closure Plans  | Chapter 318 |
| AB 1004 | Portantino       | State Solid Waste Postclosure          | Chapter 417 |
| AB 1164 | Tran             | Corrective Action Trust Fund           | Chapter 140 |
| AB 1343 | Huffman          | Solid Waste: Architectural Paint       | Chapter 420 |
| AB 1659 | Huber            | State Government: Agency Repeals       | Chapter 666 |
| AB 2398 | Perez, John A.   | Products Stewardship: Carpet           | Chapter 681 |
| AB 2738 | Niello           | Regulations                            | Chapter 398 |
| ABX8 7  | Committee/Budget | Environmental Pollution                | Chapter 5   |
| ACR 128 | Emmerson         | School Districts: Recycling Programs   | Chapter 48  |
| SB 63   | Strickland       | Waste Management                       | Chapter 21  |
| SB 167  | Ducheny          | Solid Waste: Waste Tires               | Chapter 333 |
| SB 228  | DeSaulnier       | Plastic Bags                           | Chapter 406 |
| SB 230  | Cogdill          | Waste Tire Haulers: Registration       | Chapter 41  |
| SB 390  | Kehoe            | Solid Waste                            | Chapter 275 |
| SB 486  | Simitian         | Medical Waste: Sharps Waste            | Chapter 591 |
| SB 546  | Lowenthal        | Used Oil                               | Chapter 353 |
| SB 579  | Lowenthal        | Used Oil                               | Chapter 504 |
| SB 627  | Calderon         | Catalytic Converters: Junk Dealers     | Chapter 603 |
| SB 832  | SEQ              | California Pollution Control Financing | Chapter 643 |
| SB 855  | SB&FR            | Budget Act of 2010: Resources          | Chapter 718 |



## **VETOED BILLS**



## Vetoed Bills

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|         |             |                                   |        |
|---------|-------------|-----------------------------------|--------|
| AB 147  | Saldana     | Hazardous Waste: Electronic Waste | Vetoed |
| AB 471  | Nava        | Legal Services                    | Vetoed |
| AB 473  | Blumenfield | Solid Waste: Recycling            | Vetoed |
| AB 737  | Chesbro     | Solid Waste: Diversion            | Vetoed |
| AB 828  | Lieu        | Green Building                    | Vetoed |
| AB 1173 | Huffman     | Hazardous Materials: Lamps        | Vetoed |
| AB 1899 | Eng         | State Agencies: Information       | Vetoed |
| SB 402  | Wolk        | Recycling: CRV                    | Vetoed |
| SB 1454 | DeSaulnier  | Recycling: Plastic Products       | Vetoed |



## **GOVERNOR'S VETO MESSAGES**



## **Governor's Veto Messages**

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### **AB 147 (Saldana) Hazardous Waste: Electronic Waste**

To the Members of the California State Assembly:

I am returning Assembly Bill 147, which would require that manufacturers provide documentation upon request by DTSC, without my signature.

The bill institutes reasonable cause with prescriptive language that limits the enforcement capabilities of a regulatory agency to protect the general public and the environment. The bill sets a bad public policy precedent that harms our environment and Californians.

It is for this reason that I am returning this bill without my signature.

Sincerely,

Arnold Schwarzenegger

## **Governor's Veto Messages**

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### **AB 471 (Nava) Legal Services**

To the Members of the California State Assembly:

I am returning AB 471 without my signature.

This bill would make technical, non-substantive changes to existing law relating to the ability of State agencies to retain legal counsel and to use the services of the Attorney General's Office.

While statutory clarity is of the utmost importance, the non-substantive changes in this bill are unnecessary and appear to resolve no outstanding issues.

For this reason, I am unable sign this bill.

Sincerely,

Arnold Schwarzenegger

## **Governor's Veto Messages**

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### **AB 473 (Blumenfield) Solid Waste: Recycling: Multifamily Dwellings**

To the Members of the California State Assembly:

I am returning Assembly Bill 473 without my signature.

This bill would require owners of multifamily dwellings to arrange for recycling services for residents by July 1, 2010.

This bill is not consistent with the progress the Integrated Waste Management Board has made in developing and implementing a commercial recycling plan, which includes multifamily recycling, as required by the AB 32 Climate Change Scoping Plan. Although this plan will be mandatory for local jurisdictions, I believe that the determination as to how to establish such programs is best suited at the local level. In fact, local governments already have the authority to mandate the action envisioned by this bill. Further requirements should ideally be established through regulations, which can adapt much more efficiently to environmental needs and the changing economic climate than the lengthy legislative process.

Sincerely,

Arnold Schwarzenegger

## **Governor's Veto Messages**

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### **AB 737 (Chesbro) Solid Waste: Diversion**

To the Members of the California State Assembly:

I am returning AB 737 without my signature.

In addition to modifying existing permitting requirements, this bill would require CalRecycle to report on the progress being made towards 75 percent diversion and mandate commercial recycling on private businesses producing more than four cubic yards of waste per week.

While I am supportive of strengthening recycling efforts in this State, the approach offered in this bill is flawed. Specifically, by imposing a commercial recycling mandate only upon the private sector — rather than including the public sector — this bill would hinder the State's ability to meet its recycling goals and create an inequity by putting greater economic burdens on California businesses.

For this reason, I am unable sign this bill.

Sincerely,

Arnold Schwarzenegger

## **Governor's Veto Messages**

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### **AB 828 (Lieu) Green Building Standards**

To the Members of the California State Assembly:

I am returning Assembly Bill 828 without my signature.

This bill would require the California Building Standards Council, when developing green building standards, to seek the input of specified state agencies with expertise in that field.

The California Building Standards Commission already gets input on green building standards from environmental agencies in state government. Further, the Commission recently approved a Green Building Standards Code – voluntary in nature – that encourages the use of renewable, recyclable, and recycled material in the building process. Further legislation is unnecessary.

Sincerely,

Arnold Schwarzenegger

## **Governor's Veto Messages**

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### **AB 1173 (Huffman) Hazardous Waste: Fluorescent Lamps**

To the Members of the California State Assembly:

I am returning Assembly Bill 1173 without my signature.

This bill would be known as the California Fluorescent Lamp Toxics Reduction and Recycling Act and would establish a system for the recycling of certain residentially-generated fluorescent lamps that is free and convenient for end users by requiring manufacturers that received subsidized funding for compact fluorescent lamps (CFLs) to implement a recycling program.

While supportive of the author's efforts to provide a system for the proper recycling of residentially-generated fluorescent lamps, I am concerned that once the energy efficiency funds for CFLs are phased out, manufacturers will no longer have an incentive to participate in the program. Furthermore, this bill creates an uneven playing field by only requiring manufacturers who receive funding to participate in the program. Mandatory participation by all the manufacturers is a key component of a successful product stewardship program.

Finally, this bill fails to provide an enforcement mechanism or designate an entity to ensure non-compliant manufacturers do not receive subsidized funding for CFLs should a manufacturer be found non-compliant. The California Integrated Waste Management Board's authority is limited to a finding of compliance or non-compliance with regards to a manufacturer's recycling program; therefore, it lacks the ability to withhold funding to manufacturers.

Sincerely,

Arnold Schwarzenegger

## **Governor's Veto Messages**

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### **AB 1899 (Eng) State Agencies: Information**

To the Members of the California State Assembly:

This bill mirrors two recent Executive Orders on government transparency that I announced in 2009, S-08-09 and S-20-09, and therefore is unnecessary. Everything AB 1899 requires is already being accomplished under the executive orders. While I am supportive of greater transparency in government, this legislation would be duplicative of current reporting practices.

For that reason, I am returning AB 1899 without my signature.

Sincerely,

Arnold Schwarzenegger

## Governor's Veto Messages

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### **SB 402 (Wolk) Recycling: California Redemption Value**

To the members of the California State Senate:

I am returning SB 402 without my signature.

The Beverage Container Recycling Fund is facing a severe deficit at the end of the 2009-2010 Fiscal Year. To combat this deficit, the Department of Conservation has had to implement an across the board cut of 85 percent to the funding programs paid by the Fund. My Administration has offered solutions for long-term repair of the Fund, and unfortunately, SB 402 does not contain those solutions of which I feel are acceptable to the people of California.

SB 402 expands the Beverage Container Recycling Program to include fruit and vegetable juices and soy based drinks. This expansion is inappropriate given that these products are often dietary necessities for families; while wine and distilled spirits, which are more like the products currently subject to the California Refund Value and are typically paid for from consumer's disposable income, remain exempt from the program. While consumers will have the opportunity to recover their costs when they recycle their containers, they will face a direct impact at the time of purchase, which will be troubling for many in this economy.

Furthermore, while the bill proposes to capture more beverage containers for the recycling market rather than the waste stream, at present, there are no known California end users for the material types SB 402 adds to the Program. This bill proposes that CRV be applied to products that will likely end up in a landfill.

This bill would also change the CRV threshold to beverage containers carrying 20 fluid ounces or less to \$0.05 per container, and beverage containers carrying 20 fluid ounces or more to \$0.10 per container, effective January 1, 2010. This change in law, combined with the additional containers and beverage types, would cost consumers about \$300 million annually. Additionally, these changes are merely a patch that provides relief for only one fiscal year. The Fund cannot support the expenditures continued by SB 402 beyond about the first half of FY2010-11.

Finally, in addition to several other fatal flaws, this bill unjustifiably increases grant funding for some programs paid for by the Fund, and decreases or eliminates crucial grant funding for others. SB 402 fails to make the hard choices that need to be made with regard to providing a lasting solution for the Fund. While I recognize that without this bill there is an immediate hardship placed upon consumers and businesses because of the across the board funding reduction, the lasting effects of this bill are far worse.

Sincerely,

Arnold Schwarzenegger

## **Governor's Veto Messages**

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### **SB 1454 (DeSaulnier) Recycling: Plastic Products**

To the Members of the California State Senate:

I am returning SB 1454 without my signature.

This bill would expand existing environmental labeling requirements for plastic bags and plastic food and beverage containers to virtually all types of plastic products. I am concerned about the economic impact of this change on manufacturers and suppliers of those products since they would have to meet specific standards for their labels and be able to defend the claim if a complaint is brought to local or state authorities. This could be an especially onerous task during difficult economic times. This legislation seeks to regulate a much more expansive universe of plastic products with unknown results. For these reasons, I am returning this bill without my signature.

Sincerely,

Arnold Schwarzenegger



## **ROSTER OF LEGISLATORS**



## Assembly Roster

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| <u>Name</u>           | <u>Party</u> | <u>City</u>     |
|-----------------------|--------------|-----------------|
| Adams, Anthony        | R            | Hesperia        |
| Ammiano, Tom          | D            | San Francisco   |
| Berryhill, Tom        | R            | Modesto         |
| Blakeslee, Sam        | R            | San Luis Obispo |
| Block, Marty          | D            | San Diego       |
| Blumenfield, Robert   | D            | Van Nuys        |
| Bradford, Steven      | D            | Inglewood       |
| Brownley, Julia       | D            | Santa Monica    |
| Buchanan, Joan        | D            | San Ramon       |
| Caballero, Anna Marie | D            | Salinas         |
| Calderon, Charles     | D            | Whittier        |
| Carter, Wilmer Amina  | D            | Rialto          |
| Chesbro, Wesley       | D            | Eureka          |
| Conway, Connie        | R            | Visalia         |
| Cook, Paul            | R            | Yucaipa         |
| Coto, Joe             | D            | San Jose        |
| Davis, Mike           | D            | Los Angeles     |
| De La Torre, Hector   | D            | South Gate      |
| De Leon, Kevin        | D            | Los Angeles     |
| Devore, Chuck         | R            | Irvine          |
| Emmerson, Bill        | R            | Hemet           |
| Eng, Mike             | D            | Monterey Park   |
| Evans, Noreen         | D            | Santa Rosa      |
| Feuer, Mike           | D            | Los Angeles     |
| Fletcher, Nathan      | R            | San Diego       |
| Fong, Paul            | D            | Mountain View   |
| Fuentes, Felipe       | D            | Los Angeles     |
| Fuller, Jean          | R            | Bakersfield     |
| Furutani, Warren      | D            | Long Beach      |
| Gaines, Ted           | R            | Roseville       |
| Galgiani, Cathleen    | D            | Tracy           |
| Garrick, Martin       | R            | Carlsbad        |
| Gatto, Mike           | D            | Burbank         |
| Gilmore, Danny        | R            | Hanford         |
| Hagman, Curt          | R            | Diamond Bar     |

## Assembly Roster

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| <u>Name</u>         | <u>Party</u> | <u>City</u>         |
|---------------------|--------------|---------------------|
| Hall, Isadore       | D            | Los Angeles         |
| Harkey, Diane       | R            | Laguna Niguel       |
| Hayashi, Mary       | D            | Hayward             |
| Hernandez, Ed       | D            | Baldwin Park        |
| Hill, Jerry         | D            | South San Francisco |
| Huber, Alyson       | D            | Lodi                |
| Huffman, Jared      | D            | San Rafael          |
| Jeffries, Kevin     | R            | Riverside           |
| Jones, Dave         | D            | Sacramento          |
| Knight, Stephen     | R            | Lancaster           |
| Lieu, Ted           | D            | Torrance            |
| Logue, Dan          | R            | Chico               |
| Lowenthal, Bonnie   | D            | Long Beach          |
| Ma, Fiona           | D            | San Francisco       |
| Mendoza, Tony       | D            | Artesia             |
| Miller, Jeff        | R            | Orange              |
| Monning, William    | D            | Santa Cruz          |
| Nava, Pedro         | D            | Santa Barbara       |
| Nestande, Brian     | R            | Palm Desert         |
| Niello, Rodger      | R            | Sacramento          |
| Nielsen, Jim        | R            | Biggs               |
| Norby, Chris        | R            | Brea                |
| Perez, John         | D            | Los Angeles         |
| Perez, V. Manuel    | D            | Cathedral City      |
| Portantino, Anthony | D            | Pasadena            |
| Ruskin, Ira         | D            | Redwood City        |
| Salas, Mary         | D            | Chula Vista         |
| Saldana, Lori       | D            | San Diego           |
| Silva, Jim          | R            | Huntington Beach    |
| Skinner, Nancy      | D            | Berkeley            |
| Smyth, Cameron      | R            | Santa Clarita       |
| Solorio, Jose       | D            | Santa Ana           |
| Strickland, Audra   | R            | Camarillo           |
| Swanson, Sandre     | D            | Oakland             |
| Torlakson, Tom      | D            | Martinez            |

## Assembly Roster

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| <u>Name</u>       | <u>Party</u> | <u>City</u> |
|-------------------|--------------|-------------|
| Torres, Norma     | D            | Pomona      |
| Torrico, Alberto  | D            | Fremont     |
| Tran, Van         | R            | Costa Mesa  |
| Villines, Michael | R            | Clovis      |
| Yamada, Mariko    | D            | Davis       |



## Senate Roster

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| <u>Name</u>            | <u>Party</u> | <u>City</u>      |
|------------------------|--------------|------------------|
| Aanestad, Sam          | R            | Grass Valley     |
| Alquist, Elaine        | D            | Santa Clara      |
| Ashburn, Roy           | R            | Bakersfield      |
| Calderon, Ronald       | D            | Montebello       |
| Cedillo, Gil           | D            | Los Angeles      |
| Cogdill, Dave          | R            | Fresno           |
| Corbett, Ellen         | D            | San Leandro      |
| Correa, Lou            | D            | Santa Ana        |
| Cox, Dave              | R            | Fair Oaks        |
| Denham, Jeff           | R            | Merced           |
| DeSaulnier, Mark       | D            | Concord          |
| Ducheny, Denise Moreno | D            | San Diego        |
| Dutton, Bob            | R            | Inland Empire    |
| Florez, Dean           | D            | Shafter          |
| Hancock, Loni          | D            | Berkeley         |
| Harman, Tom            | R            | Huntington Beach |
| Hollingsworth, Dennis  | R            | Murrieta         |
| Huff, Bob              | R            | Diamond Bar      |
| Kehoe, Christine       | D            | San Diego        |
| Leno, Mark             | D            | San Francisco    |
| Liu, Carol             | D            | Pasadena         |
| Lowenthal, Alan        | D            | Long Beach       |
| Maldonado, Abel        | R            | Santa Maria      |
| Negrete McLeod, Gloria | D            | Chino            |
| Oropeza, Jenny         | D            | Long Beach       |
| Padilla, Alex          | D            | Pacoima          |
| Pavley, Fran           | D            | Agoura Hills     |
| Price, Curren          | D            | Los Angeles      |
| Romero, Gloria         | D            | Los Angeles      |
| Runner, George         | R            | Antelope Valley  |
| Simitian, Joe          | D            | Palo Alto        |
| Steinberg, Darrell     | D            | Sacramento       |
| Strickland, Tony       | R            | Thousand Oaks    |

## Senate Roster

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| <u>Name</u>       | <u>Party</u> | <u>City</u>   |
|-------------------|--------------|---------------|
| Walters, Mimi     | R            | Laguna Niguel |
| Wiggins, Patricia | D            | Santa Rosa    |
| Wolk, Lois        | D            | Davis         |
| Wright, Roderick  | D            | Los Angeles   |
| Wyland, Mark      | R            | Escondido     |
| Yee, Leland       | D            | San Francisco |

**ADDENDUM TO  
2009-2010 LEGISLATIVE SUMMARY**

## ADDENDUM TO 2009-2010 LEGISLATIVE SUMMARY

### GENERAL GOVERNMENT

#### AB 1525 (Committee on Accountability and Administrative Review)

**Reporting Requirements: Required Repealer**

**Sponsor: Author**

**Status: Chapter 7, Statutes of 2010**

Requires that a report submitted by a state or local agency to the Members of either house of the Legislature be submitted as a printed copy to both the Legislative Counsel and the Secretary of the Senate, and as an electronic copy to the Chief Clerk of the Assembly. The bill further requires that the summary of a report made by a state agency to the Legislature be submitted by that agency, instead of by the Legislative Counsel. The bill also specifically requires the Legislative Counsel to maintain the list of state and local agencies' reports in a specified manner, including maintaining the list in an electronic format and deleting specified reports from the list. This bill also requires any bill that requires a state agency report on any subject to the Legislature or the Legislative Counsel Bureau to include a provision that repeals the reporting requirement, or makes it inoperative, no later than a date four years following the operative date of the bill or four years after the due date of any report required every four or more years. The bill also requires the Legislative Counsel, in drafting a bill or amendment that includes a reporting requirement, to include a provision repealing the reporting requirement or making the requirement inoperative, unless directed to do otherwise.

### WASTE TIRES

#### AB 323 (Yamada)

**Automobile Tires**

**Sponsor: Author**

**Status: Dead**

Requires an automotive repair dealer to list on the invoice the manufacture date of any tire installed or sold by the dealer.

#### AB 496 (Davis)

**Tire Age Degradation: Consumer Disclosure**

**Sponsor: Safety Strategies and Research, Inc.**

**Status: Dead**

Originally, would have required a tire dealer to disclose, in writing, the manufacture date of each passenger or light truck tire. It would also have required a tire dealer to provide a clear and conspicuous written disclosure about the risk associated with tire age. This bill was subsequently amended and is no longer related to waste management or recycling.

**AB 1981 (Hill)**

**Recycling: Waste Tires: Fees**

**Sponsor: California New Car Dealers Association**

**Status: Dead**

Establishes a California *Vehicle* Tire Fee on all new motor vehicles sold or leased by a new motor vehicle dealer, to replace the existing *per* tire fee. This bill does not assess a per tire or per vehicle fee on buyers of used motor vehicles sold by new motor vehicle dealers. Charges a new fee of \$10.50 per car through December 31, 2014, and \$5.50 per car beginning January 1, 2015, designed to cover the cost of unassessed fees. Maintains the current California Tire Fee of \$1.75 through December 31, 2014, and \$0.75 beginning January 1, 2015 on new tires sold individually and on used cars sold by used car dealers.