

# CALIFORNIA ASSOCIATION OF ENVIRONMENTAL HEALTH ADMINISTRATORS

Legislative Report: September 2, 2008

Bill	Summary	Latest Action
<b>SOLID WASTE</b>		
CA AB 218 Saldana (D) <b>SUPPORT *</b>	<b>Hazardous Waste: Electronic Waste</b> Prohibits a producer from manufacturing for sale in the state electronic equipment that contains a hazardous substance for which the ROHS Directive would prohibit in the European Union. Requires the producer to prepare and submit technical documentation showing the equipment sold or offered for sale is not prohibited for sale by the directive. Provides an exemption if there is no technically feasible alternative to the use of those hazardous substances or components and there is a plan for proper disposal.	DEAD
CA AB 501 Swanson (D) <b>SUPPORT IF AMENDED *** 2 YEAR BILL</b>	<b>Pharmaceutical Devices</b> Requires a pharmaceutical manufacturer whose product is administered for home use through a prefilled syringe, pen, or other injection device to arrange to provide, upon a request from a consumer, a postage prepaid, mail-back sharps container that has been approved by the United States Postal Service and the Department of Public Health or a sharps container for the safe storage and transport of sharps to a sharps consolidation location that accepts home-generated sharps waste.	ENROLLED
CA AB 822 Levine (D) <b>SUPPORT **</b>	<b>Solid Waste: Multifamily Dwellings</b> Requires the owner of a multifamily dwelling to arrange for recycling services that are appropriate for the multifamily dwelling, consistent with state or local laws or requirements, including a local ordinance or agreement, applicable to the collection, handling, or recycling of solid waste.	DEAD.
CA AB 1075 Cook (R)	<b>Solid Waste Diversion</b> Relates to the Integrated Waste Management Act that defines the term compost. Provides for the definition of the term composting operation or composting facility as an operation or facility that produces compost including an entity that produces compost either aerobically or nonaerobically and an operation or facility that utilizes anaerobic digestion. Revises the definition of transformation to exclude anaerobic digestion. Defines anaerobic digestion.	DEAD
CA AB 1391 Brownley (D) <b>WATCH 2 YEAR BILL</b>	<b>Electronic Waste</b> Requires a retailer that sells an electronic device covered under the Electronic Waste Recycling Act to provide a customer at the point of sale of the covered electronic device with the California Integrated Waste Management Board's web site, which describes where and how to return, recycle, and dispose of a covered electronic device and locations for the collection or return of the device.	ENROLLED
CA AB 1931 Silva (R)	<b>Peace Officer Powers: Illegal Dumping Enforcement</b> Amends existing law that grants the powers of arrest to illegal dumping enforcement officers that are regularly employed by a city, county, or city and county, whose duties include illegal dumping enforcement and are designated by local ordinance as a public officer. Includes a person employed full-time, part-time or as a volunteer after completing training prescribed by law, by one of those entities. Provides that volunteers must be supervised by an officer and do not have the powers of arrest.	CHAPTERED 217
CA AB 1972 DeSaulnier (D)	<b>Solid Waste: Plastic Bags: Food and Beverage Containers</b> Prohibits the sale of a plastic bag or food or beverage container that is labeled as compostable or marine degradable, unless that product meets certain ASTM Standard Specifications, or a standard adopted by the California Integrated Waste Management Board. Prohibits altogether the sale of a plastic bag or food or beverage container that is labeled as biodegradable, degradable, or decomposable.	ENROLLED



CA AB 2042 Fuentes (D)	<b>Vehicles: Removal</b> Authorizes a peace officer to remove and impound a vehicle when issuing a citation to a person acting as a dealer, remanufacturer, manufacturer, or transporter, or as a manufacturer branch, distributor, or distributor branch without a valid license or temporary permit from the Department of Motor Vehicles and the vehicle is being offered for sale.	ENROLLED
CA AB 2058 Levine (D)  <b>SUPPORT **</b>	<b>Recycling: Plastic Carryout Bags</b> Prohibits a store from providing plastic carryout bags to customers unless the store demonstrates an increased recycling diversion rate in the number of plastic carryout bags provided. Authorizes a store to sell a plastic carryout bag to a customer at a specified rate. Requires a store that is not complying to provide a plastic carryout bag to a customer. Requires a store that charges the bag fee to pay a specified fee to the Integrated Waste Management Board to administer and enforce the program.	DEAD: Senate Appr
CA AB 2071 Karnette (D)	<b>Plastic Bags: Plastic Food and Beverage Containers</b> Amends existing law that prohibits the sale of a plastic bag that is labeled with the term compostable, biodegrading, degradable or implies that the bag will break down in a landfill composting, marine, or other natural terrestrial environment, unless, at the time of the sale, the plastic bag meets specified standards for the term used on the label. Authorizes a city, county or the state to impose civil liability for violations. Provides the payout of the penalties collected.	DEAD: Senate Appr
CA AB 2245 Soto (D)  <b>SUPPORT *</b>	<b>Illegal Dumping Enforcement Officers</b> Amends existing law that certain public officers, like animal control officers, are not prohibited from carrying any wooden club or baton if the officers have satisfactory completed a specified course of instruction in the carrying and use of the club or baton. Applies this provision to illegal dumping enforcement officers.	ENROLLED
CA AB 2347 Ruskin (D)  <b>SUPPORT ***</b>	<b>Mercury-Added Thermostats: Collection Program</b> Enacts the Mercury Thermostat Collection Act. Requires a manufacturer that owns or owned the name brand of such thermostats sold in this state, to establish and maintain a collection and recycling program for the thermostats. Requires the program meet specified requirements including related educational materials. Requires each program to achieve specified recycling rates. Requires a wholesaler to act as collection site. Provides contractor handling requirements. Provides for related rates.	ENROLLED
CA AB 2415 Fuentes (D) <b>DEAD</b>	<b>Solid Waste: Permit</b> Amends the California Integrated Waste Management Act of 1989 that requires a person who proposes to operate a solid waste facility to file with the enforcement agency or the California Integrated Waste Management Board. Requires the board, in the case where the proposed or existing solid waste is located in multiple jurisdictions to obtain the approval of the designated and certified enforcement agency of each of the jurisdictions.	DEAD
CA AB 2640 Huffman (D)  <b>WATCH</b>	<b>Solid Waste: Compostable Organics Management</b> Requires the source reduction and recycling element of integrated waste management plans to divert a portion of all solid waste from disposal through source reduction, recycling, and composting activities. Requires an annual recommendation for allocation of funds. Requires that a solid waste disposal facility operator must pay a fee for waste disposal and requires that these funds be used for grants for compostable organics management projects. Provides for accountability. Relates to local incentives.	DEAD: Sen Appr
CA AB 2679 Ruskin/Nunez (D)  <b>SUPPORT IF AMENDED</b>	<b>Solid Waste: Enforcement: Local Agencies</b> Amends the Integrated Waste Management Act. Authorizes the State Integrated Waste Management Board to take any enforcement action that a local enforcement agency may take under the act. Authorizes a local agency to include the prevention of the illegal disposal of solid waste and its abatement to make the public aware regarding such disposal; prohibits the disposing or accepting of solid waste except at a permitted facility.	ENROLLED



CA AB 2695 Niello (R) <b>SUPPORT **</b>	<b>Enforcement: Illegal Dumping</b> Defines illegal dumping and illegal dump. Allows a local enforcement agency to include public awareness activities, enforcement to prevent illegal dumping, and abatement of such dumping in its inspection program. Establishes a grant and loan program for local, regional, and statewide illegal dumping enforcement. Requires the identification of model programs that have been effectively implemented to reduce illegal dumping and to identify related funding opportunities for program to increase awareness.	DEAD: Sen Appr
CA AB 2829 Davis (D) <b>DEAD</b>	<b>Recycling: Plastic Carryout Bags</b> Requires each plastic carryout bag provided by a store to have printed on the bag an environmental awareness message. Requires customers to pay a carryout bag impact fee. Creates a fund for the fees for litter prevention and cleanup. Deletes the prohibition on a city, county, or other public agency from imposing a plastic carryout bag fee upon a store.	DEAD
CA AB 2866 De Leon (D) <b>WATCH</b>	<b>Solid Waste: Solid Waste Disposal Fees: Trust Fund</b> Amends Integrated Waste Management Act that requires an operator of a solid waste disposal facility to pay a fee based on waste disposal. Provides that the fees will fund projects by operators of certain trucks used at solid waste facilities, and for collection of solid waste and recycling and for demonstrating clean fuels. Provides for grants or loans for specified compost projects. Provides funds from a related trust fund for closure and postclosure needs. Relates to the diversion of compostable organics.	DEAD: Sen Appr
CA AB 2999 Huffman (D)	<b>Animal Carcasses: Removal From Highways</b> Authorizes the state or local agency having jurisdiction of a highway to remove an accidental take from the highway. Requires the department to establish certain procedures for the removal and disposal of animal carcasses on state highways.	CHAPTERED 257
CA AB 3025 Lieber (D)	<b>Polystyrene Loosefill Packaging</b> Prohibits a wholesale or manufacturer from selling or offering for sale, expanded polystyrene loose fill packaging in this state, unless it is comprised of a specified amount of postconsumer recycled material as provided in a schedule that would increase the percentage until a specified date, when the amount would be required to be 100% postconsumer recycled material.	DEAD: Sen Appr
CA SB 1016 Wiggins (D)	<b>Diversion: Compliance: Per Capita Disposal Rate</b> Requires the State Integrated Waste Management Board to make a finding whether each jurisdiction is in compliance with the Integrated Waste Management Act's solid waste diversion requirements. Requires the issuance of an order of compliance for each jurisdiction that had not made a good faith effort to comply. Requires the board to determine if state agencies or facilities are in compliance. Relates to community college recycling program funding.	ENROLLED
CA SB 1020 Padilla (D)	<b>Solid Waste: Diversion</b> Requires the State Integrated Waste Management Board to adopt policies and incentives to ensure that, on or before a specified date, 60% of all solid waste generated in the state is source reduced, recycled, or composted and to ensure that, on or before a specified date, 75% of all solid waste generated is source reduced, recycled, or composted.	DEAD
CA SB 1663 Denham (R)	<b>Used and Waste Tires: Grants</b> Requires the tire recycling program established by the Integrated Waste Management Board under the Tire Recycling Act to include the awarding of grants to cities, counties, and other local government and nonprofit entities to provide assistance to owners of farm property used for specified agricultural activities. Require the grants to be expended only for the purposes of facilitating compliance with requirements regarding transportation of used and waste tires and the removal of illegally disposed tires.	DEAD: Asm Appr

Next year: Diversion  
EPR  
PLastic Bags  
ADC



## **Fire**

### ***AB 2447 (Jones) – To the Governor As Amended on August 20, 2008***

AB 2447, by Assembly Member Dave Jones, was enrolled this weekend. This measure would require county boards of supervisors to summarily deny the approval of a tentative map or parcel map if the proposed map is located in a State Responsibility Area (SRA) or a very high fire hazard severity zones (VHFHSZ) unless the county board makes a finding supported by substantial evidence that the subdivision is consistent with existing state fire safety regulations, and will have sufficient structural fire protection. Applicable fire protection districts would provide comments regarding the sufficiency of the structural fire protection. CSAC is opposed to this bill because it does nothing to improve the quality of structural fire protection in SRA. If CalFire and the State are serious about wildfires and protection of the public, they should focus on improving the ability of local fire protection districts to adequately provide in the form of secure fiscal sources.

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## **Solid Waste**

### ***AB 2347 (Ruskin) – To the Governor As Amended on August 12, 2008***

AB 2347, by Assembly Member Ira Ruskin, was enrolled last week. AB 2347 would require a manufacturer of mercury-added thermostats to establish and maintain a collection and recycling program for out-of-service mercury-added thermostats. This bill would be a model for producer responsibility legislation in California by helping to ensure the development of an effective collection system for the free and convenient return of mercury thermostats for consumers managed and funded by the product's producers.

### ***SB 1357 (Padilla) – To the Governor As Amended on August 8, 2008***

SB1357, by Senator Alex Padilla, was enrolled this weekend. This bill authorizes the Department of Conservation to expend up to \$20 million to fund grants for beverage container recycling and litter reduction programs or focused, regional community beverage container recycling and litter reduction programs. CSAC supports SB 1357 because it will provide funding for collection programs where, in the past, there have been missed opportunities to reach recycling goals set out in law for recycling beverage containers.

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## **Agriculture**

### ***AB 2881 (Wolk) – To the Governor As Amended on August 4, 2008***

AB 2881, by Assembly Member Lois Wolk, was enrolled last week. California currently has a right-to-farm law, but it does not require realtors to disclose the rights of farmers to new buyers of property in rural areas. This bill would require the notice of intention, as provided as part of an application for a public report to contain a specified notice regarding any property that is presently located within one mile of farm or ranch land. CSAC supports this bill because we believe that AB 2881 will provide farmers with stronger statutory protection needed to continue their operations and contribute to this important segment of the state's economy.

### ***AB 2921 (Laird) – To the Governor As Amended on August 27, 2008***

AB 2921, by Assembly Member John Laird, was enrolled over the weekend. This bill expands and clarifies statutory procedures for the Department of Conservation to identify and respond to material breaches of Williamson Act contracts, and makes adjustments to provisions of the Williamson Act dealing with contract rescissions and open space and agricultural easements. CSAC removed its opposition after amendments were taken by the author to address our concerns.

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## **Emergency Services**

### ***SB 27 (Simitian) – To the Governor***