



A Public Agency

## SBWMA LEGISLATIVE COMMITTEE MEETING

MONDAY June 5, 2023 at 2:00 p.m.

Place:  
RethinkWaste Offices  
610 Elm Street Suite 202  
San Carlos, CA 94070

Teleconference Locations\*  
Fran Dehn  
1661 Stone Pine Lane,  
Menlo Park, CA 94025

Adam Rak  
1553 Morse Blvd.  
San Carlos, CA 94070

The public may observe/participate in Committee meetings using remote public comment options or attending in person. Committee members shall attend in person unless remote participation is permitted by law.

### TO ADDRESS THE COMMITTEE IN PERSON

Masking is not required but according to the California Department of Public Health guidelines, people at higher risk for severe illness should consider masking. To help maintain public health and safety, we respectively request that people NOT attend in-person if they are experiencing symptoms associated with COVID-19 or are otherwise ill and likely contagious (e.g., respiratory illnesses).

To address the Committee on any item – whether on the posted agenda or not – please fill out a Request to Speak Form and submit it to the Board Clerk. Speakers are not required to submit their name or address.

### REMOTE PARTICIPATION

Members of the public may participate in public Agency meetings by logging into the Zoom:

<https://us02web.zoom.us/j/86337260032?pwd=aVRwMzNvODM3T2xOcnNPTXIMbGo1QT09>

Dial in: 1 669 444 9171

Meeting ID: 863 3726 0032

Passcode: 938175

Written public comments for the record may be submitted in advance by 12:00 p.m. on the meeting date by email to: [rethinker@rethinkwaste.org](mailto:rethinker@rethinkwaste.org) and will be made part of the written record but will not be read verbally at the meeting. Written public comments submitted by email should adhere to the following: 1) Clearly indicate the Agenda Item No. or specify “Public” in the Subject Line for items not on the agenda and 2) Include the submitter’s full name. You may also use the raise hand feature on Zoom to enter a verbal public comment.

\*Pursuant to Ralph M. Brown Act, government code section 54953, all votes shall be by roll call if any members of the board of directors are participating by teleconference and/or video conference.

### AGENDA

1. Call to Order/Roll Call
2. Public Comment

Persons wishing to address the Board on matters NOT on the posted agenda may do so. Each speaker is limited to three minutes. If there are more than five individuals wishing to speak during public comment, the Chairman will draw five speaker cards from those submitted to speak during this time. The balance of the Public Comment speakers will be called upon at the end of the Board Meeting. If the item you are speaking on is not listed on the agenda, please be advised that the Board may briefly respond to statements made or questions posed as allowed under The Brown Act (Government Code

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#### MEMBER AGENCIES

BELMONT \* BURLINGAME \* EAST PALO ALTO \* FOSTER CITY \* HILLSBOROUGH \* MENLO PARK \* REDWOOD CITY  
\* SAN CARLOS \* SAN MATEO \* COUNTY OF SAN MATEO \* WEST BAY SANITARY DISTRICT

June 6, 2023

Section 54954.2). The Board's general policy is to refer items to staff for attention, or have a matter placed on a future Board agenda for a more comprehensive action or report and formal public discussion and input at that time. **Speakers may also submit comments via email prior to the meeting by sending those comments to [rethinker@rethinkwaste.org](mailto:rethinker@rethinkwaste.org).**

**3. Executive Director's Report (Verbal Update) p. 3**

**4. Approval of Consent Calendar**

Consent Calendar item(s) are considered to be routine and will be enacted by one motion. There will be no separate discussion on these items unless members of the Board, staff or public request specific items be removed for separate action. *Items removed from the Consent Calendar will be moved to the end of the agenda for separate discussion.*

A. Approval of the Minutes from the April 3, 2023, Legislative Committee Meeting **ACTION p. 7**

**5. Legislative and Regulatory Updates from EEC and Committee Discussion p. 13**

- 2023 Legislative Session Introduced Bills the SBWMA is tracking

**6. Committee Member Comments**

**7. Adjourn**

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June 6, 2023



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# EXECUTIVE DIRECTOR'S UPDATE

Agenda Item 3 is a verbal report only at the  
06/05/2023 SBWMA Legislative Committee Meeting





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# CONSENT CALENDAR



**DRAFT MINUTES**

SOUTH BAYSIDE WASTE MANAGEMENT AUTHORITY  
MEETING OF THE LEGISLATIVE COMMITTEE

April 3, 2023 2:00PM

RethinkWaste Offices 610 Elm Street Suite 202, San Carlos, CA 94070

**Call To Order: 2:05PM**

**1. Roll Call**

| Member            | Present | Absent |
|-------------------|---------|--------|
| Michael Brownrigg | X       |        |
| Al Royse          |         | X      |
| Adam Rak          |         | X      |
| Fran Dehn         | X       |        |

Member Brownrigg stated he would need to use one of his emergency exemptions for attending the meeting virtually.

SBWMA Staff Members Present: Joe La Mariana, Julia Au, Cyndi Urman, Jean Savaree

Others Present: Kayla Robinson, Environmental and Energy Consulting; Reed Addis, Environmental and Energy Consulting

**2. Public Comment**

Pursuant to Government Code Section 54954.3(a), members of the public wishing to address the Committee may do so, and the comments shall be limited to the Special Meeting notice topic(s). Speakers may join the Zoom meeting via the meeting link and using the “raise hand” feature and the Clerk of the Board will call on people.

None

**3. Executive Director’s Welcome**

Executive Director La Mariana welcomed everyone to the meeting and gave the following updates.

- The retreat had to be cancelled due to a power outage at the venue; we are working on rescheduling it for May 25.
- Board Member Brownrigg has asked to be replaced on the Legislative Committee, so there will be an item on the April Board meeting agenda to find a replacement Legislative Committee Member. He asked Member Dehn if she felt the same way.
  - Member Dehn commented that three Brown Act meetings is a lot, so if there is a replacement she’d be happy to step off, but she will not give up the Zero Waste Committee.

- Member Brownrigg noted that it's the driving time in particular, but if we can find others to participate it's better for the Agency.
- Counsel Savaree noted that all members of the committee could give a permanent teleconference location address to the Clerk of the Board and this committee could remain a teleconference meeting with multiple locations on the agenda.
- He is attending a Solid Waste Association of North America industry conference this week, and went on a tour of the Monterey facility as part of the conference. He noted that the MRF at the Monterey facility is 20 acres, and the entirety of Shoreway is 16 acres, and will head into the full conference starting tonight.
  - Member Brownrigg asked if the facility in Monterey handles a similar amount of material.
  - Executive Director La Mariana answered on the MRF side it's virtually identical, but they also have an active landfill that is about 300 acres on that same site.

**4. Approval of Consent Calendar**

Consent Calendar item(s) are considered to be routine and will be enacted by one motion. There will be no separate discussion on these items unless members of the Committee, staff or public request specific items be removed for separate action. *Items removed from the Consent Calendar will be moved to the end of the agenda for separate discussion.*

A. Approval of the Minutes from the March 6, 2023 Legislative Committee Meeting

Motion/Second: Dehn/Brownrigg

Roll Call Vote: 2-0-0-2

| Member            | Yes | No | Abstain | Absent |
|-------------------|-----|----|---------|--------|
| Michael Brownrigg | X   |    |         |        |
| Al Royse          |     |    |         | X      |
| Adam Rak          |     |    |         | X      |
| Fran Dehn         | X   |    |         |        |

**5. Legislative and Regulatory Updates from EEC and Committee Discussion**

Kayla Robinson gave an overview of where the legislative process is in the calendar:

- By 4/28/2023 all fiscal bills need to move through their policy committees
- Non fiscal bills have an extra week to move through policy committees.
- By the end of April we will know which bills are moving to appropriations committee
- By mid May bills need to move through appropriations
- The appropriations bills will keep fiscal bills in a suspense file until May 18 or 19, where they will then potentially act on everything at once
- This year RethinkWaste doesn't have any sponsored legislation, but EEC is still watching this process closely to make sure we are supporting bills that are of high priority to the Agency.

She then went over some questions from the last meeting regarding bills.

**SB 244 (Eggman)/SB 271 (Dodd)** – Both are related to giving consumers the information they need to repair electronics products in an effort to reduce electronic waste. SB271 is focused on electronic wheelchairs while SB 244 is broader. Last month there was discussion around potentially supporting both bills given the nexus to batteries, but there was clarification requested about one being specific to wheelchairs, and whether the broader one would cover wheelchairs. SB 244 By Senator Eggman covers consumer products between the price

of \$50 to \$99. An electric wheelchair would go well above that cost. So, EEC recommends RethinkWaste take a support position on both, with the wheelchair one being lower priority engagement.

Member Brownrigg commented that he wasn't aware of the price point on SB 244 and thought it would cause a lot of lower priced products see their price raised to \$100.

Kayla Robinson agreed noting that it didn't mean you couldn't repair higher price point items, but that the information for repair would only be publicly available for items in that price point. She thought this was probably similar to the way the New York bill that was passed last year was written to get a foot in the door to repair for a broader suite of consumer electronics products.

**SB 353 (Dodd)** – Expands the bottle bill to include larger size juice containers. Member Rak asked last meeting if it was just plastic or other types of container materials that it applied to. Kayla noted that it includes the suite of materials already deemed recyclable; glass, plastic and aluminum that have the CRV tax on them at purchase. This bill includes the large size juice containers previously excluded.

**SB 272 (Laird)** – This bill related to sea level rise raised some concerns from the group at the last meeting. Kayla gave an overview of the bill and the discussion from last time noting the concerns about cost and that this would be duplicative work. She clarified that it is a reintroduction of a bill that was vetoed by the Governor's office last year due to fiscal concerns. Cal Cities and CSAC have gotten several amendments to the bill which make them feel more comfortable essentially saying that local governments would not do this work unless there's an appropriation by the legislature, so cost to do sea level rise planning would be covered by the state, and allows for agencies doing work in this area to submit that work on behalf of the agencies where they are. Cal Cities is neutral on the bill after opposition last year, but Bay Area Council and Bay planning Coalition are opposed at this point due to cost concerns.

RethinkWaste will remain neutral on this bill.

Kayla Robinson then went over some substantially amended bills since the last meeting, and that RethinkWaste might want to take a position on.

**AB 1548 (Hart)** – is a Greenhouse Gas Reduction Fund (GGRF) grant program for recycling infrastructure projects. She noted that there is an existing fund through the GGRF that helps fund SB1383 implementation, and this bill proposes expanding that fund to include a broader suite of reuse programs and infrastructure funding as opposed to just organics infrastructure. She also noted that it's not a funding bill, but funding that goes through the GGRF program could fund a broader suite of issues that local governments are dealing with and provides more flexibility in the funding. However, it could water down money going towards SB 1383.

Member Brownrigg commented that he was appreciative of more local flexibility but was worried about funding going down as the same pot of money goes to fund a broader scope of issues.

**SB 728 (Limón)**- would prohibit the sale of plastic gift cards by 2026 which is something that SB 54 doesn't cover. So, it's trying to get at a different level of plastics pollution. She noted that she didn't think it included the larger value ones that can be used at multiple stores.

**AB 1590 (Friedman)** – would ban single use plastic products at coastal resorts large resorts near the ocean.

Member Dehn asked why this is not all resorts or all hotels.

Kayla Robinson noted that the language has been amended since the committee report was posted, so it's a new bill that EEC will be watching on behalf of RethinkWaste, but the definition includes that they have a golf course so it's really targeting large resorts.

**SB 568 (Newman)** – requires e-waste to be recycled in California if there is proven capacity in California to recycle it. She thought this bill was partially inspired by his work with RethinkWaste on batteries.

Member Brownrigg commented that he is in favor of the ship it locally first before shipping it overseas policy but thought that it should be taken further by saying that the state wants everything to be recycled in California by a certain date, so that that investing in recycling infrastructure might be possible. He asked if we could go back to the bill sponsor and add a line about encouraging more recycling in California.

Kayla Robinson agreed that these are all very niche bills but added that it was possible to add language to a bill, but often times the reason the legislature takes these niche approaches to legislature is because broad based change is usually opposed.

Joe La Mariana noted that CalRecycle does have an economic incentive program for manufacturers and producers of products that use these products in California to recycle them in California. But, from what he understands, even with those incentives California has too many environmental regulations, and too high of labor costs to make recycling in California cost effective.

The committee then discussed teleconferencing bills. There are several teleconference bills, so it's a matter of which one is the right one for RethinkWaste to support. Staff Au was going to check in with Member Rak on these bills, and Kayla Robinson was going to send the list of teleconferencing bills to Counsel Savaree for review.

Lastly, Kayla Robinson noted that the Legislative Analyst's Office has said that potentially the SB 1383 money that was allocated the last two years was ripe for being pulled back this year. So EEC did lead on a letter with 10-15 organizations to raise that pulling this funding is an unacceptable option.

Member Dehn asked if there have been any changes to AB 1628.

Kayla Robinson noted that the bill passed out of committee last week and was single referred to appropriations, so it is now in that suspense file discussed earlier.

## **6. Legislative Committee Member Comments**

## **7. Adjourn 2:56PM**



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# LEGISLATIVE AND REGULATORY UPDATES



## STAFF REPORT

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**To:** RethinkWaste Legislative Committee Members  
**From:** Julia Au, Sr. Outreach, Education and Compliance Manager  
**Date:** June 5, 2023 Legislative Committee Meeting  
**Subject:** Legislative and Regulatory Updates from Environmental and Energy Consulting (EEC) and Committee Discussion

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### **Recommendation**

This staff report is for discussion purposes only.

### **Summary**

The agency's lobbyist, Environmental and Energy Consulting (EEC) will provide an update on the 2023 California Legislative Session and current regulatory activities, including legislation the agency is tracking. June 2 is the deadline for bills to pass out of their house of origin, while June 15 is deadline to pass the state's initial budget.

Attachment A contains the full list of bills EEC is currently tracking for the agency, including which ones the agency is supporting. Reminder that bills may be amended between now and the date of the Legislative Committee meeting. To get the most current bill languages, check the California Legislative Information website: <https://leginfo.legislature.ca.gov/>

### **Attachments:**

Attachment A – Bill Tracking for 2023 legislative session updated as of May 26, 2023

# RethinkWaste Legislative Update

## Friday, May 26, 2023

### Batteries

**[SB 244](#) (Eggman D) Right to Repair Act.**

**Status:** 5/22/2023-Read second time. Ordered to third reading.

**Location:** 5/22/2023-S. THIRD READING

|           |        |        |       |           |        |        |       |             |          |        |           |
|-----------|--------|--------|-------|-----------|--------|--------|-------|-------------|----------|--------|-----------|
| Desk      | Policy | Fiscal | Floor | Desk      | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
| 1st House |        |        |       | 2nd House |        |        |       |             |          |        |           |

**Calendar:** 5/26/2023 #90 SENATE SENATE BILLS -THIRD READING FILE

**Summary:** The Song-Beverly Consumer Warranty Act provides a comprehensive set of procedures for the enforcement of express and implied warranties on consumer goods, as defined. Under existing law, every manufacturer making an express warranty with respect to an electronic or appliance product, including televisions, radios, audio or video recording equipment, major home appliances, antennas, and rotators, with a wholesale price to the retailer of not less than \$50 nor more than \$99.99 is required to make available to service and repair facilities sufficient service literature and functional parts to effect the repair of the product for at least 3 years after the date a product model or type was manufactured, regardless of whether the 3-year period exceeds the warranty period for the product. Current law also requires every manufacturer making an express warranty with respect to an electronic or appliance product, as described above, with a wholesale price to the retailer of \$100 or more, to make available to service and repair facilities sufficient service literature and functional parts to effect the repair of the product for at least 7 years after the date a product model or type was manufactured, regardless of whether the 7-year period exceeds the warranty period for the product. This bill would enact the Right to Repair Act. The bill would require, except as specified and regardless of whether any express warranty is made, the manufacturer of an above-described electronic or appliance product, in the above-described circumstances, and in those same circumstances but sold to others outside of direct retail sales, to make available, on fair and reasonable terms, to product owners, service and repair facilities, and service dealers, the means, as described, to effect the diagnosis, maintenance, or repair of the product, as provided.

|                 |                        |
|-----------------|------------------------|
| <b>Position</b> | <b>Priority</b>        |
| Support         | Priority 2<br>(Medium) |

**Notes:** Support letter submitted to Author's office/Sen. Judiciary Committee.

**[SB 271](#) (Dodd D) Powered wheelchairs: repair.**

**Status:** 5/18/2023-From committee: Do pass. (Ayes 6. Noes 1.) (May 18). Read second time. Ordered to third reading.

**Location:** 5/18/2023-S. THIRD READING

|           |        |        |       |           |        |        |       |             |          |        |           |
|-----------|--------|--------|-------|-----------|--------|--------|-------|-------------|----------|--------|-----------|
| Desk      | Policy | Fiscal | Floor | Desk      | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
| 1st House |        |        |       | 2nd House |        |        |       |             |          |        |           |

**Calendar:** 5/26/2023 #30 SENATE SENATE BILLS -THIRD READING FILE

**Summary:** The Sherman Food, Drug, and Cosmetic Law regulates the packaging, labeling, and advertising of drugs and devices, and is administered by the State Department of Public Health. Among other things, existing law prohibits a person from conducting a home medical device retail facility business in this state unless the person has obtained a license from the department and sets forth standards for operating that facility. Current law authorizes the department to waive any licensing requirements for a medical device retail facility when, in the opinion of the department, a high standard of patient safety, consistent with good patient care, can be provided by the licensure of a home medical device retail facility that does not meet all of the requirements for licensure. This bill would, except as specified, require an original manufacturer of a powered wheelchair, as those terms are defined, to provide documentation, parts, embedded software, firmware, and tools used to inspect, diagnose, maintain, and repair the wheelchair to an owner or an independent repair provider for the purposes of providing service on the equipment in the state, on fair and reasonable terms and costs, as defined. The bill would also require an original manufacturer, for a powered wheelchair that contains an electronic security lock or other security-related function, to provide any documentation, parts, embedded software, firmware, or tools needed to reset the lock or function when disabled in the course of providing services, as specified.

|                 |                        |
|-----------------|------------------------|
| <b>Position</b> | <b>Priority</b>        |
| Support         | Priority 2<br>(Medium) |

**Notes:** Support letter submitted to Sen. BP&E and Jud Committee.

**[SB 615](#) (Allen D) Vehicle traction batteries.**

**Status:** 5/25/2023-Read third time. Passed. (Ayes 40. Noes 0.) Ordered to the Assembly.

**Location:** 5/25/2023-A. DESK

| Desk      | Policy | Fiscal | Floor | Desk      | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
|-----------|--------|--------|-------|-----------|--------|--------|-------|-------------|----------|--------|-----------|
| 1st House |        |        |       | 2nd House |        |        |       |             |          |        |           |

**Summary:** Current law requires the Secretary for Environmental Protection to convene the Lithium-Ion Car Battery Recycling Advisory Group to review, and advise the Legislature on, policies pertaining to the recovery and recycling of lithium-ion vehicle batteries sold with motor vehicles in the state. Current law also requires the advisory group to submit policy recommendations to the Legislature aimed at ensuring that as close to 100% as possible of lithium-ion vehicle batteries in the state are reused or recycled at end-of-life in a safe and cost-effective manner. This bill would repeal those requirements. The bill would instead require vehicle traction batteries, as defined, in the state to be recovered and reused, repurposed, or remanufactured and eventually recycled at the end of their useful life in a motor vehicle or any other application. The bill would also require a vehicle manufacturer, dealer, automobile dismantler, automotive repair dealer, and nonvehicle secondary user to be responsible for ensuring the responsible end-of-life management of a vehicle traction battery once it is removed from a vehicle or other application to which the vehicle traction battery has been used. The bill would make a vehicle or battery manufacturer responsible for collecting a stranded battery, as defined, and repurposing the battery, if possible, but would require the manufacturer to ensure the battery is recycled if it cannot be reused. The bill would require, by January 1, 2025, a battery supplier, as described, to be responsible for the development of a core exchange program for replacing a battery, module, or cell removed from a vehicle, as specified.

**Position**                      **Priority**  
Support in                      Priority 2  
Concept                         (Medium)

**Notes:** Support in concept letter submitted to Sen. EQ and Sen. Transpo Committee.

## Bond

**[AB 1567](#) (Garcia D) Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, and Workforce Development Bond Act of 2024.**

**Status:** 5/18/2023-Coauthors revised. From committee: Do pass. (Ayes 11. Noes 3.) (May 18). Read second time. Ordered to third reading.

**Location:** 5/18/2023-A. THIRD READING

| Desk      | Policy | Fiscal | Floor | Desk      | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
|-----------|--------|--------|-------|-----------|--------|--------|-------|-------------|----------|--------|-----------|
| 1st House |        |        |       | 2nd House |        |        |       |             |          |        |           |

**Calendar:** 5/26/2023 #286 ASSEMBLY THIRD READING FILE - ASSEMBLY BILLS

**Summary:** The California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018, approved by the voters as Proposition 68 at the June 5, 2018, statewide primary election, authorizes the issuance of bonds in the amount of \$4,100,000,000 pursuant to the State General Obligation Bond Law to finance a drought, water, parks, climate, coastal protection, and outdoor access for all program. Article XVI of the California Constitution requires measures authorizing general obligation bonds to specify the single object or work to be funded by the bonds and further requires a bond act to be approved by a 2/3 vote of each house of the Legislature and a majority of the voters. This bill would enact the Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, and Workforce Development Bond Act of 2024, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$15,105,000,000 pursuant to the State General Obligation Bond Law to finance projects for safe drinking water, wildfire prevention, drought preparation, flood protection, extreme heat mitigation, and workforce development programs. This bill contains other related provisions.

**Position**                      **Priority**  
Watch                         Priority 2  
                                       (Medium)

## Bottle Bill

**[SB 353](#) (Dodd D) Beverage containers: recycling.**

**Status:** 5/25/2023-Read third time and amended. Ordered to second reading.

**Location:** 5/25/2023-S. SECOND READING

| Desk      | Policy | Fiscal | Floor | Desk      | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
|-----------|--------|--------|-------|-----------|--------|--------|-------|-------------|----------|--------|-----------|
| 1st House |        |        |       | 2nd House |        |        |       |             |          |        |           |

**Calendar:** 5/26/2023 #5 SENATE SENATE BILLS - SECOND READING FILE

**Summary:** The California Beverage Container Recycling and Litter Reduction Act, of which a violation is a crime, requires a distributor to pay a redemption payment for every beverage container sold or offered for sale in the state. The act defines the term "beverage container" to mean the individual, separate bottle, can, jar, carton, or other receptacle, however denominated, in which a beverage is sold, and which is constructed of metal, glass, or plastic, or other material, or any combination of these materials, but does not include caps or other similar open or loosely sealed receptacles. The act defines "beverage" to include certain types of products in liquid, ready-to-drink form, including carbonated fruit drinks and noncarbonated fruit drinks that contain any percentage of fruit juice, but not 100% fruit juice in 46-ounce containers or larger or vegetable juice in 16-ounce containers or larger. This bill would expand the application of the act to any size container of 100% fruit and any size container of vegetable juice, beginning January 1, 2024.

**Position**  
Support

**Priority**  
Priority 2  
(Medium)

**Notes:** Sign-on support letter.

## Climate

**[AB 1705](#) (McKinnor D) Solid waste facilities: state policy goals.**

**Status:** 5/19/2023-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. on 4/10/2023) (May be acted upon Jan 2024)

**Location:** 5/19/2023-A. 2 YEAR

| Desk      | Policy | 2 year | Floor | Desk      | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
|-----------|--------|--------|-------|-----------|--------|--------|-------|-------------|----------|--------|-----------|
| 1st House |        |        |       | 2nd House |        |        |       |             |          |        |           |

**Summary:** Current law prohibits a person from establishing or expanding a solid waste facility in a county after a countywide or regional agency integrated waste management plan has been approved unless the solid waste facility is, among other things, a disposal facility, a transformation facility, or an EMSW conversion facility that meets specific criteria. Current law defines an "EMSW conversion facility" as a facility where municipal solid waste conversion that meets specific requirements takes place and defines "transformation" as incineration, pyrolysis, distillation, or biological conversion, excluding composting, gasification, EMSW conversion, or biomass conversion. Current law authorizes the Department of Resources Recycling and Recovery, by regulation, to specify classifications of solid waste facilities that are exempt from these and other facility regulations if the department makes specific findings, including that the nature of the solid wastes poses no significant threat to the public health, the public safety, or the environment. This bill would prohibit a person from establishing or expanding a transformation facility or an EMSW conversion facility in the state until the Department of Resources Recycling and Recovery has determined that the state has achieved the above-described solid waste and organic waste policy goals of the state for 3 consecutive years.

**Position**  
Watch

**Priority**  
Priority 2  
(Medium)

## Local Government

**[AB 1379](#) (Papan D) Open meetings: local agencies: teleconferences.**

**Status:** 4/28/2023-Failed Deadline pursuant to Rule 61(a)(2). (Last location was L. GOV. on 3/23/2023) (May be acted upon Jan 2024)

**Location:** 4/28/2023-A. 2 YEAR

| Desk      | 2 year | Fiscal | Floor | Desk      | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
|-----------|--------|--------|-------|-----------|--------|--------|-------|-------------|----------|--------|-----------|
| 1st House |        |        |       | 2nd House |        |        |       |             |          |        |           |

**Summary:** The Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body be open and public, and that all persons be permitted to attend unless a closed session is authorized. The act generally requires for teleconferencing that the legislative body of a local agency that elects to use teleconferencing post agendas at all teleconference locations, identify each teleconference location in the notice and agenda of the meeting or proceeding, and have each teleconference location be accessible to the public. Current law also requires that, during the teleconference, at least a quorum of the members of the legislative body participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction. This bill, with respect to those general provisions on teleconferencing, would require a legislative body electing to use teleconferencing to instead post agendas at a singular designated physical meeting location, as defined, rather than at all teleconference locations. The bill would remove the requirements for the legislative body of the local agency to identify each teleconference location in the notice and agenda, that each teleconference location be accessible to the public, and that at least a quorum of the

members participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction.

**Position**  
Support

**Priority**  
Priority 2  
(Medium)

**Notes:** Support letter submitted to Asm. Local Gov Committee.

## Organics

### [AB 660](#)

**(Irwin D) Food labeling: quality dates, safety dates, and sell by dates.**

**Status:** 5/22/2023-Read second time. Ordered to third reading.

**Location:** 5/22/2023-A. THIRD READING

| Desk      | Policy | Fiscal | Floor | Desk      | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
|-----------|--------|--------|-------|-----------|--------|--------|-------|-------------|----------|--------|-----------|
| 1st House |        |        |       | 2nd House |        |        |       |             |          |        |           |

**Calendar:** 5/26/2023 #362 ASSEMBLY THIRD READING FILE - ASSEMBLY BILLS

**Summary:** Would require, on or before January 1, 2025, food manufacturers, processors, and retailers responsible for the labeling of food products to use specified terms on food product labels to communicate quality dates and safety dates, as provided. The bill would, on and after January 1, 2025, prohibit a person from selling or offering for sale in the state a food item for human consumption that displays a food product date label that is not labeled in accordance with these terms. The bill would, on and after January 1, 2025, prohibit a person from selling or offering for sale in the state a food item for human consumption that is labeled with the phrase "sell by," as specified. The bill would also require the State Department of Public Health to make certain updates to its regulations involving the California Retail Food Code, as provided. The bill would specify that, unless otherwise required by law, nothing in these provisions shall be construed to require the use or display of a date label on a food item for human consumption unless the food item displays a date label, and would provide that these provisions do not prohibit a label that allows consumers to view online information about a food item for human consumption. The bill would not apply the above-mentioned provisions to infant formula.

**Position**  
Support

**Priority**  
Priority 2  
(Medium)

**Notes:** Sign-on support letter.

## Plastics

### [AB 1290](#)

**(Rivas, Luz D) Product safety: plastic packaging: substances.**

**Status:** 5/4/2023-Read second time. Ordered to third reading.

**Location:** 5/4/2023-A. THIRD READING

| Desk      | Policy | Fiscal | Floor | Desk      | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
|-----------|--------|--------|-------|-----------|--------|--------|-------|-------------|----------|--------|-----------|
| 1st House |        |        |       | 2nd House |        |        |       |             |          |        |           |

**Calendar:** 5/26/2023 #20 ASSEMBLY THIRD READING FILE - ASSEMBLY BILLS

**Summary:** Would prohibit, beginning January 1, 2026, a person from manufacturing, selling, offering for sale, or distributing in the state, (1) opaque or pigmented polyethylene terephthalate bottles, and (2) plastic packaging that contains certain chemicals, pigments, or additives, as specified. The bill would exclude from that prohibition packaging used for certain medical, drug, and federally regulated products. The bill would authorize the imposition of a civil penalty for a violation of that prohibition, as specified.

**Position**  
Support

**Priority**  
Priority 2  
(Medium)

**Notes:** Support letter submitted to Asm. NR Committee.

### [AB 1489](#)

**(Wood D) Solid waste: compostable covered materials.**

**Status:** 5/25/2023-Read third time. Passed. Ordered to the Senate.

**Location:** 5/25/2023-S. DESK

| Desk      | Policy | Fiscal | Floor | Desk      | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
|-----------|--------|--------|-------|-----------|--------|--------|-------|-------------|----------|--------|-----------|
| 1st House |        |        |       | 2nd House |        |        |       |             |          |        |           |

**Summary:** Current law establishes the Plastic Pollution Prevention and Packaging Producer Responsibility Act, which covers certain single-use packaging and plastic single-use food serviceware, as provided. As part of its comprehensive statutory scheme, the act requires the producers, as defined, of these covered materials to source reduce plastic covered material by 25%, to ensure that

covered material offered for sale, distributed, or imported in or into the state on or after January 1, 2032, is recyclable or compostable, and to ensure that plastic covered material offered for sale, distributed, or imported in or into the state meets specified recycling rates. Current law prohibits a person from selling or offering for sale a product, as defined, that is labeled with the term "compostable" unless the product satisfies an identified ASTM standard specification or, if applicable, another certification. This bill would exempt products that are eligible to be labeled with the term "compostable" from the source reduction requirements of the act.

**Position**                      **Priority**  
 Watch                              Priority 2  
     (Medium)

**AB 1526 (Committee on Natural Resources) Public resources.**

**Status:** 5/18/2023-Read third time. Passed. Ordered to the Senate. In Senate. Read first time. To Com. on RLS. for assignment.

**Location:** 5/18/2023-S. RLS.

| Desk      | Policy | Fiscal | Floor | Desk      | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
|-----------|--------|--------|-------|-----------|--------|--------|-------|-------------|----------|--------|-----------|
| 1st House |        |        |       | 2nd House |        |        |       |             |          |        |           |

**Summary:** Current law requires the Department of Conservation and the State Water Resources Control Board to provide to the fiscal and relevant policy committees of the Legislature an annual report regarding certain aspects of the implementation of the Underground Injection Control Program until October 1, 2024. This bill would make these provisions inoperative on October 1, 2029, and would repeal them as of January 1, 2030.

**Position**                      **Priority**  
 Watch                              Priority 2  
     (Medium)

**SB 303 (Allen D) Solid waste: Plastic Pollution Prevention and Packaging Producer Responsibility Act.**

**Status:** 5/25/2023-Read third time. Passed. (Ayes 40. Noes 0.) Ordered to the Assembly.

**Location:** 5/25/2023-A. DESK

| Desk      | Policy | Fiscal | Floor | Desk      | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
|-----------|--------|--------|-------|-----------|--------|--------|-------|-------------|----------|--------|-----------|
| 1st House |        |        |       | 2nd House |        |        |       |             |          |        |           |

**Summary:** Current law establishes the Plastic Pollution Prevention and Packaging Producer Responsibility Act, which covers certain single-use packaging and plastic single-use food serviceware, as provided. As part of its comprehensive statutory scheme, existing law requires producers, as defined, of these covered materials to source reduce plastic covered material, to ensure that all covered material offered for sale, distributed, or imported in or into the state on or after January 1, 2032, is recyclable or compostable, and to ensure that plastic covered material offered for sale, distributed, or imported in or into the state achieves specified recycling rates, as provided. The act prohibits a producer from selling, offering for sale, importing, or distributing covered materials in the state unless the producer is approved to participate in the producer responsibility plan of a producer responsibility organization (PRO), as prescribed, for the source reduction, collection, processing, and recycling of covered material, except as provided. This bill would instead authorize an affected entity that asserts that specific actions taken by the PRO, a producer, or an entity under contract with the PRO are not consistent with specified prohibitions and requirements of the act and are disrupting or otherwise adversely affecting the sustained operation or commercial viability of solid waste collection programs, solid waste recycling facilities, or composting facilities providing services in accordance with local solid waste handling requirements to bring that concern and supporting evidence to the advisory board. The bill would delete the requirement that the board submit the concern to the department for further analysis and would instead require that the advisory board, rather than the department, offer a recommendation for resolution within 90 days of submission of the request for a preliminary evaluation. The bill would thereafter authorize either party to initiate nonbinding arbitration, as specified. The bill would make the arbitrator's decision in a nonbinding arbitration final unless within 30 days after the arbitrator delivers the decision to the advisory board a party requests that the department conduct a de novo adjudicative proceeding.

**Position**                      **Priority**  
 Watch                              Priority 2  
     (Medium)

**SB 665 (Allen D) Plastic waste: single-use plastics alternatives: working group.**

**Status:** 5/25/2023-In Assembly. Read first time. Held at Desk.

**Location:** 5/24/2023-A. DESK

| Desk      | Policy | Fiscal | Floor | Desk      | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
|-----------|--------|--------|-------|-----------|--------|--------|-------|-------------|----------|--------|-----------|
| 1st House |        |        |       | 2nd House |        |        |       |             |          |        |           |

**Summary:** Current law vests the California Environmental Protection Agency with authority over various environmental matters and various state agencies, including the Department of Resources Recycling and Recovery (CalRecycle), the State Water Resources Control Board, the Department of

Toxic Substances Control, and the Office of Environmental Health Hazard Assessment. Current law establishes the Ocean Protection Council to coordinate activities of state agencies that are related to, among other things, assisting CalRecycle's adoption of regulations to establish a process, and develop criteria, for determining the types of food service packaging that are reusable, recyclable, or compostable. This bill would require the California Environmental Protection Agency, by January 1, 2025, to establish a working group of the above-referenced state agencies to establish a framework for evaluating novel material types as they are developed, in order to inform state policy decisions designed to create a more sustainable and circular economy, as provided. The bill would require the working group to, among other things, develop recommendations related to novel material types, including the appropriate marketing of the material, the handling of the material at the end of its useful life, and how the material needs to be treated in relation to existing state policies, rules, and regulations.

**Position**  
Support

**Priority**  
Priority 2  
(Medium)

**Notes:** Sign-on support (with suggestions) letter.

## Recycling

**AB 2**

**(Ward D) Recycling: solar photovoltaic modules.**

**Status:** 5/25/2023-Read third time. Passed. Ordered to the Senate.

**Location:** 5/25/2023-S. DESK

|           |        |        |       |           |        |        |       |             |          |        |           |
|-----------|--------|--------|-------|-----------|--------|--------|-------|-------------|----------|--------|-----------|
| Desk      | Policy | Fiscal | Floor | Desk      | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
| 1st House |        |        |       | 2nd House |        |        |       |             |          |        |           |

**Summary:** Would require a manufacturer of solar photovoltaic panels sold or offered for sale in this state, or its agent, to develop an end-of-life management plan for the management and recycling of the solar photovoltaic panels it manufactured and the component materials. The bill would specify the required contents of an end-of-life management plan and would require the department to provide guidelines for developing an end-of-life management plan. The bill would require an end-of-life management plan be submitted to the department for approval or disapproval and would require a manufacturer to implement the plan as approved. The bill would require a manufacturer or its agent to report to the department annually regarding the implementation of its end-of-life management plan, as specified. The bill would require the department to adopt regulations for the implementation of these provisions and to impose an administrative fee to cover the department's full administrative and enforcement costs of these provisions. The bill would subject a manufacturer that violates the requirements of this bill to an administrative civil penalty of \$500 for the first violation and \$1,000 for a subsequent violation.

**Position**  
Support in  
Concept

**Priority**  
Priority 2  
(Medium)

**Notes:** Sign-on support letter.

**AB 863**

**(Aguiar-Curry D) Carpet recycling: carpet stewardship organizations: fines: succession: procedure.**

**Status:** 5/22/2023-Read third time and amended. Ordered to third reading.

**Location:** 5/18/2023-A. THIRD READING

|           |        |        |       |           |        |        |       |             |          |        |           |
|-----------|--------|--------|-------|-----------|--------|--------|-------|-------------|----------|--------|-----------|
| Desk      | Policy | Fiscal | Floor | Desk      | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
| 1st House |        |        |       | 2nd House |        |        |       |             |          |        |           |

**Calendar:** 5/26/2023 #187 ASSEMBLY THIRD READING FILE - ASSEMBLY BILLS

**Summary:** Current law establishes a carpet stewardship program to increase the amount of postconsumer carpet that is diverted from landfills and recycled into secondary products. Current law requires a manufacturer of carpets sold in this state to submit, either individually or through a carpet stewardship organization, a carpet stewardship plan that meets specified requirements to the Department of Resources Recycling and Recovery. Existing law imposes a carpet stewardship assessment per unit of carpet sold in the state that is remitted to the carpet stewardship organization and may be expended to carry out the organization's carpet stewardship plan. Current law requires a carpet stewardship organization to include in the plan a description of the process by which the carpet stewardship organization will transfer assessment funds to a successor carpet stewardship organization in the event that should become necessary. Current law requires a carpet stewardship organization in possession of assessment funds to, as directed by the department, transfer those funds to a successor carpet stewardship organization with an approved plan. Current law authorizes the department to administratively impose civil penalties on any person who is in violation of any provision of the carpet stewardship laws, of up to \$5,000 per day or \$10,000 per day if the violation is intentional, knowing, or negligent. This bill would amend those penalties to \$10,000 per day or \$50,000 per day if the violation is intentional, knowing, or reckless.

**Position**  
Support

**Priority**  
Priority 2  
(Medium)

**Notes:** Sign-on support letter.

**AB 1238 (Ward D) Hazardous waste: solar panels.**

**Status:** 5/25/2023-Read third time. Passed. Ordered to the Senate.

**Location:** 5/25/2023-S. DESK

|           |        |        |       |           |        |        |       |             |          |        |           |
|-----------|--------|--------|-------|-----------|--------|--------|-------|-------------|----------|--------|-----------|
| Desk      | Policy | Fiscal | Floor | Desk      | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
| 1st House |        |        |       | 2nd House |        |        |       |             |          |        |           |

**Summary:** Current law requires the Department of Toxic Substances Control to adopt regulations for the identification and management of hazardous wastes. Current law authorizes the department to adopt regulations designating end-of-life photovoltaic modules that are identified as hazardous waste as a universal waste and subject to regulations applicable to universal waste management. A violation of the Hazardous Waste Control Law, including a regulation adopted pursuant to that law, is a crime. This bill would require the department to develop alternative management standards for managing photovoltaic modules. The bill would specify parameters for the standards, including, but not limited to, that they promote the safe collection, reuse, and recycling of photovoltaic modules.

**Position**  
Watch

**Priority**  
Priority 2  
(Medium)

**AB 1548 (Hart D) Greenhouse Gas Reduction Fund: grant program: recycling infrastructure projects.**

**Status:** 5/18/2023-From committee: Do pass. (Ayes 15. Noes 0.) (May 18). Read second time. Ordered to third reading.

**Location:** 5/18/2023-A. THIRD READING

|           |        |        |       |           |        |        |       |             |          |        |           |
|-----------|--------|--------|-------|-----------|--------|--------|-------|-------------|----------|--------|-----------|
| Desk      | Policy | Fiscal | Floor | Desk      | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
| 1st House |        |        |       | 2nd House |        |        |       |             |          |        |           |

**Calendar:** 5/26/2023 #283 ASSEMBLY THIRD READING FILE - ASSEMBLY BILLS

**Summary:** Current law requires the Department of Resources Recycling and Recovery, with additional moneys from the Greenhouse Gas Reduction Fund that may be appropriated to the department, to administer a grant program to provide financial assistance to promote the in-state development of infrastructure, food waste prevention, or other projects to reduce organic waste or to process organic and other recyclable materials into new value-added products. Current law requires the program to provide eligible financial assistance for certain activities, including recyclable material manufacturing. Current law specifies eligible infrastructure projects for purposes of the program. Current law requires the department to consider if and how the project may benefit disadvantaged communities in awarding a grant for organics composting or organics in-vessel digestion. This bill would expand the scope of the grant program to include providing financial assistance to promote in-state development of projects to sort and aggregate organic and other recyclable materials, as provided, or to divert items from disposal through enhanced reuse opportunities. The bill would require the grant program to provide eligible financial assistance for increasing opportunities for reuse of materials diverted from landfill disposal and for recyclable material recovery, sorting, or baling equipment for use at publicly owned facilities. The bill would authorize eligible infrastructure projects for the grant program to include projects undertaken by a local government at publicly owned facilities to improve the recovery, sorting, or baling of recyclable materials to get those materials into the marketplace, the purchase of equipment and construction of facilities to help develop, implement, or expand edible food waste recovery operations, and the establishment of reuse programs to divert items from landfill disposal for reuse by members of the public.

**Position**  
Support

**Priority**  
Priority 2  
(Medium)

**Notes:** Sign-on support letter.

**SB 560 (Laird D) Solid waste: gas cylinders: stewardship program.**

**Status:** 5/19/2023-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/8/2023)(May be acted upon Jan 2024)

**Location:** 5/19/2023-S. 2 YEAR

|           |        |        |       |           |        |        |       |             |          |        |           |
|-----------|--------|--------|-------|-----------|--------|--------|-------|-------------|----------|--------|-----------|
| Desk      | Policy | 2 year | Floor | Desk      | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
| 1st House |        |        |       | 2nd House |        |        |       |             |          |        |           |

**Summary:** The California Integrated Waste Management Act of 1989, administered by the Department of Resources Recycling and Recovery, generally regulates the disposal, management, and recycling of solid waste. The act establishes stewardship programs for various products, including, among others, carpet, mattresses, and pharmaceutical and sharps waste. This bill would establish a stewardship program for gas cylinder products, as defined, and would authorize producers of those products to

establish one more producer stewardship organizations for that purpose. The bill would require each producer or producer stewardship organization to submit a gas cylinder stewardship plan to the department that details, among other things, convenient and accessible opportunities for the recovery of gas cylinders used by consumers. The bill would prohibit gas cylinder producers that are not participating in a department-approved stewardship plan from supplying, selling, or offering for sale gas cylinders in the state.

**Position**  
Support in  
Concept

**Priority**  
Priority 2  
(Medium)

**Notes:** Sign-on support letter.

**[SB 707](#) (Newman D) Responsible Textile Recovery Act of 2023.**

**Status:** 5/23/2023-Read second time and amended. Ordered to third reading.

**Location:** 5/23/2023-S. THIRD READING

| Desk      | Policy | Fiscal | Floor | Desk      | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
|-----------|--------|--------|-------|-----------|--------|--------|-------|-------------|----------|--------|-----------|
| 1st House |        |        |       | 2nd House |        |        |       |             |          |        |           |

**Calendar:** 5/26/2023 #152 SENATE SENATE BILLS -THIRD READING FILE

**Summary:** The California Integrated Waste Management Act of 1989, administered by the Department of Resources Recycling and Recovery, generally regulates the disposal, management, and recycling of solid waste. The act establishes stewardship programs for various products, including, among others, carpet, mattresses, and pharmaceutical and sharps waste. This bill would enact the Responsible Textile Recovery Act of 2023, which would require producers, as defined, either independently or through the creation of one or more stewardship organizations, to establish a stewardship program for the collection and recycling of a covered product. This bill would define a "covered product" to include any apparel or textile article that is unsuitable for reuse by a consumer in its current state or condition, except as specified. The bill would require a program operator, as defined, to submit a complete stewardship plan to the department for review and approval, disapproval, or conditional approval. The bill would require the program operator to review the plan at least every 5 years after approval. The bill would also require a program operator to submit an annual report to the department.

**Position**  
Support

**Priority**  
Priority 2  
(Medium)

**Notes:** Sign-on support letter.

**Waste**

**[AB 1347](#) (Ting D) Solid waste: paper waste: proofs of purchase.**

**Status:** 5/18/2023-From committee: Do pass. (Ayes 11. Noes 4.) (May 18). Read second time. Ordered to third reading.

**Location:** 5/18/2023-A. THIRD READING

| Desk      | Policy | Fiscal | Floor | Desk      | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
|-----------|--------|--------|-------|-----------|--------|--------|-------|-------------|----------|--------|-----------|
| 1st House |        |        |       | 2nd House |        |        |       |             |          |        |           |

**Calendar:** 5/26/2023 #257 ASSEMBLY THIRD READING FILE - ASSEMBLY BILLS

**Summary:** Would require a business, as defined, that accepts payment through cash, credit, or debit transactions, subject to certain exceptions, to provide a consumer with certain options related to the receipt of the consumer's proof of purchase and would prohibit a business from printing a paper proof of purchase if the consumer opts to not receive a proof of purchase, unless otherwise required by state or federal law. The bill would not require the proof of purchase to be provided in electronic form if the business is incapable of sending an electronic proof of purchase due to unexpected technical difficulties. The bill would prohibit a paper proof of purchase provided to a consumer by a business from containing bisphenol A or bisphenol S, and from including items not essential to the transaction, including, but not limited to, coupons or advertisements. The bill would specify that the first and 2nd violations of any of those provisions would result in a notice of violation and any subsequent violation would be punishable by a civil penalty of \$25 for each day the business is in violation, but not to exceed an annual total of \$300. The bill would authorize the Attorney General, a county counsel, a district attorney, or a city attorney to enforce those provisions.

**Position**  
Support

**Priority**  
Priority 2  
(Medium)

**Notes:** Sign-on support letter.

**Total Measures: 20**

**Total Tracking Forms: 20**