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STANDING LEGISLATIVE COMMITTEE MEETING

AGENDA

APRIL 12, 2024 – 1:00 P.M.

RecycleSmart
1850 Mt. Diablo Blvd., Ste. 320
Walnut Creek, CA 94596

1. CALL TO ORDER

2. PUBLIC COMMENT ON ITEMS NOT ON THIS AGENDA

When addressing the Committee, please state your name, company and/or address for the record. There is a three-minute limit to present your information. (The Committee Chair may direct questions to any member of the audience as appropriate at any time during the meeting.)

3. CONSENT ITEM

- a. Approve Minutes of the Standing Legislative Committee Meeting on April 17, 2023*

4. ACTION ITEM

- a. 2024 Legislative Bills*

Review and discuss 2024 legislation and direct Staff to present Committee's recommendations to the full Board at the April meeting, for potential action.

5. COMMITTEE COMMUNICATIONS AND ANNOUNCEMENTS

6. ADJOURNMENT

ADDRESSING THE COMMITTEE ON AN ITEM ON THE AGENDA

Persons wishing to speak on PUBLIC HEARINGS and OTHER MATTERS listed on the agenda will be heard when the Chair calls for comments from the audience, except on public hearing items previously heard and closed to public comment. The Chair may specify the number of minutes each person will be permitted to speak based on the number of persons wishing to speak and the time available. After the public has commented, the item is closed to further public comment and brought to the Board for discussion and action. There is no further comment permitted from the audience unless invited by the Board.

ADDRESSING THE COMMITTEE ON AN ITEM NOT ON THE AGENDA

In accordance with State law, the Committee is prohibited from discussing items not calendared on the agenda. For that reason, members of the public wishing to discuss or present a matter to the Committee other than a matter which is on the Agenda are requested to present the matter in writing to RecycleSmart Board Secretary at least one week prior to a regularly scheduled Board meeting date. If you are unable to do this, you may make an announcement to the Committee of your concern under PUBLIC COMMENTS. Matters brought up which are not on the agenda may be referred to staff for action or calendared on a future

AMERICANS WITH DISABILITIES ACT

In accordance with the Americans With Disabilities Act and California Law, it is the policy of the Central Contra Costa Solid Waste Authority dba RecycleSmart to offer its public meetings in a manner that is readily accessible to everyone, including those with disabilities. If you are disabled and require special accommodations to participate, please contact RecycleSmart Board Secretary at least 48 hours in advance of the meeting at (925) 906-1801.

**STANDING LEGISLATIVE COMMITTEE MEETING
OF THE CENTRAL CONTRA COSTA SOLID WASTE AUTHORITY
HELD ON APRIL 17, 2023**

The meeting of the Standing Legislative Committee of the Central Contra Costa Solid Waste Authority (CCCSWA) convened at 1850 Mt. Diablo Boulevard, Suite 320, Walnut Creek, County of Contra Costa, State of California on April 17, 2023. In the absence of the Chair, Committee Member Cindy Silva called the meeting to order at 11:00 A.M.

1. CALL TO ORDER AND ROLL CALL

PRESENT: Committee Members: Candace Andersen^
Newell Arnerich*
Teresa Gerringner
Kerry Hillis^^
Cindy Silva
Janet Riley
*Arrived after Roll Call

ABSENT: None

Staff members present: David Krueger, Executive Director; Janna McKay, Secretary to the Board; and Jennifer Faught, Contract Compliance Specialist.

^Candace Andersen attended the meeting off-site at 1516 Kamole Street, Honolulu, HI 96821

^^Kerry Hillis attended the meeting off-site at 325 22nd Street, Oakland, CA 94612

2. PUBLIC COMMENT ON ITEMS NOT ON THIS AGENDA

No written comments were submitted, or oral comments made, by any member of the public.

3. CONSENT ITEM

a. Approve Minutes of the Standing Legislative Committee Meeting on March 14, 2023

MOTION by Committee Member Riley to approve the minutes of the Standing Legislative Committee meeting on March 14, 2023, as corrected to reflect that Ken Carlson and Janet Riley, who had both been shown as present, had not been present at that meeting. SECOND by Committee Member Andersen.

MOTION PASSED unanimously by a Roll Call vote.

Committee Member Silva requested an addition to the agenda to discuss what the state budget was attempting to do with the \$180 million in funding procured last year to help local agencies implement SB1383 activities, and the need for advocacy in that regard.

4. **ACTION ITEM**

- a. Update on 2023 Legislative Bills
Review and discuss 2023 legislation, and direct staff to present Committee's recommendations to the full Board at its April 27, 2023 meeting, for potential action.

Contract Compliance Specialist Jennifer Faught referred to the bills that had been discussed at the last Legislative Committee meeting on March 14, 2023, when the Committee had agreed to meet again after the bills had been further developed. Only those bills for which there had been a different initial Legislative Committee recommendation and a staff recommendation were to be discussed.

With respect to **AB 2 (Solar Panel End-of-Life Management)**, Ms. Faught stated that under the legislation, manufacturers would have to develop a plan to manage solar panels. The legislation was still a work in progress with the attempt to frame the legislation so that solar manufacturers would not oppose it. She identified the support for the legislation from Cal Cities (a moniker for the League of California Cities) and the desire to shift costs from local governments to manage the solar panels that would come through the waste stream or be illegally disposed. A companion bill would create alternative management standards so that they would be easier to manage. She recommended support of AB 2 in concept.

By consensus, the Legislative Committee **SUPPORTED IN CONCEPT AB 2.**

Chair Arnerich chaired the meeting at this time.

Ms. Faught referred to **AB 660 (Food labeling: quality, safety, and sell by dates)** to eliminate a sell-by label and make mandatory a best by and/or use by date on food. She presented a fact sheet and the committee analysis with the intent to reduce the amount of food being thrown away. There was currently no opposition, several organizations were in support of the legislation, and staff recommended support for AB 660.

By consensus, the Legislative Committee **SUPPORTED AB 660.**

Ms. Faught presented **AB 1347 (Receipts upon request only)** to make receipts optional for the community given the fact that most receipts were obsolete and a waste of resources and were not recyclable and would become litter and landfill. The legislation had previously been a watch but there was no good reason not to support it since it was consistent with the RecycleSmart platform to reduce upstream waste.

On the discussion, it was noted that most stores and banks offered options to receive receipts by text or email, and although the bill had apparently been prompted by long CVS receipts, CVS had for the last year offered that option. It was also noted that receipts were still provided when requested.

By consensus, the Legislative Committee **SUPPORTED AB 1347.**

Ms. Faught confirmed that cell phones would be covered under **SB 244 (Right to Repair Act)**, and there was a new legislative analysis available for those interested.

Manufacturers had opposed making their devices more easily repaired given the concern for the loss of money, for consumer safety and a potential compromise to copyrights, although supporters of the legislation noted that electronic waste was the largest growing segment of waste and manufacturers were making it too difficult for items to be repaired and there were already authorized repair facilities. Law professors had indicated there was no intellectual property issue involved. Cal Cities had taken no position on the issue but there was support from other organizations including the National Stewardship Action Council. Other states had and were pursuing similar right to repair laws for various items. There were no known international efforts for right to repair.

The Committee asked whether there could be any unintended consequences, and Ms. Faught reiterated the manufacturers' concerns and the supporters' assertions.

By consensus, the Legislative Committee **SUPPORTED SB 244.**

Ms. Faught referred to **SB 353 (Bottle Bill cleanups)**, which would include large juice containers and adjust the way the payment was calculated to the recycling collection points. Cal Cities was likely to support the legislation, no negative impacts were anticipated, and the changes were expected to generate an increased collection of 1 to 200 million glass PET and HDPE juice containers annually. She noted there was nothing to fix the structural problems of the Bottle Bill that would likely necessitate a recall of the Bottle Bill, which was not supported. The strategy would help get more containers recycled and help recycling centers stay open. She recommended support.

By consensus, the Legislative Committee **SUPPORTED SB 353.**

With respect to **SB 707 (Textile EPR)**, Ms. Faught stated that Cal Cities had indicated that it would support the legislation. She had also learned that textile manufacturers and producers did not oppose the bill and were aware of the likelihood of the law in that problems had been created in this and other countries. She identified minor changes from the prior consideration of the legislation and stated it appeared to be well put together. She reported that textiles represented 3 percent of California's waste stream or 1.2 million tons a year, and that 45 percent of that total was sent overseas for further processing. With respect to the country of Ghana specifically, she reported that 40 percent garments received were deemed worthless upon arrival and landfilled.

By consensus, the Legislative Committee **SUPPORTED SB 707.**

Referring to other legislation, Ms. Faught explained that AB 1526 related to a number changes to the Public Resources Code, not all of which affected SB 54. There was no position yet on SB 303 that would make a change to SB 54 and she understood that was something that the haulers had initially wanted, had been promised, but had not yet occurred. She did not know how the legislation would affect local government.

MOTION by Committee Member Silva to **SUPPORT IN CONCEPT AB 2**, and to **SUPPORT AB 660, AB 1347, SB 244, SB 353, and SB 707**.
SECOND by Committee Member Gerringier.

MOTION PASSED unanimously by a Roll Call vote.

Committee Member Silva referred to the extra \$180 million in additional funding that had been negotiated for local agencies last year to facilitate implementation activities around SB 1383, and the Cal Cities report that Governor Newsom had proposed the removal of that \$180 million funding from the budget. She recommended that the necessary use of those funds be emphasized.

Staff noted that a letter had been submitted to attempt to protect the budgeting and there was a suggestion that some \$80 million of those funds had already been earmarked for infrastructure. Staff was directed by the Legislative Committee to send a copy of that letter to the staff of the member agencies and to local legislators with an urgent call to action.

5. COMMITTEE COMMUNICATIONS AND ANNOUNCEMENTS

There were no Committee communications or announcements.

6. ADJOURNMENT

There being no further business to come before the Committee, Chair Arnerich adjourned the meeting at approximately 12:00 P.M. to the next meeting to be determined.

Respectfully submitted by:

Janna McKay, Executive Assistant/
Secretary to the Board of the
Central Contra Costa Solid Waste Authority,
County of Contra Costa, State of California



Agenda Report

TO: CCCSWA LEGISLATIVE COMMITTEE
FROM: DAVID KRUEGER, EXECUTIVE DIRECTOR
JENNIFER FAUGHT, CONTRACT COMPLIANCE SPECIALIST
DATE: APRIL 12, 2024
SUBJECT: 2024 LEGISLATIVE BILLS

SUMMARY

Each year the Legislative Committee considers bills that may have an impact on the Authority, on solid waste rates, or that are related to the adopted legislative platform. Attachment A provides a list of relevant bills with associated information.

RECOMMENDED ACTION

1. Review and discuss 2024 legislation and direct Staff to present Committee's recommendations to the full Board at the April meeting, for potential action.

DISCUSSION

Each year, the Legislative Committee reviews bills and considers which pieces of legislation to support or oppose. This year, legislators have again introduced a number solid waste and recycling related bills that may be of interest to the Authority. Although it is relatively early in the year, staff has also obtained current League of California Cities positions. California Product Stewardship Council and Californians Against Waste positions also are noted where applicable. Staff has requested feedback from Republic Services and Mt. Diablo Resource Recovery, but their positions are not yet available. Staff will continue to monitor positions of our franchisee partners and the League of California Cities.

Many of the solid waste and recycling bills introduced this year (and for the past few years) pertain to "upstream" waste management practices such as waste prevention and extended producer responsibility (EPR), defined below. Staff presented this information to the Committee last year as well.

Waste Prevention, also referred to as "Source Reduction," is defined by Section 40196 of the California Public Resources Code as "any action which causes a net reduction in the generation of solid waste" including but not limited to "reducing the use of nonrecyclable materials, replacing disposable materials and products with reusable materials and products, reducing packaging, reducing the amount of yard wastes generated, establishing garbage rate structures with incentives to reduce the

amount of wastes that generators produce, and increasing the efficiency of the use of paper, cardboard, glass, metal, plastic, and other materials.” Waste prevention is the “Reduce” in “Reduce, Reuse, and Recycle” and is at the top of California’s waste management hierarchy as established by AB 939. Waste prevention is a form of diversion, and Waste Diversion is an element in RecycleSmart’s Legislative and Regulatory Platform and Advocacy Policy (“Policy”). A related element in the Policy is Packaging Reduction/Plastic Pollution.

Extended Producer Responsibility (EPR), also known as “Product Stewardship,” is described by CalRecycle as “a strategy to place a shared responsibility for end-of-life product management on producers, and other entities involved in the product chain, instead of the general public; while encouraging product design changes that minimize negative impacts on human health and the environment at every stage of the product’s lifecycle. This allows the costs of processing and disposal to be incorporated into the total cost of a product. It places primary responsibility on the producer, or brand owner, who makes design and marketing decisions. It also creates a setting for markets to emerge that truly reflect the environmental impacts of a product, and to which producers and consumers respond.” (<https://calrecycle.ca.gov/epr/>) EPR is an element in RecycleSmart’s Policy.

Since SB 1383 and previous legislation have largely standardized “downstream” waste management in California (collection, recycling, composting, landfilling) staff anticipates that most legislation in coming years will continue focus on “upstream” solutions such as waste prevention, EPR, reuse, and repair. This includes recent efforts to discourage the use of single-use disposable plastics, products, packaging and foodware, and to encourage the use of reusable items.

Most “upstream” focused legislation will not have a significant, direct financial impact on RecycleSmart and our ratepayers. However, in aggregate and over time, such efforts may be the best way to control our costs. We do not have to pay to collect, transfer, process, compost, recycle, or dispose of waste that is prevented, and the goal of EPR is to shift such costs from garbage ratepayers to the producers (manufacturers) of products and packaging. Therefore “upstream” focused legislation is worthy of our consideration for support. Because most of the bills discussed in Attachment A will not have a significant financial impact on RecycleSmart or our rate payers, staff has elected to note financial impacts only when they could be significant.

Ballot Measure

Unless the California Supreme Court rules otherwise, a measure entitled the Taxpayer Protection and Government Accountability Act will appear on the November 2024 ballot. Although is not yet clear how this measure could affect RecycleSmart, the Committee may wish to recommend that the Board consider taking a position on it at a future Board meeting.

ATTACHMENTS

- A. Waste Reduction and Recycling Bills
- B. Legislative and Regulatory Platform and Advocacy Policy



2024 Waste Reduction and Recycling Bills

Bill	Description	Comments
	CONTINUED OR SIMILAR BILLS	
AB 2 (Ward)	<p>Recycling: solar photovoltaic modules. Would state the intent of the Legislature to enact future legislation that would create a convenient, safe, and environmentally sound system for the end-of-life management of photovoltaic modules, minimization of hazardous waste, and recovery of commercially valuable materials.</p> <p>Policy Platform: Waste Diversion, Toxics Reduction/Household Hazardous Waste (HHW)</p> <ul style="list-style-type: none"> – Cal Cities position: Support – Last year position: Support in Concept – Staff recommendation: Support 	<p>Solar panels are classified as universal waste (a type of hazardous waste) and should not be put into a landfill, and yet there are few local facilities in California that accept them for handling. The panels also contain valuable metals that could be recovered. Many solar panels are expected to be disposed of in the coming years, and ratepayers in our service area currently have no in-county options to properly dispose of them.</p>
SB 615 (Allen)	<p>Electric vehicle traction batteries. Would require all electric vehicle traction batteries, as defined, sold with motor vehicles in the state to be recovered and reused, repurposed, remanufactured, or 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 an electric vehicle traction battery once it is removed from a vehicle or other application to which the electric vehicle traction battery has been used.</p> <p>Policy Platform: Extended Producer Responsibility; Waste Diversion; Toxics Reduction/Household Hazardous Waste</p>	<p>Requiring proper management of spent electric vehicle batteries could reduce fires and the escape of toxic materials into the environment. The intent of the bill is to prevent the landfill disposal of electric vehicle batteries and to ensure that the costs are of recycling the batteries are paid by the vehicle manufacturers, dealers, etc. and not garbage ratepayers and local governments.</p>

Bill	Description	Comments
	<ul style="list-style-type: none"> - Cal Cities position: Support in Concept - CAW position: Support - Last year position and staff recommendation: Support in Concept 	
<p>SB 707 (Newman)</p>	<p>Responsible Textile Recovery Act of 2023. Would enact the Responsible Textile Recovery Act of 2023, which would require producers, as defined, either individually or through the creation of one or more stewardship organizations, to establish a stewardship program for the collection and recycling of covered textiles, as defined. The bill would require a program operator to develop, and to submit to CalRecycle for review and approval, a stewardship plan and would prescribe the standards and elements required to be contained in a stewardship plan for covered textiles. The bill would require CalRecycle to adopt regulations to implement the act with an effective date of no earlier than April 1, 2026.</p> <p>Policy Platform: Extended Producer Responsibility; Waste Diversion</p> <ul style="list-style-type: none"> - Cal Cities position: Support - CPSC position: Support, Sponsor - CAW position: Support - Last year position and staff recommendation: Support 	<p>According to CalRecycle, in California “textiles are the sixth most prevalent material type in the overall disposed waste stream and comprise four percent of landfilled waste. Every year, Californians spend more than \$70 million to dispose of used textiles in landfills.” Ultimately the recycling of textiles should help reduce the amount of material going to landfill. The bill also intends to shift the cost of textile recycling from garbage ratepayers to manufacturers.</p>

Bill	Description	Comments
<p>AB 660 (Irwin)</p>	<p>Food labeling: quality dates, safety dates, and sell by dates. Would require the Department of Food and Agriculture to, in consultation with the State Department of Public Health, before January 1, 2025, publish information to assist 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 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 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.</p> <p>Policy Platform: Waste Diversion, Food Waste Reduction and Recovery</p> <ul style="list-style-type: none"> – California Product Stewardship Council (CPSC) position: Support – Californians Against Waste (CAW) position: Support – Last year position and recommendation: Support 	<p>SB 1383 requires local agencies to help get edible food that might otherwise be disposed to people who need it. Uniform food labeling requirements should support this goal by reducing confusion about whether food is edible or not.</p>
<p>SB 1280 (Laird)</p>	<p>Solid waste: extended producer responsibility. Would, on and after an unspecified date, prohibit the sale or offer for sale of propane cylinders other than those propane cylinders that are reusable or refillable.</p> <p>Policy Platform: Extended Producer Responsibility; Toxics Reduction/HHW</p> <ul style="list-style-type: none"> – Cal Cities position: Support – CPSC position: Sponsor – Position on similar bill from last year: Support in Concept – Staff recommendation: Support 	<p>Pressurized gas cylinders have caused fires and explosions in collection vehicles and at solid waste and recycling facilities. Reusable and refillable propane cylinders are available to consumers.</p>

Bill	Description	Comments
SB 1384 (Dodd)	Powered wheelchairs: Repair Policy Platform: Waste Diversion <ul style="list-style-type: none"> - CAW position: Support - Position on similar bill from last year: Support - Staff recommendation: Support 	The ability to repair and reuse items should ultimately reduce waste generation.
NEW BILLS		
AB 1238 (Ward)	Hazardous Waste: solar panels. This bill would require CalRecycle 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. Policy Platform: <ul style="list-style-type: none"> - Cal Cities position: Watch - Staff recommendation: Support 	This bill goes hand in hand with AB 2, to allow greater access to dismantling and recycling solar panels within the state.
SB 1053/AB 2236 (Blakespear and Allen/Bauer-Kahan)	Solid waste: reusable grocery bags: standards: plastic film prohibition. Would eliminate the use of “thicker” plastic film bags by establishing requirements for reusable bags sold by stores to customers at the point of sale. It would also revise the definition of “recycled paper bag” to require it to be made exclusively from postconsumer recycled content. Policy Platform: Waste Diversion Cal Cities position: Watch Staff Recommendation: Support	Despite the intent of current law (SB 270) to ban the use of single-use plastic bags broadly, there has been widespread adoption of so-called “reusable” bags sold at checkout made from plastic film material, which have been demonstrated to be disposed of at a rate comparable to traditional plastic bags. This has been said to have resulted in an overall increase in the volume of plastic bag waste despite regulatory restrictions. Plastic bags contribute to stormwater pollution as well as other litter.

Bill	Description	Comments
<p>SB 1167 (Blakespear)</p>	<p>Solid waste: single-use drinking vessels. Would prohibit chain restaurants from providing single-use drinkware to customers who are consuming their beverage on the premises.</p> <p>Policy Platform: Waste Diversion, Packaging Reduction/Plastic Pollution</p> <ul style="list-style-type: none"> - Cal Cities position: Watch - CPSC position: Support - CAW position: Co-sponsor with 5 Gyres, Heal the Bay, and Surfrider Foundation - Staff recommendation: Support 	<p>As a relatively small state effort toward requiring reusables for dine-in patrons, this bill would create a rule that customers drinking onsite in chain restaurants must use reusable drinkware. Most disposable cups (both paper and plastic) are not recyclable or compostable in RecycleSmart’s programs.</p>
<p>AB 2346 (Lee)</p>	<p>Organic waste reduction regulations: procurement of recovered organic waste products. Would provide additional procurement options for local jurisdictions in meeting their SB 1383 requirements. As introduced, the bill will allow compost procured from community, on-farm, and backyard compost to count towards a jurisdiction's procurement requirement. It also allows investments in organics infrastructure to count towards procurement, and simplifies the use of direct service providers. This bill is sponsored by StopWaste, who is actively soliciting additional pathways for expanding compost market development.</p> <p>Policy Platform: Healthy Soils, Market and Economic Development</p> <ul style="list-style-type: none"> - Cal Cities position: Support - Staff recommendation: Support 	<p>The recovered organic waste procurement requirements of SB 1383 have burdened many local agencies with obligations that are nearly impossible to fulfill. Supporting efforts to broaden compliance pathways is in the interest of RecycleSmart’s member agencies. This bill is sponsored by StopWaste, another joint powers authority similar to RecycleSmart.</p>
<p>AB 2577 (Irwin)</p>	<p>Organic waste: reduction regulations. Would require CalRecycle to include product labeling requirements that reduce food waste in existing edible food recovery efforts.</p> <p>Policy Platform: Food Waste Reduction and Recovery, Waste Diversion</p> <ul style="list-style-type: none"> - Cal Cities position: Watch - CAW position: Sponsor - Staff recommendation: Support 	<p>Another potential vehicle by Assembly Member Irwin to reduce food waste due to consumer confusion (along with AB 660), this bill would give CalRecycle some authority to regulate terminology in food product labeling. While it does not establish specific regulations, this bill designates food waste reduction and labeling concerns as within CalRecycle’s scope of work for edible food recovery.</p>

Bill	Description	Comments
<p>SB 972 (Min)</p>	<p>Methane emissions: organic waste: landfills. The bill would require CalRecycle, CARB, and the California Environmental Protection Agency to hold at least 2 joint meetings per calendar year to coordinate their implementation efforts to accomplish the goals within SB 1383 (Lara, 2016) and other climate goals, including zero-emission vehicles and water conservation goals, where organic waste could be re-used.</p> <p>Policy Platform: Climate Adaptation and Mitigation</p> <ul style="list-style-type: none"> - Cal Cities position: Sponsor - Staff recommendation: Support 	<p>Coordination among these state agencies should create more sound and consistent requirements.</p>
<p>AB 2311 (Bennett)</p>	<p>Greenhouse Gas Reduction Fund: grant program: edible food. Would expand existing CalRecycle grants to include eligibility for transportation for edible food recovery projects. The bill builds on an existing grant program administered by CalRecycle to reduce greenhouse gas emissions in the State by expanding or creating new projects to reduce, recycle, or reuse recyclable materials, including organic material. Specifically, it will make the transportation of recovered edible food and the purchase or subscription to technology or software that improves the efficiency and tracking of edible food recovery, eligible for grant funding.</p> <p>Policy Platform: Food Waste Reduction and Recovery, Diversion Funding</p> <ul style="list-style-type: none"> - Cal Cities position: Support - Staff recommendation: Support 	<p>Transportation and software are key required elements for edible food recovery. Local governments tasked with recovering edible food under SB 1383 should be able to access grants that fund organics recycling.</p>
<p>AB 2762 (Friedman)</p>	<p>Plastic waste: California Reusable Beverage Container Act. Would establish the California Reusable Beverage Container Act to encourage manufacturers and distributors of beverages sold in California to reduce the sale of beverages in single-use beverage containers while concurrently increasing the sale of beverages in reusable beverage containers, as provided, as well as stipulate the creation of a Reusable Beverage Container Managed System to oversee, govern, and facilitate reuse across industry stakeholders.</p>	<p>Another upstream effort to reduce waste, this bill could help reduce waste and litter.</p>

Bill	Description	Comments
	<p>Policy Platform: Waste Diversion, Packaging Reduction/Plastic Pollution</p> <ul style="list-style-type: none"> - Cal Cities position: Watch - Staff recommendation: Support 	
<p>AB 863 (Aguiar-Curry)</p>	<p>Carpet recycling: carpet stewardship organizations: fines: succession: training. Would increase potential penalties on CARE from \$10,000 to \$50,000 per day, as well as stipulate that repeated violations render a stewardship organization ineligible to continue operating. The bill is sponsored by the National Stewardship Action Council.</p> <p>Policy Platform: Extended Producer Responsibility</p> <ul style="list-style-type: none"> - Cal Cities position: Support - CPSC position: Support - Staff recommendation: Support 	<p>California’s carpet stewardship organization (CARE) is alleged to have done a poor job. This bill attempts to encourage better performance and/or allow for a new organization to take over.</p>
<p>AB 817 (Pacheco)</p>	<p>Open meetings: teleconferencing: subsidiary body. This bill, until January 1, 2026, would authorize a subsidiary body, as defined, to use similar alternative teleconferencing provisions and would impose requirements for notice, agenda, and public participation, as prescribed. In order to use teleconferencing pursuant to this act, the bill would require the legislative body that established the subsidiary body by charter, ordinance, resolution, or other formal action to make specified findings by majority vote, before the subsidiary body uses teleconferencing for the first time and every 12 months thereafter.</p> <p>Policy Platform: Governance and Accountability</p> <ul style="list-style-type: none"> - Cal Cities position: Sponsor - Staff recommendation: Support 	<p>Flexibility in the Brown Act makes it easier to conduct Authority business. Advisory bodies, such as the Legislative Committee, would benefit from the ability to use teleconferencing technology to meet and discuss their recommendations.</p>
<p>SB 537 (Becker)</p>	<p>Open meetings: multijurisdictional, cross-county agencies: teleconferences. Current law, until January 1, 2026, authorizes the legislative body of a local agency to use alternative teleconferencing in certain circumstances related to the particular member if at least a quorum of its members participate from a singular</p>	<p>This bill (along with AB 817 and other bills) is part of what Cal Cities refers to as Brown Act modernization, intended to increase meeting flexibility while preserving public access. SB</p>

Bill	Description	Comments
	<p>physical location that is open to the public and situated within the agency’s jurisdiction and other requirements are met, including restrictions on remote participation by a member of the legislative body. These circumstances include if a member shows “just cause,” including for a childcare or caregiving need of a relative that requires the member to participate remotely. This bill would expand the circumstances of “just cause” to apply to the situation in which an immunocompromised child, parent, grandparent, or other specified relative requires the member to participate remotely. The bill would authorize the legislative body of a multijurisdictional, cross-county agency, as specified, to use alternate teleconferencing provisions if the eligible legislative body has adopted an authorizing resolution, as specified. The bill would also require the legislative body to provide a record of attendance of the members of the legislative body, the number of community members in attendance in the teleconference meeting, and the number of public comments on its internet website within 10 days after a teleconference meeting, as specified. The bill would require at least a quorum of members of the legislative body to participate from one or more physical locations that are open to the public and within the boundaries of the territory over which the local agency exercises jurisdiction.</p> <p>Policy Platform: Governance and Accountability</p> <ul style="list-style-type: none"> – Cal Cities position: Support – Staff recommendation: Support 	<p>537 allows multijurisdictional agencies such as RecycleSmart to more easily use teleconferencing.</p>
<p>SB 1066 (Blakespear)</p>	<p>Hazardous waste: marine flares: producer responsibility. Would establish a producer responsibility organization for the financing and collection of unwanted or expired marine flares, in turn shifting the cost of managing this product from local ratepayers to the industry responsible for producing them. The bill is sponsored by the National Stewardship Action Council.</p> <p>Policy Platform: Extended Producer Responsibility, Toxics Reduction/Household Hazardous Waste</p> <ul style="list-style-type: none"> – NSAC position: Sponsor 	<p>According to the letter submitted to the Senate Judiciary Committee by Cal Cities, marine flares generally have expiration dates of less than four years and must be managed as explosive hazardous wastes. While flares can cost consumers from \$13-\$26 each, they generally cost local governments \$46 or more per flare for disposal. EPR for hazardous materials such as flares shifts costs away from</p>

Bill	Description	Comments
	<ul style="list-style-type: none"> - Cal Cities position: Support - Staff recommendation: Support 	<p>local government and is a fairer way of handling such items.</p>
<p>SB 1143 (Allen)</p>	<p>Household hazardous waste: producer responsibility. Would establish a producer responsibility organization for Household Hazardous Waste, which would be charged with financing, operations, and proper disposal. The bill is sponsored by the National Stewardship Action Council.</p> <p>Policy Platform: Extended Producer Responsibility, Toxics Reduction/Household Hazardous Waste</p> <ul style="list-style-type: none"> - NSAC position: Sponsor - Cal Cities position: Support - Staff recommendation: Support 	<p>Household hazardous waste is not easy to manage, and much of it ends up in the landfill or other locations where it pollutes our environment. Again, EPR for hazardous materials in particular makes sense, and the industry should fund and support the end-of-life management of these products.</p>



Legislative and Regulatory Platform and Advocacy Policy

The Legislative and Regulatory Platform and Advocacy Policy provides RecycleSmart with a guiding document to help focus activities during each Legislative session. The platform will assist the Authority in its goals and represent Authority interests in a timely response to important legislative issues. The elements below provide the overarching direction throughout the entire legislative session. Legislative monitoring or action can be at regional, state and federal levels.

In addition, this policy provides the Executive Director (or their designee) the Authority to register positions on legislation and regulations in a timely manner. So long as the position is consistent with the platform, the Executive Director is authorized to register a position if the timing for the response to the proposed legislation or regulation does not allow for regular review by the Legislative Committee and Board.

I. Legislative and Regulatory Platform

Extended Producer Responsibility (EPR)

Extended producer responsibility (EPR), or product stewardship, is a strategy that shifts the responsibility for end of life management of a product or package to the manufacturer to finance the end-of-life management costs by incorporating it in the price of a product.

Support laws and regulations that require manufacturers to take responsibility for the end-of-life management of problematic (costly to handle, not easily recyclable, and toxic containing) products and packaging that shift costs away from local governments. Support efforts to improve existing EPR regulations as well as support new EPR efforts for products, including but not limited to, batteries, solar panels, fluorescent lights, and vaping devices. Support provisions that make EPR laws effective including minimum collection rates, progressively increasing collection targets and no local preemption clause.

Waste Diversion

Support the diversion of recyclables and organics from landfills through implementation of AB 939 (Chapter 809, Statutes of 1989); AB 341 (Chapter 476, Statutes of 2011); AB 1826 (Chapter 727, Statutes of 2014); and SB 1383 (Chapter 395, Statutes of 2016) and support regulations that are practical for local governments to implement. Support new legislative efforts to divert waste away from landfilling and toward recycling, composting and anaerobic digestion to support the state's 75 percent solid waste diversion goal.

Recycling and Organics Processing Infrastructure

Support new or additional funding for expanded recycling and organics processing infrastructure. Support investment in expanded clean composting, anaerobic digestion and recyclable materials manufacturing to support diversion, jobs, greenhouse gas (GHG) reduction and the green economy.

Packaging Reduction / Plastic Pollution

Support laws, regulations and programs that support reducing the amount of single-use packaging and products that enter the waste stream through source reduction and increases to the recyclability and composability of these items, or that provide a consistent approach to phasing out the sale and distribution of products, materials and packaging that cause significant land and ocean litter problems, and/or that are known to be carcinogenic. Disposable food ware can also impact the environment as litter, or present challenges to recycling and compost processes.

Toxics Reduction / Household Hazardous Waste (HHW)

Support legislation that will reduce the amount of toxic chemicals released into our environment and that impact worker health. Oppose legislation that preempts or supersedes local control over household hazardous waste programs or supersedes local product stewardship/EPR ordinances and limits the role of manufacturers and producers in product stewardship programs. Oppose state legislation that weakens local ordinances without an adequately funded alternative.

Market and Economic Development

Support legislation that promotes innovative economic development policies and programs that create green jobs and promote waste reduction. Support programs to improve California's Beverage Container Recycling Program ("Bottle Bill"), including the long-term continuation and expansion of this program as well as ensuring Californians have convenient access to recycling centers. Support efforts to improve markets for compost and mulch and for recycled content products, including increasing recycled product purchasing. Support policies that develop new markets for recycled content materials and compost and policies that establish fees and funding streams for large volume or hard to recycle materials such as tires. Support legislation that promotes market development for wood and other construction and demolition materials.

Healthy Soils

Support measures to advance the development and maintenance of healthy soils (which are expected to decline because of climate change) through the use of natural infrastructure. Support measures to increase use of compost and mulch as appropriate for new and expanded landscapes to improve soil quality, and use of compost socks, blankets and berms as a means of flood and erosion control and soil improvement after fires.

Climate Adaptation and Mitigation

Support legislation that funds and advances the use of natural vegetation to adapt to flooding, fire, and drought and reduce the impact that urban areas have on the environment. This includes promoting the appropriate use of compost berms, socks and blankets to control soil erosion after fires and to address flooding, as well as the use of native plants and natural landscapes for water conservation. Support measures to expand the use of compost and mulch as ways to improve climate resiliency locally and statewide.

Diversification Funding

Support new or additional funding sources for local government implementation of AB 939; AB 341; AB 1826; SB 1383 and other solid waste and waste diversion related laws that affect local governments. Support funding for CalRecycle to assist in the implementation of these laws and other efforts to divert organic and recyclable waste from landfill.

Food Waste Reduction and Recovery

Support legislation to enable additional food rescue and recovery of edible food, including expansion of good Samaritan laws, and support legislation that establishes funding for food recovery programs and develops policies for safe but consistent food date labeling.

Governance and Accountability

Enhance local government's ability to govern as independent, local government bodies in an open and accessible manner. Encourage best practices that avoid burdensome, costly, redundant or one-size-fits all approaches.

Oppose additional public meeting and records requirements that unnecessarily increase the burden on public resources without effectively fostering public engagement and enhancing accountability of government agencies.

Promote local-level solutions, decision-making, and management concerning service delivery and governance structures.

II. Legislative Advocacy

It is the policy of RecycleSmart to proactively monitor and advocate for legislation and regulations as directed by the Legislative and Regulatory Platform and by the specific direction of the Board of Directors. This process involves interaction with local, state, and federal government entities both in regard to specific items of legislation and regulations, and to promote positive intergovernmental relationships. Accordingly, involvement and participation in regional, state, and national organizations is encouraged and supported by RecycleSmart.

Monitoring legislation and regulations is a shared function of the Board of Directors, Legislative Committee and Executive Director (and designated staff). Staff will track and respond to legislative and regulatory issues in a timely and consistent manner. The Executive Director (or their designee) is authorized to register a position on legislation and regulations if the timing for the response to the proposed legislation or regulation does not allow for regular review by the Legislative Committee and Board, so long as the position is consistent with the platform. In addition, the Executive Director has the authority to use the RecycleSmart name and logo on sign-on letters when a legislation or regulation is supported by the Board.