

# South Bay Cities Council of Governments

June 14, 2010

TO: Legislative Committee

FROM: Jacki Bacharach, SBCCOG Executive Director

RE: Bills for Review

## ENVIRONMENTAL

AB 19 (Ruskin)	Greenhouse gas emissions: consumer product labeling. This bill would enact the Carbon Labeling Act of 2009. The act would require the State Air Resources Board to develop and implement a program for the voluntary assessment, verification, and standardized labeling of the carbon footprint, as defined, of consumer products sold in this state.	Monitor	8/27/09 Senate Appropriations Committee Suspense file
AB 903 (Chesbro)	Solid Waste: Compostable Plastic Bags. The California Integrated Waste Management Act of 1989, prohibits a person from selling a plastic bag in this state that is labeled with the term "compostable" or "marine degradable" unless, at the time of sale, the plastic bag meets specified standards for those types of bags. This bill would require, beginning July 1, 2010, a manufacturer of a compostable plastic bag meeting those standards to ensure that the compostable plastic bag is readily and easily identifiable from other plastic bags. The bill would define "readily and easily identifiable," to include a compostable plastic bag labeled with a board approved certification logo and that meets other labeling requirements. The bill would prohibit a compostable plastic bag sold in the state from displaying a chasing arrow resin identification code or recycling type of symbol in any form. The bill would require the manufacturers or suppliers of compostable plastic bags to submit a yearly report to the board containing certain information, subject those manufacturers or suppliers to audit by the board, and require the board to refer a false or misleading certification or other information reported by those manufacturers or suppliers to the Attorney General for prosecution.	Monitor	8/27/09 Senate Appropriations Comm Suspense file

<p>AB 1781 (Villines)</p>	<p>Neighborhood electric vehicles. This bill allows the City of Fresno to adopt a neighborhood electric vehicle (NEV) transportation plan. Specifically, the bill:</p> <ol style="list-style-type: none"> <li>1) Requires the plan, containing specified elements, to be reviewed by local law enforcement and by the Council of Fresno County Governments.</li> <li>2) Permits the plan to include the use or crossing of a state highway with the approval of Caltrans.</li> <li>3) Requires the City, if it adopts a NEV plan, to report to the Legislature by November 1, 2014 on the effectiveness and impacts of the plan. The report shall be made in consultation with Caltrans, the CHP, and local law enforcement agencies.</li> <li>4) Sunsets the City's authority to adopt a NEV plan on January 1, 2016.</li> <li>5) Exempts NEVs in the plan area from the prohibition of NEVs on streets with speed limits in excess of 35 mph.</li> </ol>	<p>Monitor</p>	<p>7/1/10 Senate 3<sup>rd</sup> Reading</p>
<p>AB 1998 (Brownley)</p>	<p>Single-Use Plastic Bag Ban. Existing law requires an operator of a store, as defined, to establish an at-store recycling program that provides to customers the opportunity to return clean plastic carryout bags to that store. This requirement is repealed on January 1, 2013. This bill would repeal those at-store recycling program requirements on January 1, 2011, and would instead, on and after January 1, 2012, prohibit certain types of stores, as defined, from providing a single-use carryout bag to a customer. The bill would, on and after July 1, 2013, prohibit convenience food stores, foodmarts, and certain specified stores from providing a single-use carryout bag to a customer. The bill would require a store, on and after July 1, 2013, to only provide reusable bags, as defined, or to make available for sale recycled paper bags at a reasonable cost, but not less than \$0.05. The bill would exempt the sale of certain specified bags from the above prohibition and restriction. The bill would, beginning January 1, 2013, require a reusable bag manufacturer to obtain a biennial certification from the Department of Resources Recycling and Recovery by submitting a certification fee and a certification that its reusable bag meets specified requirements. The bill would specify administrative civil penalties for a person who violates the above requirements. The bill would require the department to deposit the certification fees into the Reusable Bag Account, which would be established by the bill in the</p>	<p>Monitor</p>	<p>6/28/10 Senate Appropriations Committee</p> <p>LCC concerns - monitoring</p>

	Integrated Waste Management Fund, and to deposit the penalties and fines collected into the Penalty Subaccount, which would be established by the bill in the account. The bill would provide that moneys in the account and the subaccount would be expended by the department, upon appropriation by the Legislature, to implement the above requirements. This bill contains other related provisions		
SB 531 (De Saulnier)	Solid waste: at-store recycling program. Existing law requires an operator of a store, as defined, to establish an at-store recycling program that provides to customers the opportunity to return clean plastic carryout bags to that store. Existing law requires that the manufacturer of plastic carryout bags develop educational materials to encourage the reducing, reusing, and recycling of plastic bags and make those materials available to stores required to comply with the program. This bill would require that in developing the educational materials for use on & after July 1, 2011, the manufacturer consult with specified entities. The bill would authorize the Integrated Waste Management Board to modify & approve those educational materials <i>by January 1, 2012</i> . The bill would also set minimum requirements for information to be included in the educational materials, including, but not limited to, information regarding the requirements for compliance with the program, an Internet Web site with a training program for store personnel and customers on implementing the program, & materials & resources for stores for education of consumers at point of sale.	Monitor (5/28/09) Oppose (4/26/09)  Amendments – removed local gov. pre-emption	6/15/09 Assembly Natural Resources Committee
SB 1284 (Ducheny)	Water quality: mandatory minimum civil penalties. Currently, the State Water Code contains minimum civil liability penalties to be imposed by the state and/or regional water quality control boards. This bill would remove the “minimal” penalties for smaller infractions.  (Per E.J. Caldwell, WBMWD - It appears that a waste discharge treatment facility in San Diego was fined the “minimum” penalty when the infraction was merely related to proper reporting. Seeking more information but he doesn't think that any SBCCOG city would qualify as a discharger.)	Monitor  LCC supports  WBMWD – NO POSITION – DOESN'T IMPACT THE WHOLESALE. DEALS WITH WATER QUALITY	6/29/10 Assembly Appropriations Committee

PUBLIC SAFETY

<p>SB 949 (Oropeza)</p>	<p>Vehicles: local authority: assessing penalties. Would expressly prohibit a local authority from enacting or enforcing an ordinance or resolution that establishes regulations or procedures for, or assesses a fine, penalty, assessment, or fee for a violation of , matters covered by this code unless expressly authorized by this code.</p>	<p><b>MONITOR</b>  LCC opposes – <b>CHECK WITH LEAGUE</b></p>	<p>7/1/10 Assembly 3<sup>rd</sup> Reading Per: Oropeza's office: TICKET IN LONG BEACH COSTS MORE BUT DOESN'T GET ON STATE RECORD. CITIES SHOULDN'T BE ABLE TO DO THIS. THIS BILL MAKES CLEAR WHAT THE LAW IS. ONLY CITY IN THIS AREA THAT THIS APPLIES TO IS LONG BEACH. DOESN'T APPLY TO BIKING SHARROWS AND PARKING CAUSE NO STATE CODE. CAN CREATE CHAOS IF CITIES HAVE DIFFERENT LAWS. MAKES IT IMPOSSIBLE FOR THE STATE TO TRACK UNSAFE DRIVERS. ALSO – STATE AT RISK OF LOSING OTHER FUNDS. LONG BEACH DOESN'T OPPOSE THE BILL.</p>
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REVENUE

<p>SB 1445 (DeSaulnier)</p>	<p>Planning. This bill would increase the fee imposed by the state on the registration of each vehicle by \$1, and require the Department of Motor Vehicles to distribute 1% of the net revenues from the fee increase to the Planning Advisory and Assistance Council. The remaining net revenues would be distributed to designated transportation planning agencies based on the number of vehicles registered within the jurisdiction of each agency. The bill would require the transportation planning agencies to use the funds solely to develop and implement a sustainable communities strategy or regional blueprint plan in order to identify land use strategies to reduce the use of motor vehicles and to carry out transportation-related activities in the strategy or plan, and in the case of an agency preparing a regional blueprint plan, to provide grants to cities, counties, and congestion management agencies for planning and projects related to implementation of the plan. The bill would also provide for sharing of available revenues between various agencies.</p>	<p>Monitor</p>	<p>7/1/10 Assembly Appropriations Comm.</p>
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TRANSPORTATION

<p>AB 1224 (Eng)</p>	<p>High-occupancy toll lanes. Existing law, until January 15, 2013, specifically authorizes a value-pricing and transit development demonstration program involving HOT lanes to be conducted, administered, developed, and operated on State Highway Routes 10 and 110 in Los Angeles County by the Los Angeles County Metropolitan Transportation Authority (LACMTA) under certain conditions. Existing law also requires a specified report to be submitted by the department and LACMTA to the Legislature by December 31, 2012. This bill would extend the authorization for the demonstration program until January 15, 2015, and would require the associated report to be submitted to the Legislature by December 31, 2014.</p>	<p>MONITOR</p>	<p>6/30/10 Senate 3<sup>rd</sup> Reading</p> <p>OROPEZA OPPOSED TO THIS</p>
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<http://www.leginfo.ca.gov/bilinfo.html>

<http://thomas.loc.gov/home/c110query.html>

<http://www.cacities.org/index.jsp?zone=locc&section=util&app=billsearch>