

Introduced by Senator Simitian

February 17, 2005

An act to amend Section ~~40910~~ 41780 of the Public Resources Code, relating to solid waste.

LEGISLATIVE COUNSEL'S DIGEST

SB 420, as amended, Simitian. Waste management: ~~local government assistance~~ *diversion*.

The

(1) The existing California Integrated Waste Management Act of 1989 required the California Integrated Waste Management Board to establish, on or before January 1, 1994, an office of local government assistance, and requires the office, to the maximum extent feasible, utilizing existing resources, to assist local agencies in the preparation, modification, and implementation of integrated waste management plans establishes an integrated waste management program administered by the California Integrated Waste Management Board. Under existing law, the act requires each city, county, city and county, and regional agency, if any, to develop a source reduction and recycling element of an integrated waste management plan. Those entities are required to divert, on and after January 1, 2000, 50% of the solid waste from disposal or transformation, through source reduction, recycling, and composting subject to the element, except as specified.

This bill would delete the obsolete reference to that date on or before which the board was required to establish the office additionally require the source reduction and recycling plan to provide for the diversion of 75% of solid waste, on and after January

1, 2015, thereby imposing a state-mandated local program by imposing new duties on local agencies.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes. State-mandated local program: ~~no~~-yes.

The people of the State of California do enact as follows:

1 ~~SECTION 1. Section 40910 of the Public Resources Code is~~
2 ~~amended to read:~~

3 *SECTION 1. Section 41780 of the Public Resources Code is*
4 *amended to read:*

5 41780. (a) Each city or county source reduction and
6 recycling element shall include an implementation schedule that
7 shows both of the following:

8 (1) For the initial element, the city or county shall divert 25
9 percent of all solid waste from landfill disposal or transformation
10 by January 1, 1995, through source reduction, recycling, and
11 composting activities.

12 (2) Except as provided in Sections 41783, 41784, and 41785,
13 for the first and each subsequent revision of the element, the city
14 or county shall divert 50 percent of all solid waste on and after
15 January 1, 2000, and 75 percent on and after January 1, 2015,
16 through source reduction, recycling, and composting activities.

17 (b) Nothing in this part prohibits a city or county from
18 implementing source reduction, recycling, and composting
19 activities designed to exceed these requirements.

20 *SEC. 2. No reimbursement is required by this act pursuant to*
21 *Section 6 of Article XIII B of the California Constitution because*
22 *a local agency or school district has the authority to levy service*
23 *charges, fees, or assessments sufficient to pay for the program or*
24 *level of service mandated by this act, within the meaning of*
25 *Section 17556 of the Government Code.*

26 ~~40910. The board shall establish an office of local~~
27 ~~government assistance. The office shall, to the maximum extent~~

- 1 ~~feasible, utilizing existing resources, assist local agencies in the~~
- 2 ~~preparation, modification, and implementation of integrated~~
- 3 ~~waste management plans.~~

O