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LOS ANGELES COUNTY
SOLID WASTE MANAGEMENT COMMITTEE/
INTEGRATED WASTE MANAGEMENT TASK FORCE
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August 4, 2021

The Honorable Anthony J. Portantino, Chair
Senate Committee on Appropriations
State Capitol, Room 2206
Sacramento, CA 95814

Dear Senator Portantino:

OPPOSE UNLESS AMENDED - ASSEMBLY BILL 1276 (CARRILLO AND LORENA GONZALEZ) AS AMENDED ON JULY 5, 2021 – SINGLE-USE FOOD ACCESSORIES

The Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force (Task Force) **opposes** Assembly Bill 1276 (AB 1276), as amended on July 5, 2021, **unless amended** to include the recommendations in this letter.

If enacted, the proposed legislation would revise and expand the prohibition on food service facilities from distributing single-use plastic straws except upon request to include third-party food delivery platforms and any single-use food accessories. A food facility may ask a drive-through consumer if the consumer wants a single-use food accessory if the single-use food accessory is necessary for the consumer to consume ready-to-eat food, or to prevent spills of or safely transport ready-to-eat food. The bill would exclude correctional institutions, health care facilities, residential care facilities, and public and private school cafeterias from these requirements.

The bill states that the requirement to provide single-use food accessories only upon request, does not prevent a local government from adopting or implementing an ordinance or rule that would further restrict a food facility, platform, or full-service restaurant from providing single-use food accessories to a consumer.

AB 1276 specifies that on or before June 1, 2022, local governments are required to authorize an enforcement agency to enforce the bill's requirements. The bill establishes that the first and second violations of this chapter result in a notice of violation, and any subsequent violations constitute infractions punishable by a fine of \$25 for each day of violation, not to exceed \$300 annually.

The Task Force agrees the bill would reduce single-use plastic waste but opposes the bill unless it is **amended to include** language requiring the State to be responsible for enforcement or provide funding to local governments for local enforcement of the prohibition and requirements. Local governments often do not have the additional capacity for unfunded state mandates, implementation of the requirements would be inadequately supported, prescribing failure of implementation of the law. The state ought to adequately fund requirements it imposes on local governments.

The Honorable Anthony J Portantino
August 4, 2021
Page 2

Pursuant to Chapter 3.67 of the Los Angeles County Code and the California Integrated Waste Management Act of 1989 (AB 939), the Task Force is responsible for coordinating the development of all major solid waste planning documents prepared for the County of Los Angeles and the 88 cities in Los Angeles County with a combined population in excess of ten million. Consistent with these responsibilities and to ensure a coordinated and cost-effective and environmentally sound solid waste management system in Los Angeles County, the Task Force also addresses issues impacting the system on a countywide basis. The Task Force membership includes representatives of the League of California Cities-Los Angeles County Division, County of Los Angeles Board of Supervisors, City of Los Angeles, waste management industry, environmental groups, the public, and a number of other governmental agencies.

Based on the foregoing, the Task Force **opposes** AB 1276 **unless amended** to include the recommendations in this letter. If you have any questions, please contact Mr. Mike Mohajer, a member of the Task Force, at MikeMohajer@yahoo.com or at (909) 592-1147.

Sincerely,



Margaret Clark, Vice-Chair
Los Angeles County Solid Waste Management Committee/
Integrated Waste Management Task Force and
Mayor City of Rosemead

EC:pg:cso

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cc: Assembly Member Carrillo
Assembly Member Friedman
Assembly Member Lorena Gonzalez
Assembly Member Muratsuchi
Assembly Member Luz Rivas
Assembly Member Ting
Senator Allen
Senator Wiener
Each Member and staff of the Senate Committee on Appropriations
California State Association of Counties
League of California Cities – Los Angeles County Division
Each Member of the Los Angeles County Board of Supervisors
Fesia A. Davenport, Los Angeles County Chief Executive Officer
Gateway Cities Council of Governments
San Gabriel Valley Council of Government
South Bay Cities Council of Governments
Westside Cities Council of Governments
Each City Mayor and City Manager in the County of Los Angeles
Each City Recycling Coordinator in the County of Los Angeles
Each Member of the Los Angeles County Solid Waste Management Committee/
Integrated Waste Management Task Force