Official Title of Ballot Measure: Requires State Regulations to Reduce Plastic Waste, Tax Producers of Single-use Plastics, and Fund Recycling and Environmental Programs. Initiative Statute

The ballot initiative would require the California Department of Resources, Recycling, and Recovery (CalRecycle), in consultation with other agencies, to adopt regulations that reduce the use of single-use plastic packaging and foodware, including:

- requiring producers to ensure that single-use plastic packaging and foodware is recyclable, reusable, refillable, or compostable by 2030;
- requiring producers to reduce or eliminate single-use plastic packaging or foodware that CalRecycle determines is unnecessary for product or food item delivery;
- requiring producers to reduce the amount of single-use plastic packaging and foodware sold in California by at least 25 percent by 2030;
- requiring producers to use recycled content and renewable materials in the production of single-use plastic packaging and foodware;
- establishing "mechanisms for convenient consumer access to recycling," including take-back programs and deposits;
- establishing and enforcing labeling standards to support the sorting of discarded single-use plastic packaging and foodware; and
- prohibiting food vendors from distributing expanded polystyrene food service containers.

The ballot initiative would also enact a fee, called the California Plastic Pollution Reduction Fee, on single-use plastic packaging and foodware. CalRecycle would determine the fee amount with a maximum amount of 1 cent per item of packaging or foodware. Beginning in 2030, the fee would be adjusted based on changes in the California Consumer Price Index.

Revenue from the fee would be distributed to CalRecycle, the California Natural Resources Agency, and local governments as follows:

- 50% to CalRecycle for implementing and enforcing the measure and providing funds for statewide recycling, reduction, and composting efforts;
- 30% to the California Natural Resources Agency for state and local grants to address the environmental impacts of plastic pollution, such as habitat restoration; and
- 20% to local governments for recycling and composting programs and plastic pollution mitigation.

The Legislative Analyst’s Office estimated that the measure would result in increased state revenue but that the "magnitude of the revenue generated is uncertain but possibly in the range of a few billion dollars annually in the near term."

The Legislation Team conducted a study on this initiative and will present it to Legislative Action Committee at the February 2022 Board of Managers.

The Legislation Team recommends a support position.

Discussion/Analysis
This initiative aims to achieve a common good and the cited PTA authorities indicate support for this initiative is in alignment with our organization’s values and stated positions. The list of supporters with aligned values strengthen confidence in this measure. The uncertainty of the additional expense to localities deserves discussion.

**BACKGROUND** (Based on Summary of the LAO)

California has an increasing trend in overall waste disposal. In 2018, there are about 10 million tons more waste than in 2014. The LAO lists factors leading to the overall increase in disposal include improving economic conditions that result in increased waste generation, changing packaging and consumer behavior related to E-commerce, and diminished export markets for recyclable materials. Estimated recycling rate—including source reduction, recycling, and composting—was 40 percent in 2018.

California Department of Resources Recycling and Recovery estimates 4.5 million tons of plastics entered the landfills in 2018. There are a wide variety of plastic materials in the disposed waste stream, including food containers, packaging materials, trash bags, beverage containers, toys, and furniture. Plastics are a growing portion of overall waste disposal—increasing from 9.6 percent in 2008 to 11.5 percent in 2018.

Historically, most recyclable plastic has been exported to other countries. Export of plastics has declined significantly in recent years due to increased regulations and restrictions on international import of plastic waste. New global requirements being implemented in 2021 could further reduce California’s ability to rely on export markets for plastic recycling and waste.

Recent policies establish plastic waste reduction goals and mandates:

- **Beverage Container Recycling Program (BCRP).** Chapter 1290 of 1986 (AB 2020, Margolin) establishes a goal of an 80 percent recycling rate for all aluminum, glass, plastic, and bimetal beverage containers sold in California. The BCRP—a self-funded program that incentivizes consumers to recycle certain beverage containers—is the main program used to achieve these recycling goals.

- **Statewide Recycling Goal.** Chapter 476 of 2011 (AB 341, Chesbro) establishes a statewide goal of 75 percent source reduction, recycling, and composting by 2020, as well as a Mandatory Commercial Recycling program.

- **Single-Use Plastic Bag Ban.** Chapter 850 of 2014 (SB 270, Padilla) and Proposition 67 (2016) establish a statewide single-use carryout bag ban. Most grocery stores, retail stores with a pharmacy, convenience stores, food marts, and liquor stores no longer can provide single-use plastic carryout bags to their customers.

- **Single-Use Plastic Straw Restrictions.** Chapter 576 of 2018 (AB 1884, Calderon) prohibits a full-service restaurant from providing single-use plastic straws to consumers unless requested by the consumer.

- **Food Packaging Requirements in State Facilities.** Chapter 610 of 2018 (SB 1335, Allen) requires a food service facility located in a state-owned facility or operating on state-owned property to use types of food service packaging that are reusable, recyclable, or compostable.

- **Mandatory Recycled Content in Plastic Bottles.** Chapter 115 of 2020 (AB 793, Ting) requires that plastic beverage containers consist of a minimum of 50 percent recycled content by 2030

**Fiscal Impact**

State revenue from new tax on single-use plastic packaging and foodware likely in the range of a few billion dollars annually. Revenues would be used to administer and implement programs intended to reduce waste, increase recycling, and restore habitats.
Unknown net effect on local governments. There would likely be increased costs for waste collecting and sorting which might be partially or fully offset by new tax revenue, payments from producers to support recycling, or lower costs associated with a reduction in total plastic waste collected.

**PTA Authorities Pro and Con**

**Legislative Planks:**

11. To prevent, control or eliminate hazards to the health, safety and well-being of all children and youth.
18. To promote public policies that protect and conserve natural resources and provide a quality environment for present and future generations.

**Resolutions:**

**CLIMATE CHANGE IS A CHILDREN’S ISSUE Adopted by Convention Delegates May 2015**

“RESOLVED, That the California State PTA, its unit, councils and districts urge school districts to serve as role models for practices that promote energy conservation, alternative energy sources, reducing dependency on automobile travel and encouraging sustainable practices; and be it further

RESOLVED, That the California State PTA consider climate change a children’s issue and urge its units, councils and districts to advocate for comprehensive local, state and national legislation to substantially reduce man-made contributions to climate change and to mitigate its impact on children’s health;

**COMPREHENSIVE WASTE REDUCTION IN SCHOOLS Adopted by Convention Delegates May 2007 Reviewed and deemed relevant May 2016**

“RESOLVED, That the California State PTA urge its units, councils and districts to support implementation of effective waste reduction programs at their schools by helping to create partnerships with parents, teachers, students, district and city personnel, and waste management companies;

RESOLVED, That the California State PTA, its units, councils and districts, promote local school and school district waste reduction practices such as paper, glass, aluminum, and plastic recycling, composting of food waste and other organic materials, use of recycled and recyclable

RESOLVED, That the California State PTA educate, encourage, and empower its units, councils and districts to educate its membership and school communities about waste reduction strategies and the environmental and monetary benefits of waste reduction.

**HAZARDOUS WASTE MANAGEMENT Adopted by Convention Delegates May 7, 1980 Reviewed and deemed relevant August 2020**

“RESOLVED, That the California State PTA urge compliance with current regulations and seek legislation that will:

A. Require safe transportation, storage and disposal of hazardous wastes;

B. Establish an effective program of surveillance and monitoring that insures proper management of hazardous waste;
C. Minimize the amount of hazardous waste produced by encouraging more efficient plant operations, reusing materials, and/or trading wastes with other industries; and be it further

RESOLVED, That the California State PTA urge local units, councils and districts to be aware of land use plans and alert members to the possible hazards affecting the health, safety and well-being of communities posed by the production, transportation, storage and disposal of hazardous wastes; and be it further “


What do Proponents and Opponents Say?

Clean Coasts, Clean Water, Clean Streets, also known as Plastics Free California, is leading the campaign in support of the ballot initiative. Proponents named the ballot initiative the California Recycling and Plastic Pollution Reduction Act.

Support

Officials

● State Asm. Luz Maria Rivas (D)

Corporations

● Recology, Inc.

Organizations

● Corn Refiners Association
● Natural Resources Defense Council
● Save The Bay
● Surfrider Foundation
● The Nature Conservancy

Arguments in support

● Aimee David, vice president of Ocean Conservation Policy Strategy at the Monterey Bay Aquarium: "The problem is only getting worse. Industry is producing more plastic packaging than ever, and recycling isn’t making a dent. California needs to step up in a big way."

● Linda Escalante, action fund advisor for the Natural Resources Defense Council: "Plastics Free California is an opportunity to increase pressure on the plastics industry to rein in the harmful environmental impacts of their single-use products, and to rebuild and support California’s recycling system. ... California must rebuild its waste and recycling systems in the face of closed foreign markets and the increase in plastic packaging and waste. ... Reducing plastic production and boosting recycling helps protect wildlife and our communities from the harmful impacts of plastic trash. It also helps maintain California’s momentum in the climate fight and as a global environmental leader."

Opposition
Arguments in opposition

- **Spokesperson for the American Chemistry Council:** "Plastics are indispensable to the modern way of life, and are critical to achieving sustainability goals, like light-weighting vehicles, making buildings and homes more energy-efficient and reducing food waste — all of which help reduce greenhouse gas emissions."

**Campaign Finance as of date of study**

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<th>Total campaign contributions:</th>
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<tbody>
<tr>
<td>Support:</td>
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<td>Opposition:</td>
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**Discussion/Analysis**

This initiative aims to achieve a common good and the cited PTA authorities indicate support for this initiative is in alignment with our organization’s values and stated positions.

The list of supporters strengthen confidence in this measure.

The uncertainty of the additional expense to localities deserves discussion.

**Advocate Recommendation**

Support