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Sent: Wednesday, July 16, 2008 11:06 PM

To: Ruiz, Carlos

Cc: Cortez, Benjamin (Aquiles); Skye, Coby; Banna, Hossam; Alva, Paul; Mitchell, Tobie; Jauregui, Virginia

Subject: 180 Degrees Reversal on SB 1016 As Amended on 7/2/08

Attachments: FW: Senate Bill 1016 - Last Amended June 10, 2008

At the Task Force meeting on June 19,2008, I made a motion to "Support and Amend" SB 1016 as amended on June 10, 2008 which was seconded by Betsey Landis. However, do to the lack quorum, the vote on the matter was continued to the meeting of July 17, 2008. Subsequently, the bill was amended on July 2, 2008.

Unfortunately, the July 2nd Amendment to the bill, revising Subdivision 41780.05 (b), eliminates the bill's major goal, i.e. get rid of the "bean counting." Over the past 19 years it has been substantiated that implementing diversion programs will reduce waste disposal and not the "bean counting." As such, I am withdrawing my motion to "Support and Amend.".... **Note:** The paragraph below shows changes to Subdivision 41780.05 (b) of the Public Resources Code. Items being added are shown in italic and those deleted in strikethrough

“(b) (1) For purposes of paragraph (5) of subdivision (e) of Section 41825, in making a determination whether a jurisdiction has made a good faith effort to implement its source reduction and recycling element or its household hazardous waste element, the ~~board may consider a jurisdiction’s per capita disposal only as an indication of whether the jurisdiction has adequately implemented its diversion programs. The board shall not consider an increase in the per capita disposal rate to be determinative as to whether the jurisdiction has made a good faith effort.~~ *board shall consider, but is not limited to the consideration of, the jurisdiction’s per capita disposal rate and whether the jurisdiction adequately implemented its diversion programs.*”

My position on the bill as amended on July 2nd is "Support if Amended" to delete the July 2nd proposal as well as requesting other changes that were discussed at the Task Force meeting on June 19, 2008, and listed in the attachment.

Thanks,

Mike Mohajer

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