



**STATE WATER RESOURCES CONTROL BOARD**

**OFFICE OF LEGISLATIVE AFFAIRS**

**2011-2012 LEGISLATIVE SUMMARY**

**January 2013**



**Water Boards**

STATE WATER RESOURCES CONTROL BOARD  
REGIONAL WATER QUALITY CONTROL BOARDS

**STATE WATER RESOURCES CONTROL BOARD**  
**OFFICE OF LEGISLATIVE AFFAIRS**  
**2011-2012 LEGISLATIVE SUMMARY**

**Table of Contents**

	<b>Page</b>
Legislative Bill Index by Subject.....	1
Legislative Bill Summaries.....	10
Assembly Bills.....	10
Senate Bills.....	35

You also may view this publication at the State Water Resources Control Board website at:  
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## Legislative Bill Index By Subject

### Administration-General

AB 7 (Portantino)	State employment: salary freeze.
AB 89 (Hill)	County employees' retirement.
AB 127 (Logue)	Regulations: effective date.
AB 149 (Lara)	Civil service: personal services contracts.
AB 172 (Eng)	State agencies: information: Internet Web site.
AB 213 (Silva)	Administrative Procedure Act: notice of proposed actions: local government agencies.
AB 273 (Valadao)	Regulations: economic impacts review.
AB 325 (Lowenthal, Bonnie)	Employee's right to bereavement leave.
AB 338 (Wagner)	Regulations: legislative validation: effective date.
AB 356 (Hill)	Public works projects: local hiring policies
AB 410 (Swanson)	Regulations: adoption: disability access.
AB 425 (Nestande)	State regulations: review.
AB 429 (Knight)	Regulations: effective date.
AB 527 (Hernández, Roger)	Public officials: financial interests.
AB 530 (Smyth)	Regulations: economic and technical information.
AB 535 (Morrell)	Regulations: 5-year review and report.
AB 541 (Morrell)	California Small Business Board.
AB 586 (Garrick)	Administrative regulations: legislative review.
AB 632 (Wagner)	Regulations: legislative notice.
√AB 692 (Hall)	Civil service: employee hearings.
√AB 735 (Mitchell)	Interns and student assistants: hiring preference.
√AB 740 (Blumenfield)	Personal services contracts.
AB 917 (Olsen)	State agencies: sunset review.
AB 988 (Grove)	Prevailing wages.
AB 991 (Olsen)	State government: licenses: California Licensing and Permit Center
AB 1037 (V. Manuel Pérez)	Regulations: small business impact.
AB 1213 (Nielsen)	Regulations.
√AB 1320 (Allen)	Alcoholic beverages: licenses.
AB 1322 (Bradford)	Regulations: principles of regulation.
√AB 1395 (Swanson)	Public employment.
AB 1409 (V. Manuel Pérez)	Regulations: small businesses.
AB 1504 (Morrell)	Administrative regulations.
√AB 1517 (Buchanan)	Public contracts: information technology goods and services.
AB 1537 (Cook)	Government Accountability Act of 2012.
AB 1639 (Hill)	Retirement: public employees.
AB 1649 (Smyth)	Public employees' retirement: felony forfeiture.
AB 1655 (Dickinson)	Public employees: rights.
√AB 1783 (Perea)	Public contracts: small business preferences.
AB 1787 (Portantino)	State employment: salary freeze.
AB 1791 (Buchanan)	Public contracts: state contracts: computer software.
AB 1804 (Valadao)	Public contracts: public entities: project labor agreements.
AB 1808 (Williams)	Meyers-Milias-Brown Act: public employees.
√AB 1844 (Campos)	Employer use of social media.
√AB 1875 (Gatto)	Civil procedure: depositions.
AB 1901 (Jones)	Counties: construction projects: design-build.
AB 1914 (Garrick)	Agency reports.
AB 1936 (Knight)	State employment: military service: inactive duty training.
√AB 1964 (Yamada)	Discrimination in employment: reasonable accommodations.
AB 1969 (Gaines, Beth)	Regulations: filing.
AB 1982 (Gorell)	Regulations: effective date: legislative review.

√ -- Denotes bill that was chaptered.

AB 2039 (Swanson)	Family and medical leave.
AB 2063 (Alejo)	Ex parte communications.
AB 2090 (Berryhill, Bill)	Regulations.
AB 2091 (Berryhill, Bill)	Regulations: new or emerging technology.
AB 2092 (Chesbro)	Economic development: federally recognized Indian tribes.
AB 2115 (Alejo)	Local health care districts: employment contracts.
AB 2211 (Jones)	Coastal resources: California Coastal Act of 1976: goals and legislative findings and declarations.
AB 2213 (Donnelly)	Government reorganization: realignment or closure.
AB 2224 (Smyth)	Public employees' retirement
AB 2226 (Hueso)	Agency proceedings: evidence: presumption.
AB 2310 (Morrell)	Unemployment insurance benefits: governmental pension and retirement payments
AB 2380 (Huber)	State government: agency repeals.
AB-2495 (Grove)	Public employees: fair share payments.
AB 2501 (Garrick)	State government.
AB 2506 (V. Manuel Pérez)	State government.
ABX1 3 (Logue)	Regulations: 5-year review and report.
ABX1 4 (Logue)	Regulations: effective date.
ABX1 5 (Logue)	Regulations: legislative notice.
ABX1 6 (Logue)	Regulations: economic impacts review.
ACA 22 (Smyth)	Public employees' retirement.
ACR 7 (Williams)	23rd Annual State Scientist Day.
√ACR 112 (Campos)	24th Annual State Scientist Day.
√SB 24 (Simitian)	Personal information: privacy.
SB 103 (Liu)	State government: meetings
√SB 117 (Kehoe)	Public contracts: prohibitions: discrimination based on gender or sexual orientation.
√SB 151 (Correa)	State employees: memoranda of understanding.
SB 196 (Cannella)	Regulations: economic analysis and review.
SB 252 (Vargas)	Collective bargaining: state employees.
√SB 322 (Negrete McLeod)	Retirement.
SB 353 (Blakeslee)	Regulations: economic analysis.
SB 366 (Calderon)	Regulations: agency review.
SB 396 (Huff )	Regulations: review process.
SB 400 (Dutton)	Regulations: impact on businesses.
SB 401 (Fuller)	Regulations: repeal provisions.
SB 497 (Rubio)	Public contracts: state agencies: bid preferences.
SB 553 (Fuller)	Regulations: effective date.
SB 560 (Wright)	Regulations: small businesses.
SB 591 (Gaines)	Common interest developments: meetings.
√SB 617 (Calderon)	Administrative regulations: reductions.
SB 639 (Cannella)	State government: financial and administrative accountability.
SB 688 (Wright)	Regulations: economic impact analysis.
√SB 801 (Kehoe)	Regulations: legislative approval.
√SB 806	Political Reform Act of 1974: statement of economic interests. (Committee on Veterans Affairs)
√SB 829 (Rubio)	State employees: military leave: salary overpayment.
SB 846 (Berryhill).	Public contracts: public entities: project labor agreements.
√SB 965 (Wright)	The California Water Plan: water data.
√SB 987 (Negrete McLeod)	State and local government.
√SB 1002 (Yee)	Public employees' retirement.
SB 1025 (Lowenthal)	Public records: electronic format.
SB 1113 (Evans)	State regulations: review.
SB 1114 (Dutton)	Public employment: salary ranges.
SB 1115 (Dutton)	Employment: overtime compensation.
SB 1141 (Walters)	Flexible work schedules.
SB 1142 (Walters)	Public employees: postemployment health care benefits.
SB 1143 (Walters)	Public employee benefits: postemployment health care benefits.
	Public employees' benefits: postemployment benefits.

√ -- Denotes bill that was chaptered.

SB 1176 (Huff)	Public employees' retirement.
SB 1239 (Wright)	Local government: assessments, fees, and charges.
SB 1337 (DeSaulnier)	Zone 7 Water Agency Act.
SB 1368 (Anderson)	State officers and employees: salaries.
SB 1374 (Harman)	Liability: good faith reliance on administrative regulation.
√SB 1520 (Calderon)	State government: administrative efficiency.
SCA 1 (Wyland)	State Auditor: duties.
SCA 11 (Huff)	State employment.
SCA 13 (Cannella)	Public employees' retirement.
SCA 18 (Huff)	Public employees' retirement.

### Administration-SWRCB

AB 49 (Gatto)	Development: expedited permit review.
AB 1530 (Huffman)	Economic development: Clean Manufacturing and Job Creation Incentive Act of 2012.
AB 1549 (Gatto)	Development: expedited permit review.
√ACR 7 (Williams)	23rd Annual State Scientist Day.
SB 964 (Wright).	Administrative Procedure Act: State Water Resources Control Board and California Regional Water Quality Control Boards.
√SB 1018	(Committee on Budget and Fiscal Review) Public resources.
√SB 1099 (Wright)	Regulations.
SB 1306 (Blakeslee).	State Water Resources Control Board.

### Bay-Delta

√AB 134 (Dickinson)	Appropriation of water: Sacramento Regional County Sanitation District.
AB 550 (Huber)	Sacramento-San Joaquin Delta: peripheral canal.
AB 576 (Dickinson)	Delta Stewardship Council: Delta Plan: financing.
AB 627 (Berryhill, Bill)	State Water Resources Development System: Delta Corridors Plan: feasibility study.
AB 903 (Berryhill, Bill)	Sacramento-San Joaquin Delta: dredging.
AB 1095 (Buchanan)	Sacramento-San Joaquin Delta Reform Act of 2009: covered actions.
√AB 1540 (Buchanan)	Sacramento-San Joaquin Delta: invasive weeds: South American spongeplant.
AB 1813 (Buchanan)	Sacramento-San Joaquin Delta Reform Act of 2009.
AB 1871 (Logue)	Delta Stewardship Council: Delta plan.
AB 1884 (Buchanan)	Sacramento-San Joaquin Delta Reform Act of 2009: covered actions.
AB 2000 (Huber)	Sacramento-San Joaquin Delta.
AB 2421 (Berryhill, Bill)	Bay Delta Conservation Plan: Delta Plan project: costs and benefits.
AB 2422 (Berryhill, Bill)	Sacramento-San Joaquin Delta: Western Delta Intakes Concept: feasibility study.
SB 34 (Simitian)	California Water Resources Investment Act of 2011.
SB 834 (Wolk)	Integrated regional water management plans: contents.
√SB 1495 (Wolk)	Sacramento-San Joaquin Delta Reform Act of 2009.

### Bonds/Budget/Fees/Funding

AB 95 (Committee on Budget)	Public resources.
AB 98	(Committee on Budget) Budget Act of 2011.
√AB 120	(Committee on Budget) Public Resources.
√AB 436 (Solorio)	Public works: labor compliance.
AB 467 (Eng)	Environment: Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006.

√ -- Denotes bill that was chaptered.

√AB 551 (Campos)	Public contracts: prevailing wage requirements: violations.
√AB 587 (Gordon)	Public works: volunteers.
√AB 983 (Perea)	Safe Drinking Water State Revolving Fund.
√AB 1125 (Achadjian)	Public health: County of San Luis Obispo and Los Osos Community Services District.
√AB 1221 (Alejo)	State Water Quality Control Fund: State Water Pollution Cleanup and Abatement Account.
√AB 1292 (Hernández, Roger)	Safe Drinking Water State Revolving Fund: revenue bonds.
√AB 1354 (Huber)	Public works: payments: retentions.
AB 1478 (Blumenfield)	State Budget: Finances.
√AB 1492	(Committee on Budget) Forest resource management.
AB 1538 (Cook)	Recovery audits.
AB 2011 (Gatto)	CalConserve Water Conservation Retrofit Program.
AB 2208 (Perea)	Water quality.
AB 2238 (Perea)	Public water systems: drinking water.
√AB 2567 (Carter)	Sewer collection agency: schedule of fees.
√AB 2677 (Swanson)	Public works: wages: employer payment contributions.
SB 14 (Wolk)	State Budget.
√SB 15 (DeSaulnier)	State budget.
SB 34 (Simitian)	California Water Resources Investment Act of 2011.
SB 69 (Leno)	2011-12 Budget.
√SB 71 (Leno)	State agencies: boards, commissions, and reports.
√SB 87 (Leno)	2011-12 Budget.
√SB 244 (Wolk)	Local government: land use: general plan: disadvantaged unincorporated communities.
SB 496 (Fuller)	State Water Resources Development System.
√SB 644 (Hancock)	Public works: volunteers.

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## CEQA

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AB 206 (Harkey)	Fireworks displays: CEQA: California Coastal Act of 1976.
√AB 209 (Ammiano)	Environment: CEQA: lead agency: documents.
√AB 880 (Nestande)	Ecological reserves: Mirage Trail.
√AB 890 (Olsen)	Environment: CEQA exemption: roadway improvement.
√AB 900 (Buchanan)	Jobs and Economic Improvement Through Environmental Leadership Act of 2011.
AB 1444 (Feuer)	Environmental quality: record of proceedings.
AB 1570 (Perea)	Environmental quality: California Environmental Quality Act: record of proceedings.
AB 2163 (Knight)	Environmental quality: California Environmental Quality Act: judicial review.
AB 2446 (Perea)	Environmental quality: notices
√AB 2669 (Comm on Nat Res)	Environmental quality: California Environmental Quality Act.
SB 241 (Cannella)	Environment: California Environmental Quality Act.
SB 250 (Rubio)	Sacramento-San Joaquin Delta: Delta Plan: conveyance facility.
SB 354 (Blakeslee)	Environmental quality: California Environmental Quality Act.
SB 683 (Correa)	Environment: California Environmental Quality Act: noncompliance allegations: public comment
SB 735 (Price)	Environmental quality: CEQA: judicial review: procedures.
√SB 972 (Simitian)	Environmental quality: California Environmental Quality Act: scoping meeting and notice of completion.
SB 984 (Simitian)	Environmental quality: California Environmental Quality Act: record of proceedings
SB 1214 (Cannella)	Environmental quality: California Environmental Quality Act: judicial review
SB 1380 (Rubio)	Environmental quality: California Environmental Quality Act: bicycle transportation plan.

√ -- Denotes bill that was chaptered.

## Climate

AB 275 (Solario)	Rainwater Capture Act of 2011.
AB 1530 (Huffman)	Economic development: Clean Manufacturing and Job Creation Incentive Act of 2012.
√AB 1532 (John A. Pérez)	California Global Warming Solutions Act of 2006: Greenhouse Gas Reduction Fund.
AB 1750 (Solario)	Rainwater Capture Act of 2012.
AB 1771 (Valadao)	Renewable energy resources: hydroelectric generation.
AB 2404 (Fuentes)	California Global Warming Solutions Act of 2006: Local Emission Reduction Program.
AB 2529 (Wieckowski)	California Global Warming Solutions Act of 2006: electrical corporations.
SB 23 (Simitian)	Energy: renewable energy resources.
SB 297 (Cannella)	Renewable energy resources: hydroelectric generation.
√SB 535 (De León)	California Global Warming Solutions Act of 2006: Greenhouse Gas Reduction Fund.
SB 854 (Blakeslee)	Renewable energy resources.
SB 963 (Cannella)	Renewable energy resources: local publicly owned electric utilities.
SB 971 (Cannella)	Renewable energy resources.
√SB 1066 (Lieu)	Coastal resources: climate change.
√SB 1122 (Rubio)	Energy: renewable bioenergy projects.
SB 1139 (Rubio)	Greenhouse gas: carbon capture and storage.
SB 1535 (Padilla)	California Global Warming Solutions Act of 2006: water industry study.
SB 1572 (Pavley).	California Global Warming Solutions Act of 2006: AB 32 Investment Fund.

## Coastal/Oceans

AB 206 (Harkey)	Fireworks displays: CEQA: California Coastal Act of 1976.
√AB 787 (Chesbro)	Marine protected areas: California Native American tribes. <del>Tribal-state gaming compacts.</del>
AB 1299 (Huffman)	Marine fisheries: forage species.
AB 2211 (Jones)	Coastal resources: California Coastal Act of 1976: goals and legislative findings and declarations.
AB 2595 (Hall)	Desalination.
√SB 215 (Huff)	Invasive aquatic species: mussels.
√SB 482 (Kehoe)	Public beach contamination: standards: testing: closing.
SB 770 (Evans)	Marine protected areas: Native American tribes.
SB 935	(Committee on Environmental Quality) Ballast water.
SB 1251 (Evans).	Ocean Protection Council: Aquatic Invasive Species Working Group.
SB 1283 (Alquist)	San Francisco Bay Area Sea Level Rise Planning Act.
√SB 1360 (Simitian)	Vessels.
SJR 17 (Corbett).	Coastal resources: San Francisco Bay.

## Enforcement

AB 246 (Wieckowski)	Income taxes: credit: hiring.
AB 640 (Logue)	Waste discharges: mandatory minimum civil penalties.
AB 942 (Huber)	General Fund: fines.
ABX1 7 (Logue)	General Fund: fines.

√ -- Denotes bill that was chaptered.



## Forestry

AB 1005 (Dickinson)	Forest practices: timber harvesting plan.
√AB 1414	(Committee on Natural Resources) Forestry: timber harvesting.
√AB 1492	(Committee on Budget) Forest resource management.
AB 1635 (Logue)	Forest resources: timber harvesting plans.
AB 2168 (Chesbro)	Forestry: timber harvesting plans.
AB 2170 (Chesbro)	Forestry: working forest management plan.
AB 2424 (Portantino)	Forest resources: timberlands.
SB 455 (Pavley)	Forestry: watersheds: timber harvesting plans
SB 1541 (La Malfa)	Timber harvesting plans.

## Groundwater

√AB 359 (Huffman)	Groundwater management plans.
AB 403 (Alejo)	Water quality: integrated plan: Salinas Valley.
AB 467 (Eng)	Environment: Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006.
√AB 480 (Solario)	Insurance: solid waste facilities.
AB 591 (Wieckowski)	Oil and gas production: hydraulic fracturing.
AB 1058 (Smyth)	Water quality: salinity: agricultural use.
AB 1094 (Swanson)	Public school campuses: recycling and composting bins.
√AB 1152 (Chesbro)	Groundwater.
AB 1283 (Berryhill, Bill)	Safe, Clean, and Reliable Drinking Water Supply Act of 2012.
AB 1615 (Miller)	Human remains.
AB 1669 (Perea)	Groundwater: Nitrate at Risk Area Fund.
AB 2208 (Perea)	Water quality.
√AB 2339 (Williams)	Energy: geothermal technologies.
SB 263 (Pavley).	Wells: reports: public availability.
SB 1146 (Pavley)	Wells: reports: public availability.

## Hazardous Materials & Waste

√AB 255 (Wieckowski)	Hazardous waste: latex paint: collection facility.
342 (Atkins)	√AB Office of Planning and Research.
√AB 408 (Wieckowski)	Environment: hazardous substances and materials: hazardous waste transportation: paint recycling.
√AB 566 (Galgiani)	Resources: surface mining.
AB 681 (Wieckowski)	Aboveground storage tanks: funds.
√AB 1442 (Wieckowski)	Pharmaceutical waste.
√AB 1620 (Wieckowski)	Hazardous waste: contained gaseous material.
√AB 2174 (Alejo)	Fertilizer: reduction of use.
√AB 2205 (V. Manuel Pérez)	Hazardous waste: ores and minerals: geothermal waste.
SB 456 (Huff).	Household hazardous waste: transportation
√SB 623 (Kehoe)	Public health: health workforce projects.
√SB 909 (La Malfa)	Treated wood waste: disposal.
SB 1335 (Pavley)	Redevelopment: brownfield sites.

## Recycled Water/Water Conservation/Water Supply

AB 275 (Solario)	Rainwater Capture Act of 2011.
AB 849 (Gatto)	Water: use efficiency: graywater building standards.
AB 1750 (Solario)	Rainwater Capture Act of 2012.
AB 2075 (Fong)	State water policy.
√AB 2230 (Gatto)	Recycled water: car washes.
√AB 2339 (Williams)	Energy: geothermal technologies.
AB 2398 (Hueso)	Water recycling.

√ -- Denotes bill that was chaptered.



ACR 20 (Huffman).  
SB 571 (Wolk)

Water Awareness Month.  
California Water Commission: California Water Plan: water  
resources investment.  
Municipal water districts: water storage: groundwater.

√SB 1386 (Lowenthal)

### Solid Waste

AB 298 (Brownley) Solid waste: single-use carryout bags.  
√AB 480 (Solorio) Insurance: solid waste facilities.  
√AB 812 (Ma) Solid waste: recycled asphalt.  
√AB 837 (Nestande) Solid waste: plastic products.  
√AB 1359 (Skinner) Public social services: CalFresh.  
√AB 1647 (Gordon) Solid waste: waste tires: enforcement.  
AB 2321 (Smyth) Plastic packaging containers: compostable.  
AB 2336 (Mansoor) Plastic products: labeling.  
AB 2457 (Valadao). Solid waste: vehicles: appliances.  
AB 2670 (Chesbro). Solid waste: recycling: diversion: green materials.  
AB 2681 (Committee on Agriculture). Food waste.  
√SB 567 (DeSaulnier) Recycling: plastic products.  
SB 568 (Lowenthal) Recycling: polystyrene food containers.  
SB 589 (Lowenthal) Recycling: household mercury-containing lamps.  
√SB 833 (Vargas) Solid waste: disposal facilities: San Diego County.  
√SB 841 Wolk Solid waste: enterprises: contracts.  
SB 1159 (Calderon). Plastic bag: labeling.  
√SB 1219 (Wolk) Recycling: plastic bags.

### Underground Storage Tanks

√AB 291 (Wieckowski) Underground storage tanks: petroleum: charges.  
√AB 358 (Smyth) Hazardous substances: underground storage tanks: releases:  
reports.  
√AB 408 (Wieckowski) Environment: hazardous substances and materials: hazardous  
waste transportation: paint recycling.  
√AB 681 (Wieckowski) Aboveground storage tanks: funds.  
√AB 1701 (Wieckowski) Underground storage tanks: local agencies.  
√AB 1715 (Smyth) Underground storage tanks: tank case closure.

### Water Rights

√AB 134 (Dickinson) Appropriation of water: Sacramento Regional County Sanitation  
District.  
AB 763 (Berryhill, Bill) Water rights: administrative procedures.  
√AB 1578 (Logue ) Indian Valley Watermaster District.  
AB 1607 (Galgiani) Local water supply projects: inventory.  
√AB 2187 (Bradford) Renewable energy resources.  
SB 665 (La Malfa) Lake and streambed alteration agreements: endangered species.  
√SB 1065 (Kehoe) Emergency preparedness: earthquakes and fires: water  
supplies.  
√SB 1201 (De León) Los Angeles River.  
SB 1340 (La Malfa) Appropriation of water: Sewerage Commission Oroville.  
√SB 1386 (Lowenthal) Municipal water districts: water storage: groundwater.

### Water-Quality

AB 275 (Solorio) Rainwater Capture Act of 2011.  
√AB 296 (Skinner) Department of Transportation: paving materials.

√ -- Denotes bill that was chaptered.

√AB 320 (Hill)	Environmental quality: California Environmental Quality Act (CEQA): determination: dispute.
√AB 341 (Chesbro)	Solid waste: diversion.
√AB 342 (Atkins)	Office of Planning and Research.
√AB 359 (Huffman)	Groundwater management plans.
AB 380 (Chesbro)	Resources: watersheds.
AB 403 (Alejo)	Water quality: integrated plan: Salinas Valley.
AB 467 (Eng)	Environment: Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006.
√AB 480 (Solorio)	Insurance: solid waste facilities.
AB 642 (Calderon)	Renewable energy: biomass: algae.
√AB 644 (Blumenfield)	Schools: average daily attendance: online instruction.
√AB 685 (Eng)	State water policy.
√AB 741 (Huffman )	Onsite wastewater disposal.
√AB 837 (Nestande)	Solid waste: plastic products.
AB 838 (Hill)	Natural resources: wild and scenic rivers.
AB 939 (V. Manuel Pérez)	Salton Sea Restoration.
AB 955 (Huber)	Recreational trails: California Recreational Trails Committee.
√AB 964 (Huffman)	Water rights: appropriation.
AB 1002 (Butler)	California Water Plan: stormwater recovery.
AB 1058 (Smyth)	Water quality: salinity: agricultural use.
AB 1200 (Ma)	Water quality: discharges: sewer systems
AB 1210 (Garrick)	Water quality: stormwater discharge: civil engineering activities.
√AB 1221 (Alejo)	State Water Quality Control Fund: State Water Pollution Cleanup and Abatement Account.
√AB 1359 (Skinner)	Public social services: CalFresh.
√AB 1414	(Committee on Natural Resources) Forestry: timber harvesting.
√AB 1532 (John A. Pérez)	California Global Warming Solutions Act of 2006: Greenhouse Gas Reduction Fund.
√AB 1540 (Buchanan)	Sacramento-San Joaquin Delta: invasive weeds: South American spongeplant.
√AB 1566 (Wieckowski)	Aboveground storage tanks: enforcement.
√AB 1614 (Monning)	Fort Ord Reuse Authority.
√AB 1656 (Fong)	San Francisco Bay Restoration Authority.
AB 1704 (Huffman)	Hazardous waste: coal tar.
√AB 1715 (Smyth)	Underground storage tanks: tank case closure.
√AB 1750 (Solorio)	Rainwater Capture Act of 2012.
AB 2117 (Gorell)	Waste discharge requirements: stormwater.
√AB 2174 (Alejo)	Fertilizer: reduction of use.
√AB 2196 (Chesbro)	Renewable energy resources.
AB 2208 (Perea)	Water quality.
AB 2334 (Fong)	California Water Plan: drinking water and wastewater services.
√AB 2443 (Williams)	Vessels: registration fee: Quagga and Zebra Mussel Infestation Prevention Program.
AB 2566 (Carter)	Natural resources: wild and scenic rivers.
√SB 108 (Rubio)	Surface mining: idle mines.
√SB 133 (Wolk)	Natural resources: Cache Creek Resource Management Plan.
√SB 215 (Huff)	Invasive aquatic species: mussels.
SB 263 (Pavley)	Wells: reports: public availability.
√SB 482 (Kehoe)	Public beach contamination: standards: testing: closing.
√SB 535 (De León)	California Global Warming Solutions Act of 2006: Greenhouse Gas Reduction Fund.
√SB 607 (Walters)	State Water Resources Control Board: water quality: brackish groundwater treatment.
√SB 623 (Kehoe)	Public health: health workforce projects.
√SB 659 (Negrete McLeod)	Immunizations: disclosure of information: tuberculosis screening.
SB 682 (Rubio).	Public resources: oil and gas: underground injection of gas.

√ -- Denotes bill that was chaptered.

SB 711 (Rubio)  
SB 833 (Vargas)  
√SB 841 (Wolk)  
√SB 909 (La Malfa)  
SB 975 (Wright)  
SB 1063 (Gaines).  
√SB 1066 (Lieu)  
√SB 1201 (De León)  
SCR 68 (Gaines).  
√SJR 17 (Corbett)

Public resources: oil and gas: underground injection of gas.  
Solid waste: disposal facilities: San Diego County.  
Solid waste: enterprises: contracts.  
Treated wood waste: disposal.  
Professions and vocations: regulatory authority.  
Bear Lake Reservoir: recreational use.  
Coastal resources: climate change.  
Los Angeles River.  
Joint Committee for the Protection of Lake Tahoe.  
Coastal resources: San Francisco Bay.

√ -- Denotes bill that was chaptered.

## 2011-2012 Legislative Bill Summaries

### Assembly Bills

#### **AB 7 (Portantino) State employment: salary freeze.**

**Status:** Dead

**Summary:** This bill would have, until January 1, 2014, prohibited a person employed by the state whose base salary is greater than \$150,000 per year from receiving a salary increase while employed in the same position or classification.

#### **AB 49 (Gatto) Development: expedited permit review.**

**Status:** Dead

**Summary:** This bill would have required the Office of Permit Assistance to provide information to developers explaining the permit approval process at the state and local levels, or assisting them in meeting statutory environmental quality requirements and would have prohibited the office or the state from incurring any liability as a result of the provision of this assistance. The bill also would have required the office to assist state and local agencies in streamlining the permit approval process, and an applicant in identifying any permit required by a state agency for the proposed project.

#### **AB 95 (Committee on Budget). Public resources.**

**Status:** Chapter Number 2, Statutes of 2011

**Summary:** This bill, an urgency measure, is a budget trailer bill that amends various California Codes including the Water Code, to make statutory changes necessary to implement provisions of the 2011 Budget Act. Among its provisions, the bill allows monies from the Waste Discharge Permit Fund to be used for adopting, reviewing, and revising water quality control plans and state policies for water quality control.

#### **AB 98 (Committee on Budget). Budget Act of 2011.**

**Status:** 6/16/11- Vetoed by the Governor

**Summary:** SB 69, as proposed by Conference Report No. 1 on March 7, 2011, would have made appropriations for the support of state government for the 2011-12 fiscal year. This bill would have made revisions to those appropriations in SB 69 for the 2011-12 fiscal year.

**Veto Message:** I am returning Senate Bill 69 and Assembly Bill 98 without my signature. In January, I presented a balanced budget solution with a mix of deep spending cuts and temporary tax extensions subject to voter approval. My plan would put these extended revenues in a lockbox, ensuring that they are only used to protect education and public safety. It would also address California's long term fiscal crisis by substantially paying down the \$35 billion wall of debt built up over the last decade. Yet Republicans in the Legislature blocked the right of the people to vote on this honest, balanced budget. Meanwhile, Democrats in the Legislature made valiant efforts to address California's budget crisis by enacting \$11 billion in painful cuts and other solutions. I commend them for their tremendous efforts to balance the budget in the absence of Republican cooperation. Unfortunately, the budget I have received is not a balanced solution. It continues big deficits for years to come and adds billions of dollars of new debt. It also contains legally questionable maneuvers, costly borrowing and unrealistic savings. Finally, it is not financeable and therefore will not allow us to meet our obligations as they occur. We can and must do better. A balanced budget is critical to our economic recovery. I am, once again, calling on Republicans to allow the people of California to vote on tax extensions for a balanced budget and significant reforms. They should also join Democrats in supporting job creation and ending tax breaks for out-of-state companies. If they continue to obstruct a vote, we will be forced to pursue deeper and more destructive cuts to schools and public safety a tragedy for which Republicans will bear full responsibility. Sincerely, Edmund G. Brown Jr.

#### **AB 120. (Committee on Budget). Public Resources.**

**Status:** Chapter Number 133, Statutes of 2011

**Summary:** This bill, an urgency measure, is a budget trailer bill that amended various codes to make statutory changes necessary to implement provisions of the Budget Act of 2011. Among its provisions, the bill specifically: 1) extends the moratorium on suction dredge mining to June 30, 2016 or until the Department of Fish and Game (DFG) meets certain requirements; 2) repeals the State Interagency Oil Spill Committee, effective January 1, 2012 and recasts the provisions of the oil spill response statute; 3) makes technical, cleanup changes to provisions of existing law that established Wastewater Operator Certification Fund (WOCF) to allow additional fee revenues paid by wastewater treatment plant operators to be deposited

into the WOCF; and 4) appropriates \$1,000 from the WOCF to the State Water Resources Control Board (State Water Board) for administrative costs.

**AB 127 (Logue) Regulations: effective date.**

**Status:** Dead

**Summary:** This bill would have revised the date upon which a regulation or an order of repeal becomes effective, from "30 days after being filed with the Secretary of State" to "January 1 following a 90 day period after being filed with the Secretary of State."

**AB 134 (Dickinson) Appropriation of water: Sacramento Regional County Sanitation District.**

**Status:** Chapter Number 212, Statutes of 2011

**Summary:** This bill authorizes the Sacramento Regional County Sanitation District (SRCSD) to apply to the State Water Board for a permit to appropriate up to the amount of treated wastewater that it discharges into the Sacramento River, with a point of diversion out of the Sacramento River or the Sacramento-San Joaquin Delta. This bill allows SRCSD to sell or utilize the appropriated water for any beneficial purpose.

**AB 149 (Lara) Civil service: personal services contracts.**

**Status:** Dead

**Summary:** This bill would have authorized a state department or agency, when the State Personnel Board either disapproves a personal service contract from being executed, or nullifies an executed contract, to create and fill a limited-term civil service position for the equivalent number of hours for each contractor position requested in the submitted contract.

**AB 172 (Eng) State agencies: information: Internet Web site.**

**Status:** 10/9/2011-Vetoed by the Governor

**Summary:** This bill would have required the California Technology Agency to create and maintain a Reporting Transparency in Government Internet Web site.

**Veto Message:** I am returning Assembly Bill 172 without my signature. This bill would require information about state contracts and audits to be posted on a specific, new website. Information about state contracts can already be found at [www.dgs.ca.gov/pd/programs/eprocure](http://www.dgs.ca.gov/pd/programs/eprocure), and I am issuing an Executive Order to ensure that these contracts continue to be posted on this site. Audits conducted by the Bureau of State Audits can be found at [www.bsa.ca.gov](http://www.bsa.ca.gov). Other audits are readily available as public records. While governmental transparency is laudable, there's no need for a new law. Sincerely, Edmund G. Brown Jr.

**AB 206 (Harkey) Fireworks displays: California Environmental Quality Act: California Coastal Act of 1976.**

**Status:** Dead

**Summary:** This bill would have exempted a municipal fireworks display from the provisions of CEQA.

**AB 209 (Ammiano) Environment: CEQA: lead agency: documents.**

**Status:** Chapter Number 171, Statutes of 2011

**Summary:** This bill requires that an environmental impact report or a negative declaration under CEQA include a description of how the draft environmental impact report or negative declaration can be provided in an electronic format.

**AB 213 (Silva) Administrative Procedure Act: notice of proposed actions: local government agencies.**

**Status:** Dead

**Summary:** This bill would have required an agency, when it considers it appropriate, to mail or to electronically mail a notice of proposed action to adopt, amend, or repeal a regulation to local government agencies or local government agency representatives that are likely to be affected by the proposed action.

**AB 246 (Wieckowski) Income taxes: credit: hiring.**

**Status:** Dead

**Summary:** This bill is a gut and amend. The bill, as introduced, would have made various changes in California's water quality enforcement laws. The bill would have allowed district attorneys, city attorneys of a city with a population that exceeds 750,000, or city attorneys for a city and county, upon request of the State Water Board or a Regional Water Board to petition the appropriate court to impose, assess and recover civil penalties for violations of the Water Code. The bill specified that a district attorney and a city attorney could only pursue judicial enforcement under this provision, upon approval of the Attorney General. In addition, the bill would have (1) allowed Regional Water Boards to delegate to their Executive Officers the authority to refer judicial enforcement matters to the Attorney General, a district attorney, a city attorney of a city with a population that exceeds 750,000, or a city attorney for a city and county and (2) repealed provisions of existing law that require the Water Boards to hold a hearing prior to referring a case to the Attorney General.

**AB 255 (Wieckowski) Hazardous waste: latex paint: collection facility.**

**Status:** Chapter Number 213, Statutes of 2011

**Summary:** This bill allows a permanent household hazardous waste collection facility that is authorized to accept hazardous waste from a conditionally exempt small quantity generator to accept recyclable latex paint from any generator, under specified conditions.

**AB 273 (Valadao) Regulations: economic impacts review.**

**Status:** Dead

**Summary:** This bill would have required the Department of Finance to adopt and update instructions for inclusion in the State Administrative Manual that prescribe the methods that any agency shall use in making certain determinations, estimates, statements, and findings relating to the economic and cost impacts of a regulation on businesses and private individuals. The bill also would have required, instead of authorizing, the department to review these determinations, estimates, statements, and findings for content.

**AB 275 (Solorio) Rainwater Capture Act of 2011.**

**Status:** 10/9/2011-Vetoed by the Governor

**Summary:** This bill would have enacted the Rainwater Capture Act of 2011, which would expressly allow property owners to install, maintain and operate rain barrel systems and rainwater capture systems. This bill would have also added specific authorization for contractors to construct rainwater capture systems for landscape irrigation purposes.

**Veto Message:** I am returning Assembly Bill 275 without my signature. This measure seeks to adopt an interim standard for rainwater capture outside the established Building Standards Commission process. Without some urgency or a more compelling reason, I think it is better to stick with the process and follow existing California law. Sincerely, Edmund G. Brown Jr.

**AB 291 (Wieckowski) Underground storage tanks: petroleum: charges.**

**Status:** Chapter Number 569, Statutes of 2011

**Summary:** This bill extends, from January 1, 2012 until January 1, 2014, the sunset date of the \$0.006 per gallon fee that is deposited into the Underground Storage Tank Cleanup Fund (USTCF). Monies in the USTCF are used to reimburse eligible underground storage tank (UST) owners and operators for cleaning up soil and groundwater contamination resulting from the unauthorized release of petroleum from USTs, thereby protecting water quality and public health. This bill was joined to AB 358 (Smyth).

**AB 296 (Skinner) Department of Transportation: paving materials.**

**Status:** Chapter Number 667, Statutes of 2012

**Summary:** This bill requires the California Environmental Protection Agency to develop a definition for the term "Urban Heat Island Effect", and to develop a standard specification for sustainable and cool pavements. This bill also requires the California Building Standards Commission to consider incorporating standard specifications for cool pavements in the California Green Building Standards Code.

**AB 298 (Brownley) Solid waste: single-use carryout bags.**

**Status:** Dead

**Summary:** This bill would have required an operator of a store, on and after January 1, 2013, to provide a plastic bag collection bin for their customers, for the purpose of collecting and recycling single-use plastic bags and reusable bags.

**AB 320 (Hill) Environmental quality: California Environmental Quality Act: determination: dispute.**

**Status:** Chapter Number 570, Statutes of 2011

**Summary:** This bill amends CEQA by requiring a notice of approval or notice of determination to identify the person undertaking an activity that receives financial assistance from a public agency or the person receiving a lease, permit, license, certificate, or other entitlement of use from a public agency.

**AB 325 (Lowenthal, Bonnie) Employee's right to bereavement leave.**

**Status:** 10/9/2011-Vetoed by the Governor

**Summary:** This bill would have prohibited an employer from refusing to grant a request by any employee to take up to 3 days of bereavement leave or to interfere with or restrain an employee from doing so.

**Veto Message:** I am returning Assembly Bill 325 without my signature. Granting bereavement leave when a close family member dies is the moral and decent thing to do and I believe that the vast majority of employers voluntarily make such an accommodation for the loss of a loved one. I am also concerned that this measure adds a more far reaching private right to sue than is contained in related statutes. Sincerely, Edmund G. Brown Jr.

**AB 338 (Wagner) Regulations: legislative validation: effective date.**

**Status:** Dead

**Summary:** This bill would have delayed the effective date of regulations submitted to the Office of Administrative Law (OAL) from "30 days after being filed with the Secretary of State" to "60 days after being filed with the Secretary of State." This bill also would have required OAL to submit to the Legislature a copy of any regulation that it disapproves due to a finding that the regulatory agency exceeded its statutory authority in adopting the regulation.

**AB 341 (Chesbro) Solid waste: diversion.**

**Status:** Chapter Number 476, Statutes of 2011.

**Summary:** This bill declares that it is the policy goal of the state that not less than 75 percent of solid waste generated be source reduced, recycled, or composted by the year 2020. Annually thereafter, the bill also requires the Department of Resources, Recycling and Recovery to prepare a report to the Legislature by January 1, 2014, to provide strategies for achieving the 75 percent reduction of solid waste and other specified information. This bill also requires businesses that generate more than four cubic yards of commercial solid waste per week and multifamily residential dwellings of five units or more to arrange for recycling services beginning July 1, 2012.

**AB 342 (Atkins) Office of Planning and Research.**

**Status:** Chapter Number 395, Statutes of 2012

**Summary:** This bill requires the Office of Planning and Research (OPR) to serve as the state's liaison to the United States Department of Defense (DOD) in order to facilitate coordination regarding issues that are of significant interest to California and DOD. This bill also allows OPR to work with DOD agencies to address California regulatory activities that affect defense operations within the State.

**AB 356 (Hill) Public works projects: local hiring policies.**

**Status:** Dead

**Summary:** This bill would have exempted any public works project that is funded in whole or in part, with state funds, from a policy imposed by a local agency that mandates that any portion or percentage of project work hours be performed by local residents.

**AB 358 (Smyth) Hazardous substances: underground storage tanks: releases: reports.**

**Status:** Chapter Number 571, Statutes of 2011

**Summary:** This bill, an urgency measure, makes various changes to existing law pertaining to the cleanup of leaking underground storage tanks (USTs). Among its provisions, the bill: (1) requires Regional Water Boards and local agencies with responsibility for overseeing the cleanup of leaking UST to electronically submit specified information on each UST site to the State Water Board, (2) requires UST owners and operators to submit information of the unauthorized release to local agencies in a format specified by the State Water Board; and (3) authorizes the State Water Board to close UST sites (and thereby discontinue requirements for further cleanup) that are under the jurisdiction of a local implementing agency (LIA), upon petition by a UST owner/operator or as part of its regular review of UST sites that have been open for more than five years. The bill also modifies eligibility requirements for the Underground Storage Tank Cleanup Fund (USTCF) to allow UST owners who are directed by a federal agency to clean up leaking USTs to be eligible for reimbursement from the USTCF. Under current law, UST owners are only eligible to be reimbursed from the USTCF if they are directed by a Regional Water Board or local agency to clean up a site. This bill was joined to AB 291 (Wieckowski).

**AB 359 (Huffman) Groundwater management plans.**

**Status:** Chapter Number 572, Statutes of 2011

**Summary:** This bill makes various changes to provisions of existing law pertaining to the development of groundwater management plans. Among its provisions, the bill requires: (1) a local agency adopting a plan to provide to the Department of Water Resources (DWR) a copy of a resolution of intention to draft a groundwater management plan within 30 days of the date of adoption, (2) local groundwater management agencies to notify interested persons and DWR about the date, time and place of a hearing pertaining to the adoption of a groundwater management plan; (3) DWR to post on its website information regarding which local agency has jurisdiction to develop a groundwater management plan in a given area; (4) local groundwater management agencies seeking DWR funds for groundwater projects to include in their groundwater management plans a map identifying recharge basins and to submit a copy of the map to local planning agencies.



**AB 380 (Chesbro) Resources: watersheds.**

**Status:** Dead

**Summary:** This bill would have required the Department of Forestry and Fire Protection and the Board of Forestry and Fire Protection, when implementing a pilot project to protect and restore the riparian zone in watersheds with listed anadromous salmonids, among other things, to provide the industry, agencies, and the public with the opportunity to participate in the development of the pilot project in a transparent manner and to ensure that the pilot project has certain goals.

**AB 403 (Alejo) Water quality: integrated plan: Salinas Valley.**

**Status:** Dead

**Summary:** This bill would have appropriated \$2 million from the Waste Discharge Permit Fund to the State Water Board for use by the Greater Monterey County Regional Water Management Group (the Group) to develop a plan to address the drinking water and wastewater needs of disadvantaged communities in the Salinas Valley. This bill would have required the Group to submit the plan to the Legislature by January 1, 2016.

**AB 408 (Wieckowski) Environment: hazardous substances and materials: hazardous waste transportation: paint recycling.**

**Status:** Chapter Number 603, Statutes of 2011

**Summary:** This bill is an omnibus hazardous materials and waste bill that makes changes to hazardous material reporting, emergency response, and hazardous waste manifest requirements and to the requirements for the management of used paint. The bill makes changes to several statutes including: 1) modifying the consolidated manifest procedures to allow transporters to receive one shipment of used oil from a generator who has a suspended identification number (ID) if certain requirements are met; 2) modifying the quantity requirement of hazardous materials that are irritants or sensitizers, and compressed gas that would be required to have a Business Plan; and 3) allowing local governments to receive repayment from emergency response. This bill was joined with AB 255 and SB 456.

**AB 410 (Swanson) Regulations: adoption: disability access.**

**Status:** Chapter Number 495, Statutes of 2011

**Summary:** This bill requires an agency that proposes certain regulations, upon a request from a person with a visual disability or other disability for which effective communication is required under state or federal law, to provide that person a narrative description of the proposed regulation, and provide for an extended public comment period for that person. The bill requires an agency that adopts a regulation subject to the requirements of this bill to submit a report to the Governor and certain committees of the Legislature on or before February 1, 2014.

**AB 425 (Nestande) State regulations: review.**

**Status:** Dead

**Summary:** This bill would have required each state agency to review its regulations by December 31, 2012, and identify (1) regulations it deems to be duplicative, archaic, or inconsistent with statute or other regulations and (2) regulations it deems would inhibit economic growth in the state. The bill also would have required state agencies to repeal the regulations they deem duplicative, archaic or inconsistent with statute or other regulations if authorized by law, and to submit reports to the Legislature.

**AB 429 (Knight) Regulations: effective date.**

**Status:** Dead

**Summary:** This bill would have required an agency, for any regulation that it has identified as having a gross cost of \$15,000,000 or more, an increased cost of 5% or more over the cost of an existing regulation, or both, to submit a copy of the rulemaking record for that regulation to the appropriate policy committee in each house of the Legislature when the agency submits the regulation to the office for approval.

**AB 436 (Solario) Public works: labor compliance.**

**Status:** Chapter Number 378, Statutes of 2011

**Summary:** This bill makes changes to existing law relating to the monitoring and enforcement of prevailing wage compliance requirements for public works projects by the Department of Industrial Relations (DIR) and modifies the method by which DIR may charge and be reimbursed for monitoring and enforcing prevailing wage compliance requirements for public works projects that are paid from public funds derived from state-issued bonds.

**AB 467 (Eng) Environment: Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006.**

**Status:** 9/25/2012-Vetoed by the Governor

**Summary:** This bill would have modified the allocation of the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Act of 2006 (Proposition 84) funds collected from responsible parties for groundwater contamination cleanup. Specifically, this bill would have: 1) required the Department of Public Health (DPH) to adopt emergency regulations for the allocation of Prop 84 funds; 2) authorized DPH to enter into an agreement with a recipient of a Prop 84 grant that would authorize the expenditure of the recovered funds from responsible parties to implement ongoing remediation and treatment activities; 3) authorized DPH to expend up to 3 percent of the recovered funds to pay for DPH oversight costs to ensure the grantee expends the recovered funds on additional groundwater cleanup activities; and 4) authorized DPH to enter into an agreement with the Department of Toxic Substances Control to use recovered funds for groundwater cleanup projects, and allow the expenditure of such funds to be counted against existing state funding obligations under federal law.

**Veto Message:** I am returning Assembly Bill 467 without my signature. This bill would allow recipients of Proposition 84 groundwater clean-up funds to leverage those funds by removing the requirement of having to pay back those state funds when they recover funding from parties responsible for the contamination, if they used the recovered funds for continued clean-up of their groundwater. I support the leveraging of all available funding by ensuring that recovered funds are effectively used in the jurisdictions that recover them. Unfortunately, the structure that was developed is cumbersome and inefficient. I am directing the Department of Public Health and the Department of Toxic Substances Control, to once again work with the Legislature to develop a more streamlined way to reinvest these funds. Sincerely, Edmund G. Brown Jr.

**AB 480 (Solorio) Insurance: solid waste facilities.**

**Status:** Chapter Number 713, Statutes of 2012

**Summary:** This bill limits the California Department of Resources Recycling and Recovery's authority to regulate the means by which solid waste landfill owners and operators can meet financial assurance requirements related to landfill closure and post-closure. This bill also allows landfill owners and operators to use "captive insurance" (a type of self-insurance) as a means of meeting up to 50 percent of the required financial assurance requirements for landfill closure and post-closure maintenance liability.

**AB 527 (Hernández, Roger) Public officials: financial interests.**

**Status:** Dead

**Summary:** This bill would have required that the remote interest of a public official be disclosed at a public meeting of the body or board the public official is a member of, and would have required a statutory basis for classifying the interest as a remote interest to be identified.

**AB 530 (Smyth) Regulations: economic and technical information.**

**Status:** Dead

**Summary:** This bill would have required the initial statement of reasons accompanying a proposed state agency regulatory action to also identify each document, including, but not limited to, technical, theoretical, and empirical studies, reports, or similar documents, upon which the agency relied in rejecting each reasonable alternative. The bill would have prohibited an agency from rejecting a reasonable alternative unless the statement of reasons includes at least one of these documents. The bill would also have repealed a provision that authorizes the agency to avoid having to artificially construct alternatives, describe unreasonable alternatives, or justify why it did not describe alternatives.

**AB 535 (Morrell) Regulations: 5-year review and report.**

**Status:** Dead

**Summary:** This bill would have required state agencies to review each regulation five years after it adopts the regulation and report on 10 specified factors, including a summary of the written criticisms of the regulation received by the agency within the past five years and the estimated economic, small business, and consumer impacts of the regulation. The bill also would have required the Office of Administrative Law to post these reports on an internet website.

**AB 541 (Morrell) California Small Business Board.**

**Status:** Dead

**Summary:** This bill would have required the California Small Business Board, until January 1, 2014, as a priority area of focus and deliberation, to review the state's licensing and permitting regulations as they impact small businesses, with special attention to the regulatory impact on small business startups, and would have required each state agency to cooperate with the board in that review. The bill also would have required the board to report a summary of its findings and recommendations to the Governor, the Small Business Advocate, and the Legislature on July 1, 2012, July 1, 2013, and December 31, 2013.

**AB 550 (Huber) Sacramento-San Joaquin Delta: peripheral canal.**

**Status:** Dead

**Summary:** This bill would have: 1) prohibited the construction and operation of a peripheral canal from negatively affecting the water supplies, water rights, or quality of water for water users within the Delta watershed, or imposing any new burdens on infrastructure within, or financial burdens on persons residing in the Delta; 2) narrowly defined "peripheral canal," to apply only to water conveyance facilities from the Sacramento River to the State Water Project or the federal Central Valley Project south of the Delta; 3) prohibited the peripheral canal from being constructed unless legislation is enacted; and 4) required that, prior to the enactment of legislation authorizing construction of the peripheral canal, the Legislative Analyst's Office must complete an economic feasibility analysis that addresses the total costs of the project, the impact of the peripheral canal on taxpayers, rate payers, and the General Fund, and the expected environmental and economic impacts of the project on existing public infrastructure in and around the Delta and the Delta watershed.

**AB 551 (Campos) Public contracts: prevailing wage requirements: violations.**

**Status:** Chapter Number 677, Statutes of 2011

**Summary:** This bill increases the maximum penalty for violation of prevailing wage requirements to \$200 for each calendar day and increases the minimum penalty except in certain cases of a good faith mistake to no less than \$40 for each calendar day. The bill also increases the penalty assessed to contractors and subcontractors with prior violations from \$20 to \$80, and from \$30 to \$120 for willful violations.

**AB 566 (Galgiani) Resources: surface mining.**

**Status:** Chapter Number 218, Statutes of 2011

**Summary:** The Surface Mining and Reclamation Act of 1975 makes certain findings and declarations regarding surface mining, including the finding that the extraction of minerals is essential to the continued economic well-being of the state and to the needs of the society. This bill includes additional legislative findings, including, among other things, that the state's mineral resources are vital, finite, and important natural resources and the responsible protection and development of these mineral resources is vital to a sustainable California.

**AB 576 (Dickinson) Delta Stewardship Council: Delta Plan: financing.**

**Status:** Dead

**Summary:** This bill would have required the Delta Stewardship Council to develop a long-term finance plan to pay for the costs of implementing the Delta Plan by January 1, 2013. The bill would have prohibited the council from adopting new fees for these purposes unless authorized by statute. The bill also would have authorized the council, before adopting and collecting long-term revenue sources, to seek to obtain early funding contributions from entities that may benefit from implementation of the Delta Plan and to track those contributions to provide credit against future funding requirements.

**AB 586 (Garrick) Administrative regulations: legislative review.**

**Status:** Dead

**Summary:** This bill would have required the appropriate legislative committees to hold informational hearings on any regulation proposed by a state agency that would have a gross cost in excess of \$10 million.

**AB 587 (Gordon) Public works: volunteers.**

**Status:** Chapter Number 219, Statutes of 2011

**Summary:** This bill extends, until January 1, 2017, provisions of current law that exempt volunteer work, as well as work performed by the California Conservation Corp or a Community Conservation Corps, from prevailing wage requirements that otherwise apply to public works projects.

**AB 591 (Wieckowski) Oil and gas production: hydraulic fracturing.**

**Status:** Dead

**Summary:** This bill would have defined "hydraulic fracturing" and required a person carrying out hydraulic fracturing on behalf of an owner or operator at a well to provide to the owner or operator a list of the chemical constituents used in the hydraulic fracturing fluid and the amount of water and hydraulic fracturing fluid recovered from the well. The bill would have additionally required the history of the drilling of the well to include certain information regarding the amount and source of water used in the exploration or production from the well and the radiological components or tracers injected into the well. The bill would also have required the history to include, if hydraulic fracturing was used at the well, a complete list of the chemicals used in the hydraulic fracturing and the amount and disposition of water and hydraulic fracturing fluid recovered from the well.

**AB 627 (Berryhill, Bill) State Water Resources Development System: Delta Corridors Plan: feasibility study.**

**Status:** Dead

**Summary:** This bill would have required the Department of Water Resources to undertake an expedited evaluation and feasibility study with regard to the implementation of a specified Delta Corridors Plan as part of the State Water Resources Development System. The bill would have required the department to consult with the Department of Fish and Game to study specified impacts and benefits of the Delta Corridors Plan and to include in the study an assessment of the incorporation of the Two-Gates Fish Protection Demonstration Project managed by the United States Bureau of Reclamation into the Delta Corridors Plan.

**AB 632 (Wagner) Regulations: legislative notice.**

**Status:** Dead

**Summary:** This bill would have required that a notice of proposed regulatory action be submitted to the Legislature, in addition to previously specified recipients in the Administrative Procedure Act, if it includes particular information relating to economic and cost impacts of the regulation on businesses and private persons.

**AB 640 (Logue) Waste discharges: mandatory minimum civil penalties.**

**Status:** Dead

**Summary:** This bill would have expanded the types of facilities that would be eligible to conduct compliance projects, in lieu of paying all or a portion of a Mandatory Minimum Penalty (MMP) for certain violations of water quality laws. Specifically, the bill would have expanded from less than 10,000 people to less than 20,000 people, the population criteria for defining small disadvantaged communities that are eligible for conducting compliance projects in lieu of paying MMPs.

**AB 642 (Calderon) Renewable energy: biomass: algae.**

**Status:** Dead

**Summary:** This bill would have enacted the Salton Sea Stabilization and Agricultural Cultivation Act, which would have authorized the Secretary of the Natural Resources Agency to establish an Algae Production Program in the Imperial Valley to meet high-priority economic and environmental goals, expedite regulatory application and review processes and provide grants to facilitate research and the commercial development of algae for fuels, foods, medicines, and clean water within the State.

**AB 644 (Blumenfield) Schools: average daily attendance: online instruction.**

**Status:** Chapter Number 579, Statutes of 2012.

**Summary:** This bill's previous version would have allowed the state to identify sites such as closed landfills, brownfields and unproductive farmland that does not have access to water, as land with high potential for use as a site for renewable energy. However, this bill was gutted and amended to pertain to school districts or county offices of education that elect to offer synchronous, online instruction, to also require the school districts or county offices of education to provide all pupils who choose to enroll in online courses access to the computer hardware or software necessary for the pupil to participate in such courses.

**AB 681 (Wieckowski). Aboveground storage tanks: funds.**

**Status:** Chapter Number 574, Statutes of 2011.

**Summary:** This bill extends the authority of the California Environmental Protection Agency to make payments from the Environmental Protection Trust Fund to local agencies for training and assistance for the regulation of aboveground storage tanks.

**AB 685 (Eng) State water policy.**

**Status:** Chapter 524, Statutes of 2012.

**Summary:** This bill declares it to be the established policy of the State that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes. This bill requires all relevant state agencies, including the State Water Board, the Department of Water Resources, and the Department of Public Health to consider this state policy when revising, adopting, or establishing policies, regulations, and grant criteria relevant to this policy.

**AB 692 (Hall) Civil service: employee hearings.**

**Status:** Chapter Number 682, Statutes of 2011.

**Summary:** This bill authorizes an employee to make a written request for a priority hearing by the State Personnel Board for an appeal of an action that resulted in the employee's termination if an evidentiary hearing has not commenced within 6 months of the filing of the appeal.

**AB 735 (Mitchell) Interns and student assistants: hiring preference.**

**Status:** Chapter No. 464, Statutes of 2011.

**Summary:** This bill requires state agencies, when hiring for internships and student assistant positions, to give preference to persons who are, or have been, dependent children in foster care.

**AB 740 (Blumenfield) Personal services contracts.**

**Status:** Chapter Number 684, Statutes of 2011.

**Summary:** This bill requires a state agency to immediately discontinue a contract disapproved by action of the State Personnel Board or its delegate unless ordered otherwise by the board or its delegate.

**AB 741 (Huffman) Onsite wastewater disposal.**

**Status:** Chapter Number 106, Statutes of 2011.

**Summary:** This bill allows local agencies (including cities, counties, sanitation districts and similar entities) to establish a program for improving private sewer laterals and converting properties from using septic tanks to being connected to a sewer system. Under the program, homeowners could request the local agency to: (1) connect their property to a sewer system in place of an existing septic system, or (2) replace or repair their existing sewer laterals. The local agency is then authorized to place a lien against the property to recover its costs or alternatively to enter into an agreement, secured by a lien on the home, for the homeowner to repay the local agency over time. The bill specifies that the terms of the loan could not exceed 30 years, nor have a rate of interest greater than twelve percent.

**AB 763 (Berryhill, Bill) Water rights: administrative procedures.**

**Status:** Dead

**Summary:** This bill would have authorized the State Water Board to employ administrative law judges meeting specified qualifications and authorize an administrative law judge to conduct hearings and issue decisions and orders relating to the administration of water rights, as specified. The bill would have authorized any hearing or investigation of the board to be conducted by an administrative law judge, with a specified exception.

**AB 787 (Chesbro) Marine protected areas: California Native American tribes.**

**Status:** Chapter Number 340, Statutes of 2012.

**Summary:** This bill pertains to tribal gaming. However, prior versions of this bill would have required the Fish and Game Commission to permit California Native American tribe members to continue fishing and gathering practices for traditional religious, cultural and ceremonial purposes within a marine protected area, subject to tribal and federal environmental laws.

**AB 812 (Ma) Solid waste: recycled asphalt.**

**Status:** Chapter 230, Statutes of 2012.

**Summary:** This bill authorizes the Department of Transportation, by January 1, 2014, to establish specifications for the use of reclaimed asphalt pavement of up to 40% for hot mix asphalt mixes. The bill requires the Department to submit a report to the Legislature, by March 1, 2016, on its progress since 2011, toward the development and implementation of these specifications.

**AB 837 (Nestande) Solid waste: plastic products.**

**Status:** Chapter 525, Statutes of 2012.

**Summary:** This bill requires a manufacturer or supplier making an environmental marketing claim relating to the recycled content of a plastic food container product, as defined, to maintain certain information and documentation in support of that claim. The bill also requires a manufacturer or supplier to furnish this information to any member of the public upon request or to provide the information and documentation by furnishing a link to a document on its Internet Web site. The bill repeals these requirements on January 1, 2018.

**AB 838 (Hill) Natural resources: wild and scenic rivers.**

**Status:** Chapter Number 341, Statutes of 2012.

**Summary:** This bill would have revised the river preservation policy to be for the benefit and enjoyment of future generations. This bill was later gut and amended to pertain to charter-party carriers.

**AB 849 (Gatto) Water: use efficiency: graywater building standards.**

**Status:** Chapter Number 577, Statutes of 2011.

**Summary:** This bill repeals the authority of a city, county, or other local agency to adopt building standards that prohibit entirely the use of graywater systems and instead, under specified requirements, authorizes the adoption of standards that are more restrictive than the standards adopted pursuant to state requirements.

**AB 880 (Nestande) Ecological reserves: Mirage Trail.**

**Status:** Chapter 527, Statutes of 2012.

**Summary:** This bill, until January 1, 2018, requires the Mirage Trail within the Magnesia Spring Ecological Reserve to be open 9 months of the year to recreational hiking, if the commission determines that certain conditions relating to Peninsular bighorn sheep are met.

**AB 890 (Olsen) Environment: CEQA exemption: roadway improvement.**

**Status:** Chapter 528, Statutes of 2012.

**Summary:** This bill exempts from CEQA a project or an activity to repair, maintain, or make minor alterations to an current roadway if the project or activity is carried by a city or county to improve public safety meeting specified requirements. This bill sunsets on January 1, 2016.

**AB 900 (Buchanan) Jobs and Economic Improvement Through Environmental Leadership Act of 2011.**

**Status:** Chapter Number 354, Statutes of 2011

**Summary:** This bill enacts the Jobs and Economic Improvement Through Environmental Leadership Act of 2011 and establishes specified judicial review procedures for the judicial review of the EIR and approvals granted for a leadership project related to the development of a residential, retail, commercial, sports, cultural, entertainment, or recreational use project, or clean renewable energy or clean energy manufacturing project. This bill sunsets on January 1, 2015.

**AB 903 (Berryhill, Bill) Sacramento-San Joaquin Delta: dredging.**

**Status:** Dead

**Summary:** This bill would have made legislative findings relative to the importance of dredging in the Sacramento-San Joaquin Delta, and would have required the State Water Board to provide priority review for dredging permits in the Delta.

**AB 917 (Olsen) State agencies: sunset review.**

**Status:** Dead

**Summary:** This bill would have declared the intent of the Legislature to enact legislation that would revise the scope of authority for the Joint Sunset Review Committee.

**AB 939 (V. Manuel Pérez) Salton Sea Restoration.**

**Status:** Dead

**Summary:** This bill would have eliminated the Salton Sea Restoration Council and assigned duties relating to the restoration of the Salton Sea to the Salton Sea Authority, a joint powers authority comprised of the County of Imperial, the County of Riverside, the Imperial Irrigation District, the Coachella Valley Water District and the Torres Martinez Desert Cahuilla Indian Tribe. This bill would have required the Department of Fish and Game and the Department of Water Resources to provide the staff services, using staff currently dedicated to Salton Sea activities or other staff provided by legislative action that the Salton Sea authority requires to carry out the assignee functions.

**AB 942 (Huber) General Fund: fines.**

**Status:** Dead

**Summary:** This bill would have required the State Water Board, Air Resource Board, the Department of Pesticide Regulation, and the Department of Toxic Substances Control to deposit into the General Fund revenues collected from fines or penalties for a violation of a regulation that is adopted by that agency. This bill also would have exempted the expenditure of those revenues from being subject to Legislative approval in the annual Budget Act or through other legislation.

**AB 955 (Huber) Recreational trails: California Recreational Trails Committee.**

**Status:** 9/25/12-Vetoed by the Governor

**Summary:** In an earlier version, this bill would have amended provisions of existing law that require the State Water Board to adopt regulations or standards for the permitting and operation of onsite sewage treatment systems to specify that the regulations/standards must: (1) consist of a risk-based, tiered approach, and (2) authorize the State Water Board to establish exemption criteria. This bill also would have deleted provisions of existing law that specify that under the regulations/standards, local agencies must obtain approval from the State Water Board in order to implement the regulations/standards in their jurisdictions. However, this bill was gut and amended to instead pertain to the California Recreational Trails Committee.

**AB 964 (Huffman) Water rights: appropriation.**

**Status:** Chapter Number 579, Statutes of 2011

**Summary:** This bill enables people seeking to divert small amounts of water for irrigation purposes to obtain a water right from the State Water Board through a streamlined "registration" process, rather than through a full water rights permitting process. The bill limits the application of the small irrigation use registration process to either (A) diversions to storage of 20 acre-feet per annum, for irrigation, heat control, or frost control, including impoundment for incidental domestic aesthetic, fire protection, recreational, or fish and wildlife purposes or (B) direct diversions of 42,000 gallons or less per day, up to a maximum of 20 acre-feet per annum, for irrigation. Additionally, this bill: 1) requires the State Water Board, prior to granting registrations for appropriation for small irrigation use and subject to the availability of funds, to establish general conditions for protecting instream beneficial uses; 2) requires the State Water Board, by June 30, 2012, and subject to the availability of funds, to adopt general conditions for registration of small irrigation use for frost protection in the North Coast; 3) limits registrations for small irrigation use to stream systems that are not fully appropriated and that do not have proposed streamflow requirements by the Department of Fish and Game; and 4) requires small irrigation use registrants to pay a fee, according to a fee schedule established by the State Water Board, for registrations of appropriation for small irrigation use, or petitions to change the point of diversion, place of use, or purpose of use under small irrigation use registrations.

**AB 983 (Perea) Safe Drinking Water State Revolving Fund.**

**Status:** Chapter Number 515, Statutes of 2011

**Summary:** This bill authorizes the State Department of Public Health to take specified actions to improve access to financial assistance for small community water systems and not-for-profit nontransient noncommunity water systems serving severely disadvantaged communities, as defined.

**AB 988 (Grove) Prevailing wages.**

**Status:** Dead

**Summary:** This bill would have revised the manner in which the Director of Industrial Relations determines the rate of general prevailing wages, including deleting the requirement that he or she consider the applicable wage rates established by collective bargaining agreements and the rates that may have been predetermined for federal public works, and deleting the requirement that the director consider further data from labor organizations and employers or employer associations and concerns where the rates do not constitute the rates actually paid in the locality.

**AB 991 (Olsen) State government: licenses: California Licensing and Permit Center.**

**Status:** Dead

**Summary:** This bill would have established the California Licensing and Permit Center, a website hosted on the Governor's web page containing information on licensing, permitting and registration activities undertaken by state agencies, as well as digital copies of state applications, forms and other documents and instructions for submittal. The bill also would have required the Governor or his designee to operate a permit help center that would provide telephone and email support to applicants with permitting, licensing, and registration requirements.

**AB 1002 (Butler) California Water Plan: stormwater recovery.**

**Status:** Dead

**Summary:** This bill would have required the Department of Water Resources to include in the California Water Plan a discussion of strategies relating to stormwater recovery.

**AB 1005 (Dickinson) Forest practices: timber harvesting plan.**

**Status:** Dead

**Summary:** This bill would have required timber harvest plans (THP), in addition to being subject to review and approval by the Director of Cal Fire, to additionally be subject to a review conducted by the Department of Fish and Game, the appropriate Regional Water Board, the California Geological Survey, and, where applicable, the California Coastal Commission. The bill would have further required the Secretary for Natural Resources to review a THP for final determination, in situations where the multi-agency review finds environmental issues and recommends mitigation measures that the Director of Cal Fire deems unnecessary.

**AB 1037 (V. Manuel Pérez) Regulations: small business impact.**

**Status:** Dead

**Summary:** This bill would have made various changes to the regulatory adoption process, including requiring that: (1) economic analyses of regulations be based on sound economic theory and practice that is generally accepted within the related professional fields, and include a determination whether there is a similar or related regulation that has been adopted by any other regulatory agency and (2) state agencies, in adopting regulations, make a determination that no alternative would be equally or more effective in carrying out the purpose for which the regulation was proposed.



**AB 1058 (Smyth) Water quality: salinity: agricultural use.**

**Status:** Dead

**Summary:** This bill would have required the State Water Board, on or before July 1, 2013, to adopt a statewide policy establishing a statewide water quality objective and plan of implementation for chloride and other measures of salinity that may affect the suitability of water used for agricultural purposes, in accordance with prescribed requirements.

**AB 1094 (Swanson) Public school campuses: recycling and composting bins.**

**Status:** Dead

**Summary:** In an earlier version, this bill would have required the California Infrastructure and Economic Development Bank (I-Bank) to serve as the primary state agency for purposes of developing an application for, and applying to, any federal infrastructure bank or financing authority. Additionally, this bill would have added a member of the Assembly and a member of the Senate as advisory members of the I-Bank board. The bill was subsequently gutted and amended to pertain to recycling at schools.

**AB 1095 (Buchanan) Sacramento-San Joaquin Delta Reform Act of 2009: covered actions.**

**Status:** Dead

**Summary:** This bill would have excluded from the definition of "covered action" any project, as defined, as of September 30, 2009, that is within an urban or urbanizing area within the Delta's secondary zone, within the boundaries of the community's adopted sphere of influence or urban limit line and substantially conforms with an adopted general plan.

**AB 1125 (Achadjian). Public health: County of San Luis Obispo and Los Osos Community Services District.**

**Status:** Chapter Number 177, Statutes of 2011

**Summary:** This bill authorizes the County of San Luis Obispo, and the Los Osos Community Services District, upon resuming the responsibilities of operating a community wastewater collection and treatment system, to develop a tiered assessment system for very low and low-income households using outside funds, including grants from the State Water Board and the United States Department of Agriculture.

**AB 1152 (Chesbro) Groundwater.**

**Status:** Chapter Number 280, Statutes of 2011

**Summary:** This bill adds to the list of entities that may assume responsibility for monitoring and reporting groundwater elevations, a local agency that has been collecting and reporting groundwater elevations and that does not have a groundwater management plan, if the local agency adopts a groundwater management plan in accordance with specified provisions of current law by January 1, 2014. The bill also permits the Department of Water Resources to authorize the local agency to conduct monitoring and reporting of groundwater elevations on an interim basis, until the local agency adopts a groundwater management plan or until January 1, 2014, whichever occurs first.

**AB 1200 (Ma) Water quality: discharges: sewer systems**

**Status:** Chapter Number 8, Statutes of 2011

**Summary:** Earlier revisions of this bill would have required a local public agency operating a combined sewer and stormwater system to implement a notification plan to inform the public of a discharge from the system that occurs near a recreational beach. The bill would have specified that the plan must include a communication mechanism to alert users of receiving waters that are affected by a discharge and a testing system to determine the nature and duration of conditions resulting from sewer discharges that are potentially harmful to users of the receiving waters. However, this bill was gutted and amended before enrollment to pertain to election central committees.

**AB 1210 (Garrick) Water quality: stormwater discharge: civil engineering activities**

**Status:** 10/10/11- Vetoed by the Governor

**Summary:** This bill, an urgency measure, would have exempted licensed civil engineers from having to satisfy any additional training, experience, or certification requirements related to the preparation of Storm Water Pollution Prevention Plan (SWPPP) as required in the State Water Board Construction Stormwater General Permit.

**Veto Message:** I am returning Assembly Bill 1210 without my signature. This bill would exempt licensed civil engineers from training requirements related to the preparation of Storm Water Pollution Prevention Plans. Many of these storm plans are found to be deficient and those preparing them need a much better understanding of the necessary elements of a solid plan. It is not feasible to inspect every plan or every construction site but it is essential to have some process in place to ensure compliance in preparing complete and sound storm water plans. The current process depends on a training education program for all professionals who prepare storm plans -- engineers, geologists, hydrologists, and landscape architects. This bill, a piecemeal approach, exempts only one profession, the civil engineers. A more comprehensive solution would be better. I am directing the State Water Board to review the

entire program and evaluate compliance alternatives that are more efficient and workable for all professionals.  
Sincerely, Edmund G. Brown Jr.

**AB 1213 (Nielsen) Regulations.**

**Status:** Dead

**Summary:** This bill would have adopted guiding principles for regulatory actions as detailed in federal Executive Order Number 13563, and which specifies that regulations must be based on the best available science, allow for public participation, promote predictability and reduce uncertainty, identify and use the best, most innovative, and least burdensome tools for achieving regulatory ends, and take into account benefits and costs. The bill also would have required state agencies, in adopting regulations, to take specific actions to implement these principles, including proposing or adopting regulations only upon a reasoned determination that its benefits justify its costs.

**AB 1221 (Alejo) State Water Quality Control Fund: State Water Pollution Cleanup and Abatement Account.**

**Status:** Chapter Number 517, Statutes of 2011

**Summary:** This bill makes certain types of not-for-profit organizations that serve disadvantaged communities and disadvantaged Native American tribes eligible to apply for funds from the Cleanup and Abatement Account for projects to clean up a waste or to abate the effects of a waste on waters of the state.

**AB 1283 (Berryhill, Bill) Safe, Clean, and Reliable Drinking Water Supply Act of 2012.**

**Status:** Dead

**Summary:** This bill would have declared the intent of the Legislature to enact legislation relating to the Safe, Clean, and Reliable Drinking Water Supply Act of 2012.

**AB 1292 (Hernández, Roger) Safe Drinking Water State Revolving Fund: revenue bonds.**

**Status:** Chapter Number 518, Statutes of 2011

**Summary:** This bill specifies that the executive director of the California Infrastructure and Development Bank may contract with specified agencies for technical services, and provides that, where a state agency is authorized under state law to request that the bank issue bonds on its behalf, the agency may request, and the bank may issue, the bonds for the purpose authorized by state law and to fund any necessary reserves, capitalized interest, and costs of issuance associated with the bonds. This bill authorizes the bank to issue taxable or tax-exempt revenue bonds for deposit into the Safe Drinking Water State Revolving Fund in accordance with prescribed provisions.

**AB 1299 (Huffman) Marine fisheries: forage species.**

**Status:** Dead

**Summary:** This bill would have stated that it is the policy objective of the state to ensure the conservation, sustainable use, and, where applicable, restoration of California's forage species populations, including their habitats and associated water quality, for the benefit of all citizens of the state, and achieve ecosystem-based management of marine forage species that recognizes, prioritizes, accounts for, and incorporates the ecological services rendered by forage species, including the dependence of predator species on those forage species.

**AB 1320 (Allen) Alcoholic beverages: licenses.**

**Status:** Chapter Number 467, Statutes of 2012

**Summary:** The introduced version of the bill was related to Public employees' retirement: employer contribution rates but the bill was gut and amended to pertain to Alcoholic beverages: licenses.

**AB 1322 (Bradford) Regulations: principles of regulation.**

**Status:** Dead

**Summary:** This bill would have adopted guiding principles for regulatory action as detailed in federal Executive Order Number 12866; and would specify that (1) agencies should promulgate only those regulations as are required by law, are necessary to interpret the law, or are made necessary by compelling public need, such as failures of private markets to protect or improve the health and safety of the public, the environment, or the well-being of Californians and (2) in deciding whether and how to regulate, agencies should assess all costs and benefits of available regulatory alternatives, including the alternative of not regulating.

**AB 1354 (Huber) Public works: payments: retentions.**

**Status:** Chapter 232, Statutes of 2012.

**Summary:** Earlier versions of this bill would have deleted the prohibition against payments pursuant to state public works contracts being made in excess of 95% of the work completed and the requirement that the department withhold not less than 5% of the contract price until final completion and acceptance of the project, and would instead have prohibited the retention of any amount with respect to all contracts entered into on or after January 1, 2012, between a public entity and an original contractor, between an original

contractor and a subcontractor, and between all subcontractors thereunder, relating to the construction of any public work of improvement. This bill was later gutted and amended to pertain to discovery standards in civil proceedings.

**AB 1359 (Skinner). Public social services: CalFresh.**

**Status:** Chapter Number 468, Statutes of 2012

**Summary:** This bill's previous versions pertained to solid waste issues in landfill closures and with fiberglass beverage containers, but it was subsequently gutted and amended to require the county human services agencies to provide CalFresh benefits on an expedited basis to certain households.

**AB 1395 (Swanson) Public employment.**

**Status:** 8/8/2011-Vetoed by the Governor

**Summary:** This bill would have required Boards, Departments and Offices to post notices of examinations and vacancies on the the State Personnel Board website. The bill also would have required that the names of employees that are laid off from department specific job classifications be placed on "comparable" statewide reemployment lists

**Veto Message:** I am returning Assembly Bill 1395 without my signature.

This measure requires all state agencies and departments to post examination and vacancy announcements on the State Personnel Board's website. It also requires that the names of employees that are laid off from department specific job classifications be placed on "comparable" statewide reemployment lists. While I support the author's intent to increase access to state employment opportunities for laid off state employees, this measure fails to provide adequate protections against an unqualified employee being misplaced on a comparable statewide list. Further, it may delay the layoff process and reduce the anticipated savings from future layoffs. I note that state departments and agencies working in conjunction with the Department of Personnel Administration currently have the authority to work collaboratively to designate comparable classes on a case-by-case basis as part of layoff negotiations with employees and their representatives. Further, I encourage all parties to engage in this process whenever possible during these difficult fiscal times for the state, its employees and all Californians. Sincerely, Edmund G. Brown Jr.

**AB 1409 (V. Manuel Pérez) Regulations: small businesses.**

**Status:** Dead

**Summary:** This bill would have required that the reasonable alternatives an agency is required to include in its initial statement of regulatory action also include any reasonable alternative submitted by the public or the Office of the Small Business Advocate. This bill would have required the initial statement to include an assessment of whether there are similar or related state regulations that have been adopted and require an agency to determine whether there are opportunities to coordinate and harmonize compliance activities to reduce regulatory burdens on small businesses.

**AB 1414 (Committee on Natural Resources). Forestry: timber harvesting.**

**Status:** Chapter Number 584, Statutes of 2011

**Summary:** This bill amends the Z'berg-Nejedly Forest Practice Act (Act) of 1973 by making technical changes and repealing outdated provisions in the Act regarding, timber operations, district technical advisory committees, and a few exemptions. This bill specifically deletes the January 1, 1988, date limitation on the definition of "timber operations", and also deletes the January 1, 1988 date limitation with respect to rules and regulations relating site preparation work.

**AB 1442 (Wieckowski). Pharmaceutical waste.**

**Status:** Chapter Number 689, Statutes of 2012

**Summary:** This bill defines pharmaceutical waste for purposes of the Medical Waste Management Act, and exempts a pharmaceutical waste generator or parent organization that employs health care professionals who generate pharmaceutical waste, from specified medical waste hauling requirements if the generator, health care professional, or parent organization, retains specified documentation and meets specified requirements and if the facility receiving the medical waste retains specified documentation and meets specified requirements.

**AB 1444 (Feuer) Environmental quality: record of proceedings.**

**Status:** Dead

**Summary:** This bill would have required, until January 1, 2016, the lead agency under CEQA, at the request of a project applicant and the agreement of the project applicant to bear the costs incurred by the lead agency, to prepare a record of proceedings concurrently with the preparation, and adoption or certification, of an environmental document.

**AB 1478 (Blumenfield) State Budget: Finances.**

**Status:** Chapter 530, Statutes of 2012.

**Summary:** This urgency measure is a “budget trailer bill” that makes necessary changes to water law needed to implement provisions of the Budget Act of 2012. This bill significantly increases the accountability, consistency, and efficiency of the Regional Water Boards by expanding the pool of candidates eligible to serve on the Regional Water Boards; reducing the number of Regional Water Board members; and conforming Water Code conflict of interest rules to those of the Political Reform Act.

**AB 1492 (Committee on Budget) Forest resource management.**

**Status:** Chapter Number 289, Statutes of 2012

**Summary:** This bill established a new assessment of one percent of gross receipts on the sale of lumber products and engineered wood products. The revenues from the new assessment will be deposited in the Timber Regulation and Forest Restoration Fund, and used for various purposes, including paying for the costs of various state agencies associated with the regulation of timber harvest operations in California. The bill correspondingly prohibits state agencies from imposing any other fees on the regulation of timber operations. Additionally, this bill extends, from three years to five years, the effective length of Timber Harvest Plans, and allows for a two-year extension to these plans under defined conditions. This bill also establishes that public agencies seeking damages caused by a wildfire may only seek quantifiable, reasonable pecuniary damages, or specified environmental damages, which may not be enhanced. Finally, the bill appropriated \$1.5 million from the Timber Regulation and Forest Restoration Fund to the Department of Fish and Game for review of timber harvest plans.

**AB 1504 (Morrell) Administrative regulations.**

**Status:** Dead

**Summary:** This bill would have required any state agency that is considering adopting, amending, or repealing a regulation to complete an economic assessment of the proposed action at least 90 days prior to submitting a notice of proposed action to the office.

**AB 1517 (Buchanan) Public contracts: information technology goods and services.**

**Status:** Chapter 187, Statutes of 2012.

**Summary:** This bill deletes the sunset date of a provision of current law that allows the Department of General Services (DGS), in lieu of requiring a performance bond on information technology (IT) contracts and requiring the withholding of at least 10% on IT progress payments, to apply lesser withholding levels, as specified, based on the evaluation of risk.

**AB 1530 (Huffman). Economic development: Clean Manufacturing and Job Creation Incentive Act of 2012.**

**Status:** Dead

**Summary:** This bill would have established the Clean Manufacturing and Job Creation Incentive Act of 2012, and would have authorized the legislative body of a city, county, or city and county to establish a clean manufacturing zone within the local government’s boundaries for the purpose of providing incentives (e.g., tax rebates, pre-permitting) to manufacturing businesses to locate within that local government.

**AB 1532 (Pérez). California Global Warming Solutions Act of 2006: Greenhouse Gas Reduction Fund.**

**Status:** Chapter Number 807, Statutes of 2012.

**Summary:** Current law imposes limitations on the ability of state agencies to form links (e.g., “cap-and-trade” markets) between California and other states unless the state agency consults with the Governor and the State Attorney General. This bill prohibits the Governor’s written findings on these matters from being subject to judicial review.

**AB 1537 (Cook) Government Accountability Act of 2012.**

**Status:** Dead

**Summary:** This bill would have required that a regulation proposed on or after January 1, 2013, that is estimated to have an adverse economic impact of more than \$1 million in a year on businesses or individuals subject to the proposed regulation must include a provision that repeals the regulation two years after the date that the regulation is approved by the Office of Administrative Law.

**AB 1538 (Cook) Recovery audits.**

**Status:** Dead

**Summary:** This bill would have authorized the Controller to contract with consultants to provide semiannual recovery audits of state agencies with expenditures exceeding \$50,000,000 in a fiscal year.

**AB 1540 (Buchanan). Sacramento-San Joaquin Delta: invasive weeds: South American spongeplant.**

**Status:** Chapter Number 188, Statutes of 2012.

**Summary:** Current law designates the Department of Boating and Waterways as the lead agency in cooperating with other agencies in controlling water hyacinth and Brazilian elodea in the Sacramento-San Joaquin Delta, its tributaries and the Suisun Marsh. This bill additionally designates the Department as the lead agency in cooperating with other agencies in controlling South American spongeplant in the Delta, its tributaries and the Marsh.

**AB 1549 (Gatto) Development: expedited permit review.**

**Status:** Dead

**Summary:** This bill would have established various requirements designed to help expedite state and local permitting processes for development projects. Among its provisions, the bill would have required the Office of Permit Assistance (OPA), in consultation with the Natural Resources Agency and the California Environmental Protection Agency, to develop a consolidated project information form to be used by applicants for commercial or industrial development projects. The bill would have required the form to collect sufficient information to allow OPA to determine the state agencies that have permitting requirements applicable to the development project for which the form was submitted.

**AB 1566 (Wieckowski) Aboveground storage tanks: enforcement.**

**Status:** Chapter 532, Statutes of 2012.

**Summary:** This bill designates the Office of the State Fire Marshal as the state agency responsible for overseeing local agencies' implementation of the aboveground petroleum storage tank regulatory program. This bill also allows underground storage tanks that are in subsurface vaults (such as in a concrete lined basement) and that meet other specified requirements to be regulated as aboveground storage tanks, rather than being regulated under the more stringent underground storage tank regulatory requirements.

**AB 1570 (Perea) Environmental quality: California Environmental Quality Act: record of proceedings.**

**Status:** Dead

**Summary:** This bill would have specified under CEQA, until January 1, 2016, the types of projects for which an applicant can request the lead agency to prepare a record of proceedings concurrently with the preparation of negative declarations, mitigated negative declarations, EIRs, or other environmental documents for specified projects.

**AB 1578 (Logue) Indian Valley Watermaster District.**

**Status:** Chapter Number 345, Statutes of 2012

**Summary:** This bill establishes the Indian Valley Watermaster District. The District will be responsible for providing watermaster services in portions of Plumas County in lieu of watermaster services that are currently provided by the Department of Water Resources.

**AB 1607 (Galgiani) Local water supply projects: inventory.**

**Status:** Dead

**Summary:** This bill would have required the Department of Water Resources to conduct a statewide inventory of local regional water supply projects and post specified results of the inventory on the department's Internet Web site by July 1, 2013.

**AB 1614 (Monning). Fort Ord Reuse Authority.**

**Status:** Chapter Number 743, Statutes of 2012

**Summary:** This bill makes the Fort Ord Reuse Authority Act inoperative when the governing board makes a specified determination, or by June 30, 2020, whichever occurs first, and repeals the Act on January 1, 2021.

**AB 1615 (Miller). Human remains.**

**Status:** Dead

**Summary:** This bill would have required the Cemetery and Funeral Bureau to license and regulate hydrolysis facilities and hydrolysis facility managers, and would have enacted requirements for these facilities substantially similar to crematoria.

**AB 1620 (Wieckowski). Hazardous waste: contained gaseous material.**

**Status:** Chapter 190, Statutes of 2012.

**Summary:** This bill exempts certain hazardous waste management activities from being regulated as treatment if the activity is conducted onsite or at a facility that has obtained a hazardous waste storage permit. Specifically, this bill exempts hazardous waste activities from Department of Toxic Substances Control treatment permits for exhaust gas, flue gas, or other vapor stream, regardless of the source.

**AB 1635 (Logue) Forest resources: timber harvesting plans.**

**Status:** Dead

**Summary:** This bill would have authorized the State Board of Forestry and Fire Protection to exempt from all or some of the requirements of the Forest Practices Act a person engaged in certain limited forest management activities, including, until January 1, 2014, the harvesting of trees that eliminate the vertical continuity of vegetative fuels and the horizontal continuity of tree crowns, for the purpose of reducing the rate of fire spread, duration and intensity, fuel ignitability, or ignition of tree crowns.

**AB 1639 (Hill) Retirement: public employees.**

**Status:** Dead

**Summary:** This bill would have specified that, for the purposes of determining a retirement benefit paid to a person who first becomes a member of a public retirement system on or after January 1, 2013, the maximum salary, compensation, or pay rate taken into account under the plan for any year shall not exceed the amount permitted to be taken into account under that provision of federal law.

**AB 1647 (Gordon). Solid waste: waste tires: enforcement.**

**Status:** Chapter 534, Statutes of 2012.

**Summary:** This bill directs the Department of Resources Recycling and Recovery to include additional requirements in an order issued to a person operating an unpermitted waste tire facility and specifies procedures for the issuance of an injunction to the operators of both permitted and unpermitted waste tire facilities. The bill removes some administrative procedures required for denying a waste facility permit, waste tire hauler registration, or issuing penalties for noncompliance with storage laws, and allows the Department to request an injunction from the Attorney General's office for egregious violations in a timelier manner.

**AB 1649 (Smyth) Public employees' retirement: felony forfeiture.**

**Status:** Dead

**Summary:** This bill would have required that a public employee who is convicted of any violent felony, serious felony, or a sex offense, for conduct during the performance of his or her official duties to forfeit retirement benefits attributable to service performed on and after the earliest date of the commission of the felony.

**AB 1655 (Dickinson) Public employees: rights.**

**Status:** Dead

**Summary:** This bill would have provided that state employees are entitled to priority over contractors in filling permanent, overtime, and on-call positions.

**AB 1656 (Fong) San Francisco Bay Restoration Authority.**

**Status:** Chapter 535, Statutes of 2012.

**Summary:** The San Francisco Bay Restoration Authority Act establishes the San Francisco Bay Restoration Authority to raise and allocate resources for the restoration, enhancement, protection, and enjoyment of wetlands and wildlife habitat in the San Francisco Bay and along its shoreline. Current law repeals the act on January 1, 2029. This bill revises the definition of the East Bay, for purposes of appointment to the San Francisco Bay Restoration Authority, to provide that it consists of the whole Contra Costa County, as well as a specified portion of Alameda County.

**AB 1669 (Perea). Groundwater: Nitrate at Risk Area Fund.**

**Status:** Dead

**Summary:** This bill would have established the Nitrate at Risk Area Fund, to be administered by the State Water Board and, upon appropriation by the Legislature, moneys in the fund would have been available for the purposes of developing and implementing sustainable and affordable solutions for disadvantaged communities in areas reliant on nitrate-contaminated groundwater as their source of drinking water, as determined by the department and the board, consistent with specified data.

**AB 1701 (Wieckowski) Underground storage tanks: local agencies.**

**Status:** Chapter 536, Statutes of 2012.

**Summary:** This bill (1) requires the State Water Board to establish a program for certifying cities and counties to oversee the cleanup of leaking underground storage tanks and (2) prohibits cities and counties, beginning July 1, 2013, from overseeing the cleanup of leaking underground storage tanks, unless they have been certified by the State Water Board. The bill requires the State Water Board to reassign underground storage tank cleanup cases from uncertified agencies to the appropriate Regional Water Board or to a certified agency for oversight of cleanup operations.

**AB 1704 (Huffman). Hazardous waste: coal tar.**

**Status:** Dead

**Summary:** This bill would have prohibited a person from selling, offering for sale, or offering for promotional purposes coal tar pavement products. This bill also would have prohibited a person from applying a coal tar pavement product on driveways, parking areas, airport runways and playgrounds.

**AB 1715 (Smyth R) Underground storage tanks: tank case closure.**

**Status:** Chapter 237, Statutes of 2012.

**Summary:** This bill restricts the authority of state and local agencies that are responsible for overseeing the cleanup of leaking underground storage tanks. Specifically, the bill prohibits these agencies from imposing new regulatory requirements, or taking new enforcement actions on cases where the State Water Board staff have recommended to the Board that the case be closed, until such time as the Board has acted on the staff's recommendation.

**AB 1750 (Solorio). Rainwater Capture Act of 2012.**

**Status:** Chapter Number 537, Statutes of 2012.

**Summary:** This bill enacts the "Rainwater Capture Act of 2012", which 1) allows landscape contractors to construct rainwater capture systems for landscaping purposes; and 2) codifies the State Water Board's interpretation that rainwater collected from rooftops does not require a water right permit. This bill also makes various findings and definitions related to the concept of rainwater capture.

**AB 1771 (Valadao) Renewable energy resources: hydroelectric generation.**

**Status:** Dead

**Summary:** This bill would have revised the definition of an eligible renewable energy resource for the purposes of the California renewables portfolio standard program to include a hydroelectric generation facility of any size, as specified, and make conforming changes.

**AB 1783 (Perea) Public contracts: small business preferences.**

**Status:** Chapter Number 114, Statutes of 2012

**Summary:** This bill revises the small business certification procedure to provide that the Department of General Services has the sole responsibility for certifying and determining eligibility of small businesses and provides that local agencies have access to the department's list of certified small businesses.

**AB 1787 (Portantino) State employment: salary freeze.**

**Status:** Dead

**Summary:** This bill would have, until January 1, 2015, prohibited a person employed by the state whose base salary is greater than \$100,000 per year from receiving a salary increase while employed in the same position or classification.

**AB 1791 (Buchanan) Public contracts: state contracts: computer software.**

**Status:** Dead

**Summary:** This bill would have required the Department of General Services to add a provision to state contracts that requires a contractor to certify that it has appropriate systems and controls in place to ensure that its use of computer software complies with applicable copyright laws.

**AB 1804 (Valadao)Public contracts: public entities: project labor agreements.**

**Status:** Dead

**Summary:** This bill would have repealed current law relating to charter cities and the use of project labor agreements.

**AB 1808 (Williams) Meyers-Milias-Brown Act: public employees.**

**Status:** Dead

**Summary:** This bill would have expanded the definition of "public employee" to include any person employed by an employer that is a not a public agency, but with which a public agency shares or codetermines decisions governing essential employment conditions of that person.

**AB 1813 (Buchanan) Sacramento-San Joaquin Delta Reform Act of 2009.**

**Status:** Dead

**Summary:** This bill would have required the Delta water diversion data system established by the State Water Board, for certain diversions, in lieu of requiring reporting, to use data from the consumptive use index modeling used by the Department of Water Resources to determine the Net Delta Outflow Index. The bill would have authorized the system to enhance or replace the consumptive use index modeling with satellite imagery. The bill would have required that



the system, to the maximum extent practicable, use consumptive use data from consumptive use modeling or satellite imagery in lieu of public reporting.

**AB 1844 (Campos) Employer use of social media.**

**Status:** Dead

**Summary:** This bill would have prohibited an employer from requiring or requesting an employee or applicant for employment to disclose a username or password for the purpose of accessing personal social media, to access personal social media in the presence of the employer, or to divulge any personal social media.

**AB 1871 (Logue) Delta Stewardship Council: Delta plan.**

**Status:** Dead

**Summary:** This bill would have prohibited the Delta Stewardship Council from adopting a final version of the Delta Plan until the completion of the Bay Delta Conservation Plan.

**AB 1875 (Gatto) Civil procedure: depositions.**

**Status:** Dead

**Summary:** This bill would have limited a deposition of any person to seven hours of total testimony, except under specified circumstances.

**AB 1884 (Buchanan) Sacramento-San Joaquin Delta Reform Act of 2009: covered actions.**

**Status:** Dead

**Summary:** This bill would have excluded from the definition of "covered action" in the Sacramento-San Joaquin Delta Reform Act of 2009, any anticipated upgrades to current drinking water, stormwater, or wastewater treatment facilities to meet state water quality requirements.

**AB 1901 (Jones) Counties: construction projects: design-build.**

**Status:** Dead

**Summary:** This bill would have lowered the existing cost threshold to \$1,000,000 for county-based design-build construction projects.

**AB 1914(Garrick) Agency reports.**

**Status:** Dead

**Summary:** This bill would have required each state or local agency that is required to submit one or more reports to the Legislature to submit, by April 1 of each year, a list of all reports the agency has not yet submitted to the Legislature along with a status summary for each report, including a statement explaining why any overdue report has not yet been submitted and a compliance plan. In addition, the bill would have provided that the Legislature may withhold appropriations for an agency that fails to submit timely reports.

**AB 1936 (Knight) State employment: military service: inactive duty training.**

**Status:** Dead

**Summary:** This bill would have required that a civil service employee who is granted short-term military leave of absence for inactive duty training receive his or her salary or compensation for the first 30 days of inactive duty training during his or her absence.

**AB 1964 (Yamada) Discrimination in employment: reasonable accommodations.**

**Status:** Chapter Number 287, Statutes of 2012

**Summary:** This bill includes a religious dress practice or a religious grooming practice as a belief or observance covered by the protections against religious discrimination, and specifies that an accommodation of an individual's religious dress practice or religious grooming practice that would require that person to be segregated from the public or other employees is not a reasonable accommodation.

**AB 1969 (Gaines, Beth) Regulations: filing.**

**Status:** Dead

**Summary:** This bill would have prohibited the Office of Administrative Law from transmitting any regulation to the Secretary of State for filing that it receives between January 1, 2013, and January 1, 2015, inclusive, until after January 1, 2015. This bill would have exempted from the requirements of this bill a regulation proposed by a public safety or public health agency or department.

**AB 1982 (Gorell) Regulations: effective date: legislative review.**

**Status:** Dead

**Summary:** This bill would have required the Office of Administrative Law to submit to the Legislature for review a copy of each major regulation that it submits to the Secretary of State. This bill would have extended the time period that a regulation becomes effective after being filed with the Secretary of State from 30 days to 90 days. This bill also would have specified that the list of prescribed conditions that prevent a regulation from becoming effective include a statutory override of the regulation.

**AB 2000 (Huber) Sacramento-San Joaquin Delta.**

**Status:** Dead

**Summary:** This bill would have reduced the Governor's appointments to the Delta Stewardship council to 2 members, and instead provided that the Vice-Chairperson of the Delta Protection Commission and a member of the commission chosen by a majority vote of the commission will serve on the council.

**AB 2011 (Gatto) CalConserve Water Conservation Retrofit Program.**

**Status:** Dead

**Summary:** This bill would have required up to \$50,000,000 of the Safe, Clean, and Reliable Drinking Water Supply Act of 2012 funds to be allocated to the Department of Water Resources to establish the CalConserve Water Conservation Retrofit Program to provide grants to local water agencies for the implementation of local and regional water conservation revolving loan programs that assist customers to carry out water use efficiency retrofit projects.

**AB 2039 (Swanson) Family and medical leave.**

**Status:** Dead

**Summary:** This bill would have increased the circumstances under which an employee is entitled to protected leave pursuant to the Family Rights Act by (1) eliminating the age and dependency elements from the definition of "child," (2) expanding the definition of "parent" to include an employee's parent-in-law, and (3) permitting an employee to also take leave to care for a seriously ill grandparent, sibling, grandchild, or domestic partner.

**AB 2063 (Alejo) Ex parte communications.**

**Status:** Dead

**Summary:** This bill would have revised the rules of ex parte communications for members of the State Water Resources Control Board and Regional Water Quality Control Boards by allowing ex parte communications, under certain conditions, with respect to the adoption, modification or rescission of waste discharge requirements, conditional waivers of waste discharge requirements and conditions of water quality certification that apply generally to broad classes of dischargers. This bill also would have permitted ex parte communications with respect to the development of municipal separate storm sewer system permits issued by Regional Water Boards.

**AB 2075 (Fong) State water policy.**

**Status:** Dead

**Summary:** Earlier revisions of this bill would declare that it is the policy of the state to promote water conservation, water efficiency, and water recycling as the most cost-effective means of increasing water supply and protecting the environment. This bill was later gut and amended to pertain to the net energy metering and fuel cell facilities.

**AB 2090 (Berryhill, Bill) Regulations.**

**Status:** Dead

**Summary:** The Administrative Procedure Act defines a major regulation as a regulation that the agency determines has an expected economic impact on California business enterprises and individuals in an amount exceeding \$50,000,000. This bill would have instead defined a major regulation as a regulation that the agency determines has an expected economic impact on California business enterprises and individuals in an amount exceeding \$15,000,000.

**AB 2091 (Berryhill, Bill) Regulations: new or emerging technology.**

**Status:** Dead

**Summary:** This bill would have required a state agency proposing an administrative regulation that would require a person or entity to use a new or emerging technology or equipment in order to achieve the identified purpose of the regulation, to determine if that technology is available and effective in accordance with certain requirements. The bill would also have required the state agency that is proposing the regulation to include certain provisions in the regulation.

**AB 2092 (Chesbro) Economic development: federally recognized Indian tribes.**

**Status:** Dead

**Summary:** This bill would have required every state agency, on or before January 1, 2014, to adopt a policy to

consult with federally recognized Indian tribes prior to the development of regulations, policies, rules, plans, or other actions that will significantly or uniquely affect that tribal community.

**AB 2117 (Gorell) Waste discharge requirements: stormwater.**

**Status:** Dead

**Summary:** This bill would have required the State Water Board to prepare a comprehensive statewide plan for Phase II municipal separate storm sewer system (MS4) permitting. This bill would have required the plan to include recommendations for implementation of the federal requirements for the control of Phase II MS4 discharges and to 1) identify cost-effective activities to comply with the permitting requirements under these regulations, (2) review the effectiveness of best management practices and numerical standards for water contaminants, (3) review regulatory actions by state agencies to reduce the sources of stormwater contamination, (4) review available data on pollution prevention measures to reduce sources of stormwater contamination, (5) review available actions to increase the capture of stormwater for beneficial reuse and (6) recommend regulatory and legislative actions needed to ensure water quality protection.

**AB 2163 (Knight) Environmental quality: California Environmental Quality Act: judicial review.**

**Status:** Dead

**Summary:** This bill would have extended indefinitely under CEQA the use of the alternative method for the preparation of the record of proceedings and the alternative judicial review procedures.

**AB 2168 (Chesbro) Forestry: timber harvesting plans**

**Status:** Dead

**Summary:** This bill would have required the Director of Forestry and Fire Protection, if the director determined a preharvest inspection is necessary to review a timber harvesting plan, to coordinate with a specified interdisciplinary team to ensure that all necessary members of the team that request participation are present for the inspection. The bill would have required a review team member who requested participation to make a good faith effort to participate in the scheduled preharvest inspection. The bill would have authorized the director, if there were compelling reasons why a member of the review team cannot attend the initial inspection, and the director articulates those reasons, in writing, to the person who submitted the plan, to schedule an additional onsite visit to complete the initial inspection.

**AB 2170 (Chesbro) Forestry: working forest management plan**

**Status:** Dead

**Summary:** This bill would have authorized a working forest tree farmer to file a working forest management plan prepared by a registered professional forester with the department and would have required the director to review the submitted plan to determine if it is in compliance with the act, and rules and regulations of the Board of Forestry, and to return the plan if the director determines that it is not in compliance.

**AB 2174 (Alejo) Fertilizer: reduction of use.**

**Status:** Chapter Number 198, Statutes of 2012.

**Summary:** This bill clarifies the purposes for which the revenues from an existing assessment on fertilizers sold in California may be used. Specifically, this bill clarifies that the funds from the fertilizer assessment can be used to support the University of California Cooperative extension, the California resource conservation districts and other California institutions of postsecondary education to develop research and education programs that will assist users of fertilizers to develop and implement projects that result in more agronomically sound uses of fertilizers and minimize the impact of nitrate fertilizers on groundwater and greenhouse gas emissions.

**AB 2187 (Bradford) Renewable energy resources.**

**Status:** Chapter Number 604, Statutes of 2012

**Summary:** The Renewables Portfolio Standard Program conditions certain eligibility requirements upon whether the contract for electricity products from eligible renewable energy resources was executed after June 1, 2010. This bill, for purposes of electric service providers only, requires specified restrictions on crediting eligible renewable energy resource electricity products to each compliance period to apply to contracts executed after January 13, 2011.

**AB 2196 (Chesbro) Renewable energy resources.**

**Status:** Chapter Number 605, Statutes of 2012

**Summary:** This bill amends the Renewable Energy Resources program's definition of a renewable electrical generation facility to provide that if the California Renewables Portfolio Standard Program eligibility of a facility is based on the use of landfill gas, digester gas, or another renewable fuel delivered to the facility through a common carrier pipeline, the transaction for the procurement of that fuel, including the source of the fuel and delivery method, shall meet certain conditions.

**AB 2205 (V. Manuel Pérez) Hazardous waste: ores and minerals: geothermal waste.**

**Status:** Chapter 253, Statutes of 2012.

**Summary:** This bill revises the definition of wastes from the extraction, beneficiation, or processing of ores and minerals pursuant to the Hazardous Wastes Control Law to additionally include geothermal waste that are spent brine solutions used to produce geothermal energy meeting specified requirements.

**AB 2208 (Perea) Water quality.**

**Status:** Dead

**Summary:** This bill would have extended, from December 31, 2014 to December 31, 2019, the sunset date of provisions of existing law that allow the State Water Board to assess a surcharge on loans from the Clean Water State Revolving Fund, in lieu of interest on the loans, and to use the revenues from the surcharge to provide grants to small, disadvantaged communities for wastewater collection, treatment or disposal projects.

**AB 2211 (Jones) Coastal resources: California Coastal Act of 1976: goals and legislative findings and declarations.**

**Status:** Dead

**Summary:** This bill would have revised the conflict resolution goal in the California Coastal Act to specify that "social and economic needs" includes both the infrastructure and development that are needed to support the continued economic and population growth of the state.

**AB 2213 (Donnelly) Government reorganization: realignment or closure.**

**Status:** Dead

**Summary:**

This bill would have established the Bureaucracy Realignment and Closure Commission in state government to develop recommendations for the closure or realignment of state bureaucracies for consideration by the commission.

**AB 2224 (Smyth) Public employees' retirement.**

**Status:** Dead

**Summary:** This bill would have, on and after January 1, 2013, prohibited a public retirement system from allowing the purchase of additional retirement service credit.

**AB 2226 (Hueso) Agency proceedings: evidence: presumption.**

**Status:** Dead

**Summary:** The Administrative Procedure Act governs the conduct of formal and informal proceedings before state agencies, as defined. Current law specifies that in proceedings and hearings before a court, a presumption exists that the owner of the legal title to property is presumed to be the owner of the full beneficial title. This bill would have required a state agency, and a city, county, or city and county, to apply that presumption in proceedings before that state agency, city, county, or city and county.

**AB 2230 (Gatto) Recycled water: car washes.**

**Status:** Chapter 545, Statutes of 2012.

**Summary:** This bill requires an in-bay car wash or a conveyor car wash, permitted and constructed after January 1, 2014, to either: 1) install, use, and maintain a water recycling system that recycles and reuses at least 60 percent of the wash and rinse water; or 2) use recycled water provided by a water supplier for at least 60 percent of its wash and rinse water. This bill does not apply to self-service car washes.

**AB 2238 (Perea) Public water systems: drinking water.**

**Status:** Dead

**Summary:** This bill would have defined the term "emergency" for the purposes of expenditures from the Emergency Clean Water Grant Fund (ECWGF) and would have authorized the use of the Fund to provide interim drinking water. This bill also would have required the Department of Public Health to post on its Internet Web site funding commitments made by the department from the Safe Drinking Water State Revolving Fund (Revolving Fund) for certain water system projects and other specified projects.

**AB 2310 (Morrell) Unemployment insurance benefits: governmental pension and retirement payments.**

**Status:** Dead

**Summary:** This bill would have provided, beginning January 1, 2013, that the amount of unemployment compensation benefits paid to an individual during a period which that individual is receiving a governmental pension is reduced by the equivalent pension amount received, without a requirement from federal law.

**AB 2321 (Smyth) Plastic packaging containers: compostable.**

**Status:** Dead

**Summary:** This bill would have defined the term "compostable rigid plastic packaging container" as a rigid plastic packaging container that is labeled with the term "compostable" and is in compliance with those labeling requirements. This bill would have additionally exempted compostable rigid plastic packaging from those requirements.

**AB 2334 (Fong) California Water Plan: drinking water and wastewater services.**

**Status:** Dead

**Summary:** This bill would have required the Department of Water Resources to include an analysis of water affordability and possible mechanisms to address the lack of affordability of drinking water and wastewater services in updates of the California Water Plan.

**AB 2336 (Mansoor) Plastic products: labeling.**

**Status:** Dead

**Summary:** This bill would have prohibited a person from being subject to an enforcement action pursuant to the regulations applicable to the labeling of plastic products on and after January 1, 2013, or plastic bags before that date, if the person manufacturing the plastic product submitted an action plan to the relevant department, city, or county and the plan was approved. This bill also would have provided that the action plan allow the sale of a plastic product not in compliance until a date specified in the action plan.

**AB 2339 (Williams) Energy: geothermal technologies.**

**Status:** Chapter Number 608, Statutes of 2012

**Summary:** This bill requires the Energy Commission, in consultation with the Public Utilities Commission and other stakeholders, to evaluate and recommend policies and implementation strategies to overcome barriers to the deployment and use of geothermal heat pump and geothermal ground loop technologies. The Energy Commission is required to include those evaluations and recommendations in the integrated energy policy report that is required to be adopted for calendar year 2013.

**AB 2380 (Huber) State government: agency repeals.**

**Status:** Dead

**Summary:** This bill would have required an eligible agency to submit a report to the Joint Sunset Review Committee on or before the December 1, two years prior to the year it is set to be repealed.

**AB 2404 (Fuentes) California Global Warming Solutions Act of 2006: Local Emission Reduction Program.**

**Status:** Dead

**Summary:** This bill would have required the Air Resources Board, in coordination with the Strategic Growth Council and other state entities, to provide local assistance grants to eligible recipients for the purposes of developing and implementing greenhouse gas emission reduction projects in California.

**AB 2398 (Hueso) Water recycling.**

**Status:** Dead

**Summary:** This bill would have enacted the Water Recycling Act of 2012 to revise and consolidate provisions of the California Health and Safety Code and the Water Code related to recycled water. Among its provisions the bill would have exempted Advanced Treated Purified Water from regulation by the Water Boards and would instead have required the Department of Public Health to permit the production and use of these waters. In addition, the bill would have substantially restricted the Water Board's authority to regulate other types of recycled water.

**AB 2421 (Berryhill, Bill) Bay Delta Conservation Plan: Delta Plan project: costs and benefits.**

**Status:** Dead

**Summary:** This bill would have required an independent 3rd party, chosen as prescribed, to conduct an analysis of the costs and benefits, as specified, for any project being submitted by the Bay Delta Conservation Plan to the Delta Plan and to submit this to the Legislature, as prescribed. This bill would prohibit the funding for these provisions from exceeding \$1,000,000.

**AB 2422 (Berryhill, Bill) Sacramento-San Joaquin Delta: Western Delta Intakes Concept: feasibility study.**

**Status:** Dead

**Summary:** This bill would have required the Department of Water Resources to undertake an expedited evaluation and feasibility study of the Western Delta Intakes Concept, as defined, and to consult with the Department of Fish and Game, as specified. This bill would have required the department to prepare and submit to the Legislature, on or before January 1, 2014, a prescribed report about the feasibility study.

**AB 2424 (Portantino) Forest resources: timberlands.**

**Status:** Dead

**Summary:** This bill would have revised legislative findings and declarations regarding the forest resources and timberlands management policy of the state to include giving equal consideration to each of the specified needs of the public.

**AB 2443 (Williams). Vessels: registration fee: Quagga and Zebra Mussel Infestation Prevention Program.**

**Status:** Chapter Number 485, Statutes of 2012.

**Summary:** This bill imposes an additional fee on vessels, which, in part, will be used to implement and administer dreissenid mussel monitoring, inspection and infestation prevention programs and requires the Department of Boating and Waterways to adopt an emergency regulation to prescribe procedures for the collection and use of the fee.

**AB 2446 (Perea) Environmental quality: notices.**

**Status:** Dead

**Summary:** This bill would have required the lead agency under CEQA to provide a notice of completion of an environmental impact report to every person who has filed a written request for notices. The bill would have required the State Clearinghouse to provide to a legislator in whose district the project is proposed, upon request, a notice determining the necessity for an environmental impact report.

**AB 2457 (Valadao). Solid waste: vehicles: appliances.**

**Status:** Dead

**Summary:** This bill would have required the Department of Resources Recycling and Recovery (CalRecycle) to establish a working group by March 31, 2013, to conduct a study of whether discarded vehicles and appliances that are compacted and exported for recycling are managed in compliance with the law.

**AB 2495 (Grove) Public employees: fair share payments.**

**Status:** Dead

**Summary:** This bill would have authorized any employee subject to a fair share fee to instead instruct the state to deduct and pay sums equal to the fair share fee to a retirement savings plan of the employee's choosing.

**AB 2501 (Garrick) State government.**

**Status:** Dead

**Summary:** This bill would have required, on or before January 1, 2025, every state agency to have its primary administrative office located within the Sacramento metropolitan area, and the Supreme Court to only hear cases in the Sacramento metropolitan area.

**AB 2506 (V. Manuel Pérez) State government.**

**Status:** Dead

**Summary:** This bill would have required state agencies to submit all the final statements of reason for any proposed action to adopt, amend or repeal a regulation to the Legislature at least 60 days prior to submitting these actions to the Office of Administrative Law (OAL). The bill also would have required state agencies to submit to the Legislature additional information regarding proposed regulations at the same time they submit such information to OAL.

**AB 2529 (Wieckowski) California Global Warming Solutions Act of 2006: electrical corporations.**

**Status:** Dead

**Summary:** Earlier versions of the bill would have made a variety of changes related to the implementation, administration, and processing applications for grant and loan funding under the Safe Drinking Water State Revolving Fund. The bill was subsequently gutted and amended to relate to the California Global Warming Solutions Act of 2006.

**AB 2566 (Carter) Natural resources: wild and scenic rivers.**

**Status:** Dead

**Summary:** Earlier versions of this bill would have revised state policy establishing that rivers should be preserved for the benefit and enjoyment of future generations. This bill was later gutted and amended to pertain to outdoor advertising.

**AB 2567 (Carter) Sewer collection agency: schedule of fees.**

**Status:** Chapter Number 103, Statutes of 2012

**Summary:** This bill authorizes an agency that provides wastewater collection service to adopt a schedule of fees or charges authorizing automatic adjustments that pass through increases in wholesale charges for water or adjustments for inflation, if that agency complies with specified procedures.

**AB 2595 (Hall) Desalination.**

**Status:** Dead

**Summary:** This bill would have required the Ocean Protection Council to submit a report to the Legislature by December 31, 2014, on opportunities for improving the current statewide permitting process for seawater desalination facilities in California. The bill would have required the Ocean Protection Council to convene a "Seawater Desalination Permit Improvement Task Force," comprised of members of various specified state agencies and private/nonprofit entities, which would be responsible for reviewing the current permitting process and advising the Ocean Protection Council on its report to the Legislature.

**AB 2669 (Committee on Natural Resources) Environmental quality: California Environmental Quality Act.**

**Status:** Chapter 548, Statutes of 2012.

**Summary:** The bill requires the secretary of the Natural Resources Agency, in updating the protocol under CEQA, to hold at least 2 public meetings and to provide the 10-days notice to a person who files a written request for the notice and to specified committees of the Legislature. The bill also repeals obsolete and duplicative provisions from CEQA.

**AB 2670 (Chesbro). Solid waste: recycling: diversion: green materials.**

**Status:** Dead

**Summary:** This bill would have required the Department of Resources Recycling and Recovery to adopt regulations to provide that, on and after January 1, 2020, the use of green material as alternative daily cover or alternative intermediate cover does not constitute diversion through recycling and would be considered disposal for purposes of the California Integrated Waste Management Act of 1989.

**AB 2677 (Swanson) Public works: wages: employer payment contributions.**

**Status:** Chapter Number 827, Statutes of 2012

**Summary:** This bill provides that an increased employer payment contribution that results in a lower hourly straight time or overtime wage is not considered to be a violation of the applicable prevailing wage determination so long as specified conditions are met.

**AB 2681 (Committee on Agriculture). Food waste.**

**Status:** Dead

**Summary:** This bill would have deleted provisions in state law relating to using garbage as feed for swine, and disposing of garbage from vessel and aircraft. The bill would have made it unlawful for a person to feed swine food waste, as defined, unless the food waste has been processed in accordance with specified provisions and the person has obtained a license, and would have prohibited vessels and aircraft from disposing of food waste into territorial waters or state lands.

**ABX1 3 (Logue) Regulations: 5-year review and report.**

**Status:** Dead

**Summary:** This bill would have required state agencies to review each regulation five years after it adopts the regulation and report on 10 specified factors, including a summary of the written criticisms of the regulation received by the agency within the past five years and the estimated economic, small business, and consumer impacts of the regulation.

**ABX1 4 (Logue) Regulations: effective date.**

**Status:** Dead

**Summary:** This bill would have revised the date upon which a regulation or an order of repeal becomes effective, from "30 days after being filed with the Secretary of State" to "January 1 following a 90 day period after being filed with the Secretary of State."

**ABX1 5 (Logue) Regulations: legislative notice.**

**Status:** Dead

**Summary:** This bill would have required that the notice of proposed action accompanying a regulatory action in accordance with the Administrative Procedure Act also be submitted to the Legislature if it includes particular information relating to economic and cost impacts of the regulation on businesses and private persons.

**ABX1 6 (Logue) Regulations: economic impacts review.**

**Status:** Dead

**Summary:** This bill would have required the Department of Finance to adopt and update instructions for inclusion in the State Administrative Manual that prescribe the methods that State agencies must use in making certain determinations, estimates, statements, and findings relating to the economic and cost impacts of a regulation on businesses and private individuals. This bill also would have required the department, if it determines that an

agency's determinations, estimates, statements, or findings are erroneous or otherwise inconsistent with the prescribed guidelines, criteria, or formats, to submit its determinations to the agency in the form of public comment to be considered by the agency.

**ABX1 7 (Logue) General Fund: fines.**

**Status:** Dead

**Summary:** This bill would have required the State Water Board, Air Resources Board, and the Department of Toxic Substances Control to deposit into the General Fund revenues collected from fines or penalties for a violation of a regulation that is adopted by that agency. This bill also would have exempted the expenditure of those revenues from being subject to Legislative approval in the annual Budget Act or through other legislation.

**ACR 20 (Huffman). Water Awareness Month.**

**Status:** Dead

**Summary:** This measure would have designated May 2012 as Water Awareness Month, and would have urged the citizens of California, homeowners, businesses, farms, ranches, and governmental and nongovernmental entities, to learn effective ways to conserve and reuse water.

**ACR 7 (Williams) 23rd Annual State Scientist Day.**

**Status:** Chapter No. 26, Statutes of 2011

**Summary:** This measure declares May 18, 2011, as the 23rd Annual State Scientist Day, as a tribute to the dedication and professionalism of the state scientists who work on behalf of all the residents of California.

**ACA 22 (Smyth) Public employees' retirement.**

**Status:** Dead

**Summary:** This bill would have required each public retirement system to provide one or more hybrid pension plans meeting the requirements of this measure to each public employer that provides its employees a defined benefit pension plan administered by the public retirement system.

**ACR 112 (Campos) 24th Annual State Scientist Day.**

**Status:** Chapter No. 31, Statutes of 2012

**Summary:** This measure declares May 23, 2012, as the 24th Annual State Scientist Day, as a tribute to the dedication and professionalism of the state scientists who work on behalf of all the residents of California.

## Senate Bills

**SB 14 (Wolk). State Budget.**

**Status:** 10/9/2011-Vetoed by the Governor

**Summary:** This bill would have required that the budget submitted by the Governor to the Legislature for the 2013-14 fiscal year and each fiscal year thereafter to be developed pursuant to performance-based budgeting, as defined, for each state agency.

**Veto Message:** I am returning Senate Bill 14 without my signature. This bill is another siren song of budget reform. It inflicts a "one size fits all" budget planning process on every state agency and function -- even functions that aren't actually managed by the state so long as they receive any "benefit" from it. The politically expedient course would be to sign this bill and bask in the pretense that it is some panacea for our budget woes. But the hard truth is that this bill will mandate thousands of hours of work -- at the cost of tens of millions of dollars -- with little chance of actual improvement. What California needs is a common sense approach to its budgeting, something we have been doing for the last year and will continue to do. Instead of requiring each and every department, no matter how big or small or important or not, to develop and track "performance metrics," "target performance levels" and "desired outcomes," shouldn't we first examine whether some of these programs or departments should exist at all? And while some programs will clearly benefit from the performance based budgeting approach outlined in this bill, for others it will be a costly waste of time. The ideas we offered to take an approach based on common sense and flexibility were unfortunately rejected. I will issue an Executive Order in the upcoming weeks that combines the good ideas contained in this bill with the practical, tailored approach that I believe will make an actual difference in the way we budget and run our government. Sincerely, Edmund G. Brown Jr.



**SB 23 (Simitian) Energy: renewable energy resources.**

**Status:** Dead

**Summary:** This bill would have extended the compliance date for California renewables portfolio standard program and the Renewable Energy Resources Program to increase the amount of electricity generated per year from eligible renewable energy resources.

**SB 24 (Simitian) Personal information: privacy.**

**Status:** Chapter Number 197, Statutes of 2011

**Summary:** This bill requires any agency, person, or business that is required to issue a security breach notification pursuant to current law to fulfill certain additional requirements pertaining to the security breach notification.

**SB 34 (Simitian) California Water Resources Investment Act of 2011.**

**Status:** Dead

**Summary:** This bill would have enacted the California Water Resources Investment Act of 2011 to finance a water resources investment program. To finance the program, the bill would have imposed on each retail water supplier in the state an annual charge based on the volume of water provided in its service area that is provided for nonagricultural uses and an annual charge based on each acre of land within its service area that is irrigated for agricultural purposes.

**SB 69 (Leno). 2011-12 Budget.**

**Status:** 6/16/2011-Vetoed by the Governor

**Summary:** This bill would have made appropriations for support of state government for the 2011-12 fiscal year.

**Veto Message:** To the Members of the California State Legislature: I am returning Senate Bill 69 and Assembly Bill 98 without my signature. In January, I presented a balanced budget solution with a mix of deep spending cuts and temporary tax extensions subject to voter approval. My plan would put these extended revenues in a lockbox, ensuring that they are only used to protect education and public safety. It would also address California's long term fiscal crisis by substantially paying down the \$35 billion wall of debt built up over the last decade. Yet Republicans in the Legislature blocked the right of the people to vote on this honest, balanced budget. Meanwhile, Democrats in the Legislature made valiant efforts to address California's budget crisis by enacting \$11 billion in painful cuts and other solutions. I commend them for their tremendous efforts to balance the budget in the absence of Republican cooperation. Unfortunately, the budget I have received is not a balanced solution. It continues big deficits for years to come and adds billions of dollars of new debt. It also contains legally questionable maneuvers, costly borrowing and unrealistic savings. Finally, it is not financeable and therefore will not allow us to meet our obligations as they occur. We can and must do better. A balanced budget is critical to our economic recovery. I am, once again, calling on Republicans to allow the people of California to vote on tax extensions for a balanced budget and significant reforms. They should also join Democrats in supporting job creation and ending tax breaks for out-of-state companies. If they continue to obstruct a vote, we will be forced to pursue deeper and more destructive cuts to schools and public safety, a tragedy for which Republicans will bear full responsibility. Sincerely, Edmund G. Brown Jr.

**SB 71 (Leno) State agencies: boards, commissions, and reports.**

**Status:** Chapter Number 728, Statutes of 2012

**Summary:** This bill eliminates, consolidates, or streamlines more than 200 reporting requirements for state agencies including five pertaining to the State Water Board, and eliminates six dormant state boards and committees.

**SB 87 (Leno). 2011-12 Budget.**

**Status:** 6/30/2011-Chaptered by the Secretary of State, Chapter Number 33, Statutes of 2011

**Summary:** This bill made appropriations for support of state government for the 2011-12 fiscal year.

**SB 103 (Liu) State government: meetings.**

**Status:** Dead

**Summary:** This bill would have authorized a state body, to the extent practicable, to conduct teleconference meetings.

**SB 108 (Rubio). Surface mining: idle mines.**

**Status:** Chapter Number 491, Statutes of 2011

**Summary:** This bill amends the definition of an idle mine by taking a snapshot of a five-year period, rather than the life of the mine, to determine if production has been curtailed to the point where the interim

management plan (IMP) requirements should apply. This bill also allows a mining operation that became idle and that failed to get an approved IMP and was thus considered abandoned prior to January 1, 2013, to be returned to idle status if an IMP is approved by July 1, 2013 and various requirements, as specified, are met.

**SB 117 (Kehoe) Public contracts: prohibitions: discrimination based on gender or sexual orientation.**

**Status:** Chapter Number 231, Statutes of 2011

**Summary:** This bill prohibits a state agency from entering into a contract in the amount of \$100,000 or more with a contractor who discriminates between employees with spouses or domestic partners of a different sex and employees with spouses or domestic partners of the same sex, or discriminates between same-sex and different-sex domestic partners of employees or between same-sex and different-sex spouses of employees.

**SB 133 (Wolk). Natural resources: Cache Creek Resource Management Plan.**

**Status:** Chapter Number 145, Statutes of 2011

**Summary:** This bill extends, from December 31, 2012, to December 31, 2017, the date at which the Cache Creek Resources Management (CCRM) Plan, in conjunction with a site specific plan deemed by the appropriate lead agency as consistent with the CCRM Plan, shall be considered a functional equivalent of a reclamation plan for purposes of the Surface Mining and Reclamation Act (SMARA). The bill also requires the annual Cache Creek Area Plan report, prepared by Yolo County, to be submitted to the Assembly Natural Resources Committee and the Senate Natural Resources and Water Committee.

**SB 151 (Correa) State employees: memoranda of understanding.**

**Status:** Chapter Number 25, Statutes of 2011

**Summary:** This bill approves provisions of memoranda of understanding entered into between the state employer and State Bargaining Units 2, 6, 7, 9, 10, and 13, and approves addenda to memoranda of understanding entered into by the state employer and State Bargaining Units 1, 3, 4, 11, 12, 14, 15, 16, 17, 18, 19, 20, and 21, that require the expenditure of funds, and provides that these provisions are effective even if funds for these provisions are approved by the Legislature in legislation other than the annual Budget Act.

**SB 196 (Cannella) Regulations: economic analysis and review.**

**Status:** Dead

**Summary:** This bill would have required the standardized economic assessment for state agency regulatory actions to consider additional factors, such as the benefits of the regulation and the extent to which it will achieve regulatory and statutory objectives. The bill would have required agencies preparing the economic assessment to request a review of the assessment by the University of California, and to include any review by the university with the assessment.

**SB 215 (Huff) Invasive aquatic species: mussels.**

**Status:** Chapter Number 332, Statutes of 2011

**Summary:** This bill extends the sunset date, from 2012 to 2017, on current law that generally prohibits a person from possessing, importing, shipping, or transporting in the state, or from placing, planting, or causing to be placed or planted in any water within the state, dreissenid mussels, and authorizes the Director of Fish and Game or his or her designee to engage in various enforcement activities.

**SB 241 (Cannella) Environment: California Environmental Quality Act.**

**Status:** Dead

**Summary:** This bill would have enacted the CEQA Litigation Protection Pilot Program of 2011 and would have required the Business, Transportation and Housing Agency to select projects that meet specified requirements from specified regions for each calendar year between 2012 and 2016. The bill would have exempted from judicial review, pursuant to CEQA, a lead agency's decision to certify the EIR of, or to adopt a mitigated negative declaration based on an initial study for, the selected projects, a lead agency's and responsible agency's approval of the selected project, and the Business, Transportation and Housing Agency's selection of the projects.

**SB 244 (Wolk) Local government: land use: general plan: disadvantaged unincorporated communities.**

**Status:** Chapter Number 513, Statutes of 2011

**Summary:** This bill requires cities, counties, and local agency formation commissions (LAFCOs) to include disadvantaged communities in their local planning efforts. Among its provisions, the bill provides explicit statutory authority for municipalities to borrow from the State Water Board's Clean Water State Revolving Fund program.

**SB 250 (Rubio) Sacramento-San Joaquin Delta: Delta Plan: conveyance facility.**

**Status:** Dead

**Summary:** This bill would have required that the Department of Water Resource's development of certain Delta conveyance facilities be completed on or before February 15, 2013, and would require that the construction of those facilities be completed by December 31, 2025.

**SB 252 (Vargas) Collective bargaining: state employees.**

**Status:** Dead

**Summary:** This bill would have authorized the Public Employment Relations Board to designate positions or classes of positions which have duties consisting primarily of the enforcement of state laws.

**SB 263 (Pavley). Wells: reports: public availability.**

**Status:** 10/8/2011-Vetoed by the Governor

**Summary:** This bill would have required Department of Water Resources (DWR) to make well logs available to the public and include a specified disclaimer about the data. The bill also would have prohibited the Department of Public Health from preventing the disclosure of the DWR well data reports to the public, and imposed civil penalties to any person who violates certain restrictions.

**Veto Message:** I am returning SB 263 without my signature. The original intent of this bill recognized that wise management and use of groundwater supply requires public disclosure of well logs. Unfortunately, as amended, this bill now unduly restricts the use of these reports and imposes severe criminal penalties for disclosure. California is the only western state that does not provide ready access to well reports. That should be changed. I am directing the Department of Water Resources to work with the author to ensure responsible public access to well logs. Sincerely, Edmund G. Brown Jr.

**SB 297 (Cannella) Renewable energy resources: hydroelectric generation.**

**Status:** Dead

**Summary:** This bill would have revised the definition of an eligible renewable energy resource to include a hydroelectric generation facility of any size, and remove other restrictions regarding which hydroelectric generation facilities meet the definition of an eligible renewable energy resource.

**SB 322 (Negrete McLeod) Retirement.**

**Status:** Chapter Number 47, Statutes of 2011

**Summary:** This bill prohibits a member of CalPERS who receives benefits based on credited service with multiple employers from exceeding the limitations set forth in those provisions with regard to his or her annual retirement benefits.

**SB 353 (Blakeslee) Regulations: economic analysis.**

**Status:** Dead

**Summary:** This bill would have required state agencies to contract with specified entities for the performance of an external economic peer review of an agency's economic assessment for any rule that would have an economic impact of more than \$100 million. The bill also would have required the State Water Board to conduct an economic impact assessment for any policy, plan, or guideline that it adopts after January 1, 2012. Under current law, the State Water Board is exempt from these requirements.

**SB 354 (Blakeslee) Environmental quality: California Environmental Quality Act.**

**Status:** Dead

**Summary:** This bill would have made technical, nonsubstantive changes to the provisions of CEQA that require a lead agency to prepare and certify the completion of an EIR.

**SB 366 (Calderon) Regulations: agency review.**

**Status:** Dead

**Summary:** This bill would have required state agencies to identify any regulations that are duplicative, overlapping, inconsistent, or out-of-date, and adopt, amend, or repeal regulations to reconcile or eliminate any duplication, overlap, inconsistency, or out-of-date provisions and to use procedures for adopting emergency regulations.

**SB 396 (Huff ) Regulations: review process.**

**Status:** Dead

**Summary:** This bill would have required state agencies to review each regulation adopted prior to January 1, 1990, and submit to the Legislature a report on the regulations that address eight specific factors, including (1) the direct costs of the regulations on impacted sectors (2) whether the regulation is duplicative of other regulations and (3) whether the regulation needs to be updated in order to become more effective or less burdensome.

**SB 400 (Dutton) Regulations: impact on businesses.**

**Status:** Dead

**Summary:** This bill would have revised the criteria that state agencies must address in the economic assessment of proposed regulations to (1) include factors such as the cost of enforcement to the agency and regulated entities, (2) assess whether the proposed regulation is inconsistent or incompatible with, or duplicative of, the regulations of the agency or other federal, state, or local regulatory entity, and (3) determine that no alternative considered by the agency would be more effective in carrying out the purpose for which the regulation is proposed.

**SB 401 (Fuller) Regulations: repeal provisions.**

**Status:** Dead

**Summary:** This bill would have required that every regulation proposed by an agency after January 1, 2012, include a provision repealing the regulation in five years. The bill would have prohibited OAL from approving a proposed regulation unless it contains a repeal provision. The bill also would have authorized an agency, in the year prior to a regulation's scheduled repeal, to amend the regulation to extend the repeal date, after complying with certain public hearing requirements.

**SB 455 (Pavley) Forestry: watersheds: timber harvesting plans**

**Status:** Dead

**Summary:** This bill would have established a new Watershed Timber Harvest Plan as an alternative permit to the current Timber Harvest Plan required for logging activities on private lands. The new Watershed Timber Harvest Plan would have lasted for ten years and covered an area composed of one or more planning watersheds of between 3,000-10,000 acres each. This permit would have covered all information currently required by the current Timber Harvest Plan permit, and would additionally have had to include information relating to inventory of carbon stocks, and other data as determined necessary by the timber harvest review trustee and responsible agencies (CAL FIRE, the State Water Boards, the Department of Fish and Game, the Department of Conservation, and the California Geological Survey).

**SB 456 (Huff). Household hazardous waste: transportation**

**Status:** Chapter Number 602, Statutes of 2011

**Summary:** This bill allows a registered hazardous waste transporter operating a door-to-door household hazardous waste collection program or household hazardous waste residential pickup service to instead use a specified manifesting procedure for transporting household hazardous waste, if the transporter complies with certain operating and reporting requirements. The bill's provisions sunset on January 1, 2020.

**SB 482 (Kehoe) Public beach contamination: standards: testing: closing.**

**Status:** Chapter Number 592, Statutes of 2011

**Summary:** This bill transfers from the Department of Public Health to the State Water Board responsibility for administering portions of an existing program for monitoring water quality at public beaches in coastal counties.

**SB 496 (Fuller) State Water Resources Development System.**

**Status:** Dead

**Summary:** This bill would have made technical, nonsubstantive changes to a provision that authorizes the issuance of bond funds in the amount of \$1,750,000,000 for the purposes of the California Water Resources Development Bond Act.

**SB 497 (Rubio) Public contracts: state agencies: bid preferences.**

**Status:** Dead

**Summary:** This bill would have required a state agency that accepts bids or proposals for a contract for goods, except for technology, to provide a preference of five percent to a California business meeting specified criteria.

**SB 535 (De León) California Global Warming Solutions Act of 2006: Greenhouse Gas Reduction Fund.**

**Status:** Chapter Number 830, Statutes of 2012.

**Summary:** This bill requires the California Environmental Protection Agency to identify disadvantaged communities for investment and requires that 25 percent of moneys in the Greenhouse Gas Reduction Fund be allocated to projects that provide benefits to these communities. In addition, this bill requires that a minimum of 10 percent of available moneys in the Fund be directed to projects located within disadvantaged communities.

**SB 553 (Fuller) Regulations: effective date.**

**Status:** Dead

**Summary:** This bill would have required that a regulation or an order of repeal of a regulation become effective 180 days after the date it is filed with the Secretary of State except as specified.

**SB 560 (Wright) Regulations: small businesses.**

**Status:** Dead

**Summary:** This bill would have required agencies that adopt a regulation that requires the use of a new or emerging technology or other equipment in order to achieve the identified purpose of the regulation to state, prior to the effective date of the regulation, that the required technology is commercially available or will be commercially available prior to the effective date of the regulation.

**SB 567 (DeSaulnier) Recycling: plastic products.**

**Status:** Chapter Number 594, Statutes of 2011

**Summary:** This bill repeals current law concerning the sale of plastic bags which have to meet various standards and instead, as of January 1, 2013, prohibits the sale of a plastic product labeled as "compostable," "home compostable," or "marine degradable" unless it meets those American Society for Testing and Materials standard specifications, the OK Compost HOME certification or a standard adopted by the Department of Resources Recycling and Recovery.

**SB 568 (Lowenthal) Recycling: polystyrene food containers.**

**Status:** Dead

**Summary:** This bill would have banned a food vendor from dispensing prepared food in a polystyrene foam food container beginning January 1, 2016. The bill would have exempted a vendor from this ban if a city or county elects to adopt an ordinance every five years establishing a recycling program for polystyrene food containers. The bill would have also exempted school districts from its provisions until July 1, 2017, and exempted school districts from the ban of dispensing prepared food in a polystyrene foam food container if the school district board adopts a policy every five years to implement a verifiable recycling program for polystyrene food containers.

**SB 571 (Wolk) California Water Commission: California Water Plan: water resources investment.**

**Status:** Dead

**Summary:** This bill would have provided for the organization of the California Water Commission as a separate agency in state government, instead of as an agency within the Department of Water Resources. The bill would have recast and revised provisions relating to the commission's selection of a chairperson and executive officer employment of staff, and delegation of its functions.

**SB 589 (Lowenthal) Recycling: household mercury-containing lamps.**

**Status:** Dead

**Summary:** This bill would have required a manufacturer of household mercury-containing lamps, on or before April 1, 2013, individually or through a stewardship organization, to prepare and submit to the Department of Resources Recycling and Recovery for approval a household mercury-containing lamp stewardship plan to establish a recovery program for the management of end-of-life household mercury-containing lamps.

**SB 591 (Gaines) Administrative regulations: reductions.**

**Status:** Dead

**Summary:** This bill would have required each state agency, by July 1, 2012, to determine the number of regulations it imposes and to reduce the total number of regulations by 33 percent. The bill also would have required, until December 31, 2021, that any new regulation proposed be offset by the elimination of another regulation.

**SB 607 (Walters). State Water Resources Control Board: water quality: brackish groundwater treatment.**

**Status:** Chapter Number 241, Statutes of 2011

**Summary:** This bill requires the State Water Board to either amend the California Ocean Plan or adopt separate standards to address water quality objectives and effluent limitations that are specifically appropriate to brackish groundwater treatment facilities that produce municipal water supplies for local use, by January 1, 2013.

**SB 617 (Calderon) State government: financial and administrative accountability.**

**Status:** Chapter Number 496, Statutes of 2011

**Summary:** This bill requires state agencies that propose to adopt, amend, or repeal a major regulation (those estimated by agencies to have an economic impact of more than \$50 million) on or after November 1, 2013, to prepare a new "standardized regulatory impact assessment" (SRIA) as part of the initial statement of reasons for the proposed regulation. The SRIA includes assessments of the impacts of the proposed regulations on the creation or elimination of new businesses and jobs, investments in the state, competitive advantages or disadvantages for existing businesses, and incentives for innovation. This bill requires the Department of Finance (DOF) to develop regulations by November 1, 2013 detailing how the economic

analysis process would be carried out and requires the Office of Administrative Law (OAL), in conjunction with DOF, to file a legislative report detailing compliance with this bill's requirements. Under this bill, state agencies are required to submit major regulations to DOF for review and DOF is required to provide comments within 30 days.

**SB 623 (Kehoe) Public health: health workforce projects.**

**Status:** Chapter Number 450, Statutes of 2012

**Summary:** . The introduced version of the bill related to vessels and Marine antifouling paint but the bill was later gutted and amended to pertain to public health workforce projects.

**SB 639 (Cannella) Regulations: economic impact analysis.**

**Status:** Dead

**Summary:** This bill would have required CalEPA, the boards, departments and offices within CalEPA, and the Division of Occupational Health and Safety, to complete an economic impact analysis of all proposed regulatory actions. The bill would have required the economic impact analysis to contain specific elements and would require the agencies to submit the economic impact analyses to an independent entity for review. The agencies would have been required to post the analyses on their websites.

**SB 644 (Hancock) Public works: volunteers.**

**Status:** Chapter Number 742, Statutes of 2011

**Summary:** This bill extends, until January 1, 2017, provisions of current law that exempt volunteer work, as well as work performed by the California Conservation Corp or a Community Conservation Corps, from prevailing wage requirements that otherwise apply to public works projects. This bill was identical to the same year's AB 587, and was later gut and amended to pertain to the West Contra Costa Healthcare District.

**SB 659 (Negrete McLeod) Immunizations: disclosure of information: tuberculosis screening.**

**Status:** Chapter Number 267, Statutes of 2012

**Summary:** This bill's previous version would have allowed an appointing authority of the San Gabriel Basin Water Quality Authority, by a majority vote, to remove their member or alternate member of the Authority without cause and at any time prior to the expiration of the member's or alternate member's term of office, and appoint or elect another person as a member or alternate. However, this bill was subsequently gutted and amended to pertain to disclosure of tuberculosis screening results.

**SB 665 (La Malfa) Lake and streambed alteration agreements: endangered species.**

**Status:** Dead

**Summary:** This bill would have modified current statutes regarding alterations to streambeds to prohibit the installation of a new diversion or means of diversion, or the substantial alteration of an current means of diversion, that will substantially affect a river, stream, or lake as described above, unless prescribed requirements are met.

**SB 682 (Rubio). Public resources: oil and gas: underground injection of gas.**

**Status:** Dead

**Summary:** This bill would have authorized the Division of Oil, Gas, and Geothermal Resources in the Department of Conservation (Division) to permit the underground injection of a gas, as defined, and would have required the Division to establish standards for the permitting of gas injection.

**SB 683 (Correa) Environment: California Environmental Quality Act: noncompliance allegations: public comment**

**Status:** Dead

**Summary:** This bill would have prohibited the filing of certain CEQA noncompliance actions or proceedings unless the oral or written presentation or objection occurs during the public comment period provided under CEQA or prior to the close of the public hearing on the project before the filing, rather than issuance, of the notice of determination.

**SB 688 (Wright) Regulations: legislative approval.**

**Status:** Dead

**Summary:** This bill would have required state agencies proposing to adopt, amend, or repeal any administrative regulations to provide a detailed estimate of the total actual costs of compliance for affected businesses and individuals. If the cost estimate exceeded an ultimately unspecified amount, the bill would have (1) required state agencies to notify specified Committees of the Legislature, and (2) delayed the effective date of the regulation to the next January 1 following a year after the regulation is filed with the Secretary of State.

**SB 711 (Rubio) Public resources: oil and gas: underground injection of gas.**

**Status:** Dead

**Summary:** This bill would have revised the definition of "well" to mean a well used for the purposes of disposing of waste fluids brought to the surface in connection with conventional oil or gas production and may be commingled with wastewater from gas plants that are an integral part of production operations, unless those wastewaters are classified as hazardous waste at the time of injection.

**SB 735 (Price) Environmental quality: CEQA: judicial review: procedures.**

**Status:** Dead

**Summary:** This bill would have required a court to commence a hearing of an action or proceeding brought to challenge an agency action on the grounds of noncompliance with CEQA within 9 months of the date of the filing of the action or proceeding.

**SB 770 (Evans) Marine protected areas: Native American tribes.**

**Status:** Dead

**Summary:** This bill would have authorized Native American tribes to submit proposals for co-management of marine species within marine protected areas that are designated or proposed to be designated under the Marine Life Protection Act. The bill would have required co-management proposals to include prescribed information, and would require submission of the proposals to the Secretary of the Natural Resources Agency.

**SB 801 (Kehoe) Political Reform Act of 1974: statement of economic interests.**

**Status:** Chapter Number 252, Statutes of 2011

**Summary:** This bill requires original statements of economic interests that are filed by candidates for elective office, elected and appointed state officers, and public officers and employees to be handled as set forth in the Conflict of Interest Code of the respective board, commission, or body, and a copy to be forwarded to the Fair Political Practices Commission.

**SB 806 (Committee on Veterans Affairs) State employees: military leave: salary overpayment.**

**Status:** Chapter Number 374, Statutes of 2011

**Summary:** This bill provides, until January 1, 2015, that when the state determines that an overpayment of compensation has been made to a state employee on a leave of absence for active military duty as a member of the California National Guard, administrative action to recover overpayment is initiated within 6 years from the date of overpayment, notwithstanding current law.

**SB 829 (Rubio) Public contracts: public entities: project labor agreements.**

**Status:** Chapter Number 11, Statutes of 2012

**Summary:** This bill prohibits the use of state funds for any charter city construction projects if the charter city has banned the consideration of the use of project labor agreements (PLAs).

**SB 833 (Vargas). Solid waste: disposal facilities: San Diego County.**

**Status:** 10/9/2011-Vetoed by the Governor

**Summary:** This bill would have prohibited a person from constructing or operating a solid waste landfill disposal facility located in the County of San Diego, if that disposal facility is located (1) within 1,000 feet of the San Luis Rey River or an aquifer that is hydrologically connected to that river and (2) within 1,000 feet of a site that is considered sacred or of spiritual or cultural importance to a tribe and the site is listed in the California Native American Heritage Commission Sacred Lands Inventory. The bill would have also required the local enforcement agency (LEA) to enforce a violation of this prohibition by the immediate issuance of a cease and desist order.

**Veto Message:** I am returning Senate Bill 833 without my signature. This bill would prohibit the construction of a particular waste disposal project in San Diego County. This project-which has been the subject of vigorous local debate for over 20 years-has been put to a vote of the people of San Diego twice and approved both times. The primary concerns about this project relate to its proximity both to a river and to a site sacred to federally recognized tribes. Protection of the river is the duty and responsibility of the San Diego Regional Water Quality Control Board, with a right of appeal to the State Water Board. Numerous other regulatory agencies also have responsibilities for protecting the river. In other words, there is already in place a fully sufficient process to make a thoughtful and informed environmental decision about this project. I am deeply concerned about the objections raised with respect to the sacred site, but I don't believe it is appropriate for the Legislature to now intervene and overturn this hard fought local land-use decision. This dispute pains me given the unspeakable injustices the native peoples have endured and the profound importance of their spirituality and connection to the land. There's no question that more thought needs to be given to how we resolve this inherently difficult decision and to find ways for native peoples and their fellow Californians to coexist in an inexorably modernizing world. Sincerely, Edmund G. Brown Jr.

**SB 834 (Wolk) Integrated regional water management plans: contents.**

**Status:** 10/2/2011-Vetoed by the Governor

**Summary:** This bill would have modified the required elements of Integrated Regional Water Management Plans (IRWMP). The bill would have required regional water management groups that depend on water from the Sacramento San Joaquin Delta watershed, when developing, updating, or amending their IRWMPs, to additionally identify the manner in which the IRWMP furthers current state policy of: 1) reducing reliance on the Delta; 2) improving regional self-reliance for water through investment in water use efficiency, recycling, advanced technologies, local and regional water supply projects, and 3) improving regional coordination of local and regional water supply efforts.

**Veto Message:** I am returning Senate Bill 834 without my signature because I do not believe it adds anything to current law. Sincerely, Edmund G. Brown Jr.

**SB 841 (Wolk). Solid waste: enterprises: contracts.**

**Status:** Chapter Number 713, Statutes of 2011

**Summary:** This bill restricts the enforceability of any indemnity obligation, as specified, in a contract or request for proposal between a solid waste enterprise and a local agency, related to liability for failure to obtain voter approval of fees or charges in violation of constitutional requirements enacted by Propositions 218 and 26.

**SB 846 (Berryhill). The California Water Plan: water data.**

**Status:** Dead

**Summary:** This bill would have required the Department of Water Resources to include in the California Water Plan an assessment of the state's water data system.

**SB 854 (Blakeslee) Renewable energy resources.**

**Status:** Dead

**Summary:** This bill would have required an obligated party to procure an amount of renewable energy credits (RECs), as defined, sufficient to demonstrate compliance with the party's renewables portfolio standard, as defined, procurement requirements. Obligated parties would have been defined to include an electrical corporation, electric service provider, community choice aggregator, and local publicly owned electric utility.

**SB 909 (La Malfa). Treated wood waste: disposal.**

**Status:** Chapter Number 601, Statutes of 2011

**Summary:** This bill extends the sunset date of provisions that regulate the disposal of treated wood waste from June 1, 2012 to June 1, 2017.

**SB 935 (Committee on Environmental Quality) Ballast water.**

**Status:** Chapter Number 550, Statutes of 2012

**Summary:** This bill requires the master, owner, operator, or person in charge of a vessel arriving at a California port or place to remove biofouling organisms from the hull, piping, propellers, sea chests, and other wetted portions of a vessel on a regular basis.

**SB 963 (Cannella) Renewable energy resources: local publicly owned electric utilities.**

**Status:** Dead

**Summary:** This bill would have repealed provisions of the Renewables Portfolio Standard (RPS) program making small, conduit, and repowered hydroelectric generation facilities eligible renewable energy resources. The bill would have revised the RPS program so that the specified minimum quantities of electricity products required to be procured are based upon a percentage of the utility's net program retail sales of electricity in California.

**SB 964 (Wright). Administrative Procedure Act: State Water Resources Control Board and California Regional Water Quality Control Boards.**

**Status:** Dead

**Summary:** This bill would have required the State Water Board and the Regional Water Boards to comply with the Administrative Procedures Act (APA) when issuing general permits or waivers under the Porter Cologne Water Quality Control Act or the Federal Clean Water Act. Current law exempts the Water Boards from the APA for these types of permits.

**SB 965 (Wright). State and local government.**

**Status:** Chapter Number 551, Statutes of 2012.

**Summary:** This bill makes it easier for interested persons to communicate with members of the State Water Resources Control Board and the Regional Water Quality Control Boards by allowing ex parte communications with



members of the Water Boards with respect to the adoption, modification or rescission of waste discharge requirements, conditional waivers of waste discharge requirements and conditions of water quality certification that apply generally to broad classes of dischargers. The bill also requires the Water Boards to make their meeting agenda notices available in both Spanish and English and requires all State agencies that place time limits on oral comments under the Bagley-Keene Open Meetings Act to provide additional time for testimony for people who use an interpreter.

**SB 971 (Cannella) Renewable energy resources.**

**Status:** Dead

**Summary:** This bill would have revised the RPS program so that the specified minimum quantities of electricity products required to be procured are based upon a percentage of the utility's net program retail sales of electricity in California. The bill would have defined "net program retail sales" of electricity as being the total retail sales of electricity by the retail seller or local publicly owned electric utility within California, minus those retail sales where the load was met by noneligible hydroelectric generation, as defined.

**SB 972 (Simitian) Environmental quality: California Environmental Quality Act: scoping meeting and notice of completion.**

**Status:** Chapter Number 218, Statutes of 2012

**Summary:** This bill makes minor technical changes in the notification requirements under CEQA.

**SB 975 (Wright). Professions and vocations: regulatory authority.**

**Status:** 9/25/12-Vetoed by the Governor

**Summary:** This bill would have specified that the California Board for Professional Engineers, Land Surveyors and Geologists and the California Architects Board have the sole and exclusive authority to license and regulate the professions within their purview, and would have prohibited other state and local government entities from establishing additional experience, training, certification, or continuing education requirements within the scope of practice for professions that are under these boards' licensing and regulatory authority.

**Veto Message:** I am returning Senate Bill 975 without my signature. This bill attempts to address the increasing trend of state, regional and local governments' use of short courses as a means of increasing regulatory compliance. Specifically, this bill provides that the California Architects Board and the Board of Professional Engineers, Land Surveyors, and Geologists are the sole state authorities for regulating in any way their respective professions. I agree that more 8-hour courses are often not a good form of compliance. I am directing the Water Board, the Air Board and the Energy Commission to review other methods of ensuring compliance. Sincerely, Edmund G. Brown Jr.

**SB 984 (Simitian) Environmental quality: California Environmental Quality Act: record of proceedings.**

**Status:** Dead

**Summary:** This bill would have required, until January 1, 2016, the lead agency under CEQA, at the request of a project applicant for specified projects to prepare a record of proceedings concurrently with the preparation of negative declarations, mitigated negative declarations, EIRs or other environmental documents for specified projects.

**SB 987 (Negrete McLeod) Public employees' retirement.**

**Status:** Chapter Number 833, Statutes of 2012

**Summary:** This bill provides that all references to "spouse," "surviving spouse," or "marriage" under the provisions of the Public Employees' Retirement Law apply equally to a domestic partner or domestic partnership, and all rights and responsibilities granted to a spouse or surviving spouse shall be granted equally to a domestic partner.

**SB 1002 (Yee) Public records: electronic format.**

**Status:** 9/28/2012-Vetoed by the Governor

**Summary:** This bill would have required the State Chief Information Officer to conduct a study to determine the feasibility of providing electronic records in an open format.

**Veto Message:** I am returning Senate Bill 1002 without my signature. This bill would require the State Chief Information Officer to provide a report to the Legislature on the feasibility of providing public records in a specific electronic format. The role of the State Chief Information Officer is to make sure that state government uses information technology efficiently and effectively including providing public records electronically when possible. Another legislative report on electronic public records isn't necessary. Sincerely, Edmund G. Brown Jr.

**SB 1018 (Committee on Budget and Fiscal Review) Public resources.**

**Status:** Chapter Number 39, Statutes of 2012

**Summary:** Among its provisions, this bill, an urgency measure, makes several changes to the Regional Water Boards, including: (1) reducing from nine to seven the number of members on each Regional Water Board, (2) broadening the regional board member qualification requirements by eliminating the associational requirements provided in current law and instead requiring that six of the seven members be appointed "on

the basis of his or her demonstrated interest or proven ability in the field of water quality....”, (3) revising the conflict of interest rules for both State Water Board members and Regional Water Board members to more closely mirror the Political Reform Act of 1974 and (4) expanding the pool of candidates eligible to serve on Regional Water Boards by focusing the application of the 10-percent rule to apply on a per-region basis (the 10 percent rule excludes members who receive more than ten percent of their incomes from regulated interests from serving on a Regional Water Board). In addition, this bill extends from January 1, 2014 to January 1, 2016, the sunset date of the Schools District Account in the Underground Storage Tank Fund. The Schools District Account makes monies available to reimburse school districts for the costs associated with cleaning up leaking underground storage tanks.

**SB 1025 (Lowenthal) State regulations: review.**

**Status:** Dead

**Summary:** This bill would have required, no later than December 31, 2013, each state entity that promulgates regulations to review those regulations, and repeal or report to the Legislature those identified as duplicative, archaic, or inconsistent with statute or other regulations. The bill would also have required these entities to report to the Legislature by that date on regulations deemed to inhibit economic growth in the state.

**SB 1063 (Gaines). Bear Lake Reservoir: recreational use.**

**Status:** 9/25/12-Vetoed by the Governor

**Summary:** Current law generally prohibits bodily contact with water in reservoirs that are used for domestic water supplies. This bill would have exempted from this prohibition recreational activity in which there is bodily contact with water in the Bear Lake Reservoir. This bill also would have established new compliance standards for protecting water quality in the Reservoir.

**Veto Message:** I am returning Senate Bill 1063 without my signature. The bill would allow swimming in the Bear Lake Reservoir for four months out of the year while specifying the exact type of water treatment required to ensure the community continues to enjoy safe drinking water from the reservoir. Unfortunately, the Department of Public Health believes that the water treatment requirements in this bill are not feasible and ineffective, and therefore the operation of the reservoir as a means to provide safe drinking water would be put at risk. I urge the author and sponsors to work with the Department to find a solution that allows for recreational swimming alongside effectively treated safe drinking water. Sincerely, Edmund G. Brown Jr.

**SB 1065 (Kehoe) Emergency preparedness: earthquakes and fires: water supplies.**

**Status:** Chapter Number 357, Statutes of 2012

**Summary:** This bill requires the Seismic Safety Commission to formulate a task force on post-earthquake firefighting with regard to water supplies. The bill also requires the task force to recommend statewide guidelines and an implementation plan on post-earthquake firefighting and water supplies, and report those findings to the Governor and the Legislature by July 1, 2013. This bill was later gut and amended to pertain to the California Victim Compensation and Government Claims Board.

**SB 1066 (Lieu). Coastal resources: climate change.**

**Status:** Chapter Number 611, Statutes of 2012.

**Summary:** Current law establishes the State Coastal Conservancy to, among other things, undertake projects and award grants for the purposes of restoration of areas of the coastal zone that are adversely affecting the coastal environment or are impeding orderly development. This bill specifically authorizes the Conservancy to fund and undertake projects to address climate change on resources within its jurisdiction, giving priority to projects that maximize public benefits.

**SB 1099 (Wright) Regulations.**

**Status:** Chapter 295, Statutes of 2012.

**Summary:** This bill provides that a regulation or order of repeal is effective on either January 1, April 1, July 1, or October 1, as specified, instead of 30 days after the date of filing with the Secretary of State as specified under current law.

**SB 1113 (Evans) Public employment: salary ranges.**

**Status:** Dead

**Summary:** This bill would have required the Department of Human Resources to address salary compaction and parity concerns.

**SB 1114 (Dutton) Employment: overtime compensation.**

**Status:** Dead

**Summary:** This bill would have established until January 1, 2015, 40 hours as a week's work and require payment of prescribed overtime compensation for hours worked in excess of 10 hours in one workday.

**SB 1115 (Dutton) Flexible work schedules.**

**Status:** Dead

**Summary:** This bill would have permitted an individual nonexempt employee of an employer with 10 or less employees to request an employee-selected flexible work schedule providing for workdays up to 10 hours per day within a 40-hour workweek.

**SB 1122 (Rubio). Energy: renewable bioenergy projects.**

**Status:** Chapter Number 612, Statutes of 2012.

**Summary:** This bill requires the Public Utilities Commission, by June 1, 2013, to direct specified electrical corporations to collectively procure at least 250 megawatts of electrical generating capacity from startup developers of biomass and biogas projects. This bill also requires the Commission to encourage gas and electrical corporations to develop and offer programs and services to facilitate the development of in-state biogas and to facilitate the conditioning and upgrading of biogas.

**SB 1139 (Rubio) Greenhouse gas: carbon capture and storage.**

**Status:** Dead

**Summary:** Current law requires the California Department of Conservation's Division of Oil, Gas, and Geothermal Resources to regulate the construction and operation of oil, gas and geothermal wells. This bill would have required the Division to regulate carbon dioxide enhanced oil recovery projects that seek to demonstrate carbon sequestration for the reduction of greenhouse gas emissions.

**SB 1141 (Walters) Public employees: postemployment health care benefits.**

**Status:** Dead

**Summary:** This bill would have prohibited a public employer, for employees first hired on or after January 1, 2013, from entering into a memorandum of understanding or other collective bargaining agreement that provides for defined postemployment health care benefits unless each employee pays at least 50 percent of the actuarially required contributions to fund those health care benefits.

**SB 1142 (Walters) Public employee benefits: postemployment health care benefits.**

**Status:** Dead

**Summary:** This bill would have prohibited a public employer for employees first hired on or after January 1, 2013, from providing postemployment health care benefits on behalf of its employees unless it had fully funded those benefits, as determined by an actuary.

**SB 1143 (Walters) Public employees' benefits: postemployment benefits.**

**Status:** Dead

**Summary:** This bill would have required a public employer to reserve the right to subsequently modify or revise any postemployment benefits, including any retirement benefits.

**SB 1146 (Pavley) Wells: reports: public availability.**

**Status:** Dead

**Summary:** This bill would have required the Department of Water Resources to, upon request, make specified reports pertaining to well activity available to the public. The bill would have required the department to provide specified disclaimers when providing the reports to the public. The bill would have authorized the department to charge a fee for the provision of a report to recover the department's costs that does not exceed the reasonable costs to the department of providing the report.

**SB 1159 (Calderon). Plastic bag: labeling.**

**Status:** Dead

**Summary:** This bill would have enacted the Plastic Bag Reduction and Recycling Act of 2012 prohibiting the operator of a supermarket, as defined, on and after July 1, 2013, from distributing a plastic carryout bag to a customer unless the plastic carryout bag displays the phrase "Please Recycle This Bag," in accordance with specified requirements.

**SB 1176 (Huff) Public employees' retirement.**

**Status:** Dead

**Summary:** This bill would have prohibited, on and after January 1, 2013, a public retirement system from allowing the purchase of additional retirement service credit.

**SB 1201 (De León) Los Angeles River.**

**Status:** Chapter Number 212, Statutes of 2012

**Summary:** The bill amends the Los Angeles County Flood Control Act to include in the objects and purposes of the Los Angeles County Flood Control District to provide for public use of navigable waterways under the district's control that are suitable for recreational and educational purposes, when these purposes are not inconsistent with the use thereof by the district for flood control and water conservation.

**SB 1214 (Cannella) Environmental quality: California Environmental Quality Act: judicial review.**

**Status:** Dead

**Summary:** This bill would have required under CEQA a judicial proceeding under challenging a project, except for a high-speed rail project, located in a distressed county, as defined, to be filed with the Court of Appeal with geographic jurisdiction over the project.

**SB 1219 (Wolk) Recycling: plastic bags.**

**Status:** Chapter Number 384, Statutes of 2012

**Summary:** This bill extends the "At-Store Recycling Program" for plastic bags to January 1, 2020, and repeals a preemption prohibiting local governments from implementing separate plastic bag recycling programs, additional auditing or reporting requirements, or from imposing a fee on plastic bags.

**SB 1239 (Wright) Local government: assessments, fees, and charges.**

**Status:** Dead

**Summary:** This bill would have defined the term "real property" for purposes of the Proposition 218 Omnibus Implementation Act.

**SB 1251 (Evans). Ocean Protection Council: Aquatic Invasive Species Working Group.**

**Status:** Dead

**Summary:** This bill would have required the Ocean Protection Council and the Wildlife Conservation Board to, upon appropriation by the Legislature, enter into a memorandum of agreement to jointly establish an Aquatic Invasive Species Working Group. The Group, comprised of specified members appointed by the Secretary of the Natural Resources Agency, would have been required to develop and implement an aquatic invasive species control program in the State.

**SB 1283 (Alquist) San Francisco Bay Area Sea Level Rise Planning Act.**

**Status:** Dead

**Summary:** This bill would have established the San Francisco Bay Area Sea Level Rise Planning Act, which would have authorized a regional sea level rise management group or local government agency to prepare and adopt an integrated sea level rise management plan for the San Francisco Bay area, in accordance with specified requirements. The bill would have required a state agency that elects to develop an integrated sea level management plan to include specified criteria in that plan, and to prioritize funding for the plan, as prescribed.

**SB 1306 (Blakeslee). State Water Resources Control Board.**

**Status:** Dead

**Summary:** This bill would have expanded provisions of existing law that require the California Environmental Protection Agency and its member boards, departments and offices to conduct an external scientific peer review of the scientific basis for any proposed rule to also require (1) the State Water Board to conduct external scientific peer reviews of the scientific basis for proposed general storm water permits and (2) a Regional Water Board to conduct an external scientific peer review of the scientific basis for proposed conditional waivers of waste discharge requirements for discharges from irrigated agriculture lands. Additional peer review requirements would have only applied when fees were available to pay for the costs of complying, and no further scientific peer review would be required if a review had already been performed on the scientific basis or scientific portion of an adopted rule.

**SB 1335 (Pavley) Redevelopment: brownfield sites.**

**Status:** Dead

**Summary:** This bill would have authorized a successor agency to retain property obtained by the former redevelopment agency for specified remediation or removal purposes of the release of hazardous substances at a brownfield site using available financing, funds, and grants, subject to approval of the oversight board pursuant to specified procedures.

**SB 1337 (DeSaulnier) Zone 7 Water Agency Act.**

**Status:** Dead

**Summary:** This bill would have created the Zone 7 Water Agency, as prescribed, with specified authorizations, powers, and duties. This bill would have permitted the Alameda County Local Agency Formation Commission to

exclude some or all of the agency's territory from the boundaries of the district and would eliminate from the district act provisions relating to the governance of a zone lying, in whole or in part, in Pleasanton or Murray Townships.

**SB 1340 (La Malfa) Appropriation of water: Sewerage Commission Oroville.**

**Status:** 9/13/2012-Vetoed by the Governor

**Summary:** This bill would have authorized the Sewerage Commission Oroville to apply to the State Water Board for a permit to appropriate water from the Feather River, in an amount up to the amount of treated wastewater that it discharges into the Feather River. The bill would have allowed the Commission to sell or use the appropriated water for any beneficial purpose. This bill also would have required the State Water Board to submit a report to the Legislature, by July 1, 2013, on the potential cumulative effects of granting appropriations as authorized by this bill and two existing sections of the Water Code.

**Veto Message:** This bill would authorize the Sewerage Commission Oroville to apply to the State Water Resources Control Board for a permit to appropriate water from the Feather River in an amount up to the amount of treated wastewater that it discharges into the Feather River. I share the goals of appropriating treated wastewater which can be done without this legislation. The troublesome provision of this bill is the requirement that the State Water Board prepare a costly and unnecessary report. Including this report was not the author's idea. I am asking the State Water Board to work with the Sewerage Commission on its meritorious application. Sincerely, Edmund G. Brown Jr.

**SB 1360 (Simitian) Vessels.**

**Status:** Chapter Number 279, Statutes of 2012

**Summary:** This bill eliminates the January 1, 2014 sunset date of provisions of the California Clean Coast Act that (1) prohibit large passenger vessels (i.e. "cruise ships") from discharging sewage into the marine waters of the State, and (2) require large passenger vessels that do discharge sewage into the marine waters of the State to notify the California Emergency Management Agency immediately, but not longer than 30 minutes, after discovering the sewage release.

**SB 1368 (Anderson) State officers and employees: salaries.**

**Status:** Dead

**Summary:** This bill would have prohibited the annual rate of salary of a state officer or employee, on or after January 1, 2013, from exceeding the annual salary authorized to be received by the Governor.

**SB 1374 (Harman) Liability: good faith reliance on administrative regulation.**

**Status:** Dead

**Summary:** This bill would have provided that any person who relies upon a written order, ruling, approval, interpretation, or enforcement policy of a state agency shall not be liable or subject to punishment for a violation of a civil statute or regulation in a judicial or administrative proceeding if the person pleads and proves to the trier of fact that, at the time the alleged act or omission occurred, the person had sought an applicable written order, ruling, approval, interpretation, or enforcement policy from the state agency charged with interpreting that area of law, and relied upon and conformed to that order, ruling, approval, interpretation, or enforcement policy .

**SB 1380 (Rubio) Environmental quality: California Environmental Quality Act: bicycle transportation plan.**

**Status:** Dead

**Summary:** This bill would have required a public agency under CEQA to disclose in an environmental impact report the environmental standards established by specified statutes and the regulations, plans, policies, and permitting programs promulgated, adopted, or issued pursuant to those statutes that are applicable to the project.

**SB 1386 (Lowenthal) Municipal water districts: water storage: groundwater.**

**Status:** Chapter Number 215, Statutes of 2012

**Summary:** This bill prohibits a municipal water district located in a county with a population greater than 8 million persons and where at least 80% of the area of the district is included within the boundaries of a water replenishment district from having specified authority relating to the storage of groundwater.

**SB 1495 (Wolk) Sacramento-San Joaquin Delta Reform Act of 2009.**

**Status:** Chapter Number 552, Statutes of 2012

**Summary:** This bill excludes from the definition of "covered action" in the Sacramento-San Joaquin Delta Reform Act of 2009, specified leases approved by the Port of Stockton or the Port of West Sacramento and routine dredging activities, as defined, necessary for maintenance of facilities operated by the Port of Stockton or the Port of West Sacramento.

**SB 1520 (Calderon) State government: administrative efficiency.**

**Status:** Chapter Number 766, Statutes of 2012

**Summary:** This bill requires that the statement of reasons accompanying a proposed major regulatory action by a state agency include a standardized impact analysis for each major regulation, on or after November 1, 2013.

**SB 1535 (Padilla) California Global Warming Solutions Act of 2006: water industry study.**

**Status:** Dead

**Summary:** This bill would have prohibited the Air Resources Board (ARB) from imposing regulatory obligations on publicly owned water utilities related to the activity of importing electricity for the publicly owned water utility's own use for the sole purpose of obtaining, transporting and distributing water to its service area from an out-of-state water source. This provision would not have applied if ARB allocated to publicly owned water utilities allowances, credits, or other forms of price mitigation received by publicly owned electric utilities. This bill also would have directed ARB to evaluate the benefits that can be achieved through specific water sector measures (e.g., policy development work being conducted by the Water-Energy Team of the Climate Action Team (WET-CAT)).

**SB 1541 (La Malfa) Timber harvesting plans.**

**Status:** Chapter Number 312, Statutes of 2012

**Summary:** This bill removed the sunset date on the Forest Fire Prevention Exemption which allows timber harvesting to reduce the rate of fire spread, duration and intensity.

**SB 1572 (Pavley). California Global Warming Solutions Act of 2006: AB 32 Investment Fund.**

**Status:** Dead

**Summary:** This bill would have required that a portion of the moneys in the Greenhouse Gas Reduction Fund be appropriated to the Air Resources Board for projects that aimed to reduce greenhouse gas emissions. The bill also would have created the Higher Education Greenhouse Gas Emissions Reduction Account within the Greenhouse Gas Reduction Fund and would have required that any emission related revenue collected from the University of California or the California State University be deposited into the Higher Education Greenhouse Gas Emissions Reduction Account for greenhouse gas emission reduction efforts.

**SCA 1 (Wyland) State Auditor: duties.**

**Status:** Dead

**Summary:** This bill would have required the State Auditor to biennially conduct a specified financial audit and performance evaluation of each state program, including the administration or oversight of that program by the department or agency that is responsible for the program, and submit a report of the results of that financial audit and performance evaluation to the Legislature, as prescribed.

**SCA 11 (Huff) State employment.**

**Status:** Dead

**Summary:** This measure would have provided that nothing in the California Constitution provision establishing the civil service shall be construed to limit, restrict, or prohibit the state from contracting with private entities for the performance of personal services, and would have authorized the state to enter into a personal services contract with a private entity upon approval of the contract by the Office of Economic Growth.

**SCA 13 (Cannella) Public employees' retirement.**

**Status:** Dead

**Summary:** This measure would have provided that any change to the formula used to calculate the pension benefits of a member of a public retirement system that results in an increase in the member's pension benefits shall apply only to service performed on and after the operative date of the change, and would have prohibited the retroactive application of that change.

**SCA 18 (Huff) Public employees' retirement.**

**Status:** Dead

**Summary:** This measure would have required each public retirement system to provide one or more hybrid pension plans meeting the requirements of this measure to each public employer that provides its employees a defined benefit pension plan administered by the public retirement system.

**SCR 68 (Gaines). Joint Committee for the Protection of Lake Tahoe.**

**Status:** Dead

**Summary:** This measure would have established the Joint Committee for the Protection of Lake Tahoe, which would have been composed of three Members from each house of the Legislature. This bill would have authorized the Joint Committee to act until January 1, 2015, at which time its existence would be terminated.

**SJR 17 (Corbett). Coastal resources: San Francisco Bay.**

**Status:** Chapter Number 76, Statutes of 2012.

**Summary:** This bill declares the Legislature's endorsement of two federal bills, Senate 97 and House of Representatives 3034, and urges the United States Congress to enact the San Francisco Bay Restoration Act at the earliest possible time.