



STATE WATER RESOURCES CONTROL BOARD

OFFICE OF LEGISLATIVE AFFAIRS

2009-2010 LEGISLATIVE SUMMARY

October 2010



STATE WATER RESOURCES CONTROL BOARD
REGIONAL WATER QUALITY CONTROL BOARDS

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OFFICE OF LEGISLATIVE AFFAIRS
2009-2010 LEGISLATIVE SUMMARY**

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Publication title: Legislative Summary 2009-2010

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√ -- Denotes bill that was chaptered.

* -- This summary does not include spot bills introduced in the 2009-10 session.

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√ -- Denotes bill that was chaptered.

* -- This summary does not include spot bills introduced in the 2009-10 session.

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√ABX4 11 (Evans)	Public resources
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√ -- Denotes bill that was chaptered.

* -- This summary does not include spot bills introduced in the 2009-10 session.

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SB 22(Simitian)	Hazardous materials: toxic substances.

√ -- Denotes bill that was chaptered.

* -- This summary does not include spot bills introduced in the 2009-10 session.

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√AB 1061(Lieu)	Common interest developments: water-efficient landscapes.
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	Public buildings: energy and water: consumption reductions.
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√SB 918(Pavley)	Water recycling.
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√AB 274(Portantino)	Solid waste: landfills: closure plans.
AB 737(Chesbro)	Solid waste: diversion.
√AB 1004(Portantino)	Solid waste: State Solid Waste Postclosure and Corrective Action Trust Fund.
√AB 1343(Huffman)	Solid waste: architectural paint: recovery program.
AB 1998(Brownley)	Solid waste: single-use carryout bags.
AB 2139(Chesbro)	Solid waste: product stewardship.

√ -- Denotes bill that was chaptered.

* -- This summary does not include spot bills introduced in the 2009-10 session.

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Solid waste
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SB 565(Pavley)
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SB 1234(Kehoe)
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√AB 1066(Mendoza)
√AB 1079(V. Manuel Perez)
AB 1141(Calderon)
√AB 1232(Huffman)
AB 1242(Ruskin)
AB 1300(Fletcher)
AB 1321(Eng)

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Onsite sewage treatment systems: recommended standards.
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Forest practices: timber harvesting plans.
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State water policy.
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Environment: The Advance Infrastructure Mitigation Program Act

√ -- Denotes bill that was chaptered.

* -- This summary does not include spot bills introduced in the 2009-10 session.

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√AB 1366(Feuer)	Residential self-regenerating water softeners.
√AB 1465(Hill)	Urban water management planning.
AB 1520(Evans)	Statewide Watershed Program
AB 1552	(Committee on Utilities and Commerce) Water: coastal powerplants:
AB 1834(Solorio)	Rainwater Capture Act of 2010.
√AB 1929(Hall)	Invasive aquatic species: mussels.
AB 2168(Yamada)	Joint exercise of powers: Dixon Regional Watershed Authority.
AB 2202(V. Manuel Perez)	Safe, Clean, and Reliable Drinking Water Supply Act of 2012: New River Improvement Project: strategic plan.
AB 2214(Fuentes)	Public resources: Santa Monica Mountains Conservancy: Pacoima Wash.
AB 2256(Huffman)	Product labeling: flushable products.
AB 2304(Huffman)	Groundwater management plans: components.
AB 2595(Huffman)	Irrigated agriculture: pesticide use: operator identification number: water quality: waste discharge requirements.
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HR 11(Ruskin)	Relative to drinking water treated with chlorine and chloramine.
SB 42 (Corbett)	Coastal resources: once-through cooling.
√SB 51(Ducheny)	Salton Sea Restoration Council.
√SB 83(Hancock)	Traffic congestion: motor vehicle registration fees.
√SB 310(Ducheny)	Water quality: stormwater and other runoff.
√SB 346(Kehoe)	Hazardous materials: motor vehicle brake friction materials.
SB 406(DeSaulnier)	Land use: environmental quality.
SB 460(Wolk)	Water management plans.
√SB 518(Lowenthal)	Building standards: graywater.
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SB 539(Wiggins)	Salmon and steelhead trout: California Ocean Protection Trust Fund.
√SB 670(Wiggins)	Vacuum or suction dredge equipment.
√SB 757(Pavley)	Lead wheel weights.
SB 803(DeSaulnier)	Solid waste: plastic waste: polyvinyl chloride clamshell packaging
√SB 1028(Correa)	State Board of Equalization: administration: interest.
SB 1100(Corbett)	Product stewardship: household batteries.
√SB 1169(Lowenthal)	Water.
SB 1205(Corbett)	Bay Area Disaster Recovery Planning Council Act.
√SB 1247(Dutton)	Renewable energy resources: hydroelectric generation facilities.
SB 1454(DeSaulnier)	Recycling: plastic products.

√ -- Denotes bill that was chaptered.

* -- This summary does not include spot bills introduced in the 2009-10 session.

Legislative Bill Summaries

Assembly Bills

AB 5(Evans) Civil discovery: Electronic Discovery Act.

Status: 06/29/2009-Chapter Number 5, Statutes of 2009

Summary: This bill establishes procedures for a person to obtain discovery of electronically stored information, as defined, in addition to documents, tangible things, and land or other property, in the possession of any other party to the action. This bill also permits discovery by the means of copying, testing, or sampling, in addition to inspection, of documents, tangible things, land or other property, or electronically stored information.

AB 13(Salas) Sacramento-San Joaquin Delta Conservancy.

Status: 07/02/2010-S DEAD

Summary: This bill would have established the Sacramento-San Joaquin Delta Conservancy in the Natural Resources Agency, to restore, maintain, and enhance ecosystems in the Sacramento-San Joaquin Delta, and to develop and implement projects to address the economic viability of the Delta region, consistent with a specified Delta Plan.

AB 20(Solorio) University of California: California State University: contracts.

Status: 10/11/2009- Chapter Number 402, Statutes of 2009

Summary: This bill requires the Department of General Services (DGS), by July 1, 2010, to negotiate and establish a model contract with the University of California (UC) Regents and with the California State University (CSU) Trustees and in developing the model contract, DGS shall seek the participation of state agencies and departments that have contracts with the UC or CSU. Also, this bill: 1) requires that the standard provisions in a model contract must be used in contracts between the UC or CSU and the state, unless both parties agree that a specified standard contract provision is inappropriate for a specified contract; and 2) allows DGS and the UC or CSU, in consultation with state agencies, to decide when the model contract is not appropriate for use.

AB 39 (Huffman) Sacramento-San Joaquin Delta: Delta Plan.

Status: 8/13/2010 A-DEAD

Summary: This bill would have required the Delta Stewardship Council, created pursuant to SB 12 of the 2009-10 Regular Session, by January 1, 2012, to develop, adopt, and commence implementation of a comprehensive management plan for the Delta, meeting specified requirements.

AB 40(Smyth) Water: reasonable use: electrical generation facilities.

Status: 7/2/2010 S-DEAD

Summary: This bill would have declared that the use of potable domestic water for cooling towers that are part of a generating system that is an eligible renewable energy resource is a reasonable use of water if certain requirements are met.

AB 49 (Feuer) Water conservation: urban and agricultural water management planning.

Status: 8/13/2010 A-DEAD

Summary: This bill would have promoted water conservation in the state by: (1) establishing a statewide water conservation target of 20 percent reduction in statewide urban per capita water use by December 31, 2020, with interim target of 10 percent by 2016; (2) requiring each urban water retail water supplier to develop urban water use targets and interim urban water use targets by December 31, 2010; and to meet its urban water use target by December 31, 2020; (3) requiring the Department of Water Resources (DWR) to review the 2015 urban water management plans and report to the Legislature on progress towards achieving 20 percent reduction goal; and (4) requiring DWR, in consultation with the State Water Board and other state agencies, to develop a single standardized water use reporting form to meet the water use information needs of each agency.

AB 64(Krekorian) Energy: renewable energy resources: generation and transmission.

Status: 10/11/2009- VETOED

Summary: This bill would have raised California's Renewables Portfolio Standard (RPS) goal to 33 percent by 2020 and revised and reenacted specified provisions of the existing RPS statutes. This bill also would have established a new agency, the Renewables Infrastructure Authority, which would have been authorized to finance and permit new renewable energy generation and transmission projects.

Veto Message: I am returning Assembly Bill 64 without my signature. I support the intent of this and other measures to increase California's RPS target to 33% by 2020. However, as drafted this measure would make it more difficult and costly to achieve this very important goal. As a world leader in climate change and renewable energy development, California needs a regional approach that provides streamlined regulatory processes and compliance flexibility that facilitate the timely construction of in-state resources. This legislative package does the opposite and adds new regulatory hurdles to permitting renewable resources in the state, at the same time limiting the importation of cost-effective renewable energy from other states in the West. On November 17, 2008, I issued Executive Order S-14-08, which sets a target that all retail sellers of electricity shall serve 33% of their load with renewable energy by 2020. On September 15, 2009, in order to keep us moving forward, I directed California Air Resources Board (CARB), in Executive Order S-21-09, to adopt regulations that increase procurement of renewable resources in furtherance of the Global Warming Solutions Act of 2006 (AB 32, Statutes of 2006) and its emission reduction goals. The CARB's scoping document for the Global Warming Solutions Act of 2006 determined that achieving 33% RPS is a critical component in the fight against global warming. I expect CARB to complete the regulations implementing the 33% RPS by the fall of 2010. I remain ready to sign legislation that codifies a workable 33% RPS mandate. California has a rare opportunity to champion the development of renewable energy and reduce greenhouse gas emissions in-state and beyond. We must seize the chance to lay the foundation for a regional effort that optimizes resources throughout the West at a lower cost to ratepayers. Sincerely, Arnold Schwarzenegger

AB 68(Brownley) Solid waste: single-use carryout bags.

Status: 1/31/2010 A-DEAD

Summary: This bill would have prohibited a store from providing a single-use carryout bag to a customer beginning July 1, 2011, unless the store charged a fee of not less than \$0.25 per bag at the point of sale. The bill also would have established the Bag Pollution Fund in the State Treasury and would have required a store to remit the single-use carryout bag fees to the State Board of Equalization for deposit in that fund.

AB 87(Davis) Single-use carryout bags: environmental effects: mitigation.

Status: 1/31/2010-A-DEAD

Summary: This bill would have prohibited by July 1, 2010 a store from providing a single-use carryout bag, including a green carryout bag, to a customer unless the store charges a fee of not less than \$0.25 per bag at the point of sale. The bill also would have established the Bag Pollution Fund in the State Treasury and, by January 31, 2011, would have required a store that collects the single-use carryout bag fees to remit the fees to the State Board of Equalization for deposit in that fund on a quarterly basis thereafter.

AB 96(Ruskin) Gasoline: underground storage tanks.

Status: 08/06/2009-Chapter 69, Statutes of 2009

Summary: This bill, an urgency measure, appropriates \$8 million from the Petroleum Underground Storage Tank Financing Account to the State Water Board for grants and loans to assist small gas station owners and operators in upgrading their equipment to comply with air and water quality regulatory requirements. The grants and loans are administered under the Replacing, Removing, or Upgrading Underground Storage Tanks (RUST) Program. The bill also extends the sunset date of the RUST program from January 1, 2011, to January 1, 2016, and revises the eligibility criteria for the RUST program.

AB 102(Smyth) Santa Susana State Park.

Status: 07/02/2010-S DEAD

Summary: This bill would have required the Director of Parks and Recreation to establish the Santa Susana State Park Advisory Committee by January 1, 2012, to be responsible for assisting the department, in an advisory capacity, to plan for interim and permanent land uses and facilities through the general planning process for the Santa Susana Field Laboratory site in Ventura County. The bill also would have required the department to take specified actions with respect to the development of a state park at the Santa Susana Field Laboratory site.

AB 231(Huber) Environment: California Environmental Quality Act: overriding consideration.

Status: 9/29/2010 - Chapter Number 432, Statutes of 2010

Summary: This bill authorizes a lead agency under CEQA, until January 1, 2016, to incorporate by reference a finding of overriding consideration made in a prior environmental impact report (EIR) for a later project if specified conditions are met, including that the lead agency determines that the later project's significant impacts on the environment are not greater than or different from those identified in the prior EIR.

AB 248(Lowenthal, Bonnie) Public resources: ballast water management.

Status: 10/11/2009-Chapter Number 317, Statutes of 2009

Summary: This bill requires operators of vessels that discharge ballast water into California waters to provide specified information to the State Lands Commission on any ballast water treatment systems that are present on the vessel including: the type and manufacturer of the system; any certifications the system may have; number of tanks treated by each system; and other relevant information.

AB 274(Portantino) Solid waste: landfills: closure plans.

Status: 10/11/2009-Chapter Number 318, Statutes of 2009

Summary: This bill requires the purchaser of any portion of a closed solid waste landfill that is subject to a closure or a postclosure maintenance plan to provide evidence of his or her ability to meet the financial assurance requirements of the California Integrated Waste Management Act of 1989. This bill also establishes a voluntary State Solid Waste Postclosure Trust Fund (Trust Fund). For those landfills participating in this Trust Fund, this bill requires them to pay a fee of \$0.12 per ton of solid waste disposed and make the fee revenue available to the California Integrated Waste Management Board for postclosure activities and corrective actions that have not been performed by the operator when the financial assurance mechanisms are inadequate to fund the compliance activities.

AB 300(Caballero) Subdivisions: water supply.

Status: 08/13/2010-S DEAD

Summary: This bill would have required, until January 1, 2017, a public water system to review, verify for accuracy, and approve a sub-divider's water savings projections attributable to voluntary demand management measures. The bill would have authorized the public water system to collect fees to provide the additional analysis of the voluntary demand management measures. This bill would have imposed a state-mandated local program.

AB 305(Nava) Hazardous materials: statute of limitations: penalties.

Status: 10/11/2009-Chapter Number 429, Statutes of 2009

Summary: This bill extends from one year to five years the statute-of-limitations for bringing civil penalties or punitive damages for certain types of enforcement actions related to the submission of hazardous materials release response plans and inventory. Additionally, this bill increases penalties for knowingly failing to report an oil spill or knowingly making a false or misleading report on an oil spill occurring in inland waters of the state by authorizing a penalty of imprisonment in county jail for not more than one year, in addition to or in place of existing monetary penalties.

AB 400(De Leon) State agencies: FISCal funds.

Status: 10/11/2009- Chapter Number 440, Statutes of 2009

Summary: This bill requires the FISCal system to additionally include a state budget transparency component that allows the public to access nonconfidential General Fund and federal fund expenditure data, such as the amount of expenditure and a brief description of its purpose, using an Internet Web site.

AB 410(De La Torre) Recycled water.

Status: 8/31/2010 S-DEAD

Summary: This bill would have designated \$5 million from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84), to the Department of Water Resources (DWR) for allocation to certain hydrologic regions of the state to prepare salt and nutrient management plans, consistent with the State Water Board's recycled water policy. The bill also would have set new statewide targets for water recycling and require DWR to assess every five years the progress towards meeting those targets.

AB 450 (De La Torre) Recycled water: oil refineries.

Status: 1/31/2010 A-DEAD

Summary: This bill would have declared that the use of potable domestic water for oil refineries is a waste or unreasonable use of water if recycled water is available and the State Water Board makes certain findings and would have prohibited a person or public agency from using potable water for oil refinery purposes these conditions are met. The bill would have become effective beginning January 1, 2020

AB 453(Garrick) Gasoline: vapor recovery systems.

Status: 1/31/2010 A-DEAD

Summary: This bill would have exempted gasoline service stations from penalties for failing to comply with enhanced vapor recovery regulations adopted by the Air Resources Board. The exemption would have applied to violations that occurred before April 1, 2010.

AB 471(Nava) Legal services

Status: 9/27/2010 VETOED

Summary: This bill would have made various non-substantive technical changes to an assortment of existing statutes relating to the authority of state agencies to retain legal counsel and to use the services of the Attorney General (AG), as well as other statutes relating to the authority of the AG.

Veto Message: I am returning Assembly Bill 471 without my signature. This bill makes technical, non-substantive changes to Government Code provisions concerning the Attorney General's representation of state agencies and its authority to represent the state in certain specified actions. This bill is unnecessary. Moreover, these types of changes should be included in a larger omnibus bill rather than a standalone bill. For these reasons, I am unable to sign this bill. Sincerely, Arnold Schwarzenegger

AB 474(Blumenfield) Contractual assessments: water efficiency improvements.

Status: 10/11/2009-Chapter Number 444, Statutes of 2009

Summary: This bill expands the provisions of existing law to authorize the legislative body of any public agency to determine that it is in the public interest to designate an area within which authorized city officials and free and willing property owners may enter into contractual assessments to finance the installation of water efficiency improvements that are permanently fixed to real property. The bill also requires a legislative body to perform additional record keeping duties and provide specified notice to any entity that provides energy or water within the boundaries of the area within which contractual assessments may be entered into.

AB 478(Chesbro) Greenhouse gas emissions: recycling and waste management.

Status: 08/13/2010-S-DEAD

Summary: This bill would have required the California Integrated Waste Management Board (CIWMB) to adopt rules and regulations rules for the reduction of greenhouse gas (GHG) emissions from solid waste reduction and recycling. The bill also would have required the CIWMB to consult with the State Water Board and the Air Resources Board when developing the GHG regulations.

AB 479(Chesbro) Solid waste: diversion.

Status: 08/31/2010-S-DEAD

Summary: This bill would have established a new standard for recycling and waste reducing in California to move the state from the current 50 percent to 60 percent by the year 2015, and to 75 percent by the year 2020, waste through source reduction, recycling, and composting activities. The bill also would have required the California Integrated Waste Management Board to establish policies, programs, and incentives to ensure diversion of solid waste including commercial waste. The bill also would have specified that new revenue generated would have been provided to local governments to help them meet the cost of increased waste reduction and recycling programs.

AB 480(Tran) Bond acts: auditing.

Status: 8/31/2010 S-DEAD

Summary: This bill would have required any state bond measure approved by the voters on or after January 1, 2010, to include auditing provisions with respect to the use of any bond moneys that would be spent for the purposes of the bond measure. The bill would have authorized the Bureau of State Audits to conduct periodic audits to ensure that bond proceeds are awarded in a timely manner and that recipients of bond moneys use the funds in compliance with applicable provisions of law. The bill would have required that the costs associated with the audit be reimbursed by the bond proceeds.

AB 499(Hill) Environment: California Environmental Quality Act: determination: dispute.

Status: 9/29/2010 VETOED

Summary: This bill would have revised the California Environmental Quality Act (CEQA) judicial review procedures to clarify only the recipients of a project approval identified by a lead agency are the real parties in interest that must be named by the plaintiff in an appeal of the lead agency's decision.

Veto Message: To the Members of the California State Assembly: I am returning Assembly Bill 499 without my signature. This bill makes several changes to CEQA under the guise of CEQA streamlining. Unfortunately, it appears to simply be a backdoor attempt to lessen the legal requirements for those who seek to challenge projects under CEQA. Current CEQA law requires the dismissal of a lawsuit if the plaintiff fails to name a real party in interest. This bill eliminates that dismissal and instead requires the court to grant the petitioner additional time to find a real party in interest and give them notice. By doing so, it gives plaintiffs multiple bites at the apple to file CEQA lawsuits. The bill also requires a lead agency to list only the project applicant in its notice. I vetoed a similar bill in 2008 due to my concerns that it placed upon the lead agency a new liability for actions not directly related to its review of a project. Additionally, simply listing the project applicant omits other parties who may have legal standing and could infringe upon their constitutional right to due process. For these reasons, I am unable to sign this bill. Sincerely, Arnold Schwarzenegger

AB 502(Furutani) State employees: memorandum of understanding.

Status: 07/02/2010-S DEAD

Summary: This bill would have approved provisions of a memorandum of understanding entered into between the state employer and State Bargaining Unit 9, the Professional Engineers in California Government, that required the expenditure of funds, and provided that these provisions would have become effective even if these provisions were approved by the Legislature in legislation other than the annual Budget Act.

AB 556(Conway) Personal services contracts.

Status: 01/22/2010-A DEAD

Summary: This bill would have prohibited state agency personal services contracts from adversely affecting the State's equal employment opportunity efforts and would have required the contract to include assurances that the contractor's hiring practices meet applicable nondiscrimination, equal employment opportunity standards.

AB 579(Huber) State boards and commissions: audits.

Status: 10/11/2009-A VETOED

Summary: This bill would have required the State Auditor to annually, upon appropriation by the Legislature, audit the workload of at least 2 state boards or commissions comprised of board members or commissioners to whom the state pays an annual salary for their service on those state boards and

commissions. The State Auditor would have been required to annually report to the Legislature and the Governor regarding these audits and findings.

Veto Message: I am returning Assembly Bill 579 without my signature. I am supportive of the intent of this bill to audit the workload of salaried board members or commissioners, beginning with the California Unemployment Insurance Appeals Board. However, the legislature already has a process in place through its Joint Legislative Audit Committee, to request audits conducted by the California State Auditor on virtually any state operation. Therefore, the statutory authorization to do so in this bill is unnecessary. For these reasons, I am unable to sign this bill. Sincerely, Arnold Schwarzenegger

AB 580(Galgiani) Air Quality Improvement Program: rebates.

Status: 07/02/2010-S-DEAD

Summary: This bill, in its earlier versions, would have amended provisions of existing law that require the State Water Board to adopt regulations for the permitting and operation of onsite sewage treatment systems (OWTS, also called "septic tanks") to require the State Water Board to categorize septic tanks into regulatory tiers based on the demonstrated risk each system poses to the public health and environment.

AB 618 (Blumenfield) Office of the State Chief Information Officer: duties

Status: 1/31/2010 A-DEAD

Summary: This bill would have required the Office of the State Chief Information Officer to submit to the Legislature an information technology strategic plan on or before January 1, 2011, and every 3 years thereafter, and in intervening years would have required the office to submit to the Legislature a report on the status of objectives in the plan and a progress report on the implementation of the Governor's Reorganization Plan No. 1 of the 2009- 10 Regular Session.

AB 626(Eng) Bond revenues: integrated regional water management: grants.

Status: 10/11/2009 - Chapter Number 367, Statutes of 2009

Summary: This bill requires the Department of Water Resources to achieve a 10% statewide allocation of specified water infrastructure funds by awarding grants for those purposes to disadvantaged communities within a hydrologic region in a total dollar amount that is not less than 10% of the total dollar amount of grants awarded within that region. The bill requires the department to implement the allocation with due diligence, but would require the department to implement that specified regional allocation only to the extent that the implementation does not affect the expeditious allocation of funds, as specified.

AB 642 (Huber) Conservancies: Sacramento-San Joaquin Delta Conservancy.

Status: 1/15/2010 A-DEAD

Summary: This bill would have established the Sacramento-San Joaquin Delta Conservancy to undertake various activities related to the Delta and Suisun Marsh, including measures identified in the Delta sustainability program that are intended to restore and manage habitat in the Delta and Suisun Marsh. The bill also would have prescribed the management, powers, and duties of the conservancy.

AB 650(Hill) Real property: City of Half Moon Bay.

Status: 01/31/2010-A DEAD

Summary: This bill would have required the State to loan \$2,500,000 from the Regional Planning, Housing, and Infill Incentive Account within the Housing and Emergency Shelter Trust Fund of 2006, \$2,500,000 from the Habitat Conservation Fund, \$2,500,000 from the State Coastal Conservancy Fund, and \$2,500,000 from the San Francisco Bay Area Conservancy Program Account within the State Coastal Conservancy Fund, to the City of Half Moon Bay to purchase certain property known as the Beachwood Property to assist the city relating to its settlement of a specified case, which would have resulted in an appropriation.

AB 687(Salas) Tijuana River Valley Conservancy.

Status: 1/15/2010 A-DEAD

Summary: This bill would have enacted the Tijuana River Valley Conservancy Act which would have: 1) established the Tijuana River Valley Conservancy in the Natural Resources Agency; 2) specified the composition of the board of the Conservancy; and 3) required the Conservancy to oversee the implementation of a comprehensive Tijuana River Valley cleanup and restoration program.

AB 727(Nielsen) Resource conservation districts: California Prompt Payment Act.

Status: 08/31/2010-S-DEAD

Summary: This bill would have extended the Prompt Payment Act to include grants to Resource Conservation Districts for restoration activities, and in doing so, would require state agencies to pay late payment penalties to these districts, if the state agencies fail to pay invoices within 45 days of submittal.

AB 737(Chesbro) Solid waste: diversion.

Status: 9/28/2010 VETOED

Summary: This bill would have made various changes in existing law related to the diversion of solid waste for recycling or composting. Among its provisions, the bill would have mandated commercial recycling on private businesses that produce more than four cubic yards of waste a week and required the Department of Resources Recycling and Recovery (CalRecycle) to report to the Legislature by January 1, 2013, on the current diversion rate in the state and provide strategies to increase the diversion rate to 75% by 2020. The bill would have repealed this requirement on January 1, 2017.

Veto Message: I am returning Assembly Bill 737 without my signature. This bill mandates commercial recycling on private businesses producing more than four cubic yards of waste a week; modifies existing local permitting requirements; and requires CalRecycle to provide the Legislature with a report on the progress being made by the state towards a 75 percent diversion goal. This bill is unnecessary and duplicative of actions already being undertaken by state agencies. Under the authority of AB 32 and the AB 32 Scoping Plan, CalRecycle is currently in the process of developing mandatory commercial recycling regulations through an open process of workshops and hearings that rely upon stakeholder input and participation. Furthermore, CalRecycle's regulations will apply to both the public and private sectors. Consequently, I believe CalRecycle's more inclusive approach towards meeting the state's ambitious waste diversion goals will better serve California economically and environmentally. For this reason, I am unable sign this bill. Sincerely, Arnold Schwarzenegger

AB 738(Committee on Environmental Safety and Toxic Materials) Hazardous materials: brownfield cleanup: loan or grant program.

Status: 01/31/2010-A DEAD

Summary: This bill would have authorized the Department of Toxic Substances Control to administer and implement a loan or grant program consistent with federal regulations implementing the Small Business Liability Relief and Brownfields Revitalization Act, using only federal grant funds available for that purpose.

AB 752(Caballero) Safe Drinking Water and Water Supply Reliability Act of 2010.

Status: 08/31/2010-S-DEAD

Summary: Earlier versions of this bill would have defined the term "severely disadvantaged community" as used in provisions of existing law governing the State Water Pollution Control Revolving Fund Small Community Grant Fund to mean "a community with a median household income less than 60 percent of the statewide median household income."

AB 790(Hernandez) State employees: compensation.

Status: 08/18/2010-S DEAD

Summary: This bill would have continuously appropriated from the General Fund and other specified funds to the Controller an amount necessary for the payment of compensation and employee benefits to state employees, for work performed on or after July 1 of a fiscal year for which no budget had been enacted.

AB 804(Hall) Invasive aquatic species: mussels.

Status: 10/11/2009 - VETOED

Summary: This bill would have provided that an operator of water delivery and storage facilities, who has prepared, initiated, and is in compliance with a plan to control and eradicate dreissenid mussels in accordance with existing law, would not be subject to any civil or criminal liability for the introduction of dreissenid mussel species as a result of operations of those facilities. The bill also would have provided that neither the director's enforcement activities, nor the prohibition on a person possessing, importing, shipping, or transporting dreissenid mussels in the state would apply to an operator who has prepared,

initiated, and is in compliance with a plan to control and eradicate dreissenid mussels, unless the department had required the operator to update its plan and the operator failed to do so.

Veto Message. I am returning Assembly Bill 804 without my signature. This bill would specifically exempt from criminal and civil liability, for dreissenid mussel infestation, any water operator that has a control and eradication plan approved by the Department of Fish and Game. During the past two years, I signed comprehensive legislation to restrict the possession and transportation of dreissenid mussels, to require water managers to assess the threat of dreissenid mussels in their waters and develop prevention plans and conduct monitoring activities, and to authorize state inspections of waters and facilities in California, which might contain dreissenid mussels. These measures were supported by water agencies and emphasized the need for local and state entities to increase and maintain their vigilance against this potentially devastating threat. However, the effect of this bill would be to relieve water operators from having to continue to act responsibly once they initially have an approved response plan in place, thereby shifting liability to the state for any ensuing damage resulting from the spread of dreissenid mussels. The presence of an approved plan does not ensure that subsequent actions taken by that water agency will be consistent with that plan, nor should these entities be immunized from liability for their subsequent actions. For these reasons, I am unable to sign this bill. Sincerely, Arnold Schwarzenegger

AB 805(Fuentes) Vehicles: automobile dismantlers: license: applications.

Status: 10/11/2009-Chapter Number 475, Statutes of 2009

Summary: This bill requires the Department of Motor Vehicles (DMV) to make a thorough investigation of all information contained in the application for a new automobile dismantler license. Effective January 1, 2011 this bill requires the DMV to make a thorough investigation of all information contained in the application for renewal of an automobile dismantler's license.

AB 828(Lieu) Green building standards.

Status: 10/11/2009-A VETOED

Summary: This bill would have required the State Energy Resources Conservation and Development Commission or any state agency proposing green building standards to seek the input of other state agencies and consult with representatives from specified groups, as prescribed. The bill would have required any agency providing input to recommend to the commission or proposing agency whether the standard should be voluntary or mandatory.

Veto Message: I am returning Assembly Bill 828 without my signature. AB 828 is intended to require any state agency proposing green building standards to seek the input of other state agencies, environmental advocacy groups, the building construction and design industries, and other interested public parties. Also, the bill would require that green building standards be intended to protect the public's health and safety, minimize a building's impact on the environment through efficient use of natural resources, promote occupant health, and reduce strain on the local infrastructure while utilizing best available technology and building practices. The California Building Standards Commission and other state agencies proposing building standards currently follow strict requirements for the development of all regulations, including building standards. Also, they utilize work groups and focus groups extensively in the development process. These meetings are open to all who want to participate. In addition, the bill emphasizes that green building standards are to include, but not be limited to, site planning, water efficiency, energy efficiency, materials and resource efficiency, reduction of toxic chemicals, indoor air quality, and environmental quality. The state's current green building standards encompass these aspects of green building. Because of this, I find the bill to be redundant of current regulatory development and adoption processes, and therefore unnecessary. For this reason I am unable to sign this bill. Sincerely, Arnold Schwarzenegger

AB 843(Block) State employees.

Status: 01/31/2010-A DEAD

Summary: This bill would have removed the exclusion for managerial employees with respect to existing law prescribing procedures for taking adverse action against state employees, other than managerial employees.

AB 846(Torrico) State agencies: civil and administrative penalties.

Status: 08/13/2010-S-DEAD

Summary: This bill would have established the California Civil Penalties Inflation Supplement and Enforcement Act of 2010, which would have required the State Water Board, Department of Toxic

Substances Control, Air Resources Board, Department of Pesticide Regulation and Department of Industrial Relations to adjust, every four years, the maximum and minimum amounts of specified civil and administrative penalties to take into account inflation or deflation using the Consumer Price Index. If any of these boards and departments imposed an administrative or civil penalty below the maximum monetary levels as specified, this bill would have required them to calculate, and make express findings concerning any non-de minimis economic benefits derived by the violator.

AB 853(Arambula) Local government: organization.

Status: 9/30/2010 VETOED

Summary: As introduced, this bill would have required local agency formation commissions to conduct a feasibility review for the consolidation of a small community water system with one or more of the water systems in the county, if the board of supervisors of the county received a written complaint from a resident or group of residents of a small community water system, and a majority of the board voted to require the report by the commission. The bill was subsequently amended to address processes for local government annexation or reorganization.

AB 900(De Leon) Water diversion and use: reporting.

Status: 9/13/2010 - Chapter Number 223, Statutes of 2010

Summary: Earlier versions of this bill would have: 1) eliminated provisions in current law that exempt certain water diverters from having to file Statements of Water Diversion and Use with the State Water Board; 2) established legal consequences, including increased administrative civil liability, for the failure to file Statements of Water Diversion and Use; and 3) required water users to provide the location of their diversion on a U.S. Geological Survey topographic map or by using the California Coordinate system or latitude and longitude measurements. AB 900 was significantly amended prior to enactment to only apply to the City of Bell property taxes and refunds for overpayments.

AB 913 (Logue) Mandatory minimum civil penalties.

Status: 12/11/2009-A- DEAD

Summary: This bill would have prohibited the State Water Board or a Regional Water Board from imposing a mandatory minimum penalty for a violation for which an action to impose liability was not requested or imposed by the state board or a regional board within 12 months of the state board or regional board receiving notice of the violation.

AB 914(Logue) Mandatory minimum civil penalties: publicly owned treatment works.

Status: 10/11/2009-VETOED

Summary: This bill would have made changes to provisions of existing law that allow the Regional Water Boards to authorize publically owned treatment works (POTWs) serving small, disadvantaged communities to complete compliance projects in lieu of paying mandatory minimum penalties (MMPs) for water quality violations. Specifically, the bill would have allowed the State Water Board to take into consideration the impact of MMPs on individual ratepayers, if it finds that the provisions of existing law are not sufficient in determining whether a small community faces a "financial hardship." Additionally, the bill would have specified that the financing plan prepared by POTWs for compliance projects provide for the completion of the compliance project within five years.

Veto Message: To the Members of the California State Assembly: I am returning Assembly Bill 914 without my signature. This bill would specify that the State Water Board may take into consideration the additional criterion of impacts of mandatory minimum penalties on individual ratepayers when making a determination of "financial hardship" of a small community served by a POTW. The bill is unnecessary since the Board already has the authority under current law to take any factor it deems appropriate into consideration when making a determination of financial hardship of a small community served by a POTW. Furthermore, the bill's language for determining "financial hardship" is unclear, provides little to no guidance for the Board, and would only further confuse an already complex financial hardship determination process. The unintended consequence of AB 914 will be costly lawsuits and competing interpretations of the bill's vague and confusing language. For these reasons, I am unable to sign this bill.
Sincerely, Arnold Schwarzenegger

AB 916(Logue) Onsite sewage treatment systems: recommended standards.

Status: 1/15/2010 A-DEAD

Summary: This bill would have amended provisions of existing law that require the State Water Board to develop and adopt regulations for the permitting and operation of onsite sewage treatment systems (also called "septic tanks") to instead require the State Water Board to adopt "recommended standards" for septic tanks.

AB 925(Saldana) Recycling: single-use plastic beverage container caps.

Status: 8/31/2010 S-DEAD

Summary: This bill would have prohibited a retailer, on and after January 1, 2012, from selling or offering for sale a single-use plastic beverage container with a cap that is not tethered to or contiguously affixed to the beverage container.

AB 965(Committee on Public Employees, Retirement and Social Security) State employees: memorandum of understanding.

Status: 07/02/2010-S DEAD

Summary: This bill would have approved provisions of a memorandum of understanding entered into between the state employer and State Bargaining Unit 10, the California Association of Professional Scientists, that would have required the expenditure of funds, and provided that these provisions would have become effective even if these provisions were approved by the Legislature in legislation other than the annual Budget Act.

AB 975(Fong) Water corporations: water meters.

Status: 10/11/2009-Chapter Number 495, Statutes of 2009

Summary: This bill requires water corporations regulated by the California Public Utilities Commission (PUC) to install water meters on new service connections and on unmetered connections. Specifically, this bill requires water corporations to install water meters on unmetered connections if they: (1) have 500 or more service connections, (2) are regulated by the PUC, and (3) are not subject to provisions of existing law that require urban water suppliers to install water metering equipment. The bill gives the PUC the authority to enforce this requirement, and to require metered connections for providers with less than 500 connections provided certain findings are met. The bill also requires the water corporations to institute billing based on volume of water used by 2015 for users who have meters.

AB 1004(Portantino) Solid waste: State Solid Waste Postclosure and Corrective Action Trust Fund.

Status: 9/28/2010 - Chapter Number 417, Statutes of 2010

Summary: This bill extends the deadline, from July 1, 2011 to January 1, 2012, for 50% of landfill operators to opt into participation in the Solid Waste Postclosure and Corrective Action Trust Fund.

AB 1061(Lieu) Common interest developments: water-efficient landscapes.

Status: 10/11/2009 - Chapter Number 503, Statutes of 2009

Summary: This bill provides that a provision of any of the governing documents of a common interest development shall be void and unenforceable if it prohibits, or includes conditions that have the effect of prohibiting, the use of low water-using plants as a group, or if it has the effect of prohibiting or restricting compliance with a local water-efficient landscape ordinance or water conservation measure described above.

AB 1066(Mendoza) Forest practices: timber harvesting plans.

Status: 10/11/2009 - Chapter Number 269, Statutes of 2009

Summary: This bill makes various changes to existing law pertaining to timber harvest plans (THPs). Among its provisions, the bill allows the California Department of Forestry and Fire Protection to provide a maximum of two two-year extensions for THPs that are approved between January 1, 2010, and December 31, 2011, if certain conditions are met. In addition, the bill also authorizes a THP under which work has commenced but was not completed, and that expired in 2008 or 2009, to be eligible for four one-year extensions if certain conditions are met.

AB 1079(V. Manuel Perez) Environment: California-Mexico border.

Status: 10/11/2009-Chapter Number 382, Statutes of 2009

Summary: This bill requires the California-Mexico Border Relations Council (Council) to develop a strategic plan containing specific elements to guide the implementation of the New River Improvement Project, contingent upon the execution of an agreement with the City of Calexico for the purpose of providing the necessary funding. The bill requires the Council to coordinate the activities of state agencies to initiate and develop the New River Improvement Project with specified objectives. The bill also creates the New River Improvement Project Account in the California Border Environmental and Public Health Protection Fund, and authorizes monies in the account, upon appropriation by the Legislature, to be expended for activities related to the New River.

AB 1086(Miller) Public contracts: bids.

Status: 08/06/2009-Chapter 132, Statutes of 2009.

Summary: This bill makes findings and declarations regarding the intent of existing Public Contract Code Section 3400, known as the "or-equal" statute, to encourage contractors and manufacturers to develop and implement new and ingenious materials, products, and services, as specified, at a lower cost to taxpayers.

AB 1100(Duvall) Potable reuse demonstration water.

Status: 08/13/2010-S DEAD

Summary: This bill would have allowed the bottling of potable reuse demonstration water, as defined, to be distributed, free of charge, for educational purposes or to promote water recycling. The bill would have established specific bottling, labeling, and sanitation requirements for potable reuse demonstration water and would require an operator seeking to bottle potable reuse demonstration water to establish a collection and recycling program for distributed bottles.

AB 1107(Blakeslee) Environmental protection: California Environmental Protection Agency: rules: economic analysis.

Status: 01/31/2010-A DEAD

Summary: This bill would have required the California Environmental Protection Agency, or a board, department, or office within the agency, to complete and place into the rulemaking record an economic analysis of a rule that is proposed for adoption at or before the time the rule is made available to the public at a public workshop or for purposes of public comment. The bill would have also required the agency to solicit public comment on the economic analysis in the same manner as on the proposed rule.

AB 1125(Hernandez) State employees: compensation.

Status: 01/31/2010-A DEAD

Summary: This bill would have continuously appropriated from the General Fund and other specified funds to the Controller an amount necessary for the payment of compensation and employee benefits to state employees, for work performed on or after July 1 of a fiscal year for which no budget had been enacted.

AB 1131(Feuer) Hazardous materials: green chemistry and accidental releases.

Status: 01/31/2010-A DEAD

Summary: This bill would have required the Department of Toxic Substances Control to establish programs for life cycle toxic reduction to reduce the use, generation, release, or disposal of a chemical of concern as identified by the department during a product life cycle.

AB 1141 (Calderon) Carryout bags.

Status: 1/15/2010 A-DEAD

Summary: This bill would have made various changes to provisions of existing law that require operators of specified types of stores to establish in-store plastic carryout bag recycling programs. Among its provisions, the bill would have expanded the recycling program to include additional types of plastic bags, established a 50% recycling goal for plastic bags, and established a \$0.001 manufacturer fee on plastic bags.

AB 1161 (Buchanan) State employment: adverse actions.

Status: 1/31/2010 A-DEAD

Summary: This bill would have required an adverse action against a state managerial employee, state confidential employee, or state supervisory employee to commence within one year of the discovery of the cause for discipline. The bill would also have required the notice of the adverse action against those employees based on fraud, embezzlement, or the falsification of records to be served within 3 years after the discovery of the fraud, embezzlement, or falsification.

AB 1187 (Huffman) Safe, Clean, Reliable Drinking Water Supply Act of 2010

Status: 1/15/2010 A-DEAD

Summary: This bill would have enacted the Safe, Clean, Reliable Drinking Water Supply Act of 2010 which, if approved by the voters, would have authorized, for the purposes of financing specified water supply reliability and water source protection programs, the issuance of bonds in the amount of \$10,035,000,000 pursuant to the State General Obligation Bond Law.

AB 1188(Ruskin) Hazardous materials: underground storage tanks.

Status: 11/05/2009-Chaptered by Secretary of State - Chapter 649, Statutes of 2009.

Summary: This bill makes various changes in funding programs related to the clean up of leaking underground storage tanks (USTs) and the regulation of USTs. Specifically, the bill: 1) provides a \$.006 increase to the Underground Storage Tank Cleanup Trust Fund (USTCF or Fund) fee, from January 1, 2010 through December 31, 2012; 2) requires the State Water Board to post on its web site the result of a program audit or a fiscal audit of the Fund within 90 days of completion of the audits; 3) requires that the annual transfer from the USTCF to the School District Account be made prior to the allocation of the money in the Fund for payment of claims by other UST owners or operators, and expand the type of school districts whose USTCF claims can be paid from the School District Account ; 4) allows claimants who have approved, but unpaid claims to be reimbursed for costs related to obtaining other financing to cover "carrying costs" as defined; 5) makes a clarifying change to the grant awards process for the Replacing, Removing, or Upgrading Underground Storage Tanks grants allowed pursuant to Chapter 69, Statutes of 2009, (AB 96, Ruskin).

AB 1189 (Skinner) Fish passages.

Status: 1/15/2010 A-DEAD

Summary: This bill would have required CalTrans to assess and remediate fish barriers associated with any state or federally funded transportation project, if the project affects a stream crossing on a stream where anadromous fish (including salmon) are or historically were found.

AB 1194 (Strickland, Audra) State agency Internet Web sites: information.

Status: 1/15/2010 A-DEAD

Summary: This bill would have required each state department and agency to develop and operate an Internet Web site accessible by the public that includes specified information relating to the expenditures of state funds, including grants, contracts, subcontracts, purchase orders, and tax refunds, rebates, and credits information (see also SB 502)

AB 1202 (Anderson) Department of Water Resources: water usage and efficiency study.

Status: 1/15/2010 A-DEAD

Summary: This bill would have required the Department of Water Resources to study whether the Legislature should establish a statewide water usage and water efficiency measuring system.

AB 1215(De La Torre) Public employment: furloughs.

Status: 08/30/2010-S DEAD

Summary: This bill would have exempted employees of the Franchise Tax Board and employees of the State Board of Equalization from furloughs implemented by any state agencies, boards, and commissions. The bill would have also prohibited a state agency, board, or commission from directly or indirectly implementing or assisting in implementing a furlough of those employees.

AB 1232(Huffman) Local agency formation commissions: powers and duties.

Status: 10/11/2009-Chapter Number 518, Statutes of 2009

Summary: This bill authorizes the Marin County Local Agency Formation Commission to initiate and approve a reorganization or consolidation of the Sewerage Agency of Southern Marin and its member districts, without protest hearings.

AB 1242(Ruskin) State water policy.

Status: 10/11/2009-VETOED

Summary: This bill would have declared it to be the established policy of the State that every human being has the right to clean, affordable, and accessible water for human consumption, cooking and sanitary purposes, that is adequate for the health and well being of the individual and the family. The bill also would have required all relevant state agencies, including the State Water Board, Department of Water Resources, and Department of Public Health to employ all reasonable means to implement this state policy, including revising, adopting or establishing policies, regulations and affordability criteria to the extent that those actions do not affect federal funding eligibility.

Veto Message: To the Members of the California State Assembly: I am returning Assembly Bill 1242 without my signature. This bill would declare it to be the established policy of the State that every human being has the right to clean, affordable, and accessible water for human consumption. Existing law establishes that domestic water use has the highest priority over other water uses. When California's water laws were established in 1943, this policy was enshrined in law. I wholeheartedly support the underlying premise of this bill: We should be doing everything we can to ensure that our communities have access to clean, affordable water for our citizens. But the language of this bill will undoubtedly lead to potentially costly and constant litigation. This moves our limited state resources away from the day to day operations of achieving our clean water goals and puts them in the courtroom. Additionally, while providing safe drinking water is fundamental to our laws and to human health, this bill would not enhance our current efforts in achieving this goal. The State Water Board, the Department of Public Health, and the Department of Water Resources are actively awarding grant funds and implementing policies and programs to protect and improve the long-term quality of drinking water supplies. Our most pressing barrier in achieving this goal is not desire, it is funding. For this reason, I am signing AB 626 (Eng) and AB 1438 (Conway). AB 626 makes important changes to existing law that increase funding from Proposition 84 for disadvantaged communities in each hydrologic region in the state. AB 1438 modifies the Safe Drinking Water State Revolving Fund to provide more resources to water system operators serving disadvantaged communities that often lack the resources for vital, costly water system improvements. I believe these bills will provide some additional needed tools to achieve the well-intended purpose of this measure. The need for additional funding also places heightened importance on the need for a water infrastructure bond that includes a robust investment in increasing water quality and water supply reliability. For these reasons, I am unable to sign this bill. Sincerely, Arnold Schwarzenegger

AB 1265(Caballero) Safe, Clean, and Reliable Drinking Water Supply Act of 2012: surface storage projects: submission to voters.

Status: 08/10/2010-Chaptered by Secretary of State - Chapter 126, Statutes of 2010.

Summary: This bill renames the Clean, and Reliable Drinking Water Supply Act of 2010 as the Safe, Clean, and Reliable Drinking Water Supply Act of 2012, and makes conforming changes.

AB 1300(Fletcher) Fire protection: fuels reduction grant program.

Status: 07/02/2010-S DEAD

Summary: This bill would have authorized the Department of Forestry and Fire Protection to develop and implement a fuels reduction program that provides competitive grants or other financial incentives to communities located in the wildland-urban interface or very high fire hazard severity zones to conduct fuels reduction efforts that minimize the risk or decrease the intensity of a wildfire in or around a community. The bill also would have required the department to develop criteria for the review and approval of grant applications that may have included the establishment of cost-sharing requirements and appropriate oversight and reporting requirements.

AB 1318(V. Manuel Perez) South Coast Air Quality Management District: emission reduction credits: California Environmental Quality Act.

Status: 10/11/2009-Chapter Number 285, Statutes of 2009

Summary: Among its provisions, the bill requires the Air Resources Board, in consultation with various state agencies including the State Water Board, to submit to the Governor and the Legislature a report that evaluates the electrical system reliability needs of the South Coast Air Basin and recommends the most effective and efficient means of meeting those needs while ensuring compliance with state and federal law (including CWA 316(b)).

AB 1321 (Eng) Environment: The Advance Infrastructure Mitigation Program Act.

Status: 1/22/2010 A-DEAD

Summary: This bill would have: (1) established the Advance Infrastructure Mitigation Program administered by the Natural Resources Agency (NRA) for the purposes of developing and implementing mitigation plans for resource impacts in advance of scheduled infrastructure projects for the construction, repair, or modification of transportation, flood control, energy, or water facilities, (2) allowed agencies responsible for infrastructure projects to identify the projects to be included in the mitigation plans; (3) allowed NRA to acquire suitable mitigation for the projects, either directly through the purchase of land or conservation easements, or indirectly through the purchase of mitigation bank credits; and (4) permitted NRA to establish or fund the establishment of mitigation banks to make credits available for the mitigation of projects in the plan.

AB 1328(Salas) Common interest developments: contracts.

Status: 10/11/2009-A VETOED

Summary: This bill would have provided that, notwithstanding any provision of the governing documents to the contrary, an association may enter into a contract for a water or energy efficiency program, not to exceed 5 years in duration, if the board of directors reasonably anticipates that the contract will result in verifiable savings to the association and the supplier is not an entity that the subdivider has a direct or indirect interest in, as provided. This bill would have also provided that, prior to approving a multiyear contract, the board shall provide notice of the proposed duration of the contract on the agenda for any meeting at which the contract will be discussed or voted on.

Veto Message: I am returning Assembly Bill 1328 without my signature. This bill would allow a homeowners association (HOA) of a common interest development (CID) to enter into a contract of up to five years for water or energy efficiency programs under specified conditions. This bill is unnecessary. Existing law limits a HOA's capacity to enter into multi-year contracts for various types of services, instead requiring a vote of the membership to enter into contracts of more than one year. This bill would override this important veto requirement, weakening the system of self governance that is central to the operations of CIDs and could result in contracts that do not reflect the approval of a majority of the members of the HOA. Further, if this bill is enacted, it could potentially expose CID members to long-term negative consequences brought about by board mistakes. For these reasons I am unable to sign this bill.
Sincerely, Arnold Schwarzenegger

AB 1343(Huffman) Solid waste: architectural paint: recovery program.

Status: 9/28/2010 - Chapter Number 420, Statutes of 2010

Summary: This bill creates an Architectural Paint Recovery Program that will be enforced by the Department of Resources Recovery and Recycling. On or before April 1, 2012, this bill requires a manufacturer or designated stewardship organization to submit to the department an architectural paint stewardship plan to develop and implement a recovery program to reduce the generation of postconsumer paint, promote the reuse of postconsumer architectural paint, and manage the end-of-life of postconsumer architectural paint, in an environmentally sound fashion, including collection, transportation, processing, and disposal.

AB 1350(Blakeslee) Energy: regional mitigation.

Status: 07/02/2010-S DEAD

Summary: This bill would have authorized the State Energy Resources Conservation and Development Commission to communicate, coordinate, and work with specified entities to consider and implement mitigation requirements on a regional basis for projects proposing to develop eligible renewable energy resources for the purposes of the California Renewables Portfolio Standard Program.

AB 1351(Blakeslee) Renewable energy resources.

Status: 10/11/2009-Chapter Number 525, Statutes of 2009

Summary: This bill revises certification conditions for hydroelectric facility efficiency improvements eligible for the Renewables Portfolio Standard (RPS) to permit certification from an agency authorized to issue water quality certification, instead of requiring that the certification be issued by the State Water Board. This means that a hydroelectric project efficiency improvement in another state, certified by that state's water quality agency, are eligible for RPS as long as the facility is owned by a retail seller of electricity to end-use California customers or a publicly owned electric utility.

AB 1366(Feuer) Residential self-regenerating water softeners.

Status: 10/11/2009-Chapter Number 527, Statutes of 2009

Summary: This bill authorizes local agencies that own or operate a community sewer system or water recycling facility in the Central Coast, South Coast, San Joaquin River, or Tulare Lake hydrologic regions and in the counties of Butte, Glenn, Placer, Sacramento, Solano, Sutter, and Yolo to take action to control residential salinity inputs from self-regenerating water softeners if the appropriate Regional Water Quality Control Board makes a finding that control of residential salinity inputs from water softeners would contribute to the achievement of water quality objectives. This bill also requires local agencies to compensate owners of water softeners, if they adopt an ordinance or resolution to require the removal of existing water softeners.

AB 1371 (Smyth) Reasonable use of water: generating facilities.

Status: 1/15/2010 A-DEAD

Summary: This bill would have declared that the use of potable domestic water for cooling towers that are part of a generating facility that is an eligible renewable energy resource is a reasonable use of water if certain conditions are met.

AB 1384(Miller) Gasoline: vapor recovery systems.

Status: 1/31/2010 A-DEAD

Summary: This bill would have prohibited the State Air Resources Board from requiring a gasoline dispensing facility owned or operated by a local government from undergoing an Enhanced Vapor Recovery Phase II upgrade until April 1, 2010.

AB 1405(De Leon) California Global Warming Solutions Act of 2006: California Climate Change Community Benefits Fund.

Status: 9/30/2010 VETOED

Summary: This bill would have established the California Climate Change Community Benefits Fund, and would have required a minimum of 10% of revenues generated for the State each year from the state sale of compliance instruments for market-based compliance mechanisms pursuant to the California Global Warming Solutions Act of 2006 to be deposited into that fund. The moneys in the fund would have been used, upon appropriation by the Legislature, in the most impacted and disadvantaged communities to fund programs or projects that reduce greenhouse gas emissions or mitigate direct health, or environmental, impacts of climate change through competitive grants, loans, or other funding mechanisms.

Veto Message: To the Members of the California State Assembly: I am returning Assembly Bill 1405 without my signature. This bill creates the California Climate Change Community Benefits fund by requiring a minimum of 10% of revenues from the sale of compliance instruments for market-based compliance mechanisms under AB 32 to be deposited into the fund. When the Legislature passed and I signed AB 32, we made a commitment to California's disadvantaged communities that we would ensure that the impacts of climate change and the impacts of reducing climate change would not fall disproportionately on their communities. Throughout the California Air Resources Board's (ARB) process, they have kept this commitment in mind and have fashioned every aspect of this program in a manner that attempts to lessen any disproportionate impact on these communities. I am confident ARB will keep on this path as they continue the important work of fashioning market-based mechanisms that will reduce the burden on California's business community while still achieving our climate change reduction goals. To that end, this bill is premature. Unfortunately, the bill proposes to spend money that does not currently exist and might not ever exist in a fund controlled by the state of California. Important work continues at

ARB to determine the most effective and least costly manner to implement AB 32. I encourage the supporters of this bill to work in earnest with ARB as they build this program. There will be a time to have this discussion. Unfortunately, now is not that time. For these reasons, I am unable to sign this bill.
Sincerely, Arnold Schwarzenegger

AB 1408 (Krekorian) Subdivisions: Water Demand Mitigation Fund.

Status: 1/22/2010 A-DEAD

Summary: This bill would have established a Water Demand Mitigation Fund (Fund). The bill would have authorized a public water system to allow a subdivision project applicant to voluntarily contribute to the Fund in order to offset at least 100% of the projected water demand associated with the subdivision. This bill also would have required all monies in the Fund to be expended on water conservation measures that would have offset at least 100% of the subdivision's projected water demand.

AB 1429(Evans) Excluded employees: meet and confer rights.

Status: 01/31/2010-A DEAD

Summary: The bill would have required the State to meet and confer with verified excluded employee organizations representing managerial or supervisory employees on matters relating to employee compensation.

AB 1465(Hill) Urban water management planning.

Status: 10/11/2009-Chapter Number 534, Statutes of 2009

Summary: This bill updates the Urban Water Management Planning Act (UWMPA) by allowing members of the California Urban Water Conservation Council (Council) to demonstrate their compliance with the water conservation requirements (also referred to as "Best Management Practices") in the UWMPA by complying with the "Memorandum of Understanding Regarding Urban Water Conservation in California" that was adopted by the Council in 2008 and by submitting specified reports. The bill also adds provisions to the UWMPA requiring that the plans include information on indirect potable reuse as a possible use of recycled water.

AB 1482(Anderson) Department of Water Resources: water softener study.

Status: 01/31/2010-A-DEAD

Summary: This bill would have required the Department of Water Resources, in consultation with the Pacific Quality Water Association, to study whether the Legislature should establish a rating system to measure the efficiency levels of self-regenerating water softener systems.

AB 1501(V. Manuel Perez) Boards and commission: salaries full time.

Status: 01/31/2010-A DEAD

Summary: This bill would have required the salary of a board member that is set by statute to be based on the board member serving full time and would have required, if a board member does not work full time in any given month, to prorate the salary of that board member to the actual hours worked while serving as a board member, excluding a board member who is paid a salary on or after January 1, 2010, of less than \$100,000.

AB 1518(Anderson) State government: boards, commissions, committees: report.

Status: 04/08/2010-S DEAD

Summary: This bill would have required the Department of Finance, by July 1, 2011, to submit a report to the Chief Clerk of the Assembly and the Secretary of the Senate that identified every state board, commission, and committee created by statute that the department determines to be inactive. This bill would have defined an "inactive" board, commission or committee as one that has not met since January 1, 2008. This bill would have sunset on January 1, 2015.

AB 1520 (Evans) Statewide Watershed Program.

Status: 1/31/2010 A-DEAD

Summary: This bill would have established the Statewide Watershed Program in the Department of Conservation. This program would have allowed the Department to provide assistance and coordination to local community-based efforts in conservation, restoration, and protection of state watersheds.

AB 1552(Committee on Utilities and Commerce) Water: coastal powerplants.

Status: 08/31/2010-DEAD

Summary: This bill would have provided that, for a municipally owned coastal powerplant that is not new, as defined, the best available technology for a municipally owned powerplant shall be evaluated on a facility-wide basis using design flow. The bill would also have provided that considerations regarding the feasibility of installing the best available technology shall rely on a specified definition of "feasibility." The bill would have required the State Water Board's statewide water quality control policy on the use of coastal and estuarine waters for powerplant cooling to allow municipally owned coastal powerplants to comply with certain requirements.

AB 1557 (Committee on Jobs, Economic Development and the Economy) Federal funding: economic stimulus bill

Status: 1/31/2010 A-DEAD

Summary: This bill would have required state agencies that received funding from the federal American Reinvestment and Recovery Act of 2009 to provide a report to the Department of Finance, Office of Planning and Research, and the Joint Legislative Budget Committee detailing information on the federal funds, identification of programs and services affected, and a description of any implementation issues pertaining to use of this funding.

AB 1581(Torres) California Environmental Quality Act: retail facilities: project review.

Status: 8/31/2010 S-DEAD

Summary: This bill would have exempted from CEQA requirements a project that consists of the alteration of a vacant retail structure that existed prior to January 1, 2008, is not more than 120,000 square feet in area, and meets specified requirements. This bill would have sunset on January 1, 2014.

AB 1585(Committee on Accountability and Administrative Review) State government: reporting requirements: required repealer.

Status: 02/26/2010-Chapter Number 7, Statutes of 2010

Summary: This bill requires legislatively mandated reports submitted by a state or local agency to the Members of either house of the Legislature generally, to also be submitted as a printed copy to both the Legislative Counsel and the Secretary of the Senate, and as an electronic copy to the Chief Clerk of the Assembly. The bill also requires the Legislative Counsel to maintain the list of state and local agencies' reports, including maintaining the list in an electronic format and deleting specified reports from the list.

AB 1594(Huber) Sacramento-San Joaquin Delta: peripheral canal.

Status: 05/12/2010-A-DEAD

Summary: This bill would have set preconditions for the construction of a peripheral canal. Specifically, 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; 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 complete an economic feasibility analysis that addresses the total construction costs and the impact of the peripheral canal on taxpayers, rate payers, and the General Fund.

AB 1659(Huber) State government: agency repeals.

Status: 9/30/2010 - Chapter Number 666, Statutes of 2010

Summary: This bill creates the Joint Sunset Review Committee (Committee) for the purpose of conducting an analysis of every eligible state agency over a period of 15 years, and periodically thereafter, to identify and eliminate waste, duplication, and inefficiency in government agencies. This bill automatically eliminates an "eligible agency," defined as an agency that is statutorily scheduled for repeal on or after January 1, 2011, unless the Legislature votes to extend, consolidate, or reorganize the agency. The bill requires each eligible agency scheduled for sunset to submit a report to the Committee on the purpose and necessity of the agency and on the agency's measures of success. The Committee

will be required to take public testimony and evaluate the agency prior to the date the agency is scheduled to be sunset.

AB 1674(Saldana) Hazardous substances: storage tanks.

Status: 9/29/2010 - Chapter Number 535, Statutes of 2010

Summary: This bill makes various technical changes to existing law pertaining to underground storage tanks (UST) and aboveground storage tanks (AST). Specifically, the bill exempts some USTs from the requirements of Chapter 6.7 of the Health and Safety Code where all exterior surfaces of the UST can be visually monitored (such as those that are in concrete vaults) and where the USTs meets other regulatory requirements. In addition, the bill eliminates a provision of current law that allows the State Water Resources Control Board to object to a local agency decision as to whether a tank meets UST regulatory requirements. This bill also makes various technical changes to existing law pertaining to ASTs, including deleting the authorization for a local Unified Program Agency to waive a local AST regulatory fee for state or local government agencies

AB 1677 (Caballero) Sacramento-San Joaquin Delta.

Status: 7/7/2010 A-CHAPTERED

Summary: This bill makes technical clean up corrections to the historic water legislation passed in the Seventh Extraordinary Session of 2009 including correcting a town name and correcting reference to the Secretary of Commerce as the appointing entity to the Board of the Sacramento-San Joaquin Delta Conservancy.

AB 1692 (Berryhill, Bill) General Fund: fines.

Status: 4/23/2010 A-DEAD

Summary: This bill would have required, notwithstanding any other law, that any fine or penalty imposed by the Department of Toxic Substances Control, the State Air Resources Board, or the State Water Board for a violation of a regulation adopted by that state agency be deposited into the General Fund.

AB 1699(Hernandez) Interim appropriations.

Status: 08/31/2010-S DEAD

Summary: This bill would have continuously appropriated from the General Fund and other specified funds to the Controller an amount necessary for the payment of compensation and employee benefits to state employees for work performed on or after July 1 of a fiscal year for which no budget has been enacted.

AB 1728(Gilmore) Mandatory minimum civil penalties: automatic composite sampler.

Status: 06/04/2010-A-DEAD

Summary: This bill would have provided a publicly owned treatment works with the option of using an automatic composite sampler, in lieu of grab samples, to collect representative samples for monitoring constituents that are subject to the mandatory minimum penalties for waste discharge violations.

AB 1729 (Yamada) Civil service examinations: veterans' preference.

Status: 09/24/2010 - Chapter Number 237, Statutes of 2010

Summary: This bill extends the time in which a member of the Armed Forces may receive additional points for a state civil service examination to 12 months after the establishment of the employment list.

AB 1744(Portantino) Public employees: rights.

Status: 06/04/2010-A DEAD

Summary: This bill would have enacted the Public Employees' Bill of Rights Act that would have applied to state employees, other than excluded employees. The purpose of this act would have been to inform public employees of their rights and terms of employment in order to promote harmonious personnel relations between public employees and their employers. This bill would have provided that state employees are entitled to priority over excluded employees or contractors in filling permanent, overtime, and on-call positions. This bill would have also authorized the formation of peer review committees for professional staff to provide input regarding workplace operations.

AB 1764(Portantino) State employment: salary freeze.

Status: 06/04/2010-A DEAD

Summary: This bill would have, until January 1, 2013, prohibited a person employed by the state whose base salary on or after the effective date of the bill was greater than \$150,000 per year from receiving a salary increase while employed in the same position or classification. The bill would have exempted from this prohibition a person: 1) whose compensation was governed by an operative memorandum of understanding; 2) exempted by Executive order of the Governor; and 3) whose salary was set pursuant to the California Constitution. The bill would have also authorized the Controller to reject a request for disbursement of funds that violated these provisions.

AB 1765(Solorio) Public employment: furloughs.

Status: 9/24/2010 VETOED

Summary: This bill would have prohibited a state employee from being furloughed when the unemployment rate in California during the previous month reached or exceeded 8.5%, and the employee's position is at least 95% funded by the federal government, performs services that combat the state's recession, and works for the California Unemployment Insurance Appeals Board or the Employment Development Department.

Veto Message: I am returning Assembly Bill 1765 without my signature. This bill would exempt specified employees from being subject to any furloughs. While there may be a need to exempt specific employees from furlough, that exemption should be determined on a case-by-case basis depending on the exigencies of the fiscal crisis. By statutorily exempting certain employees from furloughs, this bill limits a Governor's discretion to tailor a furlough policy to appropriately meet the needs of the State. For this reason, I am unable to sign this bill. Sincerely, Arnold Schwarzenegger

AB 1774(Saldana) Recycled water: state agency landscape irrigation.

Status: 07/02/2010-S-DEAD

Summary: This bill would have authorized public agencies, including local agencies, to require state agencies whose property is located within the jurisdiction of the public agency to use recycled water for irrigation of landscaping if: 1) recycled water is available; 2) the use of recycled water does not cause any loss or diminution of existing water rights; 3) irrigation systems are constructed in accordance with applicable laws and regulations, and 4) recycled water can be furnished at a reasonable cost to the state agency.

AB 1787(Swanson) Administrative procedure: regulations: narrative description.

Status: 06/04/2010-A-DEAD

Summary: This bill would have required state agencies to include a narrative description, in a format that can be accurately translated by reading software used by the visually impaired, of the "additions to" and "deletions from" the California Code of Regulations, when submitting proposed regulations to the Office of Administrative Law.

AB 1797(Berryhill, Bill) State Water Resources Development System: Delta Corridors Plan.

Status: 06/04/2010-A DEAD

Summary: This bill would have required the Department of Water Resources (DWR) 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 Demonstration Project managed by the United States Bureau of Reclamation into the Delta Corridors Plan. If DWR determined the implementation of the plan was feasible, the department would have been required to include recommendations with regard to specific facilities to be constructed, and to identify potential funding sources, for the purposes of implementing the plan.

AB 1805(Calderon, Charles) Environment: California Environmental Quality Act (CEQA).

Status: 8/31/2010 A-DEAD

Summary: This bill would have enacted the CEQA Litigation Protection Pilot Program of 2010 which would have required the Business, Transportation and Housing Agency to select 25 projects that meet specified requirements for each calendar year between 2010 and 2014, and would have exempted from judicial review the lead agency's CEQA determination for those projects. The bill also would have required the Business, Transportation and Housing Agency, by December 31 of each year, to submit an

annual report to the Governor and to the Legislature summarizing the designation of projects, and the job creation and investment attributable to the designated projects. (See also SB 1010 and SB X8 42).

AB 1818(Blumenfield) Santa Monica Mountains Conservancy: Upper Los Angeles River and Watershed Protection Program.

Status: 06/04/2010-A DEAD

Summary This bill would have established the Upper Los Angeles River and Watershed Protection Program which would have been administered by the Santa Monica Mountains Conservancy to address the resource protection, public recreation, water conservation, and water quality goals of the Upper Los Angeles River watershed in a coordinated, comprehensive, and effective way.

AB 1824(Monning) Hazardous materials: toxic chemicals: sewage systems.

Status: 08/18/2010-VETOED

Summary: This bill would have expanded provisions of existing law that prohibit the use of nonbiodegradable toxic chemicals in chemical toilets, recreational vehicles (RVs), or waste facilities of vessels. Specifically the bill also would have (1) prohibited the use or sale of a chemical that is detrimental to a sewage disposal system in chemical toilets, RVs, or vessel waste facilities, (2) defined "a chemical that is detrimental to a sewage disposal system" to include six specific chemicals identified in the bill, as well as chemicals identified as such in regulations by the Department of Toxic Substances Control (DTSC), and (3) allowed for DTSC to adopt regulations to limit or prohibit chemicals that are detrimental to sewage disposal systems in chemical toilets, RVs, or vessel waste facilities. The bill also would have changed existing law to allow, rather than require DTSC to adopt regulations to define nonbiodegradable toxic chemicals and to set limitations on the sale of those chemicals.

Veto Message: I am returning Assembly Bill 1824 without my signature. This bill prohibits the sale and use of a specified list of chemicals in chemical toilets and waste facilities of recreational vehicles. Current law already gives the DTSC the ability to address the issue of chemical toilet products in recreational vehicles. Additionally, DTSC has the ability to address this issue through the Green Chemistry process. This bill presents a scenario that is ripe for a Green Chemistry approach: competing science on each side of the issue; concern about the effectiveness of alternative products for the consumer's intended use; consumer reaction in the wake of an ineffective alternative; and questions as to whether banning particular chemicals will actually address the underlying problem. Neither I, nor members of the legislature, are best equipped to answer these questions. We need science and scientists to undertake this challenge and develop a solution that both addresses the chemical problem and provides the consumer with a product that is both economical and effective for its intended purpose. Under the leadership of my Secretary for Environmental Protection, the Green Chemistry process is well underway at DTSC. We will have regulations adopted by January 1, 2011 and DTSC should address the issue raised in this bill either in that process or under their existing authority. Sincerely, Arnold Schwarzenegger

AB 1834(Solorio) Rainwater Capture Act of 2010.

Status: 9/30/2010 VETOED

Summary: This bill would have enacted the Rainwater Capture Act of 2010 and would have authorized a landowner to install, maintain, and operate a rainwater capture system on the landowner's property. This bill also would have allowed a public agency to lead a statewide stakeholder process to consider and address issues arising out of expansion of rainwater and stormwater capture; and specify that the public agency initiating the stakeholder process shall be responsible for cost of meetings and preparation of any reports.

Veto Message: This bill establishes the Rainwater Capture Act of 2010 to allow landowners to install and operate rainwater capture systems for saving water, for landscaping or infiltrating into the aquifer beneath their property. The bill would also include rainwater recapture systems for eligibility under the Property Assessed Clean Energy (PACE) Program. The PACE programs authorized under current law provide property owners with a cost-effective and easily accessible financing option in which to increase their property's renewable energy generation, as well as reduce their energy use and green house gas emissions. While I believe other parts of this bill have some merit, I do not support expanding the PACE Program to make it a financing option for rainwater capture systems. Furthermore, as this bill's own legislative findings suggest, further work needs to be done to explore relevant legal, policy, and technical issues pertaining to rainwater and storm water capture before state policymakers consider the appropriateness of pursuing state sanctioned creative financing options aimed at making rainwater

recapture systems more affordable and accessible to property owners on a wide scale. For these reasons, I am unable sign this bill. Sincerely, Arnold Schwarzenegger

AB 1846(V. Manuel Perez) Environment: expedited environmental review: climate change regulations.

Status: 08/27/2010 - Chapter Number 195, Statutes of 2010

Summary: This bill requires that an environmental analysis pursuant to CEQA be performed for a rule or regulation that requires the installation of pollution control equipment or a performance standard or treatment requirement adopted pursuant to the California Global Warming Solutions Act of 2006, including those for rules and regulations requiring the installation of pollution control equipment adopted by the State Energy Resources Conservation and Development Commission and the California Public Utilities Commission. The bill also authorizes the use of the focused environmental impact report for a project that consists solely of the installation of pollution control equipment or other components that are necessary to complete the installation of that equipment that reduces greenhouse gas emissions in compliance with a rule or regulation adopted pursuant to the California Global Warming Solutions Act of 2006.

AB 1886(Yamada) Water use: Sacramento-San Joaquin Delta watershed: report.

Status: 06/04/2010-A DEAD

Summary: This bill would have required the Department of Water Resources, in preparing and updating the California Water Plan, to include a report on progress towards reducing reliance on the Delta in meeting California's future water supply needs through a statewide strategy of investing in improved regional supplies, conservation, and water use efficiency.

AB 1899(Eng) State agencies: information: Internet Web site.

Status: 9/27/2010 VETOED

Summary: This bill would have required the office of the State Chief Information Officer to create and maintain a Reporting Transparency in Government Internet Web site. This bill would have required, subject to specific exemptions, state agencies to post specified audits to that Internet Web site. This bill would have required the Department of General Services, the office of the State Chief Information Officer, and other state agencies to post specified summary data regarding contracts awarded by the state to that Internet Web site.

Veto Message: I am returning Assembly Bill 1899 without my signature. I strongly support the goal of transparency in government and believe that posting information online is a simple method of achieving this goal and allowing citizens information about how their tax dollars are spent. For that reason I have issued executive orders directing posting of this type of material to the Reporting Transparency in Government Web site. As such, this bill is not necessary. For this reason I cannot sign this bill. Sincerely, Arnold Schwarzenegger

AB 1929(Hall) Invasive aquatic species: mussels.

Status: 08/18/2010 - Chapter Number 152, Statutes of 2010

Summary: This bill provides that an operator of water delivery and storage facilities, who has prepared, initiated, and is in compliance with a plan to control and eradicate dreissenid mussels in accordance with existing provisions of law, is not subject to any civil or criminal liability for the introduction of dreissenid mussel species as a result of operations of those facilities. The bill also provides that neither the Department of Fish and Game's (DFG) enforcement activities, nor the prohibition on a person possessing, importing, shipping, or transporting dreissenid mussels in the state would apply to an operator who has prepared, initiated, and is in compliance with a plan to control and eradicate dreissenid mussels, unless DFG had required the operator to update its plan and the operator failed to do so.

AB 1930(De La Torre) Hazardous waste: glass beads.

Status: 9/27/2010 - Chapter Number 368, Statutes of 2010

Summary: This bill prohibits a person from manufacturing, selling, offering for sale, or offering for promotional purposes in this state, glass beads that contain more than a specified amount of arsenic or lead, if those glass beads will be used with certain types of blasting equipment. The bill also requires each container or bag of glass beads sold for surface preparation to be labeled in a specified manner.

AB 1949 (Logue) Regulations: 5-year review and report

Status: 4/23/2010 A-DEAD

Summary: This bill would have required state agencies to review and report on regulations that it adopts or amends on and after January 1, 2011, five years after adoption of the regulation, and would have required that the review and report address ten specific factors, including a summary of the written criticisms of the regulation received by the agency within the immediately preceding five years and the estimated economic, small business, and consumer impact of the regulation.

AB 1957 (Silva) Administrative Procedure Act: notice of proposed actions: local government agencies.

Status: 06/04/2010-A DEAD

Summary: This bill would have required an agency to mail a notice of proposed action to adopt, amend, or repeal a regulation to local government agencies or local government agency representatives that the agency believes may be interested in, or impacted by, the proposed action, as prescribed. This bill also would have required the office, for purposes of this notice, to create, maintain, and make available to a requesting agency, a notification list of local government agency representatives, as prescribed.

AB 1975 (Fong) Building standards: water charges and meters: multiunit structures.

Status: 08/12/2010-S DEAD

Summary: This bill would have required the Department of Housing and Community Development to adopt building standards requiring the installation of individual water meters or submeters in newly constructed multi-unit residential buildings.

AB 1978 (Harkey) California regional water quality control boards: ex parte communications.

Status: 04/23/2010-A-DEAD

Summary: This bill would have exempted from the provisions of the Administrative Procedure Act pertaining to prohibited communications, specified ex parte communications relating to proceedings of the Regional Water Boards. The bill also would have established requirements for the disclosure of an ex parte communication, as defined, relating to a matter before a Regional Water Board.

AB 1987 (Ma) Public retirement: final compensation: computation: retirees.

Status: 9/30/2010 VETOED

Summary: This bill would have provided effective July 1, 2011, that any change in salary, compensation, or remuneration principally for the purpose of enhancing a member's benefits would not be included in the calculation of a member's final compensation for purposes of determining that member's defined benefit. The bill would have required the board of each state and local public retirement system to establish, by regulation, accountability provisions that would include an ongoing audit process to ensure that a change in a member's salary, compensation, or remuneration is not made principally for the purpose of enhancing a member's retirement benefits. This bill would also have provided that a person who retires on or after January 1, 2012, may not perform services for any employer covered by a state or local retirement system until that person has been separated from service for a period of at least 180 days.

Veto Message: The practice of pension-spiking is a serious one that deserves significant attention by the Legislature in curbing the unacceptable manner in which individual workers are able to artificially boost their retirement payouts. There are numerous examples of public employees taking home larger pension checks in retirement than what they earned in base salary when they were actually working. California does need a consistent standard that is transparent, understandable, and implementable throughout the state. While this bill purports to address this issue by segregating out some of the factors that have allowed pension spiking, in some instances it still allows local pension boards to determine what is ultimately counted in an employee's pension calculation. This does not provide a consistent treatment of all employees. The taxpayers of California deserve better. I am still hopeful that the Legislature can send me acceptable pension reform legislation. For these reasons, I am unable to sign this bill. Sincerely,
Arnold Schwarzenegger

AB 1993(Strickland, Audra) Reports: declarations.

Status: 08/31/2010-S-DEAD

Summary: This bill would have required any entity submitting a report to the Legislature, an individual legislator, or a legislative committee, to include a signed statement by the head of that entity declaring that the factual contents of that report are true, accurate, and complete to the best of their knowledge.

AB 1998(Brownley) Solid waste: single-use carryout bags.

Status: 08/31/2010-DEAD

Summary: This bill would have prohibited stores from providing single-use carryout bags to customers at the point of sale beginning January 1, 2012. The bill would have defined a single-use carryout bag as a bag made of plastic, paper, or other material that is designed and manufactured for fewer than 100 uses and is provided by a store to a customer at the point of sale. The bill would have limited its application to certain types of stores, including supermarkets, stores with more than 10,000 square feet of retail space that generates sales tax and has a pharmacy, and convenience food stores or foodmarts that retail a limited line of goods. This bill also would have required the Department Resources, Recycling and Recovery, to report to the Legislature, by January 1, 2015, regarding the effectiveness of the bill's provisions.

AB 2008(Arambula) Public employment: furloughs.

Status: 9/24/2010 VETOED

Summary: This bill would have provided that employees of the Franchise Tax Board and the State Board of Equalization would not be subject to furloughs implemented by any Executive order or by any other action of a state agency, board, or commission. The bill also would have prohibited a state agency, board, or commission from directly or indirectly implementing, or assisting in implementing, a furlough of those employees.

Veto Message: I am returning Assembly Bill 2008 without my signature. This bill would exempt specified employees from being subject to any furloughs. While there may be a need to exempt specific employees from furlough, that exemption should be determined on a case-by-case basis depending on the exigencies of the fiscal crisis. By statutorily exempting certain employees from furloughs, this bill limits a Governor's discretion to tailor a furlough policy to appropriately meet the needs of the State. For this reason, I am unable to sign this bill. Sincerely, Arnold Schwarzenegger

AB 2031(Evans) Public contracts: state acquisition of new vehicles.

Status: 9/24/2010 - Chapter Number 247, Statutes of 2010

Summary: This bill prohibits the Department of General Services from approving a vehicle acquisition request, vehicle purchase order, or new contract for the purchase of new vehicles that would result in the expenditure of funds unless the secretary or director of an agency or a department, respectively, that has requested the acquisition of the new vehicles makes a certification, verifying that the purchase is vital and mission critical for the agency or department.

AB 2049(Arambula) Transfers of water: agricultural use to municipal use.

Status: 06/04/2010-A-DEAD

Summary: This bill would have set conditions on certain types of water transfers to help ensure that such transfers do not adversely affect groundwater supplies; including 1) extending provisions of existing law to prohibit water users who transfer surface water pursuant to a contractual change in an entitlement to water from the State Water Resources Development System (State Water Project) from replacing that water with groundwater, unless specified conditions are met; 2) prohibiting water users that contract with the Department of Water Resources (DWR) for water from the State Water Project from transferring any portion of their contractual entitlement to water from agricultural use to municipal use, unless the user conducts groundwater monitoring and DWR receives a written evaluation of the economic, social, and environmental effects of the transfer upon the service area from which the water is to be transferred; and 3) prohibiting a water user that transfers surface water from agricultural use to municipal use for a period of 10 or more years from using groundwater in place of that surface water supply, unless that groundwater use is continuously monitored and reported to DWR.

AB 2091(Conway) Public records: information security.

Status: 08/27/2010-Chapter Number 205, Statutes of 2010

Summary: This bill exempts from disclosure under the California Public Records Act, the information security records of a public agency if, on the facts of the particular case, disclosure of those records reveal vulnerabilities to, or otherwise increase the potential for an attack on, an information technology system of a public agency.

AB 2092(Huffman) Delta Plan: financing.

Status: 08/25/2010-S 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 would have authorize 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 2125(Ruskin) Coastal resources: marine spatial planning.

Status: 9/29/2010 - Chapter Number 544, Statutes of 2010

Summary: This bill, subject to the availability of funding, requires the Ocean Protection Council to support state agencies' use and sharing of scientific and geospatial information for coastal- and ocean-relevant decision making, including marine spatial planning, by taking specified actions, to assess the needs of California's public agencies with respect to their abilities to gather, manage, use, and share information and decision-support tools relevant to ecosystem-based management in the coastal and ocean environment .

AB 2138(Chesbro) Product management: single-use recyclable packaging containers.

Status: 06/04/2010-A-DEAD

Summary: This bill would have enacted the Plastic Ocean Pollution Reduction, Recycling, and Composting Act and would have prohibited a food provider, between July 1, 2011 and July 1, 2013, from distributing a disposable food service packaging or a single-use carryout bag, as defined, unless the packaging or bag met the criteria for either compostable packaging or recyclable packaging. The bill also would have prohibited a food provider, beginning July 1, 2013, from distributing a disposable food service packaging or a single-use carryout bag to a consumer, unless the Department of Resources Recycling and Recovery determined the packaging or bag is recovered for composting or recovered for recycling at a rate of 25 percent or more.

AB 2139(Chesbro) Solid waste: product stewardship.

Status: 06/04/2010-A DEAD

Summary: This bill would have created the California Product Stewardship Act and would have required the Department of Resources Recycling and Recovery to administer a program to develop product stewardship protocols to foster "cradle-to-cradle" producer responsibility for products.

AB 2146(Berryhill, Bill) Water resources: bond funds: appropriations.

Status: 04/23/2010-A-DEAD

Summary: This bill would have appropriated an unspecified amount for certain projects from the Water Security, Clean Drinking Water, Coastal and Beach Protection Bond Act of 2002, which authorized the issuance of bonds in the amount of \$3,440,000,000 for the purposes of financing a safe drinking water, water quality, and water reliability program.

AB 2163(Mendoza) Forest practices: timber harvesting plans.

Status: 9/27/2010 - Chapter Number 376, Statutes of 2010

Summary: This bill extends provisions of existing law that authorizes the Department of Forestry and Fire Protection (Calfire) to provide a maximum of four one-year extensions for timber harvest plans (THPs) under which work has commenced but not completed and that expired in 2008 or 2009, to also apply to THPs that were extended by Calfire in 2008 and 2009.

AB 2168(Yamada) Joint exercise of powers: Dixon Regional Watershed Authority.

Status: 05/12/2010-A DEAD

Summary: This bill would have authorized the Dixon Regional Watershed Authority, a joint powers agency, to accomplish the purposes and projects necessary to improve and maintain drainage and stormwater management, and to exercise the authority to acquire, maintain, and sell property in the same manner as a reclamation district may acquire, maintain, and sell property.

AB 2182(Huffman) Contractual assessments: onsite sewer and septic improvements.

Status: 9/30/2010 VETOED

Summary: This bill would have authorized public agency officials and property owners to enter into voluntary contractual assessments (a specialized form of loan agreement) to finance installation and replacement of onsite sewer and septic improvements on private property. These improvements may have consisted of converting an existing property from a septic system to a public sewer collection system; replacement of sewer lateral lines or replacement or upgrade of septic tanks.

Veto Message: This bill would authorize public agency officials and property owners to enter into voluntary contractual assessments to finance installation and replacement of onsite sewer and septic improvements on private property. These improvements may consist of converting an existing property from a septic system to a public sewer collection system, replacement of sewer lateral lines, or replacement or upgrade of septic tanks. Under current law, voluntary contractual assessments provide property owners with a cost-effective and easily accessible financing option in which to increase their property's water and energy efficiency. While parts of this bill have merit, I do not support expanding contractual assessment programs to these types of property improvements. For this reason I cannot sign this bill. Sincerely, Arnold Schwarzenegger

AB 2202(V. Manuel Perez) Safe, Clean, and Reliable Drinking Water Supply Act of 2012: New River Improvement Project: strategic plan.

Status: 9/30/2010 VETOED

Summary: This bill would have stated the intent of the Legislature that funds appropriated from the Safe, Clean, and Reliable Drinking Water Supply Act of 2012, if approved by the voters, for water quality and public health projects on the New River, shall be consistent with the strategic plan for the New River Improvement Project as developed by the California-Mexico Border Relations Council. This bill would have required the Secretary for the California Environmental Protection Agency to oversee the expenditure of bond funds that are appropriated for water quality and public health projects on the New River.

Veto Message: This bill states the intent of the Legislature that funds appropriated from the Safe, Clean, and Reliable Drinking Water Supply Act of 2012 be consistent with the strategic plan for the New River Improvement Project (Project) as developed by the California-Mexico Border Relations Council. This bill is premature. After the bond passes in November 2012, the author can do more than just state the Legislature's intent, he can actively fight to ensure the bond funds are spent consistent with the Project's strategic plan. And I encourage him to do so at the appropriate time. Sincerely, Arnold Schwarzenegger

AB 2214(Fuentes) Public resources: Santa Monica Mountains Conservancy: Pacoima Wash.

Status: 08/26/2010-S DEAD

Summary: This bill would have required the Santa Monica Mountains Conservancy to complete a feasibility study by June 30, 2012, for the Pacoima Wash, as identified by the Los Angeles County Flood Control District. The bill also would have required the conservancy to use existing budget resources when preparing the study and would have allowed the conservancy to also use funds received from private and nonprofit sources for this purpose.

AB 2224(Ruskin) Hazardous substances: underground storage tanks.

Status: 07/02/2010-S-DEAD

Summary: This bill would have required the California Environmental Protection Agency, in consultation with the Board of Equalization (BOE), local unified program agencies (UPAs), regulated parties and other interested parties, to implement a process by June 30, 2011, that the UPAs may use to annually verify that each underground storage tank number is the correct and accurate number issued by the BOE for the permitted tank. The bill would have also required UPAs, using that process, to verify annually that the tank number issued by the BOE for the permitted tank is correct and accurate.

AB 2256(Huffman) Product labeling: flushable products.

Status: 08/13/2010-S DEAD

Summary: This bill would have required a person who has packaged or labeled a consumer product for distribution or sale in California that is labeled as flushable, sewer and septic safe, or other like term or phrase, to maintain, in written form, documentation of the testing substantiating the validity of the claim, except as specified. The bill would have exempted certain retailers and wholesalers from these provisions. The bill would have made violation of this provision punishable by a fine of up to \$2,500.

AB 2304(Huffman) Groundwater management plans: components.

Status: 9/30/2010 VETOED

Summary: This bill would have (1) required a local agency adopting a groundwater management plan to provide an interested person with a copy of the proposed plan and maps identifying groundwater recharge areas pursuant to the plan, prior to the commencement of the hearing at which the plan is adopted; (2) required local agencies to provide the date, time and place of the groundwater management plan adoption hearing to each interested person requesting information at least 30 days prior to the date of the hearing; (3) required the Department of Water Resources (DWR) to post on its website information regarding which local agency has jurisdiction to develop a groundwater management plan in a given area; and (4) required local agencies seeking DWR funds for groundwater projects to include in their groundwater management plans a map identifying recharge basins.

Veto Message: This bill requires local water agencies to map the recharge areas that substantially contribute to the replenishment of a groundwater basin. The bill also requires the agencies to submit these maps to local planning agencies and expand public notification when preparing and approving groundwater plans. I am concerned about the impact this bill could have on privately-owned properties, both those currently used as recharge areas and those that might be used in the future. Once mapped and those maps are provided to local governments, the bill intends that these lands will be rezoned to restrict their use to being a groundwater recharge area. Property law in California already allows landowners and water districts to work outside of the watchful eye of government and come to a private agreement about how they can manage both their land and water resources. Although not perfect, maintaining this current system allows them to work together to develop solutions. An area that serves as a recharge basin today probably isn't the only place that can be used to recharge a groundwater basin. And areas that are currently used for this purpose might be better put to some other use in the future. Unfortunately, this bill would eliminate this type of flexibility and negotiation between a landowner and a water district. For this reason, I am unable sign this bill. Sincerely, Arnold Schwarzenegger

AB 2329(Ruskin) Environmental protection: greenhouse gas emissions: Climate Action Team.

Status: 08/31/2010-DEAD

Summary: This bill would have enacted the California Climate Vulnerability and Adaptation Plan of 2010 (plan) and would have created the Climate Action Team, under the direction of the Secretary for Environmental Protection and consisting of representatives from specified state agencies, that would be responsible for coordinating the state's overall climate policy, identifying and reviewing activities and funding programs, recommending policies, investment strategies, and priorities, and providing information to local governments and regional agencies.

AB 2336(Fuller) Delta Stewardship Council.

Status: 07/02/2010-S DEAD

Summary: This bill would have required the Delta Stewardship Council, in the course of developing and adopting the Delta Plan, to direct the Delta Independent Science Board to conduct an assessment of certain stressors on populations of native fish species in the Delta, the Sacramento and San Joaquin rivers, and the tributaries to those rivers below the rim dams of the central valley, and recommend changes in statute and actions by state agencies to remedy the situation in as timely a manner as possible.

AB 2340(Monning) Employee's right to bereavement leave.

Status: 9/27/2010 VETOED

Summary: This bill would have given employees in California the right to take three days of unpaid time off in the event of the death of certain relatives. The provisions of the bill would not have applied to

employees who are covered by a valid collective bargaining agreement that provides for bereavement leave and other specified working conditions.

Veto Message: I am returning Assembly Bill 2340 without my signature. This bill would prohibit an employer from discharging, disciplining, or in any way discriminating against an employee for inquiring about, requesting, or taking up to three days of unpaid bereavement leave upon the death of a spouse, child, parent, sibling, grandparent, grandchild, or domestic partner. The bill would allow an employee who believes he or she has been discharged, disciplined, or discriminated against to file a complaint with the Division of Labor Standards Enforcement or bring a civil action in court. This bill is nearly identical to Senate Bill 549 (Corbett, 2007), which I vetoed. While well-intended, the choice of whether or not to offer unpaid bereavement leave should be left to the employer. Further, this bill would impose new and somewhat ambiguous burdens on businesses as well as subjecting them to new threats of litigation over California-specific employment laws. During this challenging economic period, I am unwilling to add new burdens on them and subject them to new grounds for lawsuits. For these reasons, I am returning this bill without my signature. Sincerely, Arnold Schwarzenegger

AB 2356(Carter) State parks: Colonel Allensworth State Historic Park.

Status: 05/12/2010-A DEAD

Summary: This bill would have prohibited a person from developing any of the area within 2.5 miles of the boundary of Colonel Allensworth State Historic Park in Tulare County in a manner that would be incompatible with the historic or recreational significance of the park. This prohibition would not have applied to a development in Tulare County that was approved by the county on or before March 1, 2010.

AB 2379(Feuer) Environmental protection: hazardous waste source reduction.

Status: 9/27/2010 - Chapter Number 386, Statutes of 2010

Summary: This bill expands the number of priority categories of hazardous waste generators that the Department of Toxic Substances Control must select for participation in the department's cooperative source reduction technical assistance and outreach program.

AB 2381(Villines) Local agencies: open meetings.

Status: 05/12/2010-A DEAD

Summary: This bill would have made a technical, nonsubstantive change to the Ralph M. Brown Act which requires each legislative body of a local agency to provide the time and place for holding regular meetings.

AB 2407(Harkey) California regional water quality control boards: boundaries.

Status: 04/23/2010-A-DEAD

Summary: This bill would have modified the existing boundaries of the Santa Ana and San Diego Regional Water Boards so that the entire southern portion of Orange County would be included within the Santa Ana Regional Water Board boundaries.

AB 2408(Smyth) State government information technology.

Status: 9/28/2010 - Chapter Number 404, Statutes of 2010

Summary: This bill makes statutory codification changes made necessary by the Governor's Reorganization Plan No. 1 of 2009 and makes related changes to government information technology (IT) coordination and use.

AB 2483(Coto) Santa Clara Valley Water District.

Status: 8/31/2010 S-DEAD

Summary: This bill would have authorized the Santa Clara Valley Water District to take actions relating to water management, water quality, and energy and environmental benefits in the district. The bill also would have authorized the district to provide incentives or assistance to water retailers to implement specified water conservation measures. The bill would have authorized the district to implement other measures if the implementation of those measures is a precondition for continued delivery of imported water to the district pursuant to state or federal law.

AB 2503(John A. Perez) Ocean resources: marine resources and preservation.

Status: 9/30/2010- Chapter Number 687, Statutes of 2010

Summary: This bill enacts the California Marine Resources Legacy Act to establish a program to allow partial removal of offshore oil structures, administered by the Department of Fish and Game. The act authorizes the department to conditionally approve the partial removal of offshore oil structures, if specified criteria are satisfied, including a finding that the alternative of partial removal provides a net environmental benefit and substantial cost savings compared to the alternative of full removal of these structures. The act requires the Ocean Protection Council, for purposes of determining whether partial removal provides a net environmental benefit, to establish specified criteria, to consult with the department, the California Coastal Commission, the State Lands Commission, the California Ocean Service Trust, and other responsible agencies as to those criteria, and would require that partial removal comply with the California Environmental Quality Act.

AB 2529(Fuentes) State agencies: regulations: review.

Status: 07/02/2010-S DEAD

Summary: This bill would have: 1) prohibited a state agency from issuing a notice of proposed adoption, amendment, or repeal of a regulation until the State Auditor issues a cost benefit analysis of the proposed regulation; 2) required state agencies to provide the State Auditor with any information required for the cost benefit analysis of the proposed regulation; 3) required the Legislative Committees on Appropriations of each house to hold a public hearing on any regulation with a statewide economic impact of more than \$10 million or that would not have a regulatory benefit that equals or exceeds the overall economic costs; and 4) extended the deadline for when a regulation or an order of repeal becomes effective, from 30 to 60 days after being filed with the Secretary of State.

AB 2554(Brownley) Los Angeles County Flood Control District: fees and charges.

Status: 9/30/2010 - Chapter Number 602, Statutes of 2010

Summary: This bill authorizes the Los Angeles County Flood Control District (District) to impose a fee or charge, in compliance with Article XIII D of the California Constitution, to pay for the costs and expenses of the District and to carry out the Los Angeles County Flood Control Act. The District currently has statutory authorization to levy and collect taxes for the purpose of paying any obligation of the District, but lacks statutory authorization to impose fees. The bill also directs the District to establish new local watershed authority groups, and directs where revenues generated by any new fees established pursuant to the bill would be allocated.

AB 2565(Ammiano) Environment: CEQA: lead agency: documents.

Status: 08/27/2010 - Chapter Number 210, Statutes of 2010

Summary: This bill authorizes a public agency to charge and collect a reasonable fee from members of the public for a copy of an environmental document, as defined, that does not exceed the cost of reproducing the environmental document. The bill authorizes the public agency to provide the environmental document in an electronic format.

AB 2575(Chesbro) Resources: watersheds.

Status: 9/30/2010 VETOED

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 to, among other things, ensure that the industry, agencies, and the public have equal opportunity to participate in the development of the pilot project in a transparent manner and that the pilot project have certain goals.

Veto Message: This bill requires the Department of Forestry and Fire Protection (CAL FIRE) and the Board of Forestry and Fire Protection (Board) to consider cumulative effects when implementing pilot projects to protect riparian zones during timber harvesting. Additionally, the bill requires these agencies and the Department of Fish and Game (DFG) to carry out these additional requirements using existing funds and personnel. While I believe that it is important that we should continually improve our forest practices, this bill does not provide the responsible state agencies with any additional funding or staff. As a result, these agencies would be forced to redirect scarce budget dollars and substantial numbers of staff from existing program priorities and statutorily mandated functions. Additionally, this bill would

prohibit CAL FIRE from implementing these pilot projects on state forest lands unless private landowners are willing to undertake the pilot projects on their private lands. This restriction makes no sense. CAL FIRE operates eight Demonstration State Forests totaling 71,000 acres, and these forests represent the most common forest types in the state. A primary purpose of these Demonstration State Forests is to provide opportunities for research and demonstration projects on forest management, while providing public recreation opportunities, fish and wildlife habitat, and watershed protection. This bill would undermine the intent of the Demonstration State Forests and could potentially stall the progress of important pilot projects affecting anadromous salmonids that are currently in the process of development. For these reasons, I am unable to sign this bill. Sincerely, Arnold Schwarzenegger

AB 2585(Bradford) State Contract Act project notification requirements.

Status: 04/23/2010-A DEAD

Summary: This bill would have required, under the State Contract Act, public notice of a project to be given to the local business association or chamber of commerce in the county in which the project was located.

AB 2591(Feuer) State finance: budget process.

Status: 06/04/2010-A DEAD

Summary: This bill would have made statutory changes to the state budget process to implement and conform to constitutional changes proposed by Assembly Constitutional Amendment (ACA) 4, and would have become operative only if ACA 4 was approved by the voters.

AB 2595(Huffman) Irrigated agriculture: pesticide use: operator identification number: water quality: waste discharge requirements.

Status: 08/31/2010-DEAD

Summary: This bill would have required county agricultural commissioners to withhold issuance of a pesticide use permit to an agricultural operator, if the operator is found to be in violation of certain water quality requirements. Specifically, the bill would have required the State Water Board or a Regional Water Board to notify the Department of Pesticide Regulation and the appropriate county agricultural commissioners if, pursuant to an order issued by the State Water Board or a Regional Water Board, the operator is found to be in violation of requirements that they obtain waste discharge requirements (WDRs), a waiver of WDRs, or that they file a specified report pertaining to their discharges. Upon receipt of a notification from the State Water Board or a Regional Water Board, the county agricultural commissioner would have been required to withhold issuance of the pesticide use permit until they have received a certificate of compliance from the State Water Board or Regional Water Board. The bill would have provided that if an operator petitions the State Water Board or the Superior Court for review of an order, the State Water Board or Regional Water Board would not have been authorized to notify DPR and the county agricultural commissioners until 30 days after all administrative proceedings and appeals of the order had been exhausted.

AB 2603(Gaines) Administrative regulations: reductions.

Status: 04/23/2010-A-DEAD

Summary: This bill would have required each state agency, by July 1, 2011, to determine how many regulations it imposes and by December 31, 2012, to reduce that number by 33 percent. The bill also would have required, until December 31, 2021, that any new regulation proposed by an agency must be offset by the elimination of another regulation.

AB 2652(Niello) Administrative regulations: legislative review.

Status: 06/04/2010-A-DEAD

Summary: This bill would have required a standing committee with jurisdiction over a state agency proposing to adopt a regulation with a gross cost in excess of \$10 million to hold an informational hearing regarding the proposed regulation.

AB 2669(V. Manuel Perez) Public water systems.

Status: 8/31/2010 S-DEAD

Summary: This bill would have required, commencing July 1, 2011, that a written public notice given by a public water system as to its compliance with the safe drinking water requirements be in English,

Spanish, and in the language spoken by prescribed numbers of residents of the community served, and that the notice contain prescribed public water system and department contact information. The bill also would have required nonwritten notice to be provided to persons served in the appropriate language or languages in a manner approved by the department in the public water system's emergency notification plan. The bill also would have made technical changes to safe drinking water project financing requirements.

AB 2679(Eng) Public buildings: energy and water: consumption reductions.

Status: 06/04/2010-A DEAD

Summary: This bill would have required all public buildings, as defined to be state public buildings, to conform to a 10 -year compliance schedule to achieve reductions in energy and water consumption and to maintain specified water and energy reduction levels on and after January 1, 2025. The bill would have required all newly constructed public buildings to have net zero energy consumption or be grid neutral on and after January 1, 2030. The bill also would have required, on or before January 1, 2013, each public entity operating a public building to provide to the Department of General Services a certified onsite assessment of the facility's energy and water consumption levels

AB 2692(Tran) California Small Business Board.

Status: 06/04/2010-A DEAD

Summary: This bill would have required the California Small Business Board in the Business, Transportation and Housing Agency, until January 1, 2013, to review the state's licensing and permitting regulations as they impact small businesses, paying special attention to the regulatory impact on small business startups. The bill would have required each state agency to cooperate with the board in that review. Also, the bill 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, 2011, July 1, 2012, and December 31, 2012.

AB 2708(Berryhill, Bill) State contracts: procurement practices: small businesses.

Status: 04/23/2010-A DEAD

Summary: This bill would have prohibited the Director of General Services and the directors of other state departments or offices that enter into contracts from engaging in bundling of contracts. This bill also would have required the director or any agency, department, board, or commission to provide for the participation of subcontractors that were small businesses and micro-businesses in awarding contracts for goods and services by directly contracting with a small business or micro-business.

AB 2719(DeVore) Oil and gas leases: state waters.

Status: 04/23/2010-A-DEAD

Summary: This bill would have created, until July 1, 2011, the Interim Resources Management Board, consisting of the Secretary of the Natural Resources Agency, the Secretary for Environmental Protection, and the Controller. The bill also would have authorized the board to consider and approve a lease application for the extraction of oil or gas offshore in state waters.

ABX4 1 (Evans) Budget Act of 2009

Status: 07/28/2009-Chapter 1, Statutes of 2009-10 Fourth Extraordinary Session.

Summary: This bill revises the Budget Act of 2009. Among its provisions, it adds appropriations to the Water Board's budget for expenditures from the Underground Storage Tank Cleanup Fund, School District Account and the Underground Storage Tank Petroleum Contamination Orphan Site Cleanup Fund.

AB X4 11 (Evans) Public Resources.

Status: 07/28/2009 – Chapter Number 11, Statutes of 2009-10 Fourth Extraordinary Session.

Summary: This bill, an urgency measure, amends and supplements the Budget Act of 2009 by revising items of appropriation for several state agencies, including the State Water Board.

ABX7 1(Fuller) Public resources.

Status: 11/19/2009 A-DEAD

Summary: This bill would have revised and recast the provisions of the Delta Protection Act to, among other things, reduce the number of commission members from 23 to 15 members. The bill would have required the commission to appoint at least one advisory committee consisting of representatives from specified entities to provide input regarding the diverse interests within the Delta. The bill also would have required the commission to adopt by July 1, 2011 an economic sustainability plan containing specified elements and would have required the commission to review and amend the plan every 5 years as necessary.

ABX7 2(Blakeslee) Environment: environmental mitigation.

Status: 11/19/2009-A DEAD

Summary: This bill would have established the Regional Environmental Mitigation Program and would have specified that the purpose of the program is to improve the success, efficiency, and effectiveness of actions implemented to mitigate the natural resource impacts of projects, by establishing the means to implement those actions on a regional basis. The bill would have established the program in the Natural Resources Agency and would have required the agency to consider and implement mitigation requirements on a regional basis for projects that require mitigation based on federal, state, or local laws. The bill would have required the agency to communicate, coordinate, and work with specified entities.

ABX7 6 (De Leon) Water diversion and use: reporting.

Status: 11/19/2009 A-DEAD

Summary: This bill would have: 1) eliminated provisions in current law that exempt certain water diverters from having to file Statements of Water Diversion and Use with the State Water Board; 2) established legal consequences, including increased administrative civil liability, for the failure to file Statements of Water Diversion and Use; and 3) required water users to provide the location of their diversion on a U.S. Geological Survey topographic map or by using the California Coordinate system or latitude and longitude measurements.

ABX7 8 (Feuer) Water conservation.

Status: 11/19/2009 A-DEAD

Summary; This bill would have 1) required each urban retail water supplier to develop urban water use targets and an interim urban water use target, in accordance with specified requirements; 2) required agricultural water suppliers to implement efficient water management practices; 3) required the Department of Water Resources, in consultation with other state agencies, to develop a single standardized water use reporting form; 4) provided that urban retail water suppliers, on and after July 1, 2016, and agricultural water suppliers, on and after July 1, 2013, are not eligible for state water grants or loans unless they comply with the water conservation requirements established by the bill; and 5) repealed, on July 1, 2016, an existing requirement that conditions eligibility for certain water management grants or loans to an urban water supplier on the implementation of certain water demand management measures.

ABX8 7(Committee on Budget) Environmental pollution: program funding.

Status: 03/08/2010 - Chapter Number 5, Statutes of 2010

Summary: This bill (1) authorizes the State Water Board to issue grants, forgive loan principal and provide other types of assistance with monies from federal capitalization grants that are deposited into the Clean Water State Revolving Fund, to the extent authorized by federal law and (2) make various changes to the Beverage Container Recycling and Litter Reduction Act, which is administered by the Department of Resources Recycling and Recovery.

ABX8 37(Calderon, Charles) Environment: California Environmental Quality Act (CEQA).

Status: 03/15/2010-A DEAD

Summary: This bill would have enacted the CEQA Litigation Protection Pilot Program of 2010. The bill would have required the Business, Transportation and Housing Agency to select 25 projects that meet specified requirements for each calendar year between 2010 and 2014 and would have exempted from judicial review the lead agency's CEQA determination for those projects. The bill would have required the Business, Transportation and Housing Agency, by December 31 of each year, to submit an annual report

to the Governor and to the Legislature summarizing the designation of projects, and the job creation and investment attributable to the designated projects.

ACA 16(Nestande) General obligation bonds: proceeds of sale.

Status: 8/31/2010 A-DEAD

Summary: This measure would have provided that debt subject to state constitutional requirements that is approved by the voters after this measure becomes effective could be incurred to fund only long-term infrastructure. This measure would have defined long-term infrastructure as the acquisition of land, including easements, rights-of-way, and other forms of interest in land; the construction or acquisition of improvements to land, including structures and equipment integral to the operation of those structures; and the construction or acquisition of roadways and water conveyances.

ACA 33(Silva) State general obligation bond measures: vote.

Status: 8/31/2010 A-DEAD

Summary: This measure would have required that a ballot measure for the issuance of state general obligation bonds must be approved by 2/3 of the voters who vote on the measure, whether placed on the ballot by the initiative process or by the Legislature.

HR 11(Ruskin) Relative to drinking water treated with chlorine and chloramine.

Status: 08/31/2009-A ADOPTED

Summary: This resolution would have made various legislative findings regarding drinking water treated with chlorine and chloramine and would have requested the State Department of Public Health to: (1) review the public health concerns relating to the use of chlorine and chloramine as a drinking water disinfectant, (2) formally request the United States Environmental Protection Agency (USEPA) to conduct scientific testing of the immediate, acute, and long-term health effects of chlorine, chloramine, and other practical alternatives, when used as a secondary water disinfectant and (3) participate with the USEPA in the conduct of the study..

Senate Bills

SB 8(Huff) State finance: performance budgeting.

Status: 2/1/2010 S-DEAD

Summary: This bill would have required the Department of Finance (DOF) to develop a performance budgeting pilot project under which the budgets of at least four departments would be analyzed. The bill would have required these pilot project budgets to be considered by the Senate and Assembly Budget Committees. The bill also would have required DOF to evaluate the pilot project and report its findings to the Chairperson of the Joint Legislative Budget Committee on or before January 1, 2014.

SB 12(Simitian) Resources: Sacramento-San Joaquin Delta Council.

Status: 8/13/2010 S-DEAD

Summary; This bill would have repealed the California Bay-Delta Authority Act and established the Delta Stewardship Council (Council) as an independent agency of the state and would have established the Delta Independent Science Board, whose members would have been selected by the Council. The bill would have required the State Water Board to establish an effective system of Delta watershed diversion data collection and public reporting by December 31, 2010 and to develop new instream flow criteria for the Delta ecosystem. This bill also would have required a state or local public agency that proposed to undertake certain proposed actions that would have occurred within the boundaries of the Delta or the Suisun Marsh to prepare and submit to the Council, a specified written certification of consistency with the Delta Plan.

SB 22(Simitian) Hazardous materials: toxic substances.

Status: 08/05/2010-A DEAD

Summary: This bill would have authorized the California Environmental Protection Agency to recommend procedures for expediting the review and identification of hazard traits, including pending and proposed actions by other states, the federal government, and other nations to limit hazardous materials in products.

SB 25(Padilla) Solid waste.

Status: 07/02/2010-A DEAD

Summary: Earlier versions of this bill would have required local agencies to divert 60 percent of all solid waste by January 1, 2015 from landfills through source reduction, recycling, and composting activities, and would have set a statewide target of 75 percent diversion of solid waste from landfills by January 1, 2020. This bill would have increased the "tipping fee" to \$2.13 per ton of solid waste beginning January 1, 2012 and included a cost of living adjustment to the fee to be applied every two years. The bill also would have required CalRecycle to establish policies, programs, and incentives to ensure diversion of commercial solid waste. The bill was subsequently amended to deal with rendering.

SB 26(Simitian) Hazardous waste: household hazardous waste collection facility: small quantity generators.

Status: 08/13/2010-A DEAD

Summary: This bill would have prohibited a household hazardous waste collection facility that is authorized by the Department of Toxic Substances Control to accept hazardous waste in specified amounts from a conditionally exempt small quantity generator.

SB 37(Strickland) State employees: statement of deductions.

Status: 10/11/2009-Chapter Number 329, Statutes of 2009

Summary: This bill requires that the itemized statement furnished by each state agency at the time of each payment of salary or wages be provided electronically to each employee who has authorized the direct deposit by electronic fund transfer of his or her salary or wages, as specified, unless the employee has requested, in writing, to receive a paper version of the statement.

SB 42 (Corbett) Coastal resources: once-through cooling.

Status: 1/15/2010 S-DEAD

Summary: This bill would have prohibited a state agency from authorizing, approving, or certifying a new powerplant or industrial facility that uses once-through cooling. The bill would have required the State Water Board to adopt and implement a statewide policy on once-through cooling at coastal and estuarine powerplants. The bill also would have required each regional water board to review and issue a powerplant's national pollutant discharge elimination system permit for its once-through cooling system within 6 months of the expiration of that permit.

SB 51(Ducheny) Salton Sea Restoration Council.

Status: 9/27/2010 - Chapter Number 303, Statutes of 2010

Summary: This bill creates a Salton Sea Restoration Council (Council) within the Natural Resources Agency to oversee the restoration of the Salton Sea. The bill requires the Council to (1) evaluate restoration plans including, but not limited to, those set forth by the Salton Sea Ecosystem Restoration Program, designed to protect and restore the Salton Sea, and (2) report to the Governor and Legislature by an unspecified date on a recommended restoration plan. The Chair of the State Water Board is designated as one of 16 voting members of the Executive Committee of the Council.

SB 62(Simitian) Renewable energy resources.

Status: 10/11/2009-S VETOED

Summary: This bill would have required the California Public Utilities Commission (PUC) to require that a retail seller procure the following percentages of electricity from eligible renewable energy resources by the following dates: (A) Until December 31, 2012, the same percentage as actually achieved by the retail seller during 2009; (B) 20% by December 31, 2013; (C) 25% by December 31, 2016; and (D) 33% by December 31, 2020. The bill would have authorized the PUC to permit a retail seller to delay compliance with (B) or (C) procurement levels under specified circumstances, but would not have authorized the PUC to permit a retail seller to delay compliance with the (D) procurement level.

Veto Message: I am returning Senate Bill 62 without my signature. I support the intent of this and other measures to increase California's Renewable Portfolio Standard (RPS) target to 33% by 2020. However, as drafted this measure would make it more difficult and costly to achieve this very important goal. As a world leader in climate change and renewable energy development, California needs a regional approach that provides streamlined regulatory processes and compliance flexibility that facilitate the timely construction of in-state resources. This legislative package does the opposite and adds new regulatory hurdles to permitting renewable resources in the state, at the same time limiting the importation of cost-effective renewable energy from other states in the West. On November 17, 2008, I issued Executive Order S-14-08, which sets a target that all retail sellers of electricity shall serve 33% of their load with renewable energy by 2020. On September 15, 2009, in order to keep us moving forward, I directed California Air Resources Board (CARB), in Executive Order S-21-09, to adopt regulations that increase procurement of renewable resources in furtherance of the Global Warming Solutions Act of 2006 (AB 32, Statutes of 2006) and its emission reduction goals. The CARB's scoping document for the Global Warming Solutions Act of 2006 determined that achieving 33% RPS is a critical component in the fight against global warming. I expect CARB to complete the regulations implementing the 33% RPS by the fall of 2010. I remain ready to sign legislation that codifies a workable 33% RPS mandate. California has a rare opportunity to champion the development of renewable energy and reduce greenhouse gas emissions in-state and beyond. We must seize the chance to lay the foundation for a regional effort that optimizes resources throughout the West at a lower cost to ratepayers. Sincerely, Arnold Schwarzenegger

SB 77(Pavley) Energy: California Alternative Energy and Advanced Transportation Financing

Authority: Property Assessed Clean Energy (PACE).

Status: 04/21/2010 - Chapter 15, Statutes of 2010

Summary: This bill requires the California Alternative Energy and Advanced Transportation Financing Authority to establish a Property Assessed Clean Energy (PACE) Reserve program to assist local jurisdictions in financing the installation of distributed generation renewable energy sources or energy or water efficiency improvements meeting specified requirements that are permanently affixed on real property through the use of a voluntary contractual assessment. The bill would, until January 1, 2015, appropriate up to \$50,000,000 from the Renewable Resource Trust Fund to the authority for the purposes

of the PACE Reserve program.

SB 83(Hancock) Traffic congestion: motor vehicle registration fees.

Status: 10/11/2009 - Chapter Number 554, Statutes of 2009

Summary: This bill authorizes a countywide transportation planning agency to impose an annual fee of up to \$10 on motor vehicles registered within the county for programs and projects to (1) provide matching funds for funding made available for transportation programs and projects from state general obligation bonds, (2) create or sustain congestion mitigation programs and (3) create or sustain "pollution mitigation programs and projects.

SB 122 (Pavley) Groundwater

Status: 1/22/2010 S-DEAD

Summary: This bill would have established a groundwater monitoring program, administered by the Department of Water Resources (DWR). The bill would have specified the types and qualifications of local entities that may assume responsibility for monitoring and reporting. Under this bill, DWR would have been required to cooperate with local entities to: 1) evaluate the use of existing monitoring data; 2) evaluate the quality and extent of monitoring networks; and 3) identify the data used for reporting seasonal and long-term trends in basin groundwater elevations. If no entity agreed to perform groundwater monitoring, the bill would have required DWR to conduct groundwater monitoring and to recover its costs from local groundwater users. The bill also would have required DWR to conduct an investigation of groundwater basins and report its findings to the Governor and the Legislature beginning on January 1, 2012, and every five years thereafter.

SB 144(Pavley) Forest resources: management.

Status: 07/02/2010-A DEAD

Summary: This bill would have required the Department of Forestry and Fire Protection, in order to further the goals of the California Global Warming Solutions Act of 2006 and to enhance the capability of forest lands to sequester carbon, to (1) develop options and incentives for the management of private forests pursuant to the criteria established under the California Global Warming Solutions Act of 2006, (2) establish, in consultation with the State Air Resources Board, scientific standardized baselines at the regional and state scales to project future scenarios of carbon emissions and sequestration, and (3) develop, in consultation with the State Air Resources Board and the Department of Fish and Game, regulations that establish mitigation requirements for forest land conversions.

SB 133(Corbett) Groundwater: wells, exploratory holes, and other excavations.

Status: 10/11/2009-Chapter Number 563, Statutes of 2009

Summary: This bill authorizes the Alameda County Water District to establish a program for permitting and inspecting the construction, operation, decommissioning, abandonment, or destruction of wells, exploratory holes, or other excavations to protect groundwater.

SB 143(Cedillo) Hazardous materials: California Land Reuse and Revitalization Act of 2004.

Status: 10/11/2009-Chapter Number 167, Statutes of 2009

Summary: This bill extends the January 1, 2010 sunset date of the California Land Reuse and Revitalization Act (CLRRA) to January 1, 2017.

SB 167(Ducheny) Solid waste: waste tires.

Status: 10/11/2009-Chapter Number 333, Statutes of 2009

Summary: This bill requires the California Integrated Waste Management Board's 5-year waste tire management plan to include, as a border activity, the development of projects in Mexico in the California-Mexico border region, including education, infrastructure, mitigation, cleanup, prevention, reuse, and recycling projects, that address the movement of used tires from California to Mexico that are eventually disposed of in California.

SB 207 (Florez) Delta smelt.

Status: 1/15/2010 S-DEAD

Summary: This bill would have enacted the Delta Smelt Preservation and Restoration Act of 2009 which would have required the Department of Fish and Game to develop a Delta smelt hatchery program to

preserve and restore the Delta smelt. The program would have operated as a mitigation bank that provides take authorizations to banking partners and obtains funding from banking agreements. The bill also would have transferred an unspecified amount of funds from an unspecified source which would be continuously appropriated to the department for purposes of the act.

SB 228(DeSaulnier) Plastic bags: compostable plastic bags.

Status: 9/28/2010 - Chapter Number 406, Statutes of 2010

Summary: This bill requires, beginning July 1, 2011, a manufacturer of a compostable plastic bag meeting the specified standards to ensure that the compostable plastic bag is "readily and easily identifiable," from other plastic bags, in a manner that is consistent with the Federal Trade Commission Guides for the Use of Environmental Marketing Claims. The bill prohibits a compostable plastic bag sold or distributed in the state from displaying a chasing arrow resin identification code or recycling type of symbol in any form.

SB 229(Pavley) Water: diversion and use: groundwater.

Status: 8/13/2010 S-DEAD

Summary This bill would have: (1) removed the California Water Commission (Commission) from DWR and would have established it as an independent entity in state government to focus on early action projects and measures in the Sacramento-San Joaquin Delta (Delta); (2) required the Commission to implement the Bay-Delta Conservation Plan (BDCP); (3) authorized the Chair of the State Water Board to respond to any appeals of decisions that are made by the watermaster who would have been responsible for enforcing laws relevant to the successful implementation of the BDCP; and (4) required the Commission to establish and impose a per-acre-foot fee on water diversions in the Delta, and a fee on any water conveyed through or around the Delta to fund the costs of the Commission to implement this bill.

SB 233(Aanestad) State Water Resources Control Board: California regional water quality control boards.

Status: 2/1/2010 S-DEAD

Summary: Earlier versions of this bill would have prohibited a person from being a member of the State Water Board or a Regional Water Board if he or she receives, or has received during the previous two years, 25 percent or more of his or her income directly or indirectly from a waste discharge permit holder or applicants for waste discharge permits. This bill was subsequently amended and would have required the Department of Fish and Game, upon request, to refund the amount of the permit fee paid in 2009 by a person issued a vacuum or suction dredge equipment permit and who became subject to the later prohibition of any suction dredging.

SB 261(Dutton) Water use: water management plans.

Status: 08/13/2010-A DEAD

Summary: This bill would have required urban water suppliers to develop and implement Water Use Efficiency and Efficient Water Resources Management Plans. These plans would have been required to (1) achieve a 20 percent reduction of total residential potable water use by 2020 as compared to the 2020 projection in the agency's 2005 Urban Water Management Plan and/or (2) achieve, by 2020, extraordinary water use efficiency. The bill specified that urban water suppliers that fail to meet that interim milestone would be subject to a penalty of 20 percent of available points in any competitive grant or loan program awarded or administered by the State Water Board, Department of Water Resources (DWR) or the California Bay-Delta Authority until such time the urban water supplier satisfies the interim milestones. The bill also would have enacted the Comprehensive Urban Water Efficiency Act of 2009, which would require DWR and the State Water Board, by April 1, 2010, to convene a task force to develop best management practices for commercial, industrial, and institutional water uses.

SB 283(DeSaulnier) Department of Water Resources: recycled water systems.

Status: 10/11/2009 - Chapter Number 178, Statutes of 2009

Summary: This bill revises the date by which the Department of Water Resources is required to adopt and submit regulations to the California Building Standards Commission to establish a state version of Appendix J of the Uniform Plumbing Code to provide design standards to safely plumb buildings with both

potable and recycled water systems to December 31, 2009. The bill, commencing July 1, 2011, and annually thereafter, also requires the department to review and update the regulations, as necessary.

SB 301 (Flores) Water Supply Reliability and Ecosystem Recovery and Restoration Act of 2009.

Status: 1/15/2010 S-DEAD

Summary: This bill would have enacted the Water Supply Reliability and Ecosystem Recovery and Restoration Act of 2009 and, if approved by voters, would have authorized the issuance of bonds in the amount of \$15 billion to finance a water supply reliability and water source protection program. Of this amount, \$1 billion would have been allocated to the State Water Board for projects addressing groundwater contamination, small community wastewater treatment needs, stormwater management, water recycling, and other water quality issues. This bill was later gutted and amended into a proposal on salmon fisheries.

SB 310(Ducheny) Water quality: stormwater and other runoff.

Status: 10/11/2009-Chapter Number 577, Statutes of 2009

Summary: This bill (1) allows cities, counties, and special districts (local agencies) that are permittees or co-permittees under a municipal separate storm sewer system National Pollutant Discharge Elimination System permit to prepare a Watershed Improvement Plan (WIP) intended to achieve or maintain compliance with water quality laws and regulations, including water quality control plans, permits, and the requirements contained in Total Maximum Daily Loads; (2) authorizes Regional Water Boards to participate in the preparation of a WIP; (3) requires Regional Water Boards to review, and authorizes Regional Water Boards to approve, WIPs if certain requirements are met; (4) requires the State Water Board to adopt a fee schedule to pay for the Regional Water Board's review and oversight of WIPs; (5) authorizes local agencies to collect fees to support preparation and implementation of WIPs, if the WIP is approved by a Regional Water Board and certain findings are made; and (6) authorizes local agencies to plan, design, implement, construct, operate, and maintain controls and facilities to improve water quality.

SB 346(Kehoe) Hazardous materials: motor vehicle brake friction materials.

Status: 9/27/2010 - Chapter Number 307, Statutes of 2010

Summary: This bill phases out the use of various heavy metals and other toxic substances in motor vehicle brake pads. Specifically, the bill: 1) prohibits the sale of motor vehicle brake pads containing cadmium, chromium VI, lead, mercury and asbestos form fibers beginning January 1, 2014; 2) prohibits the sale of all brake pads that contain more than 5 percent copper by January 1, 2021; and 3) prohibits the sale of all brake pads that contain more than 0.5 percent copper by January 1, 2025. The bill requires manufacturers to certify that brake pad materials are compliant and allow for civil fines up to \$10,000 per violation of these provisions. The bill establishes a process by which manufacturers may apply to Department of Toxic Substances Control (DTSC) for an extension of compliance deadlines and requires DTSC to consult with the State Water Board and the Air Resources Board as part of that process. This bill also requires DTSC and the State Water Board to submit a report to the Governor and the Legislature by January 1, 2023 on the progress towards meeting copper Total Maximum Daily Load allocations in the state.

SB 359(Romero) Records: disclosure exemptions.

Status: 10/11/2009 - Chapter Number 584, Statutes of 2009

Summary: This bill revises the list of records that are exempt from the California Public Records Act to reflect recent changes in existing law.

SB 371 (Cogdill) Safe, Clean, Reliable Drinking Water Supply Act of 2009.

Status: 2/1/2010 S-DEAD

Summary: This bill would have enacted the Safe, Clean, Reliable Drinking Water Supply Act of 2009 which, if approved by the voters, would have authorized, for the purposes of financing specified water supply reliability and water source protection programs, the issuance of bonds in the amount of \$9,980,000,000 pursuant to the State General Obligation Bond Law. The bill would have provided for the submission of the bond act to the voters at the next statewide election.

SB 390(Kehoe) Solid waste: recycling market development.

Status: 09/24/2010 - Chapter Number 275, Statutes of 2010

Summary: This bill extends the sunset date on California's Recycling Market Development Zone Program from July 1, 2011 to July 1, 2021.

SB 406(DeSaulnier) Land use: environmental quality.

Status: 10/11/2009 - VETOED

Summary: This bill would have changed the designated membership of the Planning Advisory and Assistance Council (PAAC) and would have required that the council work with the Strategic Growth Council, as specified. The bill would have also required the PAAC to report to the Legislature on specified regional performance measures and on the manner in which state agencies are implementing the 5-year infrastructure plan. The bill would have authorized a municipal planning organization or council of governments to adopt a resolution to impose a \$2 motor vehicle registration surcharge on vehicles registered in the entity's jurisdiction that would be collected by the Department of Motor Vehicles and, after deducting its administrative costs, would be transmitted to the entity imposing the surcharge.

Veto Message. I am returning Senate Bill 406 without my signature. Reducing greenhouse gas emissions is of utmost priority in my administration and is essential for achieving California's climate change goals. However, this bill would authorize a municipal planning organization, a council of governments, or a county transportation commission and a sub-regional council of governments, by resolution, to impose a new fee on motor vehicles registered in their jurisdiction. As I have said in prior veto messages, such an increase should be subject to voter approval. For this reason, I am unable to sign this bill. Sincerely, Arnold Schwarzenegger

SB 407(Padilla) Property transfers: plumbing fixtures replacement.

Status: 10/11/2009-Chapter Number 587, Statutes of 2009

Summary: This bill requires owners of single family residential properties, owners of multifamily residential properties and owners of commercial properties that were built before 1994 to ensure that their plumbing fixtures are water efficient. The bill: (1) requires all single-family residences to have water-conserving plumbing fixtures, as specified, by 2017 and all multi-family residences and commercial buildings to have water-conserving plumbing fixtures by 2019, (2) requires the installation of water efficient plumbing as a necessary condition for local building departments to be able to approve residential, multifamily residential, or commercial building alterations or improvements, as specified, after January 1, 2014, and (3) requires property sellers to notify buyers of water-conserving plumbing requirements starting in 2017.

SB 413(Ducheny) Waste discharge requirements: fees.

Status: 1/22/2010 S-DEAD

Summary: This bill would have permitted the State Water Board to assess fees to cover the costs of preparing water quality control plans. This activity is currently funded through the General Fund.

SB 456 (Wolk) Safe, Clean, Reliable Drinking Water Supply Act of 2010.

Status: 2/1/2010 S-DEAD

Summary: This bill would have enacted the Safe, Clean, Reliable Drinking Water Supply Act of 2010 which, if approved by the voters, would have authorized, for the purposes of financing specified water supply reliability and water source protection programs, the issuance of bonds in the amount of \$9,805,000,000 pursuant to the State General Obligation Bond Law.

SB 457(Wolk) Sacramento-San Joaquin Delta.

Status: 07/02/2010-A DEAD

Summary: This bill would have revised and recast the provisions of the Johnston-Baker-Andal-Boatwright Delta Protection Act of 1992 to, among other things, reduce the number of members of the Delta Protection Commission to 15 members. The bill would have required the commission to adopt, not later than July 1, 2011, a comprehensive resources management plan to have been updated every 5 years. Further, the bill would have required all general plans of cities and counties within the delta to be consistent with the commission's resources management plan, and the delta plan created and adopted by the Delta Stewardship Council.

SB 458 (Steinberg) Sacramento-San Joaquin Delta Conservancy: Delta Protection Commission.

Status: 8/13/2010 S-DEAD

Summary: This bill would have revised the Delta Protection Act to, among other things, (1) reduce the number of commission members to 15 members; (2) require the commission to appoint at least one advisory committee consisting of representatives from specified entities to provide input regarding the diverse interests within the Delta; (3) require the commission to adopt, not later than July 1, 2011, an economic sustainability plan containing specified elements; and (4) require the commission to review and, as determined to be necessary, amend the plan every 5 years.

SB 460 (Wolk) Water management plans.

Status: 2/1/2010 S-DEAD

Summary: Earlier versions of this bill would have required urban water suppliers to include additional information in their reports, including for each urban water management plan a detailed description and analysis of a long-term plan to reduce water use. The bill would have also required agricultural water suppliers to prepare and adopt a specified agricultural water management plan. This bill was later amended to be an energy-related bill.

SB 476(Correa) Environment: California Environmental Quality Act: noncompliance allegations: public comment.

Status: 07/02/2010-A DEAD

Summary: This bill would have clarified provisions of the California Environmental Quality Act that prescribe when and how a person may bring an action or a proceeding against a project before a public entity.

SB 502 (Walters) State agency Web sites: information.

Status: 1/15/2010 S-DEAD

Summary: This bill would have required each state department and agency to develop and operate an Internet Web site accessible by the public that includes specified information relating to the expenditures of state funds, including grants, contracts, subcontracts, purchase orders, and tax refunds, rebates, and credits information (see also AB.1194).

SB 503(Kehoe) State General Obligation Bond Law: audits.

Status: 9/29/2010 VETOED

Summary: This bill would have required the Controller to select one or more projects funded by any state general obligation bond act approved on or after January 1, 2010, to be the subject of an audit. The Controller would have been required annually to assign up to 5 auditor positions to conduct these audits.

Veto Message: This bill would authorize additional auditor positions for auditing certain bonds, with the additional costs to be funded out of those bonds. While I share the author's goal of ensuring that bond-funded projects are implemented in an efficient and cost-effective manner, this bill is unnecessary because Executive Order S-02-07 already requires the auditing of all General Obligation bonds authorized by the voters since November 2006, including the bonds specified in this bill. In addition, this bill would result in increased project costs and duplicative efforts, and is unlikely to result in any additional project savings about that which would otherwise be discovered during the already-required auditing process. Finally, the bill would set an expectation that the costs of this program be fully covered by the savings identified as a result of these audits. That directive would put the State Controller's Office in a position that is clearly in conflict with an auditor's role by making it difficult for them to conclude that any project or program was "meritorious" or "without fault", which could undermine the objective nature and value of the audit process. For these reasons, I am unable to sign this bill. Sincerely, Arnold Schwarzenegger

SB 507(Cox) Gasoline: vapor recovery systems.

Status: 2/1/2010 S-DEAD

Summary: This bill would have prohibited the State Air Resources Board from requiring a gasoline dispensing facility to meet Enhanced Vapor Recovery Phase II requirements until April 1, 2010.

SB 514 (Aanestad) Water quality: discharge requirements: mandatory minimum penalties

Status: 01/15/2010-S-DEAD

Summary: This bill would have exempted dischargers from being assessed mandatory minimum penalties if the State Water Board or a Regional Water Board does not impose penalties, or request the Attorney General to impose penalties within 12 months of the State Water Board or a Regional Water Board learning of the violations.

SB 518(Lowenthal) Building standards: graywater.

Status: 9/30/2010 - Chapter Number 622, Statutes of 2010

Summary: This bill requires the California Building Standards Commission, as a part of the next triennial edition of the California Building Standards Code adopted after January 1, 2011, to adopt building standards for the construction, installation, and alteration of graywater systems for indoor and outdoor uses in nonresidential occupancies, in accordance with prescribed requirements. The bill also terminates the authority of the Department of Water Resources to adopt standards for graywater systems in nonresidential occupancies upon adoption of the standards by the commission.

SB 524(Cogdill) Transportation Funds (previously dealt with Solid waste: auto shredder residue.)

Status: 10/19/2010 - Chapter Number 716, Statutes of 2010

Summary: Earlier versions of this bill would have required the Secretary for Environmental Protection (Cal/EPA) to establish, by February 1, 2010, an auto shredder residue working group, comprised of representatives of the State Water Board, California Integrated Waste Management Board (CIWMB), Department of Toxic Substances Control (DTSC), State Air Resources Board, members of the auto shredder industry, landfill operators and other interested stakeholders. The bill also would have required the Cal/EPA Secretary to report to the Legislature by December 31, 2010, on the working group's findings and would have prohibited DTSC from changing the regulatory status of auto shredder waste without first considering the findings of the working group. This bill was subsequently gutted and amended,

SB 531(DeSaulnier) Solid waste: at-store recycling program.

Status: 07/02/2010-A DEAD

Summary: This bill would have required manufacturers of plastic carryout bags, in developing educational materials to encourage the reducing, reusing, and recycling of plastic bags for use on and after July 1, 2011, to consult with California Integrated Waste Management Board (now called the Department of Resource Recycling and Recovery), the League of California Cities, the California State Association of Counties, private and public waste services, and stores. The bill would have authorized the Board to modify and approve those educational materials by January 1, 2012. The bill would have also set minimum requirements for information to be included in the educational materials, including information regarding the requirements for compliance with the program, an Internet Web site with a training program for store personnel and customers on implementing the program, and resources for education of consumers at point of sale.

SB 539(Wiggins) Salmon and steelhead trout: California Ocean Protection Trust Fund.

Status: 08/13/2010-A DEAD

Summary: This bill would have authorized money deposited in the Ocean Protection Trust Fund to be expended on restoring native salmon and steelhead trout populations or the health of the State's salmon fishery.

SB 546(Lowenthal) Used oil.

Status: 10/11/2009 - Chapter Number 353, Statutes of 2009

Summary: This bill raises the fee paid by lubricating oil manufacturers from \$0.16 to \$0.26 per gallon; increases the incentives paid for recycling used oil; increases the testing requirements for used oil transporters and requires a life cycle analysis of used oil.

SB 579(Lowenthal) Used oil.

Status: 9/29/2010 - Chapter Number 504, Statutes of 2010

Summary: This bill allows the South Coast Air Quality Management District to issue permits, notwithstanding the Superior Court decision in Natural Resources Defense Council v. South Coast Air

Quality Management District. This bill also makes technical clean-up changes to the California Oil Recycling Enhancement Act.

SB 565(Pavley) Water resources.

Status: 08/31/2010-DEAD

Summary: This bill would have significantly enhanced the State Water Board's ability to administer and enforce water rights in California. This bill would have implemented the Governor's Delta Vision Committee recommendations to enhance the State Water Board's water rights authority and administrative accountability. Among its provisions, this bill would have: 1) authorized the State Water Board to require diverters to prepare and submit technical and monitoring program reports; 2) increased penalties for illegal diversions, violations of monitoring and reporting requirements, failure to file Statements of Water Diversion and Use, and violations of cease and desist orders; 3) established a fee for diverters subject to the requirement for filing statements of water diversion and use; and 4) authorized the State Water Board to issue an order for temporary, interim relief.

SB 614(Simitian) Vessels.

Status: 10/11/2009 - Chapter Number 194, Statutes of 2009

Summary: This bill extends the sunset date, from January 1, 2010, to January 1, 2014, for the State Water Board to request permission from the United States Environmental Protection Agency to prohibit discharges of sewage and sewage sludge from large vessels in state waters. This bill also makes various other technical changes to provisions of existing law related to discharges from oceangoing ships and passenger vessels into the marine waters of the state.

SB 644(Denham) Civil service examinations: veterans' preference.

Status: 10/11/2009 - Chapter Number 357, Statutes of 2009

Summary: This bill provides that, under the existing civil service law requiring that veterans are allowed preference points for civil service employment, disabled veterans are allowed 15 additional points and other veterans are allowed 10 additional points under the existing civil service law.

SB 670(Wiggins) Vacuum or suction dredge equipment.

Status: 08/06/2009 - Chapter Number 62, Statutes of 2009

Summary: This bill, an urgency measure, prohibits the use of suction dredge equipment for instream mining purposes, in any river, lake or stream, until (1) the Department of Fish and Game (DFG) has completed a court-ordered subsequent Environmental Impact Report, (2) DFG has adopted new regulations for suction dredging, and (3) the regulations are in effect.

SB 672 (Cox) South Lake Tahoe Public Utilities District: water meters.

Status: 1/15/2010 S-DEAD

Summary: This bill would have authorized the South Tahoe Public Utilities District, by January 1, 2015, to submit to the State Water Board and certain legislative committees a report pertaining to the status and plans for installing water meters in the district by 2025.. The bill also would have authorized the district to update the report by January 1, 2020 and would have authorized the district to include in the report a request for an extension beyond the 2025 due date, if needed. The bill would have required the State Water Board to grant the district an extension from the 2025 due date for installing water meters, not to exceed 10 years, if the Board determines that the district has demonstrated progress toward installing meters and the available resources or the construction seasons are insufficient to allow the district to meet the deadline.

SB 681 (Pavley) Water diversion and use

Status: 1/22/2010 S-DEAD

Summary: This bill would have significantly enhanced the State Water Board's authority to administer and enforce water rights in the State. Specifically, this bill would have: (1) streamlined the State Water Board's waste and unreasonable use authority and enhance the State Water Board's enforcement authority against entities for failure to meet water conservation requirements; (2) authorized the State Water Board to collect and disseminate information on all surface water diversions in the State, (3) improved information on water diversions by eliminating some exemptions in current law from requirements for filing of statements of diversion and use, and establishing penalties for failure to file; (4)

provided the State Water Board with enforcement authority for monitoring and reporting violations; 5) authorized the State Water Board to directly enforce water right terms and conditions and to initiate stream system adjudications, and (6) provided interim relief authority and increased administrative penalties.

SB 685 (Strickland) State boards and commissions: salaries: suspension.

Status: 1/15/2010 S-DEAD

Summary: This bill would have prohibited members appointed to specified state boards and commissions from receiving a salary for the 2010-11, 2011-12, and 2012- 13 fiscal years. This bill also would have authorized a member of a state board or commission who is prohibited from receiving a salary under these provisions to receive a specified per diem payment during those fiscal years.

SB 735 (Steinberg) Safe, Clean, Reliable Drinking Water Supply Act of 2010.

Status: 2/1/2010 S-DEAD

Summary: This bill would have enacted the Safe, Clean, and Reliable Drinking Water Supply Act of 2010, which, if approved by the voters, would have authorized the issuance of bonds in the amount of \$9,785,000,000 pursuant to the State General Obligation Bond Law to finance a water supply reliability and water source protection program.

SB 757(Pavley) Lead wheel weights.

Status: 10/11/2009 - Chapter Number 614, Statutes of 2009

Summary: This bill prohibits the manufacture, sale, or installation in California of wheel weights that contain more than 0.1% lead. The Department of Toxic Substances Control is responsible for enforcing its provisions.

SB 790(Pavley) Resources: water quality: stormwater resource plans.

Status: 10/11/2009 - Chapter Number 620, Statutes of 2009

Summary: This bill authorizes local governments to develop "stormwater resource plans" to identify, on a watershed basis, opportunities for increasing water supplies and improving water quality through stormwater management. In addition, this bill would authorize grants in accordance with the Watershed, Clean Beaches, and Water Quality Act for projects that implement low impact development for new or existing development, and for projects to implement stormwater resource plans.

SB 803 (DeSaulnier) Solid waste: plastic waste: polyvinyl chloride clamshell packaging.

Status: 1/15/2010 S-DEAD

Summary: This bill would have required the California Integrated Waste Management Board, by January 1, 2011, to develop regulations, after consultation with polyvinyl chloride (PVC) clamshell packaging manufacturers, product manufacturers, retailers, and the environmental community, that would reduce the volume of hard-to-recycle PVC clamshell packaging by 50 percent.

SB 832(Committee on Environmental Quality) Resources: California Pollution Control Financing Authority: public lands: solid waste diversion.

Status: 11/02/2009 - Chapter Number 643, Statutes of 2009

Summary: This bill is the Senate Environmental Quality Committee's annual omnibus cleanup bill which makes various technical changes to the various statutes under the jurisdiction of the Senate Environmental Quality Committee.

SB 835(Strickland) Government reorganization: realignment or closure.

Status: 06/04/2010-S DEAD

Summary: This bill would have enacted the Bureaucracy Realignment and Closure Act of 2011 and would have established the Bureaucracy Realignment and Closure Commission consisting of the Controller, the Director of Finance, the Legislative Analyst, the Legislative Counsel, the Milton Marks "Little Hoover" Commission on California State Government Organization and Economy, and the State Auditor required to develop recommendations for the closure or realignment of state bureaucracies for consideration by the commission.

SB 855(Committee on Budget and Fiscal Review) Budget Act of 2010

Status: 10/19/2010-Chapter Number 718, Statutes of 2010

Summary: This bill, an urgency measure, is a budget trailer bill that amends the Water Code, Health and Safety Code, and Public Resources Code, to make statutory changes necessary to implement provisions of the Budget Act of 2010. Among its provisions, the bill clarifies the State Water Board's authority to assess waste discharge permit fees on landfills, to the extent that revenues from the Integrated Waste Management Account (IWMA) fees are not sufficient to pay for the Water Boards costs of regulating landfills. The bill also would: (1) require the State Water Board to submit to the Legislature, by March 1, 2011, a report on the costs of regulating water quality at active landfills; (2) require the State Water Board to bill waste discharge permit fees to active landfills in the second-half of the 2010-11 fiscal year; (3) require the Governor to submit to the Legislature, by April 1, 2011, a report on 2011-12 budget for all agency programs and expenditures related to water and ecosystem restoration activities in the Sacramento-San Joaquin Delta, using a zero-base budgeting methodology; (4) establish a new Wastewater Operator Certification Fund and authorize specified fees to be deposited into the Fund to pay for the costs of the Wastewater Treatment Plant Operator Certification Program; and (5) require the State Water Board to submit to the Legislature, by July 1, 2013, a report on the effectiveness of directly contracting for the preparation of environmental documents and recovering costs from water right applicants and petitioners for costs of preparing the documents.

SB 856(Committee on Budget and Fiscal Review) State government

Status: 10/19/2010-Chapter Number 719, Statutes of 2010

Summary: This bill, an urgency measure, is a budget trailer bill that makes statutory changes necessary to implement provisions of the Budget Act of 2010. Among its provisions, the bill amends provisions of existing law that require the Department of Industrial Relations (DIR) to assess a fee on entities that receive state bond funds for public works projects. These fees are used to pay for DIR's costs of enforcement of prevailing wage laws. The bill requires the board, department or agency that awards a bond funded grant or loan for a public works project to pay the prevailing wage fee to DIR at the time the funds are released to a project, or at other such time that DIR and the entity responsible for allocation of the bond proceeds may agree.

SB 870(Ducheny) 2010-11 Budget

Status: 10/8/2010 Chaptered by the Secretary of State

This is the Budget Act for the 2010-11 Governor's Budget.

SB 907(Liu) Office of Federal Funding Information and Assistance: establishment.

Status: 06/04/2010-S DEAD

Summary: This bill would have, upon a specified determination by the Department of Finance, established the Office of Federal Funding Information and Assistance within the Office of Planning and Research to increase the capacity of eligible entities in this state to successfully apply for federal funds.

SB 918(Pavley) Water recycling.

Status: 9/30/2010 – Chapter Number 700, Statutes of 2010

Summary: This bill requires the Department of Public Health (DPH): 1) to develop and adopt as regulations, uniform water recycling criteria for indirect potable water reuse for groundwater recharge by December 31, 2013, and for surface water augmentation by December 31, 2016; 2) to investigate and report to the Legislature on the feasibility of developing water recycling criteria for direct potable reuse; and 3) in consultation with the State Water Board, to report annually to the Legislature on progress toward adopting water recycling criteria. This bill requires the State Water Board to enter into an agreement with DPH to assist in implementing these provisions. This bill also allows penalty monies collected by the State Water Board and Regional Water Quality Control Boards for various water quality violations and which are deposited into the Waste Discharge Permit Fund, to be made available to the State Water Board, upon appropriation by the Legislature, for purposes of assisting DPH in implementing the bill.

SB 942(Dutton) Regulations: review process.

Status: 06/04/2010-S-DEAD

Summary: This bill would have established an Economic Analysis Unit within the Office of Administrative Law. The bill would have required agencies to make publicly available and submit to the unit specified cost estimates that pertain to a proposed regulation and specified information used to develop the cost estimates, as prescribed. The bill would have required the unit to review final revised cost estimates for regulations that the agency determines to have a cost estimate of \$50,000,000 or more. The bill also would have required the unit to develop an appropriate methodology for reviewing agency cost estimates for proposed regulations and to approve or reject the cost estimates, as specified.

SB 954(Harman) Legislative procedure: committee referrals: Joint Committee on Boards, Commissions, and Consumer or Business Protection.

Status: 06/04/2010-S DEAD

Summary: This bill would have enacted the Jobs Protection Act. This bill would have renamed the Joint Committee on Boards, Commissions, and Consumer Protection as the Joint Committee on Boards, Commissions, and Consumer or Business Protection, and would have created a new legislative procedure with regard to any bill that may have a statewide economic impact affecting business. The bill also would have required the Assembly Committee on Rules and the Senate Committee on Rules to refer any bill that may have a statewide economic impact affecting business to the joint committee for the preparation of an economic impact analysis and a hearing and approval.

SB 959(Ducheny) Development: expedited permit review.

Status: 9/29/2010 VETOED

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. The bill would have prohibited the office or the state from incurring any liability as a result of the provision of this assistance. The bill would have required the office to assist state and local agencies in streamlining the permit approval process, and to assist applicants in identifying any permit required by a state agency for a proposed project.

Veto Message: This bill would establish the Office of Permit Assistance in the Governor's Office of Planning and Research (OPR). I applaud efforts to assist businesses navigate the state's chaotic permitting process. It was for this reason that I established the Governor's Office of Economic Development (GOED) and charged that entity with providing the same kind of assistance outlined in this bill. In addition to several technical issues that need to be resolved in this bill, I cannot support it because it gives OPR a duty that I have already delegated to GOED. However, I have also vetoed AB 2734 (Perez), a bill that attempts to codify GOED. Both AB 2734 and this bill should be re-crafted to address the issues I have raised and create a more coherent state policy for economic assistance housed in one location, the Governor's Office of Economic Development. For these reasons, I am unable to sign this bill.
Sincerely, Arnold Schwarzenegger

SB 976(Hollingsworth) California Environmental Quality Act: exemption.

Status: 8/31/2010 S-DEAD

Summary: This bill would have exempted from CEQA requirements the expansion of an existing overpass, on-ramp, or off-ramp that is built on an easement or right-of-way under the control of a state or local transportation agency, or a city, county, or city and county.

SB 988(Huff) Regulations: 5-year review and report.

Status: 8/31/2010 S-DEAD

Summary: This bill would have required the Bureau of State Audits to review, report, and make recommendations on each regulation, before May 1 of the 5th year after a regulation is amended or adopted, by the State Energy Resources and Development Commission, the Public Utilities Commission, the California Consumer Power and Conservation Financing Authority, or any other state agency that has duties relating to state energy regulations or the implementation of those regulations beginning January 1, 2011.

SB 1006(Pavley) Natural resources: climate change: Strategic Growth Council.

Status: 9/30/2010 Chaptered by the Secretary of State, Chapter Number 632, Statutes of 2010

Summary: This bill expands the types of local entities that are eligible to receive urban greening loans and grants from the Strategic Growth Council to include special districts and entities formed under a joint powers agreement.

SB 1010(Correa) Environment: California Environmental Quality Act (CEQA).

Status: 8/31/2010 S-DEAD

Summary: This bill would have enacted the CEQA Litigation Protection Pilot Program of 2010. The bill would have required the Business, Transportation and Housing Agency to select 25 projects that meet specified requirements for each calendar year between 2010 and 2014, and would have exempted from judicial review the lead agency's CEQA determination for those projects. The bill would have required the Business, Transportation and Housing Agency, by December 31 of each year, to submit an annual report to the Governor and to the Legislature summarizing the designation of projects, and the job creation and investment attributable to the designated projects. (See also AB 1805 and SB X8 42)

SB 1028(Correa) State Board of Equalization: administration: interest.

Status: 9/27/2010 - Chapter Number 316, Statutes of 2010

Summary: This bill allows, until January 1, 2016, the members of the State Board of Equalization, meeting as a public body, to find that it is inequitable to compute interest on a monthly basis pursuant to various state tax laws, and to instead compute interest on a daily basis. The bill also specifies that the above provisions shall only apply to electronic payments or prepayments of taxes, fees, and surcharges.

SB 1052(Oropeza) Electronic waste: state agencies.

Status: 06/04/2010-S DEAD

Summary: This bill would have required the Department of General Services, in collaboration with the Department of Resources Recycling and Recovery and the Department of Toxic Substances Control, to identify the methods that state agencies are required to use to properly handle, recycle, and dispose of electronic waste, and to assist state agencies in complying with applicable federal, state, and local laws and regulations governing the management of hazardous waste.

SB 1055(Ashburn) State Chief Information Officer: fingerprints: criminal history.

Status: 09/24/2010 - Chapter Number 282, Statutes of 2010

Summary: This bill requires the State Chief Information Officer to require fingerprint images and associated information from an employee, prospective employee, contractor, subcontractor, volunteer, or vendor whose duties includes access to confidential or sensitive information. The bill also requires the State Chief Information Officer to furnish those images and that information to the Department of Justice for the purpose of obtaining information relating to certain acts, including criminal convictions or the existence and content of a record of arrest.

SB 1100(Corbett) Product stewardship: household batteries.

Status: 08/31/2010-A DEAD

Summary: This bill would have required producers of household batteries to institute programs to manage used household batteries by September 30, 2011. This bill would have required battery producers to set up and finance programs to take back used batteries and recycle or properly dispose of them. This bill would have set out target collection rates of 25 percent by 2014 and 45 percent by 2016.

SB 1107(Kehoe) Water quality: interceptor and trap grease.

Status: 08/13/2010-A-DEAD

Summary: This bill would have established a new interceptor and trap grease manifest system to be administered by the State Water Board. The bill would have: (1) required the State Water Board, by January 1, 2012, to develop, adopt, and implement regulations for a manifest system to track the transportation of interceptor and trap grease, (2) required transporters of interceptor and trap grease to submit a legible copy of each tracking document to the State Water Board on a quarterly basis and (3) , required the State Water Board to post the tracking documents on its website. The State Water Board would have been required to impose a fee on interceptor and grease waste haulers sufficient to cover its costs of implementing the program. .

SB 1112(Oropeza) Redevelopment: plan amendment.

Status: 06/04/2010-S DEAD

Summary: This bill would have allowed for a 10-year extension of redevelopment activities within Project Area No. 1 of the Carson Redevelopment Agency (RDA) for purposes of brownfield remediation. The Carson RDA would have collected property tax increment revenues for an additional 10 years if certain criteria were met.

SB 1169(Lowenthal) Water.

Status: 09/24/2010 -Chapter Number 288, Statutes of 2010

Summary: This bill makes a variety of technical changes to provisions of the Water Code and Government Code related to the Water Boards to correct technical errors in the codes and ensure that the codes are consistent with other provisions of code and with court decisions. This bill is a code cleanup bill sponsored by the State Water Board.

SB 1173(Wolk) Recycled water.

Status: 9/29/2010- VETOED

Summary: This bill would have expanded provisions of current law that prohibit the use of potable domestic water for nonpotable uses (such as for cemeteries, golf courses, parks, etc.) if recycled water is available, to also prohibit the use of "raw water" for nonpotable uses if recycled water is available and the State Water Board makes certain findings. The bill would have defined "raw water" as untreated surface water or groundwater, but would have excluded remediated groundwater and rainwater. In addition, this bill would have declared that the use of raw or potable water for landscape irrigation is a waste and unreasonable use of water, if a reliable source of recycled water is available to users.

Veto Message: I am returning Senate Bill 1173 without my signature. This bill would define "raw" water, and would require that recycled water be used for non-potable municipal or industrial purposes in lieu of raw or potable water, if recycled water is available that meets certain conditions, as determined by the State Water Board. I strongly support the use of recycled water to improve the efficient use of the State's limited water resources, and I encourage businesses and local governments to move to recycled water for their operations as quickly as feasible. It was for this reason that I signed SB 918 (Pavley), which provides funding for the Department of Public Health to finish the recycled water regulations they have been working on for the last 15 years. Until those regulations are finished, I think it would not be feasible for California businesses and local governments to be able to comply with the provisions of this bill. In addition, there will certainly be substantial costs associated with a significant movement to the use of recycled water. It was for this very reason that the "Safe, Clean, and Reliable Drinking Water Supply Act of 2012" includes \$1.25 billion for water recycling and water use efficiency measures like this. As such, this bill is premature until such funds are available. For these reasons, I am unable to sign this bill.
Sincerely, Arnold Schwarzenegger

SB 1205(Corbett) Bay Area Disaster Recovery Planning Council Act.

Status: 9/27/2010 VETOED

Summary: This bill would have established, until January 1, 2030, the Bay Area Disaster Recovery Planning Council to create a long-term regional recovery plan, to be implemented before and after an earthquake or other disaster occurs in the bay area, by cooperating with various stakeholders in the bay area, including, but not limited to, the cities, counties, special districts, school districts, emergency managers, hospitals, members of the public, private businesses, and nongovernmental organizations.

Veto Message: I am returning Senate Bill 1205 without my signature. This bill would establish, until January 1, 2030, the Bay Area Disaster Recovery Planning Council to create a long-term regional recovery plan that would be implemented before and after an earthquake or other disaster occurs in the bay area. The Council would develop the long-term regional recovery plan through cooperation with various stakeholders in the bay area, including, but not limited to, the cities, counties, special districts, school districts, emergency managers, hospitals, members of the public, private businesses, and nongovernmental organizations. It would also impose specific duties on the Association of Bay Area Governments (ABAG). The California Emergency Management Agency is responsible for state emergency management programs under the California Disaster Assistance Act and the federal Stafford Act. Through extensive collaboration with Bay Area entities, key tools have already been produced to compliment emergency management strategies and disaster recovery principles and systems at both the

state and federal level. This bill would establish a parallel or duplicate disaster planning organization and could divert the limited funding currently available for long-term disaster recovery. In addition, the Joint Exercise of Powers Act already allows ABAG to address regional disaster planning. For these reasons I cannot sign this bill. Sincerely, Arnold Schwarzenegger

SB 1217(Committee on Public Employment and Retirement) State government: warrants: employee designees.

Status: 08/18/2010-Chapter Number 155, Statutes of 2010

Summary: This bill authorizes an employee of the state to designate a primary person and up to 3 contingent persons for receipt of employee warrants upon death. The bill requires, if the first-designated person predeceases the employee, that the next-designated contingent person who survives the employee receive these warrants. This bill specifies that a corporation, a trust, or an estate may be a designated "person," entitled to receive these warrants pursuant to this provision.

SB 1234(Kehoe) Water: unreasonable use.

Status: 04/23/2010-S DEAD

Summary: This bill would have required the State Water Board, by January 1, 2012, to adopt regulations to identify unreasonable uses of water during various periods of water shortage.

SB 1247(Dutton) Renewable energy resources: hydroelectric generation facilities.

Status: 9/29/2010 - Chapter Number 488, Statutes of 2010

Summary: This bill allows a hydroelectric generation facility that is an "eligible renewable energy resource" under the Renewables Portfolio Standard (RPS) Program, as of January 1, 2010, to maintain its eligibility if the facility is required to make changes in the volume or timing of streamflow, pursuant to Federal Energy Regulatory Commission license conditions approved on or after January 1, 2010. In addition, this bill exempts the Pacific Gas and Electric Rock Creek Powerhouse hydroelectric generation facility from the requirement that the State Water Board must have certified the hydroelectric generation facility within the immediately preceding 15 years (if a facility makes efficiency improvements that it wants to qualify as eligible renewable resources under the RPS Program).

SB 1284(Ducheny) Water quality: mandatory minimum civil penalties.

Status: 9/30/2010- Chapter Number 645, Statutes of 2010

Summary: This bill makes several revisions to the Mandatory Minimum Penalties (MMPs) statute. The bill exempt dischargers from MMPs for failing to file a discharge monitoring report, if the dischargers file a written statement that certifies that no discharges to surface water occurred and that specifies the reasons they failed to file a report. The bill limits MMPs to a single \$3,000 penalty for each failure to timely file a discharge monitoring report in situations where: 1) the discharger had not previously received a complaint to impose penalties for failing to file a report from the State Water Board or a Regional Water Quality Control Board, 2) the discharges to surface waters did not violate effluent limits, and (3) certain other conditions are met. The above mentioned provisions of the bill apply to violations for which an administrative civil liability complaint or a judicial complaint has not been filed before July 1, 2010, regardless of when the actual violations occurred, and the provisions would sunset on January 1, 2014. Finally, this bill allows a Regional Water Board, after holding a public hearing, to extend the time schedule imposed in a cease and desist order or a time schedule order for an additional five years, to come into compliance with effluent limitations.

SB 1412(Calderon) Water replenishment districts.

Status: 04/23/2010-S DEAD

Summary: This bill would have required the Water Replenishment District (WRD) to establish separate per acre-foot pumping charges to apply to each subbasin, reflecting the distinct conditions and replenishment needs of each subbasin. The WRD was formed in 1959 to acquire water to recharge the groundwater in the Central Coast Basin and West Coast Basin.

SB 1450(Simitian) Water: Delta Stewardship Council: contracts.

Status: 9/27/2010 - Chapter Number 336, Statutes of 2010

Summary: This bill, an urgency bill, authorizes the Delta Stewardship Council to contract for consultant services and architectural and engineering services to assist with preparation of the Delta Plan and

performance of certain responsibilities of the council. This bill exempts these types of consultant services contracts from certain provisions of public contracting law, including provisions that would require the Delta Stewardship Council to develop regulations prior to contracting.

SB 1454(DeSaulnier) Recycling: plastic products.

Status: 9/28/2010 VETOED

Summary: This bill would have prohibited the sale of plastic product labeled as "compostable" or "marine degradable" unless they meet specified American Society for Testing and Materials (ASTM) specifications and would have prohibited the labeling of plastic containers and bags with the terms "biodegradable," "degradable," and/or "decomposable."

Veto message: I am returning Senate Bill 1454 without my signature. This bill greatly expands existing environmental labeling requirements for plastic bags and plastic food and beverage containers to apply to virtually any and all types of plastic products. I have signed into law the author's SB 228, which requires manufacturers of compostable plastic bags meeting specific American Society for Testing Materials (ASTM) standards to ensure that the bag is readily and easily identifiable from other plastic bags. I think that bill represents a reasonable next step in providing information to the consumer and recyclers about the differences in biodegradable products. I am concerned about the much more expansive universe of plastic products that this bill would regulate and the unforeseen consequences that could result from such a vast expansion. For this reason, I am unable sign this bill. Sincerely, Arnold Schwarzenegger.

SB 1456(Simitian) Environmental quality: cumulative effects and mediation.

Status: 9/29/2010 - Chapter Number 496, Statutes of 2010

Summary: This urgency measure which sunsets on January 1, 2016, provides that if a lead agency under CEQA determines that a cumulative effect has been adequately addressed in a prior environmental impact report, in accordance with a specified procedure, that cumulative effect is not required to be examined in a later environmental impact report, mitigated negative declaration, or negative declaration.

SB 1468(Padilla) Sacramento-San Joaquin Delta.

Status: 06/04/2010-S DEAD

Summary: This bill would have made state legislative findings and declarations relative to the development of the Bay Delta Conservation Plan and the activities of the Delta Vision Blue Ribbon Task Force and the Delta Vision Committee.

SB 1469(Simitian) Sacramento-San Joaquin Delta: California Water Plan: water quality.

Status: 06/04/2010-S-DEAD

Summary: This bill would have required the State Water Board, by January 1, 2012, to identify all parties, including public and private parties that benefit from waters originating in the Sacramento-San Joaquin Delta watershed and whose activities impact the Delta watershed. The bill also would have required the board, by that date, to develop a process for determining the degree of responsibility attributable to each of the identified parties for physical and environmental impacts on the Delta. .

SB 1478(Committee on Natural Resources and Water) Water conservation: urban water management.

Status: 09/24/2010 - Chapter Number 295, Statutes of 2010

Summary: This bill grants urban wholesale water suppliers a six month extension, until July 1, 2011, for adoption of an urban water management plan that is due in 2010.

SBX1 13(Wyland) State Auditor: duties.

Status: 01/06/2009-S DEAD

Summary: This bill would have required the State Auditor, by January 1, 2010, and every 2 years thereafter, to conduct a performance evaluation of every state government program and expenditure, and submit a report of the results of that evaluation to the Legislature. This bill also would have required the State Auditor to make the report easily available to the public, and the Legislature to appropriate funds to the State Auditor sufficient to fulfill these duties.

SBX3 1 (Ducheny) 2009–10 Budget

Status: 02/20/2009-Chapter 1, Statutes of 2009-10 Third Extraordinary Session.

Summary: This bill revises the Budget Act of 2009, and addresses the fiscal emergency declared by the Governor by proclamation issued on December 19, 2008, pursuant to the California Constitution.

SBX3 27(Negrete McLeod) Drinking water: federal stimulus funding.

Status: 03/27/2009-Chapter 25, Statutes of 2009-10 Third Extraordinary Session.

Summary: This bill provides the authority necessary for the State to receive and expeditiously expend federal stimulus funding for needed waste water and drinking water infrastructure as authorized under the American Recovery and Reinvestment Act of 2009 (ARRA). Among its provisions, this bill (1) allows the State Water Board to issue grants and forgive loans made from the Clean Water State Revolving Fund in accordance with ARRA and (2) expedites approval of state water management projects receiving federal stimulus monies by exempting such projects from the requirement that the Department of Water Resources certify that water demand management measures (or Best Management Practices) have been met.

SBX7 1(Simitian) Public resources.

Status: 11/12/2009 - Chapter Number 5, Statutes of 2009

Summary: This bill reforms state policies, programs and governance for the Sacramento-San Joaquin Delta (Delta), and establish guidelines for development of a new Delta Plan. This bill establishes coequal goals of "providing a more reliable water supply for California and protecting, restoring, and enhancing the Delta ecosystem" as the foundation for state decisions as to Delta management and would establish a Delta Stewardship Council to develop, adopt, and commence implementation of a Delta Plan to achieve the coequal goals of Delta ecosystem restoration and a reliable water supply. This bill requires the State Water Board to: 1) appoint a Delta Watermaster and develop procedures governing the Delta Watermaster's activities; 2) establish, by December 31, 2010, an effective system of Delta watershed diversion data collection and public reporting; 3) develop new flow criteria for the Delta ecosystem necessary to protect public trust resources within nine months of the enactment of the bill and 4) submit to the Legislature by December 31, 2010, a prioritized schedule and estimate of costs to complete instream flow studies for the Delta and for high priority rivers and streams in the Delta watershed by 2012, and for all major rivers and streams outside the Sacramento River watershed by 2018. The bill also prohibits the Department of Water Resources from commencing construction of any new Delta diversion, conveyance or other facility related to a change in the point of diversion until, among other things, the State Water Board issues an order approving a change in the point of diversion.

SBX7 2(Cogdill) Safe, Clean, and Reliable Drinking Water Supply Act of 2010.

Status: 11/09/2009 - Chapter Number 3, Statutes of 2009

Summary: This bill enacts the Safe, Clean, and Reliable Drinking Water Supply Act of 2010, which, if approved by the voters, authorizes the issuance of \$11.14 billion in General Obligation Bonds for water supply reliability and safe drinking water programs. This bill was an urgency bill and provides for the submission of the bond act to the voters at the November 2, 2010, statewide general election.

SBX7 4(Steinberg) Public resources.

Status: 11/19/2009 S-DEAD

Summary: This bill would have revised the Delta Protection Act to, among other things, 1) reduce the number of the Delta Protection Commission (Commission) members; 2) require the Commission to appoint at least one advisory committee consisting of representatives from specified entities to provide input regarding the diverse interests within the Delta; 3) require the Commission to adopt, not later than July 1, 2011, an economic sustainability plan containing specified elements; and 4) require the Commission to review and, as determined to be necessary, amend the plan every 5 years.

SBX7 6(Steinberg) Groundwater.

Status: 11/06/2009 - Chapter Number 1, Statutes of 2009

Summary: This bill establishes a groundwater monitoring program pursuant to which specified entities, in accordance with prescribed procedures, may propose to be designated by the Department of Water Resources (DWR) as groundwater monitoring entities, as defined, for the purposes of monitoring and

reporting with regard to groundwater elevations in all or part of a basin or subbasin, as defined. The bill requires DWR to work cooperatively with each monitoring entity to determine the manner in which groundwater elevation information should be reported to the department. The bill authorizes DWR to make recommendations for improving an existing monitoring program, and to require additional monitoring wells under certain circumstances. Under certain circumstances, DWR would be required to perform groundwater monitoring functions. In that event, prescribed entities with authority to assume groundwater monitoring functions with regard to a basin or subbasin for which DWR has assumed those functions would not be eligible for a water grant or loan awarded or administered by the state.

SBX7 7(Steinberg) Water conservation.

Status: 11/10/2009 - Chapter 4, Statutes of 2009-10 Seventh Extraordinary Session.

Summary: This bill promotes water conservation in the state by: (1) establishing a statewide water conservation target of 20 percent reduction in statewide urban per capita water use by December 31, 2020, with interim target of 10 percent by December 31, 2015; (2) requiring each urban water retail water supplier to develop an urban water use target and interim urban water use target by July 1, 2011, using methods specified in the bill; and to meet its interim and final urban water use targets by specified dates; (3) requiring the Department of Water Resources (DWR) to review the 2015 urban water management plans and report to the Legislature on progress towards achieving the 20 percent reduction goal; and (4) requiring DWR, in consultation with the State Water Board, California Bay-Delta Authority, Department of Public Health, and the Public Utility Commission, to develop a single standardized water use reporting form to meet the water use information needs of each agency.

SBX7 8(Steinberg) Water diversion and use: reporting: resources: Disaster Preparedness and Flood Prevention Bond Act of 2006: Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006.

Status: 11/06/2009-Chaptered by the Secretary of State, Chapter Number 2, Statutes of 2009

Summary: This bill improves water rights reporting information by: (1) requiring water diverters in the lowlands of the Delta to file Statements of Water Diversion and Use with the State Water Board by deleting exemptions in current law; 2) establishing legal consequences for failure to file Statements of Water Diversion and Use; 3) requiring water diverters to provide the location of their diversions on a U.S. Geological Survey topographic map or by using the California Coordinate system or latitude and longitude measurements; and 4) authorizing the State Water Board or Department of Water Resources (DWR) to adopt emergency regulations to provide for the electronic filing of Statements of Diversion and Use. This bill also increases the State Water Board's 2009 Budget appropriation by \$3.75 million and 25 personnel years for water rights enforcement, and continuously appropriates this level of resources for water rights enforcement annually thereafter. Finally, this bill appropriates \$546 million from Proposition 84 funds to the DWR for: (1) projects to reduce dependence on the Delta for water supply; (2) projects to prevent levee failures; (3) stormwater flood management projects; and (4) developing and implementing natural community conservation plans in the Delta area.

SBX8 29(Steinberg) Public employment: furloughs.

Status: 03/24/2010-S VETOED

Summary: This bill would have exempted employees in positions funded at least 95% by sources other than the General Fund, employees of the Franchise Tax Board, and employees of the State Board of Equalization from furloughs implemented by any state agency, board, or commission.

Veto message: I am returning Senate Bill X8 29 without my signature as it would undermine necessary actions taken to achieve budgetary and cash solutions. This bill would exempt state civil service employees funded at least 95 percent by sources other than the General Fund, and employees of the Franchise Tax Board and the State Board of Equalization from furloughs. This bill also prohibits state agencies, boards, and commissions from implementing, or assisting with the implementation of, furloughs for such employees. State employees throughout California are hard-working public servants who play a vital role in providing services to millions of Californians. But the depth and breadth of the state's unprecedented fiscal crisis required the state to achieve immediate budgetary savings in all areas of state government, including state payroll. That is why I implemented the furlough program last year as a temporary measure to achieve savings and to also provide the state with an additional cash management tool. It was also intended as a way to achieve savings in employee compensation as an alternative to deeper state employee layoffs. And as I indicated in my budget proposal, the current furlough program

will end as scheduled on June 30th. Instead, I have proposed a package of employee compensation savings to be enacted by the Legislature. It is necessary to apply furloughs across the board, with limited exemptions as needed to protect public health and safety, to effectively manage the workforce, and to avoid inequities and morale problems for state employees. Further, this bill as written would be difficult, if not impossible to implement. Many positions are funded through multiple funding sources and as such it is not always possible to determine if they are funded at least 95 percent by sources other than the General Fund. Finally, this bill would limit the ability of future Governors to implement furloughs during a fiscal emergency. It is imperative that Governors have maximum flexibility to address such emergencies. As this is a matter presently before the courts, attempts to legislatively limit Governors' furlough authority are premature until a final judgment has been made. For these reasons, I am returning this bill without my signature. Sincerely, Arnold Schwarzenegger

SBX8 42(Correa) Environment: California Environmental Quality Act (CEQA).

Status: 03/15/2010-S DEAD

Summary: This bill would have enacted the CEQA Litigation Protection Pilot Program of 2010. The bill would have required the Business, Transportation and Housing Agency to select 25 projects that meet specified requirements for each calendar year between 2010 and 2014, and would have exempted from judicial review the lead agency's CEQA determination for those projects. The bill also would have required the Business, Transportation and Housing Agency, by December 31 of each year, to submit an annual report to the Governor and to the Legislature summarizing the designation of projects, and the job creation and investment attributable to the designated projects. (See also AB 1805 and SB 1010).

SBX8 56(Hollingsworth) Environmental Quality: CEQA: exemption: critical infrastructure projects.

Status: 03/15/2010- S-DEAD

Summary: This bill would exempted from CEQA a critical infrastructure project, which would include, among other projects, projects funded under the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006 or the Disaster Preparedness and Flood Prevention Bond Act of 2006. The bill also would provide this exemption retroactively.

SBX8 60(Harman) Legislative procedure: committee referrals: Joint Committee on Boards, Commissions, and Consumer or Business Protection.

Status: 03/15/2010-S DEAD

Summary: This bill would have enacted the Jobs Protection Act. The bill would have renamed the Joint Committee on Boards, Commissions, and Consumer Protection as the Joint Committee on Boards, Commissions, and Consumer or Business Protection, and would create a new legislative procedure with regard to any bill, as defined, that may have a statewide economic impact affecting business. The bill would have required the Assembly Committee on Rules and the Senate Committee on Rules to refer any bill that may have a statewide economic impact affecting business, as specified, to the joint committee for the preparation of an economic impact analysis and a hearing and approval.

SCA 18(Liu) Local government: property-related fees.

Status: 08/31/2010-DEAD

Summary: This proposed constitutional amendment would have allowed local agencies to levy property-related fees to fund stormwater and urban runoff management, without a majority vote of affected property owners or a two-thirds vote of the affected electorate. Such a change would have recognized that stormwater and surface water drainage activities of local agencies are akin to utility services like sewage, water, or refuse disposal.

SCA 19(DeSaulnier) State and local finance reform.

Status: 8/31/2010 S-DEAD

Summary: This measure would have required that an initiative measure that would result in a net increase in state or local government costs, other than costs attributable to the issuance, sale, or repayment of bonds authorized by the measure, as jointly determined by the Legislative Analyst and Director of Finance, may not be submitted to the electors or have any effect unless and until the Legislative Analyst and the Director of Finance jointly determine that the initiative measure provides for additional revenues in an amount that meets or exceeds the net increase in costs.

SCR 38(Wright) Gasoline: vapor recovery systems.

Status: 05/14/2009-S. DEAD

Summary: This bill would have requested a delay in enforcement of the State Air Resources Board's Enhanced Vapor Recovery Phase II requirements until October 2010.