



Department of Pesticide Regulation  
Office of Legislation and Regulations

# 2007 Legislative Summary

December 2007

STATE OF CALIFORNIA

Arnold Schwarzenegger  
Governor

Linda Adams  
Secretary for Environmental Protection  
California Environmental Protection Agency

DEPARTMENT  
OF  
PESTICIDE REGULATION

Mary-Ann Warmerdam  
Director

Paul Gosselin, Chief Deputy Director

Chris Reardon, Director of Legislation and Regulations  
Liz Pelham, Chief Legislative Analyst  
Aisha Coleman, Office Technician

Mark Rentz, Deputy Director

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## Introduction

The Department of Pesticide Regulation (DPR) is an agency within the California Environmental Protection Agency (Cal/EPA). Cal/EPA was created in 1991 to combine environmental programs previously administered by six separate State agencies. The six environmental agencies within Cal/EPA include DPR, the Department of Toxic Substances Control, the State Water Resources Control Board, the Integrated Waste Management Board, the Air Resources Board, and the Office of Environmental Health Hazard Assessment.

DPR is charged with the responsibility to administer California's statewide pesticide regulatory program, the largest of its kind in the nation. Before a pesticide can be possessed, sold, or used in California, the pesticide must be registered by DPR. Prior to registration, DPR's scientific staff reviews each product to ensure that it meets stringent standards, as prescribed in the laws (Food and Agricultural Code) and regulations (California Code of Regulations) governing pesticides in California. Reviews of data include, but are not limited to the chemical properties of the product, intended use patterns, potential human health effects, and environmental fate of the product. The laws and regulations governing the possession, sale, and use of pesticides are enforced by DPR in cooperation with the Office of the County Agricultural Commissioner (CAC) within each county.

This summary contains brief descriptions of the legislation followed by DPR's Office of Legislation and Regulations during the 2007 Legislative Session.

Urgency bills signed by the Governor took effect immediately upon his signature. Other legislation signed by the Governor in 2007 will take effect on January 1, 2008.

For an electronic version of this summary, please refer to DPR's Internet Home Page at the following address: <http://www.cdpr.ca.gov>. You will find this Legislative Summary report under the "Legislation" link. Limited hard copies of this summary are also available through DPR's Office of Legislation and Regulations, 1001 I Street, Sacramento, California 95814.

## Acronyms

AB	Assembly Bill
ACR	Assembly Concurrent Resolution
ALJ	Administrative Law Judge
APA	Administrative Procedures Act
ARB	Air Resources Board
CAC	County Agricultural Commissioner
Cal/EPA	California Environmental Protection Agency
CCC	California Coastal Commission
CCR	California Code of Regulations
CDFA	California Department of Food and Agriculture
CDHS	California Department of Health Services
CEQA	California Environmental Quality Act
CFR	Code of Federal Regulations
CIWMB	California Integrated Waste Management Board
DBW	Department of Boating and Waterways
DFG	Department of Fish and Game
DIR	Department of Industrial Relations
DPR	Department of Pesticide Regulation
DTSC	Department of Toxic Substances Control
FAC	Food and Agricultural Code
FSA	Food Safety Account
HSC	Health and Safety Code
OAL	Office of Administrative Law
OEHHA	Office of Environmental Health Hazard Assessment
OES	Office of Emergency Services
RWQCB	Regional Water Quality Control Board
SB	Senate Bill
SPCB	Structural Pest Control Board
SWRCB	State Water Resources Control Board
TAC	Toxic Air Contaminant
U.S. EPA	United States Environmental Protection Agency
VOC	Volatile organic compound

## **Section I--Bill Subject Index**

The Bill Subject Index section of this summary identifies legislative bills, tracked by DPR during the 2007 legislative session, containing similar subject matter.

**Administration**

AB 67 (Dymally) State and local agencies: bilingual services	Chapter 259
AB 130 (Nakanishi) Exclude employees: salaries and benefits	2-Year Bill
AB 174 (Price) Civil service: employment discrimination	Vetoed
AB 268 (Calderon, Charles) Evidence: admissibility of statements	2-Year Bill
AB 295 (Lieu) State agencies: collection of demographic data	Vetoed
AB 299 (Tran) Maintenance of the codes	Chapter 130
AB 310 (Silva) Maintenance of the codes	Chapter 263
AB 385 (Ruskin) Public employees: salaries: professional scientists	Vetoed
AB 392 (Lieu) Military service: benefits	Chapter 361
AB 419 (Lieber) Workers' compensation: public employees	2-Year Bill
AB 435 (Brownley) Wage discrimination	Vetoed
AB 437 (Jones) Employment: discrimination	2-Year Bill
AB 500 (Lieu) Civil actions: telephonic appearances	Chapter 268
AB 503 (Swanson) Public agencies: overtime: notice	2-Year Bill
AB 512 (Lieber) Contracts: translation	2-Year Bill
AB 523 (De La Torre) Contracts: University of California	2-Year Bill
AB 524 (Hancock) Public employees: local agencies	2-Year Bill
AB 537 (Swanson) Family and medical leave	Vetoed
AB 553 (Hernandez) Public Employment Relations Board	Vetoed
AB 554 (Hernandez) Public employees: benefits	Chapter 318
AB 608 (De La Torre) State contracting: small business preference	Vetoed
AB 617 (Torricono) State contracts: information technology	Chapter 736
AB 671 (Beall) State employment: foster youth	2-Year Bill
AB 696 (Hernandez) State employees: military benefits	2-Year Bill
AB 754 (Committee on Public Employees, al) Public employees	Chapter 321
AB 756 (Committee on Public Employees, al) Memoranda	Chapter 322
AB 779 (Jones) Personal information: state agencies and businesses	Vetoed
AB 859 (Plescia) Civil procedure: service of process	Chapter 15
AB 926 (Evans) Civil discovery	2-Year Bill
AB 958 (Evans) State and local government	Vetoed
AB 1025 (Bass) Professions and vocations: licensure	Vetoed
AB 1034 (Keene) Employment: meal periods	2-Year Bill
AB 1043 (Swanson) Employment contracts	Vetoed
AB 1168 (Jones) Social Security numbers	Chapter 627
AB 1170 (Krekorian) State mandates	2-Year Bill
AB 1175 (Niello) Clinical laboratories: personnel	Chapter 61
AB 1178 (Hernandez) Medical information: disclosures	Chapter 506
AB 1211 (Price) Depositions: costs	Chapter 115
AB 1222 (Laird) State mandates: legislatively determined mandate	Chapter 329
AB 1260 (Caballero) Local government: notice	Chapter 280
AB 1273 (Leno) State claims	Chapter 509
AB 1296 (Torricono) Public employee health benefits: disclosures	Chapter 698
AB 1298 (Jones) Personal information: disclosure	Chapter 699

AB 1307 (Krekorian) Public employee benefits	Chapter 511
AB 1317 (Mullin) Public employees' retirement: executive compensation	Chapter 333
AB 1393 (Leno) Public records	Vetoed
AB 1442 (Feuer) Clinical laboratories	2-Year Bill
AB 1523 (Soto) State employees: compensation	2-Year Bill
AB 1526 (Lieber) Conflicts of interest	2-Year Bill
AB 1576 (Silva) State mandates: reimbursement procedures	2-Year Bill
AB 1670 (Mendoza) Fictitious business name statements	Chapter 716
AB 1678 (De La Torre) Public officials: conflicts of interest	Chapter 68
AB 1684 (Emmerson) Local government records: recordings	2-Year Bill
AB 1710 (Swanson) Temporary services employees: wages	Vetoed
AB 1711 (Levine) Employment: wages and hours	2-Year Bill
ACA 3 (Gaines) Expenditure limits	2-Year Bill
ACR 45 (Caballero) The 2007 State Scientist Day	Chapter 46
AJR 5 (Hernandez) Social Security: retirement benefits: public employees	Chapter 116
SB 26 (Simitian) State agencies: collection of data: ancestry/ethnic origin	2-Year Bill
SB 30 (Simitian) Identity Information Protection Act of 2007	2-Year Bill
SB 93 (Corbett) Medi-Cal: third-party liability	Vetoed
SB 161 (Margett) Public works contracts: Internet submissions	Chapter 427
SB 180 (Migden) Labor representatives: elections	Vetoed
SB 242 (Torlakson) Claims against the State	2-Year Bill
SB 261 (Romero) Emergency medical services: the Trauma Care Fund	2-Year Bill
SB 319 (Wiggins) Employment of minor: agricultural packing plants	Chapter 296
SB 328 (Corbett) Personal information: prohibited practices	2-Year Bill
SB 331 (Romero) Unlawful entry: tribal land	2-Year Bill
SB 343 (Negete-McLeod) Local agencies: open meetings: documents	Chapter 298
SB 473 (Cox) State agencies: fingerprinting vendors	Chapter 248
SB 519 (Comm. on Gov. Org.) Public meetings: special meetings	Chapter 92
SB 549 (Corbett) Employee's right to bereavement leave	Vetoed
SB 567 (Aanestad) State Property	2-Year Bill
SB 619 (Migden) Public contracts: retention proceeds	2-Year Bill
SB 622 (Padilla) Employment: misclassification of employees	Vetoed
SB 686 (Corbett) State Bar Act	Chapter 474
SB 721 (Ashburn) State agencies: succession plans	2-Year Bill
SB 747 (Corbett) Disabled persons: equal access rights	2-Year Bill
SB 755 (Alquist) Public employees' retirement: postretirement death	2-Year Bill
SB 777 (Kuehl) Discrimination	Chapter 569
SB 836 (Kuehl) Fair employment: familial status	Vetoed
SB 870 (Ridley-Thomas) State employment: adverse actions	2-Year Bill
SB 886 (Negrete-McLeod) Management districts	Chapter 664
SB 963 (Ridley-Thomas) Regulatory boards: operations	2-Year Bill
SB 964 (Romero) Local agencies	Vetoed
SB 1047 (Comm. on Business.) Professions and vocations	Chapter 354

## Agriculture

AB 856 (Parra) Agriculture	2-Year Bill
AB 977 (Ma) Agriculture	2-Year Bill
AB 1180 (Blakeslee) Agricultural resources	2-Year Bill
AB 1428 (Galgiani) Energy: agricultural byproducts	2-Year Bill
AB 1713 (Committee on Agriculture) Agriculture	Chapter 421
AB 1718 (Committee on Agriculture) Agricultural advisory	Chapter 124
SB 201 (Florez) Agriculture: leafy green vegetable crop safety	2-Year Bill
SB 202 (Florez) Agriculture: leafy green vegetable crop traceback	2-Year Bill
SB 246 (Margett) Agriculture	Chapter 203
SB 470 (Ashburn) Agriculture: dead animals	Vetoed
SB 713 (Lowenthal) Farmworker housing assistance	2-Year Bill

## Air Emissions/Quality

AB 294 (Adams) Air Pollution: manganese	Chapter 680
AB 712 (DeLeon) Off-road clean air program	2-Year Bill
AB 236 (Lieu) Public Resources motor vehicle fleets	Chapter 593
AB 995 (Nava) Highway Safety and Air Quality: trade corridors	2-Year Bill
AB 1077 (Lieber) State ARB: plug-in hybrid electric vehicles	2-Year Bill
AB 1209 (Karnette) ARB: emission reduction projects and measures	2-Year Bill
AB 1455 (Arambula) California Air Quality Zones	2-Year Bill
AB 1620 (Arambula) California Clean Technology Services Unit	2-Year Bill
AJR 40 (DeLeon) South Coast Air Basin Ozone exposure	2-Year Bill
SB 70 (Florez) Biodiesel	Vetoed
SB 140 (Kehoe) Fuels: renewable diesel fuel	2-Year Bill
SB 240 (Florez) San Joaquin Valley Unified Air Pollution Control District	2-Year Bill
SB 494 (Kehoe) Vehicular air pollution control: clean alternative fuels	2-Year Bill
SB 719 (Machado) San Joaquin Unified Air Pollution: board member	Chapter 728
SB 895 (Florez) Moyer Memorial Air Quality Standards Attainment	2-Year Bill
SB 1028 (Padilla) ARB regulations: ambient air quality standards	Chapter 669

## Budget/Funding

AB 192 (Committee on Budget) State Government	Chapter 312
AB 194 (Committee on Budget) Budget Act of 2007	Chapter 489
AB 197 (Committee on Budget) Budget Act of 2007	2-Year Bill
AB 199 (Committee on Budget) State government	Chapter 186
AB 762 (Nava) Joe Serna, Jr. Farmworker Housing Grant Program	2-Year Bill
AB 792 (Garcia) Environmentally Sustainable Affordable Housing	2-Year Bill
AB 983 (Ma) Governor's Budget: services contracts	2-Year Bill
SB 77 (Ducheny) Budget Act of 2007	Chapter 171
SB 78 (Ducheny) Budget Act of 2007	Chapter 172
SB 83 (Committee on Budget and Fiscal Review) Budget Act of 2007	Chapter 178

SB 85 (Committee on Budget and Fiscal Review) Environment	Chapter 178
SB 86 (Committee on Budget and Fiscal Review) State government	Chapter 179
SB 87 (Committee on Budget and Fiscal Review) Taxation	Chapter 180
SB 88 (Committee on Budget and Fiscal Review) Highway, Traffic, Port	Chapter 181
SB 90 (Committee on Budget and Fiscal Review) State Government IT	Chapter 183
SB 96 ( Committee on Budget and Fiscal Review) Budget Act of 2007	2-Year Bill
SB 98 ( Committee on Budget and Fiscal Review) Taxation	2-Year Bill
SB 100 (Ducheny) Budget Act of 2006	Chapter 71
SB 101 (Ducheny) Budget Act of 2006: augmentation	Chapter 10

**California Environmental Quality Act**

SB 947 (Hollingsworth) CEQA: consultation: transportation facilities	2-Year Bill
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**Endangered Species**

AB 1032 (Wolk) Dredging:wild trout: endangered or threatened species	Vetoed
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**Enforcement/ Compliance**

AB 126 (Beall) Structural Fumigation Enforcement Program	Chapter 379
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**Environmental Regulation**

AB 35 (Ruskin) Environment: state buildings: building standards	Vetoed
AB 888 (Lieu) Green building standards	Vetoed
AB 532 (Wolk) State property: solar energy	Chapter 598
AB 1058 (Laird) Green building construction: best practices	Vetoed
AB 1602 (Nunez) Environment: Urban Greening Program	2-Year Bill

**Environmental Justice**

AB 985 (Saldana) Environment: judicial review	2-Year Bill
AB 1048 (Richardson) Illegal dumping enforcement officers	Chapter 201
AB 1515 (La Malfa) Public resources: forest resources	Chapter 412

**Green House Gases**

AB 1506 (Arambula) greenhouse gas emissions	2-Year Bill
SB 97 (Dutton) CEQA: greenhouse gas emissions	Chapter 185
SB 210 (Kehoe) Greenhouse gas emissions: fuel standard	Vetoed

**Global Warming**

AB 109 (Nunez) California Global Warming Solutions Act	2-Year Bill
SB 660 (Perata) Strategic Clean Tech. and Climate Control	Vetoed
SB 815 (Migden) Tidelands/submerged lands: San Francisco	Chapter 660

**Health and Safety**

AB 1100 (Ruskin) Food labeling: cloned animals	2-Year Bill
AB 1108 (Ma) Children's products: phthalates	Chapter 672
AB 1045 (Richardson) Occupational safety and health: working conditions	Vetoed
AB 1467 (DeSaulnier) Worker safety	Vetoed
AB 1472 (Leno) Public health: California Healthy Places Act of 2008	2-Year Bill
AB 1709 (Hancock) Temporary local public health emergency	2-Year Bill
AJR 13 (Caballero) Food Safety	Chapter 55
SB 63 (Migden) Food labeling: cloned animals	Vetoed
SB 120 (Padilla) Food facilities: nutritional information	Vetoed
SB 200 (Florez) Food safety: produce inspector: leafy green Veg. License	2-Year Bill
SB 315 (Cogdill) Food Facilities: permit fees	2-Year Bill
SB 458 (Torlakson) Lung Cancer: early detection and treatment	2-Year Bill
SB 714 (Wyland) Food labeling	2-Year Bill
SB 770 (Cogdill) Milk	Chapter 351
SB 793 (Harman) Swimming pools	Chapter 479
SB 1039 (Committee on Health) State Dept. of Public Health	Chapter 483

**Pesticides**

AB 1530 (Lieber) Pesticide poisoning	2-Year Bill
AB 1717 (Committee on Agriculture) Pesticides	Chapter 338

**Pests**

AB 449 (Strickland) Trapping: mammals: control methods	Vetoed
AB 1021 (Galgiani) Apple pests	2-Year Bill
AB 1477 (Soto) Trapping	Vetoed
SB 556 (Wiggins) The light brown apple moth	Chapter 190

**Schools**

SB 95 (Maldonado) Residential outdoor science program	Chapter 521
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**Structural Pest Control**

AB 1717 (Committee on Agriculture) Pesticides	Chapter 338
AB 126 (Beall) Structural Fumigation Enforcement Program	Chapter 379

SB 1047 (Comm. on Business.) Professions and vocations Chapter 354

**Toxics**

AB 515 (Lieber) Occupational safety and health 2-Year Bill  
 AB 546 (Brownley) Electronic waste Vetoed  
 AB 558 (Feuer) Hazardous waste: reduction: regulation 2-Year Bill  
 AB 706 (Leno) Fire retardants: toxic effects 2-Year Bill  
 AB 800 (Lieu) Discharge of hazardous substance or sewage Chapter 371  
 AB 833 (Ruskin) California Toxic Release Inventory Program Chapter 616  
 AB 1098 (Saldana) Hazardous materials: administrative: penalties: liability Chapter 623  
 AB 1183 (Hancock) Hazardous materials: Cortese list 2-Year Bill  
 AB 1359 (Parra) Hazardous materials: dielectric mineral oil Chapter 704  
 AB 1371 (Ruskin) Hazardous waste: civil penalty Chapter 705  
 AB 1447 (Calderon, Charles) Hazardous waste: major appliances Chapter 709  
 AB 1741 (Comm. on Envir. Safety...) Hazardous waste source reduction 2-Year Bill  
 SB 456 (Simitian) Diacetyl 2-Year Bill  
 SB 775 (Ridley-Thomas) Childhood lead poisoning 2-Year Bill  
 SB 899 (Simitian) Toxic packing materials 2-Year Bill  
 SB 973 (Simitian) Chemicals of concern 2-Year Bill

**Vector Control**

SCR 19 (Negrete McLeod) West Nile Virus and Mosquito and Vector Chapter 30

**Water Quality/Protection**

AB 224 (Wolk) Water supply planning 2-Year Bill  
 AB 258 (Krekorian) Water quality: plastic discharges Chapter 735  
 AB 422 (Hancock) Hazardous substances: water quality Chapter 597  
 AB 566 (Plescia) Water conservation Chapter 319  
 AB 640 (De La Torre) Water replenishment districts 2-Year Bill  
 AB 738 (Strickland) Ojai Basin Groundwater Management Agency Chapter 551  
 AB 739 (Laird) Stormwater discharge Chapter 551  
 AB 740 (Laird) Vessels: invasive species Chapter 610  
 AB 877 (Parra) San Joaquin Valley: water supply 2-Year Bill  
 AB 938 (Calderon, Charles) Regional water management 2-Year Bill  
 AB 1056 (Leno) California Ocean Protection Act Chapter 372  
 AB 1066 (Laird) Coastal: sea level rise 2-Year Bill  
 AB 1280 (Laird) Ocean resources: Ocean Protection Trust Fund Chapter 374  
 AB 1338 (Huffman) Public resources: local coastal programs 2-year Bill  
 AB 1376 (Berryhill) Urban water management plan: comments Chapter 64  
 AB 1404 (Laird) Water measurement information Chapter 675  
 AB 1481 (De La Torre) Waste discharge, water reclamation requirement Chapter 535  
 AB 1489 (Huffman) Resource bond funds: Integrated Regional Water 2-Year Bill

AB 1742 (Comm. on Envir. Safe and Toxic) Water Pollution	Chapter 632
ABX2 1 (Laird) Water Bond	2-Year Bill
ABX2 2 (Laird) Water supply reliability	2-Year Bill
ABX2 3 (Laird) Sacramento-San Joaquin Delta sustainability	2-Year Bill
ABX2 4 (Villines) Water resources: bond funds	2-Year Bill
SB 8 (Kuehl) California Bay-Delta Authority Act	Vetoed
SB 27 (Simitian) Sac/San Joaquin River, Water, Water Security...2008.	2-Year Bill
SB 178 (Steinberg) Groundwater	Vetoed
SB 258 (Ducheny) Water use fees	2-Year Bill
SB 419 (Kehoe) San Diego River Conservancy	Chapter 646
SB 516 (Aanestad) Shasta-Tehama County Watermaster District	Chapter 434
SB 555 (Machado) Sacramento-San Joaquin Delta	Vetoed
SB 732 (Steinberg) Safe Drinking Water, Water quality...)	2-Year Bill
SB 821 (Kuehl) Land use: water supplies: report	2-Year Bill
SB 862 (Kuehl) Water resources	Vetoed
SB 1001 (Perata) Cal. regional water quality control board	Vetoed
SB 1002 (Perata) Water quality, flood control, water storage, and wildlife	Vetoed
SB 1029 (Ducheny) Drinking water standards	Chapter 725
SCA 2 (Simitian) Clean Drinking water, supply security...Act of 2007	2-Year Bill

**Wildlife**

AB 828 (Ruskin) Wildlife conservation	Vetoed
AB 923 (Wolk) California Comprehensive Wildlife Action Plan	2-Year Bill
AB 1074 (Houston) California State Conservation Permit	2-Year Bill
AB 1143 (Maze) State lands: mountain lion habitat	2-Year Bill
AB 1187 (DeSaulnier) Sturgeon: abalone: lobster: penalties	Chapter 328
AB 1347 (Caballero) Pet Store Animal Care Act	Chapter 703
AB 1634 (Levine) California Healthy Pets Act	2-Year Bill
AB 1729 (Committee on Water, Parks and Wildlife) Fish and wildlife	Chapter 285
SB 404 (Kehoe) California Wilderness Act	2-Year Bill
SB 562 (Wiggins) Public resources: salmon and steelhead: protection	2-Year Bill

**Section II – Bills by Author**

**Assembly**

**Adams**

AB 294                      Air Pollution: manganese                      Chapter 680

**Arambula**

AB 1455                      California Air Quality Zones                      2-Year Bill  
 AB 1620                      California Clean Technology Services Unit                      2-Year Bill  
 AB 1506                      Greenhouse gas emissions                      2-Year Bill

**Bass**

AB 1025                      Professions and vocations: licensure                      Vetoed

**Beall**

AB 126                      Structural Fumigation Enforcement Program                      Chapter 379  
 AB 671                      State employment: foster youth                      2-Year Bill

**Berryhill**

AB 1376                      Urban water management plan: comments                      Chapter 64

**Blakeslee**

AB 1180                      Agricultural resources                      2-Year Bill

**Brownley**

AB 435                      Wage discrimination                      Vetoed  
 AB 546                      Electronic waste                      Vetoed

**Caballero**

AB 1260                      Local government: notice                      Chapter 280  
 AB 1347                      Pet Store Animal Care Act                      Chapter 703  
 AJR 13                      Food Safety                      Chapter 55  
 ACR 45                      The 2007 State Scientist Day                      Chapter 46

**Calderon**

AB 268                      Evidence: admissibility of statements                      2-Year Bill

AB 938	Regional water management	2-Year Bill
AB 1447	Hazardous waste: major appliances	Chapter 709

**Committee on  
Agriculture**

AB 1713	Agriculture	Chapter 421
AB 1717	Pesticides	Chapter 338
AB 1718	Agricultural advisory	Chapter 124

**Committee on  
Budget**

AB 192	State Government	Chapter 312
AB 194	Budget Act of 2007	Chapter 489
AB 197	Budget Act of 2007	2-Year Bill
AB 199	State government	Chapter 186

**Committee on  
Environmental Safety & Toxic Materials**

AB 1741	Hazardous waste source reduction	2-Year Bill
AB 1742	Water Pollution	Chapter 632

**Committee on  
PERS**

AB 754	Public employees	Chapter 321
AB 756	Memoranda	Chapter 322

**Committee on  
Water, Parks and Wildlife**

AB 1729	Fish and wildlife	Chapter 285
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**De La Torre**

AB 523	Contracts: University of California	2-Year Bill
AB 608	State contracting: small business preference	Vetoed
AB 640	Water replenishment districts	2-Year Bill
AB 1481	Waste discharge, water reclamation req	Chapter 535
AB 1678	Public officials: conflicts of interest	Chapter 68

**Desaulnier**

AB 1187	Sturgeon: abalone: lobster: penalties	Chapter 328
AB 1467	Worker safety	Vetoed

**DeLeon**

AB 712	Off-road clean air program	2-Year Bill
AJR 40	South Coast Air Basin Ozone exposure	2-Year Bill

**Dymally**

AB 67	State and local agencies: bilingual services	Chapter 259
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**Emmerson**

AB 1684	Local government records: recordings	2-Year Bill
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**Evans**

AB 926	Civil discovery	2-Year Bill
AB 958	State and local government	Vetoed

**Feuer**

AB 558	Hazardous waste: reduction: regulation	2-Year Bill
AB 1442	Clinical laboratories	2-Year Bill

**Galgiani**

AB 1021	Apple pests	2-Year Bill
AB 1428	Energy: agricultural byproducts	2-Year Bill

**Gaines**

ACA 3	Expenditure limits	2-Year Bill
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**Garcia**

AB 792	Environmentally Affordable Housing	2-Year Bill
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**Hancock**

AB 422	Hazardous substances: water quality	Chapter 597
AB 524	Public employees: local agencies	2-Year Bill
AB 1183	Hazardous materials: Cortese list	2-Year Bill
AB 1709	Temporary local public health emergency	2-Year Bill

**Hernandez**

AB 553	Public Employment Relations Board	Vetoed
AB 554	Public employees: benefits	Chapter 318
AB 696	State employees: military benefits	2-Year Bill
AB 1178	Medical information: disclosures	Chapter 506
AJR 5	Social Security: retirement benefits	Chapter 116

**Houston**

AB 1074	California State Conservation Permit	2-Year Bill
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**Huffman**

AB 1338	Public resources: local coastal programs	2-year Bill
AB 1489	Resource bond funds: Integrated Regional	2-Year Bill

**Jones**

AB 437	Employment: discrimination	2-Year Bill
AB 779	Personal information: state agencies	Vetoed
AB 1168	Social security numbers	Chapter 627
AB 1298	Personal information: disclosure	Chapter 699

**Karnette**

AB 1209	ARB: emission reduction projects	2-Year Bill
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**Keene**

AB 1034	Employment: meal periods	2-Year Bill
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**Krekorian**

AB 258	Water quality: plastic discharges	Chapter 735
AB 1170	State mandates.	2-Year Bill
AB 1307	Public employee benefits	Chapter 511

**Laird**

AB 739	Stormwater discharge	Chapter 551
AB 740	Vessels: invasive species	Chapter 610
AB 1058	Green building construction: best practices	Vetoed
AB 1066	Coastal: sea level rise	2-Year Bill
AB 1222	State mandates: legislatively determined	Chapter 329
AB 1280	Ocean resources: Ocean Protection	Chapter 374
AB 1404	Water measurement information	Chapter 675
ABX2 1	Water Bond	2-Year Bill
ABX2 2	Water supply reliability	2-Year Bill
ABX2 3	Sacramento-San Joaquin in Delta	2-Year Bill

**Leno**

AB 706	Fire retardants: toxic effects	2-Year Bill
AB 1056	California Ocean Protection Act	Chapter 372
AB 1273	State claims	Chapter 509
AB 1393	Public records	Vetoed
AB 1472	Public health: CA. Health Places Act of 2008	2-Year Bill

**Levine**

AB 1634	California Healthy Pets Act	2-Year Bill
AB 1711	Employment: wages and hours	2-Year Bill

**Lieber**

AB 419	Workers' compensation: public employees	2-Year Bill
AB 512	Contracts: translation	2-Year Bill
AB 515	Occupational safety and health	2-Year Bill
AB 1077	State ARB: plug-in hybrid electric vehicles	2-Year Bill
AB 1526	Conflicts of interest	2-Year Bill

**Lieu**

AB 236	Public Resources motor vehicle fleets	Chapter 593
AB 295	State agencies: collection of demographic	Vetoed
AB 392	Military service: benefits	Chapter 361
AB 500	Civil actions: telephonic appearances	Chapter 268
AB 800	Discharge of hazardous substance	Chapter 371
AB 888	Green building standards	Vetoed
AB 1530	Pesticide poisoning	2-Year Bill

**Ma**

AB 977	Agriculture	2-Year Bill
AB 983	Governor's Budget: services contracts	2-Year Bill
AB 1108	Children's products: phthalates	Chapter 672

**Maze**

AB 1143	State lands: mountain lion habitat	2-Year Bill
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**Mendoza**

AB 1670	Fictitious business name statements	Chapter 716
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**Mullin**

AB 1317	Public employees' retirement: compensation	Chapter 333
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**Nakanishi**

AB 130	Exclude employees: salaries and benefits	2-Year Bill
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**Nava**

AB 762	Joe Serna, Jr. Farmworker Housing Grant	2-Year Bill
AB 995	Highway Safety.. Air Quality: trade corridors	2-Year Bill

**Niello**

AB 1175	Clinical laboratories: personnel	Chapter 61
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**Nunez**

AB 109	California Global Warming Solutions Act	2-Year Bill
AB 1602	Environment: Urban Greening Program	2-Year Bill

**Parra**

AB 856	Agriculture	2-Year Bill
AB 877	San Joaquin Valley: water supply	2-Year Bill
AB 1359	Hazardous materials: dielectric mineral oil	Chapter 704

**Plescia**

AB 566	Water conservation.	Chapter 319
AB 859	Civil procedure: service of process	Chapter 15

**Price**

AB 174	Civil service: employment discrimination	Vetoed
AB 1211	Depositions: costs	Chapter 115

**Richardson**

AB 1045	Occupational safety and health: work	Vetoed
AB 1048	Illegal dumping enforcement officers	Chapter 201

**Ruskin**

AB 35	Environment: state buildings: standards	Vetoed
AB 385	Public employees: salaries: scientists	Vetoed
AB 828	Wildlife conservation.	Vetoed
AB 833	California Toxic Release Inventory Pro	Chapter 616
AB 1100	Food labeling: cloned animals	2-Year Bill
AB 1371	Hazardous waste: civil penalty	Chapter 705

**Saldana**

AB 1098	Hazardous materials	Chapter 623
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**Silva**

AB 310	Maintenance of the codes	Chapter 263
AB 1576	State mandates: reimbursement procedures	2-Year Bill

**Soto**

AB 1477	Trapping	Vetoed
AB 1523	State employees: compensation	2-Year Bill

**Strickland**

AB 449	Trapping: mammals: control methods	Vetoed
AB 738	Ojai Basin Groundwater Management Agency	Chapter 551

**Swanson**

AB 503	Public agencies: overtime: notice	2-Year Bill
AB 537	Family and medical leave.	Vetoed
AB 1043	Employment contracts	Vetoed
AB 1710	Temporary services employees: wages	Vetoed

**Torrice**

AB 617	State contracts: information technology	Chapter 736
AB 1296	Public employee health benefits: disclosures	Chapter 698

**Tran**

AB 299	Maintenance of the codes	Chapter 130
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**Villines**

ABX2 4	Water resources: bond funds	2-Year Bill
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**Wolk**

AB 224	Water supply planning	2-Year Bill
AB 532	State property: solar energy	Chapter 598
AB 923	California Comprehensive Wildlife Action Plan	2-Year Bill
AB 1032	Dredging...wild trout: endangered species	Vetoed

**Senate**

**Aanestad**

SB 516	Shasta-Tehama County Watermaster District	Chapter 434
SB 567	State Property	2-Year Bill

**Alquist**

SB 755	Public employees' retirement	2-Year Bill
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**Ashburn**

SB 470	Agriculture: dead animals	Vetoed
SB 721	State agencies: succession plans	2-Year Bill

**Cogdill**

SB 315	Food Facilities: permit fees	2-Year Bill
SB 770	Milk	Chapter 351

**Committee on Budget**

SB 83	Budget Act of 2007	Chapter 178
SB 85	Environment	Chapter 178
SB 86	State government	Chapter 179
SB 87	Taxation	Chapter 180
SB 88	Highway, Traffic, Port	Chapter 181
SB 90	State Government IT	Chapter 183
SB 96	Budget Act of 2007	2-Year Bill
SB 98	Taxation	2-Year Bill

**Committee on Business**

SB 1047	Professions and vocations	Chapter 354
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**Committee on Health**

SB 1039	State Dept. of Public Health	Chapter 483
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**Committee  
on Government**

SB 519      Public meetings: special meetings      Chapter 92

**Corbett**

SB 93      Medi-Cal: third-party liability      Vetoed  
 SB 328      Personal information: prohibited practices      2-Year Bill  
 SB 549      Employee's right to bereavement leave      Vetoed  
 SB 686      State Bar Act      Chapter 474  
 SB 747      Disabled persons: equal access rights      2-Year Bill

**Cox**

SB 473      State agencies: fingerprinting vendors      Chapter 248

**Ducheny**

SB 77      Budget Act of 2007      Chapter 171  
 SB 78      Budget Act of 2007      Chapter 172  
 SB 100      Budget Act of 2006      Chapter 71  
 SB 101      Budget Act of 2006: augmentation      Chapter 10  
 SB 258      Water use fees      2-Year Bill  
 SB 1029      Drinking water standards      Chapter 725

**Dutton**

SB 97      SEQA: greenhouse gas emissions      Chapter 185

**Florez**

SB 70      Biodiesel      Vetoed  
 SB 200      Food safety: produce inspector: Veg. License      2-Year Bill  
 SB 201      Agriculture: leafy green vegetable      2-Year Bill  
 SB 202      Agriculture: leafy green vegetable      2-Year Bill  
 SB 240      San Joaquin Valley Unified Air Pollution      2-Year Bill  
 SB 895      Moyer Memorial Air Quality      2-Year Bill

**Harman**

SB 793      Swimming pools      Chapter 479

**Hollingsworth**

SB 947 CEQA: consultation: transportation facilities 2-Year Bill

**Kehoe**

SB 140 Fuels: renewable diesel fuel 2-Year Bill  
 SB 404 California Wilderness Act 2-Year Bill  
 SB 419 San Diego River Conservancy Chapter 646  
 SB 494 Vehicular air pollution control 2-Year Bill

**Kuehl**

SB 8 California Bay-Delta Authority Act Vetoed  
 SB 210 Greenhouse gas emissions: fuel standard Vetoed  
 SB 777 Discrimination Chapter 569  
 SB 836 Fair employment: familial status Vetoed  
 SB 821 Land use: water supplies: report 2-Year Bill  
 SB 862 Water resources Vetoed

**La Malfa**

AB 1515 Public resources: forest resources Chapter 412

**Lowenthal**

SB 713 Farmworker housing assistance 2-Year Bill

**Machado**

SB 555 Sacramento-San Joaquin Delta Vetoed  
 SB 719 San Joaquin Unified Air Pollution Chapter 728

**Maldonado**

SB 95 Residential outdoor science program Chapter 521

**Margett**

SB 161 Public works contracts: Internet submissions Chapter 427  
 SB 246 Agriculture Chapter 203

**Migden**

SB 63 Food labeling: cloned animals Vetoed

SB 180	Labor representatives: elections	Vetoed
SB 619	Public contracts: retention proceeds	2-Year Bill
SB 815	Tidelands/submerged lands San Francisco	Chapter 660

**Negrete-McLeod**

SB 343	Local agencies: open meetings: documents	Chapter 298
SB 886	Management districts	Chapter 664
SCR 19	West Nile Virus and Mosquito and Vector	Chapter 30

**Padilla**

SB 120	Food facilities: nutritional information	Vetoed
SB 622	Employment: misclassification of employees	Vetoed
SB 1028	ARB regs; ambient air quality standards	Chapter 669

**Perata**

SB 660	Strategic Clean Tech And Climate Control	Vetoed
SB 1001	Cal. regional water quality control board	Vetoed
SB 1002	Water quality, flood control...	Vetoed

**Ridley-Thomas**

SB 775	Childhood lead poisoning	2-Year Bill
SB 870	State employment: adverse actions	2-Year Bill
SB 963	Regulatory boards: operations	2-Year Bill

**Romero**

SB 261	Emergency medical services	2-Year Bill
SB 331	Unlawful entry: tribal land	2-Year Bill
SB 964	Local agencies	Vetoed

**Saldana**

AB 985	Environment: judicial review	2-Year Bill
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**Simitian**

SB 26	State agencies: collection of data	2-Year Bill
SB 27	Sac/San Joaquin River, Water Security...2008	2-Year Bill
SB 30	Identity Information Protection Act of 2007	2-Year Bill
SB 456	Diacetyl	2-Year Bill

SB 899	Toxic packing materials	2-Year Bill
SB 973	Chemicals of concern	2-Year Bill
SCA 2	Clean Drinking water, supply security...2007	2-Year Bill

**Steinberg**

SB 178	Groundwater	Vetoed
SB 732	Safe Drinking Water, Water quality...	2-Year Bill
SB 242	Claims against the state	2-Year Bill
SB 458	Lung Cancer: early detection and treatment	2-Year Bill

**Wiggins**

SB 319	Employment of minor	Chapter 296
SB 556	The light brown apple moth	Chapter 190
SB 562	Public resources: salmon and steelhead	2-Year Bill

**Wyland**

SB 714	Food labeling	2-Year Bill
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### **Section III – 2007 Chaptered Legislation: Summary**

The following information summarizes the content of legislative bills which were signed by Governor Schwarzenegger, and chaptered by the Secretary of State during the 2007 Legislative session, which impact, or have the potential to impact California's pesticide regulatory program.

**AB 126 (Beall) Structural Fumigation Enforcement Program**

Chapter 379, Statutes of 2007

Under existing law, the Structural Fumigation Enforcement Program (Program) provides the Agricultural Commissioners for Orange and Los Angeles counties with additional resources to provide increased enforcement of state structural pesticide fumigation requirements. This bill extends the provisions of the Program to Santa Clara county, and establishes a sunset of January 1, 2010.

**AB 1713 (Committee on Agriculture) Agriculture**

Chapter 451, Statutes of 2007

This bill codifies parameters for distribution of the Motor Vehicle Fuel Account in support of specified programs administered by the California Department of Food and Agriculture (CDFA), the Department of Pesticide Regulation (DPR), and the local county agricultural commissioners (CACs). Relative to DPR, this bill revises the distribution of the Motor Vehicle Fuel Account funds to statutorily appropriate \$9,000,000 to CDFA, which is to be disbursed to the counties for pesticide use enforcement activities supervised by DPR.

**AB 1717 (Committee on Agriculture) Pesticides**

Chapter 338, Statutes of 2007

This bill addresses two distinct issues—the statute of limitations for misbranding of pesticides, and the registration of Structural Pest Control Operators (SPCOs) with county agricultural commissioners (CACs). These issues will be addressed separately below.

Existing law sets a four-year statute of limitations for certain pesticide use and sale violations, and a two-year statute of limitations for the sale and use of misbranded and/or adulterated pesticide products. The technical clean-up portion of this bill would amend the four-year statute of limitations to include violations for the sale of adulterated and/or misbranded pesticide products.

Existing law generally regulates pest control operators. This bill would require Branch 2 and Branch 3 SPCOs to register with the CAC prior to operating a structural pest control business within a county. The bill would also require Branch 1 SPCOs to register with the CAC prior to conducting fumigations in the county, as well as notifying the CAC at least 24 hours prior to commencing the fumigation. The bill would allow the CAC to levy a civil penalty against any person who violates the aforementioned provisions.

#### **Section IV- Major Chaptered Bills: Text**

Several bills chaptered during the 2007 legislative session will have a direct impact on California's pesticide regulatory program. The complete chaptered text of those bills are included on the following pages.

**AB 126 (Beall)**  
BILL TEXT

CHAPTER 379  
FILED WITH SECRETARY OF STATE OCTOBER 10, 2007  
APPROVED BY GOVERNOR OCTOBER 10, 2007  
PASSED THE SENATE SEPTEMBER 4, 2007  
PASSED THE ASSEMBLY SEPTEMBER 5, 2007  
AMENDED IN SENATE JULY 5, 2007  
AMENDED IN SENATE JUNE 18, 2007

INTRODUCED BY Assembly Member Beall  
(Coauthor: Assembly Member Dymally)  
(Coauthor: Senator Romero)

JANUARY 11, 2007

An act to amend Sections 8698, 8698.1, and 8698.5 of, to add Section 8698.6 to, and to repeal Chapter 14.5 (commencing with Section 8698) of Division 3 of, the Business and Professions Code, relating to pests.

LEGISLATIVE COUNSEL'S DIGEST

AB 126, Beall. Structural Fumigation Enforcement Program. Existing law provides that the Los Angeles County Agricultural Commissioner and the Orange County Agricultural Commissioner may contract with the Director of the Department of Pesticide Regulation to perform increased structural fumigation, inspection, and enforcement activities in Los Angeles County and Orange County. Existing law authorizes the director to adopt regulations to carry out these provisions and to levy a civil penalty against a person violating these provisions. This bill would also apply these provisions to the Santa Clara County Agricultural Commissioner and to Santa Clara County. The bill would repeal these provisions on January 1, 2010.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 8698 of the Business and Professions Code is amended to read:  
8698. The Director of the Department of Pesticide Regulation

shall be designated by the board as its agent for the purposes of carrying out Section 8698.1. The Los Angeles County Agricultural Commissioner, the Orange County Agricultural Commissioner, or the Santa Clara County Agricultural Commissioner may each contract with the director to perform increased structural fumigation, inspection, and enforcement activities. These activities shall be funded by the moneys collected pursuant to this chapter.

SEC. 2. Section 8698.1 of the Business and Professions Code is amended to read:

8698.1. (a) If the county has contracted pursuant to Section 8698, any person who performs a structural fumigation in Los Angeles County, Orange County, or Santa Clara County shall pay to the county agricultural commissioner a fee of five dollars (\$5) for each treatment conducted at a specific building or structure.

(b) The fees shall be submitted by the 10th day of the month following the month in which the treatment was performed. The fees shall be accompanied by a copy of a monthly pesticide use report showing the addresses, including the department number if applicable, of all structural fumigations. The report shall be in a form required by the director, shall identify the name and address of the person or company performing the fumigation, and shall include any other information requested by the director.

SEC. 3. Section 8698.5 of the Business and Professions Code is amended to read:

8698.5. Any funds collected pursuant to this chapter shall be paid to the county and used for the sole purposes of funding enforcement and training activities directly related to the structural fumigation program created pursuant to Section 8698. The fees collected under this chapter shall be in addition to, and shall not be used to supplant, any other funds provided to the county agricultural commissioner pursuant to Section 12844 of the Food and Agricultural Code.

SEC. 4. Section 8698.6 is added to the Business and Professions Code, to read:

8698.6. This chapter shall remain in effect only until January 1, 2010, and as of that date is repealed, unless a later enacted statute, which is chaptered before January 1, 2010, deletes or extends that date.

**AB 1713 (Committee on Agriculture) Agriculture**  
BILL TEXT

CHAPTER 421

FILED WITH SECRETARY OF STATE OCTOBER 10, 2007  
APPROVED BY GOVERNOR OCTOBER 10, 2007  
PASSED THE SENATE SEPTEMBER 7, 2007  
PASSED THE ASSEMBLY SEPTEMBER 11, 2007  
AMENDED IN SENATE AUGUST 29, 2007  
AMENDED IN SENATE JULY 11, 2007  
AMENDED IN SENATE JUNE 28, 2007  
AMENDED IN ASSEMBLY APRIL 9, 2007

INTRODUCED BY Committee on Agriculture (Parra (Chair), La Malfa  
(Vice Chair), Berryhill, Fuller, Galgiani, Jones, and Mendoza)  
(Coauthor: Assembly Member Dymally)

MARCH 1, 2007

An act to add Section 224.5 to, and to amend, repeal, and add  
Section 224 of, the Food and Agricultural Code, relating to  
agriculture, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 1713, Committee on Agriculture. Agriculture.

Existing law provides for the distribution to counties of funds transferred to the Department of Food and Agriculture Fund from the Motor Vehicle Fuel Account as partial reimbursement for county expenses incurred in carrying out various agricultural programs, as specified.

This bill would make those provisions inoperative on July 1, 2008, and would repeal those provisions on January 1, 2009. This bill would recast the schedule of distributions made from this account by adding provisions that would become operative on July 1, 2008. This bill would appropriate to the department moneys in the Department of Food and Agriculture Fund transferred from the account for disbursement to counties for pesticide use enforcement, uniform operation of agricultural policy and administration of programs supervised by the secretary, pest detection and trapping programs, and for emergency detection, investigation, or eradication of agricultural plant or animal pests or diseases, as specified. This bill would also require counties that receive funds for agricultural

programs, as specified, to meet specified criteria in order to be eligible to receive those transfers.

Because this bill would make money in a continuously appropriated fund available for a new purpose, it would make an appropriation.

Appropriation: yes.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 224 of the Food and Agricultural Code is amended to read:

224. Money transferred by the Controller to the Department of Food and Agriculture Fund from the Motor Vehicle Fuel Account pursuant to Section 8352.5 of the Revenue and Taxation Code shall be expended by the Secretary of Food and Agriculture as follows:

(a) Five hundred thousand dollars (\$500,000) of the amount transferred each fiscal year is hereby appropriated for reimbursement for charges for state administrative costs, and for departmental and divisional overhead expense apportioned to the Department of Food and Agriculture Fund.

(b) One million dollars (\$1,000,000) each fiscal year is hereby appropriated to be used only for emergency detection, eradication, or research of agricultural plant or animal pests or diseases, during the fiscal year. The Secretary of Food and Agriculture may expend the funds with the approval of the Director of Finance. At the end of each fiscal year, any unencumbered balance of those funds shall be added to the amount available for payment to counties during the next fiscal year, as provided in subdivision (c).

(c) The total amount transferred during each fiscal year less the amounts provided in subdivisions (a) and (b), is hereby appropriated to be paid to the counties as partial reimbursement for county expenses for carrying out agricultural programs authorized by this code that are supervised by the department. The payment shall be apportioned to the counties by the secretary in relation to each county's expenditures to the total amount expended by all counties for the preceding fiscal year for such agricultural programs, as determined by the secretary. The amount to be transferred to any county for a fiscal year may be increased or decreased by the secretary to provide that, insofar as those transferred unclaimed refundable gas tax funds for apportionment to the counties are available, no county shall receive smaller combined apportionments of gas taxes and unclaimed refundable gas taxes than that county would have received had the gas taxes been apportioned without the transfer required by Section 8352.5, as determined by the secretary, except that the amount of unclaimed refundable gas tax funds to be transferred to any county for a fiscal year may be increased or

decreased by the secretary to compensate for incorrect previous transfers to that county.

(d) This section shall become inoperative on July 1, 2008, and shall be repealed on January 1, 2009.

SEC. 2. Section 224 is added to the Food and Agricultural Code, to read:

224. Moneys transferred by the Controller to the Department of Food and Agriculture Fund from the Motor Vehicle Fuel Account pursuant to Section 8352.5 of the Revenue and Taxation Code shall be expended by the Secretary of Food and Agriculture as follows:

(a) Of the amount transferred each fiscal year, nine million dollars (\$9,000,000) is hereby appropriated to the Department of Food and Agriculture for payment to the counties for pesticide use enforcement programs supervised by the Director of Pesticide Regulation. Reimbursement shall be apportioned to the counties in relation to each county's expenditures to the total amount expended by all counties for the preceding fiscal year for pesticide use enforcement programs, as determined by the director, or with the collective agreement of the agricultural commissioners, disbursement to counties for a current fiscal year according to criteria developed in work plans, or any combination of reimbursement and disbursement as agreed upon by the director and the commissioners. The amount to be transferred to any county for a fiscal year may be increased or decreased by the director to compensate for incorrect previous transfers to that county, or adjusted based on evaluations of annual county Pesticide Enforcement Workplans conducted by the Department of Pesticide Regulation.

(b) Of the amount transferred each fiscal year, two hundred fifty thousand dollars (\$250,000) is hereby appropriated to the Department of Food and Agriculture for state and county liaison activities and for departmental expenses directly related to administration of this section.

(c) Of the amount transferred each fiscal year, one million five hundred thousand dollars (\$1,500,000) is hereby appropriated to the department for divisional and departmental overhead charges to the Department of Food and Agriculture.

(d) Of the amount transferred each fiscal year in excess of the amount transferred in the 2006-07 fiscal year, 7 percent is hereby appropriated to the department for full disbursement to individual counties, in proportion to the distribution each county is to receive pursuant to subdivision (g) to offset expenses associated with programs, personnel, and materials that ensure the uniform application of state agricultural policy or administer programs supervised by the secretary.

(e) Notwithstanding any other provision of law, of the amount transferred each fiscal year, three million dollars (\$3,000,000) is

hereby appropriated for distribution to counties in a manner prescribed by the secretary for pest detection or trapping programs. These funds are intended to supplement funds available for pest detection or trapping in the annual Budget Act. As a condition of receiving these funds, counties shall not reduce their level of support from any other funds for pest detection or trapping programs. If a county declines to participate in a pest detection or trapping program, or fails to conduct the program to the state's satisfaction, the secretary shall reduce, by the amount that would otherwise be allocated to the county, funds available pursuant to this subdivision and any state allocations from the annual Budget Act. Those forfeited funds are hereby appropriated to the Department of Food and Agriculture for purposes of operating the pest detection or trapping programs in those counties.

(f) (1) Of the amount transferred each fiscal year, three million dollars (\$3,000,000) is hereby appropriated to the Department of Food and Agriculture to be used for emergency detection, investigation, or eradication of agricultural plant or animal pests or diseases during the fiscal year, upon approval of the Director of Finance. At the end of each fiscal year, any unencumbered balance of these funds shall be carried over to the next fiscal year, or at the discretion of the secretary, may be used for planning and research involving detection, investigation, eradication, and methods of quarantine compliance for agricultural plant or animal pests or diseases.

(2) The department shall develop policies, in consultation with the agricultural commissioners and in compliance with any requirements of the annual Budget Act, to guide the ongoing use of these funds.

(g) The total amount transferred during each fiscal year less the amounts provided in subdivisions (a) to (f), inclusive, is hereby appropriated to be paid to the counties for agricultural programs authorized by this code that are supervised by the department and administered by agricultural commissioners. Reimbursement shall be apportioned to the counties in relation to each county's expenditures to the total amount expended by all counties for the preceding fiscal year for agricultural programs, as determined by the secretary, or with the collective agreement of the agricultural commissioners, disbursement to counties according to criteria developed in work plans for a current fiscal year, or any combination of reimbursement and disbursement as agreed upon by the secretary and the commissioners. The amount to be transferred to any county for a fiscal year may be increased or decreased by the secretary to provide that, insofar as those transferred unclaimed refundable gas tax funds for apportionment to the counties are available, no county shall receive smaller combined apportionments of gas taxes and unclaimed refundable gas taxes than that county would have received

had the gas taxes been apportioned without the transfer required by Section 8352.5, as determined by the secretary, except that the amount of unclaimed refundable gas tax funds to be transferred to any county for a fiscal year may be increased or decreased by the secretary to compensate for incorrect previous transfers to that county, and to account for any failure to meet the criteria listed in Section 224.5.

(h) This section shall become operative on July 1, 2008.

SEC. 3. Section 224.5 is added to the Food and Agricultural Code, to read:

224.5. (a) In order to be eligible for the transfer specified in subdivision (g) of Section 224, counties must meet all of the following criteria, as determined by the secretary:

- (1) Currently employ or contract with a licensed agricultural commissioner.
- (2) Submit annual agricultural expenditure reports to the department in a timely manner.
- (3) Maintain county general fund support for agricultural commissioner services at least equal to the average amount expended for the five preceding fiscal years, unless the county is facing unusual economic hardship that precludes that support.

(b) In the event that a county does not meet the criteria listed in subdivision (a) in a timely fashion, nothing shall preclude the secretary from completing transfers only to those counties that have met the criteria, while reserving funds for distribution to counties that may later be determined to have met them, or to set a date certain each fiscal year by which all available funds will be distributed to the counties that have met the criteria.

(c) This section shall become operative on July 1, 2008.

**AB 1717 (Committee on Agriculture)**  
BILL TEXT

CHAPTER 338  
FILED WITH SECRETARY OF STATE OCTOBER 8, 2007  
APPROVED BY GOVERNOR OCTOBER 8, 2007  
PASSED THE SENATE SEPTEMBER 4, 2007  
PASSED THE ASSEMBLY SEPTEMBER 5, 2007  
AMENDED IN SENATE JUNE 26, 2007  
AMENDED IN SENATE JUNE 11, 2007

INTRODUCED BY Committee on Agriculture (Parra (Chair), Dymally,  
Galgiani, Jones and Mendoza)

MARCH 5, 2007

An act to amend Sections 13000 and 15204 of, and to add Section 15204.5 to, the Food and Agricultural Code, relating to pesticides.

LEGISLATIVE COUNSEL'S DIGEST

AB 1717, Committee on Agriculture. Pesticides.

Existing law requires that any action brought for various violations of provisions of law and regulations regarding pesticides be commenced within 2 years of the occurrence of the violation, with specified exceptions, including actions brought to collect civil penalties imposed pursuant to specified provisions of law, which shall be brought within 4 years of the occurrence of the violation.

This bill would include among actions that shall be brought within 4 years of the violation, actions brought to collect civil penalties for violations of provisions of law prohibiting sale of any adulterated or misbranded pesticide.

Existing law generally regulates pest control operators, field representatives, and applicators.

This bill would require Branch 2 and Branch 3 structural pest control operator qualifying managers and companies registered with the Structural Pest Control Board to register with the agricultural commissioner prior to operating a structural pest control business within a county. This bill would provide that a fee may be levied at the time of the registration. This bill would also provide that the commissioner may levy a civil penalty against any person who violates these provisions.

This bill would also provide that it is unlawful for a board licensed Branch 1 pest controller licensee to conduct fumigations

unless that person has registered with the commissioner. This bill would provide that a fee may be levied at the time of the registration. This bill would also provide that the commissioner may levy a civil penalty against any person who violates these provisions. Because this bill would create a new crime, this bill would impose a state-mandated local program.

This bill would also require licensed pest controllers, structural pest control operators, field representatives, applicators, and companies registered with the Structural Pest Control Board to notify the agricultural commissioner at least 24 hours prior to commencing fumigation operations.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 13000 of the Food and Agricultural Code is amended to read:

13000. (a) Except as provided in subdivisions (b) and (c), an action brought pursuant to this article shall be commenced by the director, the commissioner, the Attorney General, the district attorney, the city prosecutor, or the city attorney, as the case may be, within two years of the occurrence of the violation.

(b) When a commissioner submits a completed investigation to the director for action by the director or the Attorney General, the action shall be commenced within one year of that submission. However, nothing in this subdivision precludes the director from returning the investigation to the commissioner for action to be commenced by the commissioner, the district attorney, the city prosecutor, or the city attorney, as provided in subdivision (a).

(c) An action brought by the director to collect unpaid mill assessments and delinquent fees required by Article 4.5 (commencing with Section 12841) or an action brought by the director to collect civil penalties pursuant to Section 12999.4 for violations of Article 4.5 (commencing with Section 12841), Section 12992, Section 12993, or Section 12995 shall be commenced within four years of the occurrence of the violation.

SEC. 2. Section 15204 of the Food and Agricultural Code is amended to read:

15204. (a) Each licensed Branch 2 and Branch 3 structural pest control operator qualifying manager, as defined in Section 8506.2 of

the Business and Professions Code, and Structural Pest Control Board registered company, as defined in Section 8506.1 of the Business and Professions Code, shall register with the commissioner prior to operating a structural pest control business in the county. The registration shall cover a calendar year. A fee may also be required at the time of registration. The fee shall be set by the county board of supervisors, except that in no case shall the fee exceed the actual cost of processing the registration or ten dollars (\$10), whichever is less. Payment of the fee shall be due by the date designated by the commissioner.

(b) Each registration shall be in a form prescribed by the director after consulting with the Structural Pest Control Board and commissioners and shall include the structural pest control licensee's name and address, including all satellite locations conducting business in the county, telephone numbers, responsible persons, and the type of pest control to be conducted.

(c) If ordered by the commissioner, other structural pest control licensees shall appear in person at the office of the commissioner to complete registration.

(d) The commissioner may levy a civil penalty against any person who violates the provisions of this section in accordance with the procedures provided in Section 12999.5.

SEC. 3. Section 15204.5 is added to the Food and Agricultural Code, to read:

15204.5. (a) It is unlawful for any licensed Branch 1 Structural Pest Controller licensee, including structural pest control operators, field representatives, applicators, and Structural Pest Control Board (SPCB) registered companies, as defined in Section 8506.1 of the Business and Professions Code, to conduct fumigations in any county unless that person or company has also registered for the current calendar year with the commissioner in that county. The registration fee for the SPCB registered company including structural pest control operators and field representatives and applicators shall be set by the county Board of Supervisors, but shall not exceed the cost of processing the registration or twenty-five dollars (\$25), whichever is less. Payment of the fee shall be due at registration or on a date set by the commissioner. Structural pest control operators and field representatives may be added during the year, but the fee shall not exceed the actual cost of processing the registration or ten dollars (\$10), whichever is less.

(b) Each registration shall be in the form prescribed by the director after consulting with the SPCB and the commissioners and shall include the name and address of the SPCB registered company or structural pest control operator and all satellite offices conducting business in the county, the name of the qualifying manager or the structural pest control operator and his or her license number, and a

business telephone number. The registration form for field representatives and applicators shall include their name, license number, business address, and telephone number, and may be included with the business registration.

(c) Each licensed structural pest controller, including structural pest control operators, field representatives, applicators, or an SPCB registered company, that intends to conduct fumigation operations is required to appear in person at the office of the commissioner to complete the registration required by Section 15204.

(d) Each SPCB registered company or structural pest control operator that intends to conduct fumigation operations shall notify the agricultural commissioner at least 24 hours prior to commencing fumigation, or as approved on a case-by-case basis by the commissioner. This notice shall include all of the following:

(1) Name and address of the registered company or structural pest control operator.

(2) Address of the area or areas to be fumigated.

(3) The pesticide to be applied.

(4) The date of the intended application.

(e) The commissioner may levy a civil penalty against any person who violates the provisions of this section in accordance with the procedures provided in Section 12999.5.

SEC. 4. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

## **Section V: Summary of Vetoed Legislation**

**AB 385 (Ruskin) Public employees: salaries: professional scientists.**

Vetoed

This bill would require the State and the exclusive representative for State Bargaining Unit 10, the California Association of Professional Scientists (CAPS), to complete a joint survey of salaries in scientific classifications in California public agencies and to report the findings to the Legislature, and establish a State policy to consider the survey's findings prior to making salary recommendations.

**AB 1393 (Leno) Public records.**

Vetoed

This bill would require any state agency that has an Internet Web site to post its Public Records Act procedures in a defined fashion on its Internet Web site. The bill would also require the Department of Justice to convene an advisory task force of specified membership to study several issues regarding the Public Records Act. One such issue to be studied is whether state agencies should automatically post on Internet Web sites certain records such as compensation and economic interests of key public officials, and the performance of public agencies in settling litigation.

**Governors Veto messages**

**AB 385 (Ruskin) Public employees: salaries: professional scientists.**

I am returning Assembly Bill 385 without my signature.

This bill would unnecessarily mandate a compensation survey be jointly conducted between the State and the bargaining unit that represents scientists. This is redundant of existing law which requires the State to survey prevailing wages in occupations comparable to those in state service. The bill is also redundant of provisions in the negotiated collective bargaining agreement with the unit in question. If the State of California is to have good faith collective bargaining, then employee wages, hours, and terms and conditions must not be legislated. However, I value the dedication and work of the State's scientists, and I am concerned that salaries for this group may have fallen behind those of comparable workers. So, I am directing my Department of Personnel Administration to work together with the scientists during the next round of bargaining to ensure that survey results for this group are looked at seriously and that the State is moving in the direction of achieving fair and equitable compensation for the scientists.

Sincerely,

Arnold Schwarzenegger

## **AB 1393 (Leno) Public Records**

I am returning Assembly Bill 1393 without my signature.

Ensuring access to public information is one of my Administration's top priorities. That is why last year I issued Executive Order S-03-06 (Order), requiring all state agencies to review their guidelines governing access to public information. In addition, the Order required that every agency identify and train staff to be responsible for ensuring compliance with the California Public Records Act. As I noted in my veto of similar legislation last year, I believe the steps that were taken as a result of the Order, combined with the ongoing efforts of agencies to comply with the law, are working to ensure the needs of the public are met. This bill imposes an unnecessary one-size-fits-all mandate on state agencies. In addition, this bill would require the formation of a task force to consider even more statutory standards to govern the disclosure of public records. Such a task force and such additional statutory changes are also unnecessary. My Administration's commitment to the Public Records Act is unwavering and I am confident future Administrations will share this attitude.

Sincerely,

Arnold Schwarzenegger

**Section VI: 2007 Legislation:  
2-Year Bills**

The following bills were tracked by DPR during the 2007 legislative session as having the potential to impact California's pesticide regulatory program. The following bills did not pass out of the Legislature during the 2007 legislation session but remain active for consideration during the 2008 legislative session.

**AB 515 (Lieber) Occupational safety and health.**

Status: Senate third reading, held without recommendation.

Existing law provides that the Occupational Safety and Health Standards Board is the only agency in the state authorized to adopt, amend, or repeal occupational safety and health standards, and requires the board to adopt standards that are at least as effective as federal standards promulgated under the Occupational Safety and Health Act of 1970, within a specified time. This bill would declare the intent of the Legislature that the board set as its highest priority protection against the effects of those substances that may cause cancer or reproductive or developmental toxicity. This bill would also require the board to adopt standards establishing permissible exposure limits (PEL) for toxic materials in the workplace that meet specified criteria. This bill would further require that any PEL adopted by the board for a given substance, to the extent feasible, correspond to the health-based occupational exposure level determined for that substance by the Office of Environmental Health Hazard Assessment (OEHHA) of the California Environmental Protection Agency. In addition, this bill would require OEHHA to submit to the board and to the Division of Occupational Safety and Health a list of toxic materials that meet the criteria established by this bill, with a recommended health-based occupational exposure limit (OEL), not later than February 1, 2008. The bill also would specify the composition of any advisory committee established by the division as well as findings required to be made by the division and the board relating to the adoption of PELs. The bill would also require the Occupational Safety and Health Standards Board to submit, no later than April 1, 2008, to the Governor and the Legislature a schedule for the adoption of standards and PELs.

**AB 558 (Feuer) Hazardous waste: reduction: regulation.**

Status: Senate Appropriations, placed on Appropriations suspense file.

The existing Hazardous Waste Source Reduction and Management Review Act of 1989 requires the Department of Toxic Substances Control (department) to establish a program for hazardous waste source reduction. The department is required to adopt regulations to ensure that trade secrets, designated by a generator in all or a portion of the review and plan, as defined, or the required report, are utilized by certain entities only in connection with the responsibilities of the department and as provided, and that those trade secrets are not otherwise disseminated by those entities without the consent of the generator. Any violation of the hazardous waste control laws is a crime. This bill would require the department to incorporate techniques, in the program, that evaluate and seek to reduce the use of hazardous materials, including process-level materials accounting to be used in developing source reduction strategies. On or before September 15, 2008, and every year thereafter, the department would be required to select one category of generator, as provided; and select generators in the category. Prior to September 15, 2011, the department would be required to request from the selected generators process-level materials accounting for hazardous materials used in their manufacturing or production processes, or

hazardous materials otherwise used by the generator, using the methods developed pursuant to the program. A process-level materials accounting for hazardous materials would also be required to be included in the source reduction review and plan each generator is required to conduct every four years. This bill contains other related provisions and other existing laws.

**AB 1021 (Galgiani) Apple pests.**

Status: Senate Agriculture, not heard.

Existing law provides that there is in state government the California Apple Commission comprised of apple handlers and producers which may recommend to the Secretary of Food and Agriculture maturity standards, enforce laws related to apple production, and promote the sale of apples. This bill, the California Apple Pest and Disease Prevention Act of 2007, would provide that no person shall ship any apples into California unless each lot or shipment is accompanied by a certificate attesting that the apples comply with departmental regulations, as specified. This bill would also provide that it is a crime to handle apples from designated areas in violation of these provisions. Because this bill would create new crimes, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

**AB 1530 (Lieber) Pesticide poisoning.**

Status: Senate Appropriations, set first hearing, failed passage, reconsideration granted.

Existing law establishes standards for the handling and use of pesticides and for determining the hazards posed by pesticides to worker safety. Existing law imposes various reporting requirements on physicians and local health officers when there are known or suspected instances of pesticide poisoning. Under existing law, worker reentry into areas treated by pesticides determined to be hazardous to worker safety may be restricted by whether pesticide residue levels on treated plants are determined by scientific analysis not to be a significant factor in cholinesterase depression or other health effects. This bill would require a laboratory that performs cholinesterase testing on a specimen of human blood, with regard to determining pesticide residue levels for those purposes, to electronically report specified information on every person tested to the Office of Environmental Health Hazard Assessment, which would be required to share the information in electronic or hard-copy format with the Department of Pesticide Regulation and the Occupational Health Branch and the Environmental Health Laboratory Branch of the State Department of Public Health, the appropriate county agricultural commissioner, and the local health officer. The bill would authorize the appropriate local official to conduct followup investigations, as needed. The bill would also impose other related reporting requirements and would require the Office of Environmental Health Hazard Assessment to maintain this information as a reporting system. The bill would also require the office to prepare an annual report on the cholinesterase testing program.

**SB 201 (Florez) Agriculture: Leafy green vegetable crop safety**

Status: Assembly Agriculture. Set first hearing. Held in committee and under submission.

Existing law provides that the Secretary of Food and Agriculture shall establish, by regulation, uniform standards for field crop producers, establish inspection districts within the state, and provide sampling, inspection, and certification service for field crop products within the state, as specified. Existing law also states legislative findings and declarations that the people have a primary interest in the sanitary conditions under which food crops are grown and harvested for human consumption and in the health and related sanitary conditions under which the workers are employed in the growing and harvesting of food crops. This bill would describe various practices that shall not be engaged in by growers, handlers, shippers, or processors of leafy green vegetables including using uncomposed, incompletely composed, or nonthermally treated manure as a fertilizer or soil amendment in fields, maintaining toilet facilities or other receptacles for human excreta in fields, using irrigation water that exceeds acceptable contamination levels, or selling, transferring, or otherwise putting into the production or distribution chain, any leafy green vegetable that exceeds acceptable contamination levels, as specified. This bill would provide that a violation of these provisions, or any regulation adopted by the State Department of Public Health pursuant thereto, is subject to a civil fine of up to \$10,000 per occurrence, and in addition, that the State Department of Public Health may impose a fine not exceeding twenty-five thousand dollars (\$25,000) per occurrence. This bill contains other related provisions and other existing laws.

**SB 973 (Simitian) Chemicals of concern.**

Status: Assembly E.S &T.M. To Com. On E.S & T.M

Existing law requires the State Department of Public Health, in collaboration with the California Environmental Protection Agency, to establish the California Environmental Contaminant Biomonitoring Program to monitor the presence and concentration of designated chemicals, as defined, in California. This bill would require the Director of the California Department of Toxic Substances Control, by March 1, 2008, to compile a list of chemicals of concern, which would be defined as substances for which the Canadian Minister of the Environment has made a specified recommendation, on or before January 1, 2007, pursuant to the Canadian Environmental Protection Act, 1999, and to post this list on the Internet Web site of the Department of Toxic Substances Control. This bill contains other related provision

