



Department of Pesticide Regulation
Office of Legislation and Regulations

2008 Legislative Summary

December 2008

STATE OF CALIFORNIA

Arnold Schwarzenegger
Governor

Linda Adams
Secretary for Environmental Protection
California Environmental Protection Agency

DEPARTMENT
OF
PESTICIDE REGULATION

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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 2008 Legislative Session.

Urgency bills signed by the Governor took effect immediately upon his signature. Other legislation signed by the Governor in 2008 will take effect on January 1, 2009.

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

BILL SUBJECT INDEX

The Bill Subject Index section of this summary identifies legislative bills, tracked by DPR during the 2008 legislative session, containing similar subject matter.

Administration

AB 36(Niello) Public employees' retirement: fraud	Dead
AB 38(Nava) State agencies: California Emergency Management Agency	Chapter 372
AB 130(Nakanishi) Excluded employees: salaries and benefits	Dead
AB 229(Strickland) Ethics in government	Dead
AB 419(Lieber) Workers' compensation: public employees: leaves of absence	Dead
AB 730(De Leon) Public contracts: information technology goods and services: protections against default	Dead
AB 865(Davis) State agencies: live customer service agents	Dead
AB 983(Ma) Public contracts: plans and specifications	Vetoed
AB 1017(Ma) California Environmental Quality Act: appeal to local lead agency's elected decision-making body	Dead
AB 1170(Krekorian) State mandates	Dead
AB 1479(Mendoza) State bodies: governance	Chapter 211
AB 1684(Emmerson) Vital records	Chapter 433
AB 1811(Garrick) Public employees' retirement	Dead
AB 1844(Hernandez) Public employee benefits	Chapter 369
AB 1858(Jeffries) Public employees: retirement benefits forfeiture	Dead
AB 1907(Ruskin) Point-of-sale systems: price accuracy verification	Chapter 434
AB 1925(Eng) Franchise Tax Board: professional or occupational licenses	Dead
AB 1949(Evans) Court operations	Chapter 218
AB 1963(Carter) Public employees' retirement: service credit	Chapter 219
AB 2001(Swanson) Local government: whistleblower hotlines	Chapter 325
AB 2023(Houston) Public employee disability benefits	Chapter 370
AB 2047(Horton) State Board of Equalization: business and special taxes	Chapter 222
AB 2102(Walters) State employment: eligibility verification	Dead
AB 2133(Hancock) State contracts: agency projects: habitat and wetlands	Dead
AB 2134(Swanson) Employment discrimination: family and medical leave	Dead
AB 2156(Hernandez) Public employee benefits	Chapter 74
AB 2158(Soto) State employees' health benefits: bloodborne diseases	Chapter 668
AB 2176(Caballero) Energy: federal block grants	Dead
AB 2181(Ruskin) Workers' comp: reports of occupational injury or illness	Chapter 740
AB 2191(Mullin) Public employees: annuities	Chapter 230
AB 2193(Tran) Civil discovery: out-of-state proceedings	Chapter 231
AB 2202(Caballero) Public Employees' Retirement System	Chapter 261
AB 2250(Runner, Sharon) Public employment: outside compensation	Chapter 452
AB 2327(Caballero) Emergency services: humanitarian and relief services	Chapter 361
AB 2343(Caballero) Public administrators and conservators	Chapter 237
AB 2362(Keene) State records: personal information: security breaches	Dead
AB 2423(Bass) Professions and vocations: licensure	Chapter 675
AB 2427(Eng) Professions and vocations	Vetoed
AB 2519(Hayashi) State employees: salary	Dead
AB 2597(Leno) State claims	Chapter 37
AB 2624(Strickland) Ethics in government	Dead
AB 2699(Furutani) Public employees: collective bargaining	Dead

AB 2908(Furutani) State contracts: bids	Dead
AB 2916(Nunez) State buildings: energy efficiency measures	Dead
AB 2940(De Leon) Retirement: California Employee Savings Program	Dead
SB 1227(Hollingsworth) Disaster assistance: emergencies	Chapter 362
SB 1267(Yee) Whistleblower protection	Dead
SB 1296(Corbett) Public Employment Relations Board	Chapter 712
SB 1494(McClintock) State agency Web sites: information.	Dead
SB 1498(Committee on Judiciary) Maintenance of the codes	Chapter 179
SB 1501(Alquist) Emergency preparedness	Dead
SB 1505(Yee) Whistleblower protection	Vetoed
SB 1530(Hollingsworth) Office of the Governor: succession	Chapter 180
SB 1557(Wiggins) State Environmental Goals and Policy Report	Vetoed
SB 1696(Yee) California Public Records Act: disclosure	Chapter 62
SB 1748(Oropeza) State budget	Dead

Agriculture

AB 242(Blakeslee) Land use: annexation: housing	Chapter 11
AB 748(Runner, Sharon) District Ag. associations: directors and employees	Dead
AB 856(Galgiani) Agriculture	Chapter 425
AB 1764(Blakeslee) Land use: agricultural use	Chapter 136
AB 1913(Fuller) Cotton	Chapter 189
AB 2386(Nunez) Employment: Agricultural labor	Vetoed
AB 2881(Wolk) Nuisance: agricultural activity: recovery of defendant's costs: right to farm	Chapter 686
AB 2921(Laird) Local government: agricultural land	Chapter 503
SB 157(Wiggins) Alcoholic beverages: winegrower's license	Chapter 337
SB 202(Florez) Agriculture: leafy green vegetable crop traceback	Dead
SB 1247(Lowenthal) Farmworker housing assistance	Chapter 521
SB 1280(Maldonado) Agriculture: seed: advisory board: registration	Chapter 399
SB 1306(Denham) Food and agriculture: marketing councils and commissions	Dead
SB 1436(Ducheny) Protected species: accidental take: agricultural activities	Chapter 82
SB 1623(Yee) Rice industry	Chapter 414
SB 1723(Maldonado) Agriculture: pesticide recycling program and certification	Chapter 533
SCR 75(Maldonado) California Agriculture Day	Chapter 12
SJR 22(Wiggins) California's wine industry	Chapter 9

Air Emissions/Quality

AB 109(Nunez) Air pollution: alternative fuels and vehicle technologies	Chapter 313
AB 2063(Parra) Smog check program: biennial inspection	Dead
AB 2179(Furutani) Air quality: diesel fuel	Vetoed
AB 2431(Garcia) State Air Resources Board: state implementation plan	Dead
AB 2522(Arambula) San Joaquin Valley Unified Air Pollution Control District	Dead
AB 2546(De La Torre) Air Toxics	Dead

AB 2560(Lieu) Medium- and heavy-duty motor vehicles: air pollution	Vetoed
AB 2638(Coto) California Air Quality and Environmental Health Act of 2008	Dead
AB 2645(Nunez) Air pollution: alternative fuels and vehicle technologies: funding programs	Dead
AB 2655(DeSaulnier) Indoor air pollution: vehicle crankcase emissions	Dead
AB 2830(Nakanishi) Wind energy	Dead
AB 2851(Adams) Protect California Air Act of 2003	Dead
AB 2869(De Leon) Air resources: Community Empowerment Advisory Committee	Dead
AB 2922(DeSaulnier) Air pollution: penalties: fuel containers	Chapter 687
AB 2962(Furutani) Vehicular air pollution control: civil penalties	Dead
AB 2991(Nunez) Air pollution: research	Chapter 691
AB 3012(De Leon) Public resources: Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Act of 2000	Dead
AJR 40(De Leon) South Coast Air Basin: ozone and fine particulate matter PM 2.5	Chapter 90
AJR 53(Huffman) Air resources: greenhouse gas emissions	Chapter 92
SB 494(Kehoe) Vehicular air pollution control: clean alternative fuels	Dead
SB 895(Florez) Carl Moyer Memorial Air Quality Standards Attainment Program: multidistrict projects	Dead
SB 1223(Runner) Air pollution	Dead
SB 1311(Simitian) California Pollution Control Financing Authority: Capital Access Loan Program	Chapter 401
SB 1548(Florez) San Joaquin Valley Unified Air Pollution Control District: city selection committee	Chapter 622
SB 1573(Florez) Smog check program: emission standards	Vetoed
SB 1646(Padilla) South Coast Air Quality Management District: air pollution fee	Chapter 724
SB 1662(Cox) Air districts: emission reduction offsets: Sacramento metro federal nonattainment area	Chapter 725
SB 1720(Lowenthal) Clean Air Sticker: misuse: penalties	Chapter 417

Budget/Funding

AB 10 (Committee on Budget) Employment: overtime compensation	Chapter 753
AB 207(Committee on Budget) Budget Act of 2007	Dead
AB 1183(Committee on Budget) Health	Chapter 758
AB 1338(Committee on Budget) Public resources	Chapter 760
AB 1770(Laird) 2008-09 Budget	Dead
AB 1781(Laird) Budget Act of 2008	Chapter 268
AB 1782(Committee on Budget) Budget Act of 2008	Dead
AB 1783(Committee on Budget) Budget Act of 2008	Dead
AB 1784(Committee on Budget) Budget Act of 2008	Dead
AB 1785(Committee on Budget) Budget Act of 2008	Dead
AB 1786(Committee on Budget) Budget Act of 2008	Dead
AB 1787(Committee on Budget) Budget Act of 2008	Dead
AB 1788(Committee on Budget) Budget Act of 2008	Dead

AB 1789(Committee on Budget) Budget Act of 2008	Dead
AB 1790(Committee on Budget) Budget Act of 2008	Dead
AB 1791(Committee on Budget) Budget Act of 2008	Dead
AB 1792(Committee on Budget) Budget Act of 2008	Dead
AB 1793(Committee on Budget) Budget Act of 2008	Dead
AB 1794(Committee on Budget) Budget Act of 2008	Dead
AB 1795(Committee on Budget) Budget Act of 2008	Dead
AB 1796(Committee on Budget) Budget Act of 2008	Dead
AB 1797(Committee on Budget) Budget Act of 2008	Dead
AB 1798(Committee on Budget) Budget Act of 2008	Dead
AB 1799(Committee on Budget) Budget Act of 2008	Dead
AB 1800(Committee on Budget) Budget Act of 2008	Dead
AB 1801(Committee on Budget) Budget Act of 2008	Dead
AB 1802(Committee on Budget) Budget Act of 2008	Dead
AB 1803(Committee on Budget) Budget Act of 2008	Dead
AB 1804(Committee on Budget) Budget Act of 2008	Dead
ABX3 11(Committee on Budget) Budget Act of 2007	Dead
ABX3 12(Committee on Budget) Budget Act of 2007	Dead
ABX3 13(Committee on Budget) Budget Act of 2007	Dead
ABX3 14(Committee on Budget) Budget Act of 2007	Dead
ABX3 15(Committee on Budget) Budget Act of 2007	Dead
ABX3 16(Committee on Budget) Budget Act of 2007	Dead
ABX3 17(Committee on Budget) Budget Act of 2007	Dead

California Environmental Quality Act

AB 1017(Ma) California Environmental Quality Act: appeal to local lead agency's elected decision-making body	Dead
AB 2512(Adams) Environment: CEQA	Dead
AB 2760(Leno) Environment: CEQA: pest eradication	Dead
SB 68(Kuehl) Environmental quality: determination: dispute	Vetoed
SB 947(Hollingsworth) California Environmental Quality Act: consultation: transportation facilities	Chapter 707
SB 1500(Kehoe) Environment: CEQA: fire hazards: state responsibility areas	Dead
SB 1517(Cogdill) Environment: CEQA	Dead
SB 1746(Oropeza) California Environmental Quality Act (CEQA): regulations	Dead

Enforcement/ Compliance

AB 1946(Nava) Hazardous materials: water quality: enforcement	Vetoed
AB 2071(Karnette) Plastic bags:food and beverage containers: enforcement	Chapter 570
AB 2223(Horton) Structural Fumigation Enforcement Program	Chapter 450
AB 2441(Lieber) Oil spill prevention and response: regulations: tugboat escorts: hazardous materials	Dead
AB 2679(Ruskin) Solid waste: enforcement: local agencies	Chapter 500

Environmental Regulation

AB 985(Saldana) Environment: judicial review Dead

Environmental Justice

AB 109(Nunez) Air pollution: alternative fuels and vehicle technologies Chapter 313
AB 985(Saldana) Environment: judicial review Dead
AB 1879(Feuer) Hazardous materials: toxic substances Chapter 559
AB 1960(Nava) Public resources: oil production facilities and oil spills Chapter 562
AB 1972(DeSaulnier) Solid waste: bags: food and beverage containers Chapter 436
AB 2003(Saldana) Climate Protection and Energy Bond Act of 2008 Dead
AB 2063(Parra) Smog check program: biennial inspection Dead
AB 2176(Caballero) Energy: federal block grants Dead
AB 2267(Fuentes) California entities: self-generation incentive program Chapter 537
AB 2547(Leno) Oil spill prevention and response Vetoed
AB 2625(Strickland) Biodiesel Dead
AB 2720(Levine) Environment: environmental impact report Chapter 148
AB 2804(Hayashi) Renewable energy resources: California Solar Initiative Chapter 542
AB 2808(Garcia) Green schools: environmentally sensitive cleaning and maintenance products Dead
AB 2830(Nakanishi) Wind energy Dead
AB 2851(Adams) Protect California Air Act of 2003 Dead
AB 2870(DeSaulnier) Land use: environmental quality Dead
AB 2935(Huffman) Oil spill prevention and response Chapter 564
SB 1165(Kuehl) Environment: environmental impact report Dead
SB 1210(Dutton) Environmental quality: short form environmental impact report Dead
SB 1358(Oropeza) Public health and the environment Dead
SB 1595(Kehoe) Public resources: fire protection: fuels management: forest protection Chapter 366
SB 1631(Ackerman) Public works: environmental complaints: fines and penalty Dead
SB 1739(Simitian) Oil spill contingency plan Chapter 566

Green House Gases

AB 1065(Lieber) Public resources: building standards: greenhouse gas Dead
AB 1675(Nunez) Greenhouse gas emissions: Department of Transportation: purchasing specifications Dead
AB 1851(Nava) Greenhouse gas credits Dead
AB 1920(Huffman) Solar and wind generating resources Dead
AB 2316(Ruskin) Motor vehicles: greenhouse gas emission reductions: replacement program study Dead
AB 2538(Ruskin) Greenhouse gas emissions: consumer product labeling: report Dead
AJR 53(Huffman) Air resources: greenhouse gas emissions Chapter 92
SB 445(Torlakson) Greenhouse gas mitigation fee Dead
SB 732(Steinberg) Environment Chapter 729

SB 1760(Perata) Energy: greenhouse gas emissions Vetoed
SB 1761(Perata) Water and energy efficiency: greenhouse gas emissions reduction Dead

Green Technology

AB 109(Nunez) Air pollution: alternative fuels and vehicle technologies Chapter 313
AB 2855(Hancock) Career technical education: partnership academies: green technology
and goods movement Chapter 685
AB 3018(Nunez) California Green Collar Jobs Act of 2008: green jobs Chapter 312
AB 3031(Lieber) Hazardous materials: green chemistry Dead
SB 494(Kehoe) Vehicular air pollution control: clean alternative fuels Dead
SB 1174(Lowenthal) Vehicles: hybrid and electric vehicles: visually impaired pedestrians
Vetoed
SB 1278(Maldonado) Building standards: green building construction Dead

Global Warming

AB 2596(Jones) California Global Warming Solutions Act of 2006 Dead
AB 2632(Fuller) California Global Warming Solutions Act of 2006: market-based
compliance mechanisms Dead
AB 3001(Hancock) Global warming: California Voluntary Carbon Offset Program Fund
Dead
SB 1550(Florez) Corporations: climate change disclosure Dead
SB 1724(Maldonado) Global warming: carbon credits Dead

Health and Safety

AB 211(Jones) Public health Chapter 602
AB 515(Lieber) Occupational safety and health Dead
AB 1021(Berryhill) Apple pest: pest and disease prevention Dead
AB 1183(Committee on Budget) Health Chapter 758
AB 1530(Lieber) Pesticide poisoning Dead
AB 1604(Parra) Market milk: raw milk: standards Dead
AB 1860(Huffman) Unsafe products: recall or warning Chapter 569
AB 1972(DeSaulnier) Solid waste: bags: food and beverage containers Chapter 436
AB 2079(Emmerson) Food Chapter 73
AB 2158(Soto) State employees' health benefits: bloodborne diseases Chapter 668
AB 2168(Jones) Farm stands: direct marketing: retail food Chapter 447
AB 2186(Salas) Bottled drinking water Dead
AB 2303(Emmerson) Nutrition Dead
AB 2572(Parra) Food facilities: nutrition information Dead
AB 2599(De Leon) Birth Defects Monitoring Program Chapter 680
AB 2808(Garcia) Green schools: environmentally sensitive cleaning and maintenance
products Dead
AB 3012(De Leon) Public resources: Safe Neighborhood Parks, Clean Water, Clean Air,
and Coastal Protection Bond Act of 2000 Dead

SB 634(Wiggins) Food labeling: olive oil	Chapter 694
SB 1121(Migden) Food labeling: cloned animals	Dead
SB 1277(Maldonado) Synthetic turf	Chapter 398
SB 1358(Oropeza) Public health and the environment	Dead
SB 1420(Padilla) Food facilities: nutritional information	Chapter 600
SB 1668(Migden) State Fire Marshal: fire and panic safety requirements	Chapter 367
SB 1773(Corbett) Pet food: labels	Dead

Management

AB 38(Nava) State agencies: California Emergency Management Agency	Chapter 372
AB 2640(Huffman) Solid waste: compostable organics management	Dead

Pesticides

AB 977(Ma) Pest control: pesticides: local regulation	Dead
AB 1530(Lieber) Pesticide poisoning	Dead
AB 1860(Huffman) Unsafe products: recall or warning	Chapter 569
SB 509(Simitian) Hazardous materials: toxic substances	Chapter 560
SB 1723(Maldonado) Agriculture: pesticide recycling program and certification	Chapter 533

Pests

AB 1021(Berryhill) Apple pest: pest and disease prevention	Dead
AB 2065(Hancock) Invasive aquatic species: dreissenid mussels	Chapter 667
AB 2760(Leno) Environment: CEQA: pest eradication	Dead
AB 2763(Laird) Invasive pests: advance planning: detection and eradication plans	Chapter 573
AB 2764(Hancock) Pests: eradication: use of pesticide: declaration of state of emergency	Dead
AB 2765(Huffman) Pest eradication: aerial use of pesticide: public hearing: notice	Chapter 574
AB 2892(Swanson) Pests: eradication: aerial spraying of pesticide: voter consent	Dead
ACR 117(Laird) Light brown apple moth	Dead
SB 1206(Calderon) Pest control	Chapter 46
SB 1466(Corbett) Citrus Nursery Stock Pest Cleanliness Program	Dead
SCR 87(Migden) Light brown apple moth	Dead

Recycling

AB 904(Feuer) Recycling: food containers	Dead
SB 1426(Calderon) Recycled material	Dead
SB 1625(Corbett) Recycling: CRV containers	Dead
SB 1653(Margett) Recycled water	Dead
SB 1663(Denham) Used and waste tires: grants	Dead

SB 1723(Maldonado) Agriculture: pesticide recycling program and certification Chapter 533

Schools/Education

AB 995(Krekorian) Parks and nature education facilities Dead
AB 1966(Garcia) Severe need schools: pupil nutrition: school breakfast Dead
AB 2989(Fuentes) Parks and recreation: Outdoor Environmental Education and Recreation Program Dead
SB 908(Simitian) Environmental education Vetoed
SB 1269(Wyland) Science education: experimental science curriculum Dead
SB 1321(Correa) School recycling programs Dead
SCR 96(Steinberg) The 2008 State Scientist Day Chapter 58

Structural Pest Control

AB 2223(Horton) Structural Fumigation Enforcement Program Chapter 450

Toxics

AB 218(Saldana) Hazardous waste: electronic waste Dead
AB 558(Feuer) Chemical substances: testing Dead
AB 822(Levine) Solid waste: multifamily dwellings Dead
AB 954(Brownley) Polyvinyl chloride: packaging containers Dead
AB 1535(Huffman) Electronic waste: fee payment Dead
AB 1860(Huffman) Unsafe products: recall or warning Chapter 569
AB 1879(Feuer) Hazardous materials: toxic substances Chapter 559
AB 1946(Nava) Hazardous materials: water quality: enforcement Vetoed
AB 1960(Nava) Public resources: oil production facilities and oil spills Chapter 562
AB 1972(DeSaulnier) Solid waste: bags: food and beverage containers Chapter 436
AB 2286(Feuer) Unified hazardous waste and hazardous materials Chapter 571
AB 2347(Ruskin) Mercury-added thermostats: collection program Chapter 572
AB 2387(Saldana) Biosample storage Dead
AB 2415(Fuentes) Solid waste: permit Dead
AB 2536(Nunez) Hazardous materials: metal plating facility Dead
AB 2546(De La Torre) Air Toxics Dead
AB 2547(Leno) Oil spill prevention and response Vetoed
AB 2640(Huffman) Solid waste: compostable organics management Dead
AB 2695(Niello) Solid waste: enforcement: illegal dumping Dead
AB 2866(De Leon) Solid waste: solid waste disposal fees: postclosure trust fund Dead
AB 3031(Lieber) Hazardous materials: green chemistry Dead
AB 3077(Committee on Environmental Safety and Toxic Materials) Hazardous materials: brownfield cleanup: loan or grant program Dead
SB 509(Simitian) Hazardous materials: toxic substances Chapter 560
SB 1230(Maldonado) Detergents: phosphorus Dead
SB 1313(Corbett) Product safety: perfluorinated compounds Dead
SB 1334(Calderon) Drinking water: pipes and fittings: lead content Chapter 580

SB 1575(Florez) Department of Toxic Substances Control: consumer product recall enforcement	Dead
SB 1636(Ackerman) Statutes of limitation: toxic injuries	Dead
SB 1739(Simitian) Oil spill contingency plan	Chapter 566

Vector Control

SB 1326(Ducheny) Vector control	Dead
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Water Quality/Protection/Management

AB 27(Parra) California Partnership for the San Joaquin Valley	Dead
AB 224(Wolk) Water supply planning	Dead
AB 938(Calderon, Charles) Regional water management	Dead
AB 1946(Nava) Hazardous materials: water quality: enforcement	Vetoed
AB 2046(Jones) Water supply assessments: groundwater	Dead
AB 2153(Krekorian) Water conservation	Dead
AB 2175(Laird) Water conservation	Dead
AB 2186(Salas) Bottled drinking water	Dead
AB 2212(Ruskin) Santa Clara Valley Water District.	Dead
AB 2219(Parra) Subdivisions: water supply	Dead
AB 2222(Caballero) Groundwater quality: monitoring	Chapter 670
AB 2270(Laird) Recycled water: water quality	Vetoed
AB 2275(Fuentes) Vended water	Vetoed
AB 2356(Arambula) Water quality	Chapter 609
AB 2382(Duvall) Water quality: State Water Quality Control Fund	Dead
AB 2404(Salas) Energy efficiency: water efficiency programs	Chapter 240
AB 2437(Ruskin) Regional water systems	Chapter 99
AB 2441(Lieber) Oil spill prevention and response: regulations: tugboat escorts: hazardous materials	Dead
AB 2501(Wolk) Water resources	Dead
AB 2548(Anderson) Water shortage	Dead
AB 2691(Eng) Groundwater	Dead
AB 2704(Leno) Pupil nutrition: availability of tap water	Vetoed
AB 2723(De La Torre) Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006: dual piping.	Dead
AB 2729(Ruskin) Hazardous substances: underground storage tanks	Chapter 644
AB 2912(Wolk) Oil spill prevention and response: nonmarine waters	Dead
AB 2913(Salas) Sacramento-San Joaquin Delta: strategic plan	Dead
AB 2915(Nunez) Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006: governing council	Dead
AB 2986(Leno) Water quality	Vetoed
AB 3012(De Leon) Public resources: Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Act of 2000	Dead
ABX2 3(Laird) Sacramento-San Joaquin Delta sustainability	First Read
ABX2 5 Water: electricity for desalination: nuclear energy	First Read

SB 27(Simitian) Sacramento-San Joaquin Delta Emergency Preparedness Act of 2008	Chapter 608
SB 1152(Aanestad) Water quality	Dead
SB 1153(Aanestad) Water quality violations	Dead
SB 1176(Perata) Water quality	Dead
SB 1276(Ashburn) Vandalia Water District	Chapter 619
SB 1334(Calderon) Drinking water: pipes and fittings: lead content	Chapter 580
SB 1360 Flood protection	Dead
SB 1391(Padilla) Recycled water	Dead
SB 1404(Lowenthal) Plant labeling: water use	Dead
SB 1520(Kehoe) Water quality: regional boards	Dead
SB 1558(Ashburn) Regional water quality control boards: membership	Dead
SB 1653(Margett) Recycled water	Dead
SB 1707(Margett) The State Water Resources Law of 1945	Dead
SB 1761(Perata) Water and energy efficiency: greenhouse gas emissions reduction	Dead

Wildlife

AB 2065(Hancock) Invasive aquatic species: dreissenid mussels	Chapter 667
AB 2133(Hancock) State contracts: agency projects: habitat and wetlands	Dead
AB 2162(Mullin) Bay-Delta Sport Fishing	Chapter 637
AB 2330(Gaines) Wildlife: hunting licenses	Chapter 98
AB 2349(Fuller) Diseased animals and poultry: violations and penalties: administrative penalty	Chapter 147
AB 2911(Wolk) Oil spill prevention and response: inland spills: wildlife contamination	Chapter 565
AJR 41(Lieu) Endangered species	Chapter 97
SB 1262(Cogdill) Sport fishing: fish hatcheries: trout	Chapter 350
SB 1390(Hollingsworth) Game: nonnative species	Dead
SB 1436(Ducheny) Protected species: accidental take: agricultural activities	Chapter 82
SCR 85(Kuehl) Pacific bluefin tuna	Chapter 106

Bills by Author

Assembly

Adams

AB 2512 Environment: CEQA	Dead
AB 2807 Department of Consumer Affairs	Dead
AB 2851 Protect California Air Act of 2003	Dead

Aghazarian

AB 2121 State parks: disabled passes	Dead
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Anderson

AB 4 Department of Transportation: District 11 Transportation Management Center.	Dead
AB 1847 Fire: brush management	Dead
AB 1869 State boards and commissions: reorganization	Dead
AB 2066 Civil Service: certificate of competence	Dead
AB 2548 Water shortage	Dead

Arambula

AB 2356 Water quality	Chapter 609
AB 2489 Education: code maintenance	Dead
AB 2522 San Joaquin Valley Unified Air Pollution Control District	Dead

Bass

AB 832 California Film Commission: financial assistance: motion picture production	Dead
AB 2423 Professions and vocations: licensure	Chapter 675
AB 2754 Public safety personnel: MRSA skin infections	Chapter 684

Benoit

AB 510 Employment: working hours	Dead
AB 978 Care facilities	Chapter 291
AB 1198 Vehicles: driving under the influence: penalties	Dead
AB 2127 Employment: alternative workweek schedules: small business option	Dead

Berg

AB 1952 Business licensing: exemptions: veterans	Chapter 435
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Berryhill

AB 815 Hunting or fishing: local regulation	Dead
AB 1021 Apple pest: pest and disease prevention	Dead
AB 2392 Ridley-Tree Condor Preservation Act	Dead
AB 2707 State employees: memorandum of understanding	Dead
AB 2782 Milk: manufacturing milk standards: federal raw milk standards	Dead
AB 2824 Food labeling: olive oil	Chapter 695

Blakeslee

AB 242 Land use: annexation: housing	Chapter 11
AB 1764 Land use: agricultural use	Chapter 136
AB 2791 Energy: Waste Heat and Carbon Emissions Reduction Act	Chapter 253
ACA 11 Budget process: California Strategic Reserve Bank	Dead

Brownley

AB 13 Hospitals: staffing	Dead
AB 954 Polyvinyl chloride: packaging containers	Dead
AB 2505 Hazardous waste: polyvinyl chloride packaging container	Dead
AB 2901 Toxics: enforcement: lead jewelry: packaging	Chapter 575

Caballero

AB 2176 Energy: federal block grants	Chapter 229
AB 2202 Public Employees' Retirement System	Chapter 261
AB 2222 Groundwater quality: monitoring	Chapter 670
AB 2327 Emergency services: humanitarian and relief services	Chapter 361
AB 2343 Public administrators and conservators	Chapter 237

Calderon, Charles

AB 938 Regional water management	Dead
AB 2934 California Global Warming Solutions Act of 2006: market-based compliance mechanisms: state parks and forests	Dead

Carter

AB 1963 Public employees' retirement: service credit	Chapter 219
AB 2801 Conflict of interest: settlements	Chapter 163

Committee on Budget

AB 10 Employment: overtime compensation	Chapter 753
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AB 207 Budget Act of 2007	Dead
AB 268 Transportation	Chapter 756
AB 1183 Health	Chapter 758
AB 1338 Public resources	Chapter 760
AB 1526 Before and after school programs	Dead
AB 1654 California State Lottery	Chapter 764
AB 1741 California State Lottery	Chapter 765
AB 1782 Budget Act of 2008	Dead
AB 1783 Budget Act of 2008	Dead
AB 1784 Budget Act of 2008	Dead
AB 1785 Budget Act of 2008	Dead
AB 1786 Budget Act of 2008	Dead
AB 1787 Budget Act of 2008	Dead
AB 1788 Budget Act of 2008	Dead
AB 1789 Budget Act of 2008	Dead
AB 1790 Budget Act of 2008	Dead
AB 1791 Budget Act of 2008	Dead
AB 1792 Budget Act of 2008	Dead
AB 1793 Budget Act of 2008	Dead
AB 1794 Budget Act of 2008	Dead
AB 1795 Budget Act of 2008	Dead
AB 1796 Budget Act of 2008	Dead
AB 1797 Budget Act of 2008	Dead
AB 1798 Budget Act of 2008	Dead
AB 1799 Budget Act of 2008	Dead
AB 1800 Budget Act of 2008	Dead
AB 1801 Budget Act of 2008	Dead
AB 1802 Budget Act of 2008	Dead
AB 1803 Budget Act of 2008	Dead
AB 1804 Budget Act of 2008	Dead
AB 1805 Seriously emotionally disturbed children: out-of-home placement	Dead
ABX3 3 Reductions in the Budget Act of 2007 relating to state government: fiscal emergency	Chapter 1
ABX3 4 Education finance: apportionment: deferral	Chapter 2
ABX3 5 Public health program	Chapter 3
ABX3 6 Human services	Chapter 4
ABX3 7 Highway Users Tax Account	Chapter 5
ABX3 8 State operations	Chapter 6
ABX3 10 Vehicles: sales and use taxes	Dead

Committee on Environmental Safety and Toxic Material

AB 3077 Hazardous materials: brownfield cleanup: loan or grant program	Dead
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Committee on Governmental Organization

AB 3073 Horse racing Chapter 509

Committee on Labor and Employment

AB 3061 Employees: indemnification Dead
AB 3062 Employment: termination: garnishment of wages Dead
AB 3063 Employment: criminal history Dead

Committee on Public Employees, Retirement and Social Security

AB 3040 State employees: memoranda of understanding Dead
AB 3041 Public Employees' Retirement Law Dead
AB 3042 Civil service Chapter 150
AB 3043 Public employees Chapter No. 43
AB 3044 County employees' retirement Chapter 164

Committee on Veterans Affairs

AB 3065(Committee on Veterans Affairs) Public employment: veterans Chapter 590

Cook

AB 2641 Military service: protection: mediator Chapter 642

Coto

AB 2081 Workers' compensation Vetoed
AB 2425 State Department of Public Health: water quality: pharmaceuticals Dead
AB 2638 California Air Quality and Environmental Health Act of 2008 Dead

Davis

AB 865 State agencies: live customer service agents Vetoed
AB 2829 Recycling: plastic carryout bags Dead
AB 2868 Redevelopment agencies: affordable housing Dead
ACR 104 Public Service Recognition Week Chapter 33

De La Torre

AB 523 Alcoholic beverage licenses: self-service checkouts Dead
AB 2036 Public employment: local agencies: unfair labor practices Dead
AB 2092 Criminal procedure: discharge of accusation or information: bar to public office
AB 2546 Air Toxics Dead

AB 2723 Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006: dual piping Dead
AB 2797 State contracting: small business preference Dead

De Leon

AB 730 Public contracts: information technology goods and services: protections against default Dead
AB 2293 Alcoholic beverage licensees Chapter 638
AB 2599 Birth Defects Monitoring Program Chapter 680
AB 2865 Carl Moyer Memorial Air Quality Standards Attainment Program Dead
AB 2866 Solid waste: solid waste disposal fees: postclosure trust fund Dead
AB 2869 Air resources: Community Empowerment Advisory Committee Dead
AB 2938 Water diversions: fish monitoring Dead
AB 2940 Retirement: California Employee Savings Program Dead
AB 3012 Public resources: Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Act of 2000 Dead
AJR 40 South Coast Air Basin: ozone and fine particulate matter PM 2.5 exposure Chapter 9

DeSaulnier

AB 1225 Ocean resources: California Ocean Protection Trust Fund Chapter 646
AB 1972 Solid waste: plastic bags: food and beverage containers Chapter 436
AB 2324 Tidelands and submerged lands: City of Pittsburg Dead
AB 2655 Indoor air pollution: heavy-duty vehicle crankcase emissions Dead
AB 2819 First responder liability Dead
AB 2870 Land use: environmental quality Dead
AB 2922 Air pollution: penalties: fuel containers Chapter 687

DeVore

AB 11 Vehicles: special license plates Dead
AB 1849 State surplus property: Los Angeles Memorial Coliseum Dead
AB 1992 Public resources: unauthorized use Dead
AB 2089 State contracts: unauthorized aliens Dead
AB 2752 State lands: oil leases Dead
ABX2 5 Water: electricity for desalination: nuclear energy Dead

Duvall

AB 2382 Water quality: State Water Quality Control Fund Dead
AB 2530 Private employment: meal periods: transportation workers Dead
AB 2838 State employment: serious illness: purchase of service credit Chapter 470

Dymally

AB 1902 Temporary services employees: wages Dead

Emmerson

AB 1684 Vital records Chapter 47

AB 1970 Habitat mitigation Dead

AB 2079 Food Chapter 73

AB 2225 Public officers: district attorneys and city attorneys: identification Dead

AB 2303 Nutrition Dead

AB 2988 Outdoor advertising Dead

Eng

AB 675 Department of General Services: public contracts: report Dead

AB 704 Public contracts: metropolitan water districts: design-build Dead

AB 1284 Geologists and geophysicists Chapter 488

AB 1925 Franchise Tax Board: professional or occupational licenses Dead

AB 2427 Professions and vocations Vetoed

AB 2603 Public contracts: information technology: reports Dead

AB 2691 Groundwater Dead

AB 2823 San Gabriel Basin Water Quality Authority Dead

Evans

AB 16 Human papillomavirus vaccination Vetoed

AB 926 Civil discovery Vetoed

AB 1949 Court operations Chapter 218

AB 2849 Bees Vetoed

AB 2923 State lands: wilderness areas Vetoed

Feuer

AB 558 Chemical substances: testing Dead

AB 904 Recycling: food containers Dead

AB 1879 Hazardous materials: toxic substances Chapter 559

AB 2286 Unified hazardous waste and hazardous materials Chapter 571

Fuentes

AB 212 General plan: zoning ordinances Dead

AB 214 Public Protection and Physician Health Program Act of 2008 Vetoed

AB 2041 County employees' retirement: noncontributory plans: death of member	Chapter 72
AB 2075 Wages: execution of release of claim or right	Chapter 224
AB 2076 Employment: hiring practices: electronic employment verification	Dead
AB 2091 Workers' compensation: annual study: access to pharmacy services	Chapter 193
AB 2267 California-based entities: self-generation incentive program	Chapter 537
AB 2275 Vended water	Vetoed
AB 2415 Solid waste: permit	Dead
AB 2772 Child day care facilities	Dead
AB 2989 Parks and recreation: Outdoor Environmental Education and Recreation Program	Dead
AJR 50 Federal renewable energy tax credits	Dead

Fuller

AB 1913 Cotton	Chapter 189
AB 2349 Diseased animals and poultry: violations and penalties: administrative penalty	Chapter 147
AB 2632 California Global Warming Solutions Act of 2006: market-based compliance mechanisms	Dead

Furutani

AB 2179 Air quality: diesel fuel	Vetoed
AB 2264 Public contracts: community college districts	Dead
AB 2332 Railroads: location or expansion of railyards near schools	Dead
AB 2699 Public employees: collective bargaining	Dead
AB 2701 State employees: memorandum of understanding	Dead
AB 2908 State contracts: bids	Dead
AB 2962 Vehicular air pollution control: civil penalties	Dead

Gaines

AB 2330 Wildlife: hunting licenses	Chapter 98
AB 2859 Public resources: fire prevention and control: forest protection	Chapter 365
AB 2963 Neighborhood electric vehicles	Chapter 199
ACA 3 Expenditure limits	Dead

Galgiani

AB 856 Agriculture	Dead
AB 1810 Horses: shows, competitions, and sales	Chapter 87
AB 1820 Counties: homicide trials: reimbursement	Chapter 213
AB 2120 Medical telemedicine	Chapter 260

AB 2284 Market milk standards: frozen yogurt: Milk Producers Security Trust Fund.

Garcia

AB 1966 Severe need schools: pupil nutrition: school breakfast	Dead
AB 2194 Food facilities	Dead
AB 2431 State Air Resources Board: state implementation plan	Dead
AB 2808 Green schools: environmentally sensitive cleaning and maintenance products	Dead

Garrick

AB 1811 Public employees' retirement	Dead
AB 1843 State government: Department of Finance	Dead
AB 2205 Horse racing: racing weeks: allocations	Chapter 448
AB 2350 Employee benefits: prefunding	Dead
AB 2665 Horse racing: licenses	Dead

Hancock

AB 524 Public employees: local agencies	Vetoed
AB 1709 Local government: community facilities districts	Vetoed
AB 2065 Invasive aquatic species: dreissenid mussels	Chapter 667
AB 2133 State contracts: agency projects: habitat and wetlands	Chapter 444
AB 2764 Pests: eradication: use of pesticide: declaration of state of emergency	Dead
AB 2855 Career technical education: partnership academies: green technology and goods movement	Chapter 685
AB 3001 Global warming: California Voluntary Carbon Offset Program Fund	Dead

Hayashi

AB 1997 Public employee health benefits: vision care: local, school, and university members	Vetoed
AB 2519 State employees: salary	Dead
AB 2804 Renewable energy resources: California Solar Initiative	Chapter 542

Hernandez

AB 396 Public contracts: bid preferences: employee health care expenditures	Dead
AB 1844 Public employee benefits	Chapter 369
AB 2156 Public employee benefits	Chapter 74
AB 2446 Employment: payment of wages	Dead
AB 2692 Insurance: workers' compensation	Dead

Horton

AB 2047 State Board of Equalization: business and special taxes: compromises	Chapter 222
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AB 2223 Structural Fumigation Enforcement Program	Chapter 450
AB 2803 Payments to public agencies: court-ordered restitution	Chapter 104

Houston

AB 1074 California State Conservation Permit	Dead
AB 2023 Public employee disability benefits	Chapter 370
AB 2024 Disability retirement: medical examinations	Dead
AB 2132 Wildlife: hunting	Vetoed
AB 2872 Local government finance	Dead

Huff

AB 9 Voter identification: proof of identity	Dead
AB 1838 State department budgets: zero-based budget pilot project	Dead
AB 2421 Employment of unauthorized aliens	Dead

Huffman

AB 1535 Electronic waste: fee payment	Dead
AB 1860 Unsafe products: recall or warning	Chapter 569
AB 1920 Solar and wind generating resources	Dead
AB 2640 Solid waste: compostable organics management	Dead
AB 2697 Boutique hospitals	Vetoed
AB 2765 Pest eradication: aerial use of pesticide: public hearing: notice	Chapter 574
AB 2935 Oil spill prevention and response	Chapter 564
AB 2950 Commercial e-mail messages: falsity and deception	Vetoed
AB 3076 Vehicles: Maddy Emergency Medical Services Fund	Chapter 511
AJR 53 Air resources: greenhouse gas emissions	Chapter 92

Jeffries

AB 1813 State holidays: Lincoln Day: consolidation	Dead
AB 1858 Public employees: retirement benefits forfeiture	Dead
AB 2005 State parks: transfer: local governments	Dead
AB 2490 Governmental reorganization	Dead
AB 2719 Employees: meal periods	Dead

Jones

AB 211 Public health	Chapter 602
AB 437 Statutes of limitation	Vetoed
AB 1656 Personal information: security breaches	Vetoed
AB 1779 Personal information: security breaches	Dead
AB 2046 Water supply assessments: groundwater	Vetoed
AB 2168 Farm stands: direct marketing: retail food	Chapter 447

AB 2596 California Global Warming Solutions Act of 2006: cities and counties Dead
Karnette

AB 1209 Vehicles: HOV lanes Chapter 429
AB 2071 Plastic bags: plastic food and beverage containers: enforcement Chapter 570
AB 2308 Public employment: disabled persons Vetoed

Keene

AB 2361 School safety: Safe School Guarantee Dead
AB 2362 State records: personal information: security breaches Dead
AB 2534 Forest resources Dead

Krekorian

AB 995 Parks and nature education facilities Dead
AB 1170 State mandates Dead
AB 2098 Animals: nonambulatory: cruelty Chapter 194
AB 2153 Water conservation Dead
AB 2965 School facilities: water toxicity assessment Dead

La Malfa

AB 2230 California Environmental Quality Act: filing fees and exemptions Dead
AB 2285 Forest resources Dead
AB 2725 Federal forest reserve funds: short-term loans Dead
AB 2727 Taxation: State Board of Equalization: Franchise Tax Board: burden of proof. Dead
AB 2770 Department of Fish and Game: scientific collector's permits Vetoed
AB 2777 Public lands: beekeeping Dead
AB 2900 Water quality: mandatory minimum civil penalties Dead

Laird

AB 1770 2008-09 Budget Dead
AB 1781 Budget Act of 2008 Chapter 268
AB 2175 Water conservation Dead
AB 2270 Recycled water: water quality Vetoed
AB 2595 Public records: unlawful possession Vetoed
AB 2654 Discrimination Chapter 682
AB 2763 Invasive pests: advance planning: detection and eradication plans Chapter 573
AB 2921 Local government: agricultural land Chapter 503
AB 2945 State parks and wilderness areas Chapter 689
AB 2990 Underground storage tanks: petroleum Dead
AB 3033 University of California: contracts Vetoed
ABX2 1 Water bond Dead

ABX2 2 Water supply reliability	Dead
ABX2 3 Sacramento-San Joaquin Delta sustainability	Dead
ACR 117 Light brown apple moth	Dead

Leno

AB 706 Fire retardants	Dead
AB 2547 Oil spill prevention and response	Vetoed
AB 2597 State claims	Chapter 37
AB 2598 Residential care facilities for the elderly: rent	Dead
AB 2704 Pupil nutrition: availability of tap water	Vetoed
AB 2726 Healthy Food Purchase pilot program	Chapter 466
AB 2730 Beverage containers: nonprofit convenience zone recyclers	Chapter 251
AB 2760 Environment: CEQA: pest eradication	Dead
AB 2863 Independent solar energy producers: master-meter customers	Chapter 535
AB 2879 Employee wages and working hours: violators	Dead
AB 2986 Water quality	Vetoed

Levine

AB 822 Solid waste: multifamily dwellings	Dead
AB 1400 Utilities: Public Utilities Commission: energy: renewable energy resources: rates	Dead
AB 1489 Public Utilities: procurement: persons with developmental disabilities business enterprises. Utilities: Public Utilities Commission: renewable energy resources	Dead
AB 1634 Dogs and cats: nonspayed or unneutered: civil penalties	Dead
AB 1711 Employment: wages and hours	Dead
AB 2058 Recycling: plastic carryout bags	Dead
AB 2360 Public contracts: state contracts: healthy lifestyle benefits	Dead
AB 2720 Environment: environmental impact report	Chapter 148

Lieber

AB 419 Workers' compensation: public employees: leaves of absence	Vetoed
AB 512 Contracts: translation	Dead
AB 515 Occupational safety and health	Dead
AB 1065 Public resources: building standards: greenhouse gas	Dead
AB 1530 Pesticide poisoning	Dead
AB 2441 Oil spill prevention and response: regulations: tugboat escorts: hazardous materials	Dead
AB 2874 Civil rights: damages	Vetoed
AB 2896 Vehicles: special license plates	Dead
AB 2918 Employment: usage of consumer credit reports	Vetoed
AB 2926 Forest resources: resource conservation	Dead
AB 2954 San Francisco Bay Restoration Authority	Chapter 690
AB 2994 Pupil records: release of information	Vetoed

AB 3025 Solid waste: polystyrene loosefill packaging Chapter 471
AB 3031 Hazardous materials: green chemistry Dead

Lieu

AB 2560 Medium- and heavy-duty motor vehicles: air pollution Vetoed
AB 2639 School safety plans Dead
AB 2780 Damages: lost profits Dead
AJR 41 Endangered species Chapter 97

Ma

AB 56 Secretary to End Poverty Dead
AB 125 School facilities Vetoed
AB 977 Pest control: pesticides: local regulation Dead
AB 983 Public contracts: plans and specifications Vetoed
AB 1017 California Environmental Quality Act: appeal to local lead agency's elected
decisionmaking body Vetoed
AB 1829 Nurse-Family Partnership program Vetoed
AB 1878 Sales of wine Dead
AB 2649 Medical assistants: authorized services Vetoed
AB 2694 Children's product safety: lead poisoning prevention Dead
AB 2716 Employment: paid sick days Dead
AB 2942 Health facilities: community benefits Dead

Mendoza

AB 163 Gambling: local ordinances Chapter 647
AB 1479 State bodies: governance Chapter 211
AB 1866 Service contracts: retailers Vetoed
AB 2135 Instructional materials Vetoed
AB 2540 Mobile food facilities Vetoed
AB 2778 Small business and procurement Chapter 102
AB 2826 Immigration: advisory election Dead
AB 2860 Agricultural lands: cancellation of Williamson Act contracts Dead

Migden

SB 619 Public contracts: retention proceeds Dead
SB 760 State employees: deferred compensation Dead
SB 1121 Food labeling: cloned animals Dead
SB 1338 Workers' compensation: medical treatment: predesignation of physician Vetoed
SB 1668 State Fire Marshal: fire and panic safety requirements Chapter 367
SB 1713 Children's products: bisphenol A Dead
SCR 87 Light brown apple moth Dead

Mullin

AB 2162 Bay-Delta Sport Fishing Chapter 637
AB 2191 Public employees: annuities Chapter 230

Nakanishi

AB 130 Excluded employees: salaries and benefits Dead
AB 2830 Wind energy Dead

Nava

AB 38 State agencies: California Emergency Management Agency Chapter 472
AB 1851 Greenhouse gas credits Dead
AB 1946 Hazardous materials: water quality: enforcement Vetoed
AB 1960 Public resources: oil production facilities and oil spills Chapter 562

Niello

AB 36 Public employees' retirement: fraud Dead
AB 1891 Civil procedure: sanctions Dead
AB 2600 State government: infrastructure Dead
AB 2695 Solid waste: enforcement: illegal dumping Dead
AB 2779 Standardized Testing and Reporting Program Dead

Nunez

AB 109 Air pollution: alternative fuels and vehicle technologies Chapter 313
AB 1675 Greenhouse gas emissions: Department of Transportation: purchasing specifications Dead
AB 2386 Employment: Agricultural labor Vetoed
AB 2536 Hazardous materials: metal plating facility Dead
AB 2645 Air pollution: alternative fuels and vehicle technologies: funding programs. Dead
AB 2915 Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006: governing council Dead
AB 2916 State buildings: energy efficiency measures Dead
AB 2991 Air pollution: research Chapter 691
AB 3018 California Green Collar Jobs Act of 2008: green jobs Chapter 312
ABX3 9 Income taxes: corporation taxes: petroleum industry Dead

Parra

AB 27 California Partnership for the San Joaquin Valley Dead

AB 1604 Market milk: raw milk: standards	Dead
AB 2063 Smog check program: biennial inspection	Dead
AB 2219 Subdivisions: water supply	Dead
AB 2342 California Partnership for the San Joaquin Valley	Dead
AB 2572 Food facilities: nutrition information	Dead

Plescia

AB 2613 Alcoholic beverages: instructions: tastings	Dead
AB 2712 Marine Life Management Act: marine fisheries: forage species	Dead
ACA 12 State budget: state mandated local programs	Dead

Portantino

AB 2037 California State University: prevailing wage law study	Dead
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Price

AB 2773 Public contracts: Small Business Procurement and Contract Act	Dead
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Runner, Sharon

AB 748 District agricultural associations: directors and employees	Dead
AB 1115 Peace officers: accidents	Dead
AB 2250 Public employment: outside compensation	Chapter 452

Ruskin

AB 1100 Portable gasoline containers: safety cans	Chapter 5
AB 1907 Point-of-sale systems: price accuracy verification	Chapter 434
AB 1942 Public contracts: small businesses and disabled veteran business enterprises	Vetoed
AB 2181 Workers' compensation: reports of occupational injury or illness	Chapter 740
AB 2212 Santa Clara Valley Water District	Dead
AB 2316 Motor vehicles: greenhouse gas emission reductions: replacement program study	Dead
AB 2347 Mercury-added thermostats: collection program	Chapter 572
AB 2383 Social security numbers	Dead
AB 2384 Privacy: social security numbers	Dead
AB 2437 Regional water systems	Chapter 99
AB 2538 Greenhouse gas emissions: consumer product labeling: report	Dead
AB 2679 Solid waste: enforcement: local agencies	Chapter 500
AB 2729 Hazardous substances: underground storage tanks	Chapter 644
AB 2785 Wildlife conservation: habitat connectivity	Chapter 333

Salas

AB 372 Consumer credit reports: security freezes	Chapter 151
AB 2186 Bottled drinking water	Dead
AB 2404 Energy efficiency: water efficiency programs	Chapter 240
AB 2913 Sacramento-San Joaquin Delta: strategic plan	Dead
AB 3020 State Contract Act: definition: department	Chapter 106

Saldana

AB 218 Hazardous waste: electronic waste	Dead
AB 985 Environment: judicial review	Dead
AB 2003 Energy: Climate Protection and Energy Efficiency Bond Act of 2008	Dead
AB 2387 Biosample storage	Dead

Silva

AB 1576 State mandates: reimbursement procedures; alternate procedure	Dead
AB 2048 Horse racing	Chapter 439
AB 2299 Maintenance of the codes	Vetoed
AB 2812 Emergencies: border security	Dead

Solorio

AB 1978 Public records: computer mapping systems	Dead
AB 2589 Health care coverage: public agencies	Chapter 331
AB 2753 State employees: social workers	Dead

Soto

AB 1896 Employment: alternative workweek	Dead
AB 2158 State employees' health benefits: bloodborne diseases	Chapter 688

Strickland

AB 229 Ethics in government	Dead
AB 2539 State boards and commissions: salaries: suspension	Dead
AB 2624 Ethics in government	Dead
AB 2625 Biodiesel	Dead

Swanson

AB 1708 Sentencing Commission	Dead
AB 1988 Employee safety	Dead
AB 1989 Employment	Dead

AB 2001 Local government: whistleblower hotlines	Chapter 325
AB 2134 Employment discrimination: family and medical leave	Dead
AB 2346 Child care: state employees	Dead
AB 2892 Pests: eradication: aerial spraying of pesticide: voter consent	Dead

Torrico

AB 1967 Public employee retirement: investments: sovereign wealth funds	Dead
AB 2253 Food labels: free range	Dead
AB 2633 Election precincts	Dead

Tran

AB 2193 Civil discovery: out-of-state proceedings	Chapter 231
AB 2407 Unemployment compensation: disability benefits: payment of benefits	Dead
AB 2871 Abraham Lincoln commission	Vetoed

Villines

AB 2118 State agencies: administrative regulations	Dead
AB 2850 Market milk: stabilization and marketing plans: equalization pools: amendments: hearings	Dead
AB 2852 Government practices	Dead
ABX2 4 Water resources: bond funds	Dead
ACA 19 Expenditure limitations	Dead

Walters

AB 2102 State employment: eligibility verification	Dead
AB 2672 Employment: overtime exemptions	Dead
AB 2709 Department of Finance: state budget: Internet database	Dead

Wolk

AB 224 Water supply planning	Dead
AB 2501 Water resources	Dead
AB 2502 Sacramento-San Joaquin Delta Ecological Restoration and Recreation Areas	Dead
AB 2503 Delta Protection Commission	Chapter 101
AB 2881 Nuisance: agricultural activity: recovery of defendant's costs: right to farm.	Chapter 686
AB 2911 Oil spill prevention and response: inland spills: wildlife contaminations	Chapter 565
AB 2912 Oil spill prevention and response: nonmarine waters	Dead

Senate

Aanestad

SB 567 Counties: consolidation of offices: watermaster districts	Chapter 703
SB 1152 Water quality	Dead
SB 1153 Water quality violations	Dead

Ackerman

SB 1631 Public works: environmental complaints: fines and penalty	Dead
SB 1636 Statutes of limitation: toxic injuries	Dead

Alquist

SB 755 Public employees' retirement: postretirement death benefits	Dead
SB 960 Zero-emission and plug-in hybrid electric vehicles	Dead
SB 1244 Employment retaliation	Dead
SB 1484 Income and corporation taxes: oil producers: credits: clean energy technology.	Dead
SB 1501 Emergency preparedness	Dead

Ashburn

SB 1276 Vandalia Water District	Chapter 619
SB 1439 Tulare Lake Basin: pilot program	Dead
SB 1472 Public employment	Chapter 353
SB 1496 Public Employees' Retirement System: member classifications	Chapter 408
SB 1497 State employees: retirement	Dead
SB 1533 Emergency medical services: licensure	Dead
SB 1558 Regional water quality control boards: membership	Dead

Battin

SB 1681 Surplus state real property	Chapter 532
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Beall

AB 671 Medi-Cal: frequent users of health services	Dead
AB 2635 Individuals with severe disabilities: state employment	Dead

Calderon

SB 1206 Pest control	Chapter 46
SB 1309 Workers' compensation: implantable medical devices	Dead

SB 1334 Drinking water: pipes and fittings: lead content	Chapter 580
SB 1426 Recycled material	Dead
SB 1473 Building standards	Chapter 719
SB 1539 Meal periods	Dead
SB 1667 Civil actions: liability: asbestos exposure	Dead

Cedillo

SB 1368 Courts: California Habeas Corpus Resource Center	Dead
SB 1369 Remote caller bingo	Chapter 748

Cogdill

SB 222 Public records: personal information	Dead
SB 1262 Sport fishing: fish hatcheries: trout	Chapter 350
SB 1323 Public resources: land conservation acquisition: appraisal	Dead
SB 1517 Environment: CEQA	Dead

Committee on Budget and Fiscal Review

SB 98 Taxation	Dead
SB 1070 Elections: ballot pamphlets	Chapter 133
SB 1072 Budget Act of 2008	Dead
SB 1073 Transportation	Dead
SB 1074 Education finance	Dead
SB 1075 Budget Act of 2008	Dead
SB 1076 Budget Act of 2008	Dead
SB 1077 Health	Dead
SB 1078 Human services	Dead
SB 1079 Public Resources	Dead
SB 1080 State government	Dead
SB 1081 Taxation	Dead
SB 1082 Before and after school programs	Dead
SB 1083 Budget Act of 2008	Dead
SB 1084 California State Lottery	Dead
SB 1085 California State Lottery	Dead
SB 1086 Budget Act of 2008	Dead
SB 1087 Budget Act of 2008	Dead
SB 1088 Budget Act of 2008	Dead
SB 1089 Budget Act of 2008	Dead
SB 1090 Budget Act of 2008	Dead
SB 1091 Budget Act of 2008	Dead
SB 1092 Prison construction: Medical Care Receiver	Dead
SBX3 1 Reductions in the Budget Act of 2007 relating to support of counties: temporary suspensions	Chapter 7
SBX3 2 School finance: apportionment: deferral	Dead

SBX3 3 Public health programs	Dead
SBX3 4 Human services	Dead
SBX3 5 Highway Users Tax Account	Dead
SBX3 6 State operations	Dead
SBX3 7 Budget Act of 2007	Dead
SBX3 8 Vehicles: sales and use taxes	Dead
SBX3 9 Budget Act of 2007	Dead
SBX3 10 Budget Act of 2007	Dead
SBX3 11 Budget Act of 2007	Dead
SBX3 12 Budget Act of 2007	Dead
SBX3 13 Budget Act of 2007	Dead
SBX3 14 Budget Act of 2007	Dead
SBX3 15 Budget Act of 2007	Dead

Committee on Judiciary

SB 1498 Maintenance of the codes	Dead
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Committee on Local Government

SB 1061 Validations	Chapter 10
SB 1062 Validations	Chapter 614
SB 1063 Validations	Chapter 7

Corbett

SB 1296 Public Employment Relations Board	Chapter 712
SB 1313 Product safety: perfluorinated compounds	Vetoed
SB 1466 Citrus Nursery Stock Pest Cleanliness Program	Dead
SB 1583 Employment: independent contractors	Vetoed
SB 1625 Recycling: CRV containers	Dead
SB 1773 Pet food: labels	Dead

Correa

SB 689 Public employee health benefits: vision care: annuitants	Dead
SB 1321 School recycling programs	Dead
SJR 11 National Children's Study	Chapter 4

Cox

SB 155 Gasoline: vapor recovery systems	Chapter 702
SB 1166 Game refuges	Chapter 389
SB 1396 Local government: recording fees	Chapter 405
SB 1662 Air districts: emission reduction offsets: Sacramento metro federal nonattainment area	Chapter 725

Denham

SB 1133 State surplus property: Los Angeles Memorial Coliseum	Dead
SB 1204 Political Reform Act of 1974: electronic filing	Dead
SB 1268 Nursing home administrators	Chapter 397
SB 1273 Public records	Dead
SB 1306 Food and agriculture: marketing councils and commissions	Dead
SB 1347 School park property	Dead
SB 1383 State agencies: exhibits	Dead
SB 1384 Public contracts: approval of contracts	Dead
SB 1663 Used and waste tires: grants	Dead
SCA 14 Governor: state budget	Dead
SCA 15 Legislature: sessions: state budget	Dead
SCA 16 Legislature: compensation	Dead
SCR 68 Budget Bill conference committee	Dead
SCR 69 Budget Bill votes	Dead

Ducheny

SB 1067 2008-09 Budget	Dead
SB 1068 Budget Act of 2007: augmentation	Chapter 22
SB 1069 Budget Act of 2007: augmentation	Dead
SB 1071 Prisons: medical care receiver	Dead
SB 1208 Elections: title and summary: fiscal estimate	Vetoed
SB 1256 Salton Sea Restoration Council	Dead
SB 1295 California Coastal Act of 1976: coastal development permit: appeal	Dead
SB 1326 Vector control	Vetoed
SB 1436 Protected species: accidental take: agricultural activities	Chapter 82

Dutton

SB 1172 Wildlife: hunting: revenues	Dead
SB 1210 Environmental quality: short form environmental impact report	Dead
SB 1292 Administrative procedure: State Air Resources Board	Dead

Florez

SB 158 Hospitals: patient safety and infection control	Chapter 294
SB 200 Food safety	Dead
SB 202 Agriculture: leafy green vegetable crop traceback	Dead
SB 895 Carl Moyer Memorial Air Quality Standards Attainment Program: multidistrict projects	Dead
SB 1548 San Joaquin Valley Unified Air Pollution Control District: city selection committee	Chapter 622
SB 1549 Historic vehicles: special license plates	Vetoed

SB 1550 Corporations: climate change disclosure	Dead
SB 1573 Smog check program: emission standards	Vetoed
SB 1574 Underground storage tanks: biodiesel	Vetoed
SB 1575 Department of Toxic Substances Control: consumer product recall enforcement	Dead
SB 1576 Food commodities: country of origin labeling	Dead
SB 1697 Gambling licenses	Dead

Harman

SB 3 Trespass: illegal immigrants	Dead
SB 315 Criminal procedure: appeals: capital cases	Dead
SB 1202 Attorney's fees: public interest: class action	Dead
SB 1283 Employment: wages: discharged employee	Dead

Hollingsworth

SB 947 California Environmental Quality Act: consultation: transportation facilities	Dead
SB 1227 Disaster assistance: emergencies	Chapter 362
SB 1390 Game: nonnative species	Dead
SB 1530 Office of the Governor: succession	Chapter 180
SB 1618 Public resources: defensible space	Dead

Kehoe

SB 140 State property: City of San Diego	Chapter 513
SB 404 Parks: conveyances	Vetoed
SB 494 Vehicular air pollution control: clean alternative fuels	Dead
SB 1485 Solar energy: California Solar Initiative	Dead
SB 1500 Environment: CEQA: fire hazards: state responsibility areas	Dead
SB 1520 Water quality: regional boards	Dead
SB 1595 Public resources: fire protection: fuels management: forest protection	Chapter 36
SB 1670 Energy efficiency and carbon reduction	Dead

Kuehl

SB 68 Environmental quality: determination: dispute	Vetoed
SB 1165 Environment: environmental impact report	Dead
SB 1489 Workplace protections: poster related to domestic violence and sexual assault	Dead
SB 1661 Unemployment compensation: family leave: good cause	Vetoed
SCR 85 Pacific bluefin tuna	Chapter 106

Lowenthal

SB 1161 Petroleum underground storage tanks: cleanup	Chapter 616
SB 1174 Vehicles: hybrid and electric vehicles: visually impaired pedestrians	Vetoed
SB 1247 Farmworker housing assistance	Chapter 521
SB 1258 Building standards: graywater	Chapter 172
SB 1322 Public employment and property	Vetoed
SB 1386 Residential building safety	Vetoed
SB 1404 Plant labeling: water use	Dead
SB 1720 Clean Air Sticker: misuse: penalties	Chapter 417

Machado

SB 1102 California Bay-Delta Authority Act	Vetoed
SB 1238 Wildlife resources	Dead
SB 1240 Real estate: brokers and salespersons	Vetoed
SB 1360 Flood protection	Vetoed
SB 1424 Wild animals: permits	Dead
SB 1737 Real estate: brokers and salespersons	Chapter 286

Maldonado

SB 1230 Detergents: phosphorus	Vetoed
SB 1277 Synthetic turf	Chapter 398
SB 1278 Building standards: green building construction	Dead
SB 1280 Agriculture: seed: advisory board: registration	Chapter 399
SB 1464 State agencies: Resources Agency	Chapter 205
SB 1587 Subdivisions: maps: extension	Dead
SB 1659 State property	Dead
SB 1723 Agriculture: pesticide recycling program and certification	Chapter 533
SB 1724 Global warming: carbon credits	Dead
SCA 23 State officer salary increases: operating deficit	Dead
SCR 75 California Agriculture Day	Chapter 12

Margett

SB 1141 Emergency medical services: public aircraft	Chapter 289
SB 1514 Public employee postretirement benefits	Dead
SB 1653 Recycled water	Dead
SB 1707 The State Water Resources Law of 1945	Dead

McClintock

SB 1494 State agency Web sites: information	Dead
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Migden

SB 619 Public contracts: retention proceeds	Dead
SB 760 State employees: deferred compensation	Dead
SB 1121 Food labeling: cloned animals	Dead
SB 1338 Workers' compensation: medical treatment: predesignation of physician	Vetoed
SB 1668 State Fire Marshal: fire and panic safety requirements	Chapter 367
SB 1713 Children's products: bisphenol A	Dead
SCR 87 Light brown apple moth	Dead

Negrete McLeod

SB 1335 Infrastructure financing districts: City of Colton: Agua Mansa area	Vetoed
SB 1353 State employees: military benefits	Chapter 592
SB 1601 Public employees	Vetoed
SB 1611 Public employees' retirement: service credit: California State University academic employees	Dead
SB 1676 Classified employees	Dead
SB 1687 State contracts: participation goals: persons with developmental disabilities business enterprises	Dead

Oropeza

SB 4 Public resources: state beaches and parks: smoking ban	Dead
SB 6 Land use planning: flood control	Dead
SB 1331 Governor's Budget: services contracts	Dead
SB 1358 Public health and the environment	Dead
SB 1443 Food facilities: donated food	Dead
SB 1722 Metro Green Line Construction Authority	Dead
SB 1745 Consumer rights	Dead
SB 1746 California Environmental Quality Act (CEQA): regulations	Dead
SB 1747 Employment: alternative workweek	Dead
SB 1748 State budget	Dead

Padilla

SB 825 Public health: shaken baby syndrome	Dead
SB 1252 Vehicles: dealers: consumer protection	Dead
SB 1357 Beverage containers: processing payments: grants	Chapter 697
SB 1391 Recycled water	Vetoed
SB 1420 Food facilities: nutritional information	Chapter 600
SB 1490 Employment: independent contractors	Dead
SB 1646 South Coast Air Quality Management District: air pollution fee	Chapter 724

Perata

SB 1176 Water quality	Dead
SB 1718 Public employment: State Bargaining Unit 2: compensation	Vetoed
SB 1760 Energy: greenhouse gas emissions	Vetoed
SB 1761 Water and energy efficiency: greenhouse gas emissions reduction	Dead
SB 1769 Department of Consumer Affairs	Dead

Ridley-Thomas

SB 775 Childhood lead poisoning	Vetoed
SB 870 California Housing Finance Agency: resolutions, rules, and regulations	Chapter 281
SB 963 Department of Consumer Affairs: regulatory boards	Chapter 385
SB 986 Pet stores	Vetoed
SB 1177 Court fees	Vetoed

Romero

SB 331 Unlawful entry: tribal land	Dead
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Runner

SB 1180 Parks and open space: Rim of the Valley Trail Corridor: boundary revisions	Vetoed
SB 1223 Air pollution	Dead
SB 1359 Retail food facilities	Vetoed

Scott

SB 1164 Investigators	Chapter 81
SB 1173 Unemployment insurance: employers: motion picture industry	Chapter 391
SB 1216 Insurance: long-term care	Chapter 171
SB 1499 Metallic balloons	Vetoed

Simitian

SB 27 Sacramento-San Joaquin Delta Emergency Preparedness Act of 2008	Chapter 608
SB 30 Identity Information Protection Act of 2007	Dead
SB 364 Personal information: privacy	Vetoed
SB 456 Diacetyl	Dead
SB 509 Hazardous materials: toxic substances	Chapter 560
SB 899 Fishing gear	Vetoed
SB 908 Environmental education	Vetoed
SB 973 California Health Benefits Service Program	Vetoed
SB 1298 California education information	Chapter 561

SB 1311 California Pollution Control Financing Authority: Capital Access Loan Program	Chapter 401
SB 1399 Public resources: solar shading	Chapter 176
SB 1622 California Health Benefits Service Program	Dead
SB 1739 Oil spill contingency plan	Chapter 566

Steinberg

SB 732 Environment	Chapter 729
SB 1538 Recovery strategy pilot programs	Chapter 411
SCR 96 The 2008 State Scientist Day	Chapter 58

Torlakson

SB 242 Claims against the state	Chapter 59
SB 445 Greenhouse gas mitigation fee	Dead
SB 458 Lung cancer: early detection and treatment	Dead
SB 1138 State claims	Dead
SB 1753 Portable classrooms: formaldehyde	Dead
SCA 22 State finance: budget: taxes	Dead

Vincent

SB 1568 Horse racing	Dead
SB 1571 Horse racing: licenses	Dead

Wiggins

SB 157 Alcoholic beverages: winegrower's license	Chapter 377
SB 562 Public resources: salmon and steelhead: protection: fishery restoration	Chapter 4
SB 634 Food labeling: olive oil	Chapter 694
SB 695 Public employee health benefits: retirees	Dead
SB 772 Lyme disease	Dead
SB 1123 Public employee benefits	Chapter 371
SB 1557 State Environmental Goals and Policy Report	Vetoed
SJR 22 California's wine industry	Chapter 9

Wyland

SB 15 The Career Technical Education Vision Council	Dead
SB 714 Food labeling	Dead
SB 1269 Science education: experimental science curriculum	Dead
SB 1314 State Auditor: duties	Dead
SB 1478 Labor organizations	Dead

Yee

SB 1267 Whistleblower protection	Dead
SB 1505 Whistleblower protection	Vetoed
SB 1596 University of California: public contracts	Dead
SB 1623 Rice industry	Chapter 414
SB 1642 Public contracts: claims	Dead
SB 1696 California Public Records Act: disclosure	Chapter 62
SB 1758 State employees: memorandum of understanding	Dead

2008 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 2008 Legislative session, which impact, or have the potential to impact California's pesticide regulatory program.

**SB 1723(Maldonado) Agriculture: pesticide recycling program and certification
Chapter Number 533, Statutes of 2008**

Would require every person who is the first to sell any agricultural- or structural-use pesticide product for use in this state that is packaged in rigid, nonrefillable, high-density polyethylene (HDPE) containers of 55 gallons or less to establish a recycling program, or demonstrate participation in a recycling program to ensure HDPE containers are recycled. Container recycling would be required to comply with specified standards, as published in February 2006, and the recycling program would be required to be certified as being in compliance by a specified 3rd-party organization. This bill would require that records required by those standards shall be maintained for 3 years and shall be subject to audit by the director. The bill would provide that any person who is required to establish or participate in this recycling program shall provide to the director of the Department of Pesticide Regulation, at least annually, a document certifying that this requirement has been met. The bill would allow the director to adopt regulations to carry out the purpose of these requirements, and state the Legislature's intent that any regulatory standards adopted by the department shall be at least as stringent as those standards published in February 2006, as specified. The bill would require specified information be posted on the department's Internet Web site commencing on September 1, 2010. A violation of these requirements would be punishable by a civil fine.

**AB 1338(Committee on Budget) Public resources
Chapter 760, Statutes of 2008**

Would require the Director of The Department of Pesticide Regulation to pay from that revenue in the fund an amount not to exceed the revenue derived from 0.5 mill per dollar of sales for all pesticide sales for use in this state to counties in nonattainment areas to assist those counties in the administration and VOC enforcement of restrictions on the use of field fumigants, as specified. The bill would specify how those funds are to be apportioned based on certain criteria. By authorizing money in the Department of Pesticide Regulation Fund to be used for a new purpose, the bill would make an appropriation. This bill contains other related provisions and other existing laws.

**AB 1879(Feuer) Hazardous materials: toxic substances
Chapter Number 559, Statutes of 2008**

Would require the Department of Toxic Substances Control by January 1, 2011, to adopt regulations to establish a process by which chemicals or chemical ingredients in products may be identified and prioritized for consideration as being chemicals of concern. The bill would specify a procedure for the adoption of those regulations, including requiring that the department, in adopting those regulations, prepare a multimedia life cycle evaluation, as defined, and submit the regulations and the multimedia life cycle evaluation to the California Environmental Policy Council for review. This bill contains other related provisions and other existing laws.

**AB 2223(Horton) Structural Fumigation Enforcement Program
Chapter Number 450, Statutes of 2008**

Until January 1, 2010, existing law provides that the Los Angeles County Agricultural Commissioner, the Orange County Agricultural Commissioner, and the Santa Clara 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, Orange County, and Santa Clara 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 San Diego County Agricultural Commissioner and to San Diego County. The bill would extend the operation of these provisions to January 1, 2011.

**AB 2763(Laird) Invasive pests: advance planning: detection and eradication plans
Chapter 573, Statutes of 2008**

Would require the Department of Food and Agriculture to develop and maintain a list of invasive pests, defined to mean animals, plants, insects, and plant and animal diseases or groups of those animals, plants, insects, and plant and animal diseases where introduction into California would or would likely cause economic or environmental harm, that have a reasonable likelihood of entering the state and for which a detection, exclusion, eradication, control, or management action by the state might be appropriate. The department would be required, based on available funding, to develop and maintain a written plan on the most appropriate options for detection, exclusion, eradication, control, or management of high-priority invasive pests on the list, and to include specified information in the plan if the aerial application of pesticides would be among the appropriate responses. Certain state agencies would be required to participate in the preparation of the plan and the department would be required to hold public hearings. The bill would require the department to notify the Governor, the governing boards of affected cities and counties, and county agricultural commissioners if an invasive pest on the list has entered the state, and, if the urban aerial application or communitywide ground application of a pesticide is the preferred eradication, control, or management response, to advise the Governor and provide the Governor with a copy of the plan. The department would also be required to, among other things, notify certain local governmental entities and officers, notify the public of specified health information, hold public hearings under certain circumstances, and establish a telephone hotline, if the department determines that an invasive pest has entered the state, and the urban aerial application or communitywide ground application of a pesticide is the selected response. The bill would require this act to be funded only with federal funds.

**AB 2765(Huffman) Pest eradication: aerial use of pesticide: public hearing: notice
Chapter 574, Statutes of 2008**

Would state the intent of the Legislature in regard to the role of county agricultural commissioners in pest suppression. This bill contains other related provisions and other existing laws.

**SB 509(Simitian) Hazardous materials: toxic substances
Chapter Number 560, Statutes of 2008**

Would require the Department of Toxic Substances Control to establish a Toxics Information Clearinghouse for the collection, maintenance, and distribution of specific chemical hazard traits and environmental and toxicological end-point data. The Office of Environmental Health Hazard Assessment would be required, by January 1, 2011, to evaluate and specify the hazard traits and environmental and toxicological end-points and any other relevant data that are to be included in the clearinghouse. This bill contains other related provisions.

**AB 2423(Bass) Professions and vocations: licensure
Chapter 675, Statutes of 2008**

Would authorize the Veterinary Medical Board, with respect to registered veterinary technicians, the Structural Pest Control Board, and the Director of Consumer Affairs, with respect to licensed private investigators and registered automotive repair dealers, to issue or grant a probationary license or registration to an applicant subject to specified terms and conditions. The bill would require these boards, the Board of Vocational Nursing and Psychiatric Technicians of the State of California, the State Board of Barbering and Cosmetology, and the director, when considering the issuance or granting of a probationary license or registration, to request that an applicant with a dismissed conviction provide proof of that dismissal and would require that special consideration be given to applicants whose convictions have been dismissed, as specified. The bill would require the boards and the director to develop standard terms of probation, as specified. The bill would also authorize these boards and the director to revoke, suspend, or deny a license or registration at any time on any of the grounds for disciplinary action and, upon the denial of a license or registration, would require these boards and the director to provide a specified statement of reasons for a denial and, if applicable on or after July 1, 2009, a copy of the applicant's criminal history record if the applicant makes a specified written request for it. This bill contains other related provisions and other existing laws.

**SB 1206(Calderon) Pest control
Chapter No. 46, Statutes of 2008**

Existing law provides for the regulation of registered structural pest control companies by the Structural Pest Control Board. Existing law authorizes a registered company with a branch registration that restricts the method of eradication or control permitted to enter into a contract for the eradication or control of pests within the scope of its branch registration if it subcontracts the actual performance of the work to a company holding the branch registration authorizing the particular method to be used. Existing law prohibits a registered company from subcontracting structural fumigation work without

the written consent of the consumer, as specified. Existing law also prohibits a registered company from advertising, or holding out to the public or to any person, that it is authorized, qualified, or registered to perform pest control work in any branch, or by any method, for which it is not registered. This bill would instead authorize a Branch 2 or Branch 3 registered company to advertise fumigation or any all encompassing treatment, as specified, if the company complies with specified requirements.

Major Chaptered Bills: Text

Several bills chaptered during the 2008 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.

SB 1723
BILL TEXT

CHAPTER 533
FILED WITH SECRETARY OF STATE SEPTEMBER 28, 2008
APPROVED BY GOVERNOR SEPTEMBER 28, 2008
PASSED THE SENATE AUGUST 19, 2008
PASSED THE ASSEMBLY AUGUST 13, 2008
AMENDED IN ASSEMBLY JUNE 25, 2008
AMENDED IN SENATE APRIL 30, 2008
AMENDED IN SENATE APRIL 17, 2008
AMENDED IN SENATE MARCH 27, 2008

INTRODUCED BY Senators Maldonado and Simitian

FEBRUARY 22, 2008

An act to add Section 12841.4 to the Food and Agricultural Code, relating to agriculture.

LEGISLATIVE COUNSEL'S DIGEST

SB 1723, Maldonado. Agriculture: pesticide recycling program and certification.

Existing law forbids the sale of a pesticide unless it is in a registrant's sealed or closed container or package.

This bill would require every person who is the first to sell any agricultural- or structural-use pesticide product for use in this state that is packaged in rigid, nonrefillable, high-density polyethylene (HDPE) containers of 55 gallons or less to establish a recycling program, or demonstrate participation in a recycling program to ensure HDPE containers are recycled. Container recycling would be required to comply with specified standards, as published in February 2006, and the recycling program would be required to be certified as being in compliance by a specified 3rd-party organization. This bill would require that records required by those standards shall be maintained for 3 years and shall be subject to audit by the director. The bill would provide that any person who is required to establish or participate in this recycling program shall provide to the director, at least annually, a document certifying that this requirement has been met. The bill would allow the director to adopt regulations to carry out the purpose of these requirements, and state the Legislature's intent that any regulatory standards adopted by the department shall be at least as stringent as those

standards published in February 2006, as specified. The bill would require specified information be posted on the department's Internet Web site commencing on September 1, 2010. A violation of these requirements would be punishable by a civil fine.

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

SECTION 1. Section 12841.4 is added to the Food and Agricultural Code, to read:

12841.4. (a) Every person who is the first to sell any agricultural- or structural-use pesticide product for use in this state that is packaged in rigid, nonrefillable, high-density polyethylene (HDPE) containers of 55 gallons or less shall establish a recycling program, or demonstrate participation in a recycling program to ensure HDPE containers are recycled. Container recycling must comply with the American National Standard Institute (ANSI) American Society of Agriculture and Biological Engineers (ASABE) Standard S596, entitled Recycling Plastic Containers from Pesticides and Pesticide-Related Products, as published in February 2006. The recycling program must be certified by an ANSI-accredited third-party organization as being in compliance with the ANSI/ASABE Standard S596. The records required by these standards shall be maintained for three years and shall be subject to audit by the director.

(b) Any person who is required to establish or participate in a recycling program pursuant to this section shall provide to the director, at least annually, a document certifying that this requirement has been met.

(c) (1) The director may adopt regulations to carry out the purposes of this section. Upon a federal pesticide container recycling program being adopted, the director may adopt regulations to conform to the federal program.

(2) It is the intent of the Legislature in enacting this section that any regulatory standards adopted by the department shall be at least as stringent as those standards referred to in subdivision (a).

(d) Commencing September 1, 2010, the department shall estimate a recycling rate for pesticide containers and propose suggestions for program improvements and post this information annually on its Internet Web site.

AB 1338
BILL TEXT

CHAPTER 760

FILED WITH SECRETARY OF STATE SEPTEMBER 30, 2008
APPROVED BY GOVERNOR SEPTEMBER 30, 2008
PASSED THE SENATE SEPTEMBER 16, 2008
PASSED THE ASSEMBLY SEPTEMBER 16, 2008
AMENDED IN SENATE SEPTEMBER 15, 2008
AMENDED IN SENATE JUNE 17, 2008
AMENDED IN SENATE AUGUST 21, 2007
AMENDED IN SENATE JULY 9, 2007
AMENDED IN ASSEMBLY APRIL 11, 2007

INTRODUCED BY Committee on Budget

FEBRUARY 23, 2007

An act to add Section 12841.3 to the Food and Agricultural Code, to amend Section 12892 of the Government Code, to amend Section 85.2 of the Harbors and Navigation Code, to amend Sections 13138, 13146.1, 13146.2, 25173.6, 25174, 39625.1, and 39626 of, to add Sections 43022.5 and 44274.7 to, and to add Article 8.6 (commencing with Section 25395.35) to Chapter 6.8 of Division 20 of, the Health and Safety Code, to amend Sections 3258, 6217.3, 30620, and 37036 of, and to add Sections 30620.1 and 30620.2 to, the Public Resources Code, to add Section 326.5 to, and to add and repeal Section 343 of, the Public Utilities Code, and to amend Sections 12561, 13385.1, and 79441 of the Water Code, relating to public resources, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 1338, Committee on Budget. Public resources.

(1) Existing law requires every person who sells for use in this state a pesticide product that has been registered by the Director of Pesticide Regulation to pay to the director applicable assessments, except as specified. Existing law requires the revenue collected from these assessments to be deposited in the Department of Pesticide Regulation Fund with an amount equal to the revenue derived from 7.6 mills per dollar of sales for all pesticide sales for use in this state to be distributed to the counties as reimbursements for costs

incurred in the administration and enforcement of pesticide regulations.

This bill would require the Director of Pesticide Regulation to pay from that revenue in the fund an amount not to exceed the revenue derived from 0.5 mill per dollar of sales for all pesticide sales for use in this state to counties in nonattainment areas to assist those counties in the administration and enforcement of restrictions on the use of field fumigants, as specified. The bill would specify how those funds are to be apportioned based on certain criteria. By authorizing money in the Department of Pesticide Regulation Fund to be used for a new purpose, the bill would make an appropriation.

(2) Existing law requires specified state agencies to prepare and submit to the Secretary for Environmental Protection, in a standardized format as determined by the California Environmental Protection Agency (Cal-EPA), specified information relating to the state agency's greenhouse gas (GHG) emissions, including a list of measures adopted and implemented by the agency to meet any GHG emission reduction targets, as defined, and a status report on GHG emissions reduced as a result of these measures. The Cal-EPA is required to provide that information on its Internet Web site in the form of a state agency greenhouse gas emission reduction report card.

This bill would require the Cal-EPA to include an estimate of the department's own greenhouse gas emissions and an explanation of changes in the emissions as compared to the previous year's emissions. The bill would require the Cal-EPA, on or before January 10 of each year, to submit to the Legislature a comprehensive budget display, including funding proposals and base funding in the proposed Governor's Budget for state agencies implementing climate solutions to meet the greenhouse gas emission reduction targets established pursuant to the California Global Warming Solutions Act of 2006. The budget display would also be required to include a 5-year work plan summary for each department showing how staff and contracting resources will be allocated to achieve specified deliverables.

(3) Existing law requires all money in the Harbors and Watercraft Revolving Fund to be available, upon appropriation, to the Department of Boating and Waterways, the Department of Parks and Recreation, and the State Water Resources Control Board for, among other things, boating-related facility development, boating safety programs, and regulatory activities.

This bill would make money in the Harbors and Watercraft Revolving Fund available, upon appropriation, to the Department of Fish and Game and the Department of Food and Agriculture for activities addressing boating-related spread of invasive species.

(4) Existing law requires the State Fire Marshal to charge state agencies, departments, and programs for fire and life safety building

code inspections rendered by the State Fire Marshal. Existing law requires the Controller, at the request of the State Fire Marshal, to transfer the amount of the charges for services rendered from the agency's appropriation to the appropriation for the support of the State Fire Marshal's office.

This bill would additionally require the State Fire Marshal to charge local agencies and private entities for fire and life safety building code inspections and related fire and life safety activities rendered by the State Fire Marshal. The State Fire Marshal would be required to charge local government and private entities for the amount sufficient to recover the costs of the services provided.

(5) Existing law requires the State Fire Marshal, or his or her authorized representative, to inspect every jail or place of detention for persons charged with or convicted of a crime, except as specified.

This bill would authorize the State Fire Marshal to charge and collect a fee for that inspection from the local government, as specified.

(6) Existing law requires the State Fire Marshal, the chief of any city or county fire department or district providing fire protection services, and their authorized representatives, to enforce in their respective areas building standards relating to fire and panic safety adopted by the State Fire Marshal and published in the State Building Standards Code and other regulations that have been formally adopted by the State Fire Marshal for the prevention of fire or for the protection of life and property against fire or panic. Existing law authorizes the State Fire Marshal to enforce the building standards and other regulations of the State Fire Marshal in areas outside of corporate cities and districts providing fire protection services and in corporate cities and districts providing fire protection services upon request of the chief fire official or the governing body.

Existing law requires every city or county fire department or district providing fire protection services that is required to enforce building standards adopted by the State Fire Marshal and other regulations of the State Fire Marshal to annually inspect all structures, as specified, for compliance with those building standards and regulations. Existing law authorizes a city, county, or district that inspects a structure pursuant to that provision to charge and collect a fee for the inspection from the owner of the structure in an amount, as determined by the city, county, or district, sufficient to pay its costs of that inspection.

This bill would authorize a city, county, or district that inspects a structure to also charge a fee for related fire and life safety activities. This bill would additionally authorize a State Fire Marshal who inspects a structure for compliance with building

standards and regulations to charge and collect a fee for the inspection and related fire and life safety activities from the owner of the structure in an amount, as determined by the State Fire Marshal, sufficient to pay the costs of that inspection and related fire and life safety activities.

The bill would provide that the Legislature finds that any costs that may result from these provisions are not unique to local agencies or school districts and there is no mandate contained in these provisions that will result in costs incurred by a local agency or school district for a new program or higher level of service which require reimbursement pursuant to specified constitutional and statutory provisions.

(7) The Environmental Cleanup and Fee Reform Act of 1997, creates the Toxic Substances Control Account in the General Fund. Specified charges imposed on corporations handling hazardous materials are required to be deposited in that account. Under existing law, the funds in the Toxic Substances Control Account may be appropriated to the Department of Toxic Substances Control for specified purposes, including the payment of the costs of removal and remedial action incurred by the state in response to a release of hazardous substances. The funds may also be appropriated to the office of the Attorney General for the support of the Toxic Substance Enforcement Program in the office of the Attorney General, in carrying out provisions authorizing the recovery of the state's expenses in responding to, and overseeing, releases of hazardous substances. Existing law prohibits these expenditures from being subject to an interagency or interdepartmental agreement.

This bill would instead authorize the funds in the Toxic Substances Control Account to be appropriated to the department, for allocation to the office of the Attorney General, pursuant to an interagency agreement or similar mechanism and would delete the prohibition regarding subjecting the expenditure of those funds to an interagency or interdepartmental agreement. The bill would additionally authorize the funds in the account to be appropriated to the department for funding the California Environmental Contaminant Biomonitoring Program, and the funds would be authorized to be appropriated by the Legislature to the Office of Environmental Health Hazard Assessment and the State Department of Public Health, for the purposes of carrying out their duties under the California Environmental Contaminant Biomonitoring Program.

(8) Existing law requires that the revenues from specified fees and charges imposed upon the management of hazardous waste be deposited in the Hazardous Waste Control Account in the General Fund and the money in that account is available, upon appropriation by the Legislature, to the Department of Toxic Substances Control for, among other things, the regulation of hazardous waste. The funds are

also available for appropriation to the office of the Attorney General for the support of the Toxic Substance Enforcement Program in the office of the Attorney General, to carry out the purposes of the hazardous waste control laws. Existing law requires that the expenditures from the Hazardous Waste Control Account for support of state agencies other than the department be subject to an interagency or interdepartmental agreement between the department and the state agency, but prohibits expenditures of funds appropriated to the office of the Attorney General for the support of the Toxic Substances Enforcement Program from being subject to an interagency or interdepartmental agreement.

This bill would instead authorize the funds in the Hazardous Waste Control Account to be appropriated by the Legislature to the department for allocation to the office of the Attorney General for those purposes, and would delete the prohibition regarding subjecting those expenditures to an interagency or interdepartmental agreement.

The bill would also delete obsolete provisions.

(9) Existing law, the Carpenter-Presley-Tanner Hazardous Substance Account Act, imposes liability for hazardous substance removal or remedial actions and requires the Department of Toxic Substances Control to adopt, by regulation, criteria for the selection and for the priority ranking of hazardous substance release sites for removal or remedial action under the act. The act requires that various funds be deposited in the Toxic Substances Control Account in the General Fund, including money received by the federal government pursuant to the Comprehensive Environmental Response Compensation and Liability Act of 1980, as amended (CERCLA). The act authorizes the department to expend the funds in the account, upon appropriation by the Legislature, to pay for, among other things, removal and remedial actions related to the release of hazardous substances.

Existing law provides for the creation of the Federal Trust Fund for the deposit of federal moneys.

The federal Small Business Liability Relief and Brownfields Revitalization Act (brownfield law) of 2002 amended various provisions of CERCLA to, among other things, provide financial assistance for grants and loans to fund brownfield remediation.

This bill would create the Revolving Loans Fund in the State Treasury and would continuously appropriate the moneys in that fund to the department. The bill would require that certain moneys be deposited in the fund, including moneys transferred to the fund from the Federal Trust Fund that are received pursuant to the brownfield law. The bill would require the department to expend the moneys in the Revolving Loans Fund only for the purposes authorized by the federal brownfield law, including providing financial assistance to provide loans and issue subgrants for response actions to eligible

brownfield sites, as defined.

(10) Existing law, the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, approved by the voters as Proposition 1B at the November 7, 2006, general election, authorizes the issuance of general obligation bonds for various transportation-related purposes, including reducing emissions and improving air quality in trade corridors. The State Air Resources Board is required to allocate the funds to be used for air quality purposes pursuant to specified requirements. No project can be funded unless the project is sponsored by an applicant, which is defined as a local public entity involved in the movement of freight through trade corridors of the state or involved in air quality improvements associated with goods movement.

This bill would provide that for the purposes of administering a loan or loan guarantee program only, an applicant may include any state agency. The bill would make a conforming change.

(11) Existing law grants primary authority for the control of air pollution from vehicular sources to the State Air Resources Board. Existing law requires the state board, in conjunction with the State Energy Resources Conservation and Development Commission, to develop and administer a program to provide grants to encourage the purchase or lease of a new zero-emission vehicle.

This bill would require the state board to select projects for zero-emission vehicle leases or purchases and zero-emission vehicle infrastructure for the purpose of implementing any program to encourage the use of zero-emission vehicles through a competitive grant process that includes a public bidding process.

(12) Existing law establishes the Air Quality Improvement Program, administered by the State Air Resources Board, to fund, upon appropriation by the Legislature, air quality improvement projects related to fuel and vehicle technologies. The program is limited to competitive grants. Projects required to be undertaken pursuant to state or federal law or district rules or regulations are not eligible for funding.

Existing law creates the Air Quality Improvement Fund and provides that moneys in the fund may be used, upon appropriation by the Legislature, to implement the Air Quality Improvement Program.

This bill would, notwithstanding these provisions, require the state board to expend funds appropriated by the Legislature to it from the Air Quality Improvement Fund in the Budget Act of 2008, not used to implement the Air Quality Improvement Program, to provide financial assistance to owners and operators of on-road heavy-duty diesel-fueled motor vehicles for costs associated with early compliance with specified regulations, thereby making an appropriation. Funds would be required to be expended for low interest or zero interest loans or grants. The state board would be

required to report to the Legislature on the implementation of these provisions.

(13) Existing law prohibits the Division of Oil, Gas, and Geothermal Resources in the Department of Conservation from expending, through the 2009-10 fiscal year, more than \$1,000,000 in any one fiscal year for the purpose of hazardous or idle-deserted wells. The division is prohibited from expending, commencing with the 2010-11 fiscal year, more than \$500,000 in any one fiscal year for the purpose of hazardous or idle-deserted wells.

This bill, instead, would authorize the division to expend, commencing on July 1, 2008, up to \$2,000,000 in any one fiscal year through the 2011-12 fiscal year, and up to \$1,000,000 commencing with the 2012-13 fiscal year. The Department of Conservation, on October 1, 2011, would be required to report to the Legislature on the number of orphan wells remaining, the estimated costs of abandoning the orphan wells, and a timeline for future orphan well abandonment with a specific schedule of goals.

(14) The Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (bond act), an initiative bond act that was approved by the voters at the November 7, 2006, statewide general election, among other things, makes \$180,000,000 in bond funds available to the Department of Fish and Game (department) for bay-delta and coastal fishery restoration projects. Of those funds, up to \$45,000,000 is available for appropriation for coastal salmon and steelhead fishery restoration projects that support the development and implementation of species recovery plans and strategies for salmonid species listed as threatened or endangered under state or federal law.

Existing law appropriates \$5,293,000 of the \$45,000,000 available from the bond act to the department for the purposes of coastal salmon and steelhead fishery restoration projects, including the Coastal Salmonid Monitoring Plan. Under existing law, the department is permitted to allocate not more than \$2,520,000 for the purposes of the Coastal Salmonid Monitoring Plan.

Existing law requires a specified process to be applied to the expenditure of these funds, except funds allocated by the department to the Coastal Salmonid Monitoring Plan.

This bill would instead, exempt from these procedures the expenditure of funds annually appropriated for the Coastal Salmonid Monitoring Plan and would make conforming changes.

(15) The California Coastal Act establishes the Coastal Access Account in the State Coastal Conservancy Fund. The act requires that the money in the account be available, upon appropriation by the Legislature in the annual Budget Act, to the State Coastal Conservancy for grants to public agencies and private nonprofit entities or organizations for the development, maintenance, and

operation of new or existing facilities that provide public access to the shoreline of the sea, as specified. The act also requires that any coastal development permit fees collected by the commission be deposited into the fund.

This bill would instead require that those fees be deposited into the Coastal Act Services Fund, which the bill would create in the State Treasury, to be administered by the commission. The bill would require that the moneys in the fund, upon appropriation by the Legislature in the annual Budget Act, be expended by the commission in accordance with specified provisions of the act to enforce the act and to provide services to local government, permit applicants, public agencies, and the public participating in the implementation of the act, as specified.

The bill would also require the transfer of \$500,000, adjusted annually as specified, from the Coastal Act Services Fund to the Coastal Access Account, which the bill would create in the fund for grants to provide public access to sea shorelines.

(16) Existing law, the Natural Heritage Preservation Tax Credit Act of 2000, requires the Wildlife Conservation Board to implement a program under which a donor of qualified property, upon approval of the board, may receive a tax credit for a portion of the value of property that is donated to a department, as defined, a local government, or a nonprofit organization designated by a local government or a department, in order to protect wildlife habitat, open space, and agricultural land. The act establishes the Natural Heritage Preservation Tax Credit Reimbursement Account in the General Fund to receive bond fund moneys from a local government or a department that is authorized to expend the moneys to acquire property under the act. Upon appropriation, the moneys in the account are required to be used to reimburse the General Fund for tax credits claimed, under the act.

This bill would appropriate the sum of \$5,870,782 for transfer from the Natural Heritage Preservation Tax Credit Reimbursement Account to the General Fund, and would eliminate the requirement that funds from the account be transferred to the General Fund upon appropriation. The bill would instead require the Controller to transfer moneys received in the account to the General Fund, within 60 days of receipt of the funds and notification to the Legislature.

(17) Under existing law, the Public Utilities Commission (PUC) has regulatory authority over public utilities and can establish its own procedures, subject to statutory limitations or directions and constitutional requirements of due process. In a proposed decision in a rulemaking, the PUC has proposed the establishment of a California Institute for Climate Solutions (CICS).

This bill would prohibit the PUC from executing an order to establish the CICS and from adopting or executing any similar order

or decision establishing a research program for climate change unless expressly authorized by statute. The bill would provide that it does not constitute a change in, but is declaratory of, existing law.

(18) Existing law requires the PUC to publish the complete text of each of its orders and decisions within a reasonable time, not to exceed one year after issuance. The PUC also implements and maintains various programs relating to the energy needs of the state.

This bill would require the PUC, by January 10 of each year, to report to the Joint Legislative Budget Committee and appropriate fiscal and policy committees of the Legislature, on all sources and amounts of funding and actual and proposed expenditures related to specified entities or programs established by the commission.

(19) Existing law creates the Electricity Oversight Board to fulfill various responsibilities, including overseeing the Independent System Operator and the Power Exchange, and to investigate any matter relating to the wholesale market for electricity to ensure that the interests of California's citizens and consumers are served, protected, and represented. The board has the power to sue and be sued, and is required to appoint an attorney to advise the board and to represent the board in any state or federal proceeding or action.

This bill would, until January 1, 2010, require the Attorney General to represent the Department of Finance and to succeed to all rights, claims, powers, and entitlements of the Electricity Oversight Board in any litigation or settlement to obtain ratepayer recovery for the effects of the 2000-02 energy crisis. The bill would prohibit the Attorney General from expending the proceeds of any of settlements of those claims, except as specified.

(20) Existing law continuously appropriates General Fund moneys to the Colorado River Management Account for the purpose of implementing the California Plan developed by the Colorado River Board of California. The Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006, an initiative bond act approved by the voters at the November 7, 2006, statewide general election, authorizes the issuance of bonds in the amount of \$5,388,000,000 for the purposes of financing a safe drinking water, water quality and supply, flood control, and resource protection program, including \$100,000,000 in interregional and unallocated funds made available to the Department of Water Resources, subject to appropriation by the Legislature, for specified projects that implement an integrated regional water management plan or its equivalent, to be expended directly, or be granted by the department to address, multiregional needs or issues of statewide significance.

This bill would delete that continuous appropriation. The bill would recognize that an appropriation may be made in the annual

Budget Act, in lieu of those General Fund moneys, of those interregional and unallocated bond funds, or another state funding source, for the same purposes as the deleted appropriation.

(21) Under existing law, the Porter-Cologne Water Quality Control Act, the State Water Resources Control Board and the California regional water quality control boards exercise the regulatory functions of the state in the field of water quality. Under the act, persons who fail to file, in a timely manner, a prescribed discharge monitoring report are subject to a mandatory minimum penalty of \$3,000 under specified circumstances. Funds derived from the imposition of that penalty are deposited in the Waste Discharge Permit Fund for expenditure, upon appropriation by the Legislature, by the state board to respond to significant water pollution problems.

This bill would make an appropriation by requiring those penalties to be deposited in the continuously appropriated State Water Pollution Cleanup and Abatement Account of the State Water Quality Control Fund for that described purpose.

(22) Existing law, the California Bay-Delta Authority Act, establishes in the Resources Agency the California Bay-Delta Authority. The act requires the authority and the implementing agencies to carry out programs, projects, and activities necessary to implement the Bay-Delta Program, defined to mean those projects, programs, commitments, and other actions that address the goals and objectives of the CALFED Bay-Delta Programmatic Record of Decision, dated August 28, 2000, or as it may be amended. The act requires the authority to develop policies and make decisions at program milestones, and to provide direction to achieve balanced implementation, integration, and continuous improvement in all program elements. The act assigns each implementing agency the responsibility for implementing one or more program elements, including the watershed program element.

This bill would include the Department of Conservation among the agencies that are the implementing agencies for the watershed program element.

(23) Under existing law, the Department of Water Resources operates the State Water Project and exercises other functions relating to the state's water resources.

This bill would require the department to use 8 specified limited-term positions exclusively for conducting studies on options for conservation and restoration of the Sacramento-San Joaquin River Delta, consistent with the recommendations of the Delta Blue Ribbon Task Force. The bill also would prohibit those positions from being used for environmental studies, or documentation, except for specified studies required pursuant to the California Environmental Quality Act.

(24) 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 the Legislature finds that with regard to certain provisions there is no mandate contained in the bill that will result in costs incurred by a local agency or school district for a new program or higher level of service which require reimbursement pursuant to these constitutional and statutory provisions.

(25) This bill would declare that it is to take effect immediately as an urgency statute.

Appropriation: yes.

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

SECTION 1. Section 12841.3 is added to the Food and Agricultural Code, to read:

12841.3. (a) Notwithstanding Sections 2282, 12784, and 12841, the director shall pay from the revenue collected from the mill assessment in the Department of Pesticide Regulation Fund an amount not to exceed the revenue derived from 0.5 mill (\$0.0005) per dollar of sales for all pesticide sales for use in this state to counties in nonattainment areas to assist those counties in the administration and enforcement of restrictions on the use of field fumigants pursuant to Chapter 3 (commencing with Section 14001) and the regulations issued pursuant to it. These funds shall be in addition to the funds distributed pursuant to Section 12841 and shall be distributed to the counties in accordance with the criteria set forth in subdivisions (c) and (d).

(b) As used in this section, "nonattainment area" means an area designated in Section 81.305 of Title 40 of the Code of Federal Regulations for the purpose of air quality planning within the chart titled "California - Ozone (1-Hour Standard)."

(c) The funds available for payment pursuant to subdivision (a) shall be apportioned based on the following criteria:

(1) A minimum of fifty thousand dollars (\$50,000) shall be apportioned to each county in a nonattainment area.

(2) The remaining amount shall be apportioned to the counties based on fumigant related workload, which may include, but is not limited to, both of the following:

(3) The number of restricted use material permits issued for fumigants.

(4) The number of field fumigant applications in each county to the total for all counties within all nonattainment areas during the

previous fiscal year.

(d) Only counties within a nonattainment area for which the Department of Pesticide Regulation has established a fumigant emission limit pursuant to Chapter 3 (commencing with Section 14001), and the regulations issued pursuant to it, in the current or the previous fiscal year shall receive payment of the amount apportioned pursuant to the criteria set forth in subdivision (c).

SEC. 2. Section 12892 of the Government Code is amended to read:

12892. (a) On or before October 1 of each year, each state agency shall prepare and submit to the secretary in a standardized format as determined by the agency all of the following:

(1) A list of those measures that have been adopted and implemented by the state agency to meet GHG emission reduction targets and a status report on actual GHG emissions reduced as a result of these measures.

(2) A list and timetable for adoption of any additional measures needed to meet GHG emission reduction targets.

(3) An estimate of the department's own greenhouse gas emissions, as well as an explanation of any increase or decrease compared to the previous year's emissions.

(b) In order to reduce paperwork and workload, information required to be submitted pursuant to this section may be submitted in a standardized electronic format as determined by the agency.

(c) On or before January 1 of each year, the agency shall compile and organize the information submitted pursuant to this section into a clear, standardized format, and shall provide that information on the agency's Internet Web site in the form of a state agency greenhouse gas emission reduction report card.

(d) The report card shall compare the actions taken and proposed to be taken by individual state agencies and their projected annual GHG emission reductions against the state agency GHG emission reduction targets and statewide GHG emission reduction limits.

(e) Where appropriate, the report card shall include a statement regarding the independent audits required by Section 12893.

(f) In conjunction with the Governor's Budget submitted pursuant to subdivision (a) of Section 12 of Article IV of the California Constitution, on or before January 10 of each year, the agency shall submit to the Legislature a comprehensive budget display that includes both of the following:

(1) Funding proposals and base funding in the proposed Governor's Budget for state agencies implementing climate solutions to meet the greenhouse gas emissions reduction targets as specified in the California Global Warming Solutions Act of 2006 (Division 25.5 (commencing with Section 38500) of the Health and Safety Code).

(2) A five-year work plan summary for each department included in the comprehensive budget display that shows how staff and contracting

resources will be allocated to achieve specified climate solution deliverables.

SEC. 3. Section 85.2 of the Harbors and Navigation Code is amended to read:

85.2. (a) All moneys in the Harbors and Watercraft Revolving Fund are available, upon appropriation by the Legislature, for expenditure by the department for boating facilities development, boating safety, and boating regulation programs, and for the purposes of Section 656.4, including refunds, and for expenditure for construction of small craft harbor and boating facilities planned, designed, and constructed by the department, as specified in subdivision (c) of Section 50, at sites owned or under the control of the state.

(b) (1) The money in the fund is also available, upon appropriation by the Legislature, to the Department of Parks and Recreation for the operation and maintenance of units of the state park system that have boating-related activities. Funds appropriated to the Department of Parks and Recreation may also be used for boating safety and enforcement programs for waters under its jurisdiction.

(2) The Department of Parks and Recreation shall submit to the Legislature, on or before January 1 of each year, a report describing the allocation and expenditure of funds made available to the Department of Parks and Recreation from the Harbors and Watercraft Revolving Fund and from the Motor Vehicle Fuel Account in the Transportation Tax Fund attributable to taxes imposed on the distribution of motor vehicle fuel used or usable in propelling vessels during the previous fiscal year. The report shall list the special project or use, project location, amount of money allocated or expended, the source of funds allocated or expended, and the relation of the project or use to boating activities.

(c) The money in the fund shall also be available, upon appropriation by the Legislature, to the State Water Resources Control Board for boating-related water quality regulatory activities.

(d) The money in the fund is also available, upon appropriation by the Legislature, to the Department of Fish and Game for activities addressing the boating-related spread of invasive species.

(e) The money in the fund is also available, upon appropriation by the Legislature, to the Department of Food and Agriculture for activities addressing the boating-related spread of invasive species.

SEC. 4. Section 13138 of the Health and Safety Code is amended to read:

13138. (a) For state agencies, local agencies, or private entities that are charged for the costs of fire and life safety

building code inspections and related fire and life safety activities rendered by the State Fire Marshal, such as plan review, construction consulting, fire watch, and investigation, the State Fire Marshal shall charge an amount sufficient to recover the costs incurred for the fire and life safety building code inspections and those related fire and life safety activities.

(b) Upon the request of the State Fire Marshal, in the form prescribed by the Controller, the Controller shall transfer the amount of the charges for services rendered from the agency's appropriation to the appropriation for the support of the State Fire Marshal's office. The State Fire Marshal shall charge local agencies and private entities for the amount sufficient to recover the costs of the services provided.

(c) A state agency that has a dispute regarding charges for fire and life safety building code inspections provided by the State Fire Marshal shall notify the State Fire Marshal, in writing, of the dispute and the basis therefor. The State Fire Marshal shall immediately provide a credit to the state agency in the subsequent billing or billings for the amount of the charges in dispute. No further transfer of funds shall occur with respect to the services for which charges are disputed until the dispute is resolved by the State Fire Marshal, subject to the approval of the Department of Finance.

SEC. 5. Section 13146.1 of the Health and Safety Code is amended to read:

13146.1. (a) Notwithstanding the provisions of Section 13146, the State Fire Marshal, or the State Fire Marshal's authorized representative, shall inspect every jail or place of detention for persons charged with or convicted of a crime, unless the chief of any city or county fire department or fire protection district, or that chief's authorized representative, indicates in writing to the State Fire Marshal that inspections of jails or places of detention, therein, shall be conducted by the chief, or the chief's authorized representative and submits the reports as required in subdivision (c).

(b) The inspections shall be made at least once every two years for the purpose of enforcing the regulations adopted by the State Fire Marshal, pursuant to Section 13143, and the minimum standards pertaining to fire and life safety adopted by the Board of Corrections, pursuant to Section 6030 of the Penal Code.

(c) Reports of the inspections shall be submitted to the official in charge of the facility, the local governing body, the State Fire Marshal, and the Board of Corrections within 30 days of the inspections.

(d) The State Fire Marshal, or his or her authorized representative, who performs an inspection pursuant to subdivision

(a) may charge and collect a fee for the inspection from the local government. Any fee collected pursuant to this subdivision shall be in an amount, as determined by the State Fire Marshal, sufficient to pay the costs of that inspection or those related fire and life safety activities.

SEC. 6. Section 13146.2 of the Health and Safety Code is amended to read:

13146.2. (a) Every city or county fire department or district providing fire protection services required by Sections 13145 and 13146 to enforce building standards adopted by the State Fire Marshal and other regulations of the State Fire Marshal shall, annually, inspect all structures subject to subdivision (b) of Section 17921, except dwellings, for compliance with building standards and other regulations of the State Fire Marshal.

(b) A city, county, or district that inspects a structure pursuant to subdivision (a) may charge and collect a fee for the inspection from the owner of the structure in an amount, as determined by the city, county, or district, sufficient to pay the costs of that inspection. A city, county, or district that provides related fire and life safety activities may charge and collect a fee for the inspection from the owner of the structure in an amount, as determined by the city, county, or district, sufficient to pay the costs of that inspection.

(c) The State Fire Marshal, or his or her authorized representative, who inspects a structure subject to subdivision (b) of Section 17921, except dwellings, for compliance with building standards and other regulations of the State Fire Marshal, may charge and collect a fee for the inspection from the owner of the structure. The State Fire Marshal may also charge and collect a fee from the owner of the structure for related fire and life safety activities, such as plan review, construction consulting, fire watch, and investigation. Any fee collected pursuant to this subdivision shall be in an amount, as determined by the State Fire Marshal, sufficient to pay the costs of that inspection or those related fire and life safety activities.

SEC. 7. Section 25173.6 of the Health and Safety Code is amended to read:

25173.6. (a) There is in the General Fund the Toxic Substances Control Account, which shall be administered by the director. In addition to any other money that may be appropriated by the Legislature to the Toxic Substances Control Account, all of the following shall be deposited in the account:

(1) The fees collected pursuant to Section 25205.6.

(2) The fees collected pursuant to Section 25187.2, to the extent that those fees are for oversight of a removal or remedial action taken under Chapter 6.8 (commencing with Section 25300) or Chapter

6.85 (commencing with Section 25396).

(3) Fines or penalties collected pursuant to this chapter, Chapter 6.8 (commencing with Section 25300) or Chapter 6.85 (commencing with Section 25396), except as directed otherwise by Section 25192.

(4) Interest earned upon money deposited in the Toxic Substances Control Account.

(5) All money recovered pursuant to Section 25360, except any amount recovered on or before June 30, 2006, that was paid from the Hazardous Substance Cleanup Fund.

(6) All money recovered pursuant to Section 25380.

(7) Reimbursements for funds expended from the Toxic Substances Control Account for services provided by the department, including, but not limited to, reimbursements required pursuant to Sections 25201.9 and 25343.

(8) Money received from the federal government pursuant to the federal Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended (42 U.S.C. Sec. 9601 et seq.).

(9) Money received from responsible parties for remedial action or removal at a specific site, except as otherwise provided by law.

(b) The funds deposited in the Toxic Substances Control Account may be appropriated to the department for the following purposes:

(1) The administration and implementation of the following:

(A) Chapter 6.8 (commencing with Section 25300), except that funds shall not be expended from the Toxic Substances Control Account for purposes of Section 25354.5.

(B) Chapter 6.85 (commencing with Section 25396).

(C) Article 10 (commencing with Section 7710) of Chapter 1 of Division 4 of the Public Utilities Code, to the extent the department has been delegated responsibilities by the secretary for implementing that article.

(2) The administration of the following units within the department:

(A) The Human and Ecological Risk Division.

(B) The Hazardous Materials Laboratory.

(C) The Office of Pollution Prevention and Technology Development.

(3) For allocation to the Office of Environmental Health Hazard Assessment, pursuant to an interagency agreement, to assist the department as needed in administering the programs described in subparagraphs (A) and (B) of paragraph (1).

(4) For allocation to the State Board of Equalization to pay refunds of fees collected pursuant to Section 43054 of the Revenue and Taxation Code.

(5) For the state share mandated pursuant to paragraph (3) of subsection (c) of Section 104 of the federal Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as

amended (42 U.S.C. Sec. 9604(c)(3)).

(6) For the purchase by the state, or by a local agency with the prior approval of the director, of hazardous substance response equipment and other preparations for response to a release of hazardous substances. However, all equipment shall be purchased in a cost-effective manner after consideration of the adequacy of existing equipment owned by the state or the local agency, and the availability of equipment owned by private contractors.

(7) For payment of all costs of removal and remedial action incurred by the state, or by any local agency with the approval of the director, in response to a release or threatened release of a hazardous substance, to the extent the costs are not reimbursed by the federal Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended (42 U.S.C. Sec. 9601 et seq.).

(8) For payment of all costs of actions taken pursuant to subdivision (b) of Section 25358.3, to the extent that these costs are not paid by the federal Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended (42 U.S.C. Sec. 9601 et seq.).

(9) For all costs incurred by the department in cooperation with the Agency for Toxic Substances and Disease Registry established pursuant to subsection (i) of Section 104 of the federal Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended (42 U.S.C. Sec. 9604(i)) and all costs of health effects studies undertaken regarding specific sites or specific substances at specific sites. Funds appropriated for this purpose shall not exceed five hundred thousand dollars (\$500,000) in any single fiscal year. However, these actions shall not duplicate reasonably available federal actions and studies.

(10) For repayment of the principal of, and interest on, bonds sold pursuant to Article 7.5 (commencing with Section 25385) of Chapter 6.8.

(11) For the reasonable and necessary administrative costs and expenses of the Hazardous Substance Cleanup Arbitration Panel created pursuant to Section 25356.2.

(12) Direct site remediation costs.

(13) For the department's expenses for staff to perform oversight of investigations, characterizations, removals, remediations, or long-term operation and maintenance.

(14) For the administration and collection of the fees imposed pursuant to Section 25205.6.

(15) For allocation to the office of the Attorney General, pursuant to an interagency agreement or similar mechanism, for the support of the Toxic Substance Enforcement Program in the office of the Attorney General, in carrying out the purposes of Chapter 6.8 (commencing with Section 25300) and Chapter 6.85 (commencing with

Section 25396).

(16) For funding the California Environmental Contaminant Biomonitoring Program established pursuant to Chapter 8 (commencing with Section 105440) of Part 5 of Division 103.

(c) The funds deposited in the Toxic Substances Control Account may be appropriated by the Legislature to the Office of Environmental Health Hazard Assessment and the State Department of Public Health for the purposes of carrying out their duties pursuant to the California Environmental Contaminant Biomonitoring Program (Chapter 8 (commencing with Section 105440) of Part 5 of Division 103).

(d) The director shall expend federal funds in the Toxic Substances Control Account consistent with the requirements specified in Section 114 of the federal Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended (42 U.S.C. Sec. 9614), upon appropriation by the Legislature, for the purposes for which they were provided to the state.

(e) Money in the Toxic Substances Control Account shall not be expended to conduct removal or remedial actions if any significant portion of the hazardous substances to be removed or remedied originated from a source outside the state.

(f) The Director of Finance, upon request of the director, may make a loan from the General Fund to the Toxic Substances Control Account to meet cash needs. The loan shall be subject to the repayment provisions of Section 16351 of the Government Code and the interest provisions of Section 16314 of the Government Code.

(g) The Toxic Substances Control Account established pursuant to subdivision (a) is the successor fund of all of the following:

(1) The Hazardous Substance Account established pursuant to Section 25330, as that section read on June 30, 2006.

(2) The Hazardous Substance Clearing Account established pursuant to Section 25334, as that section read on June 30, 2006.

(3) The Hazardous Substance Cleanup Fund established pursuant to Section 25385.3, as that section read on June 30, 2006.

(4) The Superfund Bond Trust Fund established pursuant to Section 25385.8, as that section read on June 30, 2006.

(h) On and after July 1, 2006, all assets, liabilities, and surplus of the accounts and funds listed in subdivision (g), shall be transferred to, and become a part of, the Toxic Substances Control Account, as provided by Section 16346 of the Government Code. All existing appropriations from these accounts, to the extent encumbered, shall continue to be available for the same purposes and periods from the Toxic Substances Control Account.

(i) The department, on or before February 1 of each year, shall report to the Governor and the Legislature on the prior fiscal year's expenditure of funds within the Toxic Substances Control Account for the purposes specified in subdivision (b).

SEC. 8. Section 25174 of the Health and Safety Code is amended to read:

25174. (a) There is in the General Fund the Hazardous Waste Control Account, which shall be administered by the director. In addition to any other money that may be deposited in the Hazardous Waste Control Account, pursuant to statute, all of the following amounts shall be deposited in the account:

(1) The fees collected pursuant to Sections 25174.1, 25205.2, 25205.5, 25205.15, and 25205.16.

(2) The fees collected pursuant to Section 25187.2, to the extent that those fees are for the oversight of corrective action taken under this chapter.

(3) Any interest earned upon the money deposited in the Hazardous Waste Control Account.

(4) Any money received from the federal government pursuant to the federal act.

(5) Any reimbursements for funds expended from the Hazardous Waste Control Account for services provided by the department pursuant to this chapter, including, but not limited to, the reimbursements required pursuant to Sections 25201.9 and 25205.7.

(b) The funds deposited in the Hazardous Waste Control Account may be appropriated by the Legislature, for expenditure as follows:

(1) To the department for the administration and implementation of this chapter.

(2) To the department for allocation to the State Board of Equalization to pay refunds of fees collected pursuant to Sections 43051 and 43053 of the Revenue and Taxation Code and for the administration and collection of the fees imposed pursuant to Article 9.1 (commencing with Section 25205.1) that are deposited into the Hazardous Waste Control Account.

(3) To the department for the costs of performance or review of analyses of past, present, or potential environmental public health effects related to toxic substances, including extremely hazardous waste, as defined in Section 25115, and hazardous waste, as defined in Section 25117.

(4) (A) To the department for allocation to the office of the Attorney General for the support of the Toxic Substance Enforcement Program in the office of the Attorney General, in carrying out the purposes of this chapter.

(B) On or before October 1 of each year, the Attorney General shall report to the Legislature on the expenditure of any funds allocated to the office of the Attorney General for the preceding fiscal year pursuant to this paragraph and paragraph (15) of subdivision (b) of Section 25173.6. The report shall include all of the following:

(i) A description of cases resolved by the office of the Attorney

General through settlement or court order, including the monetary benefit to the department and the state.

(ii) A description of injunctions or other court orders benefiting the people of the state.

(iii) A description of any cases in which the Attorney General's Toxic Substance Enforcement Program is representing the department or the state against claims by defendants or responsible parties.

(iv) A description of other pending litigation handled by the Attorney General's Toxic Substance Enforcement Program.

(C) Nothing in subparagraph (C) shall require the Attorney General to report on any confidential or investigatory matter.

(5) To the department for administration and implementation of Chapter 6.11 (commencing with Section 25404).

(c) (1) Expenditures from the Hazardous Waste Control Account for support of state agencies other than the department shall, upon appropriation by the Legislature to the department, be subject to an interagency agreement or similar mechanism between the department and the state agency receiving the support.

(2) The department shall, at the time of the release of the annual Governor's Budget, describe the budgetary amounts proposed to be allocated to the State Board of Equalization, as specified in paragraph (2) of subdivision (b) and in paragraph (3) of subdivision (b) of Section 25173.6, for the upcoming fiscal year.

(3) It is the intent of the Legislature that moneys appropriated in the annual Budget Act each year for the purpose of reimbursing the State Board of Equalization, a private party, or other public agency, for the administration and collection of the fees imposed pursuant to Article 9.1 (commencing with Section 25205.1) and deposited in the Hazardous Waste Control Account, shall not exceed the costs incurred by the State Board of Equalization, the private party, or other public agency, for the administration and collection of those fees.

(d) With respect to expenditures for the purposes of paragraphs (1) and (3) of subdivision (b) and paragraphs (1) and (2) of subdivision (b) of Section 25173.6, the department shall, at the time of the release of the annual Governor's Budget, also make available the budgetary amounts and allocations of staff resources of the department proposed for the following activities:

(1) The department shall identify, by permit type, the projected allocations of budgets and staff resources for hazardous waste facilities permits, including standardized permits, closure plans, and postclosure permits.

(2) The department shall identify, with regard to surveillance and enforcement activities, the projected allocations of budgets and staff resources for the following types of regulated facilities and activities:

(A) Hazardous waste facilities operating under a permit or grant of interim status issued by the department, and generator activities conducted at those facilities. This information shall be reported by permit type.

(B) Transporters.

(C) Response to complaints.

(3) The department shall identify the projected allocations of budgets and staff resources for both of the following activities:

(A) The registration of hazardous waste transporters.

(B) The operation and maintenance of the hazardous waste manifest system.

(4) The department shall identify, with regard to site mitigation and corrective action, the projected allocations of budgets and staff resources for the oversight and implementation of the following activities:

(A) Investigations and removal and remedial actions at military bases.

(B) Voluntary investigations and removal and remedial actions.

(C) State match and operation and maintenance costs, by site, at joint state and federally funded National Priority List Sites.

(D) Investigation, removal and remedial actions, and operation and maintenance at the Stringfellow Hazardous Waste Site.

(E) Investigation, removal and remedial actions, and operation and maintenance at the Casmalia Hazardous Waste Site.

(F) Investigations and removal and remedial actions at nonmilitary, responsible party lead National Priority List Sites.

(G) Preremedial activities under the federal Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. Sec. 9601 et seq.).

(H) Investigations, removal and remedial actions, and operation and maintenance at state-only orphan sites.

(I) Investigations and removal and remedial actions at nonmilitary, non-National Priority List responsible party lead sites.

(J) Investigations, removal and remedial actions, and operation and maintenance at Expedited Remedial Action Program sites pursuant to Chapter 6.85 (commencing with Section 25396).

(K) Corrective actions at hazardous waste facilities.

(5) The department shall identify, with regard to the regulation of hazardous waste, the projected allocation of budgets and staff resources for the following activities:

(A) Determinations pertaining to the classification of hazardous wastes.

(B) Determinations for variances made pursuant to Section 25143.

(C) Other determinations and responses to public inquiries made by

the department regarding the regulation of hazardous waste and hazardous substances.

(6) The department shall identify projected allocations of budgets and staff resources needed to do all of the following:

(A) Identify, remove, store, and dispose of, suspected hazardous substances or hazardous materials associated with the investigation of clandestine drug laboratories.

(B) Respond to emergencies pursuant to Section 25354.

(C) Create, support, maintain, and implement the railroad accident prevention and immediate deployment plan developed pursuant to Section 7718 of the Public Utilities Code.

(7) The department shall identify projected allocations of budgets and staff resources for the administration and implementation of the unified hazardous waste and hazardous materials regulatory program established pursuant to Chapter 6.11 (commencing with Section 25404).

(8) The department shall identify the total cumulative expenditures of the Regulatory Structure Update and Site Mitigation Update projects since their inception, and shall identify the total projected allocations of budgets and staff resources that are needed to continue these projects.

(9) The department shall identify the total projected allocations of budgets and staff resources that are necessary for all other activities proposed to be conducted by the department.

(e) Notwithstanding this chapter, or Part 22 (commencing with Section 43001) of Division 2 of the Revenue and Taxation Code, for any fees, surcharges, fines, penalties, and funds that are required to be deposited into the Hazardous Waste Control Account or the Toxic Substances Control Account, the department, with the approval of the Secretary for Environmental Protection, may take any of the following actions:

(1) Assume responsibility for, or enter into a contract with a private party or with another public agency, other than the State Board of Equalization, for the collection of any fees, surcharges, fines, penalties and funds described in subdivision (a) or otherwise described in this chapter or Chapter 6.8 (commencing with Section 25300), for deposit into the Hazardous Waste Control Account or the Toxic Substances Control Account.

(2) Administer, or by mutual agreement, contract with a private party or another public agency, for the making of those determinations and the performance of functions that would otherwise be the responsibility of the State Board of Equalization pursuant to this chapter, Chapter 6.8 (commencing with Section 25300), or Part 22 (commencing with Section 43001) of Division 2 of the Revenue and Taxation Code, if those activities and functions for which the State Board of Equalization would otherwise be responsible become the

responsibility of the department or, by mutual agreement, the contractor selected by the department.

(f) If, pursuant to subdivision (e), the department, or a private party or another public agency, pursuant to a contract with the department, performs the determinations and functions that would otherwise be the responsibility of the State Board of Equalization, the department shall be responsible for ensuring that persons who are subject to the fees specified in subdivision (e) have equivalent rights to public notice and comment, and procedural and substantive rights of appeal, as afforded by the procedures of the State Board of Equalization pursuant to Part 22 (commencing with Section 43001) of Division 2 of the Revenue and Taxation Code. Final responsibility for the administrative adjustment of fee rates and the administrative appeal of any fees or penalty assessments made pursuant to this section may only be assigned by the department to a public agency.

(g) If, pursuant to subdivision (e), the department, or a private party or another public agency, pursuant to a contract with the department, performs the determinations and functions that would otherwise be the responsibility of the State Board of Equalization, the department shall have equivalent authority to make collections and enforce judgments as provided to the State Board of Equalization pursuant to Part 22 (commencing with Section 43001) of Division 2 of the Revenue and Taxation Code. Unpaid amounts, including penalties and interest, shall be a perfected and enforceable state tax lien in accordance with Section 43413 of the Revenue and Taxation Code.

(h) The department, with the concurrence of the Secretary for Environmental Protection, shall determine which administrative functions should be retained by the State Board of Equalization, administered by the department, or assigned to another public agency or private party pursuant to subdivisions (e), (f), and (g).

(i) The department may adopt regulations to implement subdivisions (e) to (h), inclusive.

(j) The Director of Finance, upon request of the director, may make a loan from the General Fund to the Hazardous Waste Control Account to meet cash needs. The loan shall be subject to the repayment provisions of Section 16351 of the Government Code and the interest provisions of Section 16314 of the Government Code.

(k) The department shall establish, within the Hazardous Waste Control Account, a reserve of at least one million dollars (\$1,000,000) each year to ensure that all programs funded by the Hazardous Waste Control Account will not be adversely affected by any revenue shortfalls.

SEC. 9. Article 8.6 (commencing with Section 25395.35) is added to Chapter 6.8 of Division 20 of the Health and Safety Code, to read:

Article 8.6. Revolving Loans Fund

25395.35. Unless the context otherwise requires, the following definitions govern the construction of this article:

(a) "Brownfield site" has the same meaning as defined in Section 9601 of Title 42 of the United States Code.

(b) "Brownfield law" means the Small Business Liability Relief and Brownfields Revitalization Act of 2002 (Public Law 107-117) as amending the federal act.

(c) "Federal Trust Fund" means the Federal Trust Fund established pursuant to Section 16360 of the Government Code.

(d) "Fund" means the Revolving Loans Fund established pursuant to this article.

25395.36. (a) The Revolving Loans Fund is hereby created in the State Treasury. Notwithstanding Section 13340 of the Government Code, all moneys in the fund shall be continuously appropriated, without regard to fiscal year, to the department for expenditure in accordance with this chapter. The department is the state agency responsible for administering the fund.

(b) All of the following moneys shall be deposited in the fund:

(1) Notwithstanding Section 25173.6, moneys received pursuant to the brownfield law and transferred to the fund from the Federal Trust Fund.

(2) The amounts collected for loan services.

(3) Interest payments.

(4) Principal repayments.

(5) Notwithstanding Section 16475 of the Government Code, any interest earned upon the moneys deposited in the fund.

(c) The department may expend the moneys in the fund only for the purposes authorized by the brownfield law, as specified in subsection (k) of Section 9604 of Title 42 of the United States Code, including providing financial assistance for both of the following:

(1) Issuing loans for response actions to eligible brownfield sites.

(2) Making subgrants for response actions to eligible brownfield sites.

(d) Any repayment of fund moneys, including interest payments, and all interest earned on, or accruing to, any moneys in the fund, that are deposited in the fund, as provided in subdivision (b), shall be available, in perpetuity, for expenditure for the purposes and uses authorized by the brownfield law.

SEC. 10. Section 39625.1 of the Health and Safety Code is amended to read:

39625.1. As used in this chapter, the following terms have the following meanings:

(a) "Applicant" means any local public entity involved in the

movement of freight through trade corridors of the state or involved in air quality improvements associated with goods movement. For the purposes of administering a loan or loan guarantee program only, an applicant may include any state agency.

(b) "Emission" or "emissions" means emissions including, but not limited to, diesel particulate matter, oxides of nitrogen, oxides of sulfur, and reactive organic gases.

(c) "Emission sources" means one of the following categories of sources of air pollution associated with the movement of freight through California's trade corridors: heavy-duty trucks, locomotives, commercial harbor craft, ocean-going vessels related to freight, and cargo-handling equipment.

(d) "Goods movement facility" means airports, seaports, land ports of entry, freight distribution warehouses and logistic centers, freight rail systems, and highways that have a high volume of truck traffic related to the movement of goods, as determined by the state board.

(e) "Trade corridors" means any of the following areas: the Los Angeles/Inland Empire region, the Central Valley region, the Bay Area region, and the San Diego/border region.

SEC. 11. Section 39626 of the Health and Safety Code is amended to read:

39626. (a) (1) The state board shall develop guidelines by December 31, 2007, consistent with the requirements of this chapter, to implement Section 39625.5, in consultation with stakeholders, including, but not limited to, local air quality management and air pollution control districts, metropolitan planning organizations, port authorities, shipping lines, railroad companies, trucking companies, harbor craft owners, freight distributors, terminal operators, local port community advisory groups, community interest groups, and airports. The guidelines shall, at a minimum, include all of the following:

(A) An application process for the funds, and any limits on administrative costs for the recipient agency, including an administrative cost limit of up to 5 percent.

(B) A requirement for a contribution of a specified percentage of funds leveraged from other sources or in-kind contributions toward the project.

(C) Project selection criteria.

(D) The method by which the state board will consider the air basin's status in maintaining and achieving state and federal ambient air quality standards and the public health risk associated with goods movement-related emissions and toxic air contaminants.

(E) Accountability and auditing requirements to ensure that expenditure of bond proceeds, less administrative costs, meets quantifiable emission reduction objectives in a timely manner, and to

ensure that the emission reductions will continue in California for the project lifetime.

(F) Requirements for agreements between applicants and recipients of funds executed by the state board related to the identification of project implementation milestones and project completion that ensure that if a recipient fails to accomplish project milestones within a specified time period, the state board may modify or terminate the agreement and seek other remedies as it deems necessary.

(2) Prior to the adoption of the guidelines, the state board shall hold no less than one public workshop in northern California, one public workshop in the Central Valley, and one public workshop in southern California.

(b) For each fiscal year in which funds are appropriated for the purposes of this chapter, the state board shall issue a notice of funding availability no later than November 30. For the 2007-08 fiscal year, if funds are appropriated for the purposes of this chapter, the state board shall issue a notice of funding upon adoption of the guidelines described in subdivision (a).

(c) (1) After applications have been submitted and reviewed for consistency with the requirements of this chapter and the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, the state board shall compile and release to the public a preliminary list of all projects that the state board is considering for funding and provide adequate opportunity for public input and comment.

(2) The state board shall hold no less than one public workshop in northern California, one public workshop in the Central Valley, and one public workshop in southern California to discuss the preliminary list. This requirement shall not apply to the funds appropriated in the 2007-08 fiscal year.

(3) After the requirements of paragraphs (1) and (2) are met, the state board shall adopt a final list of projects that will receive funding at a regularly scheduled public hearing.

(d) Nothing in this chapter authorizes the state board to program funds not appropriated by the Legislature.

SEC. 12. Section 43022.5 is added to the Health and Safety Code, to read:

43022.5. The state board shall select projects for zero-emission vehicle leases or purchases and zero-emission vehicle infrastructure for the purpose of implementing any program to encourage the use of zero-emission vehicles through a competitive grant process that includes a public bidding process.

SEC. 13. Section 44274.7 is added to the Health and Safety Code, to read:

44274.7. (a) Notwithstanding any other provision of this chapter, funds appropriated by the Legislature to the state board from the

Air Quality Improvement Fund in the Budget Act of 2008, not used to implement the Air Quality Improvement Program, shall be expended by the state board to provide financial assistance to owners and operators of on-road heavy-duty diesel-fueled motor vehicles for costs associated with early compliance with both of the following regulations:

(1) Regulations to reduce emissions of diesel particulate matter, oxides of nitrogen, and other criteria pollutants, and greenhouse gases from in-use heavy-duty diesel-fueled vehicles.

(2) Regulations to reduce greenhouse gas emissions from heavy-duty tractors and 53-foot box-type trailers that transport freight on state highways.

(b) Funds shall be expended for low- or zero-interest loans or grants.

(c) Priority for funding shall be provided to both of the following:

(1) Owners of less than three on-road heavy-duty diesel-fueled motor vehicles and to those owners and operators most heavily impacted by the regulations described in subdivision (a) who demonstrate financial hardship as determined by the state board.

(2) On-road heavy-duty diesel-fueled motor vehicles that are used for short-haul trucking, including short-haul trucking that crosses state or federal borders where there are significant air pollution impacts in the state.

(d) The state board may contract with the Treasurer for assistance in expending funds through programs implemented by the Treasurer.

(e) The state board shall maximize use of the funds described in this section with other funds that may be available for on-road heavy-duty diesel-fueled motor vehicle pollution reduction, including, but not limited to, the Goods Movement Emission Reduction Program (Chapter 3.2 (commencing with Section 39625) of Part 2) and the Carl Moyer Memorial Air Quality Standards Attainment Program (Chapter 9 (commencing with Section 44275)).

(f) By January 1, 2010, and each January 1 thereafter until all funds are expended, the state board shall report to the Legislature on the implementation of this section, including, but not limited to, the types of financial assistance provided.

SEC. 14. Section 3258 of the Public Resources Code is amended to read:

3258. (a) The division shall not make expenditures pursuant to this article that exceed the following sum in any one fiscal year:

(1) Two million dollars (\$2,000,000) commencing on July 1, 2008, for the 2008-09 fiscal year, and continuing for three fiscal years thereafter.

(2) One million dollars (\$1,000,000), commencing with the 2012-13 fiscal year.

(b) On October 1, 2011, the department shall report to the Legislature on the number of orphan wells remaining, the estimated costs of abandoning those orphan wells, and a timeline for future orphan well abandonment with a specific schedule of goals.

SEC. 15. Section 6217.3 of the Public Resources Code is amended to read:

6217.3. (a) The Legislature finds and declares all of the following:

(1) The Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006, an initiative approved by the voters at the November 7, 2006, statewide general election, makes available the sum of one hundred eighty million dollars (\$180,000,000) in bond funds for bay-delta and coastal fishery restoration projects.

(2) Of the funds made available, up to forty-five million dollars (\$45,000,000) is available for coastal salmon and steelhead fishery restoration projects that support the development and implementation of species recovery plans and strategies for salmonid species listed as threatened or endangered under state or federal law.

(b) From the forty-five million dollars (\$45,000,000) available for coastal salmon and steelhead fishery restoration projects pursuant to subdivision (a) of Section 75050, five million two hundred ninety-three thousand dollars (\$5,293,000) is appropriated to the Department of Fish and Game for the purposes of coastal salmon and steelhead fishery restoration projects, including the Coastal Salmonid Monitoring Plan. The Department of Fish and Game shall not allocate more than two million five hundred twenty thousand dollars (\$2,520,000) of these funds for the Coastal Salmonid Monitoring Plan.

(c) (1) Except for the funds annually appropriated for the Coastal Salmonid Monitoring Plan, and as provided in paragraph (3), the process governing the expenditure of funds described in Section 6217.1 shall be applied to the expenditure of funds available for coastal salmon and steelhead fishery restoration projects pursuant to subdivision (a) of Section 75050 that are allocated by the Department of Fish and Game pursuant to subdivision (b).

(2) The funds annually allocated to the Coastal Salmonid Monitoring Plan are exempt from the requirements of Section 6217.1.

(3) If there is a conflict between a provision of this section and a provision of Division 43 (commencing with Section 75001), the provision of Division 43 shall govern.

SEC. 16. Section 30620 of the Public Resources Code is amended to read:

30620. (a) By January 30, 1977, the commission shall, consistent with this chapter, prepare interim procedures for the submission, review, and appeal of coastal development permit applications and of

claims of exemption. These procedures shall include, but are not limited to, all of the following:

(1) Application and appeal forms.

(2) Reasonable provisions for notification to the commission and other interested persons of any action taken by a local government pursuant to this chapter, in sufficient detail to ensure that a preliminary review of that action for conformity with this chapter can be made.

(3) Interpretive guidelines designed to assist local governments, the commission, and persons subject to this chapter in determining how the policies of this division shall be applied in the coastal zone prior to the certification of local coastal programs. However, the guidelines shall not supersede, enlarge, or diminish the powers or authority of the commission or any other public agency.

(b) Not later than May 1, 1977, the commission shall, after public hearing, adopt permanent procedures that include the components specified in subdivision (a) and shall transmit a copy of those procedures to each local government within the coastal zone and make them readily available to the public. The commission may thereafter, from time to time, and, except in cases of emergency, after public hearing, modify or adopt additional procedures or guidelines that the commission determines to be necessary to better carry out the purposes of this division.

(c) (1) The commission may require a reasonable filing fee and the reimbursement of expenses for the processing by the commission of any application for a coastal development permit under this division and, except for local coastal program submittals, for any other filing, including, but not limited to, a request for revocation, categorical exclusion, or boundary adjustment, submitted for review by the commission.

(2) Any coastal development permit fees collected by the commission under paragraph (1) shall be deposited in the Coastal Act Services Fund established pursuant to Section 30620.1. This paragraph does not authorize an increase in fees or create any new authority on the part of the commission.

(d) With respect to an appeal of an action taken by a local government pursuant to Section 30602 or 30603, the executive director shall, within five working days of receipt of an appeal from a person other than a member of the commission or a public agency, determine whether the appeal is patently frivolous. If the executive director determines that an appeal is patently frivolous, the appeal shall not be filed unless a filing fee in the amount of three hundred dollars (\$300) is deposited with the commission within five working days of the receipt of the executive director's determination. If the commission subsequently finds that the appeal raises a substantial issue, the filing fee shall be refunded.

SEC. 17. Section 30620.1 is added to the Public Resources Code, to read:

30620.1. (a) The Coastal Act Services Fund is hereby created in the State Treasury, to be administered by the commission. The moneys in the fund, upon appropriation by the Legislature in the annual Budget Act, shall be expended by the commission in accordance with this chapter to enforce the California Coastal Act and to provide services to local government, permit applicants, public agencies, and the public participating in the implementation of this division.

(b) Five hundred thousand dollars (\$500,000), adjusted annually by the application of the California Consumer Price Index for Urban Consumers as determined by the Department of Industrial Relations pursuant to Section 2212 of the Revenue and Taxation Code, shall be transferred annually from the Coastal Act Services Fund to the Coastal Access Account established pursuant to Section 30620.2.

SEC. 18. Section 30620.2 is added to the Public Resources Code, to read:

30620.2. The Coastal Access Account is hereby created in the State Coastal Conservancy Fund. The money in the account shall be available, upon appropriation by the Legislature in the annual Budget Act, to the State Coastal Conservancy for grants to public agencies and private nonprofit entities or organizations for the development, maintenance, and operation of new or existing facilities that provide public access to the shoreline of the sea, as defined in Section 30115. Any grant funds that are not expended for those purposes shall revert to the account.

SEC. 19. Section 37036 of the Public Resources Code is amended to read:

37036. (a) The Natural Heritage Preservation Tax Credit Reimbursement Account is established in the General Fund to receive moneys paid pursuant to this chapter.

(b) Moneys in the Natural Heritage Preservation Tax Credit Reimbursement Account shall be used only to reimburse the General Fund as determined by the departments pursuant to paragraph (1) of subdivision (b) of Section 37034.

(c) Upon receipt of funds in the Natural Heritage Preservation Tax Credit Reimbursement Account and notification to the Legislature, the Controller shall transfer, within 60 days of the notification, the balance of the Natural Heritage Preservation Tax Credit Reimbursement Account to the General Fund.

(d) The moneys in the Natural Heritage Preservation Tax Credit Reimbursement Account may not be loaned to another fund and may not accrue interest.

SEC. 20. Section 326.5 is added to the Public Utilities Code, to read:

326.5. By January 10, 2009, and by January 10 of each year

thereafter, the commission shall report to the Joint Legislative Budget Committee and appropriate fiscal and policy committees of the Legislature, on all sources and amounts of funding and actual and proposed expenditures, both in the two prior fiscal years and for the proposed fiscal year, including any costs to ratepayers, related to both of the following:

(a) Entities or programs established by the commission by order, decision, motion, settlement, or other action, including, but not limited to, the California Clean Energy Fund, the California Emerging Technology Fund, and the Pacific Forest and Watershed Lands Stewardship Council. The report shall contain descriptions of relevant issues, including, but not limited to, all of the following:

(1) Any governance structure established for an entity or program.

(2) Any staff or employees hired by or for the entity or program and their salaries and expenses.

(3) Any staff or employees transferred or loaned internally or interdepartmentally for the entity or program and their salaries and expenses.

(4) Any contracts entered into by the entity or program, the funding sources for those contracts, and the legislative authority under which the commission entered into the contract.

(5) The public process and oversight governing the entity or program's activities.

(b) Entities or programs established by the commission, other than those expressly authorized by statute, under the following sections:

(1) Section 379.6.

(2) Section 399.8.

(3) Section 739.1.

(4) Section 2790.

(5) Section 2851.

SEC. 21. Section 343 is added to the Public Utilities Code, to read:

343. (a) The Attorney General shall represent the Department of Finance and shall succeed to, and may exercise, all rights, claims, powers, and entitlements of the Electricity Oversight Board in any litigation or settlement to obtain ratepayer recovery for the effects of the 2000-02 energy crisis. Nothing in this section requires the Attorney General to litigate any claim, or take any other action, as successor to the Electricity Oversight Board.

(b) The Attorney General shall not distribute or expend the proceeds of any settlements of claims described in subdivision (a), except in accordance with Article 9.5 (commencing with Section

16428.1) of Chapter 2 of Part 2 of Division 4 of Title 2 of the Government Code and Division 27 (commencing with Section 80000) of the Water Code.

(c) The Attorney General shall not distribute or expend the proceeds of any settlements of claims allocated to the Electricity Oversight Board.

(d) This section shall remain in effect only until January 1, 2010, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2010, deletes or extends that date.

SEC. 22. Section 12561 of the Water Code is amended to read:

12561. There is hereby created the Colorado River Management Account in the General Fund. Moneys in the account are available, upon appropriation by the Legislature, for use in accordance with this chapter.

SEC. 23. Section 13385.1 of the Water Code is amended to read:

13385.1. (a) (1) For the purposes of subdivision (h) of Section 13385, a "serious violation" also means a failure to file a discharge monitoring report required pursuant to Section 13383 for each complete period of 30 days following the deadline for submitting the report, if the report is designed to ensure compliance with limitations contained in waste discharge requirements that contain effluent limitations.

(2) Paragraph (1) applies only to violations that occur on or after January 1, 2004.

(b) (1) Notwithstanding any other provision of law, moneys collected pursuant to this section for a failure to timely file a report, as described in subdivision (a), shall be deposited in the State Water Pollution Cleanup and Abatement Account.

(2) Notwithstanding Section 13340 of the Government Code, the funds described in paragraph (1) are continuously appropriated, without regard to fiscal years, to the state board for expenditure by the state board to assist regional boards, and other public agencies with authority to clean up waste or abate the effects of the waste, in responding to significant water pollution problems.

(c) For the purposes of this section, paragraph (2) of subdivision (f) of Section 13385, and subdivisions (h), (i), and (j) of Section 13385 only, "effluent limitation" means a numeric restriction or a numerically expressed narrative restriction, on the quantity, discharge rate, concentration, or toxicity units of a pollutant or pollutants that may be discharged from an authorized location. An effluent limitation may be final or interim, and may be expressed as a prohibition. An effluent limitation, for those purposes, does not include a receiving water limitation, a compliance schedule, or a best management practice.

SEC. 24. Section 79441 of the Water Code is amended to read:

79441. (a) The department, the Department of Fish and Game, and the United States Army Corps of Engineers are the implementing agencies for the levee program element.

(b) The state board, the United States Environmental Protection Agency, and the State Department of Health Services are the implementing agencies for the water quality program element.

(c) The Department of Fish and Game, the United States Fish and Wildlife Service, and the United States National Marine Fisheries Service are the implementing agencies for the ecosystem restoration program element. If interests in land, water, or other real property are acquired, those interests shall be acquired from willing sellers by means of entering into voluntary agreements.

(d) The department and the United States Bureau of Reclamation are the implementing agencies for the water supply reliability, storage, and conveyance elements of the program.

(e) The department, the state board, and the United States Bureau of Reclamation are the implementing agencies for the water use efficiency and water transfer program elements.

(f) The Resources Agency, the state board, the department, the Department of Fish and Game, the Department of Conservation, the United States Natural Resources Conservation Service, the United States Environmental Protection Agency, and the United States Fish and Wildlife Service are the implementing agencies for the watershed program element.

(g) The Resources Agency is the implementing agency for the science program element.

(h) The department, the Department of Fish and Game, the United States Bureau of Reclamation, the United States Fish and Wildlife Service, and the United States National Marine Fisheries Service are the implementing agencies for the environmental water account program element.

SEC. 25. (a) Of the positions funded by Item No. 3860-510-0502 of Section 2.00 of the 2008-09 Budget Act, the Department of Water Resources shall use eight limited-term positions funded by that item exclusively for conducting studies on options for conservation and restoration of the Sacramento-San Joaquin River Delta, including water conveyance, consistent with the recommendations of the Delta Blue Ribbon Task Force established pursuant to Executive Order No. S-17-06.

(b) The eight positions described in subdivision (a) shall not be used to perform environmental studies, or documentation, except for studies required pursuant to the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code) for the plan prepared pursuant to the planning agreement for the Bay Delta Conservation Plan, dated October 6, 2006.

SEC. 26. In order to meet California's obligation under Chapter 7

(commencing with Section 12560) of Part 5 of Division 6 of the Water Code, as added by Chapter 813 of the Statutes of 1998, and to preserve General Fund resources, on and after July 1, 2008, moneys to fund the purposes of that chapter may be obtained by appropriating in the annual Budget Act, in lieu of General Fund moneys, moneys provided from the sale of general obligation bonds pursuant to the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Division 43 (commencing with Section 75001) of the Public Resources Code) and made available to the Department of Water Resources for allocation pursuant to paragraph (12) of subdivision (a) of Section 75027 of the Public Resources Code, subject to appropriation by the Legislature, or another state funding source.

SEC. 27. (a) The Public Utilities Commission shall not execute an order, or collect any rate revenues, in Rulemaking 07-09-008 (Order Instituting Rulemaking to establish the California Institute for Climate Solutions), and shall not adopt or execute any similar order or decision establishing a research program for climate change unless expressly authorized to do so by statute.

(b) This section does not constitute a change in, but is declaratory of, existing law.

SEC. 28. Due to the insufficient resources available to the Electricity Oversight Board as a result of reductions in the Budget Act of 2007, it is the intent of the Legislature that the Attorney General settle pending lawsuits, claims, and petitions filed by the Electricity Oversight Board as a result of the 2000-02 energy crisis.

SEC. 29. The sum of five million eight hundred seventy thousand seven hundred eighty-two dollars (\$5,870,782) is hereby appropriated for transfer from the Natural Heritage Preservation Tax Credit Reimbursement Account to the General Fund.

SEC. 30. The Legislature finds and declares both of the following:

(a) Any costs that may result from Sections 4, 5, and 6 of this act are not unique to local agencies or school districts.

(b) There is no mandate contained in Section 4, 5, or 6 of this act that will result in costs incurred by a local agency or school district for a new program or higher level of service which require reimbursement pursuant to Section 6 of Article XIII B of the California Constitution and Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

SEC. 31. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to make the necessary statutory changes to implement the

Budget Act of 2008 at the earliest time possible, it is necessary that this act take effect immediately.

AB 1879
BILL TEXT

CHAPTER 559

FILED WITH SECRETARY OF STATE SEPTEMBER 29, 2008
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AMENDED IN ASSEMBLY APRIL 3, 2008

INTRODUCED BY Assembly Members Feuer and Huffman
(Principal coauthors: Assembly Members Blakeslee, Hernandez, and Solorio)
(Principal coauthor: Senator Simitian)
(Coauthor: Senator Calderon)

FEBRUARY 4, 2008

An act to add Sections 25252, 25252.5, 25253, 25254, 25255, and 25257 to the Health and Safety Code, relating to hazardous materials.

LEGISLATIVE COUNSEL'S DIGEST

AB 1879, Feuer. Hazardous materials: toxic substances.

(1) Existing law establishes the Department of Toxic Substances Control, in the California Environmental Protection Agency, with powers and duties regarding, among other things, hazardous waste disposal, underground storage of hazardous substances and waste, and the handling and release of hazardous materials.

This bill would require the department by January 1, 2011, to adopt regulations to establish a process by which chemicals or chemical ingredients in products may be identified and prioritized for consideration as being chemicals of concern. The bill would specify a procedure for the adoption of those regulations, including requiring that the department, in adopting those regulations, prepare a multimedia life cycle evaluation, as defined, and submit the regulations and the multimedia life cycle evaluation to the California Environmental Policy Council for review.

The department would also be required to adopt, by January 1, 2011, regulations to establish a process by which chemicals of

concern in products, and their potential alternatives, are evaluated to determine how best to limit exposure or to reduce the level of hazard posed by a chemical of concern. The regulations would be required to specify actions that the department may take following the completion of the analysis, including imposing requirements to provide additional information, requirements for labeling or other types of product information, controlling access to or limiting exposure, managing the product at the end of its useful life, or funding green chemistry challenge grants, restrictions on the use of the chemical of concern in the product, or prohibitions on use.

The bill would require the department to establish a Green Ribbon Science Panel to advise the department and the council.

The bill would establish a procedure for the protection of information submitted to the department that is claimed to be a trade secret. Because a violation of the regulations adopted by the department pursuant to the bill would be a crime, this bill would impose a state-mandated local program.

This bill would become effective only if SB 509 is enacted on or before January 1, 2009.

(2) 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 25252 is added to the Health and Safety Code, to read:

25252. (a) On or before January 1, 2011, the department shall adopt regulations to establish a process to identify and prioritize those chemicals or chemical ingredients in consumer products that may be considered as being a chemical of concern, in accordance with the review process specified in Section 25252.5. The department shall adopt these regulations in consultation with the office and all appropriate state agencies and after conducting one or more public workshops for which the department provides public notice and provides an opportunity for all interested parties to comment. The regulations adopted pursuant to this section shall establish an identification and prioritization process that includes, but is not limited to, all of the following considerations:

(1) The volume of the chemical in commerce in this state.

(2) The potential for exposure to the chemical in a consumer product.

(3) Potential effects on sensitive subpopulations, including infants and children.

(b) (1) In adopting regulations pursuant to this section, the department shall develop criteria by which chemicals and their alternatives may be evaluated. These criteria shall include, but not be limited to, the traits, characteristics and endpoints that are included in the clearinghouse data pursuant to Section 25256.1.

(2) In adopting regulations pursuant to this section, the department shall reference and use, to the maximum extent feasible, available information from other nations, governments, and authoritative bodies that have undertaken similar chemical prioritization processes, so as to leverage the work and costs already incurred by those entities and to minimize costs and maximize benefits for the state's economy.

(3) Paragraph (2) does not require the department, when adopting regulations pursuant to this section, to reference and use only the available information specified in paragraph (2).

SEC. 2. Section 25252.5 is added to the Health and Safety Code, to read:

25252.5. (a) Except as provided in subdivision (f), the department, in adopting the regulations pursuant to Sections 25252 and 25253, shall prepare a multimedia life cycle evaluation conducted by affected agencies and coordinated by the department, and shall submit the regulations and the multimedia life cycle evaluation to the council for review.

(b) The multimedia evaluation shall be based on the best available scientific data, written comments submitted by interested persons, and information collected by the department in preparation for adopting the regulations, and shall address, but is not limited to, the impacts associated with all the following:

(1) Emissions of air pollutants, including ozone forming compounds, particulate matter, toxic air contaminants, and greenhouse gases.

(2) Contamination of surface water, groundwater, and soil.

(3) Disposal or use of the byproducts and waste materials.

(4) Worker safety and impacts to public health.

(5) Other anticipated impacts to the environment.

(c) The council shall complete its review of the multimedia evaluation within 90 calendar days following notice from the department that it intends to adopt regulations. If the council determines that the proposed regulations will cause a significant adverse impact on the public health or the environment, or that alternatives exist that would be less adverse, the council shall recommend alternative measures that the department or other state agencies may take to reduce the adverse impact on public health or the environment. The council shall make all information relating to

its review available to the public.

(d) Within 60 days of receiving notification from the council of a determination of significant adverse impact, the department shall adopt revisions to the proposed regulation to avoid or reduce the adverse impact, or the affected agencies shall take appropriate action that will, to the extent feasible, mitigate the adverse impact so that, on balance, there is no significant adverse impact on public health or the environment.

(e) In coordinating a multimedia evaluation pursuant to subdivision (a), the department shall consult with other boards and departments within the California Environmental Protection Agency, the State Department of Public Health, the State and Consumer Services Agency, the Department of Homeland Security, the Department of Industrial Relations, and other state agencies with responsibility for, or expertise regarding, impacts that could result from the production, use, or disposal of consumer products and the ingredients they may contain.

(f) Notwithstanding subdivision (a), the department may adopt regulations pursuant to Sections 25252 and 25253 without subjecting the proposed regulation to a multimedia evaluation if the council, following an initial evaluation of the proposed regulation, conclusively determines that the regulation will not have any significant adverse impact on public health or the environment.

(g) For the purposes of this section, "multimedia life cycle evaluation" means the identification and evaluation of a significant adverse impact on public health or the environment, including air, water, or soil, that may result from the production, use, or disposal of a consumer product or consumer product ingredient.

SEC. 3. Section 25253 is added to the Health and Safety Code, to read:

25253. (a) (1) On or before January 1, 2011, the department shall adopt regulations pursuant to this section that establish a process for evaluating chemicals of concern in consumer products, and their potential alternatives, to determine how best to limit exposure or to reduce the level of hazard posed by a chemical of concern, in accordance with the review process specified in Section 25252.5. The department shall adopt these regulations in consultation with all appropriate state agencies and after conducting one or more public workshops for which the department provides public notice and provides an opportunity for all interested parties to comment.

(2) The regulations adopted pursuant to this section shall establish a process that includes an evaluation of the availability of potential alternatives and potential hazards posed by those alternatives, as well as an evaluation of critical exposure pathways. This process shall include life cycle assessment tools that take into consideration, but shall not be limited to, all of the

following:

- (A) Product function or performance.
 - (B) Useful life.
 - (C) Materials and resource consumption.
 - (D) Water conservation.
 - (E) Water quality impacts.
 - (F) Air emissions.
 - (G) Production, in-use, and transportation energy inputs.
 - (H) Energy efficiency.
 - (I) Greenhouse gas emissions.
 - (J) Waste and end-of-life disposal.
 - (K) Public health impacts, including potential impacts to sensitive subpopulations, including infants and children.
 - (L) Environmental impacts.
 - (M) Economic impacts.
- (b) The regulations adopted pursuant to this section shall specify the range of regulatory responses that the department may take following the completion of the alternatives analysis, including, but not limited to, any of the following actions:
- (1) Not requiring any action.
 - (2) Imposing requirements to provide additional information needed to assess a chemical of concern and its potential alternatives.
 - (3) Imposing requirements on the labeling or other type of consumer product information.
 - (4) Imposing a restriction on the use of the chemical of concern in the consumer product.
 - (5) Prohibiting the use of the chemical of concern in the consumer product.
 - (6) Imposing requirements that control access to or limit exposure to the chemical of concern in the consumer product.
 - (7) Imposing requirements for the manufacturer to manage the product at the end of its useful life, including recycling or responsible disposal of the consumer product.
 - (8) Imposing a requirement to fund green chemistry challenge grants where no feasible safer alternative exists.
 - (9) Any other outcome the department determines accomplishes the requirements of this article.
- (c) The department, in developing the processes and regulations pursuant to this section, shall ensure that the tools available are in a form that allows for ease of use and transparency of application. The department shall also make every feasible effort to devise simplified and accessible tools that consumer product manufacturers, consumer product distributors, product retailers and consumers can use to make consumer product manufacturing, sales, and purchase decisions.

SEC. 4. Section 25254 is added to the Health and Safety Code, to

read:

25254. (a) In implementing this article, the department shall establish a Green Ribbon Science Panel. The panel shall be composed of members whose expertise shall encompass all of the following disciplines:

- (1) Chemistry.
- (2) Chemical engineering.
- (3) Environmental law.
- (4) Toxicology.
- (5) Public policy.
- (6) Pollution prevention.
- (7) Cleaner production methods.
- (8) Environmental health.
- (9) Public health.
- (10) Risk analysis.
- (11) Materials science.
- (12) Nanotechnology.
- (13) Chemical synthesis.
- (14) Research.
- (15) Maternal and child health.

(b) The department shall appoint all members to the panel on or before July 1, 2009. The department shall appoint the members for staggered three-year terms, and may reappoint a member for additional terms, without limitation.

(c) The panel shall meet as often as the department deems necessary, with consideration of available resources, but not less than twice each year. The department shall provide for staff and administrative support to the panel.

(d) The panel meetings shall be open to the public and are subject to the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code).

SEC. 5. Section 25255 is added to the Health and Safety Code, to read:

25255. The panel may take any of the following actions:

(a) Advise the department and the council on scientific and technical matters in support of the goals of this article of significantly reducing adverse health and environmental impacts of chemicals used in commerce, as well as the overall costs of those impacts to the state's society, by encouraging the redesign of consumer products, manufacturing processes, and approaches.

(b) Assist the department in developing green chemistry and chemicals policy recommendations and implementation strategies and details, and ensure these recommendations are based on a strong scientific foundation.

(c) Advise the department and make recommendations for chemicals

the panel views as priorities for which hazard traits and toxicological end-point data should be collected.

(d) Advise the department in the adoption of regulations required by this article.

(e) Advise the department on any other pertinent matter in implementing this article, as determined by the department.

SEC. 6. Section 25257 is added to the Health and Safety Code, to read:

25257. (a) A person providing information pursuant to this article may, at the time of submission, identify a portion of the information submitted to the department as a trade secret and, upon the written request of the department, shall provide support for the claim that the information is a trade secret. Except as provided in subdivision (d), a state agency shall not release to the public, subject information supplied pursuant to this article that is a trade secret, and that is so identified at the time of submission, in accordance with Section 6254.7 of the Government Code and Section 1060 of the Evidence Code.

(b) This section does not prohibit the exchange of a properly designated trade secret between public agencies, if the trade secret is relevant and necessary to the exercise of the agency's jurisdiction and the public agency exchanging the trade secrets complies with this section. An employee of the department that has access to a properly designated trade secret shall maintain the confidentiality of that trade secret by complying with this section.

(c) Information not identified as a trade secret pursuant to subdivision (a) shall be available to the public unless exempted from disclosure by other provisions of law. The fact that information is claimed to be a trade secret is public information.

(d) (1) Upon receipt of a request for the release of information that has been claimed to be a trade secret, the department shall immediately notify the person who submitted the information. Based on the request, the department shall determine whether or not the information claimed to be a trade secret is to be released to the public.

(2) The department shall make the determination specified in paragraph (1), no later than 60 days after the date the department receives the request for disclosure, but not before 30 days following the notification of the person who submitted the information.

(3) If the department decides that the information requested pursuant to this subdivision should be made public, the department shall provide the person who submitted the information 30 days' notice prior to public disclosure of the information, unless, prior to the expiration of the 30-day period, the person who submitted the information obtains an action in an appropriate court for a declaratory judgment that the information is subject to protection

under this section or for a preliminary injunction prohibiting disclosure of the information to the public and promptly notifies the department of that action.

(e) This section does not authorize a person to refuse to disclose to the department information required to be submitted to the department pursuant to this article.

(f) This section does not apply to hazardous trait submissions for chemicals and chemical ingredients pursuant to this article.

SEC. 7. This act shall become effective only if Senate Bill 509 of the 2007-08 Regular Session is enacted on or before January 1, 2009.

SEC. 8. 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.

AB 2223
BILL TEXT

CHAPTER 450
FILED WITH SECRETARY OF STATE SEPTEMBER 27, 2008
APPROVED BY GOVERNOR SEPTEMBER 27, 2008
PASSED THE SENATE AUGUST 12, 2008
PASSED THE ASSEMBLY MAY 15, 2008
AMENDED IN ASSEMBLY APRIL 1, 2008

INTRODUCED BY Assembly Member Horton

FEBRUARY 20, 2008

An act to amend Sections 8698, 8698.1, and 8698.6 of the Business and Professions Code, relating to structural fumigation.

LEGISLATIVE COUNSEL'S DIGEST

AB 2223, Horton. Structural Fumigation Enforcement Program.

Until January 1, 2010, existing law provides that the Los Angeles County Agricultural Commissioner, the Orange County Agricultural Commissioner, and the Santa Clara 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, Orange County, and Santa Clara 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 San Diego County Agricultural Commissioner and to San Diego County. The bill would extend the operation of these provisions to January 1, 2011.

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, the Santa Clara County Agricultural Commissioner, or the San Diego 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, Santa Clara County, or San Diego 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 8698.6 of the Business and Professions Code is amended to read:

8698.6. This chapter shall remain in effect only until January 1, 2011, and as of that date is repealed, unless a later enacted statute, which is chaptered before January 1, 2011, deletes or extends that date.

AB 2763
BILL TEXT

CHAPTER 573

FILED WITH SECRETARY OF STATE SEPTEMBER 29, 2008
APPROVED BY GOVERNOR SEPTEMBER 29, 2008
PASSED THE SENATE AUGUST 22, 2008
PASSED THE ASSEMBLY AUGUST 30, 2008
AMENDED IN SENATE AUGUST 19, 2008
AMENDED IN SENATE AUGUST 18, 2008
AMENDED IN SENATE AUGUST 4, 2008
AMENDED IN SENATE JUNE 12, 2008
AMENDED IN ASSEMBLY MAY 23, 2008
AMENDED IN ASSEMBLY APRIL 23, 2008
AMENDED IN ASSEMBLY APRIL 3, 2008

INTRODUCED BY Assembly Member Laird

FEBRUARY 22, 2008

An act to add Chapter 4.5 (commencing with Section 5260) to Part 1 of Division 4 of the Food and Agricultural Code, relating to pests.

LEGISLATIVE COUNSEL'S DIGEST

AB 2763, Laird. Invasive pests: advance planning: detection and eradication plans.

Existing law generally provides for the eradication of pests that threaten this state's agriculture.

This bill would require the Department of Food and Agriculture to develop and maintain a list of invasive pests, defined to mean animals, plants, insects, and plant and animal diseases or groups of those animals, plants, insects, and plant and animal diseases where introduction into California would or would likely cause economic or environmental harm, that have a reasonable likelihood of entering the state and for which a detection, exclusion, eradication, control, or management action by the state might be appropriate. The department would be required, based on available funding, to develop and maintain a written plan on the most appropriate options for detection, exclusion, eradication, control, or management of high-priority invasive pests on the list, and to include specified information in the plan if the aerial application of pesticides would be among the appropriate responses. Certain state agencies would be required to participate in the preparation of the plan and the

department would be required to hold public hearings. The bill would require the department to notify the Governor, the governing boards of affected cities and counties, and county agricultural commissioners if an invasive pest on the list has entered the state, and, if the urban aerial application or communitywide ground application of a pesticide is the preferred eradication, control, or management response, to advise the Governor and provide the Governor with a copy of the plan. The department would also be required to, among other things, notify certain local governmental entities and officers, notify the public of specified health information, hold public hearings under certain circumstances, and establish a telephone hotline, if the department determines that an invasive pest has entered the state, and the urban aerial application or communitywide ground application of a pesticide is the selected response. The bill would require this act to be funded only with federal funds.

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

SECTION 1. Chapter 4.5 (commencing with Section 5260) is added to Part 1 of Division 4 of the Food and Agricultural Code, to read:

CHAPTER 4.5. INVASIVE PEST PLANNING

5260. The Legislature hereby finds and declares all of the following:

(a) Global travel, global trade, and climate change are introducing invasive animals, plants, insects, and plant and animal diseases to California.

(b) The State of California should undertake advance planning on whether and how to address those invasive animals, plants, insects, and plant and animal diseases that are a threat to the state's agriculture, environment, or economy.

(c) The Legislature fully recognizes that any prediction of which invasive pests will enter California cannot be precise because of the many entry mechanisms.

5260.5. For purposes of this chapter, "invasive pests" means animals, plants, insects, and plant and animal diseases or groups of those animals, plants, insects, and plant and animal diseases, including seeds, eggs, spores, or other matter capable of propagation, where introduction into California would or would likely cause economic or environmental harm. "Invasive pests" does not include agricultural crops, livestock, or poultry generally recognized by the department or the United States Department of Agriculture as suitable to be grown or raised in the state.

5261. The department shall develop and maintain a list of invasive pests that have a reasonable likelihood of entering California for which a detection, exclusion, eradication, control, or management action by the state might be appropriate. In developing the list, the department shall consider any invasive pests identified by the federal or state government for which a detection, exclusion, eradication, control, or management action might be undertaken.

5262. (a) Based on available funding, the department shall develop and maintain a written plan on the most appropriate options for detection, exclusion, eradication, control, or management of the higher priority invasive pests on the list prepared pursuant to Section 5261. In determining which invasive pests are the higher priority and in developing the most appropriate options for detection, exclusion, eradication, control, or management, the department shall consult with the United States Department of Agriculture, the University of California, other state agencies and departments, and others in the scientific and research community. In implementing this chapter, the department may undertake or contract for scientific research with the University of California or other institutions of higher learning. The plan shall include both of the following:

(1) A discussion of the state not acting to detect, exclude, eradicate, control, or manage the invasive pest.

(2) The identification and description of the most appropriate options for detection, exclusion, eradication, control, or management of the invasive pest.

(b) If the department determines that aerial application of pesticides would be among the more appropriate responses, the plan shall contain a discussion of all of the following:

(1) The pesticides that would likely be the most appropriate.

(2) The concentrations of those pesticides.

(3) How often pesticide use would be necessary.

(4) A list of each active ingredient and inert material, to the extent that the disclosure of the inert material is permitted by state and federal law.

(5) A summary of up-to-date scientific information on the impacts of the pesticide and its inert materials on all of the following:

(A) Healthy children and adults.

(B) Children and adults with compromised health.

(C) Domestic animals.

(D) Fish and wildlife.

(E) Public health and the environment, including drinking water.

(c) The State Department of Public Health, the Department of Fish and Game, the Office of Environmental Health Hazard Assessment, the Department of Boating and Waterways, the Department of Forestry and Fire Protection, the State Water Resources Control Board, and the

Department of Pesticide Regulation shall participate in the preparation of the plan in their areas of expertise. The Office of Environmental Health Hazard Assessment shall include an analysis of the risks of using the pesticide and its inert material.

(d) In developing the plan, the department shall hold public hearings that shall include a presentation by the department and the opportunity for public comment and establish a process for submittal of public comment. Following the public hearing, the department shall reassess the appropriateness of the response and may revise the response and may hold additional public hearings.

(e) The plan shall include a characterization of the number of and the nature of the public comments received pursuant to subdivision (d).

(f) The department shall make the plan available to the public, including making it available on the department's Internet Web site.

5263. If the department determines that an invasive pest identified on the list developed pursuant to Section 5261 has entered the state, the department shall notify the Governor, the governing boards of affected cities and counties, and county agricultural commissioners.

5264. If the department determines that an invasive pest has entered the state and the urban aerial application of a pesticide, or a communitywide ground application of a pesticide, is the preferred eradication, control, or management response, the department shall advise the Governor and provide the Governor with a copy of the plan for that invasive pest. If a plan has not been prepared for that invasive pest, the department shall consult with the appropriate agencies and shall advise the Governor of the lack of a plan and advise the Governor of the best available options.

5265. If the department determines that an invasive pest has entered the state, and an urban aerial application of a pesticide, or a communitywide ground application of a pesticide, is the selected response, the department shall do all of the following:

(a) Notify the governing boards of affected cities and counties and their agricultural commissioners and health officers.

(b) Notify the public of all of the following:

(1) The existence of the invasive pest.

(2) The consequences of not eradicating, controlling, or managing the invasive pest.

(3) The active ingredient and inert material of the pesticide, to the extent that the disclosure of the inert material is permitted by state and federal law.

(4) The method or methods of applying the pesticide.

(5) The implications of the use of the pesticide and the inert materials on human health, domestic animals, fish and wildlife, and the environment.

(c) Hold public hearings in areas subject to aerial application of the pesticide or communitywide ground application of the pesticide.

(d) Establish a telephone hotline for the public to report adverse health consequences and a process to evaluate and respond to adverse health consequences.

5266. This program established by this chapter may only be funded with federal funds.

5267. This chapter does not apply to the following:

(a) The State Department of Public Health and local vector control agencies providing services in accordance with Section 116180 of the Health and Safety Code.

(b) Mosquito abatement and vector control districts authorized under Chapter 1 (commencing with Section 2000) of Division 3 of the Health and Safety Code.

AB 2765
BILL TEXT

CHAPTER 574

FILED WITH SECRETARY OF STATE SEPTEMBER 29, 2008
APPROVED BY GOVERNOR SEPTEMBER 29, 2008
PASSED THE SENATE AUGUST 22, 2008
PASSED THE ASSEMBLY AUGUST 28, 2008
AMENDED IN SENATE AUGUST 20, 2008
AMENDED IN SENATE AUGUST 4, 2008
AMENDED IN SENATE JUNE 26, 2008
AMENDED IN ASSEMBLY APRIL 22, 2008

INTRODUCED BY Assembly Member Huffman

FEBRUARY 22, 2008

An act to amend Sections 5771 and 5776 of, and to add Section 2276.5 to, the Food and Agricultural Code, relating to pests.

LEGISLATIVE COUNSEL'S DIGEST

AB 2765, Huffman. Pest eradication: aerial use of pesticide: public hearing: notice.

Existing law establishes the position of county agricultural commissioner, and prescribes duties and powers of that position.

The bill would state the intent of the Legislature in regard to the role of county agricultural commissioners in pest suppression.

Existing law authorizes the Secretary of Food and Agriculture, by regulation, to proclaim any area within the state an eradication area with respect to a pest, prescribe the boundaries of the area, and name the pest or hosts of the pest that are known to exist within the area, together with the means or methods that are to be used to eradicate or control the pest. The secretary or county agricultural commissioner, when the secretary proclaims an eradication project in an urban area, is required to notify residents and physicians practicing in the area, and the local broadcast and print media, before aeriually applying a pesticide to effect the eradication.

This bill would additionally require the secretary or commissioner, when an eradication plan includes potential aerial application of a pesticide in an urban area, before the aerial application of a pesticide, to conduct at least one public hearing, as provided, in order to consider all alternatives to aerial application of a pesticide. The bill would also require the secretary

or commissioner to seek an evaluation of human health risks and environmental risks jointly prepared by the Department of Pesticide Regulation and the Office of Environmental Health Hazard Assessment, including findings and recommendations regarding environmental and human risks of the proposed use of a pesticide by aerial application.

Existing law requires the notice to the residents, physicians, and media to contain specified information, including the date and approximate time of all proposed pesticide applications in the eradication area and the type of pesticide to be applied.

This bill would instead require the likely date or dates and approximate time or times of all proposed pesticide applications in the eradication area and the pesticides to be applied. The bill would also require the notice to include specified information regarding each active ingredient and inert material in the pesticide, as provided.

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

SECTION 1. Section 2276.5 is added to the Food and Agricultural Code, to read:

2276.5. (a) The Legislature finds and declares that, acting under policy direction of the Secretary of Food and Agriculture, California's unique system of county agricultural commissioners forms the front line of defense in protecting the state from the many exotic and invasive species threatening our people, commerce, and environment.

(b) It is the intent of the Legislature that agricultural commissioners take an increasingly assertive and proactive role in the exclusion and detection of exotic and invasive species in the urban environment, particularly those potentially spread by human activities, such as landscaping and yard maintenance.

SEC. 2. Section 5771 of the Food and Agricultural Code is amended to read:

5771. When the secretary proclaims an eradication project in an urban area pursuant to Article 4 (commencing with Section 5761), where the eradication plan includes potential aerial application of a pesticide, the secretary or the commissioner, pursuant to this article, shall do all of the following before aerially applying a pesticide to effect the eradication:

(a) Conduct at least one public hearing, to include a presentation by the department and the opportunity for public comment, in the area to consider all alternatives to aerial application of a pesticide.

(b) Seek an evaluation of human health risks and environmental

risks jointly prepared by the Department of Pesticide Regulation and the Office of Environmental Health Hazard Assessment, including findings and recommendations regarding environmental and human risks of the proposed use of a pesticide by aerial application.

(c) Notify residents and physicians practicing in the area, and the local broadcast and print media.

SEC. 3. Section 5776 of the Food and Agricultural Code is amended to read:

5776. The notice distributed pursuant to this article shall contain all of the following:

(a) The likely date or dates and approximate time or times of all proposed pesticide applications in the eradication area.

(b) The pesticides to be applied.

(c) Any health and safety precautions that should be taken.

(d) A telephone number and address of public health personnel who are familiar with the eradication program.

(e) The active ingredients and inert materials of the pesticide, to the extent that the department is permitted by state and federal law to disclose them.

SB 509
BILL TEXT

CHAPTER 560

FILED WITH SECRETARY OF STATE SEPTEMBER 29, 2008
APPROVED BY GOVERNOR SEPTEMBER 29, 2008
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PASSED THE ASSEMBLY AUGUST 25, 2008
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AMENDED IN ASSEMBLY AUGUST 15, 2008
AMENDED IN ASSEMBLY JUNE 24, 2008
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AMENDED IN ASSEMBLY JUNE 5, 2008
AMENDED IN ASSEMBLY MAY 27, 2008
AMENDED IN SENATE JANUARY 14, 2008
AMENDED IN SENATE MAY 17, 2007
AMENDED IN SENATE MAY 3, 2007
AMENDED IN SENATE APRIL 10, 2007

INTRODUCED BY Senator Simitian
(Principal coauthor: Assembly Member Feuer)
(Coauthor: Senator Calderon)

FEBRUARY 22, 2007

An act to add Article 14 (commencing with Section 25251) to Chapter 6.5 of Division 20 of, and to repeal and add Section 25251 of, the Health and Safety Code, relating to hazardous materials.

LEGISLATIVE COUNSEL'S DIGEST

SB 509, Simitian. Hazardous materials: toxic substances.

Existing law establishes the Department of Toxic Substances Control, in the California Environmental Protection Agency, with powers and duties regarding, among other things, hazardous waste disposal, underground storage of hazardous substances and waste, and the handling and release of hazardous materials.

The bill would require the department to establish a Toxics Information Clearinghouse for the collection, maintenance, and distribution of specific chemical hazard traits and environmental and toxicological end-point data. The Office of Environmental Health Hazard Assessment would be required, by January 1, 2011, to evaluate and specify the hazard traits and environmental and toxicological end-points and any other relevant data that are to be included in the

clearinghouse.

This bill provides that this act would become effective only if Assembly Bill 1879 is enacted on or before January 1, 2009.

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

SECTION 1. Article 14 (commencing with Section 25251) is added to Chapter 6.5 of Division 20 of the Health and Safety Code, to read:

Article 14. Green Chemistry

25251. For purposes of this article, the following definitions shall apply:

(a) "Clearinghouse" means the Toxics Information Clearinghouse established pursuant to Section 25256.

(b) "Council" means the California Environmental Policy Council established pursuant to subdivision (b) of Section 71017 of the Public Resources Code.

(c) "Office" means Office of Environmental Health Hazard Assessment.

(d) "Panel" means the Green Ribbon Science Panel established pursuant to Section 25254.

(e) "Consumer product" means a product or part of the product that is used, brought, or leased for use by a person for any purposes.

"Consumer product" does not include any of the following:

(1) A dangerous drug or dangerous device as defined in Section 4022 of the Business and Professions Code.

(2) Dental restorative materials as defined in subdivision (b) of Section 1648.20 of the Business and Professions Code.

(3) A device as defined in Section 4023 of the Business and Professions Code.

(4) A food as defined in subdivision (a) of Section 109935.

(5) The packaging associated with any of the items specified in paragraph (1), (2), or (3).

(6) A pesticide as defined in Section 12753 of the Food and Agricultural Code or the Federal Insecticide, Fungicide and Rodenticide Act (7 U.S.C. Sec. 136 and following).

(7) Mercury-containing lights defined as mercury-containing lamps, bulbs, tubes, or other electric devices that provide functional illumination.

(f) This section shall remain in effect only until December 31, 2011, and as of that date is repealed, unless a later enacted statute, that is enacted before December 31, 2011, deletes or extends that date.

25251. For purposes of this article, the following definitions shall apply:

(a) "Clearinghouse" means the Toxics Information Clearinghouse established pursuant to Section 25256.

(b) "Council" means the California Environmental Policy Council established pursuant to subdivision (b) of Section 71017 of the Public Resources Code.

(c) "Office" means Office of Environmental Health Hazard Assessment.

(d) "Panel" means the Green Ribbon Science Panel established pursuant to Section 25254.

(e) "Consumer product" means a product or part of the product that is used, brought, or leased for use by a person for any purposes.

"Consumer product" does not include any of the following:

(1) A dangerous drug or dangerous device as defined in Section 4022 of the Business and Professions Code.

(2) Dental restorative materials as defined in subdivision (b) of Section 1648.20 of the Business and Professions Code.

(3) A device as defined in Section 4023 of the Business and Professions Code.

(4) A food as defined in subdivision (a) of Section 109935.

(5) The packaging associated with any of the items specified in paragraph (1), (2), or (3).

(6) A pesticide as defined in Section 12753 of the Food and Agricultural Code or the Federal Insecticide, Fungicide and Rodenticide (7 United States Code Sections 136 and following).

(f) This section shall become effective on January 1, 2012.

25256. The department shall establish the Toxics Information Clearinghouse, which shall provide a decentralized, Web-based system for the collection, maintenance, and distribution of specific chemical hazard trait and environmental and toxicological end-point data. The department shall make the clearinghouse accessible to the public through a single Internet Web portal, and, shall, to the maximum extent possible, operate the clearinghouse at the least possible cost to the state.

25256.1. On or before January 1, 2011, the office shall evaluate and specify the hazard traits and environmental and toxicological end-points and any other relevant data that are to be included in the clearinghouse. The office shall conduct this evaluation in consultation with the department and all appropriate state agencies, after one or more public workshops, and an opportunity for all interested parties to comment. The office may seek information from other states, the federal government, and other nations in implementing this section.

25256.2. (a) The department shall develop requirements and standards related to the design of the clearinghouse and data quality

and test methods that govern the data that is eligible to be available through the clearinghouse.

(b) The department may phase in the access to eligible information and data in the clearinghouse as that information and data become available.

(c) The department shall ensure the clearinghouse is capable of displaying updated information as new data becomes available.

25256.3. The department shall consult with other states, the federal government, and other nations to identify available data related to hazard traits and environmental and toxicological end-points, and to facilitate the development of regional, national, and international data sharing arrangements to be included in the clearinghouse.

25257.1. (a) This article does not limit and shall not be construed to limit the department's or any other department's or agency's existing authority over hazardous materials.

(b) This article does not authorize the department to supersede the regulatory authority of any other department or agency.

(c) The department shall not duplicate or adopt conflicting regulations for product categories already regulated or subject to pending regulation consistent with the purposes of this article.

SEC. 2. This act shall become effective only if Assembly Bill 1879 of the 2007-2008 Regular Session is enacted on or before January 1, 2009.

AB 2423
BILL TEXT

CHAPTER 675

FILED WITH SECRETARY OF STATE SEPTEMBER 30, 2008
APPROVED BY GOVERNOR SEPTEMBER 30, 2008
PASSED THE SENATE AUGUST 21, 2008
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AMENDED IN SENATE AUGUST 4, 2008
AMENDED IN SENATE JULY 1, 2008
AMENDED IN SENATE JUNE 17, 2008

INTRODUCED BY Assembly Member Bass

FEBRUARY 21, 2008

An act to amend Sections 2878.9, 4521.1, 7396.5, and 7403 of, and to add Sections 2879, 4522, 4845, 4845.5, 7526.1, 7564.1, 8572, 8623, 9884.21, and 9884.22 to, the Business and Professions Code, relating to professions and vocations.

LEGISLATIVE COUNSEL'S DIGEST

AB 2423, Bass. Professions and vocations: licensure.

Existing law provides for the licensure, registration, and regulation of various professions and vocations by boards and bureaus, including, but not limited to, the Board of Vocational Nursing and Psychiatric Technicians of the State of California, the Veterinary Medical Board, the State Board of Barbering and Cosmetology, the Structural Pest Control Board, the Bureau of Security and Investigative Services, and the Bureau of Automotive Repair, within the Department of Consumer Affairs.

Existing law authorizes a board to deny licensure on certain bases, including an applicant's conviction of a crime substantially related to the qualifications, functions, or duties of the licensed business or profession, regardless of whether the conviction has been dismissed on specified grounds; an applicant's performance of any act involving dishonesty, fraud, or deceit with the intent to substantially benefit himself or herself or another or to substantially injure another; or an applicant's performance of any act that would be grounds for suspension or revocation of the

license. Existing law provides that no person shall be denied a license solely on the basis that he or she has been convicted of a felony, if he or she has obtained a specified certificate of rehabilitation, or that he or she has been convicted of a misdemeanor, if he or she has met certain rehabilitation requirements. Existing law requires a board that denies an application for licensure to either file and serve a statement of issues or provide the applicant with certain information upon doing so. Existing law authorizes a board to suspend or revoke a license on the basis that a licensee has been convicted of a crime that is substantially related to the qualifications, functions, or duties of the licensed business or profession, regardless of whether the conviction has been dismissed on specified grounds, and requires the board to provide the ex-licensee with certain information upon doing so. Existing law also authorizes the Board of Vocational Nursing and Psychiatric Technicians of the State of California and the State Board of Barbering and Cosmetology to issue a probationary license to an applicant who meets specified requirements and conditions. Existing law also authorizes the State Board of Barbering and Cosmetology to revoke, suspend, or deny a license at any time on any of the grounds for disciplinary action and, upon the denial of a license, requires the board to provide a specified statement of reasons for the denial.

This bill would authorize the Veterinary Medical Board, with respect to registered veterinary technicians, the Structural Pest Control Board, and the Director of Consumer Affairs, with respect to licensed private investigators and registered automotive repair dealers, to issue or grant a probationary license or registration to an applicant subject to specified terms and conditions. The bill would require these boards, the Board of Vocational Nursing and Psychiatric Technicians of the State of California, the State Board of Barbering and Cosmetology, and the director, when considering the issuance or granting of a probationary license or registration, to request that an applicant with a dismissed conviction provide proof of that dismissal and would require that special consideration be given to applicants whose convictions have been dismissed, as specified. The bill would require the boards and the director to develop standard terms of probation, as specified. The bill would also authorize these boards and the director to revoke, suspend, or deny a license or registration at any time on any of the grounds for disciplinary action and, upon the denial of a license or registration, would require these boards and the director to provide a specified statement of reasons for a denial and, if applicable on or after July 1, 2009, a copy of the applicant's criminal history record if the applicant makes a specified written request for it.

The bill would provide that its provisions relating to the

Veterinary Medical Board shall become operative only if SB 1584 of the 2007-08 Regular Session is also enacted and becomes operative.

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

SECTION 1. Section 2878.9 of the Business and Professions Code is amended to read:

2878.9. (a) The board may issue an initial license on probation, with specific terms and conditions, to any applicant who has violated any term of this chapter, but who has met all other requirements for licensure and who has successfully completed the examination for licensure within four years of the date of issuance of the initial license.

(b) Specific terms and conditions may include, but are not limited to, the following:

- (1) Continuing medical, psychiatric, or psychological treatment.
- (2) Ongoing participation in a specified rehabilitation program.
- (3) Abstention from the use of alcohol or drugs.
- (4) Compliance with all provisions of this chapter.

(c) (1) Notwithstanding any other provision of law, and for purposes of this section, when deciding whether to issue a probationary license, the board shall request that an applicant with a dismissed conviction provide proof of that dismissal and shall give special consideration to applicants whose convictions have been dismissed pursuant to Section 1203.4 or 1203.4a of the Penal Code.

(2) The board shall also take into account and consider any other reasonable documents or individual character references provided by the applicant that may serve as evidence of rehabilitation as deemed appropriate by the board.

(d) The board may modify or terminate the terms and conditions imposed on the probationary license upon receipt of a petition from the applicant or licensee.

(e) For purposes of issuing a probationary license to qualified new applicants, the board shall develop standard terms of probation that shall include, but not be limited to, the following:

- (1) A three-year limit on the individual probationary license.
- (2) A process to obtain a standard license for applicants who were issued a probationary license.
- (3) Supervision requirements.
- (4) Compliance and quarterly reporting requirements.

SEC. 2. Section 2879 is added to the Business and Professions Code, to read:

2879. (a) Notwithstanding Section 2878 or any other provision of law, the board may revoke, suspend, or deny at any time a license

under this chapter on any of the grounds for disciplinary action provided in this chapter. The proceedings under this section shall be conducted in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, and the board shall have all the powers granted therein.

(b) The board may deny a license to an applicant on any of the grounds specified in Section 480.

(c) In addition to the requirements provided in Sections 485 and 486, upon denial of an application for a license, the board shall provide a statement of reasons for the denial that does the following:

(1) Evaluates evidence of rehabilitation submitted by the applicant, if any.

(2) Provides the board's criteria relating to rehabilitation, formulated pursuant to Section 482, that takes into account the age and severity of the offense, and the evidence relating to participation in treatment or other rehabilitation programs.

(3) If the board's decision was based on the applicant's prior criminal conviction, justifies the board's denial of a license and conveys the reasons why the prior criminal conviction is substantially related to the qualifications, functions, or duties of a licensed vocational nurse.

(d) Commencing July 1, 2009, all of the following shall apply:

(1) If the denial of a license is due at least in part to the applicant's state or federal criminal history record, the board shall, in addition to the information provided pursuant to paragraph (3) of subdivision (c), provide to the applicant a copy of his or her criminal history record if the applicant makes a written request to the board for a copy, specifying an address to which it is to be sent.

(A) The state or federal criminal history record shall not be modified or altered from its form or content as provided by the Department of Justice.

(B) The criminal history record shall be provided in such a manner as to protect the confidentiality and privacy of the applicant's criminal history record and the criminal history record shall not be made available by the board to any employer.

(C) The board shall retain a copy of the applicant's written request and a copy of the response sent to the applicant, which shall include the date and the address to which the response was sent.

(2) The board shall make this information available upon request by the Department of Justice or the Federal Bureau of Investigation.

(e) Notwithstanding Section 487, the board shall conduct a hearing of a license denial within 90 days of receiving an applicant's request for a hearing. For all other hearing requests, the board shall determine when the hearing shall be conducted.

SEC. 3. Section 4521.1 of the Business and Professions Code is amended to read:

4521.1. (a) The board may issue an initial license on probation, with specific terms and conditions, to any applicant who has violated any term of this chapter, but who has met all other requirements for licensure and who has successfully completed the examination for licensure within four years of the date of issuance of the initial license.

(b) Specific terms and conditions may include, but are not limited to, the following:

- (1) Continuing medical, psychiatric, or psychological treatment.
- (2) Ongoing participation in a specified rehabilitation program.
- (3) Abstention from the use of alcohol or drugs.
- (4) Compliance with all provisions of this chapter.

(c) (1) Notwithstanding any other provision of law, and for purposes of this section, when deciding whether to issue a probationary license, the board shall request that an applicant with a dismissed conviction provide proof of that dismissal and shall give special consideration to applicants whose convictions have been dismissed pursuant to Section 1203.4 or 1203.4a of the Penal Code.

(2) The board shall also take into account and consider any other reasonable documents or individual character references provided by the applicant that may serve as evidence of rehabilitation as deemed appropriate by the board.

(d) The board may modify or terminate the terms and conditions imposed on the probationary license upon receipt of a petition from the applicant or licensee.

(e) For purposes of issuing a probationary license to qualified new applicants, the board shall develop standard terms of probation that shall include, but not be limited to, the following:

- (1) A three-year limit on the individual probationary license.
- (2) A process to obtain a standard license for applicants who were issued a probationary license.
- (3) Supervision requirements.
- (4) Compliance and quarterly reporting requirements.

SEC. 4. Section 4522 is added to the Business and Professions Code, to read:

4522. (a) Notwithstanding Section 4521 or any other provision of law, the board may revoke, suspend, or deny at any time a license under this chapter on any of the grounds for disciplinary action provided in this chapter. The proceedings under this section shall be conducted in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, and the board shall have all the powers granted therein.

(b) The board may deny a license to an applicant on any of the grounds specified in Section 480.

(c) In addition to the requirements provided in Sections 485 and 486, upon denial of an application for a license, the board shall provide a statement of reasons for the denial that does the following:

(1) Evaluates evidence of rehabilitation submitted by the applicant, if any.

(2) Provides the board's criteria relating to rehabilitation, formulated pursuant to Section 482, that takes into account the age and severity of the offense, and the evidence relating to participation in treatment or other rehabilitation programs.

(3) If the board's decision was based on the applicant's prior criminal conviction, justifies the board's denial of a license and conveys the reasons why the prior criminal conviction is substantially related to the qualifications, functions, or duties of a licensed psychiatric technician.

(d) Commencing July 1, 2009, all of the following shall apply:

(1) If the denial of a license is due at least in part to the applicant's state or federal criminal history record, the board shall, in addition to the information provided pursuant to paragraph (3) of subdivision (c), provide to the applicant a copy of his or her criminal history record if the applicant makes a written request to the board for a copy, specifying an address to which it is to be sent.

(A) The state or federal criminal history record shall not be modified or altered from its form or content as provided by the Department of Justice.

(B) The criminal history record shall be provided in such a manner as to protect the confidentiality and privacy of the applicant's criminal history record and the criminal history record shall not be made available by the board to any employer.

(C) The board shall retain a copy of the applicant's written request and a copy of the response sent to the applicant, which shall include the date and the address to which the response was sent.

(2) The board shall make that information available upon request by the Department of Justice or the Federal Bureau of Investigation.

(e) Notwithstanding Section 487, the board shall conduct a hearing of a license denial within 90 days of receiving an applicant's request for a hearing. For all other hearing requests, the board shall determine when the hearing shall be conducted.

SEC. 5. Section 4845 is added to the Business and Professions Code, to read:

4845. (a) Notwithstanding any other provision of law, the board may, in its sole discretion, issue a probationary registration to an applicant subject to terms and conditions deemed appropriate by the board, including, but not limited to, the following:

(1) Continuing medical, psychiatric, or psychological treatment.

- (2) Ongoing participation in a specified rehabilitation program.
- (3) Abstinence from the use of alcohol or drugs.
- (4) Compliance with all provisions of this chapter.

(b) (1) Notwithstanding any other provision of law, and for purposes of this section, when deciding whether to issue a probationary registration, the board shall request that an applicant with a dismissed conviction provide proof of that dismissal and shall give special consideration to applicants whose convictions have been dismissed pursuant to Section 1203.4 or 1203.4a of the Penal Code.

(2) The board shall also take into account and consider any other reasonable documents or individual character references provided by the applicant that may serve as evidence of rehabilitation as deemed appropriate by the board.

(c) The board may modify or terminate the terms and conditions imposed on the probationary registration upon receipt of a petition from the applicant or registrant.

(d) For purposes of issuing a probationary license to qualified new applicants, the board shall develop standard terms of probation that shall include, but not be limited to, the following:

(1) A three-year limit on the individual probationary registration.

(2) A process to obtain a standard registration for applicants who were issued a probationary registration.

(3) Supervision requirements.

(4) Compliance and quarterly reporting requirements.

SEC. 6. Section 4845.5 is added to the Business and Professions Code, to read:

4845.5. (a) Notwithstanding Sections 4837 and 4842.6 or any other provision of law, the board may revoke, suspend, or deny at any time a registration under this article on any of the grounds for disciplinary action provided in this article. The proceedings under this section shall be conducted in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, and the board shall have all the powers granted therein.

(b) The board may deny a registration to an applicant on any of the grounds specified in Section 480.

(c) In addition to the requirements provided in Sections 485 and 486, upon denial of an application for registration, the board shall provide a statement of reasons for the denial that does the following:

(1) Evaluates evidence of rehabilitation submitted by the applicant, if any.

(2) Provides the board's criteria relating to rehabilitation, formulated pursuant to Section 482, that takes into account the age and severity of the offense, and the evidence relating to

participation in treatment or other rehabilitation programs.

(3) If the board's decision was based on the applicant's prior criminal conviction, justifies the board's denial of a registration and conveys the reasons why the prior criminal conviction is substantially related to the qualifications, functions, or duties of a registered veterinary technician.

(d) Commencing July 1, 2009, all of the following shall apply:

(1) If the denial of a registration is due at least in part to the applicant's state or federal criminal history record, the board shall, in addition to the information provided pursuant to paragraph (3) of subdivision (c), provide to the applicant a copy of his or her criminal history record if the applicant makes a written request to the board for a copy, specifying an address to which it is to be sent.

(A) The state or federal criminal history record shall not be modified or altered from its form or content as provided by the Department of Justice.

(B) The criminal history record shall be provided in such a manner as to protect the confidentiality and privacy of the applicant's criminal history record and the criminal history record shall not be made available by the board to any employer.

(C) The board shall retain a copy of the applicant's written request and a copy of the response sent to the applicant, which shall include the date and the address to which the response was sent.

(2) The board shall make that information available upon request by the Department of Justice or the Federal Bureau of Investigation.

(e) Notwithstanding Section 487, the board shall conduct a hearing of a registration denial within 90 days of receiving an applicant's request for a hearing. For all other hearing requests, the board shall determine when the hearing shall be conducted.

SEC. 7. Section 7396.5 of the Business and Professions Code is amended to read:

7396.5. (a) Notwithstanding any other provision of law, the board may, in its sole discretion, issue a probationary license to an applicant subject to terms and conditions deemed appropriate by the board, including, but not limited to, the following:

- (1) Continuing medical, psychiatric, or psychological treatment.
- (2) Ongoing participation in a specified rehabilitation program.
- (3) Abstention from the use of alcohol or drugs.
- (4) Compliance with all provisions of this chapter.

(b) (1) Notwithstanding any other provision of law, and for purposes of this section, when deciding whether to issue a probationary license, the board shall request that an applicant with a dismissed conviction provide proof of that dismissal and shall give special consideration to applicants whose convictions have been dismissed pursuant to Section 1203.4 or 1203.4a of the Penal Code.

(2) The board shall also take into account and consider any other reasonable documents or individual character references provided by the applicant that may serve as evidence of rehabilitation as deemed appropriate by the board.

(c) The board may modify or terminate the terms and conditions imposed on the probationary license upon receipt of a petition from the applicant or licensee.

(d) For purposes of issuing a probationary license to qualified new applicants, the board shall develop standard terms of probation that shall include, but not be limited to, the following:

(1) A three-year limit on the individual probationary license.

(2) A process to obtain a standard license for applicants who were issued a probationary license.

(3) Supervision requirements.

(4) Compliance and quarterly reporting requirements.

SEC. 8. Section 7403 of the Business and Professions Code is amended to read:

7403. (a) Notwithstanding any other provision of law, the board may revoke, suspend, or deny at any time any license required by this chapter on any of the grounds for disciplinary action provided in this article. The proceedings under this article shall be conducted in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, and the board shall have all the powers granted therein.

(b) The board may deny a license to an applicant on any of the grounds specified in Section 480.

(c) In addition to the requirements provided in Sections 485 and 486, upon denying a license to an applicant, the board shall provide a statement of reasons for the denial that does the following:

(1) Evaluates evidence of rehabilitation submitted by the applicant, if any.

(2) Provides the board's criteria relating to rehabilitation, formulated pursuant to Section 482, that takes into account the age and severity of the offense, and the evidence relating to participation in treatment or other rehabilitation programs.

(3) If the board's decision was based on the applicant's prior criminal conviction, justifies the board's denial of a license and conveys the reasons why the prior criminal conviction is substantially related to the qualifications, functions, or duties of a barber or cosmetologist.

(d) Commencing July 1, 2009, all of the following shall apply:

(1) If the denial of a license is due at least in part to the applicant's state or federal criminal history record, the board shall, in addition to the information provided pursuant to paragraph (3) of subdivision (c), provide to the applicant a copy of his or her criminal history record if the applicant makes a written request to

the board for a copy, specifying an address to which it is to be sent.

(A) The state or federal criminal history record shall not be modified or altered from its form or content as provided by the Department of Justice.

(B) The criminal history record shall be provided in such a manner as to protect the confidentiality and privacy of the applicant's criminal history record and the criminal history record shall not be made available by the board to any employer.

(C) The board shall retain a copy of the applicant's written request and a copy of the response sent to the applicant, which shall include the date and the address to which the response was sent.

(2) The board shall make this information available upon request by the Department of Justice or the Federal Bureau of Investigation.

(e) Notwithstanding Section 487, the board shall conduct a hearing of a license denial within 90 days of receiving an applicant's request for a hearing. For all other hearing requests, the board shall determine when the hearing shall be conducted.

(f) In any case in which the administrative law judge recommends that the board revoke, suspend or deny a license, the administrative law judge may, upon presentation of suitable proof, order the licensee to pay the board the reasonable costs of the investigation and adjudication of the case. For purposes of this section, "costs" include charges by the board for investigating the case, charges incurred by the office of the Attorney General for investigating and presenting the case, and charges incurred by the Office of Administrative Hearings for hearing the case and issuing a proposed decision.

(g) The costs to be assessed shall be fixed by the administrative law judge and shall not, in any event, be increased by the board. When the board does not adopt a proposed decision and remands the case to an administrative law judge, the administrative law judge shall not increase the amount of any costs assessed in the proposed decision.

(h) The board may enforce the order for payment in the superior court in the county where the administrative hearing was held. This right of enforcement shall be in addition to any other rights the board may have as to any licensee directed to pay costs.

(i) In any judicial action for the recovery of costs, proof of the board's decision shall be conclusive proof of the validity of the order of payment and the terms for payment.

(j) Notwithstanding any other provision of law, all costs recovered under this section shall be deposited in the board's contingent fund as a scheduled reimbursement in the fiscal year in which the costs are actually recovered.

SEC. 9. Section 7526.1 is added to the Business and Professions

Code, to read:

7526.1. (a) Notwithstanding any other provision of law, the director may, in his or her sole discretion, grant a probationary license to an applicant subject to terms and conditions deemed appropriate by the director, including, but not limited to, the following:

- (1) Continuing medical, psychiatric, or psychological treatment.
- (2) Ongoing participation in a specified rehabilitation program.
- (3) Abstention from the use of alcohol or drugs.
- (4) Compliance with all provisions of this chapter.

(b) (1) Notwithstanding any other provision of law, and for purposes of this section, when deciding whether to grant a probationary license, the director shall request that an applicant with a dismissed conviction provide proof of that dismissal and shall give special consideration to applicants whose convictions have been dismissed pursuant to Section 1203.4 or 1203.4a of the Penal Code.

(2) The director shall also take into account and consider any other reasonable documents or individual character references provided by the applicant that may serve as evidence of rehabilitation as deemed appropriate by the director.

(c) The director may modify or terminate the terms and conditions imposed on the probationary license upon receipt of a petition from the applicant or licensee.

(d) For purposes of granting a probationary license to qualified new applicants, the director shall develop standard terms of probation that shall include, but not be limited to, the following:

- (1) A three-year limit on the individual probationary license.
- (2) A process to obtain a standard license for applicants who were issued a probationary license.
- (3) Supervision requirements.
- (4) Compliance and quarterly reporting requirements.

SEC. 10. Section 7564.1 is added to the Business and Professions Code, to read:

7564.1. (a) Notwithstanding Sections 7561.1 and 7561.4 or any other provision of law, the director may revoke, suspend, or deny at any time a license under this chapter on any of the grounds for disciplinary action provided in this chapter. The proceedings under this section shall be conducted in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, and the director shall have all the powers granted therein.

(b) The director may deny a license to an applicant on any of the grounds specified in Section 480.

(c) In addition to the requirements provided in Sections 485 and 486, upon denial of an application for a license, the director shall provide a statement of reasons for the denial that does the

following:

(1) Evaluates evidence of rehabilitation submitted by the applicant, if any.

(2) Provides the director's criteria relating to rehabilitation, formulated pursuant to Section 482, that takes into account the age and severity of the offense, and the evidence relating to participation in treatment or other rehabilitation programs.

(3) If the director's decision was based on the applicant's prior criminal conviction, justifies the director's denial of a license and conveys the reasons why the prior criminal conviction is substantially related to the qualifications, functions, or duties of a licensed private investigator.

(d) Commencing July 1, 2009, all of the following shall apply:

(1) If the denial of a license is due at least in part to the applicant's state or federal criminal history record, the director shall, in addition to the information provided pursuant to paragraph (3) of subdivision (c), provide to the applicant a copy of his or her criminal history record if the applicant makes a written request to the director for a copy, specifying an address to which it is to be sent.

(A) The state or federal criminal history record shall not be modified or altered from its form or content as provided by the Department of Justice.

(B) The criminal history record shall be provided in such a manner as to protect the confidentiality and privacy of the applicant's criminal history record and the criminal history record shall not be made available by the director to any employer.

(C) The director shall retain a copy of the applicant's written request and a copy of the response sent to the applicant, which shall include the date and the address to which the response was sent.

(2) The director shall make that information available upon request by the Department of Justice or the Federal Bureau of Investigation.

(e) Notwithstanding Section 487, the director shall conduct a hearing of a license denial within 90 days of receiving an applicant's request for a hearing. For all other hearing requests, the director shall determine when the hearing shall be conducted.

SEC. 11. Section 8572 is added to the Business and Professions Code, to read:

8572. (a) Notwithstanding any other provision of law, the board may, in its sole discretion, issue a probationary license to an applicant subject to terms and conditions deemed appropriate by the board, including, but not limited to, the following:

(1) Continuing medical, psychiatric, or psychological treatment.

(2) Ongoing participation in a specified rehabilitation program.

(3) Abstention from the use of alcohol or drugs.

(4) Compliance with all provisions of this chapter.

(b) (1) Notwithstanding any other provision of law, and for purposes of this section, when deciding whether to issue a probationary license, the board shall request that an applicant with a dismissed conviction provide proof of that dismissal and shall give special consideration to applicants whose convictions have been dismissed pursuant to Section 1203.4 or 1203.4a of the Penal Code.

(2)

The board shall also take into account and consider any other reasonable documents or individual character references provided by the applicant that may serve as evidence of rehabilitation as deemed appropriate by the board.

(c) The board may modify or terminate the terms and conditions imposed on the probationary license upon receipt of a petition from the applicant or licensee.

(d) For purposes of issuing a probationary license to qualified new applicants, the board shall develop standard terms of probation that shall include, but not be limited to, the following:

(1) A three-year limit on the individual probationary license.

(2) A process to obtain a standard license for applicants who were issued a probationary license.

(3) Supervision requirements.

(4) Compliance and quarterly reporting requirements.

SEC. 12. Section 8623 is added to the Business and Professions Code, to read:

8623. (a) Notwithstanding Section 8620 or any other provision of law, the board may revoke, suspend, or deny at any time a license under this chapter on any of the grounds for disciplinary action provided in this chapter. The proceedings under this section shall be conducted in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, and the board shall have all the powers granted therein.

(b) The board may deny a license to an applicant on any of the grounds specified in Section 480.

(c) In addition to the requirements provided in Sections 485 and 486, upon denial of an application for a license, the board shall provide a statement of reasons for the denial that does the following:

(1) Evaluates evidence of rehabilitation submitted by the applicant, if any.

(2) Provides the board's criteria relating to rehabilitation, formulated pursuant to Section 482, that takes into account the age and severity of the offense, and the evidence relating to participation in treatment or other rehabilitation programs.

(3) If the board's decision was based on the applicant's prior criminal conviction, justifies the board's denial of a license and

conveys the reasons why the prior criminal conviction is substantially related to the qualifications, functions, or duties of a licensed structural pest control operator.

(d) Commencing July 1, 2009, all of the following shall apply:

(1) If the denial of a license is due at least in part to the applicant's state or federal criminal history record, the board shall, in addition to the information provided pursuant to paragraph (3) of subdivision (c), provide to the applicant a copy of his or her criminal history record if the applicant makes a written request to the board for a copy, specifying an address to which it is to be sent.

(A) The state or federal criminal history record shall not be modified or altered from its form or content as provided by the Department of Justice.

(B) The criminal history record shall be provided in such a manner as to protect the confidentiality and privacy of the applicant's criminal history record and the criminal history record shall not be made available by the board to any employer.

(C) The board shall retain a copy of the applicant's written request and a copy of the response sent to the applicant, which shall include the date and the address to which the response was sent.

(2) The board shall make that information available upon request by the Department of Justice or the Federal Bureau of Investigation.

(e) Notwithstanding Section 487, the board shall conduct a hearing of a license denial within 90 days of receiving an applicant's request for a hearing. For all other hearing requests, the board shall determine when the hearing shall be conducted.

SEC. 13. Section 9884.21 is added to the Business and Professions Code, to read:

9884.21. (a) Notwithstanding any other provision of law, the director may, in his or her sole discretion, issue a probationary registration to an applicant subject to terms and conditions deemed appropriate by the director, including, but not limited to, the following:

- (1) Continuing medical, psychiatric, or psychological treatment.
- (2) Ongoing participation in a specified rehabilitation program.
- (3) Abstention from the use of alcohol or drugs.
- (4) Compliance with all provisions of this chapter.

(b) (1) Notwithstanding any other provision of law, and for purposes of this section, when deciding whether to issue a probationary registration, the director shall request that an applicant with a dismissed conviction provide proof of that dismissal and shall give special consideration to applicants whose convictions have been dismissed pursuant to Section 1203.4 or 1203.4a of the Penal Code.

(2) The director shall also take into account and consider any

other reasonable documents or individual character references provided by the applicant that may serve as evidence of rehabilitation as deemed appropriate by the director.

(c) The director may modify or terminate the terms and conditions imposed on the probationary registration upon receipt of a petition from the applicant or registrant.

(d) For purposes of issuing a probationary registration to qualified new applicants, the director shall develop standard terms of probation that shall include, but not be limited to, the following:

(1) A three-year limit on the individual probationary registration.

(2) A process to obtain a standard registration for applicants who were issued a probationary registration.

(3) Supervision requirements.

(4) Compliance and quarterly reporting requirements.

SEC. 14. Section 9884.22 is added to the Business and Professions Code, to read:

9884.22. (a) Notwithstanding any other provision of law, the director may revoke, suspend, or deny at any time any registration required by this article on any of the grounds for disciplinary action provided in this article. The proceedings under this article shall be conducted in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, and the director shall have all the powers granted therein.

(b) The director may deny a registration to an applicant on any of the grounds specified in Section 480.

(c) In addition to the requirements provided in Sections 485 and 486, upon denial of an application for registration to an applicant, the director shall provide a statement of reasons for the denial that does the following:

(1) Evaluates evidence of rehabilitation submitted by the applicant, if any.

(2) Provides the director's criteria relating to rehabilitation, formulated pursuant to Section 482, that takes into account the age and severity of the offense, and the evidence relating to participation in treatment or other rehabilitation programs.

(3) If the director's decision was based on the applicant's prior criminal conviction, justifies the director's denial of a registration and conveys the reasons why the prior criminal conviction is substantially related to the qualifications, functions, or duties of a registered automotive repair dealer.

(d) Commencing July 1, 2009, all of the following shall apply:

(1) If the denial of a registration is due at least in part to the applicant's state or federal criminal history record, the director shall, in addition to the information provided pursuant to paragraph

(3) of subdivision (c), provide to the applicant a copy of his or her criminal history record if the applicant makes a written request to the director for a copy, specifying an address to which it is to be sent.

(A) The state or federal criminal history record shall not be modified or altered from its form or content as provided by the Department of Justice.

(B) The criminal history record shall be provided in such a manner as to protect the confidentiality and privacy of the applicant's criminal history record and the criminal history record shall not be made available by the director to any employer.

(C) The director shall retain a copy of the applicant's written request and a copy of the response sent to the applicant, which shall include the date and the address to which the response was sent.

(2) The director shall make that information available upon request by the Department of Justice or the Federal Bureau of Investigation.

(e) Notwithstanding Section 487, the director shall conduct a hearing of a registration denial within 90 days of receiving an applicant's request for a hearing. For all other hearing requests, the director shall determine when the hearing shall be conducted.

SEC. 15. Sections 5 and 6 of this act shall become operative only if Senate Bill 1584 of the 2007-08 Regular Session is also enacted and becomes operative.

SB 1206
BILL TEXT

CHAPTER 46

FILED WITH SECRETARY OF STATE JUNE 30, 2008

APPROVED BY GOVERNOR JUNE 30, 2008

PASSED THE SENATE MAY 8, 2008

PASSED THE ASSEMBLY JUNE 16, 2008

INTRODUCED BY Senator Calderon

FEBRUARY 13, 2008

An act to amend Section 8514 of the Business and Professions Code, relating to pest control.

LEGISLATIVE COUNSEL'S DIGEST

SB 1206, Calderon. Pest control.

Existing law provides for the regulation of registered structural pest control companies by the Structural Pest Control Board. Existing law authorizes a registered company with a branch registration that restricts the method of eradication or control permitted to enter into a contract for the eradication or control of pests within the scope of its branch registration if it subcontracts the actual performance of the work to a company holding the branch registration authorizing the particular method to be used. Existing law prohibits a registered company from subcontracting structural fumigation work without the written consent of the consumer, as specified. Existing law also prohibits a registered company from advertising, or holding out to the public or to any person, that it is authorized, qualified, or registered to perform pest control work in any branch, or by any method, for which it is not registered.

This bill would instead authorize a Branch 2 or Branch 3 registered company to advertise fumigation or any all encompassing treatment, as specified, if the company complies with specified requirements.

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

SECTION 1. Section 8514 of the Business and Professions Code is amended to read:

8514. No registered company shall commence work on a contract, or

sign, issue, or deliver any documents expressing an opinion or statement relating to the control of household pests, or wood destroying pests or organisms until an inspection has been made.

Notwithstanding any provision of this chapter, after an inspection has been made, a registered company which holds a branch registration for the control of household pests, or wood destroying pests or organisms, but its branch registration restricts the method of eradication or control permitted, may recommend and enter into a contract for the eradication or control of pests within the scope of its branch registration, provided that it subcontracts in writing the actual performance of the work to a registered company which holds a branch registration authorizing the particular method to be used.

A registered company may in writing subcontract any pest control work for which it is registered in any branch or branches to a registered company holding a valid branch registration to do such work.

Nothing in this chapter shall be construed to prohibit a registered company or the consumer from subcontracting with a licensed contractor to do any work authorized under Section 8556.

A registered company shall not subcontract structural fumigation work, as permitted in this section, without the written consent of the consumer. The consumer must be informed in advance, in writing, of any proposed work which the registered company intends to subcontract and of the consumer's right to select another person or entity of the consumer's choosing to perform the work. The consumer may authorize the subcontracting of the work as proposed or may contract directly with another registered company licensed to perform the work. Nothing in this paragraph shall be construed to eliminate any otherwise applicable licensure requirements, nor permit a licensed contractor to perform any work beyond that authorized by Section 8556.

Nothing herein contained shall permit or authorize a registered company to perform, attempt to perform, advertise or hold out to the public or to any person that it is authorized, qualified, or registered to perform, pest control work in a branch, or by a method, for which it is not registered, except that a Branch 2 or Branch 3 registered company may advertise fumigation or any all encompassing treatment described in paragraph (8) of subdivision (a) of Section 1991 of Title 16 of the California Code of Regulations if the company complies with the requirements of this section.

Subcontracting of work, as permitted herein, shall not relieve the prime contractor or the subcontractor from responsibility for, or from disciplinary action because of, an act or omission on its part, which would otherwise be a ground for disciplinary action. However, the registered company making the initial proposal including proposed work that the registered company intends to subcontract shall not be

subject to disciplinary action or otherwise responsible for an act or omission in the performance of the work that the consumer directly contracts with another registered company to perform, as permitted by this section.