

# LEGISLATIVE SUMMARY REPORT



Department of  
Toxic Substances  
Control

## 2015 Legislative Year

A compilation of legislation from the first half of the 2015-2016  
Legislative Session tracked by the Department of Toxic Substances Control

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# **State of California**

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Governor

**Matt Rodriquez**  
Secretary for Environmental Protection  
California Environmental Protection Agency

## **Department of Toxic Substances Control**

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# Introduction

This report summarizes bills considered by the California State Legislature during the first year of the 2015-2016 Legislative Session that directly or indirectly affect the Department of Toxic Substances Control (DTSC).

Bills noted as "Chaptered" were passed by the Legislature and signed by the Governor. Bills noted as "Vetoed" were passed by the Legislature but were rejected by the Governor (veto messages are included at the end of this report). Bills listed as "2-year" were tabled for the first year of the current legislative session, either because they did not meet their deadlines or because the author wants more time to work on them. The 2-year bills may be taken up at the beginning of the next legislative year within the current legislative session.

The report lists the bills in numerical order and by subject area. All signed bills, except for urgency, tax levy, election, and appropriation measures, which take effect upon the date of signing, take effect on January 1, 2016. Occasionally, different legislation amends the same section of law. In most of these instances, the language from the bill that was chaptered last (the higher chapter number) takes precedent and becomes the law.

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Copies of the bills can be obtained from the Bill Room at the State Capitol. Bills, current law, and bill-related documents can also be viewed on the California Legislative Counsel's Internet site (<http://www.leginfo.ca.gov>).

*DTSC's 2015 Legislative Summary can also be viewed on DTSC's Internet website:  
<http://www.dtsc.ca.gov>*

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# Acronyms

<b>AB</b>	Assembly Bill
<b>ACA</b>	Assembly Constitutional Amendment
<b>ARB</b>	Air Resources Board
<b>APA</b>	Administrative Procedure Act
<b>BDOs</b>	Boards, Departments and Offices within Cal/EPA
<b>BOE</b>	Board of Equalization
<b>Cal/EPA</b>	California Environmental Protection Agency
<b>CalRecycle</b>	California Department of Resources Recycling and Recovery
<b>CEQA</b>	California Environmental Quality Act
<b>CUPA</b>	Certified Unified Program Agency
<b>DOF</b>	Department of Finance
<b>DGS</b>	Department of General Services
<b>DPH</b>	Department of Public Health
<b>DPR</b>	Department of Pesticide Regulation
<b>DTSC</b>	Department of Toxic Substances Control
<b>EIR</b>	Environmental Impact Report
<b>OAL</b>	Office of Administrative Law
<b>OEHHA</b>	Office of Environmental Health Hazard Assessment
<b>OPR</b>	Office of Planning and Research
<b>PERS</b>	Public Employees' Retirement System
<b>RWQCB</b>	Regional Water Quality Control Board
<b>SB</b>	Senate Bill
<b>SJR</b>	Senate Joint Resolution
<b>SPB</b>	State Personnel Board
<b>State</b>	State of California
<b>SWRCB</b>	State Water Resources Control Board
<b>US EPA</b>	United States Environmental Protection Agency
<b>UST</b>	Underground Storage Tank

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# ASSEMBLY BILLS

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**AB 2 (Alejo) Community revitalization authority.**

This bill would authorize certain local agencies to form a community revitalization authority (authority) within a community revitalization and investment area, as defined, to carry out provisions of the Community Redevelopment Law in that area for purposes related to, among other things, infrastructure, affordable housing, and economic revitalization.

**STATUS: *Chapter 319***

**AB 12 (Cooley) State government: administrative regulations: review.**

Current law authorizes various state entities to adopt, amend, or repeal regulations for various specified purposes. The Administrative Procedure Act requires the Office of Administrative Law and a state agency proposing to adopt, amend, or repeal a regulation to review the proposed changes for, among other things, consistency with existing state regulations. This bill would, until January 1, 2019, require each state agency to, on or before January 1, 2018, review that agency's regulations, identify any regulations that are duplicative, overlapping, inconsistent, or out of date, to revise those identified regulations, as provided, and report to the Legislature and Governor, as specified.

**STATUS: *2-Year, Senate Appropriations Committee***

**AB 19 (Chang) Governor's Office of Business and Economic Development: small business: regulations.**

This bill would require the Governor's Office of Business and Economic Development, in consultation with the Office of Small Business Advocate, to establish a process for the ongoing review of existing regulations. The bill would require the review to be primarily focused on regulations affecting small businesses adopted prior to January 1, 2016, to determine whether the regulations could be less administratively burdensome or costly to affected sectors.

**STATUS: *2-Year, Assembly Appropriations Committee***

**AB 22 (Rodriguez) Office of Emergency Services: oil-by-rail spills: firefighters.**

This bill would require, upon a specified appropriation by the Legislature, the Curriculum Development Advisory Committee to review the curriculum and courses of instruction offered by public and private programs that train firefighters in response methods for oil-by-rail spills, require the Office of Emergency Services to compile a list of those curriculum and courses of instruction and make that list available to all fire departments, and establish a program to reimburse fire departments for costs incurred by those departments in sending firefighters to trainings, as provided.

**STATUS: *2-Year, Senate Appropriations Committee***

**AB 45 (Mullin) Household hazardous waste.**

This bill would require each jurisdiction that provides for the residential collection and disposal of solid waste to increase the collection and diversion of household hazardous waste in its service area, on or before July 1, 2020, by 15% over a baseline amount, to be determined in accordance with Department of Resources Recycling and Recovery regulations. The bill would authorize the department to adopt a model ordinance for a comprehensive program for the collection of household hazardous waste to facilitate compliance with those provisions, and would require each jurisdiction to annually report to the department on progress achieved in complying with those provisions.

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**STATUS: 2-Year, Assembly Appropriations Committee**

**AB 102 (Rodriguez) Railroad and surface transportation safety and emergency planning and response: hazardous materials.**

This bill would create the Regional Railroad and Surface Transportation Accident Preparedness and Immediate Response Force in the Office of Emergency Services, consisting of specified representatives, and would designate this force as being responsible for providing regional and onsite response capabilities in the event of a release of hazardous materials from a rail car or a railroad accident involving a rail car or a hazardous materials release from a truck accident. This bill contains other related provisions and other existing laws.

**STATUS: 2-Year, Assembly Committee on Environmental Safety and Toxic Materials**

**AB 110 (Committee on Budget) Public Resources. (Gut and Amend)**

Current law regulates real property acquired and operated by the state as wildlife management areas, and requires the Department of Fish and Wildlife, when income is directly derived from that real property, as provided, to annually pay to the county in which the property is located an amount equal to the county taxes levied upon the property at the time it was transferred to the state. Current law further requires the department to pay the assessments levied upon the property by any irrigation, drainage, or reclamation district, and requires all of those payments to be made from funds available to the department. This bill would authorize, instead of require, the department to make these payments and only from funds appropriated to the department for those purposes. Originally, this bill would have expressed the intent of the Legislature to enact statutory changes relating to the Budget Act of 2015.

**STATUS: Ordered to Senate Inactive File**

**AB 170 (Gatto) Newborn screening: genetic diseases: blood samples collected.**

Current law requires the State Department of Public Health to establish a program for the development, provision, and evaluation of genetic disease testing, and the program is required to provide genetic screening and follow-up services for persons who have the screening. This bill would require the department to provide information about the testing program, and to obtain a form signed by the parent or guardian acknowledging receiving information regarding the storage, retention, and use of the newborn child's blood sample for medical research.

**STATUS: 2-Year, Senate Committee on Health**

**AB 263 (Patterson) Hazardous waste: regulations.**

This bill would require the Department of Toxic Substances Control to update, by June 1, 2016, and periodically thereafter as appropriate, the specified-described regulations relating to the use of "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods," EPA Publication SW-846, as specified.

**STATUS: 2-Year, Assembly Committee on Environmental Safety and Toxic Materials**

**AB 273 (Committee on Environmental Safety and Toxic Materials) Hazardous waste and substances: corrective action: liability.**

Current law authorizes the Attorney General to recover from the liable person, as defined, the costs incurred by the Department of Toxic Substances Control or a California regional water quality control board in carrying out the Carpenter-Presley-Tanner Hazardous Substance

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Account Act and subjects any monetary obligation owed to the department pursuant to the act or the hazardous waste control laws to a specified rate of interest earned in the Surplus Money Investment Fund. This bill would explicitly apply each of these provisions regarding a person's liability for cost recovery to the release of hazardous waste constituents into the environment. The bill would also explicitly make the costs of response or corrective action recoverable.

**STATUS: Chapter 456**

**AB 274 (Committee on Environmental Safety and Toxic Materials) Oversight costs: uncollectible accounts.**

The Department of Toxic Substances Control is required to take specified actions with regard to uncollectible accounts, including reviewing all current outstanding receivables and making an appropriate adjustment for estimated uncollectible amounts. The department is authorized, if warranted, to write off or write down those receivable amounts. This bill, until January 1, 2019, would define the term "uncollectible account" and would authorize the department not to pursue an uncollectible account and to write off or write down that uncollectible account, as specified.

**STATUS: Chapter 457**

**AB 275 (Committee on Environmental Safety and Toxic Materials) Hazardous substances: liability recovery actions.**

Current law authorizes the money deposited in the Toxic Substances Control Account in the General Fund to be appropriated to the Department of Toxic Substances Control for specified purposes, including the payment of the costs incurred by the state for completion of the removal or remedial action for hazardous substances. This bill would specifically apply those provisions to response and corrective actions, instead of to removal and remedial actions, and would delete the requirement that the remaining portion of a judgment for costs and expenditures that is not apportioned among the liable persons be paid from that account.

**STATUS: Chapter 458**

**AB 276 (Committee on Environmental Safety and Toxic Materials) Department of Toxic Substances Control: response actions: cleanup ability information.**

This bill would authorize the Department of Toxic Substances or local officer or agency to require specified parties to furnish and transmit any information relating to the parties' abilities to pay for or perform a response action if there is a reasonable basis to believe that there has been or may be a release or threatened release of a hazardous substance, and only for the purpose of determining under the Hazardous Waste Control Law how to finance a response action or otherwise for the purpose of enforcing the Hazardous Waste Control Law.

**STATUS: Chapter 459**

**AB 282 (Eggman) Accessible window covering cords. (Gut and Amend)**

Current law generally regulates various business activities and practices, including the sale within the state of cribs and bunk beds intended for use by children. This bill would make specified findings and would declare the intent of the Legislature to subsequently amend this bill to enact legislation to protect children from the preventable strangulation hazard posed by cords on window coverings by adopting standards that provide for safer window coverings in California. Originally, this bill would have made nonsubstantive changes to the definition of

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“upholstered furniture” for the purpose of the Home Furnishings and Thermal Insulation Act, which provides for the licensure and regulation of, among others, upholstered-furniture manufacturers by the Bureau of Electronic and Appliance Repair, Home Furnishings, and Thermal Insulation.

**STATUS: 2-Year, Senate Committee on Business, Professions and Economic Development**

**AB 313 (Atkins) Enhanced infrastructure financing districts.**

This bill would require, after the adoption of a resolution of intention to establish a proposed district, the legislative body to send a copy of the resolution to the public financing authority. This bill would revise the duties of the public financing authority after the resolution of intention to establish the proposed district has been adopted, so that the public financing authority, instead of the legislative body, will perform the specified duties related to the preparation, proposal, and adoption of the infrastructure financing plan and the adoption of the formation of the district.

**STATUS: Chapter 320**

**AB 320 (Wood) Engineers.**

This bill would prohibit a person from using the title "environmental engineer" unless the person is licensed as an engineer. The bill would provide legislative findings and declarations in support of the licensure of environmental engineers in California. The bill would set forth the intent of the Legislature that the Board for Professional Engineers, Land Surveyors, and Geologists be responsible for defining environmental engineering through rulemaking and that the board adopt standardized examination materials applicable to environmental engineering, as specified. This bill contains other related provisions and other existing laws.

**STATUS: 2-Year, Senate Appropriations Committee**

**AB 402 (Dodd) Local agency services: contracts.**

This bill would establish a pilot program, until January 1, 2021, for the Napa and San Bernardino commissions that would permit those commissions to authorize a city or district to provide new or extended services outside both its jurisdictional boundaries and its sphere of influence under specified circumstances. This bill contains other related provisions.

**STATUS: Chapter 431**

**AB 410 (Obernolte) Reports submitted to legislative committees.**

This bill would require a state agency to post on its Internet Web site any report it is required by law to submit to a committee of the Legislature, as specified. The bill would specify that a "report" includes a study or audit, or a budget change proposal that has been approved by the Department of Finance and submitted to the Joint Legislative Budget Committee, the Assembly Committee on Budget, or the Senate Committee on Budget and Fiscal Review.

**STATUS: Vetoed**

**AB 435 (Chang) California Environmental Protection Agency: Natural Resources Agency: Web casts of public meetings and workshops.**

This bill would require that each department, board, and commission of the Natural Resources Agency, except as specified, and each department, board, and office of the California

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Environmental Protection Agency Web cast all onsite public meetings, in a manner that enables listeners and viewers to ask questions and provide public comment by telephone or electronic communication commensurate with those attending the meeting. The bill would require the agencies to make the recording of a Web cast available online for no less than 3 years for subsequent viewing by interested members of the public.

**STATUS: 2-Year, Senate Appropriations Committee**

**AB 628 (Bloom) Used oil.**

Current law authorizes the Department of Toxic Substances Control to regulate the disposal of hazardous waste, including used oil, and, for those purposes, defines "used oil" to mean oil that has been refined from crude oil, or any synthetic oil, that has been used, and, as a result of use or as a consequence of extended storage, or spillage, has been contaminated with physical or chemical impurities. This bill would clarify that the synthetic oil referred to in the definition of "used oil" may be from any source.

**STATUS: 2-Year, Senate Committee on Environmental Quality**

**AB 640 (Dahle) Household hazardous waste.**

Current law authorizes public agencies to operate household hazardous waste collection facilities, as defined, and specifies conditions for the transportation of household hazardous waste. This bill would make nonsubstantive changes to the definitions pertaining to those provisions.

**STATUS: 2 year, Held at Assembly Desk**

**AB 649 (Patterson) Medical waste: law enforcement drug takeback programs.**

The Medical Waste Management Act regulates the disposal of medical waste, including requiring medical waste to be treated by specified methods prior to disposal, including incineration in a controlled-air, multichamber incinerator, or other method of incineration approved by the State Department of Public Health that provides complete combustion of the waste into carbonized or mineralized ash. This bill would include among those authorized treatment methods any alternative medical waste treatment solely designed to treat pharmaceutical waste, including a pharmaceutical incinerator, as defined, and would require this method to be evaluated and approved by the State Department of Public Health.

**STATUS: 2-Year, Senate Appropriations Committee**

**AB 708 (Jones-Sawyer) Consumer products: content information.**

Current law regulates the labeling and use of various consumer products, including toys and toxic household products. This bill would, commencing January 1, 2017, require the manufacturer of cleaning products for retail sale in this state to disclose each ingredient contained in the product on the product label, as specified, post the product ingredient information and certain additional information on the manufacturer's Internet Web site, and provide the Internet Web site and page address on the product label, along with a prescribed statement.

**STATUS: 2-Year, Assembly Committee on Business, and Professions**

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**AB 797 (Steinorth) Immunity from civil liability: damaging a motor vehicle: rescue or provision of care for minor or animal. (Gut and Amend)**

This bill would prohibit any civil liability or cause of action against a person for damage to a motor vehicle, if the damage was caused while the person was rescuing or providing care to a minor who, or animal that, was located inside the motor vehicle and the person had taken specific steps, including, among others, determining the motor vehicle was locked or there was no reasonable method for the minor or animal to exit the motor vehicle without assistance, and to the extent practicable, contacted a law enforcement agency, fire department, or the emergency 911 telephone number before damaging the motor vehicle. This bill contains other related provisions. Originally, this bill would have required the Office of Administrative Law to submit to each house of the Legislature for review a copy of each major regulation that it submits to the Secretary of State.

**STATUS: 2-year, Assembly Committee of Rules**

**AB 806 (Dodd) Planning and zoning: permits: strand-mounted antenna. (Gut and Amend- original language adopted by Perea in AB 1412)**

This bill would require state and local agencies to encourage the installation of broadband by eliminating barriers that restrict broadband deployment. The bill would also require that strandmounted antennas, as defined, that were previously in accordance with state or local government permitting requirements be exempt from additional permit requirements. The bill would make findings and declarations in this regard including that this constitutes a matter of statewide concern. Originally, this bill would have authorized a successor agency, if the successor agency has received a finding of completion, to enter into, or amend existing, contracts and agreements, or otherwise administer projects in connection with enforceable obligations, if the contract, agreement, or project will not commit new property tax funds or otherwise adversely affect the flow of specified tax revenues or payments to the taxing agencies, as specified. In addition, the bill would have specifically included within the definition of "enforceable obligation" an agreement entered into by the redevelopment agency prior to June 30, 2011, if the agreement relates to state highway infrastructure improvements to which the redevelopment agency committed funds pursuant to specified law.

**STATUS: 2-Year, Senate Committee on Governance and Finance**

**AB 815 (Ridley-Thomas) Oil spill prevention and response fees: collection.**

The Lempert-Keene-Seastrand Oil Spill Prevention and Response Act prohibits the oil spill prevention and administration fee from being collected by a marine terminal operator or refinery operator or imposed on the owner of crude oil or petroleum products if the fee has been previously collected or paid on the crude oil or petroleum products at another marine terminal or refinery and, in that case, requires a marine terminal operator, refinery operator, or owner of crude oil or petroleum products to demonstrate that the fee has already been paid. This bill instead would authorize a marine terminal operator or a refinery operator receiving petroleum products derived from crude oil refined in the state to presume the fee has been previously collected.

**STATUS: Chapter 108**

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**AB 888 (Bloom) Waste management: plastic microbeads.**

This bill would prohibit, on and after January 1, 2020, a person, as defined, from selling or offering for promotional purposes in this state a personal care product containing plastic microbeads that are used to exfoliate or cleanse in a rinse-off product, as specified. The bill would exempt from those prohibitions the sale or promotional offer of a product containing less than 1 part per million (ppm) by weight of plastic microbeads. This bill contains other related provisions.

**STATUS: Chapter 594**

**AB 956 (Mathis) California Environmental Quality Act: exemption.**

The California Environmental Quality Act (CEQA) requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. This bill would exempt from the requirements of CEQA activities undertaken by a local agency in response to a drought that are necessary for water recycling projects that provide water for drinking and sanitation to specific individuals and communities.

**STATUS: 2-Year, Assembly Committee on Natural Resources**

**AB 977 (Mayes) State Water Pollution Control Revolving Fund.**

Current law continuously appropriates state and federal funds in the State Water Pollution Control Revolving Fund to the State Water Resources Control Board for loans and other financial assistance for the construction of publicly owned treatment works and other related purposes, to a municipality, intermunicipal agency, interstate agency, or state agency in accordance with the federal Clean Water Act and the Porter-Cologne Water Quality Control Act. Current law requires the loans to meet certain criteria, including requiring full amortization not later than 20 years after project completion, except as specified. This bill would, subject to the same exception, require full amortization not later than 30 years after project completion.

**STATUS: 2-Year, Assembly Committee on Environmental Safety and Toxic Materials**

**AB 1059 (Garcia, Eduardo) California Communities Environmental Health Screening.**

Current law requires the California Environmental Protection Agency to identify disadvantaged communities as part of a 3-year investment plan developed by the Department of Finance for the moneys collected by the State Air Resources Board resulting from a market-based compliance mechanism. This bill would require the Office of Environmental Health Hazard Assessment, in the next update of the California Communities Environmental Health Screening tool, developed by the agency and the office to implement the above requirements, or not later than January 1, 2017, to report to the Legislature on specified data necessary for updating the indicators in the tool for communities in the California-Mexico border region, including barriers to accessing that data and studies and plans for obtaining that data.

**STATUS: Chapter 584**

**AB 1062 (Bonta) Environmental Justice Small Grant Program.**

Current law establishes the Environmental Justice Small Grant Program under the jurisdiction of the California Environmental Protection Agency, and prescribes specific criteria and procedures for the implementation of the program. Current law requires that grants be

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awarded on a competitive basis for projects that are based in communities with the most significant exposure to pollution. This bill would additionally include physical projects, including planning, engineering, and construction, monitoring or filtering technology, and environmental assessments that improve the environment or the environmental health of the community, or that address a specific environmental justice need, among the purposes for which a grant may be awarded.

**STATUS: 2-Year, Senate Committee on Environmental Quality**

**AB 1068 (Allen, Travis) California Environmental Quality Act: priority projects.**

This bill would authorize each Member of the Legislature to nominate one project within his or her respective district each year, and the Governor to designate those projects as priority projects if the projects meet specified requirements. The bill would require the Governor to provide a notice of the designation to the appropriate lead agency and to the Office of Planning and Research. The bill would require the lead agency to notify the public and interested stakeholders of the designation, as specified, thereby imposing a state-mandated local program.

**STATUS: 2-Year, Assembly Committee on Natural Resources**

**AB 1071 (Atkins) Supplemental environmental projects.**

This bill would require each board, department, and office within the California Environmental Protection Agency that has enforcement authority to establish a specified policy on supplemental environmental projects, as defined, that benefits disadvantaged communities, as defined.

**STATUS: Chapter 585**

**AB 1075 (Alejo) Hazardous waste: enforcement.**

This bill would require the Department of Toxic Substances Control to consider, except under specified circumstances, 3 or more violations of, or noncompliance with, specified provisions for which a person or entity has been found liable or has been convicted, with respect to a single hazardous waste facility within a 5-year period, as compelling cause to deny, suspend, or revoke a permit, registration, or certificate applied for by, or issued to, that person or entity. This bill contains other related provisions and other existing laws.

**STATUS: Chapter 460**

**AB 1080 (Obernolte) Redevelopment: enforceable obligations: military base reuse.**

This bill would authorize the Department of Finance to find that an agreement between a former redevelopment agency and a joint powers authority that was created to exercise the powers provided by the Military Base Reuse Authority Act is an enforceable obligation. This bill contains other existing laws.

**STATUS: 2-Year, Assembly Committee on Local Government**

**AB 1159 (Gordon) Product stewardship: pilot program: household batteries and home-generated sharps waste.**

This bill would establish the Product Stewardship Pilot Program and, until January 1, 2024, would require producers and product stewardship organizations of covered products, defined to mean a consumer product that is used or discarded in this state and is either home-

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generated sharps waste or household batteries, to develop and implement a product stewardship plan, as specified. This bill contains other related provisions and other existing laws.

**STATUS: 2-Year, Assembly Appropriations Committee Suspense File**

**AB 1203 (Jones-Sawyer) Office of Emergency Services: property insurance surcharge.**

This bill would create the Disaster Response Fund in the State Treasury. The bill would require all insureds in the state to pay a special purpose surcharge on each commercial and residential fire and multiperil insurance policy issued or renewed on or after January 1, 2016, as specified. Moneys from this surcharge would be deposited in the fund and be appropriated by the Legislature for the purposes of funding emergency activities of the Office of Emergency Services, the Department of Forestry and Fire Protection, and the Military Department, and local public entities for disaster preparedness and response. The bill would also require every admitted insurance company in the state to collect the surcharge and separately identify the surcharge on each affected insurance policy. The bill would provide that the failure of an insured to pay the surcharge would result in the cancellation of his or her policy.

**STATUS: 2-Year, Assembly Committee on Governmental Organization**

**AB 1215 (Ting) California Open Data Standard. (Gut and Amend)**

This bill would enact the California Open Data Act and create the position of the Chief Data Officer, who would be appointed by, and serve at the pleasure of, the Governor, and report to the Secretary of Government Operations. This bill would require the Chief Data Officer to establish the California Open Data Standard, as specified, and require state agencies to make public data, as defined, available on an Internet Web portal pursuant to that standard. Originally, this bill would state the intent of the Legislature to enact legislation to strengthen the state's commitment to an open and transparent government.

**STATUS: 2-Year, Assembly Appropriations Committee**

**AB 1346 (Gray) State Emergency Plan.**

This bill would require the Office of Emergency Services to update the State Emergency Plan on or before January 1, 2017, and every 5 years thereafter.

**STATUS: 2-Year, Assembly Appropriations Committee**

**AB 1393 (Burke) California Pollution Control Financing Authority.**

The California Pollution Control Financing Authority Act establishes the California Pollution Control Financing Authority, with specified powers and duties, and authorizes the authority to approve financing for projects or pollution control facilities to prevent or reduce environmental pollution. This bill would authorize the authority to lend financial assistance, including, but not limited to, grants, loans, credit enhancements, and other incentives.

**STATUS: 2-Year, Senate Appropriations Committee**

**AB 1398 (Wilk) Environmental quality: the Sustainable Environmental Protection Act.**

This bill would enact the Sustainable Environmental Protection Act and would specify the environmental review required pursuant to CEQA for projects related to specified environmental topical areas. The bill would provide that the Sustainable Environmental Protection Act only applies if the lead agency or project applicant has agreed to provide to the

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public in a readily accessible electronic format an annual compliance report prepared pursuant to the mitigation monitoring and reporting program. This bill contains other related provisions and other existing laws.

**STATUS: 2-Year, Assembly Committee on Natural Resources**

**AB 1412 (Perea) Redevelopment: successor agencies to redevelopment agencies.**

This bill would provide that upon application by the successor agency and approval by the oversight board, loan agreements entered into between a redevelopment agency and the City of San Joaquin, where the outstanding principal balance of the loan is \$1,250,000 or less, are enforceable obligations if the oversight board finds, among other things, that the loan was for legitimate redevelopment purposes, it was entered into more than 2 years after the creation of the former redevelopment agency and prior to January 1, 2011, and it is the only debt of the former redevelopment agency remaining to be paid on the recognized obligation payment schedule. This bill contains other related provisions.

**STATUS: Vetoed**

**AB 1420 (Salas) Oil and gas: pipelines.**

Requires the Division of Oil, Gas, and Geothermal Resources, by January 1, 2018, to review and evaluate, and update as appropriate, its current regulations regarding all active gas pipelines that are 4 inches or less in diameter, in sensitive areas, and 10 years old or older, as specified. The bill would define active gas pipelines as in-service gas pipelines of any diameter within the division's jurisdiction.

**STATUS: Chapter 601**

**AB 1435 (Alejo) Hazardous waste: toxics: packaging.**

The Toxics in Packaging Prevention Act generally prohibits a manufacturer or supplier from offering for sale or for promotional purposes in this state a package or packaging component that includes intentionally introduced lead, mercury, cadmium, or hexavalent chromium in the package or in a packaging component. The act exempted from this prohibition, until January 1, 2010, a package or a packaging component if the manufacturer or supplier complied with specific documentation requirements and the package or packaging component did not contain any intentionally introduced lead, mercury, cadmium, or hexavalent chromium, but exceeded a specific maximum concentration level because of the addition of a recycled material. This bill would provide a similar exemption, until January 1, 2019, for a glass beverage, food, or drink container.

**STATUS: 2-Year, Senate Appropriations Committee**

**AB 1454 (Wagner) Water quality standards: trash: single-use carryout bags.**

This bill would suspend the operation of certain amendments to water quality control plans relating to the total maximum daily load for trash unless and until the provisions inoperative due to a pending referendum election become effective. This bill would require the State Water Resources Control Board to revisit and revise water quality control plans to address impaired water quality due to trash if the law pending referendum is defeated at the November 8, 2016, statewide general election.

**STATUS: 2-Year, Assembly Committee on Rules**

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**AB 1473 (Salas) California Environmental Quality Act.**

The California Environmental Quality Act requires a lead agency to prepare, or cause to be prepared, and certify the completion of an environmental impact report on a project, as defined, that it proposes to carry out or approve that may have a significant effect on the environment, as defined, or to adopt a negative declaration if it finds that the project will not have that effect. This bill would make technical, nonsubstantive changes to a provision within the act.

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# SENATE BILLS

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**SB 47 (Hill) Environmental health: synthetic turf.**

This bill would require the Office of Environmental Health Hazard Assessment, by July 1, 2017, in consultation with the Department of Resources Recycling and Recovery, the State Department of Public Health, and the Department of Toxic Substances Control, to prepare and provide to the Legislature and post on the office's Internet Web site a study analyzing synthetic turf, as defined, for potential adverse health impacts. The bill would require the study to include certain information, including a hazard analysis of exposure to the chemicals that may be found in synthetic turf, as provided.

**STATUS: 2-Year, Senate Appropriations Committee**

**SB 83 (Committee on Budget and Fiscal Review) Public Resources. (Gut and Amend)**

Current law regulates real property acquired and operated by the state as wildlife management areas, and requires the Department of Fish and Wildlife, when income is directly derived from that real property, as provided, to annually pay to the county in which the property is located an amount equal to the county taxes levied upon the property at the time it was transferred to the state. Current law further requires the department to pay the assessments levied upon the property by any irrigation, drainage, or reclamation district, and requires all of those payments to be made from funds available to the department. This bill would authorize, instead of require, the department to make these payments and only from funds appropriated to the department for those purposes. Originally, this bill would have expressed the intent of the Legislature to enact statutory changes relating to the Budget Act of 2015.

**STATUS: Chapter 24**

**SB 114 (Liu) Education facilities: Kindergarten Through Grade 12 Public Education Facilities Bond Act of 2016.**

This bill would revise the definition of modernization under the Leroy F. Greene School Facilities Act of 1998 to include the replacement of facilities on a site containing a permanent structure that is at least 25 years old or, in the case of a portable classroom that is at least 20 years old, as specified. This bill contains other related provisions and other existing laws.

**STATUS: Ordered to Senate Inactive File**

**SB 122 (Jackson) California Environmental Quality Act: record of proceedings.**

CEQA establishes a procedure for the preparation and certification of the record of proceedings upon the filing of an action or proceeding challenging a lead agency's action on the grounds of noncompliance with CEQA. This bill would require the lead agency, at the request of a project applicant and consent of the lead agency, to prepare a record of proceedings concurrently with the preparation of a negative declaration, mitigated negative declaration, EIR, or other environmental document for projects. This bill contains other related provisions.

**STATUS: 2-Year, Assembly Appropriations Committee Suspense File**

**SB 154 (Huff) California Environmental Quality Act.**

The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared by contract, and certify the completion of, an environmental impact report, as defined, on a project that may have a significant effect on the environment, or to adopt a negative declaration if it finds that the project will not have that effect. This bill would

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make technical, nonsubstantive changes to the definition of "environmental impact report."

**STATUS: 2-Year, Senate Committee on Rules**

**SB 162 (Galgiani) Treated wood waste.**

Current law requires the wood preserving industry to provide certain information relating to the potential danger of treated wood to wholesalers and retailers of treated wood and wood-like products. Current law requires these wholesalers and retailers to conspicuously post the information at or near the point of display or customer selection of treated wood and wood-like products, as specified. This bill would update the information required to be posted by wholesalers and retailers of treated wood and treated wood-like products.

**STATUS: Chapter 351**

**SB 166 (Gaines) California Environmental Quality Act.**

The California Environmental Quality Act (CEQA) requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. This bill would make technical, nonsubstantive changes to those provisions. This bill contains other existing laws.

**STATUS: 2-Year, Senate Committee on Rules**

**SB 201 (Wieckowski) California Public Records Act.**

This bill would require a court, in an action by a third party to enjoin disclosure of a public record or declaratory relief concerning a request to inspect a public record, to apply the provisions of the California Public Records Act as if the action had been initiated by a person requesting disclosure of a public record. The bill would also require the third party seeking an injunction or declaratory relief to provide notice to the person whose request prompted the action at the same time the defendant public agency in the action is served.

**STATUS: 2-Year, Senate Committee on the Judiciary**

**SB 248 (Pavley) Oil and gas.**

Current law requires the State Oil and Gas Supervisor, on or before the first day of October of each year, to make public a report on specified information. This bill would require the supervisor to establish an inspection program for all activities regulated pursuant to these provisions and would require the total number of inspections and results of the inspections to be included in the abovereferenced report. The bill would require the division's regulations, field rules, notices, manuals, and other requirements to be reviewed and revised, as needed, through a public process at least once every 10 years.

**STATUS: 2-Year, Assembly Appropriations Committee Suspense File**

**SB 389 (Berryhill) Environmental quality: the Sustainable Environmental Protection Act.**

This bill would enact the Sustainable Environmental Protection Act and would specify the environmental review required pursuant to CEQA for projects related to specified environmental topical areas. For a judicial action or proceeding filed challenging an action taken by a lead agency on the ground of noncompliance with CEQA, the bill would prohibit a cause of action that (1) relates any topical area or criteria for which compliance obligations are

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identified or (2) challenges the environmental document if: (A) the environmental document discloses compliance with applicable environmental law, (B) the project conforms with the use designation, density, or building intensity in an applicable plan, as defined, and (C) the project approval incorporates applicable mitigation requirements into the environmental document. The bill would provide that the Sustainable Environmental Protection Act only applies if the lead agency or project applicant has agreed to provide to the public in a readily accessible electronic format an annual compliance report prepared pursuant to the mitigation monitoring and reporting program. This bill contains other related provisions and other existing laws.

**STATUS: 2-Year, Senate Committee on Environmental Quality**

**SB 423 (Bates) Retail nonprescription surplus products: determinations for reuse.**

This bill would authorize the State Department of Public Health to adopt regulations as deemed necessary to establish standards for the proper and safe handling of retail nonprescription pharmaceutical surplus products. This bill contains other related provisions and other existing laws.

**STATUS: 2 year, Held at Assembly Desk**

**SB 489 (Monning) Hazardous waste: photovoltaic modules.**

Authorizes the Department of Toxic Substances Control to adopt regulations to designate end-of-life photovoltaic modules that are identified as hazardous waste as a universal waste and subject those modules to universal waste management. The bill would authorize the department to revise the regulations as necessary. Because a violation of these regulations would be a crime, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

**STATUS: Chapter 419**

**SB 514 (Anderson) California Health Benefit Exchange. (Gut and Amend)**

This bill would require the board governing the California Health Benefit Exchange, without unreasonable delay, to allow an applicant to indicate in an application for health care coverage whether or not the applicant would like assistance with completing the application from an Exchange certified insurance agent or certified enrollment counselor. The bill would prohibit the Exchange from disclosing any personal information, as defined, that was obtained from the application for health care coverage to a certified insurance agent or certified enrollment counselor until the Exchange has complied with the provision described above. Originally, this bill would have made nonsubstantive changes to the law which requires the Office of Administrative Law to provide for the publication of the California Regulatory Notice Register and to include specified information in the register, including notices of proposed action prepared by regulatory agencies, a summary of regulations filed with the Secretary of State, and a summary of regulation decisions issued, as specified.

**STATUS: 2-year, Senate Committee on Health**

**SB 522 (Mendoza) State Fireworks Law: fireworks stewardship program.**

Current law requires the Office of the State Fire Marshal to consult with public safety agencies and other stakeholders and develop a model ordinance that permits local jurisdictions to adopt streamlined enforcement and administrative fine procedures related to possession of 25 pounds or less of dangerous fireworks. This bill would repeal the provisions relating to a model

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ordinance governing enforcement and administrative fine procedures.

**STATUS: 2-Year, Assembly Committee on Rules**

**SB 584 (Nguyen) California Environmental Quality Act: exemption.**

The California Environmental Quality Act (CEQA) requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA exempts specified projects from its provisions. This bill would exempt from the requirements of CEQA a project for the resurfacing of a city or county park, as specified.

**STATUS: 2-Year, Senate Committee on Environmental Quality**

**SB 612 (Jackson D) Hazardous materials.**

The Department of Toxic Substances Control has adopted regulations establishing standards for generators of hazardous wastes and establishing standards for owners and operators of hazardous waste transfer, treatment, storage, and disposal facilities. This bill would require that a generator of hazardous waste include all hazardous waste that it has generated in any month, except for universal wastes, as defined, when computing whether it is required to comply with specified regulatory requirements. The bill would require the department to adopt regulations by December 1, 2016, incorporating instructions to hazardous waste generators implementing this requirement.

**STATUS: Chapter 452**

**SB 654 (De León D) Hazardous waste: facilities permitting.**

This bill would require the owner or operator of a hazardous waste facility to submit complete Part A and Part B applications for a permit renewal at least 2 years prior to the expiration date of the permit. The bill would provide that, when a complete renewal application has been submitted before the end of a permit's fixed term, the permit shall be deemed extended for a period not to exceed 36 months until the renewal application is approved or denied and the owner or operator has exhausted all applicable rights of appeal.

**STATUS: 2-Year, Assembly Inactive File**

**SB 673 (Lara D) Hazardous waste.**

Requires the Department of Toxic Substances Control, by January 1, 2018, to establish or update criteria for use in determining whether to issue a new or modified hazardous waste facilities permit or a renewal of a hazardous waste facilities permit, and to develop and implement, by July 1, 2018, programmatic reforms designed to improve the protectiveness, timeliness, legal defensibility, and enforceability of the department's permitting program.

**STATUS: Chapter 611**

**SB 677 (Mendoza) Public safety: fireworks.**

Current law establishes a motor vehicle inspection and maintenance program, referred to as a smog check program, developed, implemented, and administered by the Department of Consumer Affairs. The duty of enforcing and administering the program is vested in the Chief of the Bureau of Automotive Repair within the department. Current law authorizes the department to issue a citation to a licensee, contractor, or fleet owner for a violation of the

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requirements of the smog check program, and the citation may specify certain civil or administrative penalties. This bill would make a technical, nonsubstantive change to those provisions.

**STATUS: 2-Year, Held with Secretary of Senate**

**SB 751 (De León) Hazardous waste: research programs.**

Current law requires the Department of Toxic Substances Control to establish the Hazardous Waste Resource and Research Coordination Program, which requires the department, among other things, to assemble and annually update a bibliographic cross-referenced database containing certain information on known hazardous waste research programs, including the specific problems that the research is designed to address. This bill would require the department to make this information on research programs available in at least 3 languages, including English, Spanish, and Chinese.

**STATUS: 2-Year, Senate Committee on Environmental Quality**

**SB 756 (Stone) California Environmental Quality Act.**

This bill would state the intent of the Legislature to enact legislation to amend CEQA.

**STATUS: 2-Year, Senate Committee on Rules**

**SB 763 (Leno) Juvenile products: flame retardant chemicals.**

This bill would require a manufacturer of juvenile products, as defined, that sells juvenile products that contain added flame retardant chemicals, as defined, in California, to include a specified statement on a label that meets certain labeling requirements. This bill contains other related provisions and other existing laws.

**STATUS: 2-Year, Assembly Inactive File**

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AB 1454 Wagner

State Water Pollution Control Revolving Fund  
Water quality standards: trash: single-use carryout bags

2-Year  
2-Year

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# VETO MESSAGES

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To the Members of the California State Assembly

I am returning Assembly Bill 410 without my signature. This bill requires the Department of Finance to post on its website all approved Budget Change Proposals and requires all state agencies to post on their website any report it submits to a committee of the legislature. I share the author's belief in governmental transparency, but existing law already requires departments to post legislatively mandated reports online. Moreover, in January, the Department of Finance will have up and running a dedicated website for all approved Budget Change Proposals.

Sincerely,

Edmund G. Brown Jr.

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To the Members of the California State Assembly:

I am returning Assembly Bill 1412 without my signature. This bill establishes a separate process to allow the successor agency to the City of San Joaquin's former redevelopment agency to repay a specific loan owed by the former redevelopment agency to the city. Today, I have signed SB 107, which provides a more general process to facilitate successor agencies' repayment of loans which cities and counties made to their former redevelopment agencies. I believe this latter process is more appropriate and should be sufficient.

Sincerely,

Edmund G. Brown Jr.

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# **SIGNING MESSAGES**