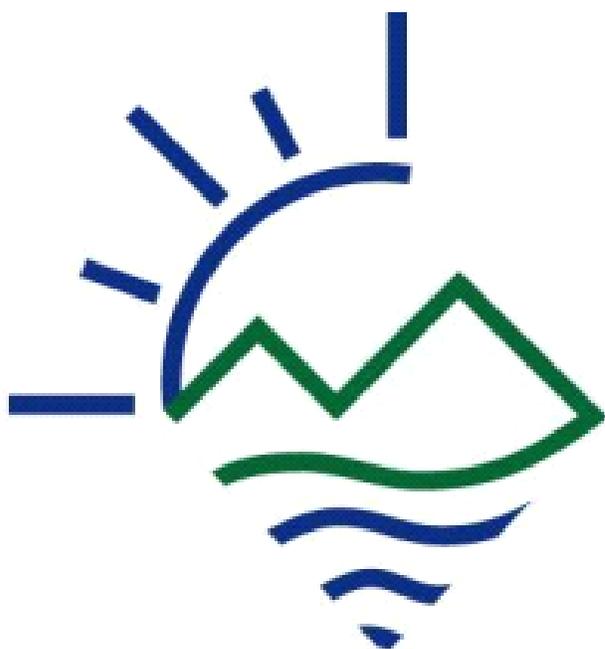


# **LEGISLATIVE SUMMARY REPORT**



## **2012 Legislative Year**

**A compilation of legislation from the second half of the 2011-2012  
Legislative Session affecting the Department of Toxic Substances Control**

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# **State of California**

**Edmund G. Brown**  
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 second year of the 2011-12 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 "Dead" failed passage in a policy or fiscal committee or on the floor of one of houses of the Legislature, or they were no longer pursued by their authors.

The report lists the bills in numerical order and also includes an index, sorted 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, 2013. 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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Bills, current law, and bill-related documents can be viewed on the California Legislative Counsel's Internet web site. Paper copies of the bills can be obtained from the Bill Room at the State Capitol. (<http://www.leginfo.ca.gov>).

*DTSC's 2012 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 4 (Miller) Dead**

This bill would have required the Cemetery and Funeral Bureau to license and regulate alkaline hydrolysis facilities and hydrolysis facility managers.

**AB 7 (Portantino) Dead**

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

**AB 23 (Smyth) Chapter 91**

This bill authorizes a legislative body, whose membership constitutes a quorum of any other legislative body, to convene a meeting of the subsequent legislative body, simultaneously or in serial order, only if a clerk or member of the legislative body verbally announces the amount of compensation or stipend, if any, that each member will be entitled to receive as a result of convening the simultaneous or serial meeting of the subsequent legislative body.

**AB 27 (Gorell) Dead**

This bill would have required that the Budget Bill be in print and posted on a publicly accessible web site for 72 hours before it could be passed and sent to the Governor. The bill also would have required each state agency and court that receives a General Fund appropriation to submit a budget that reduces its General Fund appropriation by 20% from the previous year.

**AB 34 (Williams) Dead**

This bill would have required CalRecycle to adopt regulations for enforcement agencies adopting site-specific objective odor performance thresholds for compost facilities.

**AB 49 (Gatto) Dead**

This bill would have required the Governor's Office of Permit Assistance to provide information to developers explaining the permit approval process, or assisting them in meeting statutory environmental quality requirements, and would have prohibited the office or the state from incurring any liability as a result of the provision of this assistance.

**AB 92 (Blumenfield) Dead**

This bill would have made appropriations for support of state government for the 2011-2012 fiscal year.

**AB 98 (Committee on Budget) Vetoed**

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

**AB 108 (Committee on Budget) Chapter 135**

This bill raises the community college district fee to \$46 per unit per semester, starting with the winter term of the 2011-12 academic year, if the General Fund revenues for the 2011-12 fiscal year are less than \$87,452,500,000. This bill also amends the Budget Act of 2011 by reducing the amount of moneys appropriated from the General Fund to the State Department of Education for special education instruction.

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**AB 109 (Committee on Budget) Chapter 15**

This bill defines a felony as a crime that is punishable with death, by imprisonment in the state prison, or imprisonment in a county jail for more than one year.

**AB 110 (Blumenfield) Chapter 193**

This bill was originally a budget trailer bill. However, it was amended to address the court system.

**AB 120 (Committee on Budget) Chapter 133**

This bill was originally a budget trailer bill. However, it was amended into a bill prohibiting the use of vacuum or suction dredge equipment until June 30, 2016.

**AB 121 (Committee on Budget) Chapter 41**

This bill amends the Budget Act of 2011 to require the Director of Finance to forecast General Fund revenues for the 2011-12 fiscal year by December 15, 2011. In addition, this bill requires the Director of Finance to make reductions to specified items of appropriation if the higher revenue forecast is less than \$87,452,500,000, and to make additional reductions to specified items if the higher revenue forecast is less than \$86,452,500,000.

**AB 127 (Logue) Dead**

This bill would have amended the APA to require that the adoption, amendment or repeal of a regulation become effective on the January 1<sup>st</sup> following a 90-day period after the date it is filed with the Secretary of State.

**AB 213 (Silva) Dead**

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

**AB 237 (Galgiani) Dead**

This bill would have required any manufacturer of cosmetics that are sold in the state that does not currently comply with specified parts of the federal Food and Drug Administration Voluntary Cosmetic Registration Program to provide the Department of Public Health with information disclosed through that program.

**AB 263 (Buchanan) Dead**

This bill would have stated the intent of the Legislature to enact legislation relating to the construction of school facilities.

**AB 273 (Valadao) Dead**

This bill would have required the DOF to adopt instructions in the State Administrative Manual regarding the methods that an agency shall use in making determinations, estimates, statements and findings relating to the economic and cost impacts of a regulation on a business or individual.

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**AB 298 (Brownley) Dead**

This bill would have prohibited the sale or distribution of a reusable bag after January 1, 2013, if the bag cannot be cleaned or disinfected, or contains lead, cadmium or other heavy metal in toxic amounts.

**AB 305 (Furutani) Dead**

This bill would have required state agencies to use specified criteria to determine whether the state agency serves a substantial number of non-English-speaking people.

**AB 327 (Davis) Dead**

Originally, this bill would have made technical and non-substantive changes to the Perchlorate Contamination Prevention Act. However, it was amended to address the state's three strikes law.

**AB 331 (Brownley) Dead**

This bill would have stated the intent of the Legislature to enact legislation that would create the Kindergarten-University Public Education Facilities Bond Act of 2012.

**AB 338 (Wagner) Dead**

This bill would have required the OAL to submit to the Legislature for review a copy of all regulations disapproved on the grounds that the agency exceeded its statutory authority. This bill would also have required that a regulation become effective on the 60th day after it is filed with the Secretary of State.

**AB 342 (Atkins) Chapter 395**

This bill requires the OPR to serve as the state's liaison to the United States Department of Defense to facilitate coordination of issues that are of interest to the state and department.

**AB 343 (Atkins) Dead**

This bill would have required redevelopment plans to be consistent with the regional sustainable communities strategy adopted by the metropolitan planning organization or council of government.

**AB 392 (Alejo) Dead**

This bill would have required the legislative body of a local agency to post the agenda and related specified staff generated reports on its web site. If it does not have a web site, the agency would have been required to disclose on the posted agenda a public location where the agency would make an applicable staff generated report available for inspection by a member of the public for at least 72 hours prior to the meeting.

**AB 393 (Wagner) Dead**

This bill would have made a technical non-substantive change to the APA.

**AB 403 (Campos) Dead**

This bill would have required DPH to post its progress on the establishment of secondary drinking water standards to the department's web site. The bill would have also adopted a

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primary drinking water standard for hexavalent chromium among the proposed regulations relating to the maximum contaminant levels for primary or secondary water standards.

**AB 410 (Swanson) Chapter 495**

This bill amends the APA to require a state agency, upon a request from a person with a visual or other disability for which effective communication is required under state or federal law, to provide that person with a narrative description of the proposed regulation and an extended public comment period.

**AB 425 (Nestande) Dead**

This bill would have required each state entity that promulgates regulations to review those regulations, and repeal or report to the Legislature those identified as duplicative, archaic, inconsistent with statute or other regulations, or inhibitive of economic growth in the state.

**AB 429 (Knight) Dead**

This bill would have required an agency to submit a copy of the rulemaking record for a regulation over \$15 million, or with a cost increase of 5% over the cost of an existing regulation, to the appropriate policy committee in each house of the Legislature when the agency submits the regulation to the OAL for approval.

**AB 430 (Feuer) Dead**

This bill would have required the Governor's proposed budget following the succeeding fiscal year to also include estimates of revenues, expenditures, and budget-related plans for the 3 subsequent fiscal years. The bill also would have required the Governor to submit updated projections of revenues and expenditures for the budget year and the succeeding fiscal year by January 10, May 15, and October 15 of each year.

**AB 437 (Pan) Dead**

This bill would have deleted the requirement that the dentist appointed to administer the DPH's dental disease prevention and health promotion program is required to be licensed in California.

**AB 442 (Silva) Dead**

This bill would have made technical, non-substantive changes to the ability of the State Lands Commission to classify state land for different uses.

**AB 443 (Bonilla) Dead**

This bill originally would have made technical and non-substantive changes to the state's California Summer Science and Technology Academy which encourages students to pursue education in math, science and technology fields. However, it was amended to address insurance coverage.

**AB 445 (Carter) Dead**

This bill would have required that an agency shall continue, in full force and affect, any military base reuse projects under the jurisdiction of that agency.

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**AB 453 (Skinner) Dead**

This bill would have required that a person appointed to any state scientist class shall have at least a baccalaureate degree in a scientific discipline from a foreign or domestic accredited university.

**AB 467 (Eng) Vetoed**

This bill would have revised the existing requirement that DPH, in collaboration with DTSC and SWRCB, develop and adopt regulations governing the repayment of costs that are subsequently recovered from parties responsible for the contamination of groundwater. This bill instead would require the development of guidelines, rather than regulations.

**AB 484 (Alejo) Dead**

This bill would have deemed an enterprise zone that expired in 2012 as re-designated with all the tax benefits that come with the designation, if the zone sent a letter to the Department of Housing and Community Development expressing the intent of the jurisdiction to reapply for a new designation.

**AB 502 (Bonilla) Dead**

This bill would have exempted a community participating in an alternative voluntary redevelopment program from being required to remit any revenues received for a project area that includes within its boundaries a military base that has been closed or realigned by the federal government.

**AB 530 (Smyth) Dead**

This bill would have required the initial statement of reasons for a proposed regulation to identify each document upon which the agency relied in rejecting each reasonable alternative and would prohibit rejecting a reasonable alternative without such a supplemental document. The bill also would have repealed an agency's ability to avoid artificially constructing alternatives, describing unreasonable alternatives, or justifying why it did not describe alternatives. Lastly, the bill would have also required an agency to complete an economic impact statement.

**AB 535 (Morrell) Dead**

This bill would have required the OAL to review and report on regulations, 5 years after their adoption. The report would have summarized the written criticisms of the regulation received by the agency within the immediately preceding 5 years and the estimated economic, small business, and consumer impact of the regulation.

**AB 549 (Carter) Chapter 523**

This bill adds additional requirements for receiving a payment of a claim under the Electronic Waste Recycling Act, specifying that an authorized recycler or collector may only receive payment if the covered electronic device was used in the state.

**AB 553 (Monning) Dead**

This bill would have required that the Occupational Safety and Health Standards Board, when establishing standards dealing with certain toxic materials in the workplace, to establish

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permissible exposure limits, with an emphasis on obtaining the highest degree of health and safety protection.

**AB 570 (Smyth) Dead**

This bill would have made technical and non-substantive changes to the requirements of the California Global Warming Solutions Act of 2006, which aims to reduce greenhouse gas emissions to 1990 levels by 2020.

**AB 578 (Hill) Chapter 462**

This bill requires the Public Utilities Commission to include various information in letters it sends to the federal National Transportation Safety Board concerning gas pipeline safety.

**AB 583 (Knight) Dead**

This bill would have transferred DTSC's various duties, enforcement authority, and employees under the Electronic Waste Recycling Act to CalRecycle.

**AB 586 (Garrick) Dead**

This bill would have required a standing committee of the Legislature with jurisdiction over a state agency proposing to adopt a regulation with a gross cost in excess of \$10,000,000 to hold an informational hearing regarding the proposed regulation.

**AB 591 (Wieckowski) Dead**

This bill would have defined "hydraulic fracturing" and require a person carrying out hydraulic fracturing on behalf of an owner or operator at a well to provide to the owner or operator a list of the chemical constituents used in the hydraulic fracturing fluid and the amount of water and hydraulic fracturing fluid recovered from the well.

**AB 598 (Grove) Dead**

This bill would have amended CEQA to limit the standing to file and maintain that an environmental impact report, negative declaration, or mitigated negative declaration was not prepared and certified in compliance with the act

**AB 632 (Wagner) Dead**

This bill would have amended the APA to require that a notice of proposed action also be submitted to the Legislature if it includes particular information relating to economic and cost impacts of the regulation on businesses and private persons.

**AB 639 (Norby) Dead**

This bill would have amended the Uniform Controlled Substances Act to provide that property is deemed to be seized whenever any agency takes possession or control of it.

**AB 644 (Blumenfield) Chapter 579**

This bill originally would have required the Energy Commission, in consultation with CalRecycle, DTSC, and the Department of Conservation, to establish criteria for identifying closed disposal sites, brownfields, and degraded agricultural lands that have high potential for use as sites for renewable generation facilities. However, the bill was amended to address online instruction.

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**AB 666 (Jeffries) Dead**

This bill originally would have authorized the State Public Works Board to acquire, from the Jurupa Area Recreation and Park District, 30 acres of land immediately adjacent to the Stringfellow Superfund Site and transfer the land to DTSC. However, the bill was amended to address death benefits for the Riverside County Sheriff's Department.

**AB 691 (Perea) Dead**

This bill would have designated the Secretary of Food and Agriculture as the ombudsman for all state agriculture regulations and would require the ombudsman to provide assistance in understanding the process for obtaining permits.

**AB 742 (Lowenthal) Dead**

This bill would have prohibited a lead agency from approving a reclamation plan for a mining operation if the operation is located in close proximity to Nation American sites or rivers, unless the tribe who is nearest to the operation consents.

**AB 789 (Chesbro) Dead**

This bill would have required CalRecycle to provide outreach to local agencies regarding a program it may establish under existing law to award grants to local government agencies for the funding of public works projects that use waste tires.

**AB 794 (Wieckowski) Chapter 715**

This bill originally would have authorized CalRecycle to impose a civil penalty against a covered electronic waste recycler or collector who makes a false statement or misrepresentation for purposes of compliance with the Electronic Waste Recycling Act. However, the bill was amended to address local education facility bonds.

**AB 801 (Swanson) Chapter 298**

This bill deletes references to "illegal dumping enforcement officers" and would instead authorize a code enforcement officer to exercise the powers of arrest of a peace officer within the scope of their employment, if they successfully complete a specified course in the exercise of those powers.

**AB 837 (Nestande) Chapter 525**

This bill requires a manufacturer or supplier making an environmental marketing claim relating to the recycled content of a plastic food container product to maintain certain information and documentation in support of that claim.

**AB 838 (Hill) Chapter 341**

An earlier version of the bill would have required the Secretary of Environmental Protection to identify, prior to the adoption of policies, rules, or regulations by an environmental agency, whether those policies overlap, are duplicative, or conflict with existing statutes, policies, rules, or regulations. This bill was amended to address charter cruises.

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**AB 868 (Davis) Dead**

An earlier version of the bill would have increased the maximum amount of hazardous waste that public utilities and other hazardous waste generators could transport from a remote site to a consolidation site without using a manifest or a hazardous waste transporter. The bill was amended to address public education leadership classes.

**AB 871 (Jones) Dead**

This bill would have made a technical, non-substantive change to the SPB's ability to review hiring practices.

**AB 900 (Buchanan) Chapter 354**

This bill enacts the Jobs and Economic Improvement through Environmental Leadership Act, which establishes a judicial review procedure for the review and approval of CEQA EIRs pertaining to leadership projects.

**AB 917 (Olsen) Dead**

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

**AB 920 (Portantino) Dead**

This bill would have enacted the Public Employees' Bill of Rights Act that would apply to state employees other than excluded employees.

**AB 931 (Dickinson) Dead**

This bill would have provided a CEQA exemption for a project that may be used for neighborhood-serving goods, services, or retail uses to a level that does not exceed 25% of the total building square footage of the project.

**AB 942 (Huber) Dead**

This bill would have required that all fines and penalties imposed by the DTSC, the DPR, the ARB, and the SWRCB for a violation of regulations be deposited into the General Fund.

**AB 960 (Lowenthal) Dead**

This bill would have allowed payments to recyclers for covered electronic waste only if the recyclers demonstrate that any type of e-waste that is being exported is being managed under specified standards. The bill would also have expanded the notification requirements that apply to the export of covered electronic wastes to include additional types of electronic waste.

**AB 963 (Valadao) Dead**

This bill would have required the DPH to develop guidelines in collaboration with the SWRCB to select and fund projects for disadvantaged or severely disadvantaged communities. The bill would also have required the department to provide guidelines for improving replacement drinking water systems in areas with contaminated groundwater and the acquisition of public water systems by local agencies.

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**AB 964 (Huffman) Chapter 579**

This bill authorizes any person to obtain a right to appropriate water for a small irrigation use upon registering the use with the SWRCB, and thereafter applying the water to reasonable and beneficial use with due diligence.

**AB 968 (Chesbro) Dead**

This bill would have established the position of Tribal Advisor in the Governor's office, to be appointed by the Governor.

**AB 972 (Butler) Dead**

This bill would have, until regulations governing hydraulic fracturing have been adopted, prohibited the State Oil and Gas Supervisor and the district deputy from approving the drilling of a well in which hydraulic fracturing is used or is proposed to be used in the production of oil and gas.

**AB 998 (Morrell) Dead**

This bill would have provided that no vote may be taken in either house of the Legislature on the Budget Bill or other bills providing for appropriations related to the Budget Bill until they have been made available to the public for 3 days in electronic form.

**AB 1016 (Achadjian) Chapter 660**

As introduced, the bill would have required the seller of any residential dwelling consisting of more than four dwelling units in close proximity to a landfill to give written notice to the purchaser that the landfill is prohibited from becoming a nuisance to the property. The bill was amended to address state hospitals.

**AB 1018 (Donnelly) Dead**

This bill would have required all public employees to verify each person who requests state-funded benefits through the United States Systematic Alien Verification for Entitlements Program.

**AB 1019 (Buchanan) Chapter 137**

As introduced, this bill would have reenacted the Carpet Stewardship Program which required carpet manufacturers to create plans to divert postconsumer carpet from landfills. The bill was later amended to implement parts of the Governor's Reorganization Plan #2.

**AB 1037 (Perez) Dead**

This bill would have amended the APA to declare that it is the intent of the Legislature that the court shall not substitute its judgment for that of a rulemaking agency, excluding the OAL.

**AB 1048 (Harkey) Dead**

This bill would have required the California Regional Water Quality Board, and San Diego Regional Water Quality Control District, to address levels of fluoride in recycled water and wastewater as part of the San Diego RWQCD's review of the Water Quality Control Plan for the San Diego Basin.

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**AB 1051 (Feuer) Dead**

This bill originally would have stated the desire of the legislature to enact legislation ensuring that state agencies design regulations that avoid an undue burden on small businesses. The bill was amended to address the definition of tax-collecting officer.

**AB 1078 (Grove) Dead**

This bill would have prohibited a Member of the Legislature, for a period of 4 years after leaving office, from serving for compensation in an appointed position on a state board, commission, or similar multimember body of the state.

**AB 1138 (Harkey) Dead**

This bill would have made technical, non-substantive changes to the provisions of law pertaining to the Executive branch.

**AB 1176 (Williams) Dead**

This bill would have required that the written determination regarding control measures for pesticides considered by DPR and all findings made by consulting agencies be made available to the public.

**AB 1178 (Ma) Dead**

This bill would have prohibited an ordinance enacted by a city or county, including an ordinance enacted by initiative by the voters of a city or county, from restricting or limiting the importation of solid waste into a privately owned solid waste facility in that city or county, based on place of origin.

**AB 1179 (Mansoor) Dead**

This bill would have enacted the California Voluntary Contributions Act and allowed a labor organization to make expenditures for political activities if the labor organization established a separate fund and complied with specified provisions.

**AB 1183 (Berryhill) Dead**

This bill would have limited the standing to file and allege that an EIR was not prepared and certified in compliance with CEQA.

**AB 1184 (Gatto) Dead**

This bill would have stated the intent of the Legislature that a contracting agency shall not experience a significant increase in liability due to increased compensation paid by another contracting agency to a non-represented employee. The bill would have required the Board of Administration of PERS to develop guidelines in this regard.

**AB 1189 (Miller) Dead**

This bill would have required a producer of household batteries, acting individually or through a household battery stewardship organization, to submit a plan to CalRecycle for a used household battery stewardship transition project.

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**AB 1207 (Furutani) Dead**

This bill would have exempted civil suits being brought forward to recover damages for personal injury, wrongful death, or injury/damages caused or contributed to by exposure to hazardous substances, pollutants or contaminants from the statute of repose applicable to construction defect claims.

**AB 1213 (Nielsen) Dead**

This bill would have revised the APA's definition of "necessity" to require the need for the regulation be demonstrated by a preponderance of the evidence.

**AB 1227 (Huber) Dead**

This bill originally would have made changes to the findings and declarations of the California Beverage Container Recycling and Litter Reduction Act. However, this bill was amended to address the Department of Financial Institutions.

**AB 1235 (Hernandez) Dead**

This bill would have required electric corporations to replace up to 100 low-efficiency light bulbs in any street light poles that the corporation owns, at the same rate as the local government in which the light poles are located.

**AB 1250 (Alejo) Dead**

This bill would have adjusted the calculation used to determine the remittance a participating community is required to make under the alternative voluntary redevelopment program.

**AB 1256 (Berryhill) Dead**

This bill would have required the ARB to identify each air basin with which air pollutants from upwind areas cause a violation of the state's air quality standards.

**AB 1273 (Grove) Dead**

This bill would have codified Governor Schwarzenegger's "Governor's Reorganization Plan 1: Reforming California's Boards and Commissions", proposed in 2004.

**AB 1322 (Bradford) Dead**

This bill would have amended the APA to adopt the regulatory philosophy and principles outlined in Presidential Executive Order 12866.

**AB 1351 (Logue) Dead**

This bill would have allowed the BOE to reduce the period of liability, from more than 12 quarters within an eight-year period to three years, for the UST Maintenance Fee imposed on owners of underground petroleum storage tanks.

**AB 1380 (Feuer) Dead**

This bill would have required Cal/EPA to establish an environmental technologies certification.

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**AB 1388 (Wiekowski) Chapter 694**

This bill originally made some amendments to the findings regarding the degradation of the environment. It was later amended to address earnings withholding orders.

**AB 1395 (Swanson) Vetoed**

This bill would have required the SPB and the appointing agency to publicly display the announcement for any civil service competitive exam on its website for a reasonable amount of time. Lastly, the bill would have required that the names of employees who have been laid off from department-specific job classifications be placed on comparable reemployment lists.

**AB 1409 (V.M. Perez) Dead**

This bill would have clarified the “reasonable” alternatives an agency is required to provide when proposing the adoption, amendment or repeal of a regulation under the APA.

**AB 1431 (Committee on Accountability and Administrative Review) Dead**

This bill would have eliminated the requirement for the submission of various obsolete reports by state agencies.

**AB 1442 (Wieckowski) Chapter 689**

This bill exempts pharmaceutical waste generators from specified medical waste hauling requirements if the organization meets certain requirements. The bill also allows pharmaceutical waste to be transported by the generator, a staff member, or a common carrier.

**AB 1444 (Feuer) Dead**

This bill would have required the lead agency of a CEQA case, at the request of the project applicant, to bear the costs incurred from preparing a record of proceedings.

**AB 1464 (Blumenfield) Chapter 21**

This bill makes appropriations for the support of state government for the 2012-2013 fiscal year.

**AB 1478 (Blumenfield) Chapter 530**

This bill establishes criteria for the selection and appointment of members of the State Parks and Recreation Commission.

**AB 1487 (Committee on Budget) Chapter 343**

This bill updates and clarifies accounting expenditure reporting requirements for state funds and requires specified financial control actions by the SCO and the DOF.

**AB 1497 (Committee on Budget) Chapter 29**

This bill makes appropriations for the support of state government for the 2012-2013 fiscal year.

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**AB 1504 (Morrell) Dead**

This bill would have required all state agencies that are adopting, amending, or repealing a regulation under the APA to complete an economic assessment at least 90 days prior to the notice of proposed action.

**AB 1507 (Mendoza) Dead**

This bill would have clarified that state agencies are not restricted from entering into contracts less than \$25,000 with outside businesses for services that otherwise can be provided by the Prison Industry Authority.

**AB 1532 (Perez) Chapter 807**

This bill prohibits the Governor's written findings used in the California Global Warming Solutions Act of 2006 process from being subject to judicial review.

**AB 1537 (Cook) Dead**

This bill would have required that any major regulation proposed after January 1, 2013 must include a provision for its repeal two years after approval.

**AB 1566 (Wiekowski) Chapter 532**

This bill revises the definition of "above-ground storage tanks" to include tanks in an underground area and makes regulatory clarifications to implement the definition change.

**AB 1570 (Perea) Dead**

This bill would have specified the types of projects an applicant can request a lead agency to prepare various CEQA required documentation for.

**AB 1585 (Perez) Chapter 777**

This bill clarifies that provisions of the Community Redevelopment Law relating to the Low and Moderate Income Housing Fund apply to the funding of administrative and planning costs for the uses of the fund.

**AB 1614 (Monning) Chapter 743**

This bill extends the sunset date for the Fort Ord Reuse Authority by six years, to June 30, 2020, and requires the Authority to submit a transition plan to the Monterey County Local Agency Formation Commission by December 30, 2018, or at least 18 months before the anticipated inoperability date.

**AB 1615 (Miller) Dead**

This bill would have required the Cemetery and Funeral Bureau to license and regulate hydrolysis facilities, requiring compliance with environmental standards.

**AB 1620 (Wiekowski) Chapter 190**

This bill revises the definition of "contained gaseous material" to clarify that DTSC does not require hazardous waste facility permits for dust collection units that are not required by local air districts to have such a permit.

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**AB 1644 (Carter) Dead**

This bill would have made various findings relating to the granting of redevelopment powers to communities affected by federal military base closures.

**AB 1669 (Perea) Dead**

This bill would have charged the SWRCB with administering a newly created Nitrate at Risk Area Fund for the purposes of developing and implementing solutions for disadvantaged communities where nitrate-contaminated groundwater is a source of drinking water.

**AB 1701 (Wiekowski) Chapter 536**

This bill revises the term “local agency” to mean the unified program agency in regards to the regulation of underground storage tanks.

**AB 1704 (Huffman) Dead**

This bill would have prohibited the sale or promotion of a coal tar pavement product in California.

**AB 1715 (Smyth) Chapter 237**

This bill requires the manager of a underground storage tank to provide a review summary report to the applicable regional board or agency regarding their determination that closure of the tank case is appropriate.

**AB 1828 (Bonilla) Dead**

This bill would have authorized Contra Costa County and the City of Concord to establish the Concord Naval Weapons Station Reuse Authority to plan for, finance and manage the transition of the Concord Naval Weapons Station to civilian use.

**AB 1834 (Brownley) Dead**

This bill would have revised the definition of a “reusable bag” to meet requirements for lifetime use, volume, contest, labeling and washability and would require store operators to make reusable bags available after July 1, 2013. The bill also prohibits local governments from taking regulatory action against carryout bags.

**AB 1900 (Gatto) Chapter 602**

This bill requires OEHHA, in consultation with other agencies, including DTSC, to compile a list of constituents of concern found in biogas that could pose risks to human health.

**AB 1914 (Garrick) Dead**

This bill would have required each local or state agency to compile a list of all reports the agency has not submitted to the legislature, along with a status update.

**AB 1969 (Gaines) Dead**

This bill would have placed a two-year moratorium on the adoption of regulations.

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**AB 1982 (Gorell) Dead**

This bill would have required the OAL to submit to the Legislature a copy of each major regulation that it submits to the Secretary of State. The bill also would have postponed the effective date of regulations from 30 days after submittal to 90 days.

**AB 1986 (Davis) Chapter 318**

As introduced, this bill would have declared the intention of the Legislature to enact legislation addressing the transportation of toxic substances by public utilities. The bill was later amended to address redistricting.

**AB 2041 (Swanson) Chapter 723**

This bill requires an agency that proposes specified types of regulations to include in its notice of proposed action a specified statement of availability of narrative descriptions for persons with disabilities.

**AB 2051 (Campos) Chapter 510**

This bill originally would have set a deadline for the DPH to establish a maximum contaminant level for hexavalent chromium in drinking water. However, this bill was amended to address domestic violence victims.

**AB 2052 (Buchanan) Dead**

This bill would have made technical changes to CEQA.

**AB 2090 (Berryhill) Dead**

This bill would have amended the APA to define a major regulation as a regulation with an economic impact exceeding \$15,000,000.

**AB 2091 (Berryhill) Dead**

This bill would have required a state agency to make determinations of feasibility regarding any regulation that requires the use of new or emerging technology.

**AB 2092 (Chesbro) Dead**

This bill would have required state agencies to establish a Native American consultation policy for regulation and policy development.

**AB 2117 (Gorell) Dead**

This bill would have required the SWRCB to prepare a statewide stormwater plan.

**AB 2144 (Perez) Vetoed**

This bill would have authorized cities to create local infrastructure and revitalization districts.

**AB 2163 (Knight) Dead**

This bill would have made changes to the judicial review process of CEQA.

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**AB 2166 (Feuer) Dead**

This bill would have deleted obsolete or duplicative provisions with various parts of state law regarding the DTSC, the Green Ribbon Science Panel, and the Office of Environmental Health Hazard Assessment.

**AB 2197 (Mitchell) Dead**

This bill would have required all seating furniture sold after September 1, 2013 to meet a smolder flammability test rather than the currently required open flame test.

**AB 2205 (V.M. Perez) Chapter 253**

This bill adds geothermal waste to the list of wastes exempted from regulation as hazardous waste, due to ore or mineral extraction, under the Hazardous Waste Control Law.

**AB 2226 (Hueso) Dead**

This bill would have required agencies or local governments to presume, in any formal proceeding, that the owner of the legal title to a property is also the owner of the full beneficial title.

**AB 2257 (Achadjian) Dead**

This bill would have provided that any waste management activity or facility, in operation of more than three years, cannot be proclaimed a nuisance due to any change in the locality if it was not considered a nuisance when it began or was constructed.

**AB 2336 (Mansoor) Dead**

This bill would have prohibited a manufacturer from selling a plastic product that does not meet already established labeling standards.

**AB 2339 (Williams) Chapter 608**

This bill requires the Energy Commission to produce a report on the barriers to the expansion of geothermal heat pump and ground loop technology.

**AB 2398 (Hueso) Dead**

This bill would have established the statewide goal of recycling 1.5 million acre-feet of water per year by 2020 and 2.5 acre-feet of water per year by 2030.

**AB 2457 (Valadao) Dead**

This bill would have required CalRecycle to establish a working group to study end-of-life management of appliances and vehicles that require special handling.

**AB 2463 (Buchanan) Dead**

This bill would have made technical changes to the Safe Drinking Water and Toxic Enforcement Act.

**AB 2501 (Garrick) Dead**

In its introduced form, this bill amended the California Public Records Act. As amended, this bill would have instituted various administrative requirements for state agencies.

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**AB 2577 (Galgiani) Dead**

This bill would have specified that the lead agency in a CEQA filing is not required to respond to comments provided after the public review period has ended.

**AB 2614 (Torres) Dead**

This bill would have made technical changes to the state's integrated waste management laws regarding waste management plans.

**AB 2629 (Morrell) Dead**

This bill would have made technical changes to the state's Planning and Zoning law regarding mitigation lands.

**AB 2635 (Hernandez) Dead**

This bill would have required any public entity to only accept bids which use the general prevailing rate for unit prices.

**AB 2639 (Fong) Dead**

This bill would have made technical changes to the state's laws regarding state government document language.

**AB 2669 (Committee on Natural Resources) Chapter 548**

This bill requires the Secretary of the Natural Resources Agency to hold at least two public meetings and provide 10 days' notice when updating the agencies' CEQA application review protocols.

**ABX1 1 (Portantino) Dead**

This bill would have prohibited any state employee who receives a base salary over \$150,000 from receiving a salary increase while still employed in the same position.

**ABX1 3 (Logue) Dead**

This bill would have required all state agencies to perform a review of all regulations enacted after January 1, 2012, five years after adoption the adoption of a regulation.

**ABX1 4 (Logue) Dead**

This bill would have extended the effective date of a regulation adoption, amendment, or deletion from 30 days to 90 days after the regulation has been filed with the Secretary of State.

**ABX1 5 (Logue) Dead**

This bill would have required that all regulatory notices of proposed actions be submitted to the Legislature.

**ABX1 6 (Logue) Dead**

This bill would have required the DoF to adopt, update, and review the instructions provided in the State Administrative Manual regarding the economic and cost impacts of a regulation.

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**ABX1 7 (Logue) Dead**

This bill would have required any fine or penalty imposed by various agencies, including DTSC, to be deposited into the General Fund.

**ACA 2 (Jeffries) Dead**

This bill would have prohibited each house of the Legislature from meeting in floor session outside of the hours of 9 a.m. and 9 p.m., unless for an emergency.

**ACA 8 (Olsen) Dead**

This bill would have required the Governor to make specific proposals to balance the state budget if the Governor's budget expenditures exceed estimated revenues.

**ACR 112 (Campos) Chapter 31**

This bill declares May 23, 2012 as the 24<sup>th</sup> Annual State Scientist Day.

**HR 1 (Skinner) Adopted**

This bill set the standing rules for the Assembly for the 2011-2012 regular session.

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# **SENATE BILLS**

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**SB 14 (Wolk) Vetoed**

This bill would have required the 2013-2014 fiscal year state budget and all subsequent state budgets to incorporate performance-based budgeting.

**SB 15 (DeSaulnier) Chapter 737**

This bill requires the Director of Finance to submit various different reports on the state's budget expenditures and revenue at the same time as the Governor's proposed budget.

**SB 17 (Blakeslee) Dead**

This bill would have required the Legislative Counsel to post the Budget Bill, or any bill providing for appropriations related to the Budget Bill, on the Internet for 72 hours prior to a vote by the Legislature.

**SB 18 (Blakeslee) Dead**

This bill would have prohibited gifts from lobbyists to elected state officials.

**SB 27 (Simitian) Dead**

This bill would have made changes to the payment and creditable compensation definitions for the State Teacher's retirement system.

**SB 52 (Steinberg) Dead**

This bill would have required that a CEQA project result in a minimum investment of \$100,000,000.

**SB 68 (Leno) Dead**

This bill would have made appropriations for support of state government for the 2011-2012 fiscal year.

**SB 71 (Leno) Chapter 728**

This bill eliminates the requirements for state agencies to submit certain reports to the Legislature.

**SB 84 (Committee on Budget and Fiscal Review) Chapter 13**

This bill makes amendments to the Budget Act of 2010.

**SB 87 (Leno) Chapter 33**

This bill makes appropriations for support of state government for the 2011-2012 fiscal year.

**SB 96 (Committee on Budget and Fiscal Review) Dead**

This bill would have allowed the DOF to reduce appropriations to specified departments if revenue projections did not meet expectations for the 2011-2012 fiscal year.

**SB 103 (Liu) Dead**

This bill would have authorized state agencies, to the extent practicable, to conduct teleconference meetings in lieu of travel. The bill also would have required that any state body that maintains an Internet website provide a supplemental live audio or video broadcast of its board meetings that are open to the public.

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**SB 120 (Anderson) Dead**

This bill would have required a state agency to accept, from any person or entity, a registered warrant issued by the State Controller for the payment of any obligations owed by a payee to that state agency.

**SB 147 (Leno) Dead**

This bill would have required the Bureau of Electronic and Appliance Repair, Home Furnishings, and Thermal Insulation to include an smolder flammability test in California's Furniture Flammability Standard Technical Bulletin 117 that could be met without the use of chemical fire retardants in the product standards for fire-retardant furniture.

**SB 153 (Strickland) Dead**

This bill would have prohibited various members of state boards from receiving a salary, and would instead specify a per diem amount for these members.

**SB 162 (Anderson) Dead**

This bill would have added fee-to-trust land acquisition applications to the list of topics that state agencies may cooperate with federally recognized Indian tribes.

**SB 178 (Simitian) Dead**

This bill would have allowed the Green Ribbon Science Panel to form subgroups on specific priority topics.

**SB 226 (Simitian) Chapter 469**

This bill exempts the installation of solar energy systems on the roof of current buildings or parking structures from the CEQA process.

**SB 236 (Anderson) Dead**

This bill would have made technical changes to the California Public Records Act.

**SB 241 (Cannella) Dead**

This bill would have enacted the CEQA Litigation Protection Pilot Program and required the Business, Transportation and Housing Agency to select projects in specific regions of the state for which the CEQA process could be streamlined.

**SB 252 (Vargas) Dead**

This bill originally would have required a state agency that enters into a privatization contract to submit an annual report to DGS on the status of that contract. The bill was gutted and amended, and instead would have authorized state employee peace officers to form their own bargaining unit.

**SB 260 (Cannella) Dead**

This bill would have made it a felony to possess a half-pound or more of ephedrine or pseudoephedrine.

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**SB 270 (Hernandez) Dead**

This bill would have continuously appropriated from the General Fund and other specified funds to the Controller an amount necessary to pay state employees' salaries and benefits when a budget has not been enacted by July 1.

**SB 282 (Wyland) Dead**

This bill would have required the Superintendent of Public Instruction and Board of Education to consider ways to increase the number of students who go to college and graduate with degrees in science or engineering fields, including revising the science and technology standards.

**SB 318 (De Leon) Chapter 60**

This bill deletes the exception to the requirement of a probationary period for new state employees granted to State Bargaining Unit 5.

**SB 322 (Negrete McLeod) Chapter 47**

This bill prohibits a PERS member who receives benefits based on credited services from multiple employers from exceeding the limit on payable benefits.

**SB 324 (Cannella) Dead**

This bill would have made a minor change to the California Beverage Container Recycling and Litter Reduction Act to update the department's name to CalRecycle.

**SB 353 (Blakeslee) Dead**

This bill would have made the activities of the OAL in reviewing the adoption, amendment or repeal of regulations exempt from CEQA.

**SB 354 (Blakeslee) Dead**

This bill would have made a technical, non-substantive change to CEQA.

**SB 357 (Dutton) Dead**

This bill would have required the ARB to estimate the cost or savings to the state as a result of an enacted or amended regulation to the diesel-fueled, heavy-duty on-road or off-road motor vehicles.

**SB 366 (Calderon) Dead**

This bill would have required each state agency to conduct a review all of the regulations adopted and administered by that agency.

**SB 394 (DeSaulnier) Dead**

This bill would have required all "school sites", as defined, to send at least one person to one of DPR's training sessions on least-hazardous pest control practices at least once every three years.

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**SB 396 (Huff) Dead**

This bill would have required state agencies to review each regulation adopted prior to January 1, 2011, and to develop a report with certain information to be submitted to the Legislature on or before January 1, 2013. The bill also would have required state agencies, on or before January 1, 2018, and at least every five years thereafter, to conduct additional reviews of regulations that have been in effect for at least 20 years and to submit an annual report to the Legislature that identifies the regulations reviewed during that year.

**SB 400 (Dutton) Dead**

This bill would have required state agencies to conduct economic analyses with specified criteria when developing regulations.

**SB 401 (Fuller) Dead**

This bill would have required that every regulation proposed by a state agency after January 1, 2012, include a provision repealing the regulation in five years. The bill would prohibit OAL from approving a proposed regulation unless it contained those repeal provisions.

**SB 419 (Simitian) Vetoed**

This bill would have required pharmaceutical manufacturers selling or distributing medication that is self-injected at home to submit their plan for collection and disposal of medical sharps to CalRecycle in an electronic format.

**SB 431 (Emmerson) Chapter 646**

This bill amends the state's pharmacy law to require pharmacies to report their ability to ship, mail, or deliver controlled substances.

**SB 494 (Fuller) Dead**

This bill would have transferred responsibility for the investigation and remediation of perchloroethylene contamination to a RWQCB.

**SB 515 (Corbett) Dead**

This bill would have required, by September 30, 2012, household battery producers, including manufacturers, distributors, wholesalers, and retailers, or a stewardship organization or hazardous waste transporter on their behalf, to develop and implement stewardship plans to manage household batteries that are disposed. The bill would have required CalRecycle to review and approve the plans.

**SB 518 (Lowenthal) Dead**

As introduced, this bill would have deleted the requirement for CalRecycle to establish reporting periods and specified rates for plastic bottle redemption rates. The bill was amended to address state education data.

**SB 535 (De Leon) Chapter 830**

This bill requires Cal/EPA to identify disadvantaged communities for investment opportunities and also requires the DOF to allocate 25% of available monies in the Greenhouse Gas Reduction Fund to provide benefits to these communities.

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**SB 553 (Fuller) Dead**

This bill would have required that a regulation, having been identified as having an adverse economic impact of at least \$10,000,000, would become effective 180 days after it is filed with the Secretary of State.

**SB 560 (Wright) Dead**

This bill would have required an agency that adopts regulations, if it decides not to consult with impacted businesses, to submit a notification to the Office of Small Business Advocate and the DOF of its decision.

**SB 589 (Lowenthal) Dead**

This bill would have required a manufacturer of household mercury-containing lamps, on or before April 1, 2013, to prepare and submit a stewardship plan and recovery plan for end-of-life management to CalRecycle. The bill would have required that the plan include the payment of a stewardship fee at the point of sale and would specify a procedure for CalRecycle's approval of the amount of the stewardship fee.

**SB 591 (Gaines) Dead**

This bill would have instituted a new regulatory principle of burden for proposed regulations. The principle of burden would demonstrate that a state agency considered other alternatives to the proposed regulation that has been submitted to the OAL.

**SB 623 (Kehoe) Chapter 450**

This bill originally would have restricted the sale of new recreational vessels painted with marine anti-fouling paint containing copper in California. The bill was amended to address health workforce projects.

**SB 639 (Cannella) Dead**

This bill would have required Cal/EPA and its BDOs and the Division of Occupational Safety and Health, when proposing to adopt, amend, or repeal an administrative regulation, to complete an economic impact analysis of the proposal. The economic impact analysis would have to address impacts to the General Fund and to the economy and be made available on the agency's Internet website.

**SB 643 (Correa) Dead**

This bill would have required that if a proposed regulation impacts housing, the initial statement of reasons must include the estimated cost and benefits of compliance, and the related assumptions in determining the estimate.

**SB 646 (Pavley) Chapter 473**

This bill allows the DTSC to enforce against companies that are part of the consolidated cases titled *People vs. Burlington Coat Factory Warehouse Corporation, et al.* for lead standards in jewelry. The bill also clarifies current certification requirements for manufacturers and suppliers to ensure that information about the content of lead and cadmium in their products is known to those who are selling it or offering it for sale.

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**SB 654 (Steinberg) Dead**

This bill would have modified provisions relating to the transfer of housing funds and responsibilities caused by the dissolution of redevelopment agencies.

**SB 659 (Negrete McLeod) Chapter 267**

At one point, this bill would have extended the effective date for the dissolution of redevelopment agencies from February 1, 2012 to April 15, 2012. The bill was later amended to address tuberculosis screening disclosure.

**SB 682 (Rubio) Dead**

This bill would have authorized the Division of Oil, Gas, and Geothermal Resources in the Department of Conservation to establish standards for the permitting of gas injection.

**SB 688 (Wright) Dead**

This bill would have required a state agency, when proposing the adoption or amendment of a regulation, to produce, as part of the required economic impact assessment, a detailed estimate of the cumulative statewide cost impacts for affected businesses. Regulations with cost impacts for businesses exceeding \$10,000,000 would have been required to be submitted to specified legislative committees.

**SB 692 (Walters) Dead**

The bill would have prohibited the practice of various engineering disciplines by any person who had not passed a specified exam and who was not licensed by the Board of Professional Engineers and Land Surveyors in that specific discipline.

**SB 711 (Rubio) Dead**

This bill would have revised the definition of "well" for the purposes of disposing of waste fluids brought to the surface in connection with oil or gas production.

**SB 735 (Price) Dead**

This bill would have required the courts to commence hearings on appeals to CEQA within nine months of the date of the appeal.

**SB 758 (Fuller) Dead**

This bill would have reduced the tire fee from \$1.75 to \$1.15.

**SB 763 (Steinberg) Dead**

This bill would have established an environmental recognition program for facilities to be recognized for reducing the amount of pollution they generate. The bill would have required Cal/EPA to determine guidelines for the program.

**SB 770 (Steinberg) Dead**

Originally, this bill would have required the Department of Fish and Game to consult with the United States Navy and Native Americans. It was later amended to address insurance coverage for developmental disorders and autism.

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**SB 783 (Dutton) Dead**

This bill originally would have made a minor change to CEQA, but was later amended to address liability for disability access.

**SB 785 (Dutton) Dead**

This is a spot bill that would have made a technical, non-substantive change to CEQA.

**SB 880 (Corbett) Chapter 6**

This bill originally would have added a requirement to CEQA but was amended to establish standards for electric vehicle charging stations.

**SB 881 (Corbett) Dead**

This bill would have required OPR to develop and maintain a website containing information that covers the common issues when siting a renewable energy project.

**SB 891 (Lowenthal) Dead**

This bill would have required an ombudsman for the State Allocation Board to work with DTSC and other agencies on school facility projects.

**SB 904 (Yee) Dead**

This bill would have moved CalRecycle from the Natural Resources Agency back to Cal/EPA.

**SB 915 (Calderon) Dead**

This bill would have required that plastic bags be made from a certain percentage of recycled material, and would have required the reduction of plastic bag use according to a schedule to be determined.

**SB 932 (Leno) Dead**

This bill would have required retailers of cell phones to place a prominent, specified notice of the radiofrequency emitted by each cell phone for sale next to the price and online.

**SB 964 (Wright) Dead**

This bill would have created an exception from the existing APA exemption for the issuance, denial or revocation of waste discharge requirements and permits.

**SB 972 (Simitian) Chapter 218**

This bill requires the lead agency of a CEQA proceeding to provide notice on the adoption of the EIR or negative declaration to a public agency that has requested it.

**SB 977 (Yee) Vetoed**

This bill would have increased the maximum fine to \$2,000 for violations of the Sherman Food Drug and Cosmetic law regarding nail polish.

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**SB 984 (Simitian) Dead**

This bill would have required the lead agency of a CEQA proceeding to prepare a record of proceedings concurrently with the preparation of formal CEQA documents, if requested by the project applicant.

**SB 997 (Strickland) Dead**

This bill would have made technical changes to CEQA.

**SB 1002 (Yee) Vetoed**

This bill would have required the State Chief Information Officer to provide a report to the Legislature on the feasibility of providing public records in a specific electronic format.

**SB 1018 (Committee on Budget and Fiscal Review) Chapter 39**

This bill establishes the Office of Education and the Environment within CalRecycle to develop and implement a unified education strategy on the environment for elementary and secondary schools.

**SB 1061 (Walters) Dead**

This bill would have added various engineering professions to the list of professions where a person is prohibited from practicing that profession if they have not passed a specified exam and are not licensed by the Board of Professional Engineers and Land Surveyors.

**SB 1094 (Kehoe) Chapter 705**

This bill allows a governmental agency to permit a governmental entity to hold title to, and manage the interest of, real property and any associated endowment for the purposes of mitigation.

**SB 1099 (Wright) Chapter 295**

This bill changes the effective date of future regulations from 30 days after filing with the Secretary of State to either January 1, April 1, July 1, or October 1.

**SB 1127 (Vargas) Dead**

This bill would have required the South Coast Air Quality Management District to amend a specified regulation relating to consumer products.

**SB 1146 (Pavley) Dead**

This bill would have required water, cathodic protection, or monitoring well reports submitted to the Department of Water Resources to be made available to the public, if requested.

**SB 1159 (Calderon) Dead**

This bill would have enacted the Plastic Bag Reduction Act of 2012 and would have prohibited the use of carry-out plastic bags unless labeled with the phrase, "Please Recycle This Bag".

**SB 1162 (Runner) Chapter 594**

Originally, this bill would have authorized, rather than require, state entities to purchase goods produced by the Prison Industry Authority and would provide that if a state entity elects to

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purchase goods from the authority, the purchase is exempt from the requirements governing public contracts. The bill was later amended to address tranquilizer use in animal control.

**SB 1195 (Price) Chapter 706**

Originally, this bill would have made technical changes to CEQA. However, it was amended to address pharmacy audits.

**SB 1214 (Cannella) Dead**

This bill would have required an judicial proceeding challenging a CEQA project to be filed with the Court of Appeal with geographic jurisdiction over the project.

**SB 1335 (Pavley) Dead**

This bill would have required the successor agency to a redevelopment agency to retain property obtained by the redevelopment agency for the purposes of removing toxic hazardous waste on the site.

**SB 1348 (Gaines) Dead**

This bill would have established judicial review procedures for the review of the EIR for a CEQA project with a minimum investment of \$10 million.

**SB 1354 (Dutton) Dead**

This bill would have made technical changes to the definition of a project in CEQA

**SB 1374 (Harman) Dead**

This bill would have established protections for a person who violated a statute or regulation if the person establishes the fact that they relied on information or policies provided by a state agency.

**SB 1380 (Rubio) Dead**

This bill would have exempted bicycle transportation plans from the CEQA process.

**SB 1394 (Lowenthal) Chapter 420**

Originally, this bill would have required each BDO within the Cal/EPA to submit a biennial report to the legislative. The bill was later amended to address smoke alarms.

**SB 1414 (Dutton) Dead**

As introduced, this bill would have made technical changes to the OAL's regulatory review process. The bill was later amended to address a successor agency to the Rancho Cucamonga Redevelopment Agency.

**SB 1424 (Harman) Dead**

This bill would have required licensed architects, engineers or land surveyors to comply with certain provisions when competing for contracts with state or local agencies.

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**SB 1427 (De Leon) Dead**

This bill would have required a state agency that accepts bids for a contract for electronic goods to provide a preference of 5% to a company that offers to fulfill the contract only with refurbished electronics.

**SB 1468 (Calderon) Dead**

This bill would have authorized the retail sale of safe and sane fireworks for New Year's Eve.

**SB 1474 (Hancock) Chapter 568**

This bill authorizes the Attorney General to convene a special statewide grand jury for cases involving fraud or theft that occurs in more than one county.

**SB 1507 (Fuller) Dead**

This bill would have specified exemptions to the Global Warming Solutions Act of 2006.

**SB 1512 (Cannella) Dead**

This bill would have made technical changes to the mitigated negative declaration provision of CEQA.

**SB 1520 (Calderon) Chapter 766**

This bill changes the applicable regulations where a standardized economic impact analysis is required for approval, from those proposed after January 1, 2013 to those proposed after November 1, 2013.

**SB 1565 (Strickland) Dead**

This bill would have made technical changes to the negative declaration provisions of CEQA.

**SCA 1 (Wyland) Dead**

This bill would have amended the State Constitution to require the State Auditor, beginning on January 1, 2013, to conduct a performance review of state programs in state departments or agencies.

**SCA 3 (Wyland) Dead**

This bill would have amended the State Constitution to require that the budget bills be publicly available for 21 days before the State Legislature votes on the budget bills.

**SCA 4 (DeSaulnier) Dead**

This bill would have amended the State Constitution to prohibit an initiative measure that would result in a net increase in state or local government costs, other than that caused by bonds, until the Legislative Analysts Office and Director of Finance determine the measure provides enough revenue to meet the costs.

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**SCA 6 (Emmerson) Dead**

This bill would have changed the biennial sessions of the Legislature. The Legislature would focus on the budget in odd-numbered years and focus on legislation in even-numbered years.

**SJR 8 (Leno) Dead**

This resolution would have urged the federal government to include the design of products in its process for identifying alternatives to flame retardants. The resolution would also have urged the United States Congress to adopt the Safe Chemicals Act.

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# **BILL SUBJECT INDEX**

## Administrative

AB 7	Portantino	State employment	Dead
AB 108	Committee on Budget	Education.	Chapter 135
AB 109	Committee on Budget	Criminal justice alignment.	Chapter 15
AB 110	Blumenfield	Courts.	Chapter 193
AB 120	Committee on Budget	Public Resources.	Chapter 133
AB 121	Committee on Budget	Budget Act of 2011	Chapter 41
AB 305	Furutani	Dymally-Alatorre Bilingual Services Act.	Dead
AB 392	Alejo	Ralph M. Brown Act: posting agendas.	Dead
AB 453	Skinner	State employees: scientists.	Dead
AB 871	Jones	Civil service: employee hearings.	Dead
AB 920	Portantino	Public employees: rights.	Dead
AB 1018	Donnelly	Public employees.	Dead
AB 1138	Harkey	State policies.	Dead
AB 1179	Mansoor	Labor organizations: union dues: political activities.	Dead
AB 1184	Gatto	Public employees' retirement benefits.	Dead
AB 1273	Grove	Boards and commissions.	Dead
AB 1395	Swanson	Public employment.	Vetoed
AB 1431	Committee on Accountability and Administrative Review	Government reports.	Dead
AB 1507	Mendoza	Public contracts: Prison Industry Authority.	Dead
AB 1644	Carter	California Military Base Reuse and Preservation Act of 2012	Dead
AB 1914	Garrick	Agency Reports.	Dead
AB 2501	Garrick	State government.	Dead
AB 2635	Hernandez	Public contracts: construction services: prevailing wage.	Dead
AB 2639	Fong	State government: governmental linguistics.	Dead
ACR 112	Campos	24 <sup>th</sup> Annual State Scientist Day.	Chapter 31
ABX1 1	Portantino	State employment: salary freeze.	Dead
SB 27	Simitian	Public employees' retirement.	Dead
SB 103	Liu	State government: meetings.	Dead
SB 120	Anderson	State funds: registered warrants.	Dead
SB 236	Anderson	California Public Records Act.	Dead
SB 252	Vargas	Collective bargaining: state employees.	Dead
SB 270	Hernandez	State employees: compensation.	Dead
SB 318	De Leon	Civil service: rejected probationer: investigation.	Chapter 60
SB 322	Negrete McLeod	Retirement.	Chapter 47
SB 692	Walters	Professional engineers.	Dead
SB 904	Yee	Environment: agency.	Dead
SB 1002	Yee	Public records: electronic format.	Vetoed
SB 1061	Walters	Professional engineers.	Dead
SB 1162	Runner	Animal control: tranquilizers.	Chapter 594
SB 1195	Price	Audits of pharmacy benefits.	Chapter 706
SB 1424	Harman	Professions and vocations: architects, professional engineers, and land surveyors, contracting with state or local agencies.	Dead
SCA 1	Wyland	State auditor: duties.	Dead

## Brownfields / Land Use

AB 342	Atkins	Office of planning and research.	Chapter 395
AB 343	Atkins	Redevelopment plans: environmental goals.	Dead
AB 484	Alejo	Enterprise zones: expiration of designation.	Dead
AB 502	Bonilla	Alternative Voluntary Redevelopment Program: military bases.	Dead
AB 644	Blumenfield	Schools: average daily attendance: online instruction.	Chapter 579
AB 666	Jeffries	Special death benefits: Riverside County.	Dead
AB 1235	Hernandez	Polanco Redevelopment Act: transfer of authority, powers, obligations.	Dead
AB 1250	Alejo	Redevelopment.	Dead
AB 1585	Perez	Community development.	Chapter 777
AB 1614	Monning	Fort Ord Reuse Authority.	Chapter 743
AB 1828	Bonilla	Land use: Concord Naval Weapons Revise Authority.	Dead
AB 1900	Gatto	Renewable energy resources: biomethane.	Chapter 602
AB 2144	Perez	Local government: infrastructure and revitalization financing districts.	Vetoed
AB 2629	Morrell	Land use: mitigation lands.	Dead
SB 654	Steinberg	Redevelopment.	Dead
SB 659	Negrete McLeod	Immunizations: disclosure of information: tuberculosis screening.	Chapter 267
SB 682	Rubio	Public resources: oil and gas: underground injection of gas.	Dead
SB 1094	Kehoe	Land use: mitigation land: nonprofit organizations.	Chapter 705
SB 1146	Pavley	Wells: reports: public availability.	Dead
SB 1335	Pavley	Redevelopment: brownfield sites.	Dead

## Budget

AB 27	Gorell	State Budget.	Dead
AB 92	Blumenfield	2011-2012 Budget.	Dead
AB 98	Committee on Budget	Budget Act of 2011.	Vetoed
AB 430	Feuer	State finance: budget process.	Dead
AB 998	Morrell	Budget Bill: public availability.	Dead
AB 1464	Blumenfield	2012-2013 Budget.	Chapter 21
AB 1478	Committee on Budget	Public Resources.	Chapter 530
AB 1497	Committee on Budget	Budget Act of 2012	Chapter 29
ACA 8	Olsen	State budget.	Dead
SB 14	Wolk	State Budget.	Vetoed
SB 15	DeSaulnier	State Budget.	Chapter 737
SB 17	Blakeslee	State Budget: Budget Bills.	Dead
SB 68	Leno	2011-2012 Budget.	Dead
SB 71	Leno	Budget Act of 2011.	Chapter 728
SB 84	Committee on Budget and Fiscal Review	Budget Act of 2010: Revisions	Chapter 13
SB 87	Leno	2011-2012 Budget.	Chapter 33
SB 96	Committee on Budget and Fiscal Review	Budget Act of 2011	Dead

SB 1018	Committee on Budget and Fiscal Review	Public resources.	Chapter 39
SCA 3	Wyland	Legislature: Budget Bill: passage requirements.	Dead
SCA 4	DeSaulnier	Initiative measures: funding source.	Dead
SCA 6	Emmerson	Revised biennial session.	Dead

## CEQA

AB 49	Gatto	Development: expedited permit review.	Dead
AB 598	Grove	Environmental quality: CEQA: standing.	Dead
AB 931	Dickinson	Environment: CEQA exemption: housing projects.	Dead
AB 1183	Berryhill	Environment: CEQA: environmental impact report: right of action.	Dead
AB 1444	Feuer	Environmental quality: record of proceedings.	Dead
AB 1570	Perea	Environmental quality: California Environmental Quality Act: record of proceedings.	Dead
AB 2052	Buchanan	Environmental quality: CEQA	Dead
AB 2163	Knight	Environmental quality: California Environmental Quality Act: judicial review.	Dead
AB 2577	Galgiani	Environmental quality: public comments.	Dead
AB 2669	Committee on Natural Resources	Environmental Quality: California Environmental Quality Act.	Chapter 548
SB 52	Steinberg	Environmental quality: jobs and economic improvement.	Dead
SB 226	Simitian	Environmental Quality	Chapter 469
SB 241	Cannella	Environment: California Environmental Quality Act (CEQA).	Dead
SB 354	Blakeslee	Environmental quality: California Environmental Quality Act (CEQA).	Dead
SB 735	Price	Environmental Quality: CEQA: judicial review: procedures.	Dead
SB 763	Steinberg	Environmental protection: California Performance Plus Program.	Dead
SB 783	Dutton	Special access: liability.	Dead
SB 785	Dutton	Environmental quality: CEQA: compliance: environmentally mandated projects.	Dead
SB 880	Corbett	Common interest developments: electric vehicle charging stations.	Chapter 6
SB 972	Simitian	Environmental quality: California Environmental Quality Act: scoping meeting and notice of completion.	Chapter 218
SB 984	Simitian	Environmental quality: California Environmental Quality Act: record of proceedings.	Dead
SB 997	Strickland	Environmental quality: environmental leadership development project.	Dead
SB 1214	Cannella	Environmental quality: California Environmental Quality Act: judicial review.	Dead
SB 1354	Dutton	California Environmental Quality Act: project.	Dead
SB 1380	Rubio	Environmental quality: California Environmental Quality Act: bicycle transportation plan.	Dead
SB 1394	Lowenthal	Dwelling safety: carbon monoxide and smoke detectors.	Chapter 420
SB 1512	Cannella	Environmental quality: California Environmental Quality Act: litigation.	Dead
SB 1565	Strickland	Environmental quality: California Environmental Quality Act (CEQA).	Dead

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## CUPA

AB 1351	Logue	Underground storage tanks: fees: deficiency determinations.	Dead
AB 1566	Wieckowski	Aboveground storage tanks: enforcement.	Chapter 532
AB 1620	Wieckowski	Hazardous waste: contained gaseous material.	Chapter 190
AB 1701	Wieckowski	Underground storage tanks: local agencies.	Chapter 536

## Electronic Waste

AB 549	Carter	Recycling: electronic waste.	Chapter 523
AB 583	Knight	Electronic waste: administration.	Dead
AB 794	Wieckowski	Local education facility bonds: anticipation notes.	Chapter 715
AB 960	Lowenthal	Recycling: electronic waste.	Dead

## Emergency Response

AB 578	Hill	Public utilities: natural gas pipelines: safety.	Chapter 462
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## Enforcement

AB 801	Swanson	Code enforcement officers.	Chapter 298
AB 942	Huber	General Fund: fines.	Dead
ABX1 7	Logue	General Fund: fines.	Dead
SB 646	Pavley	Toxics: enforcement: lead and cadmium jewelry.	Chapter 473
SB 1468	Calderon	Fireworks.	Dead
SB 1474	Hancock	Grand jury proceedings: Attorney General: powers and duties.	Chapter 568

## Environmental Justice

AB 742	Lowenthal	Surface mining: Indian reservations and Native American sacred sites.	Dead
AB 2092	Chesbro	Economic development: federally recognized Indian tribes.	Dead
SB 535	De Leon	California Global Warming Solutions Act: Greenhouse Gas Reduction Fund.	Chapter 830
SB 770	Steinberg	Health care coverage: mental illness: development disorder and autism.	Dead

## Extended Producer Responsibility

AB 1019	Buchanan	State government.	Chapter 137
AB 1189	Miller	Recycling: batteries.	Dead
SB 515	Corbett	Recycling: product stewardship: batteries: universal waste management.	Dead
SB 589	Lowenthal	Recycling: householder mercury-containing lamps.	Dead
SB 932	Leno	Cellular telephones: notice requirement.	Dead

## Green Chemistry

AB 443	Bonilla	Children with disabilities: insurance coverage.	Dead
AB 1380	Feuer	State government: California Environmental Protection Agency.	Dead
AB 2166	Feuer	Hazardous Materials: chemicals of concern.	Dead
SB 178	Simitian	Hazardous materials: green chemistry.	Dead
SB 623	Kehoe	Public health: health workforce projects: abortions.	Chapter 450

SB 282	Wyland	Science education: science curriculum.	Dead
SB 881	Corbett	Land use planning: renewable energy projects: siting.	Dead
SB 977	Yee	Sherman Food, Drug, and Cosmetic Law: nail polish.	Vetoed

## Hazardous Waste

AB 4	Miller	Human remains: hydrolysis.	Dead
AB 34	Williams	Solid waste compost facilities: odor.	Dead
AB 327	Davis	Sentencing: Three Strikes.	Dead
AB 437	Pan	State Department of Health: dental program.	Dead
AB 445	Carter	Redevelopment.	Dead
AB 553	Monning	Employee safety: hazardous materials.	Dead
AB 591	Wieckowski	Oil and gas production: hydraulic fracturing.	Dead
AB 639	Norby	Controlled Substances.	Dead
AB 789	Chesbro	Solid waste: tire recycling.	Dead
AB 868	Davis	Pupil instruction: leadership classes.	Dead
AB 1016	Achadjian	Inmates: state hospitals: reimbursement of costs.	Chapter 660
AB 1207	Furutani	Civil actions: limitations: real property development.	Dead
AB 1442	Wieckowski	Pharmaceutical waste.	Chapter 689
AB 1615	Miller	Human remains.	Dead
AB 1704	Huffman	Hazardous waste: coal tar.	Dead
AB 1986	Davis	Redistricting.	Chapter 318
AB 2205	Perez	Hazardous waste: ores and minerals: geothermal waste.	Chapter 253
AB 2257	Achadjian	Nuisance: landfill activities.	Dead
AB 2339	Williams	Energy: geothermal technologies.	Chapter 608
AB 2457	Valadao	Solid waste: vehicles: appliances.	Dead
AB 2463	Buchanan	Toxic chemicals: exposure.	Dead
SB 260	Cannella	Controlled: substances ephedrine or pseudoephedrine.	Dead
SB 419	Simitian	Solid waste: home generated sharps.	Vetoed
SB 711	Rubio	Public resources: oil and gas: underground injection of gas.	Dead
SB 758	Fuller	Recycling: tires.	Dead
SB 1127	Vargas	Volatile organic compounds: consumer products.	Dead

## Miscellaneous

AB 23	Smyth	Local Agency Meetings: Simultaneous Meetings: Compensation Disclosure	Chapter 91
AB 237	Galgiani	Cosmetics: safety.	Dead
AB 972	Butler	Oil and gas: hydraulic fracturing: moratorium.	Dead
AB 1078	Grove	Legislature: former members: employment prohibition: state boards and commissions.	Dead
AB 1227	Huber	Committees and commissions: repeal.	Dead
AB 1532	Perez	California Global Warming Solutions Act of 2006: Greenhouse Gas Reduction Account.	Chapter 807
AB 2197	Mitchell	Seating furniture.	Dead
AB 2336	Mansoor	Plastic Products: labeling.	Dead
AB 2614	Torres	Solid waste facilities: waste management plans.	Dead
ACA 2	Jeffries	Legislature: Floor sessions.	Dead
HR 1	Skinner	Relative to the Standing Rules of the Assembly for the 2011-2012 Regular Session	Adopted
SB 18	Blakeslee	Political Reform Act of 1974: gifts.	Dead
SB 147	Leno	Furniture: flammability standards.	Dead
SB 153	Strickland	State boards: salaries prohibition.	Dead
SB 518	Lowenthal	Pupil data: California Longitudinal Pupil Achievement Data System Advisory	Dead

SB 1427	De Leon	State contracts: electronic goods: big preference for refurbished products.	Dead
SJR 8	Leno	Hazardous flame retardants.	Dead

## Pollution Prevention

AB 900	Buchanan	Jobs and Economic Improvement Through Environmental Leaderships Act of 2011	Chapter 354
AB 1176	Williams	Pesticides: toxic air contaminant.	Dead
AB 1178	Ma	Solid waste: place of origin.	Dead
AB 1388	Wieckowski	Earnings withholding orders.	Chapter 694
SB 324	Cannella	Beverage container recycling.	Dead

## Recycling

AB 298	Brownley	Solid Waste: single-use carry out bags.	Dead
AB 837	Nestande	Solid Waste: plastic products.	Chapter 525
AB 1834	Brownley	Recycling: reusable bags.	Dead
SB 915	Calderon	Recycling: plastic bags.	Dead
SB 1159	Calderon	Plastic bag: labeling.	Dead

## Regulations

AB 127	Logue	Regulations: effective date.	Dead
AB 213	Silva	Administrative Procedure Act: notice of proposed actions: local government agencies.	Dead
AB 273	Valadao	Regulations: economic impacts review.	Dead
AB 338	Wagner	Regulations: legislative validation: effective date.	Dead
AB 393	Wagner	Administrative Procedure Act: legislative intent.	Dead
AB 410	Swanson	Regulations: adoption: disability access.	Chapter 495
AB 425	Nestande	State regulations: review.	Dead
AB 429	Knight	Regulations: effective date.	Dead
AB 530	Smyth	Regulations: economic and technical information	Dead
AB 535	Morrell	Regulations: 5-year review and report.	Dead
AB 570	Smyth	Emissions of greenhouse gases: California Global Warming Solutions Act of 2006.	Dead
AB 586	Garrick	Administrative regulations: legislative review.	Dead
AB 632	Wagner	Regulations: legislative notice.	Dead
AB 691	Perea	Agency regulations and economic impact.	Dead
AB 838	Hill	Charter-party carriers of passengers: reports.	Chapter 341
AB 917	Olsen	State agencies: sunset review.	Dead
AB 1037	Perez	Regulations: small business impact.	Dead
AB 1051	Feuer	State government	Dead
AB 1213	Nielsen	Regulations.	Dead
AB 1256	Berryhill	State Air Resources Board: transported air pollutants: cost reimbursement.	Dead
AB 1322	Bradford	Regulations: principles of regulation.	Dead
AB 1409	Perez	Regulations: small businesses.	Dead
AB 1504	Morrell	Administrative regulations.	Dead
AB 1537	Cook	Government Accountability Act of 2012	Dead
AB 1969	Gaines	Regulations: filing.	Dead
AB 1982	Gorell	Regulations: effective date: legislative review.	Dead
AB 2041	Swanson	Regulations: adoption: disability access.	Chapter 723
AB 2090	Berryhill	Regulations.	Dead
AB 2091	Berryhill	Regulations: new or emerging technology.	Dead

AB 2226	Hueso	Agency proceedings: evidence: presumption.	Dead
ABX1 3	Logue	Regulations: 5 year review and report.	Dead
ABX1 4	Logue	Regulations: effective date.	Dead
ABX1 5	Logue	Regulations: legislative notice.	Dead
ABX1 6	Logue	Regulations: economic impact review.	Dead
SB 353	Blakeslee	Regulations: economic analysis.	Dead
SB 357	Dutton	State Air Resources Board: regulations: obsolete equipment.	Dead
SB 366	Calderon	Regulations: agency review.	Dead
SB 396	Huff	Regulations: review process.	Dead
SB 400	Dutton	Regulations: impact on businesses.	Dead
SB 401	Fuller	Regulations: repeal provisions.	Dead
SB 431	Emmerson	Pharmacies: regulation.	Chapter 646
SB 553	Fuller	Regulations: effective date.	Dead
SB 560	Wright	Regulations: small businesses.	Dead
SB 591	Gaines	Administrative regulations: reductions.	Dead
SB 639	Cannella	Regulations: economic impact analysis.	Dead
SB 643	Correa	Administrative procedures.	Dead
SB 688	Wright	Regulations: legislative approval.	Dead
SB 964	Wright	Administrative Procedure Act: State Water Resources Control Board and California regional water quality control boards.	Dead
SB 1099	Wright	Regulations.	Chapter 295
SB 1348	Gaines	Environmental quality: CEQA: public projects: judicial review.	Dead
SB 1374	Harman	Liability: good faith reliance on administrative regulation.	Dead
SB 1507	Fuller	California Global Warming Solutions Act of 2006: tractor-trailers: exemption.	Dead
SB 1520	Calderon	State government: administrative efficiency.	Chapter 766

## Schools

AB 263	Buchanan	School facilities: construction.	Dead
AB 331	Brownley	The Leroy F. Green School Facilities Act of 1998	Dead
AB 442	Silva	Public lands: release.	Dead
SB 394	DeSaulnier	Healthy Schools Act of 2012.	Dead
SB 891	Lowenthal	School facilities: construction: ombudsman.	Dead

## Tribal Issues

AB 968	Chesbro	Californian Indian tribes.	Dead
SB 162	Anderson	Economic Development: federally recognized Indian Tribes.	Dead

## Water

AB 238	Hueso	Water recycling.	Dead
AB 403	Campos	Public drinking water standards: hexavalent chromium.	Dead
AB 467	Eng	Environment: Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006	Vetoed
AB 963	Valadao	Safe drinking water: contaminated groundwater.	Dead
AB 964	Huffman	Water rights: appropriation	Chapter 579
AB 1048	Harkey	Water quality in the San Diego region: recycled water and wastewater fluoride.	Dead
AB 1669	Perea	Groundwater: Nitrate at Risk Area Fund.	Dead
AB 2051	Campos	Contempt of the court: domestic violence.	Chapter 510
AB 2117	Gorell	Waste discharge requirements: stormwater.	Dead
SB 494	Fuller	California regional water quality controls boards: perchloroethylene.	Dead

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# **VETO MESSAGES**

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To the Members of the California State Legislature:

I am returning Senate Bill 69 and **Assembly Bill 98** without my signature.

In January, I presented a balanced budget solution with a mix of deep spending cuts and temporary tax extensions subject to voter approval. My plan would put these extended revenues in a lockbox, ensuring that they are only used to protect education and public safety. It would also address California's long term fiscal crisis by substantially paying down the \$35 billion wall of debt built up over the last decade.

Yet Republicans in the Legislature blocked the right of the people to vote on this honest, balanced budget. Meanwhile, Democrats in the Legislature made valiant efforts to address California's budget crisis by enacting \$11 billion in painful cuts and other solutions. I commend them for their tremendous efforts to balance the budget in the absence of Republican cooperation.

Unfortunately, the budget I have received is not a balanced solution. It continues big deficits for years to come and adds billions of dollars of new debt. It also contains legally questionable maneuvers, costly borrowing and unrealistic savings. Finally, it is not financeable and therefore will not allow us to meet our obligations as they occur.

We can and must do better. A balanced budget is critical to our economic recovery. I am, once again, calling on Republicans to allow the people of California to vote on tax extensions for a balanced budget and significant reforms. They should also join Democrats in supporting job creation and ending tax breaks for out-of-state companies. If they continue to obstruct a vote, we will be forced to pursue deeper and more destructive cuts to schools and public safety; a tragedy for which Republicans will bear full responsibility.

Sincerely,

Edmund G. Brown Jr.

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To the Members of the California State Assembly:

I am returning **Assembly Bill 467** without my signature.

This bill would allow recipients of Proposition 84 groundwater clean-up funds to leverage those funds by removing the requirement of having to pay back those state funds when they recover funding from parties responsible for the contamination, if they used the recovered funds for continued clean-up of their groundwater.

I support the leveraging of all available funding by ensuring that recovered funds are effectively used in the jurisdictions that recover them. Unfortunately, the structure that was developed is cumbersome and inefficient. I am directing the Department of Public Health and the Department of Toxic Substances Control, to once again work with the Legislature to develop a more streamlined way to reinvest these funds.

Sincerely,

Edmund G. Brown Jr.

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To the Members of the California State Assembly:

I am returning **Assembly Bill 1395** without my signature.

This measure requires all state agencies and departments to post examination and vacancy announcements on the SPB's website. It also requires that the names of employees that are laid off from department specific job classifications be placed on "comparable" statewide reemployment lists.

While I support the author's intent to increase access to state employment opportunities for laid off state employees, this measure fails to provide adequate protections against an unqualified employee being misplaced on a comparable statewide list. Further, it may delay the layoff process and reduce the anticipated savings from future layoffs.

I note that state departments and agencies working in conjunction with the Department of Personnel Administration currently have the authority to work collaboratively to designate comparable classes on a case-by-case basis as part of layoff negotiations with employees and their representatives. Further, I encourage all parties to engage in this process whenever possible during these difficult fiscal times for the state, its employees and all Californians.

Sincerely,

Edmund G. Brown Jr.

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To the Members of the California State Assembly:

I am returning **Assembly Bill 2144** without my signature.

This bill authorizes the creation of Infrastructure and Revitalization Financing Districts to finance economic development projects. These projects would be funded if approved by a 55 percent voter approval.

Expanding the scope of infrastructure financing districts is premature. This measure would likely cause cities to focus their efforts on using the new tools provided by the measure instead of winding down redevelopment. This would prevent the state from achieving the General Fund savings assumed in this year's budget.

Sincerely,

Edmund G. Brown Jr.

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To the Members of the California State Senate:

I am returning **Senate Bill 14** without my signature.

This bill is another siren song of budget reform. It inflicts a "one size fits all" budget planning process on every state agency and function -- even functions that aren't actually managed by the state so long as they receive any "benefit" from it. The politically expedient course would be to sign this bill and bask in the pretense that it is some panacea for our budget woes. But the hard truth is that this bill will mandate thousands of hours of work -- at the cost of tens of millions of dollars -- with little chance of actual improvement.

What California needs is a common sense approach to its budgeting, something we have been doing for the last year and will continue to do. Instead of requiring each and every department, no matter how big or small or important or not, to develop and track "performance metrics," "target performance levels" and "desired outcomes," shouldn't we first examine whether some of these programs or departments should exist at all? And while some programs will clearly benefit from the performance based budgeting approach outlined in this bill, for others it will be a costly waste of time. The ideas we offered to take an approach based on common sense and flexibility were unfortunately rejected.

I will issue an Executive Order in the upcoming weeks that combines the good ideas contained in this bill with the practical, tailored approach that I believe will make an actual difference in the way we budget and run our government.

Sincerely,

Edmund G. Brown Jr.

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To the Members of the California State Senate:

I am returning **Senate Bill 419** without my signature.

This bill requires a pharmaceutical manufacturer to submit an already required report electronically to the Department of Resources Recycling and Recovery, and then to post the report on its own Web site.

This is a matter we can handle administratively.

Sincerely,

Edmund G. Brown Jr.

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To the Members of the California State Senate:

I am returning **Senate Bill 977** without my signature.

I support the author's intent to deter businesses from breaking the law. In this instance, the bill takes aim at nail polish manufacturers that are improperly labeling their products "toxin-free" when they are not.

While bad actors should be punished, it makes no sense to increase penalties, one manufacturer at a time. The existing Sherman Food, Drug, and Cosmetic Law provides for a \$1,000 fine for a first offense, and a \$10,000 fine for subsequent offenses, for false labeling of this kind. This suffices.

Sincerely,

Edmund G. Brown Jr.

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To the Members of the California State Senate:

I am returning **Senate Bill 1002** without my signature.

This bill would require the State Chief Information Officer to provide a report to the Legislature on the feasibility of providing public records in a specific electronic format.

The role of the State Chief Information Officer is to make sure that state government uses information technology efficiently and effectively; including providing public records electronically when possible. Another legislative report on electronic public records isn't necessary.

Sincerely,

Edmund G. Brown Jr.

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# **SIGNING MESSAGES**

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To the Members of the California State Assembly:

I am signing **Assembly Bill 109**.

California's correctional system has to change, and this bill is a bold move in the right direction. For too long, the State's prison system has been a revolving door for lower-level offenders and parole violators who are released within months, often before they are even transferred out of a reception center. Cycling these offenders through state prisons wastes money, aggravates crowded conditions, thwarts rehabilitation, and impedes local law enforcement supervision.

Under this bill, the State will continue to incarcerate offenders who commit serious, violent, or sexual crimes; but counties will supervise, imprison, and rehabilitate lower-level offenders.

By its terms, Assembly Bill 109 will not go into effect until the creation of a community corrections grant program and an appropriation of funding.

I will not sign any legislation that would seek to implement this measure without the necessary funding. In this regard, I intend to work closely with, and consult, police chiefs, sheriffs, chief probation officers, district attorneys and representatives of the counties and courts to ensure that any funding bill which makes Assembly Bill 109 operative is sufficient to protect public safety.

Regrettably, the measure that would provide stable and constitutionally protected funding for public safety has not yet passed the Legislature. In the coming weeks, and for as long as it takes, I will vigorously pursue my plan to balance the State's budget and prevent reductions to public safety through a constitutional guarantee. I will also continue to partner with counties and law enforcement on this important effort.

Sincerely,

Edmund G. Brown Jr.

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To the Members of the California State Assembly:

I am signing **Assembly Bill 1464**.

California's correctional system has to change, and this bill is a bold move in the right direction. For too long, the State's prison system has been a revolving door for lower-level offenders and parole violators who are released within months, often before they are even transferred out of a reception center. Cycling these offenders through state prisons wastes money, aggravates crowded conditions, thwarts rehabilitation, and impedes local law enforcement supervision.

Under this bill, the State will continue to incarcerate offenders who commit serious, violent, or sexual crimes; but counties will supervise, imprison, and rehabilitate lower-level offenders.

By its terms, Assembly Bill 109 will not go into effect until the creation of a community corrections grant program and an appropriation of funding.

I will not sign any legislation that would seek to implement this measure without the necessary funding. In this regard, I intend to work closely with, and consult, police chiefs, sheriffs, chief probation officers, district attorneys and representatives of the counties and courts to ensure that any funding bill which makes Assembly Bill 109 operative is sufficient to protect public safety.

Regrettably, the measure that would provide stable and constitutionally protected funding for public safety has not yet passed the Legislature. In the coming weeks, and for as long as it takes, I will vigorously pursue my plan to balance the State's budget and prevent reductions to public safety through a constitutional guarantee. I will also continue to partner with counties and law enforcement on this important effort.

Sincerely,

Edmund G. Brown Jr.

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To the Members of the California State Senate:

I am signing **Senate Bill 226**.

I am signing Senate Bill 226, which will avoid costly and repetitive permitting for certain renewable power projects that the California Energy Commission licensed in the period between August 15, 2007 and before September 1, 2011.

This bill does not otherwise limit any of the Commission's authority to permit renewable energy projects, including the ability to relicense a facility that was not specifically described in this bill or adopt any other lawful procedure to streamline worthy projects.

Sincerely,

Edmund G. Brown Jr.