

# **DTSC LEGISLATIVE SUMMARY**



## **2001 Legislative Session**

**A compilation of legislation from the first year of the 2001-2002 Legislative Session  
affecting the Department of Toxic Substances Control**



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# **State of California**

**Gray Davis**  
Governor

**Winston H. Hickox**  
Secretary for Environmental Protection  
California Environmental Protection Agency

## **Department of Toxic Substances Control**

**Edwin F. Lowry**  
Director

**February 2002**

Prepared by:  
Department of Toxic Substances Control  
Office of Legislation  
Alan H. Gordon, Legislative Director  
(916) 322-3902

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# Introduction

This report identifies all legislation considered by the California State Legislature during the 2001 Legislative Session, the first year of the 2001-2002 Legislative Session, that either directly or indirectly affects the Department of Toxic Substances Control's (DTSC) mission and programs. In some instances, bills that initially affected DTSC were later amended to address completely different subjects. These bills are also included in this report and are described in both their introduced and amended forms (amended titles and summaries are italicized).

Bills noted as "Chaptered" were passed by the Legislature and signed by the Governor. Bills noted as "Vetoed" were passed by the Legislature and vetoed by the Governor (veto and signing messages are included at the end of this report). Bills noted as "Two-year Bills" failed to be enacted in the 2001 Legislative Session but can be considered in the 2002 Legislative Session without being reintroduced. DTSC-sponsored bills are underlined.

The 2001 Legislative Session included two extraordinary legislative sessions that dealt specifically with energy-related legislation. Bills noted as "Dead" failed to be enacted in either the First or Second Extraordinary Legislative Session. Several bills that died in the First Extraordinary Legislative Session were reintroduced in the Second Extraordinary Legislative Session.

The report lists the bills in numerical order and by subject area. Except for urgency, tax levy, election, and appropriation measures, which take effect upon the date of signing, all statutes take effect on January 1<sup>st</sup> of the following year. Bills enacted during an extraordinary session (designated by an "X" in the bill number) take effect 91 days after the adjournment of the session during which the bill is passed.

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.

Please direct all inquiries regarding this report to:

Department of Toxic Substances Control  
Office of Legislation  
1001 I Street, P.O. Box 806  
Sacramento, California 95812-0806  
(916) 322-3902

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

*The DTSC 2001 Legislative Summary can also be viewed on DTSC's internet site:  
<http://www.dtsc.ca.gov>*

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# Acronyms

<b>AB</b>	Assembly Bill
<b>AESTM</b>	Assembly Environmental Safety and Toxic Materials Committee
<b>CalARP</b>	California Accidental Release Prevention Program
<b>Cal/EPA</b>	California Environmental Protection Agency
<b>CEQA</b>	California Environmental Quality Act
<b>CLEAN</b>	Cleanup Loans and Environmental Assistance to Neighborhoods
<b>DTSC</b>	Department of Toxic Substances Control
<b>FAIR</b>	Financial Assurance and Insurance for Redevelopment
<b>PUC</b>	Public Utilities Commission
<b>SB</b>	Senate Bill
<b>SEQ</b>	Senate Environmental Quality Committee
<b>SPER</b>	Senate Public Employment and Retirement Committee
<b>State</b>	The State of California

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# **Assembly Bills**

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**AB 8 Cedillo – Downtown Rebound Program (Stats. 2001, ch. 3) URGENCY**

AB 8 increases the per-unit loan amount that is authorized under the Downtown Rebound Program to convert commercial or industrial structures into rental housing units. Amounts are increased from \$40,000 to \$55,000 for low-income units and from \$20,000 to \$35,000 for other units. The bill requires that units be located in an elementary school attendance area in which at least 50 percent of students qualify for free meals.

**ABX1 9 Richman – Energy Resources (Dead) URGENCY**

ABX1 9 would have required the State Energy Resources Conservation and Development Commission (Energy Commission) to identify regions within the State with the greatest supply-demand imbalance and request those regions to identify one or more potential sites for future electrical generation. The bill was reintroduced in the Second Extraordinary Session as ABX2 24.

**ABX2 17 Rod Pacheco – Energy: Environmental Protection (Dead)**

ABX2 17 would have exempted energy repowering projects from the requirements of the California Environmental Quality Act (CEQA) if they provide additional electricity; emit fewer air, water, and thermal contaminants; and have previously completed the environmental review process required by CEQA. The bill was introduced in the First Extraordinary Session as ABX1 55.

**ABX1 18 Hertzberg / Goldberg – Public utilities: Public Utilities Commission: Department of Water Resources / Energy Conservation: Hospital Efficiency Program (Dead)**

As introduced, ABX1 18 would have authorized the Department of Water Resources to enter into long-term and other energy contracts on behalf of State energy consumers, authorized the State to accept any tangible or intangible asset of an investor-owned utility, authorized the State Treasurer to issue revenue bonds for limited purposes, and appropriated as a loan an unspecified amount from the General Fund to the Department of Water Resources for working capital. *As amended, ABX1 18 would have required the Energy Commission to establish a competitive grant program to reduce peak load demand for public and private hospitals by installing thermal energy storage technologies. The bill would have appropriated \$20 million from the General Fund to fund the grants. The bill was reintroduced in the Second Extraordinary Session as ABX2 18.*

**ABX2 18 Goldberg – Energy Conservation: Hospital Efficiency Program (Dead) URGENCY**

ABX2 18 would have required the Energy Commission to establish a competitive grant program to reduce peak load demand for public and private hospitals by installing thermal energy storage technologies. The bill would have appropriated \$20 million from the General Fund to fund the grants. The bill was introduced in the First Extraordinary Session as ABX1 18.

**ABX1 20 Zettel – Powerplant Siting (Dead)**

ABX1 20 would have allowed local air pollution control districts and local air quality management districts to issue temporary, expedited, consolidated permits for power

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plants under specified conditions. Operation of these facilities would have been limited to Stage 3 electrical emergencies.

**ABX2 22 Canciamilla – Air Pollution: Emission Reduction Credits (Dead)**

ABX2 22 would have authorized the Air Resources Board to develop and adopt a system by which emission reductions created as a result of programs it has established may be banked or otherwise used to offset increases in air pollutants from new peaking power plants.

**ABX2 24 Richman – Energy Resources (Dead) URGENCY**

ABX2 24 would have required the Energy Commission to identify regions within the State with the greatest supply-demand imbalance and request those regions to identify one or more potential sites for future electrical generation. The bill was introduced in the First Extraordinary Session as ABX1 9.

**ABX1 26 La Suer – State Energy Resources Conservation and Development Commission: Audit (Dead)**

ABX1 26 would have directed the Bureau of State Audits to conduct a process audit of the Energy Commission's notice and certification procedures for approving the siting and construction of thermal power plants.

**ABX2 26 Calderon – Electrical Energy: State Energy Resources Conservation and Development Commission: Energy Loans: Electrical Corporations: Tariffs (Stats. 2001-02, ch. 15) URGENCY**

ABX2 26 requires the Public Utilities Commission (PUC), when establishing new tariffs for customers using distributed energy resources, to consider specified factors so that customers with more efficient units pay a lower cost. The bill was introduced in the First Extraordinary Session as ABX1 75.

**AB 29 Papan – Capital Access Loan Program: Financial Institutions: Pollution Control Authority (Stats. 2001, ch. 160) URGENCY**

AB 29 enacts various clean up provisions to legislation enacted last year that affected the Capital Access Loan Program for small businesses.

**ABX1 31 Wright – Energy (Stats. 2001-02, ch. 13) URGENCY**

ABX1 31 authorizes regional air quality management districts to allow permitted stationary sources to operate emergency electrical power generating equipment during periods of involuntary power service interruption solely to prevent damage to their equipment or to complete the processing of products that would be irreparably damaged or destroyed as a direct result of the interruption, under specified conditions.

**ABX1 34 La Suer – State Energy Resources Conservation and Development Commission: Audit (Dead)**

ABX1 34 would have directed the Technology, Trade and Commerce Agency and a panel of experts established by the Legislature to conduct a process audit of the

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Energy Commission's notice and certification procedures for approving the siting and construction of thermal power plants.

**AB 36 Steinberg – Confidentiality of Writings (Two-year Bill)**

AB 36 would limit the use of secrecy agreements and protective orders in defective product and environmental hazard cases if the information would protect the public from defective products and environmental hazards.

**ABX1 36 Wright – Powerplant Siting (Dead) URGENCY**

ABX1 36 would have added repowering projects to the expedited review process by which the Energy Commission is required to issue final certification for thermal power plants that will not cause significant adverse effects on the environment or the electrical system. The bill was reintroduced in the Second Extraordinary Session as ABX2 48.

**AB 43 Wesson – Public Employment (Stats. 2001, ch. 836)**

AB 43 directs the Commission on the Status of Women to conduct a study on gender-based compensation and classification inequities in State civil service and higher educational institutions.

**ABX2 44 Alquist – Electrical Energy: Renewable Energy and Cogeneration Powerplants (Dead)**

ABX2 44 would have required the Energy Commission to develop and implement a procedure for the regulation and siting of new or updated qualifying small power production cogeneration facilities, as defined. The bill was introduced in the First Extraordinary Session as ABX1 61.

**ABX2 46 Rod Pacheco – Public Utilities: Involuntary Blackouts (Dead)**

ABX2 46 would have codified the existing list of exemptions from rolling blackouts issued by PUC and PUC's authority to modify the list, as necessary.

**ABX2 48 Wright – Powerplant Siting / Energy Conservation (Stats. 2001-2002, ch. 17)**

As Introduced, ABX2 48 would add repowering projects to the expedited review process by which the Energy Commission is required to issue final certification for thermal power plants that will not cause significant adverse effects on the environment or the electrical system. *As chaptered, ABX2 48 creates the Solar Training, Education, and Certification Act of 2001, a three-part program that fills in gaps in existing State programs designed to encourage the use of solar energy systems. The bill was introduced in the First Extraordinary Session as ABX1 36.*

**AB 51 Shelley – Lead-Safe Schools (Two-year Bill)**

AB 51 would make various amendments to the Lead-Safe Schools Protection Act, including requiring school districts to make public the results of inspections for lead hazards, notifying parents of these hazards, and conducting follow-up inspections every

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three years. If enacted, this bill would only go into effect if SB 21 (concerning school lead hazard inspections, training, and abatement) is also enacted.

**ABX1 55 Rod Pacheco – Energy: Environmental Protection (Dead)**

ABX1 55 would have exempted energy repowering projects from CEQA's requirements if they provide additional electricity; emit fewer air, water, and thermal contaminants; and have previously completed the environmental review process required by CEQA. The bill was reintroduced in the Second Extraordinary Session as ABX2 17.

**ABX1 59 Robert Pacheco – Electricity Generation: Local Government (Dead) URGENCY**

ABX1 59 would state the intent of the Legislature that, notwithstanding any other provisions of law, a local government entity be permitted to operate fossil fuel fired electric generators that have not been retrofitted to meet current air quality standards when it is necessary to do so in order to ensure the continued supply of electricity for the operation of the local government entity's facilities.

**AB 61 Florez – Hazardous Waste Disposal Fees / Safe Drinking Water State Revolving Fund (Stats. 2001, ch. 619)**

As introduced, AB 61 would exempt the operator of a hazardous waste disposal facility from having to forward State disposal fee revenue to the Board of Equalization if the operator has not yet received the disposal fee payment from the generator. *As chaptered, AB 61 expands the eligibility for State and federal grants and loans that are provided to local water system projects under the Safe Drinking Water State Revolving Fund program to include private not-for-profit water companies.*

**ABX1 61 Alquist – Electrical Energy: Renewable Energy and Cogeneration Powerplants (Dead)**

ABX1 61 would have required the Energy Commission to develop and implement a procedure for the regulation and siting of new or updated qualifying small power production or cogeneration facilities, as defined. The bill was reintroduced in the Second Extraordinary Session as ABX2 44.

**ABX1 65 Wyman – Environmental Protection: Transmission Path 15 (Dead)**

ABX1 65 would have exempted from CEQA's requirements any project primarily involving the planning, funding, design, site acquisition, construction, operation, or maintenance of new or replacement facilities or structures associated with the transmission path known as "Path 15" near Los Banos.

**AB 69 Wright – Electricity: Governmental Entities in Los Angeles County: Contracts (Vetoed) URGENCY**

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AB 69 would have allowed governmental entities in Los Angeles County to purchase electricity for their own use from the Los Angeles Department of Water and Power rather than from Southern California Edison, if they were within Southern California Edison's service territory.

**ABX1 75 Calderon – Electrical Energy: Natural Gas Generators: Air Pollution (Dead)**

ABX1 75 would have required PUC, when establishing new tariffs for customers using distributed energy resources, to consider specified factors so that customers with more efficient units pay a lower cost. The bill was reintroduced in the Second Extraordinary Session as ABX2 26.

**ABX1 76 Leslie – Energy: Environmental Protection (Dead) URGENCY**

ABX1 76 would have exempted from CEQA's requirements any activity or approval necessary for or incidental to the repair, rehabilitation, design, construction, operation, or maintenance of the facilities and water rights of Federal Energy Regulatory Commission Project 184, as defined, for hydroelectric power or consumptive uses.

**AB 80 Havice – School Safety: Lead (Two-year Bill)**

AB 80 would require all school districts in the State to send their district level maintenance supervisors to training classes conducted by the Department of Health Services' California Lead-Safe Schools Project. Upon completion of the training, the supervisors would be required to train maintenance employees in procedures and methods for recognizing lead hazards, avoiding undue lead exposures while performing their maintenance duties, and undertaking lead abatement work that does not require a State lead worker certificate.

**ABX1 94 Campbell – Powerplants: California Environmental Quality Act (Dead)**

ABX1 94 would have declared the intent of the Legislature to enact a program that would stabilize statewide electrical grid reliability by expediting the environmental review process under CEQA for projects relating to the construction of "clean" or "green" energy power plants.

**AB 95 Cardenas – 2001-02 Budget (Two-year Bill)**

AB 95 would contain proposed appropriations for display purposes to support State government for the 2001-2002 fiscal year.

**AB 112 Longville – California Infrastructure and Economic Development Bank: Eligible Projects (Two-year Bill)**

AB 112 would make acquisition of sensitive wildlife habitat eligible for low-interest loans from the California Infrastructure and Economic Development Bank.

**AB 146 Wayne – State Attorneys and Administrative Law Judges: Service on Governmental Bodies (Stats. 2001, ch. 411)**

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AB 146 allows attorneys employed by the State in non-elective positions and administrative law judges to serve on a local appointed or elected governmental board, commission, committee, or other body, or as a local elected official, if such service would not present a conflict of interest. The bill brings the rules for attorneys employed by the State into conformity with longstanding rules for attorneys employed by local government entities.

**AB 162 Daucher – Energy: Generators (Two-year Bill)**

AB 162 would allow air pollution control districts and air quality management districts to establish guidelines for the permitting of electric power generators by specifying the best available control technologies and other requirements to encourage the use of lower emitting technologies.

**AB 178 Cox – Housing Standards: Molds (Two-year Bill)**

AB 178 would require landlords who knew or should have known that mold is or has been present in the building, heating, ventilating, or air conditioning system, or the surrounding environment to provide a specified notice to current tenants and prospective tenants or lessees if the mold exceeds specified standards. The bill would impose a civil penalty not to exceed \$1,000 for each violation of this requirement. The requirements of the bill would not apply until the Department of Health Services adopts specified standards. The bill would add mold contamination of the indoor air to the list of dangerous conditions that constitute a substandard building.

**AB 192 Canciamilla – State Bodies: Open Meetings (Stats. 2001, ch. 243)**

AB 192 clarifies provisions of the Bagley-Keene State Open Meetings Act and updates provisions that govern the use of technological devices to hold public meetings.

**AB 212 Correa – Redevelopment: Tustin Marine Corps Air Station (Stats. 2001, ch. 123)**

AB 212 requires the City of Tustin to convey 100 acres of designated property on the former Tustin Marine Corps Air Station to the Santa Ana Unified School and Rancho Santiago Community College Districts for a future K-14 school facility.

**AB 226 Campbell – Powerplant Facilities: Incentives (Two-year Bill)**

AB 226 would change the allocation of property tax revenues derived from new and repowered power plant facilities and require PUC to issue certain findings during the process of certifying new power generating facilities.

**AB 254 Frommer – Brownfields Loans: CLEAN Program (Stats. 2001, ch. 548) URGENCY**

AB 254 makes several technical and clarifying changes to the Cleanup Loans and Environmental Assistance to Neighborhoods (CLEAN) loan program, a recently established loan and grant program for site investigation and clean up of brownfield properties.

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**AB 271 Canciamilla – Environmental Quality: In-fill Development (Two-year Bill)**

AB 271 would exempt from CEQA's requirements any proposed development that occurs within an urbanized unincorporated area on a project site of no more than five acres substantially surrounded by urban uses that meets all other conditions for in-fill development projects.

**AB 284 Jackson – Public Health: Fungal Contamination in Indoor Environments (Stats. 2001, ch. 550)**

AB 284 requires the California Research Bureau to conduct a study and to publish findings on fungal contamination in indoor environments and to report its findings to the Department of Health Services and the Legislature by January 1, 2003.

**AB 331 Goldberg – 2002 Recycled Water Task Force (Stats. 2001, ch. 590)**

AB 331 requires the Department of Water Resources to convene a 2002 Recycled Water Task Force to advise it in investigating the opportunities for using recycled water in industrial and commercial applications and in identifying impediments and constraints to increasing the industrial and commercial use of recycled water.

**AB 363 Steinberg – Attorneys (Two-year Bill)**

AB 363 would provide that all public agency attorneys that are licensed in the State should be provided with adequate guidance to reasonably determine the circumstances under which they may properly seek to protect the public interest even at the risk of disclosing client confidences.

**AB 378 Calderon – Water Quality: Cleanup (Stats. 2001, ch. 332)**

AB 378 makes it a specific requirement of the Porter-Cologne Water Quality Control Act that groundwater clean up systems must, in cleaning up polluted groundwater, meet all the requirements of the water quality laws; ensure that drinking water agencies and interests are consulted when a groundwater aquifer that affects them is being cleaned up; and enable local and regional water agencies, under supervision of the regional water quality control boards, to carry out investigations of groundwater pollution when the regional water quality control boards do not have the time, resources, or personnel to do the investigations themselves.

**AB 384 Nation – Water Quality / Isolated Wetlands (Two-year Bill)**

As introduced, AB 384 would make technical, nonsubstantive changes to the definition of "contamination" in the Porter-Cologne Water Quality Control Act. *As amended, AB 384 would require the State Water Resources Control Board, in consultation with the Resources Agency, to prepare a report for submittal to the Legislature that indicates the projected*

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*workload, personnel requirements, and regulatory steps needed to fully implement a water quality permitting program to conserve and protect isolated wetlands that are not subject to regulation pursuant to the federal Clean Water Act.*

**AB 387 Robert Pacheco – Public Health: Chromium VI (Two-year Bill)**

AB 387 would express the intent of the Legislature to commence the process for adopting a primary drinking water standard for chromium of 2.5 parts per billion and for chromium VI of 0.2 parts per billion.

**AB 388 Strom-Martin – Oil Spill Response / Industrial Hemp: Research (Two-year Bill)**

As introduced, AB 388 would annually appropriate \$125,000 to the Office of Oil Spill Prevention and Response to develop and conduct training of staff and other personnel to respond to toxic spills requiring the rescue of wildlife. *As amended, AB 388 would allow privately funded research on industrial hemp to be conducted in the State after the Department of Justice issues a state controlled substance registration and the federal Drug Enforcement Administration issues a federal controlled substance registration for research on the agronomic potential of industrial hemp.*

**AB 393 Romero – Hexavalent Chromium: Study: San Gabriel Basin (Two-year Bill)**

AB 393 would require the Department of Health Services to determine the levels of hexavalent chromium in the drinking water supplied by the public water systems in the San Gabriel Basin aquifer. The bill would require the Department of Health Services to consult with the Office of Environmental Health Hazard Assessment in making its determination of the exposure levels and risks to the public due to the levels of hexavalent chromium. The bill would require that the findings be reported to the Governor and Legislature no later than January 1, 2003.

**AB 414 Dutra – Hazardous Waste Disposal: Lead: Nickel: Copper (Stats. 2001, ch. 861)  
URGENCY**

AB 414 exempts a State or local agency from the existing law prohibiting the disposal, at other than a hazardous waste disposal facility, of soil contaminated with lead in excess of 350 parts per million. The bill also extends the sunset date on the disposal restrictions on wastes contaminated with specified levels of lead, copper, or nickel from July 1, 2003, to July 1, 2006.

**AB 415 Runner – Emergency Services: Liability (Two-year Bill)**

AB 415 would mandate that any person who knowingly or willfully engages in conduct that violates specified sections of the Vehicle Code and proximately causes any incident that results in an appropriate emergency response by a public agency to the incident, is liable to the public agency for the expense of that emergency response, up to \$1,000 per incident.

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**AB 422 Diaz – Lead Hazards: Blood Lead Tests: Abatement (Two-year Bill)**

AB 422 would enact the Childhood Lead Poisoning Safety Act of 2001 that would authorize enforcement agencies, as defined, if there is probable cause to believe that a building or premises poses a lead-hazard risk, to enter and inspect public and residential buildings and premises. The bill would grant to these enforcement agencies authority related to inspecting business records, ordering abatement of lead hazards, and issuing stop work orders. The bill would specify civil and criminal penalties for violations of its provisions. The bill would expand the reporting requirements of all medical laboratories that test for blood lead levels. The bill would establish that any condition on real property that the local health department determines is a lead hazard to children is a public nuisance.

**AB 460 Wyman – Energy Transmission: Path 15 (Two-year Bill)**

AB 460 would require the Energy Commission to allocate \$10 million to the Transmission Authority of Northern California to fund environmental studies of Path 15.

**AB 498 Chan – Persistent, Bioaccumulative Toxins (Two-year Bill)**

AB 498 would require the Secretary of Cal/EPA to submit to the Legislature a statewide strategy to eliminate all releases of persistent, bioaccumulative toxins into the State's environment. The bill would require the Secretary to conduct a series of meetings with business leaders, environmental organizations, and the general public to develop that strategy.

**AB 556 Jackson – Oil and Gas Development: Pipelines (Two-year Bill)**

AB 556 would require oil produced offshore to be transported to onshore processing facilities by pipeline only, and that all pipelines used to transport this oil use best available technology to ensure maximum protection of public health and the environment. The bill would authorize transportation alternatives for oil that is too viscous to be practically transported by pipeline.

**AB 560 Jackson – Local Used Oil Collection Programs: Storm Water Runoff Pollution (Stats. 2001, ch. 500)**

AB 560 authorizes local governments to use grant money administered by the California Integrated Waste Management Board for devices that remove petroleum wastes from stormwater drains.

**AB 569 La Suer – Powerplant Siting (Two-year Bill) URGENCY**

AB 569 would require the Energy Commission to authorize construction and use of generating facilities, require resolution of permit appeals in 30 days, extend the authority of air quality and air pollution control districts to issue expedited permits, and exempt repowering projects from environmental impact report requirements under CEQA.

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**AB 599     Liu – Groundwater Contamination: Quality Monitoring Program (Stats. 2001, ch. 522)**

AB 599 requires the State Water Resources Control Board to integrate existing monitoring programs and design new program elements, as necessary, to establish a comprehensive monitoring program capable of assessing each groundwater basin in the State through direct and other statistically reliable sampling approaches. The bill creates an interagency task force to identify actions necessary to establish the monitoring program and to identify measures that would increase coordination among State and federal agencies that collect groundwater contamination information.

**AB 619     Wayne – State Employees: Scientists (Two-year Bill)**

AB 619 would require a person appointed to any State scientist class on or after January 1, 2002, to have, at a minimum, a four-year degree in a scientific discipline from an accredited university.

**AB 647     Horton – Whistleblower Protection: Reporting By Community College Employee of Improper Governmental Activities Act (Stats. 2001, ch. 416)**

AB 647 expands provisions of the Reporting by Community College Employees of Improper Governmental Activities Act to authorize community college employees to file retaliation complaints with the State Personnel Board.

**AB 664     Dutra – Hazardous Materials Handling Charge: Nonprofit Corporations / Domestic Violence Programs (Stats. 2001, ch. 707)**

As amended on May 21, 2001, AB 664 would exempt non-profit religious organizations that are primarily engaged in worship, religious training or study, the administration of an organized religion, or the promotion of religious activities, from having to pay the annual toxic materials fee assessed to corporations that use, store, or generate hazardous materials. *As chaptered, AB 664 appropriates \$2 million to the Office of Criminal Justice Planning to fund local domestic violence programs that previously received funds but were not selected for funding in 2001.*

**AB 677     Steinberg – Persons with Disabilities (Stats. 2001, ch. 708)**

AB 677 requires the State to comply with the same nondiscrimination obligations regarding protected class members that it currently applies to its political subdivisions, contractors, and other recipients of State financial assistance. The bill revises the definition of "disability" for these purposes and makes changes with regard to the Department of Motor Vehicles' disability parking placards program.

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**AB 702 Jackson – Hazardous Substance Remediation: Pilot Project (Two-year Bill) URGENCY**

AB 702 would establish a pilot program at Cal/EPA to provide grants to 10 cities, counties, or development agencies to develop a multi-parcel risk assessment approach for determining appropriate response actions at brownfields and other local hazardous substance release sites in need of clean up or other forms of mitigation.

**AB 709 Wayne – Codisposal Sites: Cleanup (Two-year Bill)**

AB 709 would require the California Integrated Waste Management Board, in consultation with the State Water Resources Control Board and DTSC, to assess existing and suspected codisposal sites and create a list by January 1, 2003, of those sites that are most in need of clean up.

**AB 711 Assembly Environmental Safety and Toxic Materials Committee – Administrative Orders (Stats. 2001, ch. 663)**

AB 711 amends the process used by local enforcement agencies to carry out corrective action orders and changes the allocation of administrative penalties collected.

**AB 712 Maldonado – Hazardous Materials: Inventory (Two-year Bill)**

AB 712 would allow a local agency that is responsible for administering hazardous materials inventory requirements to exempt a hazardous materials handler from some inventory updating requirements if the hazardous materials handler requests the exemption and the local agency finds that the change in inventory does not substantially increase any risk to health and safety or to the environment.

**AB 729 Kehoe – California Defense Retention and Conversion Act of 1999: Military Environmental Review Reimbursement Fund / Replacement Pier and Dredging Project: Waste Discharge Permit Fee Waiver (Stats. 2001, ch. 664)**

As introduced, AB 729 would require the Secretary of the Technology, Trade, and Commerce Agency to provide for reimbursement to State agencies conducting an environmental review of military projects, subject to approval by the Secretary of Cal/EPA, when the military command requesting a permit provides a written statement to the State agency that payment of a fee would be precluded by federal law and other criteria are met. *As chaptered, AB 729 prohibits the State Water Resources Control Board or a regional water quality control board from imposing a fee on the U.S. Navy's Replacement Pier and Dredging Project at the U.S. Naval Station in San Diego.*

**AB 736 Oropeza – State Employees: Memorandum of Understanding (Two-year Bill) URGENCY**

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AB 736 would ratify Memoranda of Understanding negotiated between the State and employees in State Bargaining Unit 9, Professional Engineers, exclusively represented by Professional Engineers in State Government.

**AB 751 Jackson – Mercury-Containing Lamp Waste (Two-year Bill)**

AB 751 would require that all mercury-containing lamp waste (with some exceptions) be managed as hazardous waste and all recycling of mercury-containing lamp waste be done in the same manner as universal waste or at a permitted hazardous waste facility.

**AB 763 Shelley – Dymally-Alatorre Bilingual Services Act: Internet Information (Two-year Bill)**

AB 763 would require that information and materials provided over the Internet explaining services available from a State agency be translated into any non-English language spoken by a substantial number of persons served by the agency. The bill would also authorize State agencies to contract for Internet based interpretation services.

**AB 805 Shelley – State Agency Websites: Non-English Information (Two-year Bill)**

AB 805 would require each State agency that has a website to provide links to non-English information.

**AB 845 Nakano – Qualified Alternative Technology: State Air Resources Board: Perchloroethylene (Two-year Bill)**

AB 845 would require the Air Resources Board to identify qualified alternative technologies for dry cleaning operations that are more protective of air and water than current dry cleaning technologies using perchloroethylene. After the qualified alternative technologies have been identified, dry cleaners would be eligible to receive a tax credit for 50 percent of the cost of implementing them, up to an as yet unspecified amount.

**AB 850 Rod Pacheco – Public Contracts: Void Contracts (Two-year Bill)**

AB 850 would require that a contract involving a public entity be declared void by the awarding entity within one year of the conviction of an employee or officer of either the contractor or the contracting public entity for extortion in connection with the formation or awarding of the contract.

**AB 857 Wiggins – State Comprehensive Plan (Two-year Bill)**

AB 857 would declare the intent of the Legislature that the Governor's Office of Planning and Research prepare by June 30, 2003, a State Comprehensive Plan to articulate a statewide, 20-year vision for the State based upon specified goals.

**AB 867 Cardoza – State Employees: Memorandum of Understanding / County Employees: Law Enforcement: Retirement (Stats. 2001, ch. 784)**

As introduced, AB 867 would ratify Memoranda of Understanding negotiated between the State and employees in State Bargaining Unit 7, Protective Services and Public Safety, exclusively represented by the California Union of Safety Employees. As

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*chaptered, AB 867 makes modifications to the San Luis Obispo and Stanislaus County retirement systems requested by those counties and provides additional clarifying language regarding the expenditure of certain additional funds appropriated by the 2001-02 Budget Act to the sheriffs of the 37 smallest counties in California.*

**AB 914 Shelley – Public Records (Two-year Bill)**

AB 914 would amend the Public Records Act to require public agencies and courts to release to the public any record not expressly prohibited from disclosure by a specific provision of law if the agency or court finds that withholding the record would harm the public interest, public safety, or the constitutional rights of any person.

**AB 925 Aroner – Employment of Persons with Disabilities (Two-year Bill)**

AB 925 would revise and expand programs to assist persons with disabilities to become employed.

**AB 928 Daucher – Live Near Your Work Program (Two-year Bill)**

AB 928 would enact the Live Near Your Work Program to provide grants through local jurisdictions to assist individuals to buy or rent housing near their work. The bill would create the Live Near Your Work Fund and continuously appropriate any money deposited in the fund for use by the Department of Housing and Community Development to administer the program.

**AB 933 Migden – State Employees: Compensation (Stats. 2001, ch. 366)**

AB 933 appropriates funds for the Memoranda of Understanding between the State and nine of its employee bargaining units.

**AB 955 Florez – Agricultural Disaster Prevention: Quarantine Powers (Stats. 2001, ch. 503)**

AB 955 makes several technical and minor changes to provisions governing the authority of the Secretary of Food and Agriculture to administer animal quarantines, animal disposal, and compensation to ranchers and others, and addresses the related authority of the State Veterinarian.

**AB 960 Keeley – Crime Prevention: Environmental Prosecution Project (Vetoed)**

AB 960 would have appropriated \$300,000 from the General Fund to the Office of Criminal Justice Planning for allocation to a nonprofit organization to fund the Environmental Circuit Prosecutor Project.

**AB 966 Wesson – Resources Recovery Allocated Credit / Baldwin Hills Conservancy (Two-year Bill)**

As introduced, AB 966 would declare the intent of the Legislature to enact legislation

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that would require the California Integrated Waste Management Board to establish a source reduction and recycling program for electronic waste. *As amended, AB 966 would increase the number of voting members on the Baldwin Hills Conservancy from 9 to 11 with the new voting members being the Los Angeles County Supervisor representing the Baldwin Hills area and an additional public member.*

**AB 967 Chan – Building Standards: Military Bases (Stats. 2001, ch. 418)**

AB 967 allows additional buildings on the Oakland Army Base that were not transferred from the federal government until after the January 1, 2002, deadline for adopting a graduated compliance plan, to be included in the exemption for compliance with State and local building standards until the January 1, 2007, deadline.

**AB 972 Calderon – School Facilities: Preliminary Endangerment Assessment: Phase I Environmental Assessment (Stats. 2001, ch. 865) URGENCY**

AB 972 clarifies and streamlines the process that school districts must follow when submitting phase I environmental assessments to the Department of Education, allows school districts to choose the timing of submitting preliminary endangerment assessments to DTSC for review, and extends the public notice and comment periods to comply with CEQA requirements.

**AB 986 Firebaugh – Air Quality (Two-year Bill)**

AB 986 would exempt chemical exposure occurring from onroad heavy-duty truck or bus engines from the warning requirements of the Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65) if the Air Resources Board or the U.S. Environmental Protection Agency has certified emission standards for the engines, and if a statewide warning, as defined, is published annually for that emission. The bill would provide for the repeal of the exemption on the occurrence of specified events, or on December 31, 2005, whichever occurs first.

**AB 1014 Papan – California Public Records Act: Disclosure Procedures (Stats. 2001, ch. 355)**

AB 1014 requires State and local agencies to assist the public in making requests for public records. The bill requires public agencies to assist members of the public identify information and records that are responsive to a request, describe the medium and location of the records, provide suggestions for overcoming any practical basis for denying access to the records, and provide an estimated date and time when disclosable public records will be made available.

**AB 1015 Wright – Employment: Retaliation (Stats. 2001, ch. 820)**

AB 1015 extends employee anti-discrimination laws to applicants for employment and job training programs, and prohibits discrimination against employees and applicants for employment engaged in lawful conduct outside of employment, as specified. The bill exempts law enforcement agencies from its provisions.

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**AB 1037 Firebaugh – State Attorneys: Compensation (Two-year Bill)**

AB 1037 would require that attorneys subject to the collective bargaining process and employed by the State be compensated, at a minimum, with wages and benefits that are consistent with specified salary parity provisions for public sector attorneys. The bill would require that compensation of State attorneys in State Bargaining Unit 2 be no less than the average total compensation of public sector attorneys, as specified. The bill would require the Department of Personnel Administration to annually determine the average salary for each specified level and region in the State.

**AB 1050 Kehoe – Local Agency Meetings: Closed Sessions (Two-year Bill)**

AB 1050 would implement specified requirements for local agency closed session meetings that pertain to real property transactions.

**AB 1082 Nation – Public Employees' Retirement: Local Safety Members (Stats. 2001, ch. 787)**

AB 1082 allows all counties and local contracting agencies of the California Public Employees Retirement System to include park rangers, as specified, in the "county peace officer" local safety category.

**AB 1086 Calderon – Environmental Quality: Residential Infill Development Project (Two-year Bill)**

AB 1086 would require a lead agency to: a) prepare a negative declaration or a mitigated negative declaration for a residential infill development project subject to environmental review under CEQA if that project meets specified criteria; b) prepare an infill project-specific focused environmental impact report if the project meets the above specified and additional criteria; and c) prepare an infill focused environmental impact report if the project meets the above specified and a third set of criteria.

**AB 1110 Pescetti – State Employees: Reinstatement (Vetoed)**

AB 1110 would have made various changes to the provisions governing treatment of State employees who are separated from State service after being absent without leave.

**AB 1114 Pescetti – Brownfields Redevelopment (Two-year Bill)**

AB 1114 would provide exemption/immunization from existing State liability laws for several categories of persons who engage in the investigation and clean up of brownfield properties. This bill would authorize DTSC, the State Water Resources

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Control Board, and regional water quality control boards to enter into Covenants Not to Sue agreements with potential brownfield developers. This bill would establish a State-subsidized program to insure repayment of loans from private lending institutions for brownfield property clean up. The bill would require Cal/EPA to develop a wide range of "screening values" for hazardous materials that would be used for brownfield evaluations and clean up. The bill would appropriate \$40 million from the General Fund to fund the insurance program provisions.

**AB 1162 Alquist – Public Employees' Retirement: Postretirement Death Benefits (Two-year Bill)**

AB 1162 would increase the lump-sum death benefits for State and school members of the California Public Employees Retirement System from \$2,000 to \$5,000.

**AB 1187 Simitian – Solid Waste: Recycling: Tires: Used Oil (Stats. 2001, ch. 316)**

AB 1187 makes technical and clarifying changes to the California Integrated Waste Management Act of 1989 regarding: a) the total grant amount awarded to local governments to prevent disposal of hazardous waste at solid waste disposal sites; b) waste tire clean up and abatement order procedures; c) waste and used tire haulers; and d) used oil collection center gallon collection limits.

**AB 1192 Pavley – Water Quality and Watershed Protection Act of 2002 (Two-year Bill)**

AB 1192 would authorize, subject to voter approval on an unspecified statewide election ballot, the issuance and sale of an unspecified amount of State general obligation bonds to finance programs for water conservation, stormwater quality improvement, watershed protection and management, water quality improvement in the Malibu Creek watershed, water recycling, drinking water quality, water contaminant removal and management, river parkways, nonpoint source pollution control, urban stream restoration, and ambient water quality monitoring.

**AB 1201 Pavley – Stormwater Pollution: Used Oil Recycling Fund (Stats. 2001, ch. 317)**

AB 1201 adds education and mitigation projects relating to stormwater pollution from oil and oil byproducts to the activities that are eligible to receive funding from the California Used Oil Recycling Program administered by the California Integrated Waste Management Board.

**AB 1209 La Suer – State-Mandated Local Programs (Two-year Bill)**

AB 1209 would provide that on or after January 1, 2002, legislation that mandates a new program or higher level of service on any local government shall include a provision to repeal the enactment within six years.

**AB 1259 Wiggins – Hazardous Waste Facilities Permits: Suspension (Stats. 2001, ch. 461)**

AB 1259 authorizes DTSC to suspend or deny a permit for a hazardous waste facility if the owner or operator is delinquent in paying fees or penalties owed to DTSC. The bill requires DTSC to reinstate a permit that is suspended upon payment of the amount due if the permit has not otherwise been suspended or revoked for other reasons.

**AB 1265 Campbell – Powerplants: California Environmental Quality Act (Two-year Bill)**

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AB 1265 would declare the intent of the Legislature to enact a program that would stabilize statewide electrical grid reliability by expediting the environmental review process under CEQA for projects relating to the construction of "clean" or "green" energy power plants.

**AB 1266 Campbell – Large Energy Consumers: Generation (Two-year Bill)**

AB 1266 would declare the intent of the Legislature to enact legislation, for purposes of statewide electrical grid reliability, that would immediately eliminate all non environmental statutes and regulations that discourage large energy consumers from generating their own power.

**AB 1281 Cedillo – Public Employees: Representation (Stats. 2001, ch. 790)**

AB 1281 requires local agencies to recognize an employee organization as the exclusive representative of the employees in an appropriate unit based upon a signed petition, authorization cards, or union membership cards showing that a majority of the employees desire such recognition.

**AB 1283 Florez – Environmental Quality: Dairies (Two-year Bill)**

AB 1283 would provide that when an environmental impact report has been prepared for a dairy expansion, improvement, or development project pursuant to CEQA, the project applicant may submit the environmental impact report to the Attorney General for review to determine whether it substantially complies with the requirements of law. The bill would establish a rebuttable presumption of the validity of the environmental impact report if the Attorney General has found that it substantially complies with the requirements of law.

**AB 1301 Goldberg – School Facilities: Site Contamination: Belmont Learning Complex (Stats. 2001, ch. 947)**

AB 1301 requires the Los Angeles Unified School District to prepare a remedial investigation and feasibility study of the Belmont Learning Center and to submit the study to DTSC for review by January 1, 2003. The bill requires the Los Angeles Unified School District to reimburse DTSC for any of its oversight costs.

**AB 1310 Zettel – Electrical Generation: Construction and Operation of Powerplants on Prison Property (Two-year Bill)**

AB 1310 would express the intent of the Legislature to enact legislation that would expedite the construction and operation of new power plants on State-owned prison property.

**AB 1313 Pavley – Hazardous Waste: Fertilizing Materials (Two-year Bill)**

AB 1313 would establish the Toxic Fertilizer Prevention Act to provide labeling and regulation by DTSC of hazardous wastes added to fertilizer products.

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**AB 1329 Lowenthal – Hazardous Waste Testing Laboratories: Recyclable Materials (Stats. 2001, ch. 866)**

AB 1329 reinstates a limited regulatory exemption from the requirement that waste analyses required by the Hazardous Waste Control Law be performed in a laboratory certified by the Department of Health Services. The bill also prohibits offsite recycling of wastewater at a facility that has not obtained a hazardous waste facilities permit if the wastewater contains used oil over a specified amount.

**AB 1340 Kelley – Underground Storage Tanks: Claims (Two-year Bill)**

AB 1340 would require the State Water Resources Control Board to use money from the Underground Storage Tank Cleanup Fund to pay the claims of certain owners or operators of underground storage tanks who possess claims awaiting payment from the fund that total more than \$32,000,000, as of December 31, 2000.

**AB 1365 Ashburn – Environmental Quality: Sewage Sludge (Two-year Bill)**

AB 1365 would designate any public agency engaged in the treatment or generation of sewage sludge as the lead agency for environmental review purposes for the transportation, disposal, use, land application, or storage of that sewage sludge within or outside its boundaries.

**AB 1374 Wiggins – Public Employee Benefits: Workers' Compensation: Leave of Absence for Disability (Stats. 2001, ch. 791)**

AB 1374 provides that a leave of absence by a city, county, or district firefighter from a job-related injury or illness shall not be deemed to constitute family care and medical leave or used to reduce the time authorized for family care and medical leave.

**AB 1432 Corbett – Office of Emergency Services (Stats. 2001, ch. 822)**

AB 1432 allows the Director of the Office of Emergency Services to implement cost-effective mitigation measures as part of the repairs of public facilities for projects in areas where a state of emergency has been proclaimed by the Governor. The bill extends the sunset date of the Disaster Response-Emergency Operations Account until January 1, 2003.

**AB 1436 Correa – Military Base Reuse: Orange County (Two-year Bill)**

AB 1436 would authorize a single local reuse entity to negotiate and award design-build contracts, notwithstanding certain competitive bidding requirements, for various projects that support redevelopment at the site of a closed military base. The bill would require the contract to be entered into within seven years after the execution of a deed or lease in furtherance of the conveyance by the U.S. Department of Defense to a single local reuse entity that has authority over the property on which the improvements will be located.

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**AB 1465 Nation – Underground Storage Tank Cleanup Fund (Stats. 2001, ch. 154)**

AB 1465 makes several technical and clarifying changes to the underground storage tank laws and expands the universe of petroleum underground storage tanks covered by the clean up program.

**AB 1469 Leslie – Energy: El Dorado Irrigation District: Project 184 (Two-year Bill) URGENCY**

AB 1469 would appropriate \$7,982,937 from the Department of Water Resources for allocation as a loan to the El Dorado Irrigation District for expenditure on the Federal Energy Regulatory Commission's Project 184 in order to accelerate power generation from that project. The bill would require that the loan be repaid with interest in the form of electricity delivered to or on behalf of the State, as directed by the Department of Water Resources.

**AB 1481 Frommer – Urban Park Act of 2001 (Stats. 2001, ch. 876)**

AB 1481 enacts the Urban Park Act of 2001 to direct money for acquisition of land in heavily urbanized areas in order to provide more park space in underserved neighborhoods.

**AB 1483 Richman – California Threatened Water Supply Act of 2001 (Two-year Bill)**

AB 1483 would prohibit a regional water quality control board from issuing a waste discharge permit for a new solid waste landfill or a lateral expansion of an existing landfill if the regional water quality control board determines that the landfill site is within a critical water supply area.

**AB 1492 Leonard – Nuclear-Fueled Powerplant (Two-year Bill)**

AB 1492 would authorize the Department of Water Resources, to the extent permitted by federal law, to acquire property, construct, finance, own, and operate a nuclear-fueled power plant for the purpose of operating the Edmonston Pumping Plant. The bill would authorize the issuance of an as yet unspecified amount of revenue bonds to fund the construction of the power plant and provide that the revenue from the sale of power shall be pledged first to the payment of the principal and interest on the revenue bonds.

**AB 1507 Canciamilla – Accidental Release Prevention (Two-year Bill)**

AB 1507 would provide that the State's program for the prevention of accidental releases of regulated substances, developed by the U.S. Environmental Protection Agency pursuant to the Clean Air Act, shall be known as the "California Accidental Release Prevention Program" or "CalARP."

**AB 1510 Ashburn – Dry Cell Batteries (Two-year Bill)**

AB 1510 would require the Environmental Policy Council to perform a study and submit a report to the Legislature by July 31, 2003, regarding available recycling opportunities and reclamation practices and the environmental impact of randomly disposing of spent dry cell batteries containing zinc electrodes in a solid waste landfill. The bill would appropriate \$125,000 from the General fund to the Environmental Policy Council to

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prepare this report.

**AB 1529 Wyman – Transmission Lines (Two-year Bill)**

AB 1529 would require the Energy Commission to establish a procedure for the expedited review of any utility corridor, defined as an area where an electric transmission line, natural gas pipeline, and water pipeline converge.

**AB 1532 Pavley – Environmental Quality (Stats. 2001, ch. 867)**

AB 1532 requires a lead agency, as designated by CEQA, to call at least one scoping meeting for a project that has statewide, regional, or areawide significance, and requires the lead agency to provide notice of the meeting to specified entities. AB 1532 also requires the submission of transportation information to the transportation planning agency in a project's region and to the Department of Transportation for a project of statewide, regional, or areawide significance.

**AB 1553 Keeley – Environmental Justice: Guidelines (Stats. 2001, ch. 762)**

AB 1553 requires the Governor's Office of Planning and Research to adopt by July 1, 2003, guidelines for addressing environmental justice issues in city and county general plans and to hold public hearings on the draft guidelines.

**AB 1554 Hertzberg – State Employee Health Benefits: Employer Contributions (Vetoed)  
URGENCY**

AB 1554 would have repealed provisions in the Government Code that allow collective bargaining agreements to override the statutory formula, adjusted by the Legislature in the annual Budget Act, for determining the State's contribution to health benefits for its employees and annuitants.

**AB 1559 Diaz – Department of Information Technology (Two-year Bill)**

AB 1559 would eliminate the statutory sunset for the Department of Information Technology, the Hawkins Data Center, the Health and Human Services Agency Data Center, and the Stephen P. Teale Data Center, and make other substantive and clarifying changes pertaining to the Department of Information Technology's responsibilities.

**AB 1563 Aanestad – State Employees: Supervisors: Meeting and Conferring (Two-year Bill)**

AB 1563 would authorize an employee organization representing supervisors of employees in State Bargaining Unit 6 (Correctional Peace Officers) to become the supervisors' exclusive representative for purposes of meeting and conferring with the State regarding wages, hours, benefits, and working conditions.

**AB 1565 Mountjoy – Drinking Water: Fluoridation (Two-year Bill)**

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AB 1565 would authorize the introduction of a fluoride-releasing compound into a public water supply for the purpose of controlling tooth decay only if the Department of Health Services meets certain conditions.

**AB 1624 Zettel – Information Technology (Two-year Bill)**

AB 1624 would rename the Department of Information Technology the Information Technology Agency, and rename the director the Secretary of Information Technology. The bill would require the agency and secretary to perform various additional duties with respect to the development of a State internet portal for access to State government internet services, the creation of an electronic procurement program for State agencies, and the implementation and oversight of various State information technology services. It would appropriate \$100,000,000 from the General Fund to the agency for hardware, software, and training to State employees for delivering services relating to the development of a State internet portal and the electronic procurement program.

**AB 1629 Pescetti – Environmental Protection (Two-year Bill)**

AB 1629 would express the Legislature's intent that a single unified code of environmental protection statutes be established that would be administered by a single environmental protection agency.

**AB 1635 Vargas – Personnel Records (Vetoed)**

AB 1635 would have allowed employees, at their own expense, to obtain copies of the same personnel records that they may now inspect.

**AB 1646 Richman – Public Health: Drinking Water: Chromium VI (Two-year Bill)**

AB 1646 would require the Department of Health Services to create a separate category for chromium VI and to reduce the maximum allowable limit from 50 parts per billion to 2.5 parts per billion.

**AB 1664 Pavley – Water Quality (Stats. 2001, ch. 869)**

AB 1664 clarifies existing law relating to water quality enforcement by the State Water Resources Control Board and the regional water quality control boards.

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**AB 1708 Committee on Transportation – Hazardous Waste: Tow Trucks (Two-year Bill)**

AB 1708 would authorize a tow truck driver who is removing a disabled vehicle from a roadway and cleaning up a release of vehicular waste to transport that waste from the scene without the completion of a hazardous waste manifest and without being a registered hazardous waste transporter, if specified conditions are satisfied.

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# Senate Bills

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**SBX1 5 Sher – State Energy Projects (Stats. 2001-02, ch. 7) URGENCY**

SBX1 5 appropriates \$708.9 million to various State agencies to implement energy efficiency programs and supplement existing energy efficiency programs.

**SB 11 Escutia – Confidentiality of Writings (Two-year Bill)**

SB 11 would limit the use of secrecy agreements and protective orders in cases involving allegedly defective products or environmental hazards to increase public awareness of these potentially lethal hazards.

**SB 21 Escutia et al. – Lead-Safe Schools (Two-year Bill)**

SB 21 would expand the Lead-Safe Schools Program by requiring school districts to inspect elementary schools, public preschools, and public day care facilities constructed prior to 1992 for lead hazards using inspectors or assessors accredited by the Department of Health Services. The bill would require all school districts, in conjunction with the Department of Health Services, to develop an inspection plan, review inspection results, and devise an appropriate abatement and control plan, where necessary.

**SBX1 28 Sher – Energy Siting of Power Plants: Unemployment Insurance (Stats. 2001-02, ch. 12) URGENCY**

SBX1 28 contains several provisions intended to increase construction and operation of power plants, and provides a 10-year waiver of standby charges for specified distributed generation facilities.

**SBX1 29 Soto – Electricity Production: Methane Demonstration Project (Dead) URGENCY**

SBX1 29 would have appropriated \$5,000,000 from the General Fund to the Energy Commission to fund research on emerging anaerobic digestion technologies by the State's institutions of higher learning and other qualified public and private entities, and \$20,000,000 to match up to 50 percent of the funds provided by water or wastewater treatment facilities and other qualified public or private entities for the construction and operation of pilot projects to demonstrate the feasibility and practical application of anaerobic digestion technologies. The bill was reintroduced in the Second Extraordinary Session as SBX2 29.

**SBX2 29 Soto – Electricity Production: Methane Demonstration Project (Dead) URGENCY**

Same bill as SBX1 29.

**SB 32 Escutia – Contaminated Property: Restoration (Stats. 2001, ch. 764)**

SB 32 creates a local agency hazardous materials clean up program to expedite the clean up of brownfields. The bill also requires the development and use of screening values to aid developers in quickly determining whether a potential brownfield redevelopment project would be cost effective.

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**SBX1 33 Machado – Gas Corporation Public Utility: Eminent Domain (Dead)**

SBX1 33 would have authorized a gas corporation public utility, until June 1, 2002, to exercise the power of eminent domain to compete with another entity in the offering of natural gas and services related to natural gas. The bill was reintroduced in the Second Extraordinary Session as SBX2 33.

**SBX2 33 Machado – Gas Corporation Public Utility: Eminent Domain (Dead)**

Same bill as SBX1 33.

**SBX1 34 Knight - Powerplants: Military Installations (Dead)**

SBX1 34 would have exempted from environmental review under CEQA an expedited review by the Energy Commission of an existing or new power plant proposed on an active military reservation. The bill was reintroduced in the Second Extraordinary Session as SBX2 34.

**SBX2 34 Knight - Powerplants: Military Installations (Dead)**

Same bill as SBX1 34.

**SB 46 Polanco – Vehicles: Department of Motor Vehicles: Private Industry Partners: Tow Trucks (Stats. 2001, ch. 127) URGENCY**

SB 46 makes several changes to existing law regarding the regulation and oversight of tow trucks and provides statutory authorization for the Department of Motor Vehicles to conduct electronic vehicle registration and titling programs in conjunction with private entities.

**SB 53 Torlakson – Community Redevelopment Disaster Project Law (Stats. 2001, ch. 9) URGENCY**

SB 53 makes the Community Redevelopment Disaster Project Law permanent by repealing the January 1, 2001, sunset provision.

**SBX1 64 Costa – Energy: Qualified Agricultural Biomass: Incentive Grants (Dead) URGENCY**

SBX1 64 changes the definition of facility as it relates to the Agricultural Biomass-to-Energy Incentive Grant Program, administered by the Technology, Trade and Commerce Agency, in order to allow additional facilities to receive funding. The bill was reintroduced in the Second Extraordinary Session as SBX2 64.

**SBX2 64 Costa – Energy: Qualified Agricultural Biomass: Incentive Grants (Stats. 2001-02, ch. 4) URGENCY**

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Same bill as SBX1 64.

**SBX1 65 McPherson – Department of Water Resources: Electric Power (Dead) URGENCY**

SBX1 65 would have prohibited payments or claims for payment arising from the Department of Water Resources' activities relating to the purchase and sale of electric power from being construed to be obligations of, or paid from, any State Water Resources Development System funds. The bill would have appropriated \$42,900,000 from the General Fund to the Department of Water Resources for deposit in the California Water Resources Development Bond Fund. The bill was reintroduced in the Second Extraordinary Session as SBX2 65.

**SBX2 65 McPherson – Department of Water Resources: Electric Power (Dead) URGENCY**

Same bill as SBX1 65.

**SB 75 Peace – 2001-02 Budget (Two-year Bill)**

SB 75 would enact the 2001-02 Senate version of the State budget.

**SB 136 Figueroa – Professional Boards (Stats. 2001, ch. 495)**

SB 136 extends the sunset review dates for the Board of Guide Dogs for the Blind, California Tax Education Council, and the California Council for Interior Design Certification; increases licensing fees for professional engineers and land surveyors regulated by the Board of Professional Engineers and Land Surveyors; and makes other changes pursuant to the recommendations of the Joint Legislative Sunset Review Committee and the Department of Consumer Affairs.

**SB 153 Knight – Pilot Projects: State and Local Programs (Stats. 2001, ch. 115)**

SB 153 repeals 90 pilot projects in current law identified by the California Law Revision Commission as either expired or obsolete, including an outdated hazardous waste reduction internship pilot program.

**SB 189 Bowen – Controlled Substance Release: Notification (Stats. 2001, ch. 466)**

SB 189 requires the owner or seller of residential real property to disclose to a potential buyer or renter of that property whether there has been a release of a hazardous substance from a clandestine drug lab. The bill requires the owner or seller of residential real property to give the prospective purchaser or tenant a copy of any notice received from, among others, law enforcement, DTSC, or the county health department advising the owner of the release on the property. The bill imposes civil damages for nondisclosure.

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**SB 232**     **Sher – Environmental Protection: Financial Assurance and Insurance for Redevelopment Program (Two-year Bill) URGENCY**

SB 232 would establish the Financial Assurance and Insurance for Redevelopment (FAIR) Program, to be administered by Cal/EPA, to assist persons who clean up brownfields and underutilized properties in urban areas purchase environmental insurance. The bill would provide subsidies for insurance premiums and cost overruns, and authorize Cal/EPA and DTSC to use Cleanup Loans and Environmental Assistance to Neighborhoods (CLEAN) account funds to cover the costs of negotiating the insurance contracts and other purposes that stimulate the redevelopment of brownfields.

**SB 243**     **Kuehl – Radiation Safety Act of 2001 (Two-year Bill)**

SB 243 would establish specified prohibitions against the disposal of low level-radioactive materials and the sale of properties contaminated by radioactivity.

**SB 244**     **Speier – Environmental Quality: Airport Expansion and Enlargement Projects (Stats. 2001, ch. 534)**

SB 244 increases the review period for draft environmental impact reports for airport expansion or enlargement projects and clarifies that the acquisition of tideland or submerged land for airport expansion or enlargement requires city or county approval.

**SB 260**     **Senate Environmental Quality Committee – Department of Toxic Substances Control (Two-year Bill)**

SB 260 would chapter and codify a portion of the Governor's Reorganization Plan No. 1 of 1991, which became effective July 17, 1991. The provisions of this bill would define, in statute, DTSC and the Office of the Director, and grant various powers and responsibilities related to appointing staff, receiving and expending funds, possessing and controlling assets, and enforcing the law related to hazardous waste and hazardous substances.

**SB 263**     **Johnson – Limited Liability Partnerships: Limited Liability Companies (Stats. 2001, ch. 425)**

SB 263 requires the Secretary of State to include with instructional materials related to the registration of limited liability partnerships (LLP) and limited liability companies (LLC) a notice that registration will obligate the LLP or LLC to pay an annual tax to the Franchise Tax Board for the calendar year of registration. The notice will be updated annually to specify the annual tax payable to the Franchise Tax Board.

**SB 271**     **O'Connell – Hazardous Waste Transportation: Manifests: Information (Stats. 2001, ch. 319)**

SB 271 streamlines the transportation of hazardous wastes from small generators and used oil-related operations by establishing new consolidated manifesting procedures that allow generators to ship more kinds of wastes at a lower cost than when they use individual manifests. The bill also provides State and local agencies with additional information to ensure safe, cradle-to-grave management of these hazardous wastes.

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**SB 286 Soto – School Safety: Hazardous Substances (Vetoed)**

SB 286 would have required the Department of Education to study and report to the Legislature on the use of substances as part of educational instruction that have chemical risks that outweigh the educational benefits.

**SB 315 Alpert – San Diego Advisory Committee for Environmentally Superior Antifouling Paints (Stats. 2001, ch. 469)**

SB 315 creates, until January 1, 2004, the San Diego Advisory Committee for Environmentally Superior Antifouling Paints and appropriates money from the Harbors and Watercraft Revolving Fund to pay for a report on vessel coatings.

**SB 351 Ortiz – Public Health: Drinking Water: Hexavalent Chromium Standard (Stats. 2001, ch. 602)**

SB 351 requires the Department of Health Services to adopt a primary drinking water standard for hexavalent chromium (chromium VI). The bill requires the Department of Health Services to report to the Legislature on its development of a primary drinking water standard for chromium VI by January 1, 2003, and to adopt the standard by January 1, 2004.

**SB 359 Murray – Parks and Recreation: Urban Parks and Healthy Communities (Stats. 2001, ch. 877)**

SB 359 creates the California Youth Soccer and Recreation Development Program in the Department of Parks and Recreation and enacts the State Urban Parks and Healthy Communities Act.

**SB 369 Perata – Building Standards (Two-year Bill)**

SB 369 would include additional designated buildings at the Oakland Army Base within existing State building and fire safety standards.

**SB 373 Torlakson – Environmental Education: Waste: Recycling (Stats. 2001, ch. 926)**

SB 373 establishes the Office of Integrated Environmental Education at the California Integrated Waste Management Board to develop and implement, in cooperation with the Department of Education, a unified education strategy on the environment for elementary and secondary schools in the State.

**SB 399 Ackerman – Business Organizations: Conversions (Two-year Bill)**

SB 399 would establish the process by which a California corporation may convert into another form of California business entity (limited liability company, general partnership, or limited partnership). The bill would specify the effects of conversion on the rights and obligations of shareholders (or other holders of interest) and on creditors of the converting corporation or business entity. The bill would also specify the impact of conversion on real property owned by a converting business entity that is transferred

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during the conversion to the new business entity.

**SB 413 Speier – State Auditor: Whistleblowing (Stats. 2001, ch. 883)**

SB 413 makes changes to the California Whistleblower Protection Act, which provides protection to State employees who report improper governmental activities.

**SB 438 Monteith – Pesticides: Methodology (Two-year Bill)**

SB 438 would declare the intent of the Legislature to enact legislation specifying the permissible scientific methodology for measuring pesticide residues and establishing pesticide tolerances.

**SB 439 Monteith – Environmental Quality: Homeownership, Employment, and Education (Two-year Bill)**

SB 439 would revise CEQA to require that governmental agencies consider the effects of a proposed project on homeownership, employment, and educational opportunities when determining whether the project has a significant impact on the environment. The bill would require that governmental agencies consider the rapidly increasing population of California and the benefits of alternatives to a project that impacts homeownership, employment, and educational opportunities for future generations. The bill would expand CEQA's definition of "emergency" to include circumstances involving unusually high unemployment rates, unusually high dropout rates at high schools, or extreme poverty levels in relevant jurisdictions.

**SB 441 Sher – Solid Waste Management (Two-year Bill) URGENCY**

SB 441 would make clarifying and technical changes to the California Integrated Waste Management Act of 1989.

**SB 448 Perata – Liability: Injuries to Peace Officers, Firefighters, and Emergency Medical Personnel (Stats. 2001, ch. 140)**

SB 448 modifies the "firefighter's rule" to permit firefighters, police officers, or emergency medical personnel (emergency workers) to sue for injuries sustained while attending to an emergency where the conduct that caused injury to the emergency worker violates a statute, ordinance, or regulation, and is not the conduct that caused the emergency that necessitated the emergency worker's response.

**SB 453 Alarcon – Hazardous Waste Treatment: Elementary Neutralization Activities (Two-year Bill)**

SB 453 would exempt tanks, piping, and ancillary equipment that is used to neutralize water demineralization wastes at investor-owned power plants located on federal land from the secondary containment requirements that apply to generators of hazardous

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wastes.

**SB 460 Scott – Public Health: Drinking Water: Chromium VI Investigation (Two-year Bill)**

SB 460 would expand the Department of Health Services' efforts regarding the contaminant hexavalent chromium (chromium VI) in drinking water supplies.

**SB 468 Sher – Hazardous Materials Response Actions: Brownfields: Insurance (Stats. 2001, ch. 549)**

SB 468 establishes an environmental insurance program, the Financial Assurance and Insurance for Redevelopment (FAIR) program, to make environmental insurance for brownfields clean up and redevelopment more affordable. The bill authorizes the use of CLEAN account funds to help pay environmental insurance premiums for CLEAN loan recipients.

**SB 469 Alpert – Water Quality: Total Maximum Daily Loads (Two-year Bill)**

SB 469 requires the State Water Resources Control Board to adopt guidelines for the listing and delisting of impaired waters by July 1, 2003.

**SB 470 Sher – Hazardous Waste Control: Management: Used Oil (Stats. 2001, ch. 605) URGENCY**

SB 470 corrects several technical problems in the hazardous waste laws; clarifies exemptions from those laws; reenacts and modifies expired authorities allowing DTSC to prevent the transportation, storage, treatment, and disposal of hazardous waste by unqualified and irresponsible parties; provides for tailored management requirements to facilitate the safe conduct of specified hazardous waste activities; and exempts an engine oil management technology from regulation under the hazardous waste laws.

**SB 471 Sher – Proposition 65: Toxic Chemicals (Stats. 2001, ch. 578)**

SB 471 makes changes to the enforcement of the Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65).

**SB 472 Soto – Public Health: Hexavalent Chromium: Study (Two-year Bill)**

SB 472 would require the Department of Health Services to report to the Legislature and the Governor, by January 1, 2003, on the levels of hexavalent chromium (chromium VI) in the drinking water supplied by the public water systems in the Chino Basin aquifer, and, in consultation with the Office of Environmental Health Hazard Assessment, assess the public health risks.

**SB 483 Sher – Surface Mining and Reclamation (Two-year Bill)**

SB 483 would earmark a portion of annual tidelands oil revenue for remediation and reclamation of abandoned mines and extend until January 1, 2007, the authority of the Director of the Department of Conservation to remediate or reclaim orphan abandoned mines.

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**SB 496 Sher – Environmental Quality (Two-year Bill) URGENCY**

SB 496 would require State agencies to use criteria developed by the Governor's Office of Planning and Research to determine when a proposed project is of sufficient statewide, regional, or areawide environmental significance that it shall be submitted to appropriate State agencies for review and comment prior to completion of an environmental impact report or negative declaration.

**SB 519 Vincent – Military Base Conversion: Housing (Two-year Bill)**

SB 519 would establish the California Temporary Military Affordable Housing Authority within the California Housing and Finance Agency to, among other things, examine and select housing units on a decommissioned military base for renovation and leasing as affordable senior housing.

**SB 526 Sher – Underground Storage Tanks: Discharges: Closure: Data Storage (Two-year Bill)**

SB 526 would clarify, for purposes of the Underground Storage Tank Cleanup Program administered by the State Water Resources Control Board, underground storage tank closure certification requirements and database classification for underground storage tanks that may have contained MTBE.

**SB 532 Sher – Greenhouse Emissions / Electrical Services: California Renewables Portfolio Standard Program (Two Year Bill)**

As introduced, SB 532 would require the California Air Resource Board, in consultation with the Energy Commission, to establish an inventory of the sources of greenhouse gas emissions produced from sources located in the State, and to advise State, regional, and local agencies on cost-effective and technologically feasible methods to reduce the production of greenhouse gases. *As amended, SB 532 would continue, for another five years, the Public Interest Research, Development, and Demonstration Program and the Renewable Energy Program. The bill would also create a California Renewables Portfolio Standard Program to increase by 2010 the percentage of energy generated in California from renewable sources from the current 10 percent to 20 percent.*

**SB 561 Morrow – Administrative Procedure Act (Stats. 2001, ch. 59)**

SB 561 corrects technical drafting errors in two code sections regarding the rulemaking provisions of the Administrative Procedures Act that were enacted last year.

**SB 601 McClintock – Powerplant Upgrades: Exemption From Environmental Regulation (Two-year Bill)**

SB 601 would exempt any project to upgrade the physical characteristics of a power plant that has been previously approved to operate from the power plant siting requirements of the Warren-Alquist Act, from environmental review under CEQA, and from any statute or regulation that governs air or water quality.

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**SB 619 Perata – San Francisco Bay Area Rapid Transit District (Two Year Bill) URGENCY**

SB 619 would specify that the San Francisco Bay Area Rapid Transit District's seismic retrofit work on any existing structures or facilities that are necessary for rapid transit service, because this work is considered to be an action necessary to prevent or mitigate an emergency, is exempted from environmental review under CEQA if the district conducts three workshops and other outreach efforts to ensure public awareness of the proposed seismic retrofit work.

**SB 633 Sher – Hazardous and Solid Waste: Mercury (Stats. 2001, ch. 656)**

SB 633 enacts the California Mercury Reduction Act of 2001, which bans the sale or supply of mercury fever thermometers by July 1, 2002; the manufacture, sale, or distribution of novelty products containing mercury by January 1, 2003; the purchase for classroom use of mercury-containing chemicals, devices, or other materials; and the sale of any vehicle with a mercury light switch mounted under the hood or in the trunk by January 1, 2005.

**SB 634 Murray – Lead Poisoning Prevention (Two-year Bill)**

SB 634 would require the Department of Health Services to develop a community-based lead hazard preliminary assessment training program in coordination with local health departments. The bill would require counties to provide, at least annually, training workshops to train parents and community volunteers to conduct preliminary assessments. The bill would require the Department of Health Services to develop a specified training and certification program for clearance technicians, who would be certified to conduct preliminary assessments and clearance examinations.

**SB 648 Senate Environmental Quality Committee – Public Contracts: Preferences: Recycled Products (Two-year Bill)**

SB 648 would make clarifying and technical changes to the Department of General Services' existing reporting requirements regarding the procurement of recycled materials.

**SB 691 McPherson – Governmental Liability: Attorney's Fees (Two-year Bill)**

SB 691 would require the court to award attorney's fees to a prevailing local governmental entity that successfully defends a local mobile home rent control law against a mobile home park owner challenge under specified situations.

**SB 693 Scott – Commencement of Actions: Hazardous Substances (Two-year Bill)**

SB 693 would provide that in any civil action for injury or illness based upon exposure to a hazardous substance, the time for commencement of the action shall be no later than one year after the plaintiff is diagnosed with a medical condition causally related to that exposure, and the diagnosis includes the causal relation between the injury and the exposure. The bill would define a hazardous substance for purposes of these provisions to include ammonium perchlorate, any chemical on the list of chemicals known to cause cancer or reproductive toxicity published by the Governor, and any hazardous waste identified by the DTSC.

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**SB 702 Escutia – Chronic Disease: Environmental Determinants (Stats. 2001, ch. 538)**

SB 702 declares the Legislature's intent to establish an Environmental Health Surveillance System to track the relationship between chronic diseases and environmental exposures in accordance with the recommendations of a working group established by the Division of Environmental and Occupational Disease Control at the Department of Health Services. The bill requires the working group to submit its report to the Legislature by July 1, 2002.

**SB 709 Alpert – School Facilities (Two-year Bill)**

SB 709 would modify existing requirements specifying that a commercial building be in substantial compliance with the Field Act in order for a school district to lease or purchase the building for use as a school building.

**SB 718 Poochigian – Income and Corporation Taxes: Oil Recycling (Two-year Bill)**

SB 718 would provide a credit equal to 35 percent of a taxpayer's costs during the taxable year for purchase of any equipment that is used to recycle used motor oil. If the credit exceeds a taxpayer's tax liability, any excess credit could be carried over to future years until exhausted. The bill would appropriate \$400,000 from the California Used Oil Recycling Fund to the California Integrated Waste Management Board to advertise the advantages of using recycled oil.

**SB 728 Ortiz – State Employees: Memoranda of Understanding (Two-year Bill) URGENCY**

SB 728 would ratify Memoranda of Understanding between the State and State Bargaining Units 3, 4, 11, 14, 15, 17, 20, and 21, all exclusively represented by the California State Employees' Association.

**SB 732 Ortiz – Toxic Mold (Stats. 2001, ch. 584)**

SB 732 enacts the Toxic Mold Protection Act of 2001 to protect the public from adverse health effects related to the presence of molds in residential and commercial properties. The bill requires sellers of commercial or industrial real property and residential and commercial landlords who know or have reasonable cause to believe that mold affects the unit or building and either exceeds permissible exposure limits or poses a health threat according to the Department of Health Services' guidelines, to disclose this fact to prospective buyers and current and prospective tenants.

**SB 815 Machado – Discharger Legacy Pollutant Reduction Program (Two-year Bill)**

SB 815 would enact the Discharger Legacy Pollutant Reduction Program Act. The bill would establish the Legacy Pollutant Cleanup Fund and authorize the State Water Resources Control Board to expend the funds for pollutant load reduction projects and projects to clean up toxic hot spots.

**SB 828 Alarcon – Environmental Justice (Stats. 2001, ch. 765)**

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SB 828 requires the Secretary of Cal/EPA to convene the Working Group on Environmental Justice (Working Group) by January 1, 2002, instead of January 15, 2002, and requires the Working Group to assist Cal/EPA in developing an agency-wide strategy by July 1, 2002, to identify and address any gaps in existing programs, policies, or activities that may impede the achievement of environmental justice.

**SB 849     Torlakson – Oil Spills: Fees (Two-year Bill)**

SB 849 would increase the amount of the fee that the administrator for oil spill response is authorized to impose, for calendar year 2002, from four cents to six cents for each barrel of crude oil or petroleum products. The bill would authorize the administrator, on and after January 1, 2003, to adjust the amount of the annual assessment based upon changes in the California Consumer Price Index.

**SB 863     Knight – Powerplants: Military Installations (Two-year Bill)**

SB 863 would exempt from environmental review under CEQA an expedited review by the Energy Commission of an existing or new power plant proposed on an active military reservation. This is the same bill as SBX1 34.

**SB 865     Polanco – California and Mexico Border Infrastructure Financing Authority (Two-year Bill)**

SB 865 would establish a nine-member California and Mexico Border Infrastructure Financing Authority within the State Treasurer's Office.

**SB 925     Knight – California Environmental Quality Act: Mitigation Measures (Two-year Bill)**

SB 925 would make a technical, non-substantive change to CEQA's provisions that relate to the use of discretionary power by public agencies to mitigate or avoid a significant effect on the environment.

**SB 987     Escutia – The Dymally-Alatorre Bilingual Services Act (Two-year Bill)**

SB 987 would make several changes to the Dymally-Alatorre Bilingual Services Act by revising the criteria for what constitutes a "substantial number of non-English-speaking people" and requiring every State agency to establish an effective bilingual services program. The bill would establish a complaint process for individuals who believe that a State agency failed to provide required bilingual services.

**SB 998     Alarcon – Statewide Disaster Recovery Plan (Two-year Bill)**

SB 998 would appropriate \$250,000 to the Office of Emergency Services to prepare a statewide disaster recovery plan.

**SB 1011     Sher – Environmental Protection: Executive Reorganization (Two-year Bill)**

SB 1011 would repeal the various statutes that define Cal/EPA's structure, functions,

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duties, and responsibilities in the Government Code and the Health and Safety Code and reenact them in a single division in the Public Resources Code. The bill would reorganize these statutes without making substantive changes.

**SB 1023 Senate Public Employment and Retirement Committee – State Employees: Compensation: Budget Augmentation (Stats. 2001, ch. 25)**

SB 1023 appropriates \$15,674,000 to augment the State employee compensation item provided in the Budget Act of 2000.

**SB 1024 Senate Public Employment and Retirement Committee– State Employees: Memorandum of Understanding (Two-year Bill) URGENCY**

SB 1024 would ratify the Memorandum of Understanding negotiated between the State and State Bargaining Unit 10, the California Association of Professional Scientists.

**SB 1045 Polanco – Public Employment and Contracting (Two-year Bill)**

SB 1045 would reaffirm diversity as a public policy goal in public contracting and employment and make related changes.

**SB 1054 Knight – Police Protection Services / Military Base Retention (Stats. 2001, ch. 612)**

As introduced, SB 1054 would declare the Legislature’s intent to treat special districts that provide law enforcement services the same as city and county police departments. *As chaptered, SB 1054 defines a process for selecting a "single local base retention entity" to provide a means for affected local entities to cooperate in base retention efforts by authorizing the creation of a joint powers authority.*

**SB 1087 Alarcon – Environmental Impact Reports (Two-year Bill)**

SB 1087 would allow lead agencies, in preparing environmental impact reports, to include information regarding the regional environmental impacts and benefits of multiple-family residential projects if they are located on an infill development site of five acres or less in an urbanized area.

**SB 1107 Alarcon – Water Quality: Total Maximum Daily Loads (Two-year Bill)**

SB 1107 would declare the intent of the Legislature to enact a pilot program to assist local governments in complying with requirements under the federal Clean Water Act for establishing total maximum daily loads for certain pollutants at a level necessary to implement specified water quality standards.

**SB 1111 Kuehl – International Trade: Environment (Vetoed)**

SB 1111 would have required the Secretary of Cal/EPA to prepare a report that assesses the potential adverse impacts of specified international trade agreements on existing State environmental laws and regulations. The bill would have required that the report be made available to the Legislature and the public on or before January 1, 2003. A summary of the final report would have been included in the “Environmental

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Report of the Governor” published in 2003.

**SB 1141 Poochigian – Environmental Quality: Attorney General (Two-year Bill)**

SB 1141 would repeal the Attorney General’s exemption from specified provisions of CEQA, thereby making the Attorney General subject to those provisions.

**SB 1146 Margett – Water Quality (Two-year Bill)**

SB 1146 would make a technical, non-substantive change in the definition of “pollution” in the Porter-Cologne Water Quality Control Act.

**SB 1158 Knight – Hazardous Waste: Universal Waste Aerosol Cans (Stats. 2001, ch. 450)**

SB 1158 eliminates the requirement to obtain a technology certification in order to operate aerosol can processing equipment onsite without a permit or variance; deems hazardous waste aerosol cans to be “universal waste” for purposes of DTSC regulations; and specifies management standards for the collection, storage, and processing of hazardous waste aerosol cans under the streamlined provisions of California’s Universal Waste Rule.

**SB 1160 Polanco – State Attorneys and Administrative Law Judges: Compensation (Vetoed)**

SB 1160 would have required that the salaries of State attorneys in State Bargaining Unit 2 be no less than the average salaries of public sector attorneys, and that the salaries of State administrative law judges be not less than the maximum salaries of State attorneys classified at a specified level. The bill would have required the Department of Personnel Administration to conduct an annual salary survey of specified public agencies to determine the average salary of public sector attorneys.

**SB 1161 Polanco – State Civil Service: Examinations (Two-year Bill)**

SB 1161 would establish policies and procedures to ensure the broad dissemination of State examination and employment information to all sectors of the State’s workforce.

**SB 1177 Polanco – Cornfield Rail Yards (Stats. 2001, ch. 379)**

SB 1177 appropriates \$36 million for the acquisition, planning, design, environmental assessment, and environmental clean up of the 32-acre parcel known as the “Cornfield” rail yards in the City of Los Angeles.

**SB 1191 Speier – State and Local Reporting Requirements (Stats. 2001, ch. 745) URGENCY**

SB 1191 revises or deletes from current law approximately 400 provisions requiring State and local agencies to prepare and submit reports to the Legislature and the Governor that are deemed to be no longer relevant or necessary.



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<u>AB 1708</u>	<u>Assm Trans</u>	<u>Hazardous Waste: Tow Trucks</u>	Two-year Bill
SB 453	Alarcon	Hazardous Waste Treatment: Elementary Neutralization Activities	Two-year Bill
<u>SB 470</u>	<u>Sher</u>	<u>Hazardous Waste Control: Management: Used Oil</u>	<u>Statutes of 2001, Chapter 605</u>
SB 1158	Knight	Hazardous Waste: Universal Waste Aerosol Cans	Statutes of 2001, Chapter 450

## Internet: Electronic Access to Information:

AB 763	Shelley	Dymally-Alatorre Bilingual Services Act: Internet Information	Two-year Bill
AB 805	Shelley	State Agency Websites: Non-English Information	Two-year Bill
AB 1559	Diaz	Department of Information Technology	Two-year Bill
AB 1624	Zettel	Information Technology	Two-year Bill

## Land Use Issues/Private Property:

AB 112	Longville	California Infrastructure and Economic Development Bank: Eligible Projects	Two-year Bill
AB 178	Cox	Housing Standards: Molds	Two-year Bill
AB 212	Correa	Redevelopment: Tustin Marine Corps Air Station	Statutes of 2001, Chapter 123
AB 284	Jackson	Public Health: Fungal Contamination In Indoor Environments	Statutes of 2001, Chapter 550
AB 928	Daucher	Live Near Your Work Program	Two-year Bill
AB 967	Chan	Building Standards: Military Bases	Statutes of 2001, Chapter 418
AB 1050	Kehoe	Local Agency Meetings: Closed Sessions	Two-year Bill
AB 1086	Calderon	Environmental Quality: Residential In-fill Development Project	Two-year Bill
AB 1310	Zettel	Electrical Generation: Construction and Operation of Powerplants on Prison Property	Two-year Bill
AB 1436	Correa	Military Base Reuse: Orange County	Two-year Bill
AB 1481	Frommer	Urban Park Act of 2001	Statutes of 2001, Chapter 876
AB 1492	Leonard	Nuclear-Fueled Powerplant	Two-year Bill
AB 1553	Keeley	Environmental Justice: Guidelines	Statutes of 2001, Chapter 762
SB 32	Escutia	Contaminated Property: Restoration	Statutes of 2001, Chapter 764

SBX2 34	Knight	Powerplants: Military Installations	Dead
SB 53	Torlakson	Community Redevelopment Disaster Project Law	Statutes of 2001, Chapter 9 (Urgency)
SB 189	Bowen	Controlled Substance Release: Notification	Statutes of 2001, Chapter 466
<u>SB 232</u>	<u>Sher</u>	<u>Environmental Protection: Financial Assurance and insurance For Redevelopment Program</u>	<u>Two-year Bill (Urgency)</u>
SB 243	Kuehl	Radiation Safety Act of 2001	Two-year Bill
SB 244	Speier	Environmental Quality: Airport Expansion and Enlargement Projects	Statutes of 2001, Chapter 534
SB 359	Murray	Parks and Recreation: Urban Parks and Healthy Communities	Statutes of 2001, Chapter 877
SB 369	Perata	Building Standards	Two-year Bill
SB 399	Ackerman	Business Organizations: Conversions	Two-year Bill
SB 496	Sher	Environmental Quality	Two-year Bill (Urgency)
SB 519	Vincent	Military Base Conversion: Housing	Two-year Bill
SB 732	Ortiz	Toxic Mold	Statutes of 2001, Chapter 584
SB 865	Polanco	California and Mexico Border Infrastructure Financing Authority	Two-year Bill
SB 1177	Polanco	Cornfield Rail Yards	Statutes of 2001, Chapter 379

## Local Government:

AB 95	Cardenas	2001-02 Budget	Two-year Bill
AB 146	Wayne	State Attorneys and Administrative Law Judges: Service on Governmental Bodies	Statutes of 2001, Chapter 411
AB 363	Steinberg	Attorneys	Two-year Bill
AB 702	Jackson	Hazardous Substance Remediation: Pilot Project	Two-year Bill (Urgency)
AB 712	Maldonado	Hazardous Materials: Inventory	Two-year Bill
AB 857	Wiggins	State Comprehensive Plan	Two-year Bill
AB 867	Cardoza	State Employees: Memorandum of Understanding/ <i>County Employees: Law Enforcement: Retirement</i>	Statutes of 2001, Chapter 784
AB 960	Keeley	Crime Prevention: Environmental Prosecution Project	Vetoed
AB 967	Chan	Building Standards: Military Bases	Statutes of 2001, Chapter 418
AB 1050	Kehoe	Local Agency Meetings: Closed Sessions	Two-year Bill
AB 1082	Nation	Public Employees' Retirement: Local Safety Members	Statutes of 2001, Chapter 787
AB 1187	Simitian	Solid Waste: Recycling: Tires: Used Oil	Statutes of 2001, Chapter 316
AB 1209	La Suer	State-Mandated Local Programs	Two-year Bill
AB 1365	Ashburn	Environmental Quality: Sewage Sludge	Two-year Bill
AB 1374	Wiggins	Public Employee Benefits: Workers' Compensation: Leave of Absence for Disability	Statutes of 2001, Chapter 791
AB 1553	Keeley	Environmental Justice: Guidelines	Statutes of 2001, Chapter 762
SB 32	Escutia	Contaminated Property: Restoration	Statutes of 2001, Chapter 764
SB 153	Knight	Pilot Projects: State and Local Programs	Statutes of 2001, Chapter 115
SB 244	Speier	Environmental Quality: Airport Expansion and Enlargement Projects	Statutes of 2001, Chapter 534
SB 448	Perata	Liability: Injuries to Peace Officers, Firefighters, and	

SB 619	Perata	Emergency Medical Personnel	Statutes of 2001, Chapter 140
SB 634	Murray	San Francisco Bay Area Rapid Transit District	Two-year Bill (Urgency)
SB 1191	Speier	Lead Poisoning Prevention	Two-year Bill
		State and Local Reporting Requirements	Statutes of 2001, Chapter 745 (Urgency)

## Methamphetamines

SB 189	Bowen	Controlled Substance Release: Notification	Statutes of 2001, Chapter 466
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## Pollution Prevention (Source Reduction/Waste Minimization):

AB 845	Nakano	Qualified Alternative Technology: State Air Resources Board: Perchloroethylene	Two-year Bill
AB 966	Wesson	Resources Recovery Allocated Credit/ <i>Baldwin Hills Conservancy</i>	Two-year Bill
SB 315	Alpert	San Diego Advisory Committee for Environmentally Superior Antifouling Paints	Statutes of 2001, Chapter 469
SB 815	Machado	Discharger Legacy Pollutant Reduction Program	Two-year Bill

## Public Records:

AB 914	Shelley	Public Records	Two-year Bill
AB 1014	Papan	California Public Records Act: Disclosure Procedures	Statutes of 2001, Chapter 355
AB 1635	Vargas	Personnel Records	Vetoed

## Recycling:

AB 331	Goldberg	2002 Recycled Water Task Force	Statutes of 2001, Chapter 590
AB 966	Wesson	Resources Recovery Allocated Credit/ <i>Baldwin Hills Conservancy</i>	Two-year Bill
AB 1201	Pavley	Stormwater Pollution: Used Oil Recycling Fund	Statutes of 2001, Chapter 317
SB 373	Toralkson	Environmental Education: Waste: Recycling	Statutes of 2001, Chapter 926
SB 648	SEQ	Public Contracts: Preferences: Recycled Products	Two-year Bill
SB 718	Poochigian	Income and Corporation Taxes: Oil Recycling	Two-year Bill
AB 1329	Lowenthal	Hazardous Waste Testing Laboratories: Recyclable Materials	Statutes of 2001, Chapter 866

## School Sites/Contamination and Safety at School Facilities:

AB 51	Shelley	Lead-Safe Schools	Two-year Bill
AB 80	Havice	School Safety: Lead	Two-year Bill
AB 212	Correa	Redevelopment: Tustin Marine Corps Air Station	Statutes of 2001, Chapter 123
AB 972	Calderon	School Facilities: Preliminary Endangerment Assessment: Phase I Environmental Assessment	Statutes of 2001, Chapter 865 (Urgency)
AB 1301	Goldberg	School Facilities: Site Contamination: Belmont Learning Complex	Statutes of 2001, Chapter 947
SB 21	Escutia, et al	Lead-Safe Schools	Two-year Bill
SB 286	Soto	School Safety: Hazardous Substances	Vetoed
SB 709	Alpert	School Facilities	Two-year Bill

## Site Mitigation/Site Clean Up/Corrective Action:

AB 8	Cedillo	Downtown Rebound Program	Statutes of 2001, Chapter 3 (Urgency)
AB 29	Papan	Capital Access Loan Program: Financial Institutions: Pollution Control Authority	Statutes of 2001, Chapter 160 (Urgency)
AB 51	Shelley	Lead-Safe Schools	Two-year Bill
AB 80	Havice	School Safety: Lead	Two-year Bill
AB 254	Frommer	<u>Brownfields Loans: CLEAN Program</u>	<u>Statutes of 2001, Chapter 548 (Urgency)</u>
AB 702	Jackson	Hazardous Substance Remediation: Pilot Project	Two-year Bill (Urgency)
AB 709	Wayne	Codisposal Sites: Cleanup	Two-year Bill
AB 972	Calderon	School Facilities: Preliminary Endangerment Assessment: Phase I Environmental Assessment	Statutes of 2001, Chapter 865 (Urgency)
AB 1114	Pescetti	Brownfields Redevelopment	Two-year Bill
AB 1301	Goldberg	School Facilities: Site Contamination: Belmont Learning Complex	Statutes of 2001, Chapter 947
AB 1481	Frommer	Urban Park Act of 2001	Statutes of 2001, Chapter 876
SB 21	Escutia, et al	Lead-Safe Schools	Two-year Bill
SB 32	Escutia	Contaminated Property: Restoration	Statutes of 2001, Chapter 764
SB 232	Sher	<u>Environmental Protection: Financial Assurance and Insurance for Redevelopment Program</u>	<u>Two-year Bill (Urgency)</u>
SB 286	Soto	School Safety: Hazardous Substances	Vetoed
SB 468	Sher	Hazardous Materials Response Actions: Brownfields: Insurance	Statutes of 2001, Chapter 549
SB 483	Sher	Surface Mining and Reclamation	Two-year Bill
SB 1177	Polanco	Cornfield Rail Yards	Statutes of 2001, Chapter 379

## Solid Waste:

AB 1187	Simitian	Solid Waste: Recycling: Tires: Used Oil	Statutes of 2001, Chapter 316
SB 441	Sher	Solid Waste Management	Two-year Bill (Urgency)
SB 633	Sher	Hazardous and Solid Waste: Mercury	Statutes of 2001, Chapter 656

## Toxic Mold:

AB 178	Cox	Housing Standards: Molds	Two-year Bill
AB 284	Jackson	Public Health: Fungal Contamination In Indoor Environments	Statutes of 2001, Chapter 550
SB 732	Ortiz	Toxic Mold	Statutes of 2001, Chapter 584

## Transportation:

AB 414	Dutra	Hazardous Waste Disposal: Lead: Nickel: Copper	Statutes of 2001, Chapter 861 (Urgency)
AB 556	Jackson	Oil and Gas Development: Pipelines	Two-year Bill
AB 1708	Assm Trans	Hazardous Waste: Tow Trucks	Two-year Bill
SB 46	Polanco	Vehicles: Department of Motor Vehicles: Private Industry Partners: Tow Trucks	Statutes of 2001, Chapter 127 (Urgency)
SB 271	O'Connell	Hazardous Waste Transportation: Manifests: Information	Statutes of 2001, Chapter 319
<u>SB 470</u>	<u>Sher</u>	<u>Hazardous Waste Control: Management: Used Oil</u>	<u>Statutes of 2001, Chapter 605</u>

## Underground Storage Tanks

AB 1340	Kelley	Underground Storage Tanks: Claims	Two-year Bill
AB 1465	Nation	Underground Storage Tank Cleanup Fund	Statutes of 2001, Chapter 154
SB 526	Sher	Underground Storage Tanks: Discharges: Closure: Data Storage	Two-year Bill

## Used Oil/Oil/Oily Waste:

AB 388	Strom-Martin	Oil Spill Response/ <i>Industrial Hemp: Research</i>	Two-year Bill
AB 556	Jackson	Oil and Gas Development: Pipelines	Two-year Bill
AB 1187	Simitian	Solid Waste: Recycling: Tires: Used Oil	Statutes of 2001, Chapter 316
AB 1201	Pavley	Stormwater Pollution: Used Oil Recycling Fund	Statutes of 2001, Chapter 317
AB 1329	Lowenthal	Hazardous Waste Testing Laboratories: Recyclable Materials	Statutes of 2001, Chapter 866
SB 271	O'Connell	Hazardous Waste Transportation: Manifests: Information	Statutes of 2001, Chapter 319

<u>SB 470</u>	<u>Sher</u>	<u>Hazardous Waste Control: Management: Used Oil</u>	<u>Statutes of 2001, Chapter 605</u>
SB 718	Poochigian	Income and Corporation Taxes: Oil Recycling	Two-year Bill
SB 849	Torlakson	Oil Spills: Fees	Two-year Bill

## Waste Classification:

AB 414	Dutra	Hazardous Waste Disposal: Lead: Nickel: Copper	Statutes of 2001, Chapter 861 (Urgency)
SB 243	Kuehl	Radiation Safety Act of 2001	Two-year Bill

## Water Quality:

AB 331	Goldberg	2002 Recycled Water Task Force	Statutes of 2001, Chapter 590
AB 378	Calderon	Water Quality: Cleanup	Statutes of 2001, Chapter 332
AB 384	Nation	Water Quality/ <i>Isolated Wetlands</i>	Two-year Bill
AB 387	Pacheco	Public Health: Chromium VI	Two-year Bill
AB 393	Romero	Hexavalent Chromium: Study: San Gabriel Basin	Two-year Bill
AB 599	Liu	Groundwater Contamination: Quality Monitoring Program	Statutes of 2001, Chapter 522
AB 1192	Pavley	Water Quality and Watershed Protection Act of 2002	Two-year Bill
AB 1365	Ashburn	Environmental Quality: Sewage Sludge	Two-year Bill
AB 1483	Richman	California Threatened Water Supply Act of 2001	Two-year Bill
AB 1565	Mountjoy	Drinking Water: Fluoridation	Two-year Bill
AB 1646	Richman	Public Health: Drinking Water: Chromium VI	Two-year Bill
AB 1664	Pavley	Water Quality	Statutes of 2001, Chapter 869
SBX2 29	Soto	Electricity Production: Methane Demonstration Project	Dead
SB 351	Ortiz	Public Health: Drinking Water: Hexavalent Chromium Standard	Statutes of 2001, Chapter 602
SB 460	Scott	Public Health: Drinking Water: Chromium VI Investigation	Two-year Bill
SB 469	Sher	Water Quality: Total Maximum Daily Loads	Two-year Bill
SB 471	Sher	Proposition 65: Toxic Chemicals	Statutes of 2001, Chapter 578
SB 472	Soto	Public Health: Hexavalent Chromium: Study	Two-year Bill
SB 601	McClintock	Powerplant Upgrades: Exemption from Environmental Regulation	Two-year Bill
SB 815	Machado	Discharger Legacy Pollutant Reduction Program	Two-year Bill
SB 1107	Alarcon	Water Quality: Total Maximum Daily Loads	Two-year Bill
SB 1146	Margett	Water Quality	Two-year Bill

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# Veto Messages

October 14, 2001

To Members of the California State Assembly:

I am returning Assembly Bill 69 without my signature.

This bill would allow specific governmental entities in Los Angeles County, which are currently Southern California Edison customers, to enter into direct-access electricity contracts with the Los Angeles Department of Water and Power.

Last June, approximately two percent of the customer load in the territory served by the three investor-owned utilities (IOUs) were receiving power from direct access providers. The Public Utilities Commission (PUC) recently suspended direct access, but the percentage of load subject to direct access transactions grew to as much as 13 percent or more prior to the suspension. That growth creates a significant and unfair cost burden for those customers who continue to receive power from the IOUs and the Department of Water Resources.

This rapid growth in direct access necessitates more concise cost-containment provisions for the remaining IOU customers than those contained in this bill, and those provisions should apply to *all* direct access contracts.

Moreover, this bill does not clearly authorize fees to cover costs that may result when direct access customers return to service with an IOU, which would create new and unanticipated procurement obligations for the IOU. Those new procurement obligations could come about solely because the direct access provider no longer chooses to provide service to its customers because of rising electricity costs, and instead passes that burden on to the IOU and its customers.

Any efforts to allow direct access must be equitable for all stakeholders.

Sincerely,

GRAY DAVIS

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AB 960

Keeley

Crime Prevention: Environmental Prosecution  
Project

Vetoed

October 12, 2001

To the Members of the California State Assembly:

I am returning Assembly Bill 960 without my signature.

This bill would appropriate \$300,000 from the General Fund to the Office of Criminal Justice Planning to support the Environmental Circuit Prosecutor Project (ECPP).

Notwithstanding the merits of this excellent program, I must veto this measure. Due to the rapid decline of our economy and a budget shortfall of \$1.1 billion through the first three months of this fiscal year alone, I have no choice but to oppose additional General Fund spending. However, I am directing the Environmental Protection and the Resource Agencies to bring affected state agencies and stakeholders together to help craft a long term solution for supporting the ECPP.

Sincerely,

GRAY DAVIS

October 12, 2001

To Members of the California State Assembly:

I am returning Assembly Bill 1110 without my signature.

This bill would extend the time period from 15 to 30 days during which a State employee absent without approved leave (AWOL) can file a request for reinstatement, provide that an AWOL State employee subsequently reinstated would receive back pay and benefits from the date of appeal to the date of reinstatement, and expand the authority of the Department of Personnel Administration to set aside an AWOL separation based on fraud, discrimination, or bad faith.

This bill would result in interminable costs to the State as result of awarding a reinstated employee back pay and benefits from the date of appeal to the date of reinstatement. Additionally, this bill would encourage appeals by separated employees and extend to them benefits not provided employees, who report to work, absent an excused period leave. Finally, this bill is unnecessary since the existing 15 day period affords AWOL Sate employees sufficient opportunity to request reinstatement.

Sincerely,

GRAY DAVIS

October 12, 2001

To Members of the California State Assembly:

I am returning Assembly Bill 1554 without my signature.

This bill, an urgency measure, would provide State employees with an employer-paid health benefits contribution establishment by the 100/90 Formula, which uses a weighted average of the four health plans with the highest enrollment to determine the employer's maximum monthly contribution for health benefits.

This bill would result in increased costs to the State of \$66.2 million (\$33.1 million General Fund) for State employees in 2001-02 and (\$98.4 million General Fund) for State employees in 2002-03 and annually thereafter. This bill would circumvent the collective bargaining process for represented employees and would supersede the Department of Personnel Administration's authority to determine the State's maximum monthly contribution for health benefits for State employees excluded from the collective bargaining process.

All compensation issues should be resolved through the collective bargaining process, not through piecemeal legislation.

Sincerely,

GRAY DAVIS

July 28, 2001

To Members of the California State Assembly:

I am returning Assembly Bill 1635 without my signature.

Under current law, employees have the right to inspect their own personnel records. This bill would permit employees to obtain a copy of those records, and would authorize employers to charge either a maximum copying fee of ten cents per page or an amount specified in an applicable collective bargaining agreement.

While it would modify existing law governing personnel records, this bill contains no provisions to protect the privacy of other individuals who may be identified in the personnel records. Without measures that ensure the privacy of those individuals and the confidentiality of a company's legitimate proprietary information, the potential for harm of this measure outweighs the possible benefits.

Sincerely,

GRAY DAVIS

September 23, 2001

To Members of the California State Senate:

I am returning Senate Bill 286 without my signature.

This bill would require the Department of Education, in consultation with the Department of Health Services, the Division of Occupational Safety and Health, and the Office of Environmental Health Hazard Assessment to conduct a study and report to the Legislature by May 1, 2002, on the use of hazardous substances as part of educational instruction. This bill could result in \$250,000 in General Fund costs to contract for the required study and report to the Legislature.

This bill is unnecessary, as existing law allows the governing board of any school district to request the consultation services from the California Occupational Safety and Health Consultation Service to ensure hazardous materials are properly being used and stored safely in school laboratories. Existing law also prohibits K-6 school districts from purchasing any art or craft material with toxic substances causing chronic illness. For school districts with students in grades 7-12, any part of craft materials with toxic substances must meet specified labeling standards. For these reasons, I am unable to sign this bill.

Sincerely,

GRAY DAVIS

October 11, 2001

To Members of the California State Senate:

I am returning Senate Bill 1111 without my signature.

This bill would require the Secretary of Cal-EPA to review and assess the potential impacts of specified international trade agreements on state environmental laws and regulations and to make recommendations to the Legislature based on those findings.

While I share the author's intent that California's concerns are represented in the development of trade agreements, including the impact of those agreements on our state environmental laws, this legislation does not effectively fulfill that important objective. Most critically, studying trade agreements after they are already implemented, while meritorious, has little impact on the substance of those agreements. The time to affect an agreement is during the agreement's development and negotiations.

The State of California already has and will continue to have an important voice in the development of international trade agreements, including their impact on California's environmental laws and regulations. California has a coveted seat on the United States Trade Representative's (USTR) Intergovernmental Policy Advisory Committee, which advises the USTR and other federal cabinet officials on trade matters. In addition, many Californians sit on the other 32 federal trade advisory committees, which include a committee devoted specifically to environmental issues. To amplify California's concerns, the Technology, Trade and Commerce Agency has both informally and in testimony, presented trade negotiators with analyses of trade issues regarding California's unique issues.

With regard to environmental issues on the California-Mexico border, Cal-EPA has an official slot on the federal Border Environmental Cooperation Commission (BECC). In addition, California's U.S. Senators and Representatives, the largest delegation in Congress, have a direct and constitutionally protected role in the development of trade agreements, and my Administration works regularly with them to ensure that the voices of California are reflected in trade agreements, and their enforcement.

Finally, I have asked the Secretary of the Technology, Trade and Commerce Agency to work closely with Cal-EPA and the Legislature in assessing trade initiatives and negotiations and to continue State efforts to advise federal officials on the impact of trade agreements on California's environmental laws.

Sincerely,

GRAY DAVIS

October 12, 2001

To Members of the California State Senate:

I am returning Senate Bill 1160 without my signature.

This bill would require the salaries of State attorneys and administrative law judges represented by State Collective Unit 2, to be no less than the average salaries of public sector attorneys, as specified. This bill would require the Department of Personnel Administration to conduct an annual survey to determine the average salary of public sector attorneys. The provisions of this bill, except for the annual survey, would be contingent upon the appropriation of funds in the annual Budget Act and that implementation shall be phased in over 3 fiscal years beginning on July 1, 2002.

Requiring the salary levels of State attorneys and administrative law judges to be no less than the average amount paid to public sector attorneys would circumvent the collective bargaining process. This bill would result in annual costs of at least \$23.9 million (\$10.6 million General Fund) once the provisions of this bill would be fully implemented in 2004-05. I cannot support substantial new spending when state revenues have dropped by \$1.1 billion in the first three months alone.

Sincerely,

GRAY DAVIS

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# Signing Messages

October 12, 2001

To Members of the California State Assembly:

I am signing Assembly Bill 43 which would require the Commission on the Status of Women to perform or contract to be performed a pay equity study of the state civil service system and the employees of the University of California, Hastings College of the Law, and the California State University to determine where compensation and classification inequities exist.

This is a very important study, but given the loss of \$1.1 billion in state revenues in the first 3 months of this fiscal year, I am directing that the study be conducted within existing resources.

Sincerely,

GRAY DAVIS

July 30, 2001

To Members of the State Assembly:

I am signing Assembly Bill 212 with great reluctance.

It is my general belief that local land use disputes should be settled without state interference.

The difference of opinion that exists between the City of Tustin, the Santa Ana Unified School District and the Rancho Santiago Community College District can and should have been resolved by the directly elected representatives of those local government agencies.

At issue is the redevelopment of the former Tustin Marine Corp Air Base. The base is within the City of Tustin and their designation as the Base Reuse Authority is appropriate. However, the needs of the overlapping school districts must be considered as the master plan for the 1600-acre area is prepared.

Land is scarce in this densely populated area, and the remaining open land in private ownership is prohibitively expensive for the two districts. Yet, new school facilities are needed to ease overcrowding and to accommodate future growth.

I am persuaded that the districts' request for land is not unreasonable. These two school districts are among the most severely overcrowded in the State. The Santa Ana Unified School District is responsible for the education of nearly 60,000 students and expects enrollment to grow by 40% in the next five years. Almost one half of the students in this district currently attend school in over 900 portable classrooms. The Rancho Santiago Community College District had a 45% increase in enrollment between 1995 and 1999. I would also note that the Department of the Navy indicates it does not intend to convey any base property until there is an agreement on the acceptability of the entire base reuse plan.

I am calling on the three agencies to continue their efforts to reach an agreement. Further, I am signing AB 212 based on a commitment from the principal authors that they will introduce urgency legislation specifying that a final agreement between the City of Tustin, the Santa Ana Unified School District, and the Rancho Santiago Community College District will supercede the provisions of the bill.

Sincerely,

GRAY DAVIS

October 13, 2001

To the Members of the California Legislature:

I am signing Assembly Bill 414 which bill would exempt the disposal of lead contaminated soils by a state or local agency from the hazardous waste requirements, provided that the soil is in the right-of-way of an existing highway. The bill also extends the sunset date, from July 1, 2003 to July 1, 2006, requiring certain toxic wastes to continue being disposed of at a Class 1 hazardous waste facility.

In signing this bill, I understand that extending the disposal restrictions will impact programs that abate childhood lead hazards. Therefore, I am directing the Department of Toxic Substances Control to work with affected state agencies to identify safe and more cost efficient disposal options for lead contaminated wastes. I am further requesting the DTSC to complete its study on lead contaminated waste as expeditiously as possible and to pursue legislation to implement the selected disposal option.

Sincerely,

GRAY DAVIS

October 10, 2001

To the Members of the California Assembly:

I am signing Assembly Bill 664. This bill will provide \$2 million funding on a one-time basis to domestic violence programs that have previously received funding from the Office of Criminal Justice Planning (OCJP) but were not selected to receive funding in 2001.

The Office of Criminal Justice Planning made a decision to change the process for awarding these local assistance grants without informing the Governor's Office, which resulted in a substantial loss of funding to domestic violence shelters around the state – in many cases due to the most trivial of technicalities.

Many of these shelters had been consistently funded for years and serve rural areas where women and children who are victims of violence may find few other safe places to turn for help. I am particularly disturbed by the fact that the nation's longest-serving domestic violence shelter, located in Pasadena, lost funding because they used too many pages to describe their program.

My Administration, from Day One, has strongly supported programs to end domestic violence and protect women and children from abuse. I am directing the Department of Finance to report back to me on ways of streamlining all programs that provide financial support for domestic violence shelters in an effort to maximize existing funding and keep this important safety net intact.

Sincerely,

GRAY DAVIS

October 11, 2001

To the Members of the California Legislature:

I am signing SB 32 which would authorize local governments to investigate and clean up small parcels of property contaminated by hazardous waste and require the California Environmental Protection Agency (CalEPA) to develop a set of screening values. The bill also would require development of a guidance document to assist communities, developers, and local governments with procedures used for cleaning up hazardous waste.

This measure provides the necessary tools to address the thousands of idle or underutilized sites in California where development is stymied because of real or perceived environmental pollution, especially those in low income or minority communities.

In signing this measure, I am also directing the CalEPA and its constituent boards and departments to conduct the scientific peer review of screening values using funds already budgeted for this purpose. I am authorizing a one-time transfer of \$350,000 from the Cleanup Loans and Environmental Assistance for Neighborhoods Account to assist in implementation of the bill. In developing the guidelines for selecting oversight agencies, I would ask the CalEPA boards and departments to consult with all affected environmental regulatory agencies.

Sincerely,

GRAY DAVIS

July 30, 2001

To the Members of the California Legislature:

I am signing SB 46 which would make several changes regarding the regulation and oversight of tow trucks and would also provide statutory authorization for the Department of Motor Vehicles (DMV) to conduct electronic vehicle registration and titling programs in conjunction with private entities. These programs have provided greater convenience to DMV's customers and should be continued.

This bill also authorizes DMV to collect a \$2 transaction fee from qualified business partners who choose to participate in this program. However, the provisions of SB 46 can be implemented without new revenues. Therefore, I am directing DMV not to institute the new transaction fee.

Sincerely,

GRAY DAVIS

October 13, 2001

To Members of the California State Legislature:

I am signing Senate Bill 359 that creates the California Youth Soccer and Recreation Development and State Urban Parks and Healthy Communities grant programs within the Department of Parks and Recreation. Funding for these grant programs is not provided in the bill; however, I have signed AB 1602 which places the Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Bond Act on the March ballot.

If the voters approve this bond, \$50 million will be available for the components of this bill that provide capital outlay grants, such as park acquisition, playgrounds, recreational facilities and outdoor fields. Bond funding cannot be used for non-capital outlay programs such as outdoor education curriculum development and transportation programs. These programmatic grants require General Fund appropriations.

Although I am signing this bill, there will be no General Fund allocations to support these grant programs in the 2002-03 budget year. State revenues have fallen \$1.1 billion below projections in the first three months of the fiscal year. All existing state programs will likely be substantially reduced next year to meet the shortfall. General Fund support for this bill will not be provided until the economy sufficiently improves.

Sincerely,

GRAY DAVIS

October 14, 2001

To the Members of the California Legislature:

It is my pleasure to sign Senate Bill 373.

This bill would revise the State's education framework in science to include the necessary elements to teach environmental education, and require the Office of Integrated Environmental Education at the Integrated Waste Management Board (IWMB) to develop and implement a unified education strategy on the environment for elementary and secondary schools in the State. It would provide grants to school districts and schools to assist them in developing and implementing programs to teach the concepts of source reduction, recycling, and composting. It appropriates \$1.5 million from the Integrated Waste Management fund for these purposes. I support the important concept of promoting environmental education to California's children. Through education our current and future consumers will learn to respect and conserve natural resources by making informed environmental choices.

However, I am concerned that this bill is overly broad and would be requiring the Office of Integrated Environmental Education to provide educational material in areas where they do not have expertise. Materials that support other media and issues such as energy conservation and forestry protection should be provided by the agencies with jurisdiction over those resources, including the Resources Agency. I direct the Office of Integrated Environmental Education within the IWMB and the California Environmental Protection Agency to work in cooperation with the Resources Agency to support environmental education efforts and to ensure the successful implementation of this bill.

Sincerely,

GRAY DAVIS

October 9, 2001

To the Members of the California Senate:

I am signing Senate Bill 633 which would place new controls on the disposal of appliances and vehicle components found to contain mercury; restrict the use and distribution of mercury-containing fever thermometers to only upon prescription of a physician, ban the specific addition of mercury to novelties and clothing articles; ban the sale of a car manufactured after January 1, 2005, that contains a mercury vehicle switch and ban the use of mercury-containing items from use in schools, except for measuring devices.

Mercury is a persistent and toxic pollutant that bioaccumulates in the environment and in the food chain. I am signing this bill because it will help to reduce mercury contamination in the waters of the state by reducing the amount of mercury added to the environment by broken and discarded fever thermometers, novelty products and by mercury-containing electrical switches that are not removed before junked vehicles are crushed or shredded.

I am concerned, however, that this bill could be interpreted to ban the use of a certain type of battery in novelty items such as toys. These "button cell" batteries contain a small amount of mercury but meet existing state and federal safety requirements and the author has agreed to introduce cleanup legislation this next session specifically allowing the use of this type of battery in novelty items.

Sincerely,

GRAY DAVIS