ASSEMBLY COMMITTEE ON
ENVIRONMENTAL SAFETY AND TOXIC
MATERIALS

IRA RUSKIN, CHAIR

MEMBERS

Van Tran, Vice-Chair
  Judy Chu
Hector De La Torre
  Jackie Goldberg
Audra Strickland

CONSULTANTS

Caroll Mortensen, Chief Consultant
Heather Halsey, Principal Consultant
Doug Haaland, Republican Consultant

COMMITTEE SECRETARY

Linda Rodriquez
# Table of Contents

Committee Jurisdiction and Goals ..........................................

Committee Oversight Hearings .............................................

## 2005-2006 Legislative Summary

- **Air Quality** ..........................................................
- **Brownfields** ..........................................................
- **Electronic Waste – Universal Waste** ............................
- **Hazardous Waste Management** ....................................
- **Pesticides** .............................................................
- **Public Health and Safety / Chemical policy** .....................

### Water Quality

- **Drinking Water Safety and Standards** .........................
- **Ground and Surface Water Protection** ........................
- **Ocean Going Ships** ...............................................  

- **Miscellany** ...........................................................

## Appendix I

Legislation Signed by the Governor ....................................

## Appendix II

Veto and Signing Messages ..............................................

## Appendix III

Legislation by Bill Number (Index) ....................................
JURISDICTION AND GOALS

During the 2005-2006 session, 130 legislative measures were referred to the Assembly Committee on Environmental Safety and Toxic Materials. These measures addressed such topics as pesticides in schools, coastal water quality, hazardous waste management, the protection of drinking water sources, and the redevelopment of contaminated properties.

The issues in the Committee's jurisdiction largely correspond to the program and policies administered by the California Environmental Protection Agency (CalEPA) and its boards, departments, and office, as well as the Department of Health Services, with regard to its public health programs which includes the setting of drinking water standards.

The Committee chair, Assemblyman Ira Ruskin, and its members emphasized the need for a strong commitment to environmental health for all Californians, with emphasis on:

**Protecting Children and Students**
Children, California's most vulnerable population, are often exposed to toxic and other hazardous substances in or around their schools. Efforts to protect children, ensure their school sites are safe, perform cleanup where problems exist, and identify potential problems are a priority for many parent, youth, environmental, environmental justice, and other stakeholder groups.

**Protecting Californian’s Right To Know: Clean Air, Clean Water, Safe Communities**
The Federal administration is proposing rollback or elimination of many environmental and public health laws and regulations. These proposals span policy areas from air pollution to public access to providing information. California needs to ensure that these existing standards and limits are preserved.

**Water Quality**
More must be done to address serious threats to California's water. Both surface and groundwater quality are compromised by over 100 different pollutants with serious health and environmental effects and many Californians are drinking this water daily.

**Chemical Policy**
The influx of new chemicals into products and the environment is astonishing. While many provide benefits, some have known or suspected public health and environmental risks associated with them. The overarching policy question of how best to deal with these chemicals and their exposure routes is pressing.
Committee Oversight Hearings

The Assembly Committee on Environmental Safety and Toxic Materials conducted two informational and oversight hearings regarding children's' health.

- **Informational Hearing**: *Schools Located Near Toxic Sites*, December 5, 2005. San Francisco.

- **Joint Hearing with the Assembly Health Committee**: *Health Effects of Phthalates and Bisphenol-A on Children*, January 10, 2006, Sacramento.

Legislation

**Air Quality**

**SB 655 (Ortiz) Asbestos.** This bill would have required the State Geologist to compile maps identifying asbestos hazard zones, and, upon completion, to submit those asbestos hazard maps to the State Mining and Geology Board and all affected cities, counties, and state agencies for review and comment. It would have specified that, upon receipt of the maps, the cities and counties should make the maps available to the public and take them into account when updating their safety elements. It also would have required disclosure to prospective transferee if the property is located within an asbestos hazard zone. It would have directed the Cal EPA to convene a task force to evaluate, compile policies and suggest guidelines for best management practices to mitigate the risks associated with naturally occurring asbestos for use by cities and counties, if federal funds can be obtained.

*Status: Failed passage on Assembly Floor.*

**AB 721 (Núñez) Metal plating facilities: loan guarantees.** This bill requires the Business, Transportation and Housing Agency, in collaboration with other state entities, to establish a loan guarantee program for upgrading chrome plating facilities and their operations. It also directs the Department of Toxic Substances Control to establish the Model Shop Program in Northern California.

*Status: Chaptered by Secretary of State – Chapter 695, Statutes of 2005.*

**AB 841 (Arambula) Air Quality: San Joaquin Valley Unified Air Pollution Control District: particulate monitoring.** This bill requires that one or more air quality monitors be placed in low-income and underserved areas in western Fresno County.

*Status: Chaptered by Secretary of State – Chapter 569, Statutes of 2005.*

**AB 1430 (Goldberg) Air Contaminants.** This bill would have required the methodology used to calculate the value of air emission reductions credits to be
evaluated to assure that stationary sources have installed the best control technology available before mobile-to-stationary source trading occurs. The original provisions of this bill were deleted. This bill requires the California Air Resources Board's environmental justice advisory committee to review each updated methodology for use by air pollution control districts and air quality management districts to calculate the value of credits issued for emission reduction credits.  

*Status: Chaptered by Secretary of State - Chapter 851, Statutes of 2006.*

**AB 2988 (Lieu) Dry Cleaning.** This bill would have added solvents utilized in a hydrocarbon dry cleaning process, for dry cleaning machines purchased on or before January 1, 2008, to the exemption from the hazardous waste facilities permit requirements for dry cleaners.  

*Status: Held in Senate Committee on Environmental Quality.*

**SB 762 (Lowenthal) Vehicular Sources: California Intermodal Port Congestion and Environmental Quality.** This bill would have created the Los Angeles-Long Beach Area Regional Intermodal Port Congestion and Environmental Quality Commission to regulate truck traffic and vehicular emissions at the Ports of Los Angeles and Long Beach and establish a similar organization for these purposes at the Port of Oakland. This bill would have specified the membership, duties, and powers of the new agencies, including the imposition of fees and issuance of port access permits. These provisions of the bill were deleted. This bill would have allowed harbor agencies to establish permit systems to authorize drivers and motor carriers to enter their ports, with the goal of promoting air quality and public health.  

*Status: Held in the Assembly Committee on Transportation.*

**SB 931 (Florez) Pollution Control Financing Authority.** This bill would have prohibited any project involving animal feeding operations from eligibility for financing provided for pollution control until the applicable air quality management district or local air pollution control and the regional water quality control boards establish processes that comply with specified state and federal air and water laws. It would have required an applicant asserting compliance to include certification that the project has all required permits and is in compliance with all applicable regulatory requirements, including those requirements set by the local air district and the regional water quality control board.  

*Status: Held on Assembly Floor.*

**BROWNFIELDS**

**AB 597 (Montañez) Response Actions: Brownfield Sites.** This bill would have made changes to the public participation provisions of the California Land Reuse and Revitalization Act of 2004, a process designed to streamline the redevelopment of brownfield sites.  

*Status: From committee without further action pursuant to Joint Rule 62(a).*
AB 1344 (ES&TM) Hazardous substances: multiparcel remediation: pilot project. This bill would have enacted the California Subregional Coordination and Cleanup Act of 2005, which would have required the site designation committee of the California Environmental Protection Agency, to establish a pilot program to provide grants for the aggregation of multiple real property parcels into multiparcel areas for site mitigation and planning purposes.  
Status: Died pursuant to Article IV, Section 10(c) of the Constitution.

AB 1360 (Hancock) Public Health Priority Sites. This bill would have designated the Department of Toxic Substances Control as the lead agency for cleanup of contaminated sites where hazardous material will be left behind such that ongoing engineering or land use controls will be necessary after the cleanup is deemed complete in order to protect public health. The measure would have only applied to sensitive sites which are: residential, hospital or daycare center.  
Status: Died on inactive file.

AB 2092 (Hancock) Vapor Intrusion. This bill would have required Cal-EPA to consult with state and local agencies to develop a summary of sites with vapor intrusion issues. The bill directed the agency to update and publish the summary every year, beginning in 2009. AB 2092 also required Cal-EPA to publish a report on controlling and remediating intrusion sites.  
Status: Vetoed by the Governor.

AB 2144 (Montanez) Public Participation Procedures in Brownfield Response Plans. This bill allows the Department of Toxic Substances Control to require individuals to submit environmental reports or data in electronic format, and to adopt emergency regulations to effectuate those submissions. It also enhances public participation in formulating response plans under the California Land Reuse and Revitalization Act of 2004 and in the review or approval of cleanup proposals under the Porter-Cologne Water Quality Control Act.  
Status: Chaptered by Secretary of State - Chapter 562, Statutes of 2006.

AB 2826 (Ruskin) School Site Contamination. This bill would have extended the Phase I environmental assessment requirements that attach to new schools and additions to existing schools that increase student capacity by more than 25% to additions to and construction of school buildings that increase student capacity by less than 25% and disturb the soil.  
Status: Held in Assembly Committee on Education.

AB 2834 (Sharon Runner) Environmental Assessment of New School Sites. This bill would have authorized the Department of Toxic Substances Control to adopt final regulations that establish guidelines for a Phase I environmental assessment in lieu of a Preliminary Endangerment Assessment and authorized the use of these guidelines if specified conditions were met.  
Status: Held in Senate Committee on Environmental Quality.
SB 354 (Escutia) Hazardous Substances: Brownfields Task Force. This bill expands the universe of urban brownfield properties eligible to be cleaned up or otherwise addressed under the streamlined California Land Environmental Restoration and Reuse Act by eliminating the exclusion for sites subject to certain enforcement and corrective actions issued by regional water boards, local oversight agencies, or the Department of Toxic Substances Control.
Status: Chaptered by Secretary of State - Chapter 523, Statutes of 2006.

SB 471 (Escutia) Hazardous Substances. This bill makes a site, which has one or more full-time equivalent employees on an annualized basis, subject to the California Land Environmental Restoration and Reuse Act.
Status: Chaptered by Secretary of State - Chapter 586, Statutes of 2005.

SB 989 (SEQ) Hazardous Material: Bona Fide Ground Tenant: Remedial Actions. This bill enacts a stimulus for the cleanup of polluted land sites, and permits a long-term tenant on a contaminated property to be made immune from any suit for damages related to the contamination of the property, under specified conditions.
Status: Chaptered by Secretary of State - Chapter 510, Statutes of 2006.

**ELECTRONIC-UNIVERSAL WASTE**

AB 575 (Wolk) Electronic Waste Recycling. This bill makes technical changes to the Electronic Waste Recycling Act of 2003 to provide additional flexibility for electronic leasing companies in the collection of the electronic waste recycling fee.
Status: Chaptered by Secretary of State - Chapter 59, Statutes of 2005.

AB 1125 (Pavley) Rechargeable Battery Recycling Act. This bill enacts the Rechargeable Battery Recycling Act of 2006, and requires retailers of rechargeable batteries, by July 1, 2006, to establish a system for accepting rechargeable batteries for reuse, recycling, or proper disposal. This bill allows a retailer to avoid setting up a new collection system if he already participates in a similar program.
Status: Chaptered by Secretary of State - Chapter 572, Statutes of 2005.

AB 1240 (Levine) Mercury. This bill would have enacted the Mercury Switch Removal Act of 2005 which would require the establishment of a system for collecting and disposing of mercury switches from vehicles. It would have provided for partial reimbursement for each switch properly removed and disposed.
Status: Died on inactive file.

AB 1415 (Pavley) Hazardous waste: mercury relays and switches. This bill bans the sale and distribution of specified products containing mercury with certain exemptions. It also requires the manufacturer to implement a program,
including the collection, transportation, and management of exempted mercury switches and relays.

**Status:** Chaptered by the Secretary of State – Chapter 578, Statutes of 2005.

**AB 2127 (Tran) Alkaline Battery Disposal.** This bill would have required the California Integrated Waste Management Board and the State Water Resources Control Board to jointly undertake a study and submit a report to the Legislature regarding the environmental impacts of the disposal of used alkaline batteries in a solid waste landfill facility and proposed solutions to mitigate the impacts.

**Status:** Held in Assembly Committee on Appropriations.

**AB 2202 (Saldana) Electronic Products.** This bill would have expanded, by January 1, 2008, the prohibition on the sale of electronic devices that contain certain heavy metals and fire retardants from electronic devices containing larger video monitors to cover most consumer electronic devices that contain these substances.

**Status:** Held in Senate Committee on Appropriations.

**AB 2271 (Koretz) Battery Recycling Refunds.** This bill would have established the California Household Battery Recycling Act to provide for the collection and recycling of household batteries through a fee on battery manufacturers.

**Status:** Held in Assembly Committee on Appropriations.

**AB 3001 (Pavley) Electronic Waste: Personal Computers.** This bill would have added personal computers to the Hazardous Electronic Waste Recovery, Reuse, and Recycling Act of 2003 (EWRA) Chapter 526, Statutes of 2003. Among other things, this bill would have added an electronic waste recycling fee of $6.00 for personal computers.

**Status:** Held in Assembly Committee on Appropriations.

**SB 423 (Simitian) Electronic Waste: Recycling.** This bill would have defined the terms "mercury relay" and "mercury switch" and would have authorized a manufacturer selling a mercury switch or mercury relay, or a person selling a product that contains a mercury switch or a mercury relay, to apply to the Department of Toxic Substances Control (DTSC) for an exemption from the prohibition on the sale or distribution of a mercury switch or mercury relay proposed by AB 1415 (Pavley). This bill would have specified the information required to be included in the exemption application and would have required the manufacturer to pay a fee set by the DTSC. Similar language was amended into AB 1415 (Pavley). These provisions of the bill were deleted. This bill allows electric service providers to provide free electricity to charitable organizations whose main goal is care for the elderly.

**Status:** Chaptered by Secretary of State - Chapter 749, Statutes of 2006.
HAZARDOUS WASTE MANAGEMENT

AB 403 (La Malfa) Hazardous materials (Propane) and Unified Program Agencies (minor violations). This bill exempts a business, which solely stores or uses propane onsite to heat its premises, from having to include the propane in its business plan, and deletes the sunset on the expedited process for handling minor violations.
Status: Chaptered by Secretary of State - Chapter 388, Statutes of 2005.

AB 567 (Aghazarian) Hazardous waste: alternative standards. This bill would have authorized the Department of Toxic Substances Control to adopt regulations allowing alternative hazardous waste management standards to the standards specified in the hazardous waste law.
Status: Died pursuant to Article IV, Section 10(c) of the Constitution.

AB 639 (Aghazarian) Hazardous waste control: generator identification numbers. This bill would have required the Department of Toxic Substances Control to revise the identification number certification system to provide a streamlined and expedited method of providing an identification number to a generator of hazardous waste.
Status: Died pursuant to Article IV, Section 10(c) of the Constitution.

AB 1232 (Jerome Horton) Hazardous waste Substances: Cleanup Program Water Replenishment Districts. This bill would have expanded, from corporations to all organizations, the annual information the Department of Toxic Substances Control (DTSC) must provide to the Board of Equalization (BOE) to enable the board to identify entities that are subject to the annual environmental fee imposed on corporations that handle hazardous materials. The original provisions of this bill were deleted and replaced with provisions regarding water replenishment districts.
Status: Held in Senate Committee on Local Government.

AB 1279 (Ruskin) Hazardous Substances: Military Base Remediation: Oversight. This bill would have deleted obsolete references in provisions that prohibit the Director of Finance from eliminating positions at the Department of Toxic Substances Control and the State Water Resources Control Board that are funded with federal funds or through an agreement with private entities, and that oversee hazardous substance cleanup activities at closed military bases.
Status: Held on Senate Floor.

AB 1327 (Tran) Hazardous Materials: Accident Release Prevention Program. This bill would have corrected two minor technical problems in the hazardous materials business plan program and the accidental release plans program, under the jurisdiction of the Certified Unified Program Agencies program.
Status: Held in Senate Committee on Environmental Quality.
AB 1337 (Ruskin) Hazardous Waste Facilities: Financial Assurances
Environment: State buildings: Green building Standards. This bill would have made several changes to the statutes governing the operations of hazardous waste facilities including: transfer operations, temporary facility modifications, financial assurances and closure requirements. The original provisions of this bill were deleted. This bill would have required the state to comply with "green" design standards, beginning on January 1, 2009 for all state-constructed or -leased buildings. The bill would have directed the state's waste board to adopt standards for construction and renovation of state buildings for site sustainability, water efficiency, energy, materials, indoor environmental quality, and innovative process.
Status: Vetoed by the Governor.

AB 1342 (ES&TM) Hazardous Materials and Releases. This bill modifies certain procedures in the handling of hazardous waste and when making minor repairs on hazardous waste facilities. It also expand the applicability of the rebuttable presumption of no responsibility for a hazardous substance release under the site, which was limited to the owner of a single family residence, to cover the owner of a duplex as well.
Status: Chaptered by the Secretary of State – Chapter 577, Statutes of 2005.

AB 2155 (Wolk) Hazardous Waste Permits. This bill exempts specified pharmaceutical practices from hazardous waste permit requirements under certain conditions.
Status: Chaptered by Secretary of State - Chapter 741, Statutes of 2006.

AB 2822 (Mullin) Fee for Transporting Hazardous Waste by Railroad. This bill would have required railroad corporations that transport hazardous materials to pay a fee to fund grants for local governments to develop and implement emergency response programs.
Status: Failed passage in Assembly Committee on Transportation.

SB 419 (Simitian) Hazardous Materials: Transportation: Railroad Tank Cars. This bill would have required the Public Utilities Commission to create and maintain a hazardous rail tank car database containing specified information, including a current certificate of compliance provided by the legal owner or lessee of the rail tank car stating that the rail tank car meets certain industry and federal standards. This bill would have prohibited any rail tank car that is not in the database from transporting hazardous materials, unless the PUC determines that an exception is necessary in order to meet commercial requirements.
Status: Held on Assembly Floor.

SB 960 (Simitian) Hazardous Waste Research. This bill would have modified the process by which the Department of Toxic Substances Control (DTSC) provides information to the public on hazardous waste research and alternatives
to the use of hazardous materials. It would have repealed a provision that required DTSC to create and maintain a database on hazardous waste research programs, and instead required that they include prominent links on their website to sites providing information on substitutes to materials posing hazards to public health and the environment.
Status: Vetoed by the Governor.

SB 982 (SEQ) Hazardous Waste Enforcement. This bill would have required the Department of Toxic Substances Control enforcement coordinator to establish and maintain a Web site for receiving reports concerning violations of the state's hazardous waste laws.
Status: Vetoed by the Governor.

SB 1294 (Ducheny) Hazardous Waste Control Laws: Geothermal Waste Exemption. This bill conditionally exempts from hazardous waste management regulation by the Department of Toxic Substances Control, wastes generated from the exploration, development, or production of geothermal energy that are contained within equipment or surface impoundments associated with the geothermal plant.
Status: Chaptered by the Secretary of State - Chapter 143, Statutes of 2006.

SB 1305 (Figueroa) Home-generated Sharps Waste. This bill prohibits a person from knowingly placing home-generated sharps waste (hypodermic needles, lancets, etc.) in certain types of commercial and residential solid waste collection containers after September 1, 2008.
Status: Chaptered by Secretary of State - Chapter 64, Statutes of 2006.

PESTICIDES

AB 405 (Montañez) Schools: Pesticide Use. This bill prohibits the use at a school of pesticides that do not have full registration or testing from state agencies.
Status: Chaptered by Secretary of State - Chapter 566, Statutes of 2005.

AB 1011 (Matthews) Pesticide Brokers. This bill requires sellers of non-agricultural pesticide products to be classified as brokers. It deletes the required fees to be a broker in California. The bill also includes provisions that eliminate the need for a Letter of Authorization for pesticide data sharing (for both health and efficacy data), creating a new process for data sharing, including a payment, revocation and appeal procedures. These later amendments originated in AB 1730 (LaMalfa and Matthews) of 2005, which was held in ES&TM and also in AB 1059 (Matthews) of 2005, which was held in the Senate Environmental Quality Committee. This bill was referred to Agriculture and ES&TM Committees.
Status: Chaptered by Secretary of State - Chapter 612, Statutes of 2005.
AB 1548 (Pavley) Field Rodents: Poisons Instructional Materials: Electronic Format. This bill authorized the Ventura County Board of Supervisors to implement a pilot program banning the sale and use of anticoagulants containing brodifacoum in that county, and exempted from the ban licensed pesticide applicators which may use the product indoors only. That version of the bill was referred to Agriculture and ES&TM. The original provisions of the bill were deleted and the bill was amended to require California Department of Education to authorize 12 schools to either a) purchase electronic equipment bundled with standards-based, state adopted, instructional materials from monies received from the State Instructional Materials Fund, or b) request a publisher, who makes basic instructional materials available in a hard copy format, also to make those instructional materials available in electronic multimedia format. Status: Chaptered by Secretary of State - Chapter 717, Statutes of 2006.

AB 1730 (La Malfa) Pesticide Regulation. This bill would have deleted the ability of the Director of the Department of Pesticide Regulation to require a registrant to provide efficacy data and studies on an antimicrobial pesticide product, and would have provided intent language that the Legislature will address the registrant's letter of authorization process for sharing data with third parties. The operative portions of this bill were amended into AB 1011 (Matthews). Status: Died pursuant to Article IV, Section 10(c) of the Constitution.

AB 2078 (Montanez) Human Subjects in Pesticide Studies. This bill would have prohibited state agencies, departments, offices or boards from accepting, considering, or relying on specified types of pesticide studies that use human subjects for testing purposes. Status: Held in Senate Committee on Appropriations.

AB 2648 (Matthews) Pesticide Regulation. This bill makes technical, clarifying amendments to the provisions that authorize the Director of the Department of Pesticide Regulation to rely upon any evaluations of previously submitted data with respect to an application for registration, an amendment to a registration, or to maintain a registration of a registered pesticide if certain criteria are met. These criteria include that the applicant either obtain written permission from the owner to rely on the data or irrevocably offer to the pay the owner a share of the cost of producing the data. Status: Chaptered by Secretary of State—Chapter 93, Statutes of 2006.

AB 2865 (Torrico) Pesticides and Day-Care Facilities. This bill requires that private day-care facilities comply with the current record-keeping and notification requirements for application of pesticides that public day-care facilities must comply with, with specified exceptions. Status: Chaptered by Secretary of State - Chapter 865, Statutes of 2006.
SB 879 (Escutia) Pest Control: Violations. This bill would have revised the procedures and required mandatory penalties for the violations of pesticide application laws which result in harm to health or the environment. It would have required the Department of Pesticide Regulation and the commissioners to complete human illness investigations within 60 days after initiation, unless a written explanation of the need for greater time is provided. Following initial notification or knowledge of an episode, the commissioner would have had to initiate priority episode investigations immediately, if at all possible, and within 72 hours in all cases, and submit a preliminary update to the director and any known aggrieved individual within 15 days. A more limited form of this measure was amended into SB 455 (Escutia), which was sent to the Governor and was vetoed. Status: Held in Assembly Committee on Agriculture.

PUBLIC HEALTH AND SAFETY AND CHEMICAL POLICY

AB 263 (Chan) Toxic Substances. This bill would have set the penalty for violating the ban on the manufacturing and sale of fire retardant materials in California at $10,000 per day. The fire retardants named in the bill were octabrominated diphenyl ether (octaPBDE) and pentabrominated diphenyl ether (pentaPBDE). The original provisions of this bill were deleted. The bill would have established programs to benefit disadvantaged pupils. Status: Held in Senate Committee on Rules.

AB 319 (Chan) Phthalates and Bisphenol-A in children’s products. This bill would have prohibited the use of bisphenol-A and phthalates in toys and childcare products designed for babies and children under three years of age. Status: Died pursuant to Article IV, Section 10(c) of the Constitution.

AB 816 (Lieber) Hazard Evaluation System and Information Service. This bill would have required chemical manufacturers and importers to provide, to the Hazard Evaluation System and Information Service, information regarding who they sold their products to. Status: Vetoed by the Governor.

AB 289 (Chan) High Volume Chemicals: Testing Methods. This bill requires manufacturers of a high production volume chemical, or a reportable chemical, to provide to the state, upon request, the analytical test methods necessary to detect those chemicals in the environment. Status: Chaptered by Secretary of State - Chapter 699, Statutes of 2006.

AB 990 (Lieber) Toxic Substances: Ca. Safer Chemical Substitutes Act of 2005. This bill would have established a mechanism for conditionally prohibiting, starting January 1, 2007, particular uses or sale of several chemicals in the state. The specific chemicals named in the bill included: methylene chloride, perchloroethylene, trichloroethylene, or 1-bromopropane which have been shown to cause harm to human health.
Status: Died pursuant to Article IV, Section 10(c) of the Constitution.

AB 1017 (Cogdill) Hazardous and solid waste: illegal disposal of methamphetamine. This bill would have declared the intent of the Legislature to enact legislation that would make the dumping of methamphetamine, methamphetamine byproducts, and all related hazardous materials, on agricultural land, a felony. This bill also would have established the Illegal Dumping Prevention Program within the California Integrated Waste Management Board, to develop alternatives to dumping, fund targeted illegal dumping enforcement and related judicial processes, conduct public outreach and education, provide training, and coordinate the program with other existing cleanup programs administered by the board.  
Status: Died pursuant to Article IV, Section 10(c) of the Constitution.

AB 1078 (Keene) Contaminated Property: Methamphetamine. This bill enacts the Methamphetamine Contaminated Property Cleanup Act of 2005. It requires the Department of Toxic Substances Control to adopt interim uniform standards for the cleanup of methamphetamine (meth) contaminated properties that protect the health of future occupants. It also gives authority to local officials for the oversight of meth remediation by a property owner, and for recovering the cost of such oversight. The bill provides for notice of contamination to potential buyers and renters of real property and authorizes the imposition of a civil penalty upon a property owner who does not provide required disclosures, or who violates an order issued by the local health officer prohibiting the use or occupancy of a property contaminated by a meth laboratory activity. The bill exempts until January 1, 2008, mobile home parks, manufactured housing communities, mobile homes, manufactured homes and their owners and agents.  
AB 1078 was joined to SB 536 (Bowen) of 2005.  
Status: Chaptered by Secretary of State- Chapter 570, Statutes of 2005.

AB 1081 (Matthews) Sherman Food, Drug, and Cosmetic Law: bottled or vended water. This bill increases inspection fees and civil and criminal penalties for violations of the Food Drug and Cosmetic Act, including intentional adulteration.  
Status: Chaptered by Secretary of State - Chapter 401, Statutes of 2005.

AB 1083 (Strickland) Natural Hazards Web Portal. This bill would have authorized the State Geologist to establish an e-government pilot program to determine if a state operated natural hazards portal can effectively integrate and provide access to parcel data and natural hazard zone data needed for disclosure of natural hazards upon the transfer of residential property.  
Status: Died pursuant to Article IV, Section 10(c) of the Constitution.

AB 1317 (Ruskin and Tran) Environmental Laboratories Accreditation Program. This bill updates and restructures the statutory framework governing the regulatory program run by the Department of Health Services used to
accredit the state environmental laboratories, which conduct the tests needed for regulatory compliance with contaminated site cleanups and drinking water certification.

Status: Chaptered by the Secretary of State - Chapter 406, Statutes of 2005.

**AB 1681 (Pavley) Online Relationship Services Lead-containing Jewelry.**
The bill prohibits the sale of jewelry that does not meet specified lead content standards and provides processes for the oversight of jewelry manufactured or sold in California.

Status: Chaptered by Secretary of State - Chapter 415, Statutes of 2006.

**AB 2022 (Ruskin) Portable Gasoline Containers.** This bill requires the State Fire Marshal, by January 1, 2008, to approve and list portable gasoline containers that are designed and constructed to child-resistant standards and bans the sale of gasoline containers that are not on the list.

Status: Chaptered by Secretary of State - Chapter 473, Statutes of 2006.

**AB 2490 (Ruskin) Toxic Release Inventory Program.** This bill would have established a California Toxic Release Inventory Program if the federal government reduces the data collected for federal Environmental Protection Agency’s (EPA) Toxic Release Inventory.

Status: Vetoed by the Governor.

**AB 2516 (Tran) Toxic Substances: PBDEs.** This bill would have exempted the processing of recycled material containing pentaBDE or octaBDE from the prohibition on manufacturing, processing, or distributing in commerce a product or part of a product, that contains more than 0.1 percent pentaBDE or octaBDE.

Status: Failed passage in Assembly Committee on Environmental Safety and Toxic Materials.

**AB 2587 (Liu) Meth Property Cleanup Act Extension.** This bill extends the provisions of the state’s methamphetamine clean-up law to include owners of mobilehomes, recreational vehicles located in mobilehome parks and mobilehome parks.

Status: Chaptered by Secretary of State - Chapter 789, Statutes of 2006.

**SB 490 (Lowenthal) Toxic Substances List: Netherlands.** This bill would have directed the Office of Environmental Health Hazard Assessment to post on a web site a list of specific substances found by the Government of Netherlands to pose a threat to human health or the environment as well as the methods used for determining such hazards. These provisions of the bill were deleted. This bill was amended to relate to property and vehicle taxes.

Status: Chaptered by Secretary of State - Chapter 366, Statutes of 2006.

**SB 536 (Bowen) Illegal Drug Lab Cleanup Account: Methamphetamine.** This bill establishes a process for developing cleanup standards and methods for
properties contaminated by the manufacture of methamphetamine. It is joined to AB 1078 (Keene & Liu) which establishes interim standards for cleanup of meth laboratories and enforcement procedures to compel cleanup of contaminated properties.

Status: Chaptered by Secretary of State - Chapter 587, Statutes of 2005.

**SB 578 (Escutia) Railroads: Safety.** This bill requires railroads to report information about uncontrolled train movement incidents to the Office of Emergency Services, whether or not a spill or release occurs, if the incident could have affected public health and safety, and that the California Public Utilities Commission to investigate the incident.

Status: Chaptered by Secretary of State - Chapter 684, Statutes of 2005.

**SB 600 (Ortiz) Biomonitoring.** This bill would have established the Healthy Californians Biomonitoring Program and directed the Department of Health Services to adopt guidelines and protocols for the state’s biomonitoring program.

Status: Vetoed by the Governor.

**SB 849 (Escutia) Health Data Tracking.** This bill would have required the Department of Health Services and the California Environmental Protection Agency to establish the Interagency Office of Environmental Health Tracking.

Status: Vetoed by the Governor.

**SB 1379 (Perata) Healthy Californians Biomonitoring Program.** This bill creates the Healthy Californians Biomonitoring program to assess and monitor the presence and concentration of chemicals in the tissue and blood of Californians. This bill will be administered jointly by the Department of Health Services (DHS) and the Office of Environmental Health Hazard Assessment within the California Environmental Protection Agency (CalEPA). The bill requires DHS and CalEPA to establish an advisory panel to them.

Status: Chaptered by Secretary of State - Chapter 599, Statutes of 2006.

**SB 1478 (Speier) Toxic Chemical Release Forms.** This bill would have required the California Environmental Protection Agency (CalEPA) to develop a toxics release inventory (TRI) program that duplicates the current federal TRI program if the CalEPA Secretary determines the federal program has been revised to be less stringent by recent US EPA rule change proposals.

Status: Held on Assembly Floor.

**SB 1532 (Bowen) Household substances: packaging.** This bill would have expanded California’s poison prevention packaging and labeling requirements to include empty containers designed to hold any household products containing a hazardous substance, potentially dangerous foods, drugs, or cosmetics, or fuel.

Status: Vetoed by the Governor.
SB 1826 (Migden) Air Toxics: Bioaccumulative Substances. This bill would have required the Air Resources Board to collect data on airborne persistent bioaccumulative substances. These provisions of the bill were deleted and the bill was amended to address surplus state property.  
Status: Vetoed by the Governor.

WATER QUALITY

DRINKING WATER SAFETY AND STANDARDS

AB 340 (Parra) Drinking Water: Arsenic Levels. This bill would have required the Department of Toxic Substances Control to study the economic impact on rural counties of meeting the new federal drinking water standards for arsenic contamination, and to report to the Legislature by December 31, 2005.  
Status: Died pursuant to Article IV, Section 10(c) of the Constitution.

AB 492 (Formerly Baca, now Wolk) Hazardous materials: Perchlorate Report. This bill originally required that any business that handles or otherwise uses perchlorate in the course of its operations to include, as a part of its business plan, information detailing the manner in which perchlorate waste generated on site is disposed or otherwise handled. The original provisions of the bill were deleted. The subject altered to underground storage tanks. This bill would have allowed certain businesses and other entities to receive increased reimbursement from the state for money spent mitigating waste leakage from their underground storage tanks and paying fees on gasoline that is stored there. It would also have given certain tank owners a higher priority for receiving state funding.  
Status: Held in Senate Committee on Appropriations.

AB 1168 (Saldaña) Drinking Water Standards. This bill would have required the Department of Health Services, when reviewing an application for a water system operating permit for a ground or ocean water desalination project, to identify potential contaminants and sources of contamination and ensure the safety and effectiveness of treatment processes.  
Status: Vetoed by the Governor.

AB 1354 (Baca) Perchlorate: Maximum Contaminant Levels. This bill would have enacted a maximum contaminant level of 6 parts per billion for perchlorate and required violators to pay cleanup costs.  
Status: Died pursuant to Article IV, Section 10(c) of the Constitution.

AB 1953 (Chan) Standards for "Lead-Free" Plumbing Parts. This bill tightens standards replaced or new plumbing must meet in order to be considered "lead-free," beginning in 2010. For the purposes of this bill, "lead free" means not more than 0.2 percent lead when used with respect to solder and flux and not more
than a weighted average of 0.25 percent when used with respect to the wetted surfaces of pipes and pipe fittings, plumbing fittings, and fixtures for water intended for human consumption and establishes a formula to determine the weighted average.

*Status: Chaptered by Secretary of State - Chapter 853, Statutes of 2006.*

**AB 2402 (Ruskin) Drinking Water Treatment Methods.** This bill would have required the State Department of Health Services (DHS) to identify treatment methods, technologies, and management techniques that would reduce or eliminate the need to add chemicals to drinking water. This bill would have required DHS to report to the Legislature by July 1, 2008 and post the data on its website.

*Status: Held in Assembly Committee on Appropriations.*

**AB 2644 (Montanez) Water Vending Machine Regulation.** This bill would have required inspections and increased regulation of water vending machines in order to ensure that their products are safe for consumption.

*Status: Held in Senate Committee on Appropriations.*

**AB 2710 (Koretz) Public Water Systems: Backflow Monitoring.** This bill would have authorized the Department of Health Services to adopt regulations establishing standards to be followed by public water systems if they install real-time, continual-monitoring sensing devices on valves designed to control water backflow instead of manually testing the valves to make sure they control backflow.

*Status: Held in Assembly Committee on Appropriations.*

**SB 187 (Soto) Drinking Water Contaminants.** This bill would have authorized the Department of Health Services (DHS) to consider potential health effects in assessing economic feasibility for maximum contaminant levels (MCLs). The bill would have also required increased public disclosure regarding the setting of MCLs and public health goals and reporting to the legislature regarding delays in adopting MCLs.

*Status: Vetoed by the Governor.*

**SB 197 (Cox) Sly Park Reservoir.** This bill removes the requirement that the water at Sly Park Reservoir must receive ongoing complete water treatment, including coagulation, flocculation, sedimentation, filtration and disinfection, or an alternative filtration system that provides an equivalent degree of pathogen removal in compliance with all Department of Health Services regulations before being used for domestic purposes. It ties treatment standards to federal rules that have yet to be fully adopted, but it also explicitly preserves the state’s right to meet or exceed federal standards.

*Status: Chaptered by the Secretary of State - Chapter 252, Statutes of 2005.*
SB 1067 (Kehoe) Drinking Water. This bill would have required the Office of Environmental Health and Hazard Assessment to develop Public Health Goals for Total Trihalomethanes and Total Haloacetic Acids that take into account the spikes and acute health effects on pregnant women and infants. 
Status: Vetoed by the Governor.

SB 1772 (Ashburn) Water Vending Machines. This bill would have increased licensing fees to provide for minimal inspections and oversight of the vended water industry and was introduced as an alternative to AB 2644 (Montanez). Status: Held in Assembly Committee on Environmental Safety and Toxic Materials.

GROUND AND SURFACE WATER QUALITY

AB 290 (Leslie) California Waterworks Standards. This bill would have required the Department of Health Services to conduct a five-year study on methodologies for determining water source capacities in hard-rock wells, and established a study committee with which the department must consult. Status: Died pursuant to Article IV, Section 10(c) of the Constitution.

AB 371 (Goldberg) Water Recycling. This bill establishes the Water Recycling Act of 2006 which requires recycled water producers to notify the Department of Transportation (Caltrans) and the Department of General Services (DGS) if the producer determines that within ten years it will have recycled water available for state landscape irrigation. Caltrans and DGS then must ensure all pipe installed by Caltrans and DGS for landscape irrigation within the identified area meets state requirements for recycled water pipes. This bill also requires the Department of Water Resources, in consultation with the Department of Health Services, to adopt and submit to the California Building Standards Commission design standards to safely plumb buildings for both a) potable water and b) recycled water. 
This bill was referred to ES&TM and Water, Parks & Wildlife Committees. Status: Chaptered by Secretary of State - Chapter 541, Statutes of 2006.

AB 495 (Montañez) Waste Discharge Requirements. This bill makes clarifying changes to the process by which waste discharge reports must be submitted to a regional water quality control board. Status: Chaptered by Secretary of State - Chapter 145, Statutes of 2005.

management program. The bond amount was unspecified and set the public vote on the bond for an unspecified time. The original provisions of this bill were deleted. This bill declares legislative intent to continue financing 75% of local governments' specified cost for maintaining and improving Sacramento/San Joaquin Delta levees through June 30, 2010 rather than July 1, 2006, and 50% of the costs after June 30, 2010.

*Status: Chaptered by Secretary of State - Chapter 548, Statutes of 2006.*

**AB 966 (Saldaña) Dental amalgam separators Water Quality: California – Baja California Boarder Region.** This bill would have required most dental practices to install an approved amalgam separator and to implement best management practices to minimize discharge of mercury into wastewater. The original provisions of this bill were deleted. The subject of the bill changed to international wastewater treatment facilities. This bill would have authorized various state and local water agencies to collaborate on the design, construction and permitting of international wastewater treatment facilities near the California-Baja California border.

*Status: Vetoed by the Governor.*

**AB 1271 (Blakeslee) Water: Central Coast Agricultural Best Management Practices Pilot Project.** This bill would have required the Central Coast Regional Water Quality Control Board to conduct a 5-year pilot project, to be known as the Agricultural Best Management Practices Pilot Project, in order to promote clean water practices in the region within the jurisdiction of that regional board. The bill would have required that regional board to define and adopt achievable, attainable agricultural best management practices, based on current scientific findings, on or before January 1, 2007.

*Status: Died pursuant to Article IV, Section 10(c) of the Constitution.*

**AB 1333 (Frommer) Grease Waste Haulers.** This bill makes it a misdemeanor criminal offense to improperly discard grease or incompletely remove grease from a grease trap or interceptor and establishes a more comprehensive management system for grease waste.

*Status: Chaptered by the Secretary of State - Chapter 186, Statutes of 2006.*

**AB 1343 (ES&TM) Irrigated agriculture operations: equipment.** This bill would have deemed water monitoring equipment used by an irrigated agriculture operation that participates in an approved watershed management program, for the purposes of that program, to be water quality control equipment for the purpose of determining eligibility for loans or grants related to the use of water quality control equipment.

*Status: Died pursuant to Article IV, Section 10(c) of the Constitution.*

**AB 1724 (Villines) Water quality: reclamation: excessive rainfall.** This bill would have prohibited a regional water quality control board from requiring a holder of a master reclamation permit or a water district to provide plans or water
reclamation facilities to reclaim or recycle all water subject to a permit or passing through a water reclamation facility during a period of excessive rainfall. The bill also would have authorized a regional board to require a permittee or a water district to meet reasonable water quality standards during such a period based on other factors determined by the regional board. This bill was referred to Water, Parks & Wildlife and ES&TM.

Status: Died pursuant to Article IV, Section 10(c) of the Constitution.

**AB 1747 (Water, Parks & Wildlife Committee) Joint Exercise of Powers.**
This bill, as heard by ES&TM, would have substituted the term "recycled water" for "reclaimed water" and "recycling" for "reclamation" in various provisions of the Water Code. The bill was originally referred to both WP&W and ES&TM. The original provisions of the bill were deleted, and the bill was amended to allow the Tribal Council of the Rumsey Band of Wintun Indians to enter a joint powers agreement with Yolo County and other specified agencies.

Status: Vetoed by the Governor.

**AB 1752 (Levine) Water Quality (Urgency)**
This bill was joined with SB 1733 of the 2005-06 Regular Session. This bill revises requirements relating to the determination that the state board or a regional board is required to make before electing to require a POTW serving a small community to spend funds toward the completion of a compliance project, in lieu of imposing mandatory minimum penalties. This bill provides that the changes made by SB 1733 become operative on July 1, 2007, and requires the POTW, prior to the state board or regional board making its determination, to demonstrate to the satisfaction of the state board or the regional board that a specified financing plan is designed to generate sufficient funding to complete the compliance project within a specified time period.

Status: Chaptered by Secretary of State - Chapter 725, Statutes of 2006.

**AB 2080 (Strickland) Arroyo Conejo River Quality.** This bill would have required the Los Angeles Regional Water Quality Control Board to undertake a review of the water quality objectives that apply to the North Fork of the Arroyo Conejo in Ventura County on or before April 1, 2007. The goal of the review would have been to revise the objectives to ensure appropriate protection for the beneficial uses associated with that water body.

Status: Held in Assembly Committee on Environmental Safety and Toxic Materials.

**AB 2443 (Klehs) Drinking Water Quality: Nitrogen-based Compounds.** This bill would have increased the assessment on the sale of fertilizing materials for the research and education regarding the use and handling of commercial and organic fertilizers to help reduce nitrates, which can cause serious health effects and death in infants, in drinking water supplies. This bill would also have imposed an assessment on the sale of fertilizer materials to fund grants to communities
with groundwater contaminated with nitrates to access safe drinking water supplies.

**Status:** Failed passage in Assembly Agriculture Committee.

**AB 2522 (Nava) Public Sewer System Connection in Ventura County.** This bill would have provided funding to the El Rio and Strickland areas in Ventura County to provide no interest loans to low-income homeowners who must connect to a public sewer system because they are prohibited from using a septic tank.

**Status:** Held in Senate Committee on Appropriations.

**AB 2598 (Houston) Minimum Penalties for Water Quality Violations.** This bill would have reduced the minimum penalties for publicly owned treatment works that discharge less than 1,000,000 gallons of waste per day.

**Status:** Held in Assembly Committee on Environmental Safety and Toxic Materials.

**AB 2700 (Saldana) Wastewater Treatment in San Diego County.** This bill originally would have made a technical change to the provision that governs the procedures the State Water Resources Control Board must follow in response to a petition. This original provision of this bill was deleted. This bill would have required the San Diego Regional Water Quality Control Board to facilitate compliance by the International Boundary and Water Commission, United States Section, with the Clean Water Act and the Porter-Cologne Water Quality Act in connection with its operation of the International Wastewater Treatment Plant in San Diego County and the discharge of waste through the "South Bay Ocean Outfall."

**Status:** Held in Assembly Committee on Environmental Safety and Toxic Materials.

**AB 2701 (Blakeslee) Water Quality: Waste Discharge Irrigated Lands.**

**Appropriation of water. Wastewater Treatment in San Luis Obispo County.** This bill would have made a change to the provisions of the Porter-Cologne Water Quality Control Act that related to a Central Coast waiver program. The original provisions of this bill were deleted. This bill would have made clarifying changes to procedures for protesting and requesting further information about water appropriation. These provisions were deleted. This bill authorizes the County of San Luis Obispo to undertake any efforts necessary to construct and operate a wastewater collection and treatment system and to collect fees from users to cover some of the associated costs. This bill requires the Board of Supervisors of the County to submit a proposed assessment to pay for the facilities, and if certain conditions are met, to decide whether or not to proceed with construction.

**Status:** Chaptered by Secretary of State - Chapter 360, Statutes of 2006.
**AB 2779 (Strickland) Sewer System Maintenance Fund.** This bill would have established the Sewer System Maintenance Fund in the State Treasury. The bill would have required the fund to be used to reimburse property owners costs related to connecting to a public sewer system if required to do by a public agency. This bill was similar to AB 2522, which applied only to two low-income communities in Ventura County, except that this bill would have provided reimbursement to all homeowners without regard to income and the reimbursement would not have been a loan.

*Status: Held in Assembly Committee on Environmental Safety and Toxic Materials.*

**AB 2901 (Wolk) Mercury Monitoring.** This bill would have established a statewide fund to support mercury monitoring and remediation activities to assist local governments with mitigation expenditures required under current law. This bill originally specified the manner in which the funds would be spent, but was later amended to include expenditures for unspecified purposes.

*Status: Held in Assembly Committee on Environmental Safety and Toxic Materials.*

**AB 2996 (Levine) Automobile Brake Pad Mitigation Program.** This bill would have required a $1 fee to be collected on each purchase of new automobile brake pads. The moneys would have been used to mitigate the adverse environmental impact of automobile brake pads.

*Status: Held in Assembly Committee on Environmental Safety and Toxic Materials.*

**SB 387 (Ducheny) New River.** This bill authorizes the City of Calexico to encase the New River in a cement pipe where it runs through the city to keep its citizens from contact with the highly polluted water. The river runs, loaded with untreated human waste and toxic manufacturing discharge, from the Maquiladora area in Mexico to the Salton Sea in the United States. This bill provides that the authority to encase a river is applicable to this extreme situation only.

*Status: Chaptered by Secretary of State - Chapter 112, Statutes of 2005.*

**SB 429 (Florez) Recreational Bathing: Sanitation.** This bill would have required the Department of Health Services (DHS) to convene a public advisory group consisting of specified members. The advisory group is to advise DHS on the development of minimum sanitation standards of high-use or priority freshwater bathing areas. This bill would have also required DHS to set the standards.

*Status: Vetoed by the Governor.*

**SB 475 (Sharon Runner) Air Pollution: Emission Credits / Water Softeners.** This bill would have required the Antelope Valley Air Quality Management District, the Mojave Desert Air Quality Management District, and the South Coast Air Quality Management District to report to the Legislature on ways to generate
or transfer additional emission credit reductions that would permit new and modified sources of air pollutants to be located in the Mojave Desert Air Basin. The original provisions of this bill were deleted and replaced with provisions that provide that the Santa Clarita Valley Sanitation District (SCVSD) may require the residents to remove all residential self-regenerating water softeners that discharge to the community sewer system, if SCVSD includes specified findings in its ordinance. The bill requires SCVSD to compensate the resident between 75% and 100% of the reasonable value of the removed appliance, and the reasonable cost of removal and disposal of the appliance, both of which shall be determined by the SCVSD. The bill provides that the ordinance adopted and approved pursuant to those provisions shall not take effect until January 1, 2009.

Status: Chaptered by Secretary of State. Chapter 393, Statutes of 2006.

SB 646 (Kuehl) Water Discharge Requirements: Waivers. This bill would have made the Waste Discharge Requirement waiver fee mandatory instead of permissive and require that the fee fully cover the costs of the waiver program. This bill would have also required that the names and locations of those operating under the waiver be disclosed to the regional water quality control board issuing the waiver and would have extended the existing enforcement authority, which state and regional water boards possess regarding waste discharge requirements, to violations of discharge waiver conditions.

Status: Held on Assembly Floor.

SB 729 (Simitian) Water Quality. This bill revises certain provisions of the Porter-Cologne Water Quality Control Act, relating to enforcement. Specifically, it authorizes the State Water Resources Control Board (SWRCB) to carry out a regional water quality control board's (RWQCB's) authority relating to water quality investigations if the efforts are not duplicative. This bill also requires a RWQCB to coordinate with the SWRCB and other state agencies on water quality matters and to report rates of compliance with water quality laws and regulations.

Status: Chaptered by Secretary of State - Chapter 293, Statutes of 2006.

SB 822 (Margett) San Gabriel Basin Restoration. This bill authorizes the San Gabriel Basin Water Quality Authority to receive state funds to administer cleanup operations on behalf of the San Gabriel Basin for the purpose of meeting a federal requirement pursuant to the San Gabriel Basin Restoration Fund that nonfederal matching funds be provided.

Status: Chaptered by the Secretary of State - Chapter 271, Statutes of 2005.

SB 926 (Florez) Sewage Sludge Management. This bill would have authorized the Kern County Board of Supervisors to regulate or prohibit the importation of sewage sludge from another California county for land application purposes. These provisions of the bill were deleted. This bill would have required, before a local initiative that proposes to amend a city or county’s general plan or zoning ordinance to allow the siting of a solid waste facility may be placed on the ballot,
an environmental impact report on the project to be prepared and certified pursuant to the California Environmental Quality Act.

Status: Held in Assembly Committee on Rules.

SB 935 (Ducheny) Topock Site Cleanup Report. As passed out of ES&TM, this bill would have required the Department of Toxic Substances Control to submit a report to the Governor and the Legislature regarding the site evaluation and groundwater cleanup at the Topock Compressor Station in San Bernardino County. The report would have required a project alternatives analysis, a discussion of environmental impacts and would have required consultation with the affected tribes and a public comment period. These provisions of the bill were deleted and replaced with language that would have ratified the amendment of a tribal-state gaming compact entered into between the State of California and the Quechan Tribe of the Fort Yuma Indian Reservation.

Status: Held in Assembly Committee on Governmental Organization.

SB 979 (SEQ) Recreational uses of reservoirs. This bill, for the Bear Lake Reservoir and the Canyon Lake Reservoir, deletes the requirement that the Department of Health Services consult with the entity operating the reservoir at least 60 days prior to the effective date of any additional conditions or restrictions. It also preserves the authority of the state to impose more stringent treatment requirements than imposed by federal law.

Status: Chaptered by the Secretary of State - Chapter 139, Statutes of 2005.

SB 1070 (Kehoe) Water Quality Information. This bill requires the establishment of the California Water Quality Monitoring Council. Specifically, this bill repeals an obsolete provision of law and replaces it with a new provision requiring the California Environmental Protection Agency (CalEPA) and the Resources Agency to enter into a memorandum of understanding by December 1, 2006 to establish the California Water Quality Monitoring Council, to be administered by the State Water Resources Control Board (SWRCB). It requires SWRCB to incorporate, within its public education program, additional information on standards, regulations, and enforcement and to have these posted on its internet site in a publicly accessible manner. It also requires CalEPA to submit a biennial audit on the effectiveness of a specified monitoring and assessment network developed and implemented by the Council. The bill makes implementation of the bill’s requirements contingent upon specific funding being provided.

Status: Chaptered by Secretary of State - Chapter 750, Statutes of 2006.

SB 1347 (Machado) Solar Evaporators. This bill expands and makes permanent the regulatory framework that allows use of a solar evaporator system as a means to control or reduce potentially harmful high-salt content agricultural drainage into surface water and groundwater, in order to encourage their wider use as part of an integrated on-farm drainage management system.

Status: Chaptered by Secretary of State - Chapter 309, Statutes of 2006.
SB 1557 (Ducheny) Recycled Water: Coachella Valley. This bill specifies, exclusively for the Coachella Valley Water District (CVWD), that use of potable domestic water for nonpotable uses is a waste or an unreasonable use if a suitable nonpotable water supply is available, including recycled water. This bill prohibits the use of potable domestic water within CVWD's service area for nonpotable uses for cemeteries, parks, highway landscaped areas, new industrial facilities, and golf course irrigation if CVWD determines that suitable nonpotable water is available and authorizes CVWD to issue an order to require the use of the nonpotable water or to cease using potable water if specified findings are made.

Status: Chaptered by Secretary of State - Chapter 671, Statutes of 2006.

SB 1733 (Aanestad) Water Board Training and Determination Procedures. This bill would have changed the current compliance standards of the water quality mandatory minimum penalty law. These provisions of the bill were deleted. This bill, and its companion bill, AB 1752, provide the State Water Resources Control Board (SWRCB) and regional water quality control boards (RWQCBs) more discretion to work with publicly-owned treatment works (POTWs) serving small communities with financial hardship to correct violations and other conditions of noncompliance without imposing mandatory minimum penalties (MMPs) and provide more flexibility on how funds are spent on compliance projects. This bill also clarifies the rights of public agencies when appearing before the SWRCB or a RWQCB and requires SWRCB to provide training to the RWQCBs board members on adjudication procedures.

Status: Chaptered by Secretary of State - Chapter 404, Statutes of 2006.

MARINE WATER QUALITY AND OCEANGOING SHIPS

AJR 8 (Canciamilla) Marine Pollution. This resolution urges the United States Congress to ratify treaty provisions known as Annex VI of MARPOL 73/78, and the U.S. Environmental Protection Agency to pursue the creation of a North America Sulfur Emission Control Area.

Status: Chaptered by the Secretary of State - Chapter 93, Statutes of 2005.

SB 497 (Simitian) Ballast Water. This bill requires the California State Lands Commission to adopt regulations on performance standards for ballast water or before January 1, 2008. The bill is designed to address water quality issues relating to the discharge of ballast water in California's bays, including reducing the threats to native species imposed by invasive, non-native species transported in the water.

Status: Chaptered by Secretary of State - Chapter 292, Statutes of 2006.

SB 771 (Simitian) Oceangoing Ships. This bill extends the restrictions on discharges into state marine waters and marine sanctuaries, which currently
apply to cruise ships, to include oceangoing ships that weigh 300 gross registered tons or more and call on California ports.
*Status: Chaptered by the Secretary of State - (Chapter 588, Statutes of 2005."

**MISCELLANEOUS**

**AB 362 (Aghazarian) Administrative Proceedings.** This bill would have specified that all government entities that are represented before the State Water Resources Control Board (SWRCB) or the regional water quality control boards on water matters have equal procedural rights and are to be afforded equal treatment in all proceedings and would have also required that public comment take place at a specified time in such proceedings. The original version of the bill also specified that public comment shall have no evidentiary value.
*Status: Held in Senate Committee on Environmental Quality."

**AB 1269 (Pavley) Clean Air, Clean Water, Coastal Protection and Parks Act of 2007.** This bill would have authorized, subject to voter approval at an unspecified future statewide election, an unspecified amount of general obligation bonds, from which bond sale proceeds would be allocated to several resources-related projects.
*Status: Died pursuant to Article IV, Section 10(c) of the Constitution."

**AB 1340 (ES&TM) California Environmental Protection Agency.** This bill would have cleaned up code references to obsolete provisions of law regarding the deputy secretaries for environmental protection.
*Status: Held in Senate Committee on Environmental Quality."

**AB 1341 (ES&TM) Hazardous Waste: Major Appliance Disposal-California Pollution Control Financing Authority (CPCFA): grants and loans.** This bill was a measure to make clarifying, technical changes to the Health and Safety Code sections governing major appliance disposal. The original provisions of the bill were deleted, and it was amended to extend the sunset date for the CPFCA program from January 1, 2007, to January 1, 2012, and to require an applicant for project funding by CPCFA, California Health Facilities Financing Authority (CHFFA), or California Educational Facilities Authority (CEFA), to provide documentation that the project has complied with California Environmental Quality Act (CEQA), or is not a project under CEQA, before those authorities can approve the issuance of bonds for the project.
*Status: Chaptered by the Secretary of State – Chapter 714, Statutes of 2006."

**AB 1546 (Hancock) Department of Environmental Management.** This bill would have created the Department of Environmental Management within the California Environmental Protection Agency and would have consolidated the Department of Toxic Substances Control, the environmental cleanup section of the Radiological Health Branch of the State Department of Health Services, and
various programs, administered by the regional water quality control boards, into the department, upon the adoption of an organization and business plan by the department.

Status: Died pursuant to Article IV, Section 10(c) of the Constitution.

**AB 1693 (Matthews, Berg) California Pollution Control Financing Authority Cut Flower Commission: Assessments.** This bill would have required the California Pollution Control Financing Authority to measure its pollution reductions and enter into loan agreements to ensure that funded projects are installed, operated, and maintained as represented in the loan application. The original provisions of the bill were deleted. This bill caps the annual amount paid to the California Cut Flower Commission (CCFC) by a single cut flower producer at $100,000 unless that producer has failed to comply with the collections procedures set forth in statute and regulations.

Status: Chaptered by Secretary of State - Chapter 500, Statutes of 2006.

**AB 1727 (Aghazarian) State Water Resources Control Board.** This bill would have made alterations to the organizational structure of the state and regional boards, adding an executive director and officer, respectively, reducing the size of regional boards from 9 to 7 members, and altering eligibility requirements.

Status: Died pursuant to Article IV, Section 10(c) of the Constitution.

**AB 2335 (Saldana) Medical Waste.** This bill makes various technical updates and clarifications to provisions regulating the management of medical waste.

Status: Chaptered by the Secretary of State - Chapter 166, Statutes of 2006.

**AB 2804 (Salinas) Utilities Owned by Municipal Corporations: Sewage Service Compensation and Term Limits on Air Quality Boards.** As introduced, this bill would have authorized a municipal corporation lease, sell, or transfer all or part of a public utility that it owns and operates for furnishing sewage collection, treatment, or disposal service with a majority vote rather than a two-thirds vote of the rate payers. These provisions were deleted. This bill authorizes the Sacramento Metropolitan Air Quality Management District to reimburse board members for actual and necessary expenses and specifies that the district may pay compensation to board members for attending meetings. This bill repeals the restriction on a member of South Coast Air Quality Management District serving more than two consecutive terms as chairperson as of January 1, 2007.

Status: Chaptered by Secretary of State - Chapter 425, Statutes of 2006.

**SB 153 (Chesbro) California Clean Water, Safe Neighborhoods and Coastal Protection Act of 2006.** This bill would have enacted a bond, which would provide for the sale of $3,945,000,000 in bonds for air and water quality, coastal protection and parks programs, subject to voter approval. This bill was referred to Natural Resources and ES&TM. These provisions were deleted. This bill would have earmarked proceeds of two state general obligation bond
propositions (the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006, and the Housing and Emergency Shelter Trust Fund Act of 2006) that may be authorized by voters in the November 7, 2006 statewide election. This bill would have allocated funds for population-based and competitive grants for community and neighborhood parks and recreation areas, and the creation of the Challenged Rural Communities Program.

Status: Held in Assembly Committee on Water, Parks and Wildlife.

APPENDIX I

LEGISLATION SIGNED BY THE GOVERNOR

<table>
<thead>
<tr>
<th>Measure</th>
<th>Author</th>
<th>Chapter Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>AB 289</td>
<td>Wilma Chan</td>
<td>699, Statutes of 2006</td>
</tr>
<tr>
<td>AB 371</td>
<td>Jackie Goldberg</td>
<td>541, Statutes of 2006</td>
</tr>
<tr>
<td>AB 403</td>
<td>Doug La Malfa</td>
<td>388, Statutes of 2005</td>
</tr>
<tr>
<td>AB 405</td>
<td>Cindy Montanez</td>
<td>566, Statutes of 2005</td>
</tr>
<tr>
<td>AB 495</td>
<td>Cindy Montanez</td>
<td>145, Statutes of 2005</td>
</tr>
<tr>
<td>AB 575</td>
<td>Lois Wolk</td>
<td>59, Statutes of 2005</td>
</tr>
<tr>
<td>AB 721</td>
<td>Fabian Nunez</td>
<td>695, Statutes of 2005</td>
</tr>
<tr>
<td>AB 798</td>
<td>Lois Wolk</td>
<td>548, Statutes of 2006</td>
</tr>
<tr>
<td>AB 841</td>
<td>Juan Arambula</td>
<td>569, Statutes of 2005</td>
</tr>
<tr>
<td>AB 1011</td>
<td>Barbara Mathews</td>
<td>612, Statutes of 2005</td>
</tr>
<tr>
<td>AB 1078</td>
<td>Rick Keene</td>
<td>570, Statutes of 2005</td>
</tr>
<tr>
<td>AB 1081</td>
<td>Barbara Mathews</td>
<td>401, Statutes of 2005</td>
</tr>
<tr>
<td>AB 1125</td>
<td>Fran Pavley</td>
<td>572, Statutes of 2005</td>
</tr>
<tr>
<td>AB 1317</td>
<td>Ira Ruskin</td>
<td>406, Statutes of 2005</td>
</tr>
<tr>
<td>AB 1333</td>
<td>Dario Frommer</td>
<td>186, Statutes of 2006</td>
</tr>
<tr>
<td>AB 1342</td>
<td>ESTM</td>
<td>577, Statutes of 2005</td>
</tr>
<tr>
<td>AB 1415</td>
<td>Fran Pavley</td>
<td>578, Statutes of 2005</td>
</tr>
<tr>
<td>AB 1548</td>
<td>Fran Pavley</td>
<td>717, Statutes of 2006</td>
</tr>
<tr>
<td>AB 1641</td>
<td>Fran Pavley</td>
<td>415, Statutes of 2006</td>
</tr>
<tr>
<td>AB 1693</td>
<td>Patty Berg</td>
<td>500, Statutes of 2006</td>
</tr>
<tr>
<td>AB 1953</td>
<td>Wilma Chan</td>
<td>853, Statutes of 2006</td>
</tr>
<tr>
<td>AB 2022</td>
<td>Ira Ruskin</td>
<td>473, Statutes of 2006</td>
</tr>
<tr>
<td>AB 2144</td>
<td>Cindy Montanez</td>
<td>562, Statutes of 2006</td>
</tr>
<tr>
<td>AB 2155</td>
<td>Lois Wolk</td>
<td>741, Statutes of 2006</td>
</tr>
<tr>
<td>AB 2335</td>
<td>Lori Saldana</td>
<td>166, Statutes of 2006</td>
</tr>
<tr>
<td>AB 2587</td>
<td>Carol Liu</td>
<td>798, Statutes of 2006</td>
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<td>93, Statutes of 2006</td>
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<td>Sam Blakeslee</td>
<td>360, Statutes of 2006</td>
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<td>Simon Salinas</td>
<td>425, Statutes of 2006</td>
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<td>Alberto Torrico</td>
<td>865, Statutes of 2006</td>
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<td>Joe Canciamilla</td>
<td>Res. 93, Statutes of 2005</td>
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<td>SB 197</td>
<td>Dave Cox</td>
<td>252, Statutes of 2005</td>
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<td>SB 387</td>
<td>Denise Ducheny</td>
<td>112, Statutes of 2005</td>
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<td>Martha Escutia</td>
<td>586, Statutes of 2005</td>
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<td>SB 536</td>
<td>Debra Bowen</td>
<td>587, Statutes of 2005</td>
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<td>SB 578</td>
<td>Martha Escutia</td>
<td>684, Statutes of 2005</td>
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APPENDIX II
VETO AND SIGNING MESSAGES

Veto Messages

AB 816 (Lieber)

To the Members of the California State Assembly:

I am returning Assembly Bill 816 without my signature.

This bill would require chemical manufacturers and importers to provide to the state the names and addresses of businesses to which they sell their products.

This bill is unnecessary and an invasion of privacy. Employers are currently required to notify their workers about health hazards and to provide a safe and healthy workplace. Other protective measures that ensure worker safety include the Business Plan Hazardous Materials Inventories; the Air Toxics Program; CalSites Database, Unidocs Hazardous Materials Online Inventory Database; and the Wastewater Pretreatment and Pollution Prevention Plans. Employers must also inform their employees of the availability of material safety data sheets (MSDS) relating to any chemical to which the employee may be exposed. Further, employers routinely undergo Division of Occupational Safety and Health inspections to ensure that MSDS documents are available for employees.

Assembly Bill 816 imposes an unreasonable, labor intensive and duplicative reporting requirement when there are existing programs and standards in place to ensure that employees are protected from hazardous chemical exposure.

Sincerely,

Arnold Schwarzenegger
AB 966 (Saldana)

To the Members of the California State Assembly:

I am returning Assembly Bill 966 without my signature.

This bill requires the State Water Resources Control Board and the California Environmental Protection Agency (Cal EPA) to work within existing state law to coordinate with state, federal, and international partners on California-Mexican border water quality issues. This bill is unnecessary because it gives no additional authority to any agency or board. However, by mandating specific activities and timeframes it will create additional requirements and costs to the state.

Mexico is an extremely important economic and cultural partner to California. Our proximity and shared history unite us. The annual Border Governors Conference provides a cooperative forum for discussing complex and important cross-border issues including water quality and the environment. Water quality continues to be an important topic in the work groups for the Border Governors.

Additionally, in order to increase coordination and elevate the importance of border environmental issues, this year’s budget transferred the California-Mexico border program from the State Water Resources Control Board to Cal EPA. This will allow Cal EPA to take an active leadership role managing environmental programs for the border region and coordinating individual boards and departments activities.

These ongoing administration activities embody our State’s commitment to border environmental issues.

Sincerely,

Arnold Schwarzenegger

AB 1168 (Saldana)

To the Members of the California State Assembly:

I am returning Assembly Bill 1168 without my signature.

Assembly Bill 1168 establishes guiding principles for the Department
of Health Services to use in the review of drinking water desalination facilities. This bill is redundant and unnecessary.

The Department of Health Services currently evaluates drinking water desalination projects. The Department applies the existing criteria to desalination projects that it applies to other forms of water treatment plants. As with any review of a drinking water source, the Department evaluates the treatment process and microbiological and chemical source contaminants to ensure the water meets drinking water standards and is safe for human consumption.

Sincerely,

Arnold Schwarzenegger

AB 1337 (Ruskin)

To the Members of the California State Assembly:

I am returning Assembly Bill 1337 without my signature.

This bill requires the Integrated Waste Management Board to develop regulations for green building standards for the construction and renovation of state buildings. The bill also mandates that all state buildings be designed and operated in accordance with the regulations.

In California, building standards are developed by the California Building Standards Commission. They prescribe how State building standards are written and promulgated in a public and participatory manner. The California Integrated Waste Management Board expertise is in waste management and reduction and they have done excellent work in identifying new uses in building products for recycled material. However, the Board does not have the expertise in building standards, public safety, building design and construction, fire codes and public process to ensure the standards are developed in an appropriate manner.

Sincerely,

Arnold Schwarzenegger

AB 1747 (Water, Parks and Wildlife Cmt)
To the Members of the California State Assembly:

I am returning Assembly Bill 1747 without my signature. The Rumsey Band of Wintun Indians is a leader among California's sovereign tribes. Their willingness to partner with the state and local governments to solve problems, protect the environment and work cooperatively with Yolo County and various public entities in the area is commendable. They are a valued and respected Tribe and member of the Yolo County community. I am encouraged by their continued willingness to work with state and local governments on so many important issues. But allowing a tribal government that is not subject to all of the federal, state and local laws that protect the public, to participate in the exercise of public power, particularly off reservation lands, diminishes public accountability and control. This bill also presents significant policy questions regarding the proper role of a tribal sovereign when their partnership with a local government can lead to the taking of property for public purposes through eminent domain.

The simple fact is that the sovereign tribes can work cooperatively with their local governments through agreements and memorandums of understanding as contemplated in the tribal-state compacts my administration has executed.

Sincerely,

Arnold Schwarzenegger

AB 2490 (Ruskin)

To the Members of the California State Assembly:

I am returning Assembly Bill 2490 without my signature.

This bill establishes a state level program mirroring the United States Environmental Protection Agency's (USEPA) existing Toxics Release Inventory program under specific conditions.

This bill is overly broad, premature and duplicative. This bill attempts to address a preliminary draft proposal by USEPA that has not been adopted. The bill would require California to develop a new multi million dollar state level reporting system for information that would be mostly duplicative of data that would continue to be collected at the federal level even if the federal government chooses
to proceed with its proposed changes.

Sincerely,

Arnold Schwarzenegger

SB 187  (Soto)

To the Members of the California State Senate:

I am returning Senate Bill 187 without my signature.

This bill alters the existing process for the adoption of drinking water standards by the Department of Health Services (DHS). Although I support the intent of SB 187 to protect the public’s drinking water supply, the bill ignores the deliberative scientific process that must be part of the development of any drinking water standard.

A maximum contaminant level (MCL) is an enforceable regulatory standard under the Safe Drinking Water Act and must be complied with by public water systems. Current law requires DHS, while placing primary emphasis on the protection of public health, to establish an MCL at a level as close to the theoretical public health goal as is technically and economically feasible. This bill ignores the necessity to consider economic and technological feasibility when adopting an enforceable drinking water standard.

Sincerely,

Arnold Schwarzenegger

SB 429  (Florez)

To the Members of the California State Senate:

I am returning Senate Bill 429 without my signature.

This bill would require the Department of Health Services to convene a public advisory group to assist in the development of standards for freshwater bathing. The department would be required to report these standards directly to the Legislature.
The Department of Health Services, in conjunction with their local government partners the California Conference of Directors of Environmental Health, already developed freshwater bathing standards. These standards are on the Departments website and can be used by any local jurisdiction to protect public health by regulating access to freshwater bathing areas that do not meet these standards. I encourage the Legislature to go to the website to review these guidelines.

Sincerely,

Arnold Schwarzenegger

**SB 600 (Ortiz)**

To the Members of the California State Senate:

I am returning Senate Bill 600 without my signature.

I care deeply about the health and welfare of all Californians. Science based research is essential to better understand how the three main factors: behavior, environment, and genetics, interact to influence our health.

While the intent of this measure is worthy, this bill does nothing more than require a study, and a flawed one at that. The bill will only provide a partial snapshot of chemicals present in tested participants without proper context of what the presence of specific chemical means or how it interacts with other health factors. In response, Californians may take an action that is adverse to their health and the health of their family based on incomplete information. For example, despite the facts that health experts extol the virtue and benefits of breast feeding, a new mom may choose not to breastfeed her infant for fear that a small amount of chemicals in her body may transfer to the child, depriving the infant of nutrients, disease preventing antibodies, and a reduced risk of obesity.

Any biomonitoring program must be built on a sound scientific foundation in order to provide information that can be further evaluated to direct additional research. If the program is flawed in any manner, the resources we direct towards it would essentially be wasted.
Because a properly constructed biomonitoring program could yield useful data for researchers, I am directing my Secretaries of Health and Human Services and California Environmental Protection Agencies, working with our University and academic institutions, to develop a comprehensive approach to the laudable goals of this bill.

Sincerely,

Arnold Schwarzenegger

**SB 849 (Escutia)**

To the Members of the California State Senate:

While I agree with the author, that improved coordination of research and data collection can help California better protect public health, I am returning Senate Bill 849 without my signature as this bill duplicates efforts underway.

California has taken great strides to better protect public health and improve environmental health by creating a new Department of Public Health and establishing the first comprehensive, statewide effort to measure and catalogue human exposure to chemicals. Californias Biomonitoring Program, established by SB 1379 (Perata) which I recently signed into law, will help us better understand how chemicals in our environment may be building up and affecting our bodies, our environment, and our public health. The Biomonitoring program will build on existing efforts to increase data sharing and strengthen research efforts through an environmental health tracking program.

Sincerely,

Arnold Schwarzenegger

**SB 960 (Simitian)**

To Members of the California State Senate:

I am returning SB 960 without my signature.

This bill requires the Department of Toxic Substance Control to post on its website information it already has posted and link to sites it already links to. Referencing these sites in statute is duplicative and will limit discretion of the Director to find the best most
relevant sites in which to provide links so that businesses and consumers have access to the most current and useful data.

Sincerely,

Arnold Schwarzenegger

**SB 982 (Senate Environmental Quality Cmt)**

To the Members of the California State Senate:

I am returning Senate Bill 982 without my signature.

This bill is duplicative of existing activities at the Department of Toxics and Substance Control. The department already makes its environmental enforcement and complaint information available on its website. It allows the State Water Resources Control Board to post reports already available to the public. Therefore, this bill is unnecessary and duplicative.

Sincerely,

Arnold Schwarzenegger

**SB 1067 (Kehoe)**

To the Members of the California State Senate:

I am returning SB 1067 without my signature.

California’s drinking water protection program is recognized as a model program across the nation. Our system of developing Public Health Goals and Maximum Contaminant Levels to notify and protect our citizens has served drinking water customers of public water systems effectively for many years. This bill would alter that system by changing the standards to establish a Public Health Goal and consumer notification requirements for trihalomethanes and total haloacetic acids.

The current drinking water protection program establishes the Public Health Goal based on several health based factors including the impact on sensitive populations, long term health impacts, and cancer prevention. This bill elevates one specific sensitive population above all other criteria when establishing the Public Health Goal. This directive skews the scientific process. Additionally, this bill has different notification requirements than other substances that
have already established Public Health Goals. These different requirements could cause confusion among consumers and local water districts and add unnecessary additional expense without increasing consumer protection.

For these reasons I cannot sign this legislation.

Sincerely,

Arnold Schwarzenegger

**SB 1532 (Bowen)**

To the Members of the California State Senate:

Exposure to hazardous substances, like gasoline, is a threat to children who gain access to the containers in which the substances are kept. Data from the Consumer Product Safety Commission shows that children sometimes spill gasoline, which can ignite and cause burns. Toxic effects of hydrocarbons (gasoline and similar substances) via ingestion, inhalation and dermal exposure have also been documented. SB 1532 (Bowen) and AB 2022 (Rusk) both seek to protect children from dangerous exposure to gasoline. While well intended, SB 1532 is too vague and lacks the specific authority for Department of Health Services to establish clear standards needed for the bill to be effective. AB 2022 more effectively and directly protects child safety by requiring the State Fire Marshal to approve the types of child-resistant gasoline containers that can be sold in California.

For these reasons, I am returning Senate Bill 1532 without my signature and signed AB 2022 into law.

Sincerely,

Arnold Schwarzenegger

**Signing Message**

**AB 2701 (Blakeslee)**

To the Members of the California State Assembly:

I am signing AB 2701 because this bill will resolve a long-standing conflict and controversy by providing a means to transfer responsibility for constructing a wastewater collection and treatment system from the Los Osos Community Services District to San Luis Obispo County. The current septic tank discharges
from Los Osos pose serious environmental and public health concerns and the Los Osos Community Services District has failed in its responsibility to construct a wastewater collection and treatment system to protect water quality and public health. State and federal agencies have been working to address these water quality issues in Los Osos for over 30 years. The County has the resources and expertise necessary to construct the wastewater collection and treatment system and thereby address the water quality issues in Los Osos. The transfer of the responsibility for constructing the plant from the Los Osos Community Services District to the County is the only viable solution to addressing this problem. It is important that the State Revolving Fund be repaid the $6.5 million in loan funds that the District owes the State Revolving Fund. This is important, not only financial accountability, but because failure to repay the loan adversely affects other local agencies seeking loans from the State Revolving Fund. Therefore, I am directing the State Water Resources Control Board to withhold any subsequent State Revolving Fund loan to San Luis Obispo County for this project unless the existing $6.5 million loan has been repaid or the payment plan incorporates its full recovery.

Sincerely,

Arnold Schwarzenegger

APPENDIX III

ALL LEGISLATION BY BILL NUMBER

<table>
<thead>
<tr>
<th>Measure</th>
<th>Author</th>
<th>Chapter Number</th>
<th>Page Number</th>
</tr>
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<tbody>
<tr>
<td>AB 289</td>
<td>Wilma Chan</td>
<td>699, Statutes of 2006</td>
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<td>AB 371</td>
<td>Jackie Goldberg</td>
<td>541, Statutes of 2006</td>
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<td>AB 403</td>
<td>Doug La Malfa</td>
<td>388, Statutes of 2005</td>
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<td>AB 405</td>
<td>Cindy Montanez</td>
<td>566, Statutes of 2005</td>
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<tr>
<td>AB 495</td>
<td>Cindy Montanez</td>
<td>145, Statutes of 2005</td>
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<td>AB 575</td>
<td>Lois Wolk</td>
<td>59, Statutes of 2005</td>
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<td>AB 721</td>
<td>Fabian Nunez</td>
<td>695, Statutes of 2005</td>
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<td>Lois Wolk</td>
<td>548, Statutes of 2006</td>
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<td>AB 816</td>
<td>Sally Lieber</td>
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<td>Juan Arambula</td>
<td>569, Statutes of 2005</td>
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<td>Fran Pavley</td>
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<td>Ira Ruskin</td>
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<td>186, Statutes of 2006</td>
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AB 1548  Fran Pavley  717, Statutes of 2006
AB 1641  Fran Pavley  415, Statutes of 2006
AB 1693  Patty Berg  500, Statutes of 2006
AB 1747  WP & W  Vetoed
AB 1953  Wilma Chan  853, Statutes of 2006
AB 2022  Ira Ruskin  473, Statutes of 2006
AB 2092  Loni Hancock  Vetoed
AB 2144  Cindy Montanez  562, Statutes of 2006
AB 2155  Lois Wolk  741, Statutes of 2006
AB 2335  Lori Saldana  166, Statutes of 2006
AB 2490  Ira Ruskin  Vetoed
AB 2587  Carol Liu  798, Statutes of 2006
AB 2648  Barbara Mathews  93, Statutes of 2006
AB 2701  Sam Blakeslee  360, Statutes of 2006
AB 2804  Simon Salinas  425, Statutes of 2006
AB 2865  Alberto Torrico  865, Statutes of 2006
AJR 8  Joe Canciamilla  Res. 93, Statutes of 2005
SB 187  Nell Soto  Vetoed
SB 197  Dave Cox  252, Statutes of 2005
SB 387  Denise Ducheny  112, Statutes of 2005
SB 429  Dean Florez  Vetoed
SB 471  Martha Escutia  586, Statutes of 2005
SB 536  Debra Bowen  587, Statutes of 2005
SB 578  Martha Escutia  684, Statutes of 2005
SB 600  Deborah Ortiz  Vetoed
SB 771  Joe Simitian  588, Statutes of 2005
SB 822  Bob Margett  271, Statutes of 2005
SB 849  Martha Escutia  Vetoed
SB 960  Joe Simitian  Vetoed
SB 979  SEQ  139, Statutes of 2005
SB 982  Joe Simitian  Vetoed
SB 1067  Christine Kehoe  Vetoed
SB 1294  Denise Ducheny  143, Statutes of 2006
SB 1305  Liz Figueroa  64, Statutes of 2006
SB 1347  Mike Machado  309, Statutes of 2006
SB 1379  Don Perata  599, Statutes of 2006
SB 1532  Debra Bowen  Vetoed
SB 1557  Denise Ducheny  671, Statutes of 2006
SB 1733  Sam Aanestad  404, Statutes of 2006
SB 1826  Carole Migden  Vetoed