

# Legislative Summary



## 2011 Legislative Year

California Environmental Protection Agency

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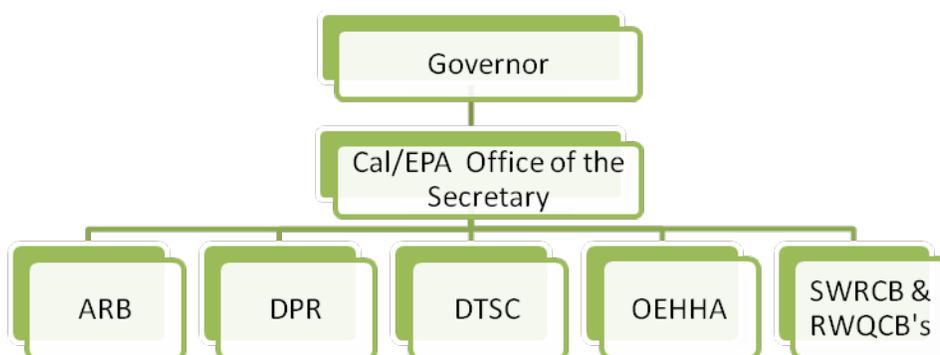
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# **About the California Environmental Protection Agency**

## About the California Environmental Protection Agency

In 1991, California's environmental authority was unified in a single Cabinet level agency--the California Environmental Protection Agency (Cal/EPA). This brought the Air Resources Board (ARB), State Water Resources Control Board (SWRCB), Regional Water Quality Control Boards (RWQCBs) and the Integrated Waste Management Board (IWMB) under an umbrella agency with the newly created Department of Toxic Substances Control (DTSC), Office of Environmental Health Hazard Assessment (OEHHA) and Department of Pesticide Regulation (DPR). In 2009, the IWMB was abolished and its duties were transferred to the newly created Department of Resources Recycling and Recovery in the Natural Resources Agency.

[Cal/EPA's Office of the Secretary](#) heads Cal/EPA and is responsible for overseeing and coordinating the activities of all five Boards, Departments, and Offices (BDOs) shown below.



The Secretary does not direct policies and decisions of the Boards, Departments and Office on a day-to-day basis. As an officer of the Governor's Cabinet with statutory responsibility (Gov. Code sections 12850-12856) to coordinate and supervise the overall performance of the Agency, the Secretary provides the vision and leadership that focuses the efforts of the Boards, Departments and Office of Cal/EPA on the goals of the Administration.

The specific functions to be performed within the Office of the Secretary of Cal/EPA include budget review, review of personnel management, enforcement coordination, information management coordination, strategic planning and pollution prevention.

In addition to these agency duties, the Legislature has given the Office of the Secretary several specific programmatic responsibilities, which are listed below with links to further information:

- [Unified Program](#)
- [Children's Environmental Health](#)
- [Enforcement](#)
- [Environmental Justice](#)
- [Environmental Management and Sustainability Project](#)
- [Environmental Protection Indicators for California \(EPIC\)](#)
- [Quality Improvement](#)



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**Boards, Departments &  
Offices Information &  
Staff Contacts**

**[Air Resources Board](#)    **Legislative Affairs Office: (916) 322-2896****

The Air Resources Board's (ARB) mission is to promote and protect public health, welfare and ecological resources through the effective and efficient reduction of air pollutants in recognition and consideration of the effects on the economy of the State.

**Contact:**            Jennifer Gress  
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**[Department of Pesticide Regulation](#)    **Legislative Affairs Office: (916) 445-3976****

The Department of Pesticide Regulation (DPR) has the primary responsibility for regulating all aspects of pesticide sales and use to protect the public health and the environment. DPR's mission is to evaluate and mitigate impacts of pesticide use, maintain the safety of the pesticide workplace, ensure product effectiveness, and encourage the development and use of reduced risk pest control practices while recognizing the need for pest management in a healthy economy.

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**[Department of Toxic Substances Control](#)    **Legislative Affairs Office: (916) 322-3900****

The mission of DTSC is to restore, protect and enhance the environment, to ensure public health, environmental quality and economic vitality, by regulating hazardous waste, conducting and overseeing cleanups, and developing and promoting pollution prevention.

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**[Office of Environmental Health Hazard Assessment](#)    **Legislative Affairs Office: (916) 323-2395****

The mission of OEHHA is to protect and enhance public health and the environment by objective scientific evaluation of risks posed by hazardous substances.

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**[State Water Resources Control Board](#)    **Legislative Affairs Office: (916) 341-5251****

The State Water Resources Control Board's mission is to preserve and enhance the quality of California's water resources, and ensure their proper allocation and efficient use for the benefit of present and future generations.

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# **Significant Legislation**



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## **Bill Summary**

## **By Number**

<b>Bill</b>	<b>Author</b>	<b>Title</b>	<b>Final Outcome</b>	<b>Page</b>
AB 95	Committee on Budget	Public resources	Chaptered	
AB 120	Committee on Budget	Public Resources	Chaptered	
AB 134	Dickinson	Appropriation of water: Sacramento Regional County Sanitation District	Chaptered	
AB 135	Hagman	State Air Resources Board: membership: small business owner	Vetoed	
AB 255	Wieckowski	Hazardous waste: latex paint: collection facility	Chaptered	
AB 275	Solorio	Rainwater Capture Act of 2011	Vetoed	
AB 291	Wieckowski	Underground storage tanks: petroleum: charges	Chaptered	
AB 341	Chesbro	Solid waste: diversion	Chaptered	
AB 358	Smyth	Hazardous substances: underground storage tanks: releases: reports	Chaptered	
AB 359	Huffman	Groundwater management plans	Chaptered	
AB 408	Wieckowski	Environment: hazardous substances and materials: hazardous waste transportation: paint recycling	Chaptered	
AB 410	Swanson	Regulations: adoption: disability access	Chaptered	
AB 417	Berryhill	Structural pest control	Chaptered	
AB 436	Solorio	Public works: labor compliance	Chaptered	
AB 462	Lowenthal	Air pollution districts: fees: school buses	Chaptered	
AB 470	Halderman	Air pollution districts: fees: schoolbus retrofits	Chaptered	
AB 475	Butler	Vehicles: off-street parking: electric vehicles	Chaptered	
AB 587	Gordon	Public works: volunteers	Chaptered	
AB 631	Ma	Public utilities: electric vehicle charging stations	Chaptered	
AB 634	Huber	Vertebrate pest control: carbon monoxide	Chaptered	
AB 650	Blumenfield	Blue Ribbon Task Force on Public Transportation for the 21st Century	Vetoed	
AB 735	Mitchell	Interns and student assistants: hiring preference	Chaptered	

<b>Bill</b>	<b>Author</b>	<b>Title</b>	<b>Final Outcome</b>	<b>Page</b>
AB 741	Huffman	Onsite wastewater disposal	Chaptered	
AB 849	Gatto	Water: use efficiency: graywater building standards	Chaptered	
AB 900	Buchanan	Jobs and Economic Improvement Through Environmental Leadership Act of 2011	Chaptered	
AB 913	Feuer	Hazardous waste: source reduction: certified green business program	Chaptered	
AB 964	Huffman	Water rights: appropriation	Chaptered	
AB 1023	Wagner	Maintenance of the codes	Chaptered	
AB 1125	Achadjian	Public health: County of San Luis Obispo and Los Osos Community Services District	Chaptered	
AB 1150	Pérez	Self-generation incentive program	Chaptered	
AB 1210	Garrick	Water quality: stormwater discharge: civil engineering activities	Vetoed	
AB 1221	Alejo	State Water Quality Control Fund: State Water Pollution Cleanup and Abatement Account	Chaptered	
AB 1314	Wieckowski	Air resources: Alternative and Renewable Fuel and Vehicle Technology Program	Chaptered	
AB 1319	Butler	Product safety: bisphenol A	Chaptered	
SB 170	Pavley	Air districts: adverse effects of air pollution: intellectual property	Chaptered	
SB 209	Corbett	Common interest developments: electric vehicle charging stations	Chaptered	
SB 211	Emmerson	California Global Warming Solutions Act of 2006: tire inflation regulation	Vetoed	
SB 225	Simitian	California Pollution Control Financing Authority: Capital Access Loan Program	Chaptered	
SB 244	Wolk	Local government: land use: general plan: disadvantaged unincorporated communities	Chaptered	
SB 263	Pavley	Wells: reports: public availability	Vetoed	
SB 292	Padilla	California Environmental Quality Act: administrative and judicial review procedures: City of Los Angeles: stadium	Chaptered	
SB 428	Strickland	Lester's Law of 2011	Chaptered	
SB 456	Huff	Household hazardous waste: transportation	Chaptered	

<b>Bill</b>	<b>Author</b>	<b>Title</b>	<b>Final Outcome</b>	<b>Page</b>
SB 482	Kehoe	Public beach contamination: standards: testing: closing	Chaptered	
SB 489	Wolk	Electricity: net energy metering	Chaptered	
SB 570	Rubio	San Joaquin Valley Unified Air Pollution Control District: high polluter vehicles: school buses	Chaptered	
SB 582	Yee	Commute benefit policies	Vetoed	
SB 607	Walters	State Water Resources Control Board: water quality: brackish groundwater treatment	Chaptered	
SB 617	Calderon	State government: financial and administrative accountability	Chaptered	
SB 646	Pavley	Toxics: enforcement: lead and cadmium jewelry	Chaptered	
SB 724	Dutton	State Air Resources Board: mobile source certification	Vetoed	
SB 759	Lieu	Common interest developments: artificial turf	Vetoed	
SB 771	Kehoe	California Alternative Energy and Advanced Transportation Financing Authority	Chaptered	
SB 833	Vargas	Solid waste: disposal facilities: San Diego County	Vetoed	
SB 834	Wolk	Integrated regional water management plans: contents	Vetoed	
SB 909	La Malfa	Treated wood waste: disposal	Chaptered	
SBX1 1	Steinberg	Partnership academies: Clean Technology and Renewable Energy Job Training, Career Technical Education, and Dropout Prevention Program	Chaptered	
SBX1 2	Simitian	Energy: renewable energy resources	Chaptered	



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## California State Assembly

### **AB 95 (Committee on Budget) Public resources.**

**Status:** 3/24/2011-Chaptered by the Secretary of State, Chapter Number 2, Statutes of 2011

**Summary:** This is the Resources Trailer Bill for the Budget Act of 2011. Among its provisions, it authorizes the State Water Resources Control Board (State Water Board) to assess and expend fees to pay for the costs of adopting, reviewing, and revising water quality control plans (regional versions of water quality control plans are also known as "basin plans") and state policies for water quality control.

### **AB 120 (Committee on Budget) Public Resources.**

**Status:** 7/26/2011-Chaptered by the Secretary of State, Chapter Number 133, Statutes of 2011

**Summary:** Contains statutory changes in the area of natural resources and environmental protection to implement changes to the Budget Act of 2011. Among its provisions, it extends the moratorium on suction dredge mining to June 30, 2016 or until the Department of Fish and Game (DFG) meets certain requirements. It also repeals the State Interagency Oil Spill Committee, effective January 1, 2012 and recast the provisions of the oil spill response statute. Additionally, the bill makes technical, cleanup changes to provisions of existing law that established Wastewater Operator Certification Fund (WOCF) to allow additional fee revenues paid by wastewater treatment plant operators to be deposited into the WOCF. The bill also appropriates \$1,000 from the WOCF to the State Water Resources Control Board (State Water Board) for administrative costs.

### **AB 134 (Dickinson) Appropriation of water: Sacramento Regional County Sanitation District.**

**Status:** 9/6/2011-Chaptered by the Secretary of State, Chapter Number 212, Statutes of 2011

**Summary:** Allows the Sacramento Regional County Sanitation District to apply for a permit from the State Water Resources Control Board to appropriate an amount of water up to the amount of discharged wastewater.

### **AB 255 (Wieckowski) Hazardous waste: latex paint: collection facility.**

**Status:** 9/6/2011-Chaptered by the Secretary of State, Chapter Number 213, Statutes of 2011

**Summary:** Clarifies that any household hazardous waste collection facility (HHWCF) may also operate as a recyclable latex paint collection facility and would be able to accept any amount of recyclable latex paint from any type of hazardous waste generator.

### **AB 291 (Wieckowski) Underground storage tanks: petroleum: charges.**

**Status:** 10/8/2011-Chaptered by the Secretary of State, Chapter Number 569, Statutes of 2011

**Summary:** Extends, from January 1, 2012 until January 1, 2014, the sunset date of the \$0.006 per gallon fee that is deposited into the Underground Storage Tank Cleanup Fund (USTCF). Monies in the USTCF are used to reimburse eligible UST owners and operators for cleaning up soil and groundwater contamination resulting from the unauthorized release of petroleum from underground storage tanks.

### **AB 341 (Chesbro) Solid waste: diversion.**

**Status:** 10/6/2011-Chaptered by the Secretary of State, Chapter Number 476, Statutes of 2011

**Summary:** Establishes a state policy goal that 75 percent of solid waste generated be diverted from landfill disposal by 2020; requires a commercial waste generator to arrange for recycling services; and, requires local governments to implement commercial solid waste recycling programs designed to divert solid waste from businesses. Also requires the Department of Resources, Recycling and Recovery (CalRecycle) to prepare a report to the Legislature by January 1, 2014, to provide strategies for achieving the 75 percent reduction of solid waste.

**AB 358 (Smyth) Hazardous substances: underground storage tanks: releases: reports.**

**Status:** 10/8/2011-Chaptered by the Secretary of State, Chapter Number 571, Statutes of 2011

**Summary:** Makes various changes to existing law pertaining to the cleanup of leaking underground storage tanks (USTs). Among other things, this bill requires the owner or operator of an UST to transmit information regarding unauthorized releases to the local agency on a written form or using an electronic format developed by the State Water Resources Control Board (Board) and approved by the Secretary for Environmental Protection. This bill requires each regional water board and local agency to submit a report to the Board for all unauthorized releases. This bill also requires the Board to annually post and update on its website, the information in those reports concerning unauthorized releases.

**AB 359 (Huffman) Groundwater management plans.**

**Status:** 10/8/2011-Chaptered by the Secretary of State, Chapter Number 572, Statutes of 2011

**Summary:** Makes various changes to provisions of existing law pertaining to the development of groundwater management plans. Requires a local agency adopting a plan to provide to the Department of Water Resources (DWR) a copy of a resolution of intention to draft a groundwater management plan within 30 days of the date of adoption; requires local groundwater management agencies to notify interested persons and DWR about the date, time and place of a hearing pertaining to the adoption of a groundwater management plan; requires DWR to post on its website information regarding which local agency has jurisdiction to develop a groundwater management plan in a given area; and requires local groundwater management agencies seeking DWR funds for groundwater projects to include in their groundwater management plans a map identifying recharge basins and to submit a copy of the map to local planning agencies.

**AB 408 (Wieckowski) Environment: hazardous substances and materials: hazardous waste transportation: paint recycling.**

**Status:** 10/8/2011-Chaptered by the Secretary of State, Chapter Number 603, Statutes of 2011

**Summary:** Makes changes to hazardous material reporting, emergency response, and hazardous waste manifest requirements and to the requirements for the management of used paint.

**AB 410 (Swanson) Regulations: adoption: disability access.**

**Status:** 10/6/2011-Chaptered by the Secretary of State, Chapter Number 495, Statutes of 2011

**Summary:** Requires specified state agencies to provide a narrative description of proposed regulations to persons with visual disabilities upon request, and to provide the requester with an extended public comment period.

**AB 417 (Berryhill) Structural pest control.**

**Status:** 7/25/2011-Chaptered by the Secretary of State, Chapter Number 99, Statutes of 2011

**Summary:** Prohibits a city and county from prohibiting a licensee of the board from engaging in the particular business, occupation, or profession for which he or she is licensed. Clarifies that structural pest control licensees can obtain building permits from city and counties without a contractor's license from the Contractors State License Board (CSLB).

**AB 436 (Solorio) Public works: labor compliance.**

**Status:** 9/30/2011-Chaptered by the Secretary of State, Chapter Number 378, Statutes of 2011

**Summary:** Makes changes to existing law related to a prevailing wage enforcement mechanism for public works projects by the Department of Industrial Relations (DIR) in order to address potential legal questions about the funding method of that process.

**AB 462 (Lowenthal) Air pollution districts: fees: school buses.**

**Status:** 9/6/2011-Chaptered by the Secretary of State, Chapter Number 216, Statutes of 2011

**Summary:** Authorizes an air pollution control district or a regional air quality management district (district), until January 1, 2015, to use motor vehicle registration fee revenues to replace natural gas fuel tanks or fueling infrastructure operated by public school districts.

**AB 470 (Halderman) Air pollution districts: fees: school bus retrofits.**

**Status:** 8/4/2011-Chaptered by the Secretary of State, Chapter Number 174, Statutes of 2011

**Summary:** Authorizes an air pollution control district or a regional air quality management district, until January 1, 2015, to use motor vehicle registration fee revenues (the last \$2 increase of the \$6 dollar surcharge, as specified) for retrofit of emissions control equipment for existing school buses.

**AB 475 (Butler) Vehicles: off-street parking: electric vehicles.**

**Status:** 9/7/2011-Chaptered by the Secretary of State, Chapter Number 274, Statutes of 2011

**Summary:** Allows a public or private entity responsible for an off-street parking facility to designate stalls in an off-street parking facility exclusively for parking and charging a vehicle if it is connected for charging purposes; eliminates the zero-emission vehicle decal program; and mandates changes to signage to indicate that vehicles not connected for charging purposes may be towed.

**AB 587 (Gordon) Public works: volunteers.**

**Status:** 9/6/2011-Chaptered by the Secretary of State, Chapter Number 219, Statutes of 2011

**Summary:** Extends, until January 1, 2017, provisions of current law that exempt volunteer work, as well as work performed by the California Conservation Corp or a Community Conservation Corps, from prevailing wage requirements that otherwise apply to public works projects.

**AB 631 (Ma) Public utilities: electric vehicle charging stations.**

**Status:** 10/6/2011-Chaptered by the Secretary of State, Chapter Number 480, Statutes of 2011

**Summary:** Exempts from the definition of a public utility a facility that supplies electricity to the public only for use to charge light duty plug-in electric vehicles.

**AB 634 (Huber) Vertebrate pest control: carbon monoxide.**

**Status:** 10/2/2011-Chaptered by the Secretary of State, Chapter Number 407, Statutes of 2011

**Summary:** Authorizes until January 1, 2018, the use of carbon monoxide to control burrowing rodent pests. This bill requires the California Department of Food and Agriculture to broaden their current vertebrate pest research programs and the development of educational materials to include carbon monoxide and carbon dioxide delivery systems.

**AB 735 (Mitchell) Interns and student assistants: hiring preference.**

**Status:** 10/4/2011-Chaptered by Secretary of State - Chapter No. 464, Statutes of 2011

**Summary:** Establishes a hiring preference for state internships and student assistants for foster youth.

**AB 741 (Huffman) Onsite wastewater disposal.**

**Status:** 7/25/2011-Chaptered by the Secretary of State, Chapter Number 106, Statutes of 2011

**Summary:** Allows local sewer service providers, at a property owner's request, to construct sewer improvements on private property and charge the property owner for the costs. The local sewer service provider is authorized to place a lien against the property to recover its costs or alternatively to enter into an agreement, secured by a lien on the home, for the property owner to repay the sewer service

provider over time. The bill specifies that the terms of the loan could not exceed 30 years, nor have a rate of interest greater than twelve percent.

**AB 849 (Gatto) Water: use efficiency: graywater building standards.**

**Status:** 10/8/2011-Chaptered by the Secretary of State, Chapter Number 577, Statutes of 2011

**Summary:** Repeals the authority of a city, county, or other local agency to adopt building standards that prohibit entirely the use of graywater systems and requires that an ordinance enacted regarding graywater standards that are different than statewide standards must include the local climatic, geological, or topographical information that justifies the difference.

**AB 900 (Buchanan) Jobs and Economic Improvement through Environmental Leadership Act of 2011.**

**Status:** 9/27/2011-Chaptered by the Secretary of State, Chapter Number 354, Statutes of 2011

**Summary:** Establishes a temporary procedure for streamlining judicial decisions on California Environmental Quality Act (CEQA) challenges to approval of certain residential, entertainment, or energy-oriented projects with investments of at least \$100 million each. To qualify for judicial streamlining, a project must be certified by the Governor as meeting specific criteria including a determination by the Air Resources Board that it does not result in any net increase in greenhouse gas (GHG) emissions. The provisions of this bill sunset on January 1, 2015.

**AB 913 (Feuer) Hazardous waste: source reduction: certified green business program.**

**Status:** 10/8/2011-Chaptered by the Secretary of State, Chapter Number 578, Statutes of 2011

**Summary:** Requires the Department of Toxic Substances Control (DTSC) to develop a California Green Business Program (Program) and specifies requirements for the Program.

**AB 964 (Huffman) Water rights: appropriation.**

**Status:** 10/8/2011-Chaptered by the Secretary of State, Chapter Number 579, Statutes of 2011

**Summary:** Provides a streamlined mechanism for small irrigation uses, as defined, to obtain a water right from the State Water Resources Control Board by expanding the existing water right registration process to include those uses.

**AB 1023 (Wagner) Maintenance of the codes.**

**Status:** 9/21/2011-Chaptered by the Secretary of State, Chapter Number 296, Statutes of 2011

**Summary:** Makes non-substantive changes to the codes by correcting various grammatical and other technical errors that exist in the original bill text, as suggested by the Office of Legislative Counsel

**AB 1125 (Achadjian) Public health: County of San Luis Obispo and Los Osos Community Services District.**

**Status:** 8/4/2011-Chaptered by the Secretary of State, Chapter Number 177, Statutes of 2011

**Summary:** Authorizes the County of San Luis Obispo, and the Los Osos Community Services District, upon resuming the responsibilities of operating a community wastewater collection and treatment system, to develop a tiered assessment system for very low and low-income households using outside funds, including grants from the State Water Resources Control Board (State Water Board) and the United States Department of Agriculture (USDA).

**AB 1150 (Pérez) Self-generation incentive program.**

**Status:** 9/22/2011-Chaptered by the Secretary of State, Chapter Number 310, Statutes of 2011

**Summary:** Extends the authority of the California Public Utilities Commission (CPUC) to collect funds from gas and electric ratepayers to fund the Self-Generation Incentive Program through December 31, 2014.

**AB 1221 (Alejo) State Water Quality Control Fund: State Water Pollution Cleanup and Abatement Account.**

**Status:** 10/7/2011-Chaptered by the Secretary of State, Chapter Number 517, Statutes of 2011

**Summary:** Expands eligibility for funding from the State Water Pollution Cleanup and Abatement Account (CAA). Allows a not-for-profit organization and listed tribe serving a disadvantaged community to receive funding from the CAA for waste clean-up. Requires that not-for-profit organization to be either controlled by a local public agency or, in the case of a private corporation, have a broadly-based ownership or membership of the people of the local community.

**AB 1314 (Wieckowski) Air resources: Alternative and Renewable Fuel and Vehicle Technology Program.**

**Status:** 10/6/2011-Chaptered by the Secretary of State, Chapter Number 487, Statutes of 2011

**Summary:** Creates efficiency measures for the California Energy Commission's (CEC) Alternative and Renewable Fuel and Vehicle Technology Program's (Program) by streamlining approvals for small projects or minor changes to projects; authorizing CEC to adopt guidelines for implementing block grant or incentive programs; and, allowing pre-approval startup costs to go toward nonstate matching funds. The bill specifies that, rather than developing a new investment plan each year, CEC may annually update the previous year's plan.

**AB 1319 (Butler) Product safety: bisphenol A.**

**Status:** 10/4/2011-Chaptered by Secretary of State - Chapter No. 467, Statutes of 2011

**Summary:** Beginning on January 1, 2013, enacts the Toxin-Free Infants and Toddlers Act and prohibits, with certain exceptions, the manufacture, sale, or distribution of any bottle or cup intended for use by infants or children three years of age or younger that contains bisphenol A (BPA) at a detectable level above 0.1 parts per billion (ppb). The bill's restrictions become inoperative if the state Department of Toxic Substances Control (DTSC) adopts future BPA restrictions or regulations under its ongoing green chemistry regulatory process.

## California State Senate

**SB 170 (Pavley) Air districts: adverse effects of air pollution: intellectual property.**

**Status:** 10/8/2011-Chaptered by the Secretary of State, Chapter Number 586, Statutes of 2011

**Summary:** Authorizes local and regional districts to sponsor, coordinate, and promote projects that will lead to the prevention, mitigation, or cure of the adverse effects of air pollution, including the adverse health effects of air pollution. Until January 1, 2017 this bill authorizes a district to negotiate what share, if any, of the intellectual property, or benefits resulting from intellectual property developed from the use of district funds, including funds discharged as grants, will accrue to that district. This bill requires revenues generated from revenue sharing agreements to be deposited into a special account and used for specified purposes. Under certain circumstances, this bill prohibits a district from receiving a benefit pursuant to these provisions in excess of the amount of the district's investment. If the state or a subdivision of the state purchases or licenses a process, machine, or article of manufacture for which a district accrues a benefit resulting from the intellectual property interest, the district is required, upon the request of the Department of General Services, to provide reimbursement to the General Fund for

the amount of the benefit accrued. Districts utilizing this authority must report to the Legislature annually regarding revenue sharing negotiations and fund generation or expenditure as provided.

**SB 209 (Corbett) Common interest developments: electric vehicle charging stations.**

**Status:** 7/25/2011-Chaptered by the Secretary of State, Chapter Number 121, Statutes of 2011

**Summary:** Makes void and unenforceable any covenant, restriction, or any deed, security interest, contract, or governing document of any common interest development (CID) that would unreasonably restrict the installation or use of a plug-in electric vehicle (PEV) charging station on a homeowner's property or common area. This bill provides protections for CIDs regarding applying reasonable restrictions, compliance with architectural standards, and liability protection for PEV charging stations installed in a common area. This bill imposes responsibilities on the homeowner, including maintaining an umbrella liability coverage policy of \$1,000,000 that names the common interest development as an additional insured. It also makes a CID that willfully violates this section liable for actual damages to the applicant or other party and liable for a civil penalty not to exceed \$1,000.

**SB 225 (Simitian) California Pollution Control Financing Authority: Capital Access Loan Program.**

**Status:** 10/6/2011-Chaptered by the Secretary of State, Chapter Number 492, Statutes of 2011

**Summary:** Authorizes the California Pollution Control Financing Authority (CPCFA) to establish loss reserve accounts for the purposes of financing terminal rental adjustment clause leasing (TRAC), if funds are available for contribution into the loss reserve account from any source other than the authority. This bill prohibits, for purposes of the loss reserve accounts for TRAC, the use of funds provided by the federal government for the purposes of providing a loan loss reserve program.

**SB 244 (Wolk) Local government: land use: general plan: disadvantaged unincorporated communities.**

**Status:** 10/7/2011-Chaptered by the Secretary of State, Chapter Number 513, Statutes of 2011

**Summary:** Requires cities, counties, and local agency formation commissions (LAFCOs) to include disadvantaged communities in their local planning efforts. This bill provides explicit statutory authority for municipalities to borrow from the State Water Resources Control Board's (SWRCB) Clean Water State Revolving Fund (CWSRF) program among its provisions.

**SB 292 (Padilla) California Environmental Quality Act: administrative and judicial review procedures: City of Los Angeles: stadium.**

**Status:** 9/27/2011-Chaptered by the Secretary of State, Chapter Number 353, Statutes of 2011

**Summary:** Establishes procedures for nonbinding mediation and expedited judicial review for legal challenges that occur under the California Environmental Quality Act (CEQA) for a specific football stadium and convention center project in Los Angeles. This bill requires the implementation of specified measures, as a condition of approval of the project, to minimize traffic congestion and air quality impacts that may result from the project. These provisions become inoperative on June 1, 2013 if the City of Los Angeles does not approve the final environmental impact report (EIR) for the project before that date.

**SB 428 (Strickland) Lester's Law of 2011.**

**Status:** 9/21/2011-Chaptered by the Secretary of State, Chapter Number 304, Statutes of 2011

**Summary:** Directs Cal/EPA to provide the Commission on Peace Officer Training (POST) a portion of the Local Environmental Enforcement and Training Account for the development of environmental crimes training for peace officers. This bill also makes technical and corrective changes to various code sections relating generally to criminal justice laws.

**SB 456 (Huff) Household hazardous waste: transportation.**

**Status:** 10/8/2011-Chaptered by the Secretary of State, Chapter Number 602, Statutes of 2011

**Summary:** Allows door-to-door household hazardous waste collection programs to transport household hazardous waste to not only local government operated household hazardous waste collection facilities, but also to authorized hazardous waste facilities. This bill also allows transporters operating a door-to-door household hazardous waste collection program to use a consolidated manifesting procedure. These provisions expire on January 1, 2020.

**SB 482 (Kehoe) Public beach contamination: standards: testing: closing.**

**Status:** 10/8/2011-Chaptered by the Secretary of State, Chapter Number 592, Statutes of 2011

**Summary:** Transfers responsibility for administering portions of an existing program for monitoring water quality at public beaches in coastal counties from the Department of Public Health (DPH) to the State Water Resources Control Board (State Water Board). Commencing January 1, 2012, this bill requires the State Water Board to be responsible for monitoring protocols, site locations, monitoring frequency, and prescribed testing.

**SB 489 (Wolk) Electricity: net energy metering.**

**Status:** 10/8/2011-Chaptered by the Secretary of State, Chapter Number 593, Statutes of 2011

**Summary:** Revises the definition of an eligible customer-generator to instead require that the generating facility utilize a renewable source listed in the definition of a renewable electricity generation facility that is used for purposes of the Renewable Energy Resources Program administered by the State Energy Resources Conservation and Development Commission. This bill expands eligibility for net energy metering (NEM) to all the same renewable resources eligible under the State's Renewables Portfolio Standard (RPS) provided they are one megawatt (MW) or less. Also repeals an expired pilot program to provide NEM for eligible biogas digester customer-generators.

**SB 570 (Rubio) San Joaquin Valley Unified Air Pollution Control District: high polluter vehicles: school buses.**

**Status:** 10/6/2011-Chaptered by the Secretary of State, Chapter Number 494, Statutes of 2011

**Summary:** Replaces, until January 1, 2014, a statutory requirement for the San Joaquin Valley Air Pollution Control District (District) to administer a high-polluter vehicle replacement program funded by interest that has accrued on Transportation Congestion Relief Program (TCRP) funding for the District, with a requirement that it uses these funds for a voluntary school bus replacement and retrofit program.

**SB 607 (Walters) State Water Resources Control Board: water quality: brackish groundwater treatment.**

**Status:** 9/6/2011-Chaptered by the Secretary of State, Chapter Number 241, Statutes of 2011

**Summary:** Requires the State Water Resources Control Board, to either amend the California Ocean Plan or adopt separate standards to address water quality objectives and effluent limitations that are specifically appropriate for brackish groundwater treatment system facilities that produce municipal water supplies for local use, by January 1, 2013.

**SB 617 (Calderon) State government: financial and administrative accountability.**

**Status:** 10/6/2011-Chaptered by the Secretary of State, Chapter Number 496, Statutes of 2011

**Summary:** Revises various provisions of the Administrative Procedure Act with respect to the duties of the Office of Administrative Law (OAL) and state agencies in the adoption, amendment, or repeal of regulations. This bill requires agencies proposing a major regulation, which is any proposed regulation

that will have an economic impact to California businesses over \$50 million, that is subject to OAL review, to prepare an economic impact analysis with specified assessments and submit it to the Department of Finance (DOF) for review. This bill requires DOF to adopt regulations that: (1) instruct agencies on developing the economic analysis and (2) identify methodologies for preparing economic assessments. This bill also updates and clarifies the Financial Integrity and State Managers Accountability Act (FISMA) of 1983 by requiring State agency heads to establish and maintain a system of effective, independent, and objective ongoing monitoring of these internal accounting and administrative controls within the agency.

**SB 646 (Pavley) Toxics: enforcement: lead and cadmium jewelry.**

**Status:** 10/4/2011-Chaptered by Secretary of State - Chapter No. 473, Statutes of 2011

**Summary:** Removes the exemption from enforcement provisions of the Metal-Containing Jewelry Law for the signatories to the amended consent judgment, *People v. Burlington Coat Factory Warehouse Corporation, et al.* This bill defines among other terms, "amended consent judgment" and "jewelry". This bill also allows the Department of Toxic Substances Control (DTSC) to enforce the lead in jewelry standards equally for all jewelry retailers and wholesalers in California.

**SB 771 (Kehoe) California Alternative Energy and Advanced Transportation Financing Authority.**

**Status:** 10/8/2011-Chaptered by the Secretary of State, Chapter Number 598, Statutes of 2011

**Summary:** Clarifies eligibility for landfill gas turbines, engines, and micro turbines and digester gas turbines, engines, and micro turbines for financial programs administered by the California Alternative Energy and Advanced Transportation Financing Authority (CAEATFA) by expanding the definition of "renewable energy".

**SB 909 (La Malfa) Treated wood waste: disposal.**

**Status:** 10/8/2011-Chaptered by the Secretary of State, Chapter Number 601, Statutes of 2011

**Summary:** Extends the sunset date of provisions that regulate the disposal of treated wood waste from June 1, 2012 to June 1, 2017. This bill also modifies code relating to treated wood waste (TWW) disposal deleting obsolete sections and specifies the web site and toll free number to be provided to wholesalers and retailers of treated wood products by treated wood manufacturers.

**SBX1 1 (Steinberg) Partnership academies: Clean Technology and Renewable Energy Job Training, Career Technical Education, and Dropout Prevention Program.**

**Status:** 4/18/2011-Chaptered by the Secretary of State, Chapter Number 2, Statutes of 2011-12 First Extraordinary Session

**Summary:** Establishes the Clean Technology and Renewable Energy Job Training, Career Technical Education, and Dropout Prevention Program for the purpose of creating California Partnership Academies that focus on clean technology and renewable energy businesses. This bill defines a dedicated funding stream to invest in career technical education that delivers skills and knowledge needed for employment in clean technology, renewable energy or energy efficiency.

**SBX1 2 (Simitian) Energy: renewable energy resources.**

**Status:** 4/12/2011-Chaptered by the Secretary of State, Chapter Number 1, Statutes of 2011-12 First Extraordinary Session

**Summary:** Changes California's Renewables Portfolio Standard (RPS) to require investor-owned utilities (IOU) and publicly owned utilities (POU) to acquire at least 33 percent of electricity from renewable energy sources (renewables) by the end of 2020. The bill modifies rules and procedures for renewable generation and transmission as administered through the California Public Utilities Commission (CPUC),

the California Energy Commission (CEC), the California Independent System Operator (CAISO), and the entities they govern including instate and out-of-state generation eligibility and IOU and POU obligations.



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Legislation: Vetoed  
2011**

## California State Assembly

**AB 135 (Hagman R) State Air Resources Board: membership: small business owner.**

**Status:** 9/26/2011-Vetoed by the Governor

**Summary:** Requires, until January 1, 2017, one appointed member of the state board to be an owner of a small business within the past 5 years, as defined by government code.

**AB 275 (Solorio D) Rainwater Capture Act of 2011.**

**Status:** 10/9/2011-Vetoed by the Governor

**Summary:** Enacts the Rainwater Capture Act of 2011, which authorizes residential, commercial, and governmental landowners to install, maintain, and operate rain barrel systems, as defined, and rainwater capture systems, as defined, for specified purposes, provided that the systems comply with specified requirements. The bill requires a local agency to provide notification to the operator of a public water system, as defined, if the local agency chooses to adopt a permitting program for rainwater capture systems and approves a permit for a rainwater capture system connected to the public water system.

**AB 650 (Blumenfield D) Blue Ribbon Task Force on Public Transportation for the 21st Century.**

**Status:** 9/26/2011-Vetoed by the Governor

**Summary:** Establishes the "Blue Ribbon Task Force on Public Transportation for the 21st Century" for the purpose of evaluating the current state of California's public transportation system and submitting a report to the Legislature containing specified items.

**AB 1210 (Garrick R) Water quality: stormwater discharge: civil engineering activities.**

**Status:** 10/9/2011-Vetoed by the Governor

**Summary:** Exempts licensed civil engineers from having to satisfy any additional training, experience, or certification requirements related to the preparation of Storm Water Pollution Prevention Plan (SWPPP) as required in the State Water Resources Control Board (State Water Board) Construction Stormwater General Permit.

## California State Senate

**SB 211 (Emmerson R) California Global Warming Solutions Act of 2006: tire inflation regulation.**

**Status:** 9/6/2011-Vetoed by the Governor

**Summary:** Requires the tire pressure gauges used to meet the Under Inflated Vehicle Tires regulation to be accurate within a range plus or minus two pound per square inch, and provides that automotive service providers are not required to inflate a tire that it determines is an "unsafe tire." This bill establishes a definition of "unsafe tire" that differs from the Under Inflated Vehicle Tire regulation in that it does not include consideration of age. These provisions expire on January 1, 2017.

**SB 263 (Pavley D) Wells: reports: public availability.**

**Status:** 10/8/2011-Vetoed by the Governor

**Summary:** Requires the Department of Water Resources (DWR) to make reports that well drillers must submit when a well is constructed, deepened, re-perforated, or destroyed, available with certain restrictions, to governmental agencies for studies, college-level or higher academics for research, geologists, geophysicists, hydrologists, civil engineers, licensed well contractors or any person who

obtains written authorization from the well owner. This bill makes any person who knowingly violates the restrictions on the use or sharing of a well completion report guilty of a misdemeanor violation punishable by up to \$25,000 per day, a year in county jail, or both.

**SB 582 (Yee D) Commute benefit policies.**

**Status:** 8/1/2011-Vetoed by the Governor

**Summary:** Authorizes, until January 1, 2017, a metropolitan planning organization and an air district to adopt jointly an ordinance that requires certain employers located within their common area of jurisdiction to offer their employees specified commute benefits with the goal of reducing single-occupant vehicle trips.

**SB 724 (Dutton R) State Air Resources Board: mobile source certification.**

**Status:** 9/6/2011-Vetoed by the Governor

**Summary:** Requires the Air Resources Board, within 30 working days of receipt of an application for certification of a new, a carryover, or a partial carryover vehicle, engine, or equipment family, to inform the applicant in writing if the application is complete and accepted for filing or if it is not complete, to specify the information required to make it complete.

**SB 759 (Lieu D) Common interest developments: artificial turf.**

**Status:** 7/15/2011-Vetoed by the Governor

**Summary:** Provides that a provision of any of the governing documents of a common interest development shall be void and unenforceable if it prohibits, or includes conditions that have the effect of prohibiting, the use of artificial turf or any other synthetic surface that resembles grass. This bill also allows a CID to apply design and quality standards for artificial turf.

**SB 833 (Vargas D) Solid waste: disposal facilities: San Diego County.**

**Status:** 10/9/2011-Vetoed by the Governor

**Summary:** Prohibits a person from constructing or operating a solid waste landfill disposal facility located in the County of San Diego, if that disposal facility is located 1) within 1,000 feet of the San Luis Rey River or an aquifer that is hydrologically connected to that river and 2) within 1,000 feet of a site that is considered sacred or of spiritual or cultural importance to a tribe and the site is listed in the California Native American Heritage Commission Sacred Lands Inventory. In addition this bill requires the local enforcement agency (LEA) to enforce a violation of this prohibition by the immediate issuance of a cease and desist order.

**SB 834 (Wolk D) Integrated regional water management plans: contents.**

**Status:** 10/2/2011-Vetoed by the Governor

**Summary:** Requires an integrated regional water management plan to identify the manner in which the plan furthers a specified state policy concerning reducing reliance on the Sacramento-San Joaquin Delta for water supply and improving regional self-reliance for water, if the region depends on water from the Delta watershed. This bill requires integrated regional water management plans to incorporate that requirement when they are developed, updated, or amended in accordance with guidelines established by the Department of Water Resources. For an application for funding for a plan that is made prior to an update or amendment of the plan, this bill requires an applicant to specify how the current plan advances the specified state policy concerning reducing reliance on the Delta for water supply and improving regional self-reliance for water



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## **Acronyms**

## **ACRONYMS COMMONLY USED**

AB	Assembly Bill
AJR	Assembly Joint Resolution
ACR	Assembly Concurrent Resolution
ARB	Air Resources Board
ARRA	American Recovery and Reinvestment Act of 2009
BT&H	Business, Transportation, and Housing Agency
Cal/EPA	California Environmental Protection Agency
CBSC	California Building Standards Commission
CEC	California Energy Commission
CEQA	California Environmental Quality Act
CIWMB	California Integrated Waste Management Board
CPUC	California Public Utilities Commission
CUPA	Certified Unified Program Agency
DFA	Department of Food and Agriculture
DMV	Department of Motor Vehicles
DPR	Department of Pesticide Regulation
DTSC	Department of Toxic Substances Control
DWR	Department of Water Resources
EEI	Education and the Environment Initiative
EIR	Environmental Impact Report
ERC	Emission Reduction Credit
EVR	Enhanced Vapor Recovery
FY	Fiscal Year
GHG	Greenhouse Gas
GMERP	Goods Movement Emission Reduction Program
MMP	Mandatory Minimum Penalty
OEHHA	Office of Environmental Health Hazard Assessment
RPS	Renewable Portfolio Standard
RUST	Replacing, Removing, or Upgrading Underground Storage Tanks
SB	Senate Bill
SCAQMD	South Coast Air Quality Management District
SCR	Senate Concurrent Resolution
SJR	Senate Joint Resolution
SWRCB	State Water Resources Control Board
U.S. EPA	United States Environmental Protection Agency
UST	Underground Storage Tank