

**STATE WATER RESOURCES CONTROL BOARD
OFFICE OF LEGISLATIVE AND PUBLIC AFFAIRS**

1998 CALIFORNIA LEGISLATION

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Note:

Chaptered bills are bills which have been enacted by the Legislature and signed by the Governor. Each chapter number is listed in chronological order, reflecting the order in which each bill is signed.

Except for “urgency” bills, all bills chaptered in 1997 became effective on January 1, 1998, and all bills chaptered in 1998 become effective on January 1, 1999. Urgency bills become effective at the time they are chaptered.

BILLS BY SUBJECT

ABOVEGROUND AND UNDERGROUND TANKS

AB 1650	Richter	Gasoline Labeling
SB 913	Kelley	UST Upgrade Compliance
SB 1012	Sher	UST Discharge Data System
SB 1926	Mountjoy	Water Contamination Liability: Motor Vehicle Fuel Additives

ADMINISTRATION/BUDGET/REORGANIZATION

AB 529	Baldwin	State Funds
AB 775	Martinez	Public Agencies' Violation of Sexual Discrimination Law
AB 834	Aroner	Special Election Consolidation
AB 928	Thompson	Metropolitan Water District of Southern California
AB 1169	Shelley	Posting of Electronic Data
AB 1393	Alquist	State and Local Government Performance Audits
AB 1637	Aguiar	Administrative Costs: State Government
AB 1656	Ducheny	1998-99 Budget
AB 2179	Committee	Ethics Course
AB 2275	Kuykendall	California Prompt Payment Act
AB 2503	Goldsmith	State Agency Sunset
AB 2605	Bowen	Accountability and State Procurement Improvement Act (ASPIRE)
AB 2794	Committee	1998 Budget Augmentations
AB 2814	Papan	Public Officials Conflict of Interest
ACA 35	Goldsmith	Legislature: Overturning Administrative Regulations
SB 58	Ayala	State Agencies' Bill Analyses
SB 96	Johnson	Joint & Several Liability Obligations
SB 143	Kopp	Records
SB 209	Kopp	Judicial Review of Governmental Agency Actions
SB 684	Maddy	Local Agencies: Liability
SB 937	Polanco	State Contracts
SB 1132	Polanco	Prison Industry Authority
SB 1391	Thompson	1998/99 Budget
SB 1577	Sher	California Environmental Protection Agency
SB 1609	Ayala	Telephone Numbers on State Forms
SB 2119	Hurt	Reports to the Legislature via Internet Access
SCA 25	Haynes	State Budget

HAZARDOUS AND SOLID WASTE/SURFACE IMPOUNDMENTS/TOXICS

AB 681	Machado	Environmental Remediation and Closure
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AB 851	Bowen	State Superfund
AB 871	Wayne	Redevelopment Agencies: Cleanup of Hazardous Waste
AB 1195	Torlakson	Real Estate Disclosures
AB 2248	Poochigian	Local Agency Liability
AB 2353	Olberg	Surety Insurers
AB 2439	Bowen	Two-Stroke Marine Engine Ban
AB 2487	Oller	Used Fuel Filters
SB 442	Brulte	Population Subgroups Sensitive to Toxic Chemicals
SB 658	Sher	Environmental Protection: Peer Review Process: Report
SB 659	Sher	Hazardous Waste and Materials Unified Program Agency Certification
SB 869	Lee	Public Comment on Removal Action Workplans
SB 1521	Alpert	Lender and Fiduciary Liability
SB 1898	Polanco	Hazardous Substance Remediation
SB 1916	Sher	California Source Reduction Advisory Committee
SB 1924	McPherson	Dry Cell Batteries
SB 2170	Sher	State Superfund
SB 2172	Sher	Risk Analysis and Determination

RECYCLED WATER

AB 609	Margett	Recycled Water for Groundwater Replenishment
AB 2444	Oller	Water Quality: Lake Tahoe Basin
AB 2666	Perata	Recycled Water Grants
SB 2103	Haynes	Recycled Water

WATER QUALITY/CEQA

AB 145	Thompson	Eastside Reservoir Activities
AB 254	Machado	Safe Drinking Water, Clean Water, and Flood Protection Act
AB 291	Machado	CALFED Bay Delta Program
AB 548	Aroner	Unannounced Inspections of Dischargers
AB 667	Lempert	Oil Spills into Inland Waters
AB 982	Aroner	Bay Protection and Toxic Cleanup Program
AB 1000	Keeley	Clean Coastal Waters and Rivers
AB 1179	Woods	Watershed Rehabilitation and Restoration
AB 1642	Bowen	Environmental Impacts from ARB Fuel Specifications
AB 1812	Machado	Flood Control; House Laterals Appropriations
AB 1862	Migden	Clean Water Enforcement and Pollution Prevention Act of 1998
AB 2019	Kuehl	Storm Water Discharge
AB 2231	Aroner	Fish and Shellfish Consumption Advisories
AB 2237	Escutia	Environmental Protection: Loans and Grants: Selection Criterion
AB 2339	Sweeney	Bay Protection and Toxic Cleanup Program
AB 2397	Bowen	California Environmental Quality Act

AB 2404	Shelley	Sea Life Conservation Act
AB 2754	Lempert	Oil Spill Prevention
AB 2784	Strom-Martin	Hazardous Waste and Nonpoint Source Program
SB 312	Costa	Safe Drinking Water, Clean Water, and Flood Prevention Act
SB 423	Hurt	Environmental Audits
SB 424	Hurt	Environmental Quality
SB 581	Knight	Environmental Quality
SB 598	Sher	Environmental Audits
SB 647	Brulte	Immunity for Disclosure of Minor Violations
SB 661	O'Connell	Air Monitoring Plans: Lompoc
SB 715	Sher	California Environmental Quality Act
SB 1059	Costa	Environmental Quality Project Review Fees
SB 1114	Solis	Land Use Development Permits
SB 1453	Alpert	Nonpoint Source Pollution Control
SB 1675	Hayden	Santa Monica Bay Restoration Project
SB 1852	Kelley	Individual Disposal Systems
SB 1856	Thomposn	Forest Practices Enforcement Personnel
SB 2005	Kopp	Permit Streamlining Act
SB 2198	Sher	Drinking Water Treatment and Research
SB 2201	Monteith	Modesto Reservoir
SB X7	Johannessen	Streambed Alteration Agreements

WATER RIGHTS

AB 2573	Machado	State Water Resources Control Board: Decisions and Orders
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WATER SUPPLY/GROUNDWATER

AB 1182	Keeley	Public Utilities Commission: California-American Water Company
AB 1822	Keeley	Public Utilities Commission: Proposed Project Alternative: Monterey Peninsula Water Management
AB 2027	Machado	Water Transfer Clearinghouse
SB 775	Johannessen	Gasoline MTBE Study
SB 1011	Costa	Water Projects

WETLANDS/FISH & WILDLIFE

SB 87	O'Connell	Land and Water Conservation
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ABBREVIATIONS

AB	Assembly Bill
ARB	Air Resources Board
BAR	Bureau of Automotive Repair
Cal/EPA	California Environmental Protection Agency
CDF	California Department of Forestry
CEQA	California Environmental Quality Act
CIWMB	California Integrated Waste Management Board
CSU	California State University
CUPA	Certified Unified Program Agency
DCA	Department of Consumer Affairs
DFA	Department of Food and Agriculture
DFG	Department of Fish and Game
DHS	Department of Health Services
DGS	Department of General Services
DPR	Department of Pesticide Regulation
DTSC	Department of Toxics Substances Control
DWR	Department of Water Resources
GIS	Geographic Information System
MTBE	Methyl Tertiary Butyl Ether
NPDES	National Pollutant Discharge Elimination System
NPS	Nonpoint Source
OEHHA	Office of Environmental Health Hazard Assessment
OES	Office of Emergency Services
OPA	Office of Permit Assistance
PUC	Public Utilities Commission
RWQCB	Regional Water Quality Control Board
SB	Senate Bill
SFM	State Fire Marshal
SRF	State Revolving Fund
SWRCB	State Water Resources Control Board
TCA	Trade and Commerce Agency
UC	University of California
USEPA	United State Environmental Protection Agency
UST	Underground Storage Tanks
WDR	Waste Discharge Requirement

ASSEMBLY BILLS

AB 145 (Thompson) EASTSIDE RESERVOIR ACTIVITIES (Failed in the Assembly Committee on Local Government) - This bill would have amended the Metropolitan Water District Act to authorize a district to allow water skiing, jet skiing and windsurfing activities on the Eastside Reservoir.

AB 254 (Machado) - SAFE DRINKING WATER, CLEAN WATER, AND FLOOD PROTECTION ACT (Failed on the Senate Floor) - This bill would have enacted the Safe Drinking Water, Clean Water, and Flood Protection Act which would have authorized the issuance of general obligation bonds to fund various flood protection, drinking water, and water quality programs. The bond proposal was for the November 3, 1998 general election ballot. (See SB 312.)

AB 291 (Machado) CALFED BAY DELTA PROGRAM (Failed in the Senate Agriculture and Water Resources Committee) - This bill would have prohibited a public agency, including a state or local agency, from expending any funds for the development of an isolated transmission facility that was recommended by the CALFED Bay Delta Program , until the Legislature, by statute, specifically approved that option. Earlier versions of this bill would have authorized the Yucaipa Valley Water District to receive state funds to pay for its waste collection, treatment, and disposal facility, if Yucaipa were required to repay state or federal grant funds because of an error made by the SWRCB, in an amount equal to the funds it would be required to pay.

AB 529 (Baldwin) STATE FUNDS (Failed in the Senate Committee on Governmental Organization) - This bill would have provided that revenues derived from the assessment of fines and penalties by any state agency must be deposited in the General Fund and shall not have been expended unless the Legislature authorized that expenditure in the Budget Act or in other legislation for the performance of special audits and investigations by the State Auditor .

AB 548 (Aroner) UNANNOUNCED INSPECTIONS OF DISCHARGERS - (Failed in the Senate Appropriations Committee) - Originally this bill would have required the five coastal RWQCBs to conduct four unannounced inspections annually of waste discharges that require a NPDES permit and which would affect the quality of the waters of San Francisco Bay, Humboldt Bay, Tomales Bay, Monterey Bay, Santa Monica Bay, and San Diego Bay. However, the water quality provisions were deleted and the bill was amended to provide reimbursements to providers in the Adolescent Family Life Program.

AB 609 (Margett) RECYCLED WATER FOR GROUNDWATER REPLENISHMENT (Chapter 164, Statutes of 1998) - This new law provides that recycled water producers, retail water suppliers, and entities responsible for groundwater replenishment, as defined, may cooperate in joint studies to determine the feasibility of providing recycled water service and recycled water for groundwater replenishment, as specified. It authorizes an entity responsible for groundwater replenishment that has identified the potential use of recycled water for groundwater replenishment

purposes to request, in writing, a recycled water producer or wholesaler to enter into an agreement to provide recycled water for that purpose. Finally, it authorizes any party to request the formal mediation process, and amends related legislative findings and declarations of the Water Recycling Act of 1991. [NOTE: Portions of this bill were superseded by SB 2103 (Haynes) (Chapter 753, Statutes of 1998)].

AB 667 (Lempert) OIL SPILLS INTO INLAND WATERS (Failed in the Senate Agriculture and Water Resources Committee) - Originally this bill would have extended the criminal and civil penalties of the Lempert-Keene-Seastrand Oil Spill Prevention and Response Act to the inland waters of the state, thereby giving the DFG's Office of Oil Spill Prevention and Response additional enforcement authority. The oil spill provisions were deleted and amended into AB 2754. The last version of AB 667 would have established the California Coastal Wetlands Mitigation and Restoration Act of 1998.

AB 681 (Machado) ENVIRONMENTAL REMEDIATION AND CLOSURE (Chapter 255, Statutes of 1998) - This new law requires the SWRCB and RWQCBs to notify all the current landowners before considering a cleanup proposal or site closure proposal from an active responsible party. This bill also places similar, but not identical, requirements on DTSC and local agencies.

AB 775 (Martinez) VIOLATION OF SEXUAL DISCRIMINATION LAW BY PUBLIC AGENCIES (Failed in the Assembly Committee on Consumer Protection) - This bill would have required a public agency, upon a court determination that it knowingly violated a state law or local ordinance relating to sexual discrimination, to return any state or local funds that it has received but not yet expended and would provide that the public agency is ineligible to receive additional state or local funds until it is in compliance with the state law or local ordinance. This bill would have also required each member of the elected body of a public agency who voted in favor or otherwise endorsed the continuation of any policy that is in knowing violation of a state law or local ordinance relating to sexual discrimination to be personally liable if the public agency receiving state or local funds is determined by a court of competent jurisdiction to have knowingly violated a state law or local ordinance relating to sexual discrimination, the public agency is governed by an elected body, and that noncompliance continues to exist 30 days after the court's determination. It would also have provided that no member of an elected body would be shielded from liability or responsibility by governmental immunity for such a vote or endorsement.

AB 834 (Aroner) SPECIAL ELECTION CONSOLIDATION (Chapter 27, Statutes of 1998) - This new law provides that a special general election only to fill the vacancy in the 9th Senate District may be conducted more than 180 days following the proclamation of the Governor in order to consolidate the special general election with the November 3, 1998, statewide general election. Earlier versions of this bill would have required the Bureau of Automotive Repair to establish an advisory committee, which would have included a representative from the SWRCB, to establish a voluntary automotive fluids inspection program for Los Angeles County. [NOTE: Originally, this bill would have required the advisory committee to devise a method of measuring these fluids and reporting them to the BAR, and to submit a report to the Legislature by July 1, 1998 on these methods. The automotive

repair dealer participants would have been required to inspect motor vehicles for leaking toxic fluids which are harmful to the environment.]

AB 851 (Bowen) STATE SUPERFUND (Failed in the Senate) - This bill would have reauthorized the state Superfund law that will sunset at the end of 1998. It would also have made numerous changes to the state Superfund program that simplify and clarify the procedures that apply to toxic waste cleanups, clarified liability requirements, allowed public participation in cleanups, and established a special fund to reimburse responsible parties for the "orphan share" of a cleanup.

AB 871 (Wayne) REDEVELOPMENT AGENCIES: CLEANUP OF HAZARDOUS SUBSTANCES (Chapter 430, Statutes of 1998) - This new law makes numerous changes to the hazardous substance cleanup and redevelopment agency cleanup law. The change that most directly affects the SWRCB allows DTSC to supervise cleanups of petroleum contamination under the state Superfund law if the responsible party voluntarily agrees to oversight by DTSC.

AB 928 (Thompson) METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA (Failed in the Assembly) - This bill would have set the number of MWD's board members at 15, and required each board member to reside within the district. The bill would have required each board member to be appointed by, and serve at the pleasure of, the Governor subject to confirmation by the Senate. [NOTE: Originally, this bill would have required the SWRCB to exercise jurisdiction over a groundwater mitigation plan to be developed and implemented by the MWD, and would have required the MWD to file a water rights application with the SWRCB for the appropriation of any water for export or evaporation.]

AB 982 (Aroner) BAY PROTECTION AND TOXIC CLEANUP PROGRAM (Failed in the Assembly Environmental Safety and Toxic Materials Committee) - This bill would have extended the fee provisions of the SWRCB's Bay Protection and Toxic Cleanup Program indefinitely by repealing the current January 1, 1998 sunset date.

AB 1000 (Keeley) CLEAN COASTAL WATERS AND RIVERS (Failed in the Senate Natural Resources and Wildlife Committee) - This bill would have made legislative findings and declarations regarding clean coastal waters and rivers. Originally, this was the Clean Coastal Waters and Rivers Bond Act of 1998, a general obligation bond proposal to be placed on the November 3, 1998 general election ballot. It would have authorized issuing \$647 million in bonds to fund various programs in coastal areas for coastal, riparian and watershed resources protection and pollution prevention.

AB 1169 (Shelley) POSTING OF ELECTRONIC DATA (Vetoed) - This bill would have required the Resources Agency and every state agency within it, to post, on an appropriate information page on the Internet, or on an appropriate existing website of any other state agency, specified information, including information concerning public meetings, as prescribed. The bill would have required the agency to utilize the Internet, to the maximum extent fiscally and technologically possible, as an additional method for providing information to the public. The bill would also have authorized the

Resources Agency to seek reimbursement from any other state agency for any costs that are incurred on that agency's behalf by the Resources Agency in connection with the requirements of the bill. [NOTE: Originally, this bill would have also required all entities within the Cal/EPA to post the same information on the Internet.]

AB 1179 (Woods) WATERSHED REHABILITATION AND RESTORATION (Failed in the Assembly Appropriations Committee) - This bill would have required the CDF, in consultation with other agencies including the SWRCB, to develop and submit to the Legislature, on or before January 1, 1999, a report regarding a strategic statewide plan to promote the rehabilitation and restoration of significant state watersheds.

AB 1182 (Keeley) PUBLIC UTILITIES COMMISSION: CALIFORNIA-AMERICAN WATER COMPANY (Chapter 797, Statutes of 1998) - This new law requires the PUC, in consultation with the California-American Water Company, the DWR, and other affected interests, to prepare a prescribed long-term contingency plan for the Monterey Peninsula that the California-American Water Company would pursue if a specified dam project does not go forward.

AB 1195 (Torlakson) REAL ESTATE DISCLOSURES (Chapter 65, Statutes of 1998) - This new law requires, if one of two specified conditions are met, an additional disclosure by the seller or, in some cases, the seller's agent, to the prospective buyer with respect to real property located in an area subject to flooding or fire hazards, as specified, to be made either by the issuance of a natural hazard disclosure statement specified by the bill or a disclosure statement specified in existing law. This measure also provide that this disclosure, with respect to earthquake fault zones and seismic hazards, need be given only if one of two specified conditions are met, and may be made in a natural hazard disclosure statement, rather than by the real estate contract and receipt for deposit. This law requires the counties to post a notice identifying the location of specified maps or lists containing information regarding areas of potential flooding and fire hazard severity, and it encourages the Secretary of the Resources Agency to provide coordination and leadership among state departments to provide compatible maps and information regarding natural hazards. (URGENCY) [NOTE: Originally, this bill would have required, for any remedial action plan prepared or approved by the DTSC or a RWQCB on or after January 1, 1998, a statement of reasons for allocating responsibility to each respective responsible party.]

AB 1393 (Alquist) STATE AND LOCAL GOVERNMENT PERFORMANCE AUDITS (Failed in the Assembly Committee on Appropriations) - This bill would have required each state agency to complete a performance audit within two years of the effective date of the bill.

AB 1637 (Aguiar) ADMINISTRATIVE COSTS: STATE GOVERNMENT (Failed in the Assembly Appropriations Committee) - This bill would have required a state agency that collects funds, as defined, from the federal government to ensure that any indirect administrative costs, as defined by and reported to the federal government, for each fund administered by or allocated to the agency do not exceed 5% of the total amount of the specific fund, except where otherwise governed by federal statutes.

AB 1642 (Bowen) ENVIRONMENTAL IMPACTS FROM ARB FUEL SPECIFICATIONS (Vetoed) - This bill would have required the California Environmental Policy Council to identify and evaluate all the impacts on the environment that would result from any ARB fuel-content specification. The Chair of the SWRCB is a member of this Council.

AB 1650 (Richter) GASOLINE LABELING (Chapter 459, Statutes of 1998) - This new law repeals the requirement that pumps and dispensers used to sell gasoline containing alcohol be labeled stating a portion of the fuel is alcohol (methanol and ethanol). [Originally, this bill contained the SWRCB-sponsored language on USTs regarding sovereign immunity, technical regulatory assistance and petitions.]

AB 1656 (Ducheny) 1998-99 Budget (Chapter 324, Statutes of 1998) - This new law makes appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of Section 12 of Article IV of the Constitution of the State of California. (URGENCY)

AB 1812 (Machado) FLOOD CONTROL; HOUSE LATERALS APPROPRIATIONS (Chapter 1057, Statutes of 1998) - Originally this bill would have appropriated \$15,052,000 from the General Fund to the Stockton Metropolitan Area Flood Control Project and \$15,000,000 to San Luis Obispo County for construction of the necessary house laterals and infrastructure for an unsewered coastal municipality that (1) has a population of less than 15,000, per the 1990 census, (2) is a 24th class County located within a designated national marine estuary study area, and (3) is subject to a RWQCB enforcement order that prohibits the discharge of waste from septic tanks (i.e., Los Osos and Baywood Park). However, the new law reduces the amount for Stockton flood control to \$12,625,000 and deletes the funding for Los Osos and Baywood Park.

AB 1822 (Keeley) PUBLIC UTILITIES COMMISSION: PROPOSED PROJECT ALTERNATIVE: MONTEREY PENINSULA WATER MANAGEMENT (Failed in the Assembly Committee on Utilities and Commerce) - This bill would have required the PUC to prepare a written recommendation with regard to a project that constitutes an alternative to the construction and operation of a specified project in connection with its consideration of the application for a certificate of public convenience and necessity submitted by the California-American Water Company. The PUC would have been required to adhere to the results of an election that the bill would require the Monterey Peninsula Water Management District to conduct to determine whether the voters of the district support the construction and operation of that specified project, as prescribed, or the implementation of the project alternative recommended by the commission. Some of the provisions of this bill were amended into AB 1182 (Keeley) (Chapter 797, Statutes of 1998).

AB 1862 (Migden) CLEAN WATER ENFORCEMENT AND POLLUTION PREVENTION ACT OF 1998 (Failed in the Senate Judiciary Committee) - This bill would have enacted the Clean Water Enforcement and Pollution Prevention Act of 1998 by amending the Water Code to include a detailed pollution prevention program (PPP) and adding extensive, mandatory enforcement

requirements to be implemented by the SWRCB and the RWQCBs. The bill would have authorized the RWQCBs to require a comprehensive PPP as a condition of WDRs and would have required publicly-owned treatment plants to require discharge monitoring reports from their significant industrial users.

AB 2019 (Kuehl) STORM WATER DISCHARGE (Chapter 998, Statutes of 1998) - This new law requires the SWRCB and RWQCBs to identify storm water non-filers, undertake a notification procedure urging them to participate in the program, impose penalties for not responding to RWQCB requests and for not completing required reports, and to prepare an annual report for the public listing those persons contacted, a description of the responses, as well as a list of dischargers who failed to submit a required annual report or certification. The measure requires storm water fines to be deposited and accounted for separately in the SWRCB's Waste Discharge Permit Fund. AB 2019 also authorizes the SWRCB to obtain information on potential storm water permittees from other state agencies and requires reimbursement of these agencies by the SWRCB. In addition, it requires the SWRCB to reduce the annual storm water fee from \$500 to \$250 in 1999 for all permitted facilities in Code 20XX in the Standard Industrial Classification Manual (i.e., Food and Kindred Products) and to \$50 annually thereafter until January 1, 2003.

AB 2027 (Machado) WATER TRANSFER CLEARINGHOUSE (Failed in the Senate) - This bill would have required the California Water Commission to appoint a task force, with prescribed membership, to review third-party impacts of water transfers and to investigate the establishment of a water-transfer clearinghouse, as prescribed. The bill would have required the task force to report to the Legislature and the Governor regarding those matters, as specified, on or before December 1, 1999. These provisions would have been repealed as of January 1, 2000.

AB 2179 (Special Committee on Assembly Legislative Ethics) ETHICS COURSE (Chapter 364, Statutes of 1998) - This new law requires each state agency to offer, at least semiannually, an ethics course relevant to the statutes and regulations that govern conduct of state officials. Elected officials, anyone exempt from civil service, CEAs, executive directors or the equivalent, general counsel or the equivalent, and anyone that must file a statement of economic interest must attend the course.

AB 2231 (Aroner) FISH AND SHELLFISH CONSUMPTION ADVISORIES (Vetoed) - Originally, this bill would have required the RWQCBs to conduct comprehensive fish and shellfish tissue studies to identify pollutant concentrations harmful to human health and to address spatial and seasonal variation. In addition, the bill would have required final fish advisories issued by OEHHA to include information regarding the contamination hazards posed by fish and shellfish subject to the advisories and to be printed in languages appropriate to the affected areas. The DHS would have been required, within 180 days from the issuance of a final fish advisory by OEHHA, to the extent resources were available for this purpose, to encourage county health departments to post the multilingual advisories in appropriate locations and to make these advisories and other health advisory publications available to local, state, and other public offices. In the final version of the bill, the RWQCB requirements were deleted.

AB 2237 (Escutia) ENVIRONMENTAL PROTECTION: LOANS AND GRANTS: SELECTION CRITERION (Vetoed) - This bill would have required the Cal/EPA, the Resources Agency, and DHS to make information on their environmental loans and grants that they or any of their organizational subsets administer available to the public in a concise, understandable and accessible form, including through their Internet websites. The bill would also have required consideration of various selection criteria for certain environmental loan and grant programs, including requiring an applicant to submit information regarding the adverse human health or environmental effects faced by an applicant's community as compared to other communities.

AB 2248 (Poochigian) LOCAL AGENCY LIABILITY (Failed in the Assembly Judiciary Committee) - This bill would have provided that a local agency shall not be liable under state law for the contamination of property with hazardous materials that the local agency has acquired involuntarily through bankruptcy, tax delinquency, abandonment, or other circumstances in which the local agency involuntarily acquired title by virtue of its function as a sovereign, to the extent that the contamination occurred or existed prior to the local agency's receipt of title to the property.

AB 2275 (Kuykendall) CALIFORNIA PROMPT PAYMENT ACT (Chapter 916, Statutes of 1998) - This new law repeals, recasts, and modifies two provisions of the California Prompt Payment Act. The two new changes to existing law require all state agencies to pay all undisputed invoices within 45 days after receiving an invoice and allow a state agency's late fees to be waived only in an emergency.

AB 2339 (Sweeney) BAY PROTECTION AND TOXIC CLEANUP PROGRAM (Vetoed) - This bill would have amended the SWRCB Bay Protection and Toxic Cleanup Program (BPTCP) to require coastal RWQCBs to complete monitoring and surveillance required to characterize the toxic hot spots and develop a consolidated database, to the extent funds are appropriated for this purpose. The bill would have required the SWRCB to revise the contents of the RWQCB and SWRCB cleanup plans, and to implement "with all deliberate speed" the consolidated statewide cleanup plan which would have been due to the Legislature by June 30, 1999 in order to remediate the ranked toxic hot spots. In addition, the bill would have required the RWQCBs to complete, within two years of the initiation of this activity, the reevaluation of WDRs for each discharger determined to be a significant contributor to the pollution in an identified toxic hot spot. AB 2339 would have exempted from requirements of the BPTCP any discharger that acts to remediate, or contributes to the cost of remediating a toxic hot spot, under another regulatory program, as determined by an RWQCB, in concurrence with the Site Designation Committee, established in the Health and Safety Code.

AB 2353 (Olberg) SURETY INSURERS (Chapter 477, Statutes of 1998) - This new law allows the SWRCB and other state environmental agencies, if they wish, to impose additional or more stringent requirements upon a surety insurer to comply with federal law. This bill was sponsored by the CIWMB.

AB 2397 (Bowen) CALIFORNIA ENVIRONMENTAL QUALITY ACT (Chapter 272, Statutes of 1998) - This new law adds a section to the Public Resources Code to include federal agencies in the definition of "person" subject to the California Environmental Quality Act.

AB 2439 (Bowen) TWO-STROKE MARINE ENGINE BAN (Failed in the Assembly) - This bill would have banned the retail sale of any new two-stroke marine engine that discharges unburned fuel or oil as a function of its design, on and after January 1, 2002.

AB 2404 (Shelley) SEA LIFE CONSERVATION ACT (Vetoed) - This bill would have established the Sea Life Conservation Act in the Fish and Game Code to evaluate and modify the state's marine managed areas (MMAs). The bill would have required the DFG to prepare or to contract for a study, by a scientific study team, that identifies necessary modifications to existing MMAs and to propose options for a network of MMAs in the state's marine and tidal waters. The DFG would have been required to confer with and submit a report to the Fish and Game Commission (Commission) by January 1, 2001, to identify and describe necessary modifications to the system of MMAs. The bill required the Commission, by July 1, 2001, to adopt a plan to redesign and manage the state's MMA system based on the study, and the DFG was required to implement and enforce the program, after the plan was reviewed by the legislative Joint Committee on Fisheries and Aquaculture.

AB 2444 (Oller) WATER QUALITY: LAKE TAHOE BASIN (Dropped by the author) - This bill would have authorized a district in the Lake Tahoe basin to develop facilities, or use recycled water, for fire protection services.

AB 2487 (Oller) USED FUEL FILTERS (Chapter 532, Statutes of 1998) - This new law would specify that draining residual fuels from filters removed from fuel pumps is not "treatment" under the hazardous waste laws if the person draining the fuel filter complies with applicable air quality requirements, and the SWRCB's and RWQCB's water quality requirements, and if the drained fuel, filter housing and filter element are properly managed.

AB 2503 (Goldsmith) STATE AGENCY SUNSET (Failed in the Assembly Committee on Consumer Protection) - This bill would have abolished every state agency that existed before January 1, 1998, on January 1, 2005, unless the Legislature authorizes continuation of the agency prior to that date by statute. This bill would not have applied to any agency directly administered by an elected state officer or by an agency or governing board established by the California Constitution.

AB 2573 (Machado) STATE WATER RESOURCES CONTROL BOARD: DECISIONS AND ORDERS (Chapter 345, Statutes of 1998) - This new law declares legislative intent that all issues relating to state water law decided by the SWRCB be reviewed in state court if a party seeks judicial review; and that the courts assert jurisdiction and exercise discretion when fashioning appropriate remedies pursuant to the Code of Civil Procedure to facilitate the resolution of state water rights issues in state courts. The measure also provides that a court may not dismiss a SWRCB decision about water rights held by either the State or United States merely because the United States is not a party.

AB 2605 (Bowen) ACCOUNTABILITY AND STATE PROCUREMENT IMPROVEMENT ACT (Failed in the Senate Committee on Governmental Organization) - This bill would have enacted a new statutory scheme for the state's acquisition of goods and services. Specifically, this bill stated legislative intent to centralize all statutes governing acquisition of goods and services in ASPIRE. This measure would have permitted state agencies, as of January 1, 2000, to contract on their own behalf for goods and information technology.

AB 2666 (Perata) RECYCLED WATER: GRANTS (Failed in the Senate Appropriations Committee) - This bill would have required the SWRCB to award grants to public agencies, universities, and charitable nonprofit organizations, as defined, and enter into contracts to conduct, or assist in the financing of, water recycling studies, investigations, and research and development, as prescribed. The bill would have required the SWRCB to convene a prescribed committee to make recommendations with regard to the grant awards. The bill was not to become operative if AB 254 or SB 312 was approved by the voters at the November 3, 1998, statewide general election and became operative on or before January 1, 1999.

AB 2754 (Lempert) OIL SPILL PREVENTION (Failed on the Senate Floor) - This bill would have extended the Lempert-Keene-Seastrand Oil Spill Prevention and Response Act's (Act) criminal and civil penalties for knowingly causing the discharge or spilling of oil or negligently discharging or spilling oil into marine waters to apply to oil discharges or spills into the nonmarine waters of the state, thereby extending the DFG's authority over oil spills in marine waters to inland waters. In addition, the bill would have amended the provisions of the Act related to submission of oil spill contingency plans for vessels or marine facilities and the setting and repayment of uniform oil spill response fees. (See AB 667.)

AB 2784 (Strom-Martin) HAZARDOUS WASTE AND NONPOINT SOURCE PROGRAM (Chapter 326, Statutes of 1998) - This was an omnibus Resources Agency budget trailer bill that impacts the SWRCB. This new law prohibits land disposal of specified concentrations of certain wastes at other than a Class I hazardous waste facility, unless designated conditions are met. This measure also forbids land disposal of any material at other than a Class I hazardous waste disposal facility if the material is regulated as a hazardous waste by DTSC, until specified actions have occurred. (URGENCY).

AB 2794 (Assembly Budget Committee) 1998 BUDGET AUGMENTATIONS (Chapter 1050, Statutes of 1998) - This new law makes appropriations to augment the Budget Act of 1998. Originally, this bill would have funded numerous state and local government agencies and projects including \$1.7 million to the SWRCB for: (1) the City of San Diego Recycled Water for Industry Project to demonstrate that recycled wastewater can be repurified sufficiently to be suitable for various industrial purposes (\$1.2 million); (2) the Resource Conservation District of Greater San Diego County for NPS pollution prevention educational programs (\$250,000); and, (3) for NPS pollution control pursuant to Senate Bill 1453 (\$250,000). (See SB 1453). However, upon signing the bill, the Governor deleted all three of these SWRCB provisions. (URGENCY).

AB 2814 (Papan) PUBLIC OFFICIALS CONFLICT OF INTEREST (Failed in the Assembly Committee on Elections and Reapportionment) - This bill would have forbidden public officials appointed by the Governor from making or using their position to influence governmental decisions when the public official has a financial interest.

ACA 35 (Goldsmith) LEGISLATURE: OVERTURNING ADMINISTRATIVE REGULATIONS (Failed in the Assembly Consumer Protection, Governmental Efficiency and Economic Development Committee) - This constitutional amendment would have authorized the Legislature, by concurrent resolution, to reject and thereby render void any regulation adopted or amended by a state administrative agency.

SENATE BILLS

SB 58 (Ayala) STATE AGENCIES' BILL ANALYSES (Failed in the Senate Committee on Governmental Organization) - This bill would have required every state agency that may be significantly affected by proposed legislation to prepare an analysis of the bill, and deliver that analysis to the bill's author and each policy committee set to hear that bill, no later than seven calendar days before the first hearing in the committee.

SB 87 (O'Connell) LAND AND WATER CONSERVATION (Failed in the Senate Committee on Appropriations) - This bill would have established the California Land and Water Conservation Act of 1997, and required the Secretary of the Resources Agency to implement a program providing tax credits for properties, including water rights or a land with an associated water right, donated to the state or local governments for the purposes of providing protection of wildlife habitat, open space and agricultural lands.

SB 96 (Johnson) JOINT AND SEVERAL LIABILITY OBLIGATIONS (Failed in the Senate Committee on the Judiciary) - This bill would have created an exception related to joint and several liability in an action arising out of the sale, transfer, lease, or exchange of real property.

SB 143 (Kopp) RECORDS (Chapter 620, Statutes of 1998) - This new law provides for public inspection of public records and copying in all forms. It requires public agencies to ensure that systems used to collect and hold public records be designed to ensure ease of public access. It expressly states that notwithstanding the definition of "member of the public," an elected member or officer of any state or local agency is entitled to access to public records of that agency on the same basis as any other person and would state that it is declaratory of existing law. Finally, it establishes an index of public records found in various other codes that are exempt from disclosure under current law.

SB 209 (Kopp) JUDICIAL REVIEW OF GOVERNMENTAL AGENCY ACTIONS (Failed in the Senate Judiciary Committee) - This bill would have repealed specified judicial review provisions from existing law, and added provisions governing judicial review of decisions of state agencies, local agencies, public corporations, and specified nongovernmental entities.

SB 312 (Costa) SAFE DRINKING WATER, CLEAN WATER, AND FLOOD PROTECTION ACT (Failed in the Assembly Appropriations Committee) - This bill would have enacted the Safe Drinking Water, Clean Water, and Flood Protection Act which would have authorized the issuance of general obligation bonds to fund various flood protection, drinking water, and water quality programs. The bond proposal was for the November 3, 1998 general election ballot. (See AB 254.)

SB 423 (Hurt) ENVIRONMENTAL AUDITS (Failed in the Senate Environmental Quality Committee) - This bill would have enacted the Environmental Audit Privilege and Voluntary Noncompliance Disclosure Act of 1997 to make information in a voluntary self-audit report privileged and not admissible in any legal action or criminal, civil, or administrative proceeding.

SB 424 (Hurt) - ENVIRONMENTAL QUALITY (Failed in the Senate Environmental Quality Committee) - This bill would have overturned the “fair argument” test under CEQA by referring to environmental impacts that are “likely” to be significant instead of referring to impacts that “may be” or “potentially are” significant when addressing mitigated negative declarations and environmental impact reports.

SB 442 (Brulte) POPULATION SUBGROUPS SENSITIVE TO TOXIC CHEMICALS (Failed in the Assembly Committee on Environmental Safety and Toxic Materials) - This bill would have required the Director of OEHHA, with the assistance of Cal/EPA's boards, departments and offices, to develop guidelines to evaluate the effects of toxic chemicals on sensitive subgroups of the population. [NOTE: Originally, this bill would have allowed the SWRCB to reallocate appropriated funds from the UST Cleanup Fund to pay UST Cleanup Fund claims that were encumbered; and where the claimant was issued a letter of credit (or letter of commitment) but had not expended funds by the SWRCB to another claimant. That language was deleted from this bill and was included in AB 1491 (Cunneen), which was chaptered in 1997 (Chapter 808, Statutes of 1997).]

SB 581 (Knight) ENVIRONMENTAL QUALITY (Failed in the Assembly Natural Resources Committee) - This bill would have required the Director of the Office of Planning and Research and the Secretary of the Resources Agency to review CEQA and its guidelines, or any state law “directly and solely” related to the approval of Department of Defense projects by the Department of Toxic Substances Control, and report any recommended changes to the Legislature by March 1, 1998.

SB 598 (Sher) ENVIRONMENTAL AUDITS (Failed in the Assembly Water, Parks and Wildlife Committee) - This bill would have defined the term “environmental audit” and made general legislative findings and declarations regarding the term.

SB 647 (Brulte) IMMUNITY FOR DISCLOSURE OF MINOR VIOLATIONS (Failed in the Senate Environmental Quality Committee) - This bill would have prohibited the assessment of any civil liability or administrative sanction against a person who, as a result of conducting required monitoring, fully discloses a minor violation to the regulatory agency having jurisdiction over the matter disclosed.

SB 658 (Sher) ENVIRONMENTAL PROTECTION: PEER REVIEW PROCESS: REPORT (Vetoed) - This bill would have required Cal/EPA to report annually to the policy and fiscal committees of the Legislature on the status of scientific peer review undertaken by Cal/EPA's boards and departments.

SB 659 (Sher) HAZARDOUS WASTE AND MATERIALS UNIFIED PROGRAM AGENCY CERTIFICATION (Failed in the Assembly Inactive File) - This bill would have required the Secretary for Cal/EPA to notify a CUPA applicant if the application is disapproved and allow the agency to reapply, if denied certification.

SB 661 (O'Connell) AIR MONITORING PLANS: LOMPOC (Chapter 274, Statutes of 1998)

- This new law appropriates \$145,000 from the General Fund to the DPR to spend on implementing a two-stage air monitoring plan in the City of Lompoc as recommended by the Lompoc Interagency Work Group. [NOTE: Originally, this bill would have required that SWRCB's containment zone policy meet several new requirements, such as requiring a responsible party to compensate for the loss of water resources within the containment zone by restoring or rehabilitating water resources within the same groundwater basin. The responsible party would have been liable for restoration or rehabilitation costs not to exceed 50 percent of the savings from not carrying out active remediation. The original bill also included a partial exemption from these requirements for containment zones located within a redevelopment project area.]

SB 684 (Maddy) LOCAL AGENCIES: LIABILITY (Dropped by the author) - This bill would have provided that a local agency would not incur any liability under state law with regard to the contamination of property with hazardous materials that it has acquired involuntarily as a result of bankruptcy, delinquent taxes, abandonment, or other circumstances to the extent that the contamination occurred or existed prior to the local agency's receipt of title to the property. The bill would have specified the limits of the exemption by including actions that a local agency would be subject to notwithstanding the provisions of the bill .

SB 715 (Sher) CALIFORNIA ENVIRONMENTAL QUALITY ACT (Vetoed) - This bill would have amended CEQA to require that changes in certified regulatory programs be submitted to the Secretary of Resources for review and comment, clarified when environmental documents for a proposed project have to circulate through appropriate state agencies for review and comment, required the Office of Planning and Research to maintain a database of environmental documents, and required the Secretary of Resources to prepare an annual report on the effectiveness of mitigation actions.

SB 775 (Johannessen) GASOLINE MTBE STUDY (Dropped by the author) - This bill would have required the ARB to study the health effects of MTBE and report its findings to the Governor and the Senate by June 30, 1998.

SB 869 (Lee) PUBLIC COMMENT ON REMOVAL ACTION WORKPLANS (Failed in the Assembly Committee on Environmental Safety) - This bill would have prohibited the RWQCBs and the DTSC from approving a hazardous waste removal action workplan for any removal action with a significant level of community interest, unless the public was given two weeks to comment. Further, this bill would have required the supervisor of the person approving the removal action workplan to evaluate the comments in five days.

SB 913 (Kelley) UST Upgrade Compliance (Chapter 774, Statutes of 1998) - This new law allows local UST agencies to petition the SWRCB, no later than December 1, 1998, for a 90-day extension in which to issue upgrade compliance certificates to tank owners. The local agency must explain the circumstances leading to the request and how an extension will address those circumstances. The SWRCB board members or the Executive Director must either approve or deny the petition within

30 days. (URGENCY). [NOTE: Originally, this bill would have made technical corrections to the California Expedited Remedial Action Reform Act of 1994 relating to the selection of a site for remediation.]

SB 937 (Polanco) STATE CONTRACTS (Failed in the Assembly Committee on Appropriations) - This bill was the California Acquisition Reform Act of 1997, which would have replaced existing law governing the state's methods of procuring materials, supplies, equipment and information technology. Originally, this bill was similar to SB 1132 (Polanco).

SB 1011 (Costa) WATER PROJECTS (Failed in the Senate Committee on Agriculture and Water Resources) - This bill would have established the Bay-Delta Multipurpose Water Management Program and would have appropriated \$50,000,000 from the General Fund to the Secretary of the Resources Agency for the purposes of carrying out the program in accordance with procedures established by CALFED. [NOTE: Originally, this bill would have amended the laws applicable to water transfers to streamline and expedite the process of regulatory approval of temporary water transfers, and to establish some water rights principles with respect to all water transfers.]

SB 1012 (Sher) UST DISCHARGE DATA SYSTEM (Dropped by the author) - This bill would have required the SWRCB to establish, by regulation, numeric standards to define residual petroleum contamination for purposes of including a site in a database of leaking petroleum UST sites

SB 1059 (Costa) ENVIRONMENTAL QUALITY PROJECT REVIEW FEES (Failed in the Assembly Natural Resources Committee) - This bill would have created the Fish and Wildlife Resources Stewardship fund in the Fish and Game Preservation Fund and would have required the State Controller to annually transfer \$3 million to the Fund from state revenue from oil and gas leases on tide and submerged lands (tidelands oil revenues) for use by the DFG as a trustee agency for fish and wildlife, including review of environmental documents. In fiscal years when money is provided to the DFG from the Fund, the DFG would have been required to suspend the collection of CEQA filing fees from project proponents and public agencies.

SB 1114 (Solis) LAND USE DEVELOPMENT PERMITS (Failed in the Senate) - This bill would have required the OPA within the TCA to provide information to state and local agencies, as well as to applicants for development projects, to assist them in meeting CEQA requirements.

SB 1132 (Polanco) PRISON INDUSTRY AUTHORITY (Failed in the Senate Committee on Governmental Organization) - Originally, this bill was the California Acquisition Reform Act of 1997, which would have replaced current law governing the state's methods of procuring materials, supplies, equipment and information technology. Originally, this bill was similar to SB 937 (Polanco).

SB 1391 (Thompson) 1998-99 BUDGET (Failed in the Assembly) - This bill would have made appropriations for state government for the 1998-99 fiscal year. (URGENCY). [NOTE: AB 1656 became the final budget bill.]

SB 1453 (Alpert) NONPOINT SOURCE POLLUTION CONTROL (Vetoed) - This bill would have required the SWRCB, in cooperation with the California Coastal Commission, to develop, implement, and enforce a comprehensive coastal NPS pollution control program which complied with the federal Coastal Zone Act Reauthorization Amendments of 1990 (CZARA). The bill would also have required the SWRCB and the Coastal Commission to submit a biennial NPS management report to the Legislature. In addition, it would have required the Commission to recommend to the Governor's Office of Planning and Research (OPR) revisions to the CEQA guidelines, required OPR to develop guidelines for the implementation of acceptable recommended changes, and submitted those proposed implementation guidelines to the Secretary of Resources for adoption.

SB 1521 (Alpert) LENDER AND FIDUCIARY LIABILITY (Chapter 382, Statutes of 1998) - This new law makes noncontroversial clarifications to the existing lender and fiduciary exemptions from statutory liability from the release or threatened release of hazardous materials.

SB 1577 (Sher) CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY (Vetoed) - This bill would have repealed provisions establishing the Office of the Secretary for Environmental Protection effective January 1, 2000.

SB 1609 (Ayala) TELEPHONE NUMBERS ON STATE FORMS (Failed in the Senate Committee on Governmental Organization) - This bill would have required each state form to include the public access telephone number of the state agency that administers the form.

SB 1675 (Hayden) SANTA MONICA BAY RESTORATION PROJECT (Failed in the Assembly Inactive File) - This bill would have established policies and objectives for the Santa Monica Bay Restoration Project (SMBRP) in state law. The bill would have declared the purpose of the SMBRP is to advocate and monitor policies and programs that maximize the goals of restoration and sustained health of the Bay and would have specified the activities of the project.

SB 1852 (Kelley) INDIVIDUAL DISPOSAL SYSTEMS (Chapter 437, Statutes of 1998) - This new law prohibits the Colorado River Basin RWQCB from authorizing the discharge of waste from new or existing on-site individual sewage disposal systems (septic tanks) on parcels of less than one-half acre which overlie the Desert Hot Springs Aquifer or Mission Creek Aquifer in Riverside County, if it is possible to connect to an existing sewer system. An "available sewer" is defined as a sewer system or a building connected to a sewer system within 200 feet of an existing or proposed dwelling unit according to the Uniform Plumbing Code (UPC). In addition, equivalent dwelling units, as defined in the UPC, will be limited to two per acre on parcels of one-half acre or greater in the affected aquifers. The RWQCB is required, to the extent funds are available, to comply with the provisions no later than January 1, 2004.

SB 1856 (Thompson) FOREST PRACTICES ENFORCEMENT PERSONNEL (Vetoed) - This bill would have required any new positions authorized for the DFG, the Division of Mines and Geology in the Department of Conservation, the CDF, and the North Coast RWQCB for timber harvest plan (THP) review, for which funds are appropriated in the Budget Act of 1998, be utilized for

the review of THPs in accordance with the Z'berg-Nejedly Forest Practice Act of 1973 and Forest Practice Rules.

SB 1898 (Polanco) HAZARDOUS SUBSTANCE REMEDIATION (Chapter 438, Statutes of 1998) - This new law eliminates the redevelopment agency law sunset date, extends and expands the immunity provisions in the lender liability law to redevelopment agencies, allows a redevelopment agency to take enforcement actions against responsible parties, and makes various other changes.

SB 1916 (Sher) CALIFORNIA SOURCE REDUCTION ADVISORY COMMITTEE (Chapter 881, Statutes of 1998) - This new law, among other things unrelated to the SWRCB, appoints the Executive Director of the SWRCB to the newly created California Source Reduction Advisory Committee. This Advisory Committee recommends source reduction program activities and funding priorities to DTSC.

SB 1924 (McPherson) DRY CELL BATTERIES (Chapter 281, Statutes of 1998) - This new law exempts alkaline and carbon-zinc batteries from regulation as a hazardous waste, provided they are disposed of in a municipal solid waste landfill or a permitted municipal solid waste transformation facility or, accumulated for recycling, and all storage or accumulation requirements are met.

SB 1926 (Mountjoy) WATER CONTAMINATION LIABILITY: MOTOR VEHICLE FUEL ADDITIVES (Failed in the Senate Committee on Environmental Quality) - This bill, among other things, would have reduced the required testing of leaking UST sites for MTBE before closure to those sites where gasoline or MTBE had been stored and would have required county health officers to notify the appropriate RWQCB if MTBE is discovered in a private drinking water well.

SB 2005 (Kopp) PERMIT STREAMLINING ACT (Chapter 283, Statutes of 1998) - This new law repeals the authority of a lead agency of a development project to grant a waiver of specified time limits (where a combined environmental impact report-environmental impact statement is being prepared on a development project) and would extend the period within which to approve or disapprove the project to 90 days.

SB 2103 (Haynes) RECYCLED WATER (Chapter 753, Statutes of 1998) - This new law establishes procedures for a customer to request recycled water service, for establishing the rate for that recycled water service, for resolving disputes between the customer and the retail water supplier relating to the supply of that recycled water service, and for enforcing those procedures. [NOTE: This bill supersedes provisions of AB 609 (Margett) which affect the same code sections.]

SB 2119 (Hurt) REPORTS TO THE LEGISLATURE VIA INTERNET ACCESS (Failed in the Assembly) - This bill would have required reports that must be submitted to the Legislature, including reports required or requested to be directed to a committee or other specified entity within the Legislature, to be made available on the state or local agency's Internet website.

SB 2170 (Sher) STATE SUPERFUND (Failed in the Senate) - This bill would have reauthorized and enacted changes to California's Superfund program governing the cleanup of property contaminated with hazardous and toxic substances.

SB 2172 (Sher) RISK ANALYSIS AND DETERMINATION (Chapter 676, Statutes of 1998) - This new law amends the law on risk analysis and determination required of the DTSC regulations that provide exemptions from statutory requirements.

SB 2198 (Sher) DRINKING WATER TREATMENT AND RESEARCH (Chapter 997, Statutes of 1998) - This new law establishes the Drinking Water Treatment and Research Fund and transfers administration of the drinking water fund from the SWRCB to DHS on June 30, 1999. The drinking water fund will be used for paying a public water supply system for costs of treatment of a ground or surface drinking water supply, providing an alternate water supply, or investigating the source of contamination when the public water supply has been contaminated by an oxygenate. Under this measure, the SWRCB will annually transfer \$5 million from the UST Cleanup Fund to DHS for three fiscal years beginning July 1, 1999. Finally, unburied fuel piping at marinas that meets specified conditions are exempt from California's double containment requirements.

SB 2201 (Monteith) MODESTO RESERVOIR (Chapter 70, Statutes of 1998) - This new law prohibits recreational uses in the Modesto Reservoir where there is bodily contact with water unless certain conditions are met to further protect public health and safety.

SBX17 (Johannessen) STREAMBED ALTERATION AGREEMENTS (Failed in the Senate Natural Resources and Wildlife Committee) - This bill would have exempted any project that involves the removal of accumulated sediment and vegetation from a facility constructed for the purpose of water retention or detention, sediment or debris retention, flood control, storm protection, drainage, or irrigation where the post-removal condition, capacity, or grade of the facility is consistent with the original design or as-built configuration or capacity, and any projects or activities that affect artificially constructed facilities from the requirements which apply to Streambed Alteration Agreements under the Fish and Game Code.

SCA 25 (Haynes) STATE BUDGET (Failed in the Senate Committee on Budget and Fiscal Review) - This measure would have amended Section 12 of Article IV of the California Constitution by requiring that the budget submitted by the Governor to the Legislature for the 1999-2000 fiscal year be developed so that the maximum recommended expenditures for each state agency is the total amount appropriated to that agency for the 1998-99 fiscal year reduced by 10% , except as specified, and that the aggregate recommended expenditures in the budget for state agencies not exceed the total amount appropriated for the 1998-99 fiscal year reduced by 10%.

THANKS FOR THE COMMENTS!