

AMENDED IN SENATE AUGUST 20, 2010

AMENDED IN SENATE JULY 15, 2010

AMENDED IN SENATE JULY 8, 2009

AMENDED IN ASSEMBLY MAY 28, 2009

AMENDED IN ASSEMBLY MAY 5, 2009

AMENDED IN ASSEMBLY APRIL 14, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

**ASSEMBLY BILL**

**No. 222**

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**Introduced by Assembly Members ~~Adams and Ma~~ Member *Adams*  
(~~Coauthors: Assembly Members Blakeslee, Conway, Emmerson,  
Fletcher, Fuentes, Galgiani, Gilmore, Knight, Mendoza, Smyth,  
and Torrico~~)**

(~~Coauthors: Senators Benoit and Calderon~~)  
(*Principal coauthor: Senator DeSaulnier*)

February 4, 2009

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~~An act to amend Sections 40194 and 40201 of, to add Section 40103 to, and to repeal Section 40117 of, the Public Resources Code, relating to solid waste. An act to amend Sections 1596.616 and 1596.656 of the Health and Safety Code, relating to child care, and making an appropriation therefor.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 222, as amended, Adams. ~~Solid waste: definitions. Child care.~~  
*Existing law requires the State Department of Social Services to establish a trustline registry for trustline providers who meet prescribed requirements.*

*Existing law defines a trustline provider as a person 18 years of age or older who provides child care, supervision, or any person providing in-home educational or counseling services to a minor, and who is not required to be licensed as a child day care provider.*

*Existing law, commencing January 1, 2011, provides that a person who provides care or supervision in an ancillary day care center, as defined, shall be registered as a trustline provider, and specifically defines a trustline provider as also meaning a person who provides child care or child care supervision in an ancillary day care center, other than the parent or guardian of the child receiving the care.*

*This bill would, instead, require that, commencing January 1, 2011, a person 18 years of age or older who provides child care or child care supervision in an ancillary day care center, be registered as a trustline provider. It would specifically provide that nothing in the trustline provider provisions shall be construed to prevent a person under 18 years of age from being employed in an ancillary day care center.*

*This bill would specify that a person is ineligible for employment in a position providing child care or child care supervision in an ancillary day care center if that person is denied trustline registration or has his or her trustline registration revoked, as prescribed. This bill would also permit an employee or prospective employee in an ancillary day care center to work in a position providing child care or child care supervision pending the department's review of his or her trustline application and any related.*

*Existing law authorizes the department to charge a fee to trustline applicants, as specified. Under existing law, moneys collected by the department to implement the trustline provisions are continuously appropriated to the department without regard to fiscal year for expenditure to implement the trustline provisions. Existing law requires the department to charge a fee to each trustline applicant who provides care in an ancillary day care center equal to the total amount required by the department to process applications and maintain the trustline registry for these providers.*

*This bill would, instead, require the department, in addition to the fee charged to trustline applicants, to charge a trustline applicant who provides child care or child care supervision in an ancillary day care center the amount of \$35, that may be adjusted annually as prescribed, to cover the department's costs to process applications and maintain the trustline registry for these providers. By increasing the amount of*

money in a continuously appropriated fund, this bill would make an appropriation.

The California Integrated Waste Management Act of 1989 defines various terms, including “gasification,” “solid waste facility,” and “transformation” for the purposes of the act.

This bill would repeal the term “gasification.” The bill would revise and recast the definition of “transformation” to exclude from that definition, among other things, anaerobic digestion, as defined, and to include in that definition solid waste conversion at a biorefinery, as defined. The bill would revise the definition of “solid waste” remove “gasification” from that definition.

Vote: majority. Appropriation: ~~no~~-yes. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 1596.616 of the Health and Safety Code  
2 is amended to read:

3 1596.616. Notwithstanding ~~Section 1596.61,~~ the ~~The~~  
4 department shall charge a fee to each trustline applicant who  
5 provides *child care or child care supervision* in an ancillary day  
6 care center, ~~that is equal to the total amount required by the~~  
7 ~~department~~ *in addition to the amount charged pursuant to Section*  
8 *1596.61, the amount of thirty-five dollars (\$35) to cover the*  
9 *department’s costs* to process applications and maintain the  
10 trustline registry for these providers. *The department may annually*  
11 *adjust the additional amount assessed under this section pursuant*  
12 *to the consumer price index, but not to exceed the amount*  
13 *necessary to cover the department’s cost of implementing this*  
14 *chapter for these providers.*

15 SEC. 2. Section 1596.656 of the Health and Safety Code is  
16 amended to read:

17 1596.656. (a) A person 18 years of age or older, who provides  
18 child care or child care supervision in an ancillary day care center,  
19 as defined in Section 1596.60, shall be registered pursuant to  
20 Sections 1596.603 and 1596.605. *Nothing in this chapter shall be*  
21 *construed to prevent a person under 18 years of age from being*  
22 *employed in an ancillary day care center.*

23 (b) *Notwithstanding any provision of law to the contrary, if a*  
24 *person 18 years of age or older is denied trustline registration by*

1 the department pursuant to Section 1596.605 or 1596.607, or if  
 2 the department revokes a person’s trustline registration pursuant  
 3 to Section 1596.608, that person shall be ineligible for employment  
 4 in a position providing child care or child care supervision in an  
 5 ancillary day care center.

6 (c) If an existing employee providing child care or child care  
 7 supervision in an ancillary day care center, or a prospective  
 8 employee seeking employment in a position that provides child  
 9 care or child care supervision in an ancillary day care center,  
 10 submits an application to the department to become a registered  
 11 trustline child care provider, that existing or prospective employee  
 12 shall be deemed to be in compliance with the requirements of this  
 13 section and permitted to work in a position providing child care  
 14 or child care supervision pending the department’s review of his  
 15 or her trustline application. The existing or prospective employee  
 16 shall become ineligible for employment providing child care or  
 17 child care supervision in an ancillary day care center if the  
 18 department denies his or her trustline application and any right  
 19 to appeal the department’s denial has been exhausted or has  
 20 expired.

21 (b)  
 22 (d) This section shall become operative on January 1, 2011.

23 SECTION 1. ~~Section 40103 is added to the Public Resources~~  
 24 ~~Code, to read:~~

25 40103. ~~“Anaerobic digestion” means a process using the~~  
 26 ~~bacterial breakdown of compostable organic material in a~~  
 27 ~~controlled environment that meets other parameters as established~~  
 28 ~~by the department.~~

29 SEC. 2. ~~Section 40117 of the Public Resources Code is~~  
 30 ~~repealed.~~

31 SEC. 3. ~~Section 40194 of the Public Resources Code is~~  
 32 ~~amended to read:~~

33 40194. ~~“Solid waste facility” includes a solid waste transfer~~  
 34 ~~or processing station, a composting facility, a transformation~~  
 35 ~~facility, and a disposal facility. For purposes of Part 5 (commencing~~  
 36 ~~with Section 45000), “solid waste facility” additionally includes~~  
 37 ~~a solid waste operation that may be carried out pursuant to an~~  
 38 ~~enforcement agency notification, as provided in regulations adopted~~  
 39 ~~by the department.~~

1     ~~SEC. 4. Section 40201 of the Public Resources Code is~~  
2     ~~amended to read:~~

3     ~~40201. "Transformation" means incineration, pyrolysis,~~  
4     ~~distillation, biological conversion other than composting and~~  
5     ~~anaerobic digestion, or the processing of solid waste at a~~  
6     ~~biorefinery. "Biorefinery" means a facility that utilizes~~  
7     ~~nonincineration thermal, chemical, biological, or mechanical~~  
8     ~~conversion processes, other than composting and anaerobic~~  
9     ~~digestion. "Transformation" does not include composting,~~  
10    ~~anaerobic digestion, or biomass conversion.~~