



**Date:** November 4, 2011  
**To:** State Legislative Committee  
**From:** Patrick H. West, City Manager  
**Subject:** 2011 State Legislative Summary

Attached for your information is a comprehensive report on State legislation and issues of importance during the 2011 State legislative session. This report details:

- Outcomes from the State's FY 12 budget process;
- Bills Long Beach supported and/or opposed; and
- Bills of significant interest to the City

As in years past, the Mayor and City Council, the State Legislative Committee, Mike Arnold and Associates, and City staff worked tirelessly to advocate for the best possible outcome for Long Beach whenever the need arose. Though the 2011 legislative session produced a State budget that was generally unfavorable for local governments statewide, Long Beach did achieve some successes. Positive outcomes from 2011 include: the preservation of public safety funds for frontline law enforcement; the passage of SB 482, legislation to provide established state funds to cities and counties for recreational water quality testing; and a bill to provide local jurisdictions with the authority to establish speed limits within five miles per hour of the prevailing speed rather than round up with each speed limit evaluation cycle. Additional success are outlines in the attachment.

For more information, please contact Tom Modica, Director of Government Affairs and Strategic Initiatives at 8-5091.

cc: Mayor and Members of the City Council  
Suzanne Frick, Assistant City Manager  
Reginald Harrison, Deputy City Manager  
All Department Directors  
Tom Modica, Director of Government Affairs and Strategic Initiatives  
Jyl Marden, City Council Liaison  
Mike Arnold and Associates



# Michael J. Arnold and Associates, Inc.

Legislative Advocates and Consultants

Phone: (916) 446-2646 ♦ Fax: (916) 446-6095 ♦ 1127 11th Street, Suite 820, Sacramento, CA 95814

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## City of Long Beach

### LEGISLATIVE HIGHLIGHTS 2011 LEGISLATIVE YEAR

October 27, 2011  
Sacramento

**Prepared by:**  
**Michael J. Arnold, Legislative Advocate**  
**Kristian E. Foy, Legal Counsel**

These “Legislative Highlights” consist of both a general overview highlighting some of the key issues addressed during this legislative year and a more comprehensive “Legislative Status Report” generated by our bill tracking system. The status report is attached at the end of the highlights and shows the final status of all the legislation we followed during the year. As you will note, the status report includes the following information on all of the bills we followed:

Bill Number, Author, and Title  
Our Final Position on the Measure  
Final Location or Chapter Number  
Brief Summary

Importantly, the status report reflects the final position taken on the bill. The final position may be different from the position taken on the bill as originally introduced. Amendments to a bill frequently lead to a new position. This is especially true when the amendments are made at our request. For example, we frequently adopt a position of “Oppose Unless Amended” and move to a “Watch” position after our amendments are adopted.

#### **Two-Year Bills**

Since this was the first year of the biennial session, bills not passed to the Governor’s desk remain alive for consideration during next year. The rules provide that these measures must pass the house of origin by the end of January to remain alive for additional consideration. Thus, January will be a busy month. Proponents of two-year bills will be attempting to move them through the house of origin prior to the January deadline.

## **Effective Dates of New Legislation**

The bills that were passed by the Legislature and signed by the Governor will take effect on January 1, unless they include an urgency clause or contain a provision calling for some other effective date. Urgency measures take effect immediately upon chaptering by the Secretary of State. Bills are normally chaptered on the day following their signature by the Governor.

## **2011-2012 Biennial Session**

The 2011 legislative year was the first year of the 2011-2012 biennial legislative session. The State Legislature will return to Sacramento on Wednesday, January 4, 2012. During the interim between the 2011 and 2012 legislative years, the Legislature will be holding interim hearings on two-year bill topics for consideration in 2012. We will monitor these hearings and participate as appropriate.

Planning for the 2012 legislative year will begin shortly. The proposed State Budget for the 2011-2012 fiscal year will be released in January. Next year's budget may be even worse than this past year.

## **Key Issues of Interest**

### **2011-2012 State Budget**

Last year, California voters passed Proposition 25 to reduce the budget vote requirement from two-thirds to a simple majority. The measure's drafters included a provision to punish lawmakers for late budgets by taking away their salaries and per diem payments if a budget is not passed by the Constitutional deadline of June 15<sup>th</sup>. Thus, this year's budget was the first under the new majority vote requirement.

In March, the Legislature attempted to pass an early budget. There were discussions between the Governor and a group of moderate Republicans: "the GOP Five" in the Senate. The GOP Five demanded public employee pension reform, a spending cap, and other items in exchange for their vote to put the tax increase extension question on a June special election ballot. At the same time, a number of trailer bills were being considered in both houses to implement budget cuts. Ultimately, no deal was reached between the Governor and the GOP Five, but the Legislature approved 8 of 20 budget trailer bills. The Legislature did not pass the actual budget bill itself or the trailer bill calling for the special election on taxes. Both houses lacked two Republican votes to pass the urgency special election trailer bill or any other tax increase.

In early June, Democrats tested Proposition 25 by passing an unbalanced budget just before the June 15th deadline. Governor Jerry Brown promptly vetoed it for being unbalanced. Controller John Chiang, supported the Governor's position and invoked the intertwined provisions of two measures, 2004's Proposition 58 and last year's Proposition 25, to cut off salaries and per diem payments to state legislators because they failed to pass a "balanced budget" by the June 15th constitutional deadline. Controller Chiang decreed that legislators would not be paid because they failed to comply with Proposition 58, which requires that spending not exceed estimated revenues.

The Legislature then passed a revised version of the budget, which closes a \$26.6 billion budget gap on June 29, 2011. With very little debate on the Floors, both Houses of the State Legislature adopted the budget bill



and seven additional budget trailer bills. These proposals were passed by majority vote with only Democrats supporting. The Governor and the Democratic leadership in the Legislature pieced the “budget deal” together after the Governor acknowledged he was not going to obtain the two Republican votes needed in each House to extend tax rates. An announcement was also made that an extra \$4 billion in revenues was anticipated to come in during the final months of the fiscal year to help offset a few of the earlier proposed cuts. The adopted FY 12 budget included automatic cuts in the form of “trigger cuts.” These were put into place in case the anticipated new revenues do not materialize. At this point, revenues have been less than anticipated and many are predicting that the triggers will be implemented.

The “Democratic Budget” relies on a series of three tiers of possible new spending cuts that may be triggered. The “trigger” component depends on the Department of Finance Director verifying how much of the \$4 billion in higher than anticipated revenues has been received. The Director could have as long as December 15 to determine how much of the funds have been received. The state will need at least \$2 billion in additional revenue to prevent further “trigger cuts,” which would affect education (including school year reductions), public safety, corrections, library grants, social services, and other programs.

The budget also includes a major realignment of public safety programs from the state to local governments. The realignment moves program and fiscal responsibility to the locals. The budget funds the \$5.6 billion realignment using two funding sources: (1) dedication of 1.0625 cents of the existing sales tax rate (\$5.1 billion) and (2) redirection of vehicle license fee revenue (\$453.4 million).

The budget also includes two trailer bills, which severely impact local redevelopment agencies. The two-bill scheme eliminates redevelopment agencies in exchange for so-called “voluntary” payments to the state. Shortly after the bills were signed by the Governor, the League of California Cities, along with others, filed a lawsuit. The court ordered a stay on the dissolution of the redevelopment agencies pending the resolution of the lawsuit.

## **Redevelopment Bills**

### **AB 26x (Blumenfield) Redevelopment Elimination / AB 27x (Blumenfield) Alternative Redevelopment Program**

Despite incredible opposition from every city in State of California, the Legislature passed a duo of bills that first eliminates Redevelopment Agencies statewide, and then questionably requires Redevelopment agencies to make “voluntary” payments to continue to survive. This two-bill proposal was enacted as ABx1\_26 and ABx1\_27. This was the culmination of a year-long battle to keep the Legislature from raiding Redevelopment, with the Legislature voting in the end to eliminate redevelopment unless a ransom of \$1.7 billion was paid this year, and in excess of \$400 million ongoing in the future.

In Long Beach's case, the payment to continue Redevelopment would be \$34 million in the first year, and in excess of \$8 million each and every year thereafter. This payment would come on the heels of a \$6 million payment last year and \$29 million the year before to the State that Long Beach is still trying to pay off. Sadly, our entire Long Beach delegation, with the one notable exception of Senator Rod Wright, voted to end Redevelopment. Our Assembly delegation (Bonnie Lowenthal, Isadore Hall and Warren Furutani) supported the budget bill without any debate. In the Senate, Senators Ted Lieu and Alan Lowenthal were

the two members that held off voting on the budget bill because of concern over Redevelopment, creating a standoff for several hours. Unfortunately, both Senators ultimately voted yes and the budget bill passed. The City's thanks go to Senator Rod Wright for being such a passionate and consistent voice of reason in the Redevelopment debate.

The California Redevelopment Association (CRA) and the League of California Cities have filed a lawsuit seeking to stop the elimination of Redevelopment and forcing a payment. The City of Long Beach ultimately decided to opt-in and make the payment to avoid losing redevelopment, and is also supporting the lawsuit as we believe this is an unconstitutional action.

Prior to the Legislature's move to dissolve Redevelopment Agencies to save the state \$1.7 billion in FY 12, the City of Long Beach, led by Mayor Foster, worked on an alternative approach with the goal of providing the state with a voluntary, legal mechanism to secure the dollars necessary to balance the budget. The Community Redevelopment Association and the League of California Cities also offered separate ideas for consideration. The Legislature chose not to take any options presented, and instead adopted the two-bill proposal described above.

### **AB 25x / SB 8x (Blumenfield) Redevelopment**

This bill makes various changes to implement the redevelopment package adopted in AB 26X and AB 27X as part of the 2011-12 budget. This "clean up" effort was promised on the floors of the Assembly and Senate when the two bills eliminating redevelopment and then creating a mandatory opt-in were approved. When the "clean up" bills were proposed at the end of session, neither the League nor the CRA chose to be a part of the effort. Long Beach played a lead role in negotiating many of the items in SB 8x, as Senators Lowenthal and Lieu sat on the Conference Committee set up for this issue. Originally, this bill was intended to make any affordable housing dollars an agency used to make AB 26x payments a loan instead of a grant. Thankfully, we were successful in keeping this provision out of the bill as it would have made opt-in unaffordable. Long Beach was successful in negotiating language to protect \$84 million of the \$119 million the Agency owes the City if the lawsuit is unsuccessful – the language in AB 26x currently allows the successor agency to ignore the debt the Agency has to the City. Finally, Long Beach was able to get the current 5 year SERAF repayment schedule extended to 10 years, so that agencies have more flexibility to pay the state in the event the lawsuit is unsuccessful. Senator Lowenthal and Senator Lieu pushed to get these provisions in the bill and protect them against several amendments. However, when SB 8x was passed by the Legislature, the Governor vetoed it with the following veto message: "Legislation abolishing redevelopment agencies (ABx1 26) and establishing a Voluntary Alternative Redevelopment Program (ABx1 27) is currently the subject of litigation in California Redevelopment Association v. Matosantos. The California Supreme Court has indicated that it will rule in this case by January 15, 2012. Until the court issues its ruling in this case, it would be premature to consider the modifications proposed in this bill."

### **SB 13x (Budget) Hardship**

SB 13x makes a change in the basis on which community remittances can be adjusted under the Alternative Voluntary Redevelopment Program established under AB 27x. The bill would help with the proper implementation of that legislation relating to the 2011-12 budget agreement. There are some communities across the state that are unlikely to participate in the Alternative Voluntary Redevelopment Program based on the magnitude of community remittance amounts. The additional appeal process in this bill provides an

avenue for those communities, while leaving the decision regarding the disposal of such appeals in the hands of the Director of Finance. The director could use discretion in each case both in terms of weighing the appeal and designing the remedy, to the extent any is offered. This bill died on the Senate Floor on the last day of session awaiting concurrence in Assembly amendments.

### **SB 286 (Wright) Redevelopment**

Senate Bill 286 makes numerous changes to provisions of the Community Redevelopment Law affecting redevelopment agencies'. The bill addresses the following issues: Tax increment allocations; Project area creation and expansion; Prohibitions against assisting specified types of Development; Redevelopment activities; Blight findings; Reporting requirements; Audit requirements; Pass-through payments; Statements of indebtedness; Administrative expenses; Interest payments. This bill is similar to AB 1250, in that it tightens the definition of "blight," limits project area size, funds an aggressive auditing program by the state Auditor, increases accountability through performance standards, and make others changes that will improve accountability for redevelopment. SB 286 was another attempt at a compromise redevelopment reform measure. The bill was supported by the League of California Cities in addition to the California Redevelopment Association. SB 286 was held in the Senate Governance and Finance Committee as a two-year bill.

### **AB 1250 (Alejo) Redevelopment**

AB 1250 tightens the definition of "blight," as it relates to Redevelopment Law, by limiting project area size, increasing accountability through performance standards, and making other changes to improve accountability and reduce the footprint of redevelopment. This bill would impose new requirements on redevelopment agencies with respect to implementation plans and evidentiary standards and expand existing prohibitions on agency direct assistance to certain projects. The bill would also require the Controller, on or before January 1, 2013, to issue regulations revising and consolidating reporting for redevelopment agencies and to develop a simple, uniform, and consistent methodology for the calculation, payment, and reporting of pass-through payments. AB 1250 would also prohibit agencies that have 25% or more of their land area in a redevelopment area from creating any new areas. AB 1250 was an attempt at a compromise measure to reform redevelopment law and was supported by the League of California Cities and the California Redevelopment Association (CRA). AB 1250 was held in the Assembly Rules Committee and was never heard in a policy committee. It is a two-year bill.

### **SB 450 (Lowenthal) Redevelopment**

This bill reforms how redevelopment agencies spend their Low and Moderate Income Housing Funds. Senator Lowenthal proposed this bill as part of the redevelopment reforms being discussed at the State level. Long Beach took issue with a few of the major policy proposals in SB 450. The City tracked this bill since its inception, and worked closely with the author on our concerns. Although Senator Lowenthal made some changes in response to the City's comments, in particular allowing code enforcement as an eligible use of Low/Moderate housing funds, the City continued to have significant concerns with the bill.

On August 16, 2011, the City Council gave direction to staff to:

- Oppose efforts to limit acquisition-rehabilitation as a method of providing replacement housing in built-out cities
- Oppose changes to the current proportionality requirements on the expenditure of Low/Mod Funds for cities that have met their affordable housing requirements in past planning cycles

As neither of these policy objectives was met, the City has sent a letter requesting the Governor to veto SB 450. If signed in law, this bill would have adversely impacted the way in which Long Beach allocates Low/Moderate housing funds. SB 450 would require that all cities, regardless of past performance, spend 25 percent of Low/Moderate Housing funds on Extremely Low Income and 50 percent on Extremely Low Income / Very Low Income, an enormous difference from current housing policy. Currently, cities are required to spend in accordance to their need, which Long Beach has done successfully. This new approach will force the City to reduce administrative expenses, limit the use of acquisition/rehabilitation for replacement housing, and shift resources towards a very particular sector of need, rather than investing in the entire demonstrated need of the community.

This bill was passed by the Legislature and sent to the Governor's desk despite our objections. The Governor vetoed SB 450 with the following veto message: "I am returning Senate Bill 450 without my signature. This measure contains significant legal changes that will affect Low and Moderate Income Housing funds managed by redevelopment agencies, but this bill is a little ahead of its time. The California Supreme Court has indicated that it will rule on California Redevelopment Agency v. Matosantos by January 15, 2012, and I believe it would be premature to enact such substantive reforms before that time."

## **State Clean-up and Abatement Account**

Long Beach successfully secured \$3.3 million from the State Water Resource Control Board Cleanup and Abatement Account to remove contaminated sediment from the Colorado Lagoon. The Colorado Lagoon has been listed for years on the State's 303(d) list of impaired water bodies, and was identified by the State's Regional Water Resource Control Board as the number one priority for remediation. The removal of contaminated sediment from the lagoon is a critical project component that will help to significantly improve water and sediment quality for the benefit of the area and area residents. Funds will be used to dredge the Colorado Lagoon, treat the contaminated sediment with chemical reagents to stabilize the hazardous material and dispose of the material at the Port of Long Beach. The improvements at the Colorado Lagoon will benefit not just Long Beach residents, but also the many regional visitors that recreate at the water destination each year.

## **Bills Supported / Opposed**

### **SB 89 (Budget) Public Safety Realignment**

This bill redirects approximately \$130 million in city general fund revenue from vehicle license fee formula to the Local Law Enforcement Services Account (LLESA). The LLESA was created by the public safety realignment funding bill and the dollars will be distributed to counties as deemed appropriate by the state. SB 89 also increases vehicle registration fees by \$12 dollars for Department of Motor Vehicle administrative

funds for an appropriation of \$25 million in FY 2011-012. Remaining funds from registration fee increases will also be appropriated to the LLESA account for law enforcement realignment programs and grants. SB 89 came into print late in the day on June 28, 2011 and was rushed through the legislative process with minimal discussion. This bill eliminates a general fund revenue stream for local governments, and increased Long Beach's structural deficit by \$1.7 million, resulting in additional reductions to all general fund departments including police, fire, library, parks, and others. The bill was passed by the Legislature and signed by the Governor as Chapter 35, Statutes of 2011.

### **SB 4x (Budget) COPS Clean-up**

In the last two days of session, the Legislature rushed through AB 16x, a bill making statutory changes necessary to implement the 2011 Public Safety Realignment that was contained in AB 118 (Budget Committee), Chapter 40, Statutes of 2011. Just as the bill was released and considered for a vote, Long Beach noticed a provision that would make us and many other cities ineligible for COPS public safety grants, if the agency reduced front line law enforcement staffing from 2011 levels. Long Beach was unsuccessful in stopping a vote on AB 16x, but worked closely with Assemblymember Bonnie Lowenthal to usher SB 4x through on the final day of the legislative session. SB 4x was crucial to amending and removing the COPS (Citizens' Option for Public Safety) This provision would have applied only to cities, even though counties and police protection districts also receive COPS grants. Given the current economic reality, many cities have been forced to reduce their budgets dramatically, and would not be able to fund law enforcement at the FY 2010-11 levels. Without access to COPS grants, these cities would have to further reduce budgets for frontline law enforcement. Assemblymember Lowenthal, the City of Long Beach, Michael J. Arnold and Associates, and Long Beach Police Chief Jim McDonnell garnered enough support for SB 4x to move this bill to the Governor's desk, and this bill was the last bill passed by the Legislature before the end of session at approximately 1:00 AM. Signature by the Governor on SB 4x, following signature of AB 16x, was essential so that the harmful MOE provisions applicable to cities would be removed. This bill was strongly supported by numerous cities. The Governor signed the bill as Chapter Number 14, Statutes of 2011 First Extraordinary Session

### **AB 946 (Lowenthal) Public Contracts: Los Angeles County: LA RICS**

This was a critical "gut and amend" bill necessary to prevent \$270 million in federal homeland security grants from expiring. Earlier this year, the Los Angeles Regional Interoperable Communications System Authority (LA-RICS), a joint powers agency, attempted to procure a regional interoperable communications system by utilizing a solicitation process to award a contract for the design and build out of a regional interoperable communications system and related infrastructure. LA RICS needed special legislation to allow them to utilize a design-build procurement system for both the technology component and the infrastructure component in order to efficiently procure the system and meet federal spending requirements for the \$270 million in federal dollars. Assemblymember Lowenthal was selected to spearhead this bill for the Speaker, and Long Beach joined LA County and a number of agencies in supporting this bill. The bill passed through both houses of the legislature and the Governor signed the measure into law as Chapter 400, Statutes of 2011.

## **SB 691 (Lieu) California Speed Limit Regulations**

In response to a traffic engineering need in the City of Long Beach, the City drafted legislation and sponsored SB 691, a bill introduced by Senator Ted Lieu. SB 691 was written to clarify certain driving conditions as “factors not apparent to the driver”, as that language is used in accordance with current California Manual on Uniform Traffic Control Devices (MUTCD) guidelines. The MUTCD is the manual that prescribes how speed limit regulations are set and enforced in the State of California. At minimum, in order to enforce speed limits via radar, the MUTCD prescribes that a Traffic and Engineering Survey must be completed every five years and document: (1) The 85th percentile speed; (2) Accident records; and (3) Highway, traffic, and roadside conditions not apparent to the driver. In 2004, California’s MUTCD regulations were amended to require that the established speed limit be rounded to the “nearest 5 mph increment of the 85<sup>th</sup> percentile speed”. Though the amended regulations allow for speed limits to be rounded down by 5 mph if “factors not readily apparent to the driver” are present in the speed zone, those factors are not clearly defined by California law, and have been judicially interrupted differently across the state. In response to the need for consistency in interpreting “factors not apparent to the driver”, SB 691 seeks to enact a clear definition of the language.

The City worked closely with Senator Lieu’s Office to push this bill during the legislative session. The American Automobile Association (AAA) had serious concerns about the bill, and as an alternative, agreed to substantial concessions in negotiations over a similar measure, AB 529. AB 529 simply rolled back MUTCD regulations to allow rounding of speed limits “within” five miles per hour of the 85<sup>th</sup> percentile speed. This allows a jurisdiction to round up or down, an allowance which is supported by Long Beach. Long Beach had initially proposed to introduce a bill very similar to AB 529, but were advised by the Assembly Transportation Committee staff not to pursue this bill and instead create SB 691. However, the introduction of SB 691 was sufficient to convince the AAA that AB 529 was a preferable approach, therefore, the City agreed to hold SB 691 as a two-year bill. We then worked closely with our State delegation to seek enactment of AB 529, which was signed into law.

## **AB 529 (Gatto) Vehicles: Speed Limits**

This bill requires the California Department of Transportation (Caltrans) to revise the California Manual on Uniform Traffic Control Devices (CMUTCD). AB 529 requires the Department of Transportation to revise its regulations so that state and local authorities have greater flexibility in setting speed limits on roads under their jurisdictions. Speed limits are generally set in accordance with engineering and traffic surveys, which measure prevailing vehicular speeds and establish the limit at or near the 85th percentile. In cases where the 85th percentile speed is not an increment of 5 MPH, the MUTCD directs a jurisdiction to round to nearest 5 MPH increment. Thus, if the survey shows an 85th percentile speed of 34 MPH, the jurisdiction must set the speed limit at 35 MPH. The jurisdiction may lower that speed limit by 5 MPH (to 30 MPH) if it identifies and documents a safety-related factor.

In 2009, Caltrans changed its MUTCD to require a state or local authority set speed limits to the nearest 5 MPH increment. Rounding to the “nearest” often meant rounding up – a change that resulted in the increase of many speed limits in California. The MUTCD does allow jurisdictions to round down from the 85<sup>th</sup> percentile speed by 5 MPH, if the jurisdiction can document a “factor not apparent to the driver”. However, the interpretation of this definition varied widely across the state. The author's office introduced AB 529 to give local governments the authority to round up or down to a 5 MPH increment, regardless of

“factors not apparent to the driver”. This takes MUTCD guidance back to an era when local jurisdictions had greater control over local speed limits, but are still required to work within a 5 MPH range of the 85<sup>th</sup> percentile speed.

AB 529 requires that Caltrans revise the MUTCD to require Caltrans and local authorities to round speed limits to the nearest 5 MPH of the 85th percentile speed. It also allows, in instances where Caltrans or the local authority should round up to reach the nearest 5 MPH, that Caltrans or the local authority may instead round down but then may not reduce the posted speed limit by a 5 MPH increment for a safety-related factor. (Thus in the example above where the 85th percentile speed is 34 MPH, the authority may set a speed limit of 30 MPH, but may not also further reduce that speed by an additional 5 MPH due to a safety factor). Long Beach strongly supported this bill and our bill SB 691, which deals with the same issue. We decided to hold our bill as a two-year bill and push for the enactment of AB 529. The legislature passed AB 529 and sent it to the Governor’s desk.

It is important to note that Caltrans made the change from "within" to the "nearest" 5 MPH increment in anticipation of a change in the federal rules that guide the process states use to set speed limits. The author's office notes that the change in the federal rules never came to fruition; therefore, the reversal in state guidance remains in accordance with federal law. AB 529 was signed by the Governor as Chapter 528, Statutes of 2011.

### **SB 482 (Kehoe) Public Beach Contamination: Water Testing Funds**

This bill transfers primary jurisdiction for the beach water quality monitoring program from the Department of Public Health to the State Water Resources Control Board. SB 482 requires DPH to also consult with the SWRCB when establishing, maintaining, and amending as necessary, minimum standards for the sanitation of public beaches. The California Association of Environmental Health Administrators sponsored this bill and believes it provides a stable funding source for local environmental health programs throughout California. SB 482 creates the opportunity to continue funding for the beach water quality program through water quality fees that are assessed by the SWRCB. Under current law, the SWRCB is required to assess waste discharge fees at a level sufficient to pay for the amount appropriated in the Budget Act from the Waste Discharge Permit Fund (WDPF). Long Beach supported this bill, as the City has been searching for a stable source of water quality testing funding since the program was cut by Governor Schwarzenegger as part of a line-item veto. The Governor signed the bill as Chapter 592, Statutes of 2011.

### **AB 506 (Wieckowski) Local Government Bankruptcy**

This bill authorizes a local government to petition for bankruptcy protection if it either participates in a neutral evaluation process or declares a fiscal emergency. Existing law allows a local public entity in California to file a petition and exercise powers pursuant to applicable federal bankruptcy law, without any statewide approval or pre-conditions. The League of California Cities worked with the sponsors of the bill to negotiate amendments at the end of the session. Though the amendments were adopted, Long Beach was of the opinion that an “oppose” position was still warranted, as AB 506 still places new regulations on a municipality’s ability to access a federal process. AB 506 was passed by the Legislature and sent to the Governor. The Governor signed the bill as Chapter 605, Statutes of 2011.

### **AB 646 (Atkins) Local Public Employees: PERB Bill**

AB 646 allows local public employee organizations to request fact-finding if a mediator is unable to reach a settlement within 30 days of appointment, defines certain responsibilities of the fact-finding panel and interested parties, and makes specified exemptions from these provisions. The City opposed this bill, arguing that AB 646 undermines a local agency's authority to establish local rules for resolving impasse and the requirement that a local agency engage in factfinding may delay rather than speed the conclusion of contract negotiations. In addition, Long Beach pointed out that there are not any abuses or short-comings of the current process and therefore question the need for making such an important change in the process of reaching a collective bargaining agreement. The Legislature passed the bill to the Governor's desk. The Governor signed the measure as Chapter 680, Statutes of 2011.

### **AB 710 (Skinner) Local Planning: Parking Minimum Restrictions**

This bill establishes parking standards for new transit-oriented development. AB 710 sought to enact the "Infill Development and Sustainable Community Act of 2011," and contains legislative declarations in support of its provisions. For new development projects in transit intensive areas, this bill prohibits cities and counties from requiring a minimum parking standard greater than one space per 1,000 square feet of nonresidential improvements, and one space per residential unit. Long Beach opposed, due to concerns of loss of local control and the potential of repeating past development mistakes of underparking areas of the city. This bill was hotly contested in the Senate, and Senator Lowenthal assisted in defeating the bill by staying off the bill at Long Beach's request. This bill did not pass through the Legislature, but has become a two-year bill.

### **SB 734 (DeSauliner) State and Local Workforce Investment Boards: Funding**

SB 734 imposes requirements related to the expenditure of Workforce Investment Act funds on job training programs. The main question raised by this proposal is whether the Legislature should establish a statutory minimum percentage of WIA funds to be spent on workforce training programs. We opposed this measure, as it will significantly reduce the City's ability to leverage federal Workforce Investment Act dollars to garner additional grants to fund Workforce Investment Act activities, and will result in service reductions to the public in order to achieve the mandated training ratio. Long Beach also felt that many of the services the community considers "training", such as our One-Stop Center, resume assistance, job placement, and others, were not considered training under the bill. SB 734 was a last minute gut and amend bill that was pushed at the end of the session because SB 776 (a very similar bill) failed passage in the Assembly. The City opposed AB 776 as well. SB 734 differs from SB 776 primarily in that it allows a credit of up to 10% for leveraged funds, as specified. With the last minute amendments, several groups added on in support of SB 734, thus making it even more difficult to stop. The bill was passed by the Legislature and sent to the Governor's desk. The Governor signed the measure as Chapter 498, Statutes of 2011.

### **SB 776 (DeSauliner) State and Local /workforce Investment Boards WIA**

This bill requires specified minimum amounts of federal Workforce Investment Act (WIA) funds provided to local WIA (LWIA) boards to be spent on workforce training programs, as specified. We opposed this bill because the bill requires specified minimum amounts of federal Workforce Investment Act (WIA) funds



provided to local WIA (LWIA) boards to be spent on workforce training programs, as specified. We were very concerned that SB 776 would have serious unintentional consequences. Ultimately, the bill was stopped on the Assembly Appropriations suspense file. However, SB 734 was amended at the end of the session to include the same issue. That bill was signed in to law by the Governor.

### **AB 1220 (Alejo) Housing Element**

This bill allows an entity in support of affordable housing to challenge a housing element or certain city or county housing ordinances within three years of adoption. Currently, the statutes of limitations period is 90 days. Long Beach opposed this bill. If enacted, it would have stalled any new developments, as most developers would be hesitant to invest in projects when the housing element may be sued or changes for up to three years. The bill was passed by the Legislature and sent to the Governor's desk. The Governor vetoed AB 1220 with the following veto message: "This bill increases the statute of limitations from 90 days to 3 years for a citizen to file a Notice of Deficiency in a locally adopted housing element. While I understand the value of using the courts to compel compliance with state housing goals, there should be a balance between a local government's planning authority and citizen oversight. This bill tilts that balance and creates too much uncertainty."

### **AB 1278 (Hill) Personal Income and Corporation Taxes: Enterprise Zones**

AB 1278 limits the application of the new hire credit in instances where the taxpayer has relocated from one area of California to a geographically targeted economic development area (G-TEDA) on or after January 1, 2011. Under this circumstance, a G-TEDA hire credit is only allowed for qualified employees who represent a net increase to the total number of California workers employed by the taxpayer over the previous tax year. Long Beach opposed this bill on the basis that it would dilute the attractiveness of the Enterprise Zone program – a program that has yielded employment for low-income Long Beach residents. AB 1278 was stopped in the Assembly Jobs, Economic Development and the Economy where it is now a two-year bill.

### **SB 293 (Padilla) Payment Bonds: Public Works Contingency Funds**

SB 293 would cap retention proceeds on a vast array of public works projects at five percent. An exception to this rule may be made for projects awarded by local entities if the City Council approves by majority vote during a properly noticed and normally scheduled public hearing prior to bid that the project is substantially complex, and includes this finding and the actual retention amount in the bid documents. Retention proceeds between an original contractor and a subcontractor, or between two subcontractors, cannot not exceed the specified retention percentage in the contract between the public entity and the original contractor. Long Beach opposed this bill on the basis of a loss of local control and the concern that a larger retention is necessary to ensure timely and acceptable project compliance. The City argued that if a contractor and a public agency wish to limit retention proceeds to five percent, as the bill seeks to achieve, current law allows for it. The Governor signed the bill as Chapter 700, Statutes of 2011.

## **AB 455 (Campos) Local Public Employee Organizations: Unions on the Civil Service Board**

AB 455 specifies how the membership of public agency merit or personnel commissions must be appointed. Specifically, this bill requires, in public agencies that have established merit or personnel commissions, the memberships of those commissions to be appointed half by the employer and half by the recognized employee organization. If there are multiple bargaining units represented by different recognized employee organizations, the one representing the largest number of employees will be the one to designate commission members, as specified. It also, requires the commission members to jointly elect one additional member of the commission to act as chairperson. Long Beach strongly opposed this measure, as it overrides the authority in the City Charter on appointment of Civil Service Commissioners. AB 455 was passed by the Legislature and sent to the Governor's desk where it was vetoed. The Governor included the following veto message: "This bill prescribes how all local merit or personnel commission members should be appointed. It requires that half of the members be selected by the employer and half by the largest employee bargaining unit. While intended to create more balanced commissions and address concerns relating to individual commissions, this measure imposes a top down, one-size-fits-all solution on all merit and personnel commissions statewide. This measure seeks to impose a level of state control that is inconsistent with my administration's efforts to realign state services and to increase local control. Concerns relating to specific commissions should be addressed on a case-by-case basis at the local level."

## **SB 568 (Lowenthal) Styrofoam Containers**

SB 568 prohibits a food vendor from dispensing prepared food to a customer in a polystyrene foam food container after January 1, 2016, (July 1, 2017, for school districts) unless the local government or school district adopts a recycling program that can recycle at least 60% of its polystyrene foam food containers. A California Department of Transportation study conducted from 1998-2000 found that polystyrene products comprised 15% of the total volume of litter collected from storm drains. This type of litter reaches the sea by rivers and municipal drainage systems, and then tends to break apart, where it can be eaten by animals. Polystyrene is a common environmental pollutant and a non-biodegradable substance, and biodegradable, compostable, or recyclable disposable food service ware are relatively affordable, safe, and more ecologically sound alternatives. Long Beach supported this bill, with the Long Beach City Council voting to support it. After encountering significant opposition, SB 568 was held on the Assembly Floor as a two-year bill.

## **AB 153 (Skinner) State Board of Administration: Retailer Engaged in Business in this State**

This bill expands the statutory list of retailers that are considered to be engaged in business in California and that, as such, are required to collect use tax on sales of tangible personal property (TPP) to California consumers. AB 153 would clarify state laws to require Internet based non-California merchants with a network in the state to collect sales tax on purchases shipped into California. The goal for AB 153 was to pass it as part of the State's FY 12 budget, but Amazon.com fought hard to overturn the regulation. As a result, the state agreed to refrain from collecting Internet sales tax for the current year in exchange for Amazon.com's cooperation with any federal regulation passed in the future that may mandate the collection of Internet sales tax. Long Beach supported AB 153, as it would help ensure the collection of sales tax on internet purchases, which is currently subject to use tax but is often not collected. AB 153 was held in the Senate Governance and Finance Committee as a two-year bill.

### **AB 130 (Cedillo) California Dream Act: Non-state Funds**

This bill requires, beginning January 1, 2012, that AB 540 (Firebaugh), Chapter 814, Statutes of 2001, students attending the California State University, the California Community Colleges, or the University of California be eligible to receive a scholarship derived from non-state funds (received for the purpose of scholarships) at the segment where the student is enrolled. In general, AB 540 students are not currently eligible for federal, state and/or campus-based financial aid. Long Beach supported this measure, and the City Council passed a resolution of support. The Governor signed AB 130 into law as Chapter 93, Statutes of 2011.

### **AB 131 (Cedillo) California Dream Act: State Funds**

AB 131 establishes the California Dream Act, expanding eligibility for financial aid, beginning January 1, 2013, to students who qualify for the existing exemption from non-resident tuition established by AB 540 (Firebaugh, Chapter 814, Statutes of 2001). Specifically, this bill requests the University of California (UC) and requires that the California State University (CSU) and the Board of Governors of the California Community Colleges (CCC), and the California Student Aid Commission, establish procedures and forms to enable AB 540 students to be eligible to apply for and participate in all student financial aid administered by these segments. AB 131 expands eligibility for state-administered student financial aid programs to include AB 540 students. The bill also requires the CCCs to waive the student fees of any AB 540 students who would otherwise qualify for such a waiver, as specified. AB 131 makes AB 540 students eligible for Cal Grants, institutional aid at the UC and CSU, Board of Governors fee waivers at the community colleges, and any other state administered programs. Long Beach supported this bill and the City Council passed a resolution of support. The Governor signed the bill as Chapter 604, Statutes of 2011.

### **SB 702 (Lieu) Dog and Cat Licensing: Microchip Implants**

This bill prohibits public animal control agencies, shelters, society for the prevention of cruelty to animals shelters, humane society shelters, or rescue groups (animal shelters) from releasing a dog or cat that has not been microchipped. Long Beach currently requires all cats and dogs leaving the Animal Care Center to have a microchip implanted. This program has been successful in reuniting pets with their owners. As such, the City supported SB 702 as it moved through the legislative process. SB 702 was passed by the Legislature, but the Governor vetoed the bill with the following message "Under current law, local agencies and shelters can and should require animals to be microchipped before being released. There is no need for state law to mandate the procedure, which would then require the state to pay for it."

### **AB 610 (Solario) Specialized License Plates**

AB 610 authorizes the creation of new special interest license plates with applications and fees from 2,500 vehicle owners for the plate, plus private or public donations to cover the remaining cost of creating the new license plate. The author introduced this bill at the request of the Social Compassion in Legislation organization, which since June 2010 in concert with the California Veterinary Board has been promoting sales of the Pet Lover's Plate in an effort to raise additional funds for the spay and neuter trust fund to

distribute grants to eligible agencies throughout the state. The sponsor reports that it and the Veterinary Board are encountering significant difficulty in meeting the current threshold for pre-sales. Thus, they were seeking a new option for the licensee plate program. The original bill would have applied to all new specialized license plates. However, given the opposition faced during the legislative session, the author amended the bill to be specific to the Pet Lover's Plate. AB 610 was held in the Senate Transportation and Housing Committee as a two-year bill.

### **AB 312 (Lowenthal) Civil Rights: Homeless Persons**

AB 312 clarifies protections and remedies for hate-based violence directed at homeless people. This bill provides that the protections and remedies of the Ralph Civil Rights Act include violence or intimidation by threat of violence committed against a person or property because the person is or is perceived to be homeless. AB 312 made it all the way through the legislative process and to the Governor's desk. The bill was ultimately vetoed by Governor Brown. The Governor included the following veto message:

"This bill would expand the provisions of the Ralph Civil Rights Act to include homelessness or the perception that one is homeless, thereby creating new private and administrative enforcement remedies. It is undeniable that homeless people are vulnerable to victimization, but California already has very strong civil and criminal laws that provide sufficient protection."

The Long Beach City Council supported this bill.

### **AB 182 (Davis) Statement of Economic interests – Form 700**

This bill allows participants in a pilot project that permits the electronic filing of a statement of economic interests (SEI) to continue to receive electronic filings of SEIs during the 2012 calendar year while the Legislature reviews the results of the pilot project. Long Beach gained access to this pilot program last year, and is the only city in the State of California to participate. The pilot program is scheduled to expire December 31, 2011. AB 182 extends the end date of a pilot project, allowing the counties of Los Angeles, Merced, Orange, Santa Clara, Stanislaus, and Ventura and the City of Long Beach to permit SEIs to be filed electronically from January 1, 2012, to December 31, 2012. During this time, the State Legislature will have the opportunity to review a report from the pilot program. Long Beach supported AB 182. The bill was passed by the Legislature and signed by the Governor as Chapter 96, Statutes of 2011.

## **Long Beach Watch Bills**

### **AB 46 (Perez) City of Vernon Bill**

This bill establishes a uniform disincorporation process for any city with a population of less than 150 persons as of January 1, 2010, and allows that city's respective county board of supervisors to vote to continue the existence of that city within the county's boundaries in certain circumstances. AB 46 was an attempt by the Assembly Speaker to dissolve the City of Vernon. The bill was held on the Senate Floor as a two-year bill.

### **AB 52 (Feuer) Health Care Plan Changes**

AB 52 prohibits health care service plans and health insurers from implementing a rate for a new product or instituting a rate change unless it submits an application to the Department of Managed Health Care (DMHC) or the Department of Insurance and the application is approved. The Director of DMHC and the Insurance Commissioner would have the authority approve, deny, or modify any proposed rate or rate change. The bill was held on the Senate Floor as a two-year bill.

### **AB 155 (Calderon) Use Tax Collection**

This bill expands the definition of a “retailer engaged in business in this state” to improve collection of California’s owed but uncollected millions in state and local use tax. AB 155 repeals and reenacts the statutory provisions specifying those retailers with a use tax collection duty. AB 155 was passed by the Legislature and sent to the Governor’s desk. The Governor signed the bill as Chapter 313, Statutes of 2011.

### **AB 183 (Ma) Alcoholic Beverage Licenses and Self Checkout at Grocery Stores**

AB 183 prohibits off-sale licensees from selling alcoholic beverages using a customer-operated checkout stand, as specified. Specifically, this bill finds and declares that allowing customers to purchase alcoholic beverages through self-service checkouts facilitates the purchase of alcoholic beverages by minors; permits intoxicated customers to purchase additional alcoholic beverages; and, allows for greater theft of alcoholic beverages, thereby depriving the state of tax revenues. AB 183 also prohibits off-sale licensees from selling alcoholic beverages using a customer-operated checkout stand located on the licensee's physical premises. The bill was passed by the Legislature and signed by the Governor as Chapter 726, Statutes of 2011.

### **AB 294 (Portantino) Transportation Projects**

Existing law, until January 1, 2014, authorizes the design-build method of procurement to be used for up to 10 local transportation projects, 5 state transportation projects, and a specified project in Riverside County. Existing law, until January 1, 2017, authorizes certain transportation agencies to enter into comprehensive development lease agreements for public-private partnership transportation projects. This bill, with respect to projects on the state highway system undertaken pursuant to these provisions, would require the Department of Transportation to use department employees or consultants under contract with the department to perform all project development services and preparation of documents and construction inspection services, as defined. This bill would have been detrimental to Long Beach. It would have made the Gerald Desmond Bridge project nearly impossible to complete. The troublesome language was added to an existing bill the last two weeks of the session. Senator Lowenthal was instrumental in working with Senate Leadership to have the bill held on the Senate floor at the end of the session. AB 294 is now a two-year bill.

### **AB 344 (Furutani) Pension: Exceptions to average increase limitations**

AB 344 prohibits the California Public Employees Retirement System (CalPERS) from granting exceptions, for small groups or individuals, to increases in compensation earnable that are not consistent with compensation increases reported for all individuals in the same retirement membership classification. The bill also eliminates the ability of a CalPERS employer to request that a retired worker be allowed to work beyond the 960 hour annual limit without being subject to reinstatement and cessation of the retiree's allowance. The bill was held on the Senate Floor as a two-year bill.

### **AB 353 (Cedillo) DUI Checkpoints**

AB 353 prohibits the impoundment of a vehicle stopped at a sobriety checkpoint if the driver's sole offense is the failure to be properly licensed. This bill requires the driver of a motor vehicle to stop and submit to a sobriety checkpoint inspection conducted by a law enforcement agency when signs and displays are posted requiring that stop. This bill, notwithstanding other provisions of law, requires that a peace officer or any other authorized person not cause the impoundment of a vehicle at a sobriety checkpoint, established pursuant to these provisions or any other law, if the driver's only offense is, among other offenses, the failure to hold a valid driver's license. This bill requires, during the conduct of a sobriety checkpoint, a law enforcement officer to make a reasonable attempt to identify the registered owner of the vehicle in order to release the vehicle to the registered owner if he/she is a licensed driver or to a licensed driver authorized by the registered owner. This bill requires that if a notice to appear is issued, the name and driver's license number of the licensed driver to whom the vehicle was released be listed on the officer's copy of the notice to appear issued to the unlicensed driver and requires if a vehicle cannot be released, that the vehicle be removed, as specified. AB 353 was passed by the Legislature and sent to the Governor's desk. The Governor signed the bill as Chapter 653, Statutes of 2011.

### **AB 432 (Hall) Vehicles: Notice to Appear**

This bill provides that only a peace officer or qualified employee of a law enforcement agency may issue a notice to appear for specified traffic offenses, including those recorded by an automated traffic enforcement system. AB 432 was held in the Senate Committee on Transportation and Housing as a two-year bill.

### **AB 438 (Williams) Limiting Contracting For Library Staffing**

AB 438 mandates specific contractual provisions for general law cities that leave county library systems and choose to contract for library staffing systems for their city-owned library. The bill exempts non-profit organizations that a city contracts with for staffing services, and sunsets in 2019. We watched this bill because it sets an important precedent for all cities in regard to local control, even though it deals with cities that contract with the County for library services. The bill was passed by the legislature and sent to the Governor's desk. The Governor signed the measure as Chapter 611, Statutes of 2011.

### **AB 563 (Furutani) Information Disclosure: Documentary Transfer Tax**

AB 563 allows employees of a city finance department access to necessary information from a county assessor to facilitate the collection of city documentary transfer tax revenue, that otherwise would not be recovered, from property transfers. This information would otherwise be confidential, but this bill authorizes designated city employees to obtain the information when the city is conducting an investigation to determine whether the documentary transfer tax (DTT) should be imposed. AB 563 was passed by the Legislature and signed by the Governor as Chapter 320, Statutes of 2011.

### **AB 936 (Hueso) Redevelopment Debt Forgiveness**

This bill requires a public body or a redevelopment agency (RDA) to adopt a resolution prior to forgiving a loan, advance, or indebtedness. When establishing a redevelopment agency, cities and counties may provide some capital to the agency in the form of a loan. The loan is used to allow the redevelopment agency to show debt on their statement of indebtedness so that the agency has something to bond against. This bill would require that any time a city, county or RDA forgives a debt of the other; it must adopt a resolution making specified findings. In addition, cities, counties and RDAs are required to adopt a resolution by February 1, 2012, stating whether or not they forgave any loans, advances, or indebtedness between the January 1, 2010, to December 31, 2011, owed by an RDA or a public body. The resolution must be sent to the State Controller. AB 936 was passed by the Legislature and signed by the Governor as Chapter 226, Statutes of 2011.

### **AB 1128 (Furutani) Terminal Island Freeway**

This bill authorizes the California Department of Transportation (Caltrans) to issue overweight truck permits on designated roadways to allow for the movement of shipping containers from the Ports of Long Beach and Los Angeles into the City of Carson. AB 1128 was passed by the Legislature and signed by the Governor as Chapter 298, Statutes of 2011.

### **AB 1178 (Ma) Solid Waste Management**

AB 1178 prohibits an ordinance enacted by a city or county, including an ordinance enacted by initiative by the voters of a city or county, from otherwise restricting or limiting the importation of solid waste into a privately owned solid waste facility in that city or county based on place of origin. This bill provides that this prohibition does not require a privately owned or operated solid waste facility to accept certain waste, does not allow a privately owned solid waste facility to abrogate certain agreements, does not prohibit a city, county, or a regional agency from requiring a privately owned solid waste facility to guarantee permitted capacity to a host jurisdiction, and does not otherwise limit or affect the local land use authority of a city or county. AB 1178 would have led to a loss of local control in regards to Long Beach's ability to oversee the private side of waste management. The bill was held in the Senate Environmental Quality Committee as a two-year bill.

### **AB 1320 (Allen) Public Employees' Pension Contribution Rates**

AB 1320 establishes, for each employer within the California Public Employees' Retirement System (CalPERS) and the twenty retirement systems established under the County Employees Retirement Act of 1937 (37 Act) a Rate Stabilization Account (RSA) in the Employer Rate Stabilization Fund (also established by this bill), for the purpose of stabilizing employer retirement contributions. This bill was held on the Assembly Floor waiting for concurrence in Senate amendments on the last night of the legislative session. It is now a two-year bill.

### **AB 41x (Solorio) Vehicle License Fees**

AB 41x was an attempt to address the ramifications of Vehicle License Fee (VLF) loss for local communities in the FY 2011-2012 state budget. The bill was written to undo the SB 89, which took away 100% of the City's municipal VLF dollars. AB 41x would unwind the SB 89 take of VLF revenue and restore long-standing allocation for the affected local communities on a continuous basis. AB 41x also sought to reinstate the special 0.15% VLF rate on January 1, 2012 with proceeds allocated as specified. The goal was to have a VLF fix for public safety and local agencies. Unfortunately, the bill was labeled a "tax increase" and was never even heard in a committee. It is now a two-year bill.

### **SB 29 (Simitian) Vehicles: Automated Traffic Enforcement Systems**

This bill makes several changes to the laws regarding automated traffic enforcement systems to ensure that red light camera programs are designed to maximize traffic safety and are implemented in a lawful and transparent manner. The Legislature passed the bill to the Governor's desk. The Governor vetoed the bill with the following message: "This bill standardizes rules for local governments to follow when installing and maintaining red light cameras. This is something that can and should be overseen by local elected officials."

### **SB 46 (Correa) Local Government Compensation Disclosure**

This bill requires, beginning January 1, 2013, until January 1, 2019 every person who is required to file a statement of economic interests and designated employees who file statements under a conflict of interest code to also file a compensation disclosure form, and require each agency to post compensation information on its website. This bill also requires the State Controller's Office (SCO) to adopt emergency regulations for the implementation of these requirements by March 1, 2013, including format of the compensation disclosure form, as specified. Furthermore, the SCO would recommend methods for compiling the compensation information on publicly accessible databases to the Governor and Legislature by July 1, 2013. SB 46 was held in the Assembly as a two-year bill.

### **SB 244 (Wolk) Planning and Annexation Mandates**

SB 244 relates to disadvantaged unincorporated communities. The bill requires cities to identify public infrastructure elements in disadvantaged unincorporated communities that fall within a city's scope of influence. The bill mandates that the infrastructure and maintenance needs be documented as part of the City's General Plan to address "disadvantaged unincorporated communities" by the next revision of the



housing elements. Currently, bill language does not require a city to meet the infrastructure needs identified. SB 244 also requires a Local Agency Formation Commission (LAFCO) to deny a city's application for annexing any unincorporated land if it is contiguous to a disadvantaged community, unless the application includes annexing the community or a second application is filed for the annexation of the disadvantaged community. This measure creates a new unfunded mandate. Considering the various unincorporated communities around Long Beach borders, the City monitored this bill carefully, and will be analyzing its impacts for any future annexing effort. SB 244 was passed by the Legislature and signed by the Governor as Chapter 513, Statutes of 2011.

### **SB 469 (Vargas) Land Use: Development Project Review: Superstores**

This bill would require an exhaustive economic impact report to be prepared for only a narrow set of "superstores" selling non-taxable food projects. SB 469 mandates a city or county to prepare economic impact reports before it approves or disapproves the construction or conversion of superstore retailers. The bill was passed by the Legislature and sent to the Governor's desk. The Governor vetoed SB 469 with the following veto message: "This measure would require cities and counties to prepare an economic-impact report when evaluating plans to develop certain big-box stores. While I recognize that the merits of large-scale projects need to be carefully considered, plenty of laws are already on the books that enable and in some cases require cities and counties to carefully assess whether these projects are in a community's best interests. This bill would add yet another layer of review to an already cumbersome process."

### **SB 520 – SB 528 (Walters)**

This series of bills makes up the Republican Pension Reform Package. The package did not make it very far in the legislative process. Not one of the eight bills was ever heard in a single committee hearing. They are all officially two-year bills.

### **SB 698 (Lieu) Workforce Development High-Performing Boards**

This was one of a few bills targeted at Workforce Investment Boards this session. SB 698 requires the establishment of standards and incentives for "high-performance" local workforce investment boards. This bill would require the Governor to establish, through the CWIB, standards for certification of "high-performance" local workforce investment boards in accordance with specified criteria. In addition, this bill would require a portion of the WIA 15% discretionary funds to be set aside for "high performance" boards. SB 698 probably will not take money away from Long Beach because we will most likely qualify as a high-performing board, but it will simply add more work to WIB administration because of all the documentation that will have to be submitted. The bill was passed by the Legislature and signed by the Governor as Chapter 497, Statutes of 2011.

### **SB 910 (Lowenthal) Vehicles and Bicycles: Passing Distance**

This bill sets requirements for safe passing of bicyclists by motor vehicles and establishes fines and penalties for failure to abide by these requirements. SB 910 was vetoed by the Governor with the following message: "The intent of this bill is to improve bicycle safety, a goal I wholeheartedly support. This bill changes the

longstanding law for how motor vehicles should pass a bicycle traveling in the same direction. Current law requires drivers to pass at a safe distance; this bill would specify that the distance must be at least 3 feet or at a speed not exceeding 15mph. This bill offers some needed and clear improvements to the law such as specifying a minimum buffer of 3 feet. However, Caltrans and the California Highway Patrol have raised legitimate concerns about other provisions such as the 15mph requirement. On streets with speed limits of 35 or 40mph, slowing to 15mph to pass a bicycle could cause rear end collisions. On other roads, a bicycle may travel at or near 15mph creating a long line of cars behind the cyclist. I encourage the author, proponents, and opponents to send me a bill next year that solves these problems.”

### **SB 922 (Steinberg) Public Works Contracts: Project Labor Agreements**

This bill sets minimum standards for project labor agreements (PLAs) for public works projects and prohibits public agencies from having a provision, initiative, or ordinance that prevents the governing body from considering a PLA on a project-by-project basis. For charter cities, SB 922 withholds state funding for projects in charter cities that do not comply with the new standards. It is important to note that SB 922 does not mandate that a city must employ a PLA, it simply requires that the structure remain available as an option. This was a gut and amend bill during the last week of the legislative session, and subject of much controversy. The measure cleared the Legislature in the final hours of the session on a party-line vote. The bill was then signed by the Governor as Chapter 431, Statutes of 2011.

### **SB 931 (Vargas) Public Employee Organizations**

Before this bill was gutted and amended, it would have prevented the City from using public funds to pay external consultants or legal advisors to counsel the City on how to minimize or deter the exercise of guaranteed public employee rights related to employer-employee relations. After being amended at the end of the session the bill related to payroll cards.

### **SB 939 (Wright) Public Gas Surcharge**

This bill repeals the requirement that the surcharge on ratepayers, collected by investor-owned gas utilities regulated by the Public Utilities Commission (PUC) for natural gas public purpose programs, be remitted to the Board of Equalization (BOE), thereby removing the availability of these monies for redirection by the Legislature to the General Fund. This bill would allow a public utility gas company to continue to collect an existing public gas surcharge, but instead of remitting funds to the Board of Equalization, the dollars would be eligible for use as funds for low-income assistance programs. The bill was held in the Assembly Appropriations Committee as a two-year bill.



City of Long Beach

Legislative Status Report 10/27/2011

**AB 10 Alejo D Minimum wage: annual adjustment.**

Text Version: Amended: Position: Watch  
3/14/2011 [pdf](#) [html](#)

Assigned: City Manager

Status: 5/28/2011 - Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. on 5/27/2011)

Existing law requires that, on and after January 1, 2008, the minimum wage for all industries be not less than \$8.00 per hour. This bill would increase the minimum wage, as of January 1, 2012, to not less than \$8.50 per hour. This bill contains other related provisions.

**AB 15 V. Manuel Pérez D Workforce development: California Renewable Energy Workforce Readiness Initiative: local workforce investment boards.**

Text Version: Introduced: Position: Watch  
12/6/2010 [pdf](#) [html](#)

Assigned: Human Resources Department

Status: 5/10/2011 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was L. & E. on 1/24/2011)

Existing law, the California Workforce Investment Act, establishes the California Workforce Investment Board (CWIB), which is the body responsible for assisting the Governor in the development, oversight, and continuous improvement of California's workforce investment system, and prescribes the functions and duties of the board with regard to the implementation and administration of workforce training and development programs. Existing law establishes the Green Collar Jobs Council (GCJC) as a special committee in the CWIB, comprised of specified members, to assist in providing workforce development and job training relating to green collar jobs. This bill would require the CWIB, by July 1, 2012, in consultation with the Green Collar Jobs Council (GCJC), to establish the California Renewable Energy Workforce Readiness Initiative to ensure green collar career placement and advancement opportunities within California's renewable energy generation, manufacturing, construction, installation, maintenance, and operation sectors that is targeted toward specified populations. The bill would require that the initiative provide guidance to local workforce investment boards on how to establish comprehensive green collar job assessment, training, and placement programs that reflect the local and regional economies, as prescribed. The bill would require the CWIB, in developing the initiative, to assist the local workforce investment boards in collecting and analyzing specified labor market data, in order to assess accurately the workforce development and training needs of local or regional industry clusters. The CWIB would be required to submit to the Legislature, by January 1, 2014, a report on the implementation of the initiative. The bill would require that the board only implement the initiative established pursuant to provisions of the bill if the Director of Finance determines that there are sufficient funds made available to the state for expenditure for the initiative pursuant to the federal American Recovery and Reinvestment Act of 2009, the federal Workforce Investment Act of 1998, or other federal law, or from other non-General Fund sources, and would require that the initiative terminate at such time that the director determines that there are no longer sufficient funds available for the initiative.

**AB 19 Fong D Building standards: water meters: multiunit structures.**

Text Version: Amended: Position: Watch  
4/15/2011 [pdf](#) [html](#)

Assigned: Gas & Oil Department

Status: 6/3/2011 - Failed Deadline pursuant to Rule 61(a)(8). (Last location was H. & C.D. on 4/28/2011)

The Water Measurement Law requires every water purveyor to require, as a condition of new water service on and after January 1, 1992, the installation of a water meter to measure water service. That law also requires urban water suppliers to install water meters on specified service connections, and to charge water users based on the actual volume of deliveries as measured by those water meters in accordance with a certain timetable. This bill would require a water purveyor that provides water service to a newly constructed multiunit residential structure or newly constructed mixed-use residential and commercial structure, including a structure that is part of a common interest development, that submits an application for a water connection after January 1, 2014, to require the installation of a water meter or submeter to measure the water supplied to each individual dwelling unit as a condition of new water service. The bill would require the owner of the structure to ensure that a water submeter installed for these purposes complies with laws and regulations governing installation, approval of meter type, maintenance, reading, billing, and testing of water submeters. The bill would exempt certain buildings from these requirements. This bill contains other related provisions and other existing laws.

**AB 36 Perea D Income and employment taxes: federal conformity: Health Care and Education Reconciliation Act of 2010.**

Text Version: Chaptered: Position: Watch  
4/7/2011 [pdf](#) [html](#)

Assigned: Financial Management

Status: 4/7/2011 - Chaptered by the Secretary of State, Chapter Number 17, Statutes of 2011

The Personal Income Tax Law and the Corporation Tax Law, in specified conformity with federal income tax laws, provide certain gross income exclusions, as specified. This bill would, under both laws, provide additional conformity with federal income tax laws by adopting specified provisions of the Patient Protection and Affordable Care Act and the Health Care and Education Reconciliation Act of 2010 relating to gross income exclusions for reimbursements for medical care expenses under specified plans for dependents, as specified. This bill contains other related provisions and other existing laws.

**AB 46 John A. Pérez D Local government: cities.**

Text Version: Amended: Position: Watch  
6/28/2011 [pdf](#) [html](#)

Assigned: City Manager

Status: 8/29/2011 - Read third time. Refused passage. (Ayes 13. Noes 17. Page 2084.).

Existing law, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, sets forth the procedures for incorporations and changes of organizations of cities, including procedures for disincorporation. This bill would provide that every city with a population of less than 150 people as of January 1, 2010, would be disincorporated into that city's respective county as of 91 days after the effective date of the bill, unless a county board of supervisors

determines, by majority vote within the 90-day period following enactment of these provisions, that continuing such a city within that county's boundaries would serve a public purpose if the board of supervisors determines that the city is in an isolated rural location that makes it impractical for the residents of the community to organize in another form of local governance. The bill would also require the local agency formation commission within the county to oversee the terms and conditions of the disincorporation of the city, as specified. This bill contains other related provisions.

**AB 49 Gatto D      **Development: expedited permit review.****

Text Version: Amended: Position: Watch  
3/24/2011 [pdf](#) [html](#)

Assigned: Development Services

Status: 5/27/2011 - In committee: Set, second hearing. Held under submission.

The Permit Streamlining Act requires each state agency and local agency to compile one or more lists that specify in detail the information that will be required from any applicant for a development project, and requires a public agency that is the lead agency for a development project, or a public agency which is a responsible agency for a development project that has been approved by the lead agency, to approve or disapprove the project within applicable periods of time. The act also requires any state agency which is the lead agency for a development project to inform the applicant that the Office of Permit Assistance has been created to assist, and provide information to, developers relating to the permit approval process. This bill would require the office to provide information to developers explaining the permit approval process at the state and local levels, or assisting them in meeting statutory environmental quality requirements, as specified, and would prohibit the office or the state from incurring any liability as a result of the provision of this assistance. The bill would require the office to assist state and local agencies in streamlining the permit approval process, and an applicant in identifying any permit required by a state agency for the proposed project. The bill would authorize the office to call a conference of parties at the state level to resolve questions or mediate disputes arising from a permit application for a development project. The bill would require that the office be located exclusively in Sacramento, and to consist of no more than 4 personnel through 2013. This bill contains other related provisions and other existing laws.

**AB 52 Feuer D      **Health care coverage: rate approval.****

Text Version: Amended: Position: Watch  
6/1/2011 [pdf](#) [html](#)

Assigned: Human Resources Department

Status: 9/1/2011 - Ordered to inactive file at the request of Senator Leno.

Existing law, the Knox-Keene Health Care Service Plan Act of 1975, provides for the licensure and regulation of health care service plans by the Department of Managed Health Care and makes a willful violation of the act a crime. Existing law provides for the regulation of health insurers by the Department of Insurance. Under existing law, no change in premium rates or coverage in a health care service plan or a health insurance policy may become effective without prior written notification of the change to the contractholder or policyholder. Existing law prohibits a health care service plan or health insurer during the term of a group plan contract or policy from changing the rate of the premium, copayment, coinsurance, or deductible during specified time periods. Existing law requires a health care service plan or health insurer that issues individual or group contracts or policies to file with the Department of Managed Health Care or the Department of Insurance specified rate information at least 60 days prior to the effective date of any rate change. This bill would further require a health care service plan or health insurer that issues individual or group contracts or policies to file with the Department of Managed Health Care or the Department of Insurance, on and after January 1, 2012, a complete rate application for any proposed rate, as defined, or rate change, and would prohibit the Department of Managed Health Care or the Department of Insurance from approving any rate or rate

change that is found to be excessive, inadequate, or unfairly discriminatory. The bill would require the rate application to include certain rate information. The bill would authorize the Department of Managed Health Care or the Department of Insurance to approve, deny, or modify any proposed rate or rate change, and would authorize the Department of Managed Health Care and the Department of Insurance to review any rate or rate change that went into effect between January 1, 2011, and January 1, 2012, and to order refunds, subject to these provisions. The bill would authorize the imposition of fees on health care service plans and health insurers for purposes of implementation, for deposit into newly created funds, subject to appropriation. The bill would impose civil penalties on a health care service plan or health insurer, and subject a health care service plan to discipline, for a violation of these provisions, as specified. The bill would establish proceedings for the review of any action taken under those provisions related to rate applications and would require the Department of Managed Health Care and the Department of Insurance, and plans and insurers, to disclose specified information on the Internet pertaining to rate applications and those proceedings. The bill would require the Department of Managed Health Care or the Department of Insurance, or the court, to award reasonable advocate's fees, including expert witness fees, and other reasonable costs in those proceedings under specified circumstances, to be paid by the plan or insurer. This bill contains other related provisions and other existing laws.

**AB 59 Swanson D Family and medical leave.**

Text Version: Introduced: Position: Watch  
12/7/2010 [pdf](#) [html](#)

Assigned: Human Resources Department

Status: 5/28/2011 - Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. on 5/27/2011)

Existing law, the Moore-Brown-Roberti Family Rights Act, makes it an unlawful employment practice for an employer, as defined, to refuse to grant a request by an eligible employee to take up to 12 workweeks of unpaid protected leave during any 12-month period (1) to bond with a child who was born to, adopted by, or placed for foster care with, the employee, (2) to care for the employee's parent, spouse, or child who has a serious health condition, as defined, or (3) because the employee is suffering from a serious health condition rendering him or her unable to perform the functions of the job. Under the act, "child" means a biological, adopted, foster, or stepchild, a legal ward, or a child of a person standing in loco parentis, who is either under 18 years of age or an adult dependent child. The act defines "parent" to mean the employee's biological, foster, or adoptive parent, stepparent, legal guardian, or other person who stood in loco parentis to the employee when the employee was a child. This bill would increase the circumstances under which an employee is entitled to protected leave pursuant to the Family Rights Act by (1) eliminating the age and dependency elements from the definition of "child," thereby permitting an employee to take protected leave to care for his or her independent adult child suffering from a serious health condition, (2) expanding the definition of "parent" to include an employee's parent-in-law, and (3) permitting an employee to also take leave to care for a seriously ill grandparent, sibling, grandchild, or domestic partner, as defined.

**AB 65 Gatto D Elections: statewide ballot pamphlet.**

Text Version: Vetoed: 10/7/2011 Position: Watch  
[pdf](#) [html](#)

Assigned: City Manager

Status: 10/7/2011 - Vetoed by the Governor

The Political Reform Act of 1974 requires the Legislative Analyst to prepare an impartial analysis of each initiative measure to appear on the ballot, and provides that the Legislative Analyst is solely responsible for determining the content of the analysis. The act requires the Legislative Analyst to prepare an unbiased fiscal analysis of a measure that is included in the ballot pamphlet stating whether the measure would increase or decrease any revenue or cost to state



or local government. Existing law also requires the Legislative Analyst to prepare for inclusion in the ballot pamphlet a summary statement regarding the general meaning and effect of "yes" and "no" votes on each state measure. This bill would, except as specified, require, if a fiscal analysis prepared by the Legislative Analyst determines that a measure would provide an increase in revenues to fund new or existing programs, that specified language be added at the end of the "yes" and "no" summary statement in the ballot pamphlet advising that the revenue generated by the measure will be forever dedicated to the purposes specified in the measure unless the measure is changed by a future measure approved by the voters. The bill also would contain a finding and declaration of the Legislature that the bill permits or requires additional information to be included in the ballot pamphlet in accordance with the provision of the Political Reform Act of 1974 described above that authorizes the Legislature to add information to the ballot pamphlet. This bill contains other existing laws.

**AB 66 Chesbro D Taxation: vehicle license fees.**

Text Version: Introduced: Position: Watch  
12/13/2010 [pdf](#) [html](#)

Assigned: City Manager, Financial Management

Status: 1/27/2011 - Referred to Coms. on REV. & TAX. and PUB. S.

The Vehicle License Fee Law, in lieu of any ad valorem property tax upon vehicles, imposes an annual license fee for any vehicle subject to registration in this state in the amount of 1% of the market value of that vehicle, as provided, for a specified amount of time. Existing law also, until June 30, 2011, imposes an additional tax equal to 0.15% of the market value of specified vehicles, as determined by the Department of Motor Vehicles, to the vehicle license fee, to be deposited in the General Fund and transferred to the Local Safety and Protection Account, a continuously appropriated fund. This bill would repeal the provision relating to the sunset date and repeal of the additional 0.15% tax, thereby depositing additional moneys into a continuously appropriated fund. This bill contains other related provisions.

**AB 75 Hill D Documents: notaries public: solicitations.**

Text Version: Chaptered: Position: Watch  
9/7/2011 [pdf](#) [html](#)

Assigned: City Manager

Status: 9/7/2011 - Chaptered by the Secretary of State, Chapter Number 269, Statutes of 2011

Existing law makes it unlawful for a nongovernmental entity to solicit funds or information by means of a mailing, electronic message, or Internet Web site that contains a seal, insignia, trade, or brand name, or any other term or symbol that reasonably could be interpreted or construed as implying any state or local government connection, approval, or endorsement, unless the nongovernmental entity has an expressed connection with a state or local entity or unless the solicitation contains specified disclosures in conspicuous and legible type. Existing law requires a business to include the contact information for a referenced governmental agency in an unsolicited mailing that offers to assist the recipient in dealing with the governmental agency. A violation of these or other provisions related to advertising is a misdemeanor, punishable by imprisonment in the county jail not exceeding 6 months, a fine not exceeding \$1,000, or both. This bill would additionally make it unlawful for a nongovernmental entity to solicit funds or information by means of a mailing, electronic message, or Internet Web site that contains an emblem or content that reasonably could be interpreted or construed as implying any federal, state, or local government connection, approval, or endorsement, unless the nongovernmental entity has an expressed connection with a federal, state, or local government entity or unless the solicitation contains specified disclosures and meets other requirements. The bill would require the disclosures to be conspicuously displayed in specified locations, font type size, and manner. The bill would increase the maximum criminal fine for a violation of these provisions to \$2,500 and would authorize a person to recover specified







**AB** **Cedillo** D **Student financial aid: eligibility: California Dream Act of 2011.**

**130**

Text Version: Chaptered: Position: Support  
7/25/2011 [pdf](#) [html](#)

Assigned: City Manager

Status: 7/25/2011 - Chaptered by the Secretary of State, Chapter Number 93, Statutes of 2011

Existing law requires that a person, other than a nonimmigrant alien, as defined, who has attended high school in California for 3 or more years, who has graduated from a California high school or attained the equivalent thereof, who has registered at or attends an accredited institution of higher education in California not earlier than the fall semester or quarter of the 2001-02 academic year, and who, if he or she is an alien without lawful immigration status, has filed a prescribed affidavit, is exempt from paying nonresident tuition at the California Community Colleges and the California State University. This bill would enact the California Dream Act of 2011. This bill contains other related provisions and other existing laws.

**AB** **Cedillo** D **Student financial aid.**

**131**

Text Version: Chaptered: Position: Support  
10/8/2011 [pdf](#) [html](#)

Assigned: City Manager

Status: 10/8/2011 - Chaptered by the Secretary of State, Chapter Number 604, Statutes of 2011

The Donahoe Higher Education Act sets forth, among other things, the missions and functions of California's public and independent segments of higher education, and their respective institutions of higher education. Provisions of the act apply to the University of California only to the extent that the Regents of the University of California, by appropriate resolution, act to make a provision applicable. This bill would amend the Donahoe Higher Education Act, as of January 1, 2013, to require the Trustees of the California State University and the Board of Governors of the California Community Colleges, and to request the regents, to establish procedures and forms that enable students who are exempt from paying nonresident tuition under the above-described provision, or who meet equivalent requirements adopted by the regents, to apply for, and participate in, all student aid programs administered by these segments to the full extent permitted by federal law, except as provided. This provision would apply to the University of California only if the regents, by appropriate resolution, act to make it applicable. This bill contains other related provisions and other existing laws.

**AB** **Portantino** D **Firearms.**

**144**

Text Version: Chaptered: Position: Watch  
10/9/2011 [pdf](#) [html](#)

Assigned: Police Department

Status: 10/9/2011 - Chaptered by the Secretary of State, Chapter Number 725, Statutes of 2011

Existing law, subject to certain exceptions, makes it an offense to carry a concealed handgun on the person or in a vehicle, as specified. Existing law provides that firearms carried openly in belt holsters are not concealed within the meaning of those provisions. This bill would establish an exemption to the offense for transportation of a firearm between certain areas where the firearm may be carried concealed, or loaded, or openly carried unloaded, as

specified. This bill contains other related provisions and other existing laws.

**AB 153 Skinner D State Board of Equalization: administration: retailer engaged in business in this state.**

Text Version: Amended: Position: Support  
6/27/2011 [pdf](#) [html](#)

Assigned: Financial Management

Status: 7/8/2011 - Failed Deadline pursuant to Rule 61(a)(10). (Last location was G. & F. on 6/27/2011)

The Sales and Use Tax Law imposes a tax on retailers measured by the gross receipts from the sale of tangible personal property sold at retail in this state, or on the storage, use, or other consumption in this state of tangible personal property purchased from a retailer for storage, use, or other consumption in this state, measured by sales price. That law defines a "retailer engaged in business in this state" to include retailers that engage in specified activities in this state and requires every retailer engaged in business in this state and making sales of tangible personal property for storage, use, or other consumption in this state to register with the State Board of Equalization and to collect the tax from the purchaser and remit it to the board. This bill would include in the definition of a retailer engaged in business in this state any retailer entering into agreements under which a person or persons in this state, for a commission or other consideration, directly or indirectly refer potential purchasers, whether by an Internet-based link or an Internet Web site, or otherwise, to the retailer, provided the total cumulative sales price from all sales by the retailer to purchasers in this state that are referred pursuant to these agreements is in excess of \$10,000, within the preceding 12 months, and provided further that the retailer has cumulative sales of tangible personal property to purchasers in this state of over \$500,000, within the preceding 12 months, except as specified. This bill would further provide that a retailer entering specified agreements to purchase advertising is not a retailer engaged in business in this state and would define a retailer to include an entity affiliated with a retailer under federal income tax law, as specified. This bill would further provide that these provisions would not apply if the retailer can demonstrate that the referrals would not satisfy specified United States constitutional requirements, as provided. This bill contains other related provisions.

**AB 155 Calderon, Charles D State Board of Equalization: administration: retailer engaged in business in this state.**

Text Version: Chaptered: Position: Watch  
9/23/2011 [pdf](#) [html](#)

Status: 9/23/2011 - Chaptered by the Secretary of State, Chapter Number 313, Statutes of 2011

Existing law imposes a sales tax on retailers measured by the gross receipts from the sale of tangible personal property sold at retail in this state, and a use tax on the storage, use, or other consumption in this state of tangible personal property purchased from a retailer for storage, use, or other consumption in this state, measured by sales price. That law requires every retailer engaged in business in this state, as defined, and making sales of tangible personal property for storage, use, or other consumption in this state to collect the tax from the purchaser. Existing law defines a "retailer engaged in business in this state" to include a retailer that has substantial nexus with this state and a retailer upon whom federal law permits the state to impose a use tax collection duty; a retailer entering into an agreement or agreements under which a person or persons in this state, for a commission or other consideration, directly or indirectly refer potential purchasers of tangible personal property to the retailer, whether by an Internet-based link or an Internet Web site, or otherwise, provided that 2 specified conditions are met, including the condition that the retailer, within the preceding 12 months, has total cumulative sales of tangible personal property to purchasers in this state in excess of \$500,000; and a retailer that is a member of a commonly controlled group, as defined under the Corporation Tax Law, and a member of a combined reporting group, as defined, that includes another member of the retailer's commonly controlled group that, pursuant to an agreement with or in cooperation with the retailer, performs services in



Assigned: City Manager

Status: 10/9/2011 - Chaptered by the Secretary of State, Chapter Number 726, Statutes of 2011

The Alcoholic Beverage Control Act, administered by the Department of Alcoholic Beverage Control, regulates the sale and distribution of alcoholic beverages and the granting of licenses for the manufacture, distribution, and sale of alcoholic beverages within the state. This bill would prohibit off-sale licensees from selling alcoholic beverages using a customer-operated checkout stand located on the licensee's physical premises. This bill makes findings and declarations regarding the effects of allowing alcoholic beverages to be sold using self-service checkouts. This bill contains other related provisions and other existing laws.

**AB Lara D State Auditor: audits: high-risk local government agency audit program.**

**187**

Text Version: Chaptered: Position: Watch  
10/4/2011 [pdf](#) [html](#)

Assigned: City Auditor

Status: 10/4/2011 - Chaptered by the Secretary of State, Chapter Number 451, Statutes of 2011

Existing law authorizes the State Auditor to establish a high-risk government agency audit program for the purpose of identifying, auditing, and issuing reports on any agency of the state that the State Auditor identifies as being at high risk for the potential of waste, fraud, abuse, and mismanagement or that has major challenges associated with its economy, efficiency, or effectiveness. This bill would, subject to specified conditions, authorize the State Auditor to establish a high-risk local government agency audit program to identify, audit, and issue reports on any local government agency, including any city, county, or special district, or any publicly created entity that the State Auditor identifies as being at high risk for the potential of waste, fraud, abuse, or mismanagement or that has major challenges associated with its economy, efficiency, or effectiveness. The bill would also authorize the State Auditor to consult with the Controller, Attorney General, and other state agencies in identifying local government agencies that are at high risk.

**AB Berryhill, Local government finance: property tax revenue allocations: negative sum counties.**

**Bill R**

Text Version: Introduced: Position: Watch  
1/26/2011 [pdf](#) [html](#)

Assigned: Financial Management

Status: 5/27/2011 - In committee: Set, second hearing. Held under submission.

Existing property tax law requires the county auditor, in each fiscal year, to allocate property tax revenues to local jurisdictions in accordance with specified formulas and procedures, and generally requires that each jurisdiction be allocated an amount equal to the total of the amount of revenue allocated to that jurisdiction in the prior fiscal year, subject to certain modifications, and that jurisdiction's portion of the annual tax increment, as defined. Existing law requires, for purposes of property tax revenue allocations for the 2011-12 and 2012-13 fiscal years, the county auditor for a county for which a negative sum was calculated pursuant to a specified former statute, in reducing the amount of property tax revenue otherwise allocated to the county by an amount attributable to that negative sum, to apply a reduction amount equal to the reduction amount determined for specified fiscal years. This bill would instead require, for the 2010-11 fiscal year, the county auditor for a county for which a negative sum was calculated as described above, to increase the total amount of ad valorem property tax revenues deemed allocated to the county in the immediately preceding fiscal year by an amount equal to the absolute value of the negative sum calculated for the county, and the proportional share of any growth in assessed valuations of property attributable to that negative sum

through the 2009-10 fiscal year. This bill would also require, for the 2011-12 fiscal year and for each fiscal year thereafter, the amount of property tax revenue deemed allocated to a county in the immediately preceding fiscal year include the full amount of any increase implemented by the auditor, as so described, in that fiscal year, and would require that amount to be reduced from the total amount of ad valorem property tax revenue deemed allocated to the county's Educational Revenue Augmentation Fund. This bill contains other related provisions and other existing laws.

**AB  
192**      **Logue R**      **Public safety: Local Safety and Protection Account: appropriation.**

Text Version: Amended: Position: Watch  
2/22/2011 [pdf](#) [html](#)  
Assigned: Financial Management, Police Department  
Status: 5/16/2011 - In committee: Set, second hearing. Held under submission.

The Vehicle License Fee Law, in lieu of any ad valorem property tax upon vehicles, imposes an annual license fee for any vehicle subject to registration in this state in the amount of 1% of the market value of that vehicle, as provided, for a specified amount of time. Existing law also, until July 1, 2011, imposes an additional tax equal to 0.15% of the market value of specified vehicles, as determined by the Department of Motor Vehicles, to the vehicle license fee, to be deposited in the General Fund and transferred to the Local Safety and Protection Account, a continuously appropriated fund. Existing law provides that money in the account shall be allocated for various public safety programs, as provided. This bill would, beginning July 1, 2011, and each July 1 thereafter for a transfer \$500,000,000 from the General Fund to the account total of 5 years, as provided. By transferring funds to a continuously appropriated fund, this bill would make an appropriation. This bill contains other related provisions.

**AB  
194**      **Beall D**      **Public postsecondary education: priority enrollment: foster youth.**

Text Version: Chaptered: Position: Watch  
10/4/2011 [pdf](#) [html](#)  
Assigned: City Manager  
Status: 10/4/2011 - Chaptered by Secretary of State - Chapter No. 458, Statutes of 2011

Existing law requires the California State University and each community college district, and requests the University of California, with respect to each campus in their respective jurisdictions that administers a priority enrollment system, to grant priority for registration for enrollment to any member or former member of the Armed Forces of the United States, as defined, for any academic term attended at one of these institutions within 2 years of leaving active duty. This bill, until January 1, 2017, would require the California State University and each community college district, and requests the University of California, with respect to each campus in their respective jurisdictions that administers a priority enrollment system, to grant priority for registration for enrollment to foster youth or former foster youth, as defined. This bill contains other related provisions and other existing laws.

**AB  
210**      **Hernández,  
Roger D**      **Maternity services.**

Text Version: Chaptered: Position: Watch  
10/6/2011 [pdf](#) [html](#)  
Assigned: Fire Department  
Status: 10/6/2011 - Chaptered by the Secretary of State, Chapter Number 508, Statutes of 2011



Existing law provides for the regulation of health insurers by the Department of Insurance. Under existing law, a health insurer that provides maternity coverage may not restrict inpatient hospital benefits, as specified, and is required to provide notice of the maternity services coverage. This bill, commencing July 1, 2012, would require every group health insurance policy to provide coverage for maternity services for all insureds covered under the policy. This bill contains other related provisions.

[AB  
229](#)

**[Lara D](#) State Auditor: Commission on Teacher Credentialing: enforcement program monitor.**

Text Version: Amended: Position: Watch  
7/11/2011 [pdf](#) [html](#)

Assigned: City Auditor

Status: 8/16/2011 - In committee: Set, first hearing. Hearing canceled at the request of author.

Existing law establishes the Bureau of State Audits, which is headed by the State Auditor and has specified statutory duties, including the performance of statutorily mandated audits. This bill would require the State Auditor to appoint an enforcement program monitor to the Commission on Teacher Credentialing, for the purpose of monitoring and evaluating the Division of Professional Practices within the commission. The purpose of the monitoring would be to improve the quality and consistency of reviewing reported misconduct by holders of, or applicants for, teaching credentials, reducing timeframes and backlogs related to reviewing cases of misconduct, ensuring the establishment and usage of comprehensive written procedures for reviewing reported misconduct, effectively tracking cases, and fostering an overall professional workplace environment at the division and the commission. The bill would require the enforcement program monitor to submit an initial written report of his or her findings and conclusions to the State Auditor, the Legislature, and the Joint Legislative Audit Committee by July 1, 2012, and every 6 months thereafter, and to submit a final report by January 1, 2014. This bill contains other related provisions and other existing laws.

[AB  
231](#)

**[V. Manuel](#) Economic development: economic development areas.**

**[Pérez D](#)**

Text Version: Amended: Position: Watch  
6/7/2011 [pdf](#) [html](#)

Assigned: Development Services

Status: 6/8/2011 - Re-referred to Com. on J., E.D. & E.

The Enterprise Zone Act provides for the designation and oversight by the Department of Housing and Community Development of various types of economic development areas throughout the state, including enterprise zones, targeted tax areas, local agency military base recovery areas (LAMBRAs), and Manufacturing Enhancement Areas, collectively known as geographically targeted economic development areas, or G-TEDAs. Pursuant to these provisions, qualifying entities in those areas may receive certain tax and regulatory incentives. This bill would rename the act as the California Economic and Community Development Zone Act. This bill contains other related provisions and other existing laws.

[AB  
232](#)

**[V. Manuel](#) Economic development: Enterprise Zones.**

**[Pérez D](#)**

Text Version: Introduced: Position: Watch  
2/2/2011 [pdf](#) [html](#)

Assigned: Human Resources Department

Status: 5/10/2011 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was J., E.D. & E. on 2/10/2011)

The Enterprise Zone Act provides that its purpose is to stimulate business and industrial growth in the depressed areas of the state by relaxing regulatory controls that impede private investment. This bill would delete that purpose and instead provide that the purpose of the act is to help stabilize local communities, alleviate poverty, and enhance the state's economic prosperity through the implementation of public and privately funded programs and services that stimulate business and industrial growth in the depressed areas of the state. This bill contains other related provisions and other existing laws.

**AB** **Perea D** **Property taxation.**  
**244**

Text Version: Introduced: Position: Watch  
2/3/2011 [pdf](#) [html](#)

Assigned: City Manager

Status: 5/13/2011 - Failed Deadline pursuant to Rule 61(a)(3). (Last location was PRINT on 2/3/2011)

Existing law requires the Franchise Tax Board to include specified questions on the income tax returns of specified entities regarding changes in ownership of the real property owned by the entity and requires the Franchise Tax Board to notify the State Board of Equalization if an entity responds affirmatively to these questions. This bill would make technical, nonsubstantive changes to that provision.

**AB** **Smyth R** **Local agencies: accounting.**  
**253**

Text Version: Amended: Position: Watch  
6/27/2011 [pdf](#) [html](#)

Assigned: City Auditor

Status: 7/8/2011 - Failed Deadline pursuant to Rule 61(a)(10). (Last location was G. & F. on 6/27/2011)

Existing law requires the Controller to prescribe uniform accounting and reporting procedures that are applicable to specified types of local agencies, including special districts. This bill would instead require the Controller to prescribe uniform accounting procedures that are applicable only to specified types of special districts, subject to these provisions. The bill would require the Controller to prescribe uniform accounting procedures for cities, subject to specified criteria, in collaboration with the Committee on City Accounting Procedures, which would be created by the bill. This bill contains other related provisions.

**AB** **Garrick R** **Unemployment insurance benefits: claims: right to respond.**  
**274**

Text Version: Vetoed: 9/7/2011 Position: Watch  
[pdf](#) [html](#)

Assigned: Human Resources Department

Status: 9/7/2011 - Vetoed by the Governor

Existing law requires the Employment Development Department to provide notice of the filing of an unemployment claim to the claimant's last employing unit, and requires the employing unit to submit, within 10 days after the mailing of













revenues from the last \$2 of the fee be used for specified programs that the district determines remediate air pollution harms created by motor vehicles, including purchases of new schoolbuses pursuant to the State Air Resources Board's Lower-Emission School Bus Program. This bill would additionally authorize a district based on that determination to use the last \$2 of the fee for programs to replace onboard natural gas tanks on schoolbuses owned by a school district that are 14 years or older, with a funding amount not to exceed \$20,000 per bus and to enhance deteriorating natural gas fueling dispensers of fueling infrastructure operated by a school district, with a one-time funding amount not to exceed \$500 per dispenser, pursuant to the Lower-Emission School Bus Program. This bill contains other related provisions.

**AB  
506** **Wieckowski D Local government: bankruptcy: neutral evaluation.**

Text Version: Chaptered: Position: Oppose  
10/9/2011 [pdf](#) [html](#)  
Assigned: Financial Management  
Status: 10/9/2011 - Chaptered by the Secretary of State, Chapter Number 675, Statutes of 2011

Under existing law, any taxing agency or instrumentality of the state may file a petition and prosecute to completion bankruptcy proceedings permitted under the laws of the United States. This bill would prohibit a local public entity from filing under federal bankruptcy law unless the local public entity has participated in a specified neutral evaluation process with interested parties, as defined, or the local public entity has declared a fiscal emergency and has adopted a resolution by a majority vote of the governing board at a noticed public hearing that includes findings that the financial state of the local public entity jeopardizes the health, safety, or well-being of the residents of the local public entity's jurisdiction or service area absent bankruptcy protections.

**AB  
510** **Lowenthal,  
Bonnie D Hospitals: seismic safety.**

Text Version: Amended: Position: Watch  
3/31/2011 [pdf](#) [html](#)  
Assigned: Health & Human Services Department  
Status: 5/10/2011 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was HEALTH on 4/4/2011)

Existing law provides for the licensure of health facilities, including general acute care hospitals, by the State Department of Public Health. This bill would, instead, prohibit a hospital that receives the above-described notice from providing general acute care inpatient services in the noncompliant building. It would also require the department to suspend or refuse to renew the license of a hospital that does not provide basic general acute care services because of this bill's requirements. This bill contains other existing laws.

**AB  
529** **Gatto D Vehicles: speed limits: downward speed zoning.**

Text Version: Chaptered: Position: Support  
10/7/2011 [pdf](#) [html](#)  
Assigned: Public Works Department  
Status: 10/7/2011 - Chaptered by the Secretary of State, Chapter Number 528, Statutes of 2011

Existing law requires the Department of Transportation, after consultation with local agencies and public hearings, to



adopt rules and regulations prescribing uniform standards and specifications for all official traffic control devices and setting of speed limits. Existing law makes it a crime for a driver to fail to obey a sign or signal, defined as regulatory in the California Manual on Uniform Traffic Control Devices (Manual), or a Department of Transportation-approved supplement to that manual. This bill would require the Department of Transportation to revise the Manual, as it read on January 1, 2012, to require the department or a local authority to round speed limits to within 5 miles per hour of the 85th-percentile speed of free-flowing traffic. The bill would allow, in cases in which the speed limit needs to be rounded up to the nearest 5 miles per hour increment of the 85th-percentile speed, the department or a local authority to decide to instead round down the speed limit to the lower 5 miles per hour increment, but then the department or a local authority would be prohibited from reducing the speed limit any further for any reason. This bill contains other related provisions.

[AB](#)  
[534](#)

**[Swanson D](#) Civil rights: homeless persons.**

Text Version: Introduced: Position: Watch  
2/16/2011 [pdf](#) [html](#)

Assigned: City Manager

Status: 5/10/2011 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was JUD. on 3/3/2011)

Existing law sets forth various personal rights and provides that all persons within California have the right to be free from violence, or intimidation by the threat of violence, because of, among other characteristics, their race, color, religion, ancestry, national origin, political affiliation, or sex. Existing law further permits an individual whose exercise or enjoyment of specified personal rights has been interfered with to bring a civil action for damages, including actual damages, exemplary damages, attorney's fees, injunctive relief, and other appropriate relief. Existing law requires the Department of Fair Employment and Housing to receive, investigate, and conciliate complaints that an individual's personal rights have been violated. This bill would specify that homeless persons, as defined, are entitled to the rights set forth under existing law, and would provide that a homeless person has the right to be free from violence or intimidation by threat of violence directed against that person on the basis of that person's status as a homeless person. The bill would also provide that these provisions shall not be construed to enlarge or diminish an existing duty, if any, by an owner of residential rental or commercial property to protect a homeless person who is present on the property from violence or intimidation by threats of violence.

[AB](#)  
[539](#)

**[Williams D](#) Vehicles: speeding: school zones: penalties.**

Text Version: Amended: Position: Watch  
4/25/2011 [pdf](#) [html](#)

Assigned: Public Works Department

Status: 7/8/2011 - Failed Deadline pursuant to Rule 61(a)(10). (Last location was T. & H. on 5/19/2011)

Existing law establishes the prima facie speed limit on various roadways, including a 25 miles per hour speed limit when approaching or passing a school building or grounds, contiguous to a highway and posted with a standard "SCHOOL" warning sign, while children are going to or leaving the school. Existing law authorizes a local authority to lower the speed limit in a school zone in certain circumstances including when a local authority determines upon the basis of an engineering and traffic survey that the prima facie speed limit of 25 miles per hour is more than is reasonable or safe. A violation of the Vehicle Code is an infraction unless stated otherwise. Existing law establishes a penalty structure for a person convicted of an infraction that requires a fine of not more than \$100 or \$250 depending on the number of violations within a specified time period. This bill would authorize a local authority to adopt an ordinance or resolution that doubles a base fine imposed upon a person who is convicted of speeding in a school zone if certain conditions are

met, including the condition that the street on which the speeding offense occurred is not one where the speed could have been reduced because the maximum posted prima facie speed limit is greater than 30 miles per hour, as provided. The bill would provide that the doubling of the base fine shall not result in the increase in any associated and additional penalties, fines, fees, or assessments, as provided by law. The bill would also provide that a local authority that adopts an ordinance shall receive funds from a special account in the county treasury for use for specified purposes, including driver awareness educational programs. The money in the fund would come from the enhanced portion of the fine imposed for speeding in the specified school zone.

**AB** **Furutani D** **Property taxation: assessor: disclosure: appraisal information.**  
**563**

Text Version: Chaptered: Position: Watch  
9/26/2011 [pdf](#) [html](#)

Status: 9/26/2011 - Chaptered by the Secretary of State, Chapter Number 320, Statutes of 2011

Existing property tax law requires the assessor to disclose certain appraisal information to specified state and local agencies, including, among others, the county recorder when conducting an investigation to determine whether a documentary transfer tax is imposed, and requires certain state agencies to reimburse the assessor for any costs incurred in disclosing this information. This bill would expand the list of local agencies the assessor is required to disclose certain appraisal information to, to include designated employees of a city's finance office when conducting an investigation to determine whether a documentary transfer tax should be imposed for an unrecorded change in control or ownership of property, and would also require the city to reimburse the assessor for any costs incurred in disclosing this information. This bill would require the designated employee of a city's finance office to certify to the assessor, under penalty of perjury, that he or she needs the information to assist with the preparation and enforcement of the Documentary Transfer Tax Act and that the information provided to him or her that is not public record and that is not open to public inspection shall not become public record and shall not be open to public inspection. This bill contains other related provisions and other existing laws.

**AB** **Wieckowski D** **Oil and gas production: hydraulic fracturing.**  
**591**

Text Version: Amended: Position: Watch  
7/7/2011 [pdf](#) [html](#)

Assigned: Gas & Oil Department

Status: 8/26/2011 - Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. SUSPENSE FILE on 8/15/2011)

Under existing law, the Division of Oil, Gas, and Geothermal Resources in the Department of Conservation regulates the drilling, operation, maintenance, and abandonment of oil and gas wells in the state. The State Oil and Gas Supervisor supervises the drilling, operation, maintenance, and abandonment of wells and the operation, maintenance, and removal or abandonment of tanks and facilities related to oil and gas production within an oil and gas field regarding safety and environmental damage. Existing law requires the owner or operator of a well to keep, or cause to be kept, a careful and accurate log, core record, and history of the drilling of the well. Within 60 days after the date of cessation of drilling, rework, or abandonment operations, the owner or operator is required to file with the district deputy certain information, including the history of work performed. This bill would define "hydraulic fracturing" and require a person carrying out hydraulic fracturing on behalf of an owner or operator at a well to provide to the owner or operator a list of the chemical constituents used in the hydraulic fracturing fluid and the amount of water and hydraulic fracturing fluid recovered from the well. The bill would additionally require the history of the drilling of the well to include certain information regarding the amount and source of water used in the exploration or production from





Assigned: Health & Human Services Department

Status: 8/22/2011 - From committee chair, with author's amendments: Amend, and re-refer to committee.  
Read second time, amended, and re-referred to Com. on T. & H.

(1) Under existing law, the Department of Motor Vehicles issues environmental and other specialized license plates. The issuance of some of those license plates is subject to additional fees. Existing law prohibits the department from establishing a specialized license plate program for a state agency until the department has received not less than 7,500 applications for the plates. This bill would , until January 1, 2015, authorize the Veterinary Medical Board to sponsor a specialized license plate pilot program if certain conditions are met. The bill would only require that an initial 2,500 paid applications be collected and held by the board and that a sufficient amount of additional funds be received from donations to cover the department's startup costs for the manufacture of the specialized license plate. The bill would require the board to actively request and receive donations from public and private entities that would be deposited into the Specialized License Plate Fund and, upon determination by the department that there are sufficient funds for the program, moneys would be available, upon appropriation by the Legislature, to the department for the necessary administrative costs of establishing the specialized license plate program and, as to any remaining moneys, for allocation to the board for programs that support city and county animal shelters . This bill contains other related provisions.

[AB](#)  
[646](#)

**[Atkins D](#) Local public employee organizations: impasse procedures.**

Text Version: Chaptered: Position: Oppose  
10/9/2011 [pdf](#) [html](#)

Assigned: Human Resources Department

Status: 10/9/2011 - Chaptered by the Secretary of State, Chapter Number 680, Statutes of 2011

The Meyers-Milias-Brown Act contains various provisions that govern collective bargaining of local represented employees, and delegates jurisdiction to the Public Employment Relations Board to resolve disputes and enforce the statutory duties and rights of local public agency employers and employees. The act requires the governing body of a public agency to meet and confer in good faith regarding wages, hours, and other terms and conditions of employment with representatives of recognized employee organizations. Under the act, if the representatives of the public agency and the employee organization fail to reach an agreement, they may mutually agree on the appointment of a mediator and equally share the cost. If the parties reach an impasse, the act provides that a public agency may unilaterally implement its last, best, and final offer. This bill would authorize the employee organization, if the mediator is unable to effect settlement of the controversy within 30 days of his or her appointment, to request that the matter be submitted to a factfinding panel. The bill would require that the factfinding panel consist of one member selected by each party as well as a chairperson selected by the board or by agreement of the parties. The factfinding panel would be authorized to make investigations and hold hearings, and to issue subpoenas requiring the attendance and testimony of witnesses and the production of evidence. The bill would require all political subdivisions of the state to comply with the panel's requests for information. This bill contains other related provisions.

[AB](#)  
[669](#)

**[Monning D](#) Taxation: sweetened beverage tax: Children's Health Promotion Fund.**

Text Version: Amended: Position: Watch  
4/7/2011 [pdf](#) [html](#)

Assigned: Health & Human Services Department

Status: 5/10/2011 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was REV. & TAX on 5/3/2011)

Existing law imposes various taxes, including taxes on the privilege of engaging in certain activities. The Fee Collection Procedures Law, the violation of which is a crime, provides procedures for the collection of certain fees and surcharges. This bill would , on and after July 1, 2012, impose a tax on every distributor, as defined, for the privilege of distributing in this state bottled sweetened beverages, at a rate of \$0.01 per fluid ounce and for the privilege of distributing concentrate in this state, either as concentrate or as sweetened beverages derived from that concentrate, at the rate of \$0.01 per fluid ounce of sweetened beverage to be produced from concentrate . The tax would be administered by the State Board of Equalization and would be collected pursuant to the procedures set forth in the Fee Collection Procedures Law. This bill would exempt from the tax, among other things, the distribution in this state of bottled sweetened beverages or concentrate made by a distributor to another distributor registered with the board and supported by an exemption certificate that consists of a statement signed under penalty of perjury. This bill contains other related provisions and other existing laws.

**AB**      **Torres D**      **Transportation funds.**  
**676**

Text Version: Introduced: Position: Watch  
2/17/2011 [pdf](#) [html](#)  
Status: 5/13/2011 - Failed Deadline pursuant to Rule 61(a)(3). (Last location was TRANS. on 3/3/2011)

Existing law establishes a policy for expenditure of certain state and federal funds available to the state for transportation purposes. Under this policy, the Department of Transportation and the California Transportation Commission develop a fund estimate of available funds for purposes of adopting the state transportation improvement program, which is a listing of capital improvement projects. After deducting expenditures for administration, operation, maintenance, local assistance, safety, rehabilitation, and certain environmental enhancement and mitigation expenditures, the remaining funds are available for capital improvement projects. This bill would provide that the remaining funds are available for the study of, and development and implementation of, capital improvement projects.

**AB**      **Skinner D**      **Local planning: infill and transit-oriented development.**  
**710**

Text Version: Amended: Position: Oppose  
8/18/2011 [pdf](#) [html](#)  
Assigned: Development Services  
Status: 9/9/2011 - From inactive file. Senate Rule 29 suspended. (Ayes 24. Noes 12. Page 2453.) Ordered to third reading. Read third time. Refused passage. (Ayes 18. Noes 19. Page 2474.).

The Planning and Zoning Law requires specified regional transportation planning agencies to prepare and adopt a regional transportation plan directed at achieving a coordinated and balanced regional transportation system, and requires the regional transportation plan to include, among other things, a sustainable communities strategy, for the purpose of using local planning to reduce greenhouse gas emissions. This bill would state the findings and declarations of the Legislature with respect to parking requirements and infill and transit-oriented development, and would state the intent of the Legislature to reduce unnecessary government regulation and to reduce the cost of development by eliminating excessive minimum parking requirements for infill and transit-oriented development. This bill would also express a legislative finding and declaration that its provisions shall apply to all cities, including charter cities. This bill contains other related provisions.

**AB**      **Hagman R**      **Public employees' retirement: elected officials.**  
**738**

Text Version: Introduced: Position: Watch

2/17/2011 [pdf](#) [html](#)

Assigned: Human Resources Department

Status: 5/10/2011 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was P.E.,R. & S.S. on 3/7/2011)

Existing law authorizes the creation of retirement systems for public employees by counties, cities, and districts. Existing law creates the Public Employees' Retirement System and the State Teachers Retirement System, which provide a defined benefit to their members based on age at retirement, service credit, and final compensation. Existing law establishes the criteria for membership in the various public employee retirement systems and may exclude certain employment classifications from membership. Existing law prohibits Members of the Legislature elected on or after November 1, 1990, from accruing any retirement or pension benefit, provided that other elective officers provided for by the California Constitution may elect to become members of Legislators' Retirement System. The California Constitution provides for the division of the state into counties and requires that a county have an elected sheriff, elected district attorney, elected assessor, and elected governing body. Existing law provides for the incorporation of cities in various forms and requires that certain city offices be filled pursuant to elections, as prescribed. Existing law provides for the creation of districts, the governing bodies of which may be elected. This bill would prohibit a person who is publicly elected to an office of any kind, on and after January 1, 2012, from becoming a member of a retirement system by virtue of that service or acquiring any retirement right or benefit for serving in that elective office. The bill would also apply these prohibitions to a person who is appointed to fill the term of a person so elected. The bill would except from this prohibition a person who obtained membership by virtue of holding an elective public office prior to January 1, 2012, and remains in that office or is reelected to it.

[AB  
752](#)

**[Brownley D](#) Tidelands and submerged lands: sea level action plan.**

Text Version: Amended: Position: Watch

5/27/2011 [pdf](#) [html](#)

Assigned: City Manager

Status: 7/8/2011 - Failed Deadline pursuant to Rule 61(a)(10). (Last location was N.R. & W. on 6/8/2011)

Existing law grants to various local entities the right, title, and interest of the State of California in and to certain tidelands and submerged lands in trust generally for purposes of commerce, navigation, and fisheries, and for other public trust purposes. This bill would specify that the preparation of a sea level action plan for all of its legislatively granted public trust lands shall be among the management priorities of a local trustee of granted public lands, as defined. The bill would require a local trustee whose gross public trust revenues, as defined, exceed \$250,000 to prepare a sea level action plan for those lands by July 1, 2013, but would specify that all other local trustees may, but are not required to, prepare a plan. The bill would require the plan to include, among other things, an assessment of the impact of a range of sea level rise on granted public trust lands, an estimate of the financial cost of this impact, and strategies to prevent or mitigate damage to development and infrastructure and to protect and enhance habitat. This bill contains other related provisions.

[AB  
809](#)

**[Feuer D](#) Firearms.**

Text Version: Chaptered: Position: Watch

10/9/2011 [pdf](#) [html](#)

Assigned: Police Department

Status: 10/9/2011 - Chaptered by the Secretary of State, Chapter Number 745, Statutes of 2011

Existing law generally regulates the transfer of firearms and provides for retaining specified information regarding firearm transfers by the Department of Justice. Existing law establishes different requirements regarding reportable information for handguns and firearms that are not handguns. Under existing law, the Department of Justice requires firearms dealers to keep a register or record of electronic or telephonic transfers of information pertaining to firearms transactions, as specified. Existing law exempts from these requirements certain transactions involving firearms that are not handguns. This bill would conform those provisions so that the transfers and information reporting and retention requirements for handguns and firearms other than handguns are the same. This bill would provide that those exemptions become inoperative on January 1, 2014. This bill contains other related provisions and other existing laws.

**AB**  
**848**      **Campos** D      **Apprenticeship programs.**

Text Version: Amended: Position: Watch  
5/11/2011 [pdf](#) [html](#)  
Assigned: Human Resources Department  
Status: 8/26/2011 - Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. SUSPENSE FILE on 7/11/2011)

Existing law requires the Superintendent of Public Instruction or the Chancellor of the California Community Colleges, whichever is appropriate, to make reimbursements to high schools, unified school districts, regional occupational centers or programs, community colleges, or adult schools for related and supplemental instruction provided to indentured apprentices in apprenticeship programs, as specified. This bill would require the Superintendent or the Chancellor to require recipients of reimbursements for related and supplemental instruction provided to apprentices in the building and construction trades to report annually, prior to receiving reimbursement, information concerning the number and percentage of those apprentices who have received postsecondary educational credit and the amount of credit earned, and the number and percentage of apprentice graduates who have completed a postsecondary degree. The bill would require this information to be formatted for collection and presentation so as to best convey pupil progress toward degree completion for each participating institution and would also require the Superintendent or Chancellor, upon request, to provide the information to the Division of Apprenticeship Standards in the Department of Industrial Relations .

**AB**  
**873**      **Furutani** D      **Political Reform Act of 1974: postgovernment employment restrictions.**

Text Version: Chaptered: Position: Watch  
10/7/2011 [pdf](#) [html](#)  
Assigned: Human Resources Department  
Status: 10/7/2011 - Chaptered by the Secretary of State, Chapter Number 551, Statutes of 2011

The Public Employees' Retirement Law creates the Public Employees' Retirement Fund, which is a trust fund created and administered solely for the benefit of the members and retired members of this system and their survivors and beneficiaries. The Board of Administration of the Public Employees' Retirement System (PERS) has the exclusive control of the administration and investment of the retirement fund. This bill would prohibit members of the Board of Administration of PERS, members of the Teachers' Retirement Board, and specified officers and employees of PERS and STRS from engaging in certain employment activities after leaving service with PERS or STRS. Specifically, the bill would prohibit those individuals from representing another person, by means of an appearance or communication, before PERS or STRS for the purpose of influencing specified actions for a period of 4 years after leaving service with PERS or STRS. The bill would also prohibit those individuals from aiding, advising, consulting with, or assisting a

business entity, for a period of 2 years after leaving service with PERS or STRS, in obtaining the award of, or in negotiating, a contract or contract amendment with PERS or STRS. In addition, the bill would prohibit those individuals from accepting compensation for providing services as a placement agent, for a period of 10 years after leaving service with PERS or STRS, in connection with investments or other business of PERS or STRS. This bill contains other related provisions and other existing laws.

**[AB](#)  
[884](#)      **[Cook R](#)**      **Sexually violent offenders: notification of offender registration by law enforcement.****

Text Version: Introduced: 2/17/2011      [pdf](#)   [html](#)      Position: Watch  
Assigned: Police Department  
Status: 5/10/2011 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was PUB. S. on 3/14/2011)

Under existing law, specified law enforcement may provide information to the public about a person required to register as a sex offender, by whatever means the entity deems appropriate, when necessary to ensure the public safety based upon information available to the entity concerning that sex offender. This bill would provide, in addition, that any law enforcement entity that is notified of the registration of a sex offender who was convicted of a sexually violent offense or a sex crime against a child under 14 years of age shall, within 5 days of the offender's registration, be required to provide, in writing, notice and information, as specified, to all persons living within 1,000 feet of the residence of the convicted sex offender and all schools and day care centers, the services of which are available to the residents of the area where the convicted sex offender resides. By requiring local law enforcement to provide specified notice regarding specified sex offenders to specified persons and entities, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

**[AB](#)  
[894](#)      **[V. Manuel](#)**      **State government: economic development.**  
**[Pérez D](#)****

Text Version: Vetoed: 10/7/2011      Position: Watch  
[pdf](#)   [html](#)      Assigned: Development Services  
Status: 10/7/2011 - Vetoed by the Governor

The California Industrial Development Financing Act authorizes cities, counties, cities and counties, and redevelopment agencies to establish industrial development authorities that are authorized to issue industrial development bonds, the proceeds of which may be used to fund capital projects of private enterprise under terms and conditions specified in the act. That act establishes the California Industrial Development Financing Advisory Commission and grants it various powers relating to industrial development bonds. This bill, the California Manufacturing Competitiveness Act of 2011, would authorize the commission to establish the California Manufacturing Competitiveness Loan and Loan Guarantee Program for the purpose of attracting, retaining, and expanding manufacturing facilities, and would require the commission to establish guidelines for the implementation and oversight of the program. The bill would prohibit the commission from commencing the program until the commission adopts a resolution finding that there is sufficient expertise, either directly employed by the commission or employed under a contract with the commission, to assess the credit risk of applicants for assistance under the program and the aggregate credit risk retained by the commission for the loans, loan guarantees, and lines of credit in the commission's program. The bill would require the commission to provide for the development and administration of the program application and evaluation process, and would require that applicants to the program demonstrate that they meet specified requirements. The bill would also require each applicant to pay a nonrefundable application fee. This bill contains other related provisions.



**AB** **Buchanan** D **Jobs and Economic Improvement Through Environmental Leadership Act of 2011.**  
**900**

Text Version: Chaptered: Position: Watch  
9/27/2011 [pdf](#) [html](#)

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

The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report (EIR) on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. This bill would enact the Jobs and Economic Improvement Through Environmental Leadership Act of 2011 and establish specified judicial review procedures for the judicial review of the EIR and approvals granted for a leadership project related to the development of a residential, retail, commercial, sports, cultural, entertainment, or recreational use project, or clean renewable energy or clean energy manufacturing project. The act would authorize the Governor to certify a leadership project for streamlining pursuant to the act if certain conditions are met. The bill would repeal the act as of January 1, 2015. This bill contains other related provisions and other existing laws.

**AB** **Torres** D **Infrastructure financing districts: facilities and projects.**  
**910**

Text Version: Amended: Position: Watch  
4/25/2011 [pdf](#) [html](#)

Assigned: Development Services

Status: 7/8/2011 - Failed Deadline pursuant to Rule 61(a)(10). (Last location was G. & F. on 6/8/2011)

Existing law authorizes counties and cities to form infrastructure financing districts, in accordance with a prescribed procedure, and requires that a district finance only public capital facilities of communitywide significance, as specified. This bill would, in addition to public capital facilities, require a district to finance affordable housing facilities and economic development projects. The bill would provide that with respect to a district proposing to implement a specified plan, an election would not be required to form a district, adopt an infrastructure financing plan, or issue bonds pursuant to existing law.

**AB** **Portantino** D **Public employees: rights.**  
**920**

Text Version: Introduced: Position: Watch  
2/18/2011 [pdf](#) [html](#)

Assigned: Human Resources Department

Status: 5/28/2011 - Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. on 5/27/2011)

The existing Bill of Rights for State Excluded Employees prescribes various rights and terms and conditions of employment for excluded employees, defined as certain supervisory, managerial, and confidential state employees. This bill would enact the Public Employees' Bill of Rights Act that would apply to state employees other than excluded employees. The stated purpose of this act would be to inform public employees of their rights and terms of employment in order to promote harmonious personnel relations between public employees and their employers. This bill would, among other things, provide that state employees shall be entitled to priority over excluded employees or





Authority to solicit proposals and enter into agreements with private entities for the delivery of a regional interoperable communications system and all related infrastructure to be used by public safety agencies and emergency responders located in the County of Los Angeles, as specified. This bill contains other related provisions.

[AB](#)  
[950](#)

[John A.](#)  
[Pérez D](#)

**Employment: drayage truck operators.**

Text Version: Introduced: Position: Watch

2/18/2011 [pdf](#) [html](#)

Assigned: Harbor

Status: 6/3/2011 - Failed Deadline pursuant to Rule 61(a)(8). (Last location was INACTIVE FILE on 6/2/2011)

Existing law provides guidelines to determine whether a person who performs work for another pursuant to a contract is an employee or an independent contractor. This bill would deem drayage truck operators as employees of those persons who arrange for or engage their services, with the exception of public agency employers.

[AB](#)  
[954](#)

[Calderon,](#)  
[Charles D](#)

**Water replenishment districts.**

Text Version: Introduced: Position: Watch

2/18/2011 [pdf](#) [html](#)

Assigned: Water Department

Status: 5/10/2011 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was L. GOV. on 3/10/2011)

The Water Replenishment District Act provides for the formation of water replenishment districts. The act grants authority to a water replenishment district relating to the replenishment, protection, and preservation of groundwater supplies within that district. The act requires the board of directors of a water replenishment district to prepare annually an engineering survey and report that includes information relating to the groundwater supplies within the district. The act requires the board to make certain determinations in connection with a decision to impose a water replenishment assessment to purchase replenishment water or to remove contaminants from the groundwater supplies of the district. The act requires the water replenishment assessment to be fixed at a uniform rate per acre-foot of groundwater produced within the district. This bill, instead, would require information in that engineering survey and report, and those related determinations, to pertain to the groundwater in each basin within the district. The board of directors of a water replenishment district, upon determining to impose a water replenishment assessment on the production of groundwater from each groundwater basin, would be required, except as otherwise provided, to impose the assessment in an amount that is calculated to pay for costs that include the actual cost of replenishing the groundwater basin, removing contaminants from the groundwater basin, and the administrative costs of the district. The charge would be required to be fixed at a uniform rate. The bill would make other conforming changes. By establishing these requirements on a water replenishment district, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

[AB](#)  
[961](#)

[Mansoor R](#)

**Public employee organizations: negotiations: pension benefits.**

Text Version: Amended: Position: Watch

3/31/2011 [pdf](#) [html](#)

Assigned: Human Resources Department

Status: 5/10/2011 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was P.E.,R. & S.S. on 4/4/2011)

Existing law provides for the representation of state or local public employees by recognized employee organizations, and provides that the scope of this representation includes negotiations concerning wages, hours, and other terms and conditions of employment between the state or local public employer and representatives of those employee organizations, as specified. This bill would exclude matters relating to pension benefits from the scope of representation of public employees by recognized employee organizations, and would thereby prohibit these employee organizations from negotiating pension benefits with public employers.

**AB** **Grove R** **Public works: prevailing wages.**  
**987**

Text Version: Introduced: Position: Watch  
2/18/2011 [pdf](#) [html](#)

Assigned: Public Works Department

Status: 5/10/2011 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was L. & E. on 3/10/2011)

Existing law defines the term "public works" for purposes of requirements regarding the payment of prevailing wages, the regulation of working hours, and the securing of workers' compensation for public works projects. Existing law further requires that, except as specified, not less than the general prevailing rate of per diem wages be paid to workers employed on public works projects, and imposes misdemeanor penalties for a violation of this requirement. Existing law exempts certain projects from the prevailing wage requirements, including public works projects of less than \$1,000. This bill would specify that workers must be employed directly at the site of the work to be deemed employed upon public work. The bill would exempt from the prevailing wage requirements public projects of less than \$100,000. The bill would also exempt from the prevailing wage requirements the governing board of a school district with regard to the construction, reconstruction, or rehabilitation of school facilities, any fabrication or prefabrication work done at a permanent offsite facilities of a contractor, a public work project of a local agency that adopts a resolution or ordinance, as specified, workers employed on a hospital seismic retrofitting project. The bill would also exempt from the definition of "public works," for purposes of the prevailing wage requirements, work performed during the design and preconstruction phases of construction, including inspection and land surveying work and would delete provisions of existing law specifying that "public works" includes the hauling of refuse from a public works site to an outside disposal location. This bill would delete from existing law exclusions from the requirements of public works and prevailing wage laws for work done on certain private development projects, affordable housing units for low- or moderate-income persons, privately-owned residential projects, qualified residential rental projects, single-family residential projects, and low-income housing projects. This bill contains other related provisions and other existing laws.

**AB** **Furutani D** **Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006:**  
**1064** **shoreside electrical power infrastructure.**

Text Version: Amended: Position: Watch  
4/25/2011 [pdf](#) [html](#)

Assigned: Harbor

Status: 5/10/2011 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was TRANS. on 4/25/2011)

Existing law, the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, approved by the voters as Proposition 1B at the November 7, 2006, general election, authorizes the issuance of general obligation bonds for various transportation-related purposes, including emission reductions, not otherwise required by law or

regulation, from activities related to the movement of freight along California's trade corridors. The State Air Resources Board is required to allocate the funds to be used for air quality purposes pursuant to specified requirements. The state board is prohibited from approving funding for usable project segments if the benefits associated with each individual segment are insufficient to meet the objectives of the program from which the individual segment is funded. This bill would make this prohibition inapplicable for a shoreside electrical power infrastructure project that is administered by a California port, and instead would require that the individual segments of these projects be a part of an adopted terminal plan submitted to the state board. The bill would authorize the state board for a specified purpose to allow a recipient agency for shoreside electrical power infrastructure to average vessel calls made across multiple berths within a terminal .

[AB 1087](#) **Brownley D** **Cities and counties: public safety services: contracts.**

Text Version: Amended: Position: Watch  
6/16/2011 [pdf](#) [html](#)

Assigned: Human Resources Department

Status: 7/8/2011 - Failed Deadline pursuant to Rule 61(a)(10). (Last location was G. & F. on 6/16/2011)

Existing law requires a county that provides services through its appropriate departments, boards, commissions, officers, or employees to any city pursuant to a contract or law, to charge the city all those costs that are incurred in providing those services. This bill would, commencing January 1, 2012, provide that, unless otherwise stipulated in the contract, if a city that contracts with a county for public safety services through the county notifies the county of its intent to terminate the contract, then the county is authorized to require the city to provide a comprehensive fiscal analysis relating to the ability of the city to provide public safety services, as specified. This bill contains other related provisions.

[AB 1099](#) **Lowenthal, Bonnie D** **Commercial motor vehicles: emissions standards.**

Text Version: Amended: Position: Watch  
7/12/2011 [pdf](#) [html](#)

Status: 8/26/2011 - Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. SUSPENSE FILE on 8/22/2011)

Existing law requires the Department of Motor Vehicles to refuse registration, or renewal or transfer of registration, for any commercial motor vehicle with a declared gross or combined gross vehicle weight that exceeds 10,000 pounds if the owner or operator of the motor vehicle at the time of the application has been cited for a violation of specified air quality standards pertaining to that vehicle or regulations adopted by the State Air Resources Board (board) , until the violation has been cleared, as determined by that board. This bill would require the department to refuse registration for any commercial motor vehicle subject to registration that is of a 1996 or older model year with a gross vehicle weight rating of more than 26,000 pounds, except for any construction truck that is subject to an extension pursuant regulations adopted by the board as determined by the department. This bill contains other related provisions.

[AB 1115](#) **Lara D** **Workforce development: training services.**

Text Version: Amended: Position: Watch  
7/5/2011 [pdf](#) [html](#)

Assigned: Human Resources Department

Status: 8/26/2011 - Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. on 7/5/2011)

The federal Workforce Investment Act of 1998 provides for workforce investment activities, including activities in which states may participate. Existing law, the California Workforce Investment Act, establishes the California Workforce Investment Board, which is the body responsible for assisting the Governor in the development, oversight, and continuous improvement of California's workforce investment system, and prescribes the functions and duties of the board with regard to the implementation and administration of workforce training and development programs. This bill would authorize individuals who are eligible to receive training services under federal law to have the opportunity to select any of the eligible training providers from any of the local areas in the state. The bill would require the California Workforce Investment Board to establish a procedure for use by local workforce investment boards in determining the eligibility of a provider of training services, as prescribed, in accordance with various requirements.

**AB Furutani D Vehicles: Terminal Island Freeway: special permits.**

**1128**

Text Version: Chaptered: Position: Watch  
9/21/2011 [pdf](#) [html](#)

Assigned: Public Works Department

Status: 9/21/2011 - Chaptered by the Secretary of State, Chapter Number 298, Statutes of 2011

Existing law authorizes the Department of Transportation, upon adoption of an ordinance or resolution by both the City of Long Beach and the City of Los Angeles, to issue a special permit to the operator of a vehicle, combination of vehicles, or mobile equipment, permitting the operation and movement of the vehicle, combination, or equipment, and its load, on the 3.66-mile portion of State Route 47 and State Route 103 known as the Terminal Island Freeway, between Willow Street in the City of Long Beach and Terminal Island in the City of Long Beach and the City of Los Angeles, and on the 2.1-mile portion of State Highway Route 1 that is between Blinn Avenue in the City of Los Angeles and Harbor Avenue in the City of Long Beach if the vehicle, combination, or equipment meets specified criteria. This bill would additionally authorize the Department of Transportation to issue such a special permit to the operator of a vehicle, combination of vehicles, or mobile equipment, permitting the operation and movement of the vehicle, combination, or equipment, and its load, on designated routes if the vehicle, combination, or equipment meets specified criteria, upon adoption of such an ordinance or resolution by the City of Carson covering designated routes. The bill would authorize the department to charge a fee to cover the cost of issuing the special permit. The bill would also state the intent of the Legislature that an ordinance or resolution of the City of Carson be adopted to conform with these provisions.

**AB Alejo D Workers' compensation.**

**1155**

Text Version: Vetoed: 10/7/2011 Position: Watch  
[pdf](#) [html](#)

Assigned: Human Resources Department

Status: 10/7/2011 - Vetoed by the Governor

Existing law establishes a workers' compensation system, administered by the Administrative Director of the Division of Workers' Compensation, to compensate an employee for injuries sustained in the course of his or her employment. This bill would state the intent of the Legislature to prohibit the use of risk factors and specified characteristics to deny an injured worker his or her rightful benefit when disabled in the workplace. The bill would also state the intent of the Legislature to prohibit the apportionment of risk factors and characteristics without prohibiting the apportionment of documentable preexisting nonindustrial causes of disability or holding an employer liable for any percentage of

permanent disability not directly caused by an injury arising out of and occurring in the course of employment. This bill contains other related provisions and other existing laws.

**AB  
1178**     **Ma D**     **Solid waste: place of origin.**

Text Version: Amended: Position: Watch  
8/24/2011 [pdf](#) [html](#)  
Assigned: Public Works Department  
Status: 8/31/2011 - Action From E.Q.: Do pass.

The existing California Integrated Waste Management Act of 1989 allows each county, city, or district to determine aspects of solid waste handling that are of local concern and the means by which the services are to be provided. This bill would prohibit an ordinance enacted by a city or county, including an ordinance enacted by initiative by the voters of a city or county, from otherwise restricting or limiting the importation of solid waste into a privately owned solid waste facility in that city or county based on place of origin. The bill would provide that this prohibition does not require a privately owned or operated solid waste facility to accept certain waste, does not allow a privately owned solid waste facility to abrogate certain agreements, does not prohibit a city, county, or a regional agency from requiring a privately owned solid waste facility to guarantee permitted capacity to a host jurisdiction, and does not otherwise limit or affect the land use authority of a city or county .

**AB  
1179**     **Mansoor R**     **Labor organizations: union dues: political activities.**

Text Version: Amended: Position: Watch  
4/25/2011 [pdf](#) [html](#)  
Assigned: Human Resources Department  
Status: 6/3/2011 - Failed Deadline pursuant to Rule 61(a)(8). (Last location was L. & E. on 4/25/2011)

Existing law provides that any collective bargaining agreement between an employer and a labor organization is enforceable at law or in equity, and a breach of the collective bargaining agreement by any party thereto is subject to the same remedies, including injunctive relief, as are available on other contracts in the courts of the state. This bill would enact the California Voluntary Contributions Act and allow a labor organization to make expenditures for political activities only if the labor organization establishes a separate fund from which to make those expenditures and complies with specified provisions, including, among others, a prohibition on using union dues for political activities, transferring union dues to the fund, or intermingling union dues in any way with moneys in the fund. Notwithstanding those limitations, the bill would allow a labor organization to use union dues to lobby or communicate directly with its own members regarding political candidates, ballot measures, and other political issues.

**AB  
1203**     **Mendoza D**     **Public employee organizations: members: paid leaves of absence.**

Text Version: Amended: Position: Watch  
8/22/2011 [pdf](#) [html](#)  
Assigned: Human Resources Department  
Status: 9/9/2011 - In Senate. Held at Desk.

Existing law requires that the governing board of a school district or a community college district grant to any classified

employee, upon request, a paid leave of absence to enable the employee to serve as an elected officer of any school district public employee organization or community college district public employee organization, as specified. Existing law requires that following the school district's or community college district's payment of the employee for the leave of absence, it be reimbursed by the employee organization of which the employee is an elected officer for all compensation paid to the employee on account of the leave. This bill would expand these provisions to additionally require a school district or a community college district to provide a paid leave of absence to a member of any school district public employee organization or community college district public employee organization for activities the member is authorized by the organization to attend, and would require the employee organization to reimburse the school district or community college district on behalf of a member who receives a paid leave of absence. This bill contains other related provisions and other existing laws.

**AB 1220      Alejo D      **Land use and planning: cause of actions: time limitations.****

Text Version: Vetoed: 10/9/2011      Position: Oppose  
[pdf](#)   [html](#)  
Assigned: Development Services  
Status: 10/9/2011 - Vetoed by the Governor

The Planning and Zoning Law requires an action or proceeding against local zoning and planning decisions of a legislative body to be commenced and the legislative body to be served within a year of accrual of the cause of action, if it meets certain requirements. Where the action or proceeding is brought in support of or to encourage or facilitate the development of housing that would increase the community's supply of affordable housing, a cause of action accrues 60 days after notice is filed or the legislative body takes a final action in response to the notice, whichever occurs first. This bill would authorize the notice to be filed any time within 3 years after a specified action pursuant to existing law. The bill would declare the intent of the Legislature that its provisions modify a specified court opinion. The bill would also provide that in that specified action or proceeding, no remedy pursuant to specified provisions of law abrogate, impair, or otherwise interfere with the full exercise of the rights and protections granted to a tentative map application or a developer, as prescribed. This bill contains other related provisions and other existing laws.

**AB 1234      Norby R      **Redevelopment agencies: financing.****

Text Version: Amended: 3/31/2011      Position: Watch  
[pdf](#)   [html](#)  
Assigned: Development Services  
Status: 6/3/2011 - Failed Deadline pursuant to Rule 61(a)(8). (Last location was L. GOV. on 4/4/2011)

The Community Redevelopment Law authorizes the establishment of redevelopment agencies in communities to address the effects of blight, as defined, and to utilize various types of financing for that purpose. This bill would prohibit redevelopment agencies from using specified revenue for the promotion, recruitment, or retention of any professional sports team, or any related activity, as defined or for the development, planning, design, site acquisition, subdivision, financing, leasing, construction, operation, or maintenance of infrastructure, as defined, related to the occupancy, recruitment, or retention of any professional sports team. This bill contains other related provisions and other existing laws.

**AB 1235      Hernández,      **Polanco Redevelopment Act: transfer of authority, powers, obligations.**  
Roger D**



Text Version: Amended: Position: Watch

9/2/2011 [pdf](#) [html](#)

Status: 9/8/2011 - Ordered to inactive file at the request of Senator Price.

The Polanco Redevelopment Act specifies, among other things, that a redevelopment agency that undertakes and completes an action, or causes another person to undertake and complete an action, to remedy or remove a hazardous substance release on, under, or from property within a redevelopment project, in accordance with a cleanup or remedial action plan prepared by a qualified independent contractor and approved by the department or a California regional water quality control board or a local agency, is not liable, with respect to that release only, under the Porter-Cologne Water Quality Control Act, and specified hazardous waste control and storage provisions, or any other state or local law providing liability for remedial or removal actions for releases of hazardous substances. This bill would apply all authority, rights, powers, duties, and obligations, and protections afforded to a redevelopment agency under the Polanco Redevelopment Act to a successor agency, as defined, for any property that was within a redevelopment project of a redevelopment agency that has been dissolved by an act of the Legislature. This bill contains other related provisions.

[AB](#) [Alejo D](#) **Redevelopment.**  
[1250](#)

Text Version: Amended: Position: Watch

6/3/2011 [pdf](#) [html](#)

Assigned: Development Services

Status: 6/6/2011 - Re-referred to Com. on RLS.

The Community Redevelopment Law authorizes the establishment of redevelopment agencies in communities to address the effects of blight, as defined, in blighted areas in those communities known as project areas. Existing law requires that each redevelopment agency submit the final report of any audit undertaken by any other local, state, or federal government entity to its legislative body and to additionally present an annual report to the legislative body containing specified information. This bill would impose new requirements on the agency with respect to implementation plans and evidentiary standards and expand existing prohibitions on agency direct assistance to certain projects. This bill contains other related provisions and other existing laws.

[AB](#) [Knight R](#) **Enterprise zones.**  
[1259](#)

Text Version: Introduced: Position: Watch

2/18/2011 [pdf](#) [html](#)

Assigned: Human Resources Department

Status: 5/13/2011 - Failed Deadline pursuant to Rule 61(a)(3). (Last location was PRINT on 2/18/2011)

The Enterprise Zone Act provides for the designation of enterprise zones by the Department of Community Housing and Development, pursuant to which certain entities within a designated enterprise zone may receive regulatory, tax, and other incentives for private investment and employment, and sets forth the findings and declarations of the Legislature in this regard. This bill would make a technical, nonsubstantive change to these provisions.

[AB](#) [Hill D](#) **Personal income and corporation taxes: hiring credits: enterprise zones, LAMBRAs,  
1278 manufacturing enhancement areas, and targeted tax areas: relocation.**

Text Version: Amended: Position: Oppose

8/15/2011 [pdf](#) [html](#)

Assigned: Human Resources Department

Status: 8/23/2011 - Action From J., E.D. & E.: Reconsideration granted.

The Personal Income Tax Law and the Corporation Tax Law allow credits for hiring employees in an enterprise zone, a LAMBRA, a manufacturing enhancement area, and a targeted tax area. This bill would limit the application of these credits, for a taxpayer that relocates to an enterprise zone, a LAMBRA, a manufacturing enhancement area, or a targeted tax area from within the state, to only the qualified wages for each net increase of qualified employees, as specified, and only if the taxpayer offers each employee from the previous location or locations a written bona fide offer of employment in the new location . This bill contains other related provisions.

**AB** **Norby R** **Community development: plan consistency.**

**1317**

Text Version: Introduced: Position: Watch

2/18/2011 [pdf](#) [html](#)

Assigned: Development Services

Status: 5/13/2011 - Failed Deadline pursuant to Rule 61(a)(3). (Last location was H. & C.D. on 3/21/2011)

The Community Redevelopment Law authorizes the establishment of redevelopment agencies in communities to address the effects of blight, as defined, in blighted areas in those communities known as project areas. In addition to meeting other requirements, existing law requires that every redevelopment plan be consistent with the community's general plan. This bill would require, in addition to consistency with the general plan, that the plan be consistent with any specific plan for which the community has adopted for the same territory.

**AB** **Davis D** **Civil damages.**

**1318**

Text Version: Introduced: Position: Watch

2/18/2011 [pdf](#) [html](#)

Assigned: Human Resources Department

Status: 5/13/2011 - Failed Deadline pursuant to Rule 61(a)(3). (Last location was JUD. on 3/21/2011)

Existing law provides that for the breach of an obligation arising from contract, the measure of damages is the amount which will compensate the party aggrieved for all the detriment proximately caused thereby, or which, in the ordinary course of things, would be likely to result therefrom, except as specified. Existing law provides that the measure of damages for a breach of an obligation not arising from contract is the amount that will compensate for all the detriment proximately caused. This bill would prohibit a person, in any action to recover damages due to an unlawful strike, from recovering damages resulting from revenue losses caused by the strike or damages resulting from expenses incurred by the employer in anticipation of, or in preparation for, the strike. The bill would define "unlawful strike" as any strike that has been determined unlawful by a court or the Public Employment Relations Board.

**AB** **Allen D** **Public employees' retirement: employer contribution rates.**

**1320**

Text Version: Amended: Position: Watch

9/2/2011 [pdf](#) [html](#)



Status: 9/9/2011 - Ordered to inactive file at the request of Assembly Member Allen.

The Public Employees' Retirement Law prescribes employer rates for contribution to the retirement fund for the Public Employees' Retirement System (PERS). Existing law requires that the state's contribution rate be adjusted in the Budget Act based on rates established by the system's actuary. Existing law provides that the employer contribution rate for an employer other than the state shall be determined on an annual basis by the actuary, as specified. Existing law requires that the rate at which a public employer contributes to the system shall be based upon its experience, and not the experience of public agency employers generally. Existing law requires that all assets of an employer in the system be used to determine the employer's contribution rate. This bill, on and after July 1, 2013, would establish for each employer a Rate Stabilization Account in the Employer Rate Stabilization Fund, which this bill would create and which would be continuously appropriated to the Board of Administration of PERS for the purpose of stabilizing employer retirement contributions. By creating a continuously appropriated fund and authorizing the expenditure of employer payments, this bill would make an appropriation. The bill would provide that the board has sole and exclusive control over the administration of the fund and would require that the investment of fund assets be according to strategies established by the board. The bill would authorize the board, in its discretion, to establish administrative terms and conditions governing the Rate Stabilization Fund. The bill would provide that the Rate Stabilization Account is an employer asset, but it would not be counted as an asset for the purpose of determining the employer's contribution rate. The bill would require employers to make payments to the account when the actuarial value of assets exceeds the accrued liability, as specified, which would be calculated based on the employer normal cost of benefits and which would be credited to each employer's Rate Stabilization Account. Payments by the state would be made in the annual Budget Act. The bill would provide that the assets of the account be drawn upon, subject to procedures adopted by the board, to pay a portion of the employer contribution when the employer contribution rate is greater than the employer normal cost of benefits, as specified. The bill would provide that the employer is not required to make that additional contribution when the employer's Rate Stabilization Account exceeds an amount equal to 50% of the employer's assets, exclusive of the assets in the Rate Stabilization Account. The bill would provide that assets in an account would be invested according to investment strategies established by the Board of Administration of PERS. This bill contains other related provisions and other existing laws.

**AB Furutani D California Higher Education Endowment Corporation: oil and gas severance tax.**  
**1326**

Text Version: Amended: Position: Watch  
 5/10/2011 [pdf](#) [html](#)

Assigned: Gas & Oil Department

Status: 5/16/2011 - In committee: Set, first hearing. Referred to REV. & TAX. suspense file. In committee: Set, first hearing. Held under submission.

Existing law establishes the University of California, under the administration of the Regents of the University of California, the California State University, under the administration of the Trustees of the California State University, and the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, as the 3 segments of public postsecondary education in this state. This bill would establish the California Higher Education Endowment Corporation (CHEEC) in state government. The bill would establish an oversight board to govern the CHEEC and would require that board to appoint the chief executive officer of the CHEEC. The bill would require the CHEEC to annually allocate the moneys in the continuously appropriated California Higher Education Fund, which would be created by the bill, to the California Community Colleges, the California State University, and the University of California, as specified. This bill contains other related provisions and other existing laws.

**AB** **Hernández,** **Redevelopment.**  
**1338** **Roger D**

Text Version: Chaptered: Position: Watch  
9/21/2011 [pdf](#) [html](#)

Assigned: Development Services

Status: 9/21/2011 - Chaptered by the Secretary of State, Chapter Number 299, Statutes of 2011

The Community Redevelopment Law authorizes the establishment of redevelopment agencies in communities to address the effects of blight, as defined, in blighted areas in those communities known as project areas. Existing law authorizes an agency to, within a survey area or for purposes of development, purchase, lease, obtain, or acquire any real or personal property and to acquire real property by eminent domain. This bill would require, on and after January 1, 2012, an agency to obtain an appraisal by a qualified independent appraiser to determine the fair market value of property before an agency acquires or purchases real property.

**AB** **Swanson D** **Working hours.**  
**1397**

Text Version: Amended: Position: Watch  
3/31/2011 [pdf](#) [html](#)

Assigned: Human Resources Department

Status: 5/10/2011 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was L. & E. on 4/4/2011)

Existing law requires an employer to provide an employee with one meal period during a work period of more than 5 hours and 2 meal periods during a work period of 10 hours, as prescribed. This bill would allow an employee driver of a charter-party carrier licensed by the California Public Utilities Commission to take an on-duty meal period if specified conditions are met .

**AB** **V. Manuel** **Economic development: enterprise zones.**  
**1411** **Pérez D**

Text Version: Amended: Position: Watch  
8/15/2011 [pdf](#) [html](#)

Status: 8/26/2011 - Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. on 8/15/2011)

The Enterprise Zone Act provides for the designation and oversight by the Department of Housing and Community Development of various types of economic development areas throughout the state, including enterprise zones, targeted tax areas, local agency military base recovery areas (LAMBRAs), and manufacturing enhancement areas, collectively known as geographically targeted economic development areas, or G-TEDAs. Pursuant to these provisions, qualifying entities in those areas may receive certain tax and regulatory incentives. This bill would revise various definitions for purposes of the act and modify specified requirements for designating and administering enterprise zones, LAMBRAs, and G-TEDAs collectively. The bill would impose new requirements on the Department of Housing and Community Development with respect to the enterprise zone program and modify department and Franchise Tax Board reporting requirements.

**ABX1** **Chesbro D** **Taxation: vehicle license fees.**  
**9**

Text Version: Introduced: Position: Watch

12/13/2010 [pdf](#) [html](#)

Assigned: Financial Management

Status: 9/12/2011 - Died at Desk.

The Vehicle License Fee Law, in lieu of any ad valorem property tax upon vehicles, imposes an annual license fee for any vehicle subject to registration in this state in the amount of 1% of the market value of that vehicle, as provided, for a specified amount of time. Existing law also, until June 30, 2011, imposes an additional tax equal to 0.15% of the market value of specified vehicles, as determined by the Department of Motor Vehicles, to the vehicle license fee, to be deposited in the General Fund and transferred to the Local Safety and Protection Account, a continuously appropriated fund. This bill would repeal the provision relating to the sunset date and repeal of the additional 0.15% tax, thereby depositing additional moneys into a continuously appropriated fund. This bill contains other related provisions.

**[ABX1](#) [Lowenthal,](#) **Prison health care: overpayments.**  
**[10](#) [Bonnie D](#)****

Text Version: Amended: Position: Watch  
5/9/2011 [pdf](#) [html](#)

Assigned: Human Resources Department

Status: 9/12/2011 - From committee without further action.

Existing law requires California Prison Health Care Services to provide to the Joint Legislative Budget Committee and the fiscal committees of both houses of the Legislature detailed written reports on actions taken and planned to reduce and better manage medical service contract costs. This bill would require that moneys recovered prior to July 1, 2011 from an overpayment of a medical contract expenditure, under the authority of the federal health care receiver, that would otherwise be credited to the fiscal year in which the expenditure was drawn, be augmented to the appropriation for the 2010-11 fiscal year, upon approval of the Department of Finance, thereby making an appropriation. The bill would require that money s recovered on or after July 1, 2011, from an overpayment of a medical contract expenditure, under the authority of the federal health care receiver, that would otherwise be credited to the fiscal year in which the expenditure was drawn, be immediately augmented to the appropriation for the fiscal year in which the overpayment is received, upon approval of the Department of Finance. This bill contains other related provisions and other existing laws.

**[ABX1](#) [V. Manuel](#) **Economic development: enterprise zones: targeted employment areas.**  
**[11](#) [Pérez D](#)****

Text Version: Introduced: Position: Watch  
2/2/2011 [pdf](#) [html](#)

Assigned: Human Resources Department

Status: 9/12/2011 - Died at Desk.

The Enterprise Zone Act provides that its purpose is to stimulate business and industrial growth in the depressed areas of the state by relaxing regulatory controls that impede private investment. The act defines a targeted employment area as an area composed solely of those census tracts in which at least 51% of the residents of those census tracts, determined as specified, are of low- or moderate-income levels. This bill would modify the definition of a targeted employment area, as specified. This bill contains other related provisions and other existing laws.

**ABX1 Blumenfield D Local Revenue Fund 2011.**

**16**

Text Version: Chaptered: Position: Watch  
9/21/2011 [pdf](#) [html](#)  
Status: 9/21/2011 - Chaptered by the Secretary of State, Chapter Number 13, Statutes of 2011 First  
Extraordinary Session

Existing law establishes the Local Revenue Fund 2011, a continuously appropriated fund, and creates various accounts and subaccounts within that fund, for purposes of funding Public Safety Services, as defined. This bill would create the Undistributed Account, the Foster Care Assistance Subaccount, and the Foster Care Administration Subaccount within the Local Revenue Fund 2011. The bill would allocate funding to those accounts, as specified, and make other conforming changes. This bill contains other related provisions and other existing laws.

**ABX1 Blumenfield D Redevelopment.**

**25**

Text Version: Amended: Position: Support  
9/9/2011 [pdf](#) [html](#)  
Status: 9/14/2011 - Died on third reading file.

Existing law requires a redevelopment agency, for the 2009-10 and 2010-11 fiscal years, to deposit revenue payments in its county's Supplemental Educational Revenue Augmentation Fund for allocation to school entities. Existing law authorizes an agency, in order to make these payments, to borrow the amount required to be allocated to that agency's Low and Moderate Income Housing Fund and requires the agency to repay the borrowed funds by a specified date. This bill would authorize an agency to extend the date of repayment for the borrowed funds by 5 years. This bill contains other related provisions and other existing laws.

**ABX1 Blumenfield D Community redevelopment.**

**26**

Text Version: Chaptered: Position: Oppose  
6/29/2011 [pdf](#) [html](#)  
Status: 6/29/2011 - Chaptered by the Secretary of State, Chapter Number 5, Statutes of 2011-12 First  
Extraordinary Session.

The Community Redevelopment Law authorizes the establishment of redevelopment agencies in communities to address the effects of blight, as defined. Existing law provides that an action may be brought to review the validity of the adoption or amendment of a redevelopment plan by an agency, to review the validity of agency findings or determinations, and other agency actions. This bill would revise the provisions of law authorizing an action to be brought against the agency to determine or review the validity of specified agency actions. This bill contains other related provisions and other existing laws.

**ABX1 Blumenfield D Voluntary Alternative Redevelopment Program.**

**27**

Text Version: Chaptered: Position: Oppose  
6/29/2011 [pdf](#) [html](#)  
Status: 6/29/2011 - Chaptered by the Secretary of State, Chapter Number 6, Statutes of 2011-12 First

The Community Redevelopment Law authorizes the establishment of redevelopment agencies in communities to address the effects of blight, as defined, in those communities and requires agencies to prepare, or cause to be prepared, and to approve a redevelopment plan for each project area. This bill would, notwithstanding specified law, upon the enactment of specified legislation concerning redevelopment, establish a voluntary alternative redevelopment program whereby a redevelopment agency would be authorized to continue to exist upon the enactment of an ordinance by the community to comply with the bill's provisions. The bill would require the city or county that created a redevelopment agency to notify the county auditor-controller, the Controller, and the Department of Finance on or before November 1, 2011, that the community will comply with the bill's provisions. The bill would require a participating city or county to make specified remittances to the county auditor-controller, who shall allocate the remittances for deposit into a Special District Allocation Fund, for specified allocation to certain special districts, and into the county Educational Revenue Augmentation Fund, as prescribed. The bill would authorize the city or county to enter into an agreement with the redevelopment agency in that jurisdiction, whereby the redevelopment agency would transfer a portion of its tax increment to the city or county for the purpose of financing certain activities within the redevelopment area, as specified. The bill would impose specified sanctions on a city or county that fails to make the required remittances, as determined by the Director of Finance. This bill would authorize the county auditor-controller to charge a fee that does not exceed the reasonable costs to the county auditor-controller to implement the provisions of this bill. This bill contains other related provisions and other existing laws.

**ABX1 Calderon, Redevelopment.  
31 Charles D**

Text Version: Amended: Position: Watch  
9/2/2011 [pdf](#) [html](#)  
Status: 9/12/2011 - Died on unfinished business file, reconsideration pending.

Existing law suspends various activities of redevelopment agencies and prohibits the agencies from incurring indebtedness for a specified period. Existing law also dissolves redevelopment agencies and community development agencies, as of October 1, 2011, and designates successor agencies, as defined. Existing law exempts from dissolution a redevelopment agency of a community where the city or county that created the agency participates in an alternative redevelopment program, as prescribed. This bill would provide that in a specified sale of state surplus property where the sale of that property is dependent on the use of local redevelopment agency funds, local redevelopment funds would be deemed to be obligated for the purchase and development of that property, and would be available for use by the local redevelopment agency or any redevelopment agency for purchase and development purposes. The bill would also exempt new debt, as described, from certain provisions relating to a community remittance requirement. This bill contains other related provisions and other existing laws.

**ABX1 Solorio D Vehicle license fees.  
41**

Text Version: Introduced: Position: Support  
8/31/2011 [pdf](#) [html](#)  
Status: 9/12/2011 - Died at Desk.

The Vehicle License Fee Law, in lieu of any ad valorem property tax upon vehicles, imposes an annual license fee on any vehicle subject to registration in this state in the amount, on and after July 1, 2011, of 0.65% of the market value of that vehicle, as provided. For all initial and renewal registrations due on and after May 1, 2009, but before July 1, 2011, existing law also imposes an additional fee equal to 0.15% of the market value of specified vehicles, as

determined by the Department of Motor Vehicles, to be deposited in the General Fund and transferred to the Local Safety and Protection Account. Existing law continuously appropriates all moneys in the Local Safety and Protection Account without regard to fiscal year, to the Controller for allocation, as provided. This bill would, for all initial and renewal registrations due on and after January 1, 2012, impose an additional vehicle license fee equal to 0.15% of the market value of the above-described vehicles, as specified. It would also require all revenues from the additional license fee to be deposited in the General Fund. During the 2011-12 fiscal year, the bill would transfer an amount to the Local Law Enforcement Services Account in the Local Revenue Fund 2011, a continuously appropriated fund, for allocation to cities, counties, and cities and counties, as specified. The bill would require a transfer of revenues, during the 2012-13 fiscal year and each fiscal year thereafter to be allocated according the following order: first to be transferred to the Local Law Enforcement Services Account in the Local Revenue Fund 2011, as specified; and second, a total of \$35,000,000 to be transferred to the Bureau of Narcotics Enforcement and Bureau of Investigation and Intelligence Fund, which the bill would create as a continuously appropriated fund. Funds not transferred would continue to be General Fund moneys. By depositing moneys into a continuously appropriated fund and by establishing a new, continuously appropriated fund, the bill would make an appropriation. This bill contains other related provisions and other existing laws.

**ACA 4 Blumenfield D Local government financing: voter approval.**

Text Version: Introduced: Position: Watch  
12/6/2010 [pdf](#) [html](#)

Assigned: Financial Management

Status: 8/29/2011 - Ordered to inactive file at the request of Assembly Member Blumenfield.

The California Constitution prohibits the ad valorem tax rate on real property from exceeding 1% of the full cash value of the property, subject to certain exceptions. This measure would create an additional exception to the 1% limit for a rate imposed by a city, county, city and county, or special district, as defined, to service bonded indebtedness incurred to fund specified public improvements and facilities, or buildings used primarily to provide sheriff, police, or fire protection services, that is approved by 55% of the voters of the city, county, city and county, or special district, as applicable. This bill contains other related provisions and other existing laws.

**ACA 6 Gatto D Initiative measures: funding source.**

Text Version: Amended: Position: Watch  
7/11/2011 [pdf](#) [html](#)

Assigned: City Manager

Status: 7/14/2011 - Read. Refused adoption. (Ayes 50. Noes 23. Page 2329.)

The California Constitution provides that the electors may propose statutes or amendments to the state constitution through the initiative process by presenting to the Secretary of State a petition that sets forth the text of the proposed statute or amendment to the Constitution and is certified to have been signed by a certain number of electors. This measure would require the Legislative Analyst to review an initiative measure not later than 15 days after its qualification for the ballot, and report the results of the review to the Secretary of State. This measure would prohibit an initiative measure that the Legislative Analyst determines would result in a net increase in state or local government costs exceeding \$5,000,000, other than costs attributable to the issuance, sale, or repayment of bonds, from being submitted to the electors or having any effect unless the Legislative Analyst determines that the initiative measure provides for additional revenues in an amount that meets or exceeds the net increase in costs. This requirement would provide for an annual adjustment to the amount of that cost threshold, and would not apply to , or have any effect on, an initiative measure that reduces tax revenues or fees .



**ACA 9 Gatto D Initiative measures: supermajority requirement.**

Text Version: Introduced: Position: Watch  
12/9/2010 [pdf](#) [html](#)

Assigned: City Manager

Status: 4/14/2011 - Referred to Com. on E. & R.

The California Constitution provides that the electors may propose statutes or amendments to the state constitution through the initiative process by presenting to the Secretary of State a petition that sets forth the text of the proposed statute or amendment to the Constitution and is certified to have been signed by a certain number of electors. This measure would require that an initiative that would increase the current vote requirement for an action by either the electors or by the Legislature, or would impose an extraordinary vote requirement for the amendment of an initiative statute by the Legislature without approval by the electors, itself receive the same affirmative vote percentage in order to be approved by the electors.

**ACR 5 Davis D Martin Luther King, Jr. Day.**

Text Version: Amended: Position: Watch  
1/20/2011 [pdf](#) [html](#)

Assigned: City Manager

Status: 1/24/2011 - In Senate. To Com. on RLS.

This measure would designate that January 17, 2011, be observed as the official memorial of the late Rev. Dr. Martin Luther King, Jr.'s birth, commemorate Martin Luther King, Jr. Day, the work of Dr. Martin Luther King, Jr., and the Civil Rights Movement in changing public policy in California and in the United States of America.

**SB 7 Steinberg D Medi-Cal: hospitals: quality assurance fee.**

Text Version: Introduced: Position: Watch  
12/6/2010 [pdf](#) [html](#)

Assigned: City Manager

Status: 1/20/2011 - Referred to Com. on RLS.

Existing law establishes the Medi-Cal program, administered by the State Department of Health Care Services, under which basic health care services are provided to qualified low-income persons. The Medi-Cal program is, in part, governed and funded by federal Medicaid provisions. This bill would provide that it is the intent of the Legislature to enact legislation that would impose a quality assurance fee to be paid by hospitals, which would be used to increase federal financial participation in order to make supplemental Medi-Cal payments to hospitals through June 30, 2011. This bill would provide that it is the intent of the Legislature that the quality assurance fee be implemented only if specified conditions are met. This bill contains other related provisions and other existing laws.

**SB 14 Wolk D State Budget.**

Text Version: Vetoed: 10/9/2011 Position: Watch  
[pdf](#) [html](#)

Assigned: Financial Management

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

The California Constitution requires the Governor to submit annually to the Legislature a budget itemizing state expenditures and estimating state revenues and requires the Legislature to pass the Budget Bill by midnight on June 15. This bill would require that the budget submitted by the Governor to the Legislature for the 2013-14 fiscal year and each fiscal year thereafter, as specified in a plan developed by the Department of Finance and distributed to the appropriate committees of the Legislature by August 1, 2012, be developed pursuant to performance-based budgeting, as defined, for each state agency. This bill contains other related provisions and other existing laws.

**SB 17 Blakeslee R State budget: Budget Bills.**

Text Version: Amended: Position: Watch  
4/7/2011 [pdf](#) [html](#)

Assigned: Financial Management

Status: 4/27/2011 - From committee: Do pass and re-refer to Com. on RLS. (Ayes 9. Noes 0. Page 761.)  
(April 27). Re-referred to Com. on RLS.

Existing law permits the Legislature to pass a Budget Bill or bill providing for appropriations related to the Budget Bill with a majority vote of both houses. This bill would require that the final language of the Budget Bill or a bill providing for appropriations related to the Budget Bill, as specified, be in print for public inspection and posted by the Legislative Counsel on the Internet for not less than 72 hours prior to a legislative vote to pass the bill and to send it to the Governor for approval.

**SB 23 Simitjan D Energy: renewable energy resources.**

Text Version: Amended: Position: Watch  
9/9/2011 [pdf](#) [html](#)

Assigned: City Manager

Status: 9/10/2011 - Read third time. Passed. (Ayes 52. Noes 17. Page 3248.) Ordered to the Senate.

Existing law creates the California renewables portfolio standard program (RPS program) and the Renewable Energy Resources Program to increase the amount of electricity generated per year from eligible renewable energy resources, as defined. This bill would extend the compliance date for these corresponding reporting and regulatory requirements, as provided. This bill contains other related provisions and other existing laws.

**SB 27 Simitjan D Public employees' retirement.**

Text Version: Amended: Position: Watch  
8/15/2011 [pdf](#) [html](#)

Assigned: Human Resources Department

Status: 8/26/2011 - Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. SUSPENSE  
FILE on 8/17/2011)

The State Teachers' Retirement Law (STRL) establishes the Defined Benefit Program of the State Teachers' Retirement System, which provides a defined benefit to members of the system based on final compensation, credited service, and age at retirement, subject to certain variations. STRL also establishes the Defined Benefit Supplement Program, which provides supplemental retirement, disability, and other benefits, payable either in a lump-sum payment, an annuity, or both to members of the State Teachers' Retirement Plan. STRL defines creditable compensation for these purposes as remuneration that is payable in cash to all persons in the same class of employees, as specified, for performing creditable service. This bill would revise the definition of creditable compensation for these purposes and





Status: 7/13/2011 - Failed Deadline pursuant to Rule 61(a)(10). (Last location was APPR. on 5/4/2011)

Under existing law, various measures provide funding for water resources projects, facilities, and programs. This bill would enact the California Water Resources Investment Act of 2011 to finance a water resources investment program. To finance the program, the bill would impose on each retail water supplier in the state an annual charge based on the volume of water provided in its service area that is provided for nonagricultural uses and an annual charge based on each acre of land within its service area that is irrigated for agricultural purposes. The bill would require the State Board of Equalization to collect the charges from retail water suppliers in accordance with the Fee Collection Procedures Law, and would authorize the State Board of Equalization and the Department of Water Resources to adopt and enforce regulations for the administration and enforcement of the charges and related requirements as emergency regulations. This bill contains other related provisions and other existing laws.

**SB 40 Correa D Internet poker.**

Text Version: Amended: Position: Watch  
7/6/2011 [pdf](#) [html](#)

Assigned: City Manager

Status: 7/6/2011 - From committee with author's amendments. Read second time and amended. Re-referred to Com. on G.O.

The Gambling Control Act provides for the licensure of certain individuals and establishments that conduct controlled games, as defined, and for the regulation of these gambling activities by the California Gambling Control Commission. Existing law provides for the enforcement of those regulations by the Department of Justice. Any violation of these provisions is punishable as a misdemeanor, as specified. This bill would establish a framework to authorize intrastate Internet poker, as specified. The bill would require the commission to adopt emergency regulations, in consultation with the department, providing for the issuance of licenses to operate intrastate Internet poker Web sites and governing the intrastate play of poker games on the Internet. The bill would make it a misdemeanor for any person or entity to offer or participate in any form of illegal Internet gambling, as defined, or to knowingly process any financial transaction arising out of participation in illegal Internet gambling. The bill would authorize the seizure of any money or property used in or derived from illegal Internet gambling, as specified, and would provide for any money or property that has been seized to be forfeited to the Internet Gambling Fund, as established by this bill. By creating new crimes, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

**SB 41 Yee D Hypodermic needles and syringes.**

Text Version: Chaptered: Position: Watch  
10/9/2011 [pdf](#) [html](#)

Assigned: Health & Human Services Department

Status: 10/9/2011 - Chaptered by the Secretary of State, Chapter Number 738, Statutes of 2011

Existing law regulates the sale, possession, and disposal of hypodermic needles and syringes, and requires, with certain exceptions, a prescription to purchase a hypodermic needle or syringe for human use. Existing law prohibits any person from possessing or having under his or her control any hypodermic needle or syringe, except in accordance with those regulatory provisions. This bill would delete the prohibition against any person possessing or having under his or her control any hypodermic needle or syringe, except in accordance with the aforementioned regulatory provisions. This bill contains other related provisions and other existing laws.

**SB 44 Corbett D Public utilities: gas pipeline emergency response standards.**

Text Version: Chaptered: Position: Watch  
10/7/2011 [pdf](#) [html](#)

Assigned: Gas & Oil Department

Status: 10/7/2011 - Chaptered by the Secretary of State, Chapter Number 520, Statutes of 2011

Under existing law, the Public Utilities Commission has regulatory authority over public utilities. The Public Utilities Act authorizes the commission to ascertain and fix just and reasonable standards, classifications, regulations, practices, measurements, or services to be furnished, imposed, observed, and followed by specified public utilities, including gas corporations, as defined. This bill would designate the commission as the state authority responsible for regulating and enforcing intrastate gas pipeline transportation and pipeline facilities pursuant to federal law, including the development, submission, and administration of a state pipeline safety program certification for natural gas pipelines. The bill would require the commission, by July 1, 2012, to open an appropriate proceeding or expand the scope of an existing proceeding to establish compatible emergency response standards, as defined, that owners or operators of certain commission-regulated gas pipeline facilities, as defined, would be required to follow. The standards would require owners or operators of intrastate transmission and distribution lines to implement emergency response plans, with specified requirements, that are compatible with PHMSA's regulations concerning emergency plans. The bill would require the owners of intrastate transmission lines to provide the State Fire Marshal and the chief fire official of the applicable local government with instructions on how to access and utilize the National Pipeline Mapping System developed by PHMSA to improve local response capabilities for pipeline emergencies. The bill would require the commission to report to the Legislature on the status of establishing the compatible emergency response standards on or before January 1, 2013. This bill contains other related provisions and other existing laws.

**SB 45 Wright D Internet gambling.**

Text Version: Introduced: Position: Watch  
12/8/2010 [pdf](#) [html](#)

Assigned: City Manager

Status: 1/20/2011 - Referred to Com. on G.O.

The Gambling Control Act provides for the licensure of certain individuals and establishments that conduct controlled games, as defined, and for the regulation of these gambling activities by the California Gambling Control Commission. Existing law provides for the enforcement of those regulations by the Department of Justice. Any violation of these provisions is punishable as a misdemeanor, as specified. This bill would establish a framework to authorize intrastate Internet gambling, as specified. The bill would require the department to issue a request for proposals to enter into contracts with up to 3 hub operators, as defined, to provide lawful Internet gambling games to registered players in California for a period of 20 years, as specified. This bill contains other related provisions and other existing laws.

**SB 46 Correa D Public officials: compensation disclosure.**

Text Version: Amended: Position: Watch  
6/2/2011 [pdf](#) [html](#)

Assigned: Financial Management, Human Resources Department

Status: 8/22/2011 - In Assembly. Read first time. Held at Desk.

Existing provisions of the Political Reform Act of 1974 require certain persons employed by agencies to file annually a written statement of the economic interests they possess during specified periods. The act requires that state agencies promulgate a conflict of interest code that must contain, among other topics, provisions that require designated

employees to file statements disclosing reportable investments, business positions, interests in real property, and income. The act requires that every report and statement filed pursuant to the act is a public record and is open to public inspection. This bill would, commencing on January 1, 2013, and continuing until January 1, 2019, require every designated employee and other person, except a candidate for public office, who is required to file a statement of economic interests to include, as a part of that filing, a compensation disclosure form that provides compensation information for the preceding calendar year, as specified. This bill contains other related provisions and other existing laws.

**SB 49 Strickland R Local government: emergency response: fees.**

Text Version: Amended: Position: Watch  
4/27/2011 [pdf](#) [html](#)

Assigned: Financial Management, Fire Department

Status: 6/3/2011 - Failed Deadline pursuant to Rule 61(a)(8). (Last location was PUB. S. on 4/27/2011)

Existing law authorizes public agencies, as defined, to hold liable any person who is under the influence of an alcoholic beverage, any drug, or the combination of an alcoholic beverage and any drug, whose negligent operation of a motor vehicle, a boat or vessel, or a civil aircraft caused by that influence proximately causes any incident resulting in an appropriate emergency response, and any person whose intentionally wrongful conduct proximately causes an incident resulting in an appropriate emergency response, for the expense of that emergency response. This bill would prohibit a city, including a charter city, county, district, municipal corporation, or public authority from charging a fee to any person, regardless of residency, for the expense of an emergency response, as specified, except where a fee is otherwise authorized. This bill would provide that its provisions do not apply to a special district unless that special district receives revenue from transaction and use taxes, as specified. This bill contains other related provisions.

**SB 54 Runner R Sex offenders: residency restrictions: petition for relief.**

Text Version: Amended: Position: Watch  
4/12/2011 [pdf](#) [html](#)

Assigned: Police Department

Status: 7/8/2011 - Failed Deadline pursuant to Rule 61(a)(10). (Last location was PUB. S. on 4/12/2011)

Existing law, as amended by Proposition 83 of the November 7, 2006, statewide general election, prohibits any person who is required to register pursuant to the Sex Offender Registration Act from residing within 2,000 feet of any public or private school, or park where children regularly gather. This bill would provide that the 2,000 feet shall be measured by the shortest practical pedestrian or vehicle path. The bill would permit a person who is subject to the residency restriction to petition the superior court of the county within which he or she resides for relief from the requirement. The bill would provide that original jurisdiction for the petition would lie with the appellate division of the superior court in which the petition is filed. The bill would require the petitioner to establish by clear and convincing evidence that there is a pervasive lack of compliant housing in the county and that a substantial percentage of sex offenders are unable to comply despite good faith efforts. The bill would require that, if relief is granted, it shall be narrowly crafted in order to substantially comply with the intent of the people in approving the residency requirements. This bill contains other related provisions and other existing laws.

**SB 94 Committee on Vehicle License Fee Law: vehicle registration.  
Budget and  
Fiscal Review**

Text Version: Chaptered: Position: Watch

5/4/2011 [pdf](#) [html](#)

Assigned: Public Works Department

Status: 5/4/2011 - Chaptered by the Secretary of State, Chapter Number 21, Statutes of 2011

Existing law establishes fees for original and renewal registration of vehicles to be collected by the Department of Motor Vehicles. Existing law requires the department, with a specified exception, to notify the registered owner of each vehicle of the date that registration renewal fees for the vehicle are due, at least 60 days prior to that due date, and to indicate the fact that the required notice was mailed by a notation in the department's records. This bill would, commencing on May 1, 2011, and operative until January 1, 2012, require that the department's time period for notification that vehicle registration renewal fees are due does not apply to vehicles with registration expiring on or after July 1, 2011. This bill contains other related provisions and other existing laws.

**SB 115 Strickland R Public employees: pensions: forfeiture.**

Text Version: Amended: Position: Watch  
4/13/2011 [pdf](#) [html](#)

Assigned: Human Resources Department

Status: 5/10/2011 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was P.E. & R. on 4/13/2011)

Existing law provides that any elected public officer who takes public office, or is reelected to public office, on or after January 1, 2006, who is convicted of any specified felony arising directly out of his or her official duties, forfeits all rights and benefits under, and membership in, any public retirement system in which he or she is a member, effective on the date of final conviction, as specified. This bill would additionally include tampering with a witness, money laundering, and the preparation of false documents among the specified felonies that would result in that forfeiture for any elected public officer who takes public office, or is reelected to public office, on or after January 1, 2012. This bill would also make clarifying changes to that provision. This bill contains other related provisions.

**SB 131 Gaines R Insurance: surplus line brokers: statement of business transacted.**

Text Version: Chaptered: Position: Support  
9/21/2011 [pdf](#) [html](#)

Status: 9/21/2011 - Chaptered by the Secretary of State, Chapter Number 302, Statutes of 2011

Existing law requires, on or before the first day of March of each year, the surplus line broker to file with the Insurance Commissioner a sworn statement of all business transacted under his or her surplus line license during the last preceding calendar year. "Business done" or "business transacted" under a surplus line broker's license means all insurance regarding which that surplus line broker is required to file a confidential written report with the commissioner or the commissioner's designee, as provided. Existing law further provides that if 2 or more persons licensed as surplus line brokers are involved in placing an insurance policy, only the one responsible for negotiating, effecting the placement, remitting the premium to the nonadmitted insurer to its representatives, and filing the confidential written report is considered transacting under his or her surplus line broker's license. This bill would specify that the sworn statement filing requirements apply to surplus line brokers placing business for a home state insured. The bill would require that the information in the sworn statement be expanded to include the total amount of gross premium, the total gross premium for single state risks where 100% of the premium is attributable to risks in California, and for multistate risks, the percentage of gross premium allocated to California and each other state. The bill would require that the sworn statement filing also apply to a home state insured that directly procures insurance with a nonadmitted insurer. The bill would authorize the commissioner to waive or modify any of the foregoing requirements by public notice published on the department's Internet Web site. This bill contains other related provisions.





**SB 192 Committee on Validations.**

**Governance  
and Finance**

Text Version: Amended: Position: Watch  
5/16/2011 [pdf](#) [html](#)

Assigned: Development Services

Status: 8/30/2011 - Ordered to inactive file on request of Senator Wolk.

This bill would enact the Second Validating Act of 2011, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities. This bill contains other related provisions.

**SB 194 Committee on Local government: omnibus bill.**

**Governance  
and Finance**

Text Version: Chaptered: Position: Watch  
9/30/2011 [pdf](#) [html](#)

Assigned: Financial Management

Status: 9/30/2011 - Chaptered by the Secretary of State, Chapter Number 382, Statutes of 2011

Existing law authorizes a public agency to accept payment for designated obligations by credit card, debit card, or electronic funds transfer, subject to approval by the governing body of the agency or other appropriate entity, as specified. This bill would authorize, subject to the approval of the county board of supervisors, a county to accept a payment of a donation, gift, bequest, or devise made to or in favor of a county, or to or in favor of the board of supervisors of a county, by credit card, debit card, or electronic funds transfer. This bill contains other related provisions and other existing laws.

**SB 214 Wolk D Infrastructure financing districts: voter approval: repeal.**

Text Version: Amended: Position: Watch  
6/21/2011 [pdf](#) [html](#)

Assigned: Development Services

Status: 9/9/2011 - Ordered to inactive file on request of Assembly Member Ma.

Existing law authorizes a legislative body, as defined, to create an infrastructure financing district, adopt an infrastructure financing plan, and issue bonds, for which only the district is liable, to finance specified public facilities, upon voter approval. This bill would revise the provisions governing the public facilities that may be financed. The bill would eliminate the requirement of voter approval and authorize the legislative body to create the district, adopt the plan, and issue the bonds by resolutions. The bill would authorize a district to finance specified actions and projects and prohibit the district from providing financial assistance to a vehicle dealer or big box retailer, as defined. This bill contains other related provisions and other existing laws.

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

Text Version: Chaptered: Position: Watch  
10/7/2011 [pdf](#) [html](#)

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



The Planning and Zoning Law requires a city or county to adopt a comprehensive, long-term general plan for the physical development of the city or county and of any land outside its boundaries that bears relation to its planning. That law also requires the general plan to contain specified mandatory elements, including a housing element for the preservation, improvement, and development of the community's housing. This bill would require, on or before the next adoption of its housing element, a city or county to review and update the land use element of its general plan to include an analysis of the presence of island, fringe, or legacy unincorporated communities, as defined, and would require the updated general plan to include specified information. This bill would also require the city or county planning agency, after the initial revision and update of the general plan, to review, and if necessary amend, the general plan to update the information, goals, and program of action relating to these communities therein. By adding to the duties of city and county officials, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

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

Text Version: Vetoed: 10/8/2011 Position: Watch

[pdf](#) [html](#)

Assigned: Water Department

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

Existing law requires a person who digs, bores, or drills a water well, cathodic protection well, or a monitoring well, or abandons or destroys a well, or deepens or re-perforates a well, to file a report of completion with the Department of Water Resources. Existing law prohibits those reports from being made available to the public, except to governmental agencies for use in making studies, to any person who obtains a written authorization from the owner of the well, and to a person performing an environmental cleanup study under certain circumstances. This bill would remove the exception for persons performing an environmental cleanup study, and would additionally authorize the department to make the reports available to academics affiliated with institutions of postsecondary education for specified purposes and to geologists, geophysicists, hydrologists, civil engineers, and persons possessing a specified well contractor's license. The bill would require the department to provide a specified disclaimer when providing the reports to the public. The bill would require the department to require a person seeking a report to identify the intended use of the report. The bill would prohibit specified persons receiving the report pursuant to these provisions from disclosing the exact location of a well in the report; providing the report to other persons or entities not involved in the conduct of a study; and utilizing the report, or information or data in the report, for the sale, resale, solicitation, or advertisement for sales or services. The bill would provide that knowingly violating this prohibition would be a misdemeanor that would be punishable, upon conviction, by a fine, by imprisonment in the county jail, or by both, as specified. This bill contains other related provisions and other existing laws.

**SB 286 Wright D Redevelopment.**

Text Version: Amended: Position: Watch

6/10/2011 [pdf](#) [html](#)

Assigned: Development Services

Status: 8/26/2011 - Failed Deadline pursuant to Rule 61(a)(11). (Last location was G. & F. on 6/10/2011)

The Community Redevelopment Law authorizes the establishment of redevelopment agencies in communities to address the effects of blight, as defined, in blighted areas in those communities known as project areas. Existing law requires that each redevelopment agency submit the final report of any audit undertaken by any other local, state, or federal government entity to its legislative body and to additionally present an annual report to the legislative body containing specified information. This bill would impose new requirements on the agency with respect to

implementation plans and evidentiary standards and expand existing prohibitions on agency direct assistance to certain projects. This bill contains other related provisions and other existing laws.

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

Text Version: Chaptered: Position: Watch  
9/27/2011 [pdf](#) [html](#)

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

The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report (EIR) on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. This bill would establish specified administrative and judicial review procedures for the administrative and judicial review of the EIR and approvals granted for a project related to the development of a specified stadium in the City of Los Angeles. Because the lead agency would be required to use these alternative procedures for administrative review of the EIR if the project applicant so chooses, this bill would impose a state-mandated local program. The bill would require the lead agency and applicant to implement specified measures, as a condition of approval of the project, to minimize traffic congestion and air quality impacts that may result from spectators driving to the stadium. This bill contains other related provisions and other existing laws.

**SB 293 Padilla D Payment bonds: laborers.**

Text Version: Chaptered: Position: Oppose  
10/9/2011 [pdf](#) [html](#)

Status: 10/9/2011 - Chaptered by the Secretary of State, Chapter Number 700, Statutes of 2011

Existing law requires that, for private and public works of improvement, and in a public works contract, a prime contractor or subcontractor pay to any subcontractor, not later than 10 days after receipt of each progress payment, unless otherwise agreed to in writing, the respective amount allowed the contractor on account of the work performed by the subcontractors, to the extent of each subcontractor's interest therein, as prescribed. This bill would, instead, require that those amounts be paid not later than 7 days after receipt of each progress payment. This bill contains other related provisions and other existing laws.

**SB 299 Evans D Employment: pregnancy or childbirth leave.**

Text Version: Chaptered: Position: Watch  
10/6/2011 [pdf](#) [html](#)

Assigned: Human Resources Department

Status: 10/6/2011 - Chaptered by the Secretary of State, Chapter Number 510, Statutes of 2011

Existing law prohibits employment discrimination based on sex or disability. This bill would also prohibit an employer from refusing to maintain and pay for coverage under a group health plan for an employee who takes that leave, as specified. This bill contains other related provisions and other existing laws.

**SB 301 DeSaulnier D Enterprise zones: applications.**

Text Version: Amended: Position: Watch  
5/31/2011 [pdf](#) [html](#)

Assigned: Human Resources Department

Status: 7/8/2011 - Failed Deadline pursuant to Rule 61(a)(10). (Last location was J., E.D. & E. on 6/20/2011)

The Enterprise Zone Act provides for the designation of enterprise zones by the Department of Housing and Community Development, based on the department's approval of applications from a city, county, or city and county with a geographic area meeting certain criteria. The act, among other things, sets forth the application process. This bill would provide that for applications submitted on or after January 1, 2012, if any portion of the proposed zone is within, or was previously within, the boundaries of a previously designated zone, or if any portions of the proposed zone are within, or previously were within, the boundaries of 2 or more previously designated enterprise zones, the proposed enterprise zone would be prohibited from exceeding a specified aggregate size.

**SB 330 Padilla D Cigarette and tobacco products taxes: Tobacco Tax and Health Protection Fund.**

Text Version: Introduced: Position: Watch  
2/15/2011 [pdf](#) [html](#)

Assigned: City Manager, Health & Human Services Department

Status: 2/24/2011 - Referred to Coms. on HEALTH and GOV. & F.

The Cigarette and Tobacco Products Tax Law, the violation of which is a crime, imposes a tax on every distributor of cigarettes and tobacco products at specified rates, including additional taxes imposed under the Tobacco Tax and Health Protection Act of 1988 (Proposition 99) and the California Families and Children Act of 1998 (Proposition 10). A provision of that law imposes a tax upon the distribution of tobacco products at a tax rate which is equivalent to the combined rate of all taxes imposed on cigarettes, which is deposited in specified accounts. This bill would, commencing on or after the first day of the first calendar quarter commencing more than 90 days on or after the effective date of the bill, impose an additional tax on the distribution of cigarettes at the rate of (\$0.075) or 75 mills for each cigarette distributed which would be reset by the State Board of Equalization each fiscal year to reflect any increase in the California Consumer Price Index, and would require a dealer or wholesaler to file a return with the board showing the number of cigarettes in his or her possession or under his or her control on that date, as specified. Because the bill would impose an additional tax on cigarettes under the Cigarette and Tobacco Products Tax Law, it would increase the tax upon the distribution of tobacco products under that law. The bill would provide that the revenues collected from the additional tax would be allocated, upon appropriation by the Legislature, for certain purposes. The bill would require funds to be transferred from the fund to the California Children and Families First Trust Fund, which is a continuously appropriated fund, the Hospital Services Account, the Physician Services Account, the Unallocated Account of the Cigarette and Tobacco Products Surtax Fund, the Public Resources Account, and the Breast Cancer Fund, as necessary to offset revenue decreases to those accounts directly resulting from imposition of additional taxes by these provisions. Because this bill would require funds to be transferred to a continuously appropriated fund, it would make an appropriation. This bill contains other related provisions and other existing laws.

**SB 332 Padilla D Rental dwellings: smoking.**

Text Version: Chaptered: Position: Watch  
9/7/2011 [pdf](#) [html](#)

Assigned: Development Services

Status: 9/6/2011 - Chaptered by the Secretary of State, Chapter Number 264, Statutes of 2011

Existing law regulates the terms and conditions of residential tenancies. Existing law authorizes the creation of antitobacco use programs for school-age populations and prohibits any person from smoking a cigarette, cigar, or other tobacco-related product, or from disposing of cigarette butts, cigar butts, or any other tobacco-related waste, within a playground. This bill would authorize a landlord of a residential dwelling unit to prohibit the smoking of tobacco products on the property, in a dwelling unit, in another interior or exterior area, or on the premises on which the dwelling unit is located. The bill would make certain requirements on notices and leases executed on and after, and on and before, January 1, 2012, in this regard. The bill would require that a landlord who prohibits smoking pursuant to this authority be subject to federal, state, and local requirements governing changes to the terms of a lease or rental agreement for tenants, as specified. The bill would provide that its provisions do not preempt local ordinances in effect on or before January 1, 2012, or a provision of a local ordinance on or after January 1, 2012, that prohibits the smoking of cigarettes or other tobacco products.

**SB 333 La Malfa R Vehicles: speed limits.**

Text Version: Amended: Position: Watch  
4/28/2011 [pdf](#) [html](#)

Assigned: Public Works Department

Status: 7/8/2011 - Failed Deadline pursuant to Rule 61(a)(10). (Last location was TRANS. on 6/9/2011)

Existing law prohibits a person from driving a motortruck or truck tractor having 3 or more axles, or a motortruck or truck tractor drawing any other vehicle, or a passenger vehicle or bus drawing another vehicle, on a highway at a speed in excess of 55 miles per hour. This bill would, until January 1, 2016, permit a person to drive those specified motor vehicles at a speed not to exceed 5 miles less per hour than the posted speed limit for a passenger vehicle on a specified portion of Interstate 5. The bill would require the Department of Transportation and the Department of the California Highway Patrol, on or before March 31, 2015, to submit a report to the Legislature on traffic flow and traffic safety on that portion of Interstate 5. This bill contains other related provisions.

**SB 342 Wolk D Taxation: administration: litigation: fees.**

Text Version: Amended: Position: Watch  
5/4/2011 [pdf](#) [html](#)

Assigned: Law Department

Status: 5/10/2011 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was JUD. on 5/4/2011)

Existing law provides that a prevailing party in a court action may be awarded attorney's fee under specified circumstances, and laws governing the administration of franchise and income tax laws provide that a prevailing party may be awarded a judgment for reasonable litigation costs incurred, in the case of any civil proceeding brought by or against the State of California in a court of record of this state, in connection with the determination, collection, or refund of any tax, interest, or penalty under the Personal Income Tax Law and the Corporation Tax Law as specified. This bill would make the provision of law governing the administration of franchise and income tax laws the exclusive means to award attorney's fees in any civil proceeding described above, and would prohibit attorney's fees from being awarded pursuant to any other statutory provision or common law doctrine regarding the award of attorney's fees. This bill also would prohibit a person from charging a contingent fee, as defined, for any matter involving a tax imposed under the Revenue and Taxation Code, and would impose a penalty, as provided, for failing to comply with this requirement. This bill would authorize specified state agencies to request a written certification from those persons, filed under penalty of perjury, that a fee charged for those services does not include a contingent fee. By expanding the scope of the crime of perjury, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.



increasing the duties of local public officials, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

**SB 471 Rubio D      **CalFresh.****

Text Version: Amended: Position: Watch  
3/23/2011 [pdf](#) [html](#)

Assigned: Financial Management

Status: 5/10/2011 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was HUM. S. on 3/23/2011)

Existing federal law provides for the federal Supplemental Nutrition Assistance Program (SNAP), formerly the Food Stamp Program, under which nutrition assistance benefits, formerly referred to as food stamps, are allocated to each state by the federal government. Under existing state law, pursuant to CalFresh, California's federal allocation is distributed to eligible individuals by each county. Existing law authorizes a county to deliver CalFresh benefits through the use of an electronic benefits transfer (EBT) system and also prohibits recipients from purchasing certain items with their CalFresh benefits. This bill would, to the extent permitted by federal law, require the State Department of Social Services to modify the list of allowable food items purchasable under CalFresh to prohibit recipients of CalFresh from purchasing with CalFresh benefits sweetened beverages containing more than 10 calories per cup, except that CalFresh benefits would be authorized to be used to purchase juice without added sugar, milk products, and milk substitutes, even if sweetened. The bill would require the department to seek all necessary federal approvals to implement these provisions. This bill contains other related provisions and other existing laws.

**SB 475 Wright D      **Infrastructure financing.****

Text Version: Amended: Position: Watch  
6/20/2011 [pdf](#) [html](#)

Assigned: Development Services

Status: 7/8/2011 - Failed Deadline pursuant to Rule 61(a)(10). (Last location was L. GOV. on 6/29/2011)

Existing law authorizes a governmental agency, as defined, to solicit proposals and enter into agreements with private entities for the design, construction, or reconstruction by, and lease to, private entities, for specified types of fee-producing infrastructure projects. Existing law permits these agreements to provide for infrastructure facilities owned by a governmental entity, but constructed by a private entity, to be leased to or owned by that private entity for a period of up to 35 years, after which time the project would revert to the governmental agency. This bill would authorize a local governmental agency to enter into an agreement with a private entity for financing for specified types of revenue-generating infrastructure projects. The bill would require an agreement entered into under these provisions to include adequate financial resources to perform the agreement, and would additionally permit the agreements to lease or license to, or provide other permitted uses by, the private entity.

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

Text Version: Chaptered: Position: Support  
10/8/2011 [pdf](#) [html](#)

Assigned: Health & Human Services Department

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

Existing law requires local health officers to submit to the State Water Resources Control Board prescribed information regarding beach postings and closures and requires the board to make that information available to the



public and to post the information on its Internet Web site. This bill would require that the department draft regulations relating to testing of waters adjacent to public beaches, as specified. The bill would, commencing January 1, 2012, require the board to be responsible for monitoring protocols, site locations, monitoring frequency, and prescribed testing. The bill, until June 30, 2016, would provide that not more than \$1,800,000 of specified funds may be used, upon appropriation by the Legislature, as a funding source for this program. The bill would also make related changes. This bill contains other existing laws.

**SB 499 Huff R      **Redevelopment: tax increment calculations.****

Text Version: Amended: Position: Watch  
4/11/2011 [pdf](#) [html](#)

Assigned: Development Services

Status: 4/27/2011 - Set, first hearing. Hearing canceled at the request of author.

The Community Redevelopment Law authorizes the establishment of redevelopment agencies in communities to address the effects of blight, as defined, in blighted areas in those communities known as project areas. The California Constitution authorizes a redevelopment agency to receive funding through tax increments attributable to increases in assessed property tax valuation in a project area due to redevelopment. Existing statutory law also requires an agency to remit specified funds based on net tax increment apportioned to the agency for deposit in separate funds for various purposes. This bill would authorize a redevelopment plan to contain a provision that limits the dollar amount of property tax increment revenue that may be divided and allocated to the agency, as specified, in any single year. The bill would also require that a certain portion of taxes received by or apportioned to an agency be based on a prescribed amount in the course of making a calculation relating to a required agency payment or allocation. This bill contains other related provisions.

**SB 520 Walters R      **Public employees' retirement: hybrid plan.****

Text Version: Amended: Position: Watch  
3/21/2011 [pdf](#) [html](#)

Assigned: Human Resources Department

Status: 5/10/2011 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was P.E. & R. on 3/24/2011)

Existing law creates the Public Employees' Retirement System which provides a defined benefit to its members based on age at retirement, service credit, and final compensation. This bill would require the Board of Administration of the Public Employees' Retirement System to create a hybrid retirement plan for public employees who become members on or after January 1, 2012, that offers a defined contribution plan and defined benefit plan for retirement for service and a defined benefit plan for retirement for disability or for death. The bill would prohibit those plans from creating a vested property right for the member with respect to any employer contributions before retirement, as specified. The bill would prohibit those members from being eligible to enroll in the defined benefit plan for retirement for service that existed before January 1, 2012.

**SB 521 Walters R      **Public employees' benefits: postemployment health care.****

Text Version: Amended: Position: Watch  
3/21/2011 [pdf](#) [html](#)

Assigned: Human Resources Department

Status: 5/10/2011 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was P.E. & R. on 3/24/2011)



The Public Employees' Medical and Hospital Care Act (PEMHCA) permits a public employer authorized by the Board of Administration of the Public Employees' Retirement System to elect to participate in the prefunding of postemployment health care benefits and other postemployment benefits for annuitants. Under PEMHCA, the governing body of a participating employer is required to contract with the board regarding the terms and conditions of that employer's participation in the prefunding plan. PEMHCA establishes the Annuitants' Health Care Coverage Fund in the State Treasury, as a trust fund and a retirement fund, which is continuously appropriated to the board for expenditure for the prefunding of health care coverage for annuitants. This bill would require the board to determine the actuarially required contributions necessary to ensure that postemployment health care benefits provided under PEMHCA are fully funded. The bill would require an employee first hired on or after January 1, 2012, and his or her employer, to each pay 50% of those actuarially required contributions, to be deposited into the Annuitants' Health Care Coverage Fund. By creating a new source of revenue for deposit into a continuously appropriated fund, the bill would make an appropriation.

**SB 522 Walters R Public employees' retirement: additional service credit.**

Text Version: Amended: Position: Watch  
3/22/2011 [pdf](#) [html](#)

Assigned: Human Resources Department

Status: 5/10/2011 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was P.E. & R. on 3/22/2011)

Existing law authorizes certain members of the Public Employees' Retirement System, the State Teachers' Retirement System, and county, city, and district retirement systems that have adopted specified provisions, to make additional contributions to the retirement system and receive up to 5 years of additional retirement service credit for time that does not qualify for public service, as specified. The bill would repeal the provisions that authorize these additional contributions and service credit, and would make related technical changes.

**SB 523 Walters R Public employees' retirement: elected local officials.**

Text Version: Amended: Position: Watch  
3/22/2011 [pdf](#) [html](#)

Assigned: Human Resources Department

Status: 5/10/2011 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was P.E. & R. on 3/22/2011)

Existing law authorizes the creation of retirement systems for public employees by counties, cities, and districts. Existing law creates the Public Employees' Retirement System and the State Teachers' Retirement System, which provide a defined benefit to their members based on age at retirement, service credit, and final compensation. Existing law establishes the criteria for membership in the various public employee retirement systems and may exclude certain employment classifications from membership. The California Constitution provides for the division of the state into counties and requires that a county have an elected sheriff, elected district attorney, elected assessor, and elected governing body. Existing law provides for the incorporation of cities in various forms and requires that certain city offices be filled pursuant to elections, as prescribed. Existing law provides for the creation of districts, the governing bodies of which may be elected. This bill would prohibit a person who is publicly elected to a local office of any kind, on and after January 1, 2012, from becoming a member of a retirement system by virtue of that service or from acquiring any retirement right or benefit for serving in that elective local office. The bill would also apply these prohibitions to a person who is appointed to fill the term of a person so elected, but would not apply them to a person who obtained membership by virtue of holding an elective local office prior to January 1, 2012, for so long as he or she holds that office or is reelected to that office.

**SB 524 Walters R    **Public employees' retirement: retroactive benefits.****

Text Version: Amended: Position: Watch  
3/22/2011 [pdf](#) [html](#)

Assigned: Human Resources Department

Status: 5/10/2011 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was P.E. & R. on 3/22/2011)

The Meyers-Milias-Brown Act, the Ralph C. Dills Act, provisions commonly referred to as the Educational Employment Relations Act, the Higher Education Employer-Employee Relations Act, the Trial Court Employment Protection and Governance Act, the Trial Court Interpreter Employment and Labor Relations Act, and the Los Angeles County Metropolitan Transportation Authority Transit Employer-Employee Relations Act each provide for the representation of state or local public employees by recognized employee organizations, and provide that the scope of this representation includes negotiations concerning wages, hours, and other terms and conditions of employment between the state or local public employer and representatives of those employee organizations. This bill would exclude matters relating to the retroactive effect of pension benefit increases from the scope of representation of public employees by recognized employee organizations, and would thereby prohibit these employee organizations from negotiating for a retroactive effect of pension benefit increases with public employers. This bill contains other related provisions and other existing laws.

**SB 525 Walters R    **Public employees' retirement: eligibility.****

Text Version: Amended: Position: Watch  
3/21/2011 [pdf](#) [html](#)

Assigned: Human Resources Department

Status: 5/10/2011 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was P.E. & R. on 3/24/2011)

The Public Employees' Retirement Law provides a comprehensive set of rights and benefits based upon age, service credit, and final compensation to members of the Public Employees' Retirement System. Existing law prescribes different retirement formulas for different membership classifications in the Public Employees' Retirement System, including for state patrol members, state safety members, state peace officer/firefighter members, state industrial members, and state miscellaneous members. These retirement formulas permit a member to retire at 50 years of age with reduced benefits in comparison to a later retirement. This bill would prohibit a state employee who becomes a member of the Public Employees' Retirement System on and after January 1, 2012, and who is not a state patrol member, a state safety member, or state peace officer/firefighter member, from retiring for service prior to reaching 55 years of age.

**SB 526 Walters R    **Public employees' retirement: final compensation.****

Text Version: Amended: Position: Watch  
3/21/2011 [pdf](#) [html](#)

Assigned: Human Resources Department

Status: 5/10/2011 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was P.E. & R. on 3/24/2011)

The Public Employees' Retirement Law (PERL) creates the Public Employees' Retirement System, which provides a defined benefit to its members based on age at retirement, service credit, and final compensation. PERL defines "final compensation" for purposes of calculating a member's retirement allowance. The State Teachers' Retirement Law (STRL), the Judges' Retirement System II Law, and the County Employees Retirement Law of 1937 also provide for a defined benefit based on age at retirement, service credit, and final compensation. This bill, for persons first hired on and after January 1, 2012, for the purpose of determining any pension or benefit with respect to a public entity defined

benefit retirement system, would require that final compensation means the highest annual average compensation earnable by the person during a consecutive 36-month period of membership, as specified. The bill would prohibit the inclusion of credit for accrued leave of any form or credit for overtime work in the calculation of final compensation, as specified.

**SB 527 Walters R Public employee organizations: negotiations: pension benefits.**

Text Version: Amended: Position: Watch  
3/21/2011 [pdf](#) [html](#)

Assigned: Human Resources Department

Status: 5/10/2011 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was P.E. & R. on 3/24/2011)

The Meyers-Milias-Brown Act, the Ralph C. Dills Act, the provisions commonly referred to as the Educational Employment Relations Act, and the Higher Education Employer-Employee Relations Act each provide for the representation of state or local public employees by recognized employee organizations, and provide that the scope of this representation includes negotiations concerning wages, hours, and other terms and conditions of employment between the state or local public employer and representatives of those employee organizations. This bill would exclude matters relating to pension benefits from the scope of representation of public employees by recognized employee organizations, and would thereby prohibit these employee organizations from negotiating pension benefits with public employers, except for the amount of employee contributions to the pension plans.

**SB 528 Walters R Public Employees' Retirement System: Board of Administration.**

Text Version: Amended: Position: Watch  
3/22/2011 [pdf](#) [html](#)

Assigned: Human Resources Department

Status: 5/10/2011 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was P.E. & R. on 3/22/2011)

The Public Employees' Retirement Law requires the Board of Administration of the Public Employees' Retirement System to administer the Public Employees' Retirement Law. Under that law, state employees and employees of local agencies that contract with the Board of Administration for retirement benefits are within the membership of the retirement system. That law, as in effect on July 1, 1991, provides that the membership of the Board of Administration shall include 6 elected members, including 2 members elected from the membership of the retirement system by the members of the retirement system, one member elected from state membership by active state members, 2 members elected by and from active local members, and one member elected by and from the retired members of the retirement system. This bill instead would provide for the appointment of those 6 board members by the Governor based on their demonstrated expertise in the financial and actuarial fields. This bill contains other related provisions and other existing laws.

**SB 535 De León D California Communities Healthy Air Revitalization Trust.**

Text Version: Amended: Position: Watch  
7/5/2011 [pdf](#) [html](#)

Assigned: Development Services

Status: 8/26/2011 - Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. SUSPENSE FILE on 8/18/2011)

The California Global Warming Solutions Act of 2006 requires the State Air Resources Board to adopt regulations to

require the reporting and verification of emissions of greenhouse gases and to monitor and enforce compliance with the reporting and verification program, and requires the state board to adopt a statewide greenhouse gas emissions limit equivalent to the statewide greenhouse gas emissions level in 1990 to be achieved by 2020. The act requires the state board to adopt rules and regulations in an open public process to achieve the maximum technologically feasible and cost-effective greenhouse gas emission reductions. The act authorizes the state board to include use of market-based compliance mechanisms. The act authorizes the state board to adopt a schedule of fees to be paid by the sources of greenhouse gas emissions regulated pursuant to the act, and requires the revenues collected pursuant to that fee to be deposited into the Air Pollution Control Fund and be available, upon appropriation by the Legislature, for the purposes of carrying out the act. This bill would establish the California Communities Healthy Air Revitalization Trust in the State Treasury and would require a minimum of 10% of specified revenues generated for the state each year from the act to be deposited into that trust. The moneys in the trust would be used, upon appropriation by the Legislature, in the most impacted and disadvantaged communities, as defined, to fund programs or projects that reduce greenhouse gas emissions or mitigate direct health or environmental impacts of climate change through competitive grants, loans, or other funding mechanisms. The bill would require the State Air Resources Board to administer moneys appropriated from the trust, establish criteria and procedures, convene a review panel, and meet other specified requirements in connection with implementation.

**SB 568 Lowenthal D Recycling: polystyrene food containers.**

Text Version: Amended: Position: Support

7/12/2011 [pdf](#) [html](#)

Assigned: Public Works Department

Status: 9/8/2011 - Ordered to inactive file on request of Assembly Member Allen.

Existing law requires all rigid plastic bottles and rigid plastic containers sold in the state to be labeled with a code that indicates the resin used to produce the rigid plastic bottle or rigid plastic container. The California Integrated Waste Management Act of 1989, administered by the Department of Resources Recycling and Recovery, requires every rigid plastic packaging container, as defined, sold or offered for sale in this state to generally meet one of specified criteria. This bill would prohibit a food vendor, on and after January 1, 2016, from dispensing prepared food to a customer in a polystyrene foam food container and would define related terms. The bill would provide that a food vendor that is a school district is not required to comply with the bill's requirements until July 1, 2017, and would allow a food vendor that is a school district to dispense prepared food to a customer in a polystyrene foam food container after that date if the governing board of the school district elects to adopt a policy to implement a verifiable recycling program for polystyrene foam food containers, which would be renewable, as specified. The bill would also allow a food vendor to dispense prepared food to a customer in a polystyrene foam food container after January 1, 2016, in a city or county if the city or county elects to adopt an ordinance establishing a specified recycling program for polystyrene foam food containers, which would be operative, as specified.

**SB 575 DeSaulnier D Smoking in the workplace.**

Text Version: Amended: Position: Watch

5/31/2011 [pdf](#) [html](#)

Assigned: Development Services

Status: 8/26/2011 - Failed Deadline pursuant to Rule 61(a)(11). (Last location was G.O. on 7/7/2011)

Existing law prohibits smoking of tobacco products inside an enclosed space, as defined, at a place of employment. The violation of the prohibition against smoking in enclosed spaces of places of employment is an infraction punishable by a specified fine. This bill would expand the prohibition on smoking in a place of employment to include an owner-operated business, as defined. This bill contains other related provisions and other existing laws.

**SB 630 Alquist D **Hospitals: seismic safety.****

Text Version: Introduced: Position: Watch  
2/18/2011 [pdf](#) [html](#)

Assigned: Health & Human Services Department

Status: 5/10/2011 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was HEALTH on 3/3/2011)

Existing law provides for the licensure of health facilities, including general acute care hospitals, by the State Department of Public Health. This bill would, among other things, revise the conditions that a hospital owner would be required to meet in order for the office to grant an additional extension. This bill would authorize the department to revoke the extension if the construction is abandoned or suspended for at least 6 months, except as specified. This bill contains other related provisions and other existing laws.

**SB 650 Lowenthal D **Postsecondary education: the College Promise Partnership Act.****

Text Version: Chaptered: Position: Watch  
10/8/2011 [pdf](#) [html](#)

Assigned: City Manager

Status: 10/8/2011 - Chaptered by the Secretary of State, Chapter Number 633, Statutes of 2011

Existing law establishes the California Community Colleges under the administration of the Board of Governors of the California Community Colleges. Existing law authorizes the establishment of community college districts under the administration of community college governing boards, and authorizes these districts to provide instruction at community college campuses throughout the state. This bill would enact the College Promise Partnership Act, and authorize the Long Beach Community College District and the Long Beach Unified School District to enter into a partnership, as specified, to provide participating pupils with an aligned sequence of rigorous high school and college coursework leading to capstone college courses, as defined, with consistent and jointly established eligibility for college courses. This bill contains other related provisions and other existing laws.

**SB 652 Steinberg D **Professional sports teams: relocation agreements.****

Text Version: Amended: Position: Watch  
5/3/2011 [pdf](#) [html](#)

Assigned: Development Services

Status: 6/1/2011 - Ordered to inactive file on request of Senator Steinberg.

Existing law regulates contracts for particular transactions, including contracts for health studio services, the lease or rental of athletic facilities, and the sale of sport memorabilia. This bill would prohibit a professional sports team that has previously entered into a financial agreement with a public entity from entering into a relocation agreement, as defined, unless it first provides to the public entity a bond, undertaking, or deposit in an amount adequate to ensure that its obligations under the financial agreement will be satisfied. The bill also would prohibit a professional sports team from entering into a relocation agreement if that team is in breach or default of any financial agreement, or if entry into a relocation agreement would cause a breach or default of any financial agreement, unless and until the breach or default is cured. The bill would provide that any agreement entered into in violation of these prohibitions is contrary to public policy and is unenforceable. The bill would authorize the home public entity and home community, as defined, to seek, and would require the court to grant, an injunction to enjoin performance of any act under a relocation agreement that is made unenforceable by this bill. The bill would provide that performance under a relocation agreement entered into

in violation of these prohibitions shall not be enjoined if all of the financial obligations the professional sports team owes to a home public entity and home community under a financial agreement are satisfied in full. The bill would require that any action or proceeding pursuant to these provisions be brought in a court of competent jurisdiction in the county in which the home public entity and home community are located. The bill would provide that these provisions apply to any relocation agreement entered on or after January 1, 2011. This bill contains other related provisions.

**SB 653 Steinberg D Local taxation: counties: school districts: community college districts: county offices of education: general authorization.**

Text Version: Amended: Position: Watch  
6/6/2011 [pdf](#) [html](#)  
Status: 8/22/2011 - Ordered to inactive file on request of Senator Steinberg.

The California Constitution prohibits the Legislature from imposing taxes for local purposes, but allows the Legislature to authorize local governments to impose them. This bill would authorize the governing board of any county or city and county, any school district, any community college district, and any county office of education subject to specified constitutional and voter approval requirements, to levy, increase, or extend a local personal income tax, transactions and use tax, vehicle license fee, and excise tax, including, but not limited to, an alcoholic beverages tax, a cigarette and tobacco products tax, a sweetened beverage tax, and an oil severance tax, as provided. This bill contains other related provisions.

**SB 670 Calderon D Occupancy taxes.**

Text Version: Introduced: Position: Watch  
2/18/2011 [pdf](#) [html](#)  
Status: 5/13/2011 - Failed Deadline pursuant to Rule 61(a)(3). (Last location was RLS. on 3/3/2011)

Existing law authorizes the legislative body of a city or county to impose an excise tax for the privilege of occupying a room or other living space in a hotel, inn, tourist home or house, motel, or other lodging, as provided. This bill would revise the authorization to provide that the tax is imposed on the rent, as defined, paid for the privilege of occupying a room or other living space in a hotel, inn, tourist home or house, motel, or other lodging, and would include charter cities within the scope of this authorization.

**SB 691 Lieu D Vehicles: engineering and traffic survey.**

Text Version: Amended: Position: Sponsor  
4/26/2011 [pdf](#) [html](#)  
Status: 6/3/2011 - Failed Deadline pursuant to Rule 61(a)(8). (Last location was T. & H. on 4/26/2011)

Existing law defines "engineering and traffic survey" to include the consideration of, among other things, highway, traffic, and roadside conditions not readily apparent to the driver. This bill would revise the definition of "engineering and traffic survey" to specify conditions that are considered to be conditions not readily apparent to the driver.

**SB 698 Lieu D Workforce development: high-performance boards.**

Text Version: Chaptered: Position: Watch  
10/6/2011 [pdf](#) [html](#)  
Assigned: Human Resources Department



The federal Workforce Investment Act of 1998 provides for workforce investment activities, including activities in which states may participate. Existing law contains various programs for job training and employment investment, including work incentive programs, as specified. Existing law requires the local chief elected officials in a local workforce development area, to form, pursuant to specified guidelines, a local workforce investment board to plan and oversee the workforce investment system, and further requires the Governor to certify one local board for each local area in the state once every 2 years. This bill would require the Governor to establish, through the California Workforce Investment Board, standards for certification of high-performance local workforce investment boards, in accordance with specified criteria. The bill would also require the Governor and the Legislature, in consultation with the California Workforce Investment Board, to reserve specified federal discretionary funds for high-performance local workforce investment boards. This bill would also require the California Workforce Investment Board to establish a policy for the allocation of those funds to those boards.

**SB 701 Calderon D Central Basin Municipal Water District: directors: report.**

Text Version: Amended: Position: Watch  
3/25/2011 [pdf](#) [html](#)

Assigned: Water Department

Status: 5/10/2011 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was N.R. & W. on 4/7/2011)

Existing law, the Municipal Water District Law of 1911, authorizes the formation of a municipal water district to acquire and sell water. This bill would require the Central Basin Municipal Water District, on or before July 1, 2012, to submit a report to the Legislature on the status of the Central Groundwater Basin and seawater barrier operations, and would prescribe the information to be included in the report. The bill would require the municipal water district to provide an annual update of that report, and would require the Department of Water Resources and the Water Replenishment District of Southern California to cooperate with the municipal water district in providing information necessary for the completion of the report. The bill would repeal this reporting requirement on July 1, 2016, in accordance with a specified provision of law. This bill contains other related provisions and other existing laws.

**SB 702 Lieu D Dog licensing: microchip implants.**

Text Version: Vetoed: 10/7/2011 Position: Support  
[pdf](#) [html](#)

Assigned: Health & Human Services Department

Status: 10/7/2011 - Vetoed by the Governor

Existing law requires that dogs that attain the age of 4 months be licensed and wear a collar to which an identification or license tag is attached. A dog that is found running at large without the identification tag or dog license tag may be seized and impounded by any peace officer. Existing law requires the owner of the dog that has been impounded to pay a fee to reclaim the dog. Existing law also prohibits any public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group from selling or giving away to a new owner any dog or cat that has not been spayed or neutered. A violation of these provisions is either an infraction or a misdemeanor, as specified. This bill would prohibit any public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group from releasing to an owner seeking to reclaim his or her dog or cat, or selling or giving away to a new owner, a dog or cat that has not been microchipped, except under a specified circumstance. Because a violation of these provisions would be a crime, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.



**SB 705 Leno D Natural gas: service and safety.**

Text Version: Chaptered: Position: Watch  
10/7/2011 [pdf](#) [html](#)

Status: 10/7/2011 - Chaptered by the Secretary of State, Chapter Number 522, Statutes of 2011

Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including gas corporations, as defined. Existing law authorizes the commission to fix the rates and charges for every public utility, and requires that those rates and charges be just and reasonable. The Public Utilities Act authorizes the commission to ascertain and fix just and reasonable standards, classifications, regulations, practices, measurements, or services to be furnished, imposed, observed, and followed by specified public utilities, including gas corporations. This bill would require each gas corporation to develop a plan, as specified, for the safe and reliable operation of its commission-regulated gas pipeline facility. The bill would require the commission to accept, modify, or reject the plan for each gas corporation by December 31, 2012, and to build into an approved plan sufficient flexibility to redirect activities to respond to safety requirements. The bill would require that the plan be periodically reviewed and updated. This bill contains other related provisions and other existing laws.

**SB 734 DeSaulnier D State and local workforce investment boards: funding.**

Text Version: Chaptered: Position: Oppose  
10/6/2011 [pdf](#) [html](#)

Assigned: Human Resources Department

Status: 10/6/2011 - Chaptered by the Secretary of State, Chapter Number 498, Statutes of 2011

The federal Workforce Investment Act of 1998 provides for workforce investment activities, including activities in which states may participate. Existing law establishes the California Workforce Investment Board (CWIB), and specifies that the CWIB is responsible for assisting the Governor in the development, oversight, and continuous improvement of California's workforce investment system. Existing law contains various programs for job training and employment investment, including work incentive programs, as specified, and establishes local workforce investment boards to perform various duties related to the implementation and coordination of local workforce investment activities. This bill would require local workforce investment boards to spend a certain percentage of available federal funds for adults and dislocated workers on workforce training programs in a manner consistent with federal law, as prescribed, and would allow the boards to leverage specified funds to meet the funding requirements, as specified. This bill contains other related provisions and other existing laws.

**SB 739 Lowenthal D Ports: congestion relief: air pollution mitigation.**

Text Version: Chaptered: Position: Watch  
10/2/2011 [pdf](#) [html](#)

Status: 10/2/2011 - Chaptered by the Secretary of State, Chapter Number 427, Statutes of 2011

Existing law regulates the operation of ports and harbors. Existing law provides for the formation and organization of port districts. This bill would require the Ports of Long Beach, Los Angeles, and Oakland, beginning January 1, 2012, to assess their infrastructure and air quality improvement needs, including, but not limited to, projects that improve the efficiency of the movement of cargo, reduce congestion impacts associated with the movement of cargo, and reduce pollution associated with the movement of that cargo. This bill contains other related provisions and other existing laws.

**SB 756 Price D Sex offender registration.**

Text Version: Chaptered: Position: Watch  
9/29/2011 [pdf](#) [html](#)

Assigned: Police Department

Status: 9/29/2011 - Chaptered by the Secretary of State, Chapter Number 363, Statutes of 2011

Existing law requires persons who are subject to the Sex Offender Registration Act to, upon release from incarceration, placement, commitment, or release on probation, register or reregister with the chief of police of the city in which he or she is residing, or in which he or she is present if a transient, or the sheriff of the county if he or she is residing or is present in an unincorporated area or city that has no police department, as specified. A violation of the registration requirement is an offense that may be punished as a misdemeanor, or as a felony if additional circumstances exist. The bill would provide that if a person fails to so register after release, the district attorney in the jurisdiction where the person was to be paroled or to be on probation, or the district attorney in another specified jurisdiction if the person was not released on parole or probation, may request that a warrant be issued for the person's arrest and shall have authority to prosecute that person as specified.

**SB 776 DeSaulnier D State and local workforce investment boards: funding.**

Text Version: Amended: Position: Oppose  
8/15/2011 [pdf](#) [html](#)

Assigned: Human Resources Department

Status: 8/26/2011 - Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. SUSPENSE FILE on 8/18/2011)

The federal Workforce Investment Act of 1998 provides for workforce investment activities, including activities in which states may participate. Existing law establishes the California Workforce Investment Board (CWIB), and specifies that the CWIB is responsible for assisting the Governor in the development, oversight, and continuous improvement of California's workforce investment system. Existing law contains various programs for job training and employment investment, including work incentive programs, as specified, and establishes local workforce investment boards to perform various duties related to the implementation and coordination of local workforce investment activities. This bill would require local workforce investment boards to spend a certain percentage of available federal funds for adults and dislocated workers on workforce training programs in a manner consistent with federal law, as prescribed. This bill contains other related provisions and other existing laws.

**SB 791 Simitian D Health care: mammograms.**

Text Version: Vetoed: 10/9/2011 Position: Watch  
[pdf](#) [html](#)

Assigned: Development Services, Public Works Department

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

Existing law requires specified information to be sent to patients regarding their health care. Existing federal law requires a written report of the results of each mammography examination and requires a summary of that report to be sent to the patient within a specified time period. This bill, from April 1, 2012, until January 1, 2018, would require, under specified circumstances, a health facility at which a mammography examination is performed to include in the summary of the written report sent to the patient a specified notice on breast density.

**SB 797 Kehoe D Property taxation: exemption: property owned by the Redevelopment Agency of the City of San Diego.**

Text Version: Introduced: Position: Watch  
2/18/2011 [pdf](#) [html](#)

Assigned: Development Services

Status: 5/13/2011 - Failed Deadline pursuant to Rule 61(a)(3). (Last location was RLS. on 3/10/2011)

Existing provisions of the California Constitution provide that specified publicly owned property is exempt from ad valorem property taxation. This bill would state the intent of the Legislature to enact legislation that would provide that certain historic property located within the former Naval Training Center in the City of San Diego, leased by the Redevelopment Agency of the City of San Diego to a nonprofit entity or to an organization controlled by the nonprofit entity, shall be deemed to be property owned by the Redevelopment Agency of the City of San Diego and thereby be exempt from property taxation.

**SB 827 Simitian D Public employees' retirement.**

Text Version: Amended: Position: Watch  
9/7/2011 [pdf](#) [html](#)

Status: 10/13/2011 - Assembly Members Furutani, Allen, and Silva appointed to Conference Committee.

The State Teachers' Retirement System, the Public Employees' Retirement System, the Judges' Retirement System, and the Judges Retirement System II provide pension benefits based in part upon credited service. Under existing law, counties and districts, as defined, may provide retirement benefits to their employees pursuant to the County Employees Retirement Law of 1937. This bill would declare the intent of the Legislature to convene a conference committee to craft responsible, comprehensive legislation to reform state and local pension systems in a manner that reflects both the legitimate needs of public employees and the fiscal circumstances of state and local governments.

**SB 847 Correa D Medical Marijuana Program: zoning restrictions: residential use.**

Text Version: Vetoed: 9/21/2011 Position: Watch  
[pdf](#) [html](#)

Assigned: Financial Management

Status: 9/21/2011 - Vetoed by the Governor

Existing law, the Compassionate Use Act of 1996, an initiative measure, prohibits prosecution, pursuant to provisions of law relating to the possession or cultivation of marijuana, of a patient or a patient's primary caregiver who possesses or cultivates marijuana for the personal medical purposes of the patient upon the written or oral recommendation or approval of a physician. This bill would, also, prohibit a marijuana cooperative, collective, dispensary, operator, establishment, or provider from being located within a 600-foot radius of a residential zone or residential use unless a local ordinance, which may be more or less restrictive than the standard, is passed by the city council or county board of supervisors specifically regulating the location of these establishments in relation to residential zones or residential use. The bill would define "city" for these purposes to mean a general law city, a charter city, and a city and county. The bill would declare establishment of proximity standards to be of statewide concern and not a municipal affair. By changing the definition of an existing crime, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

**SB 862 Lowenthal D Southern California Goods Movement Authority.**

Text Version: Amended: Position: Watch

4/4/2011 [pdf](#) [html](#)

Assigned: Harbor

Status: 5/10/2011 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was T. & H. on 4/4/2011)

Existing law requests the California Marine and Intermodal Transportation System Advisory Council, a federal entity, to compile data on, among other issues, air pollution caused by the movement of goods through the state's maritime ports and proposed methods of mitigating or alleviating that pollution. This bill would establish the Southern California Goods Movement Authority consisting of representatives from specified entities. The bill would require the authority to establish a priority list of infrastructure and air quality improvement projects related to the movement of port-related cargo and port operations in southern California. The bill would require the Alameda Corridor East Construction Authority, a local agency, to provide staff and meeting space for the authority, thereby imposing a state-mandated local program. The bill would authorize the authority to enter into a memorandum of understanding with PierPASS or a similar entity created by the West Coast Marine Terminal Operator Agreement, for funding the list of infrastructure and air quality improvement projects. The bill would provide that this funding is intended to leverage funding from other sources and is not intended to be the sole source of funding for the projects. The bill would require the authority to consider specified projects for inclusion in the priority list and would require the authority to consult with the South Coast Air Quality Management District regarding air quality improvement projects. This bill contains other related provisions and other existing laws.

**SB 910 Lowenthal D Vehicles: bicycles: passing distance.**

Text Version: Vetoed: 10/7/2011 Position: Watch

[pdf](#) [html](#)

Assigned: Police Department, Public Works Department

Status: 10/7/2011 - Vetoed by the Governor

Under existing law, a driver of a vehicle overtaking another vehicle or a bicycle proceeding in the same direction is required to pass to the left at a safe distance without interfering with the safe operation of the overtaken vehicle or bicycle, subject to certain limitations and exceptions. A violation of this provision is an infraction punishable by a fine not exceeding \$100 for a first conviction, and up to a \$250 fine for a 3rd and subsequent conviction occurring within one year of 2 or more prior infractions. This bill would recast this provision as to overtaking and passing a bicycle by requiring the driver of a motor vehicle overtaking and passing a bicycle that is proceeding in the same direction on a highway to pass in compliance with specified requirements applicable to overtaking and passing a vehicle, and to do so at a safe distance that does not interfere with the safe operation of the overtaken bicycle, having due regard for the size and speed of the motor vehicle and the bicycle, traffic conditions, weather, and the surface and width of the highway. The bill would prohibit the driver of the motor vehicle that is overtaking or passing a bicycle proceeding in the same direction on a highway from passing at a distance of less than 3 feet between any part of the motor vehicle and any part of the bicycle or its operator, except as provided. The bill would make a violation of this provision an infraction punishable by a \$35 fine. The bill would also require the imposition of a \$220 fine on a driver if a collision occurs between a motor vehicle and a bicyclist causing bodily harm to the bicyclist, and the driver is found to be in violation of the above provisions. This bill contains other related provisions and other existing laws.

**SB 922 Steinberg D Public contracts: public entities: project labor agreements.**

Text Version: Chaptered: Position: Watch

10/2/2011 [pdf](#) [html](#)

Status: 10/2/2011 - Chaptered by the Secretary of State, Chapter Number 431, Statutes of 2011

Existing law sets forth the requirements for the solicitation and evaluation of bids and the awarding of contracts by public entities. This bill would authorize a public entity to use, enter into, or require contractors to enter into, a project labor agreement for a construction project, if the agreement includes specified taxpayer protection provisions. This bill contains other related provisions.

**SB 931 Evans D Payroll cards.**

Text Version: Vetoed: 10/9/2011 Position: Watch  
[pdf](#) [html](#)

Assigned: Human Resources Department

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

Existing law prohibits an employer from issuing in payment of wages due certain instruments, including an order, check, draft, note, memorandum, scrip, coupon, card, or other acknowledgment of indebtedness or redeemable instrument, unless specified requirements are satisfied. This bill would authorize an employer to pay an employee's wages by means of a payroll card, as defined, provided that specified requirements are satisfied. In addition, the bill would make a violation of its provisions a misdemeanor and would subject a violator to specified civil penalties. By creating new crimes, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

**SB 939 Wright D Natural gas surcharge.**

Text Version: Amended: 8/15/2011 Position: Watch  
[pdf](#) [html](#)

Assigned: Gas & Oil Department

Status: 8/26/2011 - Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. SUSPENSE FILE on 8/18/2011)

Existing law requires the Public Utilities Commission to establish a surcharge on all natural gas consumed in the state to fund certain low-income assistance programs, cost-effective energy efficiency and conservation activities, and public interest research and development. Existing law requires a public utility gas corporation, as defined, to collect the surcharge from natural gas consumers, as specified, and to remit the moneys collected to the State Board of Equalization (state board) on a quarterly basis. Existing law requires persons consuming natural gas delivered by an interstate pipeline to pay the surcharge to the state board. Existing law requires every public utility gas corporation and every person consuming natural gas transported by a provider other than the public utility gas corporation to file a quarterly return with the state board in the form prescribed by the state board. The money from the surcharge is transmitted by the state board to the Treasurer for deposit in the Gas Consumption Surcharge Fund and is continuously appropriated to specified entities, including to the commission, or to an entity designated by the commission, to fund low-income assistance programs, cost-effective energy efficiency and conservation activities, and public interest research and development not adequately provided by the competitive and regulated markets. This bill would require the commission to establish rates that are sufficient to fund the specified low-income assistance programs, cost-effective energy efficiency and conservation activities, and public interest research and development, and would require the surcharges imposed on natural gas customers of an interstate gas pipeline to be equal to the rate component imposed upon the customers of a public utility gas corporation to fund those programs. The bill would require only persons consuming natural gas delivered by an interstate pipeline to pay the surcharge quarterly to the state board and require only those persons consuming natural gas transported by a provider other than the public utility gas corporation to file a quarterly return with the state board. A public utility gas corporation would continue to collect the surcharge to fund the specified programs, but would not remit the moneys collected to the state board. The bill would repeal existing provisions relieving public utility gas corporations from liability to collect the surcharges for specified uncollected and

worthless accounts. The bill would make other conforming changes.

**SBX1 Simition D Energy: renewable energy resources.**

**2**

Text Version: Chaptered: Position: Watch  
4/12/2011 [pdf](#) [html](#)

Assigned: Gas & Oil Department

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

Under existing law, the Public Utilities Commission (PUC) has regulatory authority over public utilities, including electrical corporations, as defined. Existing law requires the PUC to require the state's 3 largest electrical corporations, Pacific Gas and Electric Company, San Diego Gas and Electric, and Southern California Edison, to identify a separate electrical rate component to fund programs that enhance system reliability and provide in-state benefits. This rate component is a nonbypassable element of local distribution and collected on the basis of usage. Existing PUC resolutions refer to the nonbypassable rate component as a "public goods charge." The public goods charge moneys are collected to support cost-effective energy efficiency and conservation activities, public interest research and development not adequately provided by competitive and regulated markets, and renewable energy resources. This bill would require an applicant to inform the United States Department of Defense of a proposed project and that an application will be filed with the commission if the site and related facility specified in the application are proposed to be located within 1,000 feet of a military installation, or lie within special use airspace or beneath a low-level flight path, as defined. This bill contains other related provisions and other existing laws.

**SBX1 Committee on Supplemental Law Enforcement Services Account.**

**4**

**Budget and  
Fiscal Review**

Text Version: Chaptered: Position: Support  
9/21/2011 [pdf](#) [html](#)

Assigned: Police Department

Status: 9/21/2011 - Chaptered by the Secretary of State, Chapter Number 14, Statutes of 2011 First Extraordinary Session

Existing law requires in each county treasury a Supplemental Law Enforcement Services Account (SLESA), to receive all amounts allocated to a county for purposes of specified law enforcement services. Existing law also requires that in any fiscal year for which a county receives moneys to be expended for those law enforcement purposes, that the county auditor allocate the moneys in the county's SLESA, as specified, including any interest or other return earned on the investment of those moneys. This bill would delete the provision requiring the allocated funds to include interest or other return earned on the investment of those moneys. This bill contains other related provisions and other existing laws.

**SBX1 Committee on Redevelopment.**

**8**

**Budget and  
Fiscal Review**

Text Version: Vetoed: 10/3/2011 Position: Support  
[pdf](#) [html](#)



Status: 10/3/2011 - Vetoed by the Governor

Existing law requires a redevelopment agency, for the 2009-10 and 2010-11 fiscal years, to deposit revenue payments in its county's Supplemental Educational Revenue Augmentation Fund for allocation to school entities. Existing law authorizes an agency, in order to make these payments, to borrow the amount required to be allocated to that agency's Low and Moderate Income Housing Fund and requires the agency to repay the borrowed funds by a specified date. This bill would authorize an agency to extend the date of repayment for the borrowed funds by 5 years. This bill contains other related provisions and other existing laws.

**SBX1 Committee on Alternative voluntary redevelopment program: application for relief.**  
**13 Budget and Fiscal Review**

Text Version: Amended: Position: Watch  
9/2/2011 [pdf](#) [html](#)

Status: 9/10/2011 - Died on unfinished business, concurrence pending.

Existing law suspends various activities of redevelopment agencies and prohibits the agencies from incurring indebtedness for a specified period. Existing law also dissolves redevelopment agencies and community development agencies, as of October 1, 2011, and designates successor agencies, as defined. Existing law exempts from dissolution a redevelopment agency of a community where the city or county that created the agency participates in an alternative voluntary redevelopment program, where, among other things, the city or county makes remittances for deposit in the Special District Allocation Fund, as prescribed. During the 2011-12 fiscal year, a city or county is authorized to appeal the remittance amount, as determined by the Director of Finance, on the basis that specified information used to calculate the remittance amount was in error. This bill would authorize a city or county to file an application for relief in the amount of the remittance, on or before November 1, 2011, on the basis that the amount of the remittance will place a significant and detrimental fiscal requirement on the city or county. This bill contains other related provisions and other existing laws.

**SBX1 Committee on Voluntary Alternative Redevelopment Program.**  
**15 Budget and Fiscal Review**

Text Version: Amended: Position: Watch  
6/15/2011 [pdf](#) [html](#)

Status: 9/12/2011 - From Assembly without further action.

The Community Redevelopment Law authorizes the establishment of redevelopment agencies in communities to address the effects of blight, as defined, in those communities and requires agencies to prepare, or cause to be prepared, and to approve a redevelopment plan for each project area. This bill would, notwithstanding specified law, upon the enactment of specified legislation concerning redevelopment, establish a voluntary alternative redevelopment program whereby a redevelopment agency would be authorized to continue to exist upon the enactment of an ordinance by the community to comply with the bill's provisions. The bill would require the city or county that created a redevelopment agency to notify the county auditor-controller, the Controller, and the Department of Finance on or before November 1, 2011, that the community will comply with the bill's provisions. The bill would require a participating city or county to make specified remittances to the county auditor-controller, who shall allocate the remittances for deposit into a Special District Allocation Fund, for specified allocation to certain special districts, and into to a county Educational Revenue Augmentation Fund, as prescribed. The bill would authorize the city or county to enter into an agreement with the redevelopment agency in that jurisdiction, whereby the redevelopment agency would



transfer a portion of its tax increment to the city or county for the purpose of financing certain activities within the redevelopment area, as specified. The bill would impose specified sanctions on a city or county that fails to make the required remittances, as determined by the Director of Finance. This bill would authorize the county auditor-controller to charge a fee that does not exceed the reasonable costs to the county auditor-controller to implement the provisions of this bill. This bill contains other related provisions and other existing laws.

**[SBX1](#) [23](#) **Committee on Local taxation: counties: school districts: community college districts: county offices of Budget and education: general authorization.****

**Fiscal Review**

Text Version: Amended: Position: Watch

6/2/2011 [pdf](#) [html](#)

Status: 9/12/2011 - From Assembly without further action.

The California Constitution prohibits the Legislature from imposing taxes for local purposes, but allows the Legislature to authorize local governments to impose them. This bill would authorize the governing board of any county or city and county, any school district, any community college district, and any county office of education, subject to specified constitutional and voter approval requirements, to levy, increase, or extend a local personal income tax, transactions and use tax, vehicle license fee, and excise tax, including, but not limited to, an alcoholic beverages tax, a cigarette and tobacco products tax, a sweetened beverage tax, and an oil severance tax, as provided. This bill contains other related provisions and other existing laws.

Total Measures: 197

Total Tracking Forms: 197