



Date: September 10, 2012
To: State Legislative Committee Members
From: Patrick H. West, City Manager *PH West*
Subject: 2012 State Legislative Session Concludes

Attached for your information is a memorandum from Michael J. Arnold and Associates, the City's State legislative advocates regarding the conclusion of the 2012 State Legislative Session. A list of Long Beach high priority bills and their final disposition is also attached. For a complete State Legislative Status Report, please visit www.longbeach.gov/citymanager/ga. A detailed 2012 Legislative Highlight Report is forthcoming.

Should you have any questions, 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, Assistant to the City Manager
Mike Arnold and Associates

Attachment
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Michael J. Arnold and Associates, Inc.

Legislative Advocates and Consultants

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Memorandum

TO: Suzanne Frick
Tom Modica
Diana Tang

FROM: Michael J. Arnold, Legislative Advocate
Kristian E. Foy, Legal Counsel

DATE: September 4, 2012

SUBJECT: 2012 Legislative Year Ends

End of 2011-2012 Session

On Friday September 4, 2012 both Houses of the State Legislature adjourned their 2012 Legislative Session. Prior to adjournment they acted on a flurry of bills, some of which materialized over the previous 72 hours. Since 2012 is the second year of the 2011-12 two year session, all bills which did not make it to the Governor's desk are now officially dead. The Governor has until midnight on September 30th to act on legislation sent to him by the Legislature during the final ten days of the session. The Governor has three options: sign the bill into law; veto the bill; allow the bill to become law without his signature. (California Governors do not have the "pocket veto.")

Summary of the 2012 Legislative Year

We are now in the process of preparing a summary of the 2012 Legislative year. We hope to provide this summary to you shortly after the deadline for action by the Governor on proposals which have been put on his desk.

New 2013-2014 Session

The election on November 6th will bring many new faces to Sacramento. We expect more than 40 new members! The new 2013-2014 Legislative Session officially begins on Monday December 3rd with the swearing in of the newly elected members of the Legislature. Traditionally, most of December is spent organizing both houses.

New Special Session

The Governor called a special session related to health care. This special session is scheduled to start concurrently with the new 2013-2014 session on December 3rd. Importantly, bills enacted during the special session, unless they are urgency bills which take effect immediately upon signature by the Governor, will take effect 90 days following adjournment of the special session. Thus, new bills enacted to implement the Federal Affordable Care Act will take effect 90 days after the adjournment of the special session and do not have to wait until January 2014 for implementation.

Please let us know if you have questions or need further information on any specific legislative matter.

CITY OF LONG BEACH
High Priority Bills (updated: 9/11/2012)

Bill No.	Author	Title	Position	Status	Summary
ATTORNEY					
AB 1847	Lowenthal	Pike Land swap	Sponsor	Chaptered. 7/13	Completes the land transfer between the City of Long Beach and State Lands Commission.
AB 2312	Ammiano	Controlled substances	Watch	Senate Business, Professions and Economic Development. Hearing: CANCELLED	Creates a state-run Board of Medical Marijuana Enforcement (BMME) to regulate the medical cannabis industry statewide. Authorizes local taxes on medical cannabis up to 5%.
CITY CLERK					
AB 2062	Davis	Statement of Economic Interest: e-filing permanence	Sponsor	To enrolling and engrossing. 8/31	Makes e-filing statements of economic interests a permanent offering; allows pilot programs to continue while state adopts regulations related to this change in law.
AB 2452	Ammiano	Political Reform Act of 1974: online disclosure	Watch	Chaptered, 7/13	Authorizes a local government to require Political Reform Act of 1974 statements to be filed electronically with a local filing officer.
SB 1553	Lowenthal	e-filing Campaign Finance Disclosure Report	Sponsor	Assembly Appropriations. Hearing: NOT SCHEDULED	Allows the City of Long Beach to conduct a pilot program to allow municipal candidates for office to e-file campaign finance disclosure reports. Since AB 2452 was enacted, SB 1553 became unnecessary.
CITY MANAGER					
AB 1486	Lara	LA RICS	Watch	Enrolling and engrossing. 8/31	Partial CEQA exemption for LA RICS project.
AB 1500	Perez	Corporation taxes: Middle Class Scholarship Fund	Support	Refused passage. 8/31	Makes the single sales factor (SSF) apportionment formula mandatory, and apportions additional revenues derived from the change to the Middle Class Scholarship Fund.
AB 1501	Perez	Middle Class Scholarship Act	Support	Refused passage. 8/31	Establishes the Middle Class Scholarship Act.
SB 973	Vargas	CEQA: exemption: limited duration events	Watch	Assembly Natural Resources. Hearing: CANCELLED	This bill would provide one CEQA exemption for fireworks permits per year, based upon location.
DEVELOPMENT SERVICES					
AB 345	Torres	Housing	Oppose	Enrolling and engrossing. 8/29	Housing reforms. Similar to SB 450 (2011).
AB 904	Skinner	Local planning: infill and transit-oriented development	Oppose	Senate Governance and Finance. Hearing: CANCELLED	Prohibits a city or county from requiring a minimum parking standard greater than one parking space per 1,000 square feet of nonresidential improvements and one parking space per unit of residential improvements for new developments in transit intensive areas.

CITY OF LONG BEACH
High Priority Bills (updated: 9/11/2012)

Bill No.	Author	Title	Position	Status	Summary
AB 1585	Perez	Redevelopment	Watch	Enrolling and engrossing. 8/31	Appropriates funds to the Infill Incentive Grant Program and to the Transit-Oriented Development Program created by Proposition 1C: Housing and Emergency Shelter Trust Fund Act of 2006.
AB 1750	Solorio	Rainwater Capture Act of 2013	Watch	To enrolling and engrossing. 8/29	Prescribes that use of rainwater collected from rooftops does not require a water right permit from the state board.
AB 1783	Perea	Public contracts: small business preferences	Watch	Chaptered, 7/13	Allows local agencies to have access to the Department of General Services list of certified small business for use as a reference for local programs.
AB 1950	Davis	Prohibited business practices: enforcement	Watch	To the Governor. 9/6	Modifies provisions related to mortgage fraud enforcement.
AB 2144	Perez	Infrastructure and revitalization financing districts	Watch	To the Governor. 9/7	Expands the types of projects that can be financed under the infrastructure financing district (IFD) law, reduces the voter threshold; and authorizes an IFD to utilize the powers provided under the Polanco Redevelopment Act (Polanco Act). Renames IFD law to the Infrastructure and Revitalization Financing District (IRFD) Act.
AB 2314	Carter	Real property: blight	Watch	Chaptered, 8/27	Blight Prevention. Removes the sunset on a statute that permits local governments to fine property owners for failure to maintain certain property.
AB 2447	Skinner	California Neighborhood Stabilization Partnership Act of 2012	Watch	Senate Appropriations. Hearing: 8/16. HELD IN COMMITTEE	Establishes the California Neighborhood Revitalization Partnership Program to finance affordable housing for low- to moderate-income households; transfers \$25 million in bond funds from the California Homebuyer Down payment Assistant Program to the new program.
SB 214	Wolk	Infrastructure and revitalization financing districts	Watch	To the Governor. 9/5	Eliminates the voter approval requirement for a city or county to create an infrastructure financing district (IFD) and expands the types of projects that may be financed by an IFD.

CITY OF LONG BEACH
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Bill No.	Author	Title	Position	Status	Summary
SB 1151	Steinberg	Sustainable Economic Development and Housing Trust Fund: long-range asset management plan	Watch	Assembly Housing and Community Development. Hearing: HELD IN COMMITTEE	Creates an alternative process for former redevelopment agencies assets to be used for specified economic development and housing purposes; requires a Sustainable Communities Investment Authority to develop a long-range asset management plan that includes transferring RDA assets to a Sustainable Economic Development and Housing Trust Fund.
SB 1156	Steinberg	Community Development and Housing Joint Powers Authority	Watch	To the Governor. 9/6	Allows local governments to establish a Sustainable Communities Investment Authority to finance specified activities within a sustainable communities investment area.
SB 1186	Steinberg	ADA	Support	To the Governor. 9/7	Clarifies the process for businesses and other governmental entities to implement ADA requirements
SB 1472	Pavley	Real property: blight	Support	Assembly Judiciary. HELD IN COMMITTEE. 8/27	Blight prevention. Since AB 2314 was chaptered, SB 1472 became unnecessary.
SB 1473	Hancock	Foreclosure: tenants	Support	Assembly Appropriations. HELD IN COMMITTEE. 8/30	Revises the 60-day notice to vacate and instead provides, in the case of a month-to-month lease, for 90 days' notice for these tenants.
FINANCIAL MANAGEMENT					
AB 658	Calderon	Local Tax Allocation	Watch	In Senate Governance and Finance. 8/22. FAILED PASSAGE	Reverses a superior court decision on local tax allocation as it relates to local place of sale rules.
AB 1050	Ma	Telecommunications: prepaid mobile telephony services: taxes and fees	Support	Senate Governance and Finance. Hearing: CANCELLED	Establishes a prepaid communications charge, and distribution method to states and localities based upon a percentage of the sales price of each retail transaction.
AB 1692	Weichowski	Municipal Bankruptcy	Oppose	Failed Assembly Appropriations. Bill Held in Senate Rules.	Amends recently enacted language relating to municipal bankruptcy and the neutral evaluation process for local public entities contained in AB 506 (Wieckowski), Chapter 675, Statutes of 2011.
AB 2312	Ammiano	Controlled substances	Watch	Senate Business, Professions and Economic Development. Hearing: CANCELLED	Creates a state-run Board of Medical Marijuana Enforcement (BMME) to regulate the medical cannabis industry statewide. Authorizes local taxes on medical cannabis up to 5%.
AB 1185	Price	Centralized Intelligence Partnership	Support	Assembly Appropriations. Hearing: 8/16. HELD IN COMMITTEE	Creates a state agency coalition to identify and regulate underground businesses.

CITY OF LONG BEACH
High Priority Bills (updated: 9/11/2012)

Bill No.	Author	Title	Position	Status	Summary
<u>GAS AND OIL</u>					
AB 1532	Perez	California Global Warming Solutions Act of 2006: Greenhouse Gas Reduction Account	Watch	Enrolling and engrossing. 8/31	Establishes procedures for deposit and expenditure of regulatory fee revenues derived from the auction of greenhouse gas (GHG) allowances pursuant to the cap and trade program.
<u>HARBOR DEPARTMENT</u>					
SB 1243	Lowenthal	Bunker tax exemption	Support	To the Governor. 8/22	Repeals the sunset date to exempt indefinitely gross receipts from fuel and petroleum sales tax to a water common carrier for immediate shipment outside this state.
<u>HUMAN RESOURCES</u>					
AB 340	Furutani	Pension Reform	Watch	To the Governor. 9/5	Pension reforms
AB 1606	Perea	Local public employee organizations: impasse procedures	Watch	To the Governor. 8/20	If the labor negotiations not settled within 30 days of an impasse, or the issue is not submitted to a mediator within 30 days, this bill authorizes an employee organization to request that the parties' differences be submitted to a fact-finding panel.
AB 1654	Cook	Public employment: disqualification from employment	Watch	Chaptered, 7/10	Disqualifies a public employee who is convicted of a felony from public employment for a period of five years.
AB 1687	Fong	Workers Compensation	Watch	Enrolling and engrossing. 8/31	Requires an employer or insurer to explain any objections to decisions to delayed, denied or modified medical treatment recommended. Provides for compensation to the worker for attorney fees in connection with enforcing future medical treatment orders.
AB 2142	Furutani	Pension: health benefit premiums	Watch	Presented to the Governor. 8/31	This bill authorizes PERS to implement risk adjustment procedures that adjust and redistribute payments across its health plans.
AB 2298	Solorio	Workers Compensation	Oppose	Enrolling and engrossing. 8/30	Requires employers of firefighters and peace officers to assume liability for accidents involving personal vehicles used for work purposes and prohibits insurers from increasing automobile insurance rates or refusing to issue or renew private automobile insurance based on accidents that occur while peace officers and firefighters are driving personal vehicles for work purposes.
AB 2451	Perez	Workers Compensation	Oppose	To the Governor. 9/7	Extend workers compensation death benefits to police officers, and doubles the statute of limitations.

CITY OF LONG BEACH
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Bill No.	Author	Title	Position	Status	Summary
SB 863	DeLeon	Workers Compensation	Watch	To the Governor. 9/7	Adopts reforms to the lien procedures in the workers' compensation system.
SB 955	Pavley	Pension fund management	Watch	To the Governor. 8/23	Authorizes CalPERS and CalSTRS to prioritize investment in in-state infrastructure projects over alternative out-of-state projects if the investments are consistent with its fiduciary responsibility.
SB 987	McLeod	Pensions	Watch	To the Governor. 8/31	Standardizes service credit purchase eligibility for temporary disability leaves; and clarifies that members are able to purchase service credit at their own expense for time away from work caused by a non-work related injury in the same manner as non-work related illness.
SB 996	Committee on Public Employment and Retirement	County Employees Retirement Law of 1973: heart trouble presumption	Watch	To the Governor. 8/28	Restates and clarifies existing County Employees' Retirement Law of 1937 ('37 Act) regarding the rebuttable presumption that heart trouble incurred by a safety member arises from the safety member's employment.
SB 1234	Retirement savings plans	DeLeon	Watch	Enrolling and engrossing. 8/31	Creates retirement savings plan for private workers who do not participate in any other type of employer sponsored retirement savings plan.
SB 1382	McLeod	County Employees' retirement	Watch	Chaptered, 8/17	Amends the 1937 Act County Retirement Law ('37 Act) to clarify items that a retiree under that system may have deducted from his/her pay warrant.
PARKS, RECREATION AND MARINE					
AB 1672	Torres	Housing-Related Parks Program	Watch	To the Governor. 9/6	Makes changes to the Housing-Related Parks Program (HRP), administered by the Department of Housing and Community Development (HCD).
AB 1939	Pan	Dog licensing: puppy licenses	Oppose	Assembly Business, Professions and Economic Development. Hearing:	Require specified animal care groups to submit a monthly report to the local governmental entity that is responsible for licensing dogs.
AB 1991	Smyth	Child care: exemption from licensure: public recreation programs	Support	Chaptered. 7/13	Exempts from licensure a public recreation program operated as prescribed for kindergarten and grades 1 to 12, inclusive, that operates less than 20 hours per week and for a total of 14 weeks or less during a 12-month period.
SB 1201	De Leon	Los Angeles River	Watch	Chaptered. 8/28	Directs LA County Flood Control to consider recreation and navigation of the LA River when appropriate.

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Bill No.	Author	Title	Position	Status	Summary
<u>SB 1500</u>	Lieu	Seized and abandoned animals: full costs: forfeiture	Support	To the Governor. 9/5	Amends rules and regulations pertaining to seized, abandoned or sheltered animals.
POLICE DEPARTMENT					
<u>AB 610</u>	Solorio	Vehicles: specialized license plates	Support	Chapters. April 27	Authorizes the Veterinary Medical Board to contact the DMV by June 30, 2012, and indicate its intent to undertake collection of additional applications and fees or deposits for an additional period of 12 months in order to obtain the minimum 7,500 applications for a special license plate.
<u>AB 2312</u>	Ammiano	Controlled substances	Watch	Senate Business, Professions and Economic Development. Hearing: CANCELLED	Creates a state-run Board of Medical Marijuana Enforcement (BMME) to regulate the medical cannabis industry statewide. Authorizes local taxes on medical cannabis up to 5%.
PUBLIC WORKS					
<u>AB 298</u>	Brownley	Plastic bag ban	Support	Senate Appropriations. On suspense file. HELD IN COMMITTEE.	Bans the use of plastic carry out bags, statewide, after January 1, 2014.
<u>AB 1446</u>	Feuer	LA Co. MTA: transactions and use tax	Watch	To the Governor. 8/27	Allows the Los Angeles County Metropolitan Transportation Authority (MTA), subject to voter approval, to extend the length of imposition of an existing transactions and use tax of 0.5% for specified purposes.
<u>AB 1701</u>	Wiechowski	Underground storage tanks	Watch	To the Governor. 9/6	Requires a city or county to apply to the State Water Resources Control Board (SWRCB) to be certified to implement the local UST cleanup programs. Only certified agencies can admin clean up after July 1, 2013.
<u>AB 1750</u>	Solorio	Rainwater Capture Act of 2013	Watch	To enrolling and engrossing. 8/29	Prescribes that use of rainwater collected from rooftops does not require a water right permit from the state board.
<u>AB 1933</u>	Gordon	Beverage containers: enforcement	Watch	To enrolling and engrossing. 8/31	Strengthens tracking provisions for beverage containers transported into California. Temporarily increases handling fees paid to certified recycling centers until March 1, 2013.

CITY OF LONG BEACH
High Priority Bills (updated: 9/11/2012)

Bill No.	Author	Title	Position	Status	Summary
<u>AB 1993</u>	Ma	Vehicle: Impoundment	Oppose	Senate Transportation and Housing. Hearing: CANCELLED	Creates a lesser penalty for unlicensed drivers who are pulled over, as compared to drivers with a suspended license; changes local law enforcement procedures by requiring that cities give the unlicensed driver (1) an opportunity to find a legal parking spot for the car, or (2) a reasonable amount of time for a licensed driver to come pick the car up.
<u>AB 2063</u>	Alejo	Regional water quality control boards	Watch	Senate Environmental Quality. Hearing: CANCELLED	Changes the current restrictions on ex parte communications between the SWRCB and its nine RWQCBs to allow board members to engage in communications with members of the public on issues decided by the board.
<u>AB 2231</u>	Fuentes	Sidewalk: repairs	Oppose	Senate Appropriations Suspense file. HELD IN COMMITTEE.	Requires voter approval to repeal an existing city or county ordinance that requires the local entity to repair sidewalks; prohibit a city or county that has such an ordinance in place from charging property owners for sidewalk repairs unless the owner consents to the charge.
<u>AB 2245</u>	Smyth	CEQA: bikeway projects	Watch	To enrolling and engrossing. 8/29	Exempts from CEQA, a Class II bikeway project that takes place within an existing road right-of-way through 2018.
<u>AB 2670</u>	Chesbro	Organic waste	Watch	Senate Environmental Quality. Hearing: CANCELLED	This bill would eliminate the beneficial reuses of green waste as Alternative Daily Cover at landfills by Jan 1, 2030 and require all large commercial organic generators to subscribe to separate organics collection services by 2017. Bill also requires all solid waste facilities to provide a separate area to manage segregated green waste and this material must be put to beneficial use, not disposed.
<u>ACR 100</u>	Lowenthal	Mark Bixby Memorial Bicycle Pedestrian Path	Sponsor	Chaptered. 9/4	Designates the bicycle pedestrian path on the Gerald Desmond Bridge on the I-710, as the Mark Bixby Memorial Bicycle Pedestrian Path.
<u>SB 568</u>	Lowenthal	Styrofoam Ban	Support	Refused passage. 8/31	Bans food vendors for distributing polystyrene food containers after Jan. 1, 2016; and school districts after Jan. 1, 2017. Require cities to determine whether or not a vendor should be exempt due to financial hardship.

CITY OF LONG BEACH
High Priority Bills (updated: 9/11/2012)

Bill No.	Author	Title	Position	Status	Summary
<u>SB 829</u>	Rubio	Project Labor Agreement	Watch	Chaptered. 4/26	This bill would prohibit the use of state funding or financial assistance for any construction projects in charter cities that preempt project labor agreements.
<u>SB 1066</u>	Lieu	Coastal resources: climate change	Support	To the Governor. 8/29	Authorizes the Coastal Conservancy to fund projects that address climate change, giving priority to projects that maximize public benefits.
<u>SB 1396</u>	Dutton	Gas Tax Suspension	Oppose	Dead bill	Would suspend gas tax after a certain price point.
<u>SB 1455</u>	Kehoe	Carl Moyer: Alternative Vehicle Incentives	Support	Died on the floor. 8/31	Extends existing incentives for alternative vehicle technologies.
<u>SB 1464</u>	Lowenthal	Vehicles: bicycles: passing distance	Watch	To the Governor. 9/6	Requires vehicles to pass bicyclists with a minimum clearance of 3 ft, and increases monetary penalties.