LEGISLATION COMMITTEE

Agenda

May 4, 2009
10:30 A.M.
651 Pine Street, Room 101, Martinez

Supervisor Susan A. Bonilla, District IV, Chair
Supervisor Mary N. Piepho, District III, Vice Chair

Agenda Items: Items may be taken out of order based on the business of the day and preference of the Committee

1. **Introductions**
2. **Accept public comment on any item under the jurisdiction of the Committee and not on this agenda.** (*Speakers may be limited to three minutes.*)
3. **Review Record of Action**: April 6, 2009
4. **Review State Budget Update and Federal Legislative Activity Report**– Presenters: Lara DeLaney and Cathy Christian
5. **Economic Stimulus Information**–Presenter: Lara DeLaney
6. **Receive Update on Status of 2009 State and Federal Legislation**– Presenter: Lara DeLaney
7. **Adjourn to the next regular meeting scheduled for Wednesday, June 10, 10:30 a.m. (Note date change)**

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Public comment may be submitted via electronic mail on agenda items at least one full work day prior to the published meeting time.

For Additional Information Contact:

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Glossary of Acronyms, Abbreviations, and other Terms (in alphabetical order):

Contra Costa County has a policy of making limited use of acronyms, abbreviations, and industry-specific language in its Board of Supervisors meetings and written materials. Following is a list of commonly used language that may appear in oral presentations and written materials associated with Board meetings:

AB	Assembly Bill
ABAG	Association of Bay Area Governments
ACA	Assembly Constitutional Amendment
ADA	Americans with Disabilities Act of 1990
AFSCME	American Federation of State County and Municipal Employees
AICP	American Institute of Certified Planners
AIDS	Acquired Immunodeficiency Syndrome
ALUC	Airport Land Use Commission
AOD	Alcohol and Other Drugs
BAAQMD	Bay Area Air Quality Management District
BART	Bay Area Rapid Transit District
BCDC	Bay Conservation & Development Commission
BGO	Better Government Ordinance
BOS	Board of Supervisors
CALTRANS	California Department of Transportation
CalWIN	California Works Information Network
CalWORKS	California Work Opportunity and Responsibility to Kids
CAER	Community Awareness Emergency Response
CAO	County Administrative Officer or Office
CCHP	Contra Costa Health Plan
CCTA	Contra Costa Transportation Authority
CDBG	Community Development Block Grant
CEQA	California Environmental Quality Act
CIO	Chief Information Officer
COLA	Cost of living adjustment
ConFire	Contra Costa Consolidated Fire District
CPA	Certified Public Accountant
CPI	Consumer Price Index
CSA	County Service Area
CSAC	California State Association of Counties
CTC	California Transportation Commission
dba	doing business as
EBMUD	East Bay Municipal Utility District
EIR	Environmental Impact Report
EIS	Environmental Impact Statement
EMCC	Emergency Medical Care Committee
EMS	Emergency Medical Services
EPSDT	State Early Periodic Screening, Diagnosis and treatment Program (Mental Health)
et al.	et ali (and others)
FAA	Federal Aviation Administration
FEMA	Federal Emergency Management Agency
F&HS	Family and Human Services Committee
First 5	First Five Children and Families Commission (Proposition 10)
FTE	Full Time Equivalent
FY	Fiscal Year
GHAD	Geologic Hazard Abatement District
GIS	Geographic Information System
HCD	(State Dept of) Housing & Community Development
HHS	Department of Health and Human Services
HIPAA	Health Insurance Portability and Accountability Act
HIV	Human Immunodeficiency Syndrome
HOV	High Occupancy Vehicle
HR	Human Resources
HUD	United States Department of Housing and Urban Development
Inc.	Incorporated
IOC	Internal Operations Committee
ISO	Industrial Safety Ordinance
JPA	Joint (exercise of) Powers Authority or Agreement
Lamorinda	Lafayette-Moraga-Orinda Area
LAFCo	Local Agency Formation Commission
LLC	Limited Liability Company
LLP	Limited Liability Partnership
Local 1	Public Employees Union Local 1
LVN	Licensed Vocational Nurse
MAC	Municipal Advisory Council
MBE	Minority Business Enterprise
M.D.	Medical Doctor
M.F.T.	Marriage and Family Therapist
MIS	Management Information System
MOE	Maintenance of Effort
MOU	Memorandum of Understanding
MTC	Metropolitan Transportation Commission
NACo	National Association of Counties
OB-GYN	Obstetrics and Gynecology
O.D.	Doctor of Optometry
OES-EOC	Office of Emergency Services-Emergency Operations Center
OSHA	Occupational Safety and Health Administration
Psy.D.	Doctor of Psychology
RDA	Redevelopment Agency
RFI	Request For Information
RFP	Request For Proposal
RFQ	Request For Qualifications
RN	Registered Nurse
SB	Senate Bill
SBE	Small Business Enterprise
SWAT	Southwest Area Transportation Committee
TRANSPAC	Transportation Partnership & Cooperation (Central)
TRANSPLAN	Transportation Planning Committee (East County)
TRE or TTE	Trustee
TWIC	Transportation, Water and Infrastructure Committee
UCC	Urban Counties Caucus
VA	Department of Veterans Affairs
vs.	versus (against)
WAN	Wide Area Network
WBE	Women Business Enterprise
WCCTAC	West Contra Costa Transportation Advisory Committee

Schedule of Upcoming BOS Meetings

May 5, 2009
May 12, 2009
May 19, 2009

Legislation Committee

Supervisor Susan A. Bonilla, Chair
Supervisor Mary N. Piepho, Vice Chair

Record of Actions

April 6, 2009
10:30 a.m.
Room 108, 651 Pine Street, Martinez

1. Introductions

The meeting was called to order by Chair Bonilla. Supervisor Piepho was in attendance. Staff and the public introduced themselves.

2. Public Comment

None.

3. Record of Action of March 6, 2009 Meeting

Approved with no changes.

4. Summary of Advocacy Meetings in Washington, D.C.

The report was provided by Lara DeLaney, CAO staff. Supervisor Bonilla requested that a clear communication be sent to Departments for quantifiable information about the impacts of federal stimulus funding. She requested a preliminary report to the Board by June, to be distributed to our congressional offices. She also requested a follow-up report documenting full-year benefits of the funds. Specific information should include jobs created, impacts on the economy, cost avoidance, social return on investments. The Committee requested that the committee report be transmitted to the full Board on the Consent calendar.

5. Review State Budget Update and Economic Stimulus Information

Ms. DeLaney and Ms. Cathy Christian, state lobbyist (via conference call) provided the report. There was a brief discussion about the Board's decision to not fund certain medical services for undocumented residents of the county. Dr. Walker confirmed that the impact of the "trigger cuts" on the Department's budget was a loss of $1.5 M in Safety Net Care Pool funds. Cathy reported on the State's cash flow problem. Facing what could be the largest cash flow problem in state history, California officials are asking the federal government to back billions of dollars in short-term loans the state must seek in July. She also reported that there will be a June Revision, rather than the traditional May Revision to the state budget.

The Committee reviewed the request to support a letter to the Governor requesting library funds from the federal stimulus funds, State Stabilization Fund. The Committee supported the request.

6. Update on Status of 2009 State and Federal Legislation

Ms. DeLaney provided the report, summarizing the written staff report. Ms. Christian provided information about the bill the County is sponsoring with Senator DeSaulnier, SB 686, and discussed the Delta Water bills moving through the legislature. Supervisor Piepho indicated that the approach at this time was for the County to not support any one piece of legislation but, rather to support certain concepts. It was necessary to provide our lobbyist and staff with a framework for the discussions around the bills; we were in the process of determining the "basics" we wanted to advocate for in particular water bills.

The Committee went through the legislation status reports and indicated their support for various bills, including AB 1445, AB 12, AB 286, and SB 114. The following bills were to be referred to staff for analysis and recommendation: AB 89, AB 307, AB 1487, AB 517, SB 152, and SB 810. The following bills were referred to the Finance Committee: ACA 9, AB 1019, and AB 1082. Supervisor Piepho requested that AB 166 be reviewed comprehensively with SB 459 and any other bills related to abandoned commercial vessels on State lands.

The Committee briefly discussed the Propositions 1A-1F on the May 19 Special Election ballot. The Committee recommended that the propositions be referred to the Board with no position on the measures. However, information on the impacts of the propositions on Contra Costa should be included.

Supervisor Bonilla requested that staff review the energy efficiency program Sonoma County had developed to encourage home energy improvements funded by an assessment on the homeowner's property tax bill. She was supportive of the development of a program in Contra Costa.

7. Receive Memo on Recent Amendments to the Ralph M. Brown Act

Ms. DeLaney provided the report, which the Committee accepted.

8. Adjourned to the next regular meeting scheduled for Monday, May 4, 10:30 a.m.

OFFICE OF THE COUNTY ADMINISTRATOR
CONTRA COSTA COUNTY

TO: Legislation Committee
Supervisor Susan A. Bonilla, Chair
Supervisor Mary N. Piepho, Vice Chair

FROM: Lara DeLaney, Legislative Coordinator

DATE: April 29, 2009

SUBJECT: **Agenda Item #4: State Budget Update and Federal Legislative Activity Report**

RECOMMENDATION

RECEIVE the report and discuss impacts to Contra Costa County.

STATE BUDGET UPDATE

Voters strongly oppose five special election measures being sold as a budget-reform elixir for California's burgeoning $40 billion deficit. But voters in a new Field Poll overwhelmingly support a measure to bar legislators and state officers from getting a pay raise when there is a budget deficit.

The poll found pluralities of likely special-election voters lining up against five of the six propositions on the May 19 ballot. In the poll conducted April 16-26, likely voters were roundly rejecting Proposition 1C – a measure calling for borrowing $5 billion from a revamped state lottery. While likely voters opposed the lottery measure by 59 percent to 32 percent, they were against Proposition 1A by 49 percent to 40 percent.

Voters, by similar margins, are also rejecting special election initiatives on education funding (Proposition 1B) and on temporary shifts in voter-approved funds for early childhood development (Proposition 1D) and mental health programs (Proposition 1E) to pay for other programs instead.

▪ **Proposition 1A**. Would constrain future state spending, require a larger reserve fund and extend temporary $16 billion, two-year tax increases approved in the budget deal for two more years: 40 percent yes, 49 percent no, 11 percent undecided.

▪ **Proposition 1B**. Would allocate $9.3 billion to schools to compensate for past budget cuts: 40 percent yes, 49 percent no, 11 percent undecided.

▪ **Proposition 1C**. Would allow the state to modernize the lottery and borrow up to $5 billion from future proceeds: 32 percent yes, 59 percent no, 9 percent undecided.

▪ **Proposition 1D**. Would allow voter-approved tobacco tax funds now allocated for children's health and social services to be redirected temporarily to the general fund to help balance the budget: 40 percent yes, 49 percent no, 11 percent undecided.

▪ **Proposition 1E**. Would also allow voter-approved funds now targeted for community mental health programs to be redirected temporarily to the general fund: 40 percent yes, 51 percent no, 9 percent undecided.

Also on the ballot is a measure that was part of the package approved by the governor and Legislature but has no direct bearing on the current budget. Proposition 1F would prohibit state elected officials from receiving pay raises when the state is running a deficit. Voters strongly favor the measure, 71 percent to 24 percent, with 5 percent undecided.

The strong "no" sentiment on the budget measures comes despite the fact that a slight plurality of voters – 47 percent to 41 percent – said they believe the state's fiscal problems and the deficit will worsen if the initiatives are defeated.

The poll found a greater proportion of Republicans opposed to the measures than Democrats. More than three-fifths of Republicans oppose the fund shifts proposed in Propositions 1D and 1E, even though both ideas originated with GOP members of the Legislature.

But healthy majorities of both parties – 72 percent overall – answered "yes" when pollsters asked if voting down the measures "would send a message to the governor and the state Legislature that voters are tired of more government spending and higher taxes."

The campaigns to pass all or some of the propositions have raised eight times more money than the opposing forces – $16 million to $2 million – but they have a steep hill to climb.

CDCR Announcement

On April 24, Secretary Matthew Cate from the California Department of Corrections and Rehabilitation (CDCR) held a conference call to outline how the Agency would address the $400 million reduction from the February budget. As part of the February budget, the Governor vetoed an unallocated reduction of

$400 million from the CDCR Budget. Secretary Cate indicated that these proposals will need approval from the legislature and the agency plans to submit a package of bills to the Legislature by next week. The plan is as follows:

- **Staff Efficiencies** – CDCR will reduce administrative costs by eliminating position and close down a division of the Juvenile Justice prison.
- **Program Credit Enhancements** – Inmates will receive additional credits for participation in rehabilitative programs including getting a GED, vocational training, and other programs geared towards integrating back into society.
- **Property Crime Threshold Adjustment** – Depending on the dollar value of the property crime, the offender would be prosecuted with a misdemeanor instead of a felony.
- **Parole Reform** – This proposal would remove non-serious, non-violent, non-sex offenders from being placed on parole after their release from prison. CDCR will evaluate nonviolent offenders through a validated risk assessment tool prior to their release from prison. CDCR will also be drafting a statutory change in law that will grant local law enforcement search and seizure authority for those directly discharged from prison but not placed on parole.
- **Increasing Supervision for Serious and Violent Parolees** - CDCR will redirect some of the savings achieved above the $400 million to increase supervision for its serious and violent offenders currently on parole. This supervision will include reducing parole agent caseloads, increasing efforts to apprehend parolees who have absconded, and increasing the use of GPS technology for parole technical violations.

FEDERAL LEGISLATIVE ACTIVITY UPDATE

Lawmakers returned to Washington, D.C., the week of April 20 following their traditional spring recess. With the next pause in legislative action slated for late May, congressional leaders will use the ensuing weeks leading up to the scheduled break to begin consideration of a number of high profile issues, including transportation reauthorization and climate change legislation.

FFY 2010 Budget

Democrats in Congress gave final approval to their $3.5 trillion budget plan without any Republican support on April 29, pushing ahead President Obama's ambitious agenda on his 100th day in office.

The Senate voted 53-43 to pass the budget. The House passed the budget resolution earlier by a 233-193 vote. Republicans voted en masse against the budget, just like they did when the Democrats' budget plans came up for preliminary votes earlier this month.

In the Senate, three Democrats voted against the resolution: Sens. Ben Nelson (Neb.), Evan Bayh (Ind.) and Robert Byrd (W.Va.). Sen. Arlen Specter (Pa.), who is leaving the Republican Party to become a Democrat, also voted no.

President Obama and Democrats touted the approved budget as another legislative victory at the start of his presidency. Along with a $787 billion economic stimulus package and other legislation on healthcare and equitable pay, the budget is central to their effort to pull the country out of the deepest recession since the Great Depression, Democrats said.

The Democratic budget seeks to increase access to higher education, broaden healthcare coverage and reduce the country's dependence on foreign oil. It also calls on the wealthy to pay more taxes while lowering taxes on the middle class.

The budget resolution calls on lawmakers to achieve those goals while not adding to the deficit, but it does not spell out how Congress can do so.

President Obama had proposed paying for the healthcare reforms through finding new efficiencies in Medicare and Medicaid and through taxes on the wealthy. The administration wanted to pay for new clean-energy programs by instituting a cap-and-trade carbon emissions system that Republicans have deemed a broad-based energy tax. Those proposals were dropped after criticism from centrist Democrats wary of new taxes hitting the middle class.

The budget resolution also makes it easier for Democrats to enact major healthcare reform this year through the inclusion of reconciliation rules that would allow healthcare and education legislation to move through the Senate by a majority vote, instead of the 60 votes needed for most controversial measures.

Democrats in Congress praised the President for putting the country on a new path early in his White House tenure, while Republicans blasted the vote as a turn toward the bigger-government philosophy of Europe.

House Speaker Nancy Pelosi (D-Calif.) and Democrats pushed back against those suggestions, noting that the deficit will fall by more than two-thirds under their plan. Pelosi said that the budget will move the country in a much-needed new direction after the years of the Bush administration, when budget surpluses turned into deficits.

Despite the concerns of the 51 centrist Blue Dog Democrats over the future deficits, all but 13 of them ended up backing the budget resolution.

Blue Dogs' concerns were largely assuaged by a commitment by Speaker Pelosi and House Majority Leader Steny Hoyer (D-Md.) to put new pressure on the Senate to pass a pay-as-you-go law that will require any future spending to be offset by tax increases or cuts to other programs.

Representatives Pelosi and Hoyer, eager to retain Blue Dogs' support, said that they would not consider major tax bills from the Senate unless the upper chamber considers a pay-go law or offsets the costs of their tax policy shifts.

Climate Change

On the global warming front, the House Energy & Commerce (E&C) Committee wrapped up three straight days of climate change hearings on April 23. All told, the E&C Committee heard testimony from 67 witnesses during this week's proceedings on the *American Clean Energy and Security Act of 2009.* The bill, which remains in draft form, is sponsored by the chairman of the E&C Committee, Representative Henry Waxman (D-CA).

Among those testifying before the committee was U.S. Department of Transportation (DOT) Secretary Ray LaHood. LaHood described DOT's current efforts aimed at curbing climate change and discussed the link between global warming and SAFETEA-LU (surface transportation law) reauthorization.

As expected, the draft climate change bill includes a cap-and-trade approach to addressing global warming. Critics, including many Republican members of the E&C Committee, have charged that such an approach represents a regressive tax that will result in further distress to America's fragile economy.

In response, leading Democrats have countered that the U.S. economy will grow faster and achieve long-term stability if Congress is able to approve comprehensive energy reform. To bolster their arguments and in an effort to fend off critics of the draft legislation, Democratic committee leaders have pointed to an Environmental Protection Agency (EPA) analysis that indicates that the price of expected emission allowances would be less than what was projected for the cap-and-trade bill that the Senate debated last year.

According to EPA, forecasts have changed in part due to lower projected growth in gross domestic product, which means industrial output of greenhouse gases will be lower than expected. Additionally, the EPA report notes that the House draft bill's average annual cost per household would be between $98 and $140, a relatively modest financial impact according to bill proponents.

It should be noted that EPA assumes that the federal government will auction emissions allowances and return most of the revenue to consumers. While President Obama is on record favoring such an approach, the draft bill leaves the issue unresolved.

With regard to future legislative action, the E&C Committee is scheduled to begin marking up the climate change bill the week of April 27, with plans to report the measure to the full House by the Memorial Day recess.

Health Care Reform

In other news, health system reform remains at the top of the to-do list for Democratic congressional leaders, with key lawmakers in both chambers setting an extremely ambitious timetable to consider and adopt a comprehensive reform bill. As of this writing, however, actual legislation has yet to be introduced.

In the Senate, two committees have jurisdiction over health care reform – the Finance Committee and the Health, Education, Labor and Pensions (HELP) Committee. For its part, the Finance Committee began a series of roundtable discussions this week, with closed-door, bipartisan discussions aimed at trying to reach consensus on a bill expected in the near future. Finance Committee leaders have pledged to work with their HELP Committee counterparts to meld the committees' respective bills into one piece of legislation that could reach the Senate floor before August.

Across Capitol Hill, three House committees are on a similar timetable. However, the House legislation is expected to be a product created almost entirely by Democrats.

Local Government Financing

Finally, CSAC Executive Director Paul McIntosh appeared on *CNBC Reports* on April 21 to discuss efforts to provide a federal guarantee for the short-term cash flow borrowings of states and local governments. Appearing opposite McIntosh and arguing against the proposal was Congressman Darrell Issa (R-CA).

Due to the ongoing recession, States and localities have been unable to meet short-term financing needs due to the private market's inability to provide credit enhancement for state and municipal financing instruments. Absent access to the credit market, California local governments could be forced to make program reductions and lay off government employees. Combined with the potential cuts that could result from the State of California's massive budget deficit, many counties and cities could be facing severe financial hardship in the coming year.

For its part, CSAC has been one of the leaders in advocating for a state and local government short-term cash flow borrowing stabilization program. The association is currently working with key members of the California congressional delegation in an effort to move the proposal forward.

For more information, contact Joe Krahn, Waterman and Associates, 202/898-1444, or e-mail jk@wafed.com.

Oberstar Proposes Adopting Mileage-Based Tax to Replenish Highway Fund

By Colby Itkowitz, CQ Staff, 4/29/09, Source: **CQ Today Print Edition**

House Transportation and Infrastructure Chairman James L. Oberstar on Tuesday suggested switching within two years from the current gasoline tax to a mileage-based levy, a stance that puts him squarely at odds with the Obama administration.
The Minnesota Democrat made the comments at a committee hearing about transportation earmarks in the upcoming highway bill.

How to replenish the federal Highway Trust Fund is the biggest question that Congress must answer when rewriting federal transportation law this year. As Americans drive fewer miles and buy cars that run less on gasoline and more on alternative fuels, the current tax at the pump can no longer meet infrastructure spending needs.

One solution suggested by experts who have studied the problem has been to move from a tax based on the gallons of fuel dispensed to one based on the number of miles a vehicle is driven.

In February, shortly after his confirmation, Transportation Secretary Ray LaHood expressed interest in the concept — only to be slapped down by the White House, which flatly ruled out the idea. That, in turn, prompted Oberstar to retort that transportation policies would not be written by the White House press office.

The administration also has rejected a gasoline tax during the recession.
Democratic Rep. Earl Blumenauer of Oregon, who testified at Tuesday's hearing, suggested that the highway bill include an expanded pilot program similar to one in Oregon that is testing a mileage-based tax.

"Why a pilot program?" Oberstar said. "Let's just phase it in. I think we can do it in two years." Later he added, "I'm at the point of frustration with studies."

Two commissions set up by the 2005 surface transportation law recommended a shift to a mileage-based tax, but over a 15- to 20-year time frame. Peter A. DeFazio , D-Ore., chairman of the Subcommittee on Highways and Transit, expressed surprise at Oberstar's suggested timeline. "It's the first time I heard a schedule that ambitious," he said, adding that he and Oberstar will have to discuss it. Moving to a tax based on mileage has raised privacy concerns by critics worried that mileage-compilation devices in autos could allow the government to track the movements of drivers and passengers.

At an appearance later Tuesday before a Senate Commerce, Science and Transportation subcommittee, LaHood said he had not even begun working on discussing revenue plans for the authorization bill with President Obama. He said

lawmakers would know soon where the president stands on infrastructure funding, but he declined to give a time frame.
LaHood reiterated that the administration would not support raising the gasoline tax while the economy is slumping. Oberstar has said raising gas taxes may be a necessary short-term solution.

On Tuesday morning, Oberstar and House Ways and Means Chairman Charles B. Rangel, D-N.Y., discussed financing options for the authorization bill. Rangel's committee will ultimately determine whether to increase taxes to fund transportation.
Rangel said he was open to a gasoline tax increase, but added it would take a larger national debate and an extraordinary program to sell it to the American people.

Richard Rubin contributed to this article.

OFFICE OF THE COUNTY ADMINISTRATOR
CONTRA COSTA COUNTY

TO: Legislation Committee
Supervisor Susan A. Bonilla, Chair
Supervisor Mary N. Piepho, Vice Chair

FROM: Lara DeLaney, Legislative Coordinator

DATE: April 29, 2009

SUBJECT: **Agenda Item #5: Federal Economic Stimulus Status Report**

RECOMMENDATION

ACCEPT the report on federal economic stimulus funds (American Recovery and Reinvestment Act of 2009, ARRA) for Contra Costa County.

BACKGROUND

In response to requests from Supervisors Bonilla and Gioia, staff is preparing a status report on the ARRA funds that Contra Costa County is either receiving or applying for. Staff of the CAO and the Auditor-Controller are collaborating to ensure that all reporting requirements are met and all relevant information is captured. Supervisor Bonilla requested that a status report be prepared that identifies the impact of all ARRA funds in terms of job creation, economic impact, social impact, and cost avoidance. A preliminary draft of the chart identifying funding known at this time is attached.

Staff has also been engaged in responding to a request for project information from the Bay Area Council Economic Institute for their development of a Bay Area Economic Recovery Work Plan. The RFP was issued on April 6, and proposals were due April 24, 2009. The plan will be used to assist the state in developing a list of priority projects to be recommended for state-disbursed federal funding, and will provide an important step forward in the planning for the Bay Area's long-term economic recovery. The Plan will be developed through a consultative process and will be delivered to the State Business, Transportation & Housing Agency by June 1, 2009.

Project submitted from Contra Costa County include:

1. Rodeo Downtown/Waterfront Utility and Infrastructure Upgrade, and Brownfield Remediation Project (Redevelopment Agency, $15M)
2. Contra Costa Centre Transportation Enhancement Program (RDA, $9M)

3. North Richmond Young Adult Empowerment Center (RDA)
4. Bay Point Transit Village (Orbasonia Heights) (RDA, $30M)
5. Neighborhood Stabilization (Department of Conservation & Development)
6. Hotchkiss Tract Levee Project (Water Agency, $40M)
7. Bethel Island Municiapl Improvement District Levee Upgrade Project (Water Agency, $150M)
8. Jersey Island Levee Rehabilitation (Water Agency, $28M)
9. Holland Tract Levee Rehab and Bank Protection Project (Water Agency, $2.8M)
10. Webb Tract Levee Rehabilitation and Bank Protection Project (Water Agency, $10M)
11. Bradford Island Levee Rehabilitation Project (Water Agency, $10M)
12. Pinole Shoal Maintenance Dredging (Water Agency, $5.3M)
13. Suisun Bay Channel/New York Slough Maintenance Dredging (Water Agency, $6.114M)
14. Bethel Island Road Bridge Replacement Project (Public Works, $12.2M)
15. Iron Horse Trail Pedestrian Overcrossing Project (Public Works, $7M)
16. State Route 4 Rubberized Asphalt Overlay (Public Works, $6M)
17. Vasco Road Overlay (Public Works, $6M)
18. Vasco Road Safety Project (Department of Conservation & Development)
19. Surface Treatment/Thin Overlay of County Roads (Public Works)
20. Guard Rail Retrofit (Public Works)
21. Support for UCCE Applied Research & Education (Coop. Extension, $1.75M)

American Recovery and Reinvestment Act of 2009

Department	Expected Amount	Use of Funds	Program	How Allocated
Public Works	$ 10,000,000 $ 2,000,000	Vasco Road Safety Project Vasco Road Overlay		Metropolitan Transportation Commission
Department of Child Support Services	*unknown*	To Local Support Agencies to hire additional child support specialists		$18.7 statewide.
Employment and Human Services	*See second page*			
Redevelopment Agency	$ 929,719	CDBG projects/programs	CDBG (Community Development Block Grant)	$1 B nationwide. **Formula driven.** Timing and rules unclear. Must involve cities.
	unknown	Low Income Housing Tax Credit Program. May impact current projects in County seeking tax credits.	HOME	$2.25 B nationwide, 100% to States. Rules unclear at state and federal levels. Funding to state housing credit agencies per formula based on percentage of HOME funds apportioned to the state. State agencies then distribute competitively to project owners per a qualified allocation plan to owners who receive low income tax credits.
	$ 1,422,000	Homeless Prevention and housing	ESG (Emergency Shelter Grants)	$1.5 B nationwide, 9X greater than annual appropriation. **Formula driven.** Rules unclear, tho required to be committed within 2 years. Have to be careful to not fund programs that establish a higher (unsustainable) level of funding (ie., rental voucher).
	$ 6,000,000	County Neighborhood Stabilization Program	NSP (Neighborhood Stabilization Program)	$2 B nationwide. **Allocated competitively.** Rules unclear. Expect to begin implementation of County NSP by April 1, 2009.
Sheriff's Office	*unknown*	Hiring/retaining deputies	COPS (Community Oriented Policing Services)	$1 B nationwide. **Allocated competitively.** Two kinds of grants: Sponsored/Targeted Grants consist of Methamphetamine, Safe Schools Initiative and Technology programs.Discretionary/Non-Targeted Grants consist of Cops In Schools, Homeland Security Overtime Program, MORE, Interoperability, Secure Our Schools, Tribal and Universal Hiring programs. Apply directly to DOJ, COPS Office for grants.
	$ 299,535	Grantees may utilize Recovery JAG funds for state and local initiatives, technical assistance, training, personnel, equipment, supplies, contractual support, and information systems for criminal justice, as well as research and evaluation activities	Edward Byrne Memorial Justice Assistance Grant Program	Once the state funding is calculated, 60 percent of the allocation is awarded to the state and 40 percent to eligible units of local government. States also have a variable percentage of the allocation that is required to "pass through" to units of local government. This amount, also calculated by BJS, is based on each state's crime expenditures. Additionally, the formula calculates direct allocations for local governments within each state, based on their share of the total violent crime reported within the state.
Housing Authority	$ 1,200,000	that will improve or enhance law enforcement programs related to criminal justice. Some examples include: prosecution and court programs; prevention and education programs; corrections and community corrections programs; drug treatment and enforcement programs; planning, evaluation, and technology improvement programs; and crime victim and witness programs (other than compensation).	Public Housing Capital Fund	$3.0 billion to public housing authorities per formula for the Public Housing Capital Fund for capital improvements related to public housing. Money will become available to public housing agencies within 30 days of signing the bill. In addition, there is another $1 billion for public housing authorities in competitive grants to public housing authorities for priority capital improvements and rehabilitation.Funding remains available until September 30, 2009.
Consolidated Fire	$ 15,000,000	Maximum grant available for Firehouse Construction	AFG	Department of Homeland Security has $210 M (nationwide) for firefighter AFG grants for firehouse construction.

American Recovery and Reinvestment Act of 2009

Department	Expected Amount	Use of Funds	Program	How Allocated
Department of Conservation & Development	$ 3,574,300	The activities eligible for use of funds are: Development of an Energy Efficiency and Conservation Strategy and Technical Consultant Services to assist in the development of such a strategy; Residential and Commercial Building Energy Audits; Financial Incentive Programs for energy efficiency improvements; Grants to nonprofit organizations and governmental agencies for the purpose of performing Energy Efficiency Retrofits; Energy Efficiency and Conservation Programs for Buildings and Facilities; Development and Implementation of Transportation Programs to conserve energy; Building Codes and Inspections to promote building energy efficiency; Energy Distribution Technologies that significantly increase energy efficiency, including distributed generation, combined heat and power, and district heating and cooling systems; Material Conservation Programs including source reduction, recycling, and recycled content procurement programs that lead to increases in energy efficiency; Reduction and Capture of Methane and Greenhouse Gases excluding carbon capture or sequestration from power plants; Energy efficient Traffic Signals and Street Lighting; Renewable Energy Technologies on Government Buildings; Any Other Appropriate Activity that meets the purposes of the program and is approved by DOE	Energy Efficiency and Conservation	$3.2 billion for the Energy Efficiency and Conservation Block Grant (EECBG) Program for fiscal year 2009. A county with a population of at least 200,000 or that is one of the 10 highest populated counties of the state in which the county is located, is eligible for a direct formula grant from DOE. Contra Costa's amount is direct formula. Of the $3.2 billion dollars appropriated in total program funds, $2.8 billion is available as authorized under Subtitle E of Title V of the Energy Independence and Security Act and **$455 million is available in competitive grants from DOE.**
Probation	$2,700,000	Mentally Ill Offender Crime Reduction Program. Intensive case management and counseling service for juvenile probationers who have a diagnosis of mental illness. Goal is to reduce recidivism and incarceration of mentally ill offenders. Modeled after our state grant which was de-funded due to state cuts.	Byrne JAG Competitive Grant	Byrne JAG Competitive Grant application process. Subject, of course, to award of the grant through the competitive application process.
Other	$ 2,000,000	Army Corps funding for San Pablo Bay, Mare Island Strait, O&M		

Employment & Human Services Department

Estimated Funding Increase from The American Recovery and Reinvestment Act of 2009

	2-yr	1-yr	Propose Use of Funds
Aging & Adult Services Bureau			
IHSS	$ 6,750,000	$ 4,500,000	Additional revenues due to increased FMAP efective October 1, 2008 through December 31, 2010, to offset County GF reduction.
Community Services Bureau:			
HS & EHS	$ 5,670,000	$ 2,835,000	Facility upgrades, additional staff, COLA, expand collaboration with CBOs
State Childcare contracts	814,759	407,380	Facility upgrades, additional staff, COLA, expand collaboration with CBOs
LIHEAP	935,450	935,450	Additional staff, increase in housing and energy assistance to eligible county residents
CSBG	974,802	487,401	Admin support and expand collaboration with CBOs
DOE	3,412,637	1,706,319	Additional staff, expand collaboration with Building Inspection to increase weatherization assistance to eligible county residents
	$ 11,807,648	$ 6,371,550	
Worforce Development Board			
Adult	$ 910,425	$ 455,213	Adult Employment & Training Activities
Youth	2,103,338	1,051,669	Youth Activities including Summer Youth Employment
Dislocated Worker	1,753,621	876,811	Dislocated Worker Employment & Training Activities
	$ 4,767,384	$ 2,383,693	
Grand Total	**$ 23,325,032**	**$ 13,255,243**	

OFFICE OF THE COUNTY ADMINISTRATOR
CONTRA COSTA COUNTY

TO: Legislation Committee
Supervisor Susan A. Bonilla, Chair
Supervisor Mary N. Piepho, Vice Chair

FROM: Lara DeLaney, Legislative Coordinator

DATE: April 29, 2009

SUBJECT: **Agenda Item #6: Legislation Status Report**

RECOMMENDATION

REVIEW the attached listings of bills of interest to the County.

RECOMMEND positions on bills to the Board of Supervisors, as appropriate.

ACCEPT the report on state and federal legislative matters.

BACKGROUND

Attached to this report is information about various bills in which the County may have an interest or on which the County has already taken a position. (*Attachment A: Various Bills; Attachment B: Water Bills; Attachment C: County Health Executives Association of California Hot Sheet.)* Additional information may be provided to the Committee regarding any of these bills or activities.

STATE LEGISLATIVE ACTIVITY

SB 686 (DeSaulnier): Environment, CEQA Exemption

Contra Costa County has enlisted the support of Senator DeSaulnier to introduce a bill that would address an inequity in CEQA guidelines related to infill development in unincorporated areas. The bill, SB 686, has passed out of the Senate and is now in the Assembly, where it will be critical to lobby for its passage. The County must engage in defending the bill and enlisting the support of allied counties, such as Sacramento, and legislators.

State mandates to provide affordable housing units apply to both the cities and the County. The County, however, does not have the same set of tools to implement these

goals. For example, the CEQA Guidelines does not apply equally for infill development projects. The current Categorical Exemption for infill development applies only to projects within city limits (Section 15332 of the CEQA Guidelines).

SB 1925 (Sher, 2002), which codified Section 21159.21 and 21159.24 of the Public Resources Code, attempted to address this inequity in 2002, but has not been used due to the narrow focus and limitations of the legislation. Thus, housing projects in the unincorporated areas remain subject to a more time consuming and costly process in order to comply with the CEQA Guidelines than required in cities, despite having similar housing obligations.

Sections 21159.21 and 21159.24 have the following limiting factors:

- Requirement of a community-level environmental review having been completed within the past five years (21159.24(a)(4);
- Minimum density requirements of 20 units per acre or 10 units per acre under certain circumstances (21159.24(a)(10)); and
- Limitations with respect to mixed use projects where retail use cannot exceed 15 percent of the floor area (21159.21(d)(2)).

The following table provides specific examples of recent projects where the infill exemption available to the cities could have been used; however the County had to prepare a negative declaration at additional time and expense to applicants because the infill exemption did not fit.

Project name	Close to transit stop	Density	Why exemption didn't work
Yasmin Court 4 units	Within 1/2 mile of bus stop on Pacheco Blvd.	16 units per acre	No environmental review in last 5 years
Oak Treat Court 16 units	Within ½ mile PH BART Station	27 units per acre	No environmental review in last 5 years.
LP07-2075 Clearland-Willow Apt. 52 units	Within ½ mile of bus stop on Willow Pass Road	29 units per acre	Mixed Use (33% retail/66% Residential), No environmental review in last 5 years
Canal townhouses- 10 units	Within ½ mile of Pittsburg-Bay Point BART Station	20 units per acre	No environmental review in last 5 years
SD059062/DP053095 30 townhomes	Within 1/2 mile of bus stop on Howe Road	24 units per acre	No environmental review in last 5 years.
SD069100/ DP063014: 32 townhomes	Within 1/2 mile of bus stop on Pacheco Blvd.	24 units per acre	No environmental review in last 5 years.

The time delay for the preparation of a negative declaration ranges from four to eight weeks, depending upon certain aspects of the project. The additional time includes the required 21 – 30 day public review period, in addition to the time staff spends preparing the Initial Study and Negative Declaration.

The above table is a review of applications over the last two-years that would have been exempt under the proposal outlined below (note that the number of applications reflects a time period in which applications generally were down due to a slow economy). The direct cost of preparing these documents is typically $3,796 to $5,524 for a typical project, based on 16 – 32 hours of staff time. This cost estimate includes the required fees for posting of the Notice of Exemption and the associated $2,068 Department of Fish and Game filing fees.

To address this inequity, Contra Costa County requests three modifications to the Public resources Code:

1) Modify Sections 21159.21 and 21159.24 to include an extension of time for when a community level environmental review was adopted to 20 years, consistent with a typical cycle of a general plan review. Protections are already in place in the current statute that disqualify the use of any environmental review where there is a reasonable possibility that the project will have a significant effect on the environment (Section 21159.24(b)(2)); circumstances under which the environmental review were prepared have changed (Section 21159.24(b)(2)); and where new information is has become available since the time the community-level environmental review was prepared (Section 21159.24(b)(3)). The extension of time is necessary because implementation of general plans, specific plans, and community plan occur over a much longer period than just five years.

2) Modify Section 21159.24(a)(10) to reduce minimum density to 15 acres per acre, and 10 units per acre under certain circumstances. The County's General Plan classifies 15 units per acre as the mid-range of multiple-family residential-medium density, and is at a density that is compatible with smart growth goals in some communities.

3) Amend Section 21159.24(d)(2) to reflect a true mixed use project of in a higher density setting, of 35 percent. This type of mixed-use project would provide for ground-floor retail and two levels of residential, with in a three –story building. The current 15 percent limit to retail use does not allow for the sustainable, pedestrian oriented mixed-use developments the County is promoting in many communities.

The proposed amendments are consistent with both the State and County smart growth goals. The amendment would be an added incentive for the development of these infill sites, help achieve affordable housing goals, and assist in making desired development projects economically feasible especially in the current market.

Delta Water Issues

At their meeting on April 29, the Delta County Legislative Coordinators agreed that next steps should include efforts by the 5-Delta Counties to establish a "single voice" legislative platform, or a 5-Delta Coalition Legislative Platform. (This, of course, would not prevent a County from acting independently relative to Delta legislation.)

The intent is to develop a set of legislative policies for the Delta that we can all agree on and use in analyzing existing and upcoming bills. It would be an opportunity to have a more in-depth discussion on what we (the Delta Counties Coalition) mean by relevant local government participation, for example. There have been many recent attempts to develop areas of agreement among the 5 Delta counties, including those made by a contracted facilitator. These activities are useful and necessary for the development of a unified legislative platform.

However, there are some pressing items that require joint opinions, or at least a determination of clear areas of agreement/disagreement. These include the following:

- A Delta Conservancy: Structure (significant local representation), responsibilities, funding

- A Delta (Stewardship) Council: structure (some local representation), responsibilities, funding

- The Delta Protection Commission: Under the assumption that some kind of Delta Council is formed, the Delta Counties Coalition may want to offer a model of what the DPC should be (would most likely include an all-local structure)

- What should be in a Delta Plan and how should our land use authorities, local water rights, and water quality requirements interact with it? How can we make that plan include protection of our communities and address other concerns?

- How to make BDCP consistent with adjacent HCP/NCCP's in our counties

The Delta Counties Coalition has several areas of agreement already identified. Below are policies that each Board of Supervisors has adopted and can serve as the framework for a legislative platform.

  - Protect local governance and county prerogatives, including land use, revenues, public health and safety, economic development and agriculture stability;

  - No redirected adverse environmental, economic or social impacts to counties;

- Provide full mitigation of negative impacts to the counties from changes in Delta management, including lost business and income, taxes, assessments, and other revenues, increased costs of compliance with ESA/CESA, public and emergency services, transportation, flood control, water supplies, land conversion, loss of agriculture, and socio-economic impacts;

- Governance for the Delta must include voting membership for local elected officials;

- Protect agricultural stability;

- Provide farmers with safe harbor agreements, fish screens, and buffers related to habitat areas or conveyance facilities;

- Protect water quality in the Delta and ensure water supplies for agriculture;

- Protect Delta infrastructure;

- Protect area of origin and existing water rights;

Special Election Reimbursement

In signing SBx3 19, which called the May 19th special election on the six ballot propositions, the Governor indicated in a signing message that counties should be reimbursed for the costs of this election as soon as possible. CSAC and UCC along with a few county election officials met with the Department of Finance to discuss the reimbursement in hopes that this could be handled in the June Revise. However, due to the timing of the Special Election and the fact that the June Revise is supposed to be released 6 days after the May 19th election, it is unlikely that counties could provide the actual costs to Department of Finance in time for that publication. However, DOF indicated that counties would be reimbursed, as promised by the Governor, and that as soon as counties could provide the actual costs of the election to the Administration and the Legislature, DOF would work on getting the reimbursement to counties through the Budget or urgency legislation.

With respect to Special Vacancy Elections, however, there is no such agreement this time on reimbursement. Over the past week, the Contra Costa Clerk-Recorder Steve Weir, Cathy Christian, and I have been developing a strategy of addressing the looming costs of the Special Vacancy Election that Contra Costa (along with our neighboring counties in the 10th Congressional District) will face in the near future. The price-tag is at least $1.5 M for Contra Costa County for the primary.

We are working to set a meeting with Senator DeSaulnier and Assemblymember Torlakson in the near future to discuss the issue.

We are seeking State reimbursement of the cost of the Special Elections for a one-year period of time, although, ultimately it should be State policy to cover all Special election costs. Solano County is apparently pursuing a legislative solution of providing, at the option of the local government, an All-Mail-Ballot. We may also want to consider this option.

Usually, these unscheduled elections cannot be anticipated far enough in advance to factor in budget planning by the county and often contribute to over expended budgets which would jeopardize essential county funded programs.

Urgency legislation (AB 119, Chapter 487, 2007 Statutes) was passed to require the state to pay for costs incurred for Special Vacancy Elections conducted on or after January 1, 2007. This legislation contained a January 1, 2008 sunset.

Special Vacancy Elections do not, in general, have good turnout statistics, and when vote-by-mail is factored into those statistics, the turn out at the polls is very low. For example, in Los Angeles County, four Special Vacancy Elections were held in 2007. The average overall turnout for these elections was 11.8 percent. The average turn out at the polls was 6.8 percent.

While turn-out for the 10th Congressional District Special Vacancy Election will be higher than that experienced in the recent Los Angeles elections, Contra Costa County (and our three neighboring counties with whom we have been working) will keep costs down by consolidating voting precincts and will streamline the printing and mailing of sample ballots.

FEDERAL LEGISLATIVE ACTIVITY

Transportation Reauthorization Bill

On April 2, 2009, staff received the cover letter and questionnaire distributed to House offices from the bipartisan leadership of the House Transportation and Infrastructure Committee regarding procedures for submitting project requests for the new Transportation Authorization bill. The Committee on Transportation and Infrastructure is crafting new surface transportation authorization legislation to replace the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), which expires on September 30, 2009. The letter indicated that "a small percentage of the overall investment of the authorization bill will be available for Member-designated, High Priority Projects (HPPs)."

Shortly after receiving that information from the Committee, staff received solicitations from our congressional representatives for HPPs in their districts. The deadlines to submit projects and the projects that were submitted to each include the following:

Representative Tauscher: April 17—Vasco Road ($20 million) and East County Trail Network ($5 million)

Representative Miller: April 20— North Richmond Truck Route ($15.5 million), East County Trail Network
Representative McNerney: April 24— Vasco Road and East County Trail Network

A component of the submittal process was the requirement for eligibility confirmation for each project from the Federal Highway Administration, State Department of Transportation, or the regional transportation agency--MTC in our case. In addition, at least one letter of support from the state DoT or affected local government was required. Our lobbyists from Alcalde & Fay and staff from the Department of Conservation and Development (John Greitzer, Steve Goetz, and John Cunningham) and the Public Works Department (Julie Bueren and Steve Kowaleski) did a yeoman's job of responding to the submittal requirements.

John Greitzer in particular deserves special commendation for his herculean efforts to obtain a letter of eligibility confirmation from MTC for the North Richmond Truck Route and the East County Trail Network projects. The turn-around time for the required letter of eligibility confirmation was two days, and Mr. Greitzer succeeded in obtaining the letter. Staff has also solicited and received a number of project support letters from various cities and organizations.

CONTRA COSTA COUNTY
LEGISLATION TRACKING REPORT

CA AB 12

AUTHOR: Beall [D]
TITLE: **Fostering Connections to Success Act**
LAST AMEND: 04/13/2009
DISPOSITION: Pending
LOCATION: Assembly Appropriations Committee
SUMMARY:

Relates to the licensing of foster family homes and community care facilities in which nonminor dependents of the Juvenile Court are placed, independent living settings and placement for nonminor dependents, the procedures for a nonminor dependent to remain under the court's jurisdiction, the approval of relative or norelative homes for placement of nonminor dependents, related long-term foster care, the repeal of the KinGAP Program, AFDC-FC benefits eligibility, and the Adoption Assistance Program.

NOTES: **To the Board for support on 4/28/09**

CA AB 22

AUTHOR: Torres [D]
TITLE: **Computer Hacking: Punishment**
LAST AMEND: 04/14/2009
DISPOSITION: Pending
LOCATION: SENATE
SUMMARY:

Amends existing law which imposes a criminal penalty on any person who, among other things, knowingly accesses and without permission takes, copies, or makes use of any data from a computer, computer system, or computer network, as defined, or takes or copies any supporting documentation, whether existing or residing internal or external to a computer, computer system, or computer network. Increases the fine for a felony conviction.

NOTES: **Supervisor Bonilla wants to consider support**

CA AB 45

AUTHOR: Blakeslee [R]
TITLE: **Distributed Generation: Small Wind Energy Systems**
LAST AMEND: 04/13/2009
DISPOSITION: Pending
COMMITTEE: Assembly Local Government Committee
HEARING: 05/13/2009 1:30 pm
SUMMARY:

Authorizes a local agency to provide for the installation of small wind energy systems and to establish a process for the issuance of conditional use permits for these systems. Authorizes the agency to impose conditions on the installation. Provides an application approval process for a local agency which has not established such permit process. Authorizes a local agency to require a system be removed if it is inoperable for a specified period of time.

NOTES: **CSAC requested comments**

CA AB 87

AUTHOR: Davis [D]
TITLE: **Single Use Carryout Bags**
LAST AMEND: 04/27/2009
DISPOSITION: Pending
LOCATION: Assembly Appropriations Committee
SUMMARY:

Prohibits a store from providing a single use carryout bag, including a green

carryout bag, to a customer unless the store charges a fee at the point of sale. Exempts certain customers from paying the fee. Establishes the Bag Pollution Fund in the State Treasury. Requires the manufacturer of a single use carryout bag to develop educational materials to encourage the reducing, reusing and recycling of single use bags. Requires specified entities to implement the program and collect the fee.

NOTES: **Supervisor Bonilla wants to consider support**

CA AB 89

AUTHOR: Torlakson [D]
TITLE: **Taxation: Cigarettes and Other Tobacco Products**
DISPOSITION: Pending
LOCATION: Assembly Governmental Organization Committee
SUMMARY:

Imposes an additional excise tax on the distribution of cigarettes, and requires a dealer or wholesaler to file a return with the State Board of Equalization showing the number of cigarettes in his or her possession 90 days after the effective date of the bill. Provides that revenues collected would be deposited in the Tobacco Excise Tax Account, and would be allocated for certain education-, health-, and child-related purposes.

NOTES: **To the Board for support on 4/28/09**

CA AB 137

AUTHOR: Jeffries [R]
TITLE: **Open Meetings: Advisory Committees**
DISPOSITION: Pending
LOCATION: Assembly Local Government Committee
SUMMARY:

Relates to the Ralph M. Brown Act, which requires that all meetings of a legislative body of a local agency be open and public. Limits the advisory committee exclusion from the act to an advisory committee composed solely of the members of the legislative body that are less than a quorum and whose subject matter jurisdiction has cumulatively lasted for 2 years or less.

CA AB 143

AUTHOR: Jeffries [R]
TITLE: **Property Taxation: Replicated Tax Payments: Return**
DISPOSITION: Pending
LOCATION: SENATE
SUMMARY:

Authorizes an owner of record to instruct a property tax collector, by written request, to refund a replicated payment on a current assessment to the tendering party who is not an owner of record, if that tendering party is known at the time the request is made by the owner of record.

CA AB 155

AUTHOR: Mendoza [D]
TITLE: **Local Government: Bankruptcy Proceedings**
LAST AMEND: 03/27/2009
DISPOSITION: Pending
LOCATION: Assembly Appropriations Committee
SUMMARY:

Provides that a local public entity may only file under federal bankruptcy law with the approval of the State Debt and Investment Advisory Commission.

NOTES: **OPPOSE requested by CSAC. Recommendation from Legislation Committee?**

CA AB 166

AUTHOR: Lieu [D]
TITLE: **Vessels**

DISPOSITION: Pending
LOCATION: Assembly Appropriations Committee
SUMMARY:

Increases the minimum fine for a person to abandon a vessel upon a public waterway or public or private property without the express or implied consent of the owner or person in lawful possession or control of the property. Allows the moneys in the Abandoned Watercraft Abatement Fund to be used for the abatement and removal of such vessels. Prohibits the state from assuming liability for any injuries or damages to a person or entity, public or private, connected to or resulting from processing or disposal.

NOTES: **BOS supports; sending support letter**

CA AB 222

AUTHOR: Adams [R]
TITLE: **Energy: Biofuels**
LAST AMEND: 04/14/2009
DISPOSITION: Pending
LOCATION: Assembly Appropriations Committee
SUMMARY:

Modifies the definition of in-state renewable electricity generation facility for the purposes of the Public Interest Research, Development, and Demonstration Program administered by the Energy Resources Conservation and Development Commission to include a facility that uses conversion at a biorefinery. Amends the definition of solid waste facility under the Integrated Waste Management Act of 1989 to include a biorefinery that processes solid waste and repeals a provision of the Act defining gasification.

NOTES: **Supervisor Bonilla has been requested to support; to staff for review/analysis.**

CA AB 237

AUTHOR: Carter [D]
TITLE: **Vehicles: Inspection of Loads: Metal Products**
LAST AMEND: 04/23/2009
DISPOSITION: Pending
LOCATION: Assembly Appropriations Committee
SUMMARY:

Makes provisions of existing law, which authorizes the Highway Patrol to stop a vehicle transporting specified products to determine whether the driver is in legal possession of the load, applicable with regard to a vehicle that is transporting metal products. Authorizes a member of a city police department and a member of the county sheriff's office to stop and inspect vehicles transporting loads.

NOTES: **Supervisor Bonilla wants to consider support**

CA AB 268

AUTHOR: Gaines [R]
TITLE: **Onsite Sewage Treatment Systems**
LAST AMEND: 04/13/2009
DISPOSITION: Pending
LOCATION: Assembly Environmental Safety and Toxic Materials Committee
SUMMARY:

Repeals provisions of the Porter-Cologne Water Quality Control Act regarding regulations or standards for the permitting and operation of specified onsite sewage treatment systems.

NOTES: **To the Board for support on 4/28/09**

CA AB 286

AUTHOR: Salas [D]

TITLE: **Vehicles: Additional Registration Fees**
DISPOSITION: Pending
LOCATION: Assembly Appropriations Committee
SUMMARY:

Amends existing law that imposes, as a county option with certain exceptions, an additional fee and an additional service fee on all commercial motor vehicles, and continuously appropriates the money to fund local programs relating to vehicle theft crimes to extend the fee and continuous appropriation. Requires a related year-end report by each participating county to the Controller to include specified information.

NOTES: **To the Board for support on 4/28/09**

CA AB 307

AUTHOR: Cook [R]
TITLE: **Business Licenses: Ice Cream Truck Operation**
LAST AMEND: 03/23/2009
DISPOSITION: Pending
COMMITTEE: Assembly Business and Professions Committee
HEARING: 05/05/2009 9:00 am
SUMMARY:

Prohibits a city or county from issuing a license to operate an ice cream truck to any person who is required to register as a sex offender.

NOTES: **Supervisor Bonilla wants to consider support; referred to Sheriff's Office for analysis/recommendation**

CA AB 333

AUTHOR: Fuentes [D]
TITLE: **Land Use: Subdivisions Maps: Expiration Dates**
LAST AMEND: 04/23/2009
DISPOSITION: Pending
COMMITTEE: Assembly Local Government Committee
HEARING: 04/29/2009 1:30 pm
SUMMARY:

Relates to the Subdivision Map Act for controlling the subdividing of land. Extends the applicable expiration date for any vesting tentative map, in addition to a tentative map, generally, that has not expired as of the date adding such provision and that will expire before a specified date.

NOTES: **Review requested by CSAC**

CA AB 357

AUTHOR: Knight [R]
TITLE: **Firearms: License to Carry Concealed Firearm**
LAST AMEND: 04/13/2009
DISPOSITION: Pending
LOCATION: Assembly Public Safety Committee
SUMMARY:

Amends existing law that authorizes the sheriff of a county, or the chief or other head of a municipal police department, upon proof that the person applying is of good moral character, that good cause exists, and that the person applying satisfies certain conditions, or has deputized or appointed as a peace officer, to issue a license for the person to carry a concealed handgun. Deletes the good cause requirement. Requires the issue of the license if those other criteria are met.

NOTES: **Supervisor Bonilla wants to consider support**

CA AB 682

AUTHOR: Lowenthal B [D]
TITLE: **In-Home Supportive Services Program: Fraud**
LAST AMEND: 04/16/2009

DISPOSITION: Pending
LOCATION: Assembly Appropriations Committee
SUMMARY:

Requires the State Department of Health Care Services to allocate an unspecified number of personnel positions for purposes of evaluating the implementation of existing law provisions relating to in-home supportive services program fraud. Requires the State Department of Social Services, in consultation with the State Department of Health Care Services, counties and stakeholders, to produce and deliver a report to the Legislature that contains prescribed information relating to fraud in the program.

NOTES: **Refer to IHSS for comment/analysis**

CA AB 720

AUTHOR: Caballero [D]
TITLE: **Land Use: Housing Element**
LAST AMEND: 04/20/2009
DISPOSITION: Pending
COMMITTEE: Assembly Local Government Committee
HEARING: 05/06/2009 1:30 pm
SUMMARY:

Relates to the planning and zoning law and units that are rehabilitated with committed assistance that are to be included in the housing element program. Authorizes a city or county to include weatherization and energy efficiency improvements as part of its efforts to substantially rehabilitate a unit. Modifies the definition of committed assistance.

CA AB 985

AUTHOR: De La Torre [D]
TITLE: **Real Property: Discriminatory Restrictions**
DISPOSITION: Pending
FILE: 92
LOCATION: Assembly Third Reading File
SUMMARY:

Requires a title insurance company involved in any transfer or real property that provides a copy of any deed or other written instrument that contains any discriminatory provision that purports to forbid, restrict, or condition the right of any person or persons to sell, buy, lease, rent, use, or occupy the property to cause that provision to be stricken from the deed or other instrument.

NOTES: **Steve Weir may pursue Support from BOS**

CA AB 1019

AUTHOR: Beall [D]
TITLE: **Alcohol-Related Services Program**
LAST AMEND: 04/15/2009
DISPOSITION: Pending
LOCATION: Assembly Health Committee
SUMMARY:

Establishes the Alcohol-Relates Services Program and related fund. Authorizes the State Board of Equalization to assess and collect specified fees from every person who is engaged in business in this state and sells alcoholic beverages or resale. Requires the fees be deposited into the fund. Appropriates those moneys for the alcohol-related services programs established under this legislation. Authorizes establishing, contracting, or grants for the establishment of services under the program.

NOTES: **Referred to Finance Com on 4/28 BOS agenda**

CA AB 1082

AUTHOR: Torrico [D]
TITLE: **Domestic Violence and Sexual Abuse Prevention Fund**

LAST AMEND: 04/15/2009
DISPOSITION: Pending
LOCATION: Assembly Health Committee
SUMMARY:

Imposes a tax on the sale of, or the storage, use or other consumption of tangible personal property that is harmful matter, as defined. Creates the Domestic Violence and Sexual Abuse Prevention Fund and the Domestic Abuser Surveillance Fund. Requires that moneys in the Surveillance Fund be appropriated to the Department of Corrections and Rehabilitation to fund a system for the electronic surveillance of domestic abusers and stalkers.

NOTES: **Referred to Finance Com on 4/28 BOS agenda**

CA AB 1129

AUTHOR: Hagman [R]
TITLE: **Firearms: Concealed Firearms**
DISPOSITION: Pending
COMMITTEE: Assembly Public Safety Committee
HEARING: 05/12/2009 9:00 am
SUMMARY:

Provides a procedure for the temporary revocation of an identification certificate or an endorsement on the certificate authorizing a retired peace officer to carry a concealed and loaded firearm for conduct that compromises public safety. provides a hearing process to determine if revocation should be made permanent.

NOTES: **Supervisor Bonilla wants to consider support**

CA AB 1342

AUTHOR: Evans [D]
TITLE: **Local Taxation: Income Taxes: Vehicle License Fee**
LAST AMEND: 04/13/2009
DISPOSITION: Pending
LOCATION: Assembly Revenue and Taxation Committee
SUMMARY:

Authorizes the Board of Supervisors of any county to propose to the voters either a local personal income tax or a local vehicle license fee, or both, in accordance with specified requirements.

NOTES: **Supervisor Bonilla wants to consider support**

CA AB 1445

AUTHOR: Chesbro [D]
TITLE: **Medi-Cal: Health Centers and Rural Health Clinics**
LAST AMEND: 04/15/2009
DISPOSITION: Pending
LOCATION: Assembly Appropriations Committee
SUMMARY:

Amends existing law that relates to Medi-Cal reimbursement per-visit rates for benefits for federally qualified health center and rural health clinic services. Provides a specified maximum numbers of visits taking place on the same day at a single location shall be reimbursed under specified conditions. Provides that these provisions shall constitute a changed in the scope of services. Requires these entities to file a scope of service change to the extent required by applicable law.

NOTES: **Dr. Walker recommends Support; to the BOS on 5/12**

CA AB 1487

AUTHOR: Hill [D]
TITLE: **Inmate Medical Expenses**
LAST AMEND: 04/02/2009
DISPOSITION: Pending

COMMITTEE: Assembly Public Safety Committee
HEARING: 05/12/2009 9:00 am
SUMMARY:

Provides for fees for inmate medical expenses. Require that any amount collected for an inmate-initiated medical visit in excess of a specified amount be placed into the county inmate welfare fund.

NOTES: **Supervisor Bonilla wants to consider support; Referred to HSD for monitoring**

CA ACA 9

AUTHOR: Huffman [D]
TITLE: **Local Government Bonds: Special Taxes: Voter Approval**
LAST AMEND: 04/27/2009
DISPOSITION: Pending
COMMITTEE: Assembly Local Government Committee
HEARING: 05/06/2009 1:30 pm
SUMMARY:

Proposes and amendment to the Constitution. Changes the voter-approval requirement for special taxes to authorize a city, county, or special district to impose a special tax with the approval of 55% of its voters voting on the tax. Lowers the voter-approval threshold for a city, county, city and county, or special district to incur bonded indebtedness, exceeding in one year the income and revenue provided in that year, that is in the form of general obligation bonds to fund specified public improvements.

NOTES: **Referred to Finance Com on 4/28 BOS agenda**

CA SB 40

AUTHOR: Correa [D]
TITLE: **Personal Information: Social Security Numbers**
LAST AMEND: 03/31/2009
DISPOSITION: Pending
LOCATION: ASSEMBLY
SUMMARY:

Amends existing law that relates to the presenting of a document for recording of filing with a county recorder to provide that a document containing more than the last 4 digits of a social security number is not entitled for recording. Requires a support judgment abstract to contain only the last 4 digits of the social security number of the person order to pay.

CA SB 96

AUTHOR: Ducheny [D]
TITLE: **Personal Income Taxes: Rates**
DISPOSITION: Pending
LOCATION: Senate Revenue and Taxation Committee
SUMMARY:

Imposes a rate of 9%, 9.5%, 10%, 10.5%, and 11% for taxpayers with taxable income over certain amounts. Imposes an 8.5% maximum rate based on the taxpayer's alternative minimum taxable income.

NOTES: **Supervisor Bonilla wants to consider support**

CA SB 114

AUTHOR: Liu [D]
TITLE: **Medi-Cal: Independent Foster Care Adolescents**
LAST AMEND: 03/16/2009
DISPOSITION: Pending
LOCATION: Senate Appropriations Committee
SUMMARY:

Relates to Medi-Cal benefits to independent foster care adolescents. Specifies

that if the Department of Health Care Services exercises a specified option in existing law, specified independent foster care adolescents would be deemed eligible for the benefits and would be automatically enrolled without requiring a new application or interruption in coverage. Requires the department to develop and implement a simplified form for the annual redetermination of benefits.

NOTES: **Leg Com recommends support; Seeking BOS support on 5/5**

CA SB 170

AUTHOR: Florez [D]
TITLE: **Agricultural Lands: Williamson Act Contracts**
LAST AMEND: 04/13/2009
DISPOSITION: Pending
LOCATION: Senate Local Government Committee
SUMMARY:

Establishes a rebuttable presumption that where a federally recognized Indian tribe has petitioned for a Williamson Act contract cancellation that tribal cultural centers, infrastructure and housing are alternative uses that are public concerns that substantially outweigh the objectives of the act. Provides that land contiguous to existing tribal land would provide more contiguous patterns of urban development than development of proximate noncontracted land.

NOTES: **CSAC Recommends Oppose; CCC sent an Oppose Letter.**

CA SB 250

AUTHOR: Florez [D]
TITLE: **Dogs and Cats: Spaying and Neutering**
LAST AMEND: 04/21/2009
DISPOSITION: Pending
LOCATION: Senate Appropriations Committee
SUMMARY:

Provides that every dog owner shall secure a license for the dog and that no person may own, keep, or harbor an unaltered and unspayed dog. Makes it unlawful for any person who owns, keeps or harbors any unspayed or unaltered cat 6 months of age or older to allow or permit that unspayed or unaltered cat to remain outdoors. Requires an owner or custodian who offers any unaltered dog or cat for sale, trade or adoption to meet specified requirements. Relates to spaying or neutering of unaltered cats.

CA SB 326

AUTHOR: Strickland T [R]
TITLE: **Land Use: Housing Element**
LAST AMEND: 04/13/2009
DISPOSITION: Pending
LOCATION: Senate Appropriations Committee
SUMMARY:

Amends the Planning and Zoning Law which requires each city, county, and city and county to prepare and adopt a general plan that contains certain elements, including a housing element that analyzes existing and projected housing needs and provides a statement of goals, objectives, policies, resources, and programs for the maintenance, preservation, improvement, and development of housing. Requires the housing element to include a quantification of a locality's existing and projected foreclosure rate.

NOTES: **Cathy wants us to consider; CSAC opposes**

CA SB 346

AUTHOR: Kehoe [D]
TITLE: **Hazardous Materials: Motor Vehicle Brake Materials**
LAST AMEND: 04/23/2009

DISPOSITION: Pending
LOCATION: Senate Appropriations Committee
SUMMARY:

Requires a survey of the concentration levels of nickel, zinc, copper and antimony in motor vehicle brake friction materials. Establishes a maximum allowable concentration level of lead and other minerals. Prohibits the sale of vehicle brake friction materials containing specified constituents including cadmium, lead and mercury in certain amounts and concentrations. Requires the Department of Toxic Substance Control to establish a fee for each new axle brake sold in the State.

NOTES: **CCCWP Supports; support letter provided**
Position: Support *04/06/2009*

CA SB 406

AUTHOR: DeSaulnier [D]
TITLE: **Land Use: Environmental Quality**
LAST AMEND: 04/13/2009
DISPOSITION: Pending
LOCATION: Senate Second Reading File
SUMMARY:

Changes the membership of the Planning Advisory and Assistance Council. Requires that the council work with the Strategic Growth Council, regional agencies, and cities and counties to facilitate the implementation of regional blueprint projects. Authorizes a municipal planning organization, council of governments, or county transportation commission and a subregional council to impose a surcharge on motor vehicle registration to be expended to develop and implement a regional blueprint plan.

CA SB 575

AUTHOR: Steinberg [D]
TITLE: **Local Planning: Transportation**
LAST AMEND: 04/15/2009
DISPOSITION: Pending
LOCATION: Senate Second Reading File
SUMMARY:

Provides that transportation projects that are funded solely by a local sales tax measure are exempt from certain provisions of the Planning and Zoning Law relative to development of a regional transportation plan and adoption of a sustainable communities strategy if those projects were specifically listed in a ballot measure, prior to a specified date, approving a sales tax increase for transportation projects.

NOTES: **This may be SB 375 clean-up and opportunity for SB 686**

CA SB 676

AUTHOR: Wolk [D]
TITLE: **Local Fees**
LAST AMEND: 04/13/2009
DISPOSITION: Pending
COMMITTEE: Senate Local Government Committee
HEARING: 05/06/2009 9:30 am
SUMMARY:

Increases the fee that may be charged by a county recorder acting as a filing officer for purposes of the Uniform Federal Lien Registration Act. Authorizes the county clerk to charge a fee per filing for certain wildlife permits. Increase the fees a county recorder may charge, the maximum registration fee for a defendant represented by appointed counsel, administrative costs of collecting restitution, for supporting a minor while in an institution and for sealing a

juvenile record.

NOTES: **Support requested by sponsor. Recommendation from Leg?**

CA SB 686

AUTHOR: DeSaulnier [D]
TITLE: **Environment: CEQA Exemption**
DISPOSITION: Pending
LOCATION: ASSEMBLY
SUMMARY:

Makes a technical nonsubstantive changes to a provision of the Environmental Quality Act. Exempts from the provisions of the Acts regarding the addition or deletion of a class of projects.

NOTES: **Our sponsored legislation for CEQA exemption for infill**
Position: Support

CA SB 711

AUTHOR: Leno [D]
TITLE: **Public Meetings: Sessions: Labor Negotiations**
LAST AMEND: 04/13/2009
DISPOSITION: Pending
LOCATION: Senate Local Government Committee
SUMMARY:

Amends the Ralph M. Brown Act. Requires a local agency, before holding a closed session regarding employee compensation, to identify the employee or class of employees that are the subject of the negotiations, the representatives of the employees, and to provide an oral report by its designated representative on the current status of the negotiations. Requires any action of the legislative body on the collective bargaining agreement or initial proposal to be taken at an open and public session.

NOTES: **CSAC Recommends Oppose; staff concurs**

CA SB 763

AUTHOR: Walters [R]
TITLE: **Land Use: Subdivision Maps**
LAST AMEND: 04/13/2009
DISPOSITION: Pending
LOCATION: Senate Local Government Committee
SUMMARY:

Amends the Subdivision Map Act. Extends the applicable expiration date for any vesting tentative subdivision or parcel map that has been approved, that has not expired on the date the bill is effective and that will expire before a certain date.

NOTES: **Referred to DCD for analysis/comment**

CA SB 810

AUTHOR: Leno [D]
TITLE: **Single-Payer Health Care Coverage**
LAST AMEND: 04/23/2009
DISPOSITION: Pending
COMMITTEE: Senate Appropriations Committee
HEARING: 05/04/2009 11:00 am
SUMMARY:

Establishes the State Healthcare System to be administered by the newly created State Healthcare Agency under the control of a Healthcare Commissioner appointed by the Governor. Makes all residents eligible for specified health care benefits under the system, which would, on a single-payer basis, negotiate for or set fees for health care services provided through the

system and pay claims for them. Extends the application of insurance fraud laws to providers of services and products under the system.

NOTES: **Supervisor Gioia will request support of BOS on 5/19**

CA SB 26 c

AUTHOR: Alquist [D]

TITLE: **Healthy Families Program: Dental-Only Coverage**

LAST AMEND: 04/16/2009

DISPOSITION: Pending

LOCATION: Senate Rules Committee

SUMMARY:

Requires the Managed Risk Medical Insurance Board, contingent on the receipt and appropriation of funds, to provide dental-only coverage consistent with the federal Children's Health Insurance Program Reauthorization Act of 2009 to children who are enrolled in group health care coverage or health insurance coverage offered through an employer and who would otherwise satisfy the requirements for being a targeted low-income child. Authorizes the board to adopt regulations to implement that requirement.

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CONTRA COSTA COUNTY
LEGISLATION TRACKING REPORT

WATER BILLS

CA AB 13

AUTHOR: Salas [D]
TITLE: **Sacramento-San Joaquin Delta Conservancy**
LAST AMEND: 04/01/2009
DISPOSITION: Pending
FILE: 49
LOCATION: Assembly Second Reading File
SUMMARY:

Establishes the Sacramento-San Joaquin Delta Conservancy to provide policy oversight, foster implementation of, and manage funds to implement the restoration and management of habitat and lands in the Sacrament-San Joaquin Delta and Suisan Marsh, and to develop and implement projects to address the economic viability of the Delta region consistent with a comprehensive Delta sustainability program.

STATUS:

04/20/2009 From ASSEMBLY Committee on NATURAL RESOURCES: Do pass as amended to Committee on APPROPRIATIONS.

CA AB 25

AUTHOR: Gilmore [R]
TITLE: **Water Quality: Minimum Civil Penalties**
LAST AMEND: 04/02/2009
DISPOSITION: Pending
LOCATION: Assembly Environmental Safety and Toxic Materials Committee
SUMMARY:

Prohibits the State Water Resources Control Board or a regional board from imposing a mandatory minimum penalty for a violation of the federal Clean Water Act or the Porter-Cologne Water Quality Control Act for which an action to impose liability is not requested or imposed by those boards within a certain time from notice of the violation. Authorizes those boards, in lieu of assessing penalties on a small publicly owned treatment works (POTW), to require the POTW to spend that amount on compliance.

STATUS:

04/21/2009 In ASSEMBLY Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS: Not heard.

CA AB 39

AUTHOR: Huffman [D]
TITLE: **Sacramento-San Joaquin Delta**
LAST AMEND: 04/02/2009
DISPOSITION: Pending
LOCATION: Assembly Appropriations Committee
SUMMARY:

Require the State Delta and Ecosystem Water Council to prepare a plan to implement the Delta Vision Strategic Plan issued by the Delta Vision Blue Ribbon Task Force in October 2008, and to submit that plan to the Legislature prior to a specified date.

STATUS:

04/22/2009 In ASSEMBLY Committee on APPROPRIATIONS: To Suspense File.

CA AB 49

AUTHOR: Feuer [D]
TITLE: **Agricultural Water Management Planning**
LAST AMEND: 04/13/2009
DISPOSITION: Pending
COMMITTEE: Assembly Appropriations Committee
HEARING: 04/29/2009 9:00 am
SUMMARY:

Relates to water conservation measures, programs, and incentives that prevent the waste of water and promote the reasonable and efficient use and reuse of available supplies. Requires the state to achieve a specified reduction in urban per capita water use in the state by a specified date. Requires incremental progress towards this goal by specified dates. Requires agricultural water suppliers to implement water use efficiency best management practices. Imposes related reporting requirements on such users.

STATUS:

04/14/2009 From ASSEMBLY Committee on WATER, PARKS AND WILDLIFE: Do pass to Committee on APPROPRIATIONS.

CA AB 55

AUTHOR: Jeffries [R]
TITLE: **Water Supply Planning**
DISPOSITION: Pending
LOCATION: Assembly Water, Parks and Wildlife Committee
SUMMARY:

Revises the definition of "project" under the California Environmental Quality Act to provide that specified business, commercial, hotel or motel, industrial, manufacturing, and mixed-use developments are within the scope of that definition only if the projected water demand of the development would be equivalent to, or greater than, the amount of water required by a 500 dwelling unit project, as determined by the public water system.

STATUS:

02/05/2009 To ASSEMBLY Committees on WATER, PARKS AND WILDLIFE and LOCAL GOVERNMENT.

CA AB 139

AUTHOR: Brownley [D]
TITLE: **Los Angeles County Flood Control District: Fees**
DISPOSITION: Pending
COMMITTEE: Assembly Local Government Committee
HEARING: 05/13/2009 1:30 pm
SUMMARY:

Authorizes the Los Angeles County Flood Control District to impose a fee or charge to pay the costs and expenses of the district. Requires that any fees imposed be levied and collected, and the revenues paid into the county treasury to the credit of the district. Limits district financing to bonds, taxes and fees.

STATUS:

02/26/2009 To ASSEMBLY Committee on LOCAL GOVERNMENT.

CA AB 262

AUTHOR: Bass [D]
TITLE: **American Recovery and Reinvestment Plan: Energy**
LAST AMEND: 04/14/2009
DISPOSITION: Pending
LOCATION: Assembly Appropriations Committee
SUMMARY:

Requires that any moneys received by the state pursuant to the federal American Recovery and Reinvestment Act of 2009 that are directed for energy-related activities, programs, or projects, be administered by the state's energy and water agencies, and adhere to the principle of accountability while

also adhering to existing state policies to promote energy efficiency and promote water conservation, renewable energy and green job training.

STATUS:

04/27/2009 From ASSEMBLY Committee on UTILITIES AND COMMERCE: Do pass to Committee on APPROPRIATIONS.

CA AB 300

AUTHOR: Caballero [D]
TITLE: **Subdivisions: Water Supply**
LAST AMEND: 04/20/2009
DISPOSITION: Pending
LOCATION: Assembly Appropriations Committee
SUMMARY:

Requires a public water system, or, if none exists, a local agency, to review and verify for accuracy a housing subdivider's water savings projections attributable to voluntary demand management measures. Authorizes the public water agency to collect fees necessary to provide the additional analysis. Requires any city, county, or system preparing a water supply assessment to reduce projected water demand for the project to an amount below the current statutory, regulatory, and local-ordinance requirements.

STATUS:

04/28/2009 From ASSEMBLY Committee on WATER, PARKS AND WILDLIFE: Do pass to Committee on APPROPRIATIONS.

CA AB 301

AUTHOR: Fuentes [D]
TITLE: **Vended Water**
LAST AMEND: 04/01/2009
DISPOSITION: Pending
FILE: 106
LOCATION: Assembly Third Reading File
SUMMARY:

Relates to quality, reporting and labeling standards for bottled water and private water sources and limits the levels of certain contaminants that may be contained in such products. Requires each applicant for a license as a water-bottling plant or private water source to provide to the Department of Public Health specified information. Requires the department to annually compile a listing of such information and make it available to the public.

STATUS:

04/27/2009 In ASSEMBLY. Read second time. To third reading.

CA AB 410

AUTHOR: De La Torre [D]
TITLE: **Recycled Water**
LAST AMEND: 03/23/2009
DISPOSITION: Pending
COMMITTEE: Assembly Appropriations Committee
HEARING: 04/29/2009 9:00 am
SUMMARY:

Relates to the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 that provides funds to certain hydrologic regions for preparation of salt and nutrient management plans consistent with the recycled water policy of the State Water Resource Control Board. Sets a target to recycle a total of a specified amount of acre feet of water per year by the year 2020, and by another total amount of acre feet by the year 2030.

STATUS:

04/14/2009 From ASSEMBLY Committee on WATER, PARKS AND WILDLIFE: Do pass to Committee on APPROPRIATIONS.

CA AB 450

AUTHOR: De La Torre [D]
TITLE: **Recycled Water: Oil Refineries**
LAST AMEND: 04/21/2009
DISPOSITION: Pending
LOCATION: Assembly Appropriations Committee
SUMMARY:

Declares that the use of potable domestic water for oil refineries is a waste or unreasonable use of water if suitable recycled water is available and prohibits a person or public agency from doing so. States that it is the intent of the Legislature to provide incentives to facilitate compliance with these provisions.

STATUS:

04/28/2009 From ASSEMBLY Committee on WATER, PARKS AND WILDLIFE: Do pass to Committee on APPROPRIATIONS.

CA AB 474

AUTHOR: Blumenfield [D]
TITLE: **Water Efficiency Improvements**
LAST AMEND: 04/27/2009
DISPOSITION: Pending
FILE: 118
LOCATION: Assembly Third Reading File
SUMMARY:

Authorizes the legislative body of any public agency to designate an area within which authorized city officials and free and willing property owners may enter into contractual assessments to finance the installation of water efficiency improvements that are permanently fixed to real property. Requires that notice be provided of a hearing to any entity providing water or energy within the boundaries of the proposed area.

STATUS:

04/28/2009 In ASSEMBLY. Read second time. To third reading.

CA AB 642

AUTHOR: Huber [D]
TITLE: **Conservancies: Sacramento-San Joaquin Delta**
LAST AMEND: 04/13/2009
DISPOSITION: Pending
LOCATION: Assembly Natural Resources Committee
SUMMARY:

Establishes the Sacramento-San Joaquin Delta Conservancy to undertake activities related to the Delta and Suisun Marsh, including measures identified in the Delta sustainability program to restore and manage habitat in the Delta and Suisun Marsh. Prescribes the management, powers and duties of the conservancy. Provides that expenses of the conservancy may be paid from funds appropriated by the Legislature or from gifts, donations,bequests or other public and private sources.

STATUS:

04/27/2009 In ASSEMBLY Committee on NATURAL RESOURCES: Failed passage.

04/27/2009 In ASSEMBLY Committee on NATURAL RESOURCES: Reconsideration granted.

NOTES: SJ BOS looking at; Apparently the bill is dead.

CA AB 687

AUTHOR: Salas [D]
TITLE: **Tijuana River Valley Conservancy**
LAST AMEND: 04/16/2009
DISPOSITION: Pending
LOCATION: Assembly Natural Resources Committee

SUMMARY:

Enacts the Tijuana River Valley Conservancy Act. Establishes in the Natural Resources Agency the Tijuana River Valley Conservancy. Specifies the composition of the board of the conservancy. Requires the Conservancy to oversee the implementation of a comprehensive Tijuana River Valley cleanup and restoration program.

STATUS:

04/16/2009	To ASSEMBLY Committee on NATURAL RESOURCES.
04/16/2009	From ASSEMBLY Committee on NATURAL RESOURCES with author's amendments.
04/16/2009	In ASSEMBLY. Read second time and amended. Re-referred to Committee on NATURAL RESOURCES.

CA AB 752

AUTHOR:	Arambula [D]
TITLE:	**State Water Pollution Control Revolving Fund**
DISPOSITION:	Pending
COMMITTEE:	Assembly Appropriations Committee
HEARING:	04/29/2009 9:00 am

SUMMARY:

Applies the same definition of severely disadvantaged communities contained in the State Drinking Water, Water Quality And Supply, Flood Control, River and Coastal Protection Bond Act of 2006 to the provisions governing expenditure of moneys in the State Water Pollution Control Revolving Fund Small Community Grant Fund.

STATUS:

04/14/2009	From ASSEMBLY Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS: Do pass to Committee on APPROPRIATIONS.

CA AB 900

AUTHOR:	De Leon [D]
TITLE:	**Statements of Water Diversion and Use**
LAST AMEND:	04/28/2009
DISPOSITION:	Pending
LOCATION:	Assembly Appropriations Committee

SUMMARY:

Relates to a requirement that each person who diverts water file with the State Water Resources Control Board a prescribed statement of diversion and use. Deletes and exception to the statement requirement for diversions included in the consumptive use data for the delta lowlands. Imposes certain requirements on any surface water diversion within the Sacramento-San Joaquin Delta.

STATUS:

04/28/2009	From ASSEMBLY Committee on APPROPRIATIONS with author's amendments.
04/28/2009	In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.

CA AB 934

AUTHOR:	Gilmore [R]
TITLE:	**San Joaquin Valley: Water Supply**
DISPOSITION:	Pending
LOCATION:	Assembly Appropriations Committee

SUMMARY:

Requires the Department of Water Resources to study the economic impacts of water supply reduction in specified counties in the San Joaquin Valley, and to report its findings to the Legislature.

STATUS:

04/22/2009	In ASSEMBLY Committee on APPROPRIATIONS: To

Suspense File.

CA AB 969

AUTHOR: Calderon C [D]
TITLE: **Recycled Water**
DISPOSITION: Pending
LOCATION: Assembly Water, Parks and Wildlife Committee
SUMMARY:

Changes the statewide goal for recycled water to an unspecified number of acre-feet of water per year by the year 2020. Makes changes to findings and declarations under the act.

STATUS:

03/26/2009 To ASSEMBLY Committee on WATER, PARKS AND WILDLIFE.

CA AB 1061

AUTHOR: Lieu [D]
TITLE: **Common Interest Developments: Water-Efficient Landscape**
LAST AMEND: 04/15/2009
DISPOSITION: Pending
LOCATION: SENATE
SUMMARY:

Provides that a provision of any of the governing documents of a common interest development shall be void and unenforceable if it prohibits, or includes conditions that have the effect of prohibiting, the use of low water-using plants as a group, or has the effect of prohibiting or restricting compliance with a local water efficient landscape ordinance or water conservation measure.

STATUS:

04/20/2009 In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.

NOTES: Supervisor Gioia testified in support

CA AB 1165

AUTHOR: Yamada [D]
TITLE: **Flood Protection**
LAST AMEND: 04/15/2009
DISPOSITION: Pending
LOCATION: Assembly Appropriations Committee
SUMMARY:

Revises provisions of existing law relating to the Central Valley Flood Protection Board. Relates to the board's monitoring of progress on a flood protection system, the adoption of a specified drainage district boundary map, the number of board members that makes a quorum, ex parte communications with other persons or organizations, hearings on permits that may affect the State Plan of Flood Control, and the removal or modification of an encroachment on levees, channel, or other flood control works.

STATUS:

04/28/2009 From ASSEMBLY Committee on WATER, PARKS AND WILDLIFE: Do pass to Committee on APPROPRIATIONS.

CA AB 1187

AUTHOR: Huffman [D]
TITLE: **Safe, Clean, Reliable Drinking Water Supply Act of 2010**
DISPOSITION: Pending
LOCATION: Assembly Water, Parks and Wildlife Committee
SUMMARY:

Enacts the Safe, Clean, Reliable Drinking Water Supply Act of 2010 which would authorize, for the purposes of financing specified water supply reliability and water source protection programs, the issuance of bonds in a specified amount

pursuant to the State General Obligation Bond Law. Provides the act, if approved by the voters, requires establishing and imposing a fee on users of water to be used for the purposes of the act.

STATUS:

03/26/2009 To ASSEMBLY Committee on WATER, PARKS AND WILDLIFE.

CA AB 1221

AUTHOR: Nielsen [R]
TITLE: **Water**
DISPOSITION: Pending
LOCATION: ASSEMBLY
SUMMARY:

States the intent of the Legislature to enact legislation that would modify existing laws relating to water in the state.

STATUS:

02/27/2009 INTRODUCED.

CA AB 1242

AUTHOR: Ruskin [D]
TITLE: **State Water Policy**
LAST AMEND: 04/02/2009
DISPOSITION: Pending
LOCATION: Assembly Second Reading File
SUMMARY:

Declares that it is the established policy of the state that every resident shall have access to safe, affordable water for basic human needs and that no one shall be deprived of that access or quality of water due to individual economic circumstances. Requires all relevant state agencies to revise, adopt or establish policies, regulations and grant criteria to further this state policy.

STATUS:

04/28/2009 From ASSEMBLY Committee on WATER, PARKS AND WILDLIFE: Do pass as amended to Committee on APPROPRIATIONS.

CA AB 1294

AUTHOR: Monning [D]
TITLE: **State Water Resources Development System**
DISPOSITION: Pending
LOCATION: ASSEMBLY
SUMMARY:

Makes technical, nonsubstantive changes to existing law which authorizes the issuance of bond funds for the purposes of the Water Resources Development Bond Act.

STATUS:

02/27/2009 INTRODUCED.

CA AB 1365

AUTHOR: Berryhill T [R]
TITLE: **Sacramento-San Joaquin Delta**
LAST AMEND: 04/13/2009
DISPOSITION: Pending
LOCATION: Assembly Water, Parks and Wildlife Committee
SUMMARY:

Amends existing law allowing a private party to agree to convey an interest in real property to the state to mitigate adverse impacts to the environment resulting from development or other permitted activities. Makes an appropriation to the Department of Water Resources for the purposes of acquiring land in the Sacramento-San Joaquin Delta in order to implement improvements relating to flood control, habitat enhancement, reduction of greenhouse gas emissions, recreation, and sustainability.

STATUS:

04/13/2009	To ASSEMBLY Committee on WATER, PARKS AND WILDLIFE.
04/13/2009	From ASSEMBLY Committee on WATER, PARKS AND WILDLIFE with author's amendments.
04/13/2009	In ASSEMBLY. Read second time and amended. Re-referred to Committee on WATER, PARKS AND WILDLIFE.

CA AB 1371

AUTHOR: Smyth [R]
TITLE: **Reasonable Use of Water: Generating Facilities**
LAST AMEND: 04/20/2009
DISPOSITION: Pending
FILE: 64
LOCATION: Assembly Second Reading File
SUMMARY:

Declares that the use of potable domestic water for cooling towers that are part of a generating facility that is an eligible renewable energy resource is a reasonable use of water if certain conditions are met.

STATUS:

04/27/2009	From ASSEMBLY Committee on REVENUE AND TAXATION: Do pass to Committee on NATURAL RESOURCES.

CA AB 1408

AUTHOR: Krekorian [D]
TITLE: **Subdivisions: Water Conservation Mitigation Fund**
LAST AMEND: 04/23/2009
DISPOSITION: Pending
LOCATION: Assembly Second Reading File
SUMMARY:

Requires a city or county to include as a condition in any tentative map a requirement that a subdivision have a sufficient water supply available or that sufficient water supplies will be made available through a Water Conservation Mitigation Fund held by the public water system. Authorizes the public water supplier to collect fees necessary to provide analysis of water conservation measures. Requires the water system to use moneys in the Fund on water conservation measures to offset the project demand.

STATUS:

04/28/2009	From ASSEMBLY Committee on WATER, PARKS AND WILDLIFE: Do pass as amended to Committee on APPROPRIATIONS.

CA AB 1426

AUTHOR: Fuller [R]
TITLE: **Flood Control: Bonds**
DISPOSITION: Pending
LOCATION: Assembly Water, Parks and Wildlife Committee
SUMMARY:

Amends the Reclamation Board Bond Act that authorizes the issuance of bonds of the Sacramento and San Joaquin Drainage District and authorizes the board to levy assessments on land in the district to pay the principal and interest of the bonds, and if the assessment is not paid by specified dates, the parcel of land may be sold during a specified time frame from the date of delinquency. Extends the time required before a delinquent sale can occur.

STATUS:

04/02/2009	To ASSEMBLY Committee on WATER, PARKS AND WILDLIFE.

CA AB 1438

AUTHOR: Conway [R]
TITLE: **Safe Drinking Water State Revolving Fund**
LAST AMEND: 04/13/2009

DISPOSITION: Pending
LOCATION: Assembly Second Reading File
SUMMARY:

Relates to the safe drinking water state revolving fund. Allows the establishment of a wellhead protection account within the fund. Requires the Department of Public Health to set and publish the maximum grant amounts for the planning, engineering studies, environmental documentation, design, and construction of a single project. Includes fire flow as part of the water demand in the definition of reasonable amount of growth to serve the water demand.

STATUS:

04/28/2009 From ASSEMBLY Committee on WATER, PARKS AND WILDLIFE: Do pass as amended to Committee on APPROPRIATIONS.

CA ACA 12

AUTHOR: Logue [R]
TITLE: **Water: Area of Origin Statutes**
DISPOSITION: Pending
LOCATION: Assembly Water, Parks and Wildlife Committee
SUMMARY:

Prohibits the Legislature from amending, repealing, or changing the scope or effect of any provisions designating areas within which water originates, unless the bill is passed in each house by a 2/3 vote of the membership of each house.

STATUS:

04/20/2009 To ASSEMBLY Committees on WATER, PARKS AND WILDLIFE, RULES and APPROPRIATIONS.

CA SB 12

AUTHOR: Simitian [D]
TITLE: **Clean Drinking Water and Water Supply Security**
LAST AMEND: 02/26/2009
DISPOSITION: Pending
COMMITTEE: Senate Local Government Committee
HEARING: 04/29/2009 9:30 am
SUMMARY:

Enacts the Sacramento-San Joaquin River Delta, Clean Drinking Water, Water Supply Security, and Environmental Improvement Act of 2009. Establishes a related council to prepare and adopt a Delta Ecosystem and Water Plan to advance the goals of restoring the Delta ecosystem and creating a more reliable water supply in the state. Authorizes the council to impose a water diversion fee. Establishes a Delta Conservancy to implement the ecosystem restoration elements of the plan.

STATUS:

04/14/2009 From SENATE Committee on NATURAL RESOURCES AND WATER: Do pass to Committee on LOCAL GOVERNMENT.

CA SB 229

AUTHOR: Pavley [D]
TITLE: **California Water Commission**
LAST AMEND: 04/13/2009
DISPOSITION: Pending
LOCATION: Senate Appropriations Committee
SUMMARY:

Relates to the California Water Commission. Revises membership and functions of the commission. Authorizes the commission to serve as lead agency to implement specified projects of the Bay-Delta Conservation Plan. Enacts the Bay-Delta Interim Governance Act. Provides governance measures for the Bay-Delta to enhance the reliability of water supplies. Provides for funding of the Bay-Delta Conservation Plan.

STATUS:

04/14/2009 From SENATE Committee on NATURAL RESOURCES AND WATER: Do pass to Committee on APPROPRIATIONS.

CA SB 261

AUTHOR: Dutton [R]
TITLE: **Water Use**
LAST AMEND: 04/22/2009
DISPOSITION: Pending
LOCATION: Senate Second Reading File
SUMMARY:

Requires an urban water supplier to develop and implement a water use efficiency and efficient water resources management plan to reduce residential potable water use in a specified manner or achieve extraordinary water use efficiency. Requires the supplier or regional water management group to report its relates progress. Enacts the Comprehensive Urban Water Efficiency Act. Authorizes such groups to submit specified information that is required to be in its plan. Relates to the awarding of related grants.

STATUS:

04/28/2009 From SENATE Committee on NATURAL RESOURCES AND WATER: Do pass as amended to Committee on APPROPRIATIONS.

CA SB 283

AUTHOR: DeSaulnier [D]
TITLE: **Recycled Water Systems**
LAST AMEND: 03/31/2009
DISPOSITION: Pending
LOCATION: Senate Second Reading File
SUMMARY:

Repeals the Water Recycling Act of 2006. Requires the State Building Standards Commission to adopt building standards governing recycled water systems. Requires the standards be based upon a specified plumbing code requirement. Requires these building standards to apply to specified occupancies and be consistent with certain requirements of existing law.

STATUS:

04/27/2009 From SENATE Committee on ENVIRONMENTAL QUALITY: Do pass as amended to Committee on APPROPRIATIONS.

CA SB 301

AUTHOR: Florez [D]
TITLE: **Water Supply Reliability and Ecosystem Recovery**
DISPOSITION: Pending
LOCATION: Senate Natural Resources and Water Committee
SUMMARY:

Enacts the Water Supply Reliability and Ecosystem Recovery Restoration Act. Authorizes, for the purpose of financing specified water supply reliability and ecosystem recovery and restoration programs, the issuance of bonds pursuant to the State General Obligation Bond Law. Provides for submission of the bond act to the votes.

STATUS:

03/05/2009 To SENATE Committee on NATURAL RESOURCES AND WATER and ENVIRONMENTAL QUALITY.

CA SB 371

AUTHOR: Cogdill [R]
TITLE: **Safe, Clean, Reliable Drinking Water Supply Act of 2009**
DISPOSITION: Pending
LOCATION: Senate Natural Resources and Water Committee

SUMMARY:

Enacts the Safe, Clean, Reliable Drinking Water Supply Act of 2009 which would authorize, for the purposes of financing specified water supply reliability and water source protection programs, the issuance of bonds pursuant to the State General Obligation Bond Law.

STATUS:

03/05/2009 To SENATE Committees on NATURAL RESOURCES AND WATER and ENVIRONMENTAL QUALITY.

CA SB 456

AUTHOR: Wolk [D]
TITLE: **Safe, Clean, Reliable Drinking Water Supply Act**
DISPOSITION: Pending
LOCATION: Senate Natural Resources and Water Committee

SUMMARY:

Enacts the Safe, Clean, Reliable Drinking Water Supply Act of 2010. Authorizes for the purposes of financing specified water supply reliability and water source protection programs, the issuance of bonds pursuant to the State General Obligation Bond Law.

STATUS:

03/12/2009 To SENATE Committees on NATURAL RESOURCES AND WATER and ENVIRONMENTAL QUALITY.

CA SB 457

AUTHOR: Wolk [D]
TITLE: **Sacramento-San Joaquin Delta**
LAST AMEND: 04/13/2009
DISPOSITION: Pending
COMMITTEE: Senate Local Government Committee
HEARING: 04/29/2009 9:30 am

SUMMARY:

Creates a Delta Stewardship Council to approve the Delta Stewardship Plan to guide and shape management of the Delta. Requires the Council to appoint a Delta Science and Engineering Board and create a Delta Science and Engineering Program. Requires the commission to require all general plans of cities and counties within the Delta, and the resource management plan, to be consistent with the Delta Stewardship Plan. Creates the Delta Stewardship Fund.

STATUS:

04/14/2009 From SENATE Committee on NATURAL RESOURCES AND WATER: Do pass to Committee on LOCAL GOVERNMENT.

NOTES: Sent a letter on 4/8/09 to Wolk

CA SB 458

AUTHOR: Wolk [D]
TITLE: **Sacramento-San Joaquin Delta Conservancy**
LAST AMEND: 04/02/2009
DISPOSITION: Pending
LOCATION: Senate Appropriations Committee

SUMMARY:

Establishes the Sacramento-San Joaquin Delta Conservancy to undertake various activities related to the Delta including supporting efforts that advance both environmental protection and the economic well-being of Delta residents, and cooperating with other Delta governance entities. Creates the Delta Conservancy Fund for purposes of the conservancy.

STATUS:

04/14/2009 From SENATE Committee on NATURAL RESOURCES AND WATER: Do pass to Committee on APPROPRIATIONS.

NOTES: **Sent a letter on 4/8/09 to Wolk, supporting in**

concept

CA SB 460

AUTHOR: Wolk [D]
TITLE: **Water Management Plans**
LAST AMEND: 04/22/2009
DISPOSITION: Pending
LOCATION: Senate Second Reading File
SUMMARY:

Requires, pursuant to the Urban Water Management Planning Act and the Agricultural Water Management Planning Act, respectively, urban and agricultural water suppliers to include in their reports detailed descriptions and analysis of long-term plans to reduce water use. Creates an unspecified entity to develop a transparent process for collection and analysis of water data information. Requires the unspecified entity to submit an annual report to the Legislature.

STATUS:

04/28/2009 From SENATE Committee on NATURAL RESOURCES AND WATER: Do pass as amended to Committee on APPROPRIATIONS.

CA SB 493

AUTHOR: Maldonado [R]
TITLE: **Water Conservation**
DISPOSITION: Pending
LOCATION: Senate Rules Committee
SUMMARY:

Declares legislative intent to enact legislation to promote water conservation.

STATUS:

03/12/2009 To SENATE Committee on RULES.

CA SB 498

AUTHOR: Cogdill [R]
TITLE: **The State Water Resources Law**
DISPOSITION: Pending
LOCATION: Senate Rules Committee
SUMMARY:

Makes technical, nonsubstantive changes to the State Water Resources Law relating to flood waters and the control, storage, and use of the state's water resources.

STATUS:

03/12/2009 To SENATE Committee on RULES.

CA SB 561

AUTHOR: Cogdill [R]
TITLE: **Urban Water Suppliers: Water Management Plans**
DISPOSITION: Pending
LOCATION: Senate Rules Committee
SUMMARY:

Makes technical, nonsubstantive changes to existing law which requires every urban water supplier to prepare and adopt an urban water management plan.

STATUS:

03/12/2009 To SENATE Committee on RULES.

CA SB 565

AUTHOR: Pavley [D]
TITLE: **Water Recycling**
LAST AMEND: 04/13/2009
DISPOSITION: Pending
LOCATION: Senate Second Reading File
SUMMARY:

Requires the State Water Resources Control Board to develop a plan to ensure that a percentage of wastewater that is annually discharged in to the ocean is recycled and put to beneficial use. Imposes a fee on each person discharging wastewater in the ocean, to be deposited into the Ocean Discharge Recycling Fund.

STATUS:

04/27/2009 From SENATE Committee on ENVIRONMENTAL QUALITY: Do pass as amended to Committee on APPROPRIATIONS.

CA SB 681

AUTHOR: Pavley [D]
TITLE: **Water Diversion and Use**
LAST AMEND: 04/20/2009
DISPOSITION: Pending
LOCATION: Senate Appropriations Committee
SUMMARY:

Relates to the payment of fees for services by the Water Resources Control Board relating to water diversion and use, interim regulatory relief orders by the board and civil penalties for violations thereof, the monitoring of water diversions and uses and permits issued by the board, civil penalties for unauthorized diversions or uses of water, monitoring devices on diversions in the Sacramento-San Joaquin Delta, water diversion and use reporting, a diversion and use database, and cease and desist orders.

STATUS:

04/28/2009 From SENATE Committee on NATURAL RESOURCES AND WATER: Do pass to Committee on APPROPRIATIONS.

CA SB 735

AUTHOR: Steinberg [D]
TITLE: **Safe, Clean, Reliable Drinking Water Supply Act of 2010**
DISPOSITION: Pending
LOCATION: Senate Natural Resources and Water Committee
SUMMARY:

Enacts the Safe, Clean, and Reliable Drinking Water Supply Act of 2010. Authorizes the issuance of bonds to finance a water supply reliability and water source protection program. Authorizes the Department of Water Resources to impose fees on water users.

STATUS:

03/19/2009 To SENATE Committees on NATURAL RESOURCES AND WATER and ENVIRONMENTAL QUALITY.

CA SB 736

AUTHOR: Pavley [D]
TITLE: **Water Consumption Fee**
DISPOSITION: Pending
LOCATION: Senate Natural Resources and Water Committee
SUMMARY:

Imposes on a person diverting or extracting more than an unspecified amount of water, a water resource consumption fee and deposits the proceeds in the Water Resources Consumption Fund.

STATUS:

03/19/2009 To SENATE Committee on NATURAL RESOURCES AND WATER.

CA SB 808

AUTHOR: Wolk [D]
TITLE: **San Francisco Bay/Sacramento-San Joaquin Delta Estuary**
DISPOSITION: Pending

LOCATION: Senate Natural Resources and Water Committee

SUMMARY:

Requires the State Water Resources Control Board to implement its resolution entitled the Strategic Workplan for Actions to Protect Beneficial Uses of the San Francisco Bay/Sacramento-San Joaquin Delta Estuary by commencing an investigation of the reasonableness of the methods of diversions from the Sacramento-San Joaquin Delta used by the State Water Project and the federal Central Valley Project.

STATUS:

03/19/2009 To SENATE Committee on NATURAL RESOURCES AND WATER.

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CHEAC Hot Sheet #4 – 2009
April 24, 2009

Bill Number Author Subject Last Amendment	Bill Status	Description	CHEAC Position
ASSEMBLY BILLS			
AB 54/Jeffries *EMS* Last amendment 3/26/09	*Location*: In Assembly Governmental Organization.	Requires the Department of Forestry and Fire Protection, Office of State Fire Marshall, State Board of Fire Services, Department of California Highway Patrol, the California Conservation Corps, and the Emergency Medical Services to form a working group to prepare a Governor's Reorganization plan to transfer the authorities and duties of the aforementioned departments to the California Emergency Management Agency.	**O-3**
AB 57/Price *Hospitals*	*Location*: In Assembly Appropriations Committee.	Requires DPH to establish a procedure for the collection and review of written staffing plans (excluding nurses) from UC hospitals.	Watch w/ Concerns
AB 217/Beall *Medi-Cal Alcohol/Drug* **Amended 4/16/09**	*Location*: In Assembly Appropriations Committee.	Establishes the Medi-Cal Alcohol and Drug Screening & Brief Intervention Services Program to allow local funds to draw down federal funds via CPE. Funding obtained to be used to provide alcohol and drug screening and brief intervention services to Medi-Cal beneficiaries **who are pregnant women or women of childbearing age.**	S-3
AB 233/Smyth *Animal Control* Last amendment 4/13/09	*Location:* In Assembly Rev & Tax Committee on the Suspense File.	Allows a tax write off by a California taxpayer who adopts a pet from a qualified animal rescue organization (including county shelters).	S-2
AB 242/Nava *Animal Control* **Amended 4/21/09**	*Location*: In Assembly Appropriations Committee.	Increases the prison time for people convicted of engaging in dog fighting activities while also ~~changing from a misdemeanor to a felony~~ **increasing the penalties assessed for** the act of watching a dogfight.	S-3
AB 486/Chesbro *Health Officers PHEP*	*Location*: Passed to the Senate.	Extends the review period by the Board of Supervisors of a local state emergency declared by a health officer from 14 or 21 days to 30 days.	S-2

Attachment C

Bill Number Author Subject Last Amendment	Bill Status	Description	CHEAC Position
AB 517/Ma *Public Health* Last amendment 4/13/09	*Location*: In Assembly Appropriations Committee. *Hearing*: Set for hearing **4/29/09**.	Repeals existing state law on the practice of tattooing, body art and piercings. Would require all body art practioners to register with local EH departments and require these practioners to comply with specific requirements including the completion of a blood borne pathogens exposure control training program (with annual updates). Facilities are also required to have valid health permits issued by EH and must have infection prevention and control plans in place. Allows LHJs to collect fees sufficient to pay for the administration of these programs.	S-3
AB 657/Hernandez *Workforce*	*Location*: In Assembly Appropriations Committee.	Requires OSHPD to establish the Health Professions Workforce Task Force to assist in the development of a health professions workforce master plan.	S-2
AB 861/Ruskin *Simplified Contract* *Last amendment 3/31/09*	*Location*: In Assembly Health Committee. *Hearing*: Set for hearing **4/28/09**.	Requires DPH, within existing resources, to implement a consolidated and streamlined administration and contracting process with the counties for programs in both the Center for Infectious Disease and the Center for Family Health.	S-2
AB 1199/Ammiano ***Health Care Master Plans*** ***Amended 4/13/09***	*Location:* In Assembly Health Committee. *Hearing*: Set for hearing **4/28/09**.	**Requires counties to establish a working group to create a local health care master plan to consider among other things equitable distribution of health care services, including services provided by hospitals, clinics and other providers within the county.**	**Watch w/ Concerns**
AB 1201/M.Perez *Immunizations*	*Location*: In Assembly Appropriations Committee.	Compels health plans or insurers to fully reimburse physicians for their childhood immunization vaccine costs.	S-3
AB 1205/Logue *Injury Prevention*	*Location:* In Assembly Transportation Committee. Failed passage; reconsideration granted.	Exempts drivers, 18 years or older who has either completed a motorcyclist safety training program or has been issued a class M1 license from wearing a safety helmet while operating a motorcycle, motor-driven cycle or motorized bicycle.	O-2
AB 1269/Brownley *Medi-Cal* Last amendment 4/14/09	*Location*: In Assembly Appropriations Committee.	Extends Medi-Cal eligibility for the disabled who become unemployed for an additional 26 weeks if FFP is provided.	S-3

Bill Number Author Subject Last Amendment	Bill Status	Description	CHEAC Position
AB 1445/Chesbro *Medi-Cal* Last amendment 4/15/09	*Location*: In Assembly Appropriations Committee.	Allows reimbursement for a max of two visits to an FQHC or RHC on the same day and at the same location if the patient suddenly suffers and illness or injury subsequent to the first visit or if the patient has a medical visit and "another health visit" – meaning a face-to-face encounter with a clinical psychologist, licensed clinical social worker, dentist, dental hygienist or registered dental hygienist in alternative practice.	S-3
AB 1487/Hill *Jail Medical* Last amendment 4/2/09	*Location*: In Assembly Public Safety Committee.	Increases the fee that can be charged to an inmate's account for medical visits from $3 to $6.	SIA
AB 1503/Lieu *EMS*	*Location*: In Assembly Appropriations Committee.	Creates a new physician and surgeon pricing policy for uninsured visits to the emergency room. Ties Maddy Fund reimbursements to these new provisions.	Watch w/ Concerns
SENATE BILLS			
SB 1/Steinberg *Children's Health Expansion* *CCS*	*Location:* In Senate Health Committee	Expands children's health insurance. **Please note: CHEAC has concerns with the CCS provisions in the bill.**	Watch w/ Concerns
SB 4/Oropeza *Public Health*	*Location:* In Senate Appropriations Committee. *Hearing*: Set for hearing **5/4/09**.	Bans smoking at state parks and beaches.	S-3
SB 114/Liu *Medi-Cal* *Last amendment* *3/16/09*	*Location*: In Senate Appropriations Committee on the Suspense File.	Would deem independent foster children eligible for Medi-Cal upon their 18th birthday without interruption in their benefits.	S-3
SB 124/Oropeza *Public Health* Last amendment 4/13/09	*Location:* In Senate Transportation and Housing Committee.	Codifies current regulations on school bus idling into statute with the aim of reducing public exposure to diesel exhaust particulate matter.	S-3
SB 152/Cox *Medi-Cal* *Mental Health* Last amendment 4/14/09	*Location:* In Senate Appropriations Committee *Hearing*: Set for hearing **4/27/09**.	Would require DMH to send a reimbursement claim to the Controller for fee-for-service county mental health managed care contractors within 90 days. Interest accrues on unpaid claims and would come out of DMH's budget.	S-3
SB 318/Calderon *Animal Control*	*Location*: In Senate Public Safety Committee. *Hearing*: Set for hearing **4/28/09**.	Provides procedures for the forfeiture of property connected with the crime of dog fighting.	S-3

Bill Number Author Subject Last Amendment	Bill Status	Description	CHEAC Position
SB 601/Padilla *Tobacco* Last amendment 4/15/09	*Location*: In Senate Appropriations Committee.	Restricts new retail tobacco licenses for businesses located within 1000 feet of public or private elementary or secondary schools.	S-2
SB 744/Strickland ***Public Health Labs*** **Amended 4/22/09**	*Location:* In Senate Business, Professions and Economic Development Committee. *Hearing:* Set for hearing **4/27/09**.	Requires city and county public health labs to obtain a certification or registration from DPH each year. Fees charged for this certification or renewal is increased from a max of $25 to a max of $100. Additional fees would be levied each year, on a sliding scale, based on the number of tests a PH lab performs or expects to perform for the year. Requires PH microbiologists and PH lab directors to pay fees in order to be certified or registered with DPH on an annual basis.	**OUA**
SB 769/Alquist ***Public Health*** Last amendment 4/2/09	*Location:* In Senate Appropriations Committee.	**Provides that for FY 09/10 federal funding received pursuant ARRA for chronic disease prevention and wellness be allocated to DPH to local health jurisdictions for purposes of improving and enhancing evidence-based clinical and community-based prevention and wellness strategies.**	**Special Interest Bill**
SB 810/Leno *Health Care Reform* **Amended 4/23/09**	*Location*: In Senate Appropriations Committee.	Establishes the California Healthcare System to be administered by the newly created CA Healthcare Agency under the control of an elected Healthcare Commissioner. Makes all CA residents eligible for specified health care benefits under the system, which would, on a single-payer basis, negotiate for or set fees for health care services provided through the system and pay claims for those services. Requires the commissioner to seek all necessary waivers, exemptions, agreements or legislation to allow various existing federal, state and local health care payments to be paid to the system. Creates a health insurance policy board. Allows the Healthcare Commissioner to determine city and county contributions to the program. Other provisions.	SIA
SBX3 24/Alquist *Medi-Cal*	Signed by Governor. Chapter 24, Statutes of 2009.	Repeals the change from annual to semi-annual Medi-Cal eligibility determinations for children in order to qualify for the enhanced FMAP funding in the federal stimulus package.	S-1

Definitions of Legislative Terms

Chaptered – A bill passed by the Legislature and signed into law by the Governor.

Concurrence – The approval by the house of origin of a bill that was amended in the opposite house.

Dead Bill – A bill that has not passed out of it's house of origin by the end of January of the second-year of the two-year legislative session. (Please note all deadlines may be waived by Legislative leadership.)

Failed Passage – A bill that has been voted on in either a committee or assembly or senate floor and did not receive a majority vote. An urgency measure or tax increase must receive 2/3 vote on the floor.

Gut and Amend – An amended bill where the previous legislative language is removed and replaced with entirely new subject matter.

Held in Committee – Status of a bill that is heard in committee but no action is taken.

Inactive File – A bill ready for floor consideration but placed on a dormant list upon the author's request.

Interim Study – The assignment of a bill's subject matter to the appropriate committee for study during the period the Legislature is not in session.

Reconsideration Granted – A motion giving the opportunity to take another vote on a bill that has failed passage in a committee hearing or floor session.

Rules Committee – All bills are initially referred to this committee in each house for policy committee assignments.

Spot Bill (or intent bill) – A bill that proposes nonsubstantive changes to a code section in a particular subject area. Often used as a legislative vehicle later in the legislative session for ideas not fully fleshed out when the bill is introduced.

Suspense File – Bills meeting a certain appropriation threshold in fiscal committees are placed on the suspense file. Fiscal committees in each house hold a special hearing close to the fiscal committee deadlines (late May and August) to determine which bills will come off the suspense file and move forward. The decision on each bill is pre-determined by leadership and the committee vote is mostly a formality.

Two-Year Bill – A bill that has not passed out of its house of origin policy or appropriations committee by designated deadlines in the first year of a two-year legislative session. (Please note all deadlines may be waived by Legislative leadership.)

CHEAC Legislative Position Chart

S - 1 **Strong Support**	**S - 2** **Soft Support**	**S - 3** **Discretionary Support**	**SIA** **Support if Amended**
O - 1 **Strong Oppose**	**O - 2** **Soft Oppose**	**O - 3** **Discretionary Oppose**	**OUA** **Oppose Unless Amended**
WC **Watch with Concerns**	**W - SIB** **Watch - Special Interest Bill**	**W** **Watch**	**R/BB** **Refer/Bring Back**