LEGISLATION COMMITTEE

Agenda

April 5, 2012
11:00 a.m. to 12:30 p.m.
651 Pine Street, Room 101, Martinez

Supervisor Mary N. Piepho, District III, Chair
Supervisor Karen Mitchoff, District IV, 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. **Public comment on any item under the jurisdiction of the Committee and not on this agenda**. (*Speakers may be limited to three minutes*.)

3. **2012 State Budget Update**– *Presenters: Lara DeLaney, Cathy Christian*

4. **2012 State Legislation of Interest**– *Presenters: Lara DeLaney, Cathy Christian*

5. **2012 Redevelopment Successor Agency Legislation**– *Presenters: Maureen Toms, Steve Goetz*

6. **Federal Issues and Federal Meetings Update** – *Presenters: Lara DeLaney, Paul Schlesinger*

7. **Lobbyists Contracts** – *Presenter: Lara DeLaney*

8. **Adjourn to the next regular meeting scheduled for Thursday, May 2 at 11:00 a.m.**

☺ *The Legislation Committee will provide reasonable accommodations for persons with disabilities planning to attend Legislation Committee meetings. Contact the staff person listed below at least 72 hours before the meeting.*

Any disclosable public records related to an open session item on a regular meeting agenda and distributed by the County to a majority of members of the Legislation Committee less than 96 hours prior to that meeting are available for public inspection at 651 Pine Street, 10th floor, during normal business hours.

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
ARRA	American Recovery and Reinvestment Act
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

April 10, 2012
April 17, 2012

OFFICE OF THE COUNTY ADMINISTRATOR
CONTRA COSTA COUNTY

TO: Legislation Committee
Supervisor Mary N. Piepho, Chair
Supervisor Karen Mitchoff, Vice Chair

FROM: Lara DeLaney, Legislative Coordinator

DATE: March 29, 2012

SUBJECT: **Agenda Item #3: State Budget Update**

RECOMMENDATION

ACCEPT the report on State budget matters and provide direction, as necessary.

REPORT

Governor and Teachers Join Forces on New Initiative

As we have learned, Governor Brown has been meeting with the backers of proposed tax initiatives with the goal of reducing the number of tax measures on the November 2012 ballot. On March 14, Governor Brown announced that an agreement had been reached with the California Federation of Teachers (CFT) to combine its measure with his into one November 2012 ballot initiative. Perhaps the most important aspect of the merger is that **the new initiative will still contain the constitutional amendment which guarantees funding for realigned programs**, language supported by the CSAC Board of Directors in February.

The new measure continues to dedicate funds to education and help balance the state budget; additionally, it makes changes to the personal income tax rate and changes the length of time those rates will remain in effect. The negotiated measure also proposes a lower sales tax rate than contained in Governor Brown's initiative.

As this new measure relies more heavily on income tax funds than Governor Brown's initiative proposal, it could raise an additional $2 billion for the 2012-13 budget based on the Governor's assessment of capital gains.

In comments to the press, Governor Brown indicated that he has spoken with Molly Munger, who is backing another ballot measure to change income taxes, and that she is not giving any signs of abandoning her measure. In fact, Molly Munger told The Associated Press last week that Brown is being untruthful in saying most of the money from his initiative will go to schools. She says she started running TV commercials about her initiative to "get the truth out."

The following table highlights the measures as they compare to the new agreement:

	CFT Measure	Governor's Measure	New Measure
Sales Tax Provisions	None	½-cent increase for four years	¼-cent increase for four years
Income Tax Provisions	• Three percent additional on taxable incomes of $1 million or more. • Five percent additional on taxable incomes of $2 million or more. • Taxes are permanent.	• One percent additional for taxable incomes over $250,000 ($500,000 joint) • 1.5 percent additional for taxable incomes over $300,000 ($600,000 joint) • Two percent additional for taxable incomes over $500,000 ($1 million joint) • Taxes in effect for five years.	• One percent additional for taxable incomes over $250,000 ($500,000 joint) • Two percent additional for taxable incomes over $300,000 ($600,000 joint) • Three percent additional for taxable incomes over $500,000 ($1 million joint) • Taxes in effect for seven years.

The language for the combined initiative was filed with the Attorney General's office on March 14; the Governor and CFT now have until early May to collect signatures to place the measure on the November 2012 ballot.

In other State budget-related news, in a court battle that could shape how schools are funded, **a judge tentatively ruled on March 27 that California lawmakers can reduce education funding by diverting state revenues into new pots of money**.

School boards and administrators sued the state last fall alleging that Governor Brown and lawmakers had shortchanged schools by shifting about $5 billion in sales tax revenues to counties in a new realignment fund.

Under voter-approved Proposition 98, the State is required to devote a specified share of overall general fund revenues to K-12 schools and community colleges. School officials said that by diverting $5 billion in sales taxes, the state avoided sending $2 billion it owed to education last year under the constitution.

In recent years, recalculating Proposition 98 has become a popular solution to balancing the budget in the final days -- as long as the powerful school lobby signs off. Last year, the California Teachers Association agreed to the shift after winning concessions that protected jobs. But school administrators were upset because they said the budget had tied their hands in terms of midyear layoffs or furloughs while cutting $2 billion in the process.

San Francisco Superior Court Judge Harold Kahn issued a preliminary ruling indicating that he believes the state has the power to create new special funds, and that none of those dollars have to be devoted to schools under Proposition 98.

The ruling was tentative, and a hearing is scheduled for March 28 in San Francisco. Kahn could issue a final ruling as soon as the close of the hearing, or he could wait for up to 90 days thereafter.

The case could play a significant factor in school budgeting this year and in the future. Governor Brown has structured his budget plan such that schools would suffer nearly $5 billion in cuts if voters reject his tax hike on sales and upper-income earners.

But if that happens, the only way he can cut that deeply within the bounds of the constitution is if courts rule in his favor on this case and he can successfully pull off a different maneuver next year that counts bond debt toward education funding.

RELATED ARTICLES

Republicans propose California budget with state worker pay cut

Posted by Kevin Yamamura, 3/29/12

Legislative Republicans rolled out a budget plan Thursday that relies on cutting state worker pay, eliminating affordable housing funds and using pots of money dedicated for mental health and childhood development. Republicans believe their plan eliminates the state's $9.2 billion deficit without new taxes and preserves the same amount of funding for education that existed last year. They say it undercuts Gov. Jerry Brown's argument that voters must pass higher taxes in November to spare schools from deep reductions.

"The state budget is a reflection of priorities and there is no reason to hold our schools hostage to the uncertainties of the proposed tax increase initiative that may not benefit our students," GOP legislative and budget leaders wrote in a joint letter. "With political will, we can work together in a bipartisan manner to ensure that our schools are protected from trigger cuts, whether the Governor's tax initiative is ultimately accepted or rejected by the voters."

Democrats have all but written off Republicans in this year's budget process because they have majority-vote budget authority and are going directly to voters for a tax hike on sales and upper-income earners. Brown has said that if voters reject the tax hike, the state will need to cut about $2.4 billion in K-14 classroom funds, equal to three weeks of school, as well as cut $200 million each from the state's university systems.

Republicans argue that it remains possible to balance the state budget without new taxes as the economy recovers and revenues grow. Many of their proposals are similar to those that Democrats relied upon in the past or have been suggested by the nonpartisan Legislative Analyst's Office.

But they include borrowing and one-time patches that Brown says he wants to stop with his November tax hike. The proposal would also require school districts to continue borrowing about $10 billion annually rather than begin paying down that amount as Brown wants.

The Republican Plan

To erase the deficit, Republicans are building off of Brown's non-tax ideas. Those include $4.2 billion in spending cuts, such as slashing welfare-to-work by $1 billion, and $1.4 billion in accounting maneuvers and delayed debt repayment. Democrats have already indicated they do not support all of Brown's cuts.

Brown also relies on $4.4 billion in new revenues from his November tax initiative. (Brown's original initiative raised $6.9 billion, while his new one generates $9 billion. But not all of this money reduces the deficit because schools take a share of any new state dollars.)

The Republican budget has $4.4 billion in replacement ideas that include:
- $400 million by reducing state worker pay by 4.6 percent, equal to one monthly furlough day. Republicans say the state could save this money by cutting pay, furloughing workers or reducing operating expenses.
- $1 billion by eliminating local funds for affordable housing that once came from redevelopment accounts that are expiring. Democrats want to preserve this money for affordable housing, and the Assembly has sent a bill to the Senate to do so.
- $1.3 billion by taking money from Proposition 63's tax on millionaires for mental health services.
- $226 million by using tobacco tax funds, most of which go toward First 5 early childhood development.
- $158 million by cutting hours and wages for In-Home Supportive Services workers.
- $316 million by delaying repayment of borrowing from special funds.
- $220 million by assuming Brown wins more lawsuits over past budget cuts than he predicts.
- $100 million from turning freeway message boards into billboard space.
- $200 million from PG&E as a fine for the 2010 San Bruno gas explosion.
- $170 million from Senior Care Action Network, a managed care organization, as a refund for past overpayments.
- $254 million from other cuts, such as eliminating state funding for the California Science Center in Los Angeles, cutting pharmaceutical costs for inmates and delaying implementation of the state's unified FI$Cal financial system.

If all were adopted, the plan would leave the state with a $1 billion reserve similar to what Brown proposed, Republicans said.

In their letter, GOP leaders suggested that Brown and Democrats should adopt these alternate proposals to give school districts assurance that they will not have to cut next school year. Districts issued nearly 20,000 teacher layoff notices as of the March 15 deadline, according to the California Teachers Association, in anticipation that Brown's worst-case scenario may occur.

Republicans also called for a November ballot measure that caps future spending, as well as Brown's pension proposal.

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California legislative Democrats balk at Jerry Brown's budget cuts

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Published Tuesday, Mar. 27, 2012

In a show of good faith one year ago, legislative Democrats slashed Medi-Cal, cut universities and reduced welfare grants to slice the state deficit 13 weeks before the constitutional deadline.

But this year Democrats are refusing to go along with Gov. Jerry Brown's most controversial reductions, spurning his demand to have cuts in place by March.

They oppose Brown's plan to halve the amount of time that unemployed adults can receive welfare-to-work benefits and to slash grants to children. Assembly Democrats have voted against his proposal to cut scholarship aid for 26,000 low-income students through higher grade requirements for Cal Grants.

Brown wanted lawmakers to fast-track his cuts again because he said the state can save more money the earlier it reduces programs. But Assembly Democrats have rejected welfare and Cal Grant cuts, while Senate Democrats say they will wait until at least May before making any real decisions.

"It's just March, it's just March," said Senate President Pro Tem Darrell Steinberg, D-Sacramento, emphasizing that it remains relatively early in the budget calendar.

Despite warnings by the nonpartisan Legislative Analyst's Office that Brown's fiscal forecast is too optimistic, Steinberg hopes tax receipts will be higher in April than the governor predicted and that a Facebook stock sale will boost state coffers.

"We ought not do any more damage to people before we have to and unless we absolutely have to," Steinberg said.

Unlike previous years, the state is not in immediate danger of running out of cash to pay its bills. Nor do Democrats need to extend an olive branch of cuts to Republicans, since they are going directly to voters with a tax initiative and can now pass budgets with a majority vote.

At the same time, Democrats do not want to anger their base with tough reductions before the June 5 statewide primary election.

"They're mainly taking symbolic actions so they're on record as opposing these proposals," said Jeff Cummins, a political science professor at California State University, Fresno, who recently published a study of state budget gridlock.

By refusing to accept cuts now, Democrats are staking out a negotiating position for later this year. In recent budget battles, Democrats have ultimately softened governor-proposed cuts through various maneuvers and alternative reductions:

• Assuming fewer people will use public services.

• Assuming higher future revenues based on a brief spike in tax receipts.

• Cutting funds for K-12 schools and community colleges by revising the state's education funding formula.

• Imposing Medi-Cal fees in a way that shifts costs to the federal government.

• Incorporating ideas from labor unions, such as one last year to install automated medication dispensers in homes of Medi-Cal patients to avoid hospitalization. Lawmakers counted on the idea to save $140 million, but the state has since abandoned the plan.

At budget hearings, long lines of students, welfare recipients and program advocates have testified for hours about the devastation they believe Brown's cuts would bring.

"We're not going to throw a million kids over the cliff," said Assemblyman Bob Blumenfield, D-Woodland Hills, chairman of the Assembly Budget Committee, referring to Brown's cuts to CalWORKs, the state's welfare-to-work program.

Assembly Democrats have won praise from program advocates for taking a stand. But Brown's Department of Finance has warned that Democrats must still find other ways to balance the budget.

By the department's count, the Assembly has rejected $1.3 billion of Brown's nearly $4 billion in cuts.

"If the actions to date were their final word on the matter, the Assembly would have to come up with more than a billion dollars in savings somewhere else to balance the budget," said Finance spokesman H.D. Palmer.

Democratic leaders objected to the suggestion that they were digging a deeper hole. Blumenfield said his house is committed to saving money in welfare-to-work and other programs to balance the budget, just not in the way Brown proposed.

"In a deliberative process, you reject ideas you don't agree with, and you find over time other ideas that will get you to the same budgetary savings," said Assembly Speaker John A. Pérez, D-Los Angeles.

Even though an Assembly budget subcommittee rejected the governor's nearly $1 billion cut to CalWORKs, Blumenfield said that does not count as lost savings because the house will find other ways to make up for it.

Assemblyman Jim Nielsen, the GOP's budget committee vice chairman, suggested that Republicans are closer to Brown than Democrats on the cuts, though his party opposes the governor's tax hike.

"It's not really a difficulty for Republicans," the Gerber Republican said. "It's a huge difficulty for the governor. He can't even work with his own majority party."

Brown wants cuts not only to help bridge the deficit, but to convince voters later this year that the state isn't counting solely on a tax hike to balance the budget. Cummins said voters are probably not paying attention to the Legislature's early rejection of cuts just yet.

"But come October when the governor is making a pitch for his initiative," Cummins added, "he will have a stronger argument if he can say the Legislature made some significant cuts."

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OFFICE OF THE COUNTY ADMINISTRATOR
CONTRA COSTA COUNTY

TO: Legislation Committee
Supervisor Mary N. Piepho, Chair
Supervisor Karen Mitchoff, Vice Chair

FROM: Lara DeLaney, Legislative Coordinator

DATE: March 29, 2012

SUBJECT: **Agenda Item #4: 2012 State Legislation of Interest**

RECOMMENDATION

ACCEPT the report on State legislation of interest and provide direction, as necessary.

REPORT

Staff is currently reviewing this year's regular session bills and evaluating their potential implications for County operations and infrastructure. The following is a preliminary list of trends and bills of interest to counties which staff and our lobbyist are tracking. Please note that it is still very early in the legislative calendar and the likelihood of these bills being amended is very high.

Contra Costa County routinely takes positions on bills throughout the legislative session. When staff begins tracking a bill, that bill is marked as "watch" in the bill tracking system until such time that a policy position is taken. Typically, bill positions are taken early in the year on bills for which the County has standing policy. These policy positions can be found in the 2012 State and Federal Legislative Platforms.

For bills that have been identified but for which we have no policy, staff refer the bills to the affected department(s) or to a policy committee of the Board of Supervisors for a policy recommendation and, ultimately, to the Board of Supervisors for a full position. Once a position (support, oppose, etc.) has been identified, protocol requires that the Chair of Board send a letter to the bill author and the Assembly and/or Senate Committee to which the bill is referred, to let them know of our concerns and position.

2012 Trends

The main legislative issues in 2012 for counties will undoubtedly be redevelopment dissolution clean-up, pension reform and the State Budget. However, other trends where multiple bills have been introduced on the same issue are emerging as well. Trends identified include bills on metal theft, home foreclosures and issues with returning veterans. At this point in the legislative session, most bills are still being developed and will likely change over the next few months.

With regard to pension reform, the Pension Reform Conference Committee held a hearing on February 28 on increasing the retirement age with presenters from the National Conference of State Legislatures, CalPERs, CalSTRs, and UC Berkeley presenting data and consequences of increasing the retirement age.

The next hearing will be held on April 13, 2012 in Chino, and the subject of the hearing will be the 37 Act systems. Due to this additional hearing, the Conference report is not expected until April or May. While there have been over 20 bills introduced on pension reform, these bills will probably be held while the conference committee does their work.

The California Pension Reform initiative that had been qualified to collect signatures has been suspended. This initiative would have required public employees to join a defined contribution plan and another initiative that would have required a hybrid pension plan. This group led by Dan Pellissier indicated that the title and summary made it difficult to proceed.

Senate Pro-Tem Steinberg has stated that he intended to pass pension reform before the Budget and that it would address the issues laid out in the Governor's Plan. However, he stated that they may alter that plan by doing something other than a hybrid.

Contra Costa County's bill related to pension reform, SB 1494 (DeSaulnier), was introduced on February 24. (*See attachment A*.) Since bill introduction, a minor change to the introduced language was determined to be needed to reflect the parties' agreement about cost of living adjustments. The words "no other cost of living adjustments shall apply" must be removed from pages 7 and 11 to avoid an inadvertent termination of an existing benefit provision for employees entering the new tiers. The bill amendment is expected shortly; the bill has been referred to the Senate Public Employment and Retirement Committee and we await news on its hearing.

The various other bills that staff is following are listed below. (*See attachment B for additional information*.) This list of bills will likely change over the next few weeks and months as bills are amended, die or change focus.

2012 Bills of Interest (as of March 23, 2012)

ADMINISTRATIVE SERVICES

SB 1003 (Yee) Local Government: Open Meetings. This bill would amend the Ralph M. Brown Act to add "past" actions to Government Code section 54960 (a). The change would apply the law's sanctions to all past violations of the Brown Act. As a result the bill could expose local entities to an unknown amount of additional litigation under the law, including potential attorneys' fees even if any questionable past activities have since ceased.

Staff recommendation: Watch

AB 2039 (Swanson) – This bill amends the Family Rights Act to permit an employee to take leave to care for an independent adult child with a health condition or a seriously ill grandparent, sibling, grandchild or domestic partner. AB 59 also expands the definition of "parent" to include a parent-in-law. This bill is a rerun of AB 59, which was introduced by Assembly Member Swanson last year and was held in the Assembly Appropriations Committee.

Staff recommendation: Watch

AB 1831 (Dickinson) Local Government: Hiring Practices. This bill would prohibit a local agency from inquiring into or considering the criminal history of an applicant or including any inquiry about criminal history on any initial employment application. The bill would authorize a local agency to consider an applicant's criminal history after the applicant's qualifications have been screened and the agency has determined the applicant meets the minimum employment requirements, as stated in any notice issued for the position. The bill would not apply to a position for which a local agency is otherwise required by law to conduct a criminal history background check.

Staff recommendation: Consider a position of support.

ENVIRONMENTAL QUALITY

AB 890 (Olsen) Environment: CEQA Exemption: Roadway Improvement. This bill would exempt city roadway improvement projects from California Environmental Quality Act requirements if the project is within the existing right-of-way. AB 890 will result in lower project costs and faster project delivery for roadway improvement projects.

Staff recommendation: Consider a position of support.

SB 1387 (Emmerson) Metal Theft. This bill would prohibit any junk dealer or recycler from possessing a public fire hydrant, fire department connection, a public manhole cover or lid, or related pieces without written certification on the letterhead of the public agency or utility that owns or previously owned the material. Makes other related changes to the penalties and liability for possession of the materials without required certification.

Staff recommendation: Consider a position of support.

AB 1801 (Campos) Renewable Energy Systems: Fees. This bill would prohibit a local agency from charging a fee for permitting for a renewable energy system that exceeds the actual cost of issuing the permit.

Staff recommendation: Watch

CALWORKS

AB 1640 (Mitchell) CalWORKs and CalFresh Benefits: Pregnant Mothers. This bill would change the state's CalWORKs statute to allow for pregnant women (with no other children in the household) to become eligible for CalWORKs basic needs grants and full-scope 1931(b) Medi-Cal benefits upon verification of a pregnancy.

CSAC supports the bill, which was passed by the Assembly Human Services Committee on March 20. The measure will next be heard by the Assembly Appropriations Committee.

Staff recommendation: Consider a position of support.

AB 1691 (Lowenthal, B.) CalWORKs: Welfare-to-Work Activities. This bill would allow non-English speaking CalWORKs recipients, which include refugees and other legal immigrants, to participate in English as a Second Language (ESL) instruction for eight months. Time spent in ESL instruction would count as a core activity and counties would have the option of extending ESL participation for up to 12 months on a case-by-case basis.

CSAC supports AB 1691, which was passed by the Assembly Human Services Committee on March 20. The measure will next be heard by the Assembly Appropriations Committee.

Staff recommendation: Consider a position of support.

SB 1060 (Hancock) CalWORKs Benefits: Lifetime Ban. This bill would allow parents who have been convicted of a drug-related felony and completed a government-recognized treatment program to qualify for CalWORKs program employment services and benefits.

Senator Hancock's SB 1060 would allow California to join with 13 other states in opting out of the federal lifetime ban on receiving Temporary Assistance to Needy Families (TANF grants – CalWORKs here in California) funding for those with past drug felonies. California already allows those with certain drug-related felonies to receive Supplementary Nutrition Assistance Program (SNAP or food stamps, called CalFresh in California) benefits.

SB 1060 could provide an important tool for counties post-2011 realignment. By removing the lifetime ban on receiving CalWORKs benefits for parents convicted of drug-related felonies, counties will be able to provide employment activities and services to recipients with the goal of achieving employment and self-sufficiency, as well as safely reintegrating them back into our communities. Additionally, CalWORKs grants are primarily used by families towards housing costs. Access to CalWORKs will provide parents assistance with housing – a key component necessary to get and retain a job.

In the long-term, SB 1060 could assist in reducing recidivism, saving our counties, the state, and communities significant social and fiscal costs. The Senate Human Services Committee will hear SB 1060 on March 27.

Staff recommendation: Watch

SB 970 (de Léon) Health Care Reform Eligibility, Enrollment & Retention. This bill would help integrate the process for applying for public programs such as CalFresh and CalWORKs with the new online health coverage application process that is under development by the State.

The federal Affordable Care Act (ACA) requires states to establish, by 2014, a seamless, "no wrong door" system for determining eligibility for and enrolling people into health coverage programs such as Medi-Cal and subsidized coverage through the Health Benefits Exchange. Federal law also provides for integration of these new systems with human services programs, which in California are administered at the county level by human services departments along with Medi-Cal. The California Health and Human Services Agency and Health Benefit Exchange are partnering to develop CalHEERS, an information technology system that will include the required front-end application as well as other needed technology changes, and will connect with existing computer systems used by the counties.

SB 970 would build on California's existing service integration by ensuring that people applying for health coverage through CalHEERS can also begin the application process for other public programs, including CalFresh and CalWORKs. A comprehensive stakeholder workgroup, including representatives from county human services departments, among others, would be established by the bill to review whether additional programs should be included in the process.

SB 970 also provides that if a health program renewal form has the necessary information to renew eligibility for CalWORKs or CalFresh, that the renewal for those other programs is satisfied. This is important not only to ensure that applying for and retaining eligibility for multiple programs does not become more difficult after 2014, but so that the state can continue working towards full participation in federally funded human services and work support programs.

Finally, SB 970 would maximize enrollment into health coverage by enabling CalFresh recipients who are uninsured to allow the information in their CalFresh case file to be used to file an application for health coverage. This will ensure that as many eligible individuals and families as possible get the health coverage they need through the Medi-Cal expansion and subsidies in the Exchange. The Senate Health Committee will hear SB 970 on March 28.

Staff recommendation: Watch

COMMUNITY DEVELOPMENT

SB 1498 (Emmerson) Local Agency Formation Commission: Powers. This bill, sponsored by the League of California Cities, would assist disadvantaged communities in securing needed improvements to services by removing the complexity of annexations, while authorizing LAFCOs to approve the extension of services beyond an agency's sphere of influence provided that the LAFCO makes specific findings. The bill is designed to address the problem of disadvantaged communities, in a more surgical manner.
Staff recommendation: Watch

AB 1557 (Skinner) Real Property: Maintenance of Foreclosed Property: Violations. This bill would extend the sunset date on provisions requiring banks to maintain foreclosed properties and authorizing local governments to impose fines for failure to maintain such properties.

Staff recommendation: Watch

AB 1627 (Dickinson) Environmental Quality: Building Standards: Vehicle Miles Traveled. This bill would require the California Energy Commission (CEC) to prescribe standards to reduce vehicle miles traveled by occupants of residential and nonresidential buildings within the boundaries of a metropolitan planning organization. The bill would also prohibit local governments from issuing local building permits until it has been confirmed that the building satisfies the minimum standards established by the CEC.

Staff recommendation: Watch

LAW AND JUSTICE

AB 1709 (Mitchell) Juveniles: Jury Trial. This bill would add Section 679.5 to the Welfare and Institutions Code to entitle a juvenile who is 16 years old at the commission of an alleged offense – that would qualify as a future felony conviction under the Three Strikes law – to a jury trial. Moreover, statute would specify that the jury trial would mirror jury trials in adult criminal courts.

Further, AB 1709 would amend Section 704 of the Welfare & Institutions Code to state that if a juvenile youth undergoing a jury trial for a crime that falls under Welfare and Institutions Code Section 602 and is found eligible for placement in the Division of Juvenile Justice (DJJ), the youth shall first be temporarily committed to a DJJ diagnostic and treatment center through the California Department of Corrections and Rehabilitation.

CSAC is examining this measure to assess the impacts to the county system that would result in providing specified juvenile offenders access to a jury trial. Staff requests that counties review this measure and provide feedback as soon as possible.

AB 1709 will be heard on March 27 in the Assembly Public Safety Committee.

Staff recommendation: Consider a position of oppose.

AB 2312 (Ammiano) Controlled Substances. This measure would create the Medical Marijuana Regulation and Control Act, establishing a state-wide regulatory body for approving dispensaries and facilities. Specifies how local jurisdictions may or may not regulate the location, business hours, and establishment of dispensaries. Also grants local agencies the authority to levy a combined sale and use tax not to exceed 2.5 percent.

Staff recommendation: Watch

OTHER

AB 1436 (Feuer) Voter Registration. This bill would create a process for potential voters to register to vote and vote in the final two weeks before an election, and is very similar to last year's SB 641, which failed to pass the Assembly Appropriations Committee. Currently, citizens must register at least fifteen days before an election to vote in that election.

The most populous counties in the state already struggle to certify their votes by the end of the 28-day canvass period. AB 1436 would add significantly to that struggle by requiring counties to process large numbers of voter registration forms and provisional ballots. Verifying and counting provisional ballots are by far the most time-consuming processes that county registrars must undertake during the canvass; AB 1436 would increase the number of provisional ballots by multiples.

The new law would increase election departments' workloads by, firstly, all the provisional ballots from voters that would not otherwise have registered, but, more importantly, by the provisional ballots from all of the voters that, absent this law, would have met the 14-day deadline but with it see no need to do so.

If this policy is an issue of statewide concern, as passing this mandate would indicate, then the state should be willing to use statewide revenues to pay the cost. Alternatively, the state could authorize counties to implement this program where it is a local priority.

The Assembly Elections and Redistricting Committee will consider AB 1436 at its hearing next Tuesday, March 27.

Staff recommendation: Consider a position of oppose.

AB 2304 (Garrick) Pets: Cosmetic Teeth Cleaning. This bill would provide that "dental operation" for these purposes (practicing veterinary medicine, surgery, and dentistry when engaged in various actions and procedures with respect to animals, including the performance of a surgical or dental operation) does not include a service

whereby a person utilizes nonmotorized instruments to remove calculus, soft deposits, plaque, or stains from an exposed area of a household pet's tooth above the gum line, provided that the service is performed exclusively for cosmetic purposes and the person performing the service first obtains written permission from the person requesting the service.

Staff recommendation: Consider a position of oppose.

AB 1901 (Jones) Counties: Construction Projects: Design-Build. Existing law, until July 1, 2014, authorizes counties to use alternative procedures, known as design-build, for bidding on construction projects in the county in excess of $2,500,000, in accordance with specified procedures. These procedures include a requirement for contracts awarded after a certain date that a county board of supervisors pay a fee into the State Public Works Enforcement Fund, which funds are continuously appropriated for the Department of Industrial Relations' enforcement of prevailing wage requirements on public works projects. These procedures also require specified information to be verified under oath.

This bill would extend these provisions until July 1, 2016, and would remove the dollar limitation on this authorization that applies it only to projects in excess of $2,500,000.

Staff recommendation: Consider a position of support.

AB 1592 (Olsen) Veterans: Benefits: Fee Waiver. This bill would authorize the governing board of any county or city to grant financial assistance, relief, and support to disabled veterans by waiving service-related fees, including building and inspection fees, charged by the county or city.

It is CSAC's understanding that the author's intention for the bill is to allow governing boards of counties and cities to waive building and inspection permit fees for Americans With Disabilities Act (ADA) modifications to homes that are owned by veterans with service-related disabilities. AB 1592 will be heard in the Assembly Veterans Affairs Committee on April 10.

Staff recommendation: Consider a position of support.

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Attachment C is the list of bills that the County Health Executives Association of California is tracking and taking positions on.

Attachment D is the list of Delta and water-related bills that the County is presently tracking.

SENATE BILL No. 1494

Introduced by Senator DeSaulnier

February 24, 2012

An act to amend Sections 31664.1 and 31720.1 of, and to add Sections 31755.4, 31755.5, and 31755.6 to, the Government Code, relating to county employees' retirement.

LEGISLATIVE COUNSEL'S DIGEST

SB 1494, as introduced, DeSaulnier. County employees' retirement: Contra Costa County.

Existing law authorizes the Contra Costa County Board of Supervisors and the governing boards of districts within the county, if authorized by the board of supervisors, to provide service retirement allowances for general members based on a formula commonly known as the 2% at age 55 formula and to make a Tier Three program applicable to all new employees and to all current employees in Tier Two, and to provide members in Tier Three or Tier One, or both, with retirement allowances based on the 2% at age 55 benefit formula.

This bill would authorize the Contra Costa County Board of Supervisors and the governing boards of districts within that county, if authorized by the board of supervisors, to negotiate with specified recognized employee organizations representing general members to subject new general members to a 2% at age 60 formula, known as Tier Four, as specified.

Existing law authorizes the Contra Costa County Board of Supervisors and the governing boards of districts within that county, if authorized by the board of supervisors, to negotiate with a recognized employee organization representing safety members regarding the conditions, as specified, to be required of employees who are or may become subject to the 3% at age 50 formula.

This bill would authorize the Contra Costa County Board of Supervisors and the governing boards of districts within that county, if authorized by the board of supervisors, to negotiate with specified recognized employee organizations representing safety members to subject new safety members to a 3% at age 55 formula, as specified.

The bill would also make related changes.

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

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

SECTION 1. Section 31664.1 of the Government Code is amended to read:

31664.1. (a) This section may be made applicable in any county on the first day of the month after the board of supervisors of the county adopts, by majority vote, a resolution providing that this section shall become applicable in the county.

(b) Notwithstanding any other provisions of this chapter, the current service pension or the current service pension combined with the prior service pension is an additional pension for safety members purchased by the contributions of the county or district sufficient when added to the service retirement annuity to equal 3 percent of the member's final compensation set forth opposite his or her age at retirement, taken to the preceding completed quarter year, in the following table, multiplied by the number of years of current service or years of current and prior service with which the member is entitled to be credited at retirement. In no event shall the total retirement allowance exceed the limitation of the safety member's final compensation as set forth in Section 31676.1, as it now reads or may hereafter be amended to read.

Age at Retirement	Fraction
41	.6258
41¼	.6350
41½	.6442
41¾	.6533
42	.6625
42¼	.6720
42½	.6814

42¾	.6909
43	.7004
43¼	.7102
43½	.7200
43¾	.7299
44	.7397
44¼	.7499
44½	.7601
44¾	.7703
45	.7805
45¼	.7910
45½	.8016
45¾	.8121
46	.8226
46¼	.8339
46½	.8452
46¾	.8586
47	.8678
47¼	.8780
47½	.8882
47¾	.8983
48	.9085
48¼	.9194
48½	.9304
48¾	.9413
49	.9522
49¼	.9641
49½	.9761
49¾	.9880
50 and over	1.0000

(c) Contributions shall not be made by safety members having credit for 30 years of continuous service.

(d) This section shall not apply to any person to whom Section 31755.6 applies.

SEC. 2. Section 31720.1 of the Government Code is amended to read:

31720.1. Notwithstanding ~~Section~~ *Sections* 31720*, 31755, and 31755.5,* any member covered under Section 31751 who is

permanently incapacitated shall be retired for disability regardless of age if, and only if:

(a) The member's incapacity is substantially caused by injury or disease arising out of and in the course of the member's employment, or

(b) The member has completed a total of 10 years of service.

"Permanently incapacitated," for the purpose of this section, means that the member is unable permanently to engage in any substantial gainful employment.

SEC. 3. Section 31755.4 is added to the Government Code, to read:

31755.4. Notwithstanding any other law, the benefits provided in Sections 31755, 31755.1, 31755.2, and 31755.3 shall not apply to any person to whom Section 31755.5 applies.

SEC. 4. Section 31755.5 is added to the Government Code, to read:

31755.5. Notwithstanding any other law:

(a) (1) When the Board of Supervisors of Contra Costa County, in any of its capacities, meets and confers pursuant to the Meyers-Milias-Brown Act (Chapter 10 (commencing with Section 3500) of Division 4 of Title 1) with any collective bargaining unit, the parties may agree, pursuant to a memorandum of understanding with respect to that bargaining unit, that the benefits provided in this section, known as Tier Four benefits, shall apply to an employee who is first hired on or after January 1, 2013, or a later date established in the memorandum of understanding approved by resolution of the board of supervisors. Tier Four benefits shall apply to all unrepresented employees within similar job classifications as employees in a collective bargaining unit that has agreed to Tier Four benefits in a memorandum of understanding, and associated supervisors and managers, who are hired on and after the same date.

(2) When the governing body of a district within Contra Costa County meets and confers pursuant to the Meyers-Milias-Brown Act (Chapter 10 (commencing with Section 3500) of Division 4 of Title 1) with any collective bargaining unit, the parties may agree, pursuant to a memorandum of understanding with respect to that bargaining unit, that Tier Four benefits shall apply to an employee who is first hired on or after January 1, 2013, or a later date established in the memorandum of understanding approved

by resolution of the governing body. Tier Four benefits shall apply to all unrepresented employees within similar job classifications as employees in a collective bargaining unit that has agreed to Tier Four benefits in a memorandum of understanding, and associated supervisors and managers, who are hired on and after the same date.

(b) Notwithstanding any other provision of this chapter, the Tier Four current service pension combined with the prior service pension shall be known as 2 percent at age 60 and is an additional pension for members purchased by the contributions of the county or district sufficient, when added to the service retirement annuity, to equal (1) the member's final compensation, (2) multiplied by the percentage set forth in the following table for his or her age at retirement, taken to the preceding completed quarter year, and (3) multiplied by the number of years of current service or years of current and prior service with which the member is entitled to be credited at retirement. In no event shall the total retirement allowance exceed 90 percent of the member's final compensation.

Retirement Age	Percentage
50	0.87%
50.25	0.89%
50.5	0.91%
50.75	0.93%
51	0.95%
51.25	0.97%
51.5	0.99%
51.75	1.01%
52	1.03%
52.25	1.05%
52.5	1.07%
52.75	1.09%
53	1.11%
53.25	1.14%
53.5	1.16%
53.75	1.19%
54	1.21%
54.25	1.24%
54.5	1.26%
54.75	1.29%

55	1.31%
55.25	1.34%
55.5	1.37%
55.75	1.40%
56	1.43%
56.25	1.46%
56.5	1.49%
56.75	1.52%
57	1.55%
57.25	1.59%
57.5	1.62%
57.75	1.66%
58	1.69%
58.25	1.73%
58.5	1.77%
58.75	1.81%
59	1.84%
59.25	1.88%
59.5	1.92%
59.75	1.96%
60	2.00%
60.25	2.02%
60.5	2.03%
60.75	2.04%
61	2.05%
61.25	2.07%
61.5	2.08%
61.75	2.09%
62	2.10%
62.25	2.12%
62.5	2.13%
62.75	2.14%
63 and over	2.15%

(c) The following provisions shall apply to the current and prior service pension and service retirement annuity provided by this section:

(1) “Final compensation” means the average annual compensation earnable by a member during any three consecutive years elected by a member at or before the time he or she files an

application for retirement, or, if he or she fails to elect, during the three consecutive years immediately preceding his or her retirement. If a member has less than three years of service, his or her final compensation shall be determined by dividing his or her total compensation by the number of months of service credited to him or her and multiplying by 12.

(2) The board may not grant a disability retirement allowance to a person who has become a Tier Four member except as provided in Section 31720.1. The amount of the disability retirement allowances under Tier Four shall be as set forth in Section 31727.01.

(3) (A) Every retirement allowance, optional death allowance, or annual death allowance payable to or on account of any member under this section shall be adjusted as provided in Section 31870. No other cost-of-living adjustments shall apply, except that the cost-of-living adjustments for members who have retired on disability under Tier Four shall be the same as the cost-of-living adjustments for members who have retired on disability under Tier Three.

(B) Section 31873 shall apply to any member covered by this section.

(4) The normal rates of contributions of Tier Four members shall be such as to provide an average annuity at 60 years of age equal to one one-hundred-twentieth of the final compensation of Tier Four members for each year of service rendered after entering Tier Four.

(5) The board of supervisors may adopt regulations to implement the provisions of this section.

(6) This section shall not apply to any employee or officer if that application is prohibited by law.

(d) This section shall not become operative unless and until the board of supervisors of Contra Costa County, by resolution adopted by a majority vote, makes this section operative in the county.

(e) This section shall not apply to any safety member.

(f) For the purposes of this section, “collective bargaining unit” means any of the following organizations that represents county or district employees who are general members of the Contra Costa County Employees’ Retirement Association:

(1) The Professional and Technical Engineers, IFPTE, Local 21.

(2) Professional and Technical Employees, AFSCME, Local 512.

(3) United Clerical, Technical and Specialized Employees, AFSCME, Local 2700.

(4) Public Employees Union, Local One.

(5) Public Employees Union, Local One, CSB-Site Supervisor Unit.

(6) SEIU, Local 1021, Rank and File Unit.

(7) SEIU, Local 1021, Service Line Supervisors Unit.

(8) Western Council of Engineers.

(9) Contra Costa County Deputy Sheriffs Association Rank and File Unit.

(10) Contra Costa County Deputy Sheriffs Association Management Unit.

SEC. 5. Section 31755.6 is added to the Government Code, to read:

31755.6. Notwithstanding any other law:

(a) (1) When the Board of Supervisors of Contra Costa County, in any of its capacities, meets and confers pursuant to the Meyers-Milias-Brown Act (Chapter 10 (commencing with Section 3500) of Division 4 of Title 1) with any collective bargaining unit, the parties may agree, pursuant to a memorandum of understanding with respect to that bargaining unit, that the benefits provided in this section, known as Tier D benefits, shall apply to a safety employee who is first hired on or after January 1, 2013, or a later date established in the memorandum of understanding approved by resolution of the board of supervisors. Tier D benefits shall apply to all unrepresented safety employees within similar job classifications as safety employees in a collective bargaining unit that has agreed to Tier D benefits in a memorandum of understanding, and associated supervisors and managers, who are hired on and after the same date.

(2) When the governing body of a district within Contra Costa County meets and confers pursuant to the Meyers-Milias-Brown Act (Chapter 10 (commencing with Section 3500) of Division 4 of Title 1) with any collective bargaining unit, the parties may agree, pursuant to a memorandum of understanding with respect to that bargaining unit, that Tier D benefits shall apply to a safety employee who is first hired on or after January 1, 2013, or a later date established in the memorandum of understanding approved

by resolution of the governing body. Tier D benefits shall apply to all unrepresented safety employees within similar job classifications as safety employees in a collective bargaining unit that has agreed to Tier D benefits in a memorandum of understanding, and associated supervisors and managers, who are hired on and after the same date.

(b) Notwithstanding any other provision of this chapter, the Tier D current service pension combined with the prior service pension shall be known as 3 percent at age 55 and is an additional pension for safety members purchased by the contributions of the county or district sufficient, when added to the service retirement annuity, to equal (1) the member's final compensation, (2) multiplied by the percentage set forth in the following table for his or her age at retirement, taken to the preceding completed quarter, and (3) multiplied by the number of years of current service or years of current and prior service with which the member is entitled to be credited at retirement. In no event shall the total retirement allowance exceed 90 percent of the member's final compensation.

Retirement Age	Percentage
41	0.97%
41.25	0.99%
41.5	1.01%
41.75	1.03%
42	1.05%
42.25	1.08%
42.5	1.10%
42.75	1.12%
43	1.14%
43.25	1.17%
43.5	1.19%
43.75	1.21%
44	1.23%
44.25	1.26%
44.5	1.28%
44.75	1.31%
45	1.33%
45.25	1.36%
45.5	1.39%
45.75	1.42%

46	1.44%
46.25	1.47%
46.5	1.50%
46.75	1.53%
47	1.56%
47.25	1.60%
47.5	1.63%
47.75	1.66%
48	1.69%
48.25	1.73%
48.5	1.77%
48.75	1.80%
49	1.84%
49.25	1.87%
49.5	1.91%
49.75	1.95%
50	1.99%
50.25	2.03%
50.5	2.07%
50.75	2.11%
51	2.16%
51.25	2.20%
51.5	2.25%
51.75	2.30%
52	2.34%
52.25	2.39%
52.5	2.44%
52.75	2.49%
53	2.54%
53.25	2.60%
53.5	2.65%
53.75	2.71%
54	2.76%
54.25	2.82%
54.5	2.88%
54.75	2.94%
55 and over	3.00%

(c) The following provisions shall apply to the current and prior service pension and service retirement annuity provided by this section:

(1) "Final compensation" means the average annual compensation earnable by a member during any three consecutive years elected by a member at or before the time he or she files an application for retirement, or, if he or she fails to elect, during the three consecutive years immediately preceding his or her retirement. If a member has less than three years of service, his or her final compensation shall be determined by dividing his or her total compensation by the number of months of service credited to him or her and multiplying by 12.

(2) The board may grant a disability retirement allowance to a person who has become a Tier D member under the same terms and conditions that apply to safety members who are not in Tier D.

(3) (A) Section 31870 shall apply to any member covered by this section. No other cost-of-living adjustments shall apply.

(B) Section 31873 shall apply to any member covered by this section.

(4) The normal rates of contributions of Tier D members shall be such as to provide an average annuity at 55 years of age equal to one one-hundredth of the final compensation of Tier D members for each year of service rendered after entering Tier D.

(5) The board of supervisors may adopt regulations to implement the provisions of this section.

(6) This section shall not apply to any employee or officer if that application is prohibited by law.

(d) This section shall not become operative unless and until the board of supervisors of Contra Costa County, by resolution adopted by a majority vote, makes this section operative in the county.

(e) For the purposes of this section, "collective bargaining unit" means any of the following organizations that represent county or district employees who are safety members of the Contra Costa County Employees' Retirement Association:

(1) The Professional and Technical Engineers, IFPTE, Local 21.

(2) Public Employees Union, Local One.

(3) SEIU, Local 1021.

(4) Contra Costa County Deputy Sheriffs Association Rank and File Unit.

(5) Contra Costa County Deputy Sheriffs Association Management Unit.

O

Contra Costa County
Legislation Tracking Report

CA AB 890

AUTHOR: Olsen [R]
TITLE: **Environment: CEQA Exemption: Roadway Improvement**
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 02/17/2011
LAST AMEND: 01/13/2012
DISPOSITION: Pending
LOCATION: Senate Environmental Quality Committee
SUMMARY:

Exempts from provisions of the California Environmental Quality Act concerning environmental impact reports a project or activity to repair, maintain, or make minor alterations to an existing roadway if the project or activity is initiated by a city or county to improve public safety, does not cross a waterway, and involves negligible or no expansion of existing use.

STATUS:

02/16/2012 To SENATE Committee on ENVIRONMENTAL QUALITY.

NOTES: Sent to PW for review

CA AB 1436

AUTHOR: Feuer [D]
TITLE: **Voter Registration**
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 01/04/2012
LAST AMEND: 03/20/2012
DISPOSITION: Pending
LOCATION: Assembly Appropriations Committee
SUMMARY:

Establishes conditional voter registration, whereby a person would be permitted to register to vote after the 15th day prior to an election or an election day, and cast a provisional ballot to be counted if the conditional voter registration is deemed effective. Increases the maximum fine for crimes pertaining to an election for which no fine is prescribed. Requires the elections official to process an affidavit of registration if such registration is not deemed effective. Relates to dual registrations.

STATUS:

03/27/2012 From ASSEMBLY Committee on ELECTIONS AND REDISTRICTING: Do pass to Committee on APPROPRIATIONS. (4-2)

NOTES: Sent to Elections for review

CA AB 1540

AUTHOR: Buchanan [D]
TITLE: **Sacramento-San Joaquin Delta: Invasive Weeds**
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 01/24/2012
DISPOSITION: Pending
COMMITTEE: Assembly Water, Parks and Wildlife Committee

HEARING: 04/10/2012 9:00 am

SUMMARY:

Designates the Department of Boating and Waterways as the lead agency in cooperating with other agencies in controlling South American Spongeplant (Limnobium laevigatum) in the delta, its tributaries, and the marsh.

STATUS:

02/02/2012 To ASSEMBLY Committee on WATER, PARKS AND WILDLIFE.

NOTES: Consistent with Platform. Sending letter of support 03.02.12

CA AB 1543

AUTHOR: Alejo [D]

TITLE: **Public Contracts: Buy American**

FISCAL COMMITTEE: yes

URGENCY CLAUSE: no

INTRODUCED: 01/25/2012

DISPOSITION: Pending

LOCATION: Assembly Business, Professions and Consumer Protection Committee

SUMMARY:

Amends the California Buy American Act requiring governing bodies of political subdivisions, municipal corporations, or districts, or any public officer or person charged with the letting of contracts for construction, alteration, or repair of public works, for purchasing materials for public use, to only let those contracts to persons who agree to use or supply materials produced or manufactured in the U.S. Includes public contracts related to purchases, leases, materials or components for real property.

STATUS:

02/09/2012 To ASSEMBLY Committees on BUSINESS, PROFESSIONS & CONSUMER PROTECTION and LOCAL GOVERNMENT.

NOTES: Sent to GSD/PW for review and comment

CA AB 1550

AUTHOR: Bonilla [D]

TITLE: **Vehicles: Veterans' Organizations License Plates: Fees**

FISCAL COMMITTEE: yes

URGENCY CLAUSE: no

INTRODUCED: 01/25/2012

LAST AMEND: 03/21/2012

DISPOSITION: Pending

FILE: 16

LOCATION: Assembly Second Reading File

SUMMARY:

Increases the amount of additional fees for veterans' special license plates. Clarifies that this special plate program shall permit veterans to apply for plates that indicate their service and nonveterans to apply for plates that honor veterans. Requires the issuance of related decals.

STATUS:

03/29/2012 In ASSEMBLY. Read second time. To Consent Calendar.

CA AB 1557

AUTHOR: Skinner [D]

TITLE: **Real Property: Maintenance of Foreclosed Property**

FISCAL COMMITTEE: no

URGENCY CLAUSE: no
INTRODUCED: 01/26/2012
DISPOSITION: Pending
LOCATION: Assembly Banking and Finance Committee
SUMMARY:

Extends the operation of existing law that requires a legal owner to maintain vacant residential property purchased at a foreclosure sale, or acquired by that owner through foreclosure under a mortgage or deed of trust. Authorizes a governmental entity to impose civil fines and penalties, at specified amounts, for failure to maintain that property.

STATUS:

02/09/2012 To ASSEMBLY Committee on BANKING AND FINANCE.

NOTES: Watch

CA AB 1577

AUTHOR: Atkins [D]
TITLE: **Parolee: Driver's Licenses**
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/02/2012
DISPOSITION: Pending
COMMITTEE: Assembly Public Safety Committee
HEARING: 04/10/2012 9:00 am
SUMMARY:

Requires the Department of Motor Vehicles, the Department of Corrections and Rehabilitation and county jails to adopt rules and enter into interagency agreements necessary to establish the identities of offenders for the purposes of assisting offenders in obtaining a driver's license or identification card immediately upon the offender's release.

STATUS:

02/17/2012 To ASSEMBLY Committees on PUBLIC SAFETY and TRANSPORTATION.

NOTES: Sent to Realignment Stakeholders for review

CA AB 1585

AUTHOR: Perez J [D]
TITLE: **Redevelopment**
FISCAL COMMITTEE: yes
URGENCY CLAUSE: yes
INTRODUCED: 02/02/2012
LAST AMEND: 03/21/2012
DISPOSITION: Pending
LOCATION: SENATE
SUMMARY:

Modifies the scope of the term enforceable obligation. Modifies provisions relating to the transfer of housing funds and responsibilities associated with dissolved redevelopment agencies. Provides that any amounts on deposit in the Low and Moderate Income Housing Fund of a dissolved redevelopment agency be transferred to specified entities. Provides that loan agreements entered into between an agency and the city, county, or city and county are deemed to be enforceable obligations.

STATUS:

03/26/2012 In ASSEMBLY. Read second time. To third reading.

03/26/2012	In ASSEMBLY. Read third time, urgency clause adopted. Passed ASSEMBLY. *****To SENATE.
NOTES:	Staff recommends Support and Amend

CA AB 1592

AUTHOR:	Olsen [R]
TITLE:	**Veterans: Benefits: Fee Waiver**
FISCAL COMMITTEE:	no
URGENCY CLAUSE:	no
INTRODUCED:	02/06/2012
LAST AMEND:	03/26/2012
DISPOSITION:	Pending
COMMITTEE:	Assembly Veterans Affairs Committee
HEARING:	04/10/2012 4:00 pm

SUMMARY:

Authorizes the governing board of a county or city to grant financial assistance, relief and support to disabled veterans by waiving service-related fees charged by the county or city.

STATUS:

03/26/2012	From ASSEMBLY Committee on VETERANS AFFAIRS with author's amendments.
03/26/2012	In ASSEMBLY. Read second time and amended. Re-referred to Committee on VETERANS AFFAIRS.
NOTES:	Sent to VS

CA AB 1627

AUTHOR:	Dickinson [D]
TITLE:	**Environmental Quality: Building Standards**
FISCAL COMMITTEE:	yes
URGENCY CLAUSE:	no
INTRODUCED:	02/09/2012
DISPOSITION:	Pending
LOCATION:	Assembly Business, Professions and Consumer Protection Committee

SUMMARY:

Prohibits a local building department from issuing a building permit for a residential or nonresidential building unless the department confirms that the building plan complies with building design and construction standards and energy and water conservation design standards. Enacts the healthy Neighborhood Act of 2012. Requires the Energy Commission to prescribe standards reducing vehicle miles traveled by occupants of a building that would be applicable to new residential and non-residential buildings.

STATUS:

02/23/2012	To ASSEMBLY Committee on BUSINESS, PROFESSIONS & CONSUMER PROTECTION and NATURAL RESOURCES.
NOTES:	Watch

CA AB 1640

AUTHOR:	Mitchell [D]
TITLE:	**CalWORKs and CalFresh Benefits: Pregnant Mothers**
FISCAL COMMITTEE:	yes
URGENCY CLAUSE:	no
INTRODUCED:	02/13/2012
DISPOSITION:	Pending

LOCATION: Assembly Appropriations Committee

SUMMARY:

Amends existing law regarding the Temporary Assistance for Needy Families block grant and the California Work Opportunity and Responsibility programs. Requires CalWORKs aid to be paid to a pregnant mother at any time after verification of pregnancy, regardless of whether she is eligible for the Cal-Learn Program. Prohibits a pregnant woman or pregnant teenager from being denied or made ineligible for CalFresh benefits after verification of pregnancy.

STATUS:

03/28/2012 In ASSEMBLY Committee on APPROPRIATIONS: To Suspense File.

NOTES: EHSD recommends support

CA AB 1644

AUTHOR: Carter [D]

TITLE: **Military Base Reuse and Preservation Act of 2012**

FISCAL COMMITTEE: no

URGENCY CLAUSE: no

INTRODUCED: 02/13/2012

DISPOSITION: Pending

LOCATION: ASSEMBLY

SUMMARY:

Enacts the State Military Base Reuse and Preservation Act of 2012. Makes findings and declarations relating to the granting of redevelopment powers to communities affected by federal military base closures. Declares the intent to enact legislation providing the option of a successor entity to areas affected by base closures and the deposit of funds to further redevelop activities in the affected area.

STATUS:

02/13/2012 INTRODUCED.

NOTES: Staff requests direction from Leg Com

CA AB 1691

AUTHOR: Lowenthal B [D]

TITLE: **CalWORKs: Welfare-to-Work Activities**

FISCAL COMMITTEE: yes

URGENCY CLAUSE: no

INTRODUCED: 02/15/2012

DISPOSITION: Pending

FILE: 14

LOCATION: Assembly Second Reading File

SUMMARY:

Includes as a core welfare-to-work activity English as a second language education.

STATUS:

03/29/2012 In ASSEMBLY. Read second time. To third reading.

NOTES: Staff recommends support

CA AB 1709

AUTHOR: Mitchell [D]

TITLE: **Juveniles: Jury Trial**

FISCAL COMMITTEE: yes

URGENCY CLAUSE: no

INTRODUCED: 02/15/2012

LAST AMEND: 03/14/2012
DISPOSITION: Pending
LOCATION: Assembly Appropriations Committee
SUMMARY:

Requires that a youth who is 16 years of age or older at the time of the commission of an offense that could be used as a future felony conviction under the Three Strikes law be entitled to a jury trial in the juvenile court. Requires the trial to proceed in the same manner as criminal court. Provides that the right to a jury trial does not affect the right of a detained minor to adjudication of the petition to declare him or her a ward of the court within 15 days of the filing of the petition.

STATUS:

03/27/2012 From ASSEMBLY Committee on PUBLIC SAFETY: Do pass to Committee on APPROPRIATIONS. (4-2)

NOTES: Probation recommends oppose

CA AB 1783

AUTHOR: Perea [D]
TITLE: **Public Contracts: Small Business Preferences**
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/21/2012
DISPOSITION: Pending
COMMITTEE: Assembly Jobs, Economic Development, and The Economy Committee
HEARING: 04/17/2012 9:00 am
SUMMARY:

Provides that a small business shall be certified as a small business for purposes of contracts for construction, the procurement of goods, or the delivery of services preferences, without the submission of supporting documentation. Requires the certified small business to produce that documentation upon request of the Department of General Services or the awarding state agency. Requires the local agency to include a certified small business as a small business for local preference and goal purposes.

STATUS:

03/05/2012 To ASSEMBLY Committee on JOBS, ECONOMIC DEVELOPMENT AND THE ECONOMY.

NOTES: Sent to HR, Purchasing, CC for review

CA AB 1801

AUTHOR: Campos [D]
TITLE: **Land Use Fees**
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 02/21/2012
DISPOSITION: Pending
LOCATION: Assembly Local Government Committee
SUMMARY:

Prohibits a local agency from charging a fee for permits for a renewable energy system, as defined, that exceeds the actual cost of issuing the permit.

STATUS:

03/26/2012 To ASSEMBLY Committees on LOCAL GOVERNMENT and NATURAL RESOURCES.

NOTES: Watch

CA AB 1808

AUTHOR: Williams [D]
TITLE: **Meyers-Milias-Brown Act: Public Employees**
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/21/2012
DISPOSITION: Pending
LOCATION: Assembly Public Employees, Retirement and Social Security Committee
SUMMARY:

Amends the Meyers-Milias-Brown Act establishing procedures governing the resolution of disputes regarding wages, hours, and other terms and conditions of employment between public employers and public employer organizations. Expands the definition of public employee to include any person employed by an employer that is not a public agency, but with which a public agency shares or codetermines decisions governing essential employment conditions of that person.

STATUS:

03/01/2012 To ASSEMBLY Committee on PUBLIC EMPLOYEES, RETIREMENT AND SOCIAL SECURITY.

NOTES: Sent to HR for review

CA AB 1828

AUTHOR: Bonilla [D]
TITLE: **Land Use: Concord Naval Weapons Revise Authority**
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 02/22/2012
DISPOSITION: Pending
LOCATION: Assembly Local Government Committee
SUMMARY:

Authorizes Contra Costa County and the City of Concord to establish the Concord Naval Weapons Station Reuse Authority to plan for, finance, and manage the transition of the property formerly known as the Concord Naval Weapons Station from military to civilian use.

STATUS:

03/05/2012 To ASSEMBLY Committee on LOCAL GOVERNMENT.

CA AB 1831

AUTHOR: Dickinson [D]
TITLE: **Local Government: Hiring Practices**
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 02/22/2012
DISPOSITION: Pending
COMMITTEE: Assembly Local Government Committee
HEARING: 04/11/2012 1:30 pm
SUMMARY:

Prohibits a local agency from inquiring into or considering the criminal history of an applicant or including any inquiry about criminal history on any initial employment application.

STATUS:

03/08/2012 To ASSEMBLY Committee on LOCAL GOVERNMENT.

CA AB 1880

AUTHOR: Lara [D]
TITLE: **Pupil Safety: Dating Abuse Prevention**
INTRODUCED: 02/22/2012
DISPOSITION: Pending
LOCATION: Assembly Second Reading File
SUMMARY:

Defines dating abuse and a dating partner for purposes of the Interagency School Safety Demonstration Act. Makes specified findings and declarations and states legislative intent regarding dating abuse. Requires middle schools and high schools to do specified things, including establishing and implementing a policy to prevent and respond to dating abuse.

STATUS:

03/28/2012 From ASSEMBLY Committee on EDUCATION: Do pass as amended to Committee on APPROPRIATIONS.

NOTES: To BOS for support. Devorah Levine.

CA AB 1885

AUTHOR: Bonilla [D]
TITLE: **County Employees' Retirement: Reciprocal Benefits**
INTRODUCED: 02/22/2012
DISPOSITION: Pending
LOCATION: Assembly Public Employees, Retirement and Social Security Committee
SUMMARY:

Relates to the County Employees Retirement Law of 1937 and reciprocity of retirement benefits. Makes one-year reemployment provision applicable in all counties.

STATUS:

03/08/2012 To ASSEMBLY Committee on PUBLIC EMPLOYEES, RETIREMENT AND SOCIAL SECURITY.

CA AB 1901

AUTHOR: Jones [R]
TITLE: **Counties: Construction Projects: Design-Build**
INTRODUCED: 02/22/2012
DISPOSITION: Pending
COMMITTEE: Assembly Local Government Committee
HEARING: 04/11/2012 1:30 pm
SUMMARY:

Relates to existing law authorizing counties to use alternative procedures known as design-build for bidding on construction projects in the county. Extends such provisions, removes a certain dollar limitation, and applies it only to projects in excess of a specified amount.

STATUS:

03/08/2012 To ASSEMBLY Committee on LOCAL GOVERNMENT.

NOTES: GSD staff recommends support

CA AB 2039

AUTHOR: Swanson [D]
TITLE: **Family and Medical Leave**
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no

INTRODUCED: 02/23/2012
DISPOSITION: Pending
LOCATION: Assembly Appropriations Committee
SUMMARY:

Increases the circumstances under which an employee is entitled to protected leave pursuant to the Family Rights Act. Eliminates the age and dependency elements from the definition of child. Permits an employee to take protected leave to care for an independent adult child suffering from a serious health condition. Expands the definition of parent to include an employee's parent-in-law. Permits leave to care for a seriously ill grandparent, sibling, grandchild, or domestic partner.

STATUS:

03/28/2012 From ASSEMBLY Committee on LABOR AND EMPLOYMENT: Do pass to Committee on APPROPRIATIONS.

NOTES: Watch

CA AB 2144

AUTHOR: Perez J [D]
TITLE: **Local Government: Economic Development**
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 02/23/2012
DISPOSITION: Pending
LOCATION: ASSEMBLY
SUMMARY:

Declares the intent of the Legislature to enact legislation during the 2011-12 Regular Session that establishes long-term, targeted programs that provide local governments with tools and resources for specified purposes in a manner that encourages local cooperation and includes appropriate protections for state and local taxpayers.

STATUS:

02/23/2012 INTRODUCED.

NOTES: Watch

CA AB 2228

AUTHOR: Hayashi [D]
TITLE: **Mental Health Services Act: Family Justice Centers**
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/24/2012
DISPOSITION: Pending
LOCATION: Assembly Health Committee
SUMMARY:

Requires the county mental health programs for children and for adults and seniors to include services that address the needs of crime victims who seek services at a family justice center, if the county has a family justice center.

STATUS:

03/12/2012 To ASSEMBLY Committee on HEALTH.

NOTES: Sent to Suzanne Tavano and Devorah Levine for input.

CA AB 2231

AUTHOR: Fuentes [D]
TITLE: **Sidewalks: Repairs**
FISCAL COMMITTEE: yes

URGENCY CLAUSE: no
INTRODUCED: 02/24/2012
DISPOSITION: Pending
COMMITTEE: Assembly Local Government Committee
HEARING: 04/18/2012 1:30 pm
SUMMARY:

Requires a city, county, or city and county to repair any sidewalk out of repair or pending reconstruction if that sidewalk is owned by the local entity, or if the repairs are required as a result of damage caused by plants or trees. Provides that, if the local entity fails to carry out the repairs, the local entity shall be liable for any injury resulting from the failure to repair. Prohibits a city, county, or city and county from imposing a specified assessment against a private property owner.

STATUS:

03/12/2012 To ASSEMBLY Committee on LOCAL GOVERNMENT.
NOTES: Sent to PW for review

CA AB 2304

AUTHOR: Garrick [R]
TITLE: **Pets: Cosmetic Teeth Cleaning**
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 02/24/2012
DISPOSITION: Pending
LOCATION: Assembly Business, Professions and Consumer Protection Committee
SUMMARY:

Provides that dental operation for purposes of veterinary medicine does not include a service whereby a person utilizes nonmotorized instruments to remove calculus, soft deposits, plaque, or stains from an exposed area of a household pet's tooth above the gum line, provided that the service is performed exclusively for cosmetic purposes and the person performing the service first obtains written permission.

STATUS:

03/15/2012 To ASSEMBLY Committee on BUSINESS, PROFESSIONS & CONSUMER PROTECTION.
NOTES: Staff recommending Oppose

CA AB 2312

AUTHOR: Ammiano [D]
TITLE: **Controlled Substances**
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/24/2012
DISPOSITION: Pending
COMMITTEE: Assembly Public Safety Committee
HEARING: 04/10/2012 9:00 am
SUMMARY:

Authorizes qualified patients and specified persons to cultivate, acquire, process, possess, transport, sell, and distribute marijuana for medical purposes with being subject to criminal action if they are in compliance with registration requirements. Relates to the production of a false physician's recommendation. Establishes the Medical Marijuana Regulation and Control Act and a related

enforcement board. Provides the procedures and requirements for registered dispensaries. Authorizes a related use tax.

STATUS:

03/19/2012 To ASSEMBLY Committees on PUBLIC SAFETY and HEALTH.

NOTES: Watch

CA AB 2500

AUTHOR: Hueso [D]

TITLE: **State Government: California Investment Trust**

FISCAL COMMITTEE: yes

URGENCY CLAUSE: no

INTRODUCED: 02/24/2012

DISPOSITION: Pending

COMMITTEE: Assembly Banking and Finance Committee

HEARING: 04/23/2012 3:00 pm

SUMMARY:

Establishes the California Investment Trust within state government, authorize the trust to exercise powers and duties including, recieving and managing deposits from public funds, loaning money, engaging in financial transactions, and buying and selling federal funds. Establishes the California Investment trust Fund for deposit of all state money. Requires the State Auditor to make specified audits of the trust.

STATUS:

03/19/2012 To ASSEMBLY Committee on BANKING AND FINANCE.

NOTES: Watch

CA SB 654

AUTHOR: Steinberg [D]

TITLE: **Redevelopment**

FISCAL COMMITTEE: yes

URGENCY CLAUSE: no

INTRODUCED: 02/18/2011

LAST AMEND: 01/31/2012

DISPOSITION: Pending

LOCATION: ASSEMBLY

SUMMARY:

Amends existing law related to redevelopment agencies and funds. Revises the definition of the term enforceable obligation. Modifies provisions relating to the transfer of housing funds and responsibilities associated with dissolved redevelopment agencies. Provides that any amounts on deposit in the Low and Moderate Income Housing Fund of a dissolved redevelopment agency be transferred to specified entities. Provides that agreements funding for projects loans are still valid.

STATUS:

01/31/2012 In SENATE. Urgency clause failed adoption. (34-1)
01/31/2012 In SENATE. Motion to reconsider.
01/31/2012 In SENATE. Reconsideration granted.
01/31/2012 In SENATE. Read third time and amended. Senate Rule 29.3 suspended. To third reading.
01/31/2012 In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY. (34-1)

NOTES: Staff recommends support the bill and use of housing funds for their original intent.

CA SB 970

AUTHOR: De Leon [D]
TITLE: **Health Care Reform Eligibility, Enrollment & Retention**
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 01/17/2012
DISPOSITION: Pending
COMMITTEE: Senate Health Committee
HEARING: 04/11/2012 1:30 pm
SUMMARY:

Requires a county human services department to allow an applicant initially applying for, or renewing, health care coverage using the single state application developed pursuant to the Health Care Reform Eligibility, Enrollment, and Retention Planning Act, with the applicant's consent, to have his or her application information used to simultaneously initiate applications for CalWORKs and CalFresh. Requires the county to assess CalFresh recipients for potential state health subsidy program eligibility.

STATUS:

02/02/2012 To SENATE Committee on HEALTH.

NOTES: Watch

CA SB 986

AUTHOR: Dutton [R]
TITLE: **Redevelopment: Bond Proceeds**
FISCAL COMMITTEE: yes
URGENCY CLAUSE: yes
INTRODUCED: 01/31/2012
DISPOSITION: Pending
COMMITTEE: Senate Governance and Finance Committee
HEARING: 04/18/2012 9:30 am
SUMMARY:

Provides that all bond proceeds that were generated by a former redevelopment agency shall be deemed to be encumbered. Prohibits a successor agency from remitting these proceeds to the county auditor-controller. Requires that the proceeds of bonds issued by a former redevelopment agency must be used by the successor agency for the purposes for which the bonds were sold pursuant to an enforceable obligation that was entered into either by the former agency or its successor agency by December 14, 2014.

STATUS:

03/21/2012 In SENATE Committee on GOVERNANCE AND FINANCE: Not heard.

NOTES: Staff requests direction from Leg Com

CA SB 996

AUTHOR: Public Employment & Retirement Cmt
TITLE: **County Employees Retirement Law: Heart Trouble**
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 02/06/2012
LAST AMEND: 03/26/2012
DISPOSITION: Pending
LOCATION: Senate Rules Committee
SUMMARY:

Amends the County Employees Retirement Law of 1937 that provides that if a safety member, a fireman member, or a member in active law enforcement who has completed a specified number of years of service develops heart trouble, that the trouble is presumed to arise out of an in the course of employment. Clarifies that the presumption is rebuttable.

STATUS:

03/26/2012	From SENATE Committee on RULES with author's amendments.
03/26/2012	In SENATE. Read second time and amended. Re-referred to Committee on RULES.
NOTES:	Sent to HR & CC for review

CA SB 1003

AUTHOR:	Yee [D]
TITLE:	**Local Government: Open Meetings**
FISCAL COMMITTEE:	no
URGENCY CLAUSE:	no
INTRODUCED:	02/06/2012
DISPOSITION:	Pending
COMMITTEE:	Senate Governance and Finance Committee
HEARING:	04/18/2012 9:30 am

SUMMARY:

Amends the Ralph M. Brown Act regarding open meetings. Authorizes the district attorney or any interested person to file an action to determine the applicability of the act to past actions of the legislative body. States the intent of the legislature that this requirement is intended to supersede the decision of the California Court of Appeal for the Fifth District in McKee v. Tulare County Board of Supervisors in a nonpublished opinion.

STATUS:

02/16/2012	To SENATE Committee on GOVERNANCE AND FINANCE.
NOTES:	Sent to CC for review. Watch.

CA SB 1060

AUTHOR:	Hancock [D]
TITLE:	**CalWORKs Benefits: Lifetime Ban**
FISCAL COMMITTEE:	yes
URGENCY CLAUSE:	no
INTRODUCED:	02/13/2012
DISPOSITION:	Pending
LOCATION:	Senate Appropriations Committee

SUMMARY:

Amends existing law that provides for the State Work Opportunity and Responsibility to Kids (CalWORKs) program. Provides that a person convicted of a drug-related felony shall be eligible to receive CalWORKs benefits if he or she meets certain conditions of eligibility.

STATUS:

03/27/2012	From SENATE Committee on HUMAN SERVICES: Do pass to Committee on APPROPRIATIONS. (4-2)
NOTES:	Watch

CA SB 1151

AUTHOR:	Steinberg [D]
TITLE:	**Redevelopment: Long Range Asset Management Plan**
FISCAL COMMITTEE:	yes

URGENCY CLAUSE: no
INTRODUCED: 02/21/2012
DISPOSITION: Pending
COMMITTEE: Senate Governance and Finance Committee
HEARING: 04/18/2012 9:30 am
SUMMARY:

Relates to dissolved redevelopment agencies, community development agencies and the designation of successor agencies. Requires the successor agency to prepare a long range asset management plan that outlines a strategy for ongoing economic development and housing functions. Requires the successor agency to submit the plan to the Department of Finance and the oversight board.

STATUS:

03/01/2012 To SENATE Committee on GOVERNANCE AND FINANCE.

NOTES: Staff requests direction from Leg Com

CA SB 1156

AUTHOR: Steinberg [D]
TITLE: **Community Development & Housing Joint Powers Authority**
INTRODUCED: 02/22/2012
DISPOSITION: Pending
COMMITTEE: Senate Governance and Finance Committee
HEARING: 04/18/2012 9:30 am
SUMMARY:

Relates to the Community Redevelopment Law and redevelopment agencies. Establishes a new financing option for cities and counties. Develops sustainable economic development and affordable housing. Authorizes a Community Development and Housing Joint Powers Authority to assume responsibility for managing the assets and property of the former redevelopment agency.

STATUS:

03/01/2012 To SENATE Committees on TRANSPORTATION AND HOUSING and GOVERNANCE AND FINANCE.

NOTES: Staff requests direction from Leg Com

CA SB 1220

AUTHOR: DeSaulnier [D]
TITLE: **Housing Opportunity Trust Fund Act of 2012**
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/23/2012
DISPOSITION: Pending
LOCATION: Senate Transportation and Housing Committee
SUMMARY:

Enacts the Housing Opportunity Trust Fund Act of 2012 relating to the need for permanent ongoing sources of funding dedicated to affordable housing development. Imposes a fee to be paid at the time of the recording of every real estate instrument paper, or notice.

STATUS:

03/08/2012 To SENATE Committees on TRANSPORTATION AND HOUSING and GOVERNANCE AND FINANCE.

NOTES: Monitor, potentially request amendment to disperse funds to local Housing Successor Agencies in lieu of HCD

CA SB 1335

AUTHOR: Pavley [D]
TITLE: **Redevelopment and Brownfield Sites**
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/24/2012
DISPOSITION: Pending
COMMITTEE: Senate Environmental Quality Committee
HEARING: 04/16/2012 1:30 pm
SUMMARY:

Relates to dissolved redevelopment agencies and community development agencies and the designation of successor agencies. Authorizes a successor agency to retain land of a former redevelopment agency that is a brownfield site. Authorizes the successor agency to develop the land if the associated development project meets specified requirements.

STATUS:

03/14/2012	Withdrawn from SENATE Committees on GOVERNANCE AND FINANCE and ENVIRONMENTAL QUALITY.
03/14/2012	Re-referred to SENATE Committees on ENVIRONMENTAL QUALITY and GOVERNANCE AND FINANCE.

NOTES: Staff is watching

CA SB 1387

AUTHOR: Emmerson [R]
TITLE: **Metal Theft**
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/24/2012
LAST AMEND: 03/27/2012
DISPOSITION: Pending
COMMITTEE: Senate Business, Professions & Economic Development Committee
HEARING: 04/09/2012 1:00 pm
SUMMARY:

Prohibits any junk dealer or recycler from possessing a fire hydrant, fire department connection, including, but not limited to, bronze or brass fittings or parts, a manhole cover or lid, or any part of that cover or lid, or a backflow device and connections to that device without a written certification on the letterhead of the agency or utility that owns or previously owned the material and that the entity has sold. Makes such dealers civilly liable.

STATUS:

03/27/2012	From SENATE Committee on BUSINESS, PROFESSIONS AND ECONOMIC DEVELOPMENT with author's amendments.
03/27/2012	In SENATE. Read second time and amended. Re-referred to Committee on BUSINESS, PROFESSIONS & ECONOMIC DEVELOPMENT.

NOTES: Watch

CA SB 1472

AUTHOR: Pavley [D]
TITLE: **Real Property: Blight**
FISCAL COMMITTEE: no
URGENCY CLAUSE: no

INTRODUCED: 02/24/2012
DISPOSITION: Pending
LOCATION: Senate Rules Committee
SUMMARY:

Expresses the intent of the Legislature to enact legislation to amend the Civil Code and the Health and Safety Code to provide communities throughout the state with additional tools to fight blight.

STATUS:

03/22/2012 To SENATE Committee on RULES.
NOTES: Staff is watching

CA SB 1494

AUTHOR: DeSaulnier [D]
TITLE: **County Employees' Retirement: Contra Costa County**
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 02/24/2012
DISPOSITION: Pending
LOCATION: Senate Public Employment and Retirement Committee
SUMMARY:

Authorizes the Contra Costa County Board of Supervisors and the governing boards of districts, therein to negotiate with specified recognized employee organizations representing general members to subject new general members to a specified age formula, known as Tier Four.

STATUS:

03/22/2012 To SENATE Committee on PUBLIC EMPLOYMENT AND RETIREMENT.
NOTES: Our bill

CA SB 1498

AUTHOR: Emmerson [R]
TITLE: **Local Agency Formation Commission: Powers**
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 02/24/2012
DISPOSITION: Pending
COMMITTEE: Senate Governance and Finance Committee
HEARING: 04/18/2012 9:30 am
SUMMARY:

Authorizes the Local AGency Formation Commission to authorize a city or district to provide new or existing services outside its jurisdictional boundaries and outside its sphere of influence to support existing or planned uses involving public or private properties, subject to approval at a noticed public hearing.

STATUS:

03/22/2012 To SENATE Committee on GOVERNANCE AND FINANCE.
NOTES: Watch

CA SJR 15

AUTHOR: DeSaulnier [D]
TITLE: **Harbor Maintenance Tax: Trust Fund Surplus**
INTRODUCED: 09/07/2011
DISPOSITION: Pending
FILE: 2
LOCATION: Senate Second Reading File

SUMMARY:

Urges the President and Congress to significantly increase federal funding from the Harbor Maintenance Trust Fund surplus for navigational improvements and continued operational and maintenance dredging in those federal channels that serve California's ports.

STATUS:

03/29/2012 In SENATE. Read second time. To Consent Calendar.

NOTES:

Sending letter of support. Consistent with Fed Platform.

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County Health Executives Association of California (CHEAC)
Hot Sheet #4 – 2012
March 16, 2012

Bill Number Author Subject Last Amendment	Bill Status	Description	CHEAC Position
ASSEMBLY BILLS			
AB 43/Monning *Medi-Cal* *Health Reform* Last amendment 5/27/11	*Location:* In Senate Health Committee.	Requires DHCS to establish eligibility for Medi-Cal benefits for any person who meets the federal health care reform expansion requirements by 1/1/14. Also allows DHCS to phase in coverage for those individuals.	S-2 (w/ CSAC, UCC, & CWDA)
AB 62/Monning *Medi-Cal* Last amendment 6/27/11	*Location:* In Senate. Held at the desk.	Requires DHCS to consult with stakeholders on a regular basis throughout the development and implementation of the dual eligible pilot projects authorized in last year's SB 208.	Special Interest Bill
AB 154/Beall *Mental Health* Last amendment 1/23/12	*Location:* In Senate.	Requires health plans and insurers to cover the diagnosis and medically necessary treatment of mental illnesses. Other provisions.	S-2
AB 217/Carter *Tobacco* Last amendment 4/7/11	*Location:* In Senate Health and Labor & Industrial Relations Committees. 2-Year Bill.	Defines a patient smoking area in a LTC facility to mean an area that is not located in the patient's room, is located outdoors in a space that can be monitored by facility staff and is located in an area that reasonably prevents smoke from entering the facility or patient rooms.	S-3
AB 441/Monning *Built Environment* Last amendment 1/23/12	*Location:* In Senate.	Requires the CA Transportation Commission to include voluntary health and health equity factors, strategies, goals and objectives in guidelines promulgated by the commission for the development of regional transportation plans.	S-3
AB 491/Portantino *HIV/AIDS* Last amendment 5/10/11	*Location*: In Senate Health and Judiciary Committees. 2-Year Bill.	Applies existing law that requires medical care providers in clinical settings while administering an HIV test to provide specified information about HIV and HIV testing to the patient to HIV testing in a nonclinical setting. Requires HIV counselors, who administer HIV tests, to also provide information to a patient regarding HIV and the risks and benefits of testing among other provisions.	S-3

Bill Number Author Subject Last Amendment	Bill Status	Description	CHEAC Position
AB 540/Beall *Medi-Cal Alcohol/Drug* Last amendment 8/15/11	*Location:* In Senate Appropriations Committee held on Suspense File. 2-Year Bill.	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. Requires any public entity drawing down FFP to reimburse the state their costs for creating and administering the program.	S-3
AB 714/Atkins *Health Exchange* Last amendment 6/30/11	*Location:* In Senate Appropriations Committee held on Suspense File. 2-Year Bill.	Requires DHCS and MRMIB, until 6/30/13, to disclose to former enrollees that they may be eligible to enroll in the CA Health Benefit Exchange. On and after 1/1/13, requires DHCS and MRMIB to provide to the CA Health Benefit Exchange specified information for each enrollee no longer enrolled in various state programs except for the cancer treatment and screening programs, Family PACT and HIV/AIDS treatment programs for purposes of determining eligibility and completing enrollment in the Exchange. Requires CDPH or DHCS to provide the Exchange specified information for enrollees in cancer treatment and screening programs, Family PACT and HIV/AIDS treatment programs for purposes of determining eligibility and completing enrollment in the Exchange. Requires hospitals, beginning 1/1/13, to include information to patients they bill who have not provided proof of coverage by a third party with information about the availability of coverage through the CA Health Benefit Exchange. Adds language that for individuals for whom an application has been initiated by the transfer of their information they be provided an opportunity to provide informed consent. If they fail to consent or fails to respond within a reasonable time frame that failure shall be construed to mean that the individual has declined coverage.	Special Interest Bill
AB 727/Mitchell *Public Health* Last amendment 5/27/11	*Location:* In Senate Appropriations Committee held on Suspense File. 2-Year Bill.	Requires the state Department of General Services to develop nutrition standards to govern the foods purchased for all state departments, agencies and state-run institutions in accordance with federal dietary guidelines.	S-3

Bill Number Author Subject Last Amendment	Bill Status	Description	CHEAC Position
AB 792/Bonilla *Health Exchange* Last amendment 8/17/11	*Location:* In Senate Appropriations Committee held on Suspense File. 2-Year Bill.	Requires the disclosure of information on health coverage provided through the CA Health Benefit Exchange by health care service plans and health insurers in certain circumstances to encourage maximum Exchange participation. Other provisions.	Special Interest Bill
AB 916/VM Perez *FQHC* Last amendment 8/15/11	*Location*: In Senate Health Committee.	Adds county FQHC's to the list of clinics required to report data to OSHPD on patients served, number of patient visits, operating expenses and other information on a yearly basis. Adds intent language that the Legislature ensure counties address the needs of underserved communities by maximizing the use of nonprofit health providers if counties are given greater authority and control to operate specific health programs through realignment. Creates a Task Force on the Health Care Needs of Farmworkers tasked with issuing a report to the Governor and DHCS that will include strategies to create public and private partnerships between growers, federal, state and local government entities, nonprofit community health centers and farmworker community representatives for the purpose of coordinating respective resources to create new initiatives to provide health insurance or equivalent coverage for farmworkers not covered under federal health care reform.	Watch w/ Concerns
AB 1278/Hill *Health Facilities* *Tobacco* Last amendment 1/26/12	*Location*: In Senate.	Extends the current ban on tobacco use in workplaces, including hospitals, to include the entire hospital campus. Allows a city, county or city & county to adopt and enforce additional smoking and tobacco control ordinances, regulations or policies that are no less stringent than the standards established in the bill.	S-3
AB 1301/Hill *Tobacco* Last amendment 1/18/12	*Location:* In Senate Health and Rules Committees.	Changes how the Board of Equalization penalizes retailers for violations of the STAKE Act. Other provisions.	S-3

Bill Number Author Subject Last Amendment	Bill Status	Description	CHEAC Position
AB 1387/Solorio *EMS* Last amendment 9/2/11	*Location:* On Senate Floor inactive file.	Allows for an emergency medical care committee to be established in each county of the state. Requires the membership of an emergency medical care committee in each county to be representative of the EMS participants. Requires the emergency medical care committee to annually review the county's emergency medical system. Repeals Health & Safety Code Section 1797.201 and replaces it with language that states a city or fire district that has continuously contracted for or provided prehospital EMS since 6/1/80 has continuing authorization to contract for or provide for the administration of, with control as defined in regulation, the same type of prehospital EMS that it has continuously provided or contracted for during that time and within the geographical service area that it has continuously served during that time if the city or fire district makes a formal written request for recognition to the LEMSA prior to 1/1/14. Defines the conditions that must be met to do so. Adds language that allows city or fire districts to increase their geographical areas under certain circumstances. Requires all LEMSAs to include all prehospital EMS providers in its local EMS plans. Prehospital EMS providers are required to be subject to medical control by the LEMSA and to comply with LEMSA agency policies and procedures regarding the administration of the LEMSA. Adds language stating that with the repeal of H&S § 1797.201 and the addition of new H&S code defining EOAs, this new language shall not be construed to affect, limit or otherwise invalidate any court decision handed down on H&S § 1797.201 as it read on 12/31/11.	Special Interest Bill **Please Note:** **We understand AB 1387 to be dead for the year, and sponsors (CPF) have stated they will not move the bill.** **Stakeholders intend to submit the issue areas where consensus was reached to EMSA. EMSA has stated they would convene a working group to explore the feasibility of adopting those recommendations through a transparent and public regulatory process.**
NEW BILL **AB 1560/Fuentes** ***Medi-Cal***	*Location:* In Assembly Human Services Committee. *Hearing*: Set for hearing **4/10/12**.	**Requires DSS to waive the CalFresh gross income test for any individual who is categorically eligible for CalFresh and who receives or is eligible for Medi-Cal.**	**S-3**
NEW BILL **AB 1594/Eng** ***Pupil Nutrition***	*Location:* In Assembly Education Committee. *Hearing*: Set for hearing **3/28/12**.	**Requires charter schools to provide each needy pupil with one nutritionally adequate free or reduced-price meal during each school day.**	**S-3**

Bill Number Author Subject Last Amendment	Bill Status	Description	CHEAC Position
NEW BILL **AB 1650/Portantino** ***Emergency Preparedness***	*Location*: In Assembly Utilities & Commerce Committee.	**Requires the PUC to establish standards for disaster and emergency preparedness plans for utilities. Requires electrical corporations and gas corporations to develop, adopt and update an emergency and disaster preparedness plan. Requires utilities to update and improve their emergency & disaster plans every two years and are required to consult with appropriate representatives of every county and city within that corporation's service area.**	**S-3**
NEW BILL **AB 1678/Monning** ***Env. Health Nutrition*** **Amended 3/8/12**	*Location:* In Assembly Health Committee.	**Prohibits mobile food facilities from selling or otherwise providing food or beverages within ~~1500~~ 500 feet of any elementary or secondary school campus and with certain exemptions.**	**Watch w/ Concerns**
NEW BILL **AB 1738/Huffman** ***Tobacco***	*Location*: In Assembly Health Committee.	**Requires health care service plans and insurance policies issued, amended, renewed or delivered on or after 1/1/13 to provide coverage for 2 courses of treatment in a 12-month period for tobacco cessation preventive services rated "A" or "B" by the US Preventive Services Task Force. Prohibits a plan or insurer from requiring enrollees or insureds to pay any copayment, coinsurance or deductible for these services.**	**S-3**
NEW BILL **AB 1746/Williams** ***Pupil Health***	*Location*: In Assembly Education Committee. *Hearing*: Set for hearing **3/28/12**.	**Restricts the sale of sports drinks to specified times before and after school for middle and high schools.**	**S-3**
NEW BILL **AB 1785/B.Lowenthal** ***Medi-Cal FQHC/RHC***	*Location*: In Assembly Health Committee.	**Adds marriage and family therapists to the list of allowable health care professionals who can bill for a face-to-face encounter in FQHCS and RHCs.**	**S-3**
NEW BILL **AB 1793/Yamada** ***Emergency Preparedness***	*Location*: In Assembly Health Committee. *Hearing*: Set for hearing **3/27/12**.	**Eliminates the sunset for existing law governing the PHEP program including the use of allocation agreements and prospective payments. Adds long-term care facilities to the list of entities eligible for PHEP funding under these provisions.**	**S-2**

Bill Number Author Subject Last Amendment	Bill Status	Description	CHEAC Position
NEW BILL **AB 1944/Gatto** ***EMS***	*Location:* In Assembly Health Committee.	**Requires a LEMSA medical director to inform an employer when an EMT-P license holder has committed an action or omission that appears to constitute cause for disciplinary action, so the employer may conduct an investigation and take disciplinary action if necessary. Provides that LEMSA medical directors must conduct an EMT-P investigation, with cause, if that EMT-P is not employed by an ambulance service licensed by the CHP or a public safety agency or if those agencies choose not to conduct an investigation. Only allows EMSA to deny, suspend or revoke an EMT-P license (or place the license holder on probation) if 1) an EMT-P employer, after conducting an investigation, fails to impose discipline for the conduct or if the discipline imposed is not conducted according to guidelines or 2) the EMT-P employer or the LEMSA medical director determines that the conduct requires disciplinary action.**	**Watch w/ Concerns**
NEW BILL **AB 2064/VM Perez** ***Immunizations***	*Location:* In Assembly Health Committee. *Hearing*: Set for hearing **3/27/12**.	**Requires health care service plans or health insurers that provide coverage for childhood and adolescent immunizations to reimburse a physician or physician group in an amount no less than the actual cost of acquiring the vaccine plus administration costs. Prohibits plans or insurers from imposing deductibles, copayments, coinsurance or other cost-sharing mechanisms for this purpose.**	**S-2**
NEW BILL **AB 2109/Pan** ***Immunizations***	*Location*: In Assembly Health Committee. *Hearing*: Set for hearing **4/17/12**.	**Requires a parent or guardian seeking an immunization personal belief exemption for their child to obtain a document signed by themselves and a licensed health care practioner acknowledging that the parent or guardian has been informed by the health care practioner of the benefits and risks of immunization as well as the health risks associated with communicable diseases.**	**S-1**

Bill Number Author Subject Last Amendment	Bill Status	Description	CHEAC Position
SENATE BILLS			
SB 336/Lieu *Hospitals* Last amendment 5/16/11	*Location:* On Assembly Floor on the Inactive File.	Requires all licensed general acute care hospitals to assess the condition of their emergency rooms every four hours and then calculate and record a crowding score. If a hospital does not record a crowding score in level four or higher for the previous 30 days, it may assess its ER every eight hours; however, if it records a crowding score of four or higher, it must revert to the four hour schedule. Also requires hospitals to develop and implement a full-capacity protocol for each category on the crowding scale. Hospitals with emergency rooms must file these protocols with OSHPD.	Watch w/ Concerns
SB 359/Hernandez *Env. Health* Last amendment 1/10/12	*Location:* In Assembly.	Requires food handlers to wash their hands before donning gloves for working with food. Prohibits single-use gloves from being washed for subsequent use. Prohibits a food handler from handling food if the employee has a lesion or an open wound.	S-3
SB 575/DeSaulnier *Tobacco* Last amendment 5/31/11	*Location:* In Assembly Governmental Organization Committee. Held in committee without recommendation. 2-Year Bill.	Eliminates most of the exemptions that permit smoking in certain work environments such as hotel lobbies, bars and taverns, banquet rooms, warehouse facilities**,** family residences used as day care facilities and employee break rooms.	S-2

Bill Number Author Subject Last Amendment	Bill Status	Description	CHEAC Position
SB 594/Wolk *PH Labs* Last amendment 5/25/11	*Location:* In Assembly Health Committee. **DEAD BILL**	The May 11 amendments removed specific language defining local public health labs as one operated by a city or county and requiring that all infectious and environmental disease testing be done by the public health lab. However, the new amendments codify several sections of regulation, some over 30 years old, including CCR§1276, which requires that the local public health lab provide "services necessary for the various programs of the health department". The new amendments also amend H&S 101160 to require that local public health labs be *certified* instead of *approved* by CDPH, and *be in compliance with state and federal statutory or regulatory requirements pertaining to municipal and county public health laboratories*. The bill still requires that the public health lab director report to the health officer *in matters concerning the public's health*. The amendments require that CDPH *approve and monitor*, rather than *initiate, administer and monitor* a CE program for public health microbiologists. The amendments also remove language which would have prevented CDPH from passing on the cost of the certification and CE programs to public health labs or lab personnel. The May 25 amendments allow CDPH to charge public health microbiologists a fee to cover the costs of the CE program. Prohibits the fee from being imposed on PH labs or LHDs for this purpose.	Oppose Unless Amended *Remaining concerns:* *1) Codification of regulations that are over 30 years old is inappropriate and overly restrictive.* *2) Removal of language which would have prevented CDPH from passing on the costs of creating and maintaining a new CE program to LHDs could result in new costs for LHDs.* *3) Provisions of the bill which require the public health lab director to report to the local health officer.*
SB 662/DeSaulnier *Simplified Contract* Last amendment 5/31/11	*Location*: In Assembly Human Services and Public Safety Committees. 2-Year Bill.	Authorizes DOF and any county to enter into a contract that would authorize the county to integrate public services. Requires the LAO to provide an analysis of any contract entered into pursuant these provisions. Requires the applicable county BOS to ratify the contract. Other provisions.	Special Interest Bill

Bill Number Author Subject Last Amendment	Bill Status	Description	CHEAC Position
SB 677/Hernandez *Health Reform* *Medi-Cal* Last amendment 5/23/11	*Location*: In Assembly.	Provides, that to the extent required by federal law, that DHCS not apply a Medi-Cal eligibility assets or resources test. Instead, DHCS must use the modified AGI of an individual or the household income of a family for the purposes of determining Medi-Cal eligibility. Provisions become operative 1/1/14.	Support in Concept (w/ CSAC, UCC, CWDA & CMHDA)
SB 703/Hernandez *Health Reform* Last amendment 7/12/11	*Location:* In Assembly Appropriations Committee held on Suspense File. 2-Year Bill.	Requires MRMIB to establish a Basic Health Program to implement an option created under federal health reform to provide a health plan containing essential health benefits at a price not to exceed the amount that individual would have been required to pay under the CA Health Benefit Exchange. Eligible individuals, as defined in federal law, are persons who do not qualify for Medicaid, whose income exceeds 133% FPL but not over 200% FPL, who is not eligible for minimum essential coverage through a government program, an employer-sponsored plan, and plans on the individual market or eligible to be covered on the Exchange. Other provisions.	Special Interest Bill
NEW BILL **SB 1074/Dutton** ***Program Eligibility***	*Location:* In Senate Human Services Committee.	**Requires fingerprint imaging of CalFresh recipients.**	**O-2**
NEW BILL **SB 1310/Simitian** ***Injury Prevention***	*Location:* In Senate Transportation & Housing Committee. *Hearing*: Set for hearing **3/27/12**.	**Requires the DMV to include in driver's tests a test to assess the applicant's understanding of the distractions and dangers of handheld cell phone use and text messaging while driving. Assesses a violation point on a driver's record for a 2nd or subsequent violation of cell phone use/text messaging laws. Increases the base fines for these violations. Allows a law enforcement officer to stop a driver for the sole purpose of determining whether the driver is violating these provisions. For violations of these provisions collected by county treasurers, requires $10 be submitted for each fine for deposit in the Distracted Driver Education Fund created by the bill. Prohibits a person from using a wireless phone while riding a bicycle unless it's configured to have a hands-free device; prohibits the use of an electronic wireless communications device while riding a bicycle.**	**S-3**

Bill Number Author Subject Last Amendment	Bill Status	Description	CHEAC Position
NEW BILL **SB 1318/Wolk** ***Immunizations***	*Location:* In Senate Health Committee.	**Extends provisions requiring hospitals to offer onsite influenza vaccinations to their employees to contractors, students, volunteers and all other onsite health care workers affiliated with the hospital. Those health care workers who decline vaccination are required to wear hospital-provided surgical or procedural masks.**	**S-3**
NEW BILL **SB 1329/Simitian** ***Pharmacy***	*Location*: In Senate Health and Business, Professions and Economic Development Committees. *Hearing*: Set for hearing **4/11/12** (Hlth).	**Authorizes a county to establish a repository and distribution program for surplus unused medications by a BOS action or by the action of the county health officer. Adds additional health care facilities that may donate unused medication to the county program. Adds primary care clinic dispensaries to the list of pharmacies that may participate in the program, and prescribes how primary care clinics may participate.**	**S-3**

*****2-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. Must be then passed out of its house of origin by January 31, 2012, or it becomes a dead bill. (Please note all deadlines may be waived by Legislative leadership.)

Definition 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 its 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.

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**	**SIC** **Support in Concept**

Contra Costa County
Delta-related
Legislation Tracking Report

CA AB 1656

AUTHOR: Fong [D]
TITLE: San Francisco Bay Restoration Authority
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/13/2012
LAST AMEND: 03/29/2012
DISPOSITION: Pending
FILE: 5
LOCATION: Assembly Second Reading File
SUMMARY:

Extends the repeal of the San Francisco Bay Restoration Authority Act. Revises the definition of the East Bay to provide that it consists of the whole Contra Costa County, as well as that specified portion of Alameda County. Authorizes the authority to raise funds and award grants to public and private entities for eligible projects, including projects, that, among other things, restore, protect, or enhance tidal wetlands, managed ponds, or natural habitat on the San Francisco Bay shoreline.

STATUS:

03/29/2012 In ASSEMBLY. Read second time and amended. Re-referred to Committee on LOCAL GOVERNMENT.

NOTES: Reviewing. Support requested.

CA AB 1813

AUTHOR: Buchanan [D]
TITLE: Sacramento-San Joaquin Delta Reform Act of 2009
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 02/21/2012
DISPOSITION: Pending
LOCATION: ASSEMBLY
SUMMARY:

Makes a technical, nonsubstantive change to the Sacramento-San Joaquin Delta Reform Act of 2009 establishing the Delta Stewardship Council as an independent agency of the state and requiring the State Water Resources Control Board to establish an effective system of Delta watershed diversion data and public reporting.

STATUS:

02/21/2012 INTRODUCED.

NOTES: DCC staff & advocates reviewing

Commentary:

Delta flows bill?

CA AB 1884

AUTHOR: Buchanan [D]
TITLE: Sacramento-San Joaquin Delta Reform Act: Covered Action
INTRODUCED: 02/22/2012
DISPOSITION: Pending
LOCATION: ASSEMBLY
SUMMARY:

Makes a technical, nonsubstantive change to existing law establishing the Delta Stewardship Council as an independent agency under the Sacramento-San Joaquin Delta Reform Act of 2009 of the state.

STATUS:

02/22/2012 INTRODUCED.

NOTES: DCC staff & advocates reviewing

Commentary:

Covered actions?

CA AB 2000

AUTHOR: Huber [D]

TITLE: Sacramento-San Joaquin Delta: Delta Plan

FISCAL COMMITTEE: no

URGENCY CLAUSE: no

INTRODUCED: 02/23/2012

DISPOSITION: Pending

LOCATION: ASSEMBLY

SUMMARY:

States findings and declarations regarding the lack of information about the regulatory and environmental consequences of incorporating the Bay Delta Conservation Plan into the Delta Plan. States the intent of the Legislature to enact legislation that would include elements in the environmental impact report and environmental impact statement for the Bay Delta Conservation Plan and to include certain changes in the Bay Delta Conservation Plan.

STATUS:

02/23/2012 INTRODUCED.

NOTES: DCC staff & advocates reviewing

Commentary:

Possible vehicle for SB 200 assurances?

CA AB 2421

AUTHOR: Berryhill B [R]

TITLE: Sacramento-San Joaquin Delta: Peripheral Canal

FISCAL COMMITTEE: no

URGENCY CLAUSE: no

INTRODUCED: 02/24/2012

DISPOSITION: Pending

LOCATION: Assembly Water, Parks and Wildlife Committee

SUMMARY:

Requires the Legislative Analyst's Office to complete a prescribed economic feasibility analysis prior to the enactment of a statute authorizing the construction of a peripheral canal.

STATUS:

03/22/2012 To ASSEMBLY Committee on WATER, PARKS AND WILDLIFE.

NOTES: DCC staff & advocates reviewing

Commentary:

Bill to require BDCP to do a cost-benefits analysis

CA AB 2422

AUTHOR: Berryhill B [R]

TITLE: State Water Resources Development System: Reporting

FISCAL COMMITTEE: no

URGENCY CLAUSE: no

INTRODUCED: 02/24/2012

DISPOSITION: Pending
LOCATION: ASSEMBLY
SUMMARY:
Makes technical, nonsubstantive changes to existing law requiring the Department of Water Resources to prepare and submit to the chairpersons of the fiscal committees of the Legislature a report about the budget of the State Water Resources Development System.
STATUS:
02/24/2012 INTRODUCED.
NOTES: Watching

CA AB 2423

AUTHOR: Berryhill B [R]
TITLE: Comprehensive Sacramento-San Joaquin Delta Planning
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 02/24/2012
DISPOSITION: Pending
LOCATION: ASSEMBLY
SUMMARY:
Makes a technical, nonsubstantive change to the Sacramento-San Joaquin Delta Reform Act establishing the Delta Stewardship Council as an independent agency of the state.
STATUS:
02/24/2012 INTRODUCED.
NOTES: DCC staff & advocates reviewing

CA SB 1278

AUTHOR: Wolk [D]
TITLE: Planning and Zoning: Levees
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 02/23/2012
DISPOSITION: Pending
LOCATION: SENATE
SUMMARY:
Defines the term nonproject levee to mean any levee that is not part of the facilities of the State Plan of Flood Control.
STATUS:
02/23/2012 INTRODUCED.
NOTES: SB 5/AB 5 clean up bill

CA SB 1495

AUTHOR: Wolk [D]
TITLE: Sacramento-San Joaquin Delta Reform Act of 2009
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/24/2012
DISPOSITION: Pending
COMMITTEE: Senate Natural Resources and Water Committee
HEARING: 04/10/2012 9:30 am
SUMMARY:
Excludes from the definition of covered action, under the Sacramento-San Joaquin Delta Reform Act of 2009, specified leases approved by specified special districts,

and dredging activities and projects conducted by the federal government or specified special districts to improve interstate and international commerce through the navigable waters.

STATUS:

03/22/2012	To SENATE Committee on NATURAL RESOURCES AND WATER.
NOTES:	DCC staff & advocates reviewing

Commentary:

Regards covered action das they might apply to Port f Stockton and dredging (this bill may not be necessary per recent conversatons wtih DSC and may be another vehicle for DCC ideas)

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SUCCESSOR AGENCY LEGISLATION

On February 1, 2012 all Redevelopment Agencies (RDA's) in California were dissolved and the process to unwind their financial affairs shifted billions of dollars in property tax revenue from RDA's to the State.

Prior to their dissolution, RDA's annually received close to $5 billion in property tax revenues, and spent tens of billions of dollars of outstanding bonds, contractual agreements, and loans in redevelopment project areas throughout California.

Since the implementation of AB1 x 26, the Dissolution Act, RDA's statewide have begun the process of unwinding former redevelopment agencies even though existing statues includes many uncertainties with dissolving RDA's. Clarification is needed on many areas such as the use of unencumbered, and/or unspent funds, and use of bond proceeds. Several bills, sponsored by various legislators, attempt to clean–up these gray areas. They include:

AB 1585 (Perez): Redevelopment

AB 1585 is the most developed clean-up bill to AB 1x 26 pending in the Legislature. It is currently on a fast track and contains an urgency clause because many of its provisions must take effect soon to resolve implementation challenges and questions faced by local agencies, bond counsels, owners of affected properties and others. The bill contains appropriate policy and technical clarifications to reduce confusion and provide greater direction to successor agencies, oversight boards and successor housing entities. Importantly, the bill requires repayment of former loans by cities to former redevelopment agencies, preserves remaining affordable housing funding, preserves asset value, and makes important changes to improve the functioning of successor agencies and avoid bond defaults.

This clean-up bill proposes various changes to AB1 x 26 including, among other items: allowing provisions for administrative costs such as to carry out the requirement of the <u>Enforceable Obligation Payment Schedule</u>, litigation costs, or to preserve the value of an asset subject to the approval by the oversight board. Employee costs associated with work on specific project implementation activities would be considered enforceable obligations, not administrative costs which are subject to the 5-3% limitation. This bill clarifies the calculation of the employee costs and permitting the retention of unencumbered housing funds. The bill also recognizes host community loans.

The Assembly Local Government Committee passed AB 1585 at its hearing on Wednesday, March 21. The Assembly Appropriations Committee also passed the bill at a special meeting on Thursday, March 22, 2012. The bill passed the Assembly on 3/26. This bill contains an urgency clause, requiring 2/3rd vote for approval.

Staff Recommendation: Support and request amendment

AMENDMENT:

Section 34177i allows bond funds to be used for the purposes for which bonds were sold unless the purposes can no longer be achieved, in which case, the proceeds may be used to defease the bonds. Seek an amendment to clarify that successor agencies can enter into new or amended contracts for projects that are funded bonds proceeds and accomplish the purpose for which the bonds were sold.

SB 654 (Steinberg)
The intent of SB 654 is to permit unencumbered housing balances from agencies' low and moderate housing funds be transferred to the Successor Agency for the original intent and expenditure of those funds for what they were intended for, consistent with Community Redevelopment Law. This is also included in SB 1585. This bill is pending in the Assembly.

Staff Recommendation: Support the bill and use of housing funds for their original intent.

SB 1151 (Steinberg): Redevelopment: Long Range Asset Management Plan
SB 1151 requires successor agencies to prepare a long range asset management plan which outlines a strategy for maximizing value of real property and assets for ongoing economic development and housing functions. If approved, successor agencies would have to complete and submit the plan by December 1, 2012. Assets could not be sold until the plan is prepared. Some have called this the "Anti-Fire Sale" bill. More amendments are expected to be added to this measure soon.

DISPOSITION: Pending
COMMITTEE: Senate Governance and Finance Committee
HEARING: 04/18/2012 9:30 am, Room 112

Staff Recommendation: Request direction from the Committee

SB 986 (Dutton): Redevelopment: Bond Proceeds
SB 986 would permit unencumbered bond proceeds to be retained and expended for the original intent in which the bonds were issued. This clarifies the language in AB1 x 26. The critical date for this bill is December 31, 2014. Bonds proceeds not committed by January 1, 2015 must be used to either defease the bonds, or purchase bonds on the open market for cancellation. This bill would also declare bond proceeds as encumbered funds and prohibit them from being allocated to the County Auditor-Controller.

DISPOSITION: Pending
COMMITTEE: Senate Governance and Finance Committee
HEARING: 04/18/2012 9:30 am, Room 112

Staff Recommendation: Request direction from the Committee

SB 1156 (Steinberg): Community Development & Housing Joint Powers Authority

SB 1156 is the self help sales tax bill that proposes to add an increment to the sales tax to help finance housing and other economic development strategies. Establishes a new financing option for cities and counties. Develops sustainable economic development and affordable housing. Authorizes a Community Development and Housing Joint Powers Authority to assume responsibility for managing the assets and property of the former redevelopment agency. More amendments are expected to be added to this measure soon.

DISPOSITION: Pending
COMMITTEE: Senate Transportation and Housing Committee
HEARING: 04/10/2012 1:30 pm, Burton Hearing Room (4203)

Staff Recommendation: Request direction from the Committee

AB 1644 (Carter): Military Base Reuse and Preservation Act of 2012

AB 1644 provides legislation to continue military base reuse redevelopment with successor agency funds. Makes findings and declarations relating to the granting of redevelopment powers to communities affected by federal military base closures. Declares the intent to enact legislation providing the option of a successor entity to areas affected by base closures and the deposit of funds to further redevelop activities in the affected area. AB 1828 (Bonilla) would authorize establishment of the Concord Naval Weapons Station Reuse Authority.

Staff Recommendation: Request direction from the Committee

SB 1220 (DeSaulnier & Steinberg): Housing Opportunity Trust Fund Act of 2012

SB 1220 would add a $75 document recording fee to all real estate transactions to finance affordable housing activities. The bill would impose a fee to be paid at the time of the recording of every real estate instrument paper or notice. The funds would be dispersed by HCD which is not in the best interest of the County. The former RDA of Contra Costa County unsuccessfully attempted this in the past and was met with strong opposition from the California Association of Realtors. This bill is not expected to gain much traction.

Staff Recommendation: Watch, potentially request amendment to disperse funds to local Housing Successor Agencies in lieu of HCD

SB 1335 (Pavley): Redevelopment and Brownfield Sites
SB 1335 is a spot bill for retention of brownfield properties by successor agencies.. Authorizes the successor agency to develop the land if the associated development project meets specified requirements.

DISPOSITION: Pending
COMMITTEE: Senate Environmental Quality Committee
HEARING: 04/16/2012 1:30 pm, Room 112

Staff Recommendation: Watch

SB 1472 (Pavley & DeSaulnier): Real Property: Blight
A spot bill for additional tools to fight blight. Expresses the intent of the Legislature to enact legislation to amend the Civil Code and the Health and Safety Code to provide communities throughout the state with additional tools to fight blight.

Staff Recommendation: Watch

AB 2144 (Perez & Atkins): Local Government: Economic Development
AB 2144 proposes to establish long term targeted tools for economic development via investment trusts. Declares the intent of the Legislature to enact legislation during the 2011-12 Regular Session that establishes long-term, targeted programs that provide local governments with tools and resources for specified purposes in a manner that encourages local cooperation and includes appropriate protections for state and local taxpayers. This is a vehicle for the Speaker's proposal on potential new economic development tools.

DISPOSITION: Pending
LOCATION: ASSEMBLY

Staff Recommendation: Watch

AB 2500 (Hueso): State Government: California Investment Trust
AB 2500 would create a California Investment Trust for, among other things local economic development activities.

DISPOSITION: Pending
COMMITTEE: Assembly Banking and Finance Committee
HEARING: 04/23/2012 3:00 pm, Room 444

Staff Recommendation: Watch

AB 2314 (Carter): Real Property: Blight
AB 2314 is a spot bill designed to provide localities with tools to address blight.

Staff Recommendation: Watch

AB 32 (Nunez)
It has been suggested that funds derived from the sale of AB 32, Cap and Trade emission credits, be used to fund economic development activities. The Governor instead has proposed to earmark these funds for the High Speed Rail Project.

Staff Recommendation: Watch

OFFICE OF THE COUNTY ADMINISTRATOR
CONTRA COSTA COUNTY

TO: Legislation Committee
Supervisor Mary N. Piepho, Chair
Supervisor Karen Mitchoff, Vice Chair

FROM: Lara DeLaney, Legislative Coordinator

DATE: March 29, 2012

SUBJECT: **Agenda Item #6: Federal Issues Update and Recap of Meetings in Washington, D.C.**

RECOMMENDATION

ACCEPT the report on federal legislative matters. PROVIDE reports on the recent visits to Washington D.C. by members of the Contra Costa Board of Supervisors and direct follow-up as needed.

WASHINGTON, D.C. UPDATE

After weeks of gridlock and debate over a series of controversial, non-germane amendments, the Senate approved on March 14 legislation (S 1813) that would **reauthorize and modify the nation's surface transportation law**. Approval of the bill, known as MAP-21, came one week after Senate leaders reached a deal to limit debate to 30 amendments, 18 of which were relevant to the transportation arena.

In a major victory for California's counties, the Senate approved by voice vote an amendment offered by Senators Roy Blunt (R-MO) and Bob Casey (D-PA) that would restore dedicated funding for off-system (local, non federal-aid highway) bridges. Under the original version of MAP-21, the current "set-aside" for off-system bridges would have been completely eliminated, meaning that local bridge maintenance, repair, and rehabilitation projects critical to the safety of the public would compete against all other needs. CSAC, in partnership with NACo and other key stakeholders, worked diligently to ensure that MAP-21 continued to provide dedicated funding for local bridges.

Overall, MAP-21 would fund highway and transit programs at current levels, plus inflation, for two years. Sponsored by Environment and Public Works (EPW) Committee Chairman Boxer, the bill would consolidate the number of federal highway programs from 90 down to less than 30. Additionally, the number of core highway programs would be reduced from seven to five programs.

On the other side of Capitol Hill, plans for advancing a transportation bill remain in flux as Speaker John Boehner (R-OH) continues to contemplate various legislative options.

Although it appears that the Speaker may attempt to move forward with a longer-term bill, another likely option is that the House will consider the Senate's two-year package. Regardless of the path ahead, it is increasingly likely that another stopgap measure will be needed before the current extension expires on March 31.

In other news, NACo held its annual legislative conference March 3-7 in Washington, D.C. Over 100 California county officials traveled to the nation's capitol to attend the convention, including Supervisors Mitchoff, Gioia, and Glover from Contra Costa County.

During their visit, Supervisors met with key members of Congress and the Obama administration to discuss the County's top federal priorities. The following week, Supervisor Piepho was also in Washington D.C. along with other members of the Delta Counties Coalition to discuss Delta-related matters.

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House GOP Sets Highway Vote

By Nathan Hurst and Richard E. Cohen, CQ Staff

House Republicans lined up a vote Thursday on a 90-day extension of surface transportation programs, risking a showdown with the Senate days before funding for highway, rail and infrastructure programs expires.

Democrats in the House are unlikely to help Republicans extend the funding for 90 days to buy more time to rewrite the GOP's stalled, five-year, $260 billion transportation plan (HR 7). Instead, Democrats have called for passage of the House version (HR 14) of a Senate-passed two-year, $109 billion bipartisan measure.

GOP leaders left open the option of voting on a 60-day extension — which some Democrats find more palatable — under expedited procedures that require a two-thirds majority. Democratic votes would be needed under that scenario.

If that bipartisan vote does not materialize, House Republicans are likely to rally enough votes for their 90-day extension (HR 4281), before departing for a two-week recess, essentially leaving Senate Democrats to either accept the extension or watch surface transportation funding expire.

It remained unclear whether Senate Democrats will agree to clear a House-passed extension, but Majority Leader Harry Reid, D-Nev., has signaled he is not spoiling for a fight.

Finance Chairman Max Baucus, D-Mont., said late Wednesday that it was most important not to allow a lapse in transportation funding. "We can't stop highway construction," Baucus said in a sign that the Senate will accept the House measure, even if it runs for 90 days. "We have to do whatever it takes to not stop highway construction, that's the goal."

But Senate Environment and Public Works Chairwoman Barbara Boxer, D-Calif., continued to urge House passage of the Senate-passed bill. She scheduled a Thursday morning event to make that point, planning to appear alongside a truck "carrying a giant roll of duct tape" to illustrate what she said are the Republicans' plans for repairing the nation's dangerous bridges.

A senior Senate Democratic aide said he expected the House to pass a 60-day extension in part because it remains unclear whether enough Senate Democrats would support a 90-day extension.

"I don't want an extension. If there is an extension, I would prefer it be 30 days, or 45 days or 60 days at most," said Sen. Mary L. Landrieu, D-La. "We need to do the highway bill, not an extension."

The decision to vote on the 90-day extension came after a rancorous week that twice saw the House over as many days cancel votes on a bill to pass a 90-day extension (HR 4239) and then a 60-day extension under expedited procedures that required Democratic help to reach the two-thirds majority.

To the Brink

The potential standoff has become a familiar set piece in House-Senate relations since Republicans aided by tea party-backed conservatives took control of the House last year.

Speaker John A. Boehner, R-Ohio, and his majority have repeatedly taken federal programs and policies to the brink, including a battle over fiscal 2011 spending that threatened a government shutdown, a bitter fight over raising the debt ceiling (PL 112-25) last summer and, most recently, the protracted effort to extend a payroll tax cut (PL 112-96, PL 112-126). A deadlock also forced a two-week shutdown of the Federal Aviation Administration last summer, until an agreement was reached (PL 112-30).

The conflict over the transportation programs began with Boehner's call last year to fundamentally overhaul transportation funding by linking it to energy production.

The House approved the energy piece of the envisioned transportation overhaul (HR 3408) last month, but conservatives and some moderate Republicans have balked at getting behind the Boehner-backed plan. Democrats and some moderate Republicans also abandoned the measure over its cancellation of the Mass Transit Account, derailing promises that the bill would be passed by mid-February.

Subsequent attempts to revive the effort proved unsuccessful, leaving Boehner to commit on March 8 to pass the Senate's bill "or something like it" if House Republicans didn't coalesce their support behind the GOP's legislation.

Buoyed by what Republican aides say is growing support for the party's own long-term transportation bill, Republicans have dug in, confident they can rework the measure and bring sufficient supporters onboard to pass it when the House returns from a two-week recess on April 16.

Boehner and many House Republicans say Democrats are responsible for this week's stalemate.

Boehner allies contend that the Senate will "act rationally" and not shut down transportation programs over the difference between a two-month and a three-month extension of current law. But the House's plan to pass the 60-day extension and start its two-week break could test that confidence.

"It's worth 90 days to reach that agreement. A long-term solution is preferable to 18 or 24 months," said Boehner spokesman Michael Steel.

The 90-day extension was taken before the House Rules Committee on Wednesday, and the panel's approval means, unlike earlier this week, Republicans will need only 217 affirmative votes to pass the extension, which will be the ninth in a row for surface transportation programs since the 2005 reauthorization (PL 109-59) expired in September 2009. Three vacancies account for why the usual 218 votes are not needed to secure passage in the unlikely event that all lawmakers vote.

House Majority Whip Kevin McCarthy, R-Calif., said Republicans have the votes to pass a 90-day extension under regular procedures requiring a simple majority.

House Transportation and Infrastructure Chairman John L. Mica, R-Fla., said Wednesday afternoon he was introducing a new 60-day extension. Minutes later, however, he said he would probably also introduce a second bill providing for a 90-day extension.

"The question is whether we do a 90- or 60-day extension," Rules Chairman David Dreier, R-Calif., said Wednesday. "There may be a vote on a 60-day extension."

Asked why he would be offering two extension bills, Mica replied: "Because I was told to. . . . Stay tuned, the plot thickens."

House Democrats continue to call for passage of the House version of the Senate-passed bill. "The bipartisan Senate transportation bill, which will create more than 2 million jobs, is the best approach," said Drew Hammill, spokesman for Minority Leader Nancy Pelosi, D-Calif. "Senate Democrats, Senate Republicans, House Democrats and the administration have all made this very clear to the House Republican leadership."

"They should pass the Senate bill," said Nick J. Rahall II of West Virginia, the ranking Democrat on Mica's committee. "But they are stuck on leaving here [Thursday] at 3."

Anne L. Kim, Niels Lesniewski, Alan K. Ota and Lauren Gardner contributed to this story.

Justices seem split over striking down health law as arguments end

By Sam Baker - 03/28/12 03:09 PM ET

The nine Supreme Court justices were divided Wednesday over whether to strike down all of President Obama's healthcare law if they find that its individual mandate is unconstitutional.

The court's conservative members, including possible swing vote Justice Anthony Kennedy, leaned toward invalidating the whole law, while the liberal justices said the

court should leave it to Congress to determine how much of the law depends on the mandate.

Chief Justice John Roberts, another possible swing vote, pressed the attorneys on both sides of the issue about equally.

Arguments about “severability” come a day after the court engaged in two hours of intense debate over whether the insurance mandate violates the Constitution. Five justices on Tuesday appeared skeptical that the mandate meets constitutional muster, meaning the debate over whether the rest of the law must also be tossed could come into play.

Deputy Solicitor General Edwin Kneedler said the court would have to strike two other provisions along with the mandate: the requirement that insurers cover anyone who applies and the ban on charging higher prices to customers with pre-existing conditions.

Those are two of the law’s most politically popular elements, and were often referred to on Wednesday as the “heart” of the healthcare law. The government argued that the rest of the law could stand, even after striking the individual mandate.

“My approach would be, if you take out the heart of the statute, the statute’s gone,” Justice Antonin Scalia said.

Justice Sonia Sotomayor, on the other hand, argued that it would be an act of judicial overreach for the court to decide that Congress would not have passed the slew of unrelated provisions in the healthcare law if it could not have imposed a requirement to buy insurance.

“It’s a choice between a wrecking operation … and a salvage job,” Justice Ruth Bader Ginsburg said, arguing that the more “conservative” option would be to let Congress decide how to handle the remainder of the law if the individual mandate were struck.

Kennedy and Justice Samuel Alito said the real act of judicial activism would be to impose a risk on insurance companies that Congress did not intend. The mandate was included primarily to bring healthy people into the insurance market, offsetting the cost of requiring insurers to cover all applicants.

The 26 states that filed the healthcare challenge said Congress should toss out the entire law. The court appointed a third party to argue that the mandate can be completely severed without killing the rest of the law.

The court also heard arguments Wednesday over the healthcare law's Medicaid expansion. Medicaid is, legally, a voluntary program operated jointly by states and the federal government. But the states that filed the healthcare suit claimed the new expansion of the program amounts to “coercion” because no state could realistically

afford to give up so much federal money. The federal government will initially pay for the entire Medicaid expansion, then cut its share to 90 percent.

Kagan pounced on that fact while questioning Paul Clement, who represented the states. She asked whether it would be coercive to offer him a job paying $10 million per year just because it would be hard to turn down.

Similarly, the states are complaining because they're getting such a large gift from the federal government, she said.

"It's just a boatload of federal money to take and spend on poor people's healthcare," Kagan said. "It doesn't sound very coercive to me."'

The court's conservative justices, however, argued that by threatening to cut off all federal Medicaid funding to states that don't participate in the expansion, the federal government was making a threat it knows it won't have to follow through on.

Kennedy did not take a clear position on the Medicaid issue, which is widely seen as the weakest part of the states' case.

OFFICE OF THE COUNTY ADMINISTRATOR
CONTRA COSTA COUNTY

TO: Legislation Committee
Supervisor Mary N. Piepho, Chair
Supervisor Karen Mitchoff, Vice Chair

FROM: Lara DeLaney, Legislative Coordinator

DATE: March 29, 2012

SUBJECT: **Agenda Item #7: Lobbyists Contracts**

RECOMMENDATION

RECOMMEND that the Board of Supervisors extend the contract for advocacy services with Nielsen Merksamer (for state

REPORT

At its September 28, 2011 meeting, the Legislation Committee recommended that the contracts for the state and federal lobbyists be extended an additional three months (through March 31, 2012) to allow time for staff to conduct an RFP or RFQ process. However, due to limitations of staff resources and time constraints, staff has been able to complete the RFP or RFQ process and requests an additional six months of contract extensions for the state and federal lobbyists who are providing valuable and necessary services to the County.