



FDAC Legislative Status Report Report Date: 8/30/2011

AB 22 (Mendoza) **Employment: credit reports.** (A-05/12/2011 [html](#) [pdf](#))

Status:08/17/2011-Read second time. Ordered to third reading.

Current Location:08/17/2011-S THIRD READING

Calendar Events:08/30/11 224 SEN ASSEMBLY BILLS-THIRD READING FILE

Summary: The federal Fair Credit Reporting Act (FCRA) and the state Consumer Credit Reporting Agencies Act define and regulate consumer credit reports and authorize the use of consumer credit reports for employment purposes, pursuant to specified requirements. The FCRA provides that it does not preempt state law, except as specifically provided or to the extent that state laws are inconsistent with its provisions. This bill would prohibit an employer, with the exception of certain financial institutions, from obtaining a consumer credit report, as defined, for employment purposes unless the information is (1) substantially job-related, meaning that the position of the person for whom the report is sought has access to money, other assets, or confidential information, and (2) the position of the person for whom the report is sought is a position in the state Department of Justice, a managerial position, as defined, that of a sworn peace officer or other law enforcement position, or a position for which the information contained in the report is required to be disclosed by law or to be obtained by the employer. This bill contains other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Oppose			

AB 23 (Smyth) **Local agency meetings: simultaneous meetings: compensation disclosure.** (C-07/25/2011 [html](#) [pdf](#))

Status:07/25/2011-Chaptered by the Secretary of State, Chapter Number 91, Statutes of 2011

Current Location:07/25/2011-A CHAPTERED

Calendar Events:

Summary: Existing law, the Ralph M. Brown Act, requires each legislative body of a local agency to provide the time and place for holding regular meetings and requires that all meetings of a legislative body be open and public and all persons be permitted to attend unless a closed session is authorized. This bill would authorize a convened legislative body whose membership constitutes a quorum of any other legislative body to convene a meeting of the subsequent legislative body, simultaneously or in serial order, only if a clerk or member of the convened legislative body verbally announces the amount of compensation or stipend, if any, that each member will be entitled to receive as a result of convening the simultaneous or serial meeting of the subsequent legislative body, and that the compensation or stipend shall be provided as a result of convening a meeting for which each member is entitled to collect compensation or a stipend, as specified.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

AB 82 (Jeffries) **Vehicles: firefighting equipment.** (C-07/25/2011 [html](#) [pdf](#))

Status:07/25/2011-Chaptered by the Secretary of State, Chapter Number 92, Statutes of 2011

Current Location:07/25/2011-A CHAPTERED

Fred Taugher Ralph A. Heim Russell Noack John Caldwell Julee Malinowski-Ball Kathryn C. Rees Silvia Solis Shaw Eileen Wenger Tutt

Calendar Events:

Summary: Existing law regulates the operation of firefighting equipment, as defined, and permits certain persons employed as a firefighter or registered as a volunteer firefighter to operate firefighting equipment only if the person holds a class A, class B, or class C license, with certain exceptions, and a firefighter endorsement issued by the Department of Motor Vehicles, after providing to the department proof of current employment or registration as a volunteer firefighter with a fire department and evidence of fire equipment operation training, passing the written firefighter examination developed by the department with the cooperation of the Office of the State Fire Marshal, and submitting a report of medical examination on a department-approved form. This bill would instead authorize the operation of firefighting equipment by either a person with a firefighter endorsement who holds a class C license, a restricted class A license, or a noncommercial class B driver's license, or by a person holding a class A or B license, as appropriate for that equipment. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Support/Letter Only			

AB 89 (Hill) Retirement: public employees. (A-08/22/2011 [html](#) [pdf](#))

Status:08/23/2011-Read second time. Ordered to third reading.

Current Location:08/23/2011-S THIRD READING

Calendar Events:08/30/11 271 SEN ASSEMBLY BILLS-THIRD READING FILE

Summary: Existing law establishes the Public Employees' Retirement System and the State Teachers' Retirement System for the purpose of providing pension benefits to their members. Existing law also establishes the Judges' Retirement System II which provides pension benefits to elected judges and the Legislators' Retirement System which provides pension benefits to elective officers of the state other than judges and to legislative statutory officers. The County Employees Retirement Law of 1937 authorizes counties, and districts to establish retirement systems pursuant to its provisions in order to provide pension benefits to employees. This bill would specify that, in addition to any other benefit limitations prescribed by law, for the purposes of determining a retirement benefit paid to a person who first becomes a member of a public retirement system on or after January 1, 2012, to the extent that the benefits payable under the system are subject to the compensation limits prescribed by a specified provision of the Internal Revenue Code, the maximum salary, compensation, or payrate taken into account under the plan for any year shall not exceed the amount permitted to be taken into account under that provision of federal law. The bill would also prohibit a public employer from making contributions to any qualified public retirement plan based on any portion of compensation that exceeds the amount specified in that federal provision. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

AB 182 (Davis) Political Reform Act of 1974: statements of economic interests. (C-07/25/2011 [html](#) [pdf](#))

Status:07/25/2011-Chaptered by the Secretary of State, Chapter Number 96, Statutes of 2011

Current Location:07/25/2011-A CHAPTERED

Calendar Events:

Summary: The Political Reform Act of 1974 regulates conflicts of interests of public officials and requires that public officials file, with specified filing officers, periodic statements of economic interests disclosing certain information regarding income, investments, and other financial data. Under the act, specified local government agencies are permitted to

participate in a pilot program whereby certain officials of those agencies may file their statements of economic interests electronically. Existing law provides that the pilot program shall be completed by January 1, 2012, and the provisions of law authorizing the electronic filing of statements of economic interests will be repealed on March 1, 2012. This bill would permit the pilot program to continue until December 31, 2012, and would make technical changes to incorporate references to participation in the program by the City of Long Beach. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Support			

AB 187 **(Lara) State Auditor: audits: high-risk local government agency audit program.** (A-08/15/2011 [html](#) [pdf](#))

Status:08/29/2011-Read second time. Ordered to third reading.

Current Location:08/29/2011-S THIRD READING

Calendar Events:08/30/11 302 SEN ASSEMBLY BILLS-THIRD READING FILE

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

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

AB 195 **(Hernández, Roger) Local public employee organizations.** (E-08/26/2011 [html](#) [pdf](#))

Status:08/26/2011-Enrolled and presented to the Governor at 3 p.m.

Current Location:08/26/2011-A ENROLLED

Calendar Events:

Summary: The Meyers-Milias-Brown Act provides for the representation of local public employees by employee organizations and for the execution of memoranda of understanding between those organizations and local public agencies. The act prohibits a public agency or an employee organization from, among other things, intimidating, coercing, or discriminating against employees because they have chosen to join, or not join, an employee organization. Existing law requires a public agency to meet and confer in good faith, as defined. This bill would specify that a public agency is prohibited from, among other things, imposing reprisals on or discriminating against employees because of their exercise of rights guaranteed by the act, and would specify that knowingly providing a recognized employee organization with inaccurate information regarding the financial resources of the public employer constitutes a refusal or failure to meet and negotiate in good faith. The bill would declare that these provisions are intended to be technical and clarify existing law.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

AB 210 (Solorio) Emergency medical services. (A-08/15/2011 [html](#) [pdf](#))

Status:08/29/2011-Read second time. Ordered to third reading.

Current Location:08/29/2011-S THIRD READING

Calendar Events:08/30/11 304 SEN ASSEMBLY BILLS-THIRD READING FILE

Summary: Existing law establishes the Emergency Medical Services System and the Prehospital Emergency Medical Care Personnel Act, which governs local emergency medical service systems and establishes the Emergency Medical Services Authority, which is responsible for the coordination and integration of all state activities concerning emergency medical services. The act requires a county to enter into a written agreement with a city or fire district that contracted for, or provided, as of June 1, 1980, prehospital emergency medical services regarding the provision of these services for the city or fire district, as specified. The act requires, until an agreement is reached, prehospital emergency medical services to be continued at not less than the existing level, unless reduced by the city council or the governing body of the fire district, as specified. This bill would continue the authorization of a city or fire district that had continuously contracted for or provided prehospital emergency medical services (EMS) since June 1, 1980, to contract for or provide the administration of the same type of prehospital EMS that it has continuously provided or contracted for during that time, within the geographical service area that it continuously served during that time, if the city or fire district makes a formal written request to the local EMS agency prior to January 1, 2014, and if specified conditions are met. The bill would authorize a city or fire district to increase its geographical area if specified conditions are met. The bill would prohibit a local EMS agency from creating an exclusive operating area for a type of prehospital EMS provided or contracted for by a city or fire district that is providing continuing prehospital EMS. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

AB 215 (Beall) Emergency services: Emergency Medical Air Transportation Act. (A-06/27/2011 [html](#) [pdf](#))

Status:08/29/2011-In Assembly. Concurrence in Senate amendments pending. May be considered on or after August 31 pursuant to Assembly Rule 77.

Current Location:08/29/2011-A CONCURRENCE

Calendar Events:08/30/11 22 ASM UNFINISHED BUSINESS CONCURRENCE IN SENATE AMENDMENTS

Summary: The Emergency Medical Air Transportation Act, until January 1, 2018, imposes specified penalties for certain Vehicle Code and local ordinance violations. The act requires that the moneys generated from those penalties be deposited by counties into a county emergency medical air transportation act fund, and thereafter requires the counties to transfer those moneys, less administrative costs, to the Emergency Medical Air Transportation Act Fund established in the State Treasury, as provided. The act requires moneys in the Emergency Medical Air Transportation Act Fund to be made available, upon appropriation by the Legislature, to the State Department of Health Care Services for administrative costs, and to offset the state portion of the Medi-Cal reimbursement rate for emergency medical air transportation services and to augment emergency medical air transportation reimbursement payments made through the Medi-Cal program, as specified. This bill would, instead, provide that the county or the court that imposed the fine shall transfer the moneys collected pursuant to this act to the Emergency Medical Air Transportation Act Fund in accordance with certain procedures set out in the Government Code.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

AB 253 (Smyth) Local agencies: accounting. (A-06/27/2011 [html](#) [pdf](#))
Status:07/08/2011-Failed Deadline pursuant to Rule 61(a)(10). (Last location was G. & F. on 6/27/2011)
Current Location:07/08/2011-S 2 YEAR
Calendar Events:

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

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

AB 291 (Wieckowski) Underground storage tanks: petroleum: charges. (A-07/07/2011 [html](#) [pdf](#))

Status:08/17/2011-Read second time. Ordered to third reading.
Current Location:08/17/2011-S THIRD READING
Calendar Events:08/30/11 226 SEN ASSEMBLY BILLS-THIRD READING FILE

Summary: Under the existing Barry Keene Underground Storage Tank Cleanup Trust Fund Act of 1989, which is repealed on January 1, 2016, every owner of an underground storage tank is required to pay a storage fee for each gallon of petroleum placed in the tank. The fees are required to be deposited in the Underground Storage Tank Cleanup Fund and the board is authorized to expend the moneys in the fund, upon appropriation by the Legislature, for various purposes, including the payment of claims to aid owners and operators of petroleum underground storage tanks who take corrective action to clean up unauthorized releases from those tanks, corrective actions undertaken by the board, a California regional water quality control board, or a local agency, the cleanup and oversight of unauthorized releases at abandoned tank sites, and grants to small businesses to retrofit certain hazardous substance underground storage tanks. This bill would continue the requirement to pay that increased amount of \$0.006 per gallon until January 1, 2014. By operation of existing law, the revenue resulting from the increased fee would be required to be deposited in the fund and be available, upon appropriation, for expenditure for the purposes authorized under existing law for money in the fund. This bill would constitute a change in state statute that would result in a taxpayer paying a higher tax within the meaning of Section 3 of Article XIII A of the California Constitution, and thus would require for passage the approval of 2/3 of the membership of each house of the Legislature. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

AB 307 (Nestande) Joint powers agreements: public agency: federally recognized Indian tribe. (E-08/22/2011 [html](#) [pdf](#))

Status:08/22/2011-Enrolled and presented to the Governor at 10:30 a.m.
Current Location:08/22/2011-A ENROLLED
Calendar Events:

Summary: Existing law authorizes 2 or more public agencies, as defined, to enter into an agreement to exercise common powers. Existing law also permits certain federally recognized Indian tribes to enter into joint powers agreements with particular parties and for limited purposes. This bill would include a federally recognized Indian tribe as a public agency that may enter into a joint powers agreement. This bill would also make

conforming changes by conforming related code sections. This bill contains other related provisions.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Support			

AB 340 (Furutani) County employees' retirement. (A-06/22/2011 [html](#) [pdf](#))

Status:07/11/2011-In Assembly. Concurrence in Senate amendments pending. May be considered on or after July 13 pursuant to Assembly Rule 77.

Current Location:07/11/2011-A CONCURRENCE

Calendar Events:08/30/11 11 ASM UNFINISHED BUSINESS CONCURRENCE IN SENATE AMENDMENTS

Summary: The County Employees Retirement Law of 1937 (CERL) authorizes counties and districts, as defined, to provide a system of retirement benefits to their employees. CERL defines compensation earnable for the purpose of calculating benefits as the average compensation for the period under consideration with respect to the average number of days ordinarily worked by persons in the same grade or class of positions during the period, and at the same rate of pay, as determined by the retirement board. This bill would prohibit a variety of payments, including unscheduled overtime, payments for unused vacation, sick leave, or compensatory time off, exceeding what may be earned and payable in each 12-month period during the final average salary period, and specified payments made at the termination of employment from being included in compensation earnable. The bill would additionally prohibit employer-provided housing allowances and employer-provided vehicle allowances from being included in compensation earnable for members first hired on or after January 1, 2012. The bill would require the board to establish a procedure for assessing and determining whether an element of compensation was paid for the principal purpose of enhancing a member's retirement benefit and would prohibit that compensation from being included in compensation earnable. The bill would except from this prohibition compensation that a member was entitled to receive pursuant to a collective bargaining agreement that was subsequently deferred or otherwise modified as a result of a negotiated amendment of that agreement. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

AB 358 (Smyth) Hazardous substances: underground storage tanks: releases: reports. (A-08/15/2011 [html](#) [pdf](#))

Status:08/16/2011-Read second time. Ordered to third reading.

Current Location:08/16/2011-S THIRD READING

Calendar Events:08/30/11 212 SEN ASSEMBLY BILLS-THIRD READING FILE

Summary: Existing law generally regulates the storage of hazardous substances in underground storage tanks, including requiring underground storage tanks that are used to store hazardous substances to meet certain requirements. Existing law requires tank owners and operators to report unauthorized releases to local agencies, which includes specified information, and requires the State Water Resources Control Board to continuously post and update on its Internet Web site reports of information concerning unauthorized releases. This bill would instead require the owner or operator to transmit certain information regarding an unauthorized release to the local agency on a written or electronic form developed by the board and would require additional information to be provided to the local agency. The bill would also instead require each regional board and local agency to submit a report to the board for all unauthorized releases using the board's Internet-accessible database, thereby imposing a state-mandated local program by imposing new duties upon local agencies. The bill would require the board to annually post and update on its Internet Web site the information in those reports

concerning unauthorized releases. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

AB 398 (Morrell) State Fire Marshal: certification. (E-08/24/2011 [html](#) [pdf](#))

Status:08/24/2011-Enrolled and presented to the Governor at 11:30 a.m.

Current Location:08/24/2011-A ENROLLED

Calendar Events:

Summary: Existing law requires the State Fire Marshal to establish recommended minimum standards for fire protection personnel at all career levels. Under existing law, the Training Regulations of the State Fire Marshal establish minimum standards for statewide training and certification systems for the California fire service. Existing law allows a state agency or an agency of a political subdivision within the state to elect to be subject to those standards or to petition for an alternative to those training and certification standards. This bill would authorize the State Fire Marshal to accept certification by the United States Department of Defense as a firefighter, as specified, as an alternative for the fire protection personnel training and certification standards for the position of Firefighter I established by the State Fire Marshal.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Support			

AB 455 (Campos) Public employment: local public employee organizations. (V-07/25/2011 [html](#) [pdf](#))

Status:07/25/2011-Vetoed by the Governor

Current Location:07/25/2011-A VETOED

Calendar Events:08/30/11 38 ASM UNFINISHED BUSINESS GOVERNOR'S VETOES

Summary: The Meyers-Milias-Brown Act contains various provisions that provide methods for local public employers and their employees to resolve disputes regarding wages, hours, and other terms and conditions of employment. This bill would additionally provide that when a local public agency has established a personnel commission or merit commission to administer personnel rules or a merit system, the governing board of the public agency would appoint 1/2 of the members of the commission, and 1/2 of the members of the commission, nominated by the recognized employee organization, would be appointed by the governing board of the public agency. Whenever multiple bargaining units are represented by different recognized employee organizations, the employee organization representing the largest number of employees would designate commission members pursuant to that provision.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

AB 506 (Wieckowski) Local government: bankruptcy: neutral evaluation. (A-08/15/2011 [html](#) [pdf](#))

Status:08/25/2011-Joint Rule 62(a), file notice suspended. (Ayes 22. Noes 16. Page 2049.) In committee: Placed on APPR. suspense file.

Current Location:08/25/2011-S APPR. SUSPENSE FILE

Calendar Events:

Summary: Under existing law, any taxing agency or instrumentality of the state may file a petition and prosecute to completion bankruptcy proceedings permitted under the laws of the United States. This bill would prohibit a local public entity from filing under federal bankruptcy law unless the local public entity has participated in a neutral evaluation process with interested parties, as defined, has received a certificate of good faith

participation, and if the neutral evaluation results in either an agreement for debt readjustment, or if the neutral evaluator certifies in writing that continued neutral evaluation will not contribute to a resolution of the parties' dispute, under certain circumstances. The bill would also require the California Debt and Investment Advisory Commission to maintain a list of qualified neutral evaluators on its Internet Web site. This bill contains other related provisions.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Oppose			

AB 527 (Hernández, Roger) Public officials: financial interests. (A-06/22/2011 [html](#) [pdf](#))

Status:07/08/2011-Failed Deadline pursuant to Rule 61(a)(10). (Last location was G.O. on 6/22/2011)

Current Location:07/08/2011-S 2 YEAR

Calendar Events:

Summary:

Existing law prohibits Members of the Legislature, and state, county, district, judicial district, and city officers or employees from being financially interested in any contract made by them in their official capacity, or by any body or board of which they are members. Existing law defines what is a remote interest in a contract that does not present a prohibited conflict of interest under these provisions. Existing law authorizes a body or board to make a contract that involves a remote interest of a member of the body if, among other things, the remote interest is disclosed to the body or board and noted in its official records, and thereafter the body or board authorizes, approves, or ratifies the contract in good faith by a vote of its membership sufficient for the purpose without counting the vote or votes of the officer or member with the remote interest. Violation of these provisions is a crime. This bill would additionally require that the remote interest be disclosed at a public meeting of that body or board and would require a statutory basis for classifying the interest as a remote interest to be identified. By increasing the scope of actions that constitute a crime, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

AB 551 (Campos) Public contracts: prevailing wage requirements: violations. (A-08/24/2011 [html](#) [pdf](#))

Status:08/25/2011-Read second time. Ordered to third reading.

Current Location:08/25/2011-S THIRD READING

Calendar Events:08/30/11 291 SEN ASSEMBLY BILLS-THIRD READING FILE

Summary:

Existing law generally requires that not less than the general prevailing rate of per diem wages, as specified, be paid to workers employed on a public work, as defined. Existing law requires a contractor or subcontractor to submit, to the state or political subdivision on whose behalf a public work is being performed, a penalty of not more than \$50 per calendar day, and not less than \$10 per calendar day except in certain cases of a good faith mistake, as provided and determined by the Labor Commissioner, for violations of these prevailing wage provisions. This bill would increase that maximum penalty to \$200 for each calendar day and would increase the minimum penalty except in certain cases of a good faith mistake to no less than \$40 for each calendar day. The bill would also increase the penalty assessed to contractors and subcontractors with prior violations from \$20 to \$80, and from \$30 to \$120 for willful violations. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

AB 585 (Fong) Workers' compensation: cancer presumption. (A-08/24/2011 [html](#) [pdf](#))

Status:08/25/2011-Read second time. Ordered to third reading.

Current Location:08/25/2011-S THIRD READING

Calendar Events:08/30/11 295 SEN ASSEMBLY BILLS-THIRD READING FILE

Summary: Existing law establishes a workers' compensation system, administered by the Administrative Director of the Division of Workers' Compensation, to compensate an employee for injuries sustained in the course of his or her employment. Existing law provides that in the case of active firefighting members of certain fire departments and in the case of certain peace officers, a compensable injury includes cancer that develops or manifests itself during the period when the firefighter or peace officer demonstrates that he or she was exposed while in the service of the public agency to a known carcinogen, as defined. Existing law establishes a presumption that the cancer in these cases arose out of, and in the course of, employment, unless the presumption is controverted by evidence that the primary site of the cancer has been established and that the carcinogen to which the member has demonstrated exposure is not reasonably linked to the disabling cancer. This bill would extend this presumption to active firefighting members of a fire department serving a National Aeronautics and Space Administration installation who adhere to specified training standards.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

AB 592 (Lara) Employment: leave: interference, restraint, and denial. (A-07/01/2011 [html](#) [pdf](#))

Status:07/12/2011-Read second time. Ordered to third reading.

Current Location:07/12/2011-S THIRD READING

Calendar Events:08/30/11 192 SEN ASSEMBLY BILLS-THIRD READING FILE

Summary: Existing law, the Moore-Brown-Roberti Family Rights Act, makes it an unlawful employment practice for an employer, as defined, to refuse to grant a request by an eligible employee to take up to 12 workweeks of unpaid protected leave during any 12-month period (1) to bond with a child who was born to, adopted by, or placed for foster care with, the employee, (2) to care for the employee's parent, spouse, or child who has a serious health condition, as defined, or (3) because the employee is suffering from a serious health condition rendering him or her unable to perform the functions of the job. This bill would also make it an unlawful employment practice for an employer to interfere with, restrain, or deny the exercise of, or the attempt to exercise, any right provided under the above provisions. This bill would also state that the changes made by this bill to the above provisions are declaratory of existing law. This bill contains other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

AB 646 (Atkins) Local public employee organizations: impasse procedures. (A-06/22/2011 [html](#) [pdf](#))

Status:08/29/2011-Read second time. Ordered to third reading.

Current Location:08/29/2011-S THIRD READING

Calendar Events:08/30/11 326 SEN ASSEMBLY BILLS-THIRD READING FILE

Summary: The Meyers-Milias-Brown Act contains various provisions that govern collective bargaining of local represented employees, and delegates jurisdiction to the Public Employment Relations Board to resolve disputes and enforce the statutory duties and rights of local public agency employers and employees. The act requires the governing body of a public agency to meet and confer in good faith regarding wages, hours, and other terms and conditions of employment with representatives of recognized employee organizations. Under the act, if the representatives of the public agency and the

employee organization fail to reach an agreement, they may mutually agree on the appointment of a mediator and equally share the cost. If the parties reach an impasse, the act provides that a public agency may unilaterally implement its last, best, and final offer. This bill would authorize the employee organization, if the mediator is unable to effect settlement of the controversy within 30 days of his or her appointment, to request that the matter be submitted to a factfinding panel. The bill would require that the factfinding panel consist of one member selected by each party as well as a chairperson selected by the board or by agreement of the parties. The factfinding panel would be authorized to make investigations and hold hearings, and to issue subpoenas requiring the attendance and testimony of witnesses and the production of evidence. The bill would require all political subdivisions of the state to comply with the panel's requests for information. This bill contains other related provisions.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Oppose			

AB 678 (Pan) Medi-Cal: supplemental provider reimbursement. (A-08/15/2011 [html](#) [pdf](#))

Status:08/29/2011-Read second time. Ordered to third reading.

Current Location:08/29/2011-S THIRD READING

Calendar Events:08/30/11 330 SEN ASSEMBLY BILLS-THIRD READING FILE

Summary: Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services, pursuant to which medical benefits are provided to public assistance recipients and certain other low-income persons. The Medi-Cal program is, in part, governed and funded by federal Medicaid Program provisions. Existing law provides for a schedule of benefits under the Medi-Cal program, which includes medical transportation, and authorizes the department to prescribe policies and regulations as necessary to carry out the Medi-Cal program, including setting rates for payment of services. This bill would provide that an eligible provider, as described, may receive supplemental Medi-Cal reimbursement, in addition to the rate of payment that the provider would otherwise receive, for Medi-Cal ground emergency medical transportation services and that the supplemental reimbursement shall be equal to the amount of federal financial participation the department receives as a result of claims submitted for expenditures for services, as specified. This bill would require the department to promptly seek any necessary federal approvals for the implementation of these provisions, including obtaining approval from the federal Centers for Medicare and Medicaid Services for the specified payment methodology to be used to distribute the supplemental reimbursement. This bill contains other related provisions.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Co-Sponsor			

AB 681 (Wieckowski) Aboveground storage tanks: enforcement. (A-07/07/2011 [html](#) [pdf](#))

Status:08/29/2011-Read second time. Ordered to third reading.

Current Location:08/29/2011-S THIRD READING

Calendar Events:08/30/11 331 SEN ASSEMBLY BILLS-THIRD READING FILE

Summary: The Aboveground Petroleum Storage Act (act) defines, for purposes of the act, an "aboveground storage tank" as a tank that has the capacity to store 55 gallons or more of petroleum and that is substantially or totally above the surface of the ground, except as specified. Existing law requires every county to apply to the Secretary for Environmental Protection to be certified to implement the unified hazardous waste and hazardous materials management regulatory program (unified program) and allows a city or local agency to implement the unified program. Existing law requires the unified program agencies (UPAs) to implement that act. This bill would revise the definition of "aboveground storage tank" to include tanks located in underground areas, as defined. The bill would require the UPAs to implement the act in accordance with the regulations

adopted by the Office of the State Fire Marshal and would authorize the Office of the State Fire Marshal to adopt these regulations, thereby imposing a state-mandated local program by imposing new requirements upon local agencies with regard to the act. The bill would also require the office to interpret the act and oversee the implementation of the act by the UPAs and would make conforming changes in that regard. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Support			

AB 770 (Torres) Emergency telephone systems. (A-06/01/2011 [html](#) [pdf](#))

Status:08/25/2011-In committee: Held under submission.

Current Location:08/16/2011-S APPR. SUSPENSE FILE

Calendar Events:

Summary: Existing law, the Warren-911-Emergency Assistance Act, requires the office of the State Chief Information Officer to review and update technical and operational standards for public agency systems in each even-numbered year, after consultation with specified entities and individuals. The bill would require the review and update of technical and operational standards for public agency systems to include standards for recruitment and training of public safety dispatchers. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Oppose_Unless_Amended			

AB 780 (Calderon, Charles) Public contracts: fixed price contracts: sales and use taxes rate changes: transactions and use taxes. (A-07/12/2011 [html](#) [pdf](#))

Status:08/25/2011-In committee: Held under submission.

Current Location:08/15/2011-S APPR. SUSPENSE FILE

Calendar Events:

Summary: Existing law imposes requirements on public entities with respect to the terms of public contracts. The Sales and Use Tax Law imposes a state sales and use tax on retailers and on the storage, use, or other consumption of tangible personal property in this state at the combined rate of 6 1/4 % of the gross receipts from the retail sale of tangible personal property in this state and of the sales price of tangible personal property purchased from any retailer for storage, use, or other consumption in this state that is stored, used, or otherwise consumed in this state. This bill would provide, for a fixed price contract, as specified, between a government entity and a contractor, that the contractor is entitled to an increase in payment for a change in the contract price that is attributable to an increase in the taxes imposed by the Sales and Use Tax Law, and the government entity is entitled to a reduction in payment for a change in the contract price that is attributable to a decrease in the taxes imposed by the Sales and Use Tax Law, with the increase or decrease paid in accordance with the contract terms or as agreed to by the parties, as prescribed. The bill would also authorize the government entity to require the contractor to submit invoices for specified items consumed solely for use in the public work pursuant to the contract entered into by the government entity and the contractor. By placing new duties on local officials with respect to their contract practices, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Oppose			

AB 873 (Furutani) Political Reform Act of 1974: postgovernment employment restrictions. (A-06/20/2011 [html](#) [pdf](#))

Status:08/18/2011-In Assembly. Concurrence in Senate amendments pending. May be considered on or after August 20 pursuant to Assembly Rule 77.

Current Location:08/18/2011-A CONCURRENCE

Calendar Events:08/30/11 16 ASM UNFINISHED BUSINESS CONCURRENCE IN SENATE AMENDMENTS

Summary: The Public Employees' Retirement Law creates the Public Employees' Retirement Fund, which is a trust fund created and administered solely for the benefit of the members and retired members of this system and their survivors and beneficiaries. The Board of Administration of the Public Employees' Retirement System (PERS) has the exclusive control of the administration and investment of the retirement fund. This bill would prohibit members of the Board of Administration of PERS, members of the Teachers' Retirement Board, and specified officers and employees of PERS and STRS from engaging in certain employment activities after leaving service with PERS or STRS. Specifically, the bill would prohibit those individuals from representing another person, by means of an appearance or communication, before PERS or STRS for the purpose of influencing specified actions for a period of 4 years after leaving service with PERS or STRS. The bill would also prohibit those individuals from aiding, advising, consulting with, or assisting a business entity, for a period of 2 years after leaving service with PERS or STRS, in obtaining the award of, or in negotiating, a contract or contract amendment with PERS or STRS. In addition, the bill would prohibit those individuals from accepting compensation for providing services as a placement agent, for a period of 10 years after leaving service with PERS or STRS, in connection with investments or other business of PERS or STRS. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

AB 912 (Gordon) Local government: organization. (C-07/25/2011 [html](#) [pdf](#))

Status:07/25/2011-Chaptered by the Secretary of State, Chapter Number 109, Statutes of 2011

Current Location:07/25/2011-A CHAPTERED

Calendar Events:

Summary: The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 requires a local agency formation commission, where the commission is considering a change of organization that consists of a dissolution, disincorporation, incorporation, establishment of a subsidiary district, consolidation, or merger, to either order a change of organization subject to confirmation of the voters, as specified, or order the change of organization without an election if the change of organization meets certain requirements. This bill would authorize the commission, where the commission is considering a change of organization that consists of the dissolution of a district that is consistent with a prior action of the commission, to immediately order the dissolution if the dissolution was initiated by the district board, or if the dissolution was initiated by an affected local agency, by the commission, or by petition, hold at least one noticed public hearing on the proposal, and order the dissolution without an election, unless a majority protest exists, as specified.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

AB 946 (Lowenthal, Bonnie) Public contracts: Los Angeles County: regional interoperable communications system. (A-08/24/2011 [html](#) [pdf](#))

Status:08/29/2011-Read second time. Ordered to third reading.

Current Location:08/29/2011-S THIRD READING

Calendar Events:08/30/11 297 SEN ASSEMBLY BILLS-THIRD READING FILE

Summary: Under the State Contract Act, the erection, construction, alteration, repair, or improvement of any state structure, building, road, or other state improvement of any

kind that will exceed a specified amount, is accomplished by awarding a contract to the lowest responsible bidder. Similar provisions exist for local agency contract projects. This bill would authorize the County of Los Angeles or the Los Angeles Regional Interoperable Communication System Authority to solicit proposals and enter into agreements with private entities for the delivery of a regional interoperable communications system and all related infrastructure to be used by public safety agencies and emergency responders located in the County of Los Angeles, as specified. This bill contains other related provisions.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim				

AB 1045 (Norby) **Local government: bonds.** (I-02/18/2011 [html](#) [pdf](#))
Status:07/08/2011-Failed Deadline pursuant to Rule 61(a)(10). (Last location was G. & F. on 6/22/2011)
Current Location:07/08/2011-S 2 YEAR
Calendar Events:

Summary: Existing law prohibits an investment firm, as defined, from having specified interests in a new issuance of bonds from a local agency. This bill would prohibit a local agency from entering into a financial advisory, legal advisory, underwriting, or similar relationship with an individual or firm, with respect to a bond issue that requires voter approval on or after January 1, 2012, if that individual or firm, or an employee, agent, or person related to an employee or agent of the individual or firm, provided or will provide bond campaign services, as defined, to the bond campaign.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

AB 1050 (Ma) **Telecommunications: taxes and fees.** (A-05/27/2011 [html](#) [pdf](#))
Status:06/16/2011-Referred to Com. on RLS.
Current Location:06/16/2011-S RLS.
Calendar Events:

Summary: The existing Emergency Telephone Users Surcharge Act generally imposes a surcharge on amounts paid by every person in the state for intrastate telephone service to provide revenues sufficient to fund "911" emergency telephone system costs. Surcharge amounts are paid to the State Board of Equalization on a monthly basis by the telephone service supplier and are deposited into the State Treasury to the credit of the State Emergency Telephone Number Account in the General Fund, to be expended for limited purposes, including to pay the Department of General Services for its costs in administration of the "911" emergency telephone number system. This bill would require the State Board of Equalization to convene a working group by March 1, 2012, to develop recommendations for an equitable and uniform method of collecting state and locally authorized communications taxes, fees, and surcharges from prepaid communications end-use consumers. The bill would require the working group to report its recommendations by April 30, 2013. The bill would require that the working group include stakeholder representatives, including representatives from the commission, the California Technology Agency, local government entities, law enforcement agencies, mobile telephony service providers, retailers, and consumer groups. Pursuant to existing law, the bill would repeal these requirements on January 1, 2016. This bill contains other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

AB 1074 (Fuentes) **Personal liability immunity: telecommunications service providers.** (E-08/29/2011 [html](#) [pdf](#))

Status:08/25/2011-Urgency clause adopted. Senate amendments concurred in. To Engrossing and Enrolling.

Current Location:08/25/2011-A ENROLLMENT

Calendar Events:

Summary: Existing law, the Warren-911-Emergency Assistance Act, requires every local public agency to establish and operate a telephone system that automatically connects a person dialing 9-1-1 to an established public safety answering point through normal telephone service facilities. Under existing law, a telecommunications service provider is generally liable for any claim, damage, or loss caused by their conduct. This bill would provide that a provider of telecommunications service, or other service, that is involved in providing 9-1-1 service, as defined, in accordance with the Warren-911-Emergency Assistance Act is not liable for any civil claim, damage, or loss caused by an act or omission in the design, development, maintenance, or provision of 9-1-1 service, unless the act or omission that proximately caused the claim, damage, or loss constituted gross negligence, wanton or willful misconduct, or intentional misconduct. This bill contains other related provisions.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

AB 1087 (Brownley) Cities and counties: public safety services: contracts. (A-06/16/2011 [html](#) [pdf](#))

Status:07/08/2011-Failed Deadline pursuant to Rule 61(a)(10). (Last location was G. & F. on 6/16/2011)

Current Location:07/08/2011-S 2 YEAR

Calendar Events:

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

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Oppose			

AB 1184 (Gatto) Public employees' retirement benefits. (A-08/22/2011 [html](#) [pdf](#))

Status:08/22/2011-Read second time and amended. Ordered to third reading.

Current Location:08/22/2011-S THIRD READING

Calendar Events:08/30/11 254 SEN ASSEMBLY BILLS-THIRD READING FILE

Summary: The Public Employees' Retirement Law (PERL) creates the Public Employees' Retirement System (PERS), which provides a defined benefit to its employees based on age at retirement, service credit, and final or highest compensation paid to the employee. Existing law authorizes any public agency to participate in, and make its employees members of, PERS by contract. In the case of an employee who has been employed by one or more contracting public agencies, retirement benefits distributed to that employee are based on the highest final compensation under any system, and each system makes a separate retirement payment to the employee based upon the number of years that the employee worked for each of those agencies. This bill would state the intent of the Legislature that a contracting agency not experience a significant increase in actuarial liability due to increased compensation paid by another contracting agency to a nonrepresented employee. The bill would require the Board of Administration of PERS to develop guidelines in this regard and to implement program changes to ensure that a contracting agency that creates a significant increase in actuarial liability due to

increased compensation bears the associated liability. The bill would require the system actuary to assess an increase in liability in this regard to the employer that created it at the time the increase is determined and to make adjustments to that employer's rates as needed. The bill would apply these requirements to any significant increase in actuarial liability due to increased compensation paid to a nonrepresented employee regardless of when the increase in compensation occurred. The bill would require the board to report to the Legislature on the implementation of these provisions. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

AB 1245 (Williams) Emergency medical services. (A-07/11/2011 [html](#) [pdf](#))

Status:08/17/2011-Read second time. Ordered to third reading.

Current Location:08/17/2011-S THIRD READING

Calendar Events:08/30/11 237 SEN ASSEMBLY BILLS-THIRD READING FILE

Summary: Existing law , the Emergency Medical Services System and the Prehospital Emergency Medical Care Personnel Act, which governs local emergency medical service systems. The act establishes the Emergency Medical Services Authority (EMSA), which is responsible for the coordination and integration of all state agencies concerning emergency medical services. This bill would authorize the EMSA to adopt regulations for the state approval of standards for an emergency medical responder course, as provided. The bill would provide that it would not be construed to prohibit the Department of the California Highway Patrol, Cal-Fire, or any other public safety agency that provides training to its law enforcement or firefighting personnel, from administering training programs pursuant to specified laws and regulations or prohibit personnel of these agencies from providing services that were the subject of these training programs . This bill contains other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Oppose			

AB 1247 (Fletcher) Public retirement systems: reporting. (E-08/29/2011 [html](#) [pdf](#))

Status:08/25/2011-Senate amendments concurred in. To Engrossing and Enrolling.

Current Location:08/25/2011-A ENROLLMENT

Calendar Events:

Summary: The Public Employees' Retirement Law provides a defined benefit to members of the Public Employees' Retirement System (PERS) based on age at retirement, service credit, and final compensation, as those terms are defined. The management and control of PERS is vested in the Board of Administration of PERS, including the calculation of the contribution rates for specified state employees and state employers. Existing law requires the board to submit a report to the Legislature, the Governor, and the Treasurer describing the investment return assumptions, discount rates, and amortization periods utilized by the board in the calculations of the contribution rates and to include recalculations of those rates based on specified adjustments of the investment return assumptions, amortization periods, and discount rates utilized by the board any time it calculates the contribution rates. Existing law requires the Treasurer, within 30 days following receipt of the report, to provide each house of the Legislature, at a publicly noticed floor session, with an explanation of the role played by the investment return assumption and amortization period in the calculation of the contribution rates and the consequences for future state budgets if the investment return assumptions are not realized, to report whether the board's amortization period exceeds the estimated average remaining service periods of employees covered by the contributions, and to express his or her opinion of the reasonableness of the board's calculation of the contribution rates. This bill would require the Board of Administration

of PERS to submit that report annually to the Legislature, the Governor, and the Chair of the California Actuarial Advisory Panel, would limit the scope of the report to state employee retirement plans, and would revise the adjustments of the investment return assumptions and discount rates utilized by the board any time it calculates the contribution rates. The bill would delete the requirement that the Treasurer express his or her opinion of the reasonableness of the board's calculation of the contribution rates. The bill would require the Chair of the California Actuarial Advisory Panel, or his or her designee, instead of the Treasurer, within 30 days following receipt of the report, to provide the Senate Committee on Public Employment and Retirement and the Assembly Committee on Public Employees, Retirement and Social Security, at a publicly noticed joint hearing, with an explanation of the role played by the investment return assumption and amortization period in the calculation of the contribution rates, a description of the consequences for future state budgets if the investment return assumptions are not realized, and a report on whether the board's amortization period exceeds the estimated average remaining service periods of employees covered by the contributions. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

AB 1248 (Hueso) Local public employees' retirement. (A-06/30/2011 [html](#) [pdf](#))

Status:08/18/2011-Ordered to inactive file at the request of Senator Vargas.

Current Location:08/18/2011-S INACTIVE FILE

Calendar Events:

Summary: Existing law authorizes the creation of retirement systems for public employees by counties, cities, and districts. The California Constitutional authorizes charter cities to establish pension plans under their respective independent constitutional authority. This bill would require a local public employer to provide coverage under the federal social security system to all employees who are not covered under a defined benefit plan , except as specified . This bill contains other related provisions.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

AB 1309 (Miller) Public roads: fire suppression. (A-06/27/2011 [html](#) [pdf](#))

Status:08/15/2011-From Special Consent Calendar pursuant to Joint Rule 22.2. Ordered to third reading. Ordered to inactive file at the request of Senator Wyland.

Current Location:08/15/2011-S INACTIVE FILE

Calendar Events:

Summary: Existing law authorizes a county board of supervisors, after adopting a resolution, as specified, determining that the general county interest demands the improvement or repair of a privately owned road, to improve or repair that road and to pay for those improvements or repairs in a like manner as improvements or repairs of county highways. This bill, until January 1, 2017, would grant a board of supervisors the same authority with respect to improvement and repair of a public road that is not a county highway or part of the county maintained system, if necessary for purposes of fire suppression.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Support			

AB 1320 (Allen) Public employees' retirement: employer contribution rates. (A-06/23/2011 [html](#) [pdf](#))

Status:08/29/2011-From committee: Do pass as amended. (Ayes 6. Noes 3.) (August 25).

Current Location:08/25/2011-S SECOND READING

Calendar Events:08/30/11 35 SEN ASSEMBLY BILLS-SECOND READING FILE

Summary:

The Public Employees' Retirement Law prescribes employer contribution rates to the retirement fund for the Public Employees' Retirement System (PERS) . Existing law requires that the state's contribution rate be adjusted in the Budget Act based on rates established by the system's actuary. Existing law provides that the employer contribution rate for an employer other than the state shall be determined on an annual basis by the actuary, as specified. Existing law requires that the rate at which a public employer contributes to the system shall be based upon its experience, and not the experience of public agency employers generally. Existing law requires that all assets of an employer in the system be used to determine the employer's contribution rate. This bill, on and after January 1, 2013, would establish in the retirement fund for each employer a Taxpayer Adverse Risk Prevention Account. The account would be an employer asset, but would not be counted as an asset for the purpose of determining the employer's contribution rate. Deposits into the account would be made when the actuarial value of assets exceeds the accrued liability , as specified. The bill would provide that the assets of the account would be drawn upon to pay a portion of the employer contribution when the employer contribution rate is greater than the employer normal cost of benefits, as specified. The bill would require the employer to make an additional contribution when the employer's contribution rate is less than the employer normal cost of benefits, as defined, and that additional contribution would be credited to the employer's Taxpayer Adverse Risk Prevention Account . The bill would provide that the employer would not be required to make that additional contribution when the employer's Taxpayer Adverse Risk Prevention Account exceeds an amount equal to 50% of the employer's assets, exclusive of the assets in the Taxpayer Adverse Risk Prevention Account. The bill would permit assets in an account to be used for specified transfers and contributions authorized under existing law. The bill would provide that assets in an account would be invested according to investment strategies established by the Board of Administration of PERS . This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

AB 1350

(Lara) Property taxation: override rates: validation by auditor. (A-06/23/2011 [html pdf](#))

Status:08/15/2011-In Assembly. Concurrence in Senate amendments pending. May be considered on or after August 17 pursuant to Assembly Rule 77.

Current Location:08/15/2011-A CONCURRENCE

Calendar Events:08/30/11 15 ASM UNFINISHED BUSINESS CONCURRENCE IN SENATE AMENDMENTS

Summary:

Existing property tax law generally prohibits a local jurisdiction, in the 1985-86 fiscal year and each fiscal year thereafter, from imposing a property tax rate pursuant to a specified statutory provision in excess of the rate so imposed by that jurisdiction in specified fiscal years, unless it is imposed for specified purposes, including, among others, to make payments in support of certain pension programs. This bill would, if a local jurisdiction increases or extends a property tax rate, on or after January 1, 2012, for the purpose specified above, require the county auditor to, prior to the increase or extension of the property tax rate, verify that the rate increased or extended by the jurisdiction does not exceed the maximum rate authorized by law. This bill would require the jurisdiction to provide the county auditor with any documentation that is necessary to assist the county auditor in making the verification, as provided, and to reimburse the county auditor for the actual and reasonable costs incurred by the county auditor in administering the verification. This bill would require the county auditor to reject the increase or extension of any property tax rate that exceeds the maximum rate authorized by law. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups

FDAC

RHeim

Watch

AB 1420 (Committee on Governmental Organization) Emergency Management Assistance Compact. (I-03/21/2011 [html](#) [pdf](#))

Status:08/25/2011-Read second time. Ordered to third reading.

Current Location:08/25/2011-S THIRD READING

Calendar Events:08/30/11 285 SEN ASSEMBLY BILLS-THIRD READING FILE

Summary: Existing law ratifies, approves, and sets forth the provisions of the Emergency Management Assistance Compact, an interstate agreement that provides for mutual assistance between states responding to emergencies and disasters. The compact becomes inoperative on March 1, 2012, and as of January 1, 2013, is repealed. This bill would repeal the requirement that the compact becomes inoperative on March 1, 2012, and repealed as of January 1, 2012, thereby making the compact operative indefinitely.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

AB 1433 (Fuentes) Public officials' pension benefits: felony conviction. (I-08/15/2011 [html](#) [pdf](#))

Status:08/16/2011-From printer. May be heard in committee September 16.

Current Location:08/15/2011-A PRINT

Calendar Events:

Summary: Existing law provides that any elected public officer who takes public office, or is reelected to public office, on or after January 1, 2006, who is convicted of any specified felony arising directly out of his or her official duties, forfeits all rights and benefits under, and membership in, any public retirement system in which he or she is a member, effective on the date of final conviction, as specified. This bill would additionally require a public officer, as defined, who is convicted of any felony involving accepting or giving, or offering to give, any bribe, the embezzlement of public money, extortion or theft of public money, perjury, tampering with a witness, money laundering, the preparation of false documents, any felony arising directly out of his or her official duties, or conspiracy to commit any of those crimes arising directly out of his or her official duties, to forfeit all rights and benefits under any public retirement system in which he or she is a member, effective on the date of conviction. The bill would require any contributions made by that public officer to the public retirement system to be returned to the public officer without interest. The bill would prohibit these provisions from being construed to abrogate the rights of an innocent spouse or dependent who was not involved in the commission of any criminal activity to pension or other benefits.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim				

ABX1 29 (Blumenfield) State responsibility areas: fire prevention fees. (C-07/08/2011 [html](#) [pdf](#))

Status:07/08/2011-Chaptered by Secretary of State - Chapter 8, Statutes of 2011-12 First Extraordinary Session.

Current Location:07/08/2011-A CHAPTERED

Calendar Events:

Summary: Existing law requires the state to have the primary financial responsibility for preventing and suppressing fires in areas that the State Board of Forestry and Fire Protection has determined are state responsibility areas. This bill would require the board, on or before September 1, 2011, to adopt emergency regulations to establish a fire prevention fee in an amount not to exceed \$150 to be charged on each structure on a parcel that is within a state responsibility area. The board would be required to adjust the fire prevention fee annually using prescribed methods. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Oppose			

ACA 4 (Blumenfield) Local government financing: voter approval. (I-12/06/2010 [html](#) [pdf](#))

Status:08/29/2011-Ordered to inactive file at the request of Assembly Member Blumenfield.

Current Location:08/29/2011-A INACTIVE FILE

Calendar Events:

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

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Support			

ACA 6 (Gatto) Initiative measures: funding source. (A-07/11/2011 [html](#) [pdf](#))

Status:07/14/2011-Read. Refused adoption. (Ayes 50. Noes 23. Page 2329.)

Current Location:07/14/2011-A THIRD READING

Calendar Events:

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

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

ACA 7 (Feuer) Initiative measures: funding source. (I-12/06/2010 [html](#) [pdf](#))

Status:05/17/2011-In committee: Set, first hearing. Hearing canceled at the request of author.

Current Location:04/14/2011-A E. & R.

Calendar Events:

Summary: The California Constitution provides that the electors may propose statutes or amendments to the state constitution through the initiative process by presenting to the Secretary of State a petition that sets forth the text of the proposed statute or amendment to the Constitution and is certified to have been signed by a certain number of electors. This measure would prohibit an initiative measure that would result in a net increase in state or local government costs other than costs attributable to the issuance, sale, or repayment of bonds, from being submitted to the electors or having any effect unless and until the Legislative Analyst and the Director of Finance jointly determine that

the initiative measure provides for additional revenues in an amount that meets or exceeds the net increase in costs.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

ACA 9 (Gatto) Initiative measures: supermajority requirement. (I-12/09/2010 [html](#) [pdf](#))

Status:04/14/2011-Referred to Com. on E. & R.

Current Location:04/14/2011-A E. & R.

Calendar Events:

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

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

ACA 10 (Gatto) Initiatives. (I-12/09/2010 [html](#) [pdf](#))

Status:08/16/2011-In committee: Set, first hearing. Hearing canceled at the request of author.

Current Location:04/14/2011-A E. & R.

Calendar Events:

Summary: The California Constitution provides voters, through the initiative, the power to propose statutes and constitutional amendments and to adopt or reject them. The California Constitution further provides that the Legislature may amend or repeal an initiative statute only by another statute approved by the voters, unless the initiative statute permits amendment or repeal without the approval of the voters. This measure would instead authorize the Legislature to amend or repeal an initiative statute, effective 4 years or more after the date the initiative statute is approved by the voters, unless the initiative statute allows that action by the Legislature at an earlier date. The measure would require that an amendment or repeal of an initiative statute by the Legislature be passed by a percentage of the membership of each house that exceeds the percentage of voters that approved the initiative statute or, if applicable, that approved the most recent amendment of the initiative statute.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

ACA 11 (Gatto) Initiatives: constitutional amendments: voter approval. (A-05/23/2011 [html](#) [pdf](#))

Status:05/27/2011-In committee: Set, first hearing. Referred to APPR. suspense file. Held under submission.

Current Location:05/27/2011-A APPR. SUSPENSE FILE

Calendar Events:

Summary: Existing provisions of the California Constitution provide for the electors to propose amendments to the Constitution by initiative and to adopt or reject them. Any proposed initiative measure submitted to the voters becomes effective if it is approved by a majority of votes cast. This measure would increase the vote requirement from a majority to 55% of the votes cast for the electors to amend the Constitution by an initiative measure, except that this measure would permit the electors to repeal a previously adopted initiative or legislative amendment to the Constitution, including

certain subsequent amendments to that constitutional amendment, by an initiative measure passed by a majority vote.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

ACA 12 (Gatto) Statewide initiative measures: legislative amendment. (1-12/09/2010 [html](#) [pdf](#))

Status:08/26/2011-From committee: Be adopted. (Ayes 12. Noes 5.) (August 25). Read second time. Ordered to third reading.

Current Location:08/26/2011-A THIRD READING

Calendar Events:08/30/11 48 ASM ASSEMBLY THIRD READING FILE

Summary: Existing provisions of the California Constitution provide that the initiative is the power of the electors to propose statutes and amendments to the Constitution and to adopt or reject those proposals. Those provisions require the Secretary of State to submit the measure at the next general election held at least 131 days after it qualifies or at any special statewide election held prior to that general election. The Governor may also call a special statewide election on the measure. This measure would require the Secretary of State to transmit a copy of an initiative measure certified for the ballot to each house of the Legislature no later than 176 days prior to the election at which the measure is to be voted upon. Within 30 days, the Legislature may propose an amended form of the initiative measure by adopting a concurrent resolution. If the Legislature proposes an amended form of the initiative measure, the measure would provide that if the proponent, or a majority of the proponents if there is more than one proponent, of the initiative measure accepts the proposed amendments, the Legislature's proposal would appear on the ballot in place of the certified initiative measure. The measure would require that, if the amended form proposed by the Legislature is not accepted, information regarding the proposed amended form be included in the ballot materials relating to the initiative measure, as prescribed by statute. This bill contains other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

ACA 17 (Logue) State-mandated local programs. (1-02/15/2011 [html](#) [pdf](#))

Status:04/14/2011-Referred to Com. on L. GOV.

Current Location:04/14/2011-A L. GOV.

Calendar Events:

Summary: Under the California Constitution, whenever the Legislature or a state agency mandates a new program or higher level of service on any local government, the state is required to provide a subvention of funds to reimburse the local government. With regard to certain mandates imposed on a city, county, city and county, or special district that have been determine to be payable, the Legislature is required either to appropriate, in the annual Budget Act, the full payable amount of the mandate, determined as specified, or to suspend the operation of the mandate for the fiscal year. The California Constitution provides that the Legislature is not required to appropriate funds for specified mandates.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Support			

ACA 18 (Swanson) Taxation: parcel tax. (1-02/18/2011 [html](#) [pdf](#))

Status:04/14/2011-Referred to Coms. on L. GOV. and REV. & TAX.

Current Location:04/14/2011-A L. GOV.

Calendar Events:

Summary: The California Constitution conditions the imposition of a special tax by a city, county, or special district upon the approval of 2/3 of the voters of the city, county, or special

district voting on that tax, and prohibits these entities from imposing an ad valorem tax on real property or a transactions or sales tax on the sale of real property. This measure would alternatively condition the imposition, extension, or increase of a parcel tax by a city or county for the purpose of funding the maintenance or improvement of fire protection services or police protection services, or both, upon the approval of a majority of its voters voting on the proposition, and would also make conforming changes to related provisions.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Support			

SB 27 (Simitian) Public employees' retirement. (A-08/15/2011 [html](#) [pdf](#))

Status:08/26/2011-Hearing postponed by committee. (Refers to 8/25/2011 hearing)

Current Location:08/17/2011-A APPR. SUSPENSE FILE

Calendar Events:

Summary:

The State Teachers' Retirement Law (STRL) establishes the Defined Benefit Program of the State Teachers' Retirement System, which provides a defined benefit to members of the system based on final compensation, credited service, and age at retirement, subject to certain variations. STRL also establishes the Defined Benefit Supplement Program, which provides supplemental retirement, disability, and other benefits, payable either in a lump-sum payment, an annuity, or both to members of the State Teachers' Retirement Plan. STRL defines creditable compensation for these purposes as remuneration that is payable in cash to all persons in the same class of employees, as specified, for performing creditable service. This bill would revise the definition of creditable compensation for these purposes and would identify certain payments, reimbursements, and compensation that are creditable compensation to be applied to the Defined Benefit Supplement Program. The bill would prohibit one employee from being considered a class. The bill would revise the definition of compensation with respect to the Defined Benefit Supplement Program to include remuneration earnable within a 5-year period, which includes the last year in which the member's final compensation is determined, when it is in excess of 125% of that member's compensation earnable in the year prior to that 5-year period, as specified. The bill would prohibit a member who retires on or after January 1, 2013, who elects to receive his or her retirement benefit under the Defined Benefit Supplement Program as a lump-sum payment from receiving that sum until 180 days have elapsed following the effective date of the member's retirement. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

SB 44 (Corbett) Public utilities: gas pipeline emergency response standards. (A-08/26/2011 [html](#) [pdf](#))

Status:08/29/2011-Read second time. Ordered to third reading.

Current Location:08/29/2011-A THIRD READING

Calendar Events:08/30/11 161 ASM SENATE THIRD READING FILE

Summary:

Under existing law, the Public Utilities Commission has regulatory authority over public utilities. The Public Utilities Act authorizes the commission to ascertain and fix just and reasonable standards, classifications, regulations, practices, measurements, or services to be furnished, imposed, observed, and followed by specified public utilities, including gas corporations, as defined. This bill would designate the commission as the state authority responsible for regulating and enforcing intrastate gas pipeline transportation and pipeline facilities pursuant to federal law, including the development, submission, and administration of a state pipeline safety program certification for natural gas pipelines. The bill would require the commission, by July 1, 2012, to open an

appropriate proceeding or expand the scope of an existing proceeding to establish compatible emergency response standards, as defined, that owners or operators of certain commission-regulated gas pipeline facilities, as defined, would be required to follow. The standards would require owners or operators of intrastate transmission and distribution lines to implement emergency response plans, with specified requirements, that are compatible with PHMSA's regulations concerning emergency plans. The bill would require the owners of intrastate transmission lines to provide the State Fire Marshal and the chief fire official of the applicable local government with instructions on how to access and utilize the National Pipeline Mapping System developed by PHMSA to improve local response capabilities for pipeline emergencies. The bill would require the commission to report to the Legislature on the status of establishing the compatible emergency response standards on or before January 1, 2013. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Support			

SB 46 (Correa) Public officials: compensation disclosure. (A-06/02/2011 [html](#) [pdf](#))

Status:08/22/2011-In Assembly. Read first time. Held at Desk.

Current Location:08/22/2011-A DESK

Calendar Events:

Summary: Existing provisions of the Political Reform Act of 1974 require certain persons employed by agencies to file annually a written statement of the economic interests they possess during specified periods. The act requires that state agencies promulgate a conflict of interest code that must contain, among other topics, provisions that require designated employees to file statements disclosing reportable investments, business positions, interests in real property, and income. The act requires that every report and statement filed pursuant to the act is a public record and is open to public inspection. This bill would, commencing on January 1, 2013, and continuing until January 1, 2019, require every designated employee and other person, except a candidate for public office, who is required to file a statement of economic interests to include, as a part of that filing, a compensation disclosure form that provides compensation information for the preceding calendar year, as specified. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

SB 112 (Liu) State mandates: claiming instructions. (C-08/01/2011 [html](#) [pdf](#))

Status:08/01/2011-Chaptered by the Secretary of State, Chapter Number 144, Statutes of 2011

Current Location:08/01/2011-S CHAPTERED

Calendar Events:

Summary: Existing law requires the Commission on State Mandates to adopt parameters and guidelines for reimbursement of claims by local agencies and school districts for state mandates pursuant to statute. Existing law authorizes a local agency, school district, or the state to file a claim asking the commission to amend, modify, or supplement the parameters or guidelines. Existing law authorizes the request to amend parameters and guidelines to be filed to make specified changes to parameters and guidelines, including amending the boilerplate language, as defined. This bill would provide that any amendment of the boilerplate language that does not increase or decrease the reimbursable costs would be restricted to limiting the eligible filing period commencing with the fiscal year in which the amended parameters and guidelines were adopted. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups

SB 171 (Wolk) Property tax revenue allocations: Cordelia Fire Protection District. (I-02/03/2011 [html](#) [pdf](#))

Status:05/26/2011-Held in committee and under submission.

Current Location:05/02/2011-S APPR. SUSPENSE FILE

Calendar Events:

Summary: Existing property tax law requires the county auditor, in each fiscal year, to allocate property tax revenue to local jurisdictions in accordance with specified formulas and procedures, and generally requires that each jurisdiction be allocated an amount equal to the total of the amount of revenue allocated to that jurisdiction in the prior fiscal year, subject to certain modifications, and that jurisdiction's portion of the annual tax increment, as defined. Existing property tax law also reduces the amounts of ad valorem property tax revenue that would otherwise be annually allocated to the county, cities, and special districts pursuant to these general allocation requirements by requiring, for purposes of determining property tax revenue allocations in each county for the 1992-93 and 1993-94 fiscal years, that the amounts of property tax revenue deemed allocated in the prior fiscal year to the county, cities, and special districts be reduced in accordance with certain formulas. Under these provisions for the 1992-93 fiscal year, the formula for special districts reduces the amounts of property tax revenue deemed allocated in the prior fiscal year to certain special districts by 35%, not to exceed 10% of a district's total annual revenues for the 1989-90 fiscal year, as reported in a specified publication of the Controller. Existing law requires the Director of Finance to ensure that the amount of these revenue reductions for all special districts equals \$375,000,000 for the 1992-93 fiscal year. This bill would, for the 2011-12 fiscal year, decrease by \$58,310 the total amount of property tax revenue deemed allocated to the Solano County ERAF for the Cordelia Fire Protection District for the prior fiscal year. This bill would also require that these allocation adjustments be incorporated into property tax revenue allocations for future fiscal years. This bill would also require the Director of Finance to ensure that this change does not result in an increase in the amount of a reduction under these provisions for any other special district. This bill would make findings and declarations regarding the necessity of a special statute. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

SB 186 (Kehoe) The Controller. (A-05/31/2011 [html](#) [pdf](#))

Status:07/08/2011-Failed Deadline pursuant to Rule 61(a)(10). (Last location was L. GOV. on 6/29/2011)

Current Location:07/08/2011-A 2 YEAR

Calendar Events:

Summary: Existing law provides that if the county, city, or district reports are not made in a specified manner, or there is reason to believe that the report is false, the Controller is required to appoint a qualified accountant to make an investigation and to obtain the information required for the annual report of financial transactions. Existing law provides that if a similar investigation is made of any county, city, or district for 2 successive years, then a copy of the results of those investigations shall be transmitted to the grand jury of the county investigated or in which the local agency investigated is situated. This bill would expand the above provisions to also include a special district, joint powers authority, or redevelopment agency. This bill would also, until January 1, 2017, authorize the Controller to exercise discretionary authority to perform an audit or investigation of any county, city, special district, joint powers authority, or redevelopment agency, if the Controller has reason to believe, supported by documentation, that the local agency is not complying with the financial requirements in state law, grant agreements, local charters, or local ordinances. This bill would require , until January 1,

2017, the Controller to prepare a report of the results of the audit or investigation and to file a copy with the local legislative body.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

SB 216 (Yee) **Public utilities: intrastate natural gas pipeline safety.** (A-08/26/2011 [html](#) [pdf](#))

Status:08/29/2011-Read second time. Ordered to third reading.

Current Location:08/29/2011-A THIRD READING

Calendar Events:08/30/11 168 ASM SENATE THIRD READING FILE

Summary: Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including gas corporations, as defined. The Public Utilities Act authorizes the commission to ascertain and fix just and reasonable standards, classifications, regulations, practices, measurements, or services to be furnished, imposed, observed, and followed by specified public utilities, including gas corporations. The bill would require the commission, unless it determines that doing so is preempted under federal law, to require the installation of automatic shut-off or remote controlled sectionalized block valves on certain intrastate transmission lines that are located in a high consequence area, as defined, or that traverse an active seismic earthquake fault. The bill would require the owner or operator of a commission-regulated gas pipeline facility that is an intrastate transmission line to provide the commission with a valve location plan, along with any recommendations for valve locations, and would authorize the commission to make modifications to the valve location plan. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Support			

SB 245 (Rubio) **Military installations: plan for retention and sustainability.** (A-06/22/2011 [html](#) [pdf](#))

Status:07/08/2011-Failed Deadline pursuant to Rule 61(a)(10). (Last location was J., E.D. & E. on 6/27/2011)

Current Location:07/08/2011-A 2 YEAR

Calendar Events:

Summary: Existing law requires the Secretary of Business, Transportation and Housing to develop and report to the Governor on legislative, budgetary, and administrative programs to accomplish comprehensive, long-range, coordinated planning and policy formulation in the matters of public interest related to the agency. This bill would establish the Office of Military Support in the Business, Transportation and Housing Agency, and set forth its duties and authority with respect to state and local defense retention and conversion. It would provide that the Office of Military Support would be in the charge of a director who would be appointed by the Governor. The bill would authorize the office to establish a Military Advisory Committee with a specified membership. This bill contains other related provisions.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Support			

SB 288 (Negrete McLeod) **Local government: independent special districts.** (C-07/08/2011 [html](#) [pdf](#))

Status:07/08/2011-Chaptered by Secretary of State - Chapter 66, Statutes of 2011.

Current Location:07/08/2011-S CHAPTERED

Calendar Events:

Summary: Existing law authorizes the governing board of a special district, by resolution, to provide for the establishment of a revolving fund, in an amount not to exceed \$1,000, to be used to make change and pay small bills directly, and requires the resolution establishing the

fund to make specified designations relating to the purposes for which the fund may be expended, the district officer with authority and responsibility over the fund, the necessity for the fund, and the maximum amount of the fund. This bill would additionally authorize the governing board of an independent special district, as defined, to provide, by resolution, for the establishment of a revolving fund in an amount not to exceed 110% of 1/12 of the independent special district's adopted budget for that fiscal year, and would require the resolution establishing the fund to make specified designations relating to the purposes for which the fund may be expended, the district officer with authority and responsibility over the fund, the necessity for the fund, and the maximum amount of the fund. This bill contains other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

SB 293 (Padilla) Payment bonds: laborers. (A-08/26/2011 [html](#) [pdf](#))

Status:08/29/2011-Read second time. Ordered to third reading.

Current Location:08/29/2011-A THIRD READING

Calendar Events:08/30/11 169 ASM SENATE THIRD READING FILE

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

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Oppose			

SB 350 (Negrete McLeod) Public Employees' Retirement System: preretirement death benefits. (E-08/22/2011 [html](#) [pdf](#))

Status:08/22/2011-Enrolled and presented to the Governor at 10 a.m.

Current Location:08/22/2011-S ENROLLED

Calendar Events:

Summary: The Public Employees' Retirement Law provides preretirement death benefits for the surviving spouse or children, or both, as specified, of state members and specified school members not covered by the federal Social Security Act. That law prescribes various allowances for preretirement death benefits, as specified. That law specifies certain benefits known as the 1959 survivor allowance. This bill would require assets and liabilities of contracting agencies subject to those provisions to be pooled, as specified, after June 30, 2012. The bill would also provide that on and after July 1, 2012, certain members employed by a contracting agency entitled to receive benefits under the 1959 survivor allowance provisions instead receive increased benefits, as specified. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

SB 390 (La Malfa) Crimes: assault and battery: search and rescue teams. (E-08/22/2011 [html](#) [pdf](#))

Status:08/22/2011-Enrolled and presented to the Governor at 10 a.m.

Current Location:08/22/2011-S ENROLLED

Calendar Events:

Summary: Existing law establishes the crime of assault against specified public safety officers,

such as peace officers, firefighters, and emergency medical technicians, among others, while engaged in the performance of their duties, as specified. The offense is punishable by a fine not exceeding \$2,000, or by imprisonment in a county jail not exceeding one year, or by both the fine and imprisonment. This bill would expand the scope of the offense to include search and rescue members, as defined, while engaged in the performance of their duties, as specified. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

SB 449 (Pavley) Controller: local agency financial review. (A-06/20/2011 [html](#) [pdf](#))

Status:07/08/2011-Failed Deadline pursuant to Rule 61(a)(10). (Last location was L. GOV. on 6/29/2011)

Current Location:07/08/2011-A 2 YEAR

Calendar Events:

Summary: Existing law requires certain local agencies to furnish reports to the Controller concerning financial transactions of the local agency, subject to uniform accounting and reporting procedures prescribed by the Controller. The Controller may provide for the investigation of certain local agency finances if a report is not made in the time, form, and manner required or there is reason to believe that a report is false, incomplete, or incorrect. This bill would additionally authorize the Controller, if the Controller determines that sufficient funds are made available, to conduct a preliminary review to determine the existence of a local agency financial problem, and perform an audit upon completion of that review, subject to specified criteria. This bill contains other related provisions.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

SB 464 (Anderson) Property taxation: new construction exclusion: fire protection devices. (A-03/30/2011 [html](#) [pdf](#))

Status:04/06/2011-Set, first hearing. Hearing canceled at the request of author.

Current Location:03/30/2011-S G. & F.

Calendar Events:

Summary: The California Constitution generally limits ad valorem taxes on real property to 1% of the full cash value of that property. For purposes of this limitation, "full cash value" is defined as the assessor's valuation of real property as shown on the 1975-76 tax bill under "full cash value" or, thereafter, the appraised value of that real property when purchased, newly constructed, or a change in ownership has occurred. Pursuant to an authorization in the California Constitution, existing law excludes from classification as "newly constructed" the construction or installation of any fire sprinkler system, other fire extinguishing system, fire detection system, or fire-related egress improvement that is constructed or installed in an existing building, as specified. This bill would expand this exclusion to include the construction or installation of any fire sprinkler system, other fire extinguishing system, and fire detection system in a new building, as defined, the construction or installation of which is completed on or after January 1, 2012. This bill would require the county assessor to administer this expansion, as provided, and to reduce the base year value of the new building by the value of the fire sprinkler system, other fire extinguishing system, and fire detection system, as specified. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Support			

SB 475 (Wright) Infrastructure financing. (A-06/20/2011 [html](#) [pdf](#))

Status:07/08/2011-Failed Deadline pursuant to Rule 61(a)(10). (Last location was L. GOV. on 6/29/2011)

Current Location:07/08/2011-A 2 YEAR

Calendar Events:

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

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

SB 499 (Huff) **Redevelopment: tax increment calculations.** (A-04/11/2011 [html](#) [pdf](#))

Status:04/27/2011-Set, first hearing. Hearing canceled at the request of author.

Current Location:04/11/2011-S APPR.

Calendar Events:

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

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

SB 692 (Walters) **Professional engineers.** (A-08/22/2011 [html](#) [pdf](#))

Status:08/23/2011-Withdrawn from committee. Re-referred to Com. on RLS.

Current Location:08/23/2011-S RLS.

Calendar Events:

Summary: Existing law establishes the Board for Professional Engineers and Land Surveyors in the Department of Consumer Affairs. Existing law recognizes various engineering disciplines. Existing law prohibits the practicing of civil, electrical, and mechanical engineering by any person who has not passed a specified examination and who is not appropriately licensed by the board in that discipline. Existing law makes various violations of the Professional Engineers Act a crime, including the practice or offer to practice by a person of civil, electrical, or mechanical engineering without authorization as provided by the act. This bill would prohibit the practice of agricultural, chemical, control system, fire protection, industrial, metallurgical, nuclear, petroleum, and traffic engineering, as defined, by any person who has not passed a specified examination and who is not appropriately licensed by the board in the particular discipline. The bill

would authorize any licensed engineer to practice engineering work in any of those fields in which he or she is competent and proficient. The bill would make other changes to related provisions. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

SB 931 (Vargas) Public employee organizations. (A-04/25/2011 [html](#) [pdf](#))

Status:08/29/2011-Notice of intention to remove from inactive file given by Assembly Member Charles Calderon.

Current Location:08/22/2011-A INACTIVE FILE

Calendar Events:08/30/11 42 ASM UNFINISHED BUSINESS NOTICE OF INTENTION TO REMOVE FROM INACTIVE FILE

Summary: The Meyers-Milias-Brown Act, the Ralph C. Dills Act, the provisions commonly referred to as the Educational Employment Relations Act, and the Higher Education Employer-Employee Relations Act each provide for negotiations concerning wages, hours, and other terms and conditions of employment between a state or local public employer and representatives of recognized employee organizations. Those acts prohibit public employers from, among other things, intimidating, coercing, or discriminating against employees because of their exercise of rights guaranteed under the acts, as specified. This bill would additionally prohibit public agencies from using public funds to pay outside consultants or legal advisors for the purpose of counseling the public employer about ways to minimize or deter the exercise of rights guaranteed under this chapter. Under this bill, these provisions would not apply to payments for representation of a public sector employer before any court, administrative agency, or tribunal of arbitration, or for payments for engaging in collective bargaining on behalf of the employer with respect to wages, hours, or other terms and conditions of employment.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

SCA 4 (DeSaulnier) Initiative measures: funding source. (I-12/06/2010 [html](#) [pdf](#))

Status:05/27/2011-Read second time. Ordered to third reading.

Current Location:05/27/2011-S THIRD READING

Calendar Events:08/30/11 165 SEN SENATE BILLS-THIRD READING FILE

Summary: The California Constitution provides that the electors may propose statutes or amendments to the state constitution through the initiative process by presenting to the Secretary of State a petition that sets forth the text of the proposed statute or amendment to the Constitution and is certified to have been signed by a certain number of electors. This measure would prohibit an initiative measure that would result in a net increase in state or local government costs other than costs attributable to the issuance, sale, or repayment of bonds, from being submitted to the electors or having any effect unless and until the Legislative Analyst and the Director of Finance jointly determine that the initiative measure provides for additional revenues in an amount that meets or exceeds the net increase in costs.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

SCA 7 (Yee) Public bodies: meetings. (A-04/13/2011 [html](#) [pdf](#))

Status:08/25/2011-Set, second hearing. Held in committee and under submission.

Current Location:08/17/2011-A APPR. SUSPENSE FILE

Calendar Events:

Summary: The California Constitution requires meetings of public bodies to be open to public scrutiny. This measure would also include in the California Constitution the requirement that each public body provide public notice of its meetings and disclose any action taken.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

SCA 13 (Cannella) Public employees' retirement. (I-06/28/2011 [html](#) [pdf](#))

Status:06/29/2011-From printer. May be acted upon on or after July 29.

Current Location:06/28/2011-S PRINT

Calendar Events:

Summary: The California Constitution provides that the retirement board of a public pension or retirement system has plenary authority and fiduciary responsibility for investment of moneys and administration of the system. Existing law establishes various public agency retirement systems, including the Public Employees' Retirement System (PERS), the State Teachers' Retirement System (STRS), the Judges' Retirement System II, and various county retirement systems pursuant to the County Employees Retirement Law of 1937, among others, and these systems provide defined pension benefits to public employees based on age, service credit, and final compensation. The California Constitution permits a city or county to adopt a charter for purposes of its governance that supersedes general laws of the state in regard to specified subjects, including compensation of city or county employees. The California Constitution also establishes the University of California as a public trust with full powers of organization and government, subject only to specified limitations. Charter cities and the University of California may establish pension plans under their respective independent constitutional authority. This measure would provide that any change to the formula used to calculate the pension benefits of a member of a public retirement system, as defined, that results in an increase in the member's pension benefits shall apply only to service performed on and after the operative date of the change, and would prohibit the retroactive application of that change. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

SCA 15 (Hancock) Taxation: voter approval. (I-07/14/2011 [html](#) [pdf](#))

Status:07/15/2011-From printer. May be acted upon on or after August 14.

Current Location:07/14/2011-S PRINT

Calendar Events:

Summary: The California Constitution requires that a change in state statute, passed by the Legislature, that results in a taxpayer paying a higher tax be imposed in an act that is passed with the approval of not less than 2/3 of the membership of each house of the Legislature. This measure would alternatively allow a change in state statute, passed by the Legislature, that results in a taxpayer paying a higher tax to be imposed in an act passed by a majority of the membership of each house of the Legislature, where that change becomes effective only when submitted to the voters and approved by a majority of the voters voting on that measure at a statewide election. This bill contains other related provisions.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim				

SCR 2 (DeSaulnier) Constitutional Convention. (A-04/07/2011 [html](#) [pdf](#))

Status:04/07/2011-From committee with author's amendments. Read second time and amended. Re-referred to Com. on RLS.

Current Location:04/07/2011-S RLS.

Calendar Events:

Summary: Under the California Constitution, the Legislature by rollcall vote entered in the journal, two-thirds of the membership of each house concurring, may submit at a general election the question whether to call a convention to revise the Constitution. If the

majority vote yes on that question, within 6 months the Legislature is required to provide for the convention. This measure would propose that the people of the State of California vote at the next statewide general election on the question of whether to call a convention to revise the California Constitution.

Organization	Assigned	Position	Priority	Subject	Groups
<i>FDAC</i>	<i>RHeim</i>	<i>Watch</i>			

SCR 56 **(Yee) California Firefighters Memorial Day** (1-08/18/2011 [html](#) [pdf](#))

Status:08/18/2011-Introduced. Referred to Com. on RLS.

Current Location:08/18/2011-S RLS.

Calendar Events:

Summary: This measure would proclaim October 1, 2011, as California Firefighters Memorial Day.

Organization	Assigned	Position	Priority	Subject	Groups
<i>FDAC</i>	<i>RHeim</i>	<i>Support</i>			