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Second District

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Fifth District

May 5, 2005

To: Supervisor Gloria Molina, Chair
Supervisor Yvonne B. Burke
Supervisor Zev Yaroslavsky
Supervisor Don Knabe
Supervisor Michael D. Antonovich

From: David E. Janssen
Chief Administrative Officer

SACRAMENTO UPDATE

Senate Budget Subcommittee Hearings

Today, Senate Budget and Fiscal Review Subcommittee #3 on Health and Human Services rejected the Governor's budget proposal to limit the State financial participation only to the level of the minimum wage for In-Home Supportive Services (IHSS) wages and benefits by a vote of 2 to 0. In addition, a series of proposed IHSS budget amendments and all corresponding budget trailer bill language was rejected by a vote of 2 to 0. This action conforms to the Assembly Budget Subcommittee's unanimous vote to reject the Governor's budget proposal, and restores the State's financial participation in IHSS wages and benefits.

Additionally, Senate Budget Subcommittee #3 adopted budget trailer bill language by a vote of 2 to 0 to require the State to seek all possible waivers from the United States Department of Agriculture to increase program participation by adults without children. Although these adults are generally only eligible for Food Stamps for three months in a three-year period, Federal law permits waivers that allow for extended benefits for persons living in areas of high unemployment. The Subcommittee also added trailer bill language as requested by the County Welfare Directors Association, to permit counties to opt out of the waiver upon a vote of their board of supervisors.

Status of County-Interest Legislation

County-supported SB 1018 (Simitian), which would add officers and employees of financial institutions to those designated as mandated reporters of financial abuse perpetrated against elder and dependent adults, passed the Senate Judiciary Committee by a vote of 4 to 2 as amended on May 3, 2005. The amendments 1) modify the penalty for failure to report such abuse by subjecting the mandated reporter to civil penalties of $1,000, and up to $5,000, if the failure to report resulted in a death or great bodily injury, 2) require the penalty to be payable by the financial institution to the elder or dependant adult, and 3) create a liability-free period for newly-hired tellers for failing to report suspected elder abuse during the first six months of the teller's employment. The measure proceeds to the Senate Appropriations Committee where it is pending a hearing date.

A roster containing the status of all bills of County interest is attached.

We will continue to keep you advised.

DEJ:GK
MAL:JF:ib

Attachments

c: Executive Officer, Board of Supervisors
County Counsel
Local 660
All Department Heads
Legislative Strategist
Coalition of County Unions
California Contract Cities Association
Independent Cities Association
League of California Cities
City Managers Associations
Buddy Program Participants

COUNTY OF LOS ANGELES - CHIEF ADMINISTRATIVE OFFICE
STATUS OF BILLS OF INTEREST TO THE COUNTY
2005-06 LEGISLATIVE SESSION

These are bills we have pursued in Sacramento pursuant to Board actions or as reported in bill policy memoranda.

BILL	AUTHOR	POSITION	SUBJECT	STATUS
AB 13	Goldberg	Support (State Update: 4/21/05)	Would establish the California Racial Mascots Act which would prohibit public schools from using the term 'Redskins' as a school or athletic team name, mascot, or nickname beginning January 1, 2007. Schools with enrollment boundaries that include a portion of Indian reservations would be exempted provided that the tribe having regulatory jurisdiction over the territory has authorized the use of the team name, mascot or nickname through an appropriate enactment or resolution.	Senate Desk
AB 109	Chan	Support if Amended to require stronger fiscal oversight by the State without affecting local control (Board Action: 3/1/05)	Would require county First 5 commissions to: 1) adopt policies regarding conflict of interest and contracting and procurement procedures; 2) adopt a limit on the amount of its operating budget that can be spent on administrative functions; 3) adopt policies and processes establishing the salaries and benefits of employees of the county commission; and 4) send its annual audit and report to the State First 5 Commission. The State Commission is allowed to withhold the county commission's share of tobacco tax revenues for failure to submit the data.	Assembly Appropriations Suspense File
AB 126	Dymally	Oppose (State Update: 1/25/05)	Would require counties to ensure that the availability of services and quality of treatment received by indigent patients is equivalent to the care received by non-indigent patients in private facilities. Would also change the Beilenson process to require counties to make a finding that closing, eliminating, or reducing indigent health care services will not have a detrimental impact on the health care needs of indigent people in the county.	Assembly Health
AB 208	Gordon	Support (Board Action: 2/15/05)	Would require California school districts to give preference to children of military personnel in the process of an interdistrict transfer.	Assembly Floor
AB 262	Berg	Support in Concept (State Update: 4/29/05)	Would change the State's seismic safety standard to facilitate transfer of a trial court facility from a county to the State by limiting the seismic safety standard to the existing standard of the county proposing the transfer.	Assembly Appropriations Suspense File

BILL	AUTHOR	POSITION	SUBJECT	STATUS
AB 338	Levine	Support (State Update: 3/30/05)	Would require the State Department of Transportation (Caltrans) to use increasing amounts of crumb rubber from waste tires in State highway, construction, and repair projects. Specifically, this bill requires the State to use not less than 20 percent crumb rubber, by ton, of the total amount of asphalt paving materials used on and after January 1, 2007, and increases this amount to 25 percent by 2010, capping the crumb rubber mix in asphalt to not less than 35 percent by 2013.	Assembly Appropriations Suspense File
AB 547	Berg, Richman	Support (State Update: 4/4/05)	Would repeal the requirement that a city or county authorize its needle exchange program through a declaration of a local emergency, and authorize clean needle exchange programs upon the action of a county board of supervisors and the local health officer or health commission, or upon the action of a city council, the mayor and the local health officer.	Senate Desk
AB 613	Mountjoy	Support (State Update: 3/23/05)	Would establish a higher burden of proof for the determination of "job relatedness" in workers' compensation cases. Under current law, an injury is deemed compensable (job related) if the job contributes in any manner or degree as the cause of the injury. AB 613 would provide that for an injury to be deemed compensable there must be a preponderance of evidence that employment activities were the predominant causes of the injury.	Assembly Insurance
AB 642	Negrete-McLeod	Oppose Unless Amended to limit liability to those instances where injury or death is a result of an action by the employer (State Update: 3/23/05)	Would create a job-related presumption for workers' compensation for an injury or death as a result of a vaccination or medication given to prevent infection from a biochemical substance. Under the bill, the employer would be liable even if the vaccination is procured solely by the employee without direction of the employer.	Assembly Appropriations Suspense File
AB 667	Jones	Oppose (State Update: 4/21/05)	Would change the performance standards relating to, and State oversight of, local child support agencies (LCSA) by: 1) creating specified performance measures for LCSAs relating to the percentage of caseloads with collections; 2) eliminating the exemption for a county unable to comply with a reporting requirement; 3) requiring the State to achieve specified performance targets for the new performance measures; 4) requiring the State to adopt a 2-phase process, rather than a 3-phase approval to be used when a LCSA is out of compliance with a specified performance standards; and 5) requiring the State either to seek the removal of the local administrator or assess a financial penalty if a LCSA fails to achieve performance targets or to comply with other requirements.	Assembly Appropriations Suspense File

BILL	AUTHOR	POSITION	SUBJECT	STATUS
AB 696	Chu	Support if Amended to retain fingerprint imaging for Cal-WORKs cases and Food Stamp cases with General Assistance (State Update: 3/28/05)	Would: 1) replace the quarterly reporting in CalWORKs and Food Stamps with semi-annual reporting; 2) provide categorical eligibility to Food Stamp benefits for certain Medi-Cal participants; 3) simplify Food Stamp verification requirements; 4) require the State to seek a Federal waiver to exempt certain Able-bodied Adults Without Dependents from the 3 month limit to Food Stamp benefits; and 5) eliminate the requirement to maintain a statewide fingerprint imaging system for use in connection with eligibility for CalWORKs, Food Stamps and General Assistance.	Assembly Appropriations Suspense File
AB 783	Jones	Support (State Update: 4/1/05)	Would require the State to pay for expenses incurred by local governments in the preparation and conduct of elections proclaimed by the Governor to fill a vacancy in the office of Senator or Member of the Assembly, or to fill a vacancy in the office of United States Senate or Representative in Congress. It also provides that where an election is consolidated with a local election, the State would only pay for those additional expenses directly related to the election proclaimed by the Governor.	Assembly Appropriations Suspense File
AB 856	Bass	Support (Board Action: 4/19/05)	Would extend the sunset date of the Baldwin Hills Conservancy (BHC) from January 1, 2008 to January 1, 2011, adds the Director of the Department of Conservation, or his or her designee, as a non-voting member of the BHC board, makes changes pursuant to the Bagley-Keene Open Meeting Act, and repeals the requirement that the BHC obtain and maintain liability.	Assembly Appropriations Suspense File
AB 889	Ruskin	Support (State Update: 5/2/05)	Would continue the authority of counties to collect registration fees for commercial weighing and measuring devices by repealing the sunset date of January 1, 2006. These devices (scales and meters) are used to calculate the price of goods sold.	Assembly Appropriations
AB 921	Daucher	Oppose (State Update: 3/24/05)	Would: 1) allow the term of redevelopment projects to be extended for an additional 25 years without making a new finding of blight; 2) allow a redevelopment agency, during a 25-year extension, to use up to 40 percent of the property tax allocated for infrastructure improvements related to the production of market-priced or affordable housing while using a minimum of 60 percent of the funds to increase, improve, or preserve market-priced and affordable housing; and 3) limit the amount of property tax shifted to redevelopment agency receipts during a 25-year extension to 50 percent of the amount that would otherwise be allocated under current law.	Assembly Housing and Community Development
AB 1090	Matthews	Support (Board Action: 3/29/05)	Would define conversion technologies and promote its development by incorporating conversion technologies within the State's waste management hierarchy in proper context to its environmental benefits and impacts, and provide diversion credit to jurisdictions that utilize such facilities.	Assembly Natural Resources

BILL	AUTHOR	POSITION	SUBJECT	STATUS
AB 1167	Chu	Oppose (State Update: 4/29/05)	Would allow the City of El Monte and the El Monte Community Redevelopment Agency to amend the Downtown El Monte Redevelopment Project and: 1) eliminate the time limit on the establishment of indebtedness; 2) increase from $44.4 million to $65 million the amount of bonded indebtedness that the agency may have outstanding at any one time; 3) extend the time limit on the effectiveness of the plan for up to an additional 10 years; 4) substitute required pass-through payments to taxing agencies (including the County) with "certain tax increment amounts"; and 5) commit 30 percent of all taxes allocated pursuant to transit oriented projects to low and moderate income housing.	Assembly Housing and Community Development
AB 1248	Umberg	Oppose (State Update: 4/7/05)	Would prohibit a county from imposing a booking fee on local agencies, colleges, and universities for county costs incurred in processing or booking persons arrested by those entities for a felony offense, by permitting the charging of a fee only for crimes which are not felonies. The measure also expressly prohibits the imposition of booking fees for misdemeanor offenses relating to driving under the influence, domestic violence, battery, and specified sex-related offenses.	Assembly Local Government
AB 1252	Pavley	Support (Board Action: 4/26/05)	Would authorize the County to designate Mulholland Highway as an official County Scenic Highway.	Assembly Appropriations
AB 1285	Montanez	County-sponsored	Would expand eligibility for participation in the Investing in Early Educators stipend program to include persons working in licensed family child care homes and child care centers that do not hold California Department of Education contracts.	Assembly Appropriations
AB 1330	Karnette	Oppose (State Update: 3/24/05)	Would: 1) establish the Harbor District Development Authority in the City of Los Angeles, and authorize the Los Angeles City Council, by resolution, to designate the Los Angeles Board of Harbor Commissioners as the redevelopment agency for the Los Angeles Harbor District (LAHD); 2) create a new definition of blight that fits the circumstances of the LAHD; 3) exempt the LAHD from certain environmental impact report requirements; 4) shorten plan adoption reporting requirements; and 5) eliminate the prohibition on redevelopment agency use of property tax increment for operations and maintenance expenses (current law restricts the use of agency funds to capital expenses).	Assembly Local Government

BILL	AUTHOR	POSITION	SUBJECT	STATUS
AB 1331	Umberg	Oppose (State Update: 3/23/05)	Would exempt public safety employees from certain elements of the workers' compensation reform enacted in 2004. Specifically, SB 899 (Poochigian) enacted last year established an apportionment of employer liability for job-related injuries among common individual workers. A physician who prepares a report addressing the issue of an employee's permanent disability due to a claimed industrial injury is required to address the issue of causation. The employer's liability is limited to the percentage of permanent disability directly caused by the injury. AB 1331 would exempt state and local public safety personnel from these new reforms.	Assembly Appropriations
AB 1380	Gordon	Support (Board Action: 4/12/05)	Would create rules for determining the inventory of numbering resources applicable to the telecommunications carriers that hold numbers (codes or blocks within rate centers) in California, to avoid the premature exhaustion of an area code.	Assembly Appropriations
AB 1491	Calderon	Oppose (Board Action: 3/8/05)	Would reduce the Housing Authority's responsibility for the allocation of Industry Housing Fund Program funds by authorizing the City of Industry to transfer up to 50 percent of the low-and moderate-income housing funds currently administered by the Housing Authority to another eligible public entity located outside the City.	Assembly Housing and Community Development
AB 1605	Wolk, Berg	Support (State Update: 4/14/05)	Would add officers and employees of financial institutions, including banks, credit unions, and savings and loans, to those designated as mandated reporters of financial abuse perpetrated against elder and dependent adults.	Assembly Appropriations
ACA 17	Mullin	Support (State Update: 4/29/05)	Would amend the California Constitution to authorize 17-year old citizens, who will be at least 18 years old by the next general election, to register and vote at that general election and at any intervening primary or special elections that occur after the person is eligible to register to vote.	Assembly Elections, Redistricting and Constitutional Amendments
AJR 22	Bass	County-sponsored	Would urge Congress and the President to take immediate action to eliminate restrictions on child death review teams to access school records of deceased children.	Assembly Education
SB 34	Florez	Oppose (Board Action: 3/1/05)	Would require that the majority of the membership of the county First 5 commissions consist of persons who do not represent a county.	Senate Floor

BILL	AUTHOR	POSITION	SUBJECT	STATUS
SB 35	Florez	Support if Amended to require stronger fiscal oversight by the State without affecting local control (Board Action: 3/1/05)	Would require county First 5 commissions to: 1) adopt policies regarding conflict of interest and contracting and procurement procedures; 2) adopt a limit on the amount of its revenues that can be spent on administrative functions; 3) adopt policies and processes establishing the salaries and benefits of employees of the county commission; and 4) send its annual audit and report to the State First 5 Commission. The State Commission is allowed to withhold the county commission's share of tobacco tax revenues for failure to submit the data. In its report, each county commission must list, by category, all program areas funded in a format prescribed by the State commission.	Senate Appropriations Suspense File
SB 57	Alarcon	Support (State Update: 4/18/05)	Would augment the Emergency Medical Services Fund by allowing counties to collect an additional $2 penalty assessment on every $10 penalty for all criminal offenses and moving violations and would allow county boards of supervisors, by resolution, to levy an additional $2 penalty assessment for specified crimes and moving violations, including speeding, seat belt infractions, domestic violence and DUI's. Counties with pediatric trauma care units would be authorized to use these new funds to establish a Pediatric Trauma Fund to purchase pediatric facilities and equipment.	Senate Desk
SB 112	Ortiz	Oppose (State Update: 4/8/05)	Would change the formula used to calculate each county's share of total State Refugee Employment Social Services (RESS) and Refugee Targeted Assistance Program (RTAP) funds. The bill would require 50 percent of the RESS funds to be allocated on the proportion of refugees receiving public assistance, and the remaining 50 percent based on the most recent 60-month refugee arrival data. Would also allocate RTAP funds based on the arrival data during the most recent 60-month period using Federal methodology. These changes would result in the County receiving $700,000 less funds for the Refugee Employment Program.	Senate Appropriations
SB 116	Dutton	Support (Board Action: 2/1/05)	Would eliminate the Safe Surrender Law sunset provision in order to provide for the safe surrender of infants as an alternative to abandonment permanently.	Assembly Desk
SB 153	Chesbro	Support and Amend to include beaches in the definition of parks (State Update: 4/12/05)	Would enact the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2006, which, if adopted by the voters, would authorize the issuance of $3 billion in State General Obligation bonds for resource protection, acquisition, and development.	Senate Appropriations Suspense File

BILL	AUTHOR	POSITION	SUBJECT	STATUS
SB 267	Romero	Support (State Update: 4/18/05)	Would restructure the Trauma Care Fund to require regional distribution of funds based on the statewide proportion of trauma care services provided in a region, repeal the requirement that trauma centers receive a minimum level of funding, and require the grants to be awarded on a competitive basis.	Senate Appropriations
SB 324	McClintock	Support (State Update: 3/15/05)	Would define a transportation gridlock emergency as a condition that requires extraordinary State action, and authorizes the Governor to declare a state of emergency when any highway has an average daily vehicle delay that exceeds 3,000 vehicle hours per day.	Senate Transportation and Housing
SB 395	Escutia	Support if Amended to define 'court purposes' to include all county-court-related functions that are necessary for the efficient operation of the Superior Court (State Update: 4/29/05)	Would enact the California Court Facilities Bond Act of 2006 to fund the acquisition, construction, and renovation of trial court facilities, and place the bond act, for an as yet unspecified amount, on the ballot for the next Statewide election. This bill would provide funding needed because of the depletion of the Courthouse Construction Fund to build new court facilities or renovate existing court facilities that have been transferred to the State and allows the Judicial Council to require counties to pay for their share of bond principal, interest, and expenses for new construction or renovation.	Senate Appropriations
SB 466	Kuehl	Support (State Update: 4/14/05)	NOW: Still does the same thing but was amended to include school zones as requested by the County.	Senate Transportation and Housing
		Support and Amend to include school zones (State Update: 3/8/05)	PREVIOUSLY: Would have allowed a local agency to use a mobile photo radar system to enforce speed limits on streets within residential districts, subject to certain requirements.	
SB 516	Ortiz	Support (State Update: 4/5/05)	Would require residential care facilities for the elderly with six or fewer clients or residents, licensed as of January 1, 2007, to have an automatic fire sprinkler system by January 1, 2011. Facilities licensed on or after January 1, 2007 would be required to have an automatic fire sprinkler system on the date of licensure.	Senate Appropriations
SB 521	Torlakson	Oppose (State Update: 3/24/05)	Would change redevelopment law relating to transit villages by: 1) allowing local governments to extend the boundaries of a transit village development plan; 2) amending current redevelopment law to include the lack of high density development within a transit village development district as an economic condition that causes blight; and 3) requiring the agency to submit the proposed transit village redevelopment plan to the California Infrastructure and Economic Development Bank which would make a finding on whether the proposed project is consistent with the requirements of redevelopment law.	Senate Appropriations Suspense File

BILL	AUTHOR	POSITION	SUBJECT	STATUS
SB 656	Romero	County-sponsored	Would allow a county board of supervisors to place on the ballot a local tax of up to 5 percent on the sale of alcoholic beverages.	Senate Revenue and Taxation Suspense File
SB 926	Florez	Oppose (State Update: 4/4/05)	Would prohibit any person from importing sewage sludge into Kern County on and after January 1, 2006.	Senate Environmental Quality
SB 945	Soto	County-sponsored	Would change California's HIV reporting system from code-based to names-based.	Senate Judiciary
SB 969	Ducheny, Morrow	Oppose (State Update: 4/18/05)	Would exempt a driver who is 18 years of age or older from the requirement to wear a safety helmet when riding on a motorcycle, motor-driven cycle or motorized bike, if the driver has completed a motorcycle rider training program or has held a class M1 license for two years or more and has proof of current medical insurance. Would also exempt a passenger who is 18 years of age or older from the requirement to wear a helmet if the passenger has proof of current medical insurance.	Senate Transportation
SB 1018	Simitian	Support (State Update: 4/14/05)	Would add officers and employees of financial institutions, including banks, credit unions, and savings and loans, to those designated as mandated reporters of financial abuse perpetrated against elder and dependent adults.	Senate Appropriations