



County of Los Angeles CHIEF EXECUTIVE OFFICE

Kenneth Hahn Hall of Administration
500 West Temple Street, Room 713, Los Angeles, California 90012
(213) 974-1101
<http://ceo.lacounty.gov>

WILLIAM T FUJIOKA
Chief Executive Officer

June 2, 2011

To: Mayor Michael D. Antonovich
Supervisor Gloria Molina
Supervisor Mark Ridley-Thomas
Supervisor Don Knabe
Supervisor Zev Yaroslavsky

From: William T Fujioka *William T Fujioka by WJ*
Chief Executive Officer

Board of Supervisors
GLORIA MOLINA
First District

MARK RIDLEY-THOMAS
Second District

ZEV YAROSLAVSKY
Third District

DON KNABE
Fourth District

MICHAEL D. ANTONOVICH
Fifth District

SACRAMENTO UPDATE

This memorandum contains an update on actions taken by budget subcommittees; an update on two County-sponsored bills related to initial health assessments and forensic medical evaluations for children in out-of-home care, and the County's Homeowner Notification Program; and the status of 18 County-advocacy bills and one County-interest bill.

State Budget

The Assembly and Senate Budget Subcommittees took action on the following items of interest to the County:

LEADER Replacement System. On May 24, 2011, by a vote of 5 to 0, Assembly Budget Subcommittee No. 1 on Health and Human Services rejected the Governor's May Revision proposal to indefinitely suspend the Los Angeles Eligibility, Automated Determination, Evaluation and Reporting (LEADER) replacement system for a State General Fund savings of \$26.2 million. Instead, the Committee approved a one-year delay in the development of the LEADER replacement system for a savings of \$13.0 million in FY 2011-12 and swept \$14.1 million in funding which was previously budgeted for the LEADER replacement system in FY 2010-11, but was not spent.

On May 25, 2011, by a vote of 3 to 0, Senate Budget Subcommittee No. 3 on Health and Human Services approved the budget actions taken by Assembly Budget Subcommittee No. 1 relative to the LEADER replacement system.

"To Enrich Lives Through Effective And Caring Service"

**Please Conserve Paper – This Document and Copies are Two-Sided
Intra-County Correspondence Sent Electronically Only**

In Home Supportive Services (IHSS) Program. On May 24, 2011, by a vote of 3 to 0, Assembly Budget Subcommittee No. 1 on Health and Human Services rejected the Governor's May Revision proposals to reduce Public Authorities' administration funding by \$2.2 million and to reduce IHSS county administration funding by \$4.5 million. The Committee also rejected the Governor's May Revision proposal to allocate \$10.0 million for county district attorney activities associated with the IHSS Anti-Fraud Initiative.

On May 25, 2011, Senate Budget Subcommittee No. 3 on Health and Human Services, by a vote of 2 to 1, approved the budget actions taken by Assembly Budget Subcommittee No. 1 relative to the IHSS Program.

CalWORKs Program. On May 24, 2011, by a vote of 3 to 0, Assembly Budget Subcommittee No. 1 on Health and Human Services rescinded provisions in SB 72 (Chapter 8, Statutes of 2011), the Human Services trailer bill, which enacted CalWORKs grant reductions of up to 15 percent for children who have received cash assistance for more than five years. Senate Budget Subcommittee No. 3 on Health and Human Services has not taken any action on this budget item.

Status of County-Sponsored Legislation

County-sponsored AB 652 (Mitchell), which as amended on May 10, 2011, would require the costs of the initial health assessments and forensic medical evaluations to be covered benefits under the Medi-Cal Program, the Healthy Families Program, or a licensed health plan for children placed in out-of-home care, was held on the Assembly Appropriations Committee on May 27, 2011. All health plan mandate bills will be considered in January 2012.

County-sponsored SB 62 (Liu), which would enhance the County's existing Homeowner Notification Program to authorize the County to: 1) notify homeowners and renters subject to notices of default or sale; 2) collect a fee for notification upon the recording of a notice of default or sale; and 3) use a portion of the recording fee to provide information, counseling, or assistance to a person who receives the notice, was amended on May 26, 2011.

The amendments would allow administrative costs incurred by the County Registrar-Recorder to be included as a portion of the actual costs that comprise the fee, not to exceed 10 percent of the total fee collected. The proposed amendments were requested by the Registrar-Recorder and the Department of Consumer Affairs and secured by the Sacramento advocates.

This measure is scheduled for a hearing in the Assembly Local Government Committee on June 15, 2011.

Status of County-Advocacy Legislation

County-opposed-unless-amended AB 6 (Fuentes), which as amended on April 12, 2011, would eliminate the Statewide Fingerprint Imaging System (SFIS) for cash assistance programs, change CalWORKs and CalFresh reporting requirements from a quarterly to a semi-annual reporting period, and establish a utility assistance initiative for CalFresh beneficiaries, passed the Assembly Floor by a vote of 49 to 27 on June 1, 2011. This measure now proceeds to the Senate.

County-supported AB 25 (Hayashi), which as amended on May 27, 2011, would establish policies to mitigate the risk of concussions and head injuries for students participating in athletic activities, passed the Assembly Floor by a vote of 77 to 0 on June 1, 2011. This measure now proceeds to the Senate.

County-supported AB 171 (Beall), which as amended on May 3, 2011, would require health plans issued, amended, or renewed after January 1, 2012, to include coverage for autism spectrum disorder, was held in the Assembly Appropriations Committee on May 27, 2011. All health plan mandate bills will be considered in January 2012.

County-opposed AB 341 (Chesbro), which would increase the mandatory solid waste diversion rate from 50 percent to 75 percent by January 1, 2020, passed the Assembly Floor on May 31, 2011, by a vote of 48 to 28, and now proceeds to the Senate.

County-opposed AB 375 (Skinner), which as amended on May 27, 2011, would expand the presumption of work related injuries to cover hospital employees, passed the Assembly Floor by a vote of 49 to 5 on June 1, 2011. This measure now proceeds to the Senate.

County-opposed AB 400 (Ma), which as introduced on February 14, 2011, would: 1) require employers, including In-Home Supportive Services Public Authorities, to provide paid sick days for an employee who works for seven or more days in a calendar year; 2) allow employees to accrue sick days for no less than one hour for every 30 hours worked, and 3) permit employees to use sick days beginning on the 90th calendar day of employment. This measure was held in the Assembly Appropriations Committee Suspend file due to increased costs to the State General Fund and it is now a two-year bill.

County-supported AB 402 (Skinner), which as amended on May 27, 2011, would, among other provisions: 1) authorize a school district and county office of education (COE) to enter into a memorandum of understanding with the local agency that determines CalFresh program eligibility, or its designee, to share information provided on the School Lunch Program (SLP) application to determine an applicant's CalFresh program eligibility; 2) require each county to determine CalFresh program eligibility for

children from the information provided on a SLP application; and 3) request parental consent to share information on the SLP application with the local county welfare offices to determine CalFresh eligibility, passed the Assembly Appropriations Committee by a vote of 12 to 5 on May 27, 2011. This measure now proceeds to the Assembly Floor.

County-supported AB 542 (Allen), which would increase the number of housing opportunities by expanding the number of land sites deemed suitable for residential development that can accommodate some portion of the city's or county's regional housing need by income level, passed the Assembly Floor on June 1, 2011, by a vote of 60 to 3, and now proceeds to the Senate.

County-supported AB 591 (Wieckowski), which would require well operators to provide specific information to the Division of Oil, Geothermal and Gas Resources within the Department of Conservation prior to and after drilling wells that would be used in the future to develop legislation and/or regulations to reasonably and effectively regulate hydraulic fracturing, passed the Assembly Floor on June 1, 2011, by a vote of 50 to 23, and now proceeds to the Senate.

County-opposed AB 720 (Hall), which would limit the flexibility of counties who utilize Road Commissioner Authority for work on roads and highways for more than maintenance and emergency, effectively prevent these counties from using the Uniform Public Construction Cost Accounting Act, and limit the percentage of work that can be performed for road construction and reconstruction to 20 percent of all force account work done in a county, passed the Assembly Floor on May 31, 2011, by a vote of 49 to 18, and now proceeds to the Senate.

County-supported AB 723 (Bradford), which would extend the sunset date on the Public Goods Charge (PGC) to 2016, passed the Assembly Floor on June 1, 2011, by a vote of 58 to 14, and now proceeds to the Senate. The electricity PGC is a non-bypassable surcharge imposed on all retail sales to fund public goods research, development and demonstration, and energy efficiency activities.

County-supported AB 727 (Mitchell), which as amended on May 27, 2011, would require the State to provide healthier food options in vending machines, concessions, and cafeterias located in State owned or leased buildings, passed the Assembly Floor by a vote of 49 to 26 on June 1, 2011. This measure now proceeds to the Senate.

County-opposed AB 1050 (Ma), which would require the State Board of Equalization (BOE) to convene a working group 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, passed the Assembly Appropriations Committee on May 27, 2011, with amendments, by a vote of

17 to 0. The amendments would eliminate provisions to appropriate funding to the BOE to convene the workgroup. This measure now proceeds to the Assembly Floor.

County-opposed SB 244 (Wolk), which would require a city or county to amend its general plan to address the presence of island, fringe, or legacy unincorporated communities inside or near its boundaries, and would require a city or county to take specified action related to the conditions or deficiencies within these areas and outline implementation measures to achieve the goals for eliminating or reducing the negative conditions, passed the Senate Floor on May 31, 2011, by a vote of 25 to 14, and now proceeds to the Assembly.

County-supported SB 450 (Lowenthal), which as amended on April 11, 2011, would impose restrictions and requirements on the use of Low- and Moderate-Income Housing funds by Redevelopment Agencies (RDAs), require the California Department of Housing and Community Development to conduct audits of RDAs and expand the oversight of RDA audits, passed the Senate Appropriations Committee by a vote of 8 to 0 on May 26, 2011. This measure now proceeds to the Senate Floor Special Consent Calendar.

County-opposed SB 469 (Vargas), which would require a city, county, or city and county, prior to approving or disapproving a proposed development project that would permit the construction of a superstore retailer, as defined, to cause an economic impact report to be prepared, passed the Senate Floor on May 31, 2011, by a vote of 21 to 14, and now proceeds to the Assembly.

County-supported SB 515 (Corbett), which would: 1) require battery manufacturers to submit a stewardship plan (plan) to the Department of Resources Recycling and Recovery (CalRecycle) for review; 2) prohibit a producer, wholesaler, or retailer from selling household batteries unless CalRecycle certifies the submitted plan as complete; and 3) establish progressive collection goals for household batteries of 25 percent by 2015, 45 percent by 2017, with proof of continuous meaningful improvement in the collection rate starting January 1, 2018 and after, was held on the Assembly Appropriations Committee's Suspense File on May 26, 2011. The bill was held on the suspense file due to potential costs to the State and concerns about the bill placing responsibility for batteries contained in products on the producer of the product instead of the maker of the battery.

County-supported SB 746 (Lieu), which as amended on March 22, 2011, would prohibit minors under 18 years of age from utilizing ultraviolet (UV) tanning devices, and would eliminate the option for parents to provide consent for their minor children over the age 14 from using UV tanning devices, passed the Senate Floor by a vote of 25 to 9 on June 1, 2011. This measure now proceeds to the Assembly.

Status of County-Interest Legislation

AB 1178 (Ma), as amended on May 10, 2011, would: 1) prohibit a city or county from otherwise restricting or limiting in any way the importation of solid waste into that city or county based on the place of origin, except as specified; 2) prohibit a city or county from exporting solid waste to any other jurisdiction unless the exporting city or county has implemented an approved household hazardous waste element and source reduction and recycling element, or has submitted a countywide integrated waste management plan, with which it is in compliance; and 3) authorize a city or county to assess special fees of a reasonable amount on the importation of waste from outside of the county to publicly owned or privately owned facilities.

AB 1178 includes language indicating that it does not: 1) restrict a publicly owned solid waste facility from limiting or restricting its acceptance of solid waste from outside the jurisdiction of the public agency that owns the facility; 2) require a privately owned solid waste facility or privately operated solid waste facility to accept solid waste from outside the city or county where the facility is located; and 3) prevent a city or county from exercising its land use authority, including making a zoning, permitting, or other land use determination. However, it contains intent language that indicates restrictions or limits on the importation of solid waste based on the place of origin are not aspects of solid waste handling subject to local government determination because they unreasonably limit the disposal of solid waste.

AB 1178 is supported by numerous entities, including: Burrtec Waste Industries; California Association of Sanitation Agencies; California Refuse Recycling Council; Commercial Fleet Services, Inc.; Fremont Recycling and Transfer Station; and Central Contra Costa Solid Waste Authority. It is opposed by several entities, including: California Resource Recovery Association; Californians Against Waste; San Bernardino County; Northern California Recycling Association; Sierra Club California; and StopWaste.org.

This measure passed the Assembly Floor on May 26, 2011, by a vote of 46 to 15, and now proceeds to the Senate.

We will continue to keep you advised.

WTF:RA
MR:IGEA:lm

c: All Department Heads
Legislative Strategist