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

August 18, 2014

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First District

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Second District

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Third District

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To: Supervisor Don Knabe, Chairman
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Supervisor Mark Ridley-Thomas
Supervisor Zev Yaroslavsky
Supervisor Michael D. Antonovich

From: William T Fujioka
Chief Executive Officer

**SACRAMENTO UPDATE – SENATE AND ASSEMBLY APPROPRIATIONS COMMITTEES ACTIONS**

**Executive Summary**

On August 14, 2014, the Assembly and Senate Appropriations Committees took action on over 450 measures which had been placed on the suspense file one day prior to the Legislative deadline to pass fiscal bills out of these committees. The Assembly Appropriations Committee approved 110 bills which now proceed to the Assembly Floor. The Senate Appropriations Committee approved over 200 measures which now move to the Senate Floor. Bills that were held in the committees will not move forward. Measures which were approved by the committees must now pass a floor vote and proceed to the Governor by August 31, 2014.

This memorandum contains a full report on actions taken by the Assembly and Senate Appropriations Committees on the following measures:

- **Status of County-Sponsored Legislation**
  - **County-co-sponsored AB 1607 (Fox) -** related to the process by which the county of domicile is determined for a Sexually Violent Predator being considered for conditional release from State prison, passed the Senate Appropriations Committee on August 14, 2014, and now proceeds to the Senate Floor.

- **County-sponsored SB 955 (Mitchell)** - related to wiretaps in human trafficking cases, passed the Assembly Appropriations Committee on August 14, 2014, and now proceeds to the Assembly Floor.

- **County-Advocacy Legislation.** The committees took action on 27 County-advocacy measures on issues related to: 1) distribution of condoms in State prisons; 2) veterans' designation on California drivers licenses; 3) beach fire rings; 4) agricultural inspector services; 5) inspection of community care facilities; 6) paid sick days; 7) criminal offenses for fees charged for home loan modification; 8) motion picture tax credits; 9) park and river greenways; 10) workers' compensation; 11) park maintenance; 12) the Senior Citizen and Disabled Citizens Property Tax Postponement Program; 13) the California AmeriCorps Program; 14) investigation of deaths at drug and alcohol treatment facilities; 15) peace officer disability benefits; 16) redevelopment successor agencies; 17) presumption of job-related disability benefits; 18) county veterans service officers; 19) child care and development programs; 20) single-use plastic bags; 21) public safety officer and firefighter interrogations; 22) illegal possession of firearms; 23) allocation of voter-approved tax revenue to support pension programs; 24) Mentally Ill Offender Crime Reduction grants; 25) revisions to redevelopment dissolution law; 26) labeling of shellfish; and 27) Medi-Cal records.

- **Legislation of County Interest.** The committees also took action on ten measures of significant County interest related to: 1) voters' rights; 2) collective bargaining for IHSS providers; 3) gun violence restraining orders and firearm seizure warrants; 4) CalWORKs and General Relief electronic benefit transfer fees; 5) human trafficking; 6) medical interpretation services for Medi-Cal beneficiaries; 7) certification of assessment analysts; 8) social impact partnerships pilot program for at-risk and foster children; 9) firearms identification; and 10) licensing of medical marijuana facilities.

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Below is a report on specific actions taken by the Appropriation Committees on County-sponsored bills, County-advocacy measures, and legislation of significant interest to the County.

**Appropriation Committees Actions on County-Sponsored Legislation**

**County-co-sponsored AB 1607 (Fox),** which as amended on July 2, 2014, would clarify the process by which the county of domicile is determined for a Sexually Violent

Predator being considered for conditional release from State prison. As amended, AB 1607 would require the county or counties alleged to be the county of domicile to be given notice of the domicile hearing. Once domicile has been established, AB 1607 would authorize the designated attorney of the county of domicile and the designated attorney for the county of commitment to mutually agree that the designated attorney for the county of domicile will represent the State at the conditional release hearing. In addition, the bill would specify that the person who is conditionally released would be placed in the county of domicile prior to his/her incarceration, unless the designated county of placement was given prior notice and an opportunity to comment on the proposed placement. SB 1607 passed the Senate Appropriations Committee by a vote of 5 to 0. This measure now proceeds to the Senate Floor.

**County-sponsored SB 955 (Mitchell),** which as introduced on February 6, 2014, would add human trafficking to the list of offenses for which interception of electronic communications (wiretaps) may be ordered, passed the Assembly Appropriations Committee by a vote of 17 to 0. This measure now proceeds to the Assembly Floor.

**Appropriations Committees Actions on County-Advocacy Legislation**

**County-supported AB 966 (Bonta),** which as amended on January 6, 2014, would require the California Department of Corrections and Rehabilitation to develop a five-year plan to extend the availability of condoms in all California prisons, passed the Senate Appropriations Committee, by a vote of 5 to 0.

**County-supported AB 935 (Frazier),** which as amended on August 5, 2014, would allow an applicant for a California driver's license or identification card to request that the driver's license or identification card be printed with the word "VETERAN" subject to verification of the applicant's veteran status, passed the Senate Appropriations Committee by a vote of 5 to 0.

**County-supported AB 1102 (Allen and Quirk-Silva),** which as amended on August 4, 2014, would require a city or county to apply for a Coastal Development Permit in order to remove or restrict the use of a beach fire ring and would declare that these provisions are declaratory of existing law, among other provisions, was held in the Senate Appropriations Committee, and will not proceed this year.

**County-opposed AB 1175 (Bocanegra),** which as amended on March 13, 2014, would prohibit the California Secretary of Food and Agriculture from entering into a cooperative agreement with Los Angeles County for agricultural inspector services, unless a currently unspecified percent of the agricultural inspector associates not afforded protections as permanent employees employed under these cooperative

agreements are afforded protections as permanent County employees, passed Senate Appropriations Committee by a vote of 5 to 1.

**County-supported AB 1454 (Calderon),** which as amended on May 23, 2014, would: 1) make community care facilities subject to an annual unannounced visit by the California Department of Social Services (CDSS) on and after July 1, 2017; and 2) require CDSS to conduct annual unannounced visits to no less than 30 percent of facilities, instead of the 20 percent under current law, on or before July 1, 2015, and no less than 20 percent of those facilities on or before July 1, 2016, among other provisions, was held in the Senate Appropriations Committee, and will not proceed this year.

**County-opposed AB 1522 (Gonzalez),** which as amended on June 15, 2014, would require employers, beginning July 1, 2015, to provide paid sick days to employees who work 30 or more days in a calendar year, passed the Senate Appropriations Committee by a vote of 5 to 0.

**County-supported AB 1730 (Wagner),** which as amended on June 5, 2014, would give prosecutors the discretion to charge persons and/or entities who demand advance fees to purportedly assist with home loan modifications with a felony rather than a misdemeanor, passed the Senate Appropriations Committee by a vote of 5 to 0.

**County-supported AB 1839 (Gatto and Bocanegra),** which as amended on July 2, 2014, would extend qualified motion picture tax credits for the period from July 1, 2016 through June 30, 2021, and increase the amount of tax credits for a qualified motion picture to the applicable percentage of qualified expenditures up to $100.0 million, among other provisions, passed the Senate Appropriations Committee by a vote of 5 to 0, with amendments.

**County-supported AB 1922 (Gomez),** which as amended on June 18, 2014, would: 1) enact the Greenway Development and Sustainment Act, which is intended to promote the development of greenways along rivers in the State through public and private partnerships (including the development of a greenway along the Los Angeles River); 2) define "greenway" to meet specified requirements for landscaping and adjacency to an urban waterway; and 3) require that public or private lands (or a combination thereof) where public access to those lands for greenway purposes has been legally authorized by the fee owner and, if applicable, the operator of any facility or improvement located on the land, through leases, easements, or other agreements, was held in the Senate Appropriations Committee, and will not proceed this year.

**County-opposed AB 2052 (Gonzalez),** which as amended on April 8, 2014, would extend certain workers' compensation presumptions to all employees that fall under the statutory definition of peace officer, passed the Senate Appropriations Committee by a vote of 5 to 0.

**County-supported AB 2150 (Rendon),** which as amended on August 4, 2014, would require the California Department of Parks and Recreation to: 1) identify and develop a priority list of deferred State park maintenance projects; 2) apply specified factors when prioritizing and identifying deferred State park maintenance projects; and 3) extend the prohibition against closing or proposing to close a State park through FY 2014-15, passed the Senate Appropriations Committee, by a vote of 5 to 0, with amendments.

**County-supported AB 2231 (Gordon, Levine, Patterson),** which as amended on August 4, 2014, would: 1) reinstate the Senior Citizens and Disabled Citizens Property Tax Postponement (PTP) Program to provide for deferment of property taxes for qualified seniors and disabled persons; 2) establish the Senior Citizens and Disabled Citizens PTP Fund (Fund) to pay the administrative costs and disbursements related to the postponement of property taxes for eligible applicants; 3) require PTP loan payments and funds resulting from the voluntary sale of a property that has a lien to be deposited directly into the Fund; and 4) require the State Controller to provide county tax collectors with information required to prepare for and enforce the sale of tax-defaulted property, subject to the request of county tax collectors and their certification, among other provisions, passed the Senate Appropriations Committee, by a vote of 5 to 0, with amendments.

**County-supported AB 2328 (Pérez),** which as amended on June 9, 2014, would establish the California AmeriCorps Program to administer Federal AmeriCorps Program grants to recruit, train, and place volunteers in community settings and to provide student loan assistance for the volunteers, passed the Senate Appropriations Committee by a vote of 5 to 0.

**County-supported AB 2374 (Mansoor),** which as amended on July 1, 2014, would: 1) require the California Department of Health Care Services (DHCS) to design its death investigation policy to ensure that the death of a resident of a licensed alcoholism or drug abuse recovery and treatment facility is addressed and investigated by DHCS in a timely manner; 2) specify the content of required telephonic and written reports of resident deaths occurring in a licensed facility; and 3) prohibit DHCS from approving a certifying organization that does not, prior to registering or certifying an individual, contact other department-approved certifying organizations to determine whether the individual has ever had his or her registration or certification revoked, passed the Senate Appropriations Committee, by a vote of 5 to 0, with amendments.

**County-opposed AB 2378 (Perea),** which as amended on May 23, 2014, would allow the payment of Labor Code 4850 disability benefits, special leaves of absence without loss of pay benefits, to certain peace officers in addition to the maximum benefits allowed for temporary disability payments, passed the Senate Appropriations Committee by a vote of 5 to 0.

**County-opposed AB 2493 (Bloom),** which as amended on July 1, 2014, would: 1) authorize a redevelopment successor agency or housing successor entity to designate the use of, and commit, proceeds from indebtedness that was issued for affordable housing or redevelopment purposes prior to June 28, 2011; and 2) require the proceeds from bonds issued between January 1, 2011 and June 28, 2011, be used for projects meeting certain criteria established in this bill, to be funded by successor agencies, generally, from proceeds of bonds issued during the same period, passed the Senate Appropriations Committee, by a vote of 5 to 1, with amendments.

**County-opposed AB 2616 (Skinner),** which as amended on April 29, 2014, would expand the presumption of job-related injuries to cover hospital employees for methicillin-resistant staphylococcus aureus, passed the Senate Appropriations Committee by a vote of 5 to 0.

**County-supported AB 2703 (Quirk-Silva),** which as amended on August 4, 2014, would require the California Department of Veterans Affairs, no later than January 1, 2015, to develop an allocation formula based upon performance to encourage innovation and reward outstanding service by county veterans service officers (CVSOs) and would continuously appropriate $6.0 million from the State General Fund for specified disbursement to counties to fund the activities of CVSOs, was held in the Senate Appropriations Committee, and will not proceed this year.

**County-supported SB 192 (Liu),** which as amended on June 18, 2014, would: 1) redefine center-based child care and development programs as direct early learning programs; 2) consolidate contracts for direct early learning programs; 3) require child care agencies to provide families with consumer education; and 4) make other changes to reflect existing practices and qualitative measures, was held in the Assembly Appropriations Committee, and will not proceed this year.

**County-support-and-amend SB 270 (Padilla),** which as amended on May 20, 2014, would: 1) phase out single-use plastic bags in California grocery stores, convenience stores, liquor stores, and pharmacies by prohibiting them from providing a single-use carryout bag to a customer; 2) prohibit these stores from selling or distributing a recycled paper bag at the point-of-sale unless the store makes that bag available for purchase for not less than ten cents ($0.10); 3) allow a city, county or other local public

agency that has adopted an ordinance, resolution, regulation, or rule relating to reusable grocery bags, single-use carryout bags, or recycled paper bags before September 1, 2014 to continue to enforce and implement that ordinance; and 4) include reusable plastic bag standards that are comparable to the County's standards, passed the Assembly Appropriations Committee, by a vote of 10 to 2, with amendments.

**County-opposed SB 388 (Lieu),** which as amended on January 17, 2014, would provide that when a public safety officer or firefighter is subject to interrogation, but not formally under investigation, in a matter that may result in punitive action against a public safety officer or firefighter, he or she is entitled to representation, passed the Assembly Appropriations Committee by a vote of 17 to 0.

**County-supported SB 580 (Leno),** which as amended on June 12, 2014, would appropriate $5.0 million from the Firearms Safety and Enforcement Special Fund to the California Department of Justice for FY 2014-15 to contract with local law enforcement agencies to reduce the backlog of individuals who are identified by the Armed Prohibited Persons System as illegally possessing firearms, was held in the Assembly Appropriations Committee, and will not proceed this year.

**County-supported SB 663 (Lara),** which as amended on June 30, 2014, would require that beginning in FY 2014-15 any revenue generated and collected from a voter-approved property tax rate to support pension programs must be allocated to the city, county, or city and county whose voters approved the tax, was held in the Assembly Appropriations Committee, and will not proceed this year.

**County-supported SB 1054 (Steinberg),** which as amended on June 23, 2014, would reinstate the Mentally Ill Offender Crime Reduction grant program, passed the Assembly Appropriations Committee by a vote of 12 to 0, with amendments.

**County-oppose-unless-amended SB 1129 (Steinberg),** which as amended on May 27, 2014, would: 1) authorize a successor agency, if it has received a Finding of Completion from the Department of Finance (DOF), to enter into or amend existing contracts and agreements, or otherwise administer projects in connection with enforceable obligations, if the contract, agreement, or projects will not commit new property tax funds or otherwise adversely affect the flow of tax revenues or payments to the taxing agencies; 2) include within the definition of "enforceable obligation" an agreement entered into between the redevelopment agency prior to June 30, 2011, if the agreement relates to State highway infrastructure improvements to which the redevelopment agency committed funds; 3) authorize a successor agency to use proceeds from bonds issued during the 2011 calendar year, upon approval of the oversight board, if the use of those bond proceeds is consistent with the sustainable

communities strategy adopted by the Metropolitan Planning Organization (MPO); 4) specify that a compensation agreement between taxing entities is not required for the disposition of properties pursuant to a long-range property management plan (LRPMP) and prohibit DOF from requiring compensation agreements as part of the approval of a LRPMP; 5) specify that DOF shall only consider whether the LRPMP makes a good faith effort to inventory all the properties and also addresses the use or disposition of all the properties; and 6) delete the requirement that DOF approve a LRPMP by January 1, 2015, and instead, require DOF to approve the LRPMPs as expeditiously as possible, among other provisions, passed the Assembly Appropriations Committee by a vote of 12 to 2, with amendments.

**County-supported SB 1138 (Padilla),** which as amended on June 24, 2014, would require: 1) any label of fresh, frozen, or processed fish or shellfish, wild or farm raised, offered for sale at wholesale or retail to clearly identify specified information, including the species of fish or shellfish by its common name; and 2) retail food facilities that sell or offer for sale any fresh, frozen, or processed fish or shellfish, wild or farm raised, to identify, at the point of sale, the species of fish or shellfish by its common name, passed the Assembly Appropriations Committee by a vote of 13 to 4, with amendments.

**County-supported SB 1341 (Mitchell),** which as amended on May 6, 2014, would codify the existing agreement between the Brown Administration, Covered California, and counties regarding the respective roles of the Statewide Automated Welfare System (SAWS) and the California Healthcare Eligibility, Enrollment, and Retention System (CalHEERS); and require SAWS to be the system of record for the Medi-Cal Program and contain all Medi-Cal eligibility rules and case management functionality, among other provisions, passed the Assembly Appropriations Committee by a vote of 17 to 0.

**Appropriations Committees Actions on Legislation of County Interest**

**AB 280 (Alejo),** as amended on June 18, 2014, would subject specified political subdivisions, including counties, cities, and school districts, to State preclearance of changes to voting-related laws and procedures, including any changes to at-large elections, jurisdiction boundaries, redistricting, voting locations, and/or multilingual voting materials, was held in the Senate Appropriations Committee, and will not proceed this year.

**AB 485 (Gomez),** which as amended on February 18, 2014, would: 1) expand the current In-Home Supportive Services (IHSS) Statewide Authority to assume responsibility for collective bargaining with unions representing IHSS providers in all 58 counties effective January 1, 2015, instead of the eight counties currently

participating in the Coordinated Care Initiative (CCI) Demonstration Project; 2) de-link the IHSS Statewide Authority from the implementation of the CCI Demonstration Project so that the Authority is permanent regardless of what happens with the CCI; and 3) de-link the CCI from the existing county IHSS Maintenance of Effort funding structure; among other provisions, passed the Assembly Appropriations Committee, with concurrence of Senate amendments, by a vote of 12 to 4.

**AB 1014 (Skinner and Williams),** which as amended on August 4, 2014, would establish a procedure to obtain a gun violence restraining order and a firearm seizure warrant when a person poses a significant risk of personal injury to himself or herself, or others, by possessing a firearm. This measure would authorize a law enforcement officer, or immediate family member, to seek a court to issue a gun violence restraining order, as specified, prohibiting a person from having in his or her custody or control, owning, purchasing, possessing or receiving any firearms or ammunition. AB 1014 passed the Senate Appropriations Committee by a vote of 5 to 0.

**AB 1614 (Stone),** which as amended on August 4, 2014, would require counties to inform recipients of CalWORKs and General Assistance/General Relief of various information provided by the California Department of Social Services, including the methods of electronic delivery of benefits available and the applicable charges, fees, or surcharges associated with each method and how to withdraw benefits without incurring these, among other provisions, passed the Senate Appropriations Committee, with amendments which are not yet in print, by a vote of 5 to 0.

**AB 2035 (Chesbro),** which as amended on July 1, 2014, would provide that a minor may become a dependent child of the court if the minor is a victim of human trafficking, sexual exploitation, received food or shelter in exchange for sexual acts; enact a State Plan to Serve and Protect Sexually Exploited and Trafficked Minors and require the California Health and Human Services Agency to, no later than January 30, 2015, convene an interagency workgroup to develop the plan, among other provisions, passed the Senate Appropriations Committee, by a vote of 5 to 0, with clarifying amendments which are not yet in print.

**AB 2325 (Pérez),** which as amended on June 12, 2014, would require the California Department of Health Care Services to establish the Medi-Cal Patient-Centered Communication Program to provide and reimburse medical interpretation services for Medi-Cal beneficiaries who are limited English proficient, and grant collective bargaining rights to the interpreters, passed the Senate Appropriations Committee by a vote of 5 to 0.

**AB 2756 (Committee on Revenue and Taxation),** which as amended on August 5, 2014 would: 1) require the State Board of Equalization to establish an assessment analyst certification program for State, county, or city and county assessor/assessment analysts; and 2) establish procedures related to the availability of a biodiesel tax refund/reimbursement to persons who have paid such a tax, passed the Senate Appropriations Committee by a vote of 6 to 0.

**SB 593 (Lieu),** which as amended on July 2, 2014, would: 1) authorize the Governor to enter into at least three pay-for-success social impact partnerships, each fiscal year before December 31, 2019, to address particular components of State programs to improve outcomes or lower State costs, to reduce recidivism and child abuse and neglect, or to assist at-risk and foster children, provided that the social impact partnership is not used to operate entire State programs; 2) require a pay-for-success contract for a social impact partnership to be submitted to the Legislature as part of the Governor's proposed budget, and any funding necessary for that fiscal year to be included in the Governor's proposed budget; and 3) sunset the bill's provisions by January 1, 2020, among other provisions. SB 593 passed the Assembly Appropriations Committee by a vote of 17 to 0, with amendments which are not yet in print.

**SB 808 (Leno),** which as amended on August 4, 2014, would establish a process to create a permanent identifier for 3-D plastic printer guns and other guns lacking a distinguishing mark. This measure would require a person, by July 1, 2016, to apply for and obtain from the Department of Justice a unique number or other distinguishing mark prior to manufacturing or assembling a gun. SB 808 passed the Assembly Appropriations Committee by a vote of 12 to 5.

**SB 1262 (Correa),** which as amended on May 7, 2014, would require the California Department of Public Health to license marijuana dispensing facilities, cultivation sites, and processing facilities, was held in the Assembly Appropriations Committee, and will not proceed this year.

We will continue to keep you advised.

WTF:RA
MR:VE:IGEA:ma

c: All Department Heads
Legislative Strategist