



County of Los Angeles CHIEF EXECUTIVE OFFICE

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February 24, 2016

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From: Sachi A. Hamai
Chief Executive Officer

SACRAMENTO UPDATE - STATUS OF COUNTY-SPONSORED LEGISLATION

Executive Summary

This memorandum is to provide the status of three legislative proposals for County sponsorship that the Sacramento advocates will pursue in the second year of the 2015-16 Legislative Session. Two proposals are recommendations by this office and county departments, and one proposal is the result of a Board motion.

This update also provides a report on a proposal related to hours of service for truck drivers which will be pursued administratively, and a proposal related to biomass conversion which will not be pursued because the Sacramento advocates were unable to secure an interested author. The deadline for bill introduction was February 19, 2016. Each proposal is discussed below.

County-Sponsored Legislation

AB 2765 (Weber) - Elimination of the Timeframe for Petitioning for Resentencing under Proposition 47. Proposition 47 of 2014, the Safe Neighborhoods and Schools Act, reduced certain non-serious and non-violent drug and property offenses from felonies to misdemeanors. The measure allows resentencing to misdemeanors for persons previously convicted of felony sentences for these offenses. Petitions for resentencing under Proposition 47 must be filed by November 2017.

The Public Defender and the Alternate Public Defender note that individuals serving time for offenses eligible for resentencing at the time Proposition 47 was approved have already been resentenced. However, resentencing persons with older records continues indefinitely. Repealing or extending the timeline to petition for resentencing

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Each Supervisor
February 24, 2016
Page 2

would allow county public defenders time to assist more potential petitioners. Further, an extended petition time frame would allow individuals with older records sufficient opportunity to reclassify their convictions, providing them better access to jobs, housing, and other support services that promote successful re-integration into their communities.

As introduced on February 19, 2016, AB 2765 would eliminate the time period for individuals to petition for resentencing of specified felonies to misdemeanors pursuant to Proposition 47 of 2014. The County is co-sponsoring this measure with Californians for Safety and Justice, the sponsors of Proposition 47, and the San Diego District Attorney, Bonnie M. Dumanis. This measure is currently pending referral to a committee.

SB 1008 (Lara) - Extension of the Los Angeles Regional Interoperable Communications System (LA-RICS) Project's CEQA Exemption. The LA-RICS Project will provide a critical public safety communications system for first responders in the County to help protect its over 10 million residents. The system will provide direct communication interoperability between law enforcement, fire, and Federal, State and military agencies in emergencies and major disasters, such as floods, fires, earthquakes, and terrorists incidents.

County-supported AB 1486 (Chapter 690, Statutes of 2012), provides LA-RICS with an exemption from the California Environmental Quality Act (CEQA) requirements only to sites that are on publicly-owned land (i.e. police and sheriff stations), which already contain antenna support structures and related infrastructure, and sites that are not located on environmentally sensitive areas. This exemption expires on December 31, 2016. The LA-RICS Authority indicates that an extension of the current CEQA exemption for three additional years, until January 1, 2020, is needed to continue to build out the Long Term Evolution broadband system and the Land Mobile Radio system of the LA-RICS Project.

As introduced on February 11, 2016, SB 1008 would provide an extension of the LA-RICS project's current CEQA from January 1, 2017 until January 1, 2020. The County is co-sponsoring this measure with the Los Angeles County Sheriff's Department. This measure is currently pending referral to a committee.

SB 1342 (Mendoza) - Subpoenas to Investigate Wage Theft. (Board Action - November 17, 2015) On November 17, 2015, the Board adopted a package of proposals related to wage theft enforcement in which the Board directed this office to collaborate with the Department of Consumer and Business Affairs (DCBA) and County

Each Supervisor
February 24, 2016
Page 3

Counsel to pursue legislation which would authorize DCBA, after legal review from County Counsel, to directly issue administrative subpoenas to investigation allegations of wage theft.

As introduced on February 19, 2016, SB 1342 would authorize a board of supervisors or a city council to delegate its subpoena authority to a county or city officer or department head for the purpose of investigating allegations of wage theft. This measure is currently pending referral to a committee.

County-Sponsored Legislative Proposal Being Pursued Administratively

Hours of Service for Truck Drivers. This office intended to pursue County-sponsored legislation, requested by the Department of Public Works, to amend the Vehicle Code to exempt employees, under the direction of a county road commissioner, a chief engineer, or a county engineer, from the limits on the maximum hours of driving time during an emergency to: 1) maintain, restore, or reopen public roads; 2) maintain or restore public infrastructure; or 3) restore or provide essential public services. However, in discussing this proposal with the California Highway Patrol (CHP), the Sacramento advocates learned that the CHP intends to propose a rule change to the California Code of Regulations which would allow these types of exemptions during emergencies for public works agencies. The CHP intends to propose the rule change in the coming weeks, after which public hearings will be held. If the rule change is adopted, it would go into effect later this year.

Other Legislative Proposals

Definition of Biomass Conversion Technologies. This office intended to pursue County-sponsored legislation, recommended by the Department of Public Works, to amend the Public Resources Code to add by-product or residue from composting to the list of allowable biomass conversion feedstock. The Sacramento advocates were unable to secure an interested author, and we will pursue this legislative proposal in 2017.

We will continue to keep you advised.

SAH:JJ:MR
VE:IGEA:ma

c: All Department Heads
Legislative Strategist