



# SOLANO COUNTY

## Legislative Committee Meeting

Committee  
Supervisor Linda J. Seifert (Chair)  
Supervisor Erin Hannigan

Staff  
Michelle Heppner

**April 18, 2016**  
**1:30 p.m.**

**Solano County Administration Center  
Sixth Floor Conference Center, Room 6003  
675 Texas Street  
Fairfield, CA 94533**

### ***AGENDA***

- I. **Public Comment** (Items not on the agenda)
- II. **Discussion of Federal Bills and consider making a recommendation (Waterman & Associates)**
  - Fiscal year 2017 budget and appropriations update
  - FY17 Energy and Water bill
  - Drought bill update
  - FAA reauthorization
  - NACo request to CMS to consider Medicaid in jails waiver
- III. **Update from Solano County Legislative Delegation (Legislative representatives)**

Updates to include attached Bill List (Page 2)
- IV. **Report on State Budget and Legislation and consider making a recommendation for a position on legislation (Paul Yoder)**

Fairs  
[AB 2678](#) (Gray D) State-designated fairs: funding. (Page 20)  
Current Analysis: 04/08/2016 [Assembly Revenue And Taxation \(text 2/19/2016\)](#) (Page 24)

Technology  
[AB 1758](#) (Stone, Mark D) Telecommunications: California Advanced Services Fund. (Page 30)

Solano County 2016 Bill List (Page 40)
- IV. **Adjourn**

## Solano State Legislative Delegation By Author

### Wolk, Lois

Bill ID/Topic	Location	Summary
<a href="#">SB 7</a> <a href="#">Wolk D</a>  Housing: water meters: multiunit structures.	1/1/2016-A. UNFINISHED BUSINESS 1/1/2016-Set for Hearing.	Existing law generally regulates the hiring of dwelling units and, among other things, imposes certain requirements on landlords and tenants. Among these requirements, existing law requires landlords to provide tenants with certain notices or disclosures pertaining to, among other things, pest control and gas meters. This bill would express the intent of the Legislature to encourage the conservation of water in multifamily residential rental buildings through means either within the landlord's or the tenant's control, and to ensure that the practices involving the submetering of dwelling units for water service are just and reasonable, and include appropriate safeguards for both tenants and landlords. This bill contains other related provisions and other existing laws.
<a href="#">SB 554</a> <a href="#">Wolk D</a>  Delta levee maintenance.	1/27/2016-A. DESK 1/27/2016-In Assembly. Read first time. Held at Desk.	Existing law establishes a delta levee maintenance program pursuant to which a local agency may request reimbursement for costs incurred in connection with the maintenance or improvement of project or nonproject levees in the Sacramento-San Joaquin Delta. Existing law declares legislative intent to reimburse eligible local agencies under this program, until July 1, 2018, in an amount not to exceed 75% of those costs that are incurred in excess of \$1,000 per mile of levee. Existing law, until July 1, 2018, authorizes the board to provide funds to an eligible local agency under this program in the form of an advance in an amount that does not exceed 75% of the estimated state share. Existing law, on and after July 1, 2018, declares the intent of the Legislature to reimburse eligible local agencies under this program in an amount not to exceed 50% of those costs that are incurred in any year for the maintenance and improvement of levees. This bill would declare legislative intent to reimburse up to 75% of those costs incurred in any year for the maintenance or improvement of levees in excess of \$1,000 per mile of levee and would authorize the board to advance funds in an amount that does not exceed 75% of the estimated state share to an eligible local agency.
<a href="#">SB 683</a> <a href="#">Wolk D</a>  Alcoholic beverage licenses: nonprofit organizations.	3/17/2016-A. RLS. 3/17/2016-Re-referred to Com. on RLS. pursuant to Assembly Rule 96.	Existing law, the Alcoholic Beverage Control Act, regulates the application for, the issuance of, the suspension of, and the conditions imposed upon, various alcoholic beverage licenses pursuant to which the licensees may exercise specified privileges in the state. Existing law authorizes the specified licenses to nonprofit organizations, as provided. This bill would authorize the Department of Alcoholic Beverage Control to issue an onsale or offsale retail license to a nonprofit organization.
<a href="#">SB 746</a> <a href="#">Wolk D</a>  Olive Oil Commission of California: chair of advisory committee.	3/17/2016-A. RLS. 3/17/2016-Re-referred to Com. on RLS. pursuant to Assembly Rule 96.	Existing law provides for the establishment of an advisory committee to advise the board of directors of the Olive Oil Commission of California, as specified, and provides that the chair of the advisory committee shall be an ex officio member of the commission board of directors. This bill would instead require the chair of the advisory committee to be a member, rather than an ex officio member, of the commission board of directors. The bill would also require the chair of the advisory committee to designate an alternate advisory committee member to serve in the chair's absence.

Bill ID/Topic	Location	Summary
<p><a href="#">SB 885</a> <a href="#">Wolk D</a></p> <p>Construction contracts: indemnity.</p>	<p>1/28/2016-S. JUD. 1/28/2016-Referred to Com. on JUD.</p>	<p>Existing law makes specified provisions in construction contracts void and unenforceable, including provisions that purport to indemnify the promisee against liability for damages for death or bodily injury to persons, injury to property, or any other loss arising from the sole negligence or willful misconduct of the promisee or the promisee's agents who are directly responsible to the promisee, or for defects in design furnished by those persons. This bill would specify, for construction contracts entered into on or after January 1, 2017, that a design professional, as defined, only has the duty to defend claims that arise out of, or pertain or relate to, negligence, recklessness, or willful misconduct of the design professional. Under the bill, a design professional would not have a duty to defend claims against any other person or entity arising from a construction project, except that person or entity's reasonable defense costs arising out of the design professional's degree of fault, as specified. The bill would prohibit waiver of these provisions and would provide that any clause in a contract that requires a design professional to defend claims against other persons or entities is void and unenforceable. The bill would provide Legislative findings and declarations in support of these provisions.</p>
<p><a href="#">SB 1006</a> <a href="#">Wolk D</a></p> <p>Firearm Violence Research Center.</p>	<p>4/11/2016-S. PUB. S. 4/11/2016-From committee with author's amendments. Read second time and amended. Re-referred to Com. on PUB. S.</p>	<p>Existing law establishes and funds various research centers and programs in conjunction with the University of California. This bill would enact the California Firearm Violence Research Act. The bill would declare the intent of the Legislature that the Regents of the University of California establish the California Firearm Violence Research Center to research firearm-related violence. The bill would declare legislative intent regarding the principles by which the university would administer the center and award research funds, as prescribed. The bill would require the university to report, on or before December 31, 2017, and every 5 years thereafter, specified information regarding the activities of the center and information pertaining to research grants. The bill would require the center and the grant recipients to provide copies of their research publications to the Legislature and specified agencies. The bill would specify that its provisions would apply to the university only to the extent that the regents, by resolution, make any of the provisions of the bill applicable to the university.</p>
<p><a href="#">SB 1119</a> <a href="#">Wolk D</a></p> <p>Surplus state property: Napa County Regional Park and Open Space District.</p>	<p>4/12/2016-S. APPR. 4/12/2016-From committee: Do pass and re-refer to Com. on APPR. (Ayes 9. Noes 3.) (April 12). Re-referred to Com. on APPR.</p>	<p>Existing law authorizes the Director of General Services to sell or exchange, at fair market value based upon an appraisal approved by the Department of General Services, all or part of a specified parcel of state property only to the County of Napa upon those terms, conditions, reservations, and exceptions the director determines are in the best interest of the state, by January 1, 2015, and subject to other requirements. Existing law requires reimbursement of the Department of General Services for any cost or expense incurred in the disposition of the property from the proceeds of the disposition of the property. Existing law requires the proceeds from this sale to be deposited in the Deficit Recovery Bond Retirement Sinking Fund Subaccount until the bonds associated with this subaccount are finally paid. This bill would apply the authorization described above to apply to the Napa County Regional Park and Open Space District instead of Napa County and would extend the period within which the sale described above may be made to January 1, 2021. The bill would revise the reference to the Deficit Recovery Bond Retirement Sinking Fund Subaccount, given that the principal and interest on the bonds have been provided and no more bonds are outstanding. Consistent with requirements of the California Constitution, the bill would direct that proceeds be paid into the Special Fund for Economic Uncertainties, which is continuously appropriated. By depositing money in a continuously appropriated fund, the bill would make an appropriation. This bill contains other related provisions.</p>

Bill ID/Topic	Location	Summary
<p><a href="#">SB 1120</a> <a href="#">Wolk D</a></p> <p>Director of General Services: Medical Facility at Vacaville: lease.</p>	<p>4/12/2016-S. APPR. 4/12/2016-From committee: Do pass and re-refer to Com. on APPR. with recommendation: To consent calendar. (Ayes 12. Noes 0.) (April 12). Re-referred to Com. on APPR.</p>	<p>Existing law authorizes the Director of General Services to lease specified property located within the Medical Facility at Vacaville to a nonprofit corporation for the purpose of conducting an educational and work program for persons with intellectual disabilities consistent with specified requirements. This bill would authorize the director to lease property to a public entity under the same terms. The bill would authorize the lease to be renewed for a term not exceeding 50 years.</p>
<p><a href="#">SB 1274</a> <a href="#">Wolk D</a></p> <p>University of California: Innovation Acceleration Fund.</p>	<p>3/3/2016-S. RLS. 3/3/2016-Referred to Com. on RLS.</p>	<p>Existing law establishes the University of California, under the administration of the Regents of the University of California, as one of the segments of public postsecondary education in this state. This bill would express the Legislature's intent to enact legislation to create an Innovation Acceleration Fund at the University of California to apply existing research efforts to solving California's most pressing public policy issues and to establish a robust innovation infrastructure at its campuses to accelerate local economic development and job creation.</p>
<p><a href="#">SB 1317</a> <a href="#">Wolk D</a></p> <p>Conditional use permit: groundwater extraction facility.</p>	<p>4/12/2016-S. GOV. &amp; F. 4/12/2016-From committee: Do pass and re-refer to Com. on GOV. &amp; F. (Ayes 6. Noes 2.) (April 12). Re-referred to Com. on GOV. &amp; F.</p>	<p>The California Constitution requires the reasonable and beneficial use of water and that the conservation of the water resources of the state is to be exercised with a view to the reasonable and beneficial use of the water in the interest of the people and for the public welfare. Existing law, the Sustainable Groundwater Management Act, requires all groundwater basins designated as high- or medium-priority basins by the Department of Water Resources that are designated as basins subject to critical conditions of overdraft to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans by January 31, 2020, and requires all other groundwater basins designated as high- or medium-priority basins to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans by January 31, 2022, except as specified. This bill, by July 1, 2017, would require a city or county overlying a basin designated as a high- or medium-priority basin to establish a process for the issuance of conditional use permits for the development of a groundwater extraction facility in order to prevent a new groundwater extraction facility from contributing to or creating an undesirable result, as prescribed. By increasing the duties of cities and counties, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.</p>
<p><a href="#">SB 1318</a> <a href="#">Wolk D</a></p> <p>Local government: drinking water infrastructure or services: wastewater infrastructure or services.</p>	<p>4/12/2016-S. E.Q. 4/12/2016-Read second time and amended. Re-referred to Com. on E.Q.</p>	<p>The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 governs the procedures for the formation and change of organization of cities and special districts. This bill would extend that prohibition to an annexation to a qualified special district. The bill would define "qualified special district" to mean a special district with more than 500 service connections that provides drinking water or wastewater services. This bill contains other related provisions and other existing laws.</p>

Bill ID/Topic	Location	Summary
<p><a href="#">SB 1340</a> <a href="#">Wolk D</a></p> <p>Water Conservation in Landscaping Act.</p>	<p>4/13/2016-S. THIRD READING 4/13/2016-Read second time. Ordered to third reading.</p>	<p>Existing law, the Water Conservation in Landscaping Act, requires the Department of Water Resources to update a specified model water efficient landscape ordinance by regulation and prescribes various requirements for the updated model ordinance. Existing law requires each local agency to adopt either the updated model water efficient landscape ordinance or an ordinance that is at least as effective in conserving water as the updated model ordinance. If the local agency does not make a selection, the model ordinance shall apply within the jurisdiction of the local agency. The bill would add to the model water efficient landscape ordinance a permit requirement for the installation or replacement of specified automatic irrigation systems, or the expansion of the same specified automatic irrigation systems to increase the irrigated area by 25% or more, for a landscape project on or after July 1, 2018. The bill would allow the governing body of a local agency to adopt an ordinance prescribing fees for filing an application for the permit, subject to the restrictions that the fees not exceed the amount reasonably required to review applications and issue the permits and that the fees not be levied for general revenue purposes.</p>
<p><a href="#">SB 1350</a> <a href="#">Wolk D</a></p> <p>Agricultural lands: greenhouse gases: Healthy Soils Program.</p>	<p>4/6/2016-S. AGRI. 4/12/2016-Set for hearing April 19.</p>	<p>The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The act authorizes the state board to include in its regulations the use of market-based compliance mechanisms. Existing law requires all moneys, except for fines and penalties, collected by the State Air Resources Board from the auction or sale of allowances as part of a market-based compliance mechanism to be deposited in the Greenhouse Gas Reduction Fund and to be available upon appropriation by the Legislature. Existing law requires the State Air Resources Board to develop guidance on reporting and quantification methods for state agencies receiving an appropriation from the Greenhouse Gas Reduction Fund. This bill would change the number of members on the panel from 5 to 7 members and would require that the secretary appoint 5 members, instead of 3, of these members. The bill would require that, of the members appointed by the secretary, at least 2 members, instead of one, have a minimum of 5 years of training and experience in the field of agriculture, and at least one member have training and experience in on-farm management practices that reduce greenhouse gas emissions, sequester carbon, or both. This bill contains other related provisions and other existing laws.</p>
<p><a href="#">SB 1386</a> <a href="#">Wolk D</a></p> <p>Resource conservation: working and natural lands.</p>	<p>4/6/2016-S. APPR. 4/6/2016-From committee: Do pass and re-refer to Com. on APPR. (Ayes 6. Noes 0. Page 3419.) (April 6). Re-referred to Com. on APPR.</p>	<p>The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The act requires all state agencies to consider and implement strategies to reduce their greenhouse gas emissions. This bill would declare it to be the policy of the state that the protection and management of natural and working lands, as defined, is a key strategy in meeting the state's greenhouse gas reduction goals, and would require all relevant state agencies, departments, boards, and commissions to consider this policy when revising, adopting, or establishing policies, regulations, expenditures, or grant criteria relating to the protection and management of natural and working lands.</p>

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<p><a href="#">SB 1396</a> <a href="#">Wolk D</a></p> <p>Inner Coast Range Conservancy.</p>	<p>4/12/2016-S. APPR. 4/12/2016-From committee: Do pass and re-refer to Com. on APPR. (Ayes 6. Noes 2.) (April 12). Re-referred to Com. on APPR.</p>	<p>Existing law establishes various conservancies in the Natural Resources Agency to acquire, manage, direct the management of, and conserve public lands in the state. This bill would establish the Inner Coast Range Conservancy in the agency to undertake various activities related to the Inner Coast Range Region, as defined, and would prescribe the management, powers, and duties of the conservancy. The bill would create the Inner Coast Range Conservancy Fund in the State Treasury. Moneys in the fund would be available, upon appropriation, for the purposes of the conservancy.</p>
<p><a href="#">SB 1414</a> <a href="#">Wolk D</a></p> <p>Energy.</p>	<p>4/12/2016-S. E. U., &amp; C. 4/12/2016-From committee with author's amendments. Read second time and amended. Re-referred to Com. on E., U., &amp; C.</p>	<p>Existing law requires the State Energy Resources Conservation and Development Commission to prescribe, by regulation, building design and construction standards and energy and water conservation design standards for new residential and nonresidential buildings. Existing law requires the State Energy Resources Conservation and Development Commission to prescribe, by regulation, standards for minimum levels of operating efficiency to promote the use of energy-efficient and water-efficient appliances whose use requires a significant amount of energy or water on a statewide basis. Existing law requires that the minimum levels of operating efficiency be based on feasible and attainable efficiencies or feasible improved efficiencies that will reduce the energy or water consumption growth rates. Existing law prohibits a new appliance manufactured on or after the effective date of the standards to be sold or offered for sale in the state unless it is certified by the manufacturer to be in compliance with the standards. This bill would require the State Energy Resources Conservation and Development Commission to develop a system to track central heating and air cooling equipment sales and installations in the state to verify compliance with permitting, inspection, and equipment testing requirements. This bill contains other related provisions and other existing laws.</p>

**Bonilla, Susan**

Bill ID/Topic	Location	Summary
<p><a href="#">AB 1592</a> <a href="#">Bonilla D</a></p> <p>Autonomous vehicles: pilot project.</p>	<p>4/7/2016-S. RLS. 4/7/2016-In Senate. Read first time. To Com. on RLS. for assignment.</p>	<p>Existing law permits the operation of an autonomous vehicle on public roads for testing purposes if, among other requirements, a driver is seated in the driver's seat and is capable of taking immediate manual control of the vehicle in the event of an autonomous technology failure or other emergency. This bill would, notwithstanding the above provision, authorize the Contra Costa Transportation Authority to conduct a pilot project for the testing of autonomous vehicles that do not have an operator and are not equipped with a steering wheel, a brake pedal, or an accelerator if the testing is conducted only at specified locations and the autonomous vehicle operates at speeds of less than 35 miles per hour. This bill contains other related provisions.</p>
<p><a href="#">AB 1665</a> <a href="#">Bonilla D</a></p> <p>Transactions and use taxes: County of Alameda, County of Contra Costa, and Contra Costa Transportation Authority.</p>	<p>4/7/2016-A. REV. &amp; TAX 4/7/2016-From committee: Do pass and re-refer to Com. on REV. &amp; TAX. (Ayes 6. Noes 3.) (April 6). Re-referred to Com. on REV. &amp; TAX.</p>	<p>Existing law authorizes the County of Alameda and the County of Contra Costa to impose a transactions and use tax for the support of countywide transportation programs at a rate of no more than 0.5% that, in combination with other specified taxes, exceeds the combined rate of all these taxes that may be imposed, if certain requirements are met, including a requirement that the ordinance proposing the transactions and use tax be submitted to, and approved by, the voters. Existing law repeals this authority on December 31, 2020, if the ordinance is not approved by the voters by that date. This bill would extend this taxing authority of the County of Alameda until December 31, 2024, and would shift this same taxing authority, as so extended, from the County of Contra Costa to the Contra Costa Transportation Authority.</p>
<p><a href="#">AB 1692</a> <a href="#">Bonilla D</a></p> <p>County employees' retirement: Contra Costa County.</p>	<p>2/8/2016-A. P.E., R. &amp; S.S. 2/8/2016-Referred to Com. on P.E., R., &amp; S.S.</p>	<p>The California Public Employees' Pension Reform Act of 2013 (PEPRA) generally requires a public retirement system, as defined, to modify its pension plan or plans to comply with the act and, among other things, prohibits a public employer that offers a defined benefit pension plan from exceeding specified retirement formulas for new members, as defined. The County Employees Retirement Law of 1937 (CERL) authorizes counties to establish retirement systems pursuant to its provisions in order to provide pension benefits to county and district employees. CERL, among other things, authorizes the Board of Supervisors of Contra Costa County to make a Tier Three retirement plan applicable to certain nonsafety officers and employees for whom the board is the governing body, as specified, and sets forth the terms and conditions of disability retirement allowances for Tier Three members. This bill would authorize the Board of Supervisors of Contra Costa County to apply those terms and conditions to nonsafety officers and employees who are new members subject to the retirement formulas specified in PEPRA and for whom the board is the governing body.</p>
<p><a href="#">AB 1697</a> <a href="#">Bonilla D</a></p> <p>Alternative and Renewable Fuel and Vehicle Technology Program.</p>	<p>4/13/2016-A. J., E.D. &amp; E. 4/13/2016-Re-referred to Com. on J., E.D., &amp; E.</p>	<p>Existing law establishes the Alternative and Renewable Fuel and Vehicle Technology Program, administered by the State Energy Resources Conservation and Development Commission. Existing law requires the program to provide funding measures to certain entities to develop and deploy innovative technologies that transform California's fuel and vehicle types to help attain the state's climate change policies. Existing law requires the commission to provide preferences to projects that maximize the goals of the program based on certain criteria, including the project's ability to provide economic benefits for California by promoting California-based technology firms, jobs, and businesses. This bill would add a project's ability to provide a path for trained workers to transition to jobs in the clean technology and renewable fuels sectors and a project's ability to promote employment of trained workers in those sectors as additional criteria on which preference under the program shall be provided.</p>

Bill ID/Topic	Location	Summary
<p><a href="#">AB 1774</a> <a href="#">Bonilla D</a></p> <p>Clinical laboratories: licensure.</p>	<p>2/18/2016-A. B.&amp;P. 2/18/2016-Referred to Com. on B. &amp; P.</p>	<p>Existing federal law, the Clinical Laboratory Improvement Amendments of 1988 (CLIA) requires the federal Centers for Medicare and Medicaid Services to certify and regulate clinical laboratories that perform testing on humans. Complaints against individual laboratories are directed to the state. This bill would repeal the laws requiring a clinical laboratory to be licensed and inspected by the department, including the licensing fee. The bill would also make conforming changes. This bill contains other existing laws.</p>
<p><a href="#">AB 1914</a> <a href="#">Bonilla D</a></p> <p>Public postsecondary education: academic materials: textbooks: access codes.</p>	<p>3/28/2016-A. HIGHER ED. 3/28/2016-Re-referred to Com. on HIGHER ED.</p>	<p>Existing law, known as the Donahoe Higher Education Act, sets forth the missions and functions of the segments of postsecondary education in this state. The California State University, under the administration of the Trustees of the California State University, the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, and the University of California, under the administration of the Regents of the University of California, constitute the 3 segments of public postsecondary education in this state. Provisions of the Donahoe Higher Education Act apply to the University of California only to the extent that the regents act, by appropriate resolution, to make those provisions applicable. This bill would add to this chapter a provision that requires the trustees and the board of governors, and requests the regents, to adopt policies for their respective segments regarding when it is acceptable for a faculty member to require students to purchase academic materials, including, but not necessarily limited to, textbooks, as defined, and access codes, as defined. The bill would require that the policies adopted pursuant to the bill include, but not necessarily be limited to, a prohibition of any requirement that students be required to purchase academic materials for purposes of accessing resources that are otherwise available to these students or for performing functions, as defined, that can be otherwise accomplished at no cost to these students on their campuses, a requirement that the total cost of academic materials from the immediately preceding academic year be provided to faculty as specified, and a requirement for the provision of a summary of the descriptors the campus bookstore may post next to the academic materials offered for sale, as specified. This bill contains other related provisions and other existing laws.</p>
<p><a href="#">AB 2149</a> <a href="#">Bonilla D</a></p> <p>State Board of Equalization: state agencies: collection of cash payments: medical marijuana-related businesses.</p>	<p>3/31/2016-A. REV. &amp; TAX 3/31/2016-From committee: Be re-referred to Com. on REV. &amp; TAX. Re-referred. (Ayes 8. Noes 0.) (March 31). Re-referred to Com. on REV. &amp; TAX.</p>	<p>Existing law, the Compassionate Use Act of 1996, an initiative measure enacted by the approval of Proposition 215 at the November 5, 1996, statewide general election, allows the use of marijuana for medical purposes. The Medical Marijuana Regulation and Safety Act provides for the licensure and regulation of commercial medical marijuana activity by various state entities, as specified. The Fee Collection Procedures Law, the violation of which is a crime, provides procedures for the collection of certain fees and surcharges. This bill would authorize the State Board of Equalization to collect cash payments from medical marijuana-related businesses for other state agencies, including the Department of Consumer Affairs and the Employment Development Department, if that state agency has entered into an agreement with the board. The bill would require the agreement to include specified provisions including that the board be reimbursed for the administrative costs of the collection, as specified, from the fund for which collection was authorized, upon appropriation by the Legislature. This bill contains other related provisions and other existing laws.</p>

Bill ID/Topic	Location	Summary
<p><a href="#">AB 2195</a> <a href="#">Bonilla D</a></p> <p>Crimes: felony murder: data.</p>	<p>4/11/2016-A. PUB. S. 4/11/2016-From committee: Be re-referred to Com. on PUB. S. Re-referred. (Ayes 9. Noes 0.) (April 11). Re-referred to Com. on PUB. S.</p>	<p>Existing law establishes the Department of Justice under the direction and control of the Attorney General, and requires the department to perform duties in the investigation of crimes as may be assigned by the Attorney General. Existing law requires the Attorney General to compile and disseminate state summary criminal history information pertaining to the identification and criminal history of any person. Existing law also establishes the Department of Corrections and Rehabilitation to oversee the state prison system. This bill would, notwithstanding any other law, on or before January 1, 2018, require the Department of Justice, in consultation with the Department of Corrections and Rehabilitation, to collect data on the number of persons currently convicted of and sentenced for first and second degree felony murder pursuant to the provisions described above. The bill would also require the Department of Justice to disaggregate that data by county. The bill would require the Department of Justice to update this data annually, and would require the department to post the data in a prominent place on the department's Internet Web site. This bill contains other existing laws.</p>
<p><a href="#">AB 2209</a> <a href="#">Bonilla D</a></p> <p>Health care coverage: clinical pathways.</p>	<p>4/11/2016-A. HEALTH 4/11/2016-Re-referred to Com. on HEALTH.</p>	<p>Existing law, the Knox-Keene Health Care Service Plan Act of 1975, provides for the licensure and regulation of health care service plans by the Department of Managed Health Care. A willful violation of the act is a crime. Existing law also provides for the regulation of health insurers by the Department of Insurance. Existing law requires health care service plan contracts and health insurance policies to provide coverage for specified benefits. The bill would require a health care service plan or health insurer that adopts the use of a clinical pathway, as defined, to comply with certain requirements, including that the plan or health insurer ensures that each clinical pathway is developed in accordance with specified procedures. The bill would prohibit a plan or health insurer from, among other things, adopting a clinical pathway that hinders education, research, patient screening, or patient access to clinical trials. The bill would require a plan or health insurer that adopts the use of a clinical pathway to make publicly available specified information for each clinical pathway adopted. Because a willful violation of the act by a health care service plan would be a crime, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.</p>
<p><a href="#">AB 2672</a> <a href="#">Bonilla D</a></p> <p>Medical cannabis.</p>	<p>4/11/2016-A. B.&amp;P. 4/11/2016-From committee: Be re-referred to Com. on B. &amp; P. Re-referred. (Ayes 9. Noes 0.) (April 11). Re-referred to Com. on B. &amp; P.</p>	<p>Existing law, the Medical Marijuana Regulation and Safety Act, establishes the licensure of persons engaged in specified activities relating to medical cannabis and other regulatory provisions. That act establishes within the Department of Consumer Affairs the Bureau of Medical Marijuana Regulation. That act also requires a licensing authority to deposit all licensing fees to be deposited into accounts established in the Medical Marijuana Regulation and Safety Act Fund, a fund established in the State Treasury. Existing law imposes certain fines and civil penalties for specified violations of the act and requires moneys collected as a result of these fines and civil penalties to be deposited into the Medical Marijuana Fines and Penalties Account, established within that fund. This bill would rename, on January 1, 2017, the act as the Medical Cannabis Regulation and Safety Act and the bureau as the Bureau of Medical Cannabis Regulation. This bill would rename, on January 1, 2017, the fund as the Medical Cannabis Regulation and Safety Act Fund and the account as the Medical Cannabis Fines and Penalties Account. The bill would make conforming changes to the act and would replace, where appropriate, the term "marijuana" with the term "cannabis." This bill contains other related provisions.</p>

Bill ID/Topic	Location	Summary
<p><a href="#">AB 2680</a> <a href="#">Bonilla D</a></p> <p>Parent, guardian, pupil, and family engagement support and services: plans.</p>	<p>4/13/2016-A. APPR. 4/13/2016-Read second time and amended.</p>	<p>Existing law states various legislative findings and declarations, including that it is essential to our democratic form of government that parents and guardians of schoolage children attending public schools and other citizens participate in improving public education institutions, that specifically involving parents and guardians of pupils in the education process is fundamental to a healthy system of public education, and that family and school collaborative efforts are most effective when they involve parents and guardians in a variety of roles at all grade levels, from preschool through high school. This bill would, subject to one-time funding being provided for purposes of this act in the annual Budget Act, require local educational agencies, including county offices of education, charter schools, alternative education programs and schools, and state special schools, that elect to participate in family, parent, guardian, and pupil engagement support and services to develop, implement, and, once adopted, post to its Internet Web site, a strategic plan, as provided. If a local educational agency accepts funds appropriated in the annual Budget Act for purposes of those provisions, as a condition of receiving those funds, the school district, county office of education, or charter school would be required to develop and post to its Internet Web site an additional plan that aligns to the school district's or county office of education's local control and accountability plan or specified elements of the charter school's petition that delineates how funds apportioned for purposes of this section, if they are apportioned, would be spent, as specified. If funds are appropriated in the annual Budget Act for these purposes, the bill would authorize a local educational agency to request funding from the Superintendent of Public Instruction and would require the local educational agency to expend those funds between the 2016-17 fiscal year and the 2018-19 fiscal year, inclusive, and would require the funds to be intended to supplement, not supplant, funds used by the local educational agency for parent, guardian, pupil, and family engagement and that the funds be allocated on the basis of an equal amount per average daily attendance among participating local educational agencies. The bill would provide that the funds, if appropriated, would be applied toward the minimum funding requirements for school districts and community college districts imposed by Section 8 of Article XVI of the California Constitution.</p>
<p><a href="#">AB 2697</a> <a href="#">Bonilla D</a></p> <p>Redevelopment dissolution: successor agencies: disposal of assets and properties.</p>	<p>4/13/2016-A. L. GOV. 4/13/2016-From committee: Do pass and re-refer to Com. on L. GOV. (Ayes 6. Noes 1.) (April 13). Re-referred to Com. on L. GOV.</p>	<p>Existing law dissolved redevelopment agencies and community development agencies as of February 1, 2012, and provides for the designation of successor agencies to wind down the affairs of the dissolved redevelopment agencies and to, among other things, dispose of all assets and properties of the former redevelopment agency in an expeditious manner aimed at maximizing value. This bill would require a successor agency, prior to the disposal of land of the former redevelopment agency, to send a written offer to sell for the purposes of developing low- and moderate-income housing to any local public entity within whose jurisdiction the land is located, as specified. The bill would additionally require the sale of land of the former redevelopment agency to be subject to certain requirements relating to affordable housing. By imposing new duties on local officials, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.</p>

**Dodd, Bill**

Bill ID/Topic	Location	Summary
<p><a href="#">AB 1559</a> <a href="#">Dodd D</a></p> <p>State Board of Equalization: returns and payment: extension: disaster.</p>	<p>4/13/2016-A. APPR. 4/13/2016-Read second time and amended.</p>	<p>Existing law authorizes the State Board of Equalization for good cause to extend the time, not to exceed one month, for a taxpayer, and to extend the time for more than one month for specified persons if a budget for the state has not been adopted by a specified date, to submit any return or pay any amount required to be paid under provisions of the Sales and Use Tax Law, the Motor Vehicle Fuel Tax Law, Use Fuel Tax Law, Cigarette and Tobacco Products Tax Law, Alcoholic Beverage Tax Law, Timber Yield Tax, Energy Resources Surcharge Law, Emergency Telephone Users Surcharge Act, Hazardous Substances Tax Law, Integrated Waste Management Fee Law, Oil Spill Response, Prevention, and Administration Fees Law, Underground Storage Tank Maintenance Fee Law, Fee Collection Procedures Law, and Diesel Fuel Tax Law, under specified conditions. This bill would authorize the board, in the case of a natural or economic disaster, to allow an extension for up to 3 months under the same conditions as the extension for good cause. This bill contains other related provisions.</p>
<p><a href="#">AB 1655</a> <a href="#">Dodd D</a></p> <p>Medi-Cal: beneficiary maintenance needs: personal needs allowance.</p>	<p>4/6/2016-A. APPR. SUSPENSE FILE 4/6/2016-In committee: Set, first hearing. Referred to APPR. suspense file.</p>	<p>Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services, under which qualified low-income individuals receive health care services. The Medi-Cal program is, in part, governed and funded by federal Medicaid provisions. Qualified individuals under the Medi-Cal program include medically needy persons and medically needy family persons who meet the required eligibility criteria, including applicable income and share of cost requirements. Existing law prohibits medically needy persons or medically needy family persons from receiving health care services during any month in which their share of cost has not been met. This bill would increase the personal needs allowance amount from \$35 to \$80 per month while a person is a patient as described above, and instead would require the department to annually increase this amount based on the percentage increase in the California Consumer Price Index. Because counties are required to make Medi-Cal eligibility determinations, and this bill would expand eligibility by increasing the personal needs allowance and would increase the responsibility of counties in determining Medi-Cal eligibility, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.</p>
<p><a href="#">AB 1667</a> <a href="#">Dodd D</a></p> <p>Home Care Services Consumer Protection Act.</p>	<p>4/7/2016-A. APPR. 4/7/2016-Re-referred to Com. on APPR.</p>	<p>Existing law establishes the Home Care Services Consumer Protection Act, which provides for the licensure and regulation of home care organizations, as defined, by the State Department of Social Services, and for the registration of home care aides. A violation of the act is a misdemeanor. Existing law requires background clearances for home care aides and home care organizations, as specified. Existing law authorizes an individual who possesses, among other things, a valid Alien Registration Card, and who has submitted an application, to initiate a background examination to be either a registered home care aide or to be a licensed home care organization. This bill would, among other things, make the provisions of the act applicable to home care aide domestic referral agencies, as defined, including licensure, fees, enforcement and fines, and regulation of registered home care aides having agreements with those agencies. The bill would require a home care aide domestic referral agency to provide specified information to a person to whom a home care aide is referred, including specified information about the person's potential employer responsibilities. The bill would authorize any individual who possesses either a valid Alien Registration Receipt Card or valid Permanent Resident Card to initiate a background examination to be either a registered home care aide or to be a licensed home care organization or a licensed home care aide</p>

		domestic referral agency. The bill would also authorize a person who is a current licensee or employee in a facility licensed by the department, a certified foster parent, a certified administrator, or a registered TrustLine provider to transfer his or her current criminal record clearance or exemption for purposes of licensure under these provisions, as long as he or she fulfills certain requirements, including signing a declaration verifying his or her identity under the penalty of perjury. Because the bill creates new crimes by expanding the act to include home care aide referral agencies and requiring a specified declaration to be signed under the penalty of perjury, it would impose a state-mandated local program. This bill contains other related provisions and other existing laws.
<a href="#">AB 1670</a> <a href="#">Dodd D</a>  Alcoholic beverages: licenses.	4/7/2016-A. APPR. 4/7/2016-From committee: Do pass and re-refer to Com. on APPR. (Ayes 17. Noes 0.) (April 6). Re-referred to Com. on APPR.	Existing law, the Alcoholic Beverage Control Act, regulates the application, issuance, and suspension of alcoholic beverage licenses by the Department of Alcoholic Beverage Control. The act provides that a violation of its provisions is a misdemeanor, unless otherwise specified. This bill would additionally authorize the department to issue 5 additional new original on-sale general licenses per year to a bona fide public eating place with a seating capacity of 25 or more diners, for a period of 5 years. The bill would prohibit more than 25 of those licenses from being issued. This bill contains other related provisions and other existing laws.
<a href="#">AB 1704</a> <a href="#">Dodd D</a>  Water rights.	3/31/2016-A. APPR. 3/31/2016-Re-referred to Com. on APPR.	Existing law requires applicants for appropriation of water for small domestic, small irrigation, or livestock stockpond use to register with the State Water Resources Control Board, as specified. Existing law requires the registration to include a certification that the registrant has contacted a representative of the Department of Fish and Wildlife and has agreed to comply with conditions set forth by the Department of Fish and Wildlife. This bill would, instead, require the registrant to provide a copy of the registrant's registration form to the Department of Fish and Wildlife and agree to general conditions, as specified. This bill contains other related provisions and other existing laws.
<a href="#">AB 1755</a> <a href="#">Dodd D</a>  The Open and Transparent Water Data Act.	4/6/2016-A. W.,P. & W. 4/7/2016-In committee: Hearing postponed by committee.	Existing law imposes on the Department of Water Resources various duties with respect to water in the state. Under existing law, the State Water Resources Control Board administers a water rights program pursuant to which the state board grants permits and licenses to appropriate water. Existing law regulates water transfers and authorizes a permittee or licensee to change the point of diversion, place of use, or purpose of use due to a transfer or exchange of water or water rights if certain conditions are met. This bill would enact the Open and Transparent Water Data Act. The act would require the department to establish a public benefit corporation that would create and manage (1) a statewide water information system to improve the ability of the state to meet the growing demand for water supply reliability and healthy ecosystems, that, among things, would integrate existing water data information from multiple databases and (2) an online water transfer information clearinghouse to report on water transactions that would include a database with information on completed water transfers, a public forum to exchange information on water market issues, and information to assist proponents with the water transfer approval processes. This bill contains other existing laws.

Bill ID/Topic	Location	Summary
<p><a href="#">AB 1783</a> <a href="#">Dodd D</a></p> <p>School facilities: nonstructural earthquake hazards: assessment.</p>	<p>4/13/2016-A. APPR. 4/13/2016-Read second time and amended.</p>	<p>Existing law, the Field Act, generally requires the Department of General Services to supervise the design and construction of, the reconstruction or alteration of, or the addition to, a school building to ensure, among other things, that plans and specifications comply with adopted rules and regulations and building standards, including those relating to seismic safety. Existing law requires the Office of Emergency Services, in cooperation with the State Department of Education, the Department of General Services, and the Alfred E. Alquist Seismic Safety Commission, to develop an educational pamphlet for use by school personnel to identify and mitigate the risks posed by nonstructural earthquake hazards. This bill would require each school district, county office of education, and charter school located in an area of higher seismicity, as defined, on or before January 1, 2018, to develop a plan for the inspection of the contents in each of its school buildings of areas that are accessible to or occupied by pupils to assess whether the contents comply with the guidelines set forth in the pamphlet, to identify school building contents that do not comply with the guidelines, and to develop corrective actions to bring noncompliant contents into compliance. The bill would require, among other things, that the plan be developed in consultation with specified persons, that it designate the responsible person or persons who will perform the assessment and develop the corrective action plans for noncompliant contents, and that it include a cost estimate for the assessment. The bill would require each school district, county office of education, and charter school to complete the assessment on or before January 1, 2020. The bill would require, within 60 days of completing an assessment for each school building, that a checklist of compliant and noncompliant contents be reported to the governing board of the school district, the county board of education, or the governing body of the charter school, as applicable, with a prioritization of noncompliant items that threaten the safety of pupils and school personnel and a set of recommended corrective actions to bring high-priority noncompliant contents into compliance with the published guidelines. By imposing additional duties on local educational agency officials, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.</p>
<p><a href="#">AB 1811</a> <a href="#">Dodd D</a></p> <p>Fertilizer: organic input material: inspections.</p>	<p>4/13/2016-A. SECOND READING 4/13/2016-From committee: Do pass. To Consent Calendar. (Ayes 20. Noes 0.) (April 13).</p>	<p>Existing law generally regulates fertilizing materials, as defined and which includes organic input material, and provides for the licensure of individuals who manufacture or distribute fertilizing materials. Existing law requires organic input material manufacturers to be inspected at least once per year. Existing law authorizes the Secretary of Food and Agriculture to perform site inspections of organic input material manufacturing processes used to validate label nutrient guarantees, claims, and compliance with specified federal standards during the registration process, and to accept inspections performed by a 3rd-party organization recognized by the National Organic Program for out-of-state organic input material manufacturers. Existing law requires all inspection records obtained by the 3rd-party organization to be made available to the secretary upon request. This bill would eliminate the requirement that organic input material manufacturers be inspected at least once per year, and would delete the limitation that the secretary is authorized to perform site inspections of organic input material manufacturing processes only during the registration process. The bill would authorize the Department of Food and Agriculture to accept inspections performed by a 3rd-party organization approved by the secretary for organic input material manufacturers. The bill would require all inspection records obtained by a contracted 3rd-party organization to be made available to the secretary upon request.</p>

Bill ID/Topic	Location	Summary
<p><a href="#">AB 1890</a> <a href="#">Dodd D</a></p> <p>Discrimination: equal pay: state contracting.</p>	<p>4/7/2016-A. APPR. 4/13/2016-In committee: Set, first hearing. Referred to suspense file.</p>	<p>Existing law subjects an employer who is, or wishes to become, a contractor with the state for public works, or for goods or services, to various nondiscrimination requirements. Existing law authorizes requiring an employer to submit a nondiscrimination program to the Department of Fair Employment and Housing for approval and certification prior to becoming a contractor or subcontractor with the state, as well as requiring the provision of periodic reports of contractor or subcontractor compliance with that program. This bill would enact the Equal Pay for Equal Work Act of 2016. The bill would require an employer with 100 or more employees in the state and a contract with the state of 30 days or more to submit a description of its nondiscrimination program to the department and to submit periodic reports, no more than annually, on a schedule to be determined by the department, of its compliance with that program. The bill would authorize the department to require approval and certification of the program. The bill would permit the department to require an employer with fewer than 100 employees in state or a contract of less than 30 days to submit a nondiscrimination report. The bill would require the department to define an employee for these purposes. The bill would require the nondiscrimination program to include policies and procedures designed to ensure equal employment opportunities for all applicants and employees, an analysis of employment selection procedures, and a workforce analysis, as specified. The bill would specify that its provisions are not to be construed to negate certain exemptions established by regulation that predate its enactment or to require the department to reevaluate the validity of these exemptions, as specified. The bill would make a statement of legislative findings.</p>
<p><a href="#">AB 1962</a> <a href="#">Dodd D</a></p> <p>Criminal proceedings: mental competence.</p>	<p>4/13/2016-A. SECOND READING 4/13/2016-From committee: Do pass. To Consent Calendar. (Ayes 20. Noes 0.) (April 13).</p>	<p>Existing law prohibits a person from being tried or adjudged to punishment while that person is mentally incompetent. Existing law establishes a process by which a defendant's mental competency is evaluated, which includes requiring the court to appoint a psychiatrist or licensed psychologist, and any other expert the court may deem appropriate. This bill would, on or before July 1, 2017, require the State Department of State Hospitals, through the use of a workgroup representing specified groups, to adopt guidelines establishing minimum education and training standards for a psychiatrist or licensed psychologist to be considered for appointment by the court.</p>
<p><a href="#">AB 2205</a> <a href="#">Dodd D</a></p> <p>Supervised persons: credits.</p>	<p>3/31/2016-A. PUB. S. 4/13/2016-From committee: Without further action pursuant to Joint Rule 62(a).</p>	<p>Existing law, until January 1, 2017, requires that when a statute imposes 3 possible terms of imprisonment, the choice of the appropriate term to impose is within the court's discretion. Existing law authorizes a court, when sentencing a person to county jail for a felony, to commit the person to county jail for either the full term in custody, as specified, or to suspend the execution of a concluding portion of the term selected at the court's discretion. Under existing law, this period of suspended execution is supervised by the county probation officer and is known as mandatory supervision. Existing law prohibits any time period which is suspended because a person has absconded from being credited toward the period of supervision. This bill would revise those provisions to prohibit the period of time during any revocation, summary or otherwise, of mandatory supervision from being credited toward any period of supervision, and would provide that a person not remain in custody for a period longer than the term of supervision. The bill would also provide that the period of the stay of the sentence would not extend beyond 5 years from the date of the last summary revocation of supervision, subject to exception, and in no event would the stay be extended beyond 10 years from the date of the last summary revocation of supervision. This bill contains other related provisions and other existing laws.</p>

Bill ID/Topic	Location	Summary
<p><a href="#">AB 2716</a> <a href="#">Dodd D</a></p> <p>Meat processing establishment, custom livestock slaughterhouse, and poultry plants: licensing and inspectors.</p>	<p>4/13/2016-A. APPR. 4/13/2016-From committee: Do pass and re-refer to Com. on APPR. (Ayes 10. Noes 0.) (April 13). Re-referred to Com. on APPR.</p>	<p>The California Meat and Poultry Supplemental Inspection Act requires, until January 1, 2017, each person to be licensed before operating a meat processing establishment or a custom livestock slaughterhouse and sets annual license renewal fees for custom livestock slaughterhouses and meat processing establishments. The act, until January 1, 2017, also establishes application fees for initial and renewal of licenses for livestock meat inspectors and processing inspectors. The act imposes a penalty on applicants for renewal who fail to pay the renewal fee by the expiration date of the meat processing establishment, custom livestock slaughterhouse, livestock meat inspector, or processing inspector license and provides cause for revocation of the license if the applicant fails to pay the renewal fee, plus the penalty, within 90 days of the license's expiration. This bill would extend these licensing and inspector provisions to January 1, 2022, and would delete an obsolete provision. This bill contains other existing laws.</p>

**Frazier, Jim**

Bill ID/Topic	Location	Summary
<p><a href="#">AB 326</a> <a href="#">Frazier</a> D</p> <p>Public works: prevailing wage rates: wage and penalty assessments.</p>	<p>1/28/2016-S. L. &amp; I.R. 1/28/2016-Referred to Com. on L. &amp; I.R.</p>	<p>Existing law requires the Labor Commissioner to issue a civil wage and penalty assessment to a contractor or subcontractor, or both, if the Labor Commissioner determines, after investigation, that the contractor or subcontractor, or both, violated the laws regulating public works contracts, including the payment of prevailing wages. Existing law also requires the awarding body, as defined, to withhold from payments due under a contract for public work an amount sufficient to satisfy the civil wage and penalty assessment issued by the Labor Commissioner, and to give notice of the withholding to the affected contractor or subcontractor. This bill would require the department to release the funds deposited in escrow plus interest earned to those persons and entities within 30 days following the conclusion of all administrative and judicial review. This bill contains other existing laws.</p>
<p><a href="#">AB 1591</a> <a href="#">Frazier</a> D</p> <p>Transportation funding.</p>	<p>2/1/2016-A. TRANS. 2/1/2016-Referred to Coms. on TRANS. and REV. &amp; TAX.</p>	<p>Existing law provides various sources of funding for transportation purposes, including funding for the state highway system and the local street and road system. These funding sources include, among others, fuel excise taxes, commercial vehicle weight fees, local transactions and use taxes, and federal funds. Existing law imposes certain registration fees on vehicles, with revenues from these fees deposited in the Motor Vehicle Account and used to fund the Department of Motor Vehicles and the Department of the California Highway Patrol. Existing law provides for the monthly transfer of excess balances in the Motor Vehicle Account to the State Highway Account. This bill would create the Road Maintenance and Rehabilitation Program to address deferred maintenance on the state highway system and the local street and road system. The bill would require the California Transportation Commission to adopt performance criteria to ensure efficient use of the funds available for the program. The bill would provide for the deposit of various funds for the program in the Road Maintenance and Rehabilitation Account, which the bill would create in the State Transportation Fund, including revenues attributable to a \$0.225 per gallon increase in the motor vehicle fuel (gasoline) tax imposed by the bill, including an inflation adjustment as provided, an increase of \$38 in the annual vehicle registration fee, and a new \$165 annual vehicle registration fee applicable to zero-emission motor vehicles, as defined. This bill contains other related provisions and other existing laws.</p>
<p><a href="#">AB 1813</a> <a href="#">Frazier</a> D</p> <p>High-Speed Rail Authority: membership.</p>	<p>4/7/2016-A. CONSENT CALENDAR 4/7/2016-Read second time. Ordered to Consent Calendar.</p>	<p>Existing law creates the High-Speed Rail Authority with specified powers and duties relative to development and implementation of a high-speed train system. The authority is composed of 9 members, including 5 members appointed by the Governor, and 2 members each appointed by the Senate Committee on Rules and the Speaker of the Assembly. This bill would additionally provide for appointment of one Member of the Senate by the Senate Committee on Rules and one Member of the Assembly by the Speaker of the Assembly to serve as ex officio members of the authority. The bill would provide that the ex officio members shall participate in the activities of the authority to the extent that participation is not incompatible with their positions as Members of the Legislature.</p>

Bill ID/Topic	Location	Summary
<p><a href="#">AB 2092</a> <a href="#">Frazier</a> D</p> <p>Abandoned Watercraft Abatement Fund: grants.</p>	<p>2/29/2016-A. TRANS. 2/29/2016-Referred to Com. on TRANS.</p>	<p>Existing law makes it an infraction punishable by a maximum \$3,000 fine, and a minimum \$1000 fine, for a person to abandon a vessel upon a public waterway or public or private property without the express or implied consent of the owner or person in lawful possession or control of the property, except for the urgent and immediate concern for the safety of those aboard the vessel. Existing law requires 80% of those fines imposed and collected to be deposited in the Abandoned Watercraft Abatement Fund, and used, upon appropriation by the Legislature, for grants to local agencies for, among other purposes, removal as a public nuisance of abandoned vessels. Existing law prohibits the grants from being used for abatement, removal, storage, or disposal of commercial vessels. This bill would delete that prohibition and thereby authorize grants to be used for abatement, removal, storage, or disposal of commercial vessels.</p>
<p><a href="#">AB 2107</a> <a href="#">Frazier</a> D</p> <p>Department of Motor Vehicles: electronic vehicle registration services: interstate carrier partnership.</p>	<p>4/5/2016-A. APPR. 4/5/2016-From committee: Do pass and re-refer to Com. on APPR. (Ayes 16. Noes 0.) (April 4). Re-referred to Com. on APPR.</p>	<p>Existing law authorizes the Department of Motor Vehicles, in order to continue improving the quality of products and services it provides to its customers, to establish contracts for electronic programs that allow qualified private industry partners to join the department in providing services that include processing and payment programs for vehicle registration and titling transactions. This bill would authorize the department to enter into an interstate carrier partnership with an interstate carrier partner, if the partner meets specified requirements, and would authorize the department to enter into contractual agreements with 3 specified types of partnerships. The bill would authorize the department to adopt regulations to carry out the purposes of these provisions, including, but not limited to, establishing fees and safeguards for privacy and protecting information authorized for release, and to establish the maximum amount that an interstate carrier partner may charge its customers in providing the services authorized under these provisions.</p>
<p><a href="#">AB 2170</a> <a href="#">Frazier</a> D</p> <p>Trade Corridors Improvement Fund: federal funds.</p>	<p>4/5/2016-A. APPR. 4/5/2016-From committee: Do pass and re-refer to Com. on APPR. (Ayes 16. Noes 0.) (April 4). Re-referred to Com. on APPR.</p>	<p>The Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006 (Proposition 1B) created the Trade Corridors Improvement Fund and provided for allocation by the California Transportation Commission of \$2 billion in bond funds for infrastructure improvements on highway and rail corridors that have a high volume of freight movement, and specified categories of projects eligible to receive these funds. Existing law continues the Trade Corridors Improvement Fund in existence in order to receive revenues from sources other than the bond act for these purposes. This bill would require revenues apportioned to the state from the National Highway Freight Program established by the federal Fixing America's Surface Transportation Act to be allocated for trade corridor improvement projects approved pursuant to these provisions. This bill contains other related provisions and other existing laws.</p>
<p><a href="#">AB 2289</a> <a href="#">Frazier</a> D</p> <p>Department of Transportation: capital improvement projects.</p>	<p>4/5/2016-A. APPR. 4/5/2016-From committee: Do pass and re-refer to Com. on APPR. with recommendation: To Consent Calendar. (Ayes 16. Noes 0.) (April 4). Re-referred to Com. on APPR.</p>	<p>Existing law requires the Department of Transportation to prepare a state highway operation and protection program for the expenditure of transportation funds for major capital improvements that are necessary to preserve and protect the state highway system and that include capital projects relative to maintenance, safety, and rehabilitation of state highways and bridges that do not add a new traffic lane to the system. This bill would add to the program capital projects relative to the operation of those state highways and bridges.</p>

Bill ID/Topic	Location	Summary
<p><a href="#">AB 2411</a> <a href="#">Frazier</a> D</p> <p>Transportation revenues.</p>	<p>4/5/2016-A. APPR. 4/5/2016-From committee: Do pass and re-refer to Com. on APPR. with recommendation: To Consent Calendar. (Ayes 16. Noes 0.) (April 4). Re-referred to Com. on APPR.</p>	<p>Article XIX of the California Constitution restricts the expenditure of revenues from taxes imposed by the state on fuels used in motor vehicles upon public streets and highways to street and highway and certain mass transit purposes. Existing law requires certain miscellaneous revenues deposited in the State Highway Account that are not restricted as to expenditure by Article XIX of the California Constitution to be transferred to the Transportation Debt Service Fund in the State Transportation Fund, as specified, and requires the Controller to transfer from the fund to the General Fund an amount of those revenues necessary to offset the current year debt service made from the General Fund on general obligation transportation bonds issued pursuant to Proposition 116 of 1990. This bill would delete the transfer of these miscellaneous revenues to the Transportation Debt Service Fund, thereby eliminating the offsetting transfer to the General Fund for debt service on general obligation transportation bonds issued pursuant to Proposition 116 of 1990. The bill, subject to a specified exception, would instead require the miscellaneous revenues to be retained in the State Highway Account and to be used solely for transportation expenditures consistent with the restrictions for expenditure of fuel tax revenues in Article XIX of the California Constitution.</p>
<p><a href="#">AB 2469</a> <a href="#">Frazier</a> D</p> <p>Specialized license plates: breast cancer awareness.</p>	<p>4/5/2016-A. APPR. 4/5/2016-From committee: Do pass and re-refer to Com. on APPR. (Ayes 16. Noes 0.) (April 4). Re-referred to Com. on APPR.</p>	<p>Under existing law, the Department of Motor Vehicles issues environmental and other specialized license plates. The issuance of some of those license plates is subject to additional fees. Existing law prohibits the department from establishing a specialized license plate program for a state agency until the department has received not less than 7,500 applications for the plates within 12 months after the date of the department's approval of the agency's initial application to sponsor a specialized license plate program. Existing law requires the State Department of Health Care Services to apply to the department, pursuant to those provisions, to sponsor a breast cancer awareness license plate program, pursuant to which the Department of Motor Vehicles is required to issue specialized license plates, if the State Department of Health Care Services complies with the applicable requirements. This bill would authorize the State Department of Health Care Services to contact the department by July 1, 2016, and indicate its intent to undertake collection of additional applications and fees or deposits for an additional period of 12 months in order to obtain the minimum 7,500 applications for a special license plate the State Department of Health Care Services is seeking to sponsor pursuant to existing law. This bill contains other related provisions.</p>
<p><a href="#">AB 2479</a> <a href="#">Frazier</a> D</p> <p>Vehicles.</p>	<p>2/19/2016-A. PRINT 2/22/2016-Read first time.</p>	<p>Existing law creates the Motor Carriers of Property Permit Act, which provides for the issuing of permits for motor carriers of property upon the payment of a fee and proof of insurance and workers' compensation coverage. This bill would make technical, nonsubstantive changes to those provisions.</p>
<p><a href="#">AB 2559</a> <a href="#">Frazier</a> D</p> <p>Visitor centers: guide signs.</p>	<p>4/13/2016-A. TRANS. 4/13/2016-From committee chair, with author's amendments: Amend, and re-refer to Com. on TRANS. Read second time and amended.</p>	<p>Existing law requires the Department of Transportation to adopt rules and regulations that allow the placement, near exits on freeways located in rural areas, of information signs identifying specific roadside businesses that offer fuel, food, lodging, camping services, approved 24-hour pharmacy services, or approved attractions, and that prescribe the standards for those signs. Existing law also authorizes the department, among other things, to place and maintain, or cause to be placed and maintained, signs on state highways directing motorists to communities within the geographical boundaries of a city, county, or city and county if specified conditions are satisfied. This bill would require the department to authorize guide signs for any visitor's center seeking a sign if the visitor center is located within 2 miles from the highway intersection.</p>

Bill ID/Topic	Location	Summary
<p><a href="#">AB 2583</a> <a href="#">Frazier</a> D</p> <p>Sacramento-San Joaquin Delta Reform Act of 2009.</p>	<p>3/28/2016-A. W.,P. &amp; W. 4/7/2016-In committee: Hearing postponed by committee.</p>	<p>Existing law, the Sacramento-San Joaquin Delta Reform Act of 2009, establishes the Delta Stewardship Council and requires the council to develop, adopt, and commence implementation of a comprehensive management plan for the Delta, known as the Delta Plan. The Delta Plan is required to further the coequal goals of providing a more reliable water supply and protecting, restoring, and enhancing the Delta ecosystem. The act requires the council to consider the Bay Delta Conservation Plan (BDCP) for inclusion in the Delta Plan and requires the incorporation of the BDCP into the Delta Plan if the BDCP meets certain requirements. This bill would add a definition of the California Water Fix to the act. This bill would eliminate certain provisions applicable to the BDCP and would revise other provisions to instead refer to a new Delta water conveyance project for the purpose of exporting water. This bill would require new Delta water conveyance infrastructure to be considered as interdependent parts of a system and to be operated in a way that maximizes benefits for each of the coequal goals. This bill contains other related provisions and other existing laws.</p>
<p><a href="#">AB 2774</a> <a href="#">Frazier</a> D</p> <p>Classification of state lands.</p>	<p>3/17/2016-A. W.,P. &amp; W. 3/17/2016-Referred to Com. on W., P., &amp; W.</p>	<p>Existing law establishes the State Lands Commission and prescribes the membership, functions, and duties of the commission with regard to the protection, preservation, and management of state lands. Existing law authorizes the commission, from time to time, to classify any or all state land for its different possible uses and, when it is deemed advisable, to require any officer, organization, agency, or institution of the state government to make that classification. This bill would make nonsubstantive changes in those provisions relating to the classification of state lands.</p>
<p><a href="#">AB 2784</a> <a href="#">Frazier</a> D</p> <p>Construction defect litigation.</p>	<p>2/19/2016-A. PRINT 2/22/2016-Read first time.</p>	<p>Existing law prescribes definitions and requirements for certain civil actions relating to construction defect litigation and limits claims to violations of specified standards. This bill would make a nonsubstantive change to these provisions.</p>
<p><a href="#">AB 2855</a> <a href="#">Frazier</a> D</p> <p>Charitable solicitations: financial disclosures.</p>	<p>4/11/2016-A. P. &amp; C.P. 4/13/2016-In committee: Set, first hearing. Failed passage.</p>	<p>Existing law requires a solicitor or seller, prior to any solicitation or sales solicitation for charitable purposes, to provide the prospective donor or purchaser with certain disclosures, including, among others, the name and address of the combined campaign, each organization or fund on behalf of which money collected will be utilized, and the percentage of the total gift or purchase price that may be deducted as a charitable contribution under both federal and state law. Under existing law, a violation of certain advertising restrictions, including charitable solicitation requirements, is a crime. This bill would require an Internet Web site produced by, or on behalf of, a Clarity, as specified, to contain a prominent link to the Attorney General's Internet Web site which contains information about consumer rights and protections and charity research resources. The bill would also require any solicitation document produced by a charity to also include the address for the Attorney General's Internet Web site. As a violation of these requirements would be a crime, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.</p>

AMENDED IN ASSEMBLY APRIL 12, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2678**

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**Introduced by Assembly Member Gray**  
*(Coauthors: Assembly Members Bigelow, Cooper, Dodd, Gallagher,  
Mathis, and Salas)*

February 19, 2016

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An act to ~~add~~ amend, repeal, and add Section 19620.2 of the Business and Professions Code, and to add and repeal Sections 6453.1 and 7101.4 to of the Revenue and Taxation Code, relating to ~~state-designated~~ state-designated fairs, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 2678, as amended, Gray. ~~State-designated~~ State-designated fairs: funding.

Existing law establishes the Fair and Exposition Fund to, among other things, allocate moneys for the support of the network of California fairs. Existing law requires certain license fees from satellite wagering to be deposited into a separate account in the Fair and Exposition Fund, and continuously appropriates those moneys for specified fair-related purposes, including, among others, the payment of expenses incurred in establishing and operating satellite wagering facilities at fairs and for health and safety repair and other projects at fairs. *The balance of moneys in that fund, after appropriation by the Legislature for specified oversight and auditing costs are continuously appropriated for capital outlay for specified fair projects.* Existing sales and use laws impose taxes on retailers measured by the gross receipts from the sale of tangible personal property sold at retail in this state, or on the storage, use, or other consumption in this state of tangible personal property purchased

from a retailer for storage, use, or other consumption in this state measured by sales price, and requires that revenues, less refunds, derived from a specified rate of that tax be transferred to specified funds and then the balance to the General Fund.

This bill would require a tax return filed for the purposes of the Sales and Use Tax Law to segregate the gross receipts of the seller and the sales price of the property on a form prescribed by the State Board of Equalization when the place of sale or use in this state is on or within the real property of a ~~state-designated~~ *state-designated* fair, as defined, or any real property of a ~~state-designated~~ *state-designated* fair that is leased to another party.

~~This~~

~~The bill would require, except as specified, that 30% of all revenues, less refunds and costs of administration, derived from those segregated sales and use tax amounts that would have been deposited into the General Fund instead be deposited into that separate account in the Fair and Exposition Fund and continuously appropriated for those same types of fair-related purposes.~~ *specified fair projects.*

*The bill would repeal these provisions on January 1, 2022.*

Vote:  $\frac{2}{3}$ . Appropriation: yes. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 19620.2 of the Business and Professions  
2     Code is amended to read:  
3     19620.2. (a) Any unallocated balance from Section 19620.1  
4     and any revenue deposited in the Fair and Exposition Fund  
5     pursuant to Section 7101.4 of the Revenue and Taxation Code is  
6     hereby appropriated without regard to fiscal years for allocation  
7     by the Secretary of Food and Agriculture for capital outlay to  
8     California fairs for fair projects involving public health and safety,  
9     for fair projects involving major and deferred maintenance, for  
10    fair projects necessary due to any emergency, for projects that are  
11    required by physical changes to the fair site, for projects that are  
12    required to protect the fair property or installation, such as fencing  
13    and flood protection, and for the acquisition or improvement of  
14    any property or facility that will serve to enhance the operation of  
15    the fair.

1 (b) A portion of the funds subject to allocation pursuant to  
2 subdivision (a) may be allocated to California fairs for general  
3 operational support. It is the intent of the Legislature that these  
4 moneys be used primarily for those fairs whose sources of revenue  
5 may be limited for purposes specified in this section.

6 (c) *This section shall be repealed on January 1, 2022.*

7 *SEC. 2. Section 19620.2 is added to the Business and*  
8 *Professions Code, to read:*

9 *19620.2. (a) Any unallocated balance from Section 19620.1*  
10 *is hereby appropriated without regard to fiscal years for allocation*  
11 *by the Secretary of Food and Agriculture for capital outlay to*  
12 *California fairs for fair projects involving public health and safety,*  
13 *for fair projects involving major and deferred maintenance, for*  
14 *fair projects necessary due to any emergency, for projects that are*  
15 *required by physical changes to the fair site, for projects that are*  
16 *required to protect the fair property or installation, such as fencing*  
17 *and flood protection, and for the acquisition or improvement of*  
18 *any property or facility that will serve to enhance the operation*  
19 *of the fair.*

20 (b) A portion of the funds subject to allocation pursuant to  
21 subdivision (a) may be allocated to California fairs for general  
22 operational support. It is the intent of the Legislature that these  
23 moneys be used primarily for those fairs whose sources of revenue  
24 may be limited for purposes specified in this section.

25 (c) *This section shall become operative on January 1, 2022.*

26 **SECTION 1.**

27 *SEC. 3. Section 6453.1 is added to the Revenue and Taxation*  
28 *Code, to read:*

29 6453.1. (a) For purposes of this part only, the return shall  
30 segregate the gross receipts of the seller and the sales price of the  
31 property ~~on a form prescribed by the board~~ when the place of sale  
32 in this state or use in this state for purposes of this part is on or  
33 within the real property of a ~~state-designated~~ *state-designated* fair  
34 or any real property of a ~~state-designated~~ *state-designated* fair that  
35 is leased to another party.

36 (b) For purposes of this section, ~~“state-designated~~  
37 *“state-designated fair”* means a state designated fair as defined in  
38 Sections 19418, 19418.1, 19418.2, and 19418.3 of the Business  
39 and Professions Code.

40 ~~(e) The board shall develop a form for purposes of this section.~~

1     ~~(d)~~  
 2     (c) Notwithstanding any provision of the Bradley-Burns Uniform  
 3 Local Sales and Use Tax Law (Part 1.5 (commencing with Section  
 4 7200)) or the Transactions and Use Tax Law (Part 1.6  
 5 (commencing with Section 7251)), this section shall not apply with  
 6 respect to any tax levied by a county, city, or district pursuant to,  
 7 or in accordance with, either of those laws.

8     (d) *This section shall be repealed on January 1, 2022.*

9     ~~SEC. 2.~~

10    SEC. 4. Section 7101.4 is added to the Revenue and Taxation  
 11 Code, to read:

12    7101.4. (a) Notwithstanding Section 7101 or any other law,  
 13 except as otherwise required to be transferred pursuant to the  
 14 California Constitution or Sections 6051.2, 6051.8, 6051.15,  
 15 6201.2, 6201.8, 6201.15, and 7101.3 or subdivision (a) of Section  
 16 7102, 30 percent of all revenues, less refunds and costs of  
 17 administration, derived under this part that were segregated  
 18 pursuant to Section 6453.1, upon receipt shall be transferred to the  
 19 Fair and Exposition Fund in the State ~~Treasury, and shall be~~  
 20 ~~deposited into the separate account in the fund specified in Section~~  
 21 ~~19606.1 of the Business and Professions Code. Treasury.~~ Any  
 22 amounts deposited ~~into that account~~ in the Fair and Exposition  
 23 Fund pursuant to this section shall be continuously appropriated  
 24 and allocated as provided in ~~Section 19606.1 of the Business and~~  
 25 ~~Professions Code, except that any amounts transferred to the Fair~~  
 26 ~~and Exposition Fund pursuant to subdivision (g) of Section 19606.1~~  
 27 ~~shall be allocated in accordance with Section 19620.2 of the~~  
 28 Business and Professions Code.

29    (b) *This section shall be repealed on January 1, 2022.*

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Date of Hearing: April 11, 2016

ASSEMBLY COMMITTEE ON REVENUE AND TAXATION  
Sebastian Ridley-Thomas, Chair

AB 2678 (Gray) – As Introduced February 19, 2016

2/3 vote. Fiscal committee.

**SUBJECT:** State designated fairs: funding

**SUMMARY:** Requires taxable sales and purchases within a "state designated fair" to be segregated on the Sales and Use Tax (SUT) return and also mandates that 30% of the state's General Fund (3.9375%) SUT revenues derived from those segregated sales and purchases be deposited in the Fair and Exposition Fund (Fund). Specifically, **this bill:**

- 1) Provides that, for purposes of the SUT Law, the return shall segregate the seller's gross receipts and the property's sales price when the place of sale or use in this state is within a "state designated fair" or any real property of a "state designated fair" leased to another party.
- 2) Defines a "state designated fair" by reference to Business and Professions Code (B&PC) Sections 19418, 19418.1, 19418.2, and 19418.3.
- 3) Requires the State Board of Equalization (BOE) to develop a form for this purpose.
- 4) Provides that notwithstanding any provision of the Bradley-Burns Uniform Local SUT Law or the Transactions and Use Tax Law, this bill shall not apply to any tax levied by a county, city, or district pursuant to either of those laws.
- 5) Provides that, except as otherwise specified, 30% of all SUT revenues, less refunds and costs of administration, that were segregated shall be transferred to the Fund in the State Treasury. Specifically, the moneys shall be deposited into the separate account in the Fund specified in B&PC Section 19606.1.
- 6) Provides that any amounts deposited into the separate account shall be continuously appropriated and allocated as provided in B&PC Section 19606.1, except that any amounts transferred to the Fund pursuant to B&PC Section 19606.1(g) shall be allocated in accordance with B&PC Section 19620.2.

**EXISTING LAW:**

- 1) Establishes the Fund. The Fund is charged with, among other things, allocating money to support the network of California fairs.
- 2) Requires certain license fees from satellite wagering to be deposited into a separate account in the Fund. These moneys are continuously appropriated for specified fair-related purposes, including the payment of expenses incurred in establishing and operating satellite wagering facilities at fairs.
- 3) Defines a state designated fair as the California Exposition and State Fair in the City of Sacramento and those fairs specified in B&PC Sections 19418.1 (district agricultural

associations), 19418.2 (county fairs), and 19418.3 (citrus fruit fairs) that may receive financial support or are otherwise governed by B&PC Section 19400 *et seq.* (governing horse racing). These fairs are also collectively referred to as the "network of California fairs."

- 4) Imposes a sales tax on retailers for the privilege of selling tangible personal property (TPP), absent a specific exemption. The tax is based upon the retailer's gross receipts from TPP sales in this state.
- 5) Imposes a complimentary use tax on the storage, use, or other consumption of TPP purchased out-of-state and brought into California. The use tax is imposed on the purchaser, and unless the purchaser pays the use tax to an out-of-state retailer registered to collect California's use tax, the purchaser remains liable for the tax. The use tax is set at the same rate as the state's sales tax and must generally be remitted to the BOE.

**FISCAL EFFECT:** The BOE estimates that this bill would result in annual General Fund SUT losses of \$20 million.

**COMMENTS:**

- 1) The author has provided the following information in support of this bill:

AB 2678 will provide a stable and reliable source of funding for California's fairs and offer much needed help for specific fair-related purposes and projects on fairgrounds.

Over the past 75 years, there has been a designated funding source for fairs from which the state has made significant investments in promoting the business operations and improving the infrastructure of California's fairs. Without state funding, these properties will continue to deteriorate and in their demise create public safety issues. The reality is that, through sales tax, the network of California fairs is currently a huge revenue generator for the state of California. Without funding to maintain the infrastructure, what were once valuable state assets may become state liabilities.

- 2) This bill is supported by the California Fair Network, which notes the following:

Western Fairs Association and the California Fairs Alliance recognize that the California Fair Network is the only form of local government that does not receive a portion of the sales taxes generated on their property. More than 12 million Californians attend their hometown fair each year, creating jobs, tax income, and building community pride and harmony throughout the state. Additionally, another 20 million Californians attend non-fair events at fairgrounds each year, most with a non-profit or charitable element. As it currently stands, none of the resulting locally-generated dollars come back to assist fairgrounds with infrastructure or operating needs.

- 3) The BOE notes the following in its staff analysis of this bill:

- a) Interim events are held on state designated fairgrounds: "In addition to the various annual fairs, other events held on the designated fairgrounds include motorized racing, craft fairs, doll shows, gun shows, home and garden shows, harvest festivals, farmers' markets, cultural festivals and concerts, motor home, RV, and boat shows, and more. Events may also include corporate events, private dinner parties, and wedding receptions.

"According to the author's office, this bill's segregated reporting requirements are intended to apply to all events and activities that are held on the state designated fairgrounds.

"Taxpayers making sales at events held on state designated fairgrounds would need to segregate these sales when filing their sales and use tax returns. Taxpayers who hold a seller's permit for a permanent place of business and who make sales both at events at state designated fairs and events held at other locations, would need to segregate those sales made at state designated fairs. BOE staff would need to know what events and activities occur at state designated fairs to instruct taxpayers to properly report their sales and purchases at these locations."

- b) California Exposition and State Fair (Cal Expo) hosts private venues: "While Cal Expo hosts the annual California State Fair, it is also home to Bonney Field, a large sports and entertainment venue that includes food and beverage concessions and merchandise sales. Additionally, Raging Waters is a water park located within Cal Expo's grounds with dining and snack areas. However, it is not clear whether sales transactions made at Bonney Field or Raging Waters would be subject to the proposed segregation reporting requirements. Would these restaurants and snack areas be required to segregate their food and beverage sales?"

BOE staff can work with the author's office to better identify the events and activities that would be subject to the segregated reporting requirements in this bill."

#### 4) Committee Staff Comments

- a) General background information: The author notes that, before 2009, license fees imposed on horse racing wagers were deposited in the Fund which, in addition to supporting the annual budget of the California Horse Racing Board, also supplemented the income of the network of California fairs. SB 16x2 (Ashburn), Chapter 12, Statutes of 2009, in turn, shifted the horse racing industry's obligation to fund fairs through license fees imposed on wagers to the General Fund. Specifically, SB 16x2 provided an annual continuous appropriation of \$32 million from the General Fund to support the network of California fairs. This change was done as part of a package of measures designed to provide economic stimulus for the horse racing industry.

The author's office notes that, in fiscal year 2011-12, fair funding at the state level was eliminated as part of a package of budget cuts designed to address the state's ongoing financial crisis. The author notes, however, that the 2016-17 budget "currently contains a \$3 million appropriation to support the network of California fairs and a \$4 million allocation for infrastructure needs at fairgrounds."

- b) What would this bill do? This bill requires taxable sales and purchases within a state designated fair to be segregated on the SUT return and also mandates that 30% of the state's General Fund (3.9375%) SUT revenues derived from these segregated sales and purchases be deposited in the Fund. Amounts deposited shall be continuously appropriated and allocated as provided in B&PC Section 19606.1. Section 19606.1, in turn, provides for the allocation of moneys for the following purposes:

- i) Servicing bonds issued for constructing or acquiring improvements at a fair's racetrack inclosure, satellite wagering facilities, health and safety repair projects, or handicapped access compliance projects at fairs;
  - ii) For payment to the State Race Track Leasing Commission to be pledged for the repayment of debt necessary to construct a racetrack grandstand at the 22<sup>nd</sup> District Agricultural Association fairgrounds;
  - iii) For the payment of expenses incurred in establishing and operating satellite wagering facilities at fairs;
  - iv) For the support of an equipment and operating fund to produce and display a consolidated California signal at satellite wagering facilities and fairs;
  - v) For health and safety repair projects at fairs, including fire and life safety improvement projects, California Code of Regulations compliance projects, and long-term deferred maintenance projects; and,
  - vi) For the development and payment of revenue generating projects, the establishment of pilot projects to restructure the current fair system, and for projects realizing a cost savings for more efficient utilization of existing fair resources.
- c) The benefits and perils of earmarking: Proponents of this bill might argue that earmarking specified SUT revenues would provide a stable and much-needed source of funding for state fairs. Opponents, however, might contend that the practice of earmarking restricts the Legislature's ability to fund vital state programs in a holistic manner through the annual budgetary process. Specifically, opponents might argue that this bill elevates specific fair funding needs above other vital programs designed to address basic human necessities, such as health and social services. In addition, this bill would potentially establish a precedent for future dedicated funding legislation.
- d) Suggested administrative amendment: This bill requires the BOE to develop a form to segregate sales and purchases of property sold or used at a state designated fair. The BOE notes, however, that the existing SUT return could be modified to add an additional line to report these transactions separately. In determining how best to implement this bill, BOE staff would like the option of either modifying the existing SUT return or creating a supplemental form to capture the required information. As such, the BOE has suggested administrative amendments in its staff analysis to provide this flexibility.
- e) Potential amendments suggested by the Author: The Author's office has suggested two potential amendments to this bill. The first would add a five-year sunset date, to clarify that this funding mechanism is temporary and subject to future review by the Legislature. The second amendment would redirect segregated revenues for allocation under B&PC Section 19620.2, to clarify that the funds will be used for vital fair maintenance and infrastructure needs.
- f) Double referral: This bill has been double referred to the Assembly Committee on Agriculture.

g) Legislative history:

- i) AB 700 (Krekorian), of the 2009-10 Regular Session, would have required 20% of the state's General Fund SUT revenues, remitted by specified taxpayers, be deposited into a newly established Creative Industries and Community Economic Revitalization Fund for specified purposes. AB 700 died in the Assembly Committee on Appropriations.
- ii) AB 1365 (Karnette), of the 2007-08 Regular Session, would have required all SUT revenues derived from the sale of art be allocated to the California Arts Council. AB 1365 was held in the Assembly Committee on Appropriations.

**REGISTERED SUPPORT / OPPOSITION:**

**Support**

Alameda County Fair  
Calaveras County Fair  
California Fair Network  
California Fairs Alliance  
California Mid-State Fair  
California State Association of Counties  
Contra Costa County Fair  
Del Norte County Fair  
Dixon May Fair  
Earl Warren Showgrounds  
El Dorado County Fair  
Gold Country Fair  
Mariposa 35-A District Fairgrounds  
Nevada County Fairgrounds  
Placer County Fair Association  
Redwood Empire Fair  
Rural County Representatives of California  
San Mateo County Event Center  
Salinas Valley Fair  
Santa Barbara County Fair  
Silver Dollar Fair  
Siskiyou Golden Fairground  
Solano County Fair Association  
Tulelake-Butte Valley Fair  
Sonoma-Marin Fair  
Ventura County Fair  
Western Fairs Association  
Yuba-Sutter Fair  
7<sup>th</sup> District Agricultural Association, Monterey County Fair  
19<sup>th</sup> District Agricultural District  
26<sup>th</sup> District Agricultural Association  
40<sup>th</sup> District Agricultural Association/Yolo County Fair  
1 individual

**Opposition**

None on file

**Analysis Prepared by:** M. David Ruff / REV. & TAX. / (916) 319-2098

AMENDED IN ASSEMBLY MARCH 17, 2016  
CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1758**

**Introduced by Assembly Member Mark Stone**  
**(Coauthors: Assembly Members Eduardo Garcia and Levine)**  
*(Coauthor: Senator McGuire)*

February 2, 2016

An act to amend Section 281 of, and to add Section 281.1 to, the Public Utilities Code, relating to telecommunications.

LEGISLATIVE COUNSEL'S DIGEST

AB 1758, as amended, Mark Stone. Telecommunications: California Advanced Services Fund.

Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including telephone corporations. Existing law establishes, among other funds related to telecommunications, the California Advanced Services Fund (CASF) in the State Treasury. Existing law requires the commission to develop, implement, and administer the CASF to encourage deployment of high-quality advanced communications services to all Californians that will promote economic growth, job creation, and the substantial social benefits of advanced information and communications technologies, as provided in specified decisions of the commission and in the CASF statute. Existing law requires the commission to give priority to projects that provide last-mile broadband access to households that are unserved by an existing facilities-based broadband provider. Existing law establishes that the goal of the program is, no later than December 31, 2015, to approve funding for infrastructure projects that will provide broadband access to no less than 98% of California households. Existing law authorizes the commission to collect a surcharge for deposit into the CASF not to exceed \$315,000,000 in total and authorizes the surcharge until 2020.

This bill would extend to December 31, 2023, the time period for meeting the program goal and would specify the threshold speeds to be met in achieving the goal. The bill would also specify as a program goal the achievement of a statewide 90% adoption rate of high-speed Internet access by December 31, 2023. The bill would require the commission to give priority to projects that provide advanced communication services at those threshold speeds to unserved and underserved households until the goal is achieved. The bill would authorize the commission, once that goal is achieved, to prioritize funding for other specified projects. The bill would require the commission and the California Broadband Council, in consultation with relevant state agencies, to develop a plan to implement these provisions in a manner that fosters public-private collaboration. The bill would authorize the commission to allocate up to \$10 million from the Broadband Infrastructure Grant Account in the CASF to a specified nonprofit organization for specified purposes. The bill would make various legislative findings, including findings regarding deployment of broadband speeds of at least 25 megabits per second (Mbps) downstream and 3 Mbps upstream. The bill would establish the High-Speed Internet Access Adoption Account within the CASF and would authorize the commission to award grants to eligible community-based organizations for education and outreach to low-income households to facilitate the adoption of high-speed Internet access by these households. The bill would authorize the commission to collect an additional \$350,000,000, would specify the distribution of the additional moneys among

the accounts in the CASF, and would authorize the collection through 2026. By increasing the collection for deposit in the CASF, the 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  $\frac{2}{3}$  of the membership of each house of the Legislature.

Existing law requires a certain amount of moneys from the Broadband Infrastructure Grant Account and the Broadband Revolving Loan Account to be transferred to the Broadband Public Housing Account and requires the commission to award grants and loans from the Broadband Public Housing Account to eligible publicly supported communities. Existing law requires any moneys in the Broadband Public Housing Account not awarded by December 31, 2016, to be transferred back to the other 2 accounts.

This bill would repeal the requirement to transfer back the moneys in the Broadband Public Housing Account that are not awarded.

Because the provisions of this bill are within the Public Utilities Act, a violation of which is a crime, this bill would impose a state-mandated local program by extending a crime.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote:  $\frac{2}{3}$ . Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

*The people of the State of California do enact as follows:*

- P3 1 SECTION 1. This act shall be known, and may be cited, as the  
2 Internet For All Now Act of 2016.
- 3 SEC. 2. (a) The Legislature finds and declares all of the  
4 following:  
5 (1) The availability of high-speed Internet access, referred to  
6 generically as "broadband" and including both wired and wireless  
7 technologies, is essential 21st century infrastructure for economic  
8 competitiveness and quality of life. Economic studies confirm that  
9 the use of broadband technologies increases economic productivity  
10 as a foundation for increased efficiency in organizational operations  
11 and enhanced profitability in business.
- 12 (2) Broadband infrastructure is also vital to the operation and  
13 management of other critical infrastructure, such as energy  
14 generation systems and the power grid, water supply systems, and  
15 public safety and emergency response networks. There is a need  
16 for world-class broadband infrastructure throughout California to  
17 support these major infrastructure investments to protect lives,  
18 property, and the environment.
- 19 (3) The California Advanced Services Fund (CASF) is a vital  
20 resource for California to be a national leader and globally  
21 competitive in broadband infrastructure.
- 22 (b) It is the intent of the Legislature that the Public Utilities  
23 Commission, after ensuring the development of last-mile  
P4 1 infrastructure to provide at least 6 megabits per second (Mbps)  
2 downstream and 1.5 Mbps upstream service for 98 percent of  
3 unserved or underserved households in each region of the state,  
4 do all of the following:  
5 (1) Establish the goal for threshold broadband speeds in future  
6 plans and programs of not less than 25 Mbps downstream and 3  
7 Mbps upstream. In establishing the threshold broadband speeds,  
8 the commission should ensure California remains a national leader

9 and globally competitive on broadband infrastructure while taking  
10 into account all cost-effective strategies.

11 (2) Analyze and publish public data regarding the availability  
12 of broadband service at speeds specified in paragraph (1)  
13 throughout the state.

14 (3) Prepare and submit to the Legislature a plan for achieving  
15 broadband service at speeds specified in paragraph (1) that includes  
16 the following:

17 (A) An analysis of the availability of those threshold speeds for  
18 all consumers.

19 (B) An assessment of the implications of the implementation  
20 of paragraph (1) for the CASF and the required funding needed to  
21 achieve that goal in unserved and underserved areas.

22 (C) A delineation of the strategies and policies that would  
23 achieve that goal in the most cost-effective manner possible,  
24 including whether or not it should be the policy of the state to  
25 encourage fiber deployment for middle-mile projects.

26 SEC. 3. Section 281 of the [Public Utilities Code](#) is amended  
27 to read:

28 281. (a) (1) The commission shall develop, implement, and  
29 administer the California Advanced Services Fund program to  
30 encourage deployment of high-quality advanced communications  
31 services to all Californians that will promote economic growth,  
32 job creation, and the substantial social benefits of advanced  
33 information and communications technologies, consistent with  
34 this section and Section 281.1.

35 (2) Recognizing that, in addition to residential households, there  
36 are other types of consumers, including anchor institutions, such  
37 as schools, libraries, community centers, and health and medical  
38 facilities, small businesses and large employers, and research  
39 organizations, all with a range of needs for broadband access  
40 threshold speeds in excess of those specified in Section 281.1, the  
P5 1 commission, in administering the program, shall consider  
2 approving funding for last-mile infrastructure projects ~~to reach~~  
3 ~~unserved and underserved households that exceed those threshold~~  
4 ~~speeds, that also provide improvements to those other types of~~  
5 ~~consumers, and that the commission deems~~ *deemed by the*  
6 *commission* to be in the public interest and a cost-effective use of  
7 the moneys in the California Advanced Services ~~Fund~~. *Fund that*  
8 *will reach unserved and underserved households and that will do*  
9 *both of the following:*

10 (A) *Provide broadband access at speeds that exceed those*  
11 *thresholds.*

12 (B) *Provide improvements to those other types of consumers.*

13 (b) (1) The goals of the program are both of the following:

14 (A) No later than December 31, 2023, to approve funding for  
15 infrastructure projects that will provide broadband access at  
16 advertised speeds of 6 megabits per second (Mbps) downstream  
17 and 1.5 Mbps upstream to no less than 98 percent of California  
18 households.

19 (B) No later than December 31, 2023, to approve funding for  
20 education and outreach projects that would facilitate the  
21 achievement of a statewide 90 percent household adoption rate of  
22 high-speed Internet access with no significant population segment  
23 with less than 80 percent adoption. For purposes of this  
24 subparagraph, high-speed Internet access means access to the  
25 Internet at speeds faster than dialup.

26 (2) In approving infrastructure projects, the commission shall  
 27 give priority to projects pursuant to Section 281.1. The commission  
 28 shall provide each applicant, and any party challenging an  
 29 application, the opportunity to demonstrate actual levels of  
 30 broadband service in the project area, which the commission shall  
 31 consider in reviewing the application.

32 (c) The commission shall establish the following accounts within  
 33 the fund:

34 (1) The Broadband Infrastructure Grant Account.

35 (2) The Rural and Urban Regional Broadband Consortia Grant  
 36 Account.

37 (3) The Broadband Infrastructure Revolving Loan Account.

38 (4) The Broadband Public Housing Account.

39 (5) The High-Speed Internet Access Adoption Account.

P6 1 (d) (1) All moneys collected by the surcharge authorized by  
 2 the commission pursuant to Decision 07-12-054 shall be  
 3 transmitted to the commission pursuant to a schedule established  
 4 by the commission. The commission shall transfer the moneys  
 5 received to the Controller for deposit in the California Advanced  
 6 Services Fund. Moneys collected on and after January 1, 2011,  
 7 shall be deposited in the following amounts in the following  
 8 accounts:

9 (A) Three hundred fifty million dollars (\$350,000,000) into the  
 10 Broadband Infrastructure Grant Account.

11 (B) Thirty million dollars (\$30,000,000) into the Rural and  
 12 Urban Regional Broadband Consortia Grant Account.

13 (C) Ten million dollars (\$10,000,000) into the Broadband  
 14 Infrastructure Revolving Loan Account.

15 (D) In addition to the amount transferred pursuant to  
 16 subparagraph (A) of paragraph (7) of subdivision (h), seventy-five  
 17 million dollars (\$75,000,000) into the Broadband Public Housing  
 18 Account.

19 (E) One hundred million dollars (\$100,000,000) into the  
 20 High-Speed Internet Access Adoption Account.

21 (2) All interest earned on moneys in the fund shall be deposited  
 22 in the fund.

23 (3) The commission shall not collect moneys, by imposing the  
 24 surcharge described in paragraph (1) for deposit in the fund, in an  
 25 amount that exceeds one hundred million dollars (\$100,000,000)  
 26 before January 1, 2011. On and after January 1, 2011, the  
 27 commission may collect an additional sum not to exceed five  
 28 hundred sixty-five million dollars (\$565,000,000), for a sum total  
 29 of moneys collected by imposing the surcharge described in  
 30 paragraph (1) not to exceed six hundred sixty-five million dollars  
 31 (\$665,000,000). The commission may collect the remaining balance  
 32 of the additional sum beginning with the calendar year starting on  
 33 January 1, 2017, and continuing through the 2026 calendar year,  
 34 in an amount not to exceed fifty million dollars (\$50,000,000) per  
 35 year, unless the commission determines that collecting a higher  
 36 amount in any year will not result in an increase in the total amount  
 37 of all surcharges collected from telephone customers that year.

38 (e) (1) (A) All moneys in the California Advanced Services  
 39 Fund shall be available, upon appropriation by the Legislature, to  
 40 the commission for the program administered by the commission  
 P7 1 pursuant to this section and Section 281.1, including the costs  
 2 incurred by the commission in developing, implementing, and  
 3 administering the program and the fund.

4 (B) To ensure the most cost effective and timely achievement  
5 of the goals specified in paragraph (1) of subdivision (b), the  
6 commission may award contracts through an open and competitive  
7 process for any of the following services:

8 (i) Project oversight and management of grants awarded from  
9 the Broadband Infrastructure Grant Account to accelerate the  
10 completion of projects without cost increase or overruns.

11 (ii) Engineering review of proposals for grants from the  
12 Broadband Infrastructure Grant Account.

13 (iii) Overall management, distribution of funds from the  
14 Broadband Infrastructure Grant Account to sub-awardees, and  
15 verification of performance by the sub-awardees receiving funds.

16 (C) To avoid delays in ~~cash flow~~, *cashflow*, contracts entered  
17 into pursuant to subparagraph (B) shall include terms for reasonable  
18 and prudent advance payment schedules reconciled to actual  
19 expenditures by contractors, as verified by independent audits.

20 (2) Notwithstanding any other law and for the sole purpose of  
21 providing matching funds pursuant to the federal American  
22 Recovery and Reinvestment Act of 2009 (Public Law 111-5), any  
23 entity eligible for funding pursuant to that act shall be eligible to  
24 apply to participate in the program administered by the commission  
25 pursuant to this section and Section 281.1, if that entity otherwise  
26 satisfies the eligibility requirements under that program. Nothing  
27 in this section shall impede the ability of an incumbent local  
28 exchange carrier, as defined by subsection (h) of Section 251 of  
29 Title 47 of the United States Code, that is regulated under a rate  
30 of return regulatory structure, to recover, in rate base, California  
31 infrastructure investment not provided through federal or state  
32 grant funds for facilities that provide broadband service and  
33 California intrastate voice service.

34 (3) Notwithstanding subdivision (b) of Section 270, an entity  
35 that is not a telephone corporation shall be eligible to apply to  
36 participate in the program administered by the commission pursuant  
37 to this section and Section 281.1 to provide access to broadband  
38 to an unserved or underserved household, as defined in commission  
39 Decision 12-02-015, if the entity otherwise meets the eligibility  
40 requirements and complies with program requirements established  
P8 1 by the commission. These requirements shall include all of the  
2 following:

3 (A) That projects under this paragraph provide last-mile  
4 broadband access to households that are unserved by an existing  
5 facilities-based broadband provider and only receive funding to  
6 provide broadband access to households that are unserved or  
7 underserved, as defined in commission Decision 12-02-015.

8 (B) That funding for a project providing broadband access to  
9 an underserved household shall not be approved until after any  
10 existing facilities-based provider has an opportunity to demonstrate  
11 to the commission that it will, within a reasonable timeframe,  
12 upgrade existing service. An existing facilities-based provider  
13 may, but is not required to, apply for funding under this section to  
14 make that upgrade.

15 (C) That the commission shall provide each applicant, and any  
16 party challenging an application, the opportunity to demonstrate  
17 actual levels of broadband service in the project area, which the  
18 commission shall consider in reviewing the application.

19 (D) That a local governmental agency may be eligible for an  
20 infrastructure grant only if the infrastructure project is for an

21 unserved household or business, the commission has conducted  
22 an open application process, and no other eligible entity applied.

23 (E) That the commission shall establish a service list of  
24 interested parties to be notified of California Advanced Services  
25 Fund applications.

26 (4) Notwithstanding subdivision (b) of Section 270, up to ten  
27 million dollars (\$10,000,000) from the Broadband Infrastructure  
28 Grant Account shall be available for allocation to the California  
29 Telehealth Network, a 501(c)(3) nonprofit organization, for  
30 purposes of leveraging that organization's utilization of the Federal  
31 Communications Commission's Healthcare Connect Fund for  
32 California's medically underserved communities.

33 (f) Moneys in the Rural and Urban Regional Broadband  
34 Consortia Grant Account shall be available for grants to eligible  
35 consortia to fund the cost of broadband deployment activities other  
36 than the capital cost of facilities, as specified by the commission.  
37 An eligible consortium may include, as specified by the  
38 commission, representatives of organizations, including, but not  
39 limited to, local and regional government, public safety, elementary  
40 and secondary education, health care, libraries, postsecondary  
P9 1 education, community-based organizations, tourism, parks and  
2 recreation, agricultural, and business, and is not required to have  
3 as its lead fiscal agent an entity with a certificate of public  
4 convenience and necessity.

5 (g) Moneys in the Broadband Infrastructure Revolving Loan  
6 Account shall be available to finance capital costs of broadband  
7 facilities not funded by a grant from the Broadband Infrastructure  
8 Grant Account. The commission shall periodically set interest rates  
9 on the loans based on surveys of existing financial markets.

10 (h) (1) For purposes of this subdivision, the following terms  
11 have the following meanings:

12 (A) "Publicly subsidized" means either that the housing  
13 development receives financial assistance from the United States  
14 Department of Housing and Urban Development pursuant to an  
15 annual contribution contract or is financed with low-income  
16 housing tax credits, tax-exempt mortgage revenue bonds, general  
17 obligation bonds, or local, state, or federal loans or grants and the  
18 rents of the occupants, who are lower income households, do not  
19 exceed those prescribed by deed restrictions or regulatory  
20 agreements pursuant to the terms of the financing or financial  
21 assistance.

22 (B) "Publicly supported community" means a publicly  
23 subsidized multifamily housing development that is wholly owned  
24 by either of the following:

25 (i) A public housing agency that has been chartered by the state,  
26 or by any city or county in the state, and has been determined to  
27 be an eligible public housing agency by the United States  
28 Department of Housing and Urban Development.

29 (ii) An incorporated nonprofit organization as described in  
30 Section 501(c)(3) of the Internal Revenue Code (26 U.S.C. Sec.  
31 501(c)(3)) that is exempt from taxation under Section 501(a)  
32 of that code (16 U.S.C. Sec. 501(a)), and that has received public  
33 funding to subsidize the construction or maintenance of housing  
34 occupied by residents whose annual income qualifies as "low" or  
35 "very low" income according to federal poverty guidelines.

36 (2) Notwithstanding subdivision (b) of Section 270, moneys in  
37 the Broadband Public Housing Account shall be available for the

38 commission to award grants and loans pursuant to this subdivision  
39 to an eligible publicly supported community if that entity otherwise  
P10 1 meets eligibility requirements and complies with program  
2 requirements established by the commission.

3 (3) Not more than twenty million dollars (\$20,000,000) shall  
4 be available for grants and loans to a publicly supported community  
5 to finance a project to connect a broadband network to that publicly  
6 supported community. A publicly supported community may be  
7 an eligible applicant only if the publicly supported community can  
8 verify to the commission that the publicly supported community  
9 has not denied a right of access to any broadband provider that is  
10 willing to connect a broadband network to the facility for which  
11 the grant or loan is sought.

12 (4) (A) Not more than five million dollars (\$5,000,000) shall  
13 be available for grants and loans to a publicly supported community  
14 to support programs designed to increase adoption rates for  
15 broadband services for residents of that publicly supported  
16 community. A publicly supported community may be eligible for  
17 funding for a broadband adoption program only if the residential  
18 units in the facility to be served have access to broadband services  
19 or will have access to broadband services at the time the funding  
20 for adoption is implemented.

21 (B) A publicly supported community may contract with other  
22 nonprofit or public agencies to assist in implementation of a  
23 high-speed Internet access adoption program.

24 (5) To the extent feasible, the commission shall approve projects  
25 for funding from the Broadband Public Housing Account in a  
26 manner that reflects the statewide distribution of publicly supported  
27 communities.

28 (6) In reviewing a project application under this subdivision,  
29 the commission shall consider the availability of other funding  
30 sources for that project, any financial contribution from the  
31 broadband service provider to the project, the availability of any  
32 other public or private broadband adoption or deployment program,  
33 including tax credits and other incentives, and whether the applicant  
34 has sought funding from, or participated in, any reasonably  
35 available program. The commission may require an applicant to  
36 provide match funding, and shall not deny funding for a project  
37 solely because the applicant is receiving funding from another  
38 source.

39 (7) To provide funding for the purposes of this subdivision, the  
40 commission shall transfer to the Broadband Public Housing  
P11 1 Account twenty million dollars (\$20,000,000) from the Broadband  
2 Infrastructure Grant Account and five million dollars (\$5,000,000)  
3 from the Broadband Revolving Loan Account.

4 (i) (1) (A) Notwithstanding subdivision (b) of Section 270,  
5 moneys in the High-Speed Internet Access Adoption Account shall  
6 be available for the commission to award performance-based grants  
7 to eligible not-for-profit, community-based organizations, schools,  
8 and libraries to increase high-speed Internet adoption by  
9 low-income households by providing public education and outreach  
10 programs that are culturally appropriate and in relevant languages  
11 on digital literacy training, assistance with selecting a high-speed  
12 Internet provider, and subscription to high-speed Internet access.

13 (B) The commission shall develop criteria for awarding grants  
14 and determine the process and methodology for verifying  
15

16 high-speed Internet access based on new subscriptions by  
17 low-income households.

18 (C) The commission may award one or more contracts for the  
19 overall management of grants to eligible not-for-profit  
20 community-based organizations, schools, and libraries to increase  
21 high-speed Internet adoption among low-income households at a  
22 cost not to exceed 10 percent of the amount of grants awarded.

23 (2) To avoid delays in ~~cash flow~~, *cashflow*, contracts entered  
24 into pursuant to paragraph (1) shall include terms for reasonable  
25 and prudent advance payment schedules reconciled to actual  
26 expenditures by contractors, as verified by independent audits.

27 (j) (1) The commission shall conduct two interim financial  
28 audits and a final financial audit and two interim performance  
29 audits and a final performance audit of the implementation and  
30 effectiveness of the California Advanced Services Fund to ensure  
31 that funds have been expended in accordance with the approved  
32 terms of the grant awards and loan agreements, this section, and  
33 Section 281.1. The commission shall report its interim findings to  
34 the Legislature by April 1, 2020, and April 1, 2022. The  
35 commission shall report its final findings to the Legislature by  
36 April 1, 2024. The reports shall also include an update to the maps  
37 in the final report of the California Broadband Task Force and data  
38 on the types and numbers of jobs created as a result of the program  
39 administered by the commission pursuant to this section and  
Section 281.1.

P12 1 (2) (A) The requirement for submitting a report imposed under  
2 paragraph (1) is inoperative on January 1, 2022, pursuant to Section  
3 10231.5 of the Government Code.

4 (B) A report to be submitted pursuant to paragraph (1) shall be  
5 submitted in compliance with Section 9795 of the Government  
6 Code.

7 (k) (1) Beginning on January 1, 2018, and annually thereafter,  
8 until January 1, 2027, the commission shall provide a report to the  
9 Legislature that includes all of the following information:

10 (A) The amount of funds expended from the California  
11 Advanced Services Fund in the prior year.

12 (B) The recipients of funds expended from the California  
13 Advanced Services Fund in the prior year.

14 (C) The geographic regions of the state affected by funds  
15 expended from the California Advanced Services Fund in the prior  
16 year.

17 (D) The expected benefits to be derived from the funds expended  
18 from the California Advanced Services Fund in the prior year.

19 (E) The amount of actual high-speed Internet access adoption  
20 due to the funds expended from the California Advanced Services  
21 Fund in the prior year.

22 (F) The amount of funds expended from the California  
23 Advanced Services Fund used to match federal funds.

24 (G) An update on the expenditures from California Advanced  
25 Services Fund and broadband adoption levels, and an accounting  
26 of remaining unserved and underserved households and areas of  
27 the state.

28 (H) The status of the California Advanced Services Fund balance  
29 and the projected amount to be collected in each year to fund  
30 approved projects.

31

32 (2) A report to be submitted pursuant to paragraph (1) shall be  
33 submitted in compliance with Section 9795 of the Government  
34 Code.

35 SEC. 4. Section 281.1 is added to the Public Utilities Code, to  
36 read:

37 281.1. (a) For the purposes of this section, the following terms  
38 mean the following:

39 (1) "Last-mile infrastructure" means the segment of the Internet  
40 infrastructure that provides Internet connectivity to end users, such  
as residential households, anchor institutions, and local businesses.

P13 1 (2) "Middle-mile backhaul infrastructure" means the segment  
2 of the Internet infrastructure that connects the last-mile  
3 infrastructure to the backbone infrastructure of the Internet.

4 (3) "Program" means the California Advanced Services Fund  
5 program.

6 (4) "Unserved households" and "underserved households" have  
7 the same meanings as in commission Decision 12-02-015.

8 (b) (1) Until the goal specified in subparagraph (A) of paragraph  
9 (1) of subdivision (b) of Section 281 is achieved, the commission,  
10 in administering the program, shall give priority to last-mile  
11 infrastructure projects that provide advanced communication  
12 services at or above the advertised speeds required under the goal  
13 to unserved or underserved households. Recognizing that  
14 cost-effective, last-mile infrastructure projects are dependent upon  
15 affordable middle-mile backhaul infrastructure that may be  
16 deployed through underserved or unserved areas either by  
17 incumbents providing access to existing middle-mile backhaul  
18 infrastructure at reasonable prices as determined by the commission  
19 or by the project applicant constructing essential middle-mile  
20 infrastructure as part of the project, the commission shall consider  
21 applications for projects that provide for the development of  
22 last-mile infrastructure serving unserved and underserved  
23 households that include the development of middle-mile backhaul  
24 infrastructure to which the last-mile infrastructure connects.

25 (2) (A) The commission shall give additional priority to  
26 applicants that are incumbents with existing middle-mile backhaul  
27 infrastructure proposing to deploy last-mile infrastructure to  
28 provide services to unserved and underserved households, if the  
29 incumbent submits an application no later than March 31, 2017,  
30 and the proposal is deemed cost effective by the commission

31 (B) The commission shall require the incumbent to complete,  
32 no later than December 31, 2018, the construction of the project  
33 given priority pursuant to this paragraph.

34 (3) In applying for funding for the program, an applicant shall  
35 demonstrate the cost-effectiveness of the last-mile infrastructure  
36 at the threshold speeds specified in subparagraph (A) of paragraph  
37 (1) of subdivision (b) of Section 281.

38 (c) Once the goal specified in subparagraph (A) of paragraph  
39 (1) of subdivision (b) of Section 281 is reached, the commission  
P14 1 may prioritize funding pursuant to the program for any of the  
2 following:

3 (1) Last-mile infrastructure projects providing advanced  
4 communication services at advertised speeds of at least 25 Mbps  
5 downstream and 3 Mbps upstream to unserved and underserved  
6 households and at appropriate speeds to anchor institutions and  
7 other customers in the vicinity of those households.  
8

9 (2) Upgrades to broadband connectivity for other critical  
10 infrastructure systems not in the vicinity of residences.

11 (3) Last-mile infrastructure projects of statewide public  
12 significance, including projects related to public safety and  
13 emergency response, such as providing broadband connectivity to  
14 and among county fairgrounds as staging areas for emergency  
15 responses, wildfire fighting, and disaster evacuations.

16 (d) It is the intent of the Legislature to enact legislation to  
17 establish a transparent public process to analyze and designate a  
18 project as having statewide significance for purposes of paragraph  
19 (3) of subdivision (c).

20 (e) The commission and the California Broadband Council shall,  
21 in consultation with relevant state agencies, develop a plan to  
22 implement this section in a manner that fosters public-private  
23 partnership collaboration in an open and transparent process.

24 SEC. 5. No reimbursement is required by this act pursuant to  
25 Section 6 of Article XIII B of the California Constitution because  
26 the only costs that may be incurred by a local agency or school  
27 district will be incurred because this act creates a new crime or  
28 infraction, eliminates a crime or infraction, or changes the penalty  
29 for a crime or infraction, within the meaning of Section 17556 of  
30 the Government Code, or changes the definition of a crime within  
31 the meaning of Section 6 of Article XIII B of the California  
Constitution.

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# Solano County 2016 Bill List

## Thursday, April 14, 2016

BILL ID/Topic	Location	Summary	Solano Position	CSAC Position	LCC Position
<a href="#">AB 45</a> <a href="#">Mullin D</a>  Household hazardous waste.	2/4/2016-S. E.Q. 2/4/2016-Referred to Com. on E.Q.  Heard	Would require the Department of Resources Recycling and Recovery to adopt one or more model ordinances for a comprehensive program for the collection of household hazardous waste and would authorize a local jurisdiction that provides for the residential collection and disposal of solid waste that proposes to enact an ordinance governing the collection and diversion of household hazardous waste to adopt one of the model ordinances adopted by the department. Last Amended on 1/21/2016	Oppose	Oppose unless Amended	Oppose
<a href="#">AB 171</a> <a href="#">Irwin D</a>  Department of Veterans Affairs: veterans' services.	9/11/2015-S. 2 YEAR 9/11/2015-Failed Deadline pursuant to Rule 61(a)(14). (Last location was INACTIVE FILE on 9/1/2015)  Heard	Would require the Department of Veterans Affairs, no later than July 1, 2016, to develop an allocation formula based upon performance standards that encourage innovation and reward outstanding service by county veterans service officers, and would require those moneys to be allocated, upon appropriation by the Legislature, in accordance with that formula, as specified. The bill would require the department to annually report to the Legislature the efficacy, return on investment, work volume, and regional impact of the subvention funds on each county that receives those funds, as specified. Last Amended on 8/31/2015	Support	Support	
<a href="#">AB 1591</a> <a href="#">Frazier D</a>  Transportation funding.	2/1/2016-A. TRANS. 2/1/2016-Referred to Coms. on TRANS. and REV. & TAX.  Heard	Would create the Road Maintenance and Rehabilitation Program to address deferred maintenance on the state highway system and the local street and road system. The bill would require the California Transportation Commission to adopt performance criteria to ensure efficient use of the funds available for the program. This bill contains other related provisions and other existing laws.	Support	Pending	Watch
<a href="#">AB 1758</a> <a href="#">Stone, Mark D</a>  Telecommunications: California Advanced Services Fund.	3/28/2016-A. U. & C. 3/28/2016-Re-referred to Com. on U. & C.  Agenda 4/20/2016 1:30 p.m. - State Capitol, Room 437 ASSEMBLY UTILITIES AND COMMERCE, GATTO, Chair	Current law requires the Public Utilities Commission to give priority to projects that provide last-mile broadband access to households that are unserved by an existing facilities-based broadband provider. Current law establishes that the goal of the CASF program is, no later than December 31, 2015, to approve funding for infrastructure projects that will provide broadband access to no less than 98% of California households. Current law authorizes the commission to collect a surcharge for deposit into the CASF not to exceed \$315,000,000 in total and authorizes the surcharge until 2020. This bill would extend to December 31, 2023, the time period for meeting the program goal and would specify the threshold speeds to be met in achieving the goal. Last Amended on 3/17/2016		Support	Support

<b>BILL ID/Topic</b>	<b>Location</b>	<b>Summary</b>	<b>Solano Position</b>	<b>CSAC Position</b>	<b>LCC Position</b>
<a href="#">AB 1812</a> <a href="#">Wagner R</a>  Public employees' retirement.	2/25/2016-A. P.E.,R. & S.S. 4/6/2016-In committee: Set, first hearing. Hearing canceled at the request of author.  Heard	Would prohibit the retirement benefit paid to a member of any public retirement system whose service is not included in the federal social security system from exceeding \$100,000. The bill would prohibit the retirement benefit paid to a member of any public retirement system whose service is included in the federal social security system from exceeding \$80,000. The bill would require that those amounts be adjusted annually by each public retirement system using the Consumer Price Index for All Urban Consumers. This bill contains other related provisions.	Watch	Pending	Watch
<a href="#">AB 1854</a> <a href="#">Bloom D</a>  Bail: attorney's fees: forfeited bail.	4/7/2016-S. RLS. 4/7/2016-In Senate. Read first time. To Com. on RLS. for assignment.  Heard	Current law requires the district attorney, county counsel, or applicable prosecuting agency to recover, out of the forfeited bail money, the costs incurred in successfully opposing a motion to vacate the forfeiture prior to the division of the forfeited bail money between the cities and counties in accordance with specified provisions. This bill would require the district attorney, county counsel, or applicable prosecuting agency to, in addition, recover attorney's fees out of the forfeited bail money.	Support	Sponsor	
<a href="#">AB 2678</a> <a href="#">Gray D</a>  State-designated fairs: funding.	4/13/2016-A. AGRI. 4/13/2016-Re-referred to Com. on REV. & TAX.  Agenda  4/20/2016 1:30 p.m. - State Capitol, Room 444 ASSEMBLY AGRICULTURE, DODD, Chair 4/18/2016 2:30 p.m. - State Capitol, Room 126 ASSEMBLY REVENUE AND TAXATION SUSPENSE, RIDLEY-THOMAS, Chair	Would require a tax return filed for the purposes of the Sales and Use Tax Law to segregate the gross receipts of the seller and the sales price of the property on a form prescribed by the State Board of Equalization when the place of sale or use in this state is on or within the real property of a state-designated fair, as defined, or any real property of a state-designated fair that is leased to another party. This bill contains other related provisions. Last Amended on 4/12/2016		Support	Watch
<a href="#">SB 12</a> <a href="#">Beall D</a>  Foster youth.	8/28/2015-A. 2 YEAR 8/28/2015-Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. on 8/27/2015)  Heard	Would revise the definition of a nonminor dependent and former nonminor dependent to include a person who has not attained 21 years of age, if he or she was adjudged a ward of the court on the basis of criminal activity, was subject to an order for foster care placement at the time the petition to adjudge him or her a ward of the court was filed, and was held in secure confinement when he or she attained 18 years of age. This bill would make conforming changes to allow a court to assume or resume dependency jurisdiction or transition jurisdiction over a nonminor who satisfies this criteria. Last Amended on 6/2/2015	Watch	Pending	

<b>BILL ID/Topic</b>	<b>Location</b>	<b>Summary</b>	<b>Solano Position</b>	<b>CSAC Position</b>	<b>LCC Position</b>
<a href="#">SB 23</a> <a href="#">Mitchell D</a>  CalWORKs: eligibility.	9/11/2015-A. 2 YEAR 9/11/2015-Failed Deadline pursuant to Rule 61(a)(14). (Last location was INACTIVE FILE on 9/4/2015)  Heard	Under current law, for purposes of determining a family's maximum aid payment under the CalWORKs program, the number of needy persons in the same family is not increased for any child born into a family that has received aid under the CalWORKs program continuously for the 10 months prior to the birth of the child, with specified exceptions. This bill would repeal that exclusion for purposes of determining the family's maximum aid payment and would expressly prohibit the denial of aid, or the denial of an increase in the maximum aid payment, if a child, on whose behalf aid or an increase in aid is being requested, was born into an applicant's or recipient's family while the applicant's or recipient's family was receiving aid under the CalWORKs program.	Support	Pending	
<a href="#">SB 24</a> <a href="#">Hill D</a>  California Public Employees' Pension Reform Act of 2013: joint powers authority: employees.	1/26/2016-A. DESK 1/26/2016-In Assembly. Read first time. Held at Desk.  Heard	Would authorize a joint powers authority formed by the Cities of Belmont, Foster City, and San Mateo on or after January 1, 2013, to provide employees who are not new members under PEPRA with the defined benefit plan or formula that was received by those employees from their respective employers on December 31, 2012, if they are employed by the joint powers authority within 180 days of the city providing for the exercise of a common power, to which the employee was associated, by the joint powers authority. Last Amended on 1/5/2016	Oppose	Pending	Watch
<a href="#">SB 140</a> <a href="#">Leno D</a>  Electronic cigarettes.	7/17/2015-A. 2 YEAR 7/17/2015-Failed Deadline pursuant to Rule 61(a)(10). (Last location was G.O. on 7/8/2015)  Heard	Would define the term "smoking" for purposes of the STAKE Act. The bill would also change the STAKE Act's definition of tobacco products to include electronic devices, such as electronic cigarettes, that deliver nicotine or other vaporized liquids, and make furnishing such a tobacco product to a minor a misdemeanor. This bill contains other related provisions and other existing laws. Last Amended on 6/1/2015	Support	Pending	Support
<a href="#">SB 151</a> <a href="#">Hernandez D</a>  Tobacco products: minimum legal age.	7/17/2015-A. 2 YEAR 7/17/2015-Failed Deadline pursuant to Rule 61(a)(10). (Last location was G.O. on 6/18/2015)(CORRECTED)  Heard	Existing law prohibits the furnishing of tobacco products to, and the purchase of tobacco products by, a person under 18 years of age. This bill would extend the applicability of those provisions to persons under 21 years of age. This bill contains other related provisions.	Support	Watch	Watch
<a href="#">SB 260</a> <a href="#">Monning D</a>  Medi-Cal: county organized health systems: pilot programs.	9/11/2015-A. 2 YEAR 9/11/2015-Failed Deadline pursuant to Rule 61(a)(14). (Last location was INACTIVE FILE on 9/9/2015)  Heard	Current law provides the California Medical Assistance Commission with the authority to negotiate exclusive contracts with county organized health systems to provide health care services under the Medi-Cal program. Under current law, the contracting counties are exempt from Knox-Keene for purposes of carrying out those contracts. This bill would repeal that exemption and delete related exemptions, deem a county contracting with the department under the provisions described above to be a health care service plan as of specified dates, and subject contracting counties to the act for purposes of carrying out those contracts, unless the act expressly provides otherwise. Last Amended on 7/14/2015	Oppose		
<b>BILL ID/Topic</b>	<b>Location</b>	<b>Summary</b>	<b>Solano Position</b>	<b>CSAC Position</b>	<b>LCC Position</b>
<a href="#">SB 547</a>	1/27/2016-A. DESK	Current law establish the California Health and	Support	Watch	

<a href="#">Liu D</a> Aging and long-term care services, supports, and program coordination.	1/27/2016-In Assembly. Read first time. Held at Desk.  Heard	Human Services Agency consisting of the Departments of Aging, Child Support services, Community Services and Development, Developmental Services, Health Care Services, Managed Health Care, Public Health, Rehabilitation, Social Services, and State Hospitals. This bill would create the Statewide Aging and Long-Term Care Services Coordinating Council, chaired by the Secretary of California Health and Human Services, and would consist of the heads, or their designated representative, of specified departments and offices. Last Amended on 1/26/2016			
<a href="#">SB 554</a> <a href="#">Wolk D</a>  Delta levee maintenance.	1/27/2016-A. DESK 1/27/2016-In Assembly. Read first time. Held at Desk.  Heard	Current law establishes a delta levee maintenance program pursuant to which a local agency may request reimbursement for costs incurred in connection with the maintenance or improvement of project or nonproject levees in the Sacramento-San Joaquin Delta. This bill would declare legislative intent to reimburse up to 75% of those costs incurred in any year for the maintenance or improvement of levees in excess of \$1,000 per mile of levee and would authorize the board to advance funds in an amount that does not exceed 75% of the estimated state share to an eligible local agency. Last Amended on 1/4/2016	Support	Watch	Watch
<a href="#">SB 947</a> <a href="#">Pan D</a>  Public assistance: personal interviews.	3/31/2016-S. APPR. 4/8/2016-Set for hearing April 18.  Heard  4/18/2016 10 a.m. - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS, LARA, Chair	Current law prohibits an applicant from being granted public assistance under CalWORKs until he or she is personally interviewed by the county human services agency or state hospital staff. Current law also requires the county department to verify if an applicant is incapable of acting on his or her own behalf by personal contact with the applicant before aid is authorized. This bill would authorize the county human services agency to conduct this personal interview telephonically or through electronic means. The bill would require an in-person personal interview to be conducted if requested by an applicant or recipient. Last Amended on 3/31/2016	Support	Support	
<a href="#">SBX2 5</a> <a href="#">Leno D</a>  Electronic cigarettes.	3/10/2016-S. ENROLLMENT 3/10/2016-Assembly amendments concurred in. (Ayes 26. Noes 11.) Ordered to engrossing and enrolling.  Heard	Would define the term "smoking" for purposes of the STAKE Act. The bill would also change the STAKE Act's definition of "tobacco products" to include electronic devices, such as electronic cigarettes, that deliver nicotine or other vaporized liquids, and make furnishing the tobacco product to a minor a misdemeanor. This bill contains other related provisions and other existing laws. Last Amended on 3/2/2016	Support		
<a href="#">SBX2 7</a> <a href="#">Hernandez D</a>  Tobacco products: minimum legal age.	3/10/2016-S. ENROLLMENT 3/10/2016-Assembly amendments concurred in. (Ayes 26. Noes 10.) Ordered to engrossing and enrolling.  Heard	Current law requires the State Department of Public Health to conduct random, onsite sting inspections of tobacco product retailers with the assistance of persons under 18 years of age. This bill would extend the applicability of those provisions to persons under 21 years of age. The bill would authorize the State Department of Public Health to conduct random, onsite sting inspections of tobacco product retailers with the assistance of persons under 21 years of age. Last Amended on 3/2/2016	Support		
<b>BILL ID/Topic</b>	<b>Location</b>	<b>Summary</b>	<b>Solano Position</b>	<b>CSAC Position</b>	<b>LCC Position</b>
<a href="#">SBX2 8</a> <a href="#">Liu D</a>	8/27/2015-S. DESK 3/15/2016-From Assembly without	Would expand eligibility for funding for the tobacco use prevention program to include charter schools.	Support		

Tobacco use programs.	further action. Heard	The bill would require the State Department of Education to require that all school districts, charter schools, and county offices of education receiving funding under the program adopt and enforce a tobacco-free campus policy prohibiting the use of products containing tobacco and nicotine, as specified. This bill contains other related provisions and other existing laws. Last Amended on 8/25/2015			
<a href="#">SBX2 9</a> <a href="#">McGuire D</a> Local taxes: authorization: cigarettes and tobacco products.	8/27/2015-S. DESK 3/15/2016-From Assembly without further action. Heard	Would authorize the board of supervisors of a county or city and county to impose a tax on the privilege of distributing cigarettes and tobacco products in the county or city and county, including within an incorporated city within the county.	Support		
<a href="#">SBX2 10</a> <a href="#">Beall D</a> Cigarette and tobacco product licensing: fees and funding.	8/27/2015-S. DESK 3/15/2016-From Assembly without further action. Heard	The Cigarette and Tobacco Products Licensing Act of 2003 requires the State Board of Equalization to administer a statewide program to license manufacturers, importers, distributors, wholesalers, and retailers of cigarettes and tobacco products. That act requires retailers of cigarettes and tobacco products to obtain a separate license for each retail location, to be issued by the board upon receipt of a completed application and payment of a one-time fee, unless specified conditions apply. This bill would require a fee of \$265 to be submitted with each license application, as described above	Support		

**Total Measures: 21**

**Total Tracking Forms: 21**