



SOLANO COUNTY

Legislative Committee Meeting

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

Staff
Michelle Heppner

August 1, 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. **Report on Federal Budget and Legislation and consider making a recommendation for a position on legislation (Waterman & Associates)**
- 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)**

Action Items:

- Proposition 53 - Revenue Bonds. Statewide Voter Approval. Initiative Constitutional Amendment
 - Full Text (Page 17)
 - LAO Analysis (Page 23)

Discussion Items:

- **Other Ballot Measures that have Qualified for the November 8, 2016 Ballot**
 - CA Secretary of State Ballot Initiative Summaries (Page 29)
 - CSAC List and Status of November 2016 Ballot Initiatives (Page 37)
 - California League of Cities Ballot Action on November 2016 Ballot Initiatives (Page 39)

- V. **Next Meeting: August 15, 2016 at 1:30 p.m.**
- VI. **Adjourn**

Solano State Legislative Delegation

Wolk, Lois		
Bill ID/Topic	Location	Summary
SB 7 Wolk D 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.
SB 441 Wolk D California Public Records Act: exemptions.	6/28/2016-A. APPR. 6/28/2016-From committee: Do pass and re-refer to Com. on APPR. with recommendation: To consent calendar. (Ayes 10. Noes 0.) (June 28). Re-referred to Com. on APPR.	The California Public Records Act requires that public records be open to inspection at all times during the office hours of a public agency, defined as any state or local agency, and that every person has a right to inspect any public record, except as specifically provided. The act further requires that a reasonably segregable portion of a public record be available for inspection by any person requesting the public record after deletion of the portions that are exempted by law. This bill would exempt from disclosure any identification number, alphanumeric character, or other unique identifying code used by a public agency to identify a vendor or contractor, or an affiliate of a vendor or contractor, unless the identification number, alphanumeric character, or other unique identifying code is used in a public bidding or an audit involving the public agency. This bill contains other related provisions and other existing laws.
SB 543 Wolk D Veterans: Veterans' Home of California.	6/29/2016-A. APPR. 6/29/2016-June 29 set for first hearing canceled at the request of author.	Existing law provides for the establishment and operation of the Veterans' Home of California at various sites, including homes in Barstow, Chula Vista, Lancaster, Ventura, and Yountville, and provides for an administrator for each home or homesite. Existing law defines "home" and "administrator" for these purposes. Existing law establishes the Veterans' Home Fund in the State Treasury, which includes the proceeds of certain bonds. Existing law requires, upon appropriation of the Legislature, the Department of Veterans Affairs to use money in the fund for the purpose of designing and constructing veterans' homes in California. This bill would clarify that veterans' homes include the Veterans' Homes of California located in Chula Vista, Fresno, Lancaster, Redding, Ventura, West Los Angeles, and any future Veterans' Home of California that is established. This bill contains other related provisions and other existing laws.
SB 552 Wolk D Public water systems: disadvantaged communities: consolidation or extension of	6/28/2016-A. APPR. 6/28/2016-From committee: Do pass and re-refer to Com. on APPR. (Ayes 10. Noes 5.) (June 28). Re-referred to Com. on APPR.	Existing law, the California Safe Drinking Water Act, provides for the operation of public water systems and imposes on the State Water Resources Control Board various responsibilities and duties. The act authorizes the state board to order consolidation with a receiving water system where a public water system, or a state small water system within a disadvantaged community, consistently fails to provide an adequate

<p>service: administrative and managerial services.</p>		<p>supply of safe drinking water. The act authorizes the state board to order the extension of service to an area that does not have access to an adequate supply of safe drinking water so long as the extension of service is an interim extension of service in preparation for consolidation. Existing law, for these purposes, defines "disadvantaged community" to mean a disadvantaged community that is in an unincorporated area or is served by a mutual water company. This bill would authorize the state board to order consolidation where a public water system or a state small water system is serving, rather than within, a disadvantaged community, and would limit the authority of the state board to order consolidation or extension of service to provide that authority only with regard to a disadvantaged community. This bill would make a community disadvantaged for these purposes if the community is in a mobilehome park even if it is not in an unincorporated area or served by a mutual water company. This bill contains other related provisions and other existing laws.</p>
<p>SB 683 Wolk D</p> <p>Alcoholic beverage licenses: nonprofit sales license.</p>	<p>6/30/2016-A. APPR. 6/30/2016-From committee: Do pass and re-refer to Com. on APPR. (Ayes 19. Noes 0.) (June 30). Re-referred to Com. on APPR.</p>	<p>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. Existing law also provides for various annual fees for the issuance of alcoholic beverage licenses depending upon the type of license issued. This bill would authorize the Department of Alcoholic Beverage Control to issue a special nonprofit sales license to a nonprofit mutual benefit corporation, as described, that would authorize the licensee to, among other things, accept the transfer of, and take title to, up to 20,000 gallons of wine per year produced by the public university, as described, and sell transferred wine to consumers and licensees, as provided. The bill would impose an original fee and an annual renewal fee for the license, which would be deposited in the Alcohol Beverage Control Fund. This bill contains other related provisions.</p>
<p>SB 746 Wolk D</p> <p>Olive Oil Commission of California: voting members: chair of advisory committee.</p>	<p>6/29/2016-A. APPR. 6/29/2016-From committee: Do pass and re-refer to Com. on APPR. with recommendation: To consent calendar. (Ayes 9. Noes 0.) (June 29). Re-referred to Com. on APPR.</p>	<p>Existing law establishes the Olive Oil Commission of California and provides for the board of directors of the commission comprised of 10 voting members, as specified. Existing law further provides for an advisory committee to advise the commission board of directors, provides for the selection of the chair of the advisory committee by the members of the commission, and specifies that the chair of the advisory committee shall be a nonvoting member of the commission board of directors. This bill would instead establish the chair of the advisory committee to be a member, rather than a nonvoting 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.</p>
<p>SB 1119 Wolk D</p> <p>Surplus state property: Napa County Regional Park and Open</p>	<p>6/1/2016-S. INACTIVE FILE 6/1/2016-Ordered to inactive file on request of Senator Wolk.</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</p>

Space District.		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><u>SB 1120</u> <u>Wolk</u> D</p> <p>Director of General Services: state medical facilities: leases.</p>	<p>6/29/2016-A. APPR. 6/29/2016-From committee: Do pass and re-refer to Com. on APPR. (Ayes 8. Noes 0.) (June 29). Re-referred to Com. on APPR.</p>	Existing law authorizes the Director of General Services, with the consent of the State Department of State Hospitals to lease specified property located within the Napa State Hospital to a nonprofit corporation for the purpose of conducting its trainable mentally retarded program consistent with specified requirements. This bill would update the names of the programs being offered and would authorize the lease to be renewed for a term not exceeding 50 years. This bill contains other related provisions and other existing laws.
<p><u>SB 1340</u> <u>Wolk</u> D</p> <p>Water Conservation in Landscaping Act.</p>	<p>6/30/2016-A. APPR. 6/30/2016-From committee: Do pass and re-refer to Com. on APPR. (Ayes 5. Noes 3.) (June 29). Re-referred to Com. on APPR.</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. This bill, on or after July 1, 2018, would require a local agency to require a permit for the installation 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. 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. The bill would authorize a property owner, property manager, landscape contractor, landscape architect, or any other agent designated by the property owner to submit the application for a permit required pursuant to these provisions for an irrigation system serving a residential landscape. The bill would exempt from these requirements the repair and replacement of the components or parts of an

		automatic irrigation system. This bill contains other related provisions and other existing laws.
<p>SB 1386 Wolk D</p> <p>Resource conservation: working and natural lands.</p>	<p>6/29/2016-A. APPR. 6/29/2016-Read second time and amended. 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 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>
<p>SB 1414 Wolk D</p> <p>Energy.</p>	<p>6/30/2016-A. SECOND READING 6/30/2016-From committee: Do pass as amended and re-refer to Com. on APPR. (Ayes 10. Noes 4.) (June 29).</p>	<p>Existing law requires the State Energy Resources Conservation and Development Commission (Energy 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 Energy 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 operating efficiency standards to be sold or offered for sale in the state unless it is certified by the manufacturer to be in compliance with those standards. This bill would require the Energy Commission, by January 1, 2019, to approve a plan that will promote the installation of central air conditioning and heat pumps in compliance with specified regulations. The bill would authorize the Energy Commission to adopt regulations to increase compliance with permitting and inspection requirements for central air conditioning and heat pumps and associated sales and installations, consistent with that plan.</p>
<p>SCA 14 Wolk D</p> <p>Legislative procedure.</p>	<p>6/23/2016-A. THIRD READING 6/23/2016-Read second time. Ordered to third reading.</p>	<p>The California Constitution requires that the proceedings of each house of the Legislature and the committees thereof be open and public, except as specified. This measure would require the Legislature, commencing January 1, 2018, to make audiovisual recordings of the open and public proceedings of each house of the Legislature and the committees thereof, as prescribed, and to authorize members of the public who attend those proceedings to make recordings of and to broadcast the proceedings, as prescribed. The measure would require the Legislature to provide its recordings to the Legislative Counsel for purposes of making the recordings promptly available to the public and would require that the recordings remain reasonably accessible to the public for not less than 20 years. The measure would require the Legislature to enact laws to implement these provisions, provided that the bills enacting such laws would be required to be published in final form on the Internet for at least</p>

		12 days prior to the final vote in each house.
SCR 137 Wolk D Police Officer Vilho Ahola Memorial Interchange.	6/30/2016-A. DESK 6/30/2016-In Assembly. Held at Desk.	This measure would designate a specified interchange on State Highway 101 in the County of Sonoma as the Police Officer Vilho Ahola Memorial Interchange. The measure would also request the Department of Transportation to determine the cost of appropriate signs showing this special designation and, upon receiving donations from nonstate sources covering that cost, to erect those signs.

Bonilla, Susan

Bill ID/Topic	Location	Summary
<p>AB 1174 Bonilla D</p> <p>Automotive Repair Act: violations: regulations: reports.</p>	<p>6/28/2016-S. APPR. 6/28/2016-From committee: Do pass and re-refer to Com. on APPR. (Ayes 9. Noes 0.) (June 27). Re-referred to Com. on APPR.</p>	<p>The Automotive Repair Act provides for the licensure and regulation of automotive repair dealers, among others, by the Chief of the Bureau of Automotive Repair under the supervision and control of the Director of Consumer Affairs. The act requires the director, on the director's initiative or in response to a complaint, to investigate a violation of the act, or of any regulation adopted pursuant to the act, by any automotive repair dealer, automotive technician, or employee, partner, officer, or member of any automotive repair dealer. The act authorizes the director to adopt and enforce the rules and regulations that the director determines are reasonably necessary to carry out the purposes of the act and declaring the policy of the bureau, including a system for the issuance of citations pursuant to a specified law. The act, except as specified, makes a violation of any requirement of the act by any person punishable as a misdemeanor. This bill would clarify that the specified law under which the director may adopt and enforce rules and regulations under the Automotive Repair Act authorizes any board, bureau, or commission within the Department of Consumer Affairs to establish, by regulation, a system for the issuance to a licensee of a citation when the licensee is in violation of the applicable licensing act or any regulation adopted pursuant thereto. This bill contains other related provisions.</p>
<p>AB 1592 Bonilla D</p> <p>Autonomous vehicles: pilot project.</p>	<p>6/23/2016-S. APPR. 6/23/2016-Re-referred to Com. on APPR. pursuant to Joint Rule 10.5.</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. The bill would require the authority or a private entity, or a combination of the two, to obtain an instrument of insurance, surety bond, or proof of self-insurance in an amount of \$5,000,000 prior to the start of testing of any autonomous vehicle on or across a public road and would require evidence of the insurance, surety bond, or proof of self-insurance to be provided to the Department of Motor Vehicles in the form and manner required by the department. The bill would limit the operator of the autonomous technology to only collect data about the operation of the autonomous vehicle and the environment of the vehicle that is necessary for the operation of the vehicle and not for marketing or other commercial purposes. The bill would authorize the department to require data collection for evaluating the safety of the vehicles.</p>
<p>AB 1692 Bonilla D</p> <p>County employees' retirement: Contra Costa County.</p>	<p>6/14/2016-S. THIRD READING 6/14/2016-Read second time. Ordered to third reading.</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>AB 1697 Bonilla D</p> <p>Alternative and Renewable Fuel and Vehicle Technology Program.</p>	<p>6/29/2016-S. APPR. 6/29/2016-From committee: Do pass and re-refer to Com. on APPR. (Ayes 9. Noes 1.) (June 28). Re-referred to Com. on APPR.</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. Existing law specifies that projects eligible for funding include workforce training programs related to various sectors or occupations related to the purposes of the program. 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. The bill would revise the eligibility criteria for workforce training programs, as specified.</p>
<p>AB 1914 Bonilla D</p> <p>Public postsecondary education: academic materials: textbooks: access codes.</p>	<p>6/22/2016-S. APPR. 6/22/2016-Read second time and amended. Re-referred to Com. on APPR.</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 respective academic senates of campuses of the California State University and the University of California, in collaboration with students and campus administrators, to develop policies regarding required academic materials in order to encourage efforts to reduce redundancy in the delivery of 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, guidelines prioritizing the use of ancillary and additional academic platforms and materials, not including textbooks, already available to enrolled students that are determined by faculty to serve the requirements of a course of study at no additional cost to enrolled students on their campuses or to the campus itself, a requirement that the cost of academic materials from the current semester or quarter be provided to faculty as specified, the establishment, in consultation with the campus bookstore, of deadlines by the campus for a faculty member or academic department to notify the campus bookstore of required and recommended textbooks and other instructional materials, as specified, and a determination, in consultation with the campus bookstore, of approved descriptors to post next to academic materials offered for sale at the campus bookstore, as specified. This bill contains other related provisions and other existing laws.</p>
<p>AB 2149 Bonilla D</p> <p>State Board of Equalization: counties: state agencies: collection of cash payments: medical cannabis-related businesses.</p>	<p>6/29/2016-S. APPR. 6/29/2016-Action From GOV. & F.: Do pass as amended.To APPR..</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, exempts from specified criminal penalties the possession or cultivation of medical marijuana by patients and primary caregivers. The Medical Marijuana Regulation and Safety Act provides for the licensure and regulation of commercial medical marijuana activity by various state entities, as specified. This bill would authorize the State Board of Equalization or a county to collect cash payments from medical cannabis-related businesses for 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 or county. This bill would require a county to collect only if both the board of supervisors of the county and the county tax collector or county treasurer-tax collector approves of entering into an agreement with a state agency to make those collections. The bill would require the agreement to include specified provisions, including that the board or county transmit the collected moneys to the Treasurer to be deposited in the State Treasury to the credit of the funds or accounts which the fees, fines, penalties, or other charges are otherwise required by law to be deposited, as specified. This bill contains other related provisions and other existing laws.</p>

Dodd, Bill

Bill ID/Topic	Location	Summary
<p>AB 724 Dodd D</p> <p>Sales and use taxes: exemption: museum displays: Jimmy Doolittle Air and Space Museum Education Foundation.</p>	<p>6/28/2016-S. THIRD READING 6/28/2016-Read second time. Ordered to third reading.</p>	<p>Existing sales and use tax laws impose a tax on retailers measured by the gross receipts from the sale of tangible personal property sold at retail in this state of, 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. Existing law provides various exemptions from those taxes, including an exemption for the sale of, or the storage, use, or other consumption of, tangible personal property purchased by the San Diego Air & Space Museum and the California Science Center if the property is purchased and used exclusively for display purposes within the museum, as provided. This bill would additionally exempt from those taxes tangible personal property purchased by the Jimmy Doolittle Air and Space Museum Education Foundation for those purposes. The bill would also make a nonsubstantive change. This bill contains other related provisions and other existing laws.</p>
<p>AB 806 Dodd D</p> <p>Community development: economic opportunity.</p>	<p>6/21/2016-S. THIRD READING 6/21/2016-Read second time and amended. Ordered to third reading.</p>	<p>Under existing law, before certain city, county, or city and county property is sold or leased for economic development purposes, approval of the sale or lease by the legislative body by resolution, after a public hearing, is required. Existing law requires that resolution to contain a finding that the sale or lease of the property will assist in the creation of economic opportunity, as defined. This bill would recast these provisions to instead authorize a city, county, or city and county, with the approval of its legislative body by resolution after a public hearing, to acquire, sell, or lease property in furtherance of the creation of an economic opportunity, as defined. The bill would require the resolution to contain a finding that the acquisition, sale, or lease of the property will assist in the creation of economic opportunity and would require the creation of an economic opportunity to be subject to specified public notice and hearing provisions.</p>
<p>AB 1103 Dodd D</p> <p>Solid waste disposal: self-haulers.</p>	<p>6/28/2016-S. THIRD READING 6/28/2016-Read second time. Ordered to third reading.</p>	<p>The California Integrated Waste Management Act of 1989, administered by the Department of Resources Recycling and Recovery, generally regulates the disposal, management, and recycling of solid waste. Existing law requires exporters, brokers, and transporters of recyclables or compost to submit periodic information to the department on the types, quantities, and destinations of materials that are disposed of, sold, or transferred. This bill would additionally require a self-hauler to submit that information to the department and would require the department to develop regulations that define "self-hauler" to include specified persons and entities.</p>
<p>AB 1559 Dodd D</p> <p>State Board of Equalization: returns and payment: extension: disaster.</p>	<p>6/21/2016-S. APPR. 6/21/2016-Read second time and amended. Re-referred to Com. on APPR.</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 disaster, to allow an extension for up to 3 months under the same conditions as the extension for good cause.</p>
<p>AB 1670 Dodd D</p> <p>Alcoholic beverages: licenses.</p>	<p>6/30/2016-S. SECOND READING 6/30/2016-From committee: Amend, and do pass as amended and re-refer to Com. on APPR. (Ayes 12. Noes 0.) (June 28).</p>	<p>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 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 3 years. The bill would prohibit more than 15 of those licenses from being issued. This bill contains other related provisions and other existing laws.</p>

<p><u>AB 1704</u> <u>Dodd</u> D</p> <p>Water rights: small irrigation use: lake or streambed alteration agreements.</p>	<p>6/29/2016-S. APPR. 6/29/2016-From committee: Do pass and re-refer to Com. on APPR. (Ayes 8. Noes 0.) (June 28). Re-referred to Com. on APPR.</p>	<p>Existing law, the Water Rights Permitting Reform Act of 1988, authorizes a person to obtain a right to appropriate water for a small domestic use, small irrigation use, or livestock stockpond use upon first registering the use, as those uses are defined by the act, with the State Water Resources Control Board and thereafter applying the water to reasonable and beneficial use with due diligence. The act requires the registration of water use to be made upon a form prescribed by the board that requires, among other things, 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. The act requires the board to establish reasonable general conditions to which all appropriations made pursuant to the act are required to be subject, including, among other things, that all conditions lawfully required by the department are conditions upon the appropriations. The act provides that the board is not required to adopt general conditions for small irrigation use until the board determines that funds are available for that purpose and that a registration for small irrigation use pursuant to the act is not authorized until the board establishes general conditions for small irrigation use to protect instream beneficial uses, as specified. This bill would require the board, on or before January 1, 2018, to adopt general conditions that would permit a registrant to construct a facility that would store water for small irrigation use during times of high streamflow in exchange for the registrant reducing diversions during periods of low streamflow, as specified. The bill would require the board, on or before June 30, 2019, to adopt general conditions and, if necessary, amend existing general conditions for the registration of small irrigation use for other purposes. This bill contains other related provisions and other existing laws.</p>
<p><u>AB 1723</u> <u>Dodd</u> D</p> <p>Debt collection.</p>	<p>6/28/2016-S. CONSENT CALENDAR 6/28/2016-SEN. JUD. Vote - Do pass as amended. To Consent Calendar.</p>	<p>Existing law requires a debt collector that receives a copy of a police report filed by the debtor alleging that the debtor is the victim of an identity theft crime and a written statement in which the debtor claims to be the victim of identity theft to cease collection activities until completion of a review. Existing law requires the debt collector to review and consider all of the information provided by the debtor and other available information and authorizes the debt collector to recommence debt collection activities only upon making a good faith determination that the information does not establish that the debtor is not responsible for the specific debt in question. This bill, the Identity Theft Resolution Act, would require the debt collector, upon receipt of the police report and written statement described above, if it furnished adverse information about the debtor to a consumer credit reporting agency, to notify the consumer credit reporting agency that the account is disputed, and initiate a review, as specified, within 10 business days. The bill would require the debt collector to send notice of its determination to the debtor no later than 10 business days after concluding the review. The bill would require a debt collector that does not recommence collection activities under these provisions to notify the creditor, no later than 10 business days after making its determination, and if it furnished adverse information to a consumer credit reporting agency, to notify the agency to delete that information no later than 10 business days after making its determination. The bill would also prohibit a creditor from pursuing further collections against the consumer on the debt or selling the debt, if the creditor has received notice that the debt collector has terminated debt collection activities, as described above.</p>
<p><u>AB 1750</u> <u>Dodd</u> D</p> <p>Real property transactions: definitions.</p>	<p>6/30/2016-A. CONCURRENCE 6/30/2016-In Assembly. Concurrence in Senate amendments pending. May be considered on or after July 30 pursuant to Assembly Rule 77.</p>	<p>Existing law defines various terms for the purposes of some, but not all, provisions relating to the duty owed to the prospective purchaser in transactions of commercial and residential real estate, including, but not limited to, the terms "agent," "buyer," "real property," "sell," "sale," "sold," and "seller." This bill would specify that those definitions also apply to a provision relating to the duty to inform the prospective purchaser of specified property of common environmental hazards.</p>

<p>AB 1755 Dodd D</p> <p>The Open and Transparent Water Data Act.</p>	<p>6/29/2016-S. APPR. 6/29/2016-From committee: Do pass and re-refer to Com. on APPR. (Ayes 8. Noes 0.) (June 28). Re-referred to Com. on APPR.</p>	<p>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, by January 1, 2018, to create, operate, and maintain a statewide integrated water data platform that, among other things, would integrate existing water and ecological data information from multiple databases and provide data on completed water transfers and exchanges. This bill contains other existing laws.</p>
<p>AB 1783 Dodd D</p> <p>School facilities: nonstructural earthquake hazards: assessment.</p>	<p>6/22/2016-S. APPR. 6/22/2016-From committee: Do pass and re-refer to Com. on APPR. (Ayes 9. Noes 0.) (June 22). Re-referred to Com. on APPR.</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>AB 1811 Dodd D</p> <p>Fertilizer: organic input material: registration: inspections.</p>	<p>6/21/2016-S. APPR. 6/21/2016-From committee: Do pass and re-refer to Com. on APPR. with recommendation: To Consent Calendar. (Ayes 5. Noes 0.) (June 21). Re-referred to Com. on APPR.</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, for purposes of those provisions, defines "provisional registration" to mean that under certain circumstances, a label for renewal on an auxiliary soil and plant substance, packaged agricultural mineral, packaged soil amendment, organic input material, or specialty fertilizer, alone or in any combination, may be registered for a limited period of time while labels are being corrected and reprinted. This bill would provide that such a label for renewal may be registered for a limited period of time while labels are being corrected and reprinted or during registration renewal. This bill contains other related provisions and other existing laws.</p>

<p><u>AB 1890</u> <u>Dodd</u> D</p> <p>Discrimination: equal pay; state contracting.</p>	<p>6/28/2016-S. APPR. 6/28/2016-From committee: Do pass and re-refer to Com. on APPR. (Ayes 8. Noes 2.) (June 28). Re-referred to Com. on APPR.</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. Existing law authorizes a contractor or subcontractor to file an affirmative action, equal employment, or nondiscrimination program subject to review and approval by a federal compliance agency with the department in lieu of that nondiscrimination 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 that amounts to \$50,000 or more to submit a nondiscrimination program to the department and to submit periodic reports of its compliance with that program, no more than annually, on a schedule to be determined by the department. The bill would require the department to make these programs and reports available to the Commission on the Status of Women and Girls. 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 with the state that amounts to less than \$50,000 to comply with those program and report submission requirements. 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, a description of employment selection procedures, and employee compensation data, as specified. The bill would specify that a contractor or subcontractor may submit a certain report subject to review by the United States Equal Employment Opportunity Commission with the department in lieu of the nondiscrimination program. 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><u>AB 1962</u> <u>Dodd</u> D</p> <p>Criminal proceedings: mental competence.</p>	<p>6/22/2016-S. APPR. 6/22/2016-From committee: Do pass and re-refer to Com. on APPR. with recommendation: To Consent Calendar. (Ayes 7. Noes 0.) (June 21). Re-referred to Com. on APPR.</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 for education and training standards for a psychiatrist or licensed psychologist to be considered for appointment by the court. The bill would provide that if there is no reasonably available expert who meets the guidelines, the court shall have discretion to appoint an expert who does not meet the guidelines.</p>
<p><u>AB 2716</u> <u>Dodd</u> D</p> <p>Meat processing establishment, custom livestock slaughterhouse, and poultry plants: licensing and inspectors.</p>	<p>6/21/2016-S. APPR. 6/21/2016-From committee: Do pass and re-refer to Com. on APPR. (Ayes 5. Noes 0.) (June 21). 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>

<p>AJR 42 Dodd D</p> <p>Transport by rail of flammable and combustible liquids.</p>	<p>6/30/2016-S. SENATE 6/30/2016-Amended, adopted, and to Senate. (Ayes 78. Noes 0. Page 5584.)</p>	<p>This measure would urge the United States Department of Transportation, Department of Energy, and the Office of Management and Budget to expedite the rulemaking and implementation processes for federal safety regulations governing the transport by rail of flammable and combustible liquids, including crude oil, and would also urge the President and the Congress of the United States to pass specified federal legislation mandating critical public safety improvements for the transport by rail of those liquids.</p>
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Frazier, Jim

Bill ID/Topic	Location	Summary
<p>AB 326 Frazier D</p> <p>Public works: prevailing wage rates: wage and penalty assessments.</p>	<p>6/28/2016-S. THIRD READING 6/28/2016-Read second time. Ordered to third reading.</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 either the conclusion of all administrative and judicial review or upon the department receiving written notice from the Labor Commissioner or his or her designee of a settlement or other final disposition of an assessment issued, as specified, or from the authorized representative of the awarding body of a settlement or other final disposition of a notice issued, as specified. This bill contains other existing laws.</p>
<p>AB 933 Frazier D</p> <p>Vehicles: 24/7 Sobriety programs.</p>	<p>6/14/2016-S. RLS. 6/14/2016-Re-referred to Com. on RLS.</p>	<p>Existing law prohibits a person who has 0.08% or more, by weight, of alcohol in his or her blood from driving a vehicle. Existing law also prohibits a person while having 0.08% or more, by weight, of alcohol in his or her blood from driving a vehicle and concurrently doing any act forbidden by law, or neglecting any duty imposed by law in driving the vehicle, when the act or neglect proximately causes bodily injury to a person other than the driver. A violation of either of these prohibitions is a crime. Existing law authorizes a court, in addition to imposing penalties and sanctions for those violations, to require the person to enroll and participate in, and successfully complete, a driving-under-the-influence program, which may include, among other things, education, group counseling, and individual interview sessions. This bill would authorize the court to order a person convicted of a crime described above to enroll and participate in, and successfully complete, a qualified "24/7 Sobriety program," as defined, as a condition of probation, if the program is available and deemed appropriate, and the person committed the crime within 10 years of one or more separate crimes described above that resulted in a conviction. The bill also would authorize a court to order participation in a 24/7 Sobriety program as a condition of release on bond for a person who has been charged with a crime described above. The bill would permit a person whose driving privilege has been suspended or revoked for certain violations, and who subsequently applies to the department for a restricted driving privilege, to be permitted to participate in a 24/7 Sobriety program as a condition of obtaining the restricted driving privilege as an alternative to, or in conjunction with, participation in an ignition interlock device program. The bill would define a "24/7 Sobriety program," in part, as requiring a person in the program to abstain from alcohol and unauthorized controlled substances and be subject to frequent testing for alcohol and controlled substances, as specified. The bill would require a person participating in the program to pay the program costs, commensurate with the person's ability to pay, as specified. This bill contains other existing laws.</p>
<p>AB 1029 Frazier D</p> <p>Veterans: service providers.</p>	<p>6/21/2016-S. APPR. 6/21/2016-From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on APPR.</p>	<p>Existing law provides for certain services, protections, and benefits for veterans. Existing law establishes a 3-percent participation goal for disabled veteran business enterprises in state procurement. This bill would allow entities meeting specified requirements to apply to the Department of Veterans Affairs to become certified California veteran service providers. The bill would require the department to maintain a list of certified California veteran service providers on its Internet Web site, including the type of supportive services provided by the providers. The bill would require that certification would remain valid for 3 years unless the entity is decertified by the department. The bill would require the department, no later than July 1, 2017, to adopt rules, procedures, and regulations as necessary to certify an entity, and to decertify an entity if it no longer meets the requirements to be a certified California veteran service provider. The bill would require the department to adopt a fee to defray the department's reasonable cost of certification not to exceed \$750.</p>

<p>AB 1591 Frazier D</p> <p>Transportation funding.</p>	<p>2/1/2016-A. TRANS. 2/1/2016-Referred to Coms. on TRANS. and REV. & 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>AB 2107 Frazier D</p> <p>Department of Motor Vehicles: electronic vehicle registration services: interstate carrier partnership.</p>	<p>6/29/2016-S. APPR. 6/29/2016-From committee: Do pass and re-refer to Com. on APPR. with recommendation: To Consent Calendar. (Ayes 10. Noes 0.) (June 28). 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>AB 2170 Frazier D</p> <p>Trade Corridors Improvement Fund: federal funds.</p>	<p>6/29/2016-S. APPR. 6/29/2016-Action From E.Q.: Do pass as amended.To 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>AB 2469 Frazier D</p> <p>Specialized license plates: breast cancer awareness.</p>	<p>6/22/2016-S. APPR. 6/22/2016-From committee: Do pass and re-refer to Com. on APPR. with recommendation: To Consent Calendar. (Ayes 11. Noes 0.) (June 21). 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><u>AB 2559</u> <u>Frazier</u> D</p> <p>Visitor centers: guide signs.</p>	<p>6/29/2016-S. APPR. 6/29/2016-From committee: Do pass and re-refer to Com. on APPR. (Ayes 10. Noes 0.) (June 28). Re-referred to Com. on APPR.</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>
<p><u>ACR 177</u> <u>Frazier</u> D</p> <p>Solano County Deputy Sheriff Hale Humphrey Memorial Highway.</p>	<p>6/29/2016-A. CONSENT CALENDAR 6/29/2016-From committee: Be adopted. To Consent Calendar. (Ayes 18. Noes 0.) (June 29).</p>	<p>This measure would designate a specified portion of State Highway Route 12 between Marina Boulevard and Pennsylvania Avenue in the County of Solano as the Solano County Deputy Sheriff Hale Humphrey Memorial Highway. The measure would also request the Department of Transportation to determine the cost of appropriate signs showing this special designation and, upon receiving donations from nonstate sources covering that cost, to erect those signs.</p>

January 7, 2015**RECEIVED**
JAN 07 2015INITIATIVE COORDINATOR
ATTORNEY GENERAL'S OFFICEVIA PERSONAL DELIVERY

The Honorable Kamala D. Harris
Attorney General
1300 I Street, 17th Floor, P.O. Box 944255
Sacramento, CA 95814

Attention: Ashley Johansson, Initiative Coordinator

Re: Request for Title and Summary for Proposed Initiative Constitutional
Amendment

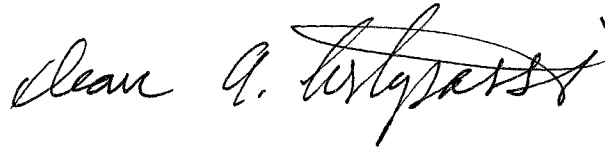
Dear Ms. Harris:

Pursuant to Article II, Section 10(d) of the California Constitution, I hereby submit the attached proposed Initiative Constitutional Amendment, entitled the "No Blank Checks Initiative," to your office and request that you prepare a title and summary of the measure as provided by law. Included with this submission is the required proponent affidavit signed by the proponent of this measure pursuant to Section 9608 of the California Elections Code. My address as a registered voter is attached to this letter, along with a check for \$200.00.

All inquires or correspondence relative to this initiative should be directed to Nielsen, Merksamer, Parrinello, Gross & Leoni, LLP, 1415 L Street, Suite 1200, Sacramento, CA 95814, (916) 446-6752, Attention: Kurt Oneto (telephone: 916/446-6752).

Thank you for your assistance.

Sincerely,

A handwritten signature in black ink, reading "Dean A. Cortopassi". The signature is written in a cursive style with a large, sweeping flourish over the last name.

Dean Cortopassi, Proponent

Enclosure: Proposed Initiative Constitutional Amendment

Section 1. Title.

This Act shall be known and may be cited as the No Blank Checks Initiative.

Section 2. Findings and Declarations.

The People of the State of California find and declare as follows:

(a) The politicians in Sacramento have mortgaged our future with long-term bond debt obligations that will take taxpayers, our children, and future generations decades to pay off.

(b) Under current rules, the sale of state bonds only needs to be approved by voters if they will be repaid out of the state's general revenues. But state politicians can sell billions of dollars of additional bond debt without ever getting the voters' approval if the bonds will be repaid with specific revenue streams or charges imposed directly on Californians like taxes, fees, rates, tolls, or rents. The politicians should not be allowed to issue blank checks Californians have to pay for. Voters must provide prior approval for all major state bond sale decisions, because voters are the ones who ultimately pay the bill.

(c) According to a 2014 report from California's independent, nonpartisan Legislative Analyst's Office, the State of California is carrying \$340 billion in public debt. (*Legislative Analyst's Office*, "Addressing California's Key Liabilities," Mar. 7, 2014.) Interest and principal payments on our long-term debt obligations will cripple the state if we keep spending the way we do now—reducing cash available for public safety, schools, and other vital state programs.

(d) Moreover, voters are rarely told the true costs of bond-funded projects. We were originally told that the bullet train would cost \$9 billion. But now the estimated cost has ballooned to nearly \$70 billion. (*Los Angeles Times*, "The Hazy Future of California's Bullet Train," Jan. 14, 2014.)

(e) This measure puts the brakes on our state's public debt crisis by giving the voters a say in all major state bond debt proposals that must be repaid through specific revenue streams or charges imposed directly on Californians like taxes, fees, rates, tolls, or rents.

Section 3. Statement of Purpose.

The purpose of this measure is to bring the state's public debt crisis under control by giving the voters a say in all major state bond-funded projects that will be paid off through specific revenues streams or higher taxes, fees, rates, tolls, or rents collected from Californians, their children, and future generations.

Section 4. Section 1.6 is added to Article XVI of the California Constitution, to read:

Section 1.6. (a) Notwithstanding any other provision of law, all revenue bonds issued or sold by the State in an amount either singly or in the aggregate over two billion dollars (\$2,000,000,000) for any single project financed, owned, operated, or managed by the State must first be approved by the voters at a statewide election. "State" means the State of California, any agency or department thereof, and any joint powers agency or similar body created by the State or in which the State is a member. "State" as used herein does not include a city, county, city and county, school district, community college district, or special district. For purposes of this section, "special district" refers only to public entities formed for the performance of local governmental functions within limited boundaries.

(b) A single project for which state revenue bonds are issued or sold in an amount over two billion dollars (\$2,000,000,000) may not be divided into, or deemed to be, multiple separate projects in order to avoid the voter approval requirements contained in this section. For purposes of this section, multiple allegedly separate projects shall be deemed to constitute a single project including, but not limited to, in the following circumstances: (1) where the allegedly separate projects will be physically or geographically proximate to each other; or (2) where the allegedly separate projects will be physically joined or connected to each other; or (3) where one allegedly separate project cannot accomplish its stated purpose without the completion of another allegedly separate project.

(c) The two billion dollar (\$2,000,000,000) threshold contained in this section shall be adjusted annually to reflect any increase or decrease in inflation as measured by the Consumer Price Index for All Urban Consumers (CPI-U) published by the United States Bureau of Labor Statistics. The Treasurer's Office shall calculate and publish the adjustments required by this subdivision.

Section 5. Liberal Construction.

This act shall be liberally construed in order to effectuate its purposes.

Section 6. Conflicting Measures.

(a) In the event that this measure and another measure or measures relating to voter approval requirements for state bonds shall appear on the same statewide election ballot, the other measure or measures shall be deemed to be in conflict with this measure. In the event that this measure receives a greater number of affirmative votes, the provisions of this measure shall prevail in their entirety, and the provisions of the other measure or measures shall be null and void.

(b) If this measure is approved by the voters but superseded in whole or in part by any other conflicting initiative approved by the voters at the same election, and such conflicting initiative is later held invalid, this measure shall be self-executing and given full force and effect.

Section 7. Severability.

The provisions of this Act are severable. If any portion, section, subdivision, paragraph, clause, sentence, phrase, word, or application of this Act is for any reason held to be invalid by a decision of any court of competent jurisdiction, that decision shall not affect the validity of the remaining portions of this Act. The People of the State of California hereby declare that they would have adopted this Act and each and every portion, section, subdivision, paragraph, clause, sentence, phrase, word, and application not declared invalid or unconstitutional without regard to whether any portion of this Act or application thereof would be subsequently declared invalid.

Section 8. Legal Defense.

If this Act is approved by the voters of the State of California and thereafter subjected to a legal challenge alleging a violation of federal law, and both the Governor and Attorney General refuse to defend this Act, then the following actions shall be taken:

(a) Notwithstanding anything to the contrary contained in Chapter 6 of Part 2 of Division 3 of Title 2 of the Government Code or any other law, the Attorney General shall appoint

independent counsel to faithfully and vigorously defend this Act on behalf of the State of California.

(b) Before appointing or thereafter substituting independent counsel, the Attorney General shall exercise due diligence in determining the qualifications of independent counsel and shall obtain written affirmation from independent counsel that independent counsel will faithfully and vigorously defend this Act. The written affirmation shall be made publicly available upon request.

(c) A continuous appropriation is hereby made from the General Fund to the Controller, without regard to fiscal years, in an amount necessary to cover the costs of retaining independent counsel to faithfully and vigorously defend this Act on behalf of the State of California.

Proposition 53
Revenue Bonds. Statewide Voter Approval.
Initiative Constitutional Amendment.

Yes/No Statement

A **YES** vote on this measure means: State revenue bonds totaling more than \$2 billion for a project that is funded, owned, or managed by the state would require statewide voter approval.

A **NO** vote on this measure means: State revenue bonds could continue to be used without voter approval.

Summary of Legislative Analyst’s Estimate of Net State and Local Government Fiscal Impact

- Fiscal impact on state and local governments is unknown and would depend on which projects are affected by the measure, whether they are approved by voters, and whether any alternative projects or activities implemented by government agencies have higher or lower costs than the original project proposal.

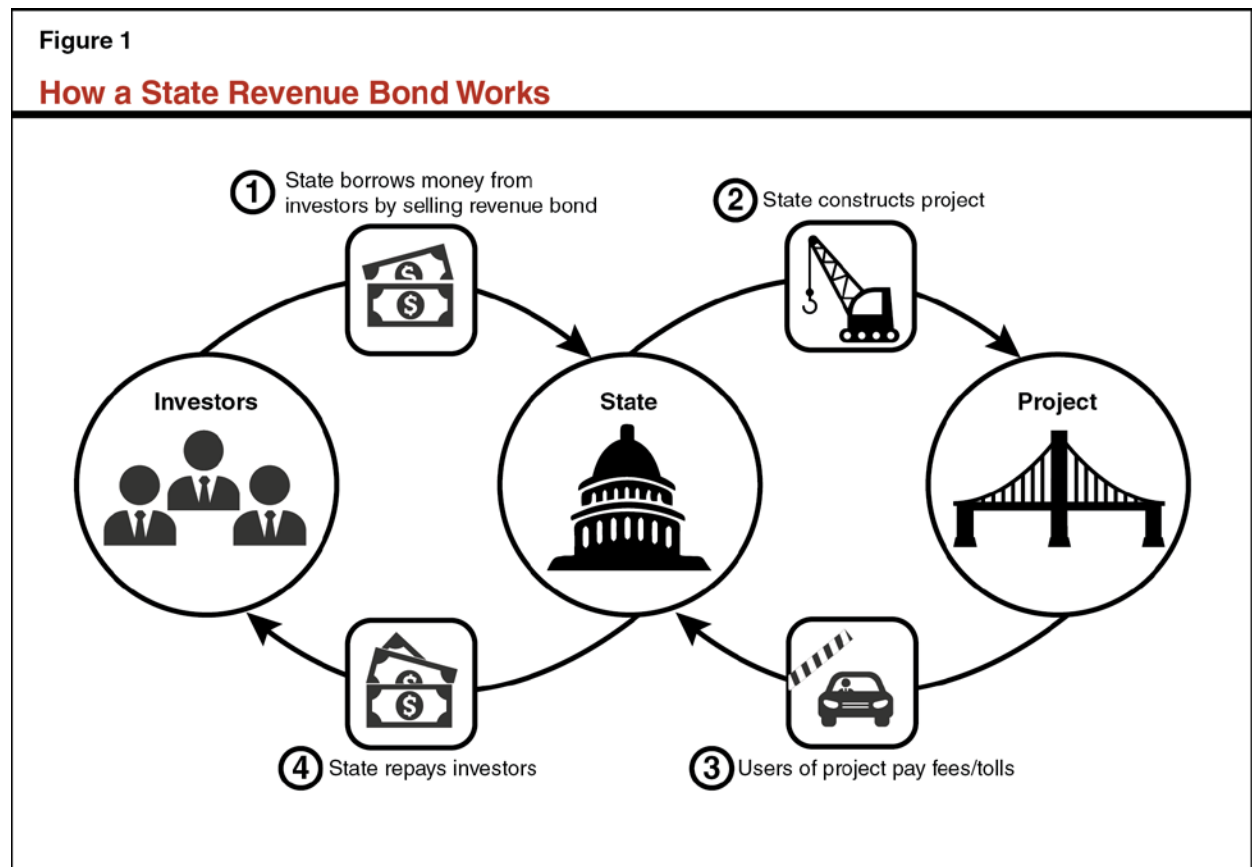
Ballot Label

Fiscal Impact: State and local fiscal effects are unknown and would depend on which projects are affected by the measure and what actions government agencies and voters take in response to the measure’s voting requirement.

BACKGROUND

State Pays for Infrastructure Projects Using Cash and Borrowing. The state builds various types of infrastructure projects like bridges, dams, prisons, and office buildings. In some cases, the state pays for projects on a pay-as-you-go basis using tax revenues received each year. In other cases, the state borrows money to pay for projects, especially for larger projects.

State Borrows Money Using Bonds. The main way the state borrows money is by selling bonds to investors. Over time, the state pays back these investors with interest. The state sells two main types of bonds: general obligation bonds and revenue bonds. The state repays general obligation bonds using the state General Fund, which is funded primarily by income and sales taxes. In contrast, the state usually repays revenue bonds using revenue from fees or other charges paid by the users of the project (such as from bridge tolls). Figure 1 shows how a state revenue bond generally works. (For more information on the state’s use of bonds, see the “Overview of State Bond Debt” later in this voter guide.)



Voter Approval Not Required for State Revenue Bonds. Under the California Constitution, state general obligation bonds need voter approval before the state can use them to pay for a project. State revenue bonds do not need voter approval under existing state law.

PROPOSAL

Requires Voter Approval of Certain State Revenue Bonds. The measure requires statewide voter approval of revenue bonds that meet all of the following conditions:

- ***State Sells the Revenue Bonds.*** Revenue bonds are sold by the state, as well as certain associations that the state creates or in which the state is a member. The statewide voting requirement does not apply to bonds sold by cities, counties, schools, community colleges, and special districts.
- ***Bonds Sold for State Project.*** The revenue bonds are sold for a project that is funded, owned, operated, or managed by the state. The measure also contains provisions to prevent a single project from being separated into multiple projects to avoid voter approval.
- ***Bonds for the Project Exceed \$2 Billion.*** The revenue bonds sold for a project total more than \$2 billion. Under the measure, this amount would be adjusted every year for inflation.

FISCAL EFFECTS

The measure's fiscal effects on state and local governments are unknown. It is unlikely there would be very many projects large enough to be affected by the measure's requirement for voter approval. However, for those projects that are affected, the fiscal effects would depend on what

actions the state, local governments, and voters take in response to this measure's voting requirement.

Measure Likely to Cover Relatively Few Projects

Few Projects Cost Over \$2 Billion. Relatively few state projects are likely to be large enough to meet the measure's \$2 billion requirement for voter approval. Two state projects that are over \$2 billion and might use revenue bonds are (1) the California "WaterFix" project, which would build two tunnels to move water through the Sacramento-San Joaquin River Delta; and (2) the California High-Speed Rail project. It is possible other large projects could be affected in the future, such as new bridges, dams, or highway toll roads.

Uncertain Which Projects Would Be Affected. While it is unlikely that very many projects would be large enough to be affected by the measure, there is some uncertainty regarding which projects would be affected. This is because the measure does not define a "project." As a result, the courts and the state would have to make decisions about what they consider to be a single project. For example, in some cases a project could be narrowly defined as a single building (like a hospital). In other cases, a project could be more broadly defined as including multiple buildings in a larger complex (like a medical center). A broader definition could result in more projects meeting the \$2 billion requirement, thus requiring voter approval.

How Government Agencies and Voters Respond Would Affect Costs

Government and Voters Could Take Different Actions. When a proposed project meets this measure's requirements for voter approval, governments and voters could respond in different ways. These responses, in turn, would determine the fiscal effects, if any, of this measure:

- On the one hand, if the state held an election and voters approved the project, the state could proceed with the project as planned using revenue bonds. As a result, there would be little fiscal effect from this measure.
- On the other hand, if voters rejected the project or the state chose not to hold an election as required by this measure, the state would not be able to use revenue bonds for the project. Without access to revenue bonds, the state and/or local governments might take other actions to meet the concerns the project was intended to address. They might (1) replace the large project with other smaller projects, (2) perform other activities that would reduce the need for the project, or (3) find other ways to pay for the project instead of using revenue bonds. These actions could result in either higher or lower net costs depending on the specific alternatives that governments pursued and how they compared to the original project proposal.

Some Actions Could Result in Higher Costs. Some types of government and voter response to this measure could result in higher costs for the state and local governments. For example, it could be more expensive in some cases for state and local governments to complete several smaller projects than it would have been for the state to build the original large project. This could happen if the large project was a more efficient way to meet the concerns that the project addressed.

The state also could fund a project in a different way than revenue bonds that might be more expensive. For example, the state could partner with a private company that would sell bonds to fund the project. The state would then have to pay back the private company. This could result in higher costs for the state because the private company would need to make a profit on the

project. Also, the private company would probably pay higher interest rates than the state. The private company would likely pass these higher borrowing costs on to the state.

Some Actions Could Result in Lower Costs. Other types of responses could result in lower state and local costs. For example, state and local governments might find ways to make better use of existing infrastructure. For instance, local water agencies might implement water conservation measures, which could reduce the need to build new dams or other projects to provide more water. If existing infrastructure could meet the state's needs adequately with these types of actions, there would be savings from not having to spend the money to build a new project.

The state also could fund a project in a way that might be cheaper than using revenue bonds. For example, the state could borrow money using general obligation bonds. While state general obligation bonds require voter approval, there would be some savings because they have lower interest rates than revenue bonds.



NEWS RELEASE

CALIFORNIA SECRETARY OF STATE ALEX PADILLA

AP16:093

FOR IMMEDIATE RELEASE

July 1, 2016

CONTACT: Sam Mahood

(916) 653-6575

Secretary of State Alex Padilla Assigns Numbers to November Ballot Measures, Invites Ballot Arguments

SACRAMENTO – Secretary of State Alex Padilla today assigned proposition numbers to the legislative, initiative, and referendum measures set to appear on the November 8 General Election ballot. Secretary Padilla also invited interested Californians to submit arguments to be considered for inclusion in the Official Voter Information Guide. The guide is mailed to every voting household in California and posted on the Secretary of State's website. The full text and nonpartisan analysis, provided by the Legislative Analyst's Office, of the propositions will also appear in the Official Voter Information Guide.

The propositions are listed below, along with the Legislative Counsel's digest or the Attorney General's official circulating title and summary.

Proposition 51

School Bonds. Funding for K-12 School and Community College Facilities. Initiative Statutory Amendment. Authorizes \$9 billion in general obligation bonds: \$3 billion for new construction and \$3 billion for modernization of K-12 public school facilities; \$1 billion for charter schools and vocational education facilities; and \$2 billion for California Community Colleges facilities. Bars amendment to existing authority to levy developer fees to fund school facilities, until new construction bond proceeds are spent or December 31, 2020, whichever is earlier. Bars amendment to existing State Allocation Board process for allocating school construction funding, as to these bonds. Appropriates money from the General Fund to pay off bonds. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: **State General Fund costs of \$17.6 billion to pay off principal (\$9 billion) and interest (\$8.6 billion) on bonds over a period of 35 years. Annual payments would average \$500 million. Annual payments would be relatively low in the initial and final few years and somewhat higher in the intervening years.** (15-0005.)

Proposition 52

State Fees on Hospitals. Federal Medi-Cal Matching Funds. Initiative Statutory and Constitutional Amendment. Increases required vote to two-thirds for the Legislature to amend a certain existing law that imposes fees on hospitals (for purpose of obtaining federal Medi-Cal matching funds) and that directs those fees and federal matching funds to hospital-provided Medi-Cal health care services, to uncompensated care provided by hospitals to uninsured patients, and to children's health coverage. Eliminates law's ending date. Declares that law's fee proceeds shall not be considered revenues for purposes of applying state spending limit or determining required education funding. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: **State savings from**

increased revenues that offset state costs for children's health coverage of around \$500 million beginning in 2016-17 (half-year savings) to over \$1 billion annually by 2019-20, likely growing between 5 percent to 10 percent annually thereafter. Increased revenues to support state and local public hospitals of around \$90 million beginning in 2016-17 (half-year) to \$250 million annually by 2019-20, likely growing between 5 percent to 10 percent annually thereafter. (13-0022.)

Proposition 53

Revenue Bonds. Statewide Voter Approval. Initiative Constitutional Amendment. Requires statewide voter approval before any revenue bonds can be issued or sold by the state for projects that are financed, owned, operated, or managed by the state or any joint agency created by or including the state, if the bond amount exceeds \$2 billion. Prohibits dividing projects into multiple separate projects to avoid statewide voter approval requirement. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: **The fiscal effect on state and local governments is unknown and would vary by project. It would depend on (1) the outcome of projects brought before voters, (2) the extent to which the state relied on alternative approaches to the projects or alternative financing methods for affected projects, and (3) whether those methods have higher or lower costs than revenue bonds.** (15-0003.)

Proposition 54

Legislature. Legislation and Proceedings. Initiative Constitutional Amendment and Statute. Prohibits Legislature from passing any bill unless it has been in print and published on the Internet for at least 72 hours before the vote, except in cases of public emergency. Requires the Legislature to make audiovisual recordings of all its proceedings, except closed session proceedings, and post them on the Internet. Authorizes any person to record legislative proceedings by audio or video means, except closed session proceedings. Allows recordings of legislative proceedings to be used for any legitimate purpose, without payment of any fee to the State. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: **Increased costs to state government of potentially \$1 million to \$2 million initially and about \$1 million annually for making additional legislative proceedings available in audiovisual form on the Internet.** (15-0083.)

Proposition 55

Tax Extension to Fund Education and Healthcare. Initiative Constitutional Amendment. Extends by twelve years the temporary personal income tax increases enacted in 2012 on earnings over \$250,000 (for single filers; over \$500,000 for joint filers; over \$340,000 for heads of household). Allocates these tax revenues 89% to K-12 schools and 11% to California Community Colleges. Allocates up to \$2 billion per year in certain years for healthcare programs. Bars use of education revenues for administrative costs, but provides local school governing boards discretion to decide, in open meetings and subject to annual audit, how revenues are to be spent. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: **Increased state revenues annually from 2019 through 2030—likely in the \$5 billion to \$11 billion range initially—with amounts varying based on stock market and economic trends. Increased revenues would be allocated under constitutional formulas to schools and community colleges, budget reserves and debt payments, and health programs, with remaining funds available for these or other state purposes.** (15-0115.)

Proposition 56

Cigarette Tax to Fund Healthcare, Tobacco Use Prevention, Research, and Law Enforcement. Initiative Constitutional Amendment and Statute. Increases cigarette tax by \$2.00 per pack, with equivalent increase on other tobacco products and electronic cigarettes containing nicotine. Allocates revenues primarily to increase funding for existing healthcare programs; also for tobacco use prevention/control programs, tobacco-related disease research and law enforcement, University of California physician training, dental disease prevention programs, and administration. Excludes these revenues from Proposition 98 funding requirements. If tax causes decreased tobacco consumption, transfers tax revenues to offset decreases to existing tobacco-funded programs and sales tax revenues. Requires biennial audit. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: **Net increase in excise tax revenues in the range of \$1.1 billion to \$1.6 billion annually by 2017-18, with revenues decreasing slightly in subsequent years. The majority of funds would be used for payments to health care providers. The remaining funds would be used for a variety of specified purposes, including tobacco-related prevention and cessation programs, law enforcement programs, medical research on tobacco-related diseases, and early childhood development programs.** (15-0081.)

Proposition 57

Criminal Sentences. Juvenile Criminal Proceedings and Sentencing. Initiative Constitutional Amendment and Statute. Allows parole consideration for persons convicted of nonviolent felonies upon completion of full prison term for primary offense, as defined. Authorizes Department of Corrections and Rehabilitation to award sentence credits for rehabilitation, good behavior, or educational achievements. Requires Department of Corrections and Rehabilitation to adopt regulations to implement new parole and sentence credit provisions and certify they enhance public safety. Provides juvenile court judges shall make determination, upon prosecutor motion, whether juveniles age 14 and older should be prosecuted and sentenced as adults. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: **Net state savings that could range from the tens of millions of dollars to the low hundreds of millions of dollars annually primarily due to a reduction in the prison population from additional paroles granted and credits earned. Net county costs that could range from the millions to tens of millions of dollars annually, declining to a few million dollars after initial implementation of the measure.** (15-0121.)

Proposition 58

[SB 1174 \(Chapter 753, Statutes of 2014\), Lara. English language education.](#)

SB 1174, Lara. English language education. (1) Existing law, as added by Proposition 227, a measure approved by the voters at the June 2, 1998, statewide primary election, requires, among other things, that all children in California public schools be taught English by being taught in English. Proposition 227 specifies that English learner pupils, as defined, be educated through sheltered English immersion, as defined, during a temporary transition period not normally intended to exceed one year. Proposition 227 further provides that its requirements relating to sheltered English immersion instruction may be waived with the prior written consent of a pupil's parent or legal guardian, as specified. Proposition 227 also encourages family members and others to provide personal English language tutoring to English learner pupils.

This bill would amend and repeal various provisions of Proposition 227. The bill would, among other things, delete the sheltered English immersion requirement and waiver provisions, and

would instead provide that school districts and county offices of education shall, at a minimum, provide English learners with a structured English immersion program, as specified. The bill would authorize parents or legal guardians of pupils enrolled in the school to choose a language acquisition program that best suits their child, as provided.

(2) Existing law requires, on or before July 1, 2014, the governing board of each school district and each county board of education to adopt a local control and accountability plan and requires the governing board of each school district and each county board of education to update its plan on or before July 1 of each year. As part of the process for developing the local control and accountability plan, existing law requires the superintendent of the school district or the county superintendent of schools to both present the plan or annual update to the plan to a parent advisory committee and an English learner parent advisory committee for review and comment, and to respond, in writing, to comments received from the committees. Existing law also requires the superintendent of the school district and the county superintendent of schools to notify members of the public of the opportunity to submit written comments regarding the specific actions and expenditures proposed to be included in the local control and accountability plan or annual update to the plan.

This bill would, as part of the parent and community engagement process required for the development of a local control and accountability plan, require school districts and county offices of education to solicit input on, and provide to pupils, effective and appropriate instructional methods, including, but not limited to, establishing language acquisition programs, as defined.

(3) Proposition 227 also specifies that a pupil's parent or legal guardian has standing to sue for enforcement of its provisions and, if successful, to receive normal and customary attorney's fees and actual damages, but not punitive or consequential damages. Proposition 227 further provides that school board members, other elected officials, and public school teachers or administrators who willfully and repeatedly refuse to implement its provisions may be held personally liable for fees and actual damages by a pupil's parent or legal guardian.

This bill would delete those provisions.

(4) Proposition 227 provides that its provisions may be amended by a statute to further its purpose passed by a $2/3$ vote of each house of the Legislature and signed by the Governor.

This bill would delete the requirement that the amendment further the purpose of Proposition 227, and would revise the vote threshold to a majority vote in each house of the Legislature.

(5) This bill would make these provisions operative on July 1, 2017.

(6) The California Constitution authorizes the Legislature to amend or repeal an initiative statute by another statute that becomes effective when approved by the electors.

This bill would provide that it would become effective only upon approval of the voters, and would require the Secretary of State to submit this measure to the voters for approval at the November 2016 statewide general election.

Proposition 59

SB 254 (Chapter 20, Statutes of 2016), Allen. Campaign finance: voter instruction.

SB 254, Allen. Campaign finance: voter instruction. This bill would call a special election to be consolidated with the November 8, 2016, statewide general election. The bill would require the Secretary of State to submit to the voters at the November 8, 2016, consolidated election a voter instruction asking whether California's elected officials should use all of their constitutional authority, including proposing and ratifying one or more amendments to the United States Constitution, to overturn *Citizens United v. Federal Election Commission* (2010) 558 U.S. 310, and other applicable judicial precedents, as specified. The bill would require the Secretary of State to communicate the results of this election to the Congress of the United States. The bill would require the Secretary of State, if prohibited by court order from submitting the voter instruction to the voters at the November 8, 2016, statewide general election, as specified, to submit the voter instruction to the voters at the next occurring election.

This bill would declare that it is to take effect immediately as an act calling an election.

Proposition 60

Adult Films. Condoms. Health Requirements. Initiative Statute. Requires performers in adult films to use condoms during filming of sexual intercourse. Requires producers of adult films to pay for performer vaccinations, testing, and medical examinations related to sexually transmitted infections. Requires producers to obtain state health license at beginning of filming and to post condom requirement at film sites. Imposes liability on producers for violations, on certain distributors, on performers if they have a financial interest in the violating film, and on talent agents who knowingly refer performers to noncomplying producers. Permits state, performers, or any state resident to enforce violations. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: **Potentially reduced state and local tax revenue of millions or tens of millions of dollars per year. Likely state costs of a few million dollars annually to administer the law. Possible ongoing net costs or savings for state and local health and human services programs.** (15-0004.)

Proposition 61

State Prescription Drug Purchases. Pricing Standards. Initiative Statute. Prohibits state agencies from paying more for a prescription drug than the lowest price paid for the same drug by the United States Department of Veterans Affairs. Applies to any program where the state is the ultimate payer for a drug, even if the state does not purchase the drug directly. Exempts certain purchases of prescription drugs funded through Medi-Cal. Fiscal impact: **It is the opinion of the Legislative Analyst and Director of Finance that the measure, if adopted, may result in a substantial net change in state or local finances.** (15-0009.)

Proposition 62

Death Penalty. Initiative Statute. Repeals death penalty as maximum punishment for persons found guilty of murder and replaces it with life imprisonment without possibility of parole. Applies retroactively to persons already sentenced to death. States that persons found guilty of murder and sentenced to life without possibility of parole must work while in prison as prescribed by the Department of Corrections and Rehabilitation. Increases to 60% the portion of wages earned by persons sentenced to life without the possibility of parole that may be applied to any victim restitution fines or orders against them. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: **Net reduction in state**

and local government costs of potentially around \$150 million annually within a few years due to the elimination of the death penalty. (15-0066.)

Proposition 63

Firearms. Ammunition Sales. Initiative Statute. Prohibits possession of large-capacity ammunition magazines, and requires their disposal by sale to dealer, destruction, or removal from state. Requires most individuals to pass background check and obtain Department of Justice authorization to purchase ammunition. Requires most ammunition sales be made through licensed ammunition vendors and reported to Department of Justice. Requires lost or stolen firearms and ammunition be reported to law enforcement. Prohibits persons convicted of stealing a firearm from possessing firearms. Establishes new procedures for enforcing laws prohibiting firearm possession by felons and violent criminals. Requires Department of Justice to provide information about prohibited persons to federal National Instant Criminal Background Check System. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: **Increased state costs in the tens of millions of dollars annually related to regulating ammunition sales, likely offset by various regulatory fees authorized by the measure. Increase in court and law enforcement costs, not likely to exceed the tens of millions of dollars annually, related to removing firearms from prohibited persons as part of court sentencing proceedings. These costs could be offset to some extent by fees authorized by the measure. Potential increase in state and local correctional costs, not likely to exceed the low millions of dollars annually, related to new and increased penalties.** (15-0098.)

Proposition 64

Marijuana Legalization. Initiative Statute. Legalizes marijuana and hemp under state law. Designates state agencies to license and regulate marijuana industry. Imposes state excise tax on retail sales of marijuana equal to 15% of sales price, and state cultivation taxes on marijuana of \$9.25 per ounce of flowers and \$2.75 per ounce of leaves. Exempts medical marijuana from some taxation. Establishes packaging, labeling, advertising, and marketing standards and restrictions for marijuana products. Allows local regulation and taxation of marijuana. Prohibits marketing and advertising marijuana to minors. Authorizes resentencing and destruction of records for prior marijuana convictions. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: **Net reduced costs ranging from tens of millions of dollars to potentially exceeding \$100 million annually to state and local governments related to enforcing certain marijuana-related offenses, handling the related criminal cases in the court system, and incarcerating and supervising certain marijuana offenders. Net additional state and local tax revenues potentially ranging from the high hundreds of millions of dollars to over \$1 billion annually related to the production and sale of marijuana. Most of these funds would be required to be spent for specific purposes such as substance use disorder education, prevention, and treatment.** (15-0103.)

Proposition 65

Carry-Out Bags. Charges. Initiative Statute. Redirects money collected by grocery and certain other retail stores through sale of carry-out bags, whenever any state law bans free distribution of a particular kind of carry-out bag and mandates the sale of any other kind of carry-out bag. Requires stores to deposit bag sale proceeds into a special fund administered by the Wildlife Conservation Board to support specified categories of environmental projects. Provides for Board to develop regulations implementing law. Summary of estimate by Legislative Analyst

and Director of Finance of fiscal impact on state and local government: **If voters uphold the state's current carryout bag law, redirected revenues from retailers to the state, potentially in the several tens of millions of dollars annually. Revenues would be used for grants for certain environmental and natural resources purposes. If voters reject the state's current carryout bag law, likely minor fiscal effects.** (15-0074.)

Proposition 66

Death Penalty. Procedures. Initiative Statute. Changes procedures governing state court appeals and petitions challenging death penalty convictions and sentences. Designates superior court for initial petitions and limits successive petitions. Imposes time limits on state court death penalty review. Requires appointed attorneys who take noncapital appeals to accept death penalty appeals. Exempts prison officials from existing regulation process for developing execution methods. Authorizes death row inmate transfers among California state prisons. States death row inmates must work and pay victim restitution. States other voter approved measures related to death penalty are null and void if this measure receives more affirmative votes. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: **Increased state costs that could be in the tens of millions of dollars annually for several years related to direct appeals and habeas corpus proceedings, with the fiscal impact on such costs being unknown in the longer run. Potential state correctional savings that could be in the tens of millions of dollars annually.** (15-0096.)

Proposition 67

[Referendum to Overturn Ban on Single-Use Plastic Bags.](#) If signed by the required number of registered voters and timely filed with the Secretary of State, this petition will place on the statewide ballot a challenge to a state law previously approved by the Legislature and the Governor. The challenged law must then be approved by a majority of voters at the next statewide election to go into effect. The law prohibits grocery and certain other retail stores from providing single-use bags but permits sale of recycled paper bags and reusable bags. (14-0011.)

Ballot Arguments

Arguments may be submitted for or against the measures. Arguments selected for the Official Voter Information Guide will be on public display between July 26 and August 15. If multiple arguments are submitted for a proposition, state law gives first priority to arguments written by legislators in the case of legislative measures and to proponents of an initiative or referendum; subsequent priority goes to bona fide citizen associations and then to individuals. No more than three signers are allowed to appear on an argument or rebuttal to an argument.

Ballot arguments cannot exceed 500 words and rebuttals to ballot arguments cannot exceed 250 words. All submissions should be typed and double-spaced. Arguments may be hand-delivered to the Secretary of State's Elections Division at 1500 11th Street, 5th Floor, Sacramento, California 95814; faxed to (916) 653-3214; or emailed to VIGarguments@sos.ca.gov. If faxed or emailed, the original documents must be received within 72 hours. The deadline to submit ballot arguments is July 12 by 5:00 p.m. The deadline to submit rebuttals to the ballot arguments is July 21 by 5:00 p.m.

Candidate Statements

Secretary Padilla also invited candidate statements for inclusion in the Official Voter Information Guide. United States Senate candidates may buy space for a 250-word candidate statement in the voter guide. Candidates for state legislative office or the United States House of

Representatives may purchase space for a candidate statement in a county sample ballot. State legislative candidates must accept voluntary campaign expenditure limits in order to purchase space for a candidate statement in a county sample ballot.

The deadline to submit candidate statements to the Secretary of State's office is July 20 by 5:00 p.m. Candidates for the United States House of Representatives, California State Senate, and California State Assembly have until August 12 to submit candidate statements to their county elections official for the local sample ballot in the county or counties in which the district lies.

For more information on ballot measures, candidate filing requirements, and election deadlines, please visit: <http://www.sos.ca.gov/elections/upcoming-elections/general-election-november-8-2016>.

###

Qualified 2016 Ballot Measures

As of: July 26, 2016

- 17 ballot measures are qualified for November
- CSAC will likely take positions on 8 ballot measures

Ballot Measures – CSAC has a position or intends to take a position			
Prop #	Qualified November Measure	CSAC Policy Team	Position
52	State Fees on Hospitals. Federal Medi-Cal Matching Funds.	HHS	Support. The CSAC Board voted to support this measure at the December 2015 meeting.
53	Revenue Bonds. Statewide Voter Approval. [Cortopassi]	GFA	GFA committee voted to oppose this measure at May meeting. Measure will next be heard in Executive Committee August 4.
55	Tax Extension to Fund Education and Healthcare.	HHS	HHS Committee voted to support this measure at July meeting. Measure will next be heard in Executive Committee August 4.
56	Cigarette Tax to Fund Healthcare, Tobacco Use Prevention, Research, and Law Enforcement.	HHS	HHS Committee voted to support this measure at July meeting. Measure will next be heard in Executive Committee August 4.
57	Criminal Sentences. Juvenile Criminal Proceedings and Sentencing.	AOJ	Referred to AOJ Policy Committee; meeting on July 28.
64	Marijuana Legalization.	AENR and GFA	Referred jointly to AENR and GFA Policy Committees; meeting on July 28.
65	Carry-Out Bags. Charges.	AENR	Referred to AENR Policy Committee; meeting on July 28.
67	Referendum to Overturn Ban on Single-Use Plastic Bags	AENR	Referred to AENR Policy Committee; meeting on July 28.

Other Ballot Measures	
51	School Bonds. Funding for K-12 School and Community College Facilities.
54	Legislature. Legislation and Proceedings.
58	English Language Education [Chapter 753, Statutes of 2014]
59	Campaign Finance: Voter Instruction. [Chapter 20, Statutes of 2016]
60	Adult Films. Condoms. Health Requirements.
61	State Prescription Drug Purchases. Pricing Standards.
62	Death Penalty. [Bans death penalty.]
63	Firearms. Ammunition Sales.
66	Death Penalty. Procedures. [Changes appeals process.]

Policies and Procedures Related to Ballot Initiatives

Link to [CSAC Policies and Procedures Manual](#) (State Ballot Proposition Policy begins on page 11):

CSAC Officers will assign qualified propositions to appropriate policy committees. Propositions will be so assigned when, in the assessment of the Officers, the propositions fall within existing policy in the CSAC Legislative Platform, or when the proposition poses a direct impact on county government.

Staff recommendations on propositions will be presented to the Officers and to policy committees based upon existing CSAC Legislative Platform principles, or in the absence of clear existing policy, based upon direct impact, if any, to county government.

Propositions should be reviewed by policy committees, and recommendations presented to the Executive Committee by the policy chair, or staff on behalf of the policy chair. Propositions placed on the Executive Committee agenda for debate and action should be limited to those which are recommended by the policy committee for “support” or “opposition.” Propositions for which no action is recommended by a policy committee will be provided to the Executive Committee on an informational basis. No discussion will be required on these items. Policy committee recommendations shall be the first motion made. No substitute motion can be made until the committee recommendation has been voted upon.

Executive Committee members may participate in the discussion and voting by phone.

After voting, the Executive Committee forwards its recommendation to the Board of Directors for action.

Propositions for which no action is recommended by the Executive Committee will be provided to the Board of Directors on an informational basis. No discussion will be required on these items.

Any member of the Board of Directors can request consideration of a ballot proposition not otherwise slated for discussion. However, such request must first receive a favorable vote by the Board before discussion can proceed.

Proponents and opponents may be invited to speak at the Board of Directors meeting for a maximum of 5 minutes each.

Adoption of a position on a ballot proposition (support or oppose) will require at least fifty percent plus one of the member counties. In the case of a call for weighted voting, for purposes of a quorum and for voting, at least fifty percent plus one of the member counties must be present. There will only be one vote per county on ballot propositions. Members may participate and vote by phone.

In most circumstances, policy consideration will be given only to qualified propositions. In the event that a proposed ballot measure has a direct impact on county government and staff recommends early consideration of such a measure, the CSAC Officers may direct a policy committee to review and make a recommendation on the proposed measure. The policy committee recommendation will then be forwarded to the Executive Committee for discussion. The CSAC Board of Directors will then consider the recommendation of the Executive Committee. Understanding that circumstances under which such action may take place are unique and infrequent, the CSAC Officers will guide CSAC’s activities on such measures and the Executive Committee and Board of Directors will receive regular updates on CSAC involvement. This procedure will permit CSAC to engage in a proactive role in development of initiatives and response to initiatives under consideration.

Every effort should be made for the Board of Directors to make the final decision on a ballot proposition. There may be rare circumstances where there is not enough 13 time for a Board meeting before an election. In this case, the decision of the Executive Committee will serve as CSAC’s position on the proposition.

CA Cities Advocate (July 1, 2016, Issue #54)

League Board Reviews Ballot Measures

The League board of directors at its meeting on June 24-25 carefully reviewed eight ballot measures affecting cities expected to be on the November 2016 statewide ballot, adopting formal positions on four. No position was taken on three measures and the board deferred action on one until it meets with Gov. Jerry Brown later this summer. The measures were previously reviewed by a number of League policy committees that forwarded recommendations to the board of directors for consideration.

Under the League of California Cities bylaws, the board may take a position supporting or opposing a statewide ballot measure only by a two-thirds vote of those directors present. This policy assures that any position taken reflects the broad consensus of League members.

Below each of the eight measures considered is listed with a brief summary, a link to the measure's full text and position taken.

California Legislature Transparency Act of 2016.

This measure would prohibit the Legislature from passing legislation until it has been in print and published online for at least 72 hours prior to the vote unless it is a case of public emergency. The Legislature would be required to record all proceedings (except closed sessions) and make available online.

League position: Support.

Referendum to Overturn Ban on Single-Use Plastic Bags (SB 270, Padilla, 2014).

This referendum would repeal SB 270 (Padilla, 2014), which prohibited certain stores from distributing lightweight, single-use plastic bags and established requirements for reusable bags and prohibited stores from distributing reusable bags and recycled paper bags for less than \$0.10 per bag.

League position: Support (yes to retain plastic bag ban).

Carry-Out Bags. Charges. Initiative Statute.

This measure would redirect money collected by grocery stores and other specified retail stores through sale of carryout bags under any state law banning free distribution of a certain kind of free carryout bag and mandating the sale of another type of carryout bag. It also requires collected funds to go to a Wildlife Conservation Board-administered fund to be used for specified environmental projects.

League position: Oppose.

California Public Education Facilities Bond Initiative.

This measure would authorize \$9 billion in general obligation bonds to fund construction of school facilities for K-12 schools and community colleges.

League position: No Position.

Public Safety and Rehabilitation Act of 2016.

This measure: revises rules governing this disposition of juvenile offenders; allows non-violent offenders to seek parole after completing the full term of their primary offense without regard to any applicable sentencing enhancements that a judge added to their offence; and authorizes the Department of Corrections to revise regulations governing good time credits.

League position: Action deferred until after meeting with Governor Brown, the measure's sponsor.

Safety for All Act of 2016.

This measure requires, starting July 1, 2017, all people to report loss or theft of a firearm to local law enforcement within five days of discovering the loss, as well as any subsequent discovery within five days. It also further regulates the possession of large-capacity magazines, regulates Internet-based sales of ammunition, and regulates those who handle, sell, or deliver ammunition.

League position: No Position.

Revenue Bonds: Statewide Voter Approval. Constitutional Amendment.

This measure would require statewide voter approval prior to the state issuing or selling any revenue bonds of \$2 billion or more for state projects that are financed, owned, operated or managed by the state or a joint agency created by or for the state.

League position: Oppose.

Marijuana Legalization. Initiative Statute.

This measure would legalize personal cultivation as well as state licensing of the commercial cultivation and retail sale of non-medical marijuana for personal use for adults 21 and over. Local agencies would be authorized to enact local ordinances for regulating, taxing or banning the commercial cultivation and sale of non-medical marijuana within the city or county.

League position: No Position.