



BILL STATUS REPORT

May 14, 2004

This Bill Status Report lists all current bills on which the LWVC has taken a position. Leagues are encouraged to take appropriate action on any of them.

**BILL NUMBER,
AUTHOR,
POSITION**

DESCRIPTION

ACTION SUMMARY/STATUS

STATE BUDGET

The League strongly supports an increase in state government revenues to achieve an equitable budget, avoid severe cuts in public health, social services, local programs and education, and reduce the structural budget deficit that will affect future years. The LWVC supports the \$80 million for community college equalization funding in the Governor's budget proposal.

AIR QUALITY

AB 471 Simitian SUPPORT	Prohibits cruise ships from incinerating wastes onboard within 20 miles of the California coast. Requires them to use diesel fuel meeting US EPA requirements within 25 miles of the coast, but allows for emergency variance to be issued by the state Air Resources Board (ARB) if certain circumstances exist. Requires the ARB to enforce these provisions.	Passed by Assembly (43-34), Senate Environmental Quality Committee (6-0). Held on Senate Appropriations Committee suspense file.
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CAMPAIGN FINANCING

AB 2949 Hancock SUPPORT	Establishes the California Clean Money and Fair Elections Act of 2004, a voluntary system for public financing of political campaigns for all legislative and statewide elective offices. Candidates who show a broad base of support by collecting a specified number of \$5 "qualifying contributions" and agree to spending limits would use only public funds for their campaigns.	Passed by Assembly Elections, Redistricting and Constitutional Amendments Committee (5-2). On Assembly Appropriations Committee suspense file; hearing 5-19-04.
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ACTION SUMMARY/STATUS

COMMUNITY COLLEGE SYSTEM

SB 1875 Alpert Support	Requires the Chancellor of the California Community Colleges to develop a plan each year for allocation of the equalization funds appropriated in the annual Budget Act. These funds, for equalization of funding received by districts per full time equivalent student (FTES), will be allocated after the plan is reviewed by legislative budget chairs and approved by the Department of Finance.	Passed by Senate Education Committee (10-0). On Senate Appropriations Committee suspense file.
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EDUCATION

AB 356 Hancock SUPPORT	Revises the state testing program: Changes the Certificated Staff Performance Incentive Rewards program and the Governor's Performance Award Program to be only nonmonetary awards; repeals standardized testing in grade 2, effective 7-1-05, and provides for diagnostic assessment in that grade; and delays until 2005-06 the requirement of passing the California High School Exit Exam (CAHSEE) for high school graduation. Authorizes school districts to use CAHSEE results as part of their local graduation requirements until 2005-06.	Passed by Assembly (44-32). Passed by Senate (22-14), but that action rescinded. Amended bill is on Senate floor.
AB 1012 Steinberg SUPPORT	See Juvenile Justice/Dependency.	
AB 1944 Hancock SUPPORT	Provides that an excused absence of a pupil serving as a pollworker is not to be considered an absence for the purpose of computing average daily attendance and will generate state apportionment payments.	Passed by Assembly Education Committee (9-0). On Assembly Appropriations Committee suspense file; hearing 5-19-04.
ACA 4 Simitian SUPPORT	See State and Local Finances.	

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SB 1419
Vasconcellos
SUPPORT

Requires the Superintendent of Public Instruction to develop an Opportunity for Teaching and Learning (OTL) index using factors that would include how many of a school's teachers are fully credentialed and how long they have been teaching; the degree to which teachers of English learners hold appropriate credentials; the availability of adequate and appropriate instructional materials; the physical condition of school facilities and whether the school is overcrowded; the availability of postsecondary preparatory, vocational, and honors courses; and the availability of counseling, academic advising, and support from librarians, nurses, etc. Requires the Superintendent, beginning in 2006, to publish the OTL index along with the Academic Performance Index for each school.

Passed by Senate Education Committee (10-1). On Senate Appropriations Committee suspense file.

ENERGY

SB 1478
Sher
SUPPORT

Advances the deadline for investor-owned utilities to achieve a 20 percent portfolio of renewable energy resources from 12-31-2017 to 12-31-2010.

Passed by Senate Energy, Utilities and Communications Committee (5-1). In Senate Appropriations Committee; hearing 5-17-04.

AB 2473
Wolk
SUPPORT

Defines, for water heating systems and photovoltaic systems, what constitutes a "significant" increase in cost or decrease in efficiency. (A restriction on a solar energy system that does not significantly increase the cost or decrease the efficiency of the system is permitted by existing law.)

Passed by Assembly Local Government Committee (8-0). In Assembly Appropriations Committee; hearing 5-19-04.

HAZARDOUS MATERIALS

AB 1006
SUPPORT
Chu

Prohibits use of the most highly toxic pesticides on any public school property. Defines "most highly toxic pesticides."

Passed by Assembly Environmental Safety & Toxic Materials Committee (5-1), Assembly Education Committee (7-3), Assembly (42-28). In Senate Agriculture & Water Resources Committee.

SB 493
Cedillo
SUPPORT

Grants immunity from liability for the costs of cleanup of hazardous materials to new or prospective owners of urban property who did not cause or contribute to the contamination of the property. Also gives immunity when contamination comes from an adjacent site, as in groundwater flows. Allows the state to place a "windfall lien" to cover its costs up to the difference in property value created by a cleanup.

Passed by Senate Judiciary Committee (5-0), Senate Environmental Quality Committee (5-0), Senate Appropriations Committee (12-1), Senate (37-0). In Assembly.

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HEALTH CARE

AB 232 Chan SUPPORT	Requires all hospitals to develop and give notice of their policy for determining prices to be paid by self-pay patients, and requires the policy to include a section addressing charity care patients. Limits charges for low-income patients. Restricts the type of collection activities allowed during the first 180 days after discharge.	Passed Assembly Health Committee (24-0), Assembly Appropriations Committee (17-7), Assembly (44-26), Senate Health & Human Services Committee (9-2). Held on Senate Appropriations Committee suspense file.
SB 2 Burton/Speier SUPPORT	Requires all employers of 50 or more workers to provide health benefits to their employees or pay a user fee to the state, which would use the pooled fees to purchase coverage for the employees. Requires employers of 200 or more workers to provide coverage for employees and their families or pay into the statewide buying pool.	Signed by Governor (Chapter 673, Statutes of 2003). A referendum on this measure has been placed on the November 2004 ballot.
SB 921 Kuehl SUPPORT	Establishes the Health Care for All Californians Act to provide health care coverage to all California residents through a "single payer" system administered by the state. Persons would choose their health care providers, who would be reimbursed for their services from the state health care fund. (The version of the bill passed by the Senate Appropriations Committee and the full Senate merely stated findings and declared the intent of the legislature to implement a single payer universal health care delivery system. Details are expected to be amended into the bill before its hearing in Assembly Health Committee.)	Passed by Senate Insurance Committee (5-3), Senate Health and Human Services Committee (8-3), Senate Appropriations Committee (8-5), Senate (23-14). In Assembly Health Committee.

HOUSING

AB 2158 Lowenthal SUPPORT	Revises the process for allocating shares of the regional housing need to cities, counties, and subregions for all income levels. Implements consensus-based changes proposed by the Housing Element Work Group	Passed by Assembly Local Government Committee (8-0), Assembly Housing and Community Development Committee (9-0), Assembly Appropriations Committee (20-0). On Assembly floor.
AB 2702 Steinberg SUPPORT	Prohibits local government ordinances that effectively preclude second housing units, absent a finding of an adverse impact on public health, safety, and welfare. Imposes other limitations on local governments' ability to deny or place restrictions on the development of second housing units.	Passed by Assembly Local Government Committee (6-2), Assembly Housing and Community Development Committee (5-3), Assembly Appropriations Committee (13-7). To Assembly floor.

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ACTION SUMMARY/STATUS

JUVENILE JUSTICE/DEPENDENCY

AB 1012 Steinberg SUPPORT	Requires an elementary school principal to take immediate steps, before making a pupil available to a peace officer for questioning on campus, to obtain the consent of a parent or guardian of the pupil and to allow the parent to be present during questioning. Requires that, before making a high school pupil under 18 available for questioning by a peace officer, the pupil be informed that he or she has the right to request that a parent or member of the school staff be present. Makes exceptions, such as for circumstances requiring immediate questioning.	Passed by Assembly (49-19), Senate (25-9). To Assembly for concurrence; placed on inactive file by author.
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LAND USE

SCA 2 Torlakson SUPPORT	See State and Local Finances.	
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OPEN GOVERNMENT

SCA 1 Burton/ McPherson SUPPORT	Amends the California Constitution to provide that the people have a right of access to meetings of public bodies and writings of public officials and agencies. Requires that statutes, court rules, and other authorities shall be broadly construed when they advance public access and narrowly construed if they limit access. A future statute, court rule or other authority adopted after passage of this measure that limits the right of access must include findings clarifying its purpose and necessity. Makes exceptions for confidentiality of law enforcement and prosecution records, personal privacy, and certain confidential legislative proceedings and records.	Passed by Senate (34-0), Assembly (78-0). On November 2, 2004 ballot.
SJR 22 Burton SUPPORT	Urges the California congressional delegation to work to repeal any provision of the U.S.A. PATRIOT Act that limits or impinges on the rights and liberties protected by the Constitution and to oppose any pending or future federal legislation to the extent that it would infringe on Americans' civil rights and liberties.	Introduced; in Senate Rules Committee.

BILL NUMBER, AUTHOR, POSITION	DESCRIPTION	ACTION SUMMARY/STATUS
<u>STATE AND LOCAL FINANCES</u>		
AB 990 Ridley-Thomas SUPPORT	Establishes the California Tax Expenditure Accountability Act. Requires the Department of Finance to submit to the legislature an annual report on income, corporate, and sales tax expenditures. States the intent of the legislature that the report will be considered during the budget process to evaluate the relative priority of each tax expenditure as compared with all state expenditures, and prescribes criteria for that evaluation.	Amended to current subject after passage by the Assembly. In Senate Revenue and Taxation Committee.
AB 1815 Chan and Dutra SUPPORT	Reinstates the top state personal income tax rates of 10% and 11% for tax years 2004 through 2009, at inflation-adjusted taxable income levels corresponding to those in effect from 1991 through 1995.	Passed by Assembly Revenue and Taxation Committee (4-2). In Assembly Appropriations Committee; hearing 5-19-04.
ACA 1 Longville SUPPORT	Amends the California Constitution to allow the budget bill and implementing (trailer) bills to be passed by a simple majority vote in each house of the legislature rather than by the two-thirds vote currently required. Requires that if a budget has not been passed by July 1 of any year, legislators will forfeit their salary and expenses from July 1 until the budget is passed.	Referred to Assembly Budget, Rules, and Elections, Redistricting and Constitutional Amendments Committees.
ACA 4 Simitian SUPPORT	Amends the California Constitution to allow a school district, community college district, or county office of education to impose a parcel tax on real property upon a 55 percent vote of the people rather than the currently required two-thirds vote.	Passed by Assembly Revenue and Taxation Committee (4-2), Assembly Elections, Redistricting and Constitutional Amendments Committee (4-2), Assembly Appropriations Committee (17-7). On Assembly floor inactive file.
ACA 14 Steinberg SUPPORT	Amends the California Constitution to allow a local government to impose a transactions and use tax to fund local infrastructure upon the approval of 55 percent of the voters rather than the current two-thirds vote requirement. Requires an infrastructure plan developed with citizen input and specifies the division of revenues among general infrastructure, land conservation, low-income housing, and neighborhood improvement projects.	Passed by Assembly Local Government Committee (6-3), Assembly Elections, Redistricting and Constitutional Amendments Committee (4-2), Assembly Appropriations Committee (17-7). On Assembly floor inactive file.
ACA 16 Hancock SUPPORT	Amends Article XIII A of the California Constitution to require that, beginning in 2005-06, nonresidential property that is not used for commercial agricultural production be assessed at fair market value annually.	In Assembly Revenue and Taxation Committee.
SB 17 Escutia SUPPORT	Modifies change-of-ownership criteria for commercial and industrial properties used to trigger the reassessment of the property to fair market value. Requires publicly traded companies to file yearly property statements with the State Board of Equalization listing all real property assets.	Passed by Senate (23-14), Assembly Revenue and Taxation Committee (4-2), Assembly Appropriations Committee (16-8). On Assembly floor inactive file.

BILL NUMBER, AUTHOR, POSITION	DESCRIPTION	ACTION SUMMARY/STATUS
SCA 2 Torlakson SUPPORT	Amends the California Constitution to allow a county, a city, a local transportation authority or a regional transportation agency to impose a sales or special tax exclusively for transportation and smart growth planning purposes upon the approval of a majority of the voters, rather than the current 2/3 vote requirement. Requires at least 25% of the revenues from such a tax to be used for funding smart growth planning.	Passed by Senate Transportation Committee (8-3), Senate Constitutional Amendments Committee (3-2). On Senate floor.
SCA 11 Alarcon SUPPORT	Amends the California Constitution to allow a county, a city or special district to impose certain transaction and use taxes and to incur debt by issuing general obligation bonds exclusively for infrastructure projects, including affordable housing, transportation enhancements, open space and other infrastructure, upon the approval of 55% of the voters, rather than the current 2/3 vote requirement. Requires that no more than 5% of the proceeds may be used to pay for administrative costs.	Passed by Senate Local Government Committee (4-3). In Senate Constitutional Amendments Committee.

TRANSPORTATION

AB 204 Nation SUPPORT for action by LWV Bay Area.	Authorizes a motor vehicle license fee of up to \$6 in the nine-county San Francisco Bay Area to fund projects that mitigate the adverse environmental impacts of motor vehicles and motor vehicle facilities on water quality, water-related habitat, and watersheds within the Bay Area. Fees are imposed in Bay Area counties that elect to participate, but only after at least three counties so elect. A similar bill (AB 104, Nation) was vetoed in 2001.	Passed by Assembly Natural Resources Committee(9-2). In Assembly Transportation Committee (12-7), Assembly Appropriations Committee (15-7), Assembly (41-33), Senate Natural Resources and Wildlife Committee (5-3). In Senate Transportation Committee; hearing 6-1-04.
ACA 14 Steinberg SUPPORT	See State and Local Finances.	
SCA 2 Torlakson SUPPORT	See State and Local Finances.	
SCA 11 Alarcon SUPPORT	See State and Local Finances.	

VOTING RIGHTS

AB 1944 Hancock SUPPORT	See Education.
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BILL NUMBER, AUTHOR, POSITION	DESCRIPTION	ACTION SUMMARY/STATUS
ACA 25 Mullin SUPPORT	Amends the California Constitution to allow an individual who will be 18 years old on the date of the next general election to register and to vote in any intervening primary or special election if he or she is at least 17 years old and meets all other eligibility requirements.	Failed passage in Assembly Elections, Redistricting and Constitutional Amendments Committee (3-2, with 4 votes needed to pass). Reconsidered and passed (5-2). On Assembly Appropriations suspense file; hearing 5-19-04.
SB 1282 Morrow OPPOSE	Requires a voter to present proof of identity and residency to a precinct official before receiving a ballot at a polling place. Permits a voter who is unable to present such proof to cast a provisional ballot. Makes legislative findings that current voting procedures are insufficient to ensure against voting fraud.	Failed passage in Senate Elections and Reapportionment Committee (2-3). Reconsideration granted.
SB 1370 Oller OPPOSE	Requires a voter to present proof of identity to a precinct official before receiving a ballot at a polling place. Permits a voter who is unable to present such proof to cast a provisional ballot that would be counted only if the voter presented proof of identity to a county elections official within five business days..	Failed passage in Senate Elections and Reapportionment Committee (2-3). Reconsideration granted.
<u>WATER</u>		
AB 204 Nation SUPPORT	See Transportation.	
AB 2298 Plescia SUPPORT	Establishes a schedule for phasing in installation of water meters to measure the volume of water used to irrigate large urban (nonresidential) landscapes. Requires use of meters for billing purposes by 2007 for new landscapes of at least 10,000 square feet in area and requires meters for areas of one acre or more by 2012.	Passed by Assembly Water, Parks and Wildlife Committee (9-6), Assembly Business and Professions Committee (8-3), Assembly Appropriations Committee (14-3). To Assembly floor.
SB 318 Alpert SUPPORT	Adds to the requirements for an Urban Water Management Plan adopted by an urban water supplier by requiring the plan to describe the opportunities for development of desalinated water, including, but not limited to, ocean water, brackish water, and groundwater, as a long-term supply.	Passed by Senate (39-0), Assembly Water, Parks and Wildlife Committee (19-0), Assembly Appropriations Committee (21-1). On Assembly floor inactive file.