



2011 Priority Legislation List

As of 9/14/11

Additional bills may be considered. For more information on submitting bills for consideration, visit www.lacdp.org/priority-legislation or contact Political Director Clark Lee at clarklee@lacdp.org.

Federal Legislation

S 759: Soledad Canyon High Desert: California Public Lands Conservation and Management Act of 2011 - Sen. Barbara Boxer (CA)

This bill directs the Secretary of the Interior to cancel CEMEX's mining contracts in Soledad Canyon [CA-20139 and CA-22901] and prohibit future mining at this site. The Bureau of Land Management (BLM) would sell lands near Victorville, CA that are currently on its disposal list, and would use the proceeds to compensate CEMEX for the cancellation of its mining contracts. Local land use authorities, such as the City of Victorville and County of San Bernardino, would have the right of first refusal to purchase many of these parcels, which would help satisfy their future development needs. Some of these funds would also go towards the purchase of environmentally sensitive lands in Southern California.

S 1452: Main Street Fairness Act - Sen. Dick Durbin (IL)

The Main Street Fairness Act says that any State that wants to do so can require online retailers to collect the same sales taxes that Main Street businesses collect, provided that small online retailers are exempt, online retailers are compensated for any start-up administrative costs associated with collecting sales taxes, and all retailers are treated equally regarding sales tax collection.

State Legislation

AB 22: Credit Reports/Employment – Asm. Tony Mendoza

This bill would ban the use of consumer credit reports in employment unless two criteria are both met. First, the information in the credit report must be substantially job-related, where the applicant or promotion candidate would have access to money, other assets, or confidential information. Second, the position sought is either managerial, a sworn peace officer, or the information is already required to be disclosed by law or to be obtained by the employer.

AB 46: Disincorporation – Asm. Speaker John A. Pérez

This bill provides that any cities with a population of less than 150 persons will be disincorporated, while providing County Supervisors the power to preserve the incorporation of such cities.

AB 65: Initiatives: Financial Disclosure – Asm. Mike Gatto

This bill provides that the top five contributors to an initiative campaign be disclosed in the voter information pamphlet.

AB 86: Education: Charter Schools – Asm. Tony Mendoza

This bill requires that in addition to the existing signature requirements, a charter school petition to include signatures from at least 50% of the number of classified employees the petitioner estimates that will be employed by the charter school in the first year of operation.

AB 126: Judicial Diversity – Asm. Mike Davis

This bill would amend Section 12011.5 of the Government Code relating to judicial appointments to do the following: 1) Require the Governor to release the names of all persons who have been provided judicial application materials or related documentation on one or more judicial applicants by the Governor or his or her representatives, to help decide whether to submit an individual's application to the State Bar for evaluation or if the applicant should be appointed after he or she has been evaluated by the State Bar. This does not include employees of the Governor. 2) Require each member of the State Bar responsible for evaluation of judicial candidates to complete a minimum of two hours of mandatory training in the areas of fairness and bias in the judicial appointment process. 3) Require the State Bar and Administrative Office of the Courts, in their annual reports, to use the ethnic and racial categories used by the California Judicial Council.

AB 130 and AB 131: California DREAM Act – Asm. Gil Cedillo

These bills would allow undocumented students who otherwise meet California residency requirements for in-state tuition to be eligible for certain financial aid packages, including Cal Grants, UC Grants and BOG fee waivers, provided that they

affirm by affidavit that they have either applied for legal immigration status or intend to do so as soon as eligible. AB131 provides that students eligible for Cal Grants under AB131 would not be eligible unless funding remains after all California resident students have received the Competitive grants for which they are eligible.

AB 153: Online Sales Tax – Asm. Nancy Skinner

This bill expands the statutory list of retailers that are considered to be engaged in business in California and that, as such, are required to collect use tax on sales of tangible personal property to California consumers.

AB 185: Maternity insurance – Asm. Roger Hernandez

This bill would require insurance policies regulated under the Department of Insurance to provide coverage for defined maternity services. Specialized insurance services such as accident insurance are exempted.

AB 189: Education: Education Funding – Asm. Mike Eng

This bill will require school districts receiving funding for adult education, which is categorized as flexible categorical education program funding, to expend at least 65% of that adult education funding on the core adult education programs of English as a Second Language, Adult Basic Skills, High School Diploma and career technical education. 10% of the adult education apportionment would be used to fund adult education career technical education equipment purchases, career counseling and professional development for adult education teachers. As the bill is proposed to be amended, the remaining 25% of the adult education apportionment would be available to be used by the local school district governing board for any purpose.

AB 312: Rights of the Homeless – Asm. Bonnie Lowenthal

This bill specifies that a homeless person has the right to be free from violence or intimidation, and that he or she can sue for enhanced civil penalties if an act of violence was committed against them because of their status as a homeless individual. This bill would also define “homeless status” for the purposes of these provisions.

AB 322: Sexual Assault Evidence Testing – Asm. Anthony Portantino

This bill provides that after July 1, 2012, sexual assault evidence kits be tested within one month of collection. Provides further that local governments submit an action plan for clearing away any existing backlog of evidence kits still awaiting testing.

AB 325: Bereavement Leave – Asm. Bonnie Lowenthal

Currently, no federal or state law provides job protection for an employee who must take a leave of absence following the death of a relative. This bill provides that no employer may discharge or in any way discriminate against an employee for taking off up to four days upon the death of a spouse, child, parent, sibling, grandparent, grandchild, domestic partner or child of a domestic partner.

AB 376: Wildlife: Shark Fins – Asm. Paul Fong

This bill makes it unlawful for any person to possess, sell or trade a shark fin.

AB 420: Redistricting: Inmates – Asm. Mike Davis

This bill would change the method of the population count for redistricting purposes to make it consistent with Elections Code 2025. It would require the Department of Corrections and Rehabilitation to provide to the Secretary of State’s Office and the Commission on Redistricting, last known residence information for inmates incarcerated in California correctional facilities. Inmates who are foreign nationals or whose last known residence is outside California would be excluded. While there will be no requirement that the Commission act on the information, there will be an expectation that the data provided will be factored into the redrawing of district lines.

AB 438: Public Vote: Withdrawal from Library System – Asm. Das Williams

This bill provides that should a local government wish to withdraw from the County’s public library system, that the matter be put to a vote of the people at the next regularly scheduled election.

AB 793: Insurance: Reverse Mortgages – Asm. Mike Eng

This bill would prohibit an insurer, broker, agent, or others engaged in the transaction of insurance, except as provided, from participating with the origination of a reverse mortgage, or referring a client or prospective client to any party that participates in or is associated with the origination of a reverse mortgage.

AB 935: Community Reimbursement for Foreclosures – Asm. Bob Blumenfeld

This bill establishes a community reimbursement fund administered by County Recorders and requires mortgage servicers to pay a \$20,000 community reimbursement charge before the foreclosure process can be concluded in order to help offset the costs borne by a community due to foreclosures.

AB 1034: Charter Schools: Equal Access – Asm. Mike Gatto

This bill prevents the waiver of rules governing access to charter schools to protect equal access to charter schools for all children.

AB 1081: State Government: Federal Immigration Policy Enforcement - The Trust Act - Asm. Tom Ammiano

This bill (1) directs California's Attorney General to modify the Memorandum of Agreement (MOA) with the Department of Homeland Security regarding the Immigration & Custom Enforcement's (ICE) Secure Communities program to require counties to opt-in if they wish to participate; (2) requires that counties opting-in must prepare a plan to monitor the program for racial profiling; (3) requires the modified MOA include specified safeguards against racial profiling; (4) requires the modified MOA to include an agreement that ICE post specified data on its website regarding the program; (5) directs the Attorney General that, if she is unable to so modify the MOA that she terminate it; and (6) states that nothing in this bill is intended to modify the bureau's existing, established procedures for submitting or exchanging criminal justice information data with the Federal bureau of Investigation.

AB 1130: Personal Income Tax – Asm. Nancy Skinner

This bill would raise marginal rates by 1 percent on incomes exceeding \$500,000 per year.

AB 1148: Political Advertising Disclosures – Asm. Julia Brownley

This bill imposes further requirements on the disclosure of funders of political advertisements on television and radio programming. Independent expenditure advertisements would be required to have disclosures similar to those found on advertisements funded by political parties and candidates. Paid slate mailers would also be required to have more prominent disclosures regarding which candidates or issues had paid to appear.

AB 1182: CalWORKS Vehicle Asset Requirement Elimination – Asm. Roger Hernandez

This bill would repeal the vehicle asset limit on CalWORKS applicants, which is currently set at \$4,500. This would allow some otherwise-qualified applicants to receive CalWORKS benefits who are otherwise ineligible because their vehicles are appraised at over \$4,500.

AB 1326: Oil Extraction Tax: Golden State Higher Education Act – Asm. Warren Furutani

This bill establishes the Golden State Higher Education Act. This Act creates a new 12.5% oil and natural extraction fee and requires all of the revenue generated, approximately \$2 billion annually, go to higher education at the CSU, Community Colleges and UC. This revenue would be administered by the California Higher Education Endowment Corporation and annually allocated to the three college systems.

AB 1382: Hepatitis-C Testing – Asm. Roger Hernandez

This bill would enable HIV test counselors, who are currently authorized to perform HIV tests, to also perform two additional FDA-approved tests for Hepatitis C virus (HCV), and another test which combines assays for both HIV and HCV.

SB 8: Public Records: UC Foundations – Sen. Leland Yee

This bill updates the California Public Records Act to include auxiliary organizations at University of California, California State University, and the California community colleges statewide foundation. Placing state college and university auxiliaries under the authority of the public records act will safeguard the use of taxpayer funds and provide much needed accountability and oversight to state policymakers.

SB 9: Public Safety: Youth Sentencing – Sen. Leland Yee

This bill allows courts to review cases where a youth was sentenced to life in prison without the possibility of parole.

SB 26: Cell Phones in Prisons – Sen. Alex Padilla

This bill would make the smuggling or illegal possession of wireless devices by any person, employee or nonemployee, a misdemeanor, punishable by six months in jail for each device and a fine of up to \$5,000 per device. An inmate in possession of a cell phone shall be subject to loss of time credits. Time credit lost will not be eligible for restoration, without the ability to earn it back. The bill contains language for visitors who inadvertently bring a cell phone into a prison without intent to deliver to an inmate. Fiscal Impact is currently unknown.

SB 397: Online Voter Registration – Sen. Leland Yee

This bill authorizes counties to develop and use an electronic voter registration system for the electronic submission of an affidavit of voter registration. SB 397 would improve access and increase registration security. Under this bill, citizens input their voter information online and the county elections office would use the voter's signature from the Department of Motor Vehicles. Online registration system is directly linked to another state data source – the DMV drivers' license database. The applicants' information must match in order to complete the registration process.

SB 515: Environment: Battery Recycling – Sen. Ellen Corbett

This bill requires battery manufacturers to create and institute stewardship plans to deal with the end of life for their products.

SB 708: Banking: Debt Settlement – Sen. Ellen Corbett

This bill requires debt settlement companies to screen customers for suitability before enrolling them in settlement programs. Further requires that debts be settled before any fees are collected, and that fees be limited to 15% of the difference between the original debt and the settlement.

SB 810: Single-Payer Health Care – Sen. Mark Leno

This bill would establish the California Healthcare System to be administered by the newly created California Healthcare Agency under the control of a Healthcare Commissioner appointed by the Governor and subject to confirmation by the Senate. The bill would make all California residents eligible for specified health care benefits under the California Healthcare System, which would, on a single-payer basis, negotiate for or set fees for health care services provided through the system and pay claims for those services.