

**News & Advocacy****Counties Have Options to Meet Short-Term Cash Flow Needs****Counties Combat Swine Flu****Correction: Assembly Local Government Committee Vote on AB 155****Administration of Justice****Agriculture and Natural Resources****Employee Relations****Government Finance and Operations****Health and Human Services****Housing, Land Use and Transportation****Indian Gaming****Ask Our Advocates****Calendar of Events****Legislative Tracking****PDF Version**

May 01, 2009

Counties Have Options to Meet Short-Term Cash Flow Needs

by Paul McIntosh, Executive Director

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As counties prepare budgets for the next fiscal year, attention turns to cash flow needs. The state is considering the same issue and finds itself in unprecedented times. Counties will recall that just three months ago, the State Controller found it necessary to withhold all non-priority payments due to inadequate cash on hand. While the passage of a budget package addressed the short term issue, the state still has a huge cash shortfall anticipated for July. Recall, too, that the budget as adopted anticipates two months of deferrals of social services payments in July and August to assist the state with its cash flow problems.

The state and counties are preparing to issue Tax and Revenue Anticipation Notes (TRANS). The state is considering an issue in the neighborhood of \$15 billion – potentially the largest in state history.

Many California counties are joining with cities and special districts through the joint CSAC/League of California Cities TRANS pool. This program, managed by California Communities, has issued an annual pooled TRANS for the past 17 years. Last year, 29 local government agencies participated in the program and issued \$854 million in notes.

With many cities and counties having to spend down reserves to meet budget obligations, the TRANS program has grown this year. So far, 36 agencies have expressed an interest in issuing an estimated \$955 million in TRANS. CSAC encourages all counties to carefully review this program.

One of the issues rising out of the current financial crisis is the lack of credit enhancement for municipal issuers. Because many short-term bonds are issued through a pooled approach, the pool needs credit enhancement to smooth out irregularities in ratings among participants. Historically, bond insurance has been purchased for the enhancement. In today's market, though, bond insurance is not an option. Program managers have secured a letter of credit to provide enhancement, but the credit requirements are stiff.

CSAC and the League have been working with members of the California congressional delegation, particularly those on the House Financial Services Committee, to seek a federal guarantee of the letter of credit for short-term notes. We've been joined in our efforts by Governor Schwarzenegger, State Treasurer Bill Lockyer and State Controller John Chiang. Such a guarantee would expand application of the letter of credit and ensure that all entities desiring to do so could participate in the pool. To be clear, this is not a bailout. A guarantee would not involve the expenditure of federal funds. There has never been a default on a California bond in the history of the state. A guarantee, though, would enable access to the bond market in a manner similar to what existed before this financial crisis and would ensure continued stimulus of the public sector in California.

The TRANS program is rapidly drawing to completion. CSAC staff and others will be meeting with investors next week and with rating agencies the following week to market the program and answer questions. Pricing of the bonds is scheduled to occur during the first week in June, with closing at the end of June so that funds are available on July 1.

If you are not a member of the pool but would like addition information, call Tom Sweet, executive director of the CSAC Finance Corporation, at (916) 327-7500, ext. 556 (tsweet@counties.org); Laura Li, marketing representative, at (916) 327-7500, ext. 560 (lli@counties.org); or, [click here](#) for the CSAC Finance Corporation Web site.

May01,2009

CountiesCombatSwineFlu

County health departments are working virtually around the clock in order to respond to the recent global outbreak of the H1N1 influenza virus, commonly known as swine flu. As of yesterday, 41 counties had activated their Emergency Operations Centers to closely monitor, investigate, and respond to possible influenza cases within their jurisdictions.

Local health departments also continue to work closely with the state Department of Public Health, holding daily conference calls to clarify messages, ask questions, and better coordinate the California response. At this stage of the outbreak, county public health teams are working diligently to mitigate the disease from spreading further. The situation is changing hour by hour, but local health departments are actively engaged in doing their best to protect the public's health.

As of late day April 30, there were 141 cases in the United States with a confirmed 16 cases in California (Imperial, 5; Marin, 2; Sacramento, 1; San Bernardino, 1; and San Diego, 7) and 41 probable cases (Alameda, Imperial, Los Angeles, Orange, Riverside, Sacramento, San Bernardino, San Diego, San Francisco, San Joaquin, San Mateo, Santa Clara, Solano and Tulare).

On April 29, the World Health Organization (WHO) posted its alert system to a level five, the second-highest phase of pandemic. The WHO increased the alert level because the disease can be passed fairly easily between people. The highest level – level six – means that there have been community-level outbreaks in at least two regions of the world. The world health community is still learning about this new strain of flu; health officials still do not know how contagious this flu strain is or how deadly. Officials are still unsure why the cases in Mexico were more severe.

On April 28, Governor Schwarzenegger issued a State of Emergency to support California's response to the outbreak. This proclamation does a number of things:

- Orders all state agencies and departments to utilize and employ state personnel, equipment and facilities to assist the Department of Public Health (DPH) and the State Emergency Plan as coordinated by the California Emergency Management Agency.
- Orders DPH and the Emergency Medical Services Authority to enter into any and all necessary contracts for providing services, materials, personnel, and equipment to supplement extraordinary preventive measures being taken across the state.
- Suspends non-competitive bid contracts for services, material, personnel, and equipment needed to respond to this outbreak.
- Waives select certification requirements for public health laboratories to help in the state's expansion of our testing capabilities.

The state has told counties to identify costs associated with the influenza outbreak. The DPH is responding with equipment and additional personnel. The Governor's proclamation does not identify funding to reimburse counties. State officials are hoping to tap some of the \$1.5 billion identified by the Obama Administration to assist with offsetting costs. However, the state has not accessed federal funds yet.

The California Legislature held an informational hearing April 30 to determine how the state and local governments are responding to the swine flu and whether additional resources may be necessary. The hearing was jointly chaired by Senator Dean Florez, chair of Senate Food and Agriculture Committee; Senator Elaine Alquist, chair of Senate Health Committee; and Assembly Member Dave Jones, chair of Assembly Health Committee.

As part of its pandemic flu planning efforts, the state of California purchased 9 million courses of antivirals – enough to treat 25 percent of the population. A portion of the antivirals are stockpiled at the state level and the other portion is stockpiled at the federal level. Counties can request the antivirals directly from the state. The state has also purchased and stockpiled N95 respirators (masks) for health care providers. At this point, the state has not deployed the stockpile of masks.

The state is also sending out regular information updates to county health departments and health providers via the California Health Alerting Network (CAHAN). All counties participate on CAHAN. However, approximately half of hospitals statewide and the majority of community clinics do not participate in the network. Participation is voluntary – this is one of

the gaps in statewide flu response identified through the hearing.

In testimony from the provider community, clinics and hospitals urged better communication between county public health departments and the state. Clinics in particular were concerned about access to equipment and antivirals. Questions were raised about how locals will prioritize distribution of antivirals to providers.

Counties are working diligently with the state and federal governments and with their health provider communities in responding to the H1N1 virus. CSAC will be working in Sacramento to assist counties in ensuring reimbursement for their efforts to protect community health. As information becomes available from the state and federal governments, we will share the information via the *Bulletin*.

May01,2009

Correction:AssemblyLocalGovernmentCommitteeVoteonAB155

Last week's *Bulletin* article regarding AB 155 (Mendoza), related to municipal bankruptcy, made an error in the final vote count on the bill. To clarify, the final vote tally was 4-3, with Assembly Members Juan Arambula, Steve Knight, and Mike Duvall in opposition. Once again, we extend our appreciation to these members for standing with local governments during a difficult hearing.

We are encouraging counties to contact their legislative delegation to express opposition to AB 155. Please contact Jean Kinney Hurst at jhurst@counties.org or 916/327-7500, ext. 515, for additional information.

May01,2009

AdministrationofJustice

For more information, please contact Elizabeth Howard at 916/650-8131 or ehoward@counties.org or Rosemary Lamb at 916/650-8116 or rlamb@counties.org.

Budget Subcommittee Hearings Court Security and Forensic Lab Fees Heard on April 23

The Senate Budget Subcommittee No. 4 on State Administration met on April 30 to discuss two principal budget areas: the judicial branch and the Department of Justice (DOJ). Although the subcommittee took action on several non-controversial items, the issues of interest to counties were informational only with no specific action was taken. (The subcommittee agenda can be found [here](#).)

The key issue of interest under the judicial branch discussion involves court security. As counties are well aware, there is a persistent and growing gap between state funding levels and the actual cost to provide court security services. For those reasons and the statewide interest in assuring court security services statewide, CSAC testified in support of the Governor's budget proposal to increase the court security fee by \$7 — from \$20 to \$27. Subcommittee members also discussed the Legislative Analyst's Office (LAO) proposal that the Legislature consider outsourcing the provision of court security services to either private providers or other public safety agencies. The discussion appeared to reveal the administrative challenges and public safety concerns that the contracting-out proposal typically generates. Again, the court security item was for discussion purposes only and did not produce specific action. Additional attention will be focused on this budget item in the coming months.

Under the DOJ discussion, CSAC, the Regional Council of Rural Counties, and the California District Attorneys' Association testified in opposition to an LAO proposal that has emerged in previous years, including during the 2008-09 budget deliberations, relating to forensic laboratory services provided through DOJ. The LAO estimates that the state could save up to \$43 million in 2009-10 if DOJ's Bureau of Forensic Services charged state and local agencies for laboratory services. Presently, these services are provided free of charge, despite existing authority to levy a fee. In opposing the proposal, the district attorneys, sheriffs, and counties have raised public safety concerns as well as practical and administrative concerns. The subcommittee took no action, but asked the DOJ to report back on the usage of forensic lab services among counties.

Probation Performance Incentives SB 678 (Leno and Benoit) – Support in Concept/Request for Comment

As Amended on April 16, 2009

SB 678, by Senators Mark Leno and John Benoit, would enact the California Community Corrections Performance Incentive Act. The key objective of the measure is to create performance incentives for local governments to develop community corrections strategies that reduce prison commitments. With increased supervision, monitoring, and intermediate sanctions, probation departments would be better positioned to decrease criminal activity and manage this population locally. Based on a jurisdiction's success — measured in the reduction of felony probationers who are sent to prison — the state would share its savings derived from the lowered prison population.

CSAC staff strongly encourages counties to examine the provisions of SB 678 and contact Rosemary Lamb (rlamb@counties.org) with comments or questions. We anticipate that the specific mechanics of the measure — such as how the savings will be calculated and redistributed to counties — will evolve. We are eager to hear county input on the construct of the performance incentive approach. CSAC will continue to update counties on this measure as it moves through the legislative process.

CSAC believes this measure represents a very promising approach to addressing the needs of adult probation and giving counties the tools to aid the state in addressing the “revolving door” problem in our corrections continuum. The incentive-based approach to investing in a strong community corrections system is entirely consistent with CSAC [corrections reform principles](#), as well as the findings and recommendations of the [Probation Services Task Force](#). The Chief Probation Officers of California (CPOC) is co-sponsoring this measure. SB 678 was heard in the Senate Public Safety Committee — a committee whose chair and vice-chair are jointly authoring this measure — on April 28 and passed out of committee on a 7-0 vote. It now awaits a hearing in the Senate Appropriations Committee.

Public Contracts: Claims AB 216 (Beall) – Oppose As Proposed to be Amended

AB 216, by Assembly Member Jim Beall, seeks to create a dispute resolution process for claim disputes over \$100,000 between contractors and local agencies. A similar measure was pursued last year by Senator Leland Yee (SB 1642) but was held in the Senate Appropriations Committee.

AB 216 seeks to create a process by which contractors can seek resolution to unresolved claims. Specifically, it outlines a process by which a contractor would first request a “meet and confer” session with the local agency. If the parties are unable to resolve the dispute through this process, the claimant can request mediation to resolve the dispute.

The measure, as proposed to be amended, would eliminate the binding arbitration requirement currently contained within the measure if mediation is unsuccessful in resolving a disputed claim. However, the measure — as proposed to be amended — would impose a 2% penalty upon local agencies that fail to respond to a specified dispute arising from a claim. CSAC has joined a coalition opposing this measure, which includes the Regional Council of Rural Counties (RCRC) and the California Special Districts' Association (CSDA). Counties and special districts believe the financial penalty is unnecessary. It would inappropriately place a new financial penalty on local agencies without addressing those contractors who fail to perform up to the standards specified in a contract.

AB 216 was heard in the Assembly Judiciary Committee on April 28 and passed out of committee on an 8-2 vote. It now awaits hearing in the Assembly Appropriations Committee.

Public Records AB 1245 (Monning) – Support As Amended on April 2, 2009

AB 1245, by Assembly Member Bill Monning, seeks to establish a procedure to ensure that documents rightfully owned by local or state agencies are returned to that local or state agency. Counties will recall that former Assembly Member Laird carried similar legislation last year that CSAC supported – AB 2595. This measure ultimately was vetoed by the Governor, who cited that the state's historic delay in passing a budget prevented him from signing bills other than those of the highest priority.

AB 1245 passed on consent in the Assembly Judiciary Committee on April 27. It was referred to the Assembly Appropriations Committee.

Local Government Emergency Response
AB 1004 (Portantino) – Request for Comment
As Amended on April 23, 2009

AB 1004, by Assembly Member Anthony Portantino, would limit a public agency's ability to impose a fee or seek reimbursement for any expense related to an emergency response outside of accidents involving an under-the-influence driver or stemming from a false report.

As we understand it, this measure is in response to the use by some municipalities of what is being called an "accident tax" (see related [article](#) in last week's *Capitol Weekly*). The fee is levied on persons involved in collisions that necessitate an emergency response, if they reside outside the area. As now drafted, however, there are significant concerns that the bill would broadly interfere with local entities' authority and ability to recoup costs in a range of circumstances.

AB 1004 is a work in progress, and the author has committed to convening a meeting of stakeholders to discuss the bill and shape a resolution.

AB 1004 was heard in the Assembly Local Government Committee on April 29 and passed out of committee on a 4-0 vote. It next will be heard in the Assembly Appropriations Committee.

Emergency Air Medical Transportation
AB 1153 (Beall) – Concerns
As Amended on April 21, 2009

AB 1153, by Assembly Member Jim Beall, would impose a new \$3 penalty on vehicle code violations and direct the revenue to support air ambulance services. CSAC is taking a close look at this measure to analyze whether the mechanism and timing for collecting the new penalty will affect current revenue distribution. As counties may recall, CSAC sought an amendment to Penal Code 1203.1d, which specifies the priority distribution of revenue when installment payments are made on court-ordered debt. That provision directs any revenue derived from a new penalty enacted on or after January 1, 2009 effectively into a fifth distribution "bucket," after the first four buckets of revenues are filled.

It is our understanding that AB 1153 will be further modified as to the mechanics, timing, and application of the \$3 penalty. We will be working with the author's office and sponsors as the amendments are developed.

AB 1153 passed out of the Assembly Public Safety Committee on April 28 on a 7-0 vote. It now awaits a hearing in the Assembly Appropriations Committee.

Vehicle Theft
AB 286 (Salas) – Support
As Introduced on February 13, 2009

AB 286, by Assembly Member Mary Salas, is a reintroduction of her AB 860 from last year, which sought to extend the sunset date on county authority to impose additional fees on vehicle registration to fund local programs relating to vehicle theft crimes. AB 860 was vetoed by the Governor in his blanket veto message stating that the measure did not meet a priority threshold for the year, given the limited amount of time available to him to review legislation in the context of protracted budget negotiations.

AB 286 is again sponsored by the California State Sheriffs' Association, and CSAC is in support.

AB 286 passed the Assembly Transportation Committee on an 8-5 vote on April 27. It now awaits a hearing in the Assembly Appropriations Committee.

Sex Offenders
AB 505 (Furutani) – Watch
As Amended on April 13, 2009

AB 505, by Assembly Member Warren Furutani, seeks to repeal the expiration date for the Sex Offender Management Board (SOMB) and would require the board to undertake a study on sex offender housing. The measure is currently awaiting a hearing in the Assembly Public Safety Committee.

Specifically, AB 505 requires the SOMB to conduct an assessment of (1) the increasing number of unmonitored transient adult sex offenders residing in California communities and (2) the increasing clustering of the housing of adult sex offenders residing in California communities. The SOMB is to provide a report containing recommendations on sex offender housing to the Legislature by January 1, 2012. Furthermore, the SOMB is to develop a plan based upon its prior recommendations to improve management practices of adult sex offenders. The plan is to be completed and presented to the Legislature and Governor by January 1, 2014.

Byrne-JAG Federal Stimulus Funding to be Discussed at May 5 California Council on Criminal Justice (CCCJ) Meeting

As counties will recall, the state is scheduled to receive approximately \$135 million in Byrne-JAG federal stimulus funding. The state is required to pass-through 67% of this funding to local governments. The California Emergency Management Agency will be presenting its recommendations on how to administer the pass-through funds to the California Council on Criminal Justice at its meeting on May 5 in Sacramento. To view the meeting agenda and accompanying documents for this meeting [click here](#). CSAC will report the discussion and outcome of the May 5 meeting in a future Bulletin.

National Association of Counties (NACo) Holding Webinar: Addressing Methamphetamine in our Nation's Counties

The National Association of Counties will be holding a free webinar on May 14th from 2:00 to 3:15 p.m. EST titled *Addressing Methamphetamine in our Nation's Counties*. This webinar will explore the unique ways in which methamphetamine affects counties, including the social and economic costs of the drug. Attendees will also receive additional information regarding national and local meth prevention programs. Speakers will include an author from the latest RAND study on the cost of meth to the US in 2005 ([RAND meth study](#)) and a model county meth prevention program. To register for the webinar, please click [here](#). For questions, please contact Mary-Kathleen Guerra at kguerra@naco.org or 202-942-4279.

If the above link does not work, please copy the following into your browser:
<https://www2.gotomeeting.com/register/425739578>.

May01,2009

AgricultureandNaturalResources

For more information, contact Karen Keene at 916/327-7500, ext. 511, or e-mail kkeene@counties.org or Cara Martinson at 915/327-7500, ext. 504, or email cmartinson@counties.org.

Williamson Act SB 715 (Wolk) – Support As Proposed to be Amended

SB 715, by Senator Lois Wolk, would make changes to the Williamson Act. Specifically, this bill would enact reforms to the Williamson Act by strengthening local enforcement authority over contract compliance, requiring proof of agricultural income for Williamson Act contracts, and allowing local agencies to have more control over the subdivision of contracted lands to ensure compliance with the Act. This bill is sponsored by Yolo County, and has been set for hearing in the Senate Local Government Committee on May 6.

SB 664 (Cogdill) – Request for Comments As Amended on April 13, 2009

SB 664, by Senator Dave Cogdill, would clarify notice requirements for expired Williamson Act contracts. Current law requires cities or counties to provide a formal notice of expired Williamson Act contracts to the Department of Conservation within 30 days of expiration. SB 664 would clarify in statute that the failure of a city or county to provide the notice of expiration of a Williamson Act contract to the director of the State Department of Conservation does not invalidate the contract's expiration. This bill is set for hearing on May 6 in the Senate Local Government Committee.

Property-Related Fees – Stormwater Runoff
SCA 18 (Liu) – Support
As Introduced on March 10, 2009

SCA 18, by Senator Carol Liu, would amend the California Constitution to enable local government entities to charge fees for mitigating storm water runoff in the same manner as they charge fees for garbage collection, sewer treatment, and water supply services. If approved by both houses of the Legislature, SCA 18 would be placed before California voters at the next regularly scheduled General Election. CSAC supports this measure. SCA 18 is scheduled to be heard by the Senate Local Government Committee on May 20. Although it is an uphill battle, we are trying to garner as much county support as possible. If your county is supportive of this issue, please submit letters of support to the author and the committee as soon as possible.

Fish & Game
AB 979 (Berryhill) – Request for Comments
As Amended on April 15, 2009

AB 979, by Assembly Member Tom Berryhill, would prohibit a city or county from adopting an ordinance or regulation that affects fishing and hunting within its jurisdiction unless the action is consistent with the California Constitution and state laws that preempt local actions, is needed to protect public health and safety, and has only an incidental effect on fishing and hunting.

CSAC is working to get clarification from the author's office with several issues related to the Endangered Species Act, as well as issues related to county parks. If your county has issues with this bill, please share them with CSAC staff. This bill is currently on the Assembly Appropriations Suspense File.

Water
SB 457 (Wolk) – Pending
As Amended on April 13, 2009

This bill would create a nine-member Delta Stewardship Council in the Natural Resources Agency with specified powers and responsibilities relating to the Delta, including approving the Delta Stewardship Plan to guide and shape management of the Delta. SB 457 directs the council to adopt its new Delta Plan before January 1, 2011. It also stipulates that the council must review and, if necessary, revise its Delta Plan every five years and revise its resource management plan to be consistent with the new Delta Stewardship Plan.

Existing law requires city and county general plans to be consistent with the Delta Protection Commission's resource management plan for the primary zone. SB 457 goes further by requiring the commission to certify local general plans' consistency with the new Delta Stewardship Plan. Because the bill requires the council to review and revise its Delta Plan every five years, the commission must also review local general plans every five years. This bill is one of a number of bills dealing with the Delta this session. A legislative bi-partisan working group has been meeting over the past couple months to sort out issues related to the Delta and the numerous pieces of pending legislation. CSAC continues to watch these bills very closely.

SB 310 (Ducheny) – Request for Comments
As Amended on April 29, 2009

SB 310, by Senator Denise Ducheny, would authorize a city, county and special district that is a permittee or co-permittee under a national pollutant discharge elimination system (NPDES) permit for a municipal storm water system to develop a watershed improvement plan. The bill would also authorize a county, city, or special district to impose fees on activities that generate or contribute to runoff, storm water, or surface runoff pollution to pay the costs of the preparation of a watershed improvement plan or the implementation of a plan that is approved by a regional board if the plan will facilitate compliance with one or more water quality requirements. According to the author's office, the goal of SB 310 is to promote the development of cooperative watershed approaches that will reduce urban storm water volumes, reduce urban runoff pollutants, and provide adequate, reliable funding to meet water quality requirements. This bill has been referred to the Senate Appropriations Committee.

Solid Waste
SB 730 (Wiggins) – Pending

As Introduced on February 27, 2009

SB 730, by Senator Patricia Wiggins, deals with two separate solid waste issues. The first proposed change in law would provide that a public entity of the state is not eligible for any grants or loans from the California Integrated Waste Management Board if the entity disposes solid waste in an in-state facility that does not meet California standards. The second issue deals with jurisdictions that ship waste out of state. In its current form, SB 730 would prohibit jurisdictions that ship waste out of state from receiving grants or loans from the Waste Board. Amendments proposed in the analysis suggest a more direct approach would be to apply a tipping fee to waste being shipped out of state. The author's office has indicated that they are amenable to these amendments. However, specific language has yet to be seen. This bill is set for hearing on May 4, 2009 in the Senate Environmental Quality Committee.

Eminent Domain/Conservation Easements

SB 555 – Request Comments

As Amended on April 28, 2009

SB 555, by Senator Christine Kehoe, would prohibit a person authorized to acquire property by eminent domain from exercising that power to acquire property that is subject to a conservation easement unless specified procedures are followed. Counties are encouraged to review the details of this measure and to share any comments or concerns with CSAC staff. SB 555 is pending before the Senate Appropriations Committee.

May01,2009

Employee Relations

For more information, contact Eraina Ortega at 916/327-7500, ext. 521 or eortega@counties.org, or Faith L. Conley at 916/327-7500, ext. 522 or fconley@counties.org.

Please click [here](#) for the latest version of the Employee Relations Legislative Bulletin.

California Court of Appeal Strikes Down Binding Interest Arbitration Under SB 440 Bill Infringes on Counties' Constitutionally-Provided Governing Authority

On April 24, the California Court of Appeals ruled in the case of *Sonoma County Law Enforcement Association vs. County of Sonoma* that binding interest arbitration under Senate Bill 440 is unconstitutional.

SB 402 was passed by the Legislature in 2000, and required local governments, upon the request of an employee organization, to participate in binding interest arbitration after wage and benefits negotiations with law enforcement and firefighters reached an impasse. The outcome of the arbitration panel would be final and binding upon both the employee organization and the local government.

SB 402 was declared unconstitutional in the 2003 court case, *County of Riverside v. Superior Court*, with the California Supreme Court finding that the statute infringed on the home rule powers provided to local governments in Article XI, Section 1(b) of the California Constitution. SB 402 additionally violated Article XI, Section 11(a), which prohibits the Legislature from delegating local funds appropriation to a private third party.

The Legislature, in response, passed SB 440 in 2003. SB 440 contained identical language to SB 402; however, in lieu of providing for final and binding arbitration, the bill instead permitted the governing body of a local government to overturn an arbitration panel's decision with a unanimous vote of all members within five days of the issuance of the decision.

The California Court of Appeals' ruled in *Sonoma County Law Enforcement Association vs. County of Sonoma* that the provisions of SB 440 are unconstitutional for the following reasons:

- The provisions violate a county's constitutionally-granted authority to establish compensation and benefits for county employees;
- The Legislature violated Article XI, Section 11(a) of the California Constitution by delegating specific county powers to a third-party; and,

· The majority vote principles outlined in Article XI, Section 1(b) of the California Constitution were violated when the Legislature imposed a unanimous vote requirement in SB 440.

This decision will likely set the precedent for courts throughout California, making the requirement for local governments to participate in binding interest arbitration possible only by an amendment to the California Constitution.

The court's full decision can be found [here](#).

Workers' Compensation
AB 516 (Niello) – Support
As Introduced on February 24, 2009

AB 516, by Assembly Member Roger Niello, would repeal the current minimum rate for temporary disability benefits in workers' compensation cases and instead set the minimum rate at an amount equal to the injured worker's weekly earnings.

Existing law requires that when computing temporary disability benefits to a worker, the average weekly earnings must be set at no less than \$143.70 and no more than \$1,260 or one-and-a-half times the state average weekly wage, whichever is greater. Each January, these limits must be increased by an amount equal to the percentage increase in the state average weekly wage.

The current minimum rate provides part-time employees with the possibility of doubling or even tripling their weekly earnings. This presents a financial disincentive for them to return to work and poses a major obstacle to counties in securing the employee's release to return to work.

AB 516 will be heard in the Assembly Insurance Committee on May 6.

AB 933 (Fong) – Oppose
As Introduced on February 26, 2009

AB 933, by Assembly Member Paul Fong, would require that physicians conducting a utilization review evaluation be licensed in California. AB 933 would further require that, for workers' compensation purposes, psychologists be licensed by the State of California.

SB 899 (Poochigian, Statutes of 2004) enacted a meaningful utilization review system – when an injured worker and an employer dispute a proposed treatment option, it is forwarded to a panel of physicians who then evaluate the option and decide if it is appropriate. Utilization review ensures that the appropriate treatment is provided, while reducing frivolous options that do not address the injury nor ensure that an employee returns to work in a timely manner.

Requiring that utilization review panels only consist of licensed California physicians would only delay treatment options and increase costs to the workers' compensation system.

AB 933 will be heard in the Assembly Insurance Committee on May 6.

Hiring/Contracts
AB 1288 (Fong) – Watch
As Amended on April 14, 2009

AB 1288, by Assembly Member Paul Fong, would prohibit cities, counties, and special districts from requiring employers other than those government entities to use the E-Verify System.

The E-Verify System is an Internet-based system operated by the Department of Homeland Security that allows participating employers to electronically verify the employment eligibility of their newly hired employees.

AB 1288 will be heard in the Assembly Labor and Employment Committee on May 6.

May01,2009

Government Finance and Operations

Initiatives

AB 10 (Hagman) – Oppose As Introduced on December 1, 2008

AB 10, by Assembly Member Curt Hagman, would prohibit public officials from using public resources to commence an action to enjoin the operation of any law or constitutional amendment proposed by initiative petition and approved by a vote of the people. Presumably, this measure is the result of actions by a number of local entities to join litigation challenging the constitutionality of Proposition 8 (2008), currently pending at the California Supreme Court.

CSAC opposes this measure as it would interfere with the efforts of local elected officials in carrying out their duties and responsibilities to enforce the law and protect the health and safety of the public. Certainly, there are legitimate reasons for local governments to challenge the legality of voter-approved measures. These measures sometimes have the effect of preventing local government from providing vital health and other public services, impact local and regional transportation, potentially conflict with federal laws, or interfere with public utilities. Boards of Supervisors should continue to have the ability to raise concerns in court about the legality of initiatives rather than be in the untenable position of carrying out unconstitutional ballot measures and waiting to be sued.

AB 10 is scheduled to be heard by the Assembly Elections and Redistricting Committee on May 5.

Public Debt

AB 1192 (Strickland) – Oppose As amended on April 20, 2009

CSAC has taken an “oppose” position on AB 1192, by Assembly Member Audra Strickland, which would prohibit a city from selling or leasing a public improvement to a public or private entity for the purpose of renting, leasing back, or repurchasing through installments payments that existing public improvement. While this measure provides a strict prohibition for cities only, CSAC is concerned that such a prohibition would be extended to counties, as well.

AB 1192 would essentially prohibit what is a long-used and popular form of financing infrastructure and other public improvements in California. Moreover, it seeks to repeal long-standing legal precedent, including findings by the California Supreme Court from as early as 1942. In this period of economic decline, when public infrastructure investment is widely accepted as a key component of economic recovery, counties question the wisdom of further limiting local governments’ financing tools.

AB 1192 is scheduled to be heard in the Assembly Local Government Committee on May 6.

AB 1388 (Hernandez) – Support As Introduced on February 27, 2009

AB 1388, by Assembly Member Ed Hernandez, would expand permission for using a negotiated sale method to sell general obligation bonds above or below par value to counties and other local agencies. Currently, schools and community colleges already have this authority to pursue this alternative to the competitive bid process. Extending permission to other types of local agencies will allow them to realize the benefit of being able to tailor their sale to the market conditions and get the best possible value.

The Assembly Local Government Committee will consider AB 1388 at its hearing on May 6.

Local Fees

SB 676 (Wolk) – Support As Amended on April 13, 2009

CSAC supports SB 676, by Senator Lois Wolk, a measure that would update several instances of county fee authority.

SB 676 provides important updates to numerous local fee provisions in state statute, some of which have not been updated since the 1980s. As a result, in many instances, counties are subsidizing fee-supported activities to the detriment of the county general fund, which is the primary funding source for local public safety programs and for local matching

requirements for state- and federally-mandated health and human services programs that counties provide on the state's behalf.

CSAC urges counties to review SB 676 and communicate support to your legislative delegation. SB 676 is scheduled to be heard before the Senate Local Government Committee on May 6.

Audits

AB 831 (Monning) – Oppose Unless Amended As Amended on April 21, 2009

AB 831, by Assembly Member Bill Monning, would prohibit the officers and any employee or former officers or employees of any state or local agency or publicly created entity that has been subject to or that has assisted in the Bureau of State Audits with an audit or investigation or that has received a draft copy of any report or other draft document from the bureau for comment or review from releasing to the public, among other things, any papers, correspondence, or any substantive information pertaining to any audit not yet completed.

CSAC has taken a position of "oppose unless amended" on this measure in coordination with the State Association of County Auditors. The County Auditors have requested language that would authorize county officials to discuss information relating to an ongoing audit with county officials, as the bill seems to prohibit such contact with county staff, including county counsel, and potentially could prohibit informing the Board of Supervisors as to the scope and progress of the audit, since such information must be shared in public for Brown Act compliance.

AB 831 is scheduled to be heard in the Assembly Business and Professions Committee on May 5.

Local Vote Thresholds

ACA 9 (Huffman) – Support As Amended on April 27, 2009

ACA 9, by Assembly Member Jared Huffman, would put a measure before California voters that would reduce the voter approval requirement for local taxes and bonds to 55 percent.

Local governments are the units of government best suited to deliver public safety, municipal services, and other critical services to Californians, but have limited ability to adequately finance these responsibilities. Counties have the additional burden of providing public health and assistance services to vulnerable children and families on behalf of the state and federal governments. Currently, counties have neither the financial resources to operate state programs and also meet local needs, nor the ability to predict service levels beyond each legislative session. In order to meet each community's unique needs, counties must be given greater fiscal independence from the state and federal budget processes, including the authority to offer the voters the option of approving revenues at a level sufficient to provide the degree of local services the community desires.

Questions of taxation and public indebtedness are of the greatest importance to the voters of this state. That is why the California Constitution requires that these questions be taken directly to the voters instead of decided solely by their elected representatives. A 55 percent threshold is enough to indicate whether the bulk of a community is willing to incur that indebtedness or pay a tax for important local services.

The Assembly Local Government Committee will consider ACA 9 at its hearing on May 6.

Aircraft Property Tax Assessment

AB 311 (Ma) – Support As Amended on April 2, 2009

AB 311, by Assembly Member Fiona Ma, would extend the sunset date for an aircraft assessment method that has been used since 2005-06. Under the method, a special subcommittee of county assessors appoints a lead assessor for each commercial air carrier who then has primary responsibility for determining the value of that fleet and transmitting the information to other assessors. This bill is sponsored by the California Assessors' Association.

The Assembly Revenue and Taxation Committee finally voted on AB 311 at its April 27 hearing, after putting it off for two weeks. They passed the bill to the Assembly Appropriations Committee.

Taxpayer Penalty for Withholding Information

AB 347 (Block) – Support

As Amended on April 21, 2009

AB 347, by Assembly Member Marty Block, would allow the Board of Equalization (BOE) to impose a penalty of 25% on taxpayers who, through willful neglect, fail to furnish information related to their tax liability.

The Assembly Revenue and Taxation Committee placed AB 347 on its suspense file when they met on April 27. The committee plans to take the bill up on May 18.

Use Tax Liability

AB 469 (Eng) – Support

As Amended on April 2, 2009

AB 469, by Assembly Member Mike Eng, would make clear that Californians who owe use tax must pay that tax by reporting it directly to the BOE or on their income tax form.

The Assembly Revenue and Taxation Committee passed AB 469 to the Appropriations Committee at its April 27 meeting.

Review of Long-Suspended State Mandates

AB 349 (Silva) – Support

As Amended on April 13, 2009

AB 349, by Assembly Member Jim Silva, would establish a process for gubernatorial and legislative review for mandates that the state continually suspends.

Specifically, when a Governor proposes in the January Budget to suspend a mandate that his or her office also proposed to suspend in the previous two budgets, AB 349 would require that the Director of Finance provide the Legislature with the statutory changes necessary to repeal it. The bill's requirement would not take force until 2012, effectively giving the Governor's Office and the Department of Finance a clean slate, since the measure only refers to the previous two budget proposals. Requiring the Administration to include statutory amendments necessary to repeal long-suspended mandates will cause the Legislature to review them and decide whether they ought to remain in law but not in effect.

The Assembly Local Government Committee passed AB 349 to the Appropriations Committee at its meeting on April 29.

Clarifying "VLF" for Local Ordinances

SB 636 (Ashburn) – Support

As Amended on April 30, 2009

SB 636, by Senator Roy Ashburn, would clarify that revenue from the recent Vehicle License Fee (VLF) increases is not derived from the 0.65% VLF rate that Nevada County's ordinance requires be spend in specific ways. Senator Ashburn amended the bill to specify Nevada County, and expressed a willingness to list any other counties that request inclusion due to their own local ordinance.

The Senate Local Government Committee passed SB 636 at its meeting on April 29. The bill now goes to the Rules Committee.

May01,2009

HealthandHumanServices

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Health

AB 1445 (Chesbro) – Support As Amended on April 15, 2009

AB 1445, by Assembly Member Wes Chesbro, would allow federally qualified health centers to be reimbursed by Medi-Cal for multiple visits by a patient with a single or different health care professional on the same day at a single location.

AB 1445 would also specifically allow for billing for two visits when a patient has a medical visit and an additional visit with a mental health practitioner or a dental professional.

In order to best provide integrated behavioral health services to patients, many community clinics and health centers provide medical and mental health services on the same day. However, Medi-Cal does not provide reimbursement when a patient sees a primary care provider and a mental health provider on the same day.

Federal law permits reimbursement for same-day medical and mental health visits and for federal matching funds to be provided for states that choose to allow same-day visits. This measure would not only allow California to take advantage of these federal funds, but also assists in improving the continuity of care to patients.

AB 1445 will be heard in the Assembly Appropriations Committee on May 6, 2009.

Human Services

SB 712 (Padilla) – Support As Amended on April 22, 2009

SB 712, by Senator Alex Padilla, would help ensure California is eligible for its fair share of millions in federal dollars available to help fund the build-out of our state's 2-1-1 system.

This year, the federal government is expected to pass legislation which will make millions of dollars in federal funding available to help fund statewide 2-1-1 services and infrastructure. California must designate an organization to serve as a lead entity responsible for overseeing the 2-1-1 California network in order to be eligible for the funding. Currently, California's Health and Human Service Agency does not have the ability to do this. The amendments to SB 712 would put protocols in place so that the agency could use specified criteria to designate an organization as a lead entity. This would ensure that California is ready and able to receive 2-1-1 funds and be the first step in building out a statewide 2-1-1 system.

The Senate Energy, Utilities, & Commerce Committee passed SB 712 to the Appropriations Committee at its meeting on April 27.

AB 938 (Committee on Judiciary) – Support As Amended on April 20, 2009

AB 938, introduced by the Assembly Judiciary Committee, would require county social workers to immediately begin searching for adult relatives when they remove children from their homes.

Searching for and contacting adult relatives of these abused and neglected children is already part of social workers' plan of action upon removing them from their homes, but new federal law accelerates the time in which they are performed. AB 938 would implement that new federal statute. Counties also support the state continuing the practice of funding the increased level of service this bill implements.

The Assembly Human Services Committee passed AB 938 to the Appropriations Committee at its hearing on April 28.

AB 1325 (Cook) – Support As Amended on April 21, 2009

AB 1325, by Assembly Member Paul Cook, would add a new, culturally appropriate permanency option for Native American children in foster care, known as tribal customary adoption. While similar to traditional adoption in that biological parents no longer have day-to-day custody, a tribal customary adoption does not completely terminate parental rights. Tribal customary adoption is recognized by the federal government and has been used in other states with success. This option would be considered along with traditional adoption and guardianship. AB 1325 sets forth considerations for the tribe in developing the tribal customary adoption order as well as provisions for the resolution of disagreements that may arise.

The Assembly Judiciary Committee passed AB 1325 to the Appropriations Committee at its meeting on April 28.

SB 791 (Yee) – Concerns
As Amended on April 13, 2009

SB 791, by Senator Leland Yee, would clarify that counties or the public authority is the entity responsible for providing the enhanced COBRA premium assistance.

The body of law governing the In-Home Supportive Services (IHSS) program creates a complicated employer-employee relationship. Employer is defined differently for different purposes – at times it may be the state, the public authority, or the consumer. Counties are uncomfortable with the California Department of Social Services draft county letter and agree that more work needs to be done to clarify how this new benefit will work. Key questions/concerns include:

- What entity floats the premium assistance?
- The entity that floats the premium assistance needs to have the technical capacity to draw down the federal funds to be reimbursed. Our understanding is that a particular form that will trigger reimbursement from the federal government is not currently filed by local agencies. If the public authorities are fronting the funds, a mechanism to reimburse us must be identified.
- What are the legal requirements and implications of public authorities being identified as the employer?

The solutions outlined in SB 791 could be in need of modification in light of these technical concerns and may even be premature in light of the discussions necessary to achieve a workable solution. CSAC is committed to working with the author, labor, public authorities, welfare departments and California Department of Social Services on a solution.

The Senate Human Services Committee passed SB 791 to the Appropriations Committee at its meeting on April 28.

AB 1393 (Skinner) – Support
As Amended on April 23, 2009

AB 1393, by Assembly Member Nancy Skinner, would help ensure stable housing for current and former foster youth at public institutions of higher learning. Specifically, AB 1393 requests the California Community Colleges and the University of California, and requires the California State University to give priority for campus housing to current and former foster youth.

This bill will benefit California's foster youth in their efforts to attend college and to succeed once they enter. AB 1393 will eliminate one of the barriers foster youth encounter in their efforts to continue their education and to become productive adults. The provision of housing is a vital component to success for all college students, for foster youth it could be the difference in their future. Counties know first-hand about the shortage in viable housing and struggle to meet the needs of homeless youth, many of whom have emancipated from the foster care system.

Counties are vitally concerned about the health, education, and well-being of children. In addition to protecting foster youth during their adolescence and teen years, the need to provide support for transitioning into adulthood is also critical. AB 1393 would eliminate one of the obstacles foster youth face in their efforts to further their education.

The Assembly Appropriations Committee passed AB 1393 to the Assembly Floor at its hearing on April 29.

May01,2009

Housing, Land Use and Transportation

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California Environmental Quality Act (CEQA)
AB 696 (Hagman) – Request for Comment
As Amended on April 16, 2009

AB 696, by Assembly Member Curt Hagman, would allow an applicant for a project and the lead agency, at the time of application, to opt to resolve all disputes arising out of a subsequent environmental impact report for that project before an arbitrator, in lieu of retaining the option to file an action or proceeding arising out of those disputes before a court. If an

applicant and the lead agency opt to do so, the bill would require the applicant and the lead agency, at that time, to agree to an arbitrator. The bill would require any resulting arbitration to be binding on both the applicant and the lead agency.

AB 696 failed passage in the Assembly Natural Resources Committee on April 27 by a unanimous vote; however, reconsideration was granted so it is eligible for another committee hearing.

Housing

AB 566 (Nava) – Support As Amended on April 27, 2009

AB 566, by Assembly Member Pedro Nava, would require that a survey of residents of a mobilehome park for proposed conversion to demonstrate support of a majority of the residents of the mobilehome park.

AB 566 was passed out of both the Assembly Housing and Community Development Committee and Assembly Local Government Committee on April 29. The measure now awaits a hearing in the Assembly Appropriations Committee.

SB 326 (Strickland) – Pending As Amended on April 13, 2009

SB 326, by Senator Tony Strickland, would require the housing element to include as part of the analysis of existing and projected housing needs, a quantification of a locality's existing and projected foreclosure rate and its impact on housing needs.

While CSAC has taken an oppose position on this measure in its current form, it has come to our attention that this is a Santa Barbara County sponsored bill and will be amended in the near future to deal with a district specific issue.

SB 326 was passed out of the Senate Transportation and Housing Committee on April 28. It now awaits a hearing in the Senate Appropriations Committee.

Land Use

AB 333 (Fuentes) – Neutral As Amended on April 23, 2009

AB 333, by Assembly Member Felipe Fuentes, as recently amended, would extend the applicable expiration date to 24 months for any vesting tentative map, in addition to a tentative map, generally, that has not expired as of the date adding these provisions and that will expire before January 1, 2012.

AB 333 was passed out of the Assembly Local Government Committee on April 29 by a unanimous vote. The bill is awaiting a hearing in the Assembly Appropriations Committee.

AB 494 (Caballero) – Oppose Unless Amended As Amended on April 23, 2009

AB 494, by Assembly Member Anna Caballero, would provide conditions that a local government must allow for the subdivision of land within a Williamson Act contract for the purpose of farmworker housing.

Although we recognize the need for additional placement of farmworker housing, AB 494 would create a number of problems for local agencies and may not accomplish the goal of providing additional farmworker housing. A detailed outline of our concerns and requested amendments can be found in our Oppose Unless Amended letter on the CSAC Web site at: <http://ct2k2.capitoltrack.com/BillInfo.asp?ss=492CSAC1SRM.xsl&org=all&measure=ab%20494&id=15>.

AB 494 was passed out of the Assembly Agriculture Committee on April 29 by a vote of 5 to 1. The measure is currently awaiting a hearing in the Assembly Appropriations Committee.

AB 1084 (Adams) – Request for Comment As Amended on April 13, 2009

AB 1084, by Assembly Member Anthony Adams, as amended would provide a time frame for notice relating to an increase or change in fee levied under the Mitigation Fee Act and would establish procedures for requesting an audit of those fees.

Specifically, this bill would:

1. Require a city or county to mail notice of the time and place of the meeting that will be held regarding adoption of a new fee or increasing an existing fee under the mitigation fee act;
2. Require that the mailing, which must be sent 14 days prior to the hearing, include a general explanation of the matter to be considered and a statement of the proposed costs;
3. Provides that any written request for mailed notice is valid for one year and the legislative body of the city, county, or city and county may establish a reasonable annual charge for sending these notices;
4. State that at least 10 days prior to the meeting, a local agency that is a city, county, or city and county shall make available to the public the data indicating the amount of cost or estimated cost, required to provide the public facilities and the revenue sources anticipated to fund those public facilities;
5. Prohibit any new or increased fee adopted by a local agency that is a city, county, or city and county from going in to effect until 60 days after the final adoption, unless otherwise provided in law;
6. State that any person can request an audit in order to determine whether any fee or charge levied by a local agency exceeds the amount reasonably necessary to cover the cost of any product, public facility, or service provided;
7. Specify that any costs incurred by a city, county, or city and county by having an independent audit conducted may be recovered from the person who requests the audit;
8. Specify that the oversight of local agency fees is of statewide concern, and therefore, this measure shall apply to charter cities.

AB 1084 was passed out of the Assembly Local Government Committee on April 29 by a unanimous vote. It now awaits a hearing in the Assembly Appropriations Committee.

***SB 575 (Steinberg) – Watch
As Amended on April 15, 2009***

SB 575, by Senator Darrell Steinberg, would clean up three provisions of last year's SB 375: (1) the exemption for transportation sales tax projects; (2) the rezoning requirement under housing element law; and, (3) housing elements due dates generally and the due date in the San Diego region specifically. The bill also clarifies a provision of last year's SB 732 regarding the open meeting requirements applicable to the Strategic Growth Council.

SB 575 was passed out of the Senate Transportation and Housing Committee on April 28 by a vote of 6 to 3. It now awaits a hearing in the Senate Appropriations Committee.

***Public Works Administration
AB 815 (Ma) – Request for Comment
As Introduced on February 26, 2009***

AB 815, by Assembly Member Fiona Ma, would require local public agencies, before entering into a contract for a project, to provide full, complete and accurate plans and specifications and estimates of cost.

AB 815 is set for hearing in the Assembly Judiciary Committee on May 5.

***AB 1409 (John Perez) – Oppose
As Amended on April 29, 2009***

AB 1409, by Assembly Member John Perez, would revise Public Contract Code Section 20395 (c) so that a county could use day labor or force account only after putting a project out to bid and then adopting a Board Resolution stating that no bids were received or that all bids received exceed the cost of having the project done by day labor or force account.

While most counties already put larger construction projects out to bid, they depend on the flexibility currently provided under law to perform work on the local highway system. The measure is very problematic for the following reasons.

Counties use their own work force for projects for a variety of reasons. First, many projects are too small to economically prepare plans, specifications, advertise, award, and inspect. This process can add anywhere from 15-35% to the overall cost of a project, and anywhere from two months to a year in additional time because of the required steps to complete the bid process. These extra costs and delays are not economical or prudent, and are presently avoided by using county forces to do work on minor projects.

Second, some projects need to be performed immediately due to local emergencies such as landslides, declared disasters, floods, and fires. However, bidding a project would add months onto the process, severely limiting emergency response capabilities. As such, there is increased exposure and risk to the traveling public, as well as an increased liability for

counties that are unable to respond to matters of public health and safety.

AB 1409 is especially problematic for rural counties in California. Many of the smaller projects performed by day labor or force account do not attract contractors. CSAC strongly disagrees with the argument that there are more contractors today in rural areas that result in the need to do work by contract. Rural areas do not have a large enough contractor presence to have a truly competitive environment which is necessary to drive down project costs.

It is a well known and widely agreed upon fact that transportation needs far exceed revenues available. Given the state budget situation and sagging economy, we should be encouraging more efficient and effective uses for valuable transportation funds, not adding costly requirements that will result in fewer transportation projects at higher costs, more lay-offs, increased backlogs and deferred maintenance, and ultimately a less safe transportation network for the constituents we all serve.

CSAC believes that adoption of this bill would result in additional costs to the taxpayers and is in essence anti-economic stimulus. Accordingly, we are opposed to AB 1409.

AB 1409 is set for hearing in the Assembly Local Government Committee on May 6.

***SB 802 (Leno) – Oppose
As Introduced on February 27, 2009***

SB 802, by Senator Mark Leno, would require that contract retention proceeds not exceed five percent of the payment of all contracts entered into after January 2010, between a public entity and an original contractor, between an original contractor and a subcontractor, and between all subcontractors. This bill removes the authority of public entities to decide the appropriate amount of retention.

Local agencies must accept the lowest responsible bidder and the flexible retention rate helps to ensure timely and budget-conscious project completion. Local agencies commonly reduce retention to 5% at the half-way point of project completion, if adequate progress is being made and the contractor is acting in good faith. However, SB 802 would require local agencies to limit retention to 5% regardless of the progress or good faith of the contractor, thus protect potential bad actors either unknown or even known to the public agency, placing public interests and public funds at risk.

CSAC has had many discussions in recent years regarding similar proposals (AB 1949: Conroy, 1996, vetoed; AB 940: Miller, 1997, vetoed; AB 806: Keeley, 1999, vetoed; SB 619: Migden, 2008, held); however, we continue to express concern over these measures because we have yet to see specific examples where 10% retention is problematic. On the other hand, we have specific examples from local agencies opposed to these proposals because in certain instances current retention of 10% is inadequate. For these reasons, CSAC is opposed.

SB 802 was passed out of the Senate Appropriations Committee on April 27 by a unanimous vote. This measure is currently awaiting a vote by the entire Senate.

***Transportation
AB 564 (Portantino) – Request for Comment
As Introduced on February 25, 2009***

AB 564, by Assembly Member Anthony Portantino, would revise the definition of a "local street or road" with respect to speed traps. Existing law relating to speed traps provides that a local street or road is defined by the latest functional usage and federal-aid system maps submitted to the federal Highway Administration, except that when these maps have not been submitted, or when the street or road is not shown on the maps, a "local street or road" means a street or road that primarily provides access to abutting residential property and meets 3 specified conditions. AB 564 would define a "local street or road" to have such meaning even if the maps have been submitted or the street or road is shown on those maps.

AB 564 passed out of the Assembly Transportation Committee on April 27 by a vote of 8 to 3 with the author's commitment to limit this bill's applicability to the Cities of Pasadena, Altadena, Arcadia, Duarte, La Canada Flintridge, Mayflower Village, Monrovia, and Temple City.

***ACA 15 (Arambula) – Support
As Introduced on March 10, 2009***

ACA 15, by Assembly Member Juan Arambula, would allow for the imposition, extension, or increase of a special tax by a local government for the purpose of providing funding for local transportation projects upon the approval of 55% of its voters from the current two-thirds voter requirement.

Current funding mechanisms for California's transportation systems fall far short of needs, both short and long-term. When needs outweigh available resources, it is imperative that state and local governments, as well as other transportation stakeholders, work cooperatively to identify alternative ways to fund those needs to ensure a long-term seamless transportation system for our state.

ACA 15 provides local governments with a better tool for raising additional, much needed transportation funds in communities across California. A brief survey of California's counties in 2008 revealed that many counties, both small and large, would benefit from a reduced voter threshold and would in fact attempt local bonds for transportation purposes in their county should ACA 15 be signed into law.

ACA 15 is set for hearing in the Assembly Local Government Committee on May 6.

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IndianGaming

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SB 357 (Ducheny) – Watch As Amended on April 1, 2009

SB 357, by Senator Denise Ducheny, would extend the sunset date of the Indian Gaming Special Distribution Fund (SDF) Grant Program, for grants to local jurisdictions to mitigate the impacts if tribal casinos, until January 1, 2020.

SB 357 was passed out of the Senate Appropriations Committee on April 27. The measure now awaits a vote by the entire Senate.

May01,2009

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