

South Bay Cities Council of Governments

May 22, 2014

TO: SBCCOG Board of Directors

FROM: Steering Committee

RE: Bills to Monitor and for Action – Status as of May 14

NOTE: AB 2550 and AB 2715 added since Steering Committee meeting

Adherence to Strategic Plan:

Goal B: Regional Advocacy. Advocate for the interests of the South Bay.

JUNE 3, 2014 BALLOT PROPOSITION

<p>Proposition 42</p>	<p>Constitutional amendment to require local agencies to exempt the state from having to reimburse local agencies for related costs associated with complying with the California Public Records Act. <i>This measure amends provisions added to the constitution via Prop. 59 of 2004, which established the following constitutional principle:</i></p> <p><i>“The people have the right of access to information concerning the conduct of the people’s business, and, therefore, the meetings of public bodies and the writings of public officials and agencies shall be open to public scrutiny.”</i></p> <p>Requires Local government agencies, including cities, counties & school districts, to comply with specified state laws providing for public access to meetings of local government bodies & records of government officials & Eliminates requirement that the State reimburse local government agencies for compliance with these specified laws.</p>	<p>RECOMMEND OPPOSE</p>	<p>The League supported Prop. 59 and continues to support the goals of transparency, yet on Prop. 42 — which seeks to avoid state reimbursement of local agency costs — the League adopted a “concerns” position. This position reflects the reality that costs associated with the lack of reimbursement for state mandates for existing or future state laws affecting public records may pose a burden on some local agencies which are struggling financially, and concerns with the Legislature’s exemption of its activities from the transparency principle established by Prop. 59.</p>
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ECONOMIC DEVELOPMENT

<p>AB 1147 (Gomez, Muratsuchi)</p>	<p>Massage Therapy. Revises the qualifications for certification as a massage practitioner and massage therapist, and <i>would require an applicant for a certificate as a massage practitioner to pass a massage and bodywork competency assessment examination that</i></p>	<p>SUPPORT (6/27/13) (Letter sent 2/10/14 to author & SB Senators &</p>	<p>4/23/14 Senate Business, Professions & Economic Development Committee</p>
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	<i>meets generally recognized psychometric principles and standards, and that is approved by the council.</i>	5/14/14 letter to Sen BPED Comm)	
AB 2216 (Muratsuchi)	Regional occupational centers and programs: funding. AMENDED: <i>Would extend that expenditure requirement to the 2016-17 fiscal year. Would require the Superintendent to convene a task force to study funding models for regional occupational centers and programs and report recommended options pursuant to the findings of its study to the Legislature and Director of Finance on or before September 1, 2016.</i>	SUPPORT (4/24/14) (Letter 4/2/14 to author based on Board vote to support SoCal ROC funding 3/27/14 & 5/14/14 to Asm Approps)	5/14/14 Assembly Appropriations Committee Suspense File

ELECTION PROCESS

AB 2550 (Hernandez)	Election Dates. Requires municipal & general elections held on or after July 1 2015 to be held on the 1 st Tuesday after the 1 st Monday in June of even-numbered years, or on the 1 st Tuesday after the 1 st Monday in November of each odd-numbered or even-numbered year, subject to certain conditions. Terms would not be shortened for any officeholder. Affects 7 South Bay cities.	RECOMMEND OPPOSE	5/14/14 Assembly Appropriations Committee Suspense File
AB 2715 (Hernandez)	District-based Municipal Elections. Would permit the legislative body of a city to provide by ordinance, without submitting the ordinance to the voters of the city for approval, for the election of members of the legislative body by district if the voters of the city previously rejected such an ordinance, as specified. This provision would be repealed on December 31, 2016. Would, commencing January 1, 2017, require the legislative body of a city with a population of 100,000 or more, as determined by the most recent federal decennial census, to provide by ordinance, without submitting the ordinance to the voters of the city for approval, for the election of members of the legislative body by district. Would, commencing January 1, 2017, permit the legislative body of any other city to provide by ordinance, without submitting the ordinance to the voters of the city for approval, for the election of members of the legislative body by district. Would require that the boundary lines of each district be adjusted in accordance with specified provisions of law.	RECOMMEND OPPOSE	5/14/14 Assembly Appropriations Committee Suspense File

EMPLOYEE RELATIONS

<p>HR 29 (Gomez)</p>	<p>Relative to outsourcing public services. Resolution that the Assembly opposes outsourcing of public services and assets, which harms transparency, accountability, shared prosperity, and competition, and supports processes that give public service works workers the opportunity to develop their own plan on how to deliver cost-effective, high-quality services; and be it further Resolved, That the Assembly urges local officials to become familiar with the provisions of the Taxpayer Empowerment Agenda; and be it further Resolved, That the Assembly intends to introduce and advocate for responsible outsourcing legislation.</p>	<p>OPPOSE (4/24/14)</p>	<p>4/3/14 Adopted Assembly Third Reading</p>
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ENVIRONMENT

<p>AB 1970 (Gordon)</p>	<p>California Global Warming Solutions Act of 2006: Community Investment and Innovation Program. Requires the Strategic Growth Council (SGC) to establish the Community Investment and Innovation Program (CIIP) to provide grants and other financial assistance to eligible local government recipients for the purposes of developing and implementing greenhouse gas (GHG) emission reduction projects. Requires 25 percent of the moneys appropriated to be set aside for projects that include and specifically benefit environmental justice communities, as defined.</p>	<p>SUPPORT (4/24/14) (5/14/14 Itr to Asm Approps Comm)</p>	<p>5/7/14 Assembly Appropriations Comm Suspense File Supported by Local Gov. Commission & LCC</p>
<p>AB 2188 (Muratsuchi)</p>	<p>Solar Energy: permits. This bill would require a city or county to process and approve any permit application for a residential rooftop solar energy system of up to 10kW on the same day it has been submitted.</p>	<p>RECOMMEND OPPOSE</p>	<p>5/12/14 Assembly Appropriations Committee</p>
<p>SB 1122 (Pavley)</p>	<p>Sustainable communities: Strategic Growth Council. The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The act authorizes the state board to include use of market-based compliance mechanisms. Existing law requires all moneys, except for fines and penalties, collected by the state board from the auction or sale of allowances as part of a market-based compliance mechanism to be deposited in the Greenhouse</p>	<p>MONITOR</p>	<p>Senate Appropriations Committee Hearing Date: 5/19/14 NOTE: LCC monitoring; SCAG supporting. Specific mention of which agencies are eligible for funding was amended out.</p>

	<p>Gas Reduction Fund and to be available upon appropriation. Existing law requires the Department of Finance, in consultation with the state board and any other relevant state agency, to develop, as specified, a 3-year investment plan for the moneys deposited in the Greenhouse Gas Reduction Fund. Existing law authorizes moneys from the fund to be allocated for the purpose of reducing greenhouse gas emissions in this state through specified investments, including funding to reduce greenhouse gas emissions through strategic planning and development of sustainable infrastructure projects. This bill would additionally authorize the council to manage and award financial assistance for the purpose of supporting the implementation of sustainable communities strategies or alternative planning strategies, to be funded from moneys from the Greenhouse Gas Reduction Fund, upon appropriation by the Legislature. The bill would require the council to adopt guidelines for the use of the funds by recipients. The bill also would authorize the council to award financial assistance for the development and implementation of agricultural, natural resource, and open space land protection plans that are consistent with the implementation of sustainable communities strategies, alternative planning strategies, or other regional greenhouse gas emission reduction plans.</p>		
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PUBLIC SAFETY

<p>AB 1894 (Ammiano)</p>	<p>Falsely filed liens or encumbrances. Would enact the Medical Cannabis Regulation and Control Act and would create the Division of Medical Cannabis Regulation and Enforcement within the Department of Alcoholic Beverage Control, to be administered by a person exempt from civil service who is appointed by the Director of Alcoholic Beverage Control. Would grant the department the exclusive power to register persons for the cultivation, manufacture, testing, transportation, storage, distribution, and sale of medical cannabis within the state subject to specified exemptions for a city or county. Would provide that the director and persons employed by the department to administer and enforce its provisions are peace officers.</p>	<p>RECOMMEND OPPOSE</p>	<p>5/14/14 Assembly Appropriations Committee Suspense File</p> <p>LCC opposes - direct attack on municipal zoning and business licensing ordinances</p>
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	<p>Would prescribe requirements for the issuance, renewal, suspension, and revocation of mandatory commercial registrations and fees in relation to these activities. Would permit the department to assist statewide taxation authorities in the development of uniform policies for the taxation of mandatory commercial medical cannabis registrants and to assist in the development of regulation in connection with work safety in this industry. Would authorize the division to establish a grant program for the purpose of funding medical cannabis regulation & enforcement.</p>		
<p>SB 1262 (Correa)</p>	<p>Medical marijuana: regulation of physicians, dispensaries, and cultivation sites. Would require the State Department of Public Health to license dispensing facilities and cultivation sites that provide, process, and grow marijuana for medical use, as specified, including requiring a background check for license applicants, and would make these licenses subject to the restrictions of the local jurisdiction in which the facility operates or proposes to operate. Would require licensed dispensing facilities and licensed cultivation sites to implement sufficient security measures to both deter and prevent unauthorized entrance into areas containing marijuana and theft of marijuana at those facilities, including establishing limited access areas accessible only to authorized facility personnel, and would require these facilities to notify appropriate law enforcement authorities within 24 hours after discovering specified breaches in security. Would prohibit the distribution of any form of advertising for physician recommendations for medical marijuana unless the advertisement bears a specified notice and requires that the advertisement meet specified requirements and not be fraudulent, deceitful, or misleading, as specified. Violation of these provisions would be punishable by a civil fine of up to \$35,000 for each individual violation.</p>	<p>SUPPORT (4/24/14) (Letter sent 4/28/14 to Senate Health Comm)</p>	<p>Senate Appropriations Committee Hearing Date: 5/19/14</p>

TRANSPORTATION

<p>SB 1037 (Hernandez)</p>	<p>Los Angeles County Metropolitan Transportation Authority: transactions and use tax. Would require the MTA, prior to submitting an amended ordinance to the voters, to amend the expenditure plan previously prepared for the voter-approved Measure R transactions and use tax with respect to certain matters relating to projects and programs to be funded under Measure R and to develop a transparent process to determine the most recent cost estimates for those projects and programs. Would also require the MTA to include the updated expenditure plan in the Long Range Transportation Plan. Would require the updated Long Range Transportation Plan to include capital projects and capital programs that are adopted by each subregion, as specified, and that are submitted to the MTA for inclusion in the Long Range Transportation Plan.</p>	<p>MONITOR</p>	<p>5/13/14 In Assembly</p>
<p>SB 1298 (Hernandez)</p>	<p>High Occupancy Toll Lanes. Removes the limitations on the number of HOT lanes that the California Transportation Commission may approve and would delete the January 1, 2012 deadline for HOT lane applications. Would also delete the requirement for public hearings on each application.</p>	<p>MONITOR</p>	<p>Senate Appropriations Committee Hearing Date: 5/19/14</p>
<p>HR 2468 (Matsui)</p>	<p>Safe Streets Act of 2013 - Requires each state to have in effect within two years a law, or each state department of transportation and metropolitan planning organization (MPO) an explicit policy statement, that requires all federally-funded transportation projects, with certain exceptions, to accommodate the safety & convenience of all users in accordance with certain complete streets principles. Defines "complete streets principles" as federal, state, local, or regional level transportation laws, policies, or principles which ensure that the safety and convenience of all users of a transportation system, including pedestrians, bicyclists, public transit users, children, older individuals, motorists, freight vehicles, and individuals with disabilities, are accommodated in all phases of project planning and development.</p>	<p>SUPPORT (4/24/14)</p>	<p>6/21/2013 Referred to the Subcommittee on Highways and Transit.</p>

	<p>Allows such law or policy to make project-specific exemptions from such principles only if: (1) affected roadways prohibit specified users by law from using them, the cost of a compliance project would be excessively disproportionate to the need, or the population, employment densities, traffic volumes, or level of transit service around a roadway is so low that the expected roadway users will not include pedestrians, public transportation, freight vehicles, or bicyclists; and (2) all such exemptions are properly approved.</p> <p>Requires the Secretary of Transportation (DOT) to establish a method for evaluating compliance by state departments of transportation and MPOs with complete streets principles.</p> <p>Requires the Access Board to issue final standards for accessibility of new construction and alterations of pedestrian facilities for public rights-of-way.</p> <p>Requires the Secretary to conduct research regarding complete streets to: (1) assist states, MPOs, and local jurisdictions in developing and implementing complete streets-compliant plans, projects, procedures, policies, and training programs; and (2) establish benchmarks for, and provide technical guidance on, implementing complete streets policies and principles.</p>		
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