



County of Los Angeles
CHIEF ADMINISTRATIVE OFFICE

713 KENNETH HAHN HALL OF ADMINISTRATION • LOS ANGELES, CALIFORNIA 90012
(213) 974-1101
<http://cao.lacounty.gov>

DAVID E. JANSSEN
Chief Administrative Officer

Board of Supervisors
GLORIA MOLINA
First District

YVONNE B. BURKE
Second District

ZEV YAROSLAVSKY
Third District

DON KNABE
Fourth District

MICHAEL D. ANTONOVICH
Fifth District

October 2, 2006

To: Mayor Michael D. Antonovich
Supervisor Gloria Molina
Supervisor Yvonne B. Burke
Supervisor Zev Yaroslavsky
Supervisor Don Knabe

From: David E. Janssen
Chief Administrative Officer

SACRAMENTO UPDATE

STATUS OF LEGISLATION OF COUNTY INTEREST

The Governor completed action on all bills sent to him by the Legislature on Saturday, September 30, 2006. Bills of particular interest to the County which were signed or vetoed by the Governor on or after September 27, 2006 are discussed below:

Key bills which were signed by the Governor include **AB 1368 (Karnette)** regarding workers' compensation, **AB 1634 (McCarthy)** on special statewide election reimbursement, **AB 1799 (Umberg)** on reimbursement for elections proclaimed by the Governor, **AB 1920 (Chan)** on Medi-Cal Hospital Financing Waiver payments, **AB 2951 (Goldberg)** on public utilities charges to public agencies, and **AB 2987 (Nuñez)** on statewide franchising authority for cable or video.

Key bills vetoed by the Governor include **AB 1873 (Torricono)** regarding safe surrender of infants, **SB 1320 (Cedillo)** on a pilot co-occurring disorders court, and **SB 815 (Perata)** on workers' compensation payments.

The summaries of these key bills are provided in the following section. Also, the final status of all County interest bills is shown in the attached roster (Attachment I).

County Advocacy Bills

County-supported AB 32 (Pavley and Nuñez), which enacts the California Global Warming Solutions Act of 2006 to require the California Air Resources Board to adopt regulations on or before January 1, 2008, establishing a program to require the reporting and verification of statewide greenhouse gas emissions, develop an emissions baseline, and monitor and enforce compliance with emission limits on greenhouse gases, was signed by the Governor on September 27, 2006.

County-supported AB 158 (Bermudez), which creates the Special Railroad Safety Task Force and requires it to meet monthly from January 2007 to December 2007 to study certain railroad safety issues, including vandalism, transporting hazardous waste, and identifying threats from terrorism, deficiencies in current land use planning and deficiencies for responding to railroad emergencies, and make recommendations for improving railroad safety, was signed by the Governor on September 29, 2006, and becomes effective immediately.

County-supported AB 450 (Yee), which requires the Governor's Office of Emergency Services to incorporate the California Animal Response Emergency System (CARES) program into California's Standardized Emergency Management System to address the needs of animals in the event of a natural disaster was signed by the Governor on September 29, 2006.

County-supported AB 1056 (Chu), which would have established the Tolerance Education Pilot Program for the promotion of public school instruction on tolerance and inter-group relations, was vetoed by the Governor on September 28, 2006. In his veto message, the Governor indicated that AB 1056 was largely duplicative of current efforts to teach about tolerance and human rights and that the State Board of Education has adopted a model curriculum for human rights and genocide, which is available to all schools.

County-opposed AB 1368 (Karnette), which exempts public safety employees from certain elements of the workers' compensation reform provisions enacted by SB 899 of 2004 related to the apportionment of permanent disability and certain presumptions, was signed by the Governor on September 30, 2006. In his signing message, the Governor raised concerns that law enforcement officers and other first responders to the September 11th attacks had not received adequate medical treatment and therefore directed the Division of Workers' Compensation to review California's workers' compensation laws to ensure such treatment was made available to that group.

County-supported AB 1550 (Arambula and Karnette), which enhances the management and oversight of the California Enterprise Zone Program and other geographically-targeted economic development area programs by making a number of

changes to zone selection, administration, and oversight procedures for these programs, was signed by the Governor on September 29, 2006, and becomes effectively immediately.

County-supported AB 1559 (Frommer), which enhances the focus of State Bond funding on the creation of new parks and facilities in the most densely populated areas in the State where there is a significant lack of open space, recreation areas, and places for children to play, was signed by the Governor on September 27, 2006.

County-supported AB 1634 (McCarthy), which reimburses \$38.8 million to California counties, including \$9.07 million to Los Angeles County, for the costs associated with the special statewide election held in November 2005, was signed by the Governor on September 29, 2006, and becomes effective immediately.

County-supported AB 1799 (McCarthy), which requires the State to pay for expenses incurred on or after January 1, 2006, and until January 1, 2007, for elections proclaimed by the Governor to fill a vacancy in the office of State Senator or member of the Assembly, or to fill a vacancy in the office of the United States Senate or Representative in Congress, was signed by the Governor on September 29, 2006, and becomes effectively immediately. When an election proclaimed by the Governor is consolidated with a local election, AB 1799 also requires the State to pay only those additional expenses directly related to the election proclaimed by the Governor.

County-opposed AB 1873 (Torrico), which would have raised the age at which an infant can be safely surrendered from 72 hours to up to 30 days, was vetoed by the Governor on September 30, 2006. In his veto message, the governor indicated that he shared concerns raised by experts that this bill would put newborns at greater risk by keeping them in an unsafe environment without proper care and supervision, and stated that the current 72 hour timeframe is supported by research and statistics that indicate that most neonaticide occurs within the first day. The veto message is attached (Attachment II).

County-supported AB 2237 (Karnette), which requires that the annual report to the Legislature from the Director of the Governor's Office of Homeland Security include a component pertaining to the protection of the State's harbor and port facilities and the commercial marine transportation sector from terrorist attacks, was signed by the Governor on September 27, 2006.

County-supported AB 2280 (Leno), which extends the authority of health care providers to treat partners of persons with gonorrhea or other sexually transmitted diseases, in addition to chlamydia, was signed by the Governor on September 29, 2006.

County-supported AB 2836 (Karnette), which would have required residential care facilities for the elderly, licensed as of January 1, 2010, and with four or more clients or residents, to have an automatic fire sprinkler system by January 1, 2014, and facilities licensed on or after January 1, 2010, to have an automatic fire sprinkler system on the date of licensure, was vetoed by the Governor on September 30, 2006. In his veto message the Governor indicated that while he appreciated the author's intent to mitigate injuries and fatal fires in small residential care facilities, the bill could place a significant economic impact on residential care providers and may result in fewer facilities available to serve the elderly.

County-sponsored AB 2870 (De La Torre), which allows testing of inmates for Hepatitis B and C in addition to HIV and AIDS when law enforcement employees, including prosecutors, public defenders, and staff, are exposed to such communicable diseases through contact with an inmate in locations including a courtroom, was signed by the Governor on September 30, 2006.

County-supported AB 2889 (Frommer), which requires health care services plans and health insurers to permit a person who has been covered for at least 18 months under an individual plan contract to transfer at least once a year, without medical underwriting, to any other individual plan contract with equal or lesser benefits offered by the same health care service plan or insurer, was signed by the Governor on September 30, 2006.

County-opposed AB 2951 (Goldberg), which changes the "nondiscriminatory" way public utilities charge public agencies for capital costs, which would effectively relieve the Los Angeles Department of Water and Power (LADWP) of its current legal duty to charge the County only its pro-rata share of LADWP capital costs, was signed by the Governor on September 30, 2006.

County-opposed AB 2987 (Nuñez), which creates a statewide franchising authority for the provision of video services by phone or cable companies to be administered by the California Public Utilities Commission (CPUC) and makes the CPUC the sole video franchising authority in California, which could negatively impact the \$4 million the County currently collects from managing public rights-of-way, was signed by the Governor on September 29, 2006.

County-supported AB 2911 (Nuñez and Perata), which establishes the California Discount Prescription Drug Program in the California Department of Health Services for prescriptions dispensed to recipients on an outpatient basis, was signed by the Governor on September 29, 2006.

County-supported SB 148 (Scott), which provides additional bases for the suspension or revocation of an alcoholic beverage license when a licensee fails to take reasonable steps to correct objectionable conditions on the licensed premises or on any public sidewalk abutting the licensed premises after specified notice from the district attorney, city attorney, or a county counsel, was signed by the Governor on September 29, 2006.

County-supported SB 257 (Chesbro), which authorizes the California Housing Finance Agency (CHFA) to make loans to finance various forms of affordable housing, including supportive housing for those with special needs, such as persons with mental illness or disabilities who are at substantial risk of homelessness; and requires the CHFA to present a plan to the Legislature for the development, acquisition, construction, and rehabilitation of 10,000 additional units of supportive housing, using up to \$75 million annually in funding from the Mental Health Services Act as leverage to finance the capital costs of the projects, as provided for under an executive order from the Governor, was signed by the Governor on September 29, 2006.

County-supported SB 308 (Simitian), which would have allowed counties the option, upon adoption of a resolution by a county board of supervisors, to increase recording fees on real estate documents up to \$2 to fund programs to deter, investigate, and prosecute civil proceedings involving the financial abuse of elder and dependent adults through fraudulent real estate transactions, was vetoed by the Governor on September 30, 2006. In his veto message, the Governor indicated that SB 308 is premature because any legislation on this subject should take into account the recommendations of the forthcoming Office of Emergency Services report on elder financial abuse, and that the fee authorized by the bill is a special tax that should be subject to a vote of the people.

County-supported SB 739 (Speier), which establishes the Hospital Infectious Disease Control Program implementing various measures relating to disease surveillance and prevention of health care associated infections, was signed by the Governor on September 28, 2006.

County-supported SB 1288 (Cedillo), which would have increased the scope of benefits and reimbursement rates contained in Drug Medi-Cal in order to provide access to an appropriate continuum of care for youths from 12 to 20 years of age suffering from substance abuse disorders, was vetoed by the Governor on September 29, 2006. The Governor stated in his veto message that while he supports efforts to help those recovering from drug addiction, he cannot support a bill that would substantially expand Drug Medi-Cal services and result in millions of dollars of new State costs.

County-supported SB 1320 (Cedillo), which would have required that \$150,000 allocated to Los Angeles County by the California Department of Alcohol and Drug Programs in the Budget Act of 2006 be used to fund a pilot co-occurring disorders court,

and specified that eligible participants include those with a history of substance abuse or mental illness who are facing nonviolent felony criminal charges in Los Angeles County, was vetoed by the Governor on September 29, 2006. In the Governor's veto message, he stated that the bill would not provide the County with any new authority to start a program, and would actually remove flexibility from the County when it allocates funding from the Comprehensive Drug Court Implementation Act.

County-supported SB 1469 (Cedillo), which requires a county juvenile detention facility, beginning January 1, 2008, to notify a county welfare department when a juvenile is incarcerated for 30 days or longer so that the county welfare department can determine if the juvenile will be eligible for Medi-Cal or the Healthy Families Program on release from custody, was signed by the Governor on September 29, 2006.

County-supported SB 1520 (Ducheny), which clarifies that the five University of California academic medical centers and the County's five public hospitals are treated as a "system" rather than on a facility specific basis for the purposes of allocating Medicaid funds under the Hospital Financing Waiver, to the extent that payments do not exceed the sum of individual hospital payments, was signed by the Governor on September 29, 2006, and becomes effective immediately.

County-supported SB 1596 (Runner), which establishes the Nurse-Family Partnership Program and requires the California Department of Health Services to make grants available to counties to provide voluntary visiting nurse services to first-time pregnant, low-income mothers, their children and their families, was signed by the Governor on September 30, 2006.

County-supported SB 1773 (Alarcon), which augments the Emergency Medical Services Fund by allowing counties to collect an additional \$2 penalty assessment on every \$10 penalty for all criminal offenses and moving violations, and requires that 15 percent of the funds collected be used to fund all pediatric trauma centers throughout a county electing to adopt the additional penalty assessment, was signed by the Governor on September 30, 2006. In the Governor's signing message, he stated that the measure strikes an appropriate balance by providing local discretion and requiring local governments to first demonstrate that an increase in fines will not reduce funding for other vital programs, such as victim restitution and police training, which rely on the same source of revenue.

County-supported SB 1835 (Florez), which would have prohibited a city or county from determining that a solid waste facilities permit application is complete if the solid waste facilities permit is approved through an initiative, unless the facility was consistent with existing State, local and Federal laws, was vetoed by the Governor on September 29, 2006. In his veto message, the Governor indicated that the bill establishes permitting impediments for landfills approved by local initiative not required for landfills approved through other local processes.

County Interest Bills

AB 2470 (Ridley-Thomas), which authorizes the Los Angeles County Board of Supervisors to develop a master plan for the provision of health care services in the County, and to establish a task force to address specified issues, was signed by the Governor on September 27, 2006. The Governor indicated that he was signing the bill in recognition of the exceptional challenges currently facing the Los Angeles County health care delivery system and to encourage the County to develop a comprehensive, long-term plan for the County's health system. The Governor's signing message is attached (Attachment III).

AB 2863 (Karnette), which authorizes boards of supervisors in 1937 Act Counties to establish a trust fund with the board of retirement to fund post-employment benefits provided under group health, life or other welfare benefits established or maintained by the County, was signed by the Governor on September 30, 2006, and becomes effective immediately. Contributions to the fund may include direct payments or proceeds of debt. Los Angeles County is not authorized to establish the fund until it is agreed to pursuant to a ratified collective bargaining agreement. This bill would also allow the Los Angeles County Fire Chief to continue employment beyond the mandatory retirement age.

SB 1534 (Ortiz and Alarcon), which affirms the rights of cities and counties to provide nonemergency health care services to undocumented persons, was signed by the Governor on September 30, 2006.

We will continue to keep you advised.

DEJ:GK
MAL:IGR:hg

Attachments

c: All Department Heads
Legislative Strategist
Local 660
Coalition of County Unions
California Contract Cities Association
Independent Cities Association
League of California Cities
City Managers Associations
Buddy Program Participants

