



# CBPA LEGISLATIVE WRAP-UP 2008

## HIGH PRIORITY BILLS

### Signed/Veto/Dead

#### CBPA High Priority Bills – SIGNED BY GOVERNOR (Twenty-one supported bills signed - Three opposed bills signed)

Bill	#	Author	Title	Location	Summary	CBPA Position
SCA	4	Ashburn (R)	Property Tax: New Construction Exclusion	Chaptered	Proposes an amendment to the Constitution to amend the provisions governing new construction exclusions from the property tax. Excludes from the definition of newly constructed the portion of an existing structure that consists of the construction or reconstruction of seismic retrofitting components. Deletes the existing exclusion for structures constructed of unreinforced masonry bearing wall construction and the Legislature's authority to exclude certain earthquake hazard seismic retrofitting.	SUPPORT
SJR	27	Kehoe (D)	Federal Tax Credit: Production and Investment	Chaptered	Encourages the President and the Congress of United State to provide a long-term extension of the investment and production tax credits for all renewable energy technologies.	SUPPORT
SCR	80	Cogdill (R)	Fire Safe Council	Chaptered	Recognizes that Fire Safe Councils serve as leading community-based wildfire preparedness organizations and the vital services provided by such councils for the citizens of the state.	SUPPORT
SB	111	Ashburn (R)	Property Tax: Seismic Retrofitting: Tax Assessments	Chaptered	Relates to valorem taxes on real property. Specifies that the new construction that qualified for a 15-year exclusion relating to structures constructed of unreinforced masonry also qualify for the general exclusion for seismic retrofitting components.	SUPPORT
SB	375	Steinberg (D)	Transportation Planning: Travel Models: Reviews	Chaptered	Requires travel demand models used in regional transportation plans to include a sustainable community strategy to reduce greenhouse gas emissions from automobiles and light trucks. Provides for a Regional Targets Advisory Committee and targets. Amends zoning provisions of the general plan housing element for low-income housing. Extends the period for local governments in a region covered by a metropolitan planning organization in a non-attainment region. Exempts transit priority projects from the CEQA.	OPPOSE
AB	578	Blakeslee (R)	Energy: Distributed Energy Generation: Study	Chaptered	Deletes a requirement that the Energy Resources and Development Commission evaluate costs and benefits of increasing solar energy systems. Requires the Public Utilities Commission to study the impacts of distributed energy generation on the state's distribution and transmission grid. Requires a specific assessment on the impacts of the State Solar Initiative Program, the self-generation incentive program, and the biogas customer-generator net energy metering pilot program.	SUPPORT

AB	642	Wolk (D)	Design-Build: Counties, Cities and Special Districts	Chaptered	Authorizes any city, with the approval of the appropriate city council, to enter into design-build contracts., in accordance with specified provisions. Authorizes a qualified entity that operates a wastewater facility, solid waste management facility, or water recycling facility, with the approval of the appropriate governing body, to enter into design-build contracts, in accordance with specified provisions.	SUPPORT
SB	691	Calderon R (D)	Junk Dealers and Recyclers: Nonferrous Material	Chaptered	Prohibits a junk dealer or recycler from providing payment for defined nonferrous material unless the payment is made by check, the check is provided within a specified time frame, and a photo or video of the seller and certain identifying information is obtained and retained. Prohibits a city, county, city and county from adopting an ordinance relating to junk dealer or recycler transactions involving nonferrous metal. Requires related reports to be given to law enforcement. Increases fines.	SUPPORT
SB	732	Steinberg (D)	Environment	Chaptered	LINKED TO SB 375. Develops guidelines and conducts studies related to grants and loans from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act. Establishes the Strategic Growth Council. Appropriates funds. Requires coordination with member agencies to improve air and water quality, increase availability of affordable housing, improve transportation, meet global warming goals, revitalize community centers and implement urban greening. Requires a report.	OPPOSE
AB	844	Berryhill (R)	Junk Dealers and Recyclers: Nonferrous Material	Chaptered	Prohibits a junk dealer or recycler from providing payment for nonferrous material unless it is made by cash or check in a specified manner and the dealer or recycler obtains, and retains, certain identifying information for a certain period of time, and has a photograph or video of the seller. Increases the minimum fines for willful recordkeeping violations. Requires the payment of restitution and collateral damage to victims. Provides a civil fine for unauthorized personal information disclosure.	SUPPORT
SB	1316	Correa (D)	Transportation Facilities: Tolls: Orange and Riverside	Chaptered	Authorizes the Orange County Transportation Authority to eliminate its rights, interests, and obligations in the Riverside County portion of the State Highway Route 91 toll lane by partial assignment to the Riverside County Transportation Commission or by amendment to the franchise agreement. Deletes the 2030 limitation on issuance of bonds and collections of tolls. Authorizes the use of toll revenues for the toll lane and for other related transportation purposes in the Route 91 corridor.	SUPPORT
SB	1334	Calderon R (D)	Drinking Water: Pipes and Fittings: Lead Content	Chaptered	Amends existing law that requires the State Department of Public Health to develop building standards to implement provisions of existing law relating to water pipes and pipe fittings, and requires these standards to be enforced by the appropriate state and local building and health officials. Requires that plumbing material be certified for compliance with provisions by an independent 3rd party if existing law relates to lead content.	SUPPORT

SB	1396	Cox (R)	Local Government: Recording Fees	Chaptered	Authorizes a county board of supervisors to impose a fee to be paid at the time of recording of every real estate instrument, paper, or notice required or permitted by law to be recorded within that county. Defines real estate instrument to mean a deed of trust, an assignment of deed of trust, a reconveyance, a request for notice, a notice of default, a substitution of trustee, a notice of trustee sale, and rescission of declaration of default.	SUPPORT
AB	1451	Leno (D)	Property Tax: New Solar System Exclusion	Chaptered	Modifies a property tax assessed value exclusion related to the construction or addition of an active solar energy system. Authorizes the exclusion for incorporation of such system in the initial construction of a new building. Requires the State Board of Equalization to prescribe the manner, documentation and the form for a taxpayer to claim the exclusion. Requires reduction of base year value be the value of the active solar energy system, less the amount of rebates on the system.	SUPPORT
SB	1473	Calderon R (D)	Building Standards	Chaptered	Requires the Building Standards Commission to adopt green building standards. Requires local entities to collect a fee from applicants for building permits for deposit in a fund to update building standards to reduce environmental consequences. Requires that funds be available to the commission for efforts associated with the green building standards. Authorizes the commission and the Department of Housing and Community Development to use, as the basis for the Building Standards Code, certain model codes.	SUPPORT
SB	1608	Corbett (D)	Disabled Persons: Equal Access Rights: Civil Actions	Chaptered	Requires a licensed architect to complete coursework regarding disability access requirements as a condition of license renewal. Requires certain notice to a building owner or tenant with each demand for money or complaint for a construction-related accessibility violation. Enacts the Construction-Related Accessibility Standards Compliance Act. Relates to continuing education requirements for building inspectors, examiners, and officials and to accessibility standards for places of public accommodation.	SUPPORT
AB	2411	Caballero (D)	Property Tax Refunds	Chaptered	Relates to property tax refunds. Requires an auditor to process a refund caused by an assessment roll error or to notify the taxpayer of the requirements to obtain a refund. Requires property taxes to be refunded, if a specified application for reduction or equalization of an assessment has been filed, upon the filing of a claim within a specified time periods.	SUPPORT
AB	2768	Levine (D)	Energy: Solar Energy Systems: Pricing	Chaptered	Relates to time-variant pricing under the State Solar Initiative. Revises the time-variant pricing provisions by deleting the requirement to impose time-variant pricing on ratepayers with a solar energy system, and, instead, authorizing the Public Utilities Commission to develop a time-variant tariff.	SUPPORT

AB	2796	Nava (D)	Office of Emergency Services: Statewide Registry	Chaptered	Authorizes the Office of Emergency Services to establish a statewide registry of private businesses and nonprofit organizations that are interested in donating services, goods, labor, equipment, resources, or dispensaries or other facilities to prepare the state for emergencies and disasters. Relieves entities on the registry from civil liability caused by its donation, except in specified cases. Includes donated pharmaceuticals. Relates to emergency medical services training.	SUPPORT
AB	2859	Gaines (R)	Public Resources: Fire Prevention and Control	Chaptered	Excludes from the definition of timber operations the removal of certain size trees from firebreaks and fuel-breaks the meet specified criteria. Sets parameters authorizing the Department of Forestry and Fire Protection to take certain preventative actions within a zone of infestation or infection.	SUPPORT
AB	2954	Lieber (D)	San Francisco Bay Restoration Authority	Chaptered	Enacts the San Francisco Bay Restoration Authority Act. Establishes an authority to raise and allocate resources for the restoration, enhancement, protection, and enjoyment of wetlands and wildlife habitat in the bay and long its shoreline. Authorizes the authority to award grants to public and private entities for eligible projects, including projects that restore, protect, or enhance tidal wetlands, managed ponds, or natural habitat on the bay shoreline, and to levy a related benefit assessment.	OPPOSE

**CBPA High Priority Bills – VETOED BY GOVERNOR** (Eighteen Opposed Bills Vetoed – Zero supported bills vetoed)

SB	68	Kuehl (D)	Environmental Quality: Determination: Dispute	Vetoed	Amends the California Environmental Quality Act that provides the procedure by which a party may challenge an environmental impact report on specified grounds. Requires the petitioner or plaintiff name, as a real party in interest, a recipient of an approval, as identified by the public agency, that is the subject of an action or proceeding challenging the determination of a public agency pursuant to the act. Requires a dismissal of the challenge under specified grounds.	OPPOSE
SB	840	Kuehl (D)	Single-Payer Health Care Coverage	Vetoed	Establishes the State Healthcare System. Makes all state residents eligible for specified health care benefits under the system, which would, on a single-payer basis, negotiate for or set fees for health care services provided through the system and pay claims for those services. Provides an income eligibility factor. Creates the Healthcare Policy Board to establish policy on medical issues and various other matters relating to the system. Provides certain insurance fraud laws to providers under the system.	OPPOSE
AB	842	Jones (D)	Regional Plans: Traffic Reduction	Vetoed	Requires the Department of Housing and Community Development to rank applicants for the award of capital improvement grants under the Infill Incentive Grant Program based upon a reduction of vehicle miles traveled as a result of the project.	OPPOSE

SB	974	Lowenthal (D)	Ports: Congestion Relief: Air Pollution Mitigation: Fee	Vetoed	Requires the ports of Los Angeles, Long Beach, and Oakland to collect a user fee from the owner of container cargo moving through their ports. Requires those ports to transmit a portion of those fees to specified funds for expenditure on projects improving the flow of container cargo and to mitigate air pollution caused by the movement of container cargo by commercial motor vehicles, oceangoing vessels, and rail.	OPPOSE
AB	1017	Ma (D)	Environmental Quality Act: Appeal to Local Lead Agency	Vetoed	Relates to the Environmental Quality Act that requires environmental impact reports by a local lead agency, certification and a mitigated negative declarations. Requires a hearing on appeal. Relates to the time period for filing specified actions or proceedings. Requires that, for a city and county, an appeal to an elected decisionmaking body be filed within a specified number of days of the first discretionary approval of a project.	OPPOSE
SB	1113	Migden (D)	Attorney's Fees and Costs	Vetoed	Authorizes the court to award attorney's fees and costs, including expert witness fees to a successful party against one or more opposing parties in any action that has resulted in the enforcement of an important right affecting the public interest, under certain conditions.	OPPOSE
SB	1115	Migden (D)	Workers' Compensation: Permanent Disability Reports	Vetoed	Provides that the race, religious creed, color, national origin, age, gender, marital status, sex, or genetic predisposition shall not be considered to be a cause or other factor considered in any determination made pursuant to provisions of existing workers' compensation law pertaining to permanent disability.	OPPOSE
SB	1240	Machado (D)	Real Estate: Brokers and Salespersons	Vetoed	Requires a real estate broker who makes, arranges, or services loans secured by residential real property to notify the Department of Real Estate, pay penalties for noncompliance, notify the Department when they are no longer subject to this requirement and keep records to enable the Real Estate Commissioner to determine whether specified functions performed by them comply with existing law. Provides that penalties collected for violations be deposited into the Recovery Account in the Real Estate Fund.	OPPOSE
SB	1557	Wiggins (D)	State Environmental Goals and Policy Report	Vetoed	Amends existing law that requires the Governor to prepare a State Environmental Goals and Policy Report. Includes, as a planning priority, meeting the state's greenhouse gas emission limits and development that reduces vehicle miles traveled. Amends existing law that provides for the State Administrative Manual as a reference source for statewide policies. Requires the chapters regarding capitol outlay to include the state planning priorities in the State Environmental Goals and Policy Report.	OPPOSE

AB	1656	Jones (D)	Personal Information: Security Breaches	Vetoed	Prohibits a person or entity that sells goods or services to state residents and accepts payment in the form of a credit card, debit card, or other payment device, from storing, retaining, sending, or failing to limit access to payment-related data or retaining a primary account number or sensitive authentication data. Requires any person or entity that maintains computerized personal information to notify the owner or licensee of the information of any breach of security of the data immediately.	OPPOSE
SB	1717	Perata (D)	Workers' Compensation: Permanent Partial Disability	Vetoed	Eliminates provisions in Workers' Compensation Law requiring an employer to pay an injured employee a decreased amount of permanent disability benefits if, within a specified time period of a disability becoming permanent and stationary, the employer offers the injured employee regular work, modified work or alternative work, within specified time periods, regardless of whether the injured employee accepts or rejects the offer. Revises the formula for those benefits for injuries after a specified date.	OPPOSE
SB	1762	Perata (D)	Energy: Greenhouse Gas Emissions	Vetoed	Establishes the Climate Change Institute and a related fund. Authorizes the Energy Commission to continue climate change research projects. Requires a portion of funds allocated pursuant to the natural gas surcharge for public interest energy research. Authorizes the imposition of a greenhouse gas emissions mitigation fee on local electric distribution service for research and development to mitigate the effects of emissions of greenhouse gases including transportation sources.	OPPOSE
AB	2046	Jones (D)	Water Supply Assessments: Groundwater	Vetoed	Relates to the local approval of a subdivision map that includes groundwater treatment plans. Amends existing law that requires a city or county that determines a project is subject to the California Environmental Quality Act to identify any public water system that may supply water for the project. Requires the assessment to include specified related information. Provides a water source plan only include groundwater that meets applicable standards. Relates to groundwater sources planning requirements.	OPPOSE
AB	2386	Nunez (D)	Employment: Agricultural Labor	Vetoed	Provides methods by which agricultural employees may select by secret ballot a representative for collective bargaining purposes. Provides for a mediated election of a representative where agricultural employees may elect either to designate the labor organization as their representative or hold a ballot booth election. Establishes criteria for tallying of ballots, determination of the election outcome and mechanisms for an aggrieved party to challenge the outcome. Provides for unfair labor practice fines.	OPPOSE

AB	2447	Jones (D)	Subdivision Maps: Denial of Approval	Vetoed	Relates to the Subdivision Map Act which requires the legislative body of a city or county to deny approval of a tentative map, or a parcel map for which a tentative map was not required, if it makes certain findings. Requires a county body to deny approval of a tentative map, or a parcel map for which a tentative map was not required, if the proposed map is in a state responsibility area or a very high fire hazard severity zone unless the county makes specified findings. Relates to fire protection fees.	OPPOSE
AB	2939	Hancock (D)	Building Standards: Green Buildings: Local Variances	Vetoed	Authorize a city, county, or city and county to impose more restrictive building standards than the State Green Building Standards Code, provided those standards do not replace the State Building Standards Code and the governing body makes a specified finding.	OPPOSE
AB	2971	DeSaulnier (D)	Department of Transportation: Safety Programs	Vetoed	Requires the Department of Transportation to establish guidance and criteria to ensure that the needs of bicyclists and pedestrians are addressed in the development of its safety project programs, and to consider specified factors in that regard.	OPPOSE

### CBPA High Priority Bills – DIED IN LAST FEW WEEKS OF LEGISLATIVE PROCESS

SB	529	Cedillo (D)	Private employment: meal periods	Dead	Exempts from existing meal period requirements, employees of an electrical corporation, a gas corporation, or a local publicly owned electric utility, construction workers and certain commercial drivers if the employees are covered by valid collective bargaining agreements that contain specified terms. Authorizes compensated, on-duty meal periods for a registered security officer who either is covered by a valid collective bargaining agreement or enters into an agreement with his or her employer.	OPPOSE
AB	822	Levine (D)	Solid Waste: Multifamily Dwellings	Dead	Requires the owner of a multifamily dwelling to arrange for recycling services that are appropriate for the multifamily dwelling, consistent with state or local laws or requirements, including a local ordinance or agreement, applicable to the collection, handling, or recycling of solid waste.	OPPOSE
AB	938	Calderon C (D)	Regional Water Management	Dead	Makes legislative findings and declarations regarding uncontrolled pollutants in urban runoff, stormwater, and other forms of runoff, and statements of legislative intent regarding the provision of tools to help remedy pollution from these sources.	SUPPORT
AB	1065	Lieber (D)	Public Resources: Building Standards	Dead	ZERO NET ENERGY: Requires the State Energy Resources Conservation and Development Commission to adopt standards that would reduce energy consumption per gross square foot of floor space of a new residential and new nonresidential buildings, from offsite sources. Requires a zero net energy goal.	OPPOSE

AB	1390	Huffman (D)	Solid Waste: Diversion: Illegal Dumping: Fees	Dead	Relates to the diversion by cities and counties of solid waste through source deduction, recycling, and composting activities. Relates to the use of nongreen material as alternative daily cover in landfills. Relates to local restrictions on illegal dumping. Relates to civil penalties for solid waste facility permits violations. Establish a grant and loan program to clean up illegal dumping. Increases the solid waste disposal quarterly fees for operators. Authorizes grants and loans for organics programs.	OPPOSE
SB	1500	Kehoe (D)	CEQA: Fire Hazards: State Responsibility Areas	Dead	Requires, that if the legislative body of a county considers entering into development contracts or approving permits, entitlements or a tentative map or parcel map for a project located within a state responsibility area, the county must first notify the State Board of Forestry and Fire Protection of the project. Provides a similar requirement for projects by a lead agency. Requires the State Fire Marshal to charge a fee to the applicant sufficient to cover the costs of the project review and the process.	OPPOSE
SB	1550	Florez (D)	Corporations: Climate Change Disclosure	Dead	Requires the Controller in consultation with the investment community to develop a climate change disclosure standard for use by listed corporations doing business in the state. Provides guidance on disclosure of climate change risks and opportunities for listed corporations. Requires the Controller to publish the standard on its Internet Web site. Authorizes the Controller to periodically revise the standard.	OPPOSE
AB	1848	Ma (D)	Income Tax: Returns: Withholding	Dead	Relates to the Personal Income Tax and Corporation Tax Law that authorizes persons that are required to withhold taxes from recipients of income to require the recipients of the income to provide that person with the recipient's name and address. Requires the recipient of income to also provide the person paying the income with the payee's social security number or other taxpayer identification number if requested by the person paying the income. Relates to payroll taxes.	OPPOSE
AB	1851	Nava (D)	Greenhouse Gas Credits	Dead	Makes it unlawful to represent in an advertisement or in any other sales or promotional materials made available to the public, for the sale of a greenhouse gas credit or emission reduction, that the credit or reduction reduces emissions unless certain requirements are met. Requires the maintenance of certain information and documentation supporting the validity of the representation. Provides a civil penalty for violation. Creates a civil cause of action.	OPPOSE
AB	2030	Lieu (D)	Building Energy Standards	Dead	ZERO NET ENERGY: Requires the State Energy Resources Conservation and Development Commission to adopt, in collaboration with specified parties, building design and construction standards, and energy and water conservation standards to require new nonresidential construction to be zero net energy buildings.	OPPOSE

AB	2112	Saldana (D)	Building Energy Standards	Dead	ZERO NET ENERGY: Relates to the State Energy Resources Conservation and Development Commission. Requires the commission to adopt building design, construction, energy, and water conservation standards to require new residential constructions commenced on or after a specified date, or on a date by which the commission determines that the use of photovoltaic technology is cost effective, to be zero net energy buildings. Deletes an obsolete statutory reference	OPPOSE
AB	2175	Laird (D)	Water Conservation	Dead	Deletes the requirement in existing law that the State Water Commission get and approve Department of Water Resources regulations relating to the model water efficient landscape ordinance. Requires the state to achieve a certain reduction in urban per capita water use. Requires urban water suppliers to achieve a specified minimum reduction. Requires each agricultural water supplier to implement water use efficiency best management practices. Creates a new Agricultural Water Management Planning Act.	OPPOSE
AB	2288	Torricono (D)	Automatic Fire Extinguishing Systems: Registration	Dead	Requires the State Fire Marshal to expand regulations and building standards to include the installation of automatic fire extinguishing systems. Prohibits any person from installing or modifying fire sprinklers, a fire sprinkler system, a wet standpipe system, or an engineered fixed automatic fire extinguishing system without a certification of registration. Provides for disciplinary action by the Contractors' State License Board. Requires a program for limited certificate of registration for installers.	OPPOSE
AB	2558	Feuer (D)	Regional Transportation Agencies: Fees	Dead	Authorizes a regional transportation agency, subject to voter approval, to impose a climate protection and system preservation fee in its jurisdiction. Specifies alternative options for imposing the fee, which would either be a motor vehicle fuel fee or a vehicle fee to be collected by the Department of Motor Vehicles or the State Board of Equalization. Provides the duration for charging the fee pursuant to an approved transportation plan of the agency and the regional air quality management district.	OPPOSE
AB	2967	Lieber (D)	Health Care Cost and Quality Transparency	Dead	Creates the Health Care Cost and Quality Transparency Committee and Fund. Requires the committee to develop a health care cost and quality transparency plan and to include various strategies to improve medical data collection and reporting practices. Requires the Secretary of Health and Human Services to undertake duties that include implementing strategies to improve health care quality and related performance measures. Provides for the confidentiality of medical data collected.	OPPOSE

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