

*Highlights of the
Legislative Accomplishments of 2001*

November 2001

*A Summary of Significant Legislation that
Reached the Desk of Governor Gray Davis*

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Aging and Long-term Care

Bills sent to the governor modify staffing requirements for nursing facilities, seek to increase incentives for enrollment in educational programs leading to degrees in gerontology or geriatric nursing, and establish a new unit to respond to consumer complaints and inquiries in long-term care facilities.

2001-02 State Budget

The 2001-02 budget contained funding for a number of new or expanded initiatives designed to serve the elderly and persons with disabilities, including:

- A 2 percent increase in rates for nursing facilities at a state cost of about \$46 million and \$7 million for a supplemental reimbursement for freestanding long-term care facilities that guarantee wage increases for their workers.
- \$2 million in new federal funds for Older Americans Act programs, including the ombudsman, supportive services, congregate nutrition, home-delivered nutrition, and preventive health programs.
- \$30 million in state funding for wage increases for In-Home Supportive Services program workers, including continuation of the state's share of funding for a \$1 hourly increase in wages and benefits for IHSS workers in counties offering IHSS services through a public authority.
- \$1.5 million in state funds for senior-center construction, renovation, equipment, or program operation.
- \$19.5 million in new federal Family Caregiver Assistance Funds to provide support to caregivers locally.
- Increases in the personal needs allowance as of February 2002 for individuals residing in licensed board and care facilities.

The governor blue-penciled other initiatives due to the state's precarious financial condition, including reducing funding for the Linkages program by \$1.6 million. Supplemental funds for the Multipurpose Senior Services program, the Adult Day Care and Adult Day Support programs, and a program to expand community alternatives for assisted-living activities were also vetoed.

SB 370 (Ortiz) – Establishes, within the Department of Aging the Senior Wellness Program that includes the Stay Well Program and the Program for Injury Prevention in the Home Environment. **Signed – Chapter 689, Statutes of 2001.**

SB 502 (Ortiz) – Requires, by January 1, 2003, the Office of Criminal Justice Planning to establish a uniform approach for providing medical examinations, documentation and evidence collection for victims of domestic violence and elder and dependent adult abuse. **Signed – Chapter 579, Statutes of 2001.**

SB 639 (Ortiz) – Requires the Health and Human Services Agency to develop a strategic plan for improving access to mental health services by persons with Alzheimer's disease or related disorders, for treatable mental health conditions. **Signed – Chapter 692, Statutes of 2001.**

AB 20 (Koretz) – Requires the California Department of Aging to conduct a statewide survey and needs analysis to determine geographic and structural needs for the senior population by December 31, 2002. **Vetoed.**

AB 101 (Alquist) – Requires the Office of Statewide Health Planning and Development to administer a program to award scholarships to students enrolled in programs leading to a degree in gerontology, or to an advanced practice nursing degree or social work degree specializing in gerontology. **Vetoed.**

AB 524 (Aroner) – Authorizes advance payments to eligible Medi-Cal Personal Care Services Program recipients, subject to availability of federal financial participation through Medicaid. **Vetoed.**

AB 530 (Reyes) – Authorizes the Department of Justice to provide subsequent arrest notification to the employer of an unlicensed person who provides nonmedical domestic or personal care to an aged or disabled adult in the adult's own home. **Signed – Chapter 845, Statutes of 2001.**

AB 828 (Cohn) – Requires the Department of Health Services to establish a unit to respond to consumer inquiries and complaints in long-term care facilities. Requires the response unit to do specified duties to assist consumers in resolving disputes about the quality of care and the quality of life in long-term care facilities upon receipt of consumer inquiries. **Signed – Chapter 680, Statutes of 2001.**

AB 829 (Cohn) – Revises the standards for Adult Day Health Care centers' providers and transfers certain responsibilities from the Department of Aging to the Department of Health Services. **Signed – Chapter 681, Statutes of 2001.**

AB 1075 (Shelley) – Requires the state Department of Health Services to convert the staffing levels required at skilled-nursing facilities from hours-of-care to staff-to-patient ratios by August 1, 2003. **Signed – Chapter 684, Statutes of 2001.**

AB 1111 (Simitian) – Establishes a grant program in the Office of Criminal Justice Planning to help counties address financial abuse of elders and dependent adults. **Vetoed.**

AB 1212 (Shelley) – Makes technical changes to AB 1731, the major nursing-home reform bill of 2000. Also streamlines reports required by AB 1731 and other legislation, and conforms state law to federal skilled nursing facility requirements. **Signed – Chapter 685, Statutes of 2001.**

AB 1347 (Pescetti) – Establishes dementia-specific orientation and "in-service" program requirements for the Certified Nurse Assistant staff of skilled nursing facilities and intermediate care facilities. **Signed – Chapter 339, Statutes of 2001.**

AB 1370 (Wiggins) – Requires the Franchise Tax Board to conduct a study of tax forms that affect taxpayers 65 years and older and decide which changes are necessary to ensure that the needs of those taxpayers are served to the greatest benefit. **Signed – Chapter 266, Statutes of 2001.**

AB 1409 (Chan) – Transfers the authority to regulate and license nursing home administrators from the Department of Consumer Affairs to the Department of Health Services. **Signed – Chapter 687, Statutes of 2001.**

AB 1451 (Liu) – Requires the secretary of the Health and Human Services Agency to establish and chair a Long-term Care Financing Task Force and requires the task force to report to the Legislature alternative methods to finance long-term care. **Vetoed.**

AB 1643 (Negrete McLeod) – Requires employment agencies to screen temporary employees before referring them to long-term health care facilities. **Signed – Chapter 326, Statutes of 2001.**

Agriculture

Leaders of California's principal agricultural associations report that the state of the farm economy is weak, in part due to the increased costs of diesel, natural gas and electricity. Farmers also were hit by low commodity prices and the consolidation of retail and wholesale buyers. Some sectors of the farm economy complain of the impacts of foreign imports.

Agriculture in 2001 won major tax cuts and other initiatives, including a \$5 million infusion in the state budget for a

"Buy California" strategic marketing effort. Governor Davis approved funds for research and containment of the glassy-winged sharpshooter that has threatened the state's wine industry. Other provisions beneficial to agriculture were included in **SBX1 5 (Sher), Chapter 7, Statutes of 2001**, one of the special-session energy bills.

SBX1 5 appropriates \$708.9 million for energy conservation and efficiency programs, including:

- \$45 million to encourage the purchase of high-efficiency electrical agricultural equipment, installed on or after January 1, 2001. Eligible equipment includes lighting, refrigeration or cold storage.
- \$15 million to offset the costs of retrofitting natural-gas-powered equipment to burn alternative fuels, including but not limited to instate-produced "non-spec" or "off-spec" natural gas.
- \$10 million for the California Agricultural Pump Energy Program to facilitate the efficiency testing of existing agricultural water pumps and to provide incentives to increase efficiency through retrofitting.
- \$10 million to provide grants for encouraging the development of manure methane-power production on dairies.
- \$5 million in grants to reduce peak usage in Southern California by revision of system operations to produce replacement energy as a by-product of the anaerobic digestion of bio-solids and animal wastes.

In addition to the grant funds, SBX1 5 contains several other provisions of importance to agriculture. The measure:

- Permits farmers to aggregate multiple accounts in order to qualify for interruptible or curtailment programs.
- Provides authorization to use back-up diesel generators during rotating outages (consistent with relevant air-quality requirements) for customers that participate in "optional binding curtailment programs."
- Allows agricultural customers and water districts participating in Scheduled Load Reduction Programs to specify peak times during which electrical usage will be reduced on a scheduled basis in exchange for financial incentives.

Farm Labor

SB 1125 (Burton) – Allows farm-labor-contractor surety bonds and funds in the Labor Commissioner's Farmworker Remedial Fund to be used to pay any award of monetary relief due an agricultural worker because of the violation of labor laws and regulations. **Signed – Chapter 147, Statutes of 2001.**

AB 423 (Hertzberg) – Requires the state labor commissioner to establish units to enforce farm-labor laws, and enhances civil and criminal penalties for wage and safety violations. Increases the monetary penalties for repeat offenses instead of requiring mandatory jail time for growers and labor contractors who violate the law. The bill also permits local district attorneys' offices to establish farm-labor-contractor enforcement units and to coordinate them with rural crime-prevention programs. **Signed – Chapter 157, Statutes of 2001.**

Exotic Pests

AB 238 (Rod Pacheco) – Provides a special tax deduction for net operating losses for farmers located in areas of pest infestation. Losses attributable to the pest infestation may be carried into the next tax year. **Signed – Chapter 623, Statutes of 2001.**

AB 1394 (Wiggins) – Assesses wine-grape growers up to \$3 for each \$1,000 of value for research and containment of the plant-killing Pierce's Disease bacteria and its vectors, specifically the glassy-winged sharpshooter. Requires the secretary of the state Department of Food and Agriculture to create the Pierce's Disease and Glassy-Winged Sharpshooter Board. **Signed – Chapter 103, Statutes of 2001.**

Dairy Industry

SB 870 (Costa) – Creates a study within the California Department of Food and Agriculture to review the impact of

cash-forward contracts on the dairy-pooling system and pricing. **Signed – Chapter 828, Statutes of 2001.**

Economic Development and Taxation

AB 426 (Cardoza) – This budget trailer bill, **Chapter 156, Statutes of 2001**, provided \$51 million of state sales-tax exemptions for diesel fuel, liquefied petroleum gas (propane), new tractors and other farm and forestry equipment used for producing and harvesting agricultural products in 2001-02. Next fiscal year \$62 million will be provided. Over the course of the next decade, the total credits will amount to \$480 million. Included in AB 426 are:

- An exemption from the 5-cent-per-dollar state portion of the sales tax for farm equipment, machinery and their parts that are purchased, leased or rented for use by a person engaged in an agricultural business and used primarily to produce and harvest agricultural products.
- An exemption from all state and local sales taxes for liquefied petroleum gas (propane) delivered to a primary residence, with a minimum 30-gallon storage, for household use or used in producing and harvesting agricultural products by a person engaged in an agricultural business.
- An exemption from the 5-cent-per-dollar state portion of the sales tax for equipment and machinery designed primarily for off-road use in commercial timber harvesting.
- An exemption from the 5-cent-per-dollar state portion of the sales tax for equine breeding stock.
- An exemption from the 5-cent-per-dollar state portion of the sales tax for diesel fuel used in farming activities, effective as soon as implementation is possible, but not later than September 1, 2001. This exemption applies to diesel fuel purchased for use in farming activities, including food processing and the delivery of farm products to the marketplace.

SB 941 (Costa) – Includes pallets in the mandatory record-keeping requirements for junk dealers as defined. Failure to comply with this provision of law is a misdemeanor. **Signed – Chapter 60, Statutes of 2001.**

SB 964 (Costa) – Creates a 6,000-pound axle weight variance for cotton movers operating on state highways that are not included in the interstate highway system. **Signed – Chapter 497, Statutes of 2001.**

Animals

SB 338 (Vincent) – Requires that animal shelters that provide animals to research or biological-supply facilities notify owners that their surrendered animals may be used for research or to supply blood or other biological products to laboratories, educational institutions or veterinarians. **Signed – Chapter 139, Statutes of 2001.**

SB 769 (Figueroa) – Requires those who own guard-dog businesses to obtain permits from local animal-control agencies. Allows local agencies to limit the number of animals that can be kept on any premises. Requires a permit-holder to maintain a register of names and addresses of persons to whom the animals are sold, traded, or given. Requires the owner or trainer of a guard dog to ensure that the dog has been micro-chipped and the owner's identification is registered. Sets requirements for selling, giving away or hiring out guard dogs. **Signed – Chapter 377, Statutes of 2001.**

AB 1023 (Canciamilla) – Allows animal-control officers to carry, besides a gun, a club or baton when less-than-lethal force is needed to protect the officers. **Signed – Chapter 527, Statutes of 2001.**

Bonds

Parks

AB 1602 (Keeley) – Places before voters on the March 2002 statewide primary ballot a **\$2.6 billion bond measure – titled the California Clean Water, Clean Air, and Safe Neighborhood Parks, and Coastal Protection Act of 2002** – for acquisition, development, restoration, protection, rehabilitation, stabilization, reconstruction, preservation and interpretation of historical resources and park, coastal and agricultural land.

The bond, with voter approval, would provide the following:

- \$225 million for acquisition and development of the state park system.
- \$832.5 million for local assistance for the acquisition and development of neighborhood, community, and regional parks and recreation areas.
- \$1.275 billion for land, air, and water conservation programs, including acquisitions for those purposes.
- \$267.5 for the acquisition, restoration, preservation, and interpretation of California's historical and cultural resources. **Signed – Chapter 875, Statutes of 2001.**

Voting Systems

AB 56 (Shelley) – Authorizes \$200 million in bonds, if approved by voters on the statewide ballot in March 2002, to assist counties in purchasing updated voting machines and balloting systems in the wake of the prolonged vote-counting in Florida in November and December 2000 in the presidential election between George W. Bush and Al Gore. Signed – Chapter 902, Statutes of 2001.

School Districts

SB 1129 (O'Connell) – Permits school facilities improvement districts (consisting of a portion of a school district or community college district) to issue general obligation bonds with approval of 55 percent of the voters, rather than 66.67 percent, if the districts comply with specified accountability provisions. Signed – Chapter 132, Statutes of 2001.

Civil Rights

A number of high-profile civil rights measures won legislative approval in 2001. These include eliminating a fee for the disabled-access parking placard, AB 677 (Steinberg); studying pay-equity considerations in the state work force, AB 43 (Wesson); and substantially expanding the rights of domestic partners, AB 25 (Migden).

In *Crimes Against Reproductive Rights in California*, released this year, the Senate Office of Research found that California leads the nation in abortion-clinic arsons and bombings, and reported that roughly half of the clinics and abortion providers who responded to an SOR survey said they had been targets of anti-reproductive-rights crimes. SB 780 (Ortiz), Chapter 899, Statutes of 2001, enacts the California Freedom of Access to Clinic and Church Entrances Act (California FACE Act) to impose criminal and civil penalties for injuring, intimidating, or interfering with those who use or work at reproductive health-services clinics. It similarly protects those who enter places of worship.

Disabilities

AB 677 (Steinberg) – Prohibits the state Department of Motor Vehicles from charging a fee for the issuance of a placard entitling disabled individuals to park vehicles in disability-access parking spots. Reduces the opportunity for fraudulent use of disabled placards by changing the contrasting color of the placard every two years. Clarifies that state-administered and state-funded programs must provide full and equal access to people with disabilities. Signed – Chapter 708, Statutes of 2001.

AJR 1 (Havice) – Informs President Bush and the Congress of California's support for the federal Americans with Disabilities Act. Approved – Resolution Chapter 82, Statutes of 2001.

Domestic Partnerships

Landmark legislation by Assemblymember Carol Migden was signed in 1999 establishing the legal authority of domestic partnerships. The law defined domestic partnerships as a household relationship between adults of the same sex or opposite-sex partners over the age of 62.

AB 25 (Migden) – Builds substantially on this earlier legislation by expanding the rights of domestic partners to include the following major provisions:

- The right to recover damages for negligent infliction of emotional distress and to assert a cause of action for wrongful death.
- The right of a domestic partner to adopt a child of his or her partner as a stepparent.
- The right of a domestic partner to receive continued health-care coverage (including the right of his or her child to receive coverage) because he or she is a surviving beneficiary of a deceased employee or annuitant.
- The right to make health-care decisions for an incapacitated partner.
- The right to nominate a conservator, be nominated as conservator, oppose, participate, file various petitions in the conservatorship, and to receive all notices relevant to conservatorship proceedings, including temporary conservatorships, involving his or her domestic partner.
- The right for a domestic partner to be treated the same as a spouse in a statutory will.
- The right for a domestic partner to use employee sick leave to attend to an illness of his or her partner or his or her partner's child and the right not to be discriminated against for doing this.
- The right of a domestic partner to receive unemployment insurance benefits for leaving employment to join his or her domestic partner at a remote location to which commuting to work is impractical and a transfer of employment is not available.

Additionally, AB 25 expands the number of opposite-sex persons who may establish and register a domestic partnership by providing that only one of the partners has to be over the age of 62. Signed – Chapter 893, Statutes of 2001.

Education

SB 225 (Kuehl) – Imposes a number of reforms related to interscholastic athletics in California schools. State law gives the California Interscholastic Federation (CIF) the authority to run high-school competitive athletics, so long as CIF complies with state and federal law and specifically does not discriminate on the basis of sex, race or ethnic origin. SB 225 expands this prohibition against discrimination to include, among others, discrimination on the basis of religion, sexual orientation, and mental or physical disability and gives individuals with a CIF-related complaint the authority to file that complaint directly with the state Department of Education. Signed – Chapter 889, Statutes of 2001.

SB 354 (Escutia) – Extends the authority of CIF over interscholastic athletics from January 1, 2001, until January 1, 2007. Also, changes the due date from January 1, 2002, to January 1, 2005, for a report to the Legislature on CIF's policies and practices, including compliance with anti-discrimination laws. Signed – Chapter 888, Statutes of 2001.

Gender Discrimination in Pricing

Existing law, called the "Gender-Tax Repeal Act," prohibits business establishments from discriminating based on a person's gender in the prices charged for services of a similar or like kind. For instance, dry cleaners cannot legally charge women more than men to launder shirts that are the same size and require the same procedures, but price differences are allowed when the amount of time, difficulty or cost of providing services varies.

AB 587 (Firebaugh) – Raises the minimum amount in damages that can be recovered under the Gender-Tax Repeal Act from \$1,000 to \$4,000. Signed – Chapter 261, Statutes of 2001.

AB 1088 (Jackson) – Requires specified business establishments, such as tailors, hair salons and dry cleaners, to conspicuously display their prices for each standard service to customers and to provide the customer with a copy of the price list upon request. Also requires businesses to post a sign summarizing

California's law prohibiting gender discrimination in the prices charged for services. Signed – Chapter 312, Statutes of 2001.

Proposition 209

Proposition 209, an initiative approved by California voters in 1996, forbids discrimination or preferential treatment based on race, ethnicity or gender in public education, employment and contracting. AB 1084 (Wesson), Chapter 882, Statutes of 2001, seeks to encourage diversity in public contracting without violating the constraints of Proposition 209. It aims to increase the participation of small businesses in public contracts for construction, goods and services by:

- Requiring state agencies to collect data on the race, gender and ethnicity of contractors participating in state contracts;
- Establishing a new definition of "microbusiness" for state contracting purposes;
- Creating a new state preference (up to 5 percent) for large businesses that subcontract with small businesses and microbusinesses;
- Allowing state agencies to apply the small-business preference to contracts that are based on qualifications rather than cost alone; and
- Expanding the informal bidding process to include construction projects of less than \$200,000.

Religion

SB 504 (Scott) – Creates an exemption from the prohibition on discriminatory hiring based on religious conviction for nonprofit public-benefit corporations that operate schools affiliated with religious organizations. In all other respects, these nonprofit public-benefit corporation are subject to the prohibitions against unfair employment practices. Signed – Chapter 910, Statutes of 2001.

AB 1475 (Liu) – Makes the anti-harassment provisions of the Fair Employment and Housing Act applicable to religious corporations and their employees who work at health-care facilities operated by religious corporations. Signed – Chapter 909, Statutes of 2001.

Remedies

AB 276 (Migden) – Extends from one to two years the time given to the state Department of Fair Employment and Housing to investigate civil violations of California's hate crimes law. Signed – Chapter 813, Statutes of 2001.

AB 587 (Firebaugh) – Creates a civil penalty of \$25,000 in civil rights actions brought by the attorney general, any district attorney and any city attorney on behalf of a harmed individual or individuals. Signed – Chapter 261, Statutes of 2001.

State Services for Immigrants

AB 698 (Wesson) – Creates the Office of Immigrant Assistance in the office of the attorney general to provide education and outreach services to resident immigrants. Vetoed.

Workplace Issues

AB 43 (Wesson) – Requires the state Commission on the Status of Women to report to the Legislature and others on whether state employees in different job categories, particularly job categories that are predominately male or female, are equitably compensated, provided funding for the study becomes available. Signed – Chapter 836, Statutes of 2001.

AB 800 (Wesson) – Prohibits employers from requiring that only English be spoken in the workplace, unless an English-only policy is justified by business necessity. Notice of the policy must be given to

employees. Signed – Chapter 295, Statutes of 2001.

AB 1015 (Wright) – Extends employee anti-discrimination laws to applicants for employment and job training, and prohibits discrimination against employees and applicants based on lawful conduct outside of employment, as specified. Law enforcement agencies are exempt. Signed – Chapter 820, Statutes of 2001.

Miscellaneous

SJR 1 (Murray) – Voices California's support for federal action to acknowledge, condemn and apologize for the history of slavery in this country; also expresses support for the establishment of the Commission to Study Reparation Proposals for African-Americans. Approved – Resolution Chapter 86, Statutes of 2001.

AB 120 (Havice) – Prohibits lenders from discriminating against any person based on membership in the military or naval forces. Signed – Chapter 299, Statutes of 2001.

Consumers

One of the session's most publicized consumer bills, **SB 771 (Figueroa), Chapter 695, Statutes of 2001**, will establish a "do not call" list for residential and wireless telephone subscribers who do not want to receive telephone solicitations. Solicitors would be prohibited from calling those consumers.

The state attorney general by January 2003 will create this list, using phone numbers and zip codes – but not names and addresses – and update it quarterly. Consumers could be charged \$1 for having their phone numbers on the list for three years.

Charitable and political solicitations still will be permitted, as will calls by debt-collectors.

Another important consumer measure, **AB 489 (Migden), Chapter 732, Statutes of 2001**, will provide borrowers with protections against deceptive, or "predatory" lending practices of the sort that have resulted in homeowners losing their property to foreclosure because they could not possibly meet loan terms. The new law imposes 15 specific prohibitions on equity lenders – including loans made without regard to the financial ability of borrowers to repay.

SB 135 (Figueroa) – Requires the state Contractors State License Board to disclose information to the public concerning accusations or legal actions against, and investigations of, contractors effective July 1, 2002. Signed – Chapter 494, Statutes of 2001.

SB 364 (Alpert) – Provides that the borrower of an equity loan shall not be required to pay interest on the loan for more than one day prior to the recording of the mortgage or deed of trust. Signed – Chapter 302, Statutes of 2001.

SB 481 (Speier) – Establishes a number of consumer protections related to vehicle advertisements. Signed – Chapter 441, Statutes of 2001.

SB 486 (Speier) – Requires sales warehouses to secure merchandise that is stored on shelves higher than 12 feet above the sales floor. Signed – Chapter 856, Statutes of 2001.

SB 658 (Escutia) – Requires an insurer to provide certain clients with information relating to unfair methods of competition and deceptive practices in claim responses. Signed – Chapter 583, Statutes of 2001.

SB 716 (Machado) – Makes communication between a patient and a registered or licensed professional (or his or her trainee or intern) confidential and privileged if the patient reasonably believes he or she is talking to a psychotherapist. Signed – Chapter 142, Statutes of 2001.

SB 742 (Escutia) – Establishes the "Buy California Program" within the California Department of Food and Agriculture to encourage consumer nutritional awareness. Signed – Chapter 118, Statutes of 2001.

SB 751 (Speier) – Requires hospitals to make reasonable efforts to contact a family member or other person with

authority to make health-care decisions on behalf of a patient who arrives unconscious in an emergency room. **Signed – Chapter 329, Statutes of 2001.**

SB 916 (Ackerman) – Excludes discount-buying organizations from laws that regulate membership contracts under certain conditions, including maintenance of escrow accounts of \$50,000 to provide members with membership-fee refunds. **Signed – Chapter 178, Statutes of 2001.**

SB 986 (Torlakson) – Establishes a comprehensive statutory framework for regulating elevator safety that includes other conveyances such as escalators, stairway chair lifts, dumbwaiters, material lifts, moving walks and automated people movers. **Vetoed.**

SB 1122 (Poochigian) – Requires owners of real property in any local assessment district to notify prospective purchasers of any continuing assessments upon the property. **Signed – Chapter 673, Statutes of 2001.**

SB 1178 (Burton) – Appropriates \$125,000 from the Vehicle Inspection and Repair Fund for a study of the certification of auto parts from previous crashes used to repair vehicles. **Signed – Chapter 303, Statutes of 2001.**

AB 488 (Kehoe) – Gives a consumer the right to request and receive a record of all inquiries to a consumer credit-reporting agency resulting in the provision of information about the consumer in the year preceding the consumer's request, and requires a consumer credit-reporting agency to disclose, upon request of the consumer, the credit inquirers' customer-service addresses and telephone numbers. **Signed – Chapter 236, Statutes of 2001.**

AB 521 (Koretz) – Requires California State University and the California Community Colleges and requests the University of California and private colleges and universities to adopt policies to regulate the marketing practices of credit-card vendors on their campuses. The bill was introduced in response to a concern that credit-card vendors increasingly provide the cards to students who have no source of income. About one-third of college students graduate with more than \$5,000 in credit-card debt and a quarter graduate with more than \$7,500. **Signed – Chapter 294, Statutes of 2001.**

AB 655 (Wright) – Allows a consumer to request that his or her name be removed from lists that a consumer credit-reporting agency furnishes for credit-card solicitations, and requires the agency to inform consumers of this. **Signed – Chapter 354, Statutes of 2001.**

AB 828 (Cohn) – Requires the Department of Health Services to establish a unit to respond to consumer inquiries and complaints in long-term care facilities. Requires the response unit to do specified duties to assist consumers in resolving disputes about the quality of care and the quality of life in long-term care facilities upon receipt of consumer inquiries. **Signed – Chapter 680, Statutes of 2001.**

AB 870 (Wesson) – Prohibits, effective July 1, 2002, any person or company operating an automatic dialing-announcing device from making phone calls if no live person is available to greet the person called. **Signed – Chapter 696, Statutes of 2001.**

AB 1409 (Chan) – Transfers the authority to regulate and license nursing home administrators from the Department of Consumer Affairs to the Department of Health Services. **Signed – Chapter 687, Statutes of 2001.**

Culture and Diversity

SB 41 (Alpert) – Establishes the California Native American Public Education Grant program and requires the state librarian to develop California Native American instructional resources for use in public schools. The bill requires the state librarian to consult with the State Department of Education and the Curriculum Development and Supplemental Materials Commission in developing these resources. Also requires the state librarian, in cooperation with the University of California, to develop California's American Indian Nations Information Project. **Signed – Chapter 870, Statutes of 2001.**

SB 307 (Vasconcellos) – Establishes in the state Department of Parks and Recreation an ethnic-heritage site-designation program. Requires the department, by July 1, 2002, to adopt regulations that define the criteria for designating the sites. Requires the department to develop a strategic action plan and

mechanisms that will make these ethnic-heritage sites eligible for state resources. **Signed – Chapter 879, Statutes of 2001.**

SCR 10 (Polanco) – Calls on the people of California to join the people of Mexico in celebrating Mexican Independence Day on the anniversary of the popular revolt of September 16, 1810, that launched Mexico's war for independence. Approved – Resolution Chapter 83, Statutes of 2001.

SCR 21 (Battin) – Proclaims September 15 to October 15, 2001, as California Hispanic Heritage Month, and encourages Californians to observe this event throughout the state. Approved – Resolution Chapter 85, Statutes of 2001.

SCR 34 (Margett) – Calls on the people of California to join Californians of Muslim heritage in recognizing the Muslim holidays of Eid-al-Adha, Eid-al-Fiter, and the historically significant day of Israa. Approved – Resolution Chapter 109, Statutes of 2001.

SJR 1 (Murray) – Requests Congress to enact legislation similar to House Concurrent Resolution 356, which, among other things, would acknowledge the fundamental injustice, cruelty, brutality, and inhumanity of slavery in the United States and the 13 American colonies, apologize to African-Americans on behalf of the people of the United States for the wrongs committed against their ancestors, and urge the establishment of a national museum regarding slavery and other significant African-American history. Also requests Congress to enact legislation similar to House Resolution 40, which would establish the Commission to Study Reparation Proposals for African-Americans. Approved – Resolution Chapter 86, Statutes of 2001.

SJR 5 (Poochigian and Speier) – Designates April 24, 2001, as California Day of Remembrance for the Armenian Genocide of 1915-1923 and requests Congress to also commemorate the Armenian Genocide. Approved – Resolution Chapter 31, Statutes of 2001.

Domestic Violence

Addressing the tragedy of domestic violence in the Legislature and in our communities is an on-going challenge. Lawmakers hoped that new laws passed in the 1990s would spur more arrests, prosecutions and convictions for domestic violence. What we are able to compute in terms of the numbers of calls to law enforcement, arrests made, complaints filed and convictions obtained shows a trend towards better enforcement of our domestic violence laws. The numbers also speak to the enormity of the problem.

In 1990, felony domestic-violence arrests accounted for 8 percent of all felony arrests. In 1999, 11 percent of felony arrests were for domestic violence. The number of domestic-violence calls to law enforcement for help was around 200,000 in 1990, reaching a high of about 250,000 in 1994 and falling back to around 200,000 in 1999. According to the state Department of Justice, in 1990, 70 percent of these arrests resulted in the filing of a complaint, and 46 percent of the charged defendants were convicted of domestic violence or a related charge. In 1998, 74 percent of domestic-violence arrests resulted in the filing of a complaint, and 61 percent were convicted of domestic violence or a related charge.

Definition of Domestic Violence

AB 362 (Corbett) – Defines "dating relationship" in the Domestic Violence Protection Act, thereby clarifying that individuals who have dated can be included in the protections afforded by restraining orders requiring the attacker to stay away from the victim. Signed – Chapter 110, Statutes of 2001.

Funding for Services

SB 185 (Bowen) – Requires the Maternal and Child Health (MCH) Branch of the Department of Health Services to conduct a site visit to each agency that receives domestic-violence funding from MCH, at a minimum of one time per grant cycle. A performance assessment and technical assistance will be done with each site visit. Signed – Chapter 439, Statutes of 2001.

Existing laws attaches a \$23 fee to every standard marriage license issued, and the fees generated in each county are placed in the county's domestic-violence program special fund. **SB 425 (Torlakson) allows Contra Costa County to collect a domestic-violence fee when a confidential marriage license is issued. Signed – Chapter 90,**

Statutes of 2001.

AB 664 (Dutra) – Appropriates \$2 million to the Office of Criminal Justice Planning (OCJP) to fund domestic-violence programs that previously received funding but were denied funding for the 2001-02 funding cycle. The purpose of this bill is to help 13 domestic-violence assistance programs in rural counties that were notified that they were denied funding by OCJP on August 29, 2001. Many of these shelters will have to close if they don't receive emergency funding. **Signed – Chapter 707, Statutes of 2001.**

School-Related Prevention

AB 819 (Jackson) – Provides age-appropriate instruction in domestic violence, dating-violence prevention and interpersonal violence prevention to school sites receiving School Safety and Violence Prevention Act funds. **Signed – Chapter 735, Statutes of 2001.**

Battered Women's Syndrome

SB 799 (Karnette) – Allows women who were convicted of homicide prior to the enactment of the Evidence Code provision providing for the admissibility of evidence relating to battered women's syndrome to bring a writ of habeas corpus when there is a reasonable probability that the result of the case would have been different had evidence of battered women's syndrome been admissible in the original trial. **Signed – Chapter 858, Statutes of 2001.**

Domestic Violence and Children

SB 961 (Polanco) – Requires Children's Protective Services to develop a protocol in collaboration with specified agencies and organizations such as law enforcement and domestic-violence experts on how to cooperate in response to incidents of domestic violence in homes where a child resides. **Vetoed.**

Firearms

Existing law requires law enforcement agencies to track and report to the attorney general the total number of domestic violence calls received and the number of those cases involving weapons. **AB 469 (Cohn)** requires law enforcement officers responding to a call to ask whether a firearm or other deadly weapon is present, to note the response on the incidence report, and to confiscate the weapon. **Signed – Chapter 483, Statutes of 2001.**

Medical Examinations

SB 502 (Ortiz) – Requires the Office of Criminal Justice Planning to establish a uniform approach for providing medical examinations, documentation and evidence collection for victims of domestic violence and elder and dependent adult abuse. **Signed – Chapter 579, Statutes of 2001.**

Courts

AB 477 (Cohn) – Requires a defendant in a domestic-violence case to be present in court for arraignment and sentencing. Current law generally does not require the defendant's presence for misdemeanor actions. **Signed – Chapter 82, Statutes of 2001.**

Restraining Orders

SB 66 (Kuehl) – Improves coordination of the system for issuing restraining orders in family, juvenile and criminal courts to give judges all relevant history concerning an individual against whom the restraining order is sought. Implementation of this measure is delayed until adequate funds are available. **Signed – Chapter 572, Statutes of 2001.**

AB 160 (Bates) – Clarifies the precedence of restraining or protective orders in pending criminal domestic-violence cases over other civil orders, and establishes a protocol for the coordination of multiple orders in these cases. Requires that modifications of domestic-violence protective orders are entered into the domestic-violence restraining order system. **Signed – Chapter 698, Statutes of 2001.**

AB 731 (Wayne) – Adopts the Uniform Interstate Enforcement of Domestic Violence Protective Orders related to the enforcement of restraining orders issued in other states and deletes existing provisions in California law

governing the enforcement of these out-of-state orders. **Signed – Chapter 816, Statutes of 2001.**

AB 1129 (Liu) – Authorizes the juvenile dependency court, when issuing a restraining order protecting a child from abusive behavior by any parent, guardian, or current or former member of the child's household, to also issue an order protecting the parent, guardian or current caretaker of the child from the abusive person. **Signed – Chapter 713, Statutes of 2001.**

Batterer Treatment Programs

Existing law requires individuals convicted of battering and placed on probation to undergo two hours of counseling each week for one year.

AB 1570 (Pavley) – Requires defendants who are ordered to complete a batterer's treatment program to attend consecutive weekly sessions and to complete the program within 18 months unless the court finds good cause to modify these requirements. **Signed – Chapter 568, Statutes of 2001.**

Sexual Assault

AB 1019 (Corbett) – Adds victims of any sexual assault and/or act of domestic violence to those crime victims who are specifically authorized to receive up to \$2,000 for relocation expenses. Adds sexual assault or domestic violence victims to those victims who may receive such reimbursement on an emergency, or expedited, basis. **Signed – Chapter 419, Statutes of 2001.**

Child Sexual Abuse

AB 78 (Alquist) – Lowers the standard required for corroborating evidence necessary to file an otherwise time-barred child sexual-abuse case when the complainant is under the age of 21. **Signed – Chapter 235, Statutes of 2001.**

EDUCATION

Kindergarten through 12th Grade

Major themes in K-12 education legislation in 2001 included:

- Updating and refining the requirements of several, major state assessments;
- Augmenting our state's existing accountability system with a new program to give greater support and priority to our state's lowest performing schools;
- Improving and expanding incentive and training programs to better attract and retain high-quality teachers and administrators;
- Expanding technical-education programs to improve the transition of students into careers;
- Enhancing school safety and violence prevention programs; and
- Improving student health through improved nutrition.

Assessment and Accountability

SB 233 (Alpert) – Extends the state law that established the Standardized Testing and Reporting (STAR) program an additional four years to January 1, 2006. Without reauthorization, the STAR program was due to sunset on January 1, 2002. The bill also makes numerous changes to revise the STAR program. **Signed – Chapter 722, Statutes of 2001.**

SB 320 (Alarcón) – Requires that if a student is suspended for more than five days, the principal (or designee) must make available upon parental request all class assignments and missed tests. Authorizes school districts to compile student suspension and expulsion data to reflect gender, age, race and learning disability if data on such

characteristics already are available and authorizes districts to include such information on the Student Accountability Report Card. **Vetoed.**

AB 295 (Strom-Martin) – Requires the Academic Performance Index (API) to include additional educational indicators and requires that the English Language Development Test be incorporated into the API. Also requires the California Department of Education (CDE) to ensure that the California School Information Services System is operational for 90 percent of the state's local education agencies by 2004-05. **Vetoed.**

AB 961 (Steinberg, Diaz, Vasconcellos and Ortiz) – Contains the provisions adopted by a conference committee on low-performing schools. Implements the New High Priority Grant Program for Low-Performing Schools utilizing \$200 million appropriated by the 2001-02 state budget. The bill provides an additional \$200 per student, beyond the \$200 provided by the Immediate Intervention/Underperforming Schools Program, for schools in the lowest deciles of the API. **Signed – Chapter 749, Statutes of 2001.**

AB 1295 (Thompson) – Includes small schools, defined as schools with 11 to 99 student test scores, in programs established under the Public Schools Accountability Act including the API, the Immediate Intervention/Underperforming Schools program and the governor's awards. The bill also allows alternative schools to opt into these same programs. In addition, the bill requires CDE to monitor the progress of all schools in the intervention program that do not meet performance goals, but make significant progress, until performance targets are met. **Signed – Chapter 887, Statutes of 2001.**

AB 1609 (Calderón) – Requires students to be in grade 10 before they can begin taking the High School Exit Exam. Also requires the superintendent of public instruction to contract for an independent study to evaluate the state's readiness to require the exam for graduation. Further, the bill authorizes the State Board of Education (SBE) to delay the requirement to pass the exam as a condition of graduation. **Signed – Chapter 716, Statutes of 2001.**

Career Technical-Education Programs

SB 1051 (McPherson) – Requires the superintendent of public instruction to develop curriculum standards for career technical-education instruction for students in grades 7-12 and requires the SBE to adopt these standards by June 1, 2004. Appropriates \$5 million for School-to-Career Partnerships. **Vetoed.**

AB 348 (Wright) – Extends the time for adoption of vocational-education curriculum standards to May 1, 2003. Also requires the California State University and requests the University of California to develop procedures that will allow career-technical courses to satisfy coursework admission requirements. **Vetoed.**

AB 717 (Wiggins) – Establishes a grant program to create 100 information-technology career academies in high schools statewide. **Signed – Chapter 709, Statutes of 2001.**

AB 769 (Goldberg) – Establishes technology-training centers – developed with input from local industry, community groups and parents – in eligible high schools. **Vetoed.**

AB 1018 (Liu) – Establishes a new program to provide grants to selected school districts, county offices of education and regional occupational centers and programs to create industry-based certification programs within their career-technical programs. **Signed – Chapter 886, Statutes of 2001.**

Charter Schools

SB 675 (Poochigian) – Requires a charter school to transmit a copy of its annual independent financial report for the preceding fiscal year to its chartering entity and the CDE by each December 15. **Signed – Chapter 344, Statutes of 2001.**

SB 740 (O'Connell) – Requires charter schools to obtain approval from the SBE to receive funding for instruction that is based outside the classroom. Creates a grant program for costs of renting and leasing charter-school facilities in low-income areas. Reduces funding for non-classroom-based instruction in charter schools by at least 10 percent a year over the next three years, unless the charter school receives a waiver from the SBE. **Signed – Chapter 892, Statutes of 2001.**

AB 1132 (Canciamilla) – Makes the regular instructional day for supplemental programs in charter schools the minimum that is prescribed for kindergarten through 12th grade. **Vetoed.**

Education Equity and Diversity

SB 41 (Alpert) – Establishes the California Native American Public Education Grant program and requires the state librarian to develop California Native American instructional resources for use in public schools. The bill requires the state librarian to consult with the State Department of Education and the Curriculum Development and Supplemental Materials Commission in the developing these resources. This bill also requires the state librarian, in cooperation with the University of California, to develop California's American Indian Nations Information Project. **Signed – Chapter 870, Statutes of 2001.**

SB 225 (Kuehl) – Proposes a number of reforms related to interscholastic athletics in California schools. State law gives the California Interscholastic Federation (CIF) the authority to run high-school competitive athletics, so long as CIF complies with state and federal law and specifically does not discriminate on the basis of sex, race or ethnic origin. **SB 225** expands this prohibition against discrimination to include, among others, discrimination on the basis of religion, sexual orientation, and mental or physical disability and gives individuals with a CIF-related complaint the authority to file that complaint directly with the state Department of Education. Extends the authority of CIF over interscholastic athletics from January 1, 2002, to January 1, 2007. **Signed – Chapter 889, Statutes of 2001.**

SB 354 (Escutia) – Extends the authority of CIF over interscholastic athletics from January 1, 2001, until January 1, 2007. Also, changes the due date from January 1, 2002, to January 1, 2005, for a report to the Legislature on CIF's policies and practices, including compliance with anti-discrimination laws. **Signed – Chapter 888, Statutes of 2001.**

Education Finance

SB 735 (Budget Committee) – Contains provisions necessary to implement the education provisions of the Budget Act of 2001 affecting K-12 schools and community colleges. Some provisions include: combining funding for Court-Ordered Desegregation and Voluntary Desegregation programs to form the Targeted Instructional Improvement Grant program (TIIG); reinstating the Economic Impact Aid budget item and making a corresponding change to the amount for the TIIG program; appropriating \$40 million from the Proposition 98 reversion account for revenue limit equalization pursuant to AB 441; and specifying the calculation for distributing increased federal funds for special education and the method for distributing special education equalization funds. **Signed – Chapter 891, Statutes of 2001, Item veto. Omnibus Education Budget Trailer Bill.** (For information on Community College provisions, see Higher Education section, page 37.)

AB 441 (Simitian) – Enacts a formula to equalize school-district revenues. **Signed – Chapter 155, Statutes of 2001, Item veto. (Budget trailer bill.)**

Education Technology

AB 99 (Zettel) – Authorizes high schools established after October 6, 2000, to receive an annual technology support and staff-training grant. **Signed – Chapter 546, Statutes of 2001.**

AB 148 (Zettel) – Requires the state superintendent of public instruction to assess the cost of providing Internet access to every middle-school classroom. **Vetoed.**

AB 620 (Wayne and Simitian) – Establishes a grant program to create 10 new high-technology high schools statewide. **Signed – Chapter 705, Statutes of 2001.**

Governance

SB 214 (Alpert) – Increases the compensation that may be received by members of the governing boards of school and community college districts. **Signed – Chapter 401, Statutes of 2001.**

AB 1725 (Reyes) – Requires school boards to provide notice of any school that loses its accreditation with the Western Association of Schools and Colleges and to notify in writing parents of all enrolled students. **Signed – Chapter 598, Statutes of 2001.**

Incarcerated Youth

SB 505 (Perata) – Requires the California Department of Education to develop an interagency agreement with

California State University, San Bernardino's Center for the Study of Correctional Education to assist the department in monitoring and providing technical support for special education services at the California Youth Authority.

Signed – Chapter 536, Statutes of 2001.

AB 1626 (Pescetti and Diaz) – Establishes a Safe Alternatives and Violence Education pilot program (SAVE) to provide non-punitive intervention for first-time juvenile offenders ages 10–17 involved in crimes of violence or weapons' possession near schools. The attorney general would administer this competitive grant program in two sites and would evaluate its effectiveness in a report to the Legislature. **Vetoed.**

Instructional Materials

SB 273 (Karnette)– Authorizes the SBE to consider, upon request, waiving certain provisions of the Pupil Textbook and Instructional Materials Incentive Program. **Signed – Chapter 574, Statutes of 2001.**

SB 786 (Scott) – Requires school districts that receive Schiff-Bustamante Instructional Materials Program funding to purchase the materials within two years of curriculum adoption by the SBE. The bill also provides a process for extending this timeline if the SBE determines that the school district has an effective textbook program and enough books for all its students. **Signed – Chapter 914, Statutes of 2001.**

AB 50 (Hertzberg) – Makes permanent the Schiff-Bustamante Standards-Based Instructional Materials program that is scheduled to sunset on June 2, 2002, and appropriates \$250 million annually for it after 2001-02. **Vetoed.**

School Facilities

SB 431 (Monteith) – Allows small county unified school districts to use up to 30 percent of their state-mandated budget reserve to pay for utility costs without triggering the fiscal accountability warnings associated with spending below mandated budget reserve levels. **Signed – Chapter 872, Statutes of 2001.**

SB 575 (O'Connell) – Requires newly built, state-funded schools to have enhanced fire detection, alarm and sprinkler systems, and requires state-funded school modernization projects over \$200,000 to include fire detection and alarm systems. **Signed – Chapter 725, Statutes of 2001.**

SB 1129 (O'Connell) – Permits school-facilities improvement districts, which consist of a portion of a school or community college district, to issue general obligation bonds with the approval of 55 percent of local voters, rather than 66.67 percent, if accountability procedures are followed. **Signed – Chapter 132, Statutes of 2001.**

AB 445 (Cardenas) – Moves the sunset date of, and eliminates future appropriations for, the School Facilities Fee Assistance Program that provides assistance to cover school-facilities fees in affordable-housing developments. **Signed – Chapter 114, Statutes of 2001. (Budget trailer bill.)**

School Health

SB 19 (Escutia) – Establishes nutritional requirements for foods sold at elementary and middle schools, increases the state reimbursement for school lunch program meals, creates incentive grants for school districts to develop and adopt policies on child nutrition and physical activity, and imposes other nutrition-related requirements on schools. **Signed – Chapter 913, Statutes of 2001.**

SB 231 (Ortiz) – Requires DHS to amend the Medicaid state plan with respect to the billing option for services by local education agencies to ensure that schools are reimbursed for all eligible services they provide that are not precluded by federal requirements. **Signed – Chapter 655, Statutes of 2001.**

SB 310 (Perata) – Requires every school site to permit use of sun-protective clothing such as hats. Hats and clothing determined to be gang-related or inappropriate may be prohibited. **Signed – Chapter 575, Statutes of 2001.**

AB 367 (Migden) – Requires the CDE to ensure that school districts comply with physical education requirements in current law and to develop content standards for physical education. **Vetoed.**

AB 559 (Wiggins) – Permits school districts or county offices of education to provide emergency epinephrine auto-injectors to trained personnel, and permits trained personnel to utilize these auto-injectors to provide emergency

medical aid to persons suffering from an anaphylactic reaction. **Signed – Chapter 458, Statutes of 2001.**

AB 760 (Shelley) – Establishes the Pupil Athletic Access and Safety Pilot project to provide grants to private, nonprofit organizations for three pilot projects to facilitate pupil participation and safety in high-school interscholastic athletics. **Signed – Chapter 553, Statutes of 2001.**

AB 916 (Keeley) – Requires school districts to include instruction in the prevention of sexually transmitted infections to the existing instruction on HIV/AIDS. **Vetoed.**

AB 1030 (Rod Pacheco) – Requires the state superintendent of public instruction, in consultation with the Department of Health Services, to study any correlation between school pupils carrying heavy instructional materials in backpacks and spinal damage. **Vetoed.**

AB 1061 (Dickerson) – Allows any pupil, with the assistance of designated school personnel, to take nonprescription medication if the school district receives written approval from the parent or guardian. **Vetoed.**

School Safety and Violence Prevention

SB 166 (Poochigian) – Requires rather than recommends expulsion of pupils for possessing explosives. **Signed – Chapter 116, Statutes of 2001.**

SB 257 (Kuehl) – Adds hate crimes to the list of issues to be addressed by interagency safe-schools programs established under partnerships between schools and law enforcement. Requires comprehensive school-safety plans to include hate-crime reporting procedures. **Signed – Chapter 890, Statutes of 2001.**

SB 299 (Scott) – Suspends the credentials of teachers charged with federal sex offenses, and requires immediate removal from the classroom of teachers convicted of such offenses. Makes other technical, clarifying changes to teacher credentialing laws. **Signed – Chapter 342, Statutes of 2001.**

AB 79 (Havice) – Requires the CDE to develop model policies on conflict resolution and the prevention of bullying in K-12 schools. These policies shall be provided to school districts to consider in adopting their school-safety plans. **Signed – Chapter 646, Statutes of 2001.**

AB 349 (La Suer) – Requires persons convicted of sex offenses to provide updated vehicle information, fingerprints and photographs when they annually register with local law-enforcement authorities. **Signed – Chapter 843, Statutes of 2001.**

AB 932 (Migden and Firebaugh) – Establishes a Youth Leadership through Education and Crime Prevention Pilot Program to provide funds to appropriate nonprofit agencies in three counties to help reduce youth crime, violence and drug use. **Vetoed.**

AB 1717 (Zettel and Runner) – Seeks to provide immunity from liability for defamation to students, their parents, teachers, school officials and others who make good-faith reports of threats of violence and harm. **Signed – Chapter 570, Statutes of 2001.**

Special Education

SB 505 (Perata) – Requires the California Department of Education to develop an interagency agreement with California State University, San Bernardino's Center for the Study of Correctional Education to assist the department in monitoring and providing technical support for special education services at the California Youth Authority. **Signed – Chapter 536, Statutes of 2001.**

SB 511 (Alpert) – Requires the CDE to administer a statewide grant program to establish a network of Family Empowerment Centers on Disability. The centers will provide training and support to parents and guardians of children and youth with disabilities who are special-education-eligible to improve education outcomes. **Signed – Chapter 690, Statutes of 2001.**

SB 982 (O'Connell) – Implements a financial settlement reached in November 2000 between the Davis

administration and local education agencies in a 20-year-old lawsuit over reimbursement for the costs of state-mandated services for special education. Signed – Chapter 203, Statutes of 2001. (Budget trailer bill.)

AB 306 (Frommer) – Provides that a local education agency may reinforce Braille instruction using a Braille instructional aide who holds an appropriate credential. The bill also requires that textbook publishers provide computer files of state-adopted instructional materials so they can be reproduced in alternative media that are more accessible to vision-impaired pupils. Signed – Chapter 736, Statutes of 2001.

AB 379 (Papan) – Permanently eliminates the sunset of the state special education program. Signed – Chapter 64, Statutes of 2001.

AB 1191 (Longville) – Establishes a process for resolving disputes between regional centers and local public agencies, including school districts and county offices of education, regarding the provision of educational services for children aged five and under. Vetoed.

Student Attendance and Suspension

SB 320 (Alarcón) – Requires that if a student is suspended for more than five days, the principal (or designee) must make available upon parental request all class assignments and missed tests. Vetoed.

AB 177 (Liu) – Authorizes a school district superintendent, or designee, to address the academic needs of a pupil on extended suspension. Also provides that a pupil who is a witness in an expulsion proceeding has specified protections under existing law. Vetoed.

AB 1536 (Cardenas) – Establishes a pilot project in a juvenile-court division in Los Angeles County to be devoted solely to truancy. This "truancy court" would have jurisdiction over the parents or guardians of a truant, as well as the truant. Vetoed.

Student Support Services

SB 554 (Vasconcellos) – Establishes the statewide Service Learning Center to coordinate and develop service learning centers in public and private colleges and universities. Also expands the existing Student Academic Partnership Program to include tutoring assistance to pupils in grades 7 through 12. The bill also requires the California Postsecondary Education Commission to develop a Master Plan for Service Learning. Vetoed.

AB 6 (Cardenas) – Revises the After School Learning and Safe Neighborhoods Partnerships program by authorizing before-school programs and creating a new funding formula in support of the before-school option. Signed – Chapter 545, Statutes of 2001.

AB 297 (Kehoe and Zettel) – Establishes the statewide Six-to-Six Before- and After-School Program. Allows before- and after-school programs in schools that do not meet the income priorities of the After School Learning Safe Neighborhoods and Partnership Program to operate up to 30 hours per week without obtaining child-care licenses or special permits under the authority of local governments and school boards. Signed – Chapter 453, Statutes of 2001.

AB 1617 (Washington) – Requires county offices of education, as well as school districts, to ensure that continuation-school students receive reviews of their academic progress, including the status of their high school exit examinations (HSEEs), by the end of 10th grade. Gives priority to identifying pupils who are at risk of failing the HSEE. Vetoed.

Teachers – Preparation and Recruitment

SB 57 (Scott) – Establishes a fast-track teacher credentialing process to shorten the time required to receive a credential for individuals who can demonstrate knowledge and ability to teach in the classroom. Signed – Chapter 269, Statutes of 2001.

SB 321 (Alarcón) – Authorizes the Los Angeles Unified School District to develop a pilot to provide a 30-

day training program for teachers hired on an emergency basis in schools where 20 percent or more of the teachers are working on emergency permits. Appropriates \$2 million to the Commission on Teacher Credentialing for the pilot program. Signed – Chapter 576, Statutes of 2001.

SB 837 (Scott) – Tightens the requirement that a school district make a diligent search for certified teachers before issuing or renewing emergency teaching or specialist permits. Signed – Chapter 585, Statutes of 2001.

SB 894 (Scott, Alpert and McPherson) – Requires the chancellor of the California Community Colleges to contract for an institute to provide leadership education and training for faculty, trustees, and administrators within community colleges. Appropriates \$500,000 for this purpose. Vetoed.

AB 75 (Steinberg) – Establishes the Principal Training Program, providing incentive funding of up to \$3,000 for school-site principals and vice principals to receive specific education and training. Signed – Chapter 697, Statutes of 2001.

AB 272 (Pavley) – Authorizes a professional multiple- or single-subject credential that would be valid for the life of the holder if the holder has been a classroom teacher in the California public schools for 10 years, has completed 300 hours of professional-growth training, and has attained an advanced degree or certification by the National Board for Professional Teaching Standards. Vetoed.

AB 341 (Strom-Martin) – Requires the state Department of Education to contract for the development of standards for professional development for teachers and instructional leaders. Signed – Chapter 884, Statutes of 2001.

AB 466 (Strom-Martin) – Establishes priorities for selecting teachers to participate in California Professional Development Institutes and requires that instruction provided through the institutes acquaint teachers with the value in the diagnostic nature of standardized tests. The bill also establishes the Mathematics and Reading Professional Development Program to provide incentive funding to local education agencies for standards-based training in math and reading for teachers. Signed – Chapter 737, Statutes of 2001.

AB 1241 (Robert Pacheco) – Requires the chancellor of the California Community Colleges to submit a report to the Legislature by May 1, 2002, on the feasibility of establishing a uniform teacher-preparation curriculum. The bill is aimed at facilitating the ability of students at community colleges to eventually become credentialed teachers. Signed – Chapter 714, Statutes of 2001.

AB 1307 (Goldberg) – Allows a candidate to complete a teacher-credentialing program based on the requirements and assessments that were in effect at the time that he or she enrolled in the approved teacher-preparation program. Signed – Chapter 565, Statutes of 2001.

AB 1718 (Assembly Committee on Higher Education) – Authorizes a participant in the Governor's Teachers Scholars program to make a commitment to teach for at least four years in a school that serves a large population of pupils from low-income families, has 20 percent or more of teachers on emergency permits, or is a low-performing school. Signed – Chapter 717, Statutes of 2001.

Teachers – Retirement

SB 165 (O'Connell) – Allows members of the California Public Employees Retirement System (CalPERS) who become teachers to elect to remain in CalPERS. Signed – Chapter 77, Statutes of 2001.

SB 334 (Ortiz) – Enhances retirement benefits for members of the State Teachers Retirement System (STRS) who reinstate and perform at least two years of service. Signed – Chapter 800, Statutes of 2001.

AB 135 (Havice) – Raises the level of purchasing-power protection in cost-of-living increases for members of STRS from 75 percent to 80 percent of the member's initial retirement allowance. Signed – Chapter 840, Statutes of 2001.

Teachers – Salaries

AB 855 (Dutra and Rod Pacheco) – Requires the salaries of teachers and administrators employed by state schools, the California Youth Authority and Department of Corrections to be no less than the salaries of teachers and administrators employed by school districts. Vetoed.

Higher Education

This year's higher education bills addressed a variety of important issues, such as making college more affordable, reducing the nursing shortage and addressing health care needs in the state. One bill, **AB 540 (Firebaugh), Chapter 814, Statutes of 2001**, exempts undocumented immigrants from paying out-of-state college fees if they have met certain requirements.

In addition, several bills will launch new initiatives in higher education, such as strengthening biotechnology research, increasing service-learning opportunities, expanding housing for college students in the state and strengthening teacher professional development.

Finally, **SB 735 (Committee on Budget and Fiscal Review), Chapter 891, Statutes of 2001**, an omnibus education bill, sought to appropriate \$98 million in Proposition 98 General Fund resources to the community colleges for scheduled maintenance, special repair projects, instructional equipment and library materials. It was aimed at restoring funding cut by Governor Davis from the 2001-02 state budget. The governor signed SB 735 after making a line item veto that reduced the \$98 million appropriation to \$32 million.

College Affordability

Numerous bills were introduced to help students and families cover the cost of a college or university education through state financial aid, fee waivers, fee reductions, and tax credits.

SB 176 (Ortiz) – Makes numerous technical clean-up changes to implement the newly adopted Cal Grant Entitlement program. Also appropriates \$3 million to the Student Aid Commission to upgrade its information technology capability to handle additional workload associated with the expanded Cal Grant program. Signed – Chapter 8, Statutes of 2001.

SB 245 (Poochigian and Ortiz) – Amends the new Cal Grant Entitlement program to extend the March 2 deadline to April 2 for the 2001 calendar year only. Signed – Chapter 20, Statutes of 2001.

SB 311 (Chesbro) – Provides a student-fee waiver for dependents of a person who died while performing duties for a state agency as a contractor, or as an employee of a contractor. Signed – Chapter 347, Statutes of 2001.

SB 730 (O'Connell and Battin) – Establishes that the proceeds from death benefits received shall not be considered when determining eligibility for a Cal Grant award if the recipient is a dependent of a peace officer, an officer or employee of the Department of Corrections or the Youth Authority, or a firefighter killed in the line of duty. Signed – Chapter 806, Statutes of 2001.

AB 540 (Firebaugh) – Exempts nonresident students from paying out-of-state tuition, including nonresidents precluded from establishing California residency because of federal law, if they have: a) attended a California high school for three or more years; and b) graduated from a California high school or have attained the equivalent thereof. Signed – Chapter 814, Statutes of 2001.

Favorable Loan Treatments

AB 935 (Hertzberg) – Establishes a program to repay the student loans of licensed attorneys who practice in public-interest areas of the law in California. Signed – Chapter 881, Statutes of 2001.

Nursing Shortage and Health-Related Issues

SB 664 (Poochigian) – Requires the California Postsecondary Education Commission (CPEC) to study community-college districts' admissions procedures and attrition rates for two-year associate degree nursing programs. Appropriated \$130,000 for this purpose, but a line item veto by the governor struck the appropriation, requiring CPEC to conduct the study within existing resources. Signed – Chapter 443, Statutes of 2001.

AB 652 (Horton) – Establishes the Health Professions Education and Outreach for Medically Underserved Communities and Populations Act. Appropriates \$2 million from the state General Fund to the University of California (UC) for outreach programs designed to increase the number of underrepresented and/or disadvantaged students in UC health professional schools. Requests UC to report to the Legislature on the effectiveness of this program by January 1, 2005. **Signed – Chapter 459, Statutes of 2001.**

Higher Education Facilities

The three segments of public higher education – the UC, California State University (CSU) and the California Community Colleges (CCC) – report a cumulative need of approximately \$7 billion for new, improved or expanded facilities over the next five years.

SB 517 (Torlakson) – Requires CPEC to consider the development of facilities to be used by more than one segment of public higher education. Joint use of facilities could allow higher education institutions to work together within available space to provide programs and class offerings in the subject areas of greatest need. **Signed – Chapter 580, Statutes of 2001.**

SB 1129 (O’Connell) – Permits school facilities improvement districts (consisting of a portion of a school district or community college district) to issue general obligation bonds with the approval of 55 percent of the voters, rather than 66.67 percent, if the districts comply with specified accountability provisions. **Signed – Chapter 132, Statutes of 2001.**

AB 484 (Runner) – Requires community college buildings constructed after January 1, 2002, to be built in accordance with the Field Act or the California Building Standards Act. **Vetoed.**

Biotechnology

SB 327 (Scott) – Expresses legislative findings and declarations regarding the development of a CSU bioscience center in a partnership with educational institutions, the bioscience industry and government that would integrate research and innovation. Implements a \$200,000 item in the 2001-02 state budget. **Signed – Chapter 403, Statutes of 2001.**

Faculty and Student Housing

SB 1209 (Romero) – Expands the powers of the California Educational Facilities Authority (CEFA) to finance the cost of constructing faculty housing at private colleges and universities, and to use surplus funds for outreach to students from areas with low college-participation rates. **Vetoed.**

AB 1611 (Keeley) – Authorizes the CEFA to enter into agreements with nonprofit entities to finance the construction of student and faculty housing projects near UC and CSU campuses and the CCCs. Specifies the requirements a participating entity must meet to qualify for a loan. **Signed – Chapter 569, Statutes of 2001.**

Service Learning

SB 554 (Vasconcellos) – Establishes a statewide Service Learning Center to coordinate and develop service-learning centers in public and private colleges and universities. Service learning refers to learning by performing community service. The bill encourages campuses to incorporate service learning into their curriculums. It also expands the Student Academic Partnership Program to include tutoring assistance to pupils in grades 7 through 12. **Vetoed.**

Academic, Admissions and Demographics Issues

SB 379 (Alarcón) – Requires CPEC to prepare a report on the socioeconomic status, geographic origins and the secondary school attended by California college and university students. **Signed – Chapter 801, Statutes of 2001.**

AB 458 (Rod Pacheco) – Prohibits school districts from assigning extra weight to a grade received in a course required by UC or CSU for admission unless the school district has received approval from these universities for the additional credit. This typically applies to advanced placement courses. Students taking these courses receive grades

on a five-point scale, as opposed to the typical four-point scale for other high school courses. **Signed – Chapter 386, Statutes of 2001.**

AB 1721 (Assembly Higher Education Committee) – Requires CPEC to include in its annual report to the Legislature and the governor information on the percentages of California high school graduates estimated to be eligible for admission to the UC and the CSU. **Signed – Chapter 571, Statutes of 2001.**

ACR 73 (Strom-Martin) – Urges CSU trustees to study their faculty-hiring practices from the past decade and to develop a plan to raise the percentage of tenured or tenure-track faculty to at least 75 percent. **Approved – Resolution Chapter 121, Statutes of 2001.**

Consumers

AB 521 (Koretz) – Requires CSU and CCC and requests UC and private colleges and universities to adopt policies to regulate the marketing practices of credit-card vendors on their campuses. The bill was introduced in response to a concern that credit-card vendors increasingly provide the cards to students who have no source of income. About one-third of college students graduate with more than \$5,000 in credit-card debt and a quarter graduate with more than \$7,500. **Signed – Chapter 294, Statutes of 2001.**

Teacher Professional Development

AB 1241 (Robert Pacheco) – Requires the CCC chancellor to report to the Legislature by May 1, 2002, on the feasibility of establishing a uniform teacher-preparation curriculum. The bill is aimed at facilitating the ability of community college students to eventually become credentialed teachers. **Signed – Chapter 714, Statutes of 2001.**

AB 1718 (Assembly Committee on Higher Education) – Authorizes a participant in the Governor's Teachers-Scholars program to make a commitment to teach for at least four years in a school that serves a large population of pupils from low-income families, has 20 percent or more of teachers on emergency permits, or is a low-performing school. **Signed – Chapter 717, Statutes of 2001.**

Labor Relations

SB 235 (Vasconcellos) – Provides that when local community colleges' consultative bodies, such as task forces and committees, include representation from the classified employees of the colleges, the exclusive representatives of the classified employees shall appoint those persons. **Signed – Chapter 799, Statutes of 2001.**

SB 1061 (Alarcón) – Requires the Public Employment Relations Board to make an annual report to the Legislature on the status of labor relations at UC, including information from labor organizations and other appropriate sources. **Vetoed.**

SB 1212 (Romero) – Establishes a floor of legal rights for grievance and disciplinary action procedures in the CSU system, which cannot be superseded by a memorandum of understanding. **Signed – Chapter 808, Statutes of 2001.**

AB 1245 (Alquist) – Makes the issues of earnings and reappointment rights mandatory subjects of negotiation in collective-bargaining between community college districts and their temporary or part-time faculty. **Signed – Chapter 850, Statutes of 2001.**

Elections and Reapportionment

Political Reform

The Political Reform Act of 1974 was amended by Proposition 34, a legislative initiative amendment adopted by California voters at the November 7, 2000, statewide general election. The changes enacted by Proposition 34 became operative on January 1, 2001, with the exception of certain provisions pertaining to candidates for statewide elective office that become operative on November 6, 2002.

SB 34 (Burton) – Requires candidates and ballot measure committees to file reports electronically within

10 business days of receipt of contributions of \$5,000 or more made outside the 90-day election cycle. Clarifies that legislative candidates who accept expenditure limits be designated in county sample ballots, and makes other clarifying changes to Proposition 34. Signed – Chapter 241, Statutes of 2001.

AB 56 (Shelley) – Enacts the Voting Modernization Bond Act of 2002. If approved by voters on the March 5, 2002, ballot, it would authorize bonds of \$200 million to assist counties in purchasing updated voting equipment. Signed – Chapter 902, Statutes of 2001.

Reapportionment

The California Constitution requires that the boundary lines of state Senate, Assembly, congressional, and state Board of Equalization districts be adjusted in the year after the national census in accord with new population figures.

SB 802 (Perata) – Provides new boundaries for Assembly and Board of Equalization districts. Signed – Chapter 349, Statutes of 2001.

AB 632 (Cedillo) – Provides new boundaries for state Senate and congressional districts. Signed – Chapter 348, Statutes of 2001.

Elections

SB 7 (Peace) – Requires a toll-free telephone number to be established by the secretary of state for decline-to-state voters to learn whether a particular political party will permit them to vote by absentee ballot in that party's primary. Signed – Chapter 925, Statutes of 2001.

SB 412 (Vasconcellos) – Prohibits a person, with intent to defraud, from committing "political cyberfraud." This is defined as intentionally diverting access to a political Web site by using a similar domain name, intentionally preventing exit from a political Web site, registering a domain name that is similar to another domain name for a political Web site with intent to cause confusion, or registering a domain name for a political Web site for the purpose of reselling it to a proponent or opponent of a statewide ballot measure. Signed – Chapter 927, Statutes of 2001.

SB 462 (Karnette) – Allows an absentee voter to designate a person to return the ballot who resides at the same residence. Vetoed.

SB 725 (Scott) – Would have required an initiative, referendum, or recall petition to reflect whether it was being circulated by a paid circulator or by a volunteer. Vetoed.

SB 903 (Committee on Elections and Reapportionment) – Allows a voter to be accompanied in the voting booth by a child or children under the age of 18 years. Signed – Chapter 104, Statutes of 2001.

SB 904 (Committee on Elections and Reapportionment) – Allows initiative-petition circulators to be eligible to register to vote, rather than registered voters, in the jurisdiction in which the initiative would apply. Signed – Chapter 105, Statutes of 2001.

AB 229 (Wesson) – Specifies that the signatures for a local election must be verified within 60 days from the date of the filing of a county initiative petition and a municipal initiative petition. Signed – Chapter 70, Statutes of 2001.

AB 302 (Migden) – Authorizes an absentee voter to designate another person residing in the voter's household to return the ballot. No absentee voter's ballot can be returned by a paid or volunteer worker on a campaign. Also requires the ballot envelope to include the name of the person authorized to return it. Signed – Chapter 916, Statutes of 2001.

AB 719 (Wiggins) – Authorizes a voter who is employed in a position that requires the voter to work shifts of 24 consecutive hours or more to apply for permanent absentee-voter status. Signed - Chapter 918, Statutes of 2001.

AB 733 (Longville) – Authorizes county elections officials to petition the Superior Court to extend any

post-election deadline for the counting of votes or reporting of vote totals so that all votes can be counted. Signed – Chapter 919, Statutes of 2001.

AB 1520 (Shelley) – Permits the use of a mark for signing ballots when a person is unable to provide a signature if a witness attests to the mark. Signed – Chapter 922, Statutes of 2001.

Energy and Utilities

During the past year, the people of California experienced a profound chain of events which, for a time, caused energy bills to triple in the southernmost part of the state and led to predictions of as much as 260 hours of blackouts for the summer of 2001 by reputable energy organizations such as North American Electric Reliability Council (NERC) and the Western Systems Coordinating Council (WSCC).

Due to actions taken by Governor Davis and the Legislature – and the public response to requests to conserve energy – this emergency did not explode into a summer disaster.

In January 2001, the governor issued an emergency executive order to enable the state to purchase power on behalf of three public utilities that faced staggering debts because of rising electricity costs and a statutorily imposed lid on consumer prices. At the same time, the governor called for a special legislative session to deal with the energy crisis to run concurrently with the regular session.

From January through the end of May of this year, emergency energy purchases were made through the state's Department of Water Resources (DWR). During this time the DWR spent roughly \$7.5 billion on power purchases for the state's electricity customers. These funds are to be repaid through the issuance of revenue bonds. The bonds cannot be sold, however, without an approved rate agreement from the California Public Utilities Commission. The latest version of this agreement was voted down by the commission on October 2, 2001.

To prevent a severe financial penalty from taking effect, revenue anticipation notes, or RANs, of up to \$5.7 billion were arranged by the state treasurer in September as a financial bridge to fund the state's cash flow pending the bond issue. This financial mechanism may have to be used again if there is no rate agreement in place in the months to come.

To stabilize rates and secure power for the state's customers in the future, the state also negotiated long-term electricity contracts that have become the subject of much discussion and debate among legislators, administration officials and consumer groups. On March 5, 2001, the administration announced that \$43 billion worth of power contracts had been negotiated by the DWR with power suppliers for varying terms, some as long as 10 years.

During the first extraordinary session called by the governor to address this issue, the Legislature passed a series of bills to directly deal with the energy crisis.

Most notably, **SBX1 5 (Sher), Chapter 7, Statutes of 2001 – 1st Extraordinary Session**, directs historic and unprecedented levels of state funding toward efficiency and efficiency programs, and **SBX1 6 (Burton and Bowen), Chapter 10, Statutes of 2001 – 1st Extraordinary Session**, creates the California Consumer Power and Conservation Financing Authority. This authority is a governmental entity with duties that include the issuance of revenue bonds for:

- Purchasing, constructing and retrofitting power plants and other generation facilities,
- Financing incentives for investment in cost-effective energy-efficient appliances and energy demand reduction, and
- Developing strategies to facilitate a dependable supply of natural gas at reasonable prices to the public.

In May of this year, the first extraordinary session was closed, to allow signed legislation to go into effect in 90 days under procedural rules, and a second special session was opened. Major tasks facing legislators during the second special session included finding a way to make Southern California Edison creditworthy and addressing the repayment of the General Fund.

Meanwhile, summer weather was mild and natural gas prices remained stable. This, along with other factors such as

long-term purchasing contracts and greater interest by the Federal Energy Regulatory Commission (FERC), helped dampen wholesale electrical prices.

The legislatively mandated Power Authority has stressed its desire to ensure the state's energy needs are met in a balanced, strategic way, partly by ensuring California is not overly dependent on natural gas resources. This, according to the authority, will occur through strategic investments in energy infrastructure and power purchases from diverse sources.

On October 2, 2001, the California Public Utilities Commission (CPUC) and Southern California Edison (SCE) reached a settlement in a legal dispute raised by SCE. The settlement restores SCE to creditworthiness so that it is able to resume purchasing power on behalf of its customers.

The controversy around the long-term contracts continues at this writing and centers on the fact that the contracts were negotiated under conditions that were not favorable to the state. California was in desperate need of power, and prices were at a premium. Prices have since fallen significantly, and the Davis administration is being urged by consumer groups and Senate President pro Tem John Burton to review and renegotiate these contracts.

Bills from the first extraordinary session are indicated below by an "X1." Those from the second extraordinary session are designated "X2."

Power Purchasing and Bond Financing

ABX1 1 (Keeley) – Establishes the DWR as a wholesale electricity purchaser for the customers of financially troubled, regulated utilities and authorizes revenue-bond financing to repay the state General Fund. **Signed – Chapter 4, Statutes of 2001 – 1st Extraordinary Session.**

SBX1 7 (Burton) – Appropriates \$400 million to the DWR to buy electricity to meet California's short-term energy needs. **Signed – Chapter 3, Statutes of 2001 – 1st Extraordinary Session.**

SBX2 18 (Burton) – Ensures a mechanism for repayment of the state's \$13.5 billion energy-financing bond by creating a separate fund for the sole purpose of bond repayment. This bill is an alternative to the rate agreement proposed between the CPUC and the DWR, under which bond proceeds could be used for other purposes. **To governor.**

Blackouts

SBX1 43 (Alpert) – Extends the rate freeze put in place under SB 265 to large industrial customers of San Diego Gas and Electric Company. Large industrial customers were the only remaining customer class of SDG&E subject to market rates for electricity after enactment of SB 265. The retroactive provision is dated back to February 7, 2001, and any under-collection resulting from the new rate will be handled by bill credit from SDG&E to its customers. **Signed – Chapter 5, Statutes of 2001 – 1st Extraordinary Session.**

ABX1 31 (Wright) – Allows industrial consumers of electric power to use backup generators, despite higher levels of pollution, during blackouts. Applies to industries that opt into interruptible service programs – in which they agree to power shutoffs during periods of high demand and low supply. **Signed – Chapter 13, Statutes of 2001 – 1st Extraordinary Session.**

SBX2 68 (Battin) – Requires the CPUC, before allowing a blackout in a given area, to determine the potential effect of extreme temperatures on the health and safety of residential customers. **Signed – Chapter 2, Statutes of 2001 – 2nd Extraordinary Session.**

SBX2 84 (Burton) – Requires the California Energy Commission to assist local governments in establishing backup battery power for traffic signals on busy streets, to be used in blackouts. Appropriates up to \$10 million, with priority going to local governments that did not receive state grants for installing diode light-emitting traffic lights. **Signed – Chapter 6, Statutes of 2001 – 2nd Extraordinary Session.**

Governance and Oversight

SB 47 (Bowen) – Requires appointments to the Independent System Operator Governing Board to be confirmed by

the state Senate. In January, Governor Davis signed **AB 5X (Keeley), Chapter 1, Statutes of 2001 – 1st Extraordinary Session**, that replaced the 26-member ISO, dominated by generator and utility interests, with a five-member independent board appointed by the governor. This bill lengthens the terms of board members from one to three years and provides for staggered terms. In addition, the bill authorizes the Electricity Oversight Board to investigate any matter related to the wholesale market for electricity. **Signed – Chapter 766, Statutes of 2001.**

ABX1 5 (Keeley) – Changes the makeup of the Independent System Operator – the state's power-buying authority – from a panel of industry representatives to a board appointed by the governor and including a consumer advocate. **Signed – Chapter 1, Statutes of 2001 – 1st Extraordinary Session.**

AB X1 6 (Dutra)– Establishes that utility-owned generation facilities are subject to CPUC regulation, until their disposition is approved by the CPUC, and prohibits disposal of facilities before 2006. **Signed – Chapter 2, Statutes of 2001 – 1st Extraordinary Session.**

SBX2 85 (Burton) – Prohibits the CPUC from raising residential and small commercial customer rates simply because a law mandating a 10 percent rate reduction expires. The reduction was incorporated into the state's original 1996 electric deregulation law along with a retail rate freeze. Upon termination of the freeze, the statutory protection of the 10 percent reduction lapses. **Signed – Chapter 7, Statutes of 2001 – 2nd Extraordinary Session.**

SRX2 1 (Burton) – Puts the Senate on record in support of the governor in exercising his powers to commandeer power plants or power supply contracts to stabilize wholesale electricity prices. **Approved – Senate Resolution 1, Statutes of 2001 – 2nd Extraordinary Session.**

Efficiency, Conservation, Discounts and Low-Income Assistance

AB 1574 (Lowenthal) – Authorizes the California Energy Commission (CEC) to develop and disseminate information to enhance energy efficiency for single-family homes that were built prior to the establishment of current energy-efficiency standards. Allows for home inspection to include an energy-efficiency component if requested by the buyer or seller at the point of sale. **Signed – Chapter 773, Statutes of 2001.**

ABX1 29 (Kehoe) – Appropriates \$204.5 million (reduced from \$408.6 million by line-item veto) for a loan program for renewable energy projects, as well as for energy-efficient construction and retrofitting. **Signed – Chapter 8, Statutes of 2001 – 1st Extraordinary Session.**

ABX1 3 (Wright) – Increases the penetration level of the California Alternative Rates for Energy (CARE) program to help minimize the impacts of energy rate increases on low-income and senior households. **Signed – Chapter 11, Statutes of 2001 – 1st Extraordinary Session.**

SBX1 5 (Sher) – Appropriates \$654.6 million (reduced from \$708.9 million by line-item veto) for energy conservation and for cash assistance to help low-income families pay utility bills. **Signed – Chapter 7, Statutes of 2001 – 1st Extraordinary Session.**

SB X2 2 (Alarcón)– Requires the PUC to establish a Low-Income Oversight Board to advise it on low-income ratepayer issues and serve as a liaison to low-income consumers. **Signed – Chapter 11, Statutes of 2001 – 2nd Extraordinary Session.**

Public Power

AB 206 (Wyland) – Requires the participation of at least two public agencies to initiate the process of forming a municipal utility district. **Vetoed.**

SBX1 6 (Burton) – Creates the California Consumer Power and Conservation Financing Authority to construct and acquire power plants, through purchase or eminent domain. Requires these plants to supply electricity generation to the public, reliably and at reasonable prices. The authority will pursue and invest in energy conservation, renewable energy programs, plant renovation and natural gas projects. **Signed – Chapter 10, Statutes of 2001 – 1st Extraordinary Session.**

ABX2 9 (Migden) – Allows local governments to buy and distribute power for their communities, bypassing private utilities. Thus the local government becomes the "aggregator" of consumer interests and able to buy power on behalf of the community at large. **Vetoed.**

Increasing Supply/Controlling Demand

SBX1 28 (Sher) – Creates an expedited process for building new power plants and retrofitting older plants for energy efficiency and lower pollution emissions. **Signed – Chapter 12, Statutes of 2001 – 1st Extraordinary Session.**

ABX1 6 (Dutra) – Requires utility companies to maintain, operate and retain generation capacity to ensure electric power to meet ratepayer needs. **Signed – Chapter 2, Statutes of 2001 – 1st Extraordinary Session.**

Oil and Gas

AB 426 (Cardoza) – Provides sales-tax exemptions for liquified petroleum gas, farm and forestry equipment, diesel fuel used in farming activities and for racehorse breeding stock. **Signed – Chapter 156, Statutes of 2001.**

AB 1031 (Canciamilla) – Requires additional information to be included in an energy trends report submitted by the California Energy Commission to the governor and the Legislature every two years. The long-range forecasts of the demand for natural gas must now include an evaluation of average conditions, as well as best- and worst-case scenarios. **Signed – Chapter 337, Statutes of 2001.**

AB 1233 (Pescetti)– Require the CPUC to investigate impediments to the in-state production and storage of natural gas as part of a gas utility's rate proceeding. The bill also discourages the CPUC from adopting tariffs that discourage in-state production or storage of natural gas. **Signed – Chapter 771, Statutes of 2001.**

ABX2 27 (Lowenthal)– Authorizes the State Lands Commission to negotiate contracts with Long Beach to provide financial incentives for natural gas exploration and development in the Long Beach tidelands. **Signed – Chapter 1, Statutes of 2001 – 2nd Extraordinary Session.**

AJR1 1 (Cardoza) – Urges the federal government to exert price controls over the volatile natural gas market, which affects the price of power generated from gas-fired plants. **Approved – Assembly Resolution 1, Statutes of 2001 – 1st Extraordinary Session.**

Renewable Energy

SBX2 64 (Costa) – Expands the state's agricultural biomass-to-energy grant program to allow four facilities in Tulare, Fresno and Monterey counties to participate. **Signed – Chapter 4, Statutes of 2001 – 2nd Extraordinary Session.**

ABX2 26 (Calderon) – Provides incentives for installation of renewable and energy-efficiency equipment. Requires the CPUC, when establishing tariffs for distributed generation systems, to provide lower rates for those customers with more reliable systems. Extends the sunset date of the State Assistance Fund for Energy, California Business and Industrial Development Corporation (SAFE-BIDCO), a nonprofit statutorily created entity that provides energy-efficiency loans to small businesses, from July 1, 2001, to July 1, 2011. Requires that interest rates for the Energy Commission's energy-conservation loan programs be at least 3 percent. **Signed – Chapter 15, Statutes of 2001 – 2nd Extraordinary Session.**

ABX2 48 (Wright) – Creates a statewide solar-training program and the "Sunny Homes Seal" for solar-energy systems installed in new homes. Modifies the Energy Commission's solar program for the development of components of solar-energy generation systems with battery backup. **Signed – Chapter 17, Statutes of 2001 – 2nd Extraordinary Session.**

SBX2 82 (Murray) – Requires the installation of electricity-producing solar devices on state buildings and parking lots where feasible by January 1, 2007. Also provides loans up to \$1 million for small businesses to install solar devices. **Signed – Chapter 10, Statutes of 2001 – 2nd Extraordinary Session.**

SBX2 17 (Brulte) – Creates a tax credit for electricity customers who install photo-voltaic panels or wind-

driven devices to produce their own power needs. A homeowner will be able to receive a tax credit for half the cost of installing such a device, or obtain a credit based on the dollar value of the wattage the device produces, whichever is less. Signed – Chapter 12, Statutes of 2001 – 2nd Extraordinary Session.

SBX2 75 (Ortiz) – Allows a tax deduction for interest paid on loans financed through a public utility company to pay for energy-efficient equipment for homes. Signed – Chapter 5, Statutes of 2001 – 2nd Extraordinary Session.

Family Law

The Legislature sent several high-profile measures on family law to Governor Davis, including SB 101 (Brulte) and SB 78 (Kuehl).

Despite the passage of a bill last year by Senator Brulte to allow mothers to give babies away to a safe haven immediately after birth, mothers are still abandoning unwanted babies in unsafe ways. SB 101 (Brulte), which was vetoed, was intended to assure more publicity about this new law.

SB 78 (Kuehl), which the governor signed, Chapter 286, Statutes of 2001, was precipitated by divorce litigation involving a premarital agreement between Barry and Sun Bonds. SB 78 is aimed at ensuring that premarital agreements are fair to both parties and do not favor the party with more assets and better legal assistance.

Abandoned Babies

SB 101 (Brulte) – Would have appropriated \$1 million to the state Department of Social Services (DSS) to publicize legislation authored by Senator James Brulte last year allowing parents to give unwanted babies who are 72 hours old or younger to an employee of a hospital emergency room with no threat of prosecution. Vetoed.

Adoption

SB 104 (Scott) – Revises the provisions related to time limits for consent to an adoption by the birth parent or parents. Existing law gives the parent or parents a 90-day period to consent to an adoption or revoke consent. Under SB 104, this will be changed to a 30-day period in which to revoke consent. Signed – Chapter 688, Statutes of 2001.

AB 538 (Cardoza) – Makes numerous changes to adoption laws aimed at expediting the process of adoption and preventing unnecessary legal expenses now incurred by prospective parents. Signed – Chapter 353, Statutes of 2001.

Earnings Assignment Order

Every child-support order must include a wage-assignment order.

AB 1426 (Wright) – Allows local child-support agencies to order employers to use electronic transfer if they are consistently late in sending the earning assignment to the custodial parent. Signed – Chapter 371, Statutes of 2001.

Low-Income Parents

An emerging issue in the area of child support involves strategies to help low-income parents who are not living with their children hold jobs and support their children financially and emotionally.

AB 891 (Goldberg) – Makes numerous changes to the child-support collection laws designed to keep disabled noncustodial parents from becoming homeless. Signed – Chapter 651, Statutes of 2001.

Individuals whose children are on welfare and who fail to make child-support payments owe a debt to the state.

AB 1449 (Keeley) – Authorizes local child-support agencies to "compromise" child-support debt resulting

from public assistance paid on behalf of a child who was placed in foster care or with a guardian or relative caregiver, if the child has returned to the home of the obligor parent and other requirements are met. Also authorizes county welfare departments to not refer, for child-support collection, cases where the child was placed in foster care, and repayment of a public assistance debt would pose a barrier to reunifying the child with the obligor parent. Signed – Chapter 463, Statutes of 2001.

Health Insurance

SB 943 (Senate Judiciary) – Creates the Child Support Collections Recovery Fund, a continuously appropriated fund in the state treasury. Fund monies will be appropriated to make advance payments to local child-support enforcement agencies of the federal share of administrative payments for specified costs. Signed – Chapter 755, Statutes of 2001.

Community Property

SB 194 (Soto) – Makes alternative death benefits available to the surviving spouse of school members who die on or after January 1, 2002. Vetoed.

SB 668 (Poochigian) – Revises the law relating to the allocation of debts between community and separate property in the absence of an agreement when one spouse dies and the other spouse is still alive. Harmonizes the procedure and standards used for the allocation of debts in the administration of an estate or trust with those used in proceedings for the dissolution of marriage. Signed – Chapter 72, Statutes of 2001.

AB 583 (Jackson) – Makes numerous changes to the community property provisions governing the disclosure of all assets and liabilities by both spouses in divorce or separation court proceedings. Signed – Chapter 703, Statutes of 2001.

AB 539 (Maddox) – Creates a one-year statute of limitations for actions brought against a surviving spouse for debts incurred for the necessities of life of a deceased spouse, unless the surviving spouse had actual knowledge of the debt and a personal representative of the deceased spouse's estate failed to provide the creditor with a timely written notice of the probate administration of the estate. Signed – Chapter 702, Statutes of 2001.

Custody

SB 1151 (Margett) – Existing law says that judgments or orders allowing, or eliminating restrictions against, removal of a minor child from the state are automatically stayed for seven days if entered in a juvenile court proceeding and for 30 days if entered in any other trial court proceeding, in order to allow time for an appeal. This bill excludes from these automatic stay provisions judgments brought pursuant to the Uniform Child Custody Jurisdiction and Enforcement Act, the Parental Kidnapping Prevention Act of 1980, or the Hague Convention on the Civil Aspects of International Child Abduction. Signed – Chapter 48, Statutes of 2001.

Premarital Agreements

SB 78 (Kuehl) – Lays out specific findings that a court must look to in deciding whether a premarital agreement was voluntarily entered into and provides that the right to spousal support may not be waived by a premarital agreement unless several fairness conditions are met. Specifically provides that the party who signed away his or her right to spousal support must have been represented by independent legal counsel or knowingly waived in writing representation by independent counsel. Signed – Chapter 286, Statutes of 2001.

Spousal Support – Domestic Violence

SB 1221 (Romero) – Creates a "rebuttable presumption" that an award of spousal support should be eliminated if the spouse receiving spousal support was convicted within the last five years of spousal abuse. The court may consider a convicted spouse's history as a victim of domestic violence as a condition for rebutting the presumption. Signed – Chapter 293, Statutes of 2001.

General Government

The blocks east of the Capitol during 2001 were dominated by construction of the "East End Project" that will house the state departments of Education and Health Services. Long before its completion, the 1.4 million square feet of office space in the East End Project was booked to capacity.

SB 809 (Ortiz), Chapter 672, Statutes of 2001, sponsored by the state Department of General Services (DGS), authorizes the Public Works Board to issue bonds to finance construction of a multi-tenant "West End" state office project of approximately 1.4 million square feet. It will be built on state-owned land near the Capitol between blocks 7th and 8th and N and P Streets.

The \$391 million project, endorsed by the city of Sacramento, includes an adjacent parking garage and will provide office space for state agencies and departments.

Proponents say SB 809 fits the goals of DGS to consolidate state buildings in the Capitol area. The state leases half of its office buildings and owns the rest, but supporters of the legislation believe it would be more cost-effective – and achieve greater savings in the long run – for the state to own more space than it leases. This project is expected to recover its costs in saved rent by the year 2012.

SB 148 (Oller) – Requires DGS to lease, upon terms and conditions deemed in the best interest of the state, the Preston Castle portion of the Ione Youth Facility to the Preston Castle Foundation. Requires DGS to enter into a long-term lease agreement (not to exceed 55 years at a cost of \$1 per year) with the nonprofit foundation for uses of the Preston Castle property to include a museum, art gallery, courtroom, city hall, adult education services, hotel, culinary school or senior center. **Signed – Chapter 271, Statutes of 2001.**

SB 190 (Perata) – Exempts up to five billboards to support the Oakland-Alameda county coliseum complex from a prohibition against placing advertising displays adjacent to freeways. **Signed – Chapter 54, Statutes of 2001.**

SB 445 (Burton) – Amends the Bagley-Keene Open Meeting Act to require that public records provided to members of the state Franchise Tax Board pertaining to a matter to be discussed at a public hearing must be made available before the board takes any final action. **Signed – Chapter 670, Statutes of 2001.**

SB 1191 (Speier) – Deletes from the law approximately 400 provisions requiring state and local agencies to prepare and submit reports deemed no longer relevant or necessary. **Signed – Chapter 745, Statutes of 2001.**

SCR 41 (Soto) – Requests that merit award payments, authorized by the Department of Personnel Administration and totaling \$206,689, be made to nine individuals whose proposals have resulted in annual savings and net revenues to the state of \$7.8 million. **Approved.**

AB 31 (Reyes) – Creates the Central Valley Infrastructure Grant Program in the Department of Housing and Community Development to provide grant funding to small rural cities in the Central Valley for developing and repairing public infrastructure to help recruit, retain or expand businesses. **Signed – Chapter 746, Statutes of 2001.**

AB 968 (Chan) – Places the Offices of Foreign Investment, Export Development, California-Mexico Affairs, Trade Policy and Research, and Export Finance, and the California State World Trade Commission within the international trade and investment division of the state Technology, Trade, and Commerce Agency. **Signed – Chapter 189, Statutes of 2001.**

AB 1477 (Hertzberg) – Authorizes local public agencies to establish a 311 nonemergency telephone system, and authorizes a surcharge of up to 0.25 percent in the 911 charge in those locales which opt to provide the nonemergency system. The system would provide access to public-safety agencies and to other services provided by a jurisdiction, such as street maintenance and animal control. **Vetoed.**

Health Care

Bills sent to the governor seek to streamline and simplify enrollment in the state's Medi-Cal and Healthy Family

programs, authorize counties to use matching funds to provide health coverage to children with higher incomes than those served by state programs, extend new health-care rights to domestic partners, and provide prescription drug discounts for Medicare beneficiaries.

Bills passed by the Legislature also seek to broaden and refine patients' rights and protections by expanding access to cervical-cancer screening tests, ensuring coverage of services related to participation in clinical trials, reducing financial risks faced by medical groups, requiring plans to pay risk-adjusted rates for treatment of HIV-infected enrollees, providing state mediators for health plans and providers facing contract terminations, and increasing penalties for late payments by plans to providers.

Approved bills build on health-care reforms enacted as part of the 2001-02 budget, passed by the Legislature in July.

2001-02 State Budget

The 2001-02 budget devotes \$13.6 billion to health programs, a 9.8 percent increase over 2000-01 spending levels. The increased funding will go to a variety of health initiatives:

- Funding to cover parents of children who are eligible for the Healthy Families program and Medi-Cal. Under the expansion, parents with incomes up to 250 percent of the federal poverty level (FPL) will be eligible for coverage.
- \$9.5 million to phase in a federal option to provide breast and cancer treatment to women in families with incomes up to 200 percent of the FPL who were previously ineligible for the Medi-Cal program.
- \$9.1 million from the Tobacco Settlement Fund to provide breast and cancer treatment services to uninsured and underinsured women who do not qualify for the new Medi-Cal benefits.
- Direction of the bulk of the state's tobacco settlement funds (\$401.9 million) to a new Tobacco Settlement Fund dedicated to health care programs.
- Disregard of changes in Medi-Cal applicants' income or assets between annual eligibility redeterminations.
- \$49.6 million in total funds for Medi-Cal and Healthy Families program outreach functions.
- Implementation of accelerated eligibility and bridging measures to facilitate intake and transfer of enrollees between the Medi-Cal and Healthy Families programs.
- Implementation of a program for accelerated Medi-Cal eligibility for children who are entering the foster care system.
- \$46 million in state funds for a 2 percent increase in rates for nursing facilities and \$7 million in state funds for rate increases to long-term care facilities that provide employee wage increases.
- Allocation of \$30 million to a new Trauma Care Fund to support local Emergency Medical Services Agencies and their designated trauma centers.
- A \$10 million increase in funding for certain community health clinics.
- A lump-sum payment of approximately \$191 million to settle outstanding litigation over reimbursement rates for Medi-Cal outpatient services provided by hospitals.

Health Access

SB 493 (Sher) – Implements a simplified eligibility process as part of the Food Stamp program to expedite the enrollment of individuals and families in the Medi-Cal and Healthy Families program. **Signed – Chapter 897, Statutes of 2001.**

SB 833 (Ortiz) – Requires the state Department of Health Services (DHS), by March 1, 2002, to submit a state plan

amendment basing the definition of unemployment for purposes of Medi-Cal eligibility on the net nonexempt earned income of the principal wage earner only, and increasing the income level to 200 percent of the federal poverty level. **Vetoed.**

SB 1041 (Ortiz) – Establishes the Donated Dental Services Program within the Department of Developmental Services, and requires the DDSP to increase access to dental services for special populations by encouraging the delivery of volunteer dental services for the disabled and elderly by California's practicing dentists. **Vetoed.**

AB 25 (Migden) – Confers on domestic partners several new health-care rights, including the right to make health-care decisions for an incapacitated partner, the right to nominate and be nominated as conservators, the right to use employee sick leave to attend to an illness of a partner or a partner's child, and the right to receive continued health-care coverage as a surviving beneficiary of a deceased employee or annuitant. **Signed – Chapter 893, Statutes of 2001.**

AB 59 (Cedillo) – Establishes a statewide pilot project to expedite Medi-Cal enrollment for children receiving free lunches through the National School Lunch Program, effective July 1, 2002. **Signed – Chapter 894, Statutes of 2001.**

AB 495 (Diaz) – Establishes the Children's Health Initiative Matching Fund and authorizes county agencies, local initiatives, and county organized health systems to seek and obtain funds to provide comprehensive health-insurance coverage to children in families whose incomes do not exceed 300 percent of the federal poverty level and who do not qualify for either Medi-Cal or the Healthy Families program. **Signed – Chapter 648, Statutes of 2001.**

AB 548 (Runner) – Requires the Office of Statewide Health Planning and Development to establish a program to reimburse specialty care providers who serve low-income persons in under-served areas for the cost of care not covered by a third party. **Signed – Chapter 520, Statutes of 2001.**

AB 1147 (Thomson) – Appropriates \$2.6 million from the General Fund to DHS for county maternal and child health services. **Vetoed.**

AB 1178 (Calderon) – Requires that applications for direct-marketed products include questions designed to ascertain whether the applicant is 65 years or older, and whether the applicant is already covered by a Medicare supplement policy for Medi-Cal. **Signed – Chapter 51, Statutes of 2001.**

AB 1279 (Reyes) – Appropriates \$2 million from the General Fund to the Managed Risk Medical Insurance Board to award additional funds to rural demonstration projects to increase access to rural health providers during evenings and weekends. **Vetoed.**

AB 1547 (Vargas) – Authorizes the San Diego Business HealthCare Connection Demonstration Project under the oversight of DHS. **Vetoed.**

AB 1657 (Hertzberg) – Requires the state auditor to evaluate the financial capacity of the Los Angeles County Department of Health Services to render necessary health care services to the residents of Los Angeles County. **Signed –Chapter 195, Statutes of 2001.**

Managed Care

SB 37 (Speier) – Requires health-care service plans and certain disability insurers to provide coverage for all health-care services related to the treatment of an enrollee or insured in a clinical trial meeting specified requirements. **Signed –Chapter 172, Statutes of 2001.**

SB 446 (Vasconcellos) – Requires health plans, disability insurers, and the Public Employees' Retirement System's self-funded plans to cover a vaccine for acquired immune deficiency syndrome (AIDS) that is approved for marketing by the federal Food and Drug Administration. **Signed – Chapter 634, Statutes of 2001.**

AB 142 (Richman) – Prohibits a health-care service plan contract from requiring or allowing a health-care service provider to assume or be at any financial risk for certain designated items. **Vetoed.**

AB 937 (Koretz) – Requires, beginning July 1, 2002, health-care service plans that cover hospital, medical and surgical expenses, and pay their providers on a capitation basis, and the DHS, to develop risk-adjusted, capitated

provider reimbursement rates for the treatment of the AIDS virus, HIV. **Vetoed.**

AB 938 (Cohn) – Requires health care plans to disclose additional information to enrollees and the public on their contracting providers, including any limitations on a patient’s choice of nonphysician health-care practitioners and of primary care and specialty care physicians. **Signed – Chapter 817, Statutes of 2001.**

AB 1503 (Nation) – Provides a process by which an enrollee of a health care service plan or a client of a disability insurer may receive continuing mental health care from a nonparticipating provider when an employer changes health plans or disability insurers. **Signed – Chapter 531, Statutes of 2001.**

Emergency Medical Services

SB 117 (Speier) – Modifies the penalty on health plans that fail to pay an uncontested claim within 45 working days by requiring the plan to pay the greater of \$15 each 365-day period, or portion thereof, or interest at the rate of 15 percent per annum. **Vetoed.**

Medi-Cal

SB 231 (Ortiz) – Requires DHS to amend the Medicaid state plan with respect to the billing option for services by local education agencies to ensure that schools are reimbursed for all eligible services they provide that are not precluded by federal requirements. **Signed – Chapter 655, Statutes of 2001.**

SB 613 (Alarcón) – Requires DHS to prospectively notify a Medi-Cal managed care plan of the date of the regularly scheduled annual redetermination of a Medi-Cal beneficiary in a disabled aid category who is enrolled in that plan. **Signed – Chapter 742, Statutes of 2001.**

Prescription Drugs

SB 696 (Speier) -- Establishes the Golden Bear State Pharmacy Assistance to attempt to negotiate rebate amounts with drug manufacturers to provide prescription drug discounts to Medicare beneficiaries. **Signed – Chapter 693, Statutes of 2001.**

SB 340 (Speier) – Extends the authority pharmacists currently possess to substitute generic drugs to also substitute a different form of the prescribed medication if it will improve the patient’s ability to comply with the drug therapy. **Signed – Chapter 631, Statutes of 2001.**

Women’s Health

SB 1080 (Bowen) – Requires layperson’s language be used in standardized written summaries that medical care providers are required to give to patients describing symptoms and appropriate methods of diagnoses of gynecological cancers. **Signed – Chapter 730, Statutes of 2001.**

SB 1169 (Alpert) – Permits a pharmacist to initiate emergency contraception drug therapy in accordance with standardized procedures or protocols developed by the pharmacist and an authorized physician. **Signed – Chapter 900, Statutes of 2001.**

SB 1219 (Romero) – Requires the coverage for an annual cervical-cancer screening test provided pursuant to existing law to include, in addition to a conventional Pap test, the option of any cervical-cancer screening test approved by the federal Food and Drug Administration. **Signed – Chapter 380, Statutes of 2001.**

Health Professionals

SB 16 (Figueroa) – Increases the fine for a peer-review body’s failure to report to the appropriate licensing board when adverse actions are taken against health-care professionals. **Signed – Chapter 614, Statutes of 2001.**

SB 134 (Figueroa) – Sunsets and reconstitutes the Dental Board of California and makes other changes related to the practice of dentistry. **Signed – Chapter 532, Statutes of 2001.**

SB 293 (Torlakson) – Requires pharmacies to obtain a license in order to compound sterile drug products. **Signed - Chapter 827, Statutes of 2001.**

SB 298 (Figueroa) – Permits a certified nurse-midwife to order drugs and devices under certain conditions. **Signed – Chapter 289, Statutes of 2001.**

SB 664 (Poochigian) – Requires the California Postsecondary Education Commission to conduct a review of the California Community Colleges admission procedures and attrition rates for nursing programs. **Signed – Chapter 443, Statutes of 2001.**

SB 760 (Murray) – Establishes the California Health Service Corps State Loan Repayment Program to operate in conjunction with the National Health Service Corps State Loan Repayment Program. **Vetoed.**

AB 87 (Jackson) – Requires the chancellor of the California Community Colleges to award grants to local community college districts to develop specified curricula and pilot programs to provide training to licensed nurses. **Signed – Chapter 514, Statutes of 2001.**

AB 487 (Aroner) – Requires physicians to complete mandatory continuing education on pain management and the treatment of terminally ill and dying patients, and requires the Medical Board of California to develop a protocol for investigating complaints of under-treatment and under-medication of patients' pain. **Signed – Chapter 518, Statutes of 2001.**

AB 668 (Chan) – Requires the Office of Statewide Health Planning and Development to report to the Legislature on the feasibility of establishing a California Dental Loan Forgiveness Program. **Signed – Chapter 249, Statutes of 2001.**

AB 900 (Papan) – Requires each county to notify all physicians in the county of the availability of the Emergency Medical Services (EMS) fund and the process for submitting a reimbursement claim against the fund. Requires each county to adopt a fee schedule and a reimbursement methodology to establish a uniform reasonable level of reimbursement from the county's EMS fund. **Vetoed.**

AB 1586 (Negrete McLeod) – Requires physicians to report to the Medical Board of California any specialty board certifications they hold and their practice status at the time of licensure renewal. **Signed – Chapter 509, Statutes of 2001.**

AB 1589 (Simitian) – Requires the Medical Board in consultation with the Board of Pharmacy to conduct a study on the electronic transmission of prescriptions by physicians and other health-care providers. **Signed – Chapter 464, Statutes of 2001.**

Health Facilities

SB 587 (Soto) – Codifies various existing federal and state statutes and regulations relating to the transfer and discharge of patients from hospitals. **Signed – Chapter 691, Statutes of 2001.**

AB 656 (Chan) – Authorizes a county-owned general acute-care hospital a one-year extension of nonstructural seismic requirements if their buildings comply with certain conditions. **Signed – Chapter 247, Statutes of 2001.**

AB 832 (Corbett) – Modifies provisions of hospital seismic-safety laws dealing with flexibility in compliance for general acute-care hospitals that relocate on an interim basis as part of their plan for compliance with hospital seismic-safety requirements. **Signed – Chapter 228, Statutes of 2001.**

Health Information

SB 456 (Speier) – Establishes a statutory framework to meet the federal requirements of the Health Insurance Portability and Accountability Act (HIPAA) of 1996, and specifies the responsibilities of the statewide Office of HIPAA Implementation within the State Health and Human Services Agency to ensure statewide HIPAA compliance. **Signed – Chapter 635, Statutes of 2001.**

Mental Health and Substance Abuse

Most mental-health bills passed by the Legislature were directed to planning and oversight. These included a task force to study realignment, **SB 30 (Chesbro)**; a strategic planning effort to address Alzheimer's disease and dementia, **SB 639 (Ortiz)**; and a council to oversee the existing program for mentally ill offenders, **SB 1059 (Perata and Ortiz)**. Other bills made administrative changes, such as setting up a specialized classification of psychiatric-mental health nurse, **AB 1253 (Matthews and Thomson)**, or changing confidentiality laws, **AB 213 (Nation)** and **SB 716 (Machado)**.

One big victory for direct mental-health programs was **Assemblymember Darrell Steinberg's** bill to provide a third year of funding and expansion for the Integrated Services for Mentally Ill Adults Program (the "AB 34/2034" program). **AB 334(Steinberg)** allocates \$65.6 million for the program, which has reduced hospitalizations, incarcerations and homelessness, and will be expanded to add early intervention and require stakeholder review of local programs.

Finally, passage of Proposition 36 by initiative last year ensured that \$120 million annually (for five-and-a-half years) is available for drug treatment to divert nonviolent substance abusers from jails and prisons. However, the initiative prohibited those funds from being used for drug testing, considered by many to be an essential tool for implementing Proposition 36. **Senate President pro Tem John Burton** carried legislation, **SB 223**, to provide \$9.6 million in state general funds and to dedicate \$8.4 million in federal funds to provide drug testing for the Proposition 36 treatment program. Senator Burton also carried legislation, **SB 479**, to assist attorneys with substance abuse problems and a bill, **SB 871**, to increase liability for commercial carriers whose drivers cause accidents while under the influence of alcohol or controlled substances.

Mental Health

SR 13 (Ortiz) – Declared Suicide Prevention Week from May 6 through May 13, 2001. **Adopted.**

SB 30 (Chesbro) – Appropriates \$100,000 to the California Health and Human Services Agency to establish a Realignment Review Task Force to examine the ability of the state and counties to deliver mental-health services, health services, and social services. The task force is required to present options to the Legislature and the governor by April 1, 2003, with a goal of improving the ability of counties to provide those services. **Vetoed.**

SB 639 (Ortiz) – Appropriates \$85,000 to the California Health and Human Services Agency to develop a strategic plan for improving access to mental-health services for people with Alzheimer's disease or related dementia. The plan must be submitted to the Legislature by July 1, 2003. **Signed – Chapter 692, Statutes of 2001.**

SB 716 (Machado) – Changes the definition of "psychotherapist" under the law, for the purpose of requiring confidentiality between psychotherapist and patient, to include a patient's reasonable belief that a person is a psychotherapist. **Signed – Chapter 142, Statutes of 2001.**

SB 1059 (Perata and Ortiz) – Appropriates \$100,000 to the Youth and Adult Correctional Agency to establish a Council on Mentally Ill Offenders. The council will investigate and promote cost-effective approaches to meeting the long-term needs of adults and juveniles with mental disorders who are likely to become offenders or who have a criminal-justice history. The bill requires the council to provide an annual report and sunsets on January 1, 2007. **Signed – Chapter 860, Statutes of 2001.**

AB 213 (Nation) – Permits a marriage and family therapist to disclose confidential information or records to a person designated by a patient, with the approval of the therapist. **Signed – Chapter 37, Statutes of 2001.**

AB 328 (Salinas) – Requires the state Department of Mental Health to collaborate with the California Mental Health Director's Association and others in order to submit data on the status of county mental-health programs to the Legislature by April 1, 2002. **Signed – Chapter 367, Statutes of 2001.**

AB 334 (Steinberg) – Expands "AB 34" Integrated Services for the Homeless Mentally Ill projects, permitting training and outreach efforts to people who are hospitalized (voluntarily or involuntarily) because of a severe mental illness. Adds an early intervention component to the program, adds criteria to the program evaluation, and requires local stakeholder review. **Signed – Chapter 454, Statutes of 2001.**

AB 590 (Vargas) – Encourages the Department of Mental Health to provide a mental-health care provider with training and experience in geriatrics to oversee, monitor, and provide advice to counties that receive funds under the Adult and Older Adult Mental Health System of Care Act. **Signed – Chapter 677, Statutes of 2001.**

AB 936 (Vargas) – Funds miscellaneous public works projects in various communities around the state. Includes \$1.75 million in general funds appropriated to the Department of Housing and Community Development to provide a grant to the city of San Diego to purchase two 25-bed facilities for homeless persons who are diagnosed with severe mental illness. **Signed – Chapter 932, Statutes of 2001.**

AB 1253 (Matthews and Thomson) – Changes existing law to include a specialized classification of "advanced practice" registered nurse, certified as a clinical nurse specialist, in the specialty of psychiatric mental-health nursing. **Signed – Chapter 420, Statutes of 2001.**

Substance Abuse

SB 223 (Burton) – Provides \$9.6 million in state funds and \$8.4 million in federal Substance Abuse Prevention and Treatment Block Grant funds for drug testing to be used in conjunction with the implementation of Proposition 36. When drug testing is a condition of a person's probation or parole, it will be used primarily as a treatment tool. Removes the burden of proof from the client when determining that a person is "unamenable to all forms of drug treatment." **Signed – Chapter 721, Statutes of 2001.**

SB 479 (Burton) – Requires the State Bar to establish an assistance program to provide treatment for attorneys for substance abuse or for mental or physical illness. **Signed – Chapter 129, Statutes of 2001.**

SB 871 (Burton) – Permits any person who suffers injury caused by the driver of a commercial motor vehicle to recover treble damages from the driver's employer when it can be shown that: 1) the driver was under the influence of alcohol or a controlled substance, and 2) the driver's employer failed to comply with specified requirements. **Signed – Chapter 298, Statutes of 2001.**

SB 1134 (Escutia) – Establishes the Drug Overdose and Prevention, Recognition and Response Program within the California Health and Human Services Agency with requirements to promote the uniform reporting of fatal drug overdose cases and to distribute information on overdose trends for the preceding five years. **Vetoed.**

AB 767 (Goldberg) – Allows eligible persons convicted of drug-related felonies to receive food stamps, and benefits under CalWORKS or general assistance, if they are undergoing substance-abuse treatment in a certified program. **Vetoed.**

Public Health

Priorities reflected in bills sent to the governor or contained in the 2001-02 state budget include establishing nutritional requirements for food at elementary and middle schools, controlling youth access to tobacco products, establishing a state organ and tissue donor registry, establishing ID cards and procedures under which patients may use marijuana for medical purposes, and addressing new and emerging public health threats, including meningococcal disease, toxic mold, lead, and arsenic and chromium VI in drinking water.

2001-02 State Budget

Significant public health initiatives or expansions funded by the budget include:

- An appropriation from the newly created Tobacco Settlement Fund of an additional \$20 million for youth smoking-prevention programs;
- An increase of \$10 million for prostate-cancer treatment for low-income uninsured men, double the funding provided in 2000-01;
- An increase of \$2 million for local lead abatement activities to prevent childhood lead poisoning; and
- Creation of a Binational Health Initiative to fund public-health initiatives along the California and Mexico border, including clean water and immunizations.

Public Health Legislation

SB 108 (Speier) – Establishes an Organ and Tissue Donor Registry in the California Health and Human Services

Agency and requires the Department of Motor Vehicles to provide information and a standardized form, to be completed by driver's license and identification card applicants who desire to be organ donors. **Signed – Chapter 740, Statutes of 2001.**

SB 702 (Escutia) – Requires the Department of Health Services, in consultation with the Office of Environmental Health Hazard Assessment, to create a working group of technical experts to develop possible approaches to establishing a statewide environmental-health tracking system to better understand, respond to and prevent chronic diseases related to the environment. **Signed – Chapter 538, Statutes of 2001.**

SB 732 (Ortiz) – Requires the Department of Health Services (DHS) to consider adopting exposure limits for indoor molds and to develop standards to assess the health threat posed by molds. Requires DHS to develop guidelines for the identification and remediation of molds. Requires disclosures to real estate purchasers and tenants of the presence of mold that exceeds the DHS exposure limits. **Signed – Chapter 584, Statutes of 2001.**

AB 284 (Jackson) – Requires the California Research Bureau to study fungal contamination in indoor environments and to report its findings to the DHS and the Legislature on January 1, 2003. **Signed – Chapter 550, Statutes of 2001.**

AB 1263 (Migden) – Authorizes DHS to participate in a rapid HIV test research program conducted with the Centers for Disease Control and Prevention and to implement a rapid HIV test program. **Signed – Chapter 324, Statutes of 2001.**

Tobacco Control

SB 322 (Ortiz) – Makes it a misdemeanor to sell a candy-flavored tobacco product referred to as "bidis" or "beedies" unless persons under 18 are prohibited on the premises. **Signed – Chapter 375, Statutes of 2001.**

SB 757 (Ortiz) – Authorizes DHS to make targeted sting inspections of retail sites where minors are being sold tobacco products; expands these investigations to include telephone, mail and Internet tobacco sales to minors; expands the crime against providing tobacco products to minors by including any circumstance in which a person, firm or corporation has knowledge, or should have grounds for knowledge, that they are furnishing a tobacco product to a minor. **Signed – Chapter 376, Statutes of 2001.**

AB 188 (Vargas) – Prohibits the smoking or disposal of cigarettes and other tobacco-related products within a playground or tot lot sandbox area. **Signed – Chapter 150, Statutes of 2001.**

School-Based Health

SB 19 (Escutia) – Establishes nutritional requirements for foods sold at elementary and middle schools, increases the state reimbursement for school lunch program meals, creates incentive grants for school districts to develop and adopt policies on child nutrition and physical activity, and imposes other nutrition-related requirements on schools. **Signed – Chapter 913, Statutes of 2001.**

SB 212 (Oller) – Requires DHS in consultation with specified entities to develop a Meningococcal Disease Strategic Prevention Plan, including a review of scientific literature, the experiences of other states and local jurisdictions, the possible role and availability of vaccines, and current health care coverage. **Signed – Chapter 374, Statutes of 2001.**

SB 231 (Ortiz) – Requires DHS to amend the Medicaid state plan with respect to the billing option for services by local education agencies to ensure that schools are reimbursed for all eligible services they provide that are not precluded by federal requirements. **Signed – Chapter 655, Statutes of 2001.**

AB 559 (Wiggins) – Permits school districts or county offices of education to provide emergency epinephrine auto-injectors to trained personnel, and permits trained personnel to utilize these auto-injectors to provide emergency medical aid to persons suffering from an anaphylactic reaction. **Signed – Chapter 458, Statutes of 2001.**

AB 916 (Keeley) – Requires school districts to include instruction in the prevention of sexually transmitted infections with the existing instruction on HIV/AIDS. **Vetoed.**

AB 1030 (Rod Pacheco) – Requires the state superintendent of public instruction, in consultation with DHS, to

study any correlation between school pupils carrying heavy instructional materials in backpacks and spinal damage. **Vetoed.**

AB 1061 (Dickerson) – Allows any pupil, with the assistance of designated school personnel, to take nonprescription medication if the school district receives written approval from the parent or guardian. Vetoed.

AB 1452 (Cox) – Requires DHS to develop information about meningococcal disease. Requires public post-secondary institutions that provide on-campus housing to provide the information to incoming freshmen. Signed – Chapter 372, Statutes of 2001.

Drinking Water

SB 351 (Ortiz) – Requires DHS to adopt a primary drinking-water standard for hexavalent chromium by January 1, 2004, and report on the progress of developing the standard by January 1, 2003. Signed – Chapter 602, Statutes of 2001.

SB 463 (Perata) – Requires DHS to adopt a new primary drinking-water standard for arsenic by January 1, 2003. Signed – Chapter 604, Statutes of 2001.

Housing and Urban Growth

State Budget

Faced with a budget deficit due to an electricity emergency and a national economic downturn, the Legislature and Governor Davis did not fund housing programs at last year's higher, one-time-only levels. Recognizing the need for more funding, they now are considering placing a housing bond issue on the November 2002 ballot.

SB 739 (Peace), Chapter 106, Statutes of 2001, the Budget Act of 2001, transfers back to the state General Fund \$40 million in unused funds from a number of housing programs in last year's budget. It ends one year earlier than previously planned four programs that reimbursed homebuyers and developers for school-facility fees paid. This action provides savings to the state of an estimated \$128 million in 2001-02 and 2002-03. The budget also reverts funds from a down-payment assistance program (\$18 million), a child-care facilities-financing program (\$11 million), and the Housing Trust Fund (\$4 million).

The budget includes \$15 million in one-time spending for a new program to provide Central Valley governments with grants for infrastructure spending. Governor Davis, however, vetoed \$15 million in proposed spending for farmworker and multifamily housing and homeless services – leaving a \$35 million increase in base spending above last year's budget.

Equity Loans

AB 489 (Migden) – Defines certain lending practices as "predatory" and prohibits those practices in the making of high-cost loans to borrowers whose incomes are at or below 120 percent of the median income for the area. The bill defines a "high-cost" loan as one having either an annual percentage rate more than 5 points over the treasury rate, or points and fees in excess of 5 percent of the loan amount. Signed – Chapter 732, Statutes of 2001.

Disabled Persons' Housing

SB 520 (Chesbro) – Adds "familial status and disability" to the list of characteristics protected from housing discrimination by local government entities. Requires the housing elements in local governments' General Plans to seek to remove barriers to the location, approval, and availability of housing for all income categories and for persons with special housing needs, including persons with disabilities. Requires local housing controls to allow housing for persons with disabilities. Signed – Chapter 671, Statutes of 2001.

Existing Housing Programs

SB 73 (Dunn) – Increases the low-income housing tax credit from \$50 million to \$70 million and indexes it to future inflation. The Tax Credit Allocation Committee in the state Treasurer’s Office allocates the credits as an incentive for developers to build affordable housing. Signed – Chapter 668, Statutes of 2001.

SB 442 (Vasconcellos) – Requires the state Department of Housing and Community Development (HCD) to include in its Statewide Housing Plan strategies for housing assistance to persons with disabilities, the elderly, households headed by persons of color and women, emancipated foster youth, large families, farmworker housing, and other appropriate population groups. It also establishes the new California Affordable Housing Connection, an Internet-based reference site for multi-unit low-income housing. Signed – Chapter 577, Statutes of 2001.

AB 8 (Cedillo) – Increases the loan amounts authorized under the Downtown Rebound Program. Amounts increase under the \$19 million program from \$40,000 to \$55,000 for low-income housing units and from \$20,000 to \$35,000 for other units. Also requires that units be located in an elementary-school attendance areas in which at least 50 percent of students qualify for free meals. Signed – Chapter 3, Statutes of 2001.

AB 1044 (Migden) – Increases the total amount of bonds that the California Housing Finance Authority may issue by \$2.2 billion. Signed – Chapter 202, Statutes of 2001.

AB 1118 (Corbett) – Appropriates up to \$1.5 million from the California Earthquake Recovery Fund to the Department of Insurance to extend the residential retrofit program until December 1, 2004. Vetoed.

AB 1359 (Lowenthal) – Merges the four HCD predevelopment loan programs. The combined program will provide predevelopment loans and land-purchase loans for assisted housing, including mobilehome parks developed or preserved primarily for low-income households. Signed – Chapter 395, Statutes of 2001.

Farm-worker Housing

AB 807 (Salinas) – Authorizes HCD to make grants and loans from the Joe Serna, Jr. Farmworker Housing Grant Fund to local governments and nonprofit corporations for short-term occupancy housing for migrant farm-worker households. Signed – Chapter 555, Statutes of 2001.

AB 1160 (Florez) – Authorizes HCD to make grants and loans from the Serna Fund to local governments, nonprofit corporations, and prescribed limited partnerships for the acquisition, construction, and rehabilitation of land for farm-worker housing. Signed – Chapter 593, Statutes of 2001.

Homelessness

The Senate Bipartisan Task Force on Homelessness’ unanimous final report, *A Home for Every Californian*, this year recommended a comprehensive approach to dramatically reducing the number of persons who are living on California’s streets.

SR 18 (Burton) – Asks the state attorney general to assess the problem of crimes against homeless persons and develop a plan to prevent and report these crimes and to apprehend and prosecute the perpetrators. Asks for the attorney general’s recommendations for any legislation necessary to carry out the plan, and a recommendation on whether to expand the definition of hate crimes to include crimes committed because the victim is homeless or is perceived to be homeless. It asks for an initial report by January 7 and a final report by December 1, 2002. Approved.

AB 1060 (Negrete McLeod) – Requires the state Department of Veterans Affairs, in collaboration with the Department of Health Services, to study the status of homeless veterans in California and to propose ways to provide adequate housing for California’s homeless veterans. Signed – Chapter 265, Statutes of 2001.

Landlord-Tenant Relations

SB 581 (Alarcón) – Requires residential rental-property owners who have been cited for code violations

in the preceding three years to register with local building officials. Vetoed.

SB 985 (Kuehl) – Requires landlords in Los Angeles, Santa Monica, and West Hollywood to give at least 60 days notice to terminate a periodic tenancy if a tenant has been living in the dwelling for a least one year. Signed – Chapter 729, Statutes of 2001.

AB 1112 (Goldberg) – Requires private apartment owners in Los Angeles County to register with the county if a code-enforcement agency has recorded a notice of substandard conditions declaring the property unfit to be rented. Signed – Chapter 487, Statutes of 2001.

Land Use and Jobs-Housing Balance

SB 32 (Escutia) – Enacts the California Land Environmental Restoration and Reuse Act to clean up "brownfields," which are former industrial, commercial and governmental properties that lie idle due to contamination. Permits local governments to order owners of small parcels to determine if contamination is present, and, if so, to clean it up. Authorizes local governments to clean up a brownfield property when the owner refuses. Signed – Chapter 112, Statutes of 2001.

SB 221 (Kuehl) – Prohibits local governments from approving new subdivisions of 500 or more units unless a sufficient water supply is available. Signed – Chapter 642, Statutes of 2001.

SB 610 (Costa) – Expands the requirement for public water systems to prepare water-supply assessments for large development projects, and requires additional information to be included in the assessments. Signed – Chapter 643, Statutes of 2001.

SB 784 (Torlakson) – Modifies the Jobs-Housing Balance Incentive Grant Program to allow the program to run through at least one annual cycle, and allows local governments to use the grants for any locally determined need rather than be restricted to capital purposes. Signed – Chapter 784, Statutes of 2001.

SB 932 (McPherson) – Extends the deadline for local governments in the Association of Monterey Bay Area Governments to update their housing elements. Signed – Chapter 608, Statutes of 2001.

SB 1098 (Alarcón) – Prohibits a local government from extending any multifamily housing development moratorium beyond 45 days unless it makes written findings, supported by substantial evidence, that approval of the multifamily housing would have a significant, quantifiable, direct and unavoidable adverse impact based on objective health or safety standards. Signed – Chapter 939, Statutes of 2001.

AB 369 (Dutra) – Strengthens the state affordable-housing law by requiring a court to award attorneys' fees to affordable-housing developers whose projects are found to have been unfairly denied by local governments. Signed – Chapter 237, Statutes of 2001.

AB 545 (Steinberg) – Establishes priorities for the siting of state office buildings to promote smart growth and community revitalization. Requires the state Department of General Services to make a good faith, diligent effort to locate buildings in mixed-use or commercial districts and that support transit service, have pedestrian access to retail and other services, are located within areas in need of economic revitalization, and are near affordable housing. Vetoed.

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AB 1367 (Wiggins) – Increases the amount of consultation and information- sharing required between local governments and school districts about school siting. Signed – Chapter 396, Statutes of 2001.

Manufactured Housing and Mobilehomes

SB 122 (Dunn) – Requires the HCD mobilehome ombudsman to maintain and publicize a toll-free telephone number, to look into complaints directly rather than referring them to other agencies, and to report to the Legislature on the number and types of complaints received, including the number resolved and unresolved. Vetoed.

SB 920 (Dunn) – Requires the management of a mobilehome park that operates a master meter utility

system to notify residents about assistance offered to low-income persons under the California Alternate Rates for Energy (CARE) program. The bill also requires the park to pass through the full amount of the CARE program discount to qualified residents. Signed – Chapter 437, Statutes of 2001.

AB 210 (Corbett) – Permits mobilehome owners who paid security deposits to mobilehome parks before 1989 to request refunds of their deposits upon the renewal or extension of their leases, so long as they have met their financial obligations to the park in the 12 months prior to the request. Signed – Chapter 151, Statutes of 2001.

AB 970 (Dutra) – Authorizes HCD to transmit or receive a certificate of title electronically if economically and technologically feasible and the system is safe from intrusion by unauthorized persons, and to establish other electronic programs to improve HCD services. Signed – Chapter 213, Statutes of 2001.

AB 1202 (Harman) – Provides that a mobilehome park may not require a homeowner or resident to pay a cleaning deposit or obtain liability insurance to use the park clubhouse or recreational hall. Signed – Chapter 83, Statutes of 2001.

AB 1318 (Correa) – Requires multi-unit manufactured housing to meet accessibility, adaptability, egress, and fire requirements applicable to dormitories, hotels, apartment houses and structures that contain two dwelling units. Signed – Chapter 365, Statutes of 2001.

AB 1457 (Keeley) – Relieves mobilehome park residents of property-tax liability due to changes of ownership in tenant-owned mobilehome parks. Signed – Chapter 772, Statutes of 2001.

Mortgage Banking

AB 1090 (Hertzberg) – Abrogates a recent appellate decision, *Bartold v. Glendale Federal Bank*, (2001) 81 Cal.App.4th 816, concerning the deadlines for reconveyance of real property. Signed – Chapter 560, Statutes of 2001.

New Housing Programs

SR 19 (Burton) – Asks HCD to report to the Senate by January 7, 2002, on options for making existing and proposed state homeownership subsidies available for housing land trusts for permanently-affordable, owner-occupied housing. The resolution also asks the Department of General Services to report on options for using surplus state land in the highest-housing-cost urban areas for affordable housing, and options for land-banking any excess land in those areas that cannot be used immediately for affordable-housing purposes. Approved.

AB 856 (Wesson) – Requires the California Horse Racing Board to inspect the living conditions of backstretch employee housing, and makes other changes in law related to horse racing. Signed – Chapter 783, Statutes of 2001.

AB 1611 (Keeley) – Allows the California Educational Facilities Authority to enter into agreements with nonprofit entities to finance the cost of constructing student, faculty and staff housing near the campuses of California colleges. Signed – Chapter 569, Statutes of 2001.

Redevelopment

SB 211 (Torlakson) – Allows local redevelopment agencies to collect property-tax increment revenues for an additional 10 years provided they meet certain criteria. Signed – Chapter 741, Statutes of 2001.

SB 459 (McPherson) – Authorizes redevelopment agencies in Santa Cruz County to increase the limit on individual home loans. Signed – Chapter 471, Statutes of 2001.

AB 1567 (Runner) – Allows a redevelopment agency in Lancaster to satisfy its inclusionary requirements by purchasing long-term affordability covenants on mobilehomes. Signed – Chapter 491, Statutes of 2001.

Unsafe Housing and Building Standards

SB 189 (Bowen) – Requires a seller or lessor of residential property who knows that any release of an illegal controlled substance, such as from an illegal drug lab, has come to be located on or beneath the real property to notify in writing any prospective purchaser or tenant. Signed – Chapter 466, Statutes of 2001.

SB 581 (Alarcón) – Requires residential rental-property owners who have been cited for code violations in the preceding three years to register with local building officials. Vetoed.

SB 732 (Ortiz) – Requires the Department of Health Services (DHS) to consider adopting exposure limits for indoor molds and to develop standards to assess the health threat posed by molds. Requires DHS to develop guidelines for the identification and remediation of molds. Requires a landlord to disclose to tenants or prospective tenants the presence of mold that exceeds the DHS exposure limits or poses a health threat according to the DHS standards. Allows public health officers, code enforcement officers, environmental health officers, and any other appropriate government entities to respond to complaints about mold and enforce standards adopted by DHS. Signed – Chapter 584, Statutes of 2001.

AB 1112 (Goldberg) – Requires private apartment owners in Los Angeles County to register with the county if a code-enforcement agency has recorded a notice of substandard conditions declaring the property unfit to be rented. Signed – Chapter 487, Statutes of 2001.

AB 284 (Jackson) – Establishes a program in DHS to survey the public health threats of mold and provide publicly accessible information. Signed – Chapter 284, Statutes of 2001.

AB 1574 (Lowenthal) – Authorizes the state Energy Commission to establish minimum energy-efficiency standards for all existing residential buildings that would have to be met upon sale of the building. Signed – Chapter 773, Statutes of 2001.

Human Services

The year began with high hopes for increased learning opportunities for children not yet of kindergarten age, for lower caseloads for child-welfare workers who protect children at risk of abuse or neglect, for small economic-development grants to neighborhoods of families with very low incomes, and for continued participation in the labor force by parents who have been recipients of aid. Budget shortfalls brought on by the energy crisis led to the scaling back of proposals to increase service budgets, except in the area of services for youth who have recently left foster care for adulthood.

Early Childhood Education and Development

AB 6 (Cardenas) – Allows local government and nonprofit organizations to operate after-school programs for 30 hours per week or fewer without needing a license from the state Department of Social Services (DSS). Signed – Chapter 545, Statutes of 2001.

AB 685 (Wayne) – Requires the DSS to conduct unannounced site visits to licensed child-care facilities at least every two years. Signed – Chapter 679, Statutes of 2001.

AB 734 (Chan) – Allows the state and county children and families commissions to use tobacco-surcharge funds to promote the cessation of alcohol and drug use by pregnant women. This is in addition to using funds to promote pregnant women's abstention from tobacco use. Signed – Chapter 322, Statutes of 2001.

AB 866 (Diaz) – Extends to November 1, 2007, the date for the expiration of business' tax credits for child-care assistance provided to employees. Signed –Chapter 650, Statutes of 2001.

Child Welfare, Foster Care, and Adoptions

SB 101 (Brulte) – Appropriates \$1 million to carry out a social marketing campaign to identify the populations likely to abandon their newborn infants and determine what options are available to them. Vetoed.

SB 841 (Alpert) – Directs DSS to provide assistance to counties electing to establish "early start to emancipation" programs for foster youth who are in transition from middle school to high school. Signed – Chapter 694, Statutes of 2001.

AB 333 (Wright) – Requires that the monthly visit of a social worker to a foster child in a group home include a private and confidential discussion. Signed – Chapter 675, Statutes of 2001.

AB 427 (Hertzberg) – Adds an additional \$18 million to programs aimed at helping foster youths who are transitioning to independence. Includes \$6.5 million for assistance to foster youth, up to age 21, who are engaged in education and training programs. Also includes \$10 million for transitional housing and \$1.5 million for a pilot, Internet-based program for health and education information for foster children in Los Angeles County. Signed – Chapter 125, Statutes of 2001.

AB 636 (Steinberg) – Directs DSS to establish a family review system for the child welfare program and directs the Health and Human Services Agency to establish a working group to assist DSS with a work plan. Signed – Chapter 678, Statutes of 2001.

AB 899 (Liu) – Establishes the rights of foster children: it codifies a dozen current regulations, adds several new rights, and puts them all in one section of the law. Signed – Chapter 683, Statutes of 2001.

AB 1261 (Migden) – Stipulates that children between the ages of 16 and 20 who are placed in transitional housing facilities remain eligible for federal foster-care benefits. Signed – Chapter 686, Statutes of 2001.

AB 1695 (Aroner) – Brings foster-care law into conformity with recent federal changes, including creating a new category called "nonrelative, extended family members," subject to the same approval process as relatives and licensed caregivers. Also ensures that these caregivers receive the same basic foster-care rate as relatives and licensed providers. Signed – Chapter 653, Statutes of 2001.

CalWORKs, Supplemental Security Income/State Supplementary Program (SSI/SSP), and Other Social Services

AB 144 (Cedillo) – Allows a CalWORKs participant to own a motor vehicle of any value and additional vehicles worth up to \$15,000. Vetoed.

AB 524 (Aroner) – Directs the departments of Health Services and Social Services to obtain federal approval for advance payment for personal care provided through the In-Home Supportive Services program. Vetoed.

AB 767 (Goldberg) – Allows persons who have been convicted of drug-related felonies to receive benefits under CalWORKs, general assistance and food stamps if they meet certain conditions, including completion of a drug-treatment program. Vetoed.

Information Technology and

Telecommunications

E-Commerce

SB 329 (Morrow) – Adds a course in computer applications in real estate to the list of course options for getting a real-estate license. Signed – Chapter 26, Statutes of 2001.

AB 119 (Chavez) – Allows securities broker-dealers to have background checks of potential employees done by the California Department of Justice. Signed – Chapter 547, Statutes of 2001.

E-Government

SB 344 (Ortiz) – Requires the state Department of Health Services to post Medi-Cal data tables and program applications on its Internet Web site in a manner that does not require downloading and that the general public is likely to understand. Signed – Chapter 276, Statutes of 2001

AB 594 (Harman) – Codifies uniform, statewide rules for dating electronic payments of locally assessed property taxes. Signed – Chapter 86, Statutes of 2001.

E-Privacy

SB 147 (Bowen) – Prohibits an employer from monitoring employee electronic mail or other computer records without first advising the employee of the employer's workplace privacy and monitoring policy. Vetoed.

Internet Taxes

SB 394 (Sher) – Extends the California Internet Tax Freedom Act until 2003 or 2004, depending on whether the California Commission on Tax Policy in the New Economy submits a report to the governor and Legislature by December 1, 2002. The California Internet Tax Freedom Act would remain in effect until January 1, 2004, unless the commission fails to submit the report, in which case the California Internet Tax Freedom Act will be repealed on January 1, 2003. The California Internet Tax Freedom Act establishes a state moratorium on taxation of Internet access, online computer services, and bits or bandwidth. Signed – Chapter 343, Statutes of 2001.

Political Cyberfraud

SB 412 (Vasconcellos) – Prohibits a person, with intent to defraud, from committing "political cyberfraud." This is defined as intentionally diverting access to a political Web site by using a similar domain name, intentionally preventing exit from a political Web site, registering a domain name that is similar to another domain name for a political Web site with intent to cause confusion, or registering a domain name for a political Web site for the purpose of reselling it to a proponent or opponent of a statewide ballot measure. Signed – Chapter 927, Statutes of 2001.

Telecommunications

SB 896 (Poochigian) – Conforms the Emergency Telephone Users Surcharge Law with the federal Mobile Telecommunications Sourcing Act, regarding taxation of mobile telecommunication services. Signed – Chapter 638, Statutes of 2001.

AB 140 (Strom-Martin) – Creates a California Public Utilities Commission grant program of up to \$10 million annually, funded by an existing surcharge on telephone services, to extend telecommunication services to low-income communities. Establishes the Rural Telecommunications Infrastructure Task Force to evaluate those grant proposals. A recent state auditor's report estimated that 112,000 people live in areas without phone service. Signed – Chapter 903, Statutes of 2001.

AB 219 (Assembly Utilities and Commerce Committee) – Extends until January 1, 2006, the surcharge on intrastate telephone service used to pay for the Deaf and Disabled Telecommunications Program, which provides telecom devices and services for the deaf and hearing impaired, and for the disabled. Signed – Chapter 109, Statutes of 2001.

AB 770 (Nakano) – Requires that California Highway Patrol and police reports on any traffic collision include information as to whether a cellular telephone or any other distraction was a possible contributing factor. Requires the CHP to study the data gathered and to issue recommendations to the governor and Legislature. Signed – Chapter 710, Statutes of 2001.

AB 870 (Wesson) – Prohibits use of certain types of automatic calling devices capable of storing and calling random numbers with no person or prerecorded message available for the person called. Signed – Chapter 696, Statutes of 2001.

Immigrants

AB 540 (Firebaugh) – Exempts undocumented immigrants who graduate from California high schools, or pass high-school equivalency examinations, from paying out-of-state tuition at public universities in California, if they enroll beginning in the 2001-02 academic year and attended a California high school for three or more years. Similar legislation was recently enacted in Texas. Signed – Chapter 814, Statutes of 2001.

AB 698 (Wesson) – Creates the Office of Immigrant Assistance in the office of the attorney general to provide education and outreach services to resident immigrants. Vetoed.

Judiciary

SB 99 (Morrow) – Allows any member of the Legislature, the lieutenant governor, the insurance commissioner, any county counsel and any sheriff to obtain a written opinion from the attorney general. Signed – Chapter 76, Statutes of 2001.

SB 303 (Torlakson) – Exempts Bay Area Rapid Transit District (BART) police from jury duty in civil and criminal matters. Signed – Chapter 55, Statutes of 2001.

SB 352 (Kuehl) – Authorizes the State Bar to collect up to \$390 as annual membership dues for the years 2002 and 2003. Deletes existing law providing that an attorney has a duty to abstain from having an offensive personality. Signed – Chapter 24, Statutes of 2001.

SB 448 (Perata) – Modifies the "firefighter's rule" to permit firefighters, police officers and emergency medical personnel to sue for injuries sustained while attending to an emergency if the conduct that caused the injury was unlawful. This does not refer to the conduct that necessitated the emergency worker's response. Signed – Chapter 140, Statutes of 2001.

SB 475 (Escutia) – Directs the Judicial Council to adopt ethical guidelines for arbitrators in private or contractual arbitrations by July 1, 2002. Specifies the grounds upon which a proposed neutral arbitrator may be disqualified. Signed – Chapter 362, Statutes of 2001.

SB 479 (Burton) – Requires the State Bar to establish a diversion and assistance program to provide substance-abuse treatment and mental-health services to addicted and mentally ill attorneys. Signed – Chapter 129, Statutes of 2001.

SB 562 (Morrow) – Enacts various recommendations of the California Law Revision Commission to update the codes to reflect the demise of the municipal courts in California, given the adoption of trial court unification by all 58 California counties. Signed – Chapter 44, Statutes of 2001.

SB 742 (Escutia) – Increases salaries by 4 percent for the chair of the Judicial Council, administrative presiding judges of the Courts of Appeal and presiding judges of a Superior Court that has 15 or more judges. Increases salaries for presiding judges of a Superior Court that has four to 14 judges by 2 percent. Becomes effective January 2, 2002. Signed – Chapter 118, Statutes of 2001.

SB 940 (Judiciary Committee) – Requires juvenile court judges to take into consideration the recommendations in the Standards of Judicial Administration that juvenile court judges take a leadership role in the development and coordination of services and resources for at-risk youth and their families. Signed – Chapter 830, Statutes of 2001.

SB 1218 (Romero) – Requires the court to direct the payment of residual funds from class-action litigation to nonprofit organizations or foundations that will support projects to benefit similarly situated persons. Signed – Chapter 96, Statutes of 2001.

SCR 36 (Burton) – Renames the state Library and Courts Building as the Stanley Mosk Library and Courts Building. Approved – Resolution Chapter 81, Statutes of 2001.

Labor and Employment

Major measures aimed at improving the standing of workers who are unemployed or injured on the job and improving the conditions for farm laborers were sent to Governor Davis this year.

The governor signed **SB 40 (Alarcón), Chapter 409, Statutes of 2001**, the first increase in unemployment benefits in California since 1992. This bill increases unemployment insurance maximum weekly benefits from \$230 per week, which is among the lowest benefits in the nation, to \$450 per week over a four-year period and increases the wage replacement amount from 39 percent to 45 percent in 2002 and to 50 percent beginning in 2003.

Two bills which attempted to improve benefits to injured workers and provide reforms to the workers' compensation system were vetoed. **SB 71 (Burton)** would have increased workers' compensation benefits over a five-year period and made a number of reforms in the administration of the workers' compensation system. A companion piece of legislation, **AB 1176 (Calderon)**, provided for additional reform and cost-savings measures.

Following a series of bills that were signed last year to provide greater enforcement of laws relating to farm-labor contractors, this year the Legislature sent to the governor two new measures that will provide greater scrutiny over farm-labor contractors and enhance the ability of farm workers to recover monetary relief for labor law violations.

SB 1125 (Burton), Chapter 147, Statutes of 2001, makes farm-labor contractor's wage surety bonds and a portion of their license fees payable for damages arising from labor-law violations. The creation of specialized farm-labor enforcement units, additional verification of farm-labor contractor licenses and enhanced criminal penalties for failure to pay wages was provided by **AB 423 (Hertzberg), Chapter 157, Statutes of 2001**.

One additional farm-labor measure was **vetoed**. It was **AB 1680 (Labor and Employment Committee)**, which would have required the labor commissioner to conduct mandatory classes for farm-labor contractors to receive their licenses and would have required their enrollment and participation in specified classes after September 1, 2002.

Workers' Compensation and Unemployment Insurance

SB 424 (Burton) – Creates a disputable presumption under the Workers' Compensation Law that lower back impairment in specified peace officers arises from employment. **Signed – Chapter 834, Statutes of 2001**.

SB 1176 (Machado)– Extends the cancer presumption under the Workers' Compensation Law to specified categories of peace officers. **Vetoed**.

SB 1222 (Romero) – Creates, for the purposes of workers' compensation, a disputable presumption that a hernia, heart trouble, pneumonia, cancer, tuberculosis, or meningitis developing or manifesting itself with respect to specified state public-safety personnel arises from employment. **Signed – Chapter 835, Statutes of 2001**.

AB 262 (Correa) – Requires payment of workers' compensation death benefits to dependent minors whose peace officer parent was killed in the line of duty prior to January 1, 1990. **Signed – Chapter 589, Statutes of 2001**.

AB 663 (Vargas) – Creates, for the purposes of workers' compensation, a disputable presumption that the occurrence of skin cancer among certain lifeguards stems from their employment. **Signed – Chapter 846, Statutes of 2001**.

AB 1177 (Calderon) – Permits a health-care provider or licensed health facility to contract for reimbursement rates different from those in the workers' compensation medical fee schedule. **Signed – Chapter 252, Statutes of 2001**.

AB 1194 (Correa) – Permits physician assistants and nurse practitioners to provide medical treatment of a work-related injury and to cosign a doctor's first report of injury. **Signed – Chapter 229, Statutes of 2001**.

AB 1537 (Horton) – Requires all federally recognized Indian tribes in California to provide unemployment insurance coverage for their employees, and gives Indian tribes the option of reimbursable financing for the unemployment insurance program. **Signed – Chapter 255, Statutes of 2001**.

Wages, Hours, and Working Conditions

SB 588 (Burton) – Permits federally recognized joint labor-management committees access to certified payrolls on public works projects, and permits committees to seek civil court action to remedy prevailing wage violations. **Signed – Chapter 804, Statutes of 2001**.

SB 912 (Chesbro)— Extends the expiration date for permitting Lake County agricultural-packing plants to employ minors 16 and 17 years of age up to 60 hours per week during nonschool periods and requires specified reports and inspections. **Signed – Chapter 345, Statutes of 2001.**

SB 1159 (Polanco)— Extends requirements for meal periods and rest periods to certain employees of the University of California. **Vetoed.**

AB 1025 (Frommer) – Requires employers to provide reasonable unpaid break time and to make reasonable efforts to provide the use of an appropriate room for an employee to express breast milk for an infant. **Signed – Chapter 821, Statutes of 2001.**

AB 1675 (Koretz)— Establishes requirements related to wages, hours, and working conditions for sheepherders. **Signed – Chapter 948, Statutes of 2001.**

Occupational Safety and Health

SB 123 (Escutia) – Establishes selection criteria for members of the Occupational Safety and Health Standards Board and the Occupational Safety and Health Appeals Board. Requires members to be chosen from fields of management and labor, and from the general public. **Vetoed.**

SB 486 (Speier)— Requires a working warehouse to secure merchandise stored on shelves higher than 12 feet above the sales floor. **Signed – Chapter 856, Statutes of 2001.**

SB 986 (Torlakson)— Establishes a comprehensive statutory scheme to regulate elevator safety. **Vetoed.**

SB 1207 (Romero) – Includes volunteer firefighters within the California Occupational Safety and Health Act. **Signed – Chapter 807, Statutes of 2001.**

Other Labor Measures

SB 20 (Alarcón) – Permits janitors who work for employers with 25 or more employees to retain their jobs with a successor maintenance contractor for 60 days when their employer has lost a janitorial contract. **Signed – Chapter 795, Statutes of 2001.**

SB 25 (Alarcón) – Creates a Labor Agency in state government. **Vetoed.**

SB 147 (Bowen) – Prohibits an employer from secretly monitoring the electronic mail or other computer records generated by an employee without first advising the employee of the employer's workplace privacy and monitoring policy. **Vetoed.**

SB 1044 (Kuehl)— Requires the Department of Industrial Relations to review and prepare a report to assess the impacts of international trade organizations and agreements on California labor laws and regulations. **Vetoed.**

SB 1197 (Romero)— Provides that an employer policy that counts sick leave used to care for a child, parent, or spouse as an absence that could result in discipline shall constitute a per-se violation of the law relating to sick leave. **Vetoed.**

AB 202 (Corbett) – Includes representatives of the Department of Insurance in the Joint Enforcement Strike Force on the Underground Economy. **Signed – Chapter 180, Statutes of 2001.**

AB 1069 (Koretz)— Permits the labor commissioner to reconsider a formerly dismissed discrimination complaint if the U.S. Department of Labor determines the complaint had merit. **Signed – Chapter 134, Statutes of 2001.**

AB 1635 (Vargas) – Provides that employees, at their own expense, have the right to copy personnel records relating to performance or grievances concerning the employee. **Vetoed.**

AB 1679 (Shelley)— Provides that a licensed contractor who uses the services of a temporary employment agency, employment referral service or labor contractor is deemed to be the employer for purposes relating to compensation, working hours, wages, working conditions, workers' compensation, insurance and employment safety. **Vetoed.**

AB 1681 (Canciamilla)– Allows researchers employed by or under contract with the Commission on Health and Safety and Workers' Compensation to use individually identifiable information maintained by the Division of Workers' Compensation as necessary to carry out the commission's research. **Signed – Chapter 792, Statutes of 2001.**

Employment and Training

AB 87 (Jackson) – Requires the chancellor of the California Community Colleges to award grants to community college districts for developing curricula and pilot programs that provide training to licensed nurses. **Signed – Chapter 514, Statutes of 2001.**

AB 1015 (Wright)– Extends employee anti-discrimination laws to applicants for employment and job-training programs, and, prohibits discrimination against employees and applicants for employment engaged in lawful conduct outside of employment. **Signed – Chapter 820, Statutes of 2001.**

Local Government

Local Finance

SB 1122 (Poochigian) – Requires home-sellers to notify prospective homebuyers if residential property is subject to benefit assessments, and requires local officials to provide property owners with information about those assessments. **Signed – Chapter 673, Statutes of 2001.**

AB 169 (Wiggins) – Creates a statewide standard procedure for correcting property-tax allocation errors. **Signed – Chapter 381, Statutes of 2001.**

AB 745 (Cox) – Improves procedures for local officials to claim reimbursement for the costs of state-mandated local programs. **Vetoed.**

Local Powers

SB 544 (Senate Local Government Committee) – Prohibits county employees from serving on their own county board of supervisors, similar to laws affecting other local governments. **Signed – Chapter 43, Statutes of 2001.**

SB 671 (Poochigian) – Allows local officials to hold closed meetings under the Brown Act to hear employees' hardship claims for certain benefit programs. **Signed – Chapter 45, Statutes of 2001.**

SB 707 (Senate Local Government Committee) – Revises the state laws governing recreation and park districts. **Signed – Chapter 15, Statutes of 2001.**

SB 974 (Torlakson) – Clarifies existing law that requires charter cities to follow statewide contracting procedures unless charters or ordinances provide otherwise. **Signed – Chapter 832, Statutes of 2001.**

AB 93 (Wayne) – Creates the San Diego County Regional Airport Authority with the power to site, own, and run airports in San Diego County, including Lindbergh Field. **Signed – Chapter 946, Statutes of 2001.**

AB 735 (Chan) – Exempts county children and families commissions from the state law that bans public officials from having economic interests in public contracts. **Signed – Chapter 101, Statutes of 2001.**

AB 205 (Koretz) – Prohibits cities and counties from requiring business licenses, permits and fees from employees who work at home. **Signed – Chapter 36, Statutes of 2001.**

AB 351 (La Suer) – Requires local park agencies to perform background checks on prospective employees or volunteers who supervise children. **Signed – Chapter 777, Statutes of 2001.**

AB 1011 (Pavley) – Require county recorders to start indexing conservation easements, open-space easements, and agricultural conservation easements. **Signed – Chapter 819, Statutes of 2001.**

AB 1550 (Wiggins) – Allows Napa County to levy assessments for publicly owned or leased farm-worker housing. **Signed – Chapter 340, Statutes of 2001.**

Land Use and Development

SB 221 (Kuehl) – Requires the approval of tentative maps for larger residential subdivisions to include a condition that a sufficient water supply be available. Signed – Chapter 642, Statutes of 2001.

SB 610 (Costa) – Expands a requirement for public water systems to prepare water-supply assessments for larger development projects. Signed – Chapter 643, Statutes of 2001.

AB 1207 (Longville) – Requires cities and counties to allow wind-energy turbines on towers outside urbanized areas. Signed – Chapter 562, Statutes of 2001.

AB 1367 (Wiggins) – Requires schools, cities, and counties to share more information and comments when siting schools and planning for school sites. Signed – Chapter 396, Statutes of 2001.

AB 1553 (Keeley) – Requires the governor's Office of Planning and Research to include "environmental justice" – meaning equitable treatment of racial and ethnic groups in land-use decisions affecting environmental quality – in its advisory guidelines for local governments' general plans. Signed – Chapter 762, Statutes of 2001.

Redevelopment

SB 53 (Torlakson) – Restores the ability of local officials to use an expedited method of redevelopment after declared disasters. Signed – Chapter 9, Statutes of 2001.

SB 211 (Torlakson) – Allows local officials to extend the life of their redevelopment project areas for 10 years if they find that blight continues, if they restrict spending to that blight, and if they boost spending for low-income housing. Signed – Chapter 741, Statutes of 2001.

Natural Resources, Parks and Pollution Control

Before the August 2000 release of the Julia Roberts' movie *Erin Brockovich*, almost no one had heard of hexavalent chromium or chromium VI, chromium 6, chrome 6 or CR6, as it is also called. This form of chromium is extremely toxic and is known to be carcinogenic when inhaled.

Several years ago, the federal Environmental Protection Agency designated portions of the San Fernando Valley as a Superfund site because of industrial contamination of the soil and water by various compounds including chromium VI. Beginning in 1998, the city of Los Angeles began to test its water for chromium VI. These surveys showed the pollutant's levels ranging from less than one part per billion (ppb) to 5.31 ppb – substantially above the 0.2 ppb public-health goal established by the Office of Environmental Health Hazard Assessment in February 1999.

On October 24 last year, there was a joint legislative hearing in Burbank by the Senate Health and Human Services and Natural Resources and Wildlife committees and the Assembly Environmental Safety and Toxic Materials Committee on the "Health Effects of Chromium VI Contamination of Drinking Water." The committees heard testimony on the extent of chromium VI contamination, the health effects of chromium VI, and current state efforts to deal with the occurrences of chromium VI in drinking water.

Chromium VI

Chromium is a naturally occurring element, but industrial processes can create this toxic form. During rainfalls, discarded industrial wastes can be carried into street and gutter runoffs that ultimately allow contaminants such as chromium VI to seep into groundwater reservoirs. These reservoirs may be sources of drinking water.

SB 351 (Ortiz) – Requires the Department of Health Services (DHS) to adopt a primary drinking-water standard for chromium VI by January 1, 2004. A report on the progress of developing the standard must be provided to the Legislature by January 1, 2003. Signed – Chapter 602, Statutes of 2001.

Oceans and Coastal Issues

SB 1 (Alpert) – Includes decommissioned offshore oil platforms in state and federal waters in the placement of artificial reefs. Establishes the California Endowment for Marine Preservation to create a permanent source of

funding for projects that will conserve, protect, restore, and enhance the coastal marine resources of the state. Requires the endowment to coordinate its activities with the state Department of Fish and Game, the California Coastal Commission, the San Francisco Bay Conservation and Development Commission, the State Lands Commission, and appropriate federal agencies. **Vetoed.**

SB 58 (Alpert) – Removes the expiration or sunset date and extends the California Ocean Resources Enhancement and Hatchery Program indefinitely. **Signed – Chapter 89, Statutes of 2001.**

Parks

AB 1602 (Keeley) – Places before the voters on the March 2002 state primary ballot a \$2.6 billion bond measure – titled the California Clean Water, Clean Air, and Safe Neighborhood Parks, and Coastal Protection Act of 2002 – for acquisition, development, restoration, protection, rehabilitation, stabilization, reconstruction, preservation and interpretation of historical resources and park, coastal and agricultural land.

The bond would provide the following:

- \$225 million for acquisition and development of the state park system.
- \$832.5 million for local assistance for the acquisition and development of neighborhood, community and regional parks and recreation areas.
- \$1.275 billion for land, air, and water conservation programs, including acquisitions for those purposes.
- \$267.5 for the acquisition, restoration, preservation, and interpretation of California's historical and cultural resources. **Signed – Chapter 875, Statutes of 2001.**

Privacy and Identity Theft

Privacy

SB 147 (Bowen) – Prohibits an employer from secretly monitoring electronic mail or other computer records generated by an employee. **Vetoed.**

SB 297 (Speier) – Amends the law concerning the state Department of Justice's missing persons DNA data base. Requires all retained samples and DNA extracted from a living person to be used only for identifying human remains. Requires all samples and genetic profiles to be destroyed after positive identification of the remains, unless the material is needed for a criminal investigation. Allows anyone who submits a DNA sample to the missing persons database to request that the sample and profile be removed from the data base. Expands the categories of persons entitled to disclosure to include those who need access to a DNA sample to prosecute or defend a criminal case. **Signed – Chapter 467, Statutes of 2001.**

SB 771 (Figueroa) – Establishes a "do not call" list for telephone subscribers who do not want to receive telephone solicitations, and prohibits phone solicitors from calling subscribers who are on the list. **Signed – Chapter 695, Statutes of 2001.**

SB 1090 (Bowen) – Expands the prohibition on monitoring cable-television subscribers to include subscribers to satellite television. **Signed – Chapter 731, Statutes of 2001.**

AB 84 (Hertzberg) – Prevents the Department of Motor Vehicles (DMV) from disclosing the home addresses of court employees, psychiatric social workers employed by counties, and the spouses and children of these employees. **Signed – Chapter 809, Statutes of 2001.**

AB 119 (Chavez) – Authorizes a licensed securities broker-dealer to obtain a criminal background check. **Signed – Chapter 547, Statutes of 2001.**

AB 870 (Wesson) – Prohibits, effective July 1, 2002, any person or company operating an automatic dialing-announcing device from making phone calls if no live person is available to greet the person called. **Signed – Chapter 696, Statutes of 2001.**

Identity Theft

SB 125 (Alpert) – Requires credit-card companies, financial organizations, lenders, and consumer utility companies to give identity-theft victims information about attempts to use the victims' identities. Signed – Chapter 493, Statutes of 2001.

SB 168 (Bowen) – Increases protections against identity theft by (1) allowing consumers to place fraud alerts on their credit reports, (2) allowing them to freeze their credit records to stop them from being sold, and (3) prohibiting business agencies from many current uses of Social Security numbers. Signed – Chapter 492, Statutes of 2001.

SB 739 (Peace) – Provides \$3.3 million to create a High Technology Identity Theft program in each of the existing High Technology Theft, Apprehension, and Prosecution task forces throughout the state. Signed – Chapter 106, Statutes of 2001.

AB 245 (Wyland)– Redefines the crime of identity theft to eliminate the requirement that the prosecutor must prove that a perpetrator obtained the victim's identifying information without authorization. **Signed – Chapter 478, Statutes of 2001.**

AB 488 (Kehoe)– Gives a consumer the right to request and receive a record of all inquiries to a consumer credit-reporting agency resulting in the provision of information about the consumer in the year preceding the consumer's request, and requires a consumer credit-reporting agency to disclose, upon request of the consumer, the credit inquirers' customer-service addresses and telephone numbers. **Signed – Chapter 236, Statutes of 2001.**

AB 655 (Wright)– Allows a consumer to request that his or her name be removed from lists that a consumer credit-reporting agency furnishes for credit-card solicitations, and require the agency to inform consumers of this. **Signed – Chapter 354, Statutes of 2001.**

Public Employment and Retirement

Public-Employee Whistleblower Protections

California state government's "whistleblower" hotline at 800-952-5665, maintained by the Bureau of State Audits, permits state employees and the public to anonymously report perceived wrongdoing in their departments or agencies. The bureau investigates the accusations.

The Legislature focused on state employee whistleblower protections this year following two major incidents:

- The threat of discipline against a Department of Insurance attorney whose revelation of official corruption led to the resignation of the insurance commissioner, and
- Multiple cases of retaliation against Department of Veterans Affairs employees whose reports of poor patient care at the Barstow Veterans Home and other official misconduct led to improvements in patient care and to the governor's withdrawal of two successive veterans affairs secretaries' appointments.

The following bills would strengthen protections from retaliation for public employees who report abuses.

SB 413 (Speier) – Strengthens awareness and enforcement of state employees' whistleblower rights. Requires the disciplining of any state employee found to have intentionally interfered with or retaliated against another employee for reporting governmental abuses. Adds compensatory damages to the types of relief that may be awarded to a person who has been the victim of retaliation for exercising his or her rights under the California Whistleblower Protection Act. Requires the state auditor's office to post an explanation of the Whistleblower Protection Act on its Web site, and requires state agencies to e-mail this information to all state employees every year. Signed – Chapter 883, Statutes of 2001.

SR 20 (Knight) – Directs the state Department of Veterans Affairs to correct the retaliation and

discrimination that some Barstow Veterans Homes "whistleblower" employees suffered after they provided information to the state Senate, the state Department of Health Services, and other investigative agencies on the deaths of Barstow patients, other poor patient care, and other abuses at the veterans home. Adopted.

AB 647 (Horton) – Expands the Reporting by Community College Employees of Improper Governmental Activities Act to authorize community college employees to file retaliation complaints with the State Personnel Board. Signed – Chapter 416, Statutes of 2001.

Safety Member Issues

SB 90 (Dunn) – Increases the benefit limit from 85 percent to 90 percent of final compensation for local safety members. Signed – Chapter 796, Statutes of 2001.

SB 193 (Soto) – Establishes the Deferred Retirement Option Program as a voluntary program for local safety members. Vetoed.

SB 1018 (Perata) – Allows local agencies and counties to include prosecutors, public defenders, and public-defender investigators as safety members of the various retirement systems. Vetoed.

AB 179 (Shelley) – Gives local contracting agencies of the California Public Employees Retirement System (CalPERS) the ability to include certain employees in a "local sheriff" category for retirement benefits and contribution rates. Signed – Chapter 149, Statutes of 2001.

AB 196 (Correa) – Eliminates a requirement that specified county safety members, firefighters, and law-enforcement members demonstrate an exposure to blood-borne infectious diseases for eligibility for disability-retirement benefits. Signed – Chapter 833, Statutes of 2001.

AB 197 (Correa) – Provides a \$3,000 death benefit for volunteer firefighters with 10 or more years of service credit. Signed – Chapter 331, Statutes of 2001.

AB 199 (Correa) – Allows local safety members to buy back service credit awarded to former spouses. Vetoed.

AB 215 (Cohn) – Establishes a state-funded program to assist uninsured spouses and dependent children of deceased peace officers and firefighters who died in the line of duty in obtaining health benefits. Signed – Chapter 775, Statutes of 2001.

AB 293 (Shelley) – Establishes a deferred retirement option as a supplemental benefit offered by CalPERS for state patrol officers, correctional peace officers and firefighters. Vetoed.

AB 1082 (Nation) – Allows counties and local contracting agencies of CalPERS to include park rangers in the safety-member classification for enhanced retirement benefits. Signed – Chapter 787, Statutes of 2001.

Public-Employee Compensation and Health Benefits

SB 214 (Alpert) – Increases the compensation that may be received by members of the governing boards of school and community college districts. Signed – Chapter 401, Statutes of 2001.

SB 1022 (Soto and Burton) – Augments the state budget to pay 50 percent of state employees' health-insurance premium increases from January 1 to June 30, 2001. Signed – Chapter 22, Statutes of 2001.

SB 1023 (Senate Public Employment and Retirement Committee) – Appropriates funds to augment the state employee compensation item provided in the state budget. Signed – Chapter 25, Statutes of 2001.

AB 43 (Wesson) – Directs the Commission on the Status of Women to study gender-based compensation and classification inequities in the state civil service and higher educational institutions. Signed – Chapter 836, Statutes of 2001.

AB 111 (Havice) – Requires that prior to making any significant changes in retiree health benefits, a county, district, or county retirement system must provide retirees with advance notice of the proposed changes. Signed – Chapter 30, Statutes of 2001.

AB 492 (Oropeza) – Allows state employees to receive full pay from the state while serving as members of precinct boards on election day. Signed – Chapter 780, Statutes of 2001.

AB 510 (Matthews) – Authorizes local contracting agencies of CalPERS to transfer excess assets from the agency's retirement plan to a voluntary employee beneficiary association to provide health benefits to the contracting agency's retirees and their covered dependents. Signed – Chapter 781, Statutes of 2001.

AB 606 (Negrete McLeod) – Ratifies the memorandum of understanding between the state and State Bargaining Unit 7, which provides for a reduction in employees' retirement contributions through July 1, 2003; for a 5 percent salary increase effective July 1, 2003; and provides for state payment of specified monthly contributions toward the cost of health benefits. Signed – Chapter 363, Statutes of 2001.

AB 649 (Negrete McLeod) – Ratifies the memoranda of understanding between the state and State Bargaining Units 5 and 8; provides Unit 5 members with salary increases based upon a specified formula effective July 1, 2003; July 1, 2004; and July 1, 2005; and provides Unit 8 members with a 5 percent salary increase effective July 1, 2003, and with a reduction in employee retirement contributions through July 1, 2003. Signed – Chapter 364, Statutes of 2001.

AB 855 (Dutra and Rod Pacheco) – Requires the salaries of teachers and administrators employed by state schools, various state departments (such as the California Youth Authority and Department of Corrections), cadet camps, and state diagnostic centers to be no less than the salaries of teachers and administrators employed by school districts. Vetoed.

AB 906 (Salinas) – Ratifies the memorandum of understanding between the state and State Bargaining Units 10, 12, 13, 16, 18 and 19, which provides for a 5 percent salary increase effective July 1, 2003, provides for a reduction in employees' retirement contributions through July 1, 2003, and provides for state payment of specified monthly contributions toward the costs of health benefits. Also provides for a reduction in retirement contributions through July 1, 2003, for legislative and judicial employees. Signed – Chapter 365, Statutes of 2001.

Pension and Disability Retirement Benefits

SB 54 (Polanco) – Makes various technical and clarifying changes to enable CalPERS to properly administer 1999 legislation that enhanced retirement benefits (SB 400 – Chapter 555, Statutes of 1999). Signed – Chapter 21, Statutes of 2001.

SB 132 (Burton) – Increases the minimum monthly allowance amounts for eligible CalPERS retired members and their beneficiaries and survivors. Vetoed.

SB 202 (Soto) – Requires a public agency to pay the full post-retirement employer contribution for certain employees. Signed – Chapter 798, Statutes of 2001.

SB 361 (Soto) – Creates, for the purpose of disability retirement benefits, a blood-borne infectious disease presumption for county health care workers. Vetoed.

AB 616 (Calderon) – Allows local contracting agencies of CalPERS the option of providing various retirement formulas to their miscellaneous members, and provides the same optional formula to county retirement systems under the County Employees Retirement Act of 1937. Signed – Chapter 782, Statutes of 2001.

AB 1071 (Canciamilla) – Allows the board of supervisors in a county that operates a retirement system under the County Employees Retirement Law of 1937 to modify the manner in which the annual cost-of-living adjustment is calculated. Signed – Chapter 239, Statutes of 2001.

AB 1099 (Havice) – Allows members of the Judges Retirement System who elect an optional modified settlement at retirement that provides a continuing allowance to the judge's surviving spouse to revert

to the unmodified allowance amount if the retired judge's spouse dies first. Signed – Chapter 433, Statutes of 2001.

AB 1502 (Pacheco) – Provides a one-time permanent increase in the Special Death Benefit allowance paid to survivors of members who would have been age 50 or older on or after January 1, 2001. Vetoed.

Other Issues

SB 446 (Vasconcellos) – Requires health plans, disability insurers, and CalPERS self-funded plans to cover a vaccine for AIDS that is approved for marketing by the federal Food and Drug Administration. Signed – Chapter 634, Statutes of 2001.

SB 614 (Burton) – Makes several technical changes to the procedures that must be followed in implementing the fair-share fee provisions of existing law. Signed – Chapter 805, Statutes of 2001.

AB 132 (Horton) – Allows a petition requesting an agency shop arrangement to be filed only after a recognized employee organization has requested negotiations on an agency shop arrangement. Signed – Chapter 259, Statutes of 2001.

AB 365 (Nation) – Allows classified school employees who fail probation when promoted to return to their previous positions. Signed – Chapter 844, Statutes of 2001.

AB 449 (Firebaugh) – Increases from 8 to 12 years the maximum amount of service credit that classified employees of schools and community colleges may receive while on leaves of absence to serve as elected officers of employee organizations. Signed – Chapter 260, Statutes of 2001.

AB 824 (Cohn) – Allow adult siblings of eligible members to enroll in the CalPERS Long-Term Care Program. Signed – Chapter 185, Statutes of 2001.

AB 1081 (Nation) – Allows certain part-time employees of the California State University to participate in CalPERS. Vetoed.

AB 1110 (Pescetti) – Extends from 15 to 30 days the time by which an employee who is separated from state service may file for reinstatement. Vetoed.

AB 1281 (Cedillo) – Requires local agencies to recognize an employee organization for exclusive representation based upon a signed petition, authorization cards, or union membership cards showing that a majority of the employees desire such recognition. Signed – Chapter 790, Statutes of 2001.

Public Safety

Bills were passed across a spectrum of public-safety issues. As in previous years, measures went to the governor calling for more controls on the handling and ownership of hand guns and for further uses of DNA technology to trace perpetrators of past crimes. Other bills help implement Proposition 36, which requires substance-abuse treatment rather than incarceration for many drug offenders. Prison issues also captured legislative attention.

Guns

SB 9 (Soto) – Expands a criminal prohibition on gun owners allowing access to loaded weapons in their homes to minors under 16 years old. Raises the age to under 18. Signed – Chapter 126, Statutes of 2001.

SB 52 (Scott) and AB 35 (Shelley) -- Require a handgun safety permit for taking possession of a handgun. To qualify, applicants are required to pass a written test, demonstrate safe handling of a handgun, prove California residency and allow gun dealers to run a driver's license check to verify identity. Signed – Chapter 942, Statutes of 2001 (Scott); Signed – Chapter 940, Statutes of 2001 (Shelley).

SB 294 (Scott) – Allows the Department of Justice to conduct more frequent inspections of gun dealerships. Reduces the time between inspections from five years to 21 months. Signed – Chapter 138,

Statutes of 2001.

Proposition 36, Other Drug-Related Legislation

Proposition 36, a citizens' initiative, was approved by California voters in November 2000 to require probation and drug treatment, rather than incarceration, for simple drug use and possession. It authorizes dismissal of charges after completion of treatment. Its effective date was July 1, the first day of the 2001-02 fiscal year.

SB 223 (Burton) – Appropriates \$18 million to counties for administering drug testing to suspected users undergoing treatment. Proposition 36 earmarked no funds for this. The bill requires that, where drug testing is a condition of probation or parole, it shall be used as a treatment tool, and given no more weight than other parts of a person's treatment program. Signed – Chapter 721, Statutes of 2001.

SB 537 (Vasconcellos) -- In view of the anticipated large expansion of drug treatment in California following passage of Proposition 36, this bill requires the Department of Consumer Affairs and others to survey the quality of drug counseling available in treatment programs and to determine whether state licensing of drug counselors is needed. **Vetoed.**

AB 767 (Goldberg) – Allows CalWORKs and Food Stamp benefits for persons convicted of low-level drug crimes, removing the prohibition now in law. Certain treatment requirements and proof of drug-free conditions must be met for persons to qualify. **Vetoed.**

Continuing Applications of DNA Technology

AB 673 (Migden) – Adds those convicted of first-degree burglary, first-degree robbery, felony arson and car-jacking to felons required to submit DNA samples to the Department of Justice database used to trace crimes to suspects. **Signed – Chapter 906, Statutes of 2001.**

SB 1026 (McPherson) – Provides that funds appropriated in the budget be made available to qualified nonprofit organizations, public defenders and defense lawyers to assist convicted persons in obtaining DNA evidence that could show they were innocent of criminal convictions. **Vetoed.**

SB 83 (Burton) – Requires that a lawyer be appointed for a prison inmate at the outset of the legal process for administering a DNA test that might prove the inmate innocent. Some courts have required indigent inmates to make the case for a test before a lawyer has been appointed to represent the inmate. **Signed – Chapter 943, Statutes of 2001.**

Prisons, Jails and Capital Punishment

SB 129 (Burton) -- Removes a requirement that the San Quentin warden invite physicians to witness state executions, and mandates that physicians cannot be compelled to witness executions, nor be disciplined for refusal to attend. **Signed – Chapter 71, Statutes of 2001.**

SB 404 (Polanco) – Establishes within the Department of Corrections the 15-member Robert E. Burton Correctional Education Board to adopt rules and oversee educational programs in the prison system. **Vetoed.**

SB 778 (Burton) – Appropriates \$31.7 million to the Board of Prison terms and makes changes in board procedures in its considerations of parole for prison inmates. Requires the board to meet more often to relieve a substantial backlog of hearings, which can extend the wait time of a prisoner's hearing for up to a year. Also requires review by the full board of decisions by small panels of the board that affect the outcome of a request for parole. **Signed – Chapter 131, Statutes of 2001.**

AB 346 (Migden) – Requires the Youth and Adult Correctional Agency to come up with a plan to provide better supervisory training to future senior staff in the adult and juvenile prison systems, in view of retirements among prison wardens and Youth Authority superintendents. **Vetoed.**

AB 659 (Correa) – Allows sexually violent predators awaiting a civil disposition after serving prison time to be housed, with their permission, with a jail's general population rather than be kept isolated as the law now requires. **Signed – Chapter 248, Statutes of 2001.**

AB 675 (Migden) – Makes compassionate prison release for dying prisoners easier to achieve for prisoners and their family members. The law allows for the release of certain prisoners who appear to have a short time to live, but applications have not been processed in a timely way and the bureaucracy is difficult to navigate. This bill removes such obstacles for prisoners deemed likely to die within 12 months. **Vetoed.**

AB 1460 (Nation) – Authorizes transferring up to 15 inmates from San Quentin's Death Row to the California State Prison, Sacramento, near Folsom. Specifies that the most disruptive condemned inmates will be selected for movement, to remain at the new location until 60 days before their scheduled execution. At that time they will be returned to San Quentin, site of the state's only death chamber. Also authorizes the department to move from San Quentin to the California Medical Facility at Vacaville condemned inmates with medical or mental conditions making them a danger to themselves or others. **Signed – Chapter 934, Statutes of 2001.**

Peace Officers

SB 215 (Burton) – Changes the appropriation procedure for the California Peace Officer Memorial Foundation Fund, which is financed by a taxpayer "check-off" on state income-tax forms, by designating the California Highway Patrol as the agency responsible for allocation of the appropriated funds to the California Peace Officer Memorial Commission. **Signed – Chapter 274, Statutes of 2001.**

AB 311 (Campbell) – Raises to 35 the age at which a person may be appointed to an entry-level position with the California Highway Patrol, replacing a maximum age range of 21 to 31. **Signed – Chapter 162, Statutes of 2001.**

AB 443 (Aanestad) – Allocates \$18.5 million in technology grants for surveillance and other purposes to rural county sheriff departments. Provisions of the bill require that surveillance equipment be used only for tracking criminal suspects and not other members of the public. **Signed – Chapter 205, Statutes of 2001.**

AB 1029 (Oropeza) – Adds the records of law enforcement officers and their families to sensitive Department of Motor Vehicles records that are blocked to public access. **Signed – Chapter 486, Statutes of 2001.**

AB 1152 (Vargas) – Modifies educational requirements to become a police officer to permit inclusion of successfully taking the High School Proficiency Examination. Also allows recognition of degrees from any accredited U.S. college. **Signed – Chapter 29, Statutes of 2001.**

AB 4XX (Cardoza) – Requires public and private utilities to notify the California Highway Patrol and local law enforcement when a power blackout is imminent in a given area. **Signed – Chapter 3, Statutes of 2001.**

Miscellaneous

SB 255 (Speier) – Makes it an infraction to leave a child under the age of six unattended in a motor vehicle, and creates a fund for an educational campaign regarding the dangers of leaving a child in a vehicle. **Signed – Chapter 855, Statutes of 2001.**

SB 871 (Burton) – Revises laws relating to commercial vehicles to ensure provisions regarding drug and alcohol screening are followed and to make the carriers responsible when they are not. **Signed – Chapter 298, Statutes of 2001.**

SB 333 (Escutia) – Authorizes counties to establish interagency teams to investigate suspicious elder death cases. **Signed – Chapter 301, Statutes of 2001.**

SR 18 (Burton) – Requests the state attorney general to develop a plan to prevent and report crimes against homeless persons, and recommend to the Legislature ways to curb such crimes. **Approved.**

AB 4 (Bates) – Requires students or employees of colleges and universities who have been convicted of sex crimes to register as sex offenders with the campus police. **Signed – Chapter 544, Statutes of 2001.**

AB 79 (Havice) – Requires the state Department of Education to develop policies on the prevention of schoolyard bullying and on conflict resolution. **Signed – Chapter 646, Statutes of 2001.**

AB 1019 (Corbett) – Extends benefits, under the state's restitution to crime victims program, of up to \$2,000 for victims of sex crimes or domestic violence who need funds to move to a new location. **Signed**

– Chapter 419, Statutes of 2001.

Small Business and Economic Development

Economic Development

AB 8 (Cedillo) – Increases loan amounts authorized under a Downtown Rebound Program, created last year by AB 2870 (Cedillo) in the state Housing and Community Department (HCD). The \$19 million program provides low-interest loans for converting vacant or under-used structures into rental housing. Amounts are increased from \$40,000 to \$55,000 for low-income housing units and from \$20,000 to \$35,000 for other units. The bill also requires that units be located in an elementary-school attendance area in which at least 50 percent of students qualify for free meals. Signed – Chapter 3, Statutes of 2001.

AB 31 (Reyes) – Establishes, until January 1, 2007, the Central Valley Infrastructure Grant Program at HCD for providing grants for qualifying projects to small rural cities in the counties of Fresno, Kings, Kern, Tulare, Madera, Merced, Stanislaus and San Joaquin. Signed – Chapter 746, Statutes of 2001.

Micro and Small Businesses

AB 29 (Papan) – Clarifies the intent of AB 2805 (Papan), Chapter 913, Statutes of 2000, with respect to requirements for participation in the Capital Access Loan Program. AB 2805 had incorrectly made certain financial institutions ineligible for participation in the program and this bill corrects that. Signed – Chapter 160, Statutes of 2001.

AB 1084 (Wesson) – Seeks to increase the participation of small businesses in public contracts for construction, goods and services as follows: (1) establishes a microbusiness category, (2) allows local governments to use small business preferences in the awarding of contracts, and (3) requires awarding agencies to report annually to the Legislature on the level of participation by minority-owned and women-owned business enterprises. Signed – Chapter 882, Statutes of 2001.

AB 1471 (Diaz) – Extends authority for the director of the state Finance Department to transfer funds from the state's reserve to the Small Business Expansion Fund for loan guarantees following disasters. Also deletes a requirement that Small Business Financial Development Corporations become independent of state aid within four years. Signed – Chapter 508, Statutes of 2001.

Taxes

AB 737 (Oropeza) – The Small Business Procurement and Contract Act permits a state agency to award a contract for goods, services, or information technology with a value of between \$5,000 and \$100,000 to a small business without complying with specified competitive bidding requirements. Allows the award of a contract under this exemption to a certified disabled-veteran-owned business enterprise. Signed – Chapter 183, Statutes of 2001.

Technology and Trade

AB 968 (Chan) – Places the California World Trade Commission and the state offices of Foreign Investment, Export Development, California-Mexico Affairs, Trade Policy and Research, and Export Finance within the International Trade and Investment Division of the state Technology, Trade and Commerce Agency. Signed – Chapter 189, Statutes of 2001.

Taxes

SB 366 (Haynes) – Provides relief to taxpayers who invested in abusive tax shelters such as those marketed by Walter J. Hoyt, III, recently convicted in federal court of tax fraud. These investors otherwise would be faced with significant state and federal tax liabilities. The bill provides that no levy for an underpayment for any taxable year beginning on or before December 31, 2000, attributable to an abusive tax shelter, shall be made on the principal residence or proceeds from a transaction involving the principal residence of an innocent investor. Also releases liens on such property. Signed – Chapter 669, Statutes of 2001.

SB 394 (Sher) -- Extends the California Internet Tax Freedom Act until 2003 or 2004, depending upon whether the California Commission on Tax Policy in the New Economy submits a report to the governor and Legislature by December 1, 2002. The California Internet Tax Freedom Act would remain in effect until January 1, 2004, unless the commission fails to submit the report, in which case the California Internet Tax Freedom Act will be repealed on January 1, 2003. The California Internet Tax Freedom Act establishes a state moratorium on taxation of Internet access, online computer services and bits or bandwidth. Signed – Chapter 343, Statutes of 2001.

SB 685 (Costa) – Authorizes extension of a 0.5 percent sales tax in Fresno County for up to 30 years for transportation projects, if approved by local voters. Signed – Chapter 474, Statutes of 2001.

SBX2 17 (Brulte and Peace) – Creates a tax credit for electricity customers who install photo-voltaic panels or wind-driven devices to produce their own power needs. A homeowner could receive a tax credit for half the cost of installing such a device, or obtain a credit based on the dollar value of the wattage the device produces, whichever is less. Signed -- Chapter 12, Statutes of 2001.

SBX2 75 (Ortiz) – Allows a deduction on state income taxes for interest paid on loans financed through a public utility to purchase and install energy-efficient equipment for California residences. This is similar to the deduction taken for interest paid on a home mortgage or equity loan. Also requires public utility companies to send out a form 1098 to inform their customers of the deduction. Signed – Chapter 5, Statutes of 2001.

AB 44 (Wiggins) – Allows taxpayers who suffered disaster losses in the September 2000 Napa earthquake to carry forward 100 percent of any excess losses for up to five taxable years. If excess loss remains after that, these taxpayers could carry forward 50 percent of that amount for up to 10 additional years. Signed – Chapter 618, Statutes of 2001.

AB 63 (Cedillo) – Permits the state Franchise Tax Board (FTB) to disclose to the tax officials of a city, upon written request, the name, address, Social Security or taxpayer identification number and business activity code of taxpayers with an address within the city's boundaries who report income from a trade or business to the FTB. The tax information to the taxing authority of a city may not be furnished to or used by any person other than an employee of that taxing authority. Signed – Chapter 915, Statutes of 2001.

AB 205 (Koretz and Cardenas) – Prohibits any city or county from requiring an employee to obtain a business license or from imposing a business tax or registration fee based on income earned for services performed for an employer. Becomes operative only if AB 63 (Cedillo) is enacted. Signed – Chapter 36, Statutes of 2001.

AB 426 (Cardoza) – Provides sales-tax exemptions for liquified petroleum gas, farm and forestry equipment, diesel fuel for farming, and for racehorse breeding stock. Signed – Chapter 156, Statutes of 2001.

AB 645 (Horton) – Changes the assessment appeal deadline for property taxes from September 15 to November 30, and standardizes appeal rights for taxpayers subject to property-tax audits. Signed – Chapter 238, Statutes of 2001.

AB 816 (Thomson) – Conforms to federal tax practice by allowing California taxpayers to exclude gains from the sale of a personal residence from the computation of their gross incomes on state income-tax forms. Signed – Chapter 731, Statutes of 2001.

AB 1370 (Wiggins) – Requires the Franchise Tax Board to conduct a study of tax forms that affect taxpayers 65 years old and older and decide which changes are necessary to ensure that the needs of those taxpayers are served to the greatest benefit. Signed – Chapter 266, Statutes of 2001.

AB 1477 (Hertzberg) – Authorizes local public agencies to establish a 311 nonemergency telephone system, and authorizes a surcharge on telephone bills of up to 0.25 percent in those locales which opt to provide the nonemergency system. The system would have provided access to public-safety agencies and to other services provided by a jurisdiction, such as street maintenance and animal control. Vetoed.

ACA 4 (Dutra) – Places a measure on the March 2002 state primary ballot to amend the California Constitution to permit revenues collected from the state's sales tax on gasoline to be dedicated to transportation projects beginning in 2003. Those monies now go into the state General Fund that pays for operating California government, education and other programs. During budget emergencies, this measure's requirements could be suspended by a two-thirds vote of the Legislature. To the ballot – Resolution Chapter 87, Statutes of 2001.

Terrorism and Hate Crimes

Never in this country was public safety breached as it was in the terrorist assaults on New York and Washington that occurred on Sept. 11. The attacks happened in the final week of the first year of California's 2001-02 legislative session. The Legislature responded with a pledge of \$1 million to assist victims, and two resolutions that tried to express the deep sense of tragedy residing in Californians that words alone really could not convey.

The Terrorist Attack

SB 551 (Machado) – Authorizes the California Victim Compensation and Government Claims Board to reimburse persons affected by the Sept. 11 terrorist attack. Authorizes the claims board to allocate \$1 million to victim-compensation programs in New York state to be distributed to victims of the terrorist acts. County boards of supervisors may draw upon a fund of \$2,575,000 to:

- **Provide mental-health counseling to those suffering trauma as a result of the terrorism.**
- **Promote tolerance of individuals whose national origin or religion may be targets of discrimination as an outgrowth of the terrorism.**

The bill authorizes the claims board to expand assistance to include those who incurred economic loss as a direct result of the Sept. 11 attacks. Among qualified recipients are California residents or military personnel stationed in California who had a relative killed or injured in the attacks.

The bill authorizes the board to provide reimbursement of \$10,000 to trauma and rescue teams dispatched from California to the terrorist attack sites. Signed – Chapter 346, Statutes of 2001.

SJR 26 (Morrow) – Expresses the sympathy of the people of California to the people of New York, the District of Columbia, and other affected communities and affirms an offer of assistance. Expresses unity with the leadership of President George W. Bush, asks Congress to support the president, and memorializes sister states and other jurisdictions to join in support of the victims, their families, the president and Congress in moving through the tragedy. Approved – Resolution Chapter 148, Statutes of 2001.

ACR 118 (Cardoza) – Declares that the Legislature joins freedom-loving people around the world in condemning the vicious attack and in observing a time of prayer and remembrances for the victims of the tragedy and for their families. Resolves that the Legislature stands firm with all Americans to preserve our liberties and our freedom, and wholly supports our national efforts to obtain justice against the cowardly terrorists who destroyed so many innocent lives. It further resolves that our nation, firm in purpose and direct in its response, will safeguard our national heritage and honor the memory of the Americans who died as a result of this unprecedented act of terror. Approved – Resolution Chapter 156, Statutes of 2001.

Hate Crimes

A national wave of reported hate crimes against persons perceived to be Muslim or Arab, including two reported murders, followed the Sept. 11 terrorist attacks.

Two reports this year focused attention on the problems of hate crimes in California, which have included some hate groups' verbal attacks on Jews and other non-Christians, government officials and employees, immigrants, persons of color, homosexuals, and abortion providers (*see Crimes Against Reproductive Rights, Senate Office of Research, May 2001*).

The Attorney General's Civil Rights Commission on Hate Crimes found social and cultural barriers

continuing to discourage the reporting of hate crimes. The commission's report, *Reporting Hate Crimes*, made 16 recommendations for legislation and administrative actions to improve reporting.

Hate Crimes in California, 2001, the attorney general's annual report, found a leveling-off of reported hate crimes in California, caused either by a stable level of crimes or a stable level in reporting them.

SB 257 (Kuehl) – Requires school districts' safety plans to include a discrimination and harassment policy and procedures for reporting hate crimes. Expands the School/Law Enforcement Partnership, comprised of the superintendent of public instruction and the attorney general, to address hate crimes. Signed – Chapter 890, Statutes of 2001.

AB 1193 (Steinberg) – Prohibits insurers from canceling or refusing to renew policies held by religious, educational or other nonprofit organizations solely because the policyholders had filed claims for damages from hate crimes. Signed – Chapter 253, Statutes of 2001.

AB 1312 (Nakano) – Appropriates \$250,000 from the state General Fund to the Department of Justice to establish an Asian Pacific Islander Anti-Hate Crimes Program to (1) create brochures and workbooks for Asian Pacific Islander communities that define hate crimes and how to report them, and offer community strategies for responding to them, and (2) conduct training seminars to assist Asian Pacific Islander communities in dealing with hate crimes. Signed – Chapter 566, Statutes of 2001.

Transportation

March 2002 Ballot

ACA 4 (Dutra) – Places a measure on the March 2002 state primary ballot to amend the California Constitution to permit revenues collected from the state's sales tax on gasoline to be dedicated to transportation projects beginning in 2003. Those monies now go into the state General Fund that pays for operating California government, education and other programs. During budget emergencies, this measure's requirements could be suspended by a two-thirds vote of the Legislature. To the ballot – Resolution Chapter 87, Statutes of 2001.

SB 759 (Murray) – Requires the state Department of Finance to annually audit spending under ACA 4 if it is approved by voters. Requires the audit to be made available to the public and the Legislature. Signed – Chapter 911, Statutes of 2001.

Motor Vehicles

SB 22 (Dunn) – Eliminates additional vehicle-registration fees offset by rebates. Establishes an offset of 67.5 percent for vehicle-registration fees that are due after June 30, 2001. Signed – Chapter 5, Statutes of 2001.

SB 106 (Sher) – Authorizes extension of local \$1 vehicle-registration surcharges for abating abandoned vehicles upon the adoption of local resolutions. Requires local abatement authorities to report annually on the use of these funds, and requires the state controller to ensure compliance with fiscal laws. Signed – Chapter 175, Statutes of 2001.

SB 255 (Speier) – Makes it an infraction, punishable by a fine up to \$100, for a parent, legal guardian, or other person responsible for a child who is 6 years of age or younger to leave that child inside a vehicle for more than one minute without providing for the supervision of the child. Signed – Chapter 855, Statutes of 2001.

SB 481 (Speier) – Establishes a number of consumer protections related to vehicle advertisements. Signed – Chapter 441, Statutes of 2001.

AB 360 (Wesson) – Requires that when a peace officer considers impounding a vehicle because the driver either lacks a license or has had his or her driving privileges suspended or revoked, if the registered owner of the vehicle is present and has a valid driver's license, the officer consider releasing the vehicle to the registered owner. Requires impounding agencies to have a published phone number dedicated to giving information regarding vehicle impoundment and the rights of registered owners to

request a hearing regarding the storage of their vehicles. Directs the Department of Motor Vehicles (DMV) and the Highway Patrol to alert the public that a vehicle driven by an unlicensed driver can be impounded, even where the driver is not the vehicle's owner. **Signed – Chapter 480, Statutes of 2001.**

AB 491 (Frommer) – Adds definitions to the provisions governing the terms of rental agreements for passenger vehicles that include "customer facility charge," "drop-off charge," "itinerary rate," "periodic rate," and "refueling charge." **Signed – Chapter 661, Statutes of 2001.**

Public Transit

SB 919 (Polanco) – Establishes a general prohibition on the placement or maintenance of advertising displays by the Los Angeles County Metropolitan Transit Authority (MTA) on land or rights-of-way owned or operated by the MTA. **Signed – Chapter 928, Statutes of 2001.**

AB 1079 (Oropeza) – Requires every public transit bus to be equipped with a two-way communication device, as defined, that enables the driver to contact the operating agency in the event of an emergency. Requires the devices to be maintained in good working order. **Vetoed.**

School Transportation

SB 10 (Soto) – Changes the expiration date of the "Safe Routes to School" program for construction of bicycle and pedestrian-safety projects; extends the grant program for these projects until January 1, 2005. Also delays for two years a required evaluation of the program. **Signed – Chapter 600, Statutes of 2001.**

SB 568 (Morrow) – Specifies that all school buses manufactured and purchased for use in California must be equipped with passenger-restraint systems beginning two years after adoption of a final rule governing crash-protection systems for passengers in school buses, as certified by the commissioner of the California Highway Patrol. **Signed – Chapter 581, Statutes of 2001.**

Accidents

SB 871 (Burton) – Permits any person who suffers an injury that is caused by the driver of a commercial vehicle to recover treble damages from the driver's employer if it is shown the driver was under the influence of alcohol or a controlled substance and that the driver's employer failed to comply with specified requirements. **Signed – Chapter 298, Statutes of 2001.**

Organ Donors

SB 108 (Speier) – Establishes an organ- and tissue-donor registry in the California Health and Human Services Agency. Requires the DMV to provide information and a standardized form to be completed by applicants for driver's licenses and identification cards who desire to be organ donors. **Signed – Chapter 740, Statutes of 2001.**

Toll Bridges

AB 1171 (Dutra) – Authorizes the Metropolitan Transportation Commission to indefinitely extend a surcharge on state-owned toll bridges in the San Francisco Bay Area. Funds are to be used for completing seismic improvements to those bridges. **Signed – Chapter 907, Statutes of 2001.**

Other Transportation Bills

SB 667 (Peace) – Requires yellow-light change intervals in accordance with the CalTrans Traffic Manual at intersections at which there is an automated enforcement system. **Signed – Chapter 496, Statutes of 2001.**

SB 670 (Poochigian) – Requires the California Transportation Commission, by March 31, 2002, to report to the Legislature on how many paved roads in California are turning into gravel roads and on a need for a mechanism or funding stream to address this situation. **Vetoed.**

SB 1170 (Sher) – Creates a state policy to minimize the use of petroleum-based fuels by requiring appropriate state agencies to adopt energy, air-pollution, and fuel-efficiency standards for the state vehicle fleet. **Signed –**

Chapter 912, Statutes of 2001.

AB 309 (Longville) – Simplifies the retail sales-tax prepayment on fuel for fuel sellers and the Board of Equalization by imposing the prepayment of sales tax at the same point as both the state and the federal excise taxes. Signed – Chapter 429, Statutes of 2001.

AB 608 (Dickerson) -- Provides that, if a transportation project's contract award is more than 20 percent below the project cost estimate, the California Transportation Commission could adjust county-share funding allocations to reflect the savings, thereby increasing the funds available for reprogramming in the affected county or counties. **Signed – Chapter 815, Statutes of 2001.**

AB 631 (Oropeza) – Requires the California Transportation Commission, using information and analysis developed by the department and regional transportation planning agencies, to prepare a statewide inventory of assessments of the condition, performance and deficiencies of the state's transportation system every five years. **Vetoed.**

AB 1091 (Rod Pacheco) – Provides that any provisions in contracts between the state and private parties for building or operating transportation facilities are void if they attempt to limit the state's authority to exercise its jurisdiction over a transportation system in order to minimize competition with a transportation facility. **Vetoed.**

AB 1335 (Cohn) – Authorizes lead agencies for projects in regional transportation plans to apply to the California Transportation Commission for letters of no prejudice in order to expend their own funds, subject to the approval of the commission. **Signed – Chapter 908, Statutes of 2001.**

AB 1564 (Cardenas) – Includes any federally recognized Indian tribe within the definition of "public entity" for the purpose of authorizing the Department of Transportation to enter into cooperative agreements for state highway construction, improvements or maintenance. **Vetoed.**

Veterans and Military

Disabled Veterans

AB 737 (Oropeza) -- Expands simplified contract bidding procedures to include disabled veteran business enterprises (DVBES) and requires that small businesses be certified in order to qualify for these exemptions. **Signed – Chapter 183, Statutes of 2001.**

AB 941 (Flores) – Require the Department of Veterans Affairs (DVA) and other state departments to appoint disabled veteran business enterprise advocates to assist in meeting the 3 percent DVBE participation goals. **Signed – Chapter 666, Statutes of 2001.**

Discrimination Against Service Personnel

AB 120 (Havice) -- Prohibits lenders from discriminating against armed services personnel.. **Signed – Chapter 299, Statutes of 2001.**

Homeless Veterans

AB 1060 (Negrete McLeod) – Requires the DVA, in collaboration with the state Department of Health Services, to study the status of homeless veterans in California and propose how to provide adequate housing for them. DVA shall report the findings of the study to the Legislature and the governor by March 15, 2002. **Signed – Chapter 265, Statutes of 2001.**

Military Museum

SB 480 (Johannessen) – Appropriates \$100,000 to operate the California Military Museum in Old Sacramento. **Signed – Chapter 768, Statutes of 2001.**

State Veterans Board

SB 164 (Johannessen) – Gives the board its own budget, independent of the Department of Veterans Affairs, and requires DVA to provide the board with adequate office and meeting space. **Signed –**

Chapter 220, Statutes of 2001.

Veterans Buildings and Memorials

SB 86 (Oller) -- Requires a majority of the members of boards of memorial districts established to maintain veterans buildings and memorials to be veterans. Signed – Chapter 341, Statutes of 2001.

Veterans Homes

SB 4 (Johannessen) -- Includes Shasta County, the Central Valley, and Los Angeles County in the list of possible California veterans home sites. Signed – Chapter 599, Statutes of 2001.

SB 45 (Johannessen) -- Appropriates \$6.5 million from the General Fund to the Department of Veterans Affairs for the operation of the Barstow Veterans Home for the remainder of the 2000-01 fiscal year. Signed – Chapter 6, Statutes of 2001.

SB 478 (Johannessen) – Provides that each Veterans Home administrator be appointed by the governor. Vetoed.

SB 781 (Knight) -- Authorizes the DVA to accept and process applications from veterans seeking residency in a new California veterans home, beginning when construction starts. Signed – Chapter 281, Statutes of 2001.

SB 933 (Margett) – Gives Congressional Medal of Honor winners priority for residence in veterans homes, and makes widows and widowers of Medal of Honor recipients eligible for residency. Signed – Chapter 283, Statutes of 2001.

SR 20 (Knight) – Directs the DVA to correct its retaliation against "whistleblower" employees of the Barstow Veterans Home who provided information to the Senate Rules Committee, the state Department of Health Services, and other investigative agencies. Approved.

AB 494 (Cardoza) -- Continues the Governor's Commission on Veterans Homes through 2003 and requires state agencies to give it staff assistance. Signed – Chapter 645, Statutes of 2001.

Veterans' License Plate Fees

AB 527 (Kehoe) – Reduces the renewal fee for replacement decals used on special-interest license plates sponsored by veterans' organizations. Signed – Chapter 201, Statutes of 2001.

Water

CALFED

SB 23 (Costa) – Requires the state Department of Water Resources to submit to the Legislature a report that includes progress toward the goals and implementation schedule established in the CALFED Bay-Delta Program. By satisfying budget control language, the bill allows the Department of Water Resources to spend \$135 million to implement CALFED projects. Signed – Chapter 7, Statutes of 2001.

Water Quality and Supply

SB 221 (Kuehl) – Prohibits approval of a tentative map for a subdivision of more than 500 dwellings unless the legislative body of a city or county provides written verification from the applicable water provider that a sufficient water supply is available. Signed – Chapter 642, Statutes of 2001.

SB 610 (Costa) – Requires urban water suppliers whose supplies include groundwater to provide additional information as part of an urban water management plan. Requires a city or county that determines a project is subject to the California Environmental Quality Act to request public water systems to assess whether total projected water supplies will meet the projected water demand. Signed – Chapter 643, Statutes of 2001.

AB 901 (Daucher) – Requires urban water suppliers to include information in their water management plans regarding the quality of water sources available over given time periods, and the manner in which water quality affects water management strategies and supplies. Signed – Chapter 644, Statutes of 2001.

Other

SB 350 (Alpert) – Requires directors of the Metropolitan Water District of Southern California to establish guidelines by June 30, 2002, governing the use of surplus funds that remain after satisfying requirements for a reserve fund. Signed – Chapter 632, Statutes of 2001.

SB 883 (Escutia) – Expands conflict-of-interest and competitive bidding provisions of the Water Replenishment District Act. Signed – Chapter 829, Statutes of 2001.