

# HIGHLIGHTS OF THE LEGISLATIVE ACCOMPLISHMENTS OF 1997

OCTOBER 1997

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## Preface

This summary highlights some of the significant bills that were sent by the California Legislature in 1997 to the desk of Governor Pete Wilson.

This is not a complete list, but it does illustrate a range of issues considered and actions taken by the California Legislature prior to its year-end recess on September 13. Wilson was required to sign or veto all measures by October 13, and his actions are noted here. Most of the bills signed into law by Wilson will take effect January 1, 1998.

You may use the Internet at <http://www.leginfo.ca.gov> to read and print copies of these bills, read veto messages, or look up legislative staff analyses of the measures and issues.

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...One would have to go back a long way, perhaps decades, to find a legislative session that produced as much important policy, including:

A welfare reform plan to pull or push more than a half-million adults from welfare rolls to payrolls.

A middle-class tax cut that will reach to nearly a billion dollars a year when fully implemented.

A state-federal program that will bring health care coverage to hundreds of thousands of children in working poor families.

A new regulatory scheme for the state's fast-growing gambling industry that may thwart the more unseemly aspects of wagering.

The largest public works program in nearly 40 years to rebuild or retrofit earthquake-endangered bridges.

Those are just the biggies. There's an even longer list of lesser endeavors, including a new financing plan for colleges that would cut fees, a bit of relief for financially beleaguered counties, a new testing program for public schools, an overhaul of the state's endangered species act, a revision of the contentious smog-testing program, new efforts to control proliferation of guns, money to raise state employees' salaries after years of freeze and placing campaign finance reports on the Internet....\*

---Dan Walters, political columnist, Sacramento Bee

September 14, 1997

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## Part I

The California Budget and "Trailer Bills"

The 1997-98 State Budget

Here are highlights of the \$67 billion state budget bill, AB 107 (Ducheny), Chapter 282/Statutes of 1997, signed by Governor Wilson, for the fiscal year that began July 1, 1997:

### Education

Kindergarten through 12th Grade

Provides \$5,108 in overall funding per pupil, an increase of 7 percent above the 1996-97 level;

Includes \$1.4 billion to fund student growth, projected at 2.5 percent, and cost-of-living adjustments for ongoing education programs;

Provides \$555 million to continue revenue limit equalization and deficit reduction, which began in 1996-97;

Expands the Class Size Reduction Program to the third grade, in addition to grades kindergarten through second, and increases per-pupil funding for the program from \$650 to \$800;

Provides \$76.7 million for special education funding equalization and reform;

Lengthens the school year by one day through a state "buy out" of one staff development day (\$50 million);

Provides \$100 million for new investments in high school education technology--\$50 million in one-time funds and \$50 million in ongoing funds;

Provides \$64 million in expansion funds for child development programs for low-income families and \$25 million to fund the Child Care Facilities Loan Program to expand the number of licensed child-care facilities, and

Provides \$3.6 million in prevention funds for a new program to assist high-risk youth.

Higher Education

Increases overall funding for the University of California by 5 percent, increases funding for the California State

University system by 4.8 percent, and increases funding for the community colleges by 10.6 percent.

Reduces student fees by 5 percent for resident students at the University of California and California State University and reduces per-unit fees for community college students by \$1 through the year 2000.

Provides \$5 million for development of a 10th campus of the University of California.

Provides \$65 million to the community colleges for services related to welfare reform, and

Provides \$31 million for additional student financial aid, including \$26 million more for the Cal-Grant program.

#### Welfare Reform

Invests \$5 million in CalWORKs job training and creation.

Maintains a subsistence safety net for all Californians by establishing a state-only food stamp program for children and threatened with the loss of federal assistance (\$36 million); also increases funding for rural health and food programs.

Adds more than \$100 million to the budget of welfare-related child-care services.

#### Health Care

Provides \$30 million to increase access to community health services for low-income Californians and \$75 million to assist public hospitals that serve a disproportionate share of Medi-Cal recipients and the indigent. Captures \$58 million in federal funds for certain medical teaching and children's hospitals.

Expands programs to ensure quality of care for individuals with developmental disabilities. Also expands mental health services for children through local systems of care.

#### Battered Women Shelters

Provides \$2 million for additional services.

#### Corrections and Juvenile Justice

Provides \$100 million and a three-year funding commitment for the Citizens Option for Public Safety (COPS) program assisting local law enforcement and district attorneys.

Assists local efforts to reduce crime with \$55 million for building and increasing security at local juvenile facilities and jails. Maintains \$33 million for juvenile camps and ranches.

Replaces a plan to build three new prisons using lease-purchase bond financing with approaches using cost-effective methods to reduce inmate recidivism rates. This includes \$3.5 million for 1,250 new drug-treatment beds.

Directs \$141 million in funds for Temporary Assistance for Needy Families to county probation departments.

#### Environment, Housing and Emergency Assistance

Requires all boards and departments within the California Environmental Protection Agency to provide peer review for the development of environmental quality regulations. Restructures the Office of Emergency Services to maximize efficient distribution of disaster relief funds for local communities. Provides \$2 million for emergency shelters for the homeless, and \$4 million for farm-worker housing grants.

Creates a Natural Resources Infrastructure Fund and establishes a Salmon and Steelhead Account to restore California's watershed.

Signed - Chapter 282/Statutes of 1997

State Budget Trailer Bills

## Education

### Class Size Reduction

SB 804 (O'Connell, Polanco, Brown, Pacheco, Scott) -- Expands the Class Size Reduction Program to include four grades, from kindergarten through third. Increases funding from \$650 to \$800 per student in classes participating in the program on a full-day basis and from \$325 to \$400 per student in classes that participate half-day. Also establishes a program permitting districts to borrow funds for the purchase of facilities. Signed - Chapter 298/Statutes of 1997.

AB 751 (Escutia) -- Allows schools that are unable to implement class size reduction because of severe space limitations to qualify for full funding under certain circumstances. These schools still will be required to hire teachers to meet the 1:20 ratio; however, teachers can team-teach in the same classroom. Signed - Chapter 285, Statutes of 1997.

### Omnibus Education Funding

AB 1578 (Migden, Leach, and Alpert) -- Contains provisions necessary to implement several budget items, including \$25 million for the Child Care Facilities Revolving Fund to provide loans to child care facilities that lost space as a result of class size reduction in elementary schools. The bill also includes \$10 million for grants to community colleges to expand child care facilities for the children of students eligible for welfare. Signed after line-item vetoes - Chapter 299/Statutes of 1997.

### High-Risk Youth

SB 1095 (Lockyer) -- Creates the High Risk Youth Education and Public Safety Program as a collaborative among local education agencies to focus on first-time youthful offenders who are at risk of becoming repeat offenders. Funds for evaluation and administration of the program are included in the measure. The new program provides case management, mentoring and after-school programs, parenting education, school-linked substance abuse treatment, career-related services, transportation and services related to transitioning to higher education. Signed - Chapter 340/Statutes of 1997.

### Educational Technology

AB 64 (Baca, Aguiar, Mazzoni, Poochigian, Vasconcellos, Schiff, Karnette) -- Provides \$100 million for a new high school grant program to fund computer equipment, training and wiring. The program will provide grants of \$1 million to 100 high schools selected by lottery. School districts will be required to provide matching funds. Signed - Chapter 326/Statutes of 1997.

### Longer School Year

AB 1579 (Strom-Martin, Peace) -- Enacts the Staff Development Buy-out Program with the intent of expanding the number of instructional days each year in public schools. Subject to available funding in the budget, the bill will provide \$220 per day for certificated employees who participate in staff development programs in core curriculum areas. The 1997-98 budget includes \$50 million to fund one additional staff development day, thereby expanding the 1997-98 school year by a day. The bill requires districts to schedule staff development days to coincide with regular school breaks or at the beginning or end of the school year, and to provide advance notice to parents of minimum days. Signed - Chapter 296/Statutes of 1997.

## Social Services

AB 67 (Escutia) -- The omnibus social services trailer bill that makes changes to the following programs and entities:

Community Care Licensing,

Foster Care,

In-Home Supportive Services,

Supplemental Security Income/State Supplementary Payments,

Rehabilitation,

Employment Development Department,

Employment Training Panel,

CalWORKs and

Child Welfare Services.

Signed - Chapter 67/Statutes of 1997.

AB 1576 (Bustamante, Pringle, Lockyer) -- Creates a \$35.6 million state food-stamp program to replace federal benefits for legal immigrants over 64 and under 18 who lose federal food stamps as of September 1997 under federal welfare reform. Serves 36,000 children and 4,500 elderly; leaves about 90,000 adult legal immigrants unserved. Signed - Chapter 287/ Statutes of 1997.

### Health

SB 391 (Solis, Ducheny) -- Implements major health provisions of the budget. Some of highlights are:

Modifies the existing transitional Medi-Cal program to make it easier for former welfare recipients to continue receiving Medi-Cal once they return to work.

Establishes a fund using \$57 million in federal monies to support graduate medical education provided through hospitals.

Provides \$75 million to local governments that operate hospitals and to private hospitals with a disproportionate share of patients who are poor (DSH payments).

Permits voluntary enrollment of foster children in managed care.

Requires the Department of Health Services to develop a Medi-Cal eligibility form to permit newborns to be eligible for benefits. Also allows for out-stationing of eligibility workers to improve access to services for children.

Eliminates the termination date for child health and tobacco-education programs that receive cigarette-tax funds. The state budget includes more than \$400 million for these programs.

Tackles some of the issues associated with the transition of developmentally disabled residents of state hospitals into community-based facilities. Sets aside \$14 million for the tracking and monitoring of these individuals and requires the Department of Developmental Services to contract with a nonprofit entity to provide client-rights advocacy services. Signed - Chapter 294/Statutes of 1997.

AB 1572 (Villaraigosa and Gallegos) -- Appropriates federal and state funds for start-up costs for the Healthy Families program that will provide children's health coverage pursuant to AB 1126 (Villaraigosa and Figueroa) and SB 903 (Lee and Maddy). (See "Children's Health Coverage," page 56.) Signed - Chapter 625/Statutes of 1997.

### Resources and Environment

SB 1320 (Sher) -- Establishes external scientific peer review requirements for all boards, departments and offices in the California Environmental Protection Agency (Cal EPA). Requires all boards, departments and offices within Cal EPA to enter into agreements with the National Academy of Sciences, the University of California, the California State University or related scientific entities to conduct an analysis of the science on which a regulation is based. Requires peer reviewers to provide a written evaluation as to whether the scientific portion of a rule is based on sound scientific knowledge, methods and practices. If a reviewer's findings are not accepted, the rule-making record will include a statement as to why the rule-making body has determined the scientific portion of the proposed rule is based on sound science. Signed - Chapter 295/Statutes of 1997.

SB 271 (Thompson and Ducheny) -- Creates, among other things, the Salmon and Steelhead Trout Restoration Account and transfers \$3 million in 1997-98 and \$8 million in future years until July 2003. Creates the Natural

Resources Infrastructure Fund and transfers \$27.3 million from the Trust Fund for Fish and Game for environmental review, land acquisition in Orange and San Diego counties, Habitat Conservation Fund projects and pollution abatement projects at the State Water Resources Control Board. Signed - Chapter 293/Statutes of 1997.

AB 1593 (Machado and Costa) -- Authorizes a flood protection project along the American River upon the recommendation and advice of the Department of Water Resources or the Reclamation Board, as prescribed. Signed - Chapter 297/Statutes of 1997.

AB 1582 (Bowen and Kopp) -- Allows monies from the sale of the Governor's Mansion to be used for renovating the Stanford Mansion. Requires a report on the allocation of funds from the Harbors and Watercraft Revolving Fund. Signed - Chapter 288/Statutes of 1997.

### Taxes

AB 1592 (Leonard) -- Suspends the state renters' personal income-tax credit until January 1, 1998. Signed - Chapter 292/Statutes of 1997.

### State Administration

SB 386 (Peace) -- Centralizes the California Department of Corrections' internal investigations unit and requires it to be responsible for reviewing departmental policy and procedure. Requires periodic audits of the department and California Youth Authority. Suspends the requirement for annual notification to undocumented felons of their ability to transfer to their countries of origin, saving \$800,000. (This requirement was found ineffective as only 11 prisoners transferred to their country of origin from 1990 to August, 1996.) Vetoed.

SB 959 (Hughes) -- Appropriates \$20.4 million from the General Fund to the disaster branch of the Office of Emergency Services, contingent upon the governor providing a more expeditious plan for processing claims. Limits the role of the OES in claims-processing procedures. Signed - Chapter 338/ Statutes of 1997.

AB 1586 (Wright) -- Expands performance-based budgeting in the Department of Consumer Affairs and General Services, increases health plan license fees to improve monitoring of health maintenance organizations, permits the use of state General Fund monies for the Capitol Park Veterans' Memorial, modifies the Tourism Marketing Act to eliminate an assessment for small businesses and prohibits the Department of Transportation from disposing of surplus property in South Pasadena prior to January 31, 1998. Signed - Chapter 300/Statutes of 1997.

AB 783 (Brown) -- Permits the use of Alcoholic Beverage Control funds for training local law enforcement agencies, using a formula that allocates not less than 75 percent to local agencies and 25 percent to the state. Vetoed.

AB 1591 (House) -- Enacts the governor's proposal to deal with insolvency in the Department of Motor Vehicles by increasing the registration fee by \$1 to \$28 and the vehicle transfer fee by \$2. The registration fee increase will generate \$19 million in new revenues. About \$7 million will be generated from transfer fees. Signed - Chapter 291/Statutes of 1997.

### Local Government

AB 1584 (Prenter and Cardoza) -- Continues funding at \$100 million annually for the next three years for the Citizens Option for Public Safety (COPS) program for city and county public safety needs. Signed - Chapter 289/Statutes of 1997.

AB 1589 (Pringle and Lockyer) -- Clarifies that county appropriations for fire services reduce the calculated amount of a share of property taxes to be shifted from local governments to schools, saving fire districts approximately \$4 million. Clarifies that library districts are exempt from the shift, resulting in a savings of \$60 million to library districts. The General Fund will be required to cover these losses to schools. Signed - Chapter 290/Statutes of 1997.

### Transportation

SB 60 (Kopp) -- Estimates that \$2.62 billion will be necessary to retrofit seven state-owned toll bridges and allocates funds from various sources through the 2004-5 fiscal year:

\$101 million - Benicia-Martinez,

\$83 million - Carquinez,

\$329 million - Richmond-San Rafael,

\$127 million - San Mateo-Hayward,

\$45 million - San Pedro-Terminal Island (Vincent Thomas),

\$95 million - San Diego-Coronado,

\$1.84 billion - San Francisco-Oakland. Signed - Chapter 290/Statutes of 1997.

SB 226 (Kopp) -- Creates a Bay Area Toll Authority within the Metropolitan Transportation Commission (MTC). Specifies that the Toll Authority rather than the California Transportation Commission is responsible for the programming, administration and allocation of all toll revenues authorized under Measure 1, a recent Bay Area ballot initiative for bridge retrofit. Signed - Chapter 328/Statutes of 1997.

## Part II

### Highlights of Legislation That Reached the Governor's Desk in 1997

#### Agriculture

SB 318 (Thompson and Costa) -- Increases, for 1998 through 2000, the amount of rice straw that can be burned to up to 200,000 acres per year -- 90,000 acres in the fall and 110,000 in the spring. This shifts much of the burning from the fall to the spring when weather conditions are better for the dispersion of rice smoke and particulates. Creates a fund administered by the state Air Resources Board to provide cost-sharing grants of up to 50 percent to develop demonstration projects for technologies that use rice straw. Signed - Chapter 745/Statutes of 1997.

SB 329 (McPherson) -- Allows an owner or tenant, before being issued a permit from the Department of Fish and Game, to kill a wild pig that is threatening to damage or destroy property as long as the killing is reported by the next day and the carcass is put to use in some manner. Requires the department to prepare a management plan to determine wild pig population trends, establish management units and, among other things, encourage the sport hunting of wild pigs. Signed - Chapter 481/Statutes of 1997.

SB 509 (Thompson) -- Creates a special temporary retail wine license to allow nonprofit agricultural organizations to raise funds for viticulture research and consumer education and to permit such organizations to make direct mail sales of their members' wine over a limited period of time. Signed - Chapter 383/Statutes of 1997.

SB 1071 (Polanco and Lockyer) -- Clarifies that agricultural workers who voluntarily quit and are not paid on time are entitled to be paid penalties by their employers. Wages owed agricultural employees are due and payable twice monthly at designated times. When an employee voluntarily quits he or she must be paid within 72 hours. Signed - Chapter 92/Statutes of 1997.

SB 1240 (Costa) -- Allows the exchange of agricultural land that is under Williamson Act contract for permanent agricultural conservation easements. Allows limited lot-line adjustments under specified conditions without canceling Williamson Act contracts and paying Williamson Act cancellation fees to the state. Requires the Department of Conservation to include a review of performance of the lot-line provisions in its biennial Williamson Act status report in the year 2002. The lot-line adjustment provisions of this bill expire on January 1, 2003. Signed - Chapter 495/Statutes of 1997.

AB 84 (Woods) -- Requires state agencies to give a 10 percent price preference to products made with rice straw. Vetoed.

AB 122 (Brown) -- Authorizes counties to allow owners of grapevines planted to replace vines destroyed by Pierce's disease to transfer the base assessed value of the destroyed vines to the replaced vines for calculation of property taxes. Signed - Chapter 607/Statutes of 1997.

AB 593 (Cardoza) -- Makes it unlawful for an egg-handler to store, transport or display eggs that are packed or graded for human consumption unless the eggs are kept at an average temperature of 45 degrees Fahrenheit or

lower or at a temperature established by the U.S. Department of Agriculture. Makes it unlawful for an egg-handler to sell eggs that are not labeled with refrigeration requirements and "sell by" information. Signed - Chapter 403/Statutes of 1997.

AB 1129 (Prenter) -- Establishes a new civil fine up to \$15,000 per violation of the Meat and Poultry Inspection Act. Signed - Chapter 146/Statutes of 1997.

AB 1410 (Floyd) -- Extends to boards of supervisors of counties with populations of 500,000 or more authority to require registration and inspection of fresh fruit and vegetable wholesalers. Vetoed.

#### Civil Rights.

California voters in November 1996 approved Proposition 209, a state constitutional amendment that prohibits discrimination or preferential treatment on the basis of race, ethnicity or gender by California public entities in employment, education or contracting. The measure, a citizens' initiative, immediately was taken to court. In June 1997 the U.S. 9th Circuit Court of Appeal found Proposition 209 constitutional, a decision appealed to the U.S. Supreme Court. The high court in September 1997 determined Proposition 209 will remain in effect while it decides whether to review the legal challenge to its constitutionality.

AB 257 (Villaraigosa) -- Prohibits housing discrimination on the basis of sexual orientation. Expands existing law protecting employees from sexual orientation discrimination in the workplace. Vetoed.

AJR 18 (Shelley) -- Requests the U.S. Senate to ratify the United Nations Convention on the Elimination of All Forms of Discrimination Against Women. Declares the intent of the Legislature to work to ensure the elimination of discrimination against women and girls in California. Adopted - Resolution Chapter 126/Statutes of 1997.

#### Consumers

Mailed notices to homeowners that advertise services to obtain homeowners' exemptions were the subject of AB 1178 by Assemblymember Susan Davis. The state's \$7,000 exemption from property-tax assessments is available to any homeowner on a primary residence, and the forms to claim it may be obtained at no cost from the county assessor's office.

The bill, signed by Wilson, makes it unlawful for any person to make false or misleading statements in connection with the offering of a homeowners' exemption "filing service," including statements that a fee is required for obtaining the exemption. The bill makes it illegal to offer a homeowners' exemption service without including a statement that the service is not associated with any government agency and that a homeowner's exemption claim form may be obtained at no cost from the county. Chapter 249/Statutes of 1997.

#### Disclosure

SB 492 (Rosenthal and Kopp) -- Requires that on or before January 1, 1999, the Department of Consumer Affairs and the Department of Real Estate provide public information, excluding personal information, on the Internet regarding the status of every license issued by the entity. This includes information concerning suspensions and revocations of licenses and other enforcement actions against individuals or businesses subject to regulation. Signed - Chapter 661/Statutes of 1997.

AB 103 (Figueroa) -- Requires the Medical Board of California and the Board of Podiatric Medicine to disclose to the public any malpractice judgments, settlements or arbitration awards involving licensees. The boards also must report hospital disciplinary actions that result in the termination or revocation of a licensee's medical privileges for a medical disciplinary reason. Previously the law had limited reporting requirements to actions above a threshold of \$30,000. Also requires the Medical Board of California to post information about the board certifications of physicians on the Internet. Signed - Chapter 359/Statutes of 1997.

AB 1104 (Knox) -- Extends requirements to disclose fees for the use of automated teller machines (ATMs) to "pay point" devices. A 1996 law requires electronic disclosure of transaction fees at ATMs but not at point-of-sale devices. This bill prohibits a point-of-sale operator from imposing any fee upon a customer for use of the device unless the fee is disclosed prior to the customer being obligated to pay for any goods or services. Signed - Chapter 646/Statutes of 1997.



AB 1423 (Martinez) -- Requires entities that provide telephone services, such as hotels, motels and hospitals, to display notices near their telephones describing all rates and charges associated with use of the telephone. Signed - Chapter 681/Statutes of 1997.

#### Access to Government on the Internet

SB 49 (Karnette) -- Directs the secretary of state to develop and implement an on-line filing and disclosure system for state campaign contribution and spending statements. Signed - Chapter 866/Statutes of 1997.

SB 1273 (Hurtt) -- Permits state agencies to send information by electronic mail in lieu of U.S. mail, if requested, unless impracticable or contrary to state or federal law. Signed - Chapter 687/Statutes of 1997.

AB 206 (Hertzberg) -- Requires state agencies with web sites to provide a form on the web site for individuals to register complaints or comments regarding the agency's performance. Signed - Chapter 416/Statutes of 1997.

#### Foodstuffs

AB 396 (Kaloogian) -- Requires ready-to-eat food prepared at food facilities to be heated and/or reheated to specified internal temperatures to increase consumer safety. Signed - Chapter 366/Statutes of 1997.

AB 593 (Cardoza) -- Makes it unlawful for an egg-handler to store, transport or display eggs that are packed or graded for human consumption unless the eggs are kept at an average temperature of 45 degrees Fahrenheit or lower or at a temperature established by regulations of the U.S. Department of Agriculture. Makes it unlawful for an egg-handler to sell eggs that are not labeled with refrigeration requirements and "sell by" information. Signed - Chapter 403/Statutes of 1997.

SB 920 (Thompson) -- Establishes labeling standards for olive oil manufacturers. Signed - Chapter 543 - Statutes of 1997.

#### Home Improvements and Building Contractors

SB 214 (Hughes) -- Prohibits use of retail installment contracts for home improvements with a security interest in the primary residences of persons over 65 years of age. Vetoed.

SB 299 (Mountjoy) -- Authorizes the Contractors' State License Board to take disciplinary action against a licensed contractor for violating building permit laws. Signed - Chapter 334/ Statutes of 1997.

SB 589 (Hughes) -- Requires "at-risk" loan applicants to receive financial counseling, before they sign final documents, on their ability to pay the monthly premiums on home improvement contracts that use the home as security. Prohibits direct payment by a loan company to the home improvement contractor. Vetoed.

SB 857 (Polanco) -- Limits the type of specialty building work that may be performed by general building contractors who do not have specialty contractor's licenses relevant to the kind of specialty work needed. Signed - Chapter 812/Statutes of 1997.

AB 1213 (Miller) -- Requires the Contractors' State License Board to establish a certification program for home improvement contractors by January 2, 1999. Requires certified home improvement contractors to pass an open-book examination on business skills, contracting skills and laws relating to home improvement. Signed - Chapter 888/ Statutes of 1997.

#### Mortgages and Foreclosures

AB 442 (Gallegos) -- States that requirements of the state are satisfied in the case of federally regulated residential mortgage loans if the borrowers receive:

A "good faith estimate" as required by the U.S. Real Estate Settlement Procedures Act,

All applicable disclosures required by the federal Truth in Lending Act, and

Disclosure of any balloon payment provisions on loans.

Signed - Chapter 245/Statutes of 1997.

AB 456 (Ducheny) -- Establishes standards for reverse equity mortgages for seniors. Signed - Chapter 797/Statutes of 1997.

AB 669 (Wright) -- Allows an indefinite cooling-off period in home equity sales and foreclosure consulting services, requires the court to award three times a homeowner's actual damages for the violation of specified provisions by a foreclosure consultant, and clarifies that a transfer of property during the cooling-off period is prohibited in home equity sales contracts with an option to repurchase. Signed - Chapter 50/Statutes of 1997.

AB 1160 (Shelley) -- Requires a lender to discontinue collecting payments for private mortgage insurance if the loan amount owned by the borrower is 75 percent or less of the original sales price and the borrower is current on payments. The bill applies to loans made after January 1, 1998. Signed - Chapter 62/Statutes of 1997.

#### Group Homes

AB 323 (Baca) -- Creates a three-year pilot project in San Bernardino County requiring group homes to establish procedures for immediately responding to incidents and complaints, and requires the Department of Social Services to report to the Legislature on the project's effectiveness. Requires the department by July 1, 1998, to develop a plan for a statewide toll-free number for callers to request inspections of group homes. Signed - Chapter 561/Statutes of 1997.

#### Nursing Homes, Personal Caregivers and Mental Health Care

SB 945 (Wright) -- Requires candidates for training as home health aides to submit fingerprint cards with their training applications prior to contact with residents. Requires denial of a license to, and prohibits care from being provided by, any person whose criminal record discloses evidence of a felony or any crime that shows an unfitness to provide home health services. Exempts any person who presents evidence satisfactory to the Department of Health Services of rehabilitation. Signed - Chapter 558/Statutes of 1997.

SB 1049 (Maddy) -- Adds home health-aide services to the list of services that must be available through a hospice as a condition of its license. Signed - Chapter 492/Statutes of 1997.

SB 1052 (Vasconcellos). Authorizes federally approved long-term care insurance policies with tax-deductible premiums to be marketed and sold in California. Also establishes new consumer protection standards to ensure value-based benefits. Signed - Chapter 699/Statutes of 1997.

SB 1061 (Vasconcellos) -- Establishes a standardized skilled nursing facility admission agreement. Current admission agreements are often over 50 pages long. Proponents of the bill say consumers routinely waive vital services and rights provided by law due to the complexity of the contracts, which are generally entered into during a period of duress. This bill is intended to help consumers maximize their rights when they, or loved ones, needs skilled nursing care. Signed - Chapter 631/Statutes of 1997.

AB 482 (Aroner) -- Requires that an after-care plan be provided to mental health patients and their conservators, guardians or legal representatives upon discharge from specified facilities. The after-care plan will include information about the nature of the patient's illness, medications and side effects, and treatment recommendations. Signed - Chapter 512/Statutes of 1997.

AB 845 (Martinez) -- Requires the Department of Social Services to study and make recommendations to the Legislature regarding the In-Home Supportive Services (IHSS) program, which provides personal care services to disabled persons in their homes. The study must include:

Identification of sources of funding available for the IHSS program and an examination of data indicating whether the state is accessing all available funds for the program.

An overview of the current service-delivery system on a county-by-county basis, including salary, benefits, training, and average length of employment of IHSS workers, and a comparison of the cost of IHSS and that of institutional long-term care.

An examination of worker turnover rates and their effect on quality of care and admission to long-term care facilities.

An examination of current levels of training for IHSS workers, levels of training in other states and how training is funded, and a survey of current workers regarding their interest in training. Vetoes.

### Privacy

SB 448 (Sher) -- Prohibits the release of the name, credit history, utility usage data, home address, or telephone number of utility customers of local agencies except:

To an agent or authorized family member of the customer.

To an officer or employee of another governmental agency when necessary for the performance of its official duties.

Upon court order or the request of a law enforcement agency in relation to an ongoing investigation.

Upon determination by the local agency that the utility customer has used utility services in a manner inconsistent with local utility usage policies.

Upon determination by the local agency that the utility customer is an elected or appointed official with authority to determine utility usage policies of the local agency.

Upon determination by the local agency that the public interest in disclosing the information clearly outweighs the public interest in not disclosing. Signed - Chapter 276/ Statutes of 1997.

SB 458 (Peace and Cardenas) -- Prohibits state agencies, including the California State University, from sending any outgoing U.S. mail to an individual that contains personal information about that individual, including Social Security numbers, unless the correspondence is sealed. Signed - Chapter 685/Statutes of 1997.

AB 1043 (Assembly Committee on Revenue and Taxation) -- Makes it unlawful for any local jurisdiction that imposes a utility tax to disclose certain information or documents contained in utility user tax records. Signed - Chapter 806/Statutes of 1997.

### Renters

SB 548 (Solis) -- Requires a landlord of a dwelling unit to install and maintain operable dead-bolt locks on exterior doors of the unit, and to install and maintain operable window locks. Signed - Chapter 537/Statutes of 1997.

SB 682 (Sher) -- Makes changes to landlord-tenant law by allowing a maximum of 60 days before a rent increase will take effect, provided the tenant decides to move out. Permits a tenant, prior to the date on which an announced rent increase would take effect, to provide written notice of intent to terminate the tenancy. Vetoes.

### Swimming and Wading Pools

SB 873 (Vasconcellos) -- Requires all new and altered public wading pools to have at least two circulation drains per pump located at least three feet apart and to comply with other safety requirements to prevent physical entrapment or suction injury. Expands existing law to require all pre-1975 public swimming pools, including those located in apartment complexes, hotels, and motels, to be retrofitted with ground fault circuit interrupters. Signed - Chapter 913/Statutes of 1997.

### Other Consumer Legislation

SB 343 (Calderon) -- Requires a refund within 30 days of the value or policy fee when the owner of a variable annuity, variable life or modified guaranteed contract returns it during its cancellation period. Signed - Chapter 113/Statutes of 1997.

SB 461 (Karnette) -- Provides definitions of unprofessional conduct for optometrists; authorizes civil penalties for altering, modifying or creating a medical record with fraudulent intent, and requires training for optometrists to learn how to detect child abuse and alcoholism and other chemical-substance dependencies. Signed - Chapter 556/Statutes of 1997.

SB 816 (O'Connell) -- Requires retail casket or alternative container sellers, but not licensed funeral directors who

are regulated under other sections of law, to provide consumers with a printed price list of the items they offer for sale, and a printed statement of casket construction and appearance specifications, if requested. Requires these sellers to place individual price tags on all caskets and furnish buyers with printed itemized bills. Vetoed.

SB 1291 (Calderon) -- Requires state motor-vehicle leasing law to meet federal lease contract regulations, and requires specific disclosure in consumer motor-vehicle lease contracts. Signed - Chapter 800/Statutes of 1997.

AB 71 (Wright) -- Transfers the administration of the Council for Private Postsecondary and Vocational Education to a newly created bureau within the Department of Consumer Affairs. Signed - Chapter 78/Statutes of 1997.

AB 90 (Cunneen) -- Prohibits any person from representing himself or herself as a "clinical nurse specialist" unless he or she is licensed by the Board of Registered Nursing and meets standards established by the board. Signed - Chapter 159/Statutes of 1997.

AB 156 (Murray) -- Creates a new crime of identity theft, punishable as a misdemeanor. Signed - Chapter 768/Statutes of 1997.

AB 603 (Kuykendall) -- Strengthens the Department of Consumer Affairs' ability to oversee cemeteries and the funds administered by cemetery authorities by increasing regulatory reporting requirements and specifying accountability for regulated individuals. Signed -Chapter 142/Statutes of 1997.

AB 649 (Napolitano) -- Prohibits life insurance companies from discriminating against customers who were victims of domestic violence. Signed - Chapter 176/Statutes of 1997.

AB 1390 (House) -- Makes it a misdemeanor to attempt to record a document after the county recorder has given the individual a written notice that it is legally unrecordable and why. The bill attempts to protect recorders and their staffs from the increasing problem of threats, harassment and violence by those who try to record bogus liens and other pseudo-legal documents. Signed - Chapter 448/Statutes of 1997.

AB 1394 (Figueroa and Escutia) -- Allows additional exemptions under which the packaging for non-food commodities can contain excess space, including for unavoidable product settling and where mandatory labeling requirements necessitate extra packaging. Signed - Chapter 711/Statutes of 1997.

AB 1548 (Assembly Committee on Consumer Protection, Governmental Efficiency and Economic Development) -- Requires a seller of a "seller-assisted marketing plan" to disclose if the marketing plan has been convicted of, or had a civil judgment filed against it for, fraudulent activity. A "seller-assisted marketing plan" is defined as a proposal to sell products, equipment or services that requires an initial payment of at least \$500, and that is intended to aid the purchaser in beginning, maintaining or operating a business. Signed - Chapter 377/Statutes of 1997.

AB 6X (Torlakson) -- Requires a seller and/or the seller's agent to provide prospective buyers of a residence with a "natural hazard disclosure statement" disclosing whether the residence is located in a natural hazard zone. This bill applies to:

A flood hazard zone as designated by the Federal Emergency Management Agency (FEMA).

An area of potential flooding after a dam failure.

A very high fire-hazard area.

Signed - Chapter 7/Statutes of 1997 (First Extraordinary Session).

## Domestic Violence

Addressing domestic violence has been a priority for the California Legislature in the last few years. Legislation passed in 1997 continues to acknowledge the severity and prevalence of this crime by upgrading the criminal and civil justice system's response to battering and by providing funding for victims' services. One key issue faced this year by lawmakers was the effect of welfare reform on battered women and their children. The Legislature decided that counties could temporarily suspend new welfare requirements, such as establishing the paternity of children in welfare families, if domestic violence victims might risk further abuse by complying.

SB 350 (Lee and Davis) -- Appropriates \$11.5 million from the federal Violence Against Women Act grant program to develop more effective law enforcement strategies, prosecution procedures and victims' services in domestic violence cases. Signed - Chapter 9/Statutes of 1997.

AB 102 (Cunneen) -- Requires courts when sentencing a person for a domestic violence offense that has been witnessed by a minor to consider the minor's presence as a circumstance in aggravation of the crime. Adds pregnancy of a victim and existence of a restraining order as additional factors in aggravation. Signed - Chapter 848/Statutes of 1997.

#### Courts, Parole and Probation

AB 1542 (Ducheny) -- Requires the Department of Social Services to convene a task force to develop protocols and issue regulations for counties on handling cases in which welfare-to-work recipients are past or present victims of abuse. Counties' welfare-to-work plans must include how the county will provide training for county personnel working with domestic violence victims. Signed - Chapter 270/Statutes of 1997.

SB 115 (Burton) -- Eliminates the court practice of reaching a civil compromise where the batterer pays damages to the victim rather than prosecuting the batterer for a criminal offense. Signed - Chapter 18/Statutes of 1997.

AB 139 (Poochigian) -- Expands existing law requiring notification of victims, family members or witnesses living within 100 miles, instead of 25 miles, of where a violent felon is paroled. Signed - Chapter 101/Statutes of 1997.

#### Child Custody and Visitation

AB 520 (Brown) -- Requires 16 hours of initial training and course work, and six years of continuing education, in domestic violence assessment, intervention and reporting for probation officers. Vetoed.

SB 564 (Solis) -- Authorizes courts to make custody and visitation orders to unmarried parties under provisions of the law that allow domestic violence victims to seek restraining orders. This revision ensures batterers will not be granted custody and/or visitation orders that are inconsistent with restraining orders. Signed - Chapter 396/Statutes of 1997.

AB 200 (Kuehl and Alby) -- Tightens the law regarding custody decisions where there are allegations of domestic violence, child abuse or substance abuse by requiring the court to carefully weigh what custody arrangement is in the best interest of the child. A judge will be required to explain on the record if the judge grants sole or joint custody to a parent who is alleged to have committed such acts. Signed - Chapter 849/ Statutes of 1997.

#### Insurance

AB 588 (Figueroa) -- Prohibits discrimination by property and casualty insurers based on the domestic violence status of the applicant or insured. Signed - Chapter 845/Statutes of 1997.

AB 649 (Napolitano) -- Prohibits life insurers from discriminating against persons who are, have been, or may be victims of domestic violence. Signed - Chapter 176/Statutes of 1997.

#### Economic Development

California's economy has rebounded from the recession of the early 1990s. There are encouraging signs on many fronts, from falling unemployment rates to rising home sales. Higher incomes, sales activity and other growth pumped more than \$2 billion in unanticipated tax revenues into the California treasury in 1996-97.

But the stakes remain high in the face of global competition, consumer demand for value, a rapidly evolving job market, public fiscal constraints and new federal pressures to put hundreds of thousands of welfare recipients to work. Economic legislation focused on incentives to encourage new businesses, new jobs and new civilian uses for military bases on the federal government's closure list.

#### Rebates

SB 566 (Thompson) -- Authorizes local agencies to provide a capital investment incentive to qualified manufacturing facilities. The incentive provides a property tax rebate on all real and personal property invested that exceeds \$150

million for up to 15 years. Signed - Chapter 616/Statutes of 1997.

### Planning and Assistance

AB 633 (Cardenas, Frusetta and Hertzberg) -- Requests the Trade and Commerce Agency to contract with an entity to conduct an independent statewide assessment of capital needs in California as they pertain to the Small Business Financial Development Corporation Program. Requires the agency to determine and rank the regions and subregions in California most under-served by financial development corporations. Signed - Chapter 919/Statutes of 1997.

AB 896 (Napolitano and Machado) -- Creates the Overseas Procurement Opportunities Program within the California Office of Export Development to assist small- and medium-sized businesses in entering the foreign procurement market. Signed - Chapter 922/Statutes of 1997.

AB 1219 (Bustamante) -- Appropriates \$200,000 to the California Trade and Commerce Agency for evaluating the feasibility of creating a secondary market for community and economic development lenders in California by identifying outstanding loans that may be purchased as collateral for bonds. Signed - Chapter 923/Statutes of 1997.

### Military Base Closure and Reuse

AB 1507 (Cardoza) -- Creates the California Rural Development Council to recommend programs that foster community sustainability and economic development in rural areas of California. Vetoed.

SB 349 (McPherson) - Authorizes California State University, Monterey Bay, to sell old military housing on the campus, formerly Fort Ord, retaining underlying title to the land, and use the proceeds for campus improvements, scholarships and other academic purposes. Signed - Chapter 31/Statutes of 1997.

AB 125 (Pacheco) -- Authorizes local agencies to adopt an ordinance that allows buildings located on the March Air Force Base to achieve compliance with state building and safety standards over a period of no more than seven years. Signed - Chapter 633/Statutes of 1997.

AB 699 (Migden) -- Allows the San Francisco Board of Supervisors to designate the Treasure Island Development Authority as the redevelopment agency for defined property on both Treasure Island and Yerba Buena Island. Signed - Chapter 898/Statutes of 1997.

AB 797 (Takasugi) -- Gives the Sacramento County Board of Supervisors authority to negotiate and approve proposed developments at Mather Field without competitive bidding, identical to the authority given to redevelopment agencies. Proposals must be debated publicly and approved by four-fifths of the board. Signed - Chapter 461/Statutes of 1997.

### Other Economic Development Legislation

AB 1071 (Cardoza and Wayne) - Allows local government to grant reused structures at closed defense bases seven years to comply gradually with building codes. Signed - Chapter 645/Statutes of 1997.

SB 200 (Kelley) -- Designates a new type of economic incentive area, called "Manufacturing Enhancement Area," to be chosen by the Trade and Commerce Agency among cities according to specified criteria. Qualified businesses located in the areas may claim a hiring tax credit. Signed - Chapter 609/Statutes of 1997.

SB 477 (Peace) -- Modifies definitions of "special purpose trust," and "transition property" in state law to permit the California Infrastructure and Economic Development Bank to issue rate reduction bonds. Establishes electric consumer protections for residential and small commercial customers. Signed - Chapter 275/Statutes of 1997.

### Education

Due to a substantial infusion of new funds for public education, California was able to strengthen existing programs and build new initiatives in 1997 through the 1997-98 budget bill and numerous education bills.

For schools from kindergarten through high school, legislative accomplishments included expanding the Class Size Reduction Program, lengthening the school year, improving the student assessment system to better monitor academic performance, expanding education technology to high schools, reforming several categorical programs

including special education, and increasing funds for child care and development services and facilities.

### Early Childhood Through High School

Accomplishments in the higher-education systems included decreasing student fees at public colleges and universities, increasing funding for student financial aid, and expanding services at community colleges for students who are transitioning from welfare to work.

### Accountability

AB 568 (Lempert) -- Requires school districts to post their schools' accountability report cards on the Internet. Signed - Chapter 918/Statutes of 1997.

AB 572 (Caldera)--Revises the information which must be reported on the school accountability report card, as required by Proposition 98. Includes new measures of educational services and student outcomes to give parents better data in choosing public schools for their children. Signed - Chapter 912/ Statutes of 1997.

### Assessment

SB 376 (Alpert)--Enacts the Standardized Testing and Reporting (STAR) program to require school districts to administer a single, statewide test of academic achievement for students in grades two through 11 as a part of our state's overall assessment program. The STAR program replaces the existing Pupil Testing Incentive Program, which was created as a voluntary, incentive program for school districts to test students in grades two through 10. Unlike the existing testing program, the STAR program, which commences in 1998, will produce individual student's scores for use by parents and teachers. Signed - Chapter 828/Statutes of 1997.

### Attendance

SB 727 (Rosenthal, Alpert and Watson) -- Eliminates state funding for excused absences in the 1998-99 school year. Holds districts harmless from any loss of funding as a result of the change, but will provide incentives to reduce truancy by allowing school districts to earn more revenue from increasing actual attendance. Signed - Chapter 855/Statutes of 1997.

### Bilingual Education

AB 748 (Escutia) -- Requires the development of a statewide English language test which school districts will be required to use in assessing students who are English learners. Signed - Chapter 936/Statutes of 1997.

AB 861 (Ducheny) -- Requires all teachers hired after August 1, 2000, to have the appropriate training to teach English learners. Vetoed.

### Class Size Reduction

SB 66 (Greene) -- Transfers unused 1996-97 funds in the class size reduction operational grant program to a program that provides grants for acquiring facilities to help reduce class sizes. Signed - Chapter 656/Statutes of 1997.

SB 804 (O'Connell, Polanco, Brown, Pacheco, Scott) -- Expands the Class Size Reduction Program to four grades, kindergarten through third. Increases funding from \$650 to \$800 per student in classes participating in the program full-day, and from \$325 to \$400 per student for half-day. This higher level of funding applies if teachers are hired by November 1 and classes established by February 16, otherwise a school district's amount is kept at the lower level. Also establishes a program permitting districts to borrow funds for the purchase of facilities. Signed - Chapter 298/Statutes of 1997.

AB 670 (Mazzoni) --Makes changes to the Class Size Reduction Program as recently amended by SB 804, to resolve technical conflicts in the new law. Signed - Chapter 827/Statutes of 1997.

AB 751 (Escutia and Polanco) -- Allows schools that are unable to implement class size reduction because of severe space limitations to qualify for full funding under certain circumstances. These schools still will be required to hire teachers to meet the 1:20 ratio; however, teachers can team-teach in the same classroom. Signed - Chapter

285/Statutes of 1997.

## Curriculum

SB 669 (Vasconcellos) -- Requires incorporating parenting education into existing courses in grades 9-12 and in youth correctional facilities. Requires the state Department of Health Services to convene a summit by March 31, 1998, to develop a master plan for parenting education in non-school settings. Vetoed.

AB 365 (Kuehl)--Revises the number of courses required for high school graduation to require one course in visual and performing arts and one course in foreign language rather than only one of these courses. The requirements become effective for students beginning with the graduating class of 2002-2003. Vetoed.

AB 1086 (Mazzoni, Baldwin and Pacheco) -- Amends the requirements of the new Teaching Reading Instruction Development Program for teachers in grades K-3, and creates a similar reading training program for teachers in grades 4-6. Signed - Chapter 286/Statutes of 1997.

## Funding and Program Reform

SB 135 (Alpert) -- Consolidates 20 separate categorical education programs into two basic statewide grant programs --the Educational Quality Improvement Grant Program which would give priority to grants directed to improving academic achievement in core academic subjects for low-performing students, and the Statewide Initiative Grant Program which would provide grants for the development of instructional models. Vetoed.

AB 39 (Mazzoni) -- Requires the state superintendent of public instruction to equalize revenue limit funding for county offices of education according to a specified formula. Vetoed.

AB 792 (Havice) -- Establishes a new formula to equalize funding for continuation high schools. Vetoed.

AB 1346 (Olberg) -- Provides equalization funding for home-to-school transportation provided by school districts and county offices of education contingent upon funding available in the budget. Signed - Chapter 826/Statutes of 1997.

AB 1579 (Strom-Martin, Peace) -- Enacts the Staff Development Buy-out Program with the intent of expanding the number of instructional days each year in public schools. Subject to available funding in the budget, the bill will provide \$220 per day for certificated employees who participate in staff development programs in core curriculum areas. The 1997-98 budget includes \$50 million to fund one additional staff development day, thereby expanding the 1997-98 school year by a day. The bill requires districts to schedule staff development days to coincide with regular school breaks or at the beginning or end of the school year, and to provide advance notice to parents of minimum days. Signed - Chapter 296/Statutes of 1997.

## School Facilities

SB 708 (Greene) -- Extends the authority of the State Allocation Board to approve requests for waivers of the Field Act for existing school facilities from September 30, 1997, to September 30, 2000, in order to meet increased demand for classrooms under the state Class Size Reduction Program. Signed - Chapter 320/Statutes of 1997.

AB 611 (Villaraigosa) -- Streamlines and expedites the state school construction approval process for school facilities projects that do not involve major structural building changes. Signed - Chapter 390/Statutes of 1997.

AB 736 (Thomson) -- Revises the state school deferred maintenance program administered by the State Allocation Board to establish parameters for apportionments, including eligibility criteria. Vetoed.

AB 865 (Pringle)-- Allows local educational agencies to lease commercial buildings that do not meet Field Act requirements to be used as school space, under specified conditions. Signed - Chapter 629/Statutes of 1997.

## School Safety

SB 187 (Hughes)-- Requires school districts to be responsible for the overall development of safety plans for their schools. Requires that these plans include an assessment of school-based crimes and strategies for improving school safety. Signed - Chapter 736/Statutes of 1997.



SB 1095 (Lockyer) -- Creates a High-Risk Youth Education and Safety Program to target offenders aged 15 and under who are at risk of becoming chronic offenders with a variety of services designed to deter them from lives of crime. The 1997-98 budget includes \$3.6 million for these services, ranging from counseling to vocational training. Signed - Chapter 340/ Statutes of 1997.

AB 1610 (Ortiz and Alby) -- Prohibits public and private schools from employing an individual until a criminal background check has been completed by the state Department of Justice. Requires the Department of Justice to complete background checks within 72 hours. Signed - Chapter 588/Statutes of 1997.

AB 1612 (Alby and Ortiz) -- Prohibits schools from hiring or retaining any individual who has been convicted of a serious or violent felony. Provides funds to the state Department of Justice to implement a statewide electronic fingerprinting system to speed up pre-employment criminal background checks for school employees. Signed - Chapter 589/Statutes of 1997.

#### Special Education

AB 58 (Escutia) -- Extends the special education program termination date from June 30, 1998, to June 30, 2000. Signed Chapter 829/Statutes of 1997.

AB 602 (Davis and Poochigian)-- Enacts a new special education funding model to equalize funding among local education agencies and change the basis of funding to reduce the complexity, remove inappropriate incentives, increase accountability and allow local educational agencies more flexibility in providing services to students with disabilities. Signed - Chapter 854/Statutes of 1997.

#### Teacher Preparation and Recruitment

SB 85 (Peace) -- Amends the Staff Development Buy-out Program as recently enacted by AB 1579 to make several technical changes and modifications to the new law. Signed - Chapter 929/Statutes of 1997.

SB 824 (Greene) -- Establishes the California Center on Teaching Careers to recruit highly qualified individuals into the teaching profession. The new center will be administered by the California State University in cooperation with the Commission on Teacher Credentialing, the State Department of Education, the University of California and independent institutions of higher education. Signed - Chapter 864/Statutes of 1997.

AB 18 (Mazzoni and Pringle) -- Removes retirement-related earnings limitations for retired teachers who are hired by school districts to meet the increased demand for teachers under the Class Size Reduction Program. Increases funding for the alternative teacher internship program administered by the Commission on Teacher Credentialing. Signed - Chapter 1/ Statutes of 1997.

AB 173 (Aguiar) -- Authorizes an alternative teacher-credentialing program to be operated by school districts, with input from teacher organizations, culminating with two-year paid school district internships. Vetoed.

AB 351 (Scott) -- Creates the Pre-Internship Teaching Program, an alternative teacher credentialing program administered by the Commission on Teacher Credentialing. Allows the commission to issue pre-intern teaching certificates, replacing the use of emergency teacher permits. Districts will receive \$2,000 per pre-intern for support and training of non-credentialed teachers. Signed - Chapter 934/Statutes of 1997.

AB 352 (Scott, Keeley and Wildman) -- Expands the California School Paraprofessional Teacher Training Program to meet class size reduction needs. Signed - Chapter 737/ Statutes of 1997.

AB 353 (Wildman and Keeley) -- Revises and expands the California School Paraprofessional Teacher Training Program, which recruits school paraprofessional employees such as instructional aides as teacher training candidates. Signed - Chapter 831/Statutes of 1997.

AB 838 (Pacheco) -- Enacts the Credentialed Out-of-State Teacher Recruitment and Retention Act to consolidate and expedite the California credentialing process for currently credentialed teachers from other states. Signed - Chapter 628/Statutes of 1997.

AB 1023 (Mazzoni) -- Requires that new teachers demonstrate computer competency as a prerequisite for attaining a teaching credential. Signed - Chapter 404/Statutes of 1997.

AB 1266 (Mazzoni) -- Expands and revises the Beginning Teacher Support and Assessment Program to serve additional new teachers. Requires intensive individualized support and assistance, and performance assessments based upon new teaching standards. Signed - Chapter 937/Statutes of 1997.

#### Technology

AB 64 (Baca, Aguiar, Mazzoni, Poochigian, Vasconcellos, Schiff, Karnette) -- Provides \$100 million for a new high school grant program to fund computer equipment, training and wiring. Provides grants of \$1 million to 100 high schools selected by lottery. School districts will be required to provide matching funds. Signed - Chapter 326/Statutes of 1997.

AB 781 (Sweeney, Mazzoni, Wayne) -- Extends the termination date for the Morgan-Farr-Quackenbush Educational Technology Act, which sets up a state grant program to fund educational technology in schools. Expands membership and responsibilities of the Education Council for Technology in Learning and calls for adoption of education technology benchmarks for integrating technology into the curriculum. Vetoed.

#### Other Education Legislation

AB 326 (Ortiz, Ducheny, Kuehl and Mazzoni) -- Establishes the School-Based Literacy and Recreation Child Care Program to fund after-school literacy and tutoring activities provided by local schools in collaboration with community agencies. Signed - Chapter 917/Statutes of 1997.

AB 752 (Migden) -- Bans tobacco advertising billboards within 1,000 feet of schools and playgrounds. Signed - Chapter 219/Statutes of 1997.

AB 1163 (Martinez) -- Establishes the Artists in Schools pilot program within the California Arts Council to award grants for arts education. Appropriates \$262,500 for this purpose from the General Fund. Vetoed.

AB 1200 (Martinez) -- Makes it unlawful for a school district to prohibit, on the basis of gender, a pupil from wearing pants to school without obtaining prior written consent from the pupil's parent or guardian. Vetoed.

#### Higher Education

AB 1210 (Wright) --Requires the state superintendent of public instruction in consultation with the Department of Health Services and the Child Development Policy Advisory Committee to develop criteria reflecting research on the brain development of infants and young children to guide oversight of state-administered child development programs. Requires the Child Development Policy Advisory Committee to prepare informational materials on infant brain development. Vetoed.

#### Private Postsecondary Education

SB 819 (Calderon) -- Extends the operation of the Council for Private Postsecondary and Vocational Education to January 1, 1998. Revises state law regulating student refunds from private postsecondary education institutions that teach English as a second language. Signed - Chapter 77/Statutes of 1997.

AB 71 (Wright) --- Repeals and re-enacts provisions of state law that regulate private postsecondary education institutions. Makes substantive changes in existing law, including regulatory exemptions for some private postsecondary schools. Transfers authority for the Council on Private Postsecondary and Vocational Education to the Department of Consumer Affairs effective January 1, 1998. Signed - Chapter 78/Statutes of 1997.

#### Funding, Student Fees and Financial Aid

AB 226 (Scott) -- Establishes a fixed calculation for determining the division of Proposition 98 funds between school districts and community college districts. Vetoed.

AB 397 (Kuykendall) -- Prohibits any male who does not meet requirements to register with the federal Selective Service from receiving funds under state financial aid programs administered by the California Student Aid Commission, the Community College Extended Opportunity Programs and the Paraprofessional Teacher Training Program administered by the Commission on Teacher Credentialing. Signed - Chapter 575/Statutes of 1997.

AB 530 (Assembly Higher Education Committee and Senate Education Committee) -- Establishes the Golden State Scholarshare Trust Act as a new college savings program to assist individuals and families in financing the costs of postsecondary education. The program, administered by the Student Aid Commission, will set up the first state or federal savings program of its kind in California. Savings accumulated under the program can be applied at public and private colleges, universities and vocational institutions. Signed - Chapter 851/Statutes of 1997.

AB 1318 (Ducheny) -- Reduces system-wide student fees by 5 percent below the 1997-98 levels for resident undergraduate and graduate students at the University of California and the California State University through the year 2000; and reduces student fees for resident students attending the California Community Colleges by \$1 per unit through the year 2000. Signed - Chapter 853/Statutes of 1997.

AB 1415 (Bustamante)-- Establishes the Higher Education Partnership Act of 1999 to enact state policies regarding funding for the University of California and the California State University. Requires a consistent calculation of General Fund appropriations and student fees for these higher education systems based upon past year levels adjusted for changes in the state's per-capita income. Vetoed.

#### Student Outreach

SCR 23 (Polanco) --Requests the University of California's medical schools to report to the UC Regents and the California Postsecondary Education Commission on the numbers of minority students enrolled in their schools. The California Postsecondary Education Commission, in collaboration with other state agencies, will be required to report findings to the Legislature regarding the status of these students and options for increasing their representation in UC medical schools. Adopted - Resolution Chapter 103/Statutes of 1997.

SB 316 (Hayden) -- Establishes the Statewide Student Service Corps to provide pre-service training to prospective teachers. Allows higher education students to receive academic credit and payment for providing tutoring in core curriculum subjects to elementary students in low-income areas with high student-dropout rates and large numbers of at-risk youth. Signed -Chapter 811/Statutes of 1997.

AB 418 (Migden) -- Establishes the California Collaborative for Improving Academic Preparation as a new statewide grant program to enhance academic preparation for college among under-served elementary and high school students. Vetoed.

#### Other Higher Education Legislation

SB 465 (Rainey) -- Authorizes the California Community Colleges to enter into public-private partnerships to develop new educational facilities. Signed - Chapter 342/Statutes of 1997.

SB 623 (O'Connell) -- Transfers authority for the vacated Camarillo State Hospital to the California State University for use as a new campus and appropriates \$607,000 for this purpose. Signed - Chapter 914/Statutes of 1997.

SB 824 (Greene) -- Establishes the California Center on Teaching Careers to recruit highly qualified individuals into the teaching profession. The new center will be administered by the California State University in cooperation with the Commission on Teacher Credentialing, the state Department of Education, the University of California, and independent institutions of higher education. Signed - Chapter 864/Statutes of 1997.

#### School to Work

America's educational system is primarily geared to the college-bound. Yet three out of four California high school students either do not enroll in college or do not complete a four-year degree. The drop-out rate from California high schools is 16.9 percent.

To remain competitive, the California work force requires reading, writing, mathematics and critical-thinking skills along with advanced technical and communications skills. California's school-to-career system is aimed at enhancing academic learning for all students through integration of academic studies with work-site learning.

SB 394 (Johnston) -- Redirects \$4.5 million in Job Training Partnership Act funds to support paid employment opportunities for youth. Signed - Chapter 915/Statutes of 1997.

SB 820 (Polanco) -- Authorizes the California Community Colleges to establish internship programs and requires the

Division of Apprenticeship Standards to develop and implement apprenticeship training and demonstration projects in high-growth industries. Signed - Chapter 932/Statutes of 1997.

SB 952 (Johnson) -- Requires students participating in apprenticeship programs registered by the Department of Industrial Relations to have workers' compensation coverage through the supervising school. Applies to students who are registered apprentices through the department, are at least 16 years old and are full-time high school students in the 10th through 12th grades. Signed - Chapter 345/Statutes of 1997.

AB 428 (Wildman) -- Requires the Board of Governors of the California Community Colleges, in collaboration with the animation industry and other public and private entities identified in this bill, to select a community college to develop a curriculum appropriate for students to obtain the skills needed for employment as animators. Vetoed.

## Elderly and Disabled

### Elder Abuse

SB 97 (Alpert) -- Adds elder and child abuse to the types of cases in which civil compromise is not allowed. Signed - Chapter 243/Statutes of 1997.

SB 1238 (Johannessen) -- Adds a two-year sentencing penalty if an elderly or dependent adult dies as a result of being permitted to suffer unjustifiable physical pain, mental suffering or endangerment. Signed - Chapter 698/Statutes of 1997.

AB 870 (Hertzberg and Napolitano) -- Requires every city police officer or deputy sheriff at a supervisory level or below to complete an elder-abuse identification training course certified by the Peace Officers Standards and Training Commission. Signed - Chapter 444/Statutes of 1997.

### Long-Term Care

SB 527 (Rosenthal) -- Requires long-term care (LTC) insurers to offer both federal tax-favored and California non-tax-favored LTC policies that conform to less restrictive state eligibility requirements. Also requires the state Department of Insurance to submit a final report to the Legislature by July 1, 1999, describing the implementation of LTC policies and to hold at least one public hearing on the draft report. Signed - Chapter 701/Statutes of 1997.

SB 1052 (Vasconcellos) -- Authorizes federally approved long-term care insurance policies with tax-deductible premiums to be marketed and sold in California. Also establishes new consumer protection standards to ensure value-based benefits. Signed - Chapter 699/Statutes of 1997.

SB 1061 (Vasconcellos) -- Establishes a standardized skilled nursing facility admission agreement. Current admission agreements are often over 50 pages long. This bill is intended to help consumers maximize their rights when they, or loved ones need skilled nursing care. Signed - Chapter 631/Statutes of 1997.

AB 1215 (Mazzoni) -- Requires the Health and Welfare Agency to prepare a report for the Legislature on options for integrating the administration of long-term care programs for adults. Signed - Chapter 269/Statutes of 1997.

AB 1483 (Gallegos) -- Authorizes federally approved long-term care insurance policies with tax-deductible premiums to be marketed and sold in California. Establishes definitions for disability levels at which benefits are paid. Signed - Chapter 700/Statutes of 1997.

### Community-Based Care

SB 1039 (Thompson and Migden) -- Modifies the process of assessing and moving residents of developmental centers into community settings, and modifies requirements of the Department of Developmental Services (DDS) and the regional centers. States legislative intent to ensure that the transition process from a developmental center to a community living arrangement is based on an individual consumer's needs and is developed through an individual program plan. States legislative intent that DDS shall assure that each eligible individual consumer receive the services and supports identified in his or her program plan. Signed - Chapter 414/Statutes of 1997.

### Other Legislation Affecting the Elderly or Disabled

AB 100 (Granlund) -- Clarifies the roles and responsibilities of various organizations participating in programs that provide services to the elderly. Signed - Chapter 216/Statutes of 1997.

AB 240 (Takasugi) -- Eliminates the January 1, 1999, termination of a law permitting persons who are over 55 or severely disabled to transfer the assessment value of an original home to a replacement home in another county, with permission of that county. Signed - Chapter 227/Statutes of 1997.

AB 1099 (Migden) -- Continues Medi-Cal eligibility without a share of cost, or with a reduced share of cost, for individuals who return to work and are being treated for symptoms of human immunodeficiency virus (HIV) or acquired immune deficiency syndrome (AIDS) or who are disabled. Vetoed.

#### Elections, Campaigns and Political Practices

Tapping into the Internet's potential to speedily transmit voluminous and once-cumbersome information, the Legislature passed and Wilson signed SB 49 by Senator Betty Karnette (Chapter 866/Statutes of 1997) to require the on-line posting of campaign and lobbying reports. These detailed and lengthy disclosures of political contributions to legislative and statewide campaigns had been accessible only at county clerk's offices or in the California Secretary of State's Office. SB 49 will require candidates, special interest groups and lobbyists to file their disclosure statements on-line beginning with the 2000 elections. But beginning with the 1998 elections, a voluntary project will enable voters to access some campaign contribution data.

For the third time, Wilson vetoed a bill that would make it easier for high school seniors and community college students to register to vote. Karnette's SB 269 would have required local school boards to make voter registration forms and information available to seniors at the beginning of the school year. Community colleges would have been required to include voter registration materials with student registration packets. Wilson called the bill unnecessary.

SB 36 (Vasconcellos and Alpert) -- Requires the creation of a task force to study whether and how to move the statewide primary to September. Vetoed.

SB 109 (Kopp) -- Prohibits foreign governments and foreign principals from making any contribution or expenditure in connection with the qualification, support or opposition of any state or local initiative, recall or referendum measure. Signed - Chapter 67/Statutes of 1997.

SB 124 (Karnette) -- Makes various changes to the Political Reform Act to further define "contribution," "gift," and "income" in determining the extent of oversight and financial disclosure required of public officials and candidates running for public office. Signed - Chapter 124/Statutes of 1997.

SB 561 (Burton) -- Requires a slate mailer organization to print a disclosure statement whenever any recommendation in the slate mailer to support or oppose a ballot measure or candidate is different from the official position of the political party that the mailer appears to represent. Vetoed.

SB 949 (Schiff) -- Prohibits any candidate or elected or appointed official from offering or arranging for any increase in the compensation of a public employee in exchange for a contribution or loan from that employee to any committee controlled by the candidate or official. Signed - Chapter 206/Statutes of 1997.

SB 1077 (Schiff) -- Seeks to decrease the number of invalid voter registrations submitted by "bounty hunters" who are compensated on a per-signature basis. Requires the payer at the time of submitting the affidavits of registration to elections officials to identify and separate the affidavits into groups that contain the required payee and payer information and the required voter registration information. Signed - Chapter 456/Statutes of 1997.

AB 44 (Murray) -- Requires the secretary of state to assign a task force to study the creation of a digital electoral system. Provides that the digital electoral system may permit eligible individuals to register to vote, sign petitions, apply for and cast absentee ballots and vote in any election through electronically generated and transmitted digital messages. Requires the task force to consider the impact of a digital electoral system on voter participation rates, public accessibility, potential for voter coercion and undue campaign influences during the elections process. Vetoed.

AB 627 (Scott and Thompson) -- Prohibits public officials from accepting personal loans from individuals if those officials have influential direction and control over the individuals. Requires elected officials to disclose additional information related to personal loans on their public statements of economic interest. Signed - Chapter 638/Statutes of 1997.

AB 837 (Thomson and Ackerman) -- Requires registered lobbyists, when renewing their registrations, to state they have completed an ethics course within the previous 12 months or will complete the course no later than June 30 of the following year. Signed - Chapter 574/Statutes of 1997.

AB 938 (Vincent) -- Prohibits the Fair Political Practices Commission from beginning an administrative action more than five years after the violation occurred. Signed - Chapter 179/Statutes of 1997.

#### Energy, Utilities and Communications

SB 90 (Sher) -- Defines how the California Energy Commission must administer renewable electricity generation subsidies and electric research and development monies. Signed - Chapter 905/Statutes of 1997.

SB 368 (Peace, Kopp and Thompson) -- Authorizes a variety of energy-efficiency expenditures from the Petroleum Violation Escrow Account. Signed - Chapter 659/Statutes of 1997.

SB 477 (Peace) -- Establishes comprehensive electric consumer protections for residential and small commercial customers, and provides technical revisions to the electric restructuring legislation of 1996 to facilitate the issuance of rate reduction bonds. Signed - Chapter 275/Statutes of 1997.

SB 1305 (Sher) -- Requires disclosure of electrical generation source information to residential and small commercial customers. Signed - Chapter 796/Statutes of 1997.

AB 582 (Martinez) -- Requires the California Public Utilities Commission to report to the Legislature by December 1, 1998, its findings and recommendations regarding competition in the California telecommunications industry with a goal of insuring that competition is achieved. Vetoed.

AB 1198 (Hertzberg) -- Authorizes the Department of General Services to conduct a pilot program on the use of a "311" non-emergency public safety telephone number. Signed - Chapter 887/Statutes of 1997.

AB 637 (Alby) -- Authorizes municipal electric utilities to spend money on advertising. Signed - Chapter 175/Statutes of 1997.

#### Families and Children

The Legislature sought in 1997 to markedly improve California's child-support enforcement program. There was a renewed urgency for adopting these reforms because new time limits on welfare benefits will make child support one of the key means of financial survival for many single-parent families. Strong emphasis also was put on expanding and upgrading child care programs, especially in the face of needs posed by many thousands of parents moving from welfare to work.

#### Statewide Automated Child Support System (SACSS)

Federal law, passed in 1988, required California to develop a statewide automated child-support system (SACSS) to make it easier to track non-paying parents from county to county. California contracted with Lockheed Martin Information Management Services (Lockheed) to develop such a system. Unfortunately, the SACSS system is fraught with problems in the 22 counties which have attempted to use it. This year the state Department of Information Technology (DIT) refused to pay Lockheed more money on the contract until most of these problems were resolved and DIT hired Logicon to conduct a performance evaluation. Logicon's evaluation found serious flaws with SACSS.

The Legislature held several oversight hearings in 1997 that were highly critical of the estimated \$300 million-plus price tag for the system. The Joint Legislative Audit Committee ordered a state audit of SACSS in May and the Legislature withdrew funding for the SACSS contract in the 1997-98 state budget pending the outcome of the audit's recommendations. Under federal law, California is compelled to develop and implement a workable statewide system. California clearly won't meet the target completion date of October 1, 1997. After October 1, federal funding for this project probably will drop from 90 percent to 66 percent. Federal funding of other aspects of California's child-support enforcement program are threatened by failure to meet the October deadline for SACSS.

#### Child Support Enforcement

SB 247 (Lockyer) -- Allows county district attorneys enforcing child support obligations to refer cases that have been delinquent for less than 90 days to the Franchise Tax Board (FTB) for collection. Allows counties to retain full incentive monies for collecting past-due child support and requires the state to pay for the new FTB responsibilities. Signed - Chapter 601/Statutes of 1997.

SB 568 (Sher) -- Adopts the Uniform Interstate Family Support Act, which provides for interstate collection of support from delinquent parents living outside California and includes civil and criminal enforcement measures. Signed - Chapter 194/Statutes of 1997.

SB 936 (Burton) -- Revises the state system for providing incentive payments to counties that meet child support enforcement goals, requires the state to report annually on each county's performance, and makes the Legislative Analyst's Office responsible for recommending a new performance-based incentive program for inclusion in next year's budget. Signed - Chapter 926/Statutes of 1997.

AB 573 (Kuehl) -- Gives county district attorneys the option of asking the FTB to collect current child support payments. Contains numerous technical provisions to bring California into compliance with the federal welfare law. Signed - Chapter 599/Statutes of 1997.

AB 702 (Villaraigosa) -- Requires the FTB, the Department of Social Services, and the state's financial institutions to work together to develop a data-match system to locate the bank accounts of parents who owe child support. Signed - Chapter 697/Statutes of 1997.

AB 1395 (Escutia) -- Requires county district attorneys enforcing child support obligations to refer cases that have been delinquent for 90 days to the FTB for collection. Signed - Chapter 614/Statutes of 1997.

### Child Support and Welfare Reform

The Legislature and Governor Wilson enacted CalWORKs, a comprehensive welfare-to-work program discussed in the "Welfare to Work" section of this document beginning on page 113. AB 1542 (Ducheny), the CalWORKs legislation, includes the following major child support provisions:

Cooperating with Paternity Establishment. Mothers applying for welfare are required to cooperate with child support agencies in establishing paternity, unless there is a good reason (called a "good cause determination"), such as increased risk of physical abuse to the mother or her children, for not cooperating. Cooperation is shown by providing the name of the father and any additional information, if known. Failure to cooperate will result in a 25 percent reduction in the family welfare grant. "Good cause determination" is decided by the welfare agency and is based on evidence such as police and hospital reports, court documents and statements under penalty of perjury.

Child Support Disregard or Pass-Through. The 1996 federal welfare reform law repealed a federal law that allowed welfare recipients to keep the first \$50 of any child support payment. California decided to continue providing this so-called "child support disregard" or "pass-through," which entitles these welfare recipients to the welfare grant plus the \$50.

Centralized Collection and Distribution. AB 1542 creates an advisory committee to make recommendations to the Legislature on how to comply with the federal requirement that California have a centralized collection and disbursement unit to collect child support in all state cases and to collect support from wage withholding in all private cases. The state may keep its current county-run child support collection system if it is not more expensive or slower to do so. The advisory committee will make its final report by December 31, 1997.

Case Registry. AB 1542 requires that the state track all child support orders established or modified by the courts after October 1, 1998. California's current system, which notes orders established through district attorneys' offices, will have to be expanded to include privately established orders.

Child Support Assurance Demonstration Project. AB 1542 authorizes up to three projects in three counties to test whether a child support assurance program might be more cost-effective and better at lifting children out of poverty. Child support assurance programs guarantee a minimum level of support for children living in single-parent homes by providing a base-line child support payment to families whether or not any child support is collected from the absent parent. If the child support collected from the absent parent exceeds the base-line assured amount, then the family is paid the higher amount. Signed - Chapter 270/Statutes of 1997.

## Child Custody and Visitation

SB 564 (Solis) -- Authorizes courts to make custody and visitation orders to unmarried parties under the provisions allowing domestic violence victims to seek restraining orders. This insures that batterers aren't granted custody and/or visitation orders that are inconsistent with a restraining order. Signed - Chapter 396/Statutes of 1997.

## Children

AB 200 (Kuehl and Alby) -- Tightens the law regarding custody decisions where there are allegations of domestic violence, child abuse or substance abuse by requiring the court to carefully weigh what custody arrangement is in the best interest of the child. A judge will be required to explain on the record if the judge grants sole or joint custody to a parent who is alleged to have committed such acts. Signed - Chapter 849/Statutes of 1997.

SB 122 (Alpert) -- States legislative intent that misdemeanor adoption fraud offenses may be prosecuted as grand theft, which is an alternate felony/misdemeanor (wobbler), or under any other applicable provision of law. Also expands the scope of an existing adoption fraud statute that prohibits a person from paying money to a parent for the adoption of his or her child by prohibiting any person from paying or receiving money for that purpose. Signed - Chapter 185/Statutes of 1997.

SB 163 (Solis) -- Expands a Santa Clara County pilot project of "wrap-around" services for emotionally disturbed children at risk of being placed in group homes. Wrap-around services divert children from group homes to home-based programs that are tailored to meet needs such as therapy customized for an individual child. Authorizes the Department of Social Services to approve similar projects in other counties. Signed - Chapter 795/Statutes of 1997.

SB 644 (Polanco) -- Requires information in the Child Abuse Control Index, which provides officials with information about abused and neglected children, to be shared among agencies and counties, including child-death review teams, child protective agencies and out-of-state law enforcement agencies. Signed - Chapter 842/Statutes of 1997.

AB 221 (Goldsmith) -- Permits blood-glucose testing to monitor diabetes in children in licensed child day-care facilities under specified conditions by employees of those facilities. Signed - Chapter 550/Statutes of 1997.

AB 327 (Havice) -- Adds lewd and lascivious behavior with a 14- or 15-year-old minor and statutory rape to the list of sex crimes that child-care providers, health care workers, and certain peace officers are required to report to authorities. By expanding the legal definition of sexual assault for reporting purposes, law enforcement authorities will have more opportunities for prosecuting adults who prey on minors and contribute to the state's teenage pregnancy problem. Signed - Chapter 83/Statutes of 1997.

AB 525 (Aroner) -- Extends from three to five years the duration of Healthy Start operating grants. Signed - Chapter 172/Statutes of 1997.

AB 753 (Escutia) -- Transfers the Trustline program, a statewide registry of child-care providers, from the Department of Justice to the Department of Social Services. Signed - Chapter 843/Statutes of 1997.

AB 757 (Escutia) -- Prohibits a child care facility from having an unsafe crib, as defined under the Infant Crib Safety Act, after July 1, 1998. Requires the state Department of Social Services to distribute literature on sudden infant death syndrome to any facility licensed to provide care to children under 2 years old. Signed - Chapter 263/Statutes of 1997.

AB 1210 (Wright) -- Requires the state superintendent of public instruction in consultation with the Department of Health Services and the Child Development Policy Advisory Committee to develop criteria reflecting research on the brain development of infants and young children to guide oversight of state-administered child development programs. Requires the Child Development Policy Advisory Committee to prepare informational materials on infant brain development. Vetoed.

## Parenting

SB 669 (Vasconcellos) -- Requires that parenting education be incorporated into existing courses in grades 9-12 and at youth correctional facilities. Requires the state Department of Health Services to convene a summit by March 31, 1998, to develop a master plan for parenting education in non-school settings. Vetoed.



AB 47 (Murray) -- Prohibits an employer from discharging or discriminating against an employee for taking time off to participate in activities at a licensed child-care facility. Signed - Chapter 157/Statutes of 1997.

### Foster Care and Adoptions

SB 916 (Vasconcellos) -- Requires the Department of Social Services to annually distribute information to foster homes and child welfare organizations declaring the importance of promoting the self-esteem of foster children. Also expands the foster parent training curriculum to include the importance of self-esteem. Signed - Chapter 542/Statutes of 1997.

AB 317 (Ortiz) -- Authorizes Sacramento County and additional counties, at their option, to participate in a pilot project that allows certain foster children who are permanently placed with relatives to continue to receive foster care payments without remaining under scheduled court and social services supervision. Signed - Chapter 258/Statutes of 1997.

AB 1065 (Goldsmith) -- Requires the state Department of Justice to make available to child protective agencies any relevant information concerning child abuse reports contained in the Child Abuse Central Index about a prospective relative caretaker when placing a dependent child. Signed - Chapter 844/Statutes of 1997.

AB 1193 (Shelley) -- Requires the Department of Social Services to make grants available to counties to assist in developing or expanding community-based family support services for relative caregivers and the children placed in their homes who are at risk of delinquency. Signed - Chapter 794/Statutes of 1997.

AB 1196 (Shelley) -- Requires county social workers to consider additional factors in determining whether to place a foster child with a relative. Signed - Chapter 268/Statutes of 1997.

AB 1391 (Goldsmith) -- Increases rates for foster family homes and specialized care by 25 percent effective January 1, 1998, and thereafter establishes annual cost-of-living adjustments in these rates equal to changes in the California Necessities Index. Signed - Chapter 944/Statutes of 1997.

AB 1544 (Aroner) -- Creates an alternative legal adoption option for relatives that allows the family structure to remain in place; attempts to move more children out of the foster care system and into permanent homes by removing some of the barriers to adoption. Signed - Chapter 793/Statutes of 1997.

AB 1545 (Assembly Committee on Human Services) -- Allows children who are residing in a specialized foster care home placement after January 1, 1997, to remain in this placement through the age of 22. Signed - Chapter 526/Statutes of 1997.

### Other Family Legislation

AB 157 (Villaraigosa) -- Provides that a mother may breastfeed her infant in any public or private location where she and the child are authorized to be present. States legislative findings and declarations regarding the benefits of breastfeeding, the fact few women continue to breastfeed beyond eight weeks despite these benefits, and the need to encourage public acceptance of breastfeeding. Signed - Chapter 59/Statutes of 1997.

AB 400 (Kuehl) -- Authorizes the court, for marriages over 10 years, to use its discretion in granting spousal support rather than following the general rule of granting support for "one-half the length of the marriage." Vetoed.

### General Government

State agencies with Internet web sites will be required to offer "information-age suggestion boxes," in the words of Governor Wilson, under AB 206 (Chapter 416/Statutes of 1997) by Assemblyman Robert Hertzberg. This new law will require state agencies to make electronic forms available on their web sites for use by individuals who want to register complaints. To the extent feasible, state agencies will be required to include their Internet web site addresses in telephone directories. Constituents who don't have their own computers can log their cyberspace critiques at public libraries that offer Internet access. State agencies will have to provide the Internet "suggestion boxes" by July 1, 1998, or six months after they establishes their Web pages.

### Open Meetings

SB 95 (Ayala and Kopp) -- Strengthens the Bagley-Keene Open Meeting Act covering state boards and commissions to conform with the Ralph M. Brown Act, the open-meeting law that covers local governing bodies. Requires state boards to make public reports of their actions taken in closed session. Signed - Chapter 949/Statutes of 1997.

SB 138 (Kopp and Ayala) -- Amends the Ralph M. Brown Act to allow public meetings to be held via teleconference to provide greater access to the public and to allow members to cast roll call votes from any teleconference site. Requires the legislative body of a local agency to mail an agenda upon request and will allow the agency to charge a fee for the service. Allows a majority of members of the governing body of a local agency to attend an open meeting of another governing body provided the majority of members do not discuss issues within their jurisdiction except as part of the scheduled meeting. Signed - Chapter 253/Statutes of 1997.

AB 116 (Runner) -- Requires regional water quality control boards to provide notices in writing at least 10 days prior to all board hearings to city councils, county boards of supervisors and newspapers with a circulation of at least 10,000 within the board's jurisdiction. Signed - Chapter 301/Statutes of 1997.

#### Public Records

SB 74 (Kopp) -- Requires agencies to make electronic copies of records available for non-commercial purposes if fees are paid for the direct cost of duplication. Requires persons requesting public records for commercial purposes to pay the actual cost of providing the records, including search, retrieval and duplication costs. Vetoed.

SB 492 (Rosenthal and Kopp) -- Requires the Department of Consumer Affairs and the Department of Real Estate to post on the Internet disciplinary information related to state licensees. Signed - Chapter 661/Statutes of 1997.

AB 179 (Bowen) -- Requires state and local agencies to make public records available in an electronic format, when the records exist in such a format. Vetoed.

#### Gambling, Alcohol and Tobacco

SB 8 (Lockyer) -- Establishes a statewide regulatory framework for gaming in California. Creates the California Gambling Control Board, a part-time three-member board appointed by the governor and confirmed by the Senate. The board members are to be initially appointed by March 1, 1998, and are to have five-year terms. Prohibits board members from having pecuniary interest in, or business with, any person, business, or organization holding a gambling license. Signed - Chapter 867/Statutes of 1997.

SB 67 (Kopp) -- Repeals the immunity conferred upon manufacturers and sellers of tobacco products. Deletes tobacco from the list of examples of products granted immunity from liability. Declares there is no statutory bar to, or immunity from, tobacco-related personal injury, wrongful death, or other tort claims by smokers or others, and that such claims shall be determined on their merits. Signed - Chapter 570/Statutes of 1997.

SB 340 (Sher) -- Provides that a 1989 Court of Appeal decision misinterpreted the intent of the Legislature in construing state law to provide an unqualified immunity from liability for tobacco products. Makes the bill consistent with SB 67 (Kopp) by clarifying that tobacco retailers and distributors are shielded from product liability actions. States that this bill does not constitute a change in, but is merely declaratory of, existing law as it relates to liabilities that may arise from the manufacture of tobacco products because of the special harms created by those products. Vetoed.

SB 1067 (Polanco) -- Sets parameters for tribal-state gaming compact negotiations. Empowers, but does not require, the governor to negotiate and execute a tribal-state gaming compact with any Indian tribe requesting to do so, in accordance with the federal Indian Gaming Regulatory Act. Specifies that the scope of gaming in the compact must not exceed the scope of gaming authorized in the state. Permits an Indian tribe, under a tribal-state gaming compact, to operate electronic gaming devices that do not dispense coins or currency. Vetoed.

AB 114 (Battin) -- Permits sales of alcoholic beverages from golf carts on licensed golf courses. Signed - Chapter 114/Statutes of 1997.

AB 158 (Papan) -- Requires the appropriate state gaming regulatory authority to consider denying a license application for a new gambling establishment, or an expansion of an establishment, if the establishment is to be located within a cemetery city or adjacent to a cemetery. Vetoed.

AB 197 (Thomson) -- Allows the California State Lottery to use machines to dispense Scratchers tickets. Signed - Chapter 226/Statutes of 1997.

AB 1603 (Bustamante) -- Removes any real or claimed legal barrier to the state attorney general filing suit against tobacco companies to recover state-paid medical costs of treating smokers. Amends the statute conferring immunity from products liability actions upon sellers and manufacturers of inherently unsafe common consumer products by clarifying that the immunity does not apply to actions brought by public entities to recover state-paid tobacco-related costs. The bill declares this amendment is declaratory of, and does not change, existing law. Signed - Chapter 25/Statutes of 1997.

### Boundaries

AB 62 (McClintock and Hertzberg) -- Directs the Los Angeles Local Agency Formation Commission to initiate detachment proceedings for a "special" detachment of the San Fernando Valley from the city of Los Angeles. Creates an eight-member Special Commission on Los Angeles Boundaries to issue a report and recommendations on the detachment of the San Fernando Valley from the city of Los Angeles, and the creation of a new city for the San Fernando Valley. The commission would only go into effect if funds are appropriated in the annual state budget. Signed - Chapter 911/Statutes of 1997.

AB 303 (Runner) -- Authorizes a commission to study whether creating two or more counties from Los Angeles County would be efficient and cost-effective. Signed - Chapter 164/Statutes of 1997.

AB 1484 (Hertzberg) -- Creates the Commission on Local Governance for the 21st Century to conduct a statewide evaluation of municipal boundary changes. Signed - Chapter 943/Statutes of 1997.

### State Property

SB 1270 (Johnston) -- Authorizes the director of the Department of General Services to acquire property and construct facilities to accommodate the consolidated housing of the Departments of Health Services, Education and General Services. Authorizes a project of up to 1,470,200 square feet of office space and 742,625 square feet of parking on designated blocks south and east of the state Capitol to house the agencies. Limits the cost of the project to \$385 million, with a 10 percent augmentation permitted. Signed - Chapter 761/Statutes of 1997.

AB 666 (Ortiz) -- Authorizes the director of the Department of General Services to sell to the Capitol Area Development Authority state-owned properties located near the state Capitol for resale to private developers. Signed - Chapter 262/Statutes of 1997.

### San Francisco Giants

SB 181 (Kopp and Burton) -- Allows the San Francisco Giants to hasten construction of their new baseball stadium by providing an exemption from the California Environmental Quality Act. Signed - Chapter 4/Statutes of 1997.

### Technology

AB 1293 (Bowen) -- Requires the Department of Information Technology to create a panel to advise the department on creating a clearinghouse for Geographic Information Services (GIS) and developing a standard GIS information database. Vetoed.

### Other General Government Legislation

SB 431 (Lee) -- Specifies which libraries are not required to shift property-tax funds to the Educational Revenue Augmentation Fund (ERAF) for schools. These exceptions benefit county libraries in Contra Costa, Sonoma and Sacramento counties. Signed - Chapter 786/Statutes of 1997.

SB 563 (Brulte) -- Clarifies existing law to ensure that local employers have authority to provide retroactive application of health benefit coverage to survivors of firefighters and peace officers who have died in the line of duty. Signed - Chapter 193/Statutes of 1997.

SB 919 (Rainey) -- Enacts the Proposition 218 Omnibus Implementation Act, which defines and implements provisions of Proposition 218 concerning the imposition of taxes, assessments and property-related fees and

charges. Signed - Chapter 38/Statutes of 1997.

AB 233 (Escutia and Pringle) -- Transfers principal funding responsibility for trial court operations to the state beginning in the 1997-98 fiscal year while freezing county contributions at the 1994-95 levels. Signed - Chapter 850/Statutes of 1997.

AB 433 (Hertzberg) -- Allows county auditors, controllers and finance directors access to financial information when investigating fraud against the county. Signed - Chapter 170/Statutes of 1997.

AB 958 (Washington) -- Prohibits employers of fire fighters from including in employment contracts the requirement that fire fighters reimburse their employers for hiring and training expenses. Vetoed.

AB 1159 (Bowen) -- Creates a pilot project to allow state agencies to conduct best-value acquisitions, competitive negotiations and performance-based solicitations in the purchase of goods and services, and enables the Department of General Services to dismiss frivolous protests of the procurement process. Signed - Chapter 762/Statutes of 1997.

## Health Care

The Legislature considered numerous proposals to expand access to health insurance coverage for low-income children and families. In August, Governor Wilson released his proposal for implementing the children's health initiative provisions contained in the federal balanced budget agreement. Under the federal initiative, California is slated to receive up to \$855 million per year for health coverage for children targeted by the initiative. To be eligible for the funds, the state must submit a state plan for spending them and must make matching payments equal to 35 percent of the total costs of the plan. A special conference committee reviewed the governor's proposal and ultimately adopted a proposal similar to his, but added provisions dealing with traditional and safety net providers, enrollment procedures and Medi-Cal eligibility enhancements.

## Managed Care

Although a long list of bills to refine the managed care health system were introduced in the Legislature in 1997, Governor Wilson vowed to veto most of them if they reached his desk. He said he would defer consideration of the merits of the bills "until we have the benefit of the wisdom of the Managed Health Care Improvement Task Force," created by 1996 legislation to determine an appropriate role for government in regulating and improving managed care.

"With the establishment of the task force, the prudent course of action for the Legislature would be to take a five-month hiatus from uncoordinated, reactive, piecemeal decisions on literally dozens of bills until January of 1998, when the task force will provide comprehensive and coherent recommendations and policy guidance on the key, overarching policy questions raised by managed care," Wilson said in vetoing AB 1354 by Assemblymembers Susan Davis and Brett Granlund. That measure would have required health-care service plans to allow enrollees to seek obstetrical and gynecological services without a prior referral.

Wilson said the only related bill he would consider signing was AB 38 (Chapter 389/Statutes of 1997) by Assembly Liz Figueroa -- a measure he ultimately did sign to require health insurers to provide hospital coverage for a minimum of 48 hours for mothers and infants after the birth of the babies.

Nonetheless, many bills dealing with regulation and oversight of managed care plans were considered in 1997.

## Children's Health Coverage

AB 1126 (Villaraigosa and Figueroa)-- Establishes a new health insurance purchasing pool to extend coverage to low-income uninsured children and make eligibility streamlining changes in the Medi-Cal program. Establishes a "Healthy Families" program administered by the Managed Risk Medical Insurance Board to contract with health plans to provide comprehensive health coverage to children ages 1 through 5 with family incomes between 133 percent and 200 percent of the federal poverty level and children ages 6 to 18 with family incomes between 100 percent and 200 percent of the poverty level. Signed - Chapter 623/Statutes of 1997.

SB 903 (Lee and Maddy) and AB 217 (Figueroa) -- Jointly implement changes to the Medi-Cal program, including eligibility criteria, the mail-in application process and outreach activities. Increase the Medi-Cal eligibility threshold

to 100 percent of the poverty level for children ages 14 through 18, waive the asset test for children in the Medi-Cal program, provide one month additional eligibility for families who lose eligibility for Medi-Cal due to income increases, direct the Department of Health Services to design a simplified mail-in application form for children applying for Medi-Cal. Signed - Chapter 624/Statutes of 1997.

AB 1572 (Villaraigosa and Gallegos) -- Appropriates start-up funds for the establishment of the Healthy Families program created by AB 1126 and for the implementation of Medi-Cal changes contained in SB 903. Signed - Chapter 625/Statutes of 1997.

#### HMO and Managed Care Legislation

#### HMO and Managed Care Legislation

#### Mastectomy Coverage

SB 70 (Hayden)--Requires plans to allow lengths of stay following mastectomy procedures to be determined by the patient's physician. Vetoed.

#### Definitions of Medical Necessity

AB 536 (Gallegos)-- Requires health care service plans to disclose to the public upon request the criteria used to determine whether to authorize or deny services. Vetoed.

AB 794 (Figueroa)-- Requires any decision regarding the necessity or appropriateness of treatment that results in the denial of treatment coverage to be made by a licensed healing-arts practitioner who possesses a valid license that authorizes the practitioner to perform that particular treatment. Vetoed.

#### Gag Orders and Patients' Rights

SB 253 (Burton)-- Prohibits retaliation against health facility employees and patients for expressing grievances or complaints. Vetoed.

#### Covered Benefits

SB 296 (Karnette) -- Requires health plans to cover specified prostate cancer screening treatments and services. Vetoed.

SB 1220 (Solis) -- Imposes coverage requirements pertaining to medications, including insulin, and equipment, supplies and training for the management and treatment of diabetes. Vetoed.

AB 38 (Figueroa) -- Requires health plans to provide coverage for a minimum of 48 hours of inpatient care for a mother and infant following vaginal delivery and 96 hours following a cesarean section. Signed Chapter 389/Statutes of 1997.

AB 760 (Migden) -- Deems a health plan enrollee with breast cancer eligible for an external independent experimental treatment review process, without regard to whether the recommended therapy is considered experimental. Vetoed.

AB 1354 (Davis and Granlund) -- Provides direct access to obstetricians and gynecologists for patients without a need for obtaining clearance from the primary care doctors they have designated in their health maintenance organizations. Vetoed.

#### Medi-Cal Managed Care Plans

SB 1009 (Vasconcellos)-- Requires entities contracting to provide services to Medi-Cal beneficiaries under various forms of managed care to consider the protection of safety net services in rate negotiations with providers. Vetoed.

AB 193 (Murray) -- Enacts reforms in the enrollment process in Medi-Cal managed care counties. Vetoed.

AB 545 (Gallegos) -- Imposes requirements on Medi-Cal managed care plans dealing with disenrollment from the

plans. Vetoed.

AB 1017 (Aguiar)-- Requires the state Department of Health Services (DHS) to establish up to three pilot projects for methods of reimbursement of local initiatives and commercial plans that contract with DHS as Medi-Cal managed care plans and one pilot project to test alternative reimbursement methods for federally qualified health centers. Vetoed.

#### Other HMO Legislation

SB 497 (Brulte) -- Prohibits health plans from requiring registration under the Controlled Substances Act as a condition for participation by optometrists. Signed - Chapter 120/Statutes of 1997.

SB 1257 (Vasconcellos)-- Requires DHS, in consultation with the Medical Board of California, Department of Insurance and the commissioner of the Department of Corporations, to conduct a feasibility study by January 1, 1999, that identifies:

Benefits of non-traditional medicine;

Licensing and certification standards necessary for patients to receive non-traditional care covered by health plans (disability insurers and health care service plans); and

Potential costs and savings, to patients and health plans, of non-traditional care.

Vetoed.

SB 1062 (Peace) -- Imposes requirements on health care service plans related to the confidentiality of patients' mental health records. Vetoed.

#### Health Insurance Reform

SB 392 (Rosenthal) -- Allows a dependent of an employee enrolled in a small group health plan who loses Medi-Cal coverage to enroll in the group plan within 30 days of the loss of coverage. This addresses the circumstances when a rise in an employee's income makes his or her dependent no longer eligible for Medi-Cal. Signed - Chapter 581/Statutes of 1997.

SB 578 (Rosenthal) -- Contains technical changes to conform California's existing small group insurance reforms to the Kennedy-Kassenbaum insurance portability act. Signed - Chapter 336/Statutes of 1997.

SB 719 (Johnston) -- Requires health plans that provide coverage to employer groups with 2 to 19 employees to offer continuation coverage to employees and their dependents who are terminated from the group due to termination of employment or other qualifying events. Allows such persons a period of continued group coverage (with rate protections) before they become eligible for the portability provisions of the federal Health Insurance Portability and Accountability Act. Signed - Chapter 665/Statutes of 1997.

#### Dentistry

SB 1014 (Brulte) -- Requires, with specified exceptions, that a dentist examine, complete a medical and dental history of, and diagnose and develop a treatment plan for, every new patient before treating the patient for the first time. Signed - Chapter 752/Statutes of 1997.

AB 560 (Perata, Cardenas, Kuehl and Wayne) -- Establishes a new category of dental auxiliary, a Registered Dental Hygienist in Alternative Practice, who will be permitted to provide authorized treatment services to patients without supervision but only pursuant to a prescription for the services from a licensed dentist or physician. Signed - Chapter 753/ Statutes of 1997.

AB 1116 (Keeley) -- Imposes new licensing requirements and approval procedures by the Board of Dental Examiners on foreign dental schools. Signed - Chapter 792/Statutes of 1997.

Proposed Merger of the University of California San Francisco (UCSF) Medical Center and Stanford Health Services

SB 1350 (Burton, Shelley, Kopp, Migden and Papan) -- Establishes open meetings and records disclosure requirements for private corporations to which at least \$50 million of a state agency's assets are transferred for the operation of a hospital. Exempts corporations located in Orange County. Signed - Chapter 792/Statutes of 1997.

AB 1601 (Shelley and Burton) -- Requires the new private corporation created by the merger of UCSF Medical Center and Stanford Health Services to be governed by open-meeting and open-record requirements similar to those now governing the actions and deliberations of state bodies. Signed - Chapter 925/Statutes of 1997.

AB 1602 (Migden) -- Provides that when assets of a medical center owned by the state are transferred or leased to a private corporation, those assets "shall be subject to continued oversight" by the legislative analyst, the budget committees of the Senate and the Assembly, and the Joint Legislative Audit Committee. Vetoed.

#### Human Cloning

SB 1344 (Johnston and Battin) -- Prohibits any person from cloning a human being or purchasing or selling an ovum, zygote, embryo, or fetus for the purpose of cloning a human being. Places a five-year moratorium on human cloning and establishes a panel of experts to study and advise the governor and Legislature on implications of human cloning. Permits the state Department of Health Services to levy administrative penalties of \$1 million on any corporation, firm, clinic, hospital, laboratory or research facility that engages in illegal cloning activities. Signed - Chapter 688/Statutes of 1997.

#### Cancer Research

SB 273 (Burton, Watson and McPherson) -- Establishes the Cancer Research Program to be administered by the Department of Health Services. Provides that moneys in the Cancer Research Fund, established pursuant to AB 1554 (below), be expended for cancer research. Signed - Chapter 756/Statutes of 1997.

AB 1554 (Ortiz, Migden and Perata) -- Establishes the Cancer Research Fund and appropriates \$2 million from the General Fund. States legislative intent to appropriate \$25 million to the fund in the 1998-99 fiscal year, subject to availability of funds. Signed - Chapter 755/Statutes of 1997.

#### Body Piercing

AB 99 (Runner) -- Prohibits performing body piercing, other than ear piercing, on minors who do not have their parents' permission. Imposes a fine of up to \$250. Signed - Chapter 741/Statutes of 1997.

AB 186 (Brown) -- Directs the California Conference of Local Health Officers to establish standards for persons in the tattooing, body piercing and permanent cosmetics business. Requires these practitioners to be registered with the county and requires the county to make annual inspections. Signed - Chapter 742/Statutes of 1997.

#### Other Health Legislation

SB 1 (Burton) -- Requires physicians to discuss with their patients appropriate examinations and tests to detect prostate cancer when circumstances warrant. Signed - Chapter 11/Statutes of 1997.

SB 160 (Watson) -- Provides an exemption to state law requiring informed consent for medical experiments until January 1, 2001, for any medical experimental treatment that benefits a patient subject to a life-threatening emergency. The treatment must be conducted in accord with prescribed requirements. Signed - Chapter 68/Statutes of 1997.

SB 402 (Greene) -- Enacts the Pain Patient's Bill of Rights, and provides that a patient suffering from severe, chronic intractable pain has the option to request or reject the use of any or all modalities in order to relieve the pain. Signed - Chapter 839/Statutes of 1997.

SB 407 (Polanco) -- Permits ear wax removal by an audiologist under physician supervision and according to a written procedure. Signed - Chapter 382/Statutes of 1997.

SB 413 (Peace) -- Prohibits a board member of a nonprofit corporation who negotiates the terms of a transfer of assets to a for-profit corporation from receiving any compensation following close of the transfer. Signed - Chapter 890/Statutes of 1997.

SB 461 (Karnette) -- Provides definitions of unprofessional conduct for optometrists; authorizes civil penalties for altering, modifying or creating a medical record with fraudulent intent, and requires training for optometrists to learn how to detect child abuse and alcoholism and other chemical-substance dependencies. Signed - Chapter 556/Statutes of 1997.

SB 521 (Mountjoy, Haynes, Johannessen, Knight and Monteith) -- Appropriates \$500,000 to the University of California for an assessment of the risks and benefits to human health and the environment of methyl tertiary butyl ether (MTBE) and its combustion byproducts in air, water and soil. Requires the study of three other oxygenates, also to be completed January 1, 1999. After review by the U.S. Geological Survey and federal Centers for Disease Control and public hearings, requires the governor to take appropriate action, including a possible ban on the sale of MTBE, to protect public health or the environment if there is a certified risk from the use of MTBE in gasoline. Provides that water systems and their customers shall not be responsible for remediation costs for water contaminated by MTBE, but may adjust charges temporarily for MTBE remediation to comply with state drinking water standards, with costs to be recovered from parties responsible for contamination. Signed - Chapter 816/Statutes of 1997.

SB 602 (Alpert) -- Extends the voluntary state income-tax check-off for the California Breast Cancer Research Fund until January 1, 2003, and allocates the collected money to the University of California for breast cancer research. Signed - Chapter 337/Statutes of 1997.

SB 945 (Wright) -- Requires candidates for training as nurse assistants or home health aides to submit fingerprint cards with their training applications and prior to direct contact with residents. Requires denial of a license to, and prohibits care from being provided by, any person whose criminal record review discloses evidence of a felony or any crime that evidences an unfitness to provide home health services. Exempts any person who presents evidence satisfactory to the Department of Health Services of rehabilitation. Signed - Chapter 558/Statutes of 1997.

SCR 4 (Burton) -- Requests the attorney general to bring suit against all tobacco companies to seek reimbursement for costs incurred by the Medi-Cal program for treating persons afflicted with smoking-related diseases. Adopted - Resolution Chapter 14/Statutes of 1997.

AB 174 (Napolitano) -- Makes it unprofessional conduct for individuals licensed as healing arts practitioners, but not licensed as acupuncturists, to perform any acupuncture technique. Signed - Chapter 400/Statutes of 1997.

AB 381 (Takasugi and Machado) -- Requires immunizations for hepatitis B for students entering the 7th grade after July 1, 1999. Signed - Chapter 882/Statutes of 1997.

AB 405 (Kuehl) -- Requires a hospital governing body, prior to a decision to enter into or terminate an exclusive contract or to close a medical staff department to new applicants, to present the reasons for the proposed action in writing to the medical staff and seek a written medical staff recommendation on the action. Vetoed.

AB 501 (Migden)--Requires the state Department of Health Services to implement "with all deliberate speed" a new federal law that restores Medi-Cal eligibility to children who previously were to lose it under 1996 federal welfare reforms. Vetoed.

AB 563 (Prenter) -- Automatically suspends the California medical licenses of physicians whose licenses are suspended or revoked in another state. Signed - Chapter 514/Statutes of 1997.

AB 600 (Kuehl) -- Extends the termination date for the state-only Family Planning Program administered by the DHS for one year from July 1, 2000, to July 1, 2001. Directs the DHS to apply by March 15, 1998, for a federal Medicaid waiver to secure federal matching funds for the program. Requires that, upon approval of the federal waiver, state savings be used to extend family planning services to persons in families with incomes at or below 200 percent of poverty who are not eligible under the terms of the Medicaid waiver. Vetoed.

AB 833 (Ortiz and Perata) -- Requires the DHS to place priority on providing information about women's gynecological cancers contingent upon receiving funds for this purpose. Signed - Chapter 754/Statutes of 1997.

AB 967 (Migden) -- Allows DHS to request that counties shift federal and local funds to the statewide AIDS drug assistance program but does not require the counties to shift such funds. Vetoed.

AB 1099 (Migden) -- Continues Medi-Cal eligibility without a share of cost, or with a reduced share of cost, for



individuals who return to work and are being treated for symptoms of the human immunodeficiency virus (HIV) or acquired immune deficiency syndrome (AIDS) or who are disabled. Vetoed.

AJR 25 (Baca) -- Asks Congress and President Clinton to enact legislation to enable postal stamp patrons to voluntarily donate one cent per purchased postal stamp for supplemental breast cancer research. Adopted - Resolution Chapter 84/Statutes of 1997.

## Housing

Governor Wilson signed SB 548 (Chapter 537/Statutes of 1997) by Senator Hilda Solis to require landlords to install dead-bolt door locks and window locks on nearly every rental unit in California. Landlords have until July 1 to comply with the new law or face civil action from tenants.

Senator Byron Sher's bill, SB 682, to require landlords to give tenants 30 days' notice if the rent is increasing and an extra 30 days to move out if the tenants desire, was vetoed. The bill would have allowed tenants to provide written notice of their plans to move prior to having a rent increase take effect. Proponents of the bill asserted that housing shortages in many areas of the state are encouraging landlords to raise rents. Wilson in his veto message said the bill would "rewrite the terms of existing rental agreements and erode the venerable notion of the month-to-month tenancy because of a tight rental market in the Silicon Valley."

SB 327 (Greene) -- Authorizes public agencies to require individuals who wish to reside in, or be employed by, public housing facilities to submit to a criminal background investigation. Signed - Chapter 105/Statutes of 1997.

SB 1313 (Leslie) -- Provides disaster assistance for agricultural workers displaced by the 1997 floods in counties declared a disaster by the governor for 12 months after the declaration. Authorizes the Department of Housing and Community Development to make loans from the Farmworker Housing Grant Fund to local public entities, nonprofit corporations, and private property owners to repair, rehabilitate, or replace housing used exclusively by migrant farm workers. Signed - Chapter 104/Statutes of 1997.

AB 175 (Torlakson) -- Exempts housing development projects of not more than 100 units in urbanized areas from the California Environmental Quality Act (CEQA) if the projects cover five acres or less. Requires the developer of low- and moderate-income housing to make legal commitments to ensure continued availability of units to lower-income households for 30 years, as provided in current law, in order to make use of the exemption from CEQA review for the construction of such housing. Signed - Chapter 415/Statutes of 1997.

AB 235 (Takasugi) -- Raises the California Housing Finance Agency's mortgage revenue bond limit from \$5.35 billion to \$6.75 billion. Signed - Chapter 466/Statutes of 1997.

AB 931 (Thomson) -- Creates the California Student Cooperative Housing Act, and appropriates a \$250,000 loan to be used to finance student cooperative housing. Vetoed.

AB 6X (Torlakson) -- Requires a seller and/or the seller's agent to provide prospective buyers a "Natural Hazard Disclosure Statement" stating whether a residence is located within a natural hazard zone, including flood and high fire-hazard areas. Signed - Chapter 7/Statutes of 1997 (First Extraordinary Session).

## Armories for the Homeless

SB 255 (Lee and Honda) -- Reinstates the authority for cities and counties to use certain state armories for homeless shelters until March 15, 1999. Also:

Removes six armories in Calexico, Chico, Corona, El Cajon, Roseville and San Rafael from the emergency housing and assistance program but allows these armories to be used if their communities exhaust all other available resources for housing homeless persons.

Requires counties to establish by November 1, 1997, a local shelter advisory committee to address issues relating to shelter operations to ensure that shelters maintain a "good neighbor policy" and to find long-term solutions to house the homeless.

Requires the Legislative Analyst's Office to analyze and recommend alternative approaches to providing assistance to homeless persons.

Requires counties to report to the Legislature by June 30, 1998, on their progress in providing alternative emergency shelters in lieu of the emergency shelter program. If a county does not provide this report by June 30, 1998, armories will not be available to the county after July 1, 1998. Signed - Chapter 716/Statutes of 1997.

AB 242 (Honda, Machado and Lee) -- Appropriates \$1 million to the emergency housing and assistance program to help counties pay for operating 27 state armories for homeless shelters. Each armory will receive \$30,000 and the balance of the funds will go to other cities and counties for homeless shelters. To obtain funds, each county must apply to the Department of Housing and Community Development, and the department must distribute the funds within 30 days. Signed - Chapter 715/Statutes of 1997.

## Immigrants

Nearly a quarter of California's 32 million residents are foreign-born. Put another way, California is home to more than a third of the nation's legal immigrants and more than 40 percent of the country's undocumented arrivals. This translates into more than 6 million legal immigrants and 2 million undocumented persons within the state's borders.

Historically about a third of California's legal immigrants had become U.S. citizens over the course of time, but that ratio is growing under increased pressures on legal immigrants to naturalize.

Congress in its federal welfare changes signed by President Clinton last year eliminated Supplemental Security Income (SSI) to elderly and disabled legal immigrants. But Congress and the president revised those provisions in 1997 to permit SSI to continue to legal immigrants who had arrived before August 22, 1996.

Federal food stamps, however, were terminated for legal immigrants in August 1997. The California Legislature, in a compromise with Governor Wilson, agreed to provide state-paid food stamps to immigrants over 64 or under 18 who lose the federal benefits if they were legally in this country before August 22, 1996. However, an estimated 90,000 legal immigrants who lose their federal stamps will be too young and too old for the new state aid.

Federal welfare changes also ban public assistance to legal immigrants who arrive after August 22, 1996, for their first five years in this country. After five years, the incomes of immigrants' sponsors must be considered when determining if immigrants are sufficiently impoverished to qualify for public assistance.

Immigrants eventually can receive SSI or other aid if they become U.S. citizens or work 10 years in the United States.

Refugees qualify for assistance immediately, but they will lose eligibility after seven years in this country.

Governor Wilson vetoed a \$5 million appropriation placed in the 1997-98 state budget by the Legislature to assist immigrants in becoming U.S. citizens. He also vetoed \$17 million to restore SSI benefits denied by the federal government to legal immigrants who arrive in this country after August 22, 1996, and who otherwise would have qualified for assistance. Wilson vetoed \$4.4 million for emergency food assistance that might have been used in part for legal immigrants who have lost their food stamps.

Also deleted from the budget by Wilson was state-funded prenatal care for low-income undocumented immigrants as of October 1, 1997.

AB 1153 (Escutia and Wright) -- Requires the Community Services and Development Department to contract with and allocate funds to citizenship-assistance providers to help legal noncitizen immigrants with naturalization procedures. Vetoed.

AB 1576 (Bustamante and Lockyer) -- Creates a \$35.6 million state-only food stamp program to replace federal benefits for those over 64 and under 18. Approximately 120,000 Californians lost food stamp eligibility in September 1997. This bill will replace benefits for approximately 30 percent of these by serving 36,000 children and 4,500 elderly. Benefits will be the same as those in the federal program. Signed - Chapter 287/

Statutes of 1997.

## Insurance

Also see "Health Insurance Reform," page 59.

SB 18 (Rosenthal) -- Settles a lawsuit against the state by directing the state controller to transfer \$10 million from the state General Fund into the state Insurance Fund in equal payments over three years. Signed - Chapter 239/Statutes of 1997.

SB 512 (Rosenthal) -- Transfers \$1 million from the General Fund to the Department of Insurance to resume audits of insurer tax returns, which had been dropped due to budget constraints. Signed - Chapter 894/Statutes of 1997.

SB 997 (Schiff) -- Creates the Anti-Rebate and Enforcement Unit in the Department of Insurance to investigate unlawful title insurance rebates. Signed - Chapter 434/Statutes of 1997.

SB 1315 (Burton) -- Requires commercial and workers' compensation insurers who fail to renew policies to, on request, provide a history of premiums and losses. Signed - Chapter 385/Statutes of 1997.

AB 223 (Papan) -- Terminates as of January 1, 1999, the law requiring insurers to inspect vehicles prior to issuing private passenger collision or comprehensive policies on them. Signed - Chapter 163/Statutes of 1997.

AB 331 (Figueroa) -- Requires insurers participating in the California Earthquake Authority (CEA) to permit installment payments of the CEA premium. Signed - Chapter 231/ Statutes of 1997.

AB 489 (Figueroa) -- Requires life insurers to permit terminally ill policyholders to assign their policies in order to access this asset for their final days. Signed - Chapter 440/ Statutes of 1997.

AB 588 (Figueroa) -- Prohibits discrimination based on domestic violence in property/casualty insurance. Signed - Chapter 845/ Statutes of 1997.

AB 649 (Napolitano) -- Prohibits discrimination based on domestic violence in life insurance. Signed - Chapter 176/ Statutes of 1997.

AB 1148 (Cunneen and Figueroa) -- States that the California Insurance Guarantee Association should pay claims against an insolvent insurer when a policy has been assumed from an insurer no longer admitted in California. Signed - Chapter 372/Statutes of 1997.

#### Long-Term Care Insurance

SB 1052 (Vasconcellos) -- Authorizes federally approved long-term care insurance policies with tax-deductible premiums to be marketed and sold in California. Also establishes new consumer protection standards to ensure value-based benefits. Signed - Chapter 699/Statutes of 1997.

SB 527 (Rosenthal) -- Requires long-term care (LTC) insurers to offer both federal tax-favored and California non-tax-favored LTC policies that conform to less restrictive state eligibility requirements. Requires insurers to provide a side-by-side comparison outlining the differences between a federal tax-favored policy and a state non-tax-favored policy. Requires application forms for LTC policies to contain a disclosure notice stating consumers have a choice in policies and requires the comparison to be provided to the consumer. Requires the Department of Insurance to submit a final report to the Legislature by July 1, 1999, describing the implementation of LTC policies and to hold at least one public hearing on a draft report. Signed - Chapter 701/Statutes of 1997.

AB 1483 (Gallegos) -- Authorizes federally approved long-term care insurance policies with tax-deductible premiums to be marketed and sold in California. Also establishes definitions for disability levels at which benefits are paid. Signed - Chapter 700/Statutes of 1997.

#### Unemployment Insurance

SB 202 (Solis) -- Revises the method of determining eligibility for unemployment insurance compensation, which is paid to jobless persons who lose their employment through no fault of their own. Vetoed.

#### Judicial Procedures and Court Operations

Governor Wilson, formerly a practicing attorney, vetoed SB 1145 by Senator John Burton to authorize the State Bar to collect annual dues from its members for the next two years, at least temporarily casting some uncertainty over its future. In a long veto message to the Legislature, the governor asserted that in "recent months, as disgruntled

members have leveled charges that the Bar is bloated, arrogant, oblivious and unresponsive, the Bar has promptly done its best to verify each indictment." He said the Bar's mission has become obscured and now it is "part magazine publisher, part real estate investor, part travel agent and part social critic, commingling its responsibilities and revenues in a manner which creates an almost constant appearance of impropriety."

SB 123 (Peace) -- Requires requests to suppress evidence in criminal proceedings to be made in writing and accompanied by an explanation of reasoning and precedents. Signed - Chapter 279/Statutes of 1997.

SB 513 (Lockyer) -- Provides for legal representation of indigent death row inmates to reduce the backlog of capital cases and to begin to comply with federal requirements for expedited federal habeas corpus procedures. Creates the California Habeas Resource Center in the judicial branch to represent indigent death row inmates in habeas corpus proceedings. Allows the center to employ up to 30 attorneys who may be appointed by the California Supreme Court to represent capital defendants. Signed - Chapter 869/Statutes of 1997.

SB 517 (Haynes) -- Exempts a person who operates or uses a sport shooting range from civil liability, criminal prosecution or a nuisance action with respect to noise if the person complies with the laws in effect at the time the shooting range was approved for use. Signed - Chapter 880/Statutes of 1997.

SB 1296 (Lockyer) -- Revises California's anti-SLAPP (Strategic Lawsuits against Public Participation) statute designed to protect from frivolous retaliatory litigation those who exercise the right of free speech in connection with issues of public interest. The bill is designed to ensure that the statute is broadly construed. Signed - Chapter 271/Statutes of 1997.

AB 207 (Frusetta) -- Prohibits lawyers from disclosing the addresses or telephone numbers of victims or witnesses to members of defendants' families or anyone else unless the court, after a hearing and upon a showing of good cause, orders its release.. Signed - Chapter 498/Statutes of 1997.

AB 233 (Escutia and Pringle) -- Transfers principal funding responsibility for trial court operations to the state beginning in the 1997-98 fiscal year while freezing county contributions at the 1994-95 levels. Establishes a civil delay-reduction team. Equalizes county contributions to trial court funding beginning in 1998-99 to ensure the state pays at least 58 percent of each county's trial court operations. Signed - Chapter 850/ Statutes of 1997.

AB 246 (Lempert) - Increases the financial ceiling on actions that can be filed in Small Claims Court from \$5,000 to \$7,500. Vetoed.

AB 915 (Baugh) -- Adds in-line skating by adults to the list of "hazardous recreational activities" for which a public agency is immune from liability. Signed - Chapter 805/Statutes of 1997.

AB 1296 (Morrow, Mazzoni and Strom-Martin) -- Adds "skateboarding" to the list of "hazardous recreational activities" for which a public entity is immune from liability when a person engaged in that recreational activity on public property is injured. The bill permits immunity only if all of the following criteria are met:

The skateboarding is at any facility or park owned or operated by a public entity as a public skateboard park,

The person skateboarding is 14 years of age or older,

The skateboarding activity that caused the injury was a stunt, and

The skateboard park is on public property.

Signed - Chapter 573/Statutes of 1997.

AB 829 (Thomson) -- Requires civil grand juries to receive training in how to conduct investigations and in the legal authority of jurors. Requires jurors to meet with the subjects of their investigations before issuing reports, and provides subjects of civil grand jury investigations with an opportunity to question the reports' findings. Signed - Chapter 443/Statutes of 1997.

AB 1609 (Papan) -- Extends the statute of limitations for one year for filing liability lawsuits for injuries linked to breast implants. This bill would not apply to any action for medical malpractice. Vetoed.

## Labor, Work Force Preparation and Job Creation

Job creation takes on a new urgency in the face of federally mandated welfare reforms enacted by the Legislature in 1997 that require those who seek welfare also to seek work. Up to 500,000 new jobs must be created to absorb welfare recipients who will be moving into California workplaces. Those who need assistance will have opportunities to develop skills in preparing for, seeking and retaining jobs. See also "Welfare to Work," page 113, and "School to Work," page 37.

SB 48 (Solis) -- Authorizes the Employment Training Panel to allocate up to 20 percent of its annually available funds for training projects for the benefit of persons enrolled in the California Work Opportunities and Responsibility to Kids (CalWORKs) welfare-to-work program. Vetoed.

SB 202 (Solis) -- Revises the method of determining eligibility for unemployment insurance compensation, which is paid to jobless persons who lose their employment through no fault of their own. Vetoed.

SB 394 (Johnston) -- Earmarks \$4.5 million in Job Training Partnership Act (JTPA) funds to develop paid employment opportunities for students. Signed - Chapter 915/Statutes of 1997.

SB 447 (Greene) -- Prohibits an employer from charging a fee for processing the job application of an employee or an applicant for employment. Vetoed.

SB 538 (Greene) -- Allows local fire protection agencies to give hiring preferences to civilian federal firefighters who have lost their jobs as a result of the closure of military bases. Signed - Chapter 73/Statutes of 1997.

SB 680 (Solis) -- Provides that hours worked in excess of eight hours in one day shall be compensated at the rate of one and one-half times the employee's regular rate of pay, and hours worked in excess of 12 hours in one day shall be compensated at the rate of twice the employee's regular rate of pay. Vetoed.

SB 1023 (Schiff) -- Reduces the age of eligibility for survivor benefits from 62 years to 60 years for surviving spouses of members of the California Public Employees' Retirement System. Vetoed.

SB 1024 (Schiff) -- Revises provisions of law governing the California Public Employees Retirement System (CalPERS) to:

Allow spouses of deceased local agency retirees and CalPERS members to retain their monthly death benefits upon remarriage.

Allow spouses whose benefits were previously removed to resume receiving payment of their allowances.

Eliminate the "remarriage penalty" for surviving spouses of police officers and firefighters who were not killed in the line of duty. Vetoed.

SB 1025 (Schiff) -- Increases from 75 to 80 percent the limit on the percentage of final compensation that may be earned in a retirement allowance by local safety employees who are members of CalPERS. Vetoed.

SB 1071 (Polanco and Lockyer) -- Clarifies that agricultural workers who voluntarily quit and are not paid on time are entitled to be paid penalties by their employers. Wages owed agricultural employees are due and payable twice monthly at designated times. When an employee voluntarily quits he or she must be paid within 72 hours. Signed - Chapter 92/Statutes of 1997.

AB 1167 (Floyd) -- Provides a framework for increasing labor standards enforcement and review, increases civil penalties against employers for wage violations and creates a legislative process to overturn actions by the Industrial Welfare Commission. Actions that could be overturned include an April 1997 order by the Industrial Welfare Commission, to take effect next year, that eliminates a requirement to pay overtime after eight hours on the job. Vetoed.

AB 1015 (Knox) -- Imposes a fine of up to \$250,000 and/or a period of imprisonment of not more than one year on an employer who willfully violates an occupational safety or health standard and thereby causes the death or permanent or prolonged impairment of employee. Vetoed.

AB 1363 (Machado) -- Lifts restrictions on how late in the evening 14- and 15-year-old bat and ball boys and girls can work. Amends a state law that prohibits children under the age of 16 from working past 7 p.m. during the school year or 9 p.m. during the summer break. Signed - Chapter 763/Statutes of 1997.

AB 1448 (Assembly Committee on Labor and Employment) -- Increases from \$100 to \$250 the civil penalty imposed against an employer for violation of the minimum wage requirement. Signed - Chapter 35/Statutes of 1997.

#### Natural Resources, Water Issues and Animal Life

California has 1,100 miles of spectacular coastline with unsurpassed beauty and natural splendor, blessed with an abundance of rich and varied resources. However, coastal and ocean pollution is found from Mexico to the Oregon border.

Twenty years ago divers were landing 80,000 to 140,000 pounds of white abalone a year. Today, only 11 individual white abalone are known to exist. Federal scientists estimate that 630 marine mammals die each year in waters off California in drift nets -- the highest death toll in the country. Poaching takes as much as \$24 million of marine life illegally. It is estimated that 90 percent of poaching goes undetected.

In general, near-shore pollution has been caused by ocean dumping of industrial wastes, radioactive materials, dredge spoils, military wastes including explosives, agricultural and urban runoff and municipal sewer discharges. Toxic substances from storm water runoff now make up the bulk of pollution flowing into California's marine waters.

Beach-goers are not assured of safe swimming water, since the state does not have any mandatory testing program for its coastal waters. Monitoring and beach closures are left up to local governments and their standards and monitoring procedures vary.

Over 100 federal, state, county and city agencies have some authority over coastal and ocean resources. However, the bulk of the responsibility falls on the state Department of Fish and Game. Its share of taxpayer money has decreased 60 percent since 1990 to \$3 million. Other funding sources, such as hunting and fishing licenses, have also declined.

Inland areas pose their own set of resource issues. California's 1997 storms and floods put tremendous pressures on public flood-control systems. The sheer magnitude and duration of the rain and melting snow overwhelmed capability. Levee failures north of Sacramento near Yuba City and Marysville and south along the San Joaquin River, for example, caused loss of life and major damage. The state sustained major infrastructure losses, estimated to be as high as \$1.6 billion, in all segments of its economy.

#### Coastal and Water Resources

SB 53 (Thompson) -- Establishes a \$50 fee for commercial fishing of albacore and a \$200 fee for an albacore commercial boat registration. Requires a vessel permit to harvest pink shrimp north of Point Conception. Vetoed.

SB 62 (McPherson) -- Requires the State Water Resources Control Board and the Department of Fish and Game to continue implementing the state's "Mussel Watch" program, which since 1977 has monitored contaminant concentrations in mussels to gauge potential problems in the quality of state waters. This bill places the program in statute to better ensure long-term funding. Provides \$145,000 to the program from the General Fund. Signed - Chapter 781/Statutes of 1997.

SB 65 (McPherson) -- Requires the posting of a warning sign at a beach entrance any time the beach fails to meet state bacteriological standards. Signed - Chapter 764/Statutes of 1997.

SB 72 (McPherson) -- Requires coastal development permit fees collected by the California Coastal Commission to be used for grants to public agencies and private nonprofit entities for the development, maintenance and operation of new or existing public access facilities. Signed - Chapter 782/Statutes of 1997.

SB 105 (Ayala) -- Requires the state Office of Emergency Services to notify local health officers of any spills of reportable hazardous substances or sewage. Requires local officials to notify the public if necessary to safeguard public health and safety. Signed - Chapter 783/Statutes of 1997.

SB 364 (Sher and Karnette) -- Creates the Squid Research and Management Committee and the Squid Fishery

Advisory Committee. The management committee is to make recommendations to the Legislature by June 1, 2001. Authorizes the take of squid north of Point Conception between noon Sunday and noon Friday. Requires various permits to commercially take squid. Signed - Chapter 785/Statutes of 1997.

SB 463 (Thompson) -- Requires a person taking abalone from ocean waters to have a \$12 abalone stamp affixed to his or her sport fishing license. Requires revenue from the fees to be used only for the Recreational Abalone Management Program. Imposes a moratorium on the taking or landing of red abalone south of the mouth of the San Francisco Bay. Signed - Chapter 787/Statutes of 1997.

SB 499 (Alpert) -- Requires the State Water Resources Control Board and the Coastal Commission to work cooperatively to develop and implement a federally approvable coastal pollution-control program as required by the Coastal Zone Act Reauthorization Amendments of 1990. Requires the program to develop and implement management measures for source pollution that protect and improve the quality of coastal waters. Vetoed.

SB 673 (Karnette) -- Requires the California Coastal Commission to prepare a long-term management plan for the dredging and disposal of contaminated sediments in coastal waters. Signed - Chapter 897/Statutes of 1997.

SB 699 (Rainey) -- Reinstates the requirement that a person taking striped bass have a striped bass stamp affixed to his or her sport-fishing license. Signed - Chapter 398/Statutes of 1997.

SB 1003 (McPherson and Leslie) -- Extends the law requiring that operators of all vessels that carry ballast water and enter a port in this state complete and return a ballast water control report to the Department of Fish and Game until January 1, 2000. Signed - Chapter 490/Statutes of 1997.

SB 1006 (Hayden) -- Designates specified ocean waters south of Malibu as the Malibu Marine Life Refuge and specified ocean waters south of Point Dume as the Point Dume Marine Life Refuge until January 2003. Vetoed.

SB 1082 (Kelley) -- Requires the director of the Department of Water Resources to assist in developing a plan to ensure California lives within its annual Colorado River entitlement of 4.4 million acre feet. Signed - Chapter 874/Statutes of 1997.

SB 1123 (Hayden) -- Requires multilingual health advisory signs regarding contaminated sport fish to be posted by county health departments at public fishing areas in certain counties before June 1, 1998. Vetoed.

SB 1307 (Costa and Thompson) -- Revises the California Safe Drinking Water Act to conform state law to the federal Safe Drinking Water Act amendments of 1996. Establishes the statutory framework for a state revolving fund for low-interest loans and grants to public water systems in order to take advantage of federal money available to states for the upgrade of public water supplies. Signed - Chapter 734/Statutes of 1997.

SB 1312 (Leslie) -- Prohibits the Department of Fish and Game (DFG) from introducing poisons into drinking water supplies, and specifically into Lake Davis, for fishery management purposes unless the Department of Health Services finds that there will not be a permanent adverse impact to the water quality, and DFG supplies an alternative water source and a water-monitoring program. Signed - Chapter 437/Statutes of 1997.

AB 241 (Lempert) -- Authorizes creation of the Southern California Wetlands Clearinghouse and establishment of a San Francisco Bay Wetlands Mitigation Bank pilot program. Vetoed.

AB 411 (Wayne and Shelley) -- Requires the testing of all beaches for certain bacteria and establishes protocols for monitoring frequency of testing based upon risks to public health. Requires testing on a weekly basis from April 1 to October 31 each year. Also requires local public health officers to be responsible for testing water adjacent to public beaches and for posting warning signs when a beach fails to meet standards. Signed - Chapter 765/Statutes of 1997.

AB 459 (Firestone) -- Requires the Department of Health Services to conduct sanitary surveys in 18 areas containing naturally occurring populations of shellfish harvested by the public. Signed - Chapter 770/Statutes of 1997.

AB 739 (Machado) -- Increases the misdemeanor penalties for poaching. Signed - Chapter 771/Statutes of 1997.

AB 1022 (Lempert) -- Requires a California Coastal Commission member who receives a gift valued at \$10 or more from a person with interest in matters within the commission's jurisdiction to disclose the gift in writing. Vetoed.

AB 1429 (Shelley, Wayne and Cardenas) -- Requires the Southern California Coastal Water Research Project, in cooperation with the San Francisco Estuary Institute, to inventory water-quality monitoring activities within state coastal watersheds, streams, bays and estuaries, and to investigate the storm-drain discharge of organic pollutants into the Santa Monica, San Francisco, Humboldt and San Diego bays. Signed - Chapter 899/Statutes of 1997.

AB 1464 (Strom-Martin, Migden and Shelley) -- Requires the State Water Resources Control Board, in cooperation with regional boards, to prepare and publicize a list of high-quality water bodies within coastal watersheds that may constitute outstanding national resources. Vetoed.

AB 1479 (Sweeney) -- Requires regional water boards to submit to the State Water Resources Control Board and the public by the end of 1998 a "toxic hot spots" cleanup progress report. "Toxic hot spots" are defined in the bill as aquatic locations where pollution affects the interests of the state, and where hazardous substances have accumulated in levels that pose a substantial hazard to aquatic life, wildlife, fisheries, or human health, or adversely affect the beneficial uses of the bay, estuary or ocean waters. Vetoed.

AB 1581 (Keeley) -- Enacts the California Ocean Resources Management Act of 1998 and establishes the Coastal Operations and Strategy Team of 1998, which will remain in existence until July 1, 1998. Requires the strategy team to submit to the Legislature by March 1, 1998, a California ocean resources management assessment, and by April 30, 1998, recommendations for implementing a coastal management plan. Signed - Chapter 779/Statutes of 1997.

AB 1491 (Cunneen and Richter) -- Prohibits, beginning January 1, 1999, the delivery of petroleum to tanks that do not meet upgraded standards designed to prevent corrosion-induced leaks and to ensure that any leaks can be quickly detected and contained. The bill establishes a method for enforcing the deadline. Signed - Chapter 808/Statutes of 1997.

#### MTBE and Water Contamination

SB 521 (Mountjoy, Haynes, Johannessen, Knight and Monteith) -- Appropriates \$500,000 to the University of California for an assessment of the risks and benefits to human health and the environment of methyl tertiary butyl ether (MTBE) and its combustion byproducts in air, water and soil. Requires the study of three other oxygenates, also to be completed January 1, 1999. After review by the U.S. Geological Survey and federal Centers for Disease Control and public hearings, requires the governor to take appropriate action, including a possible ban on the sale of MTBE, to protect public health or the environment if there is a certified risk from the use of MTBE in gasoline. Provides that water systems and their customers shall not be responsible for remediation costs for water contaminated by MTBE, but may adjust charges temporarily for MTBE remediation to comply with state drinking water standards, with costs to be recovered from parties responsible for contamination. Signed - Chapter 816/Statutes of 1997.

SB 1189 (Hayden) -- Enacts several provisions designed to identify, monitor and prevent MTBE contamination of drinking water wells. Requires each Regional Water Quality Control Board to publish and distribute, on a quarterly basis, to all public water system operators, a list of MTBE discharges that occurred during the quarter. Signed - Chapter 815/Statutes of 1997.

AB 592 (Kuehl) -- Requires several actions related to potential contamination of groundwater by MTBE. Allows the State Water Resources Board to annually expend up to \$5 million from a subaccount within the underground storage tank fund to reimburse costs up to \$1 million incurred by owners and operators of public drinking water supply sources that have been contaminated by MTBE. Requires the Department of Health Services to adopt a primary drinking water standard for MTBE on or before July 1, 1999. Requires the scientific advisory panel of the California Drinking Water and Toxic Enforcement Act, on or before January 1, 1999, to recommend whether or not MTBE should be listed as a carcinogenic or reproductive toxin. Signed - Chapter 814/Statutes of 1997.

#### Floods

SB 4X (Costa) -- Appropriates \$3.6 million from the General Fund to undertake projects and actions recommended in the final report of the Governor's Flood Emergency Action Team, including:

\$360,000 for emergency response planning, preparedness and coordination, flood data analysis and dissemination, flood warning and information systems.

\$950,000 for removal of vegetation and sediment and acceleration of the repair of levees and flood-control



structures in state-maintained areas.

\$1.4 million for computer-modeling studies and flood-plain maps.

\$340,000 for improving inspection of levees, floodways and other structures.

\$475,000 for inspecting dams for damage from the 1997 floods.

Signed - Chapter 1/Statutes of 1997. (First Extraordinary Session).

SB 11X (Maddy) -- Appropriates \$10.4 million from the state general fund for erosion and sediment control projects needed as the result of 1997 flood damage. Signed - Chapter 2/Statutes of 1997. (First Extraordinary Session).

SB 181 (Kopp and Burton) -- Exempts from the California Environmental Quality Act all repair, reconstruction and restoration of public facilities or private levees damaged during the winter floods in the counties that were declared by the governor to be in states of emergency. Signed - Chapter 4/ Statutes of 1997.

SB 310 (Costa) -- Authorizes a flood control project at the Kaweah Reservoir in Tulare County. Signed - Chapter 189/ Statutes of 1997.

SB 1313 (Leslie) -- Provides \$1 million in loans to help rebuild agricultural worker housing destroyed by the January 1997 floods. Signed - Chapter 104/Statutes of 1997.

AB 1X (Cardoza) -- Provides emergency tax relief to businesses and residents who suffered losses during the January floods in Northern California. Allows greater deductions of losses on future years' tax returns and compensates local governments for the loss of property-tax revenue. Signed - Chapter 3/Statutes of 1997 (First Extraordinary Session).

AB 2X (Strom-Martin) -- Exempts local governments from a requirement to pay 25 percent of the matching funds for federal assistance for rebuilding public facilities damaged by the 1997 floods. The state will pay the full costs of matching funds, saving local governments about \$14 million. Signed - Chapter 4/ Statutes of 1997 (First Extraordinary Session).

AB 11X (Poochigian) -- Authorizes \$2.9 million to repair damage in Northern California from last January's floods, and \$1.9 million to study a need for future flood control projects along the watersheds of the Sacramento, San Joaquin and Yuba rivers. Signed - Chapter 5/Statutes of 1997 (First Extraordinary Session).

AB 1593 (Machado and Costa) -- Authorizes a flood-protection project along the American River upon the recommendation of the Department of Water Resources or the Reclamation Board, as prescribed. Signed - Chapter 297/Statutes of 1997.

### Endangered Species

SB 78 (Thompson) -- Reinstates and extends the state income-tax check-off for the Rare and Endangered Species Preservation Fund until January 1, 2002. Requires the fund to receive at least \$250,000 annually in contributions if the check-off is to remain on the tax return. Signed - Chapter 87/Statutes of 1997.

SB 879 (Johnston and Machado) -- Authorizes the state Department of Fish and Game to issue permits to allow the "incidental" killing of endangered species or destruction of habitat during construction projects or other commercial activities. Responds to a ruling by the Court of Appeal, in a lawsuit brought by the Planning and Conservation League, that found the department was violating California's Endangered Species Act. The court's decision nullified the department's permit process and cast uncertainty over numerous business activities in California. The bill, in a compromise approach, makes business entities that receive its "incidental take" permits responsible for mitigating damage they cause to endangered species by setting aside habitat for species protection or taking other steps. It makes the state responsible for any habitat restoration beyond the damage caused by permitted commercial activity. Signed - Chapter 567/ Statutes of 1997.

SB 231 (Costa) -- Sets conditions for farmers to incidentally or accidentally kill endangered species or damage habitat on agricultural lands. Signed - Chapter 528/Statutes of 1997.

AB 21 (Olberg) -- Amends the state's Endangered Species Act to provide that no further authorization is required for the taking of an endangered, threatened or candidate species by a person who has obtained authorization under the federal Endangered Species Act. Signed - Chapter 508/Statutes of 1997.

AB 605 (Ashburn) -- Adds 30 days to the Department of Fish and Game's evaluation period for reviewing petitions to add or subtract species from the endangered or threatened lists. Signed - Chapter 515/Statutes of 1997.

AB 1280 (Bustamante) -- Authorizes \$200,000 for the Department of Fish and Game to develop and carry out a recovery-strategy pilot program for the greater sandhill crane. Signed - Chapter 522/Statutes of 1997.

AB 1505 (Ashburn) -- Requires the Department of Fish and Game to improve coordination with federal officials regarding species preservation, specifically in the vicinity of the Isabella Dam and Reservoir. Signed - Chapter 525/Statutes of 1997.

#### Other Animal Legislation

SB 196 (Knight) -- Authorizes a court to order the destruction of any animal or bird seized because of a violation of laws that prohibit the exhibition of fighting animals or birds if the animal's ownership cannot be determined and it has been held 10 days. Signed - Chapter 422/Statutes of 1997.

SB 329 (McPherson) -- Allows an owner or tenant to kill a wild pig that is threatening to damage or destroy land or property before being issued a permit from the state Department of Fish and Game as long as the killing is reported by the next day and the carcass is put to use in some manner. Requires the department to prepare a wild pig management plan to determine wild pig population trends, establish management units, and among other things, encourage the sport hunting of wild pigs. Signed - Chapter 481/Statutes of 1997.

#### Other Resources Legislation

SB 156 (Johannessen) -- Prohibits the purchase price for real estate acquired by the Wildlife Conservation Board other than by eminent domain from exceeding the fair market value of the property. Requires the market value to be set by appraisal. Signed - Chapter 309/Statutes of 1997.

SB 263 (McPherson and Alpert) -- Reduces fees for lifetime hunting and fishing licenses and creates a new hunting-only lifetime license. Repeals a provision that makes lifetime licenses invalid five years after the licensee leaves the state. Signed - Chapter 424/Statutes of 1997.

SB 318 (Thompson and Costa) -- Increases, for 1998 through 2000, the amount of rice straw that can be burned to up to 200,000 acres per year -- 90,000 acres in the fall and 110,000 in the spring. This shifts much of the burning from the fall to the spring when weather conditions are better for the dispersion of rice smoke and particulates. Requires the state Air Resources Board to develop a demonstration program for alternate uses of rice straw. Signed - Chapter 745/Statutes of 1997.

SB 389 (Monteith) -- Designates San Joaquin soil as the official state soil. Signed - Chapter 331/Statutes of 1997.

SB 660 (Sher) -- Enacts the Environmental Cleanup and Reform Act of 1997 and makes a number of significant changes to the hazardous waste fee system administered by the Department of Toxic Substances Control:

Eliminates fees that are deemed cumbersome to administer and produce little revenue,

Broaden environmental fees to compensate for revenue lost by repealing other fees, and

Establish a Toxic Substances Control Account to support the state program that mitigates toxic sites.

Signed - Chapter 870/Statutes of 1997.

SB 1048 (Sher, Kopp and Vasconcellos) -- Establishes the San Francisco Bay Area Conservancy program and account, administered by the Coastal Conservancy, to coordinate recreational and resource needs of the San Francisco Bay, including new parks, trails and open space. Signed - Chapter 896/Statutes of 1997.

SB 1113 (Solis) -- Requires revision of the California Environmental Quality Act (CEQA) guidelines to incorporate

consideration of disproportionate effects of projects on minority and low-income populations. Requires the Office of Planning and Research (OPR) to recommend, and the secretary of the Resources Agency to certify and adopt, by January 1, 2000, revisions to the CEQA guidelines to provide for public agencies' identification and mitigation of disproportionately adverse environmental effects of projects on minority and low-income populations. Requires OPR, in consultation with other state agencies, to identify communities and populations affected by disproportionately adverse environmental effects of projects. Vetoed.

SB 1306 (Sher) -- Enacts the Particulate Matter Research Act of 1997 to require the state board to implement a particulate matter research program. The program would inventory particulate matter, develop new control methods, and identify control strategies for the reduction of particulate matter that are cost-effective, economically and technologically feasible, enforceable, and publicly acceptable, and that would assist in meeting particulate matter standards. Vetoed.

SB 1320 (Sher) -- Establishes external scientific peer review requirements for all boards, departments and offices in the California Environmental Protection Agency (Cal EPA). Requires all boards, departments and offices within Cal EPA to enter into agreements with the National Academy of Sciences, the University of California, the California State University or related scientific entities to conduct analyses of the science on which a regulation is based. Requires a peer reviewer to evaluate whether the scientific portion of the rule is based on sound scientific knowledge, methods and practices. If the board, department or agency does not adopt the reviewer's findings, the record must include an explanation of why the rule-making entity determined the scientific portion of the rule was based on sound science. Signed - Chapter 295/Statutes of 1997.

## Public Safety

Governor Wilson vetoed Senator Richard Polanco's SB 500, a strongly debated measure that would have halted the sale and manufacture of inexpensive handguns commonly known as Saturday night specials. Opponents of the bill said it interfered with a right of Californians to arm and defend themselves, while Polanco and other supporters said the cheap handguns are easily obtained by criminals and contribute to dangerous crimes. Wilson in his lengthy veto message said the bill would have curbed the sale and manufacture of higher quality weapons as well as "junk guns," and suggested stronger sentencing laws would be a greater deterrent to crime.

Wilson signed Assemblymember Tom Bordonaro's AB 4 (Chapter 503), which will increase prison sentences for those who use a gun while committing one of many violent felonies. The "10-20-life" measure has been called the most far-reaching sentencing measure since the "three strikes" law was passed. Those convicted of certain felonies who showed a gun while committing the crime will have 10 years added to their sentences, and 20 years if they fired the gun. An additional 25 years to life will be added if a victim or bystander was shot.

## Background Checks and Notification

SB 327 (Greene) -- Authorizes public agencies to require that individuals who wish to reside in, or be employed by, public housing facilities submit to a criminal background investigation. Signed - Chapter 105/Statutes of 1997.

SB 720 (Lockyer) -- Authorizes counties to impose a \$1 vehicle registration fee to be used for local programs to provide fingerprint identification systems established by AB 1610 and AB 1612 (below). Signed - Chapter 587/Statutes of 1997.

SB 945 (Wright) -- Requires nurse assistant or home health aide candidates for training to submit fingerprint cards with their applications, prior to direct contact with clients. Requires denial of a license to, or prohibits care from being provided by, any person whose criminal record review discloses evidence of a felony or any crime that shows an unfitness to provide home health services. Exempts any person who presents evidence satisfactory to the Department of Health Services of rehabilitation. Signed - Chapter 558/Statutes of 1997.

SB 1302 (Leslie) -- Requires employers to notify a minor's parents or guardians if the minor will be supervised or disciplined by an employee or volunteer who has been convicted for any sex or controlled-substance offense. The notification must be made at least 10 days prior to the employee or volunteer beginning his or her tasks. Signed - Chapter 586/Statutes of 1997.

AB 1223 (Strom-Martin) -- Authorizes local governments to conduct background checks on applicants for

employment or volunteer positions who will have supervisory or disciplinary authority over any minor. Signed - Chapter 904/Statutes of 1997.

AB 1610 (Ortiz and Alby) -- Requires school districts to obtain fingerprint checks prior to hiring anyone for any position that does not require a credential. Extends fingerprint check requirements to employees of private contractors who may have contact with pupils. The purpose of the fingerprint check is to establish whether the prospective employee has ever been arrested or convicted of any crime. Signed - Chapter 588/ Statutes of 1997.

AB 1611 (Ortiz) -- Requires persons who drive buses that transport developmentally disabled persons to undergo background checks and obtain special drivers' certificates. Signed - Chapter 595/Statutes of 1997.

AB 1612 (Alby and Ortiz) -- Prohibits school districts from employing any person, or from retaining anyone currently employed, who has been convicted of a violent or serious felony. Appropriates \$5 million to the state Department of Justice to implement an electronic fingerprint system to allow rapid criminal background checks of prospective employees. Signed - Chapter 589/Statutes of 1997.

### Controlled Substances

SB 457 (Costa) -- Authorizes forfeiture of any boat, airplane or vehicle used to facilitate the manufacture of certain controlled substances. Signed - Chapter 241/Statutes of 1997.

AB 6 (Bowler) -- Adds the sedative drug gamma-hydroxybutyrate (GHB) to the list of Schedule II drugs under the California Uniform Controlled Substances Act, which will allow GHB to be lawfully prescribed only for research and under limited circumstances by licensed health care practitioners. Prosecutors will be able to charge possession of the drug as either a misdemeanor or felony, with prison terms ranging from 16 months to three years. Those convicted of selling the drug could face up to nine years in prison. Signed - Chapter 560/Statutes of 1997.

AB 513 (Hertzberg) -- Adds three to 15 years to the sentences of persons convicted of manufacturing specified quantities of methamphetamine, amphetamine or phencyclidine. Signed - Chapter 505/Statutes of 1997.

AB 875 (Takasugi) -- Authorizes the California Department of Corrections to contract with private entities for 20 years to operate community correctional centers, and authorizes the department to contract for centers that provide substance-abuse treatment programs. States that it is the intent of the Legislature that the department contract for 3,000 drug-treatment beds. Signed - Chapter 643/Statutes of 1997.

### Electronic Surveillance

SB 443 (Johnson) -- Requires law enforcement to obtain a search warrant to place an electronic tracking device on a person's automobile without the consent of the individual. Vetoed.

SB 688 (Ayala) -- Extends until January 1, 2003, authorization for law enforcement interception of wire, electronic pager and cellular telephone communications in certain circumstances. Under current law, authorization had been set to expire on January 1, 1998. Signed - Chapter 355/Statutes of 1997.

### Hate Crimes

AB 51 (Murray) -- Permits enhancement of the penalties for arson against a church or synagogue by including "places of worship" among the types of institutions against which defined "hate crimes" are committed. Signed - Chapter 740/Statutes of 1997.

### Juvenile Justice

SB 314 (Ayala) -- Includes juveniles who have committed certain sex offenses in the category of offenders who are required to register with local law enforcement agencies. Signed - Chapter 819/Statutes of 1997.

SB 388 (Karnette) -- Provides additional authority for law enforcement to release the names of juveniles wanted for murder. Signed - Chapter 341/Statutes of 1997.

SB 483 (Schiff) -- Appoints a steering committee to study the creation of a Department of Juvenile Justice. Vetoed.

SB 526 (Hayden) -- Appropriates \$250,000 for the Department of Youth Authority to purchase two laser tattoo-removal machines so at-risk youths can have their tattoos removed as a way to help them become more employable. Signed - Chapter 907/Statutes of 1997.

SB 590 (Johnson) -- Authorizes probation officers to establish stores in local juvenile detention facilities. Profits from the stores will be used to establish a ward welfare fund to benefit confined minors. Signed - Chapter 125/Statutes of 1997.

SB 668 (Vasconcellos and Migden) -- States that juvenile justice penalties are intended to accomplish public safety through the "balanced approach to restorative justice" model that establishes three objectives:

Community protection through a continuum of appropriate responses to delinquent conduct,

Accountability of the minor through restoration of the losses experienced by the victim and the community,

Competency development of the minor in basic living skills necessary for law-abiding citizenship. Vetoed

SB 805 (Alpert) -- Imposes a fine of \$1,000 and 24 hours of community service for selling alcoholic beverages to a minor. Signed - Chapter 357/Statutes of 1997.

SB 940 (Leslie) -- Imposes an additional three years in jail for gang-related intimidation of witnesses or victims. Signed - Chapter 500/Statutes of 1997.

SB 941 (Leslie) -- Creates a new hearsay exception for sworn statements relating to gang crimes. Requires that statements of witnesses be preserved in the event the witnesses die from other than natural causes. Signed - Chapter 499/Statutes of 1997.

SB 1050 (Alpert and Kopp) -- Authorizes counties to establish an early intervention program designed to assess and serve families with children who have chronic behavioral problems that place the children at risk of becoming wards of the juvenile court. The purpose of the program is to provide a swift response to behavioral problems so that future involvement with the justice system may be avoided. Signed - Chapter 909/ Statutes of 1997.

SB 1058 (Schiff) -- Permits the presiding judge of the juvenile court to authorize a law enforcement agency to disclose the name and other information necessary to identify a minor who is being sought as a suspect for specified felonies. Signed - Chapter 130/Statutes of 1997.

SB 1095 (Lockyer) -- Creates a High-Risk Youth Education and Safety Program to target offenders aged 15 and under who are at risk of becoming chronic offenders with a variety of services designed to deter them from lives of crime. The 1997-98 budget includes \$3.6 million for these services, ranging from counseling to vocational training. Signed - Chapter 340/ Statutes of 1997.

SB 1195 (Schiff) -- Requires probation officers to inform victims of a right to submit statements to be included in the officer's report to the court. Requires the district attorney to provide notification of certain hearings, petitions and court actions to the victims in serious or violent juvenile cases. Signed - Chapter 910/Statutes of 1997.

SB 1204 (Schiff) -- Requires the Department of Youth Authority to annually recognize exemplary Californians, and current and former wards of the department, who perform special services that promote youth-mentoring programs in their communities. Signed - Chapter 281/Statutes of 1997.

SB 1221 (Schiff) -- Establishes a pilot project in up to two counties in which youth paroled from the Department of Youth Authority will be supervised by county probation departments rather than by the Youth Authority. Vetoed.

AB 307 (Kaloogian) -- Permits suspension of pupils for making terrorist threats against school officials or property. Signed - Chapter 405/Statutes of 1997.

AB 320 (Goldsmith) -- Enacts a victim-offender reconciliation, community service and restitution pilot project in up to three counties for non-violent juvenile offenders. Vetoed.

AB 369 (Baca) -- Requires the Board of Corrections to report to the Legislature by January 1, 2000, on the number of individuals transferred from juvenile hall to county jail, provided funds are appropriated. Vetoed.

AB 622 (Miller) -- Permits law enforcement officers to cite and release juvenile offenders who commit misdemeanors or infractions, other than those involving firearms, upon the juvenile's promise to appear at an informal court hearing. Signed - Chapter 348/Statutes of 1997.

AB 640 (Aguiar) -- Establishes the Juvenile Crime Reduction and Education Academy pilot project in San Bernardino County to target first-time offenders who have been identified as disruptive in school. Signed - Chapter 678/Statutes of 1997.

AB 761 (McClintock) -- Requires courts to use appropriate means, including subpoenas, to require parents of minors to attend court proceedings that are held for their children. Signed - Chapter 903/Statutes of 1997.

AB 853 (Hertzberg) -- Targets criminal gang activity in the Los Angeles area by monitoring the activities of street gangs such as the 18th Street Gang. Signed - Chapter 506/Statutes of 1997.

AB 963 (Keeley) -- Requires the state Department of Justice to administer the California Gang, Crime, and Violence Prevention Partnership Program, and appropriates \$3 million to implement this program. Signed - Chapter 885/Statutes of 1997.

AB 1105 (Hertzberg) -- Allows law enforcement personnel to refer infractions and misdemeanor cases to an "Informal Juvenile and Traffic Court," where a traffic hearing officer will hear cases within 60 days of citation by a peace officer. Signed - Chapter 679/Statutes of 1997.

AB 1152 (Poochigian) -- Provides that a minor on probation who removes an electronic monitor and, for more than 48 hours, violates the terms of probation with respect to the monitor, is guilty of a misdemeanor. Requires restitution for damaged or discarded electronic monitoring equipment. Signed - Chapter 267/Statutes of 1997.

AB 1325 (Bordonaro) -- Provides that a warrant for the arrest of a minor is permissible without having the warrant personally served if the minor's whereabouts is unknown and a showing has been made that all reasonable efforts to locate the minor have failed, or that the minor has willfully evaded being served. Signed - Chapter 447/Statutes of 1997.

#### News Media Interviews with Inmates

SB 434 (Kopp) -- Overrides Department of Corrections regulations adopted in 1997 that prohibit confidential communications between inmates and limit media interviews with inmates to random interviews (while a reporter is otherwise touring an institution). Requires the department to allow news media to interview willing inmates in person -- with reasonable notice and with writing materials and audio and video recorders -- including prearranged interviews with specified prisoners, unless the interview poses a threat to the institution or a member of the public. Vetoed.

#### Peace Officers

SB 57 (Ayala) -- Creates a new alternate felony/misdemeanor of disarming a peace officer through the taking of a firearm, which does not require that the defendant resist arrest. Signed - Chapter 464/Statutes of 1997.

SB 145 (Burton) -- Declares that no public safety officer, acting as a representative of an employee labor organization, shall be subjected to punitive action or denied promotion (or threatened that he or she will be punished or denied promotion) for exercising his or her free speech rights. Vetoed.

SB 257 (Lee) -- Creates a pilot program to allow redevelopment agencies to use low- and moderate-income housing funds to subsidize down payments for peace officers to purchase homes in high-crime areas in the counties of Alameda, Contra Costa, Los Angeles, Orange, Riverside, Sacramento, San Bernardino, San Diego, San Francisco, San Mateo, Santa Clara, Ventura and cities with populations of 100,000 or more. Signed - Chapter 42/Statutes of 1997.

SB 282 (Leslie) -- Makes it a felony offense to knowingly interfere with police radio communications if the interference results in a serious injury or property loss. Signed - Chapter 111/Statutes of 1997.

SB 931 (Schiff) -- Requires that one of the two appointments made by the governor to the Board of Corrections must be a representative from a county local detention facility. Vetoed.

SB 1224 (Kopp and Rainey) -- Provides that the penalty for the second-degree murder of a peace officer is life without parole if specified circumstances are proven. Signed - Chapter 465/ Statutes of 1997.

AB 149 (Runner) -- Increases the fine from \$2,000 to \$10,000 for battery that causes injury to a peace officer or other emergency official. Signed - Chapter 592/Statutes of 1997.

AB 177 (Goldsmith) -- Expands the Board of Corrections from 11 to 13 by adding a chief probation officer and a rank-and-file representative of a local corrections facility. Signed - Chapter 830/Statutes of 1997.

AB 356 (Figueroa) -- Provides civil immunity to law enforcement officers for claims of false arrest or false imprisonment for any act taken in good faith to enforce protective or restraining orders. Signed - Chapter 347/ Statutes of 1997.

AB 445 (Pacheco) -- Requires that any person who deliberately attempts to murder a peace officer or fire fighter will serve a minimum of 15 years in prison before becoming eligible for parole. Signed - Chapter 412/Statutes of 1997.

AB 446 (Pacheco) -- Provides that a defendant who is convicted of second-degree murder of a peace officer in specified circumstances shall be sentenced to life without the possibility of parole (as opposed to 25 years to life, with the possibility of parole, under current law). Signed - Chapter 413/Statutes of 1997.

AB 870 (Hertzberg and Napolitano) -- Requires every city police officer or deputy sheriff at a supervisory level or below to complete an elder abuse training course certified by the Peace Officers Standards and Training Commission. Signed - Chapter 444/Statutes of 1997.

AB 995 (Pacheco) -- Provides that an inmate confined in a state prison who commits a battery by means of throwing excrement or bodily fluids on any officer or employee is guilty of aggravated battery, punishable by two, three or four years in state prison. Signed - Chapter 591/Statutes of 1997.

AB 1436 (Cardoza and Washington) -- Prohibits a public agency from taking punitive action against a peace officer based on an allegation of misconduct unless an investigation of the allegation is completed within one year. Signed - Chapter 148/Statutes of 1997.

#### Sex Offenses and Offenders

SB 882 (Schiff) -- States that persons who must register as sex offenders and who have no residence address must update their registrations every 90 days. Signed - Chapter 820/Statutes of 1997.

SB 939 (Schiff) -- Creates a misdemeanor crime for individuals who flee to California to avoid prosecution or confinement for sex offenses committed in another jurisdiction. The bill permits prosecution of a person who flees to this state if an out-of-state prosecutor refuses to extradite the individual. Signed - Chapter 207/Statutes of 1997.

AB 59 (Brown) -- Increases the penalty for kidnapping with the intent to commit specified sex crimes to life with the possibility of parole. Signed - Chapter 817/Statutes of 1997.

AB 181 (Kuykendall) -- Adds the Internet and electronic mail to the list of mediums -- already including the telephone -- over which it is illegal to distribute harmful sexual material to a minor, or to anyone that the sender has not taken reasonable steps to determine is not a minor. Violations are punishable by incarceration in prison or jail. Signed - Chapter 590/Statutes of 1997.

AB 213 (Wildman) -- Requires a sex offender from out of state to register as a sex offender when in California. Signed - Chapter 80/Statutes of 1997.

AB 290 (Alby) -- Requires any person who is found not guilty by reason of insanity for a crime that is subject to the registered sex offender statute to register as a sex offender. Signed - Chapter 821/Statutes of 1997.

AB 327 (Havice) -- Adds lewd and lascivious behavior with a 14- or 15-year old minor and statutory rape to the list of sex crimes that child-care providers, health care workers, and certain peace officers are required to report to authorities. Signed - Chapter 83/Statutes of 1997.

AB 685 (Wayne) -- Makes it a misdemeanor for an employee of a health facility to engage in sexual activity with a

patient who is confined to the facility involuntarily. Signed - Chapter 209/Statutes of 1997.

AB 729 (Bowler) -- Eliminates the ability under state law of a person convicted of specified sex offenses against a child to be entitled to withdraw his or her guilty plea or obtain a certificate of rehabilitation and pardon. Signed - Chapter 61/Statutes of 1997.

AB 793 (House) -- Expands the list of crimes classified as "violent felonies" to forcible sexual assault crimes committed in concert with another perpetrator, ensuring those convicted serve 85 percent of their sentences before becoming eligible for parole. Signed - Chapter 371/Statutes of 1997.

AB 807 (Scott) -- Requires victims of sexual assault to be notified that they may have victim advocates present at any medical examination or at any interview by law enforcement authorities, district attorneys or defense attorneys. Requires a law enforcement agency to immediately notify a local rape victim counseling center when a victim of an alleged sexual offense is taken to a hospital for any evidentiary or physical examinations. Signed - Chapter 846/Statutes of 1997.

AB 1222 (Wright) -- Prohibits convicted rapists from obtaining custody or having unsupervised visitation with a child who was conceived as a result of the rape. Permits courts to order persons convicted of sex crimes to pay child support to the district attorney and restricts disclosure of information about the custodial parent and child. Signed - Chapter 594/ Statutes of 1997.

AB 1303 (Miller) -- Expands the list of offenses for which a conviction requires a person to register as a sex offender. Requires a "sexually violent predator" who is subject to the registered sex offender statute to verify his or her address every 90 days. Signed - Chapter 818/Statutes of 1997.

### Weapons

SB 146 (Johnston) -- Prohibits a city police chief from issuing concealed weapons licenses to persons who are not residents of that city. Signed - Chapter 408/Statutes of 1997.

SB 186 (Solis) -- Enhances a prison sentence by three, four or 10 years if a defendant uses a gun or other deadly weapon in the attempted commission of rape, sodomy or lewd conduct upon a child. (The current enhancement is one year.) Signed - Chapter 109/Statutes of 1997.

SB 500 (Polanco) -- States that any person who manufactures, sells, imports for sale, lends, or gives away any non-sporting handgun as defined (commonly labeled "Saturday night specials") is guilty of an alternate felony/misdemeanor. Vetoed.

SB 853 (Schiff) -- Establishes a four-year pilot project in Fresno and Los Angeles counties to implement a local law enforcement program devoted to confiscating illegal firearms. Signed - Chapter 908/Statutes of 1997.

AB 4 (Bordonaro) -- Provides a sentence enhancement of 10 years, 20 years, or 25 years to life for people who display, discharge, or cause injury by use of a firearm while committing specified crimes. Signed - Chapter 503/Statutes of 1997.

AB 202 (Scott) -- Prohibits the sale, manufacture, possession, or importation of military practice hand grenades or metal replica hand grenades that can be altered or modified into explosive devices. Signed - Chapter 593/Statutes of 1997.

AB 210 (Hertzberg) -- Increases the penalty to life in prison for exploding or attempting to explode a destructive device with intent to kill. Signed - Chapter 302/Statutes of 1997.

AB 304 (Scott and Villaraigosa) -- Allows district attorneys to prosecute anyone who illegally conceals a weapon in a vehicle, closing a loophole that permits a passenger to carry a concealed firearm without the threat of prosecution. Signed - Chapter 459/Statutes of 1997.

AB 491 (Keeley) -- Makes gun owners criminally liable if they negligently store a weapon to which a child 16 or under gains access, instead of 14 or under as current law states. Signed - Chapter 460/Statutes of 1997.

AB 991 (Shelley) -- Requires a person moving into California with a handgun acquired outside of California to register



the gun with the state Department of Justice by mailing a form. Signed - Chapter 462/Statutes of 1997.

AB 1124 (Aroner) -- Requires a person licensed to sell a firearm to provide each purchaser of a firearm with a trigger lock designed to prevent the unintentional discharge of the firearm. Requires the pamphlet that is provided upon purchase of a firearm to include information about the penalties for improper storage of firearms and statistics regarding firearms used in suicides and accidental shootings. Violation of these provisions would be a misdemeanor. Vetoed.

AB 1221 (Aroner) -- Makes it unlawful for any person, corporation or dealer to sell any ammunition that can be used in a concealed weapon to a person under the age of 21. Signed - Chapter 463/Statutes of 1997.

#### White-Collar Crime

AB 156 (Murray) -- Creates a new crime of identity theft, punishable as a misdemeanor. Requires a consumer credit reporting agency to permanently block the reporting of any information if the consumer submits a police report indicating the information was obtained by a different individual without the consumer's permission. Signed - Chapter 768/Statutes of 1997.

AB 195 (Murray) -- Increases the time frame for the crime of money laundering to a seven-day period for transactions over \$5,000 and a 30-day period for transactions over \$25,000. Current law defines money laundering as actions that take place within a 24-hour period. Signed - Chapter 578/Statutes of 1997.

AB 1390 (House) -- Makes it a misdemeanor to attempt to record a document after the county recorder has given the individual a written notice that it is legally unrecordable and why. The bill attempts to protect recorders and their staffs from the increasing problem of threats, harassment and violence by those who try to record bogus liens and other pseudo-legal documents. Signed - Chapter 448/Statutes of 1997.

#### Other Public Safety Legislation

SB 16 (Knight) -- Adds schools to the list of facilities for which bombings can be prosecuted as terrorist acts. Signed - Chapter 212/Statutes of 1997.

SB 97 (Alpert) -- Adds elder abuse, child abuse or molestation to the types of cases in which civil compromise is not allowed. Signed - Chapter 243/Statutes of 1997.

SB 122 (Alpert) -- States legislative intent that misdemeanor adoption fraud offenses may be prosecuted as grand theft, which is an alternate felony/misdemeanor (wobbler), or under any other applicable provision of law. Also expands the scope of an existing adoption fraud statute that prohibits a person from paying money to a parent for the adoption of his or her child by prohibiting any person from paying or receiving money for that purpose. Signed - Chapter 185/Statutes of 1997.

SB 187 (Hughes) -- Requires each school district and county office of education to be responsible for the overall development of safety plans for their schools. Signed - Chapter 736/ Statutes of 1997.

SB 438 ( Johnston) -- Establishes the High-Technology Theft Apprehension and Prosecution program to enhance local law enforcement's ability to deter, investigate and prosecute high-technology crimes. Signed - Chapter 906/Statutes of 1997.

SB 641 (Polanco) -- Requires a court hearing to be held before a person charged with a serious or violent felony may be released on bail. Signed - Chapter 557/Statutes of 1997.

SB 721 (Lockyer) -- Simplifies California's consecutive sentencing requirements and removes several of the caps and limitations on imposing consecutive sentences. Signed - Chapter 750/Statutes of 1997.

SB 1146 (Schiff) -- States that when a defendant is charged with a prior conviction in a criminal complaint or information, the question of whether the defendant is the person who suffered that conviction must be determined by the judge, not the jury, with some exceptions. Signed - Chapter 95/Statutes of 1997.

SB 1238 (Johannessen) -- Adds a two-year additional sentencing penalty if an elderly or dependent adult dies as a result of being permitted to suffer unjustifiable physical pain, mental suffering or endangerment. Signed - Chapter

698/ Statutes of 1997.

AB 29 (Villaraigosa) -- Provides discretion to courts to re-sentence or recall a sentence if a prisoner is terminally ill or permanently and severely incapacitated and is not a threat to public safety. Signed - Chapter 751/Statutes of 1997.

AB 79 (Granlund) -- Establishes procedures for persons to pick up their lost or stolen serialized property recovered by law enforcement. Signed - Chapter 133/Statutes of 1997.

AB 115 (Havice) -- Makes a home-invasion robbery a violent felony to ensure that perpetrators serve at least 85 percent of their sentences. Signed - Chapter 504/Statutes of 1997.

AB 130 (Battin) -- Provides that any person driving under the influence (DUI) of alcohol or drugs within 10 years of a felony DUI conviction can be charged with another felony. Signed - Chapter 901/Statutes of 1997.

AB 133 (Scott) -- Prohibits probation or a suspended sentence for persons convicted of felonies while on parole for serious felonies. Signed - Chapter 160/Statutes of 1997.

AB 139 (Poochigian) -- Requires the Department of Corrections to provide notice to a community of the release of a violent felon from state prison if the community is within 100 miles of the residence of the victim, a witness, or a family member of a victim who has requested notification. Signed - Chapter 101/Statutes of 1997.

AB 143 (Cunneen) -- Requires commercial dealers and resellers of high-technology components to make "reasonable inquiries" to ensure they are not purchasing stolen property. Under current law, they are not required to ask any questions about the source of the materials. Signed - Chapter 161/ Statutes of 1997.

AB 152 (Morrow) -- Allows victims to participate via videoconference during the sentencing portion of a trial and at parole hearings. Signed - Chapter 902/Statutes of 1997.

AB 350 (Firestone) -- Allows law-enforcers to obtain emergency protective orders against stalkers by telephone from a court. Failure by a stalker to obey the protective order will be punishable under the same provisions as contempt of court. Signed - Chapter 169/Statutes of 1997.

AB 500 (Ashburn) -- Permits cities or counties to be allowed to contract with the federal government to manage federal prisons located within their boundaries. Signed - Chapter 468/Statutes of 1997.

AB 566 (McClintock) -- Requires the warden at San Quentin to invite family members of a criminal's victims to witness the criminal's execution if the family members make their request in writing. Signed - Chapter 100/Statutes of 1997.

AB 856 (Hertzberg) -- Establishes a statewide witness-protection program to be run by the Attorney General's Office and appropriates \$3 million from the restitution fund for that purpose. Signed - Chapter 507/Statutes of 1997.

AB 946 (Washington) -- Increases the fine from \$2,000 to \$10,000 for battery against a public transit operator or passenger. Signed - Chapter 305/Statutes of 1997.

AB 1132 (Alby) -- Requires inmates to first pay any outstanding restitution orders they owe before they may benefit from any compensatory or punitive damages awarded in a trial or settlement. Signed - Chapter 266/Statutes of 1997.

AB 1275 (Baca) -- Implements the Law Enforcement Automated Data System (LEADS) program statewide. LEADS, a pilot project operated by the Department of Corrections, provides computerized information on parolees to local law enforcement agencies. Information includes name, ethnicity, gender, weight, height, distinguishing scars or tattoos and other data. Active, suspended, pre-parole and revoked parole cases are on record. Signed - Chapter 680/Statutes of 1997.

## Tax Policy

The Legislature agreed to provide more than \$900 million in tax relief to California individuals and industries by the year 1999-2000. A package of relief bills will more than triple the state's personal income-tax deduction per dependent to \$222 by the 2000 tax year. Conforming with federal cuts enacted in Washington earlier in 1997, the

California package increases the income levels for tax-deductible Individual Retirement Account contributions and excludes from the capital gains tax the first \$250,000 for singles and \$500,000 for couples in profits on the sale of primary residences as of May 1997.

#### Tax Credits for Dependents and Conformity with Federal Tax Changes

SB 5 (Lockyer, Lewis and Bustamante) -- Conforms state law with a new federal law that exempts the first \$250,000 of profit for individuals and \$500,000 for couples from capital gains taxes on the sale of a principal residence as of May 1997. (This provision expires in June 1998 under SB 5 but will continue indefinitely after that under SB 1233, described below.) Provides additional conformity to federal income tax law by providing that an "S corporation" not have more than 75 shareholders. Signed - Chapter 610/Statutes of 1997.

SB 455 (Alpert) -- Conforms state tax law with over 60 changes made in federal tax law since 1993, including increasing from \$12,500 to \$25,000 by the year 2002 the amount of equipment that unincorporated business may immediately deduct, rather than depreciate over time. Provides an alternative retirement plan for small employers, eases restrictions on pension fund investments in real estate, and increases the estimated tax payment requirements on taxpayers with incomes of \$150,000 or more. Signed - Chapter 611/ Statutes of 1997.

SB 1233 (Lockyer, Bustamante, Pringle) -- Increases the state income-tax credit for dependents by \$50 in 1998 and an additional \$100 in 1999. Makes permanent the capital gains exclusion for home sales in conformity with federal law. Adopts enhanced provisions for Individual Retirement Accounts in conformity with this year's federal law. Signed - Chapter 612/Statutes of 1997.

SB 1234 (Alpert) -- Conforms California law to federal "check-the-box" regulations in determining whether a non-corporate entity is taxable as a partnership or as a corporation. Provides that whatever classification a taxpayer adopts for federal purposes also may be used for California purposes. Signed - Chapter 608/Statutes of 1997.

AB 713 (Caldera) -- Expands the California Taxpayers' Bill of Rights to conform to changes made in the federal law to increase protections in dealing with the Internal Revenue Service (IRS). Signed - Chapter 600/Statutes of 1997.

AB 1042 (Wayne) -- Conforms to 1996 federal changes to the research and development tax credit to allow companies whose sales have grown faster than their research expenses to claim the credit. Signed - Chapter 613/Statutes of 1997.

#### Child Support

AB 573 (Kuehl) -- Requires district attorneys to refer child-support cases that are 60 days delinquent to the state Franchise Tax Board. Signed - Chapter 599/Statutes of 1997.

AB 702 (Villaraigosa) -- Requires the state Franchise Tax Board and the Department of Social Services to operate an information system to match parents who are delinquent in child support payments with accounts maintained in financial institutions. Signed - Chapter 697/Statutes of 1997.

AB 1395 (Escutia) -- Requires county district attorneys enforcing child support obligations to refer cases that have been delinquent for 90 days to the FTB for collection. Signed - Chapter 614/Statutes of 1997.

#### Gasoline Taxes

AB 595 (Brown) -- Authorizes the Metropolitan Transportation Commission (MTC) to impose, with voter approval, a regional tax on gasoline in the nine-county San Francisco Bay Area region of up to 10 cents per gallon for specified transportation purposes. Provides that the tax shall be imposed for 20 years commencing on January 1, of the year following an election approving the tax. Signed - Chapter 878/Statutes of 1997.

#### Property-Tax Rebates

SB 566 (Thompson) -- Authorizes local agencies to provide a capital investment incentive to qualified manufacturing facilities. The capital investment incentive will provide a property-tax rebate on all real and personal property invested that exceeds \$150 million for up to 15 years. Signed - Chapter 616/Statutes of 1997.

#### Other Tax Legislation

SB 132 (Solis) -- Permits the Employment Development Department to publicize penalty assessments for underground tax evasion fraud cases after the penalty has become final. Signed - Chapter 810/Statutes of 1997.

AB 339 (Takasugi and Wildman) -- Modifies the original Proposition 172 formula to allow cities to benefit from growth in sales tax revenues, and will establish a retroactive three-year repayment plan of the amount of Proposition 172 funds that cities did not receive. Proposition 172, approved by California voters in 1993, provided a half-cent share of sales tax revenues to local governments for law enforcement. Signed - Chapter 166/Statutes of 1997.

AB 366 (Havice) -- Extends through December 31, 2002, the sales tax exemption for sales of interstate bunker fuel. Signed - Chapter 615/Statutes of 1997.

AB 1217 (Bustamante) -- Allows the Trade and Commerce Agency to establish targeted tax areas and to provide sales tax and hiring credits. Signed - Chapter 602/Statutes of 1997.

AB 1269 (Granlund and Murray) -- Imposes a surcharge equivalent to the statewide sales tax on diesel fuel brought into the state in the fuel tanks of interstate users. Grants a credit for statewide sales taxes paid on diesel fuel purchases in-state but used out-of-state by interstate users. Signed - Chapter 618/Statutes of 1997.

AB 1520 (Vincent) -- Provides a 20 percent tax credit for amounts deposited or invested in community development financial institutions, up to a statewide limit of \$10 million annually. The credit terminates in 2002. Signed - Chapter 947/Statutes of 1997.

## Transportation

After decades of intense building, California has an extensive network of aging highways, freeways and bridges. A need for new construction to handle the state's relentlessly growing transportation requirements is coupled with a need for maintenance and rehabilitation of the existing system. The San Francisco-Oakland Bay Bridge, badly damaged in the Loma Prieta earthquake of 1989, rises as a towering symbol of these hugely expensive needs -- its eastern span supported by 60-year-old Douglas fir pilings resting in the bay's bedrock.

Using the Bay Bridge as a backdrop, Governor Wilson in August signed legislation, SB 60 (Chapter 327) and SB 226 (Chapter 328), both authored by Senator Quentin Kopp, to finance the replacement of the bridge's eastern span and retrofiting of the western span. Six other state-owned toll bridges will be strengthened to help withstand earthquakes. Total cost will be \$2.6 billion, which the state and the communities surrounding the bridges will share equally. A \$1 surcharge has been established on all the San Francisco Bay Area bridges, except the separately operated Golden Gate, to meet the local share of financing in that region.

Wilson also signed a landmark measure, SB 1329 (Chapter 760) by Senator Tim Leslie, to impose restrictions upon the driving practices of teenagers, especially when transporting other youngsters or driving very late at night. The Brady-Jared Teen Driver Safety Act of 1997, which will take effect July 1, 1998, is designed to give young drivers more experience under more supervision. The bill's proponents noted that car accidents are a leading cause of death among teenagers.

Current law allows teens to obtain permits to drive at age 15 1/2 if they have completed driving instruction. During the permit period, the young driver must be accompanied by a licensed driver at least 25 years of age.

The new law will require those with permits to receive 50 hours of supervised driving practice, including at least 10 hours of night driving. After a new driver has received a provisional license, the driver for the first six months must be accompanied by a licensed driver at least 25 years of age when driving between 12:00 a.m. and 5:00 a.m. or transporting passengers under the age of 20.

Also significantly, under AB 1191 (Chapter 852) by Assemblyman Kevin Shelley, the penalty for running a red traffic light will jump to \$270 from \$103.

## Toll Bridges

SB 4 (Kopp) -- Increases the penalty for trespassing on parts of a toll bridge that are not intended for public use, such as suspension cables, to a misdemeanor punishable by up to a year in jail and/or a fine up to \$10,000, with mandatory community service of 40 to 160 hours as a condition of parole. Trespassers must reimburse costs that result from their violations. Signed - Chapter 379/Statutes of 1997.

SB 60 (Kopp) -- Establishes a long-term financing plan for the seismic retrofit and/or replacement of seven state-owned bridges. The total cost will be \$2.62 billion for the following bridges:

Benicia-Martinez \$101 million

Carquinez 83 million

Richmond-San Rafael 329 million

San Mateo-Hayward 127 million

Vincent Thomas (San Pedro) 45 million

San Diego-Coronado 95 million

Bay Bridge Western Span 553 million

Bay Bridge Eastern Span 1,285 million.

Signed - Chapter 327/Statutes of 1997.

SB 226 (Kopp) -- Establishes the Bay Area Toll Authority and transfers responsibility and control of Bay Area toll revenues to the authority from the California Transportation Commission. The authority will be authorized to sell revenue bonds, to be repaid by tolls, to finance regional projects that include a ferry program designed to offset congestion on the bridges. Signed - Chapter 328/Statutes of 1997.

SB 45 (Kopp) -- Substantially changes the state and local transportation planning and programming process by repealing a number of transportation funding programs. Shortens the State Transportation Improvement Program (STIP) from a seven-year program to four years. Of the funds available for the STIP, requires that 25 percent be available for inter-regional improvements, and 75 percent be available for an entitlement program for regional transportation improvements. Signed - Chapter 622/Statutes of 1997.

### Red Lights

AB 1191 (Shelley) -- Increases the penalty for running a red traffic light to a minimum of \$270 from the current \$103. The first \$85 will be returned to the city or county in which the offense occurred and the remainder will be divided between the state (75 percent) and local governments (25 percent). Signed - Chapter 852/Statutes of 1997.

### Drug Offenses

SB 131 (Kopp) -- Declares the opposition of the Legislature and governor to the enactment and enforcement of a federal law that requires states to impose driver's license sanctions against convicted drug offenders. Signed - Chapter 6/Statutes of 1997.

AB 74 (Bowler) -- Imposes a six-month driver's license suspension on anyone convicted of a drug-related offense. Expires on June 30, 1999, but SB 131 (above) continues. Signed - Chapter 5/Statutes of 1997.

### Gasoline Taxes

AB 595 (Brown) -- Authorizes the Metropolitan Transportation Commission (MTC) to impose, with voter approval, a regional tax on gasoline in the nine-county San Francisco Bay Area region of up to 10 cents per gallon for specified transportation purposes. Provides that the tax shall be imposed for 20 years commencing on January 1, of the year following an election approving the tax. Signed - Chapter 878/Statutes of 1997.

### Teen Drivers

SB 1329 (Leslie) -- Places, beginning July 1, 1998, additional conditions and restrictions on the exercise of driving privileges by minors who hold instruction permits or provisional driver's licenses. Requires additional supervised driving practice, places graduated restrictions on driving hours and the transportation of passengers, and authorizes community service penalties and fines for violations of such restrictions. Signed - Chapter 760/ Statutes of 1997.

## Los Angeles County Metropolitan Transportation Authority

SB 89 (Hayden) -- Limits contributions to members and employees of the Los Angeles County Metropolitan Transportation Authority (MTA), prohibits former members and employees from working for MTA contractors, and requires specific reporting of injuries by MTA construction firms. Signed - Chapter 657/Statutes of 1997.

AB 1143 (Murray) -- Establishes a term of office for the chief executive officer of MTA, specifies conditions for her or his removal, eliminates alternate board members, and requires the chief executive officer to award construction contracts to the lowest responsive bidder. Signed - Chapter 151/Statutes of 1997.

## Aircraft

SB 245 (Haynes) -- Establishes a duty to report any damage caused to an aircraft that may affect airworthiness. Creates a misdemeanor punishable by six months in county jail, a \$1,000 fine, or both, for failure to comply. Provides that an aircraft operator need not obtain liability insurance to protect against injury or death if the injury or death is solely related to the hazardous risks associated with skydiving. Requires an aircraft operator without liability insurance to disclose this information to a skydiver. Signed - Chapter 333/Statutes of 1997.

## Water Craft

SB 347 (Thompson) -- Prohibits use of jet skis for wake jumping within 100 feet of another vessel, night-time operation, or altering the craft's self-circling device or engine throttle. Bans unsafe or reckless behavior. Signed - Chapter 746/Statutes of 1997.

SB 545 (Rosenthal) -- Increases the minimum age for operating a vessel of greater than 15 horsepower from 12 years of age to 16 years of age. Authorizes persons between the ages of 12 and 15 to operate a vessel powered by a motor of greater than 15 horsepower when accompanied by a supervising adult. Requires the Department of Boating and Waterways to develop recommendations to improve boater knowledge and safety. Signed - Chapter 747/Statutes of 1997.

## Bicycle Lanes

AB 1020 (Firestone) -- Increases the annual appropriation to the Bicycle Lane Account from \$360,000 to \$1 million in calendar years 1998, 1999 and 2000; to \$2 million in 2001 and 2002; to \$3 million in 2003, and to \$5 million in 2004 and thereafter. Signed - Chapter 644/Statutes of 1997.

## Other Transportation Bills

SB 236 (Solis) -- Authorizes mass transit vehicles to use high-occupancy vehicle lanes. Signed - Chapter 579/Statutes of 1997.

SB 815 (Leslie) -- Expands private-sector participation on the Board of Directors of the Tahoe Transportation District. Signed - Chapter 322/Statutes of 1997.

SB 416 (Kelley) -- Requires the state Department of Transportation, with the California Highway Patrol, to study whether trucks hauling trailers pose a safety hazard to school bus operations on parts of State Route 94 in San Diego County. If a hazard exists, the department must determine methods to mitigate the hazard. Signed - Chapter 426/Statutes of 1997.

AB 467 (Goldsmith) -- Extends the termination date from January 1, 1998, to January 1, 2000, for a demonstration project on Interstate Route 15 in San Diego County that allows single-occupant vehicles to use high-occupancy vehicle lanes upon paying a toll. Signed - Chapter 419/Statutes of 1997.

AB 1029 (Frusetta) -- Exempts the driver and passenger riding in a three-wheel enclosed vehicle from the requirement to wear a safety helmet, and requires the use of seat belts and child passenger-restraint systems. Prohibits the vehicle from operating in any high-occupancy vehicle lane or between vehicles that are traveling in adjacent traffic lanes. Signed - Chapter 710/Statutes of 1997.

AB 1278 (Cardenas) -- Expands the seat belt requirement covering drivers and passengers in private passenger motor vehicles to drivers and passengers in intrastate trucks and truck trailers. (Interstate truck drivers and

passengers already are covered by federal law.) Exempts passengers who ride in a truck's "sleeper berth." Signed - Chapter 153/Statutes of 1997.

## Vehicle Emissions and Smog Check

Smog Check II is California's enhanced, or upgraded, vehicle inspection and maintenance program designed to help clean up the state's air and meet the requirements of state and federal clean air laws.

California's urban areas suffer from the worst air quality in the nation, particularly in the south coast air basin and the Central Valley. Poor air quality can cause numerous respiratory and other health problems, especially in children and the elderly. It can impair the quality of life, raise health care costs and reduce agricultural productivity.

California has had various forms of vehicle inspection and maintenance programs since the 1960s. The present program, Smog Check II, was enacted by the Legislature and signed into law by Governor Wilson in 1994 [SB 521 (Presley), AB 2018 (Katz), and SB 198 (Kopp)]. It was amended in 1995 to deal with economic hardships [AB 63 (Katz)].

The major difference between Smog Check II and its predecessor is that the new program requires vehicles that fail smog-check inspections, including gross polluters, to be repaired. The former program, by providing a number of waivers and repair cost limits, allowed many gross polluters and other failing vehicles to continue in service unrepaired.

California has three types of smog-check requirements. The type of requirement used in a region depends upon the region's air quality.

The system works this way:

**Enhanced Areas (severe smog)** -- Vehicles are tested once every two years. Fifteen percent of the vehicles will be sent to test-only centers, where sophisticated testing equipment known as dynamometers are used. Gross polluters must be repaired and retested at a test-only center. All other vehicles that fail may be repaired and retested at private test-and-repair facilities. Vehicle owners must spend up to \$450 on smog-related repairs before being eligible for a compliance waiver. No waivers are given for gross polluters.

**Basic Areas (moderate smog)** -- Vehicles are tested once every two years. All vehicles are tested at private test-and-repair facilities. Gross polluters must be repaired and retested at referee centers. All other vehicles that fail must be repaired and retested at private test and repair facilities. Vehicle owners must spend at least \$450 on smog-related repairs before getting a waiver if vehicle fails the test. No waivers are given for gross polluters.

**Change of Ownership Areas (low smog)** -- Vehicles are tested only when they change ownership. They are tested and repaired, if necessary, in private test-and-repair facilities.

**SB 42 (Kopp)** -- Exempts vehicles through model year 1973 from the smog check program until January 1, 2003, and exempts vehicles 30 years old and older from the program thereafter. Signed - Chapter 801/Statutes of 1997.

**SB 772 (Johannessen)** -- Eliminates functional testing, and modifies the procedures for visual inspection, of smog-control devices with exceptions in basic program areas, and limits the tests and inspections required for vehicles with replaced engine parts. Vetoed.

**SB 807 (Thompson)** -- Declares that the purpose of the smog check program is to ensure that vehicles perform to standards that meet clean air goals, and that vehicle test failures should be based solely on emissions, not on visual "under the hood" examinations. Declares that vehicle owners have a right to information on the performance of vehicles in smog tests, and requires the Department of Consumer Affairs to publish annually the smog check failure rate and gross polluter identification rate by engine type, make and model year for vehicles tested the previous year. Vetoed.

**AB 57 (Escutia)** -- Establishes a low-income repair assistance program by March 1, 1998, for owners of vehicles that fail emission tests. Sets a \$200 cap for smog-related repairs for low-income motorists. Signed - Chapter 804/Statutes of 1997.

**AB 208 (Migden)** - Redirects fees from the smog impact fee from the General Fund to the High Polluter Repair or

Removal Account. Provides funds to assist low-income vehicle owners with repairs. Signed - Chapter 802/Statutes of 1997.

AB 999 (Thomson) -- Redefines the areas in which the enhanced smog check program must be implemented, excluding Vacaville and several other small suburban areas from the requirement. Vetoed.

AB 1492 (Baugh) -- Exempts new cars from the biennial smog inspection requirement in most urban areas for the first four years the car is in service. Expresses the intent of the Legislature to replace the inspection and maintenance program by January 1, 2005. Signed - Chapter 803/Statutes of 1997.

## Veterans

SB 335 (Johannessen) -- Requires the California Department of Veterans Affairs to study health care needs and associated costs for providing the appropriate care to current and future Veterans Home residents suffering from Alzheimer's disease or other dementia disorders. The study is due July 1, 1998. Signed - Chapter 335/Statutes of 1997.

SB 354 (Johannessen) -- Permits a surviving spouse to retain special Pearl Harbor Survivor license plates upon the death of the plate holder. The plates must be returned to the Department of Motor Vehicles upon the death of the spouse. Signed - Chapter 114/Statutes of 1997.

SB 574 (Knight) -- Grants eligibility for Cal-Vet farm and home loans to peace-time veterans. Signed - Chapter 155/Statutes of 1997.

SB 584 (O-Connell) -- Requires the second site of the Veterans' Home of California to be located in Chula Vista in San Diego County and the third home to be located in Lancaster in Los Angeles County. The fourth is to be located at Saticoy in Ventura County. Each home will be designed as a 400-bed unit. Signed - Chapter 91/Statutes of 1997.

SB 846 (Mountjoy) -- Allows a subsequent veterans' home loan to be issued when the initial loan has been paid in full, either by paying off the loan, refinancing or when the veteran has given up his or interest in the property through divorce. Signed - Chapter 156/Statutes of 1997.

SB 1253 (Mountjoy) -- Reinstates a voluntary taxpayer check-off on California personal income tax returns for the California Military Museum effective for the tax years between January 1, 1998, and December 31, 2001. This permits taxpayers to designate that a portion of their California personal income tax, or a contribution in excess of their taxes, go to the museum fund. Signed - Chapter 856/Statutes of 1997.

SB 1324 (Johannessen) -- Expands eligibility for entrance into Veterans' Homes to include veterans who served during a time of peace, but gives priority for entrance to veterans who served during a time of war. Signed - Chapter 325/Statutes of 1997.

## CalWORKs

### Welfare to Work

California Work Opportunities and Responsibility to Kids (CalWORKs), AB 1542 (Ducheny, Ashburn, Thompson, Maddy), Chapter 270, which was signed by Governor Wilson, was crafted by the California Legislature to create a series of steps that will move welfare parents into the workplace -- or prevent needy families from going onto welfare in the first place. At each step, many thousands of Californians will receive the help they need to find and keep jobs.

Under CalWORKs, those who seek welfare also must seek work. There will be limited exceptions, including parents with infants. Welfare recipients must work or engage in work-related activities such as job training and education for at least 20 hours per week as long as they get aid. In two-parent families, the requirements will be at least 35 hours per week.

After two years, those who have not found work must, as a last resort, take a community service job to continue receiving their welfare grants.

Adults will face a new lifetime limit of five years on public assistance. After that time, an adult will not receive aid.



Counties may opt to pay the child's portion of the grant in cash or vouchers.

The federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 eliminated an entitlement to family welfare, previously known as Aid to Families with Dependent Children (AFDC). It imposes work requirements and time limits on welfare, and renames the program Temporary Assistance for Needy Families (TANF). The law provides funding to states in block grants rather than in matching funds based on caseload. The federal law sets a lifetime limit of five years on federal aid for adults, but states can exempt up to 20 percent of their caseload for hardship.

About 2.5 million Californians, including 1.7 million children, receive family welfare benefits. The average case includes a mother, age 30, with two children under age 8.

An initial version of the CalWORKs program, developed by a two-house conference committee of 18 members, was placed in four pieces of legislation: AB 1006 (Ducheny), SB 285 (Watson), SB 293 (Thompson) and AB 1501 (Aroner). Governor Wilson opposed this package and vetoed AB 1501 when it reached his desk. AB 1542 was a compromise version.

CalWORKs envisions the following steps in moving welfare recipients to work:

### The CalWORKs Steps

#### Step 1: Moving Welfare Applicants into Jobs to Avoid Welfare

Potential welfare families will be given access to a series of "diversion" programs designed to prevent as many welfare applicants as possible from going onto the welfare rolls. These programs include:

Job-placement services provided by the California Employment Development Department and community-based organizations.

Subsidized child care.

Assistance from county district attorney's offices or other local agencies in enforcing court orders requiring non-custodial parents to pay child support to custodial parents.

Child-Support Assurance, a new program modeled upon a cost-effective New York effort to guarantee parents who have jobs and child-support orders that they will receive child-support payments to avoid welfare.

One-time financial assistance to resolve family crises that interfere with working.

#### Step 2: Welfare-to-Work Services

Parents who cannot be diverted from welfare will be assisted in acquiring and using job-search skills, and will be assessed for any special needs. They will receive help with obtaining the child care and transportation necessary to find and hold jobs. Recipients, with limited exceptions that include parents with infants, must engage in work-related activities as long as they are receiving welfare. Those enrolled in educational and vocational programs that lead to employment can receive continuous welfare grants for up to 30 months, but others will be limited to two years.

#### Step 3: Child Care

Welfare parents who meet the requirements for work-related activities will be assured child care. Welfare recipients who are transitioning into work and the working poor will have similar choices for child-care placement. All state child-care programs for the first time will be identically financed -- making the system more equitable and easier for providers and parents alike.

#### Step 4: Creating Jobs

Local collaboratives will be established throughout the state to link local governments and the private sector in addressing the task of creating 500,000 new jobs for welfare recipients. A Job Creation Investment Fund will finance local job-creation efforts in the counties. Community colleges and adult education programs will train local employees to meet specific employers' needs in exchange for the employers' willingness to assist welfare recipients

in going to work. Another program will train welfare recipients to work at companies that wish to hire them. Willing welfare recipients could become child-care providers to help fill needs created by the CalWORKs program itself.

#### Step 5: Staying Employed

CalWORKs recipients who move into jobs can receive services to help them keep working. These include child care, transitional Medi-Cal coverage, help with enforcing child-support orders, and case management services between employers and employees.

#### Step 6: Community Service Work

After two years, as a last resort, recipients who have unsuccessfully sought work can perform community service jobs to continue receiving welfare grants while their search for regular work continues. These tasks can address long-neglected needs, such as improving park and playground maintenance or removing graffiti, while giving CalWORKs recipients real work that can lead to regular jobs in the future. Protections will be provided to insure these jobs do not displace employed persons.

#### Step 7: Termination

A CalWORKs adult recipient may not receive more than five years of assistance during the course of his or her life. Once that limit is reached, a family's welfare grant will be reduced by the amount of aid the adult would have received. Counties at that point would no longer be required to provide welfare-to-work services to the adult, and may pay the remainder of the family's grant in either cash or vouchers.

#### Related Measures

AB 2 (Ashburn) -- Allows the Department of Social Services to establish a demonstration program to make direct rental payments for up to 2,000 CalWORKS recipients without a finding of fiscal mismanagement. The department will be required to evaluate the project to measure its results. Signed - Chapter 627/Statutes of 1997.

AB 1008 (Ashburn and Schiff) -- Requires that individuals convicted of drug felonies be excluded from the receipt of family welfare benefits. Signed - Chapter 283/Statutes of 1997.

AB 1260 (Ashburn and Schiff) -- Prohibits a person from receiving family welfare benefits who has been convicted of a felony related to the possession, use, or distribution of a controlled substance. Clarifies the definition of controlled substances and supersedes AB 1008 (described immediately above). Signed - Chapter 284/Statutes of 1997.