

1998

## 1997-1998 Summary of Legislation

Assembly Committee on Governmental Organization

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# ASSEMBLY COMMITTEE ON GOVERNMENTAL ORGANIZATION

## 1997-98 SUMMARY OF LEGISLATION

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1997-98 SUMMARY OF LEGISLATION

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**ASSEMBLY COMMITTEE ON GOVERNMENTAL ORGANIZATION**

**1997-98 SUMMARY OF LEGISLATION**

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# ALCOHOL

**AB 81**      *Wright*

*Chapter 103 of 1997*

Authorizes on-sale general licensees to apply to the Department of Alcoholic Beverage Control for event permits which allow the licensee to sell alcoholic beverages at no more than four events per year (one per quarter) on the property adjacent to the licensed premises.

**AB 114**      *Battin*

*Chapter 21 of 1997*

Authorizes the sale of alcoholic beverages from golf carts at any golf course.

**AB 315**      *Granlund*

*Chapter 40 of 1997*

Grants a tied-house exception to allow beer manufacturers and wholesalers to stock, rotate, and take inventory of their beer products at on-sale retail establishments.

**AB 569**      *Floyd*

*Died, Senate G.O.*

Would have provided the statutory authority necessary for the Department of Alcoholic Beverage Control (ABC) to reinstate its Minor Mitigation Program. Would have allowed the ABC to offer a reduced penalty to a licensee that had not had a violation involving a sale to a minor within the past three years and the licensee had an ABC – certified training program which featured a minor sales component (under which the employee who made the sale had received training). Would have allowed the ABC to offer a reduced penalty of a 10-day suspension, all of which may be stayed.

**AB 704**      *Strom-Martin*

*Failed passage, Assembly. G.O.*

Would have authorized licensed beer manufacturers to deliver beer on Sundays to nonprofit entities for events held on those days.

**AB 710**      *Kuehl*

*Chapter 20 of 1997*

Authorizes the Department of Alcoholic Beverage Control to issue an on-sale general license to a nonprofit charitable arts trust that permits the licensee to sell or serve alcohol to persons for alcohol consumption on the premises of the museum.

**AB 783**      **Brown**      *Vetoed*

Would have established the Special Enforcement and Training Fund within the Department of Alcoholic Beverage Control (ABC) to administer the ABC's Grant Assistance to Local Law Enforcement (GALE) Program.

**AB 849**      **Sweeney**      *Chapter 564 of 1997*

Establishes a permanent population to license ratio to restrict the issuance of new off-sale beer and wine licenses.

**AB 900**      **Cardenas**      *Failed passage, Assembly G.O.*

Would have increased the annual license fee for retail off-sale beer and wine licenses. Would have divided the additional revenue to the Department of Alcoholic Beverage Control's Grant Assistance to Local Law Enforcement Agencies (GALE) Program.

**AB 953**      **Brown**      *Died, Senate Rules*

Would have permitted consumer sweepstakes or contests offering the chance to win prizes or other things of value sponsored by a distilled spirits or beer supplier, if certain conditions were met.

**AB 973**      **Papan**      *Chapter 26 of 1997*

Clarifies the type of alcohol advertising signage beer manufacturers and wholesalers may provide to retail licensees.

**AB 1002**      **Thompson**      *Died, Senate Public Safety*

Would have increased penalties for minors who purchase, attempt to purchase, or are in possession of alcohol, or who use false identification to purchase alcohol.

**AB 1082**      **Committee on G.O.**      *Chapter 774 of 1997*

Makes various noncontroversial changes in law relating to the sale and regulation of alcoholic beverages.

**AB 1234**      **Aroner**      *Failed passage, Assembly G.O.*

Would have required the formation of an advisory committee to establish guidelines regarding the use of characters, caricatures, or similar materials in alcohol advertising.

**AB 1248**      *Washington*

*Died, Assembly Appropriations*

Would have required the Department of Alcoholic Beverage Control to establish standards in support of a retail off-sale licensee training program.

**AB 1750**      *Pringle*

*Chapter 216 of 1998*

Modifies an existing tied-house exception to allow beer and wine wholesalers to serve food and alcoholic beverages to any person, including other licensees or their representatives, who attend a meeting or visits the premises of the wholesaler.

**AB 1969**      *Baldwin*

*Died, Assembly Public Safety*

Would have increased the penalties for minor possession of alcohol, attempt to purchase alcohol, and the use of false identification to purchase alcohol.

**AB 2285**      *Brown*

*Chapter 248 of 1998*

Allows winegrowers, distilled spirits manufacturers, or on-sale licensees, to offer limited tastings of wine or distilled spirits.

**AB 2416**      *Committee on G.O.*

*Chapter 639 of 1998*

Revises the Department of Alcoholic Beverage Control's licensing requirements for issuing out-of-state beer manufacturer's certificates and general on-sale licenses to caterers. Allows for the consumption of alcohol at fundraisers held at college facilities, and certain other facilities owned by a county office of education in a county of the 18th class, with restrictions. Allows the serving of alcoholic beverages without a license as part of a hot air balloon ride service.

**SB 359**      *Rainey*

*Chapter 529 of 1997*

Modifies an existing tied-house exception to allow a winegrower who also has a wholesale license to establish an ownership interest in an on-sale license.

**SB 452**      *Maddy*

*Chapter 273 of 1998*

Authorizes the return or exchange of discontinued or seasonal beer.

**SB 508**      *Thompson*

*Chapter 535 of 1997*

Modifies an existing tied-house exception to allow any winegrower or director of a winery to establish an ownership interest in no more than two on-sale licenses.

**SB 509**      *Thompson*

*Chapter 383 of 1997*

Authorizes the ABC to issue a temporary on-sale or off-sale wine license to any nonprofit corporation having an agricultural purpose.

**SB 539**      *Johnson*

*Died, Assembly Floor*

Would have applied to bars, taverns, and gaming clubs current law provisions authorizing employers to designate breakrooms for smoking.

**SB 572**      *Maddy*

*Chapter 90 of 1997*

Authorizes alcoholic beverages to be served in conjunction with nonprofit fundraising events held at certain college-owned or operated stadiums.

**SB 609**      *Karnette*

*Chapter 454 of 1997*

Requires the Department of Alcoholic Beverage Control (ABC) to notify the affected local jurisdiction and, if requested, conduct a public hearing when the ABC acts to remove or modify operating conditions previously imposed upon a licensee.

**SB 805**      *Alpert*

*Chapter 357 of 1997*

Increases the penalty for individuals who furnish an alcoholic beverage to a minor to a fine of \$1,000, no part of which may be suspended, and not less than 24 hours of community service during hours when the person is not employed and is not attending school.

**SB 928**      *Burton*

*Chapter 75 of 1997*

Grants a tied-house exception to allow an alcoholic beverage manufacturer to maintain an ownership interest in a retail on-sale license if the premise is an integral part of an interactive entertainment facility.

**SB 993**      *Burton*

*Chapter 544 of 1997*

Authorizes distilled spirits manufacturers to conduct tasting events sponsored by nonprofit organizations and prohibits the Department of Alcoholic Beverage Control from enacting a rule which establishes a dollar limit for consumer advertising specialties for items costing \$5 or less.



**SB 1069**      *Thompson*

*Died, Assembly Floor*

Would have authorized winegrowers and brandy manufacturers to sponsor sweepstakes and contests and offer rebates or discounts, under specified conditions, on non-alcoholic merchandise or services in connection with the sale of wine and brandy.

**SB 1513**      *Knight*

*Failed passage, Assembly G.O.*

Would have permitted smoking in bars, card clubs, bingo facilities, and the bar areas of restaurants.

**SB 1621**      *Rosenthal*

*Chapter 277 of 1998*

Broadens an existing tied-house exception to allow any alcoholic beverage manufacturer to provide on-sale licensees with tapping equipment.

**SB 1696**      *Alpert*

*Chapter 565 of 1998*

Requires law enforcement agencies to notify licensees of the results of minor decoy programs and authorizes licensees to seize false identification or the identification of underage customers.

**SB 1710**      *Polanco*

*Chapter 204 of 1998*

Permits any alcoholic beverage on-sale licensee authorized to sell wine to also sell "soju".

**SB 2011**      *Thompson*

*Died, Assembly Floor*

Would have authorized the Department of Health Services to establish by regulation definitions and standards of identity relating to wine products.

# ATHLETICS

**SB 84**

*Ayala*

*Chapter 15 of 1997*

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Exempts from the definition of "athlete agent" a licensed talent agency unless the talent agency (1) represents or seeks to represent a student athlete, or (2) for compensation, represents or seeks to represent any person for on-field play with a professional sports team or organization.

**SB 94**

*Ayala*

*Chapter 809 of 1997*

Requires athlete agents to file specified information and enacts clean-up provisions to the Miller-Ayala Athlete Agents Act of 1996.

## BUILDING STANDARDS

**AB 125**      *Pacheco*

*Chapter 633 of 1997*

Allows specified buildings located on the former March Air Force Base to gradually comply with state and local building standards over seven years.

**AB 267**      *Lempert*

*Vetoed*

Would have enacted the Greenoaks Family Academy Elementary School Fire Protection Act and allows school districts to apply for state bond funding to equip buildings with an automatic fire alarm and detection system.

**AB 1071**      *Cardoza*

*Chapter 645 of 1997*

Streamlines and clarifies the process for updating and publishing amendments to the national model building codes.

## EMERGENCY SERVICES

**AB 455**      *Richter*

*Died, Senate Appropriations*

Would have allowed the Department of Forestry and Fire Protection to contract for any services it requires to provide emergency services during civil disasters or other nonfire emergencies.

**AB 911**      *Knox*

*Chapter 649 of 1998*

Allows the Board of Equalization to require selected electric utilities and telephone service suppliers to post security deposits.

**AB 1198**      *Hertzberg*

*Chapter 887 of 1997*

Requires the Department of General Services to conduct a pilot project evaluating two alternatives for reducing nonemergency calls through the "911" system: a "311" nonemergency telephone system and improved marketing of current nonemergency telephone numbers.

**AB 1738**      *Alquist*

*Vetoed*

Would have enacted the California Disaster Mitigation, Life Saving, and Property Protection Act of 1998 to interface with federal disaster information systems and increase the data available for disaster mitigation activities. Would have required the Office of Emergency Services to select a public agency or a nonprofit organization that meets specified criteria as the California Disaster Mitigation Center.

**AB 1853**      *Machado*

*Died, Senate Appropriations*

Would have created the Local Disaster Preparedness Trust Fund, which would be used to fund hazard mitigation, emergency operations plans, emergency facilities, and training.

**AB 2028**      *Alquist*

*Died, Senate Rules*

Would have required the Legislative Analyst to survey current disaster preparedness and response practices of the state's public schools and cities and evaluate these practices relative to the state's standardized emergency management system.

**AB 2105**      ***Machado***

*Vetoed*

Would have supplemented flood response and recovery activities throughout the state.

**AB 2206**      ***Floyd***

*Died, Senate Rules*

Would have added a local representative from a city and a county to the list of departments, offices, and entities with which the Communications Division of the Department of General Services is directed to consult at regular intervals with respect to 911 telephone service.

**SB 88**      ***McPherson***

*Vetoed*

Would have increased the cap on state disaster assistance to private, nonprofit hospitals damaged by the Loma Prieta earthquake to \$10 million. Would have required a hospital that receives disaster funding under this higher cap to repay the state if it converts to a for-profit facility within 10 years after receiving the funding.

**ABX1 10**      ***Machado***

*Chapter 8 of 1997*

Authorizes the Department of Finance to allocate funds from the Disaster Response-Emergency Operations Account in the Reserve for Economic Uncertainties for acquisitions, relocations, and environmental mitigations related to disaster response and recovery activities.

**SB 1692**      ***McPherson***

*Chapter 490 of 1998*

Appropriates \$140,000 to the Office of Emergency Services for allocation to the California Specialized Training Institute to implement a pilot program for instruction over the Internet.

## **FIRE MARSHAL / FIRE SAFETY**

**AB 1773**      **Leach**

*Died, Senate Appropriations*

Would have appropriated \$9 million from the General Fund to the Controller for reimbursement of the costs of any new program or increased level of service of an existing program required by statute or executive order, incurred by local agencies in fiscal years 1992-93 through 1997-98, for structural and wildland firefighter's safety clothing and equipment.

**AB 2242**      **Battin**

*Failed passage, Assembly G.O.*

Would have made fire extinguishers subject to maintenance annually, or immediately after use, or when inspection reveals specified problems; and would have required dry chemical portable fire extinguishers, at the time of annual maintenance, to be emptied and subjected to a thorough examination.

**SB 1040**      **Maddy**

*Chapter 871 of 1997*

Clarifies the requirements for low-level exit sign standards adopted by the State Fire Marshal.

**SB 1405**      **Polanco**

*Chapter 730 of 1998*

Enhances the public safety of burglar bars through the creation of statewide standards, the removal of illegal burglar bars, and increased public education.

**SB 1437**      **Kopp**

*Chapter 93 of 1998*

Permits an agency that currently maintains fire hydrants to comply with uniform color coding requirements for fire hydrants by installing one or more reflector buttons in a mid-street location directly adjacent to the fire hydrant in the appropriate color that would otherwise be required for the hydrant, and a curb marking as near as practicable to the hydrant in that same color.

## GAMING

**AB 28**      *Thompson*

*Died, Assembly Appropriations*

Would have established a statewide regulatory framework for gaming in California. The bill repeals the Gaming Registration Act and instead enacts the Gambling Control Act.

**AB 158**      *Papan*

*Vetoed*

Would have required the Division of Gambling Control or the Gambling Control Commission 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 or adjacent to a cemetery.

**AB 518**      *Brown*

*Chapter 423 of 1998*

Clarifies the acceptable player's fee collection method for card clubs in the state.

**AB 1442**      *Bustamante*

*Died, Assembly Floor*

Would have ratified eleven gaming compacts negotiated between the State of California and Native American tribes, and establishes a process for ratifying other compacts.

**AB 2297**      *Vincent*

*Chapter 869 of 1998*

Extends the moratorium on elections to authorize new or expand existing card clubs in five counties to January 1, 2003. Allows a corporation to purchase the security held by an individual denied a gambling license at book value or market value.

**AB 2415**      *Brown*

*Chapter 424 of 1998*

Deletes a provision "grandfathering" the method of card club player fee collection used in most jurisdictions pending the adoption of fee regulations by the Division of Gambling Control or the Gambling Control Commission.

Establishes a two-phased statewide regulatory structure for gaming in California. Under Phase I, establishes a three-member California Gambling Control Board and grants the board the power to approve, deny, revoke, condition, or suspend gambling licenses and permits, for any reasonable cause. Under Phase II, abolishes the board and transfers its responsibilities and powers to the California Gambling Control Commission created by the bill with jurisdiction over the operation of and supervision over gambling establishments in the state.

Prohibits a local jurisdiction from issuing a gambling license, except under specified circumstances. Requires a majority vote to approve (1) a measure authorizing gambling in a local jurisdiction and (2) an ordinance amendment that results in an expansion of gambling in the local jurisdiction. Extends the existing moratorium on authorization of new or expansion of existing card clubs to January 1, 2001. Establishes an Office of Compulsive Gambling within the Department of Mental Health to develop a comprehensive gambling prevention program for problem and pathological gamblers.

Would have required state licensing of publicly traded corporations that: 1) own an interest in the premises of, or real property used by, a gambling establishment; and 2) provide non-gambling services in the premises.

Would have allowed a horse racing corporation to operate a gaming club at the racetrack until January 1, 2000 (one-year extension).

Would have empowered, but would not have required, 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 (IGRA). Would have permitted an Indian tribe, under a tribal-state gaming compact, to operate electronic gaming devices that do not dispense coins or currency. Would have authorized an Indian tribe, under a tribal-state gaming compact, to operate nonhouse-banked card games classified as Class III games. Would have excluded any tribal gaming facility operated under a compact from the term "casinos of the type currently operating in Nevada and New Jersey."



**SB 1469**      ***Knight***

*Chapter 603 of 1998*

Allows specified private gaming clubs to be licensed to operate as private gaming clubs until July 1, 2000, after which time the clubs may only operate if the local jurisdiction approves an ordinance allowing these clubs to operate as public gaming clubs.

**SB 1502**      ***Burton***

*Failed passage, Assembly G.O.*

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Would have ratified the state-tribal gaming compact between the State of California and the Pala Band of Mission Indians, and would have established a ratification process for other compacts.

**SB 2039**      ***Lockyer***

*Chapter 608 of 1998*

Makes various technical and clarifying changes to the Gambling Control Act of 1997.

## GOVERNOR / OFFICIAL ACTS

**AB 786**      *Machado*

*Chapter 133 of 1998*

Permits the California Sesquicentennial Commission to enter into an agreement to use the Great Seal of the State for officially sanctioned products of the California Sesquicentennial celebration.

**AB 980**      *Ashburn*

*Vetoed*

Would have required the Department of Finance to annually meet with county representatives to discuss budget proposals for programs administered by counties and the impact of those proposals on county revenues.

**AB 1514**      *Goldsmith*

*Chapter 17 of 1998*

Authorizes a fire protection district to enter into mutual aid agreements with any federally recognized Indian tribe. Applies the same liability requirements to tribes acting under a mutual aid agreement as is currently applied to private firms or corporations acting under a mutual aid agreement with a district.

**AB 1953**      *Baca*

*Chapter 637 of 1998*

Designates the fourth Friday in September as "Native American Day" and makes that day a state holiday.

**ACA 16**      *Goldsmith*

*Failed passage, Assembly G.O.*

Would have eliminated the authority of the Lieutenant Governor to act as Governor when the Governor is absent from the state.

**ACA 31**      *Firestone*

*Failed passage, Assembly G.O.*

Would have amended the California Constitution by (1) eliminating the primary election for the office of Lieutenant Governor and (2) allowing each candidate for the office of Governor in the general election to select a running mate.

**ACA 40**      *Prenter*

*Failed passage, Assembly G.O.*

Would have required voter approval of a California Citizens Compensation Commission increase in state officer compensation that exceeds 5%.

**SB 249**      **Johnston**

*Died, Assembly Appropriations*

Would have replaced references to the terms "Indian," "tribal group," "incorporated Indian association," "Indian tribes," "tribal organizations," "American Indians," "band," "Indian reservation," "rancheria," "American-Indian controlled," and "unit of Indian government" with the terms "Native American" and "Native American organizations, tribes, or groups."

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**SB 389**      **Monteith**

*Chapter 331 of 1997*

Designates the San Joaquin Soil as the Official State Soil.

**SB 1304**      **O'Connell**

*Died, Assembly Budget*

Would have established a framework for implementation of zero-based budgeting in state government.

**SB 1449**      **Thompson**

*Died, Assembly Appropriations*

Would have required the Legislative Counsel to prepare a review of a proposed measure, including its form, the clarity of its language, and potential legal problems.

**SB 1652**      **Kopp**

*Chapter 829 of 1998*

Transfers the filing of numerous documents from the Secretary of State to various other state and local agencies. Also prospectively eliminates the option for businesses to file a deposit in lieu of a bond with the Secretary of State.

**SB 2141**      **O'Connell**

*Chapter 543 of 1998*

Repeals, recasts and changes various provisions, including altering the responsibilities of state agencies, local governments, and utilities under the Radiation Protection Act.

**SCA 13**      **O'Connell**

*Failed passage, Assembly Floor*

Would have instituted zero-based budgeting for the State of California, upon approval of the voters, to be phased in over five fiscal years beginning with the 2001-02 fiscal year.

## HORSE RACING

**AB 172**      *Wright*

*Failed Passage, Senate G.O.*

Would have enacted a modified state license fee structure for thoroughbred racing associations and southern and central zone racing fairs based on a percentage of "gross wagering revenue," as defined.

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**AB 422**      *Floyd*

*Vetoed*

Would have redirected the state license fee imposed upon wagers made on California quarter horse races by out-of-state bettors to the California Quarter Horse Breeders Awards Program for purposes of promoting the breeding, owning and racing of California quarter horses. Would have modified the ability of quarter horse and harness racing associations to accept wagers upon the results of out-of-state and international harness or quarter horse races, as specified.

**AB 522**      *Vincent*

*Failed Passage, Senate G.O.*

Would have authorized racing associations and racing fairs to form one statewide simulcast organization to operate the audio-visual horse racing signal system and to negotiate all interstate and international simulcast agreements for the racing associations.

**AB 546**      *Floyd*

*Chapter 32 of 1998*

Clarifies the definition of "eligible quarter horse sire" for purposes of the Cal-bred quarter horse breeder incentive programs, and further provides that a minimum of 10% of all first and second place purse monies earned by an eligible Cal-bred quarter horse be distributed to the Cal-bred breeder.

**AB 547**      *Floyd*

*Failed Passage, Assembly G.O.*

Would have required a quarter horse racing association, which also operates a satellite wagering facility, to obtain the consent of the quarter horse men and women who are participating in the quarter horse race meet before it can accept wagers on other races imported to the satellite facility.

**AB 951**      *Margett*

*Chapter 180 of 1997*

Modifies the membership composition of the Standardbred Sire Stakes Committee and provides that additional funds may be made available to supplement the purses distributed by the committee upon agreement by the recognized harness horse men's organization and the harness racing association conducting the live racing meeting.

**AB 952**      *Brown*      *Vetoed*

Would have made permanent the provision in existing law relating to reduced "breakage" rates for quarter horse racing and would have clarified the allocation priorities of the Satellite Wagering Account and the Fair and Exposition Fund.

**AB 1026**      *Brown*      *Died, Assembly Appropriations*

Would have forgiven payments and debt of the 21st District Agricultural Association as of January 1, 1999, to the Satellite Wagering Account.

**AB 1083**      *Committee on G.O.*      *Chapter 57 of 1998*

Repeals two sunset date provisions in horse racing law and clarifies an obsolete cross reference.

**AB 1465**      *Bordonaro*      *Chapter 393 of 1997*

Requires the California Department of Food and Agriculture to distribute 10 percent of the northern zone racing fairs' state license fees, and any remaining funds from this program to supplement owner purses at the race meetings.

**AB 1477**      *Papan*      *Died, Senate G.O.*

Would have authorized limited "full-card simulcasting" wagering on interstate horse races.

**SB 20**      *Maddy*      *Chapter 65 of 1997*

Provides that the owner premiums paid to owners of California-bred thoroughbreds must be distributed from the actual winner's share of the purse for a qualifying race, rather than the total advertised purse.

**SB 26**      *Maddy*      *Chapter 65 of 1997*

Requires the total amount distributed to horsemen and horsewomen for California-bred stakes races be not less than 10% of the total amount distributed for all stakes races from the purse account at that racing meeting.

**SB 27**      *Maddy*      *Chapter 335 of 1998*

Provides comprehensive license fee relief to the California horse racing industry.

**SB 28**            *Maddy*

*Chapter 516 of 1998*

Deletes the requirement that specified offsite stabling be only at auxiliary facilities of licensed racing associations for meets held in the central or southern zones.

**SB 29**            *Maddy*

*Chapter 619 of 1998*

Authorizes fairs that conduct live horse racing in the northern zone to allow a joint powers authority to administer and distribute purses in accordance with existing law. Allows promotional contests or sponsorship contributions to be distributed by a fair as payment in addition to purses.

**SB 44**            *Maddy*

*Chapter 12 of 1998*

Clarifies that an existing California-bred stakes race policy applies to only thoroughbred and quarter horse racing and establishes an owner premium component to the harness racing industry's California-bred incentive programs.

**SB 103**          *Maddy*

*Chapter 10 of 1998*

Requires thoroughbred racing associations to pay a specified amount of purse revenue to the thoroughbred horsemen's organization to help fund a national thoroughbred racing marketing program.

**SB 127**          *Ayala*

*Chapter 108 of 1997*

Authorizes a quarter horse racing association or fair to conduct races which include Paint horses racing with quarter horses or Appaloosa horses in the same race.

**SB 220**          *Rosenthal*

*Chapter 451 of 1997*

Requires that at least 20 percent of the proceeds derived from charity racing days be distributed to charities associated with the horse racing industry.

**SB 481**          *Dills*

*Chapter 314 of 1997*

Deletes a reference in existing law relating to the California Horse Racing Board's authorization to adopt any rules and regulations of the Pacific Coast Quarter Horse Association and clarifies the definition of what constitutes "eligible earnings" for purposes of the quarter horse breeding incentive programs.

Authorizes the California Horse Racing Board to permit a harness racing association to accept wagers on races conducted by the racing association that conducts the Breeder's Crown Stakes Race if (1) the race is conducted on the same day as the stakes race, and (2) the association in this state that accepts those wagers is then conducting a live racing meeting. Extends this same authorization to a quarter horse racing association with respect to the races held concurrent to the American Quarter Horse Racing Challenge, with the same restrictions.

Would have redirected to the harness industry's California-bred incentive programs the state license fee imposed upon out-of-state wagers placed on California harness races, and would have specified that the distribution of owner purses is subject to agreement between two associations that represent the same breed of horse.

Deletes from the intent section of California Horse Racing Law the statement relating to one of the purposes of horseracing being to generate public revenues, and instead provides that the intent of horseracing includes supporting the network of California fairs.

## OPEN MEETINGS

**AB 387**      *Miller*

*Chapter 577 of 1997*

Provides that a witness must be granted either use immunity and derivative use immunity, or transactional immunity from criminal prosecution before his or her testimony can be compelled within a State Personnel Board hearing.

**AB 1097**      *Committee on G. O.*

*Chapter 52 of 1997*

Deletes the January 1, 1998 sunset date for the authority of state bodies to hold a meeting by teleconference under specified circumstances.

**SB 95**      *Ayala*

*Chapter 949 of 1997*

Requires appointed and elected officials who have yet to assume duties to abide by the requirements of the Bagley-Keene Open Meetings Act.

**SB 1350**      *Burton*

*Chapter 927 of 1997*

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, except for corporations located in Orange County.

**SB 2008**      *Kelley*

*Chapter 210 of 1998*

Broadens the Public Utilities Commission's (PUC) ability to hold closed sessions to deliberate on the institution of proceedings or disciplinary actions. Requires the PUC to give notice of a closed session with a description in general terms of the purpose of the session, if the PUC states that specifically identifying the proceeding or disciplinary action contemplated would jeopardize the PUC's ability to serve process, or would harm the business reputation of the person or entity.



## OUTDOOR ADVERTISING

**AB 996**

***Sweeney***

*Chapter 471 of 1997*

Makes the following changes to an exemption from the Outdoor Advertising Act provided to "on-premises advertising displays". 1) Specifies that subsequent divisions of a parcel of land within a specified development does not nullify a previously established on-premise advertisement exemption. 2) Deletes the January 1, 1999 sunset date.

**AB 1237**

***Granlund***

*Chapter 473 of 1997*

Increases the length of time over which written notice must be posted before the Department of Transportation may remove or destroy advertising displays. Provides flexibility to public agencies to relocate advertising displays situated on property acquired for public use.

**AB 1256**

***Havice***

*Died, Senate Transportation*

Would have allowed the City of Artesia to erect a nonconforming outdoor advertising display under certain circumstances.

**AB 1259**

***Ackerman***

*Chapter 152 of 1997*

Extends the permit renewal term for outdoor advertising displays from one year to five years. Directs the Department of Transportation to adopt regulations for late renewals and automatically revokes any permit not renewed by January 1, 1993. Requires the owner of an illegal display removed by CalTrans to pay a fine equal to the amount of the cost of the removal.

**AB 2193**

***Granlund***

*Chapter 300 of 1998*

For the purposes of the Outdoor Advertising Act, excludes from the definition of "sign," a sign erected near a city or county boundary that contains the name of that city or county and the names of or information regarding, civic, fraternal, or religious organizations located within that city or county.

Would have authorized the city and county of San Francisco to permit advertising signs to be placed on street furniture including public toilets. Would have changed the form used to show proof of financial responsibility at the time a vehicle is registered to allow the use of the insurance agent's phone number.

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## PUBLIC RECORDS

**AB 179**      *Bowen*

*Vetoed*

Would have required public agencies to provide copies of electronic records in a form requested as long as (a) it is reasonable to do so and (b) the form requested is used by the agency. The bill would have required the agencies to change fees covering the direct costs of duplication or a statutory fee, if applicable.

**AB 840**      *Morrissey*

*Died, Senate International Relations*

Would have added active or retired firefighters, paramedics and any other public employees engaged in fire prevention work, to the list of public employees that may elect to prevent the Department of Motor Vehicles from disclosing their home address to the public.

**AB 1169**      *Shelley*

*Vetoed*

Would have required all state environmental agencies to make available on the Internet a wide array of public information.

**AB 1601**      *Shelley*

*Chapter 925 of 1997*

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, except for corporations located in Orange County.

**AB 2607**      *Scott*

*Failed passage, Assembly G.O.*

Would have made copies of specified law enforcement records available, upon payment of the actual cost of providing the records, when the records are requested for a commercial purpose. Would have capped the fee that may be charged at \$16 per hour for a maximum of three hours.

**AB 2630**      *Wright*

*Vetoed*

Would have required information regarding certain persons paid by the state through the In-Home Supportive Services Program, including names, addresses and telephone numbers, to be subject to public disclosure pursuant to the California Public Records Act.

**SB 74**

***Kopp***

*Vetoed*

Would have required agencies to provide copies of electronic records in a form requested as long as (a) it is reasonable to do so and (b) the form requested is used by the agency. The bill would have required the agencies to charge different fees for records used for commercial and non-commercial purposes.

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**SB 143**

***Kopp***

*Chapter 620 of 1998*

Makes various changes to the California Public Records Act including establishing an index of public records within the Act itself that are exempt from disclosure under current law and are contained in various other codes.

**SB 408**

***Maddy***

*Chapter 690 of 1997*

Adds a sunset date to certain mandated audits and allows the Joint Legislative Audit Committee to conduct a sunset review of these audit requirements before their respective sunset dates and delete, modify, or extend the requirements based on that review.

**SB 448**

***Sher***

*Chapter 276 of 1997*

Prohibits the release of the name, credit history, utility usage data, home address, or telephone number of utility customers of local agencies except under certain circumstances.

**SB 1350**

***Burton***

*Chapter 927 of 1997*

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, except for corporations located in Orange County.

**SB 2174**

***Rainey***

*Chapter 1049 of 1998*

Prohibits limitations on access to a public record based upon the purpose for which the record is being requested, if the record is otherwise subject to disclosure under the Public Records Act. Requires the State Board of Equalization (BOE) to adopt regulations to establish procedures and guidelines to access public records, and requires BOE to report to the Legislature on the feasibility and cost of creating and maintaining a specified subject matter index of public records.

## STATE LOTTERY

**AB 197**      **Thomson**

*Chapter 226 of 1997*

Allows the California State Lottery to use electromagnetic or electronic lottery ticket dispensers.

**AB 201**      **Bowen**

*Failed passage, Senate Appropriations*

Would have reallocated California State Lottery (CSL) revenues. Would have reduced the allocation for CSL expenses from 16% to 14%. Would have prohibited the CSL from taking this reduction from advertising or retail commissions. Would have increased the allocation for public education from 34% to 35%. Would have required that the increase be used for K-12 books and classroom materials. Would have increased the portion of the revenues to be returned to the public in the form of prizes from 50% to 51%.

**AB 1453**      **Cardenas**

*Chapter 800 of 1998*

Allocates 50% of the increase in public education's share of California State Lottery (CSL) revenues, beginning in 1998-99 and subject to voter approval, for the purchase of instructional materials.

**AB 2619**      **Cardenas**

*Died, Assembly Appropriations*

Would have established the California Pupil Textbook Guarantee Fund (the Fund) and would have redirected 3% of California State Lottery revenues designated for prizes to the Fund, upon approval of the voters.

## TOBACCO

**AB 734**      *Brown*

*Chapter 648 of 1998*

Makes funding for the Stop Tobacco Access to Kids Enforcement Act permanent, upon appropriation by the Legislature.

**AB 752**      *Migden*

*Chapter 219 of 1997*

Prohibits tobacco product advertising on any billboard located within 1,000 feet of schools or public playgrounds. Permits local jurisdictions to adopt a more restrictive tobacco billboard advertising standard.

**AB 1764**      *Olberg*

*Failed passage, Assembly G.O.*

Would have required any funds received by the state as the result of a national tobacco settlement be used exclusively for the purposes of school construction, to the extent permitted by federal law.

**AB 1899**      *Davis*

*Chapter 1026 of 1998*

Adopts language consistent with AB 984 (Davis, 1998) which was previously passed by the Assembly in order to avoid chaptering problems with SB 1658 (Peace, 1998).

**AB 2483**      *Bustamante*

*Died, Senate Appropriations*

Would have required tobacco settlement funds to be used to provide health care for families residing in the state, except for those funds allocated for women's heart disease, as specified.

**ACR 4**      *Perata*

*Chapter 91 of 1997*

Endorses the Federal Trade Commission requirement that R.J. Reynolds Tobacco Company conduct teenage anti-smoking education and provide data regarding adolescent tobacco consumption.

**SB 137**      ***Maddy***

*Died, Senate Judiciary*

Would have allowed smoking in gaming clubs, bars and taverns until January 1, 1999 (one-year extension). After January 1, 1999, the bill would have allowed smoking only in establishments with a specified ventilation system.

**SB 198**      ***Kelley***

*Chapter 110 of 1997*

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Revises required posted retail notices (stipulating that selling tobacco to persons under the age of 18 is prohibited) to conform with the notice required under the Stop Tobacco Access to Kids Enforcement Act.

## VETERANS

**AB 324**      **Baldwin**

*Chapter 976 of 1998*

Authorizes the Veterans' Home of California, Barstow, to use up to 250 of its beds for skilled nursing care.

**AB 576**      **Baldwin**

*Chapter 765 of 1998*

Establishes the California Veterans Memorial Registry Fund into which contributions for the support of the Veterans Registry are to be deposited, and establishes criteria for inclusion in the Veterans Registry.

**AB 626**      **Baca**

*Vetoed*

Would have required local public entities who have established a civil service system to implement a veterans' preference system by January 1, 2000, or adopt a resolution identifying the reasons they did not do so.

**AB 1838**      **Kuykendall**

*Chapter 569 of 1998*

Requires the Prisoner-of-War/Missing-in-Action flag to be flown over specified public buildings on Armed Forces Day, Memorial Day, Flag Day, Independence Day, and Veterans Day. Requires the flag to be flown at the Vietnam Veterans Memorial on the grounds of the State Capitol.

**AB 1877**      **Floyd**

*Vetoed*

Would have increased oversight of the Department of Veterans Affairs' California Veteran Farm and Home Purchase (Cal Vet) Program and would have created an Inspector General within the DVA to oversee the loan program and the administration of the state's veterans homes.

**AB 2096**      **Margett**

*Chapter 530 of 1998*

Reduces the down payment requirements for the California Veteran Farm and Home Purchase Program.



**AB 2097**      *Margett*

*Chapter 362 of 1998*

Allows the Department of Veterans Affairs greater flexibility in establishing interest rates under the department's Cal-Vet Program.

**AB 2725**      *Cardoza*

*Vetoed*

Would have created a Governor's Commission on Central California Veterans Home to advise the Governor and the Legislature on the establishment of one or more veterans homes in central California.

**SB 104**      *Craven*

*Chapter 154 of 1997*

Under the Veterans' Farm and Home Purchase Act of 1974, sets the maximum purchase price at \$250,000 for a mobilehome converted to a fixture and improvement to the underlying real property in a mobilehome park that has been converted to a resident-owned entity.

**SB 335**      *Johannessen*

*Chapter 529 of 1997*

Requires the Department of Veterans Affairs to conduct a study to determine the health care needs and the associated costs of providing appropriate care to current and future members of the Veterans' Home of California who are suffering from Alzheimer's Disease and other dementia diseases. Requires the department to submit the study to the Legislature on or before July 1, 1998.

**SB 486**      *Craven*

*Chapter 316 of 1997*

Authorizes the Department of Veterans Affairs and the Employment Development Department to enter into interagency agreements with individual counties to provide a more complete and convenient local service program for veterans that is determined to be nonduplicative and not in conflict with any federal one-stop service program.

**SB 574**      *Knight*

*Chapter 155 of 1997*

Conforms state law to federal law by extending eligibility for veterans benefits to those who served on active duty in Vietnam on or after February 28, 1961, and prior to August 5, 1964. Expands eligibility for the Cal-Vet loan program to include peacetime veterans qualifying under federal laws for revenue bond or unrestricted funds.

**SB 584**      *O'Connell*

*Chapter 91 of 1997*

Codifies the order of additional Southern California Veterans' Home sites as follows: Chula Vista, Lancaster and Ventura.

**SB 608**      *Johannessen*

*Chapter 318 of 1997*

Requires the Department of Veterans Affairs to annually report to the Department of Finance and the Legislature the amount of new or increased monetary benefits paid to eligible veterans by the federal government attributable to the assistance provided by county veteran service officers.

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**SB 785**      *Johnson*

*Chapter 197 of 1997*

Revises the rate setting and loan payment process for Cal-Vet loans.

**SB 846**      *Mountjoy*

*Chapter 156 of 1997*

Allows the Department of Veterans Affairs to require alternate security instruments, in lieu of a bond, to support a Cal-Vet construction loan. Adds refinance of an existing loan to the situations where a subsequent Cal-Vet loan is allowed and deletes the requirement for the original contract to be paid in full. Grants first priority for Cal-Vet loans to veterans serving in a war.

**SB 1138**      *Johannessen*

*Chapter 634 of 1998*

Requires all Cal-Vet purchasers to participate in the Department of Veterans Affairs' indemnity fund to indemnify purchasers for the cost of repairing structural damage caused by specified disasters.

**SB 1158**      *Johannessen*

*Chapter 197 of 1998*

An urgency measure, requires the maintenance of life or disability insurance reserves as part of the master agreement between the Department of Veterans Affairs and one or more life and disability insurance companies.

**SB 1324**      *Johannessen*

*Chapter 325 of 1997*

Extends Veterans' Home of California eligibility to peacetime veterans. Grants priority for admission to wartime veterans over peacetime veterans.

**SB 1818**      *Johannessen*

*Died, Assembly Appropriations*

Would have required the Department of Veterans Affairs to design, develop, and construct a Northern California Veterans Cemetery to be located in Northern California.

**SB 1884**      *Johannessen*

*Chapter 209 of 1998*

Extends the deadline for the California Veteran Farm and Home Purchase Program insurance reports to the Legislature from July 1 to September 1 annually.

**SB 2078**      *McPherson*

*Vetoed*

Would have required the Department of Veterans Affairs to conduct a statewide study on the feasibility of state-owned and state-operated veterans cemeteries.

**SB 2186**      *Knight*

*Chapter 1071 of 1998*

Backfills lost revenue to the California Veterans Home in Yountville Post Fund resulting from the termination of driving range operations with revenues from the lease of real property for a golf course on the grounds of the Home.

**SB 6x**      *Ayala*

*Chapter 6 of 1997*

Increases the amount of the deductibles on flood and earthquake claims under the Cal-Vet home loan program and specifies the perils covered under the Disaster Indemnity Fund.