

2012

2011-2012 Legislative Summary

Assembly Governmental Organization Committee

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2011 - 2012 LEGISLATIVE SUMMARY



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Assembly
California Legislature



ASSEMBLY COMMITTEE ON
GOVERNMENTAL ORGANIZATION
ISADORE HALL III, CHAIRMAN
ASSEMBLYMEMBER, FIFTY-SECOND DISTRICT

October 2012

Dear Interested Parties:

This publication summarizes any legislation that was referred to the Assembly Committee on Governmental Organization during the 2011-2012 legislative session. The summary includes a brief description and final status of all bills.

Jurisdiction of the Committee primarily includes the following subjects: Indian gaming, horse racing, card clubs, alcohol, tobacco, the Lottery, outdoor advertising, and state open meeting and public record law. Policy from the committee affects key industries that employ thousands of Californians in areas such as gambling/entertainment, horse racing, tourism, wine production, etc. Revenues generated from these industries in the form of taxes and fees generate significant sources of revenues for all levels of government. These range from income and employment taxes, to excise fees charged to alcohol and tobacco products.

For the full text of all versions of any bill, committee analysis, and history including votes, you may access the Assembly's web page at www.assembly.ca.gov and click on "legislation."

I hope this publication will be informative and useful as a reference tool. For additional copies or other information concerning committee activities, please contact the committee staff at (916) 319-2531.

Sincerely,

A handwritten signature in black ink, reading "Isadore Hall, III" with a stylized flourish at the end.

Isadore Hall, III
Chairman

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2011- 2012
Assembly Committee on Governmental Organization
Legislative Summary

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2011- 2012
Assembly Committee on Governmental Organization
Legislative Summary

Alcohol

AB 183 **Ma** **Chapter 726, Statutes of 2011**

Prohibits off-sale licensees from selling alcoholic beverages using a customer-operated checkout stand located on the licensee's physical premises.

AB 252 **Charles Calderon** **Chapter 153, Statutes of 2012**

Modifies an existing provision of the Alcoholic Beverage Control Act that allows, until January 1, 2014, a manufacturer, winegrower, rectifier, or distiller to provide their product offerings directly to consumers (free of charge) during invitation-only events, as specified, to additionally grant the same privilege to a "distilled spirits manufacturer's agent."

AB 319 **Norby** **Chapter 672, Statutes of 2011**

Permits the sale and consumption of alcohol on all community college campuses statewide, during special events, when the proper license or permit has been issued by the Department of Alcoholic Beverage Control and authority has been granted by the community college district.

AB 351 **Chesbro** **Gut and amend on Senate Floor**

Permits winegrowers and beer manufacturers to describe the "composition" of their products, in addition to other characteristics already permitted, when engaging in tastings or instructional events for their licensees or employees.

AB 494

Logue

Chapter 158, Statutes of 2011

Prohibits possession of alcoholic beverages, whether open or closed, on non-motorized vessels along a portion of the Sacramento River (from the Highway 32 Bridge to the mouth of Big Chico Creek) during "summer holiday periods."

AB 573

Chesbro

Chapter 367, Statutes of 2012

Corrects inconsistencies in existing provisions of the Alcoholic Beverage Control Act in order to allow all licensed manufacturers and wholesalers the same opportunity to inspect, clean and replace their tapping equipment.

AB 623

Williams

Chapter 292, Statutes of 2011

Authorizes the Department of Alcoholic Beverage Control to issue a limited off-sale retail wine license that allows the license holder to sell wine if certain conditions are met and grants specified privileges to the license holder, as provided. Also, this bill imposes an original fee and an annual renewal fee for the license, which will be deposited in the Alcohol Beverage Control Fund.

AB 749

Hall

Chapter 221, Statutes of 2011

Changes the period covered by the Department of Alcoholic Beverage Control annual report to the Legislature from a "*calendar*" year time period to a "*fiscal*" year.

AB 759

Ma

Assembly G.O. Committee

Existing law specifies that holders of retail on-sale or off-sale licensees may purchase advertising in any publication by a specified alcoholic beverage licensee. This bill would include Internet Web sites as an additional type of advertising medium which may be purchased by the on-sale or off-sale retail license.

AB 775

Galgiani

Assembly G.O. Committee

Would additionally include a distilled spirits wholesaler in the provision prohibiting a licensed retailer from being obligated to purchase or sell the alcoholic beverages of the licensee conducting the market research.

AB 1320

Allen

Chapter 467, Statutes of 2012

Added a new Section to the Alcoholic Beverage Control Act by authorizing the Department of Alcoholic Beverage Control to issue a maximum of 15 new original on-sale general licenses, over a three-year period, for bona fide public eating places in the County of Marin.

AB 1356

Eng

Assembly G.O. Committee

Provides that in instances where wine by the glass can be sold on the premises of a duplicate license that is located in an area of undue concentration, as defined, the request for the duplicate license shall be subject to specified provisions before it may be issued by the Department of Alcoholic Beverage Control.

AB 1419

G.O. Committee

Senate Floor

Changes the due date on the Department of Alcoholic Beverage Control's annual report to the Legislature from March 1 of each year to March 31.

AB 1812

Chesbro

Chapter 96, Statutes of 2012

Revises the definition of "beer" for purposes of the Alcoholic Beverage Control Act to also provide beer aged in an empty wooden barrel previously used to contain wine or distilled spirits shall be defined exclusively as "beer" and shall not be considered a dilution or mixture of any other alcoholic beverage.

AB 2047

Beall

Assembly G.O. Committee

Expands the exceptions to existing law to allow beer manufacturers, winegrowers, distilled spirits rectifiers, distilled spirits manufacturers, or distilled spirits manufacturer's agents to purchase advertising space and time from, or on behalf of, on-sale retail licensees at specified facilities located in the City of San Jose, subject to additional requirements, as provided.

AB 2184

Hall

Chapter 480, Statutes of 2012

Permits, until January 1, 2016, the appearance of a person employed or engaged by an "authorized licensee," as defined, at a promotional event held at the premises of an off-sale retail licensee for the purpose of providing autographs under specified conditions.

AB 2229

Williams

Assembly G.O. Committee

Authorizes licensed distilled spirits manufacturers to charge consumers for tastings and would impose additional conditions on the provision of tastings by the licensee.

AB 2349

Nestande

Chapter 374, Statutes of 2012

Revises the direct inquiry provisions in the Alcoholic Beverage Control Act to remove the requirement that manufacturers and distributors can only provide consumer information where they can find a specific product at an on-sale establishment if that on-sale retailer operates and is licensed as a restaurant. By removing that requirement, manufacturers and distributors can add bars to the list they provide consumers of on-sale establishments that serve their specific products.

AB 2560

Allen

Assembly Appropriations Committee

The Alcoholic Beverage Control Act provides for a limitation on the amount of on-sale general licenses that may be issued by Department of Alcoholic Beverage Control based on the population of the county in which the licensed premises are located, as provided. This bill would provide an exception to this limitation for a county of the 18th class, as specified.

AB 2694

G.O. Committee

Senate Floor

Makes various changes to the Alcoholic Beverage Control Act (Act). This bill provides that a Department of Alcoholic Beverage Control license, as defined in statute, authorizes the license holder to exercise the rights and privileges as specified in the Act, and makes technical and conforming changes within the Act.

AJR 11

Chesbro

Chapter 59, Statutes of 2011

This resolution urges the United States Congress to defeat House Resolution 1161 in order to protect and preserve the ability of California wineries, and all wineries in the U.S., to ship wine directly to consumers without discrimination or unnecessary limitation between in-state and out-of-state wine producers.

SB 32

Leno

Chapter 301, Statutes of 2011

Modifies the definition of rectifier to exclude from the definition any on-sale licensee who infuses distilled spirits or wine products with colors and flavors or blends distilled spirits and/or wine, as long as those alcoholic drinks are only sold for consumption on the premises.

SB 39

Padilla

Chapter 140, Statutes of 2011

Prohibits the importation, production, manufacture, distribution, or sale of beer to which caffeine has been directly added as a separate ingredient at retail locations in California, as defined.

SB 339

Wolk

Chapter 702, Statutes of 2011

Adds a new provision to the Alcoholic Beverage Control Act relating to the establishment of cooking schools as “bona fide eating places” for the purpose of obtaining a license to sell beer and wine. In addition, this bill authorizes the sale and consumption of alcoholic beverages at a city-owned community center, as specified.

SB 346

Harman

Assembly Appropriations Committee

Exempts gondolas from the current on-sale boat liquor licensing requirements. Instead, this bill would allow the serving of alcoholic beverages without a license as part of a gondola ride service, as long as there is no extra charge or fee for the beverages.

SB 487

Negrete McLeod

Assembly G.O. Committee

Adds a new provision to the Alcoholic Beverage Control Act that permits the return of unsold and unopened beer from an organization that obtained a temporary license.

SB 566

Price

Assembly G.O. Committee

Adds clarity to an existing tied-house exception in the Alcoholic Beverage Control Act pertaining to market research by certain licensees and the purchase of off-sale retail data by also including a “distilled spirits wholesaler” in the provision prohibiting a licensed retailer from being obligated to purchase or sell the alcoholic beverages of the licensee conducting the market research.

SB 738

Evans

Assembly G.O. Committee

Extends the due date of the Department of Alcoholic Beverage Control’s annual report to the Legislature from March 1 of each year to April 1 of each year.

SB 768

Hernandez

Assembly G.O. Committee

Modernizes an existing provision of the Alcoholic Beverage Control Act by including Internet and other wireless data within the description of allowable electronic data services that alcoholic beverage manufacturers and wholesalers may provide to retailers.

SB 778

Padilla

Chapter 489, Statutes of 2012

Adds a new section of law to the Alcoholic Beverage Control Act that authorizes wine, beer and spirits producers to conduct consumer "contests" or "sweepstakes."

SB 937

G.O. Committee

Chapter 327, Statutes of 2012

Makes technical, clarifying, conforming, and non-controversial changes to the Alcoholic Beverage Control Act. The language contained in the bill was put forth by the Department of Alcoholic Beverage Control.

SB 1393

Negrete McLeod

Chapter 163, Statutes of 2012

Makes changes to an existing provision of the Alcoholic Beverage Control Act that allows a manufacturer or wholesaler of beer to accept the return of recalled beer for health or safety issues and exchange the beer or credit the retailer. In addition, permits the return of unsold and unopened beer from an organization that obtained a temporary license, as specified.

SB 1429

Evans

Assembly Floor

Makes technical and clarifying changes to an existing provision of the Alcoholic Beverage Control Act relative to requiring winegrowers and distilled spirits manufacturers to dispose of leftover product provided at instructional tastings events.

SB 1531

Wolk

Chapter 334, Statutes of 2012

Provides a narrow tied-house exception that allows the Napa Valley Opera House to accept wine and monetary donations from wineries located within the Counties of Napa, Sonoma, Lake, and Mendocino. This exemption sunsets on January 1, 2018.

SCR 45

Corbett

Res. Chapter 78, Statutes of 2011

This resolution urges the Governor to make the prevention of underage alcohol use a priority of the state by engaging in a statewide effort to prevent and reduce underage drinking and its consequences and ensuring that California joins with the 41 other states that are active in the Leadership to Keep Children Alcohol Free which is an initiative to prevent the use of alcohol by children ages 9 to 15.

Emergency Services

AB 1116 Fong Vetoed by Governor

Requires the California Emergency Management Agency to take measures to help people with limited English proficiency prepare for emergencies and understand information conveyed during emergencies.

AB 2306 Donnelly Assembly G.O. Committee

Adds "border security" to the list of conditions that are named in the California Emergency Services Act (Act) that may be cited to support the proclamation of a state of emergency or local emergency.

AB 1420 G.O. Committee Chapter 413, Statutes of 2011

Extends the March 1, 2012, sunset date for the operation of the Emergency Management Assistance Compact (EMAC) to March 1, 2015. The purpose of EMAC is to provide mutual aid among the states in meeting any emergency or disaster.

AB 1429 Chesbro Vetoed by Governor

Adds the tsunami that occurred in Del Norte County in March 2011, to the list of disasters for which the state share of state eligible cost is up to 100 percent. This bill exempts the county from a specified planning requirement as a condition of receiving this level of assistance.

AB 2414 Solorio Assembly Appropriations Committee

Requires the California Emergency Management Agency (Cal-EMA) to continue, until Jan. 1, 2018, the uncodified one-time federally funded Youthful Offender Reentry (Cal-YOR) competitive grant program targeting economically disadvantaged youths upon discharge from a state or local correctional facility, or from parole or probation.

AJR 9 Cook & Ma Chapter 41, Statutes of 2011

This resolution urges the Congress of the United States to expedite a solution to provide a public alert and warning system to alert and warn the American people in situations of war, terrorist attack, natural disaster, or other hazards to the public safety, health, and well-being of the American people.

Gambling

AB 156

Lara

Chapter 391, Statutes of 2011

Provides that a gambling establishment that conducts the play of a controlled game that has been approved by the Department of Justice, but is later found to be unlawful, has an absolute defense to any criminal, administrative, or civil action provided the game was being played in the manner approved and, during the time for which it was approved, and play ceases upon notice that the game has been found unlawful.

AB 241

Hall

Chapter 316, Statutes of 2011

Extends the gambling moratorium related to the expansion of card rooms and the issuance of new card room licenses from January 1, 2015 to January 1, 2020.

AB 513

Hall

Assembly Judiciary Committee

Authorizes a tribal gaming operation or a gambling enterprise, or a person acting on behalf of either of those entities, to bring an action in state court to enforce credit instruments that evidence gambling debt, including an action to enforce the debt represented by a credit instrument that is lost or destroyed if the existence of the credit instrument can be proven.

AB 777

Hall

Assembly G.O. Committee

The Gambling Control Act requires every person who is required to hold a state license to obtain the license prior to engaging in the activity or occupying the position with respect to which the license is required, except as specified. This bill would require every person who is required to hold a state license to obtain the license before engaging in the activity or occupying the position with respect to which the license is required, except as specified.

AB 1290

Lara

Senate Rules Committee

Requires the Gaming Policy Advisory Committee to meet at least twice a year and would require the California Gambling Control Commission to consult with the committee on recommended proposed regulations, as specified.

The bill was amended on the Senate Floor to repeal an existing body of law in the Gambling Control Act relative to an exemption from licensing requirements for a card club (Hollywood Park Casino) on the grounds of a racetrack and recast that body of law. The bill was referred back to Senate Rules and no further action was taken.

AB 2518

Hall

Gut and amend on Senate Floor

Revises the Gambling Control Act to exclude from the definition of "applicant" any person who is about to apply for a state gambling license, or other licenses, permits, or approvals.

AB 2526

Hall

Senate Floor

This bill changes several definitions within the Gambling Control Act. Specifically, revised the definition of a key employee to any person employed in the operation of a gambling enterprise in a supervisory capacity or empowered to make discretionary decisions with regard to the gambling operations, it added surveillance managers and supervisors to the definition of "key employee" for licensing purposes, and deleted the term "pit boss" and replaced the term "shift boss" to "shift manager."

SB 340

Wolk

Assembly Appropriations Committee

Eliminates the state licensing requirements for organizations who wish to conduct remote caller bingo games.

SB 374

Strickland

Chapter 263, Statutes of 2011

Authorizes a key employee in a gambling establishment with a valid personal portable license to work as a key employee in any key employee position in more than one gambling establishment.

SB 383

Wolk

Assembly Appropriations Committee

Modifies "remote caller bingo" law, enacted in 2008, which is a system by which authorized charitable bingo games are linked electronically so that games can be called from one site while being played at multiple venues in the state. Removes the California Gambling Control Commission as the licensing and regulating entity and, instead, gives that task to local jurisdictions.

SB 1390

Wright

Assembly Appropriations Committee

Establishes a statutory framework for authorizing sports betting in California at any licensed gambling establishment, horse racing track, and satellite wagering facility, and authorizes a federally recognized Indian tribe to conduct sports wagering. The proposed framework is contingent on a federal law change.

Horse Racing

AB 270

Perea

Chapter 393, Statutes of 2011

Creates an exception to Horse Racing Law by authorizing a fair satellite wagering facility to elect not to be subject to the requirements related to a "satellite facility supervisor" if the Board of Directors of the Fair, after a public hearing, deems those requirements to be not economically feasible, under specified conditions. Those conditions include a requirement that the fair board notify the California Horse Racing Board (CHRB) in writing of its intention to take that action 30 days prior to the public hearing, and that notice of the fair board's action be provided to the CHRB within 10 days of approval by the fair board. Requires the fair satellite facility to continue to abide by all laws and regulations pertaining to the operation of a satellite facility, including the responsibilities of the position of satellite facility supervisor.

AB 280

Silva

Chapter 98, Statutes of 2011

Modifies the definition of a California bred standardbred horse and revises an existing provision of Horse Racing Law pertaining to the base purse in specified racing events.

AB 562

Hall

Gut and amend on Senate Floor

Adds the Wood Memorial to the group of stake races in Horse Racing Law which are exempt from the 32-race per day limit on imported races, as defined.

AB 616

Garrick

Assembly G.O. Committee

Provides that any change of ownership or governance affecting a racetrack in the southern zone be structured so that the real property and applicable personal property encompassed in that change continue to be used exclusively for live horse racing and associated activities and revenue generated from horse racing operations be reinvested in capital projects directly supporting horse racing.

AB 707

Garrick

Chapter 84, Statutes of 2011

Increases from 32 to 50 the limitation on the total number of out-of-state Thoroughbred races that may be imported per day by a Thoroughbred association or fair that is conducting a live race meet with approval by the California Horse Racing Board.

AB 897

Hall

Chapter 225, Statutes of 2011

Authorizes the California Horse Racing Board to permit a licensed California quarter horse racing association that is conducting a live racing meeting to accept wagers on the full card of races conducted by another racing association on the date that other association conducts the Texas Classic Futurity and Remington Park Futurity.

AB 1421

G.O. Committee

Senate Floor

Requires the organization formed by the harness racing association and the harness racing horsemen and horsewomen to oversee workers' compensation insurance to obtain an independent audit of their workers' compensation fund expenditures.

AB 1591

Silva

Assembly G.O. Committee

Authorize the California Horse Racing Board to allow a licensed quarter horse racing association that is conducting a live racing meeting in this state to accept wagers on a quarter horse stakes race with a purse equal to or greater than \$150,000.

AB 1661

Norby

Assembly G.O. Committee

Existing law prohibits a person from using for a commercial purpose, and from furnishing to any other person either within or outside of the state for any commercial purpose, an audio or video recording of any quarter horse race occurring in this state without first securing the consent of the racing association conducting a live race meet, the organization representing horsemen participating in the meet, and the board. This bill would expand those prohibitions to additionally apply to a person who uses for a commercial purpose, or who furnishes to any other person either within or outside of the state for any commercial purpose, a digital video disc or any type of video replication of any quarter horse race occurring in this state without first securing consent, as described.

AB 2520

Hall

Chapter 347, Statutes of 2012

Increases, from eight to 10, the amount of races a harness and quarter horse racing association may import (out-of-state or out-of-country) on live racing days.

AB 2693

G.O. Committee

Chapter 418, Statutes of 2011

Adds the Arkansas Derby to the group of stake races in Horse Racing Law which are exempt from the 50-race per day limit on imported races, as defined. In addition, the bill clarifies in statute that the California Thoroughbred Trainers sponsors the backstretch workers' pension plan.

SB 1

Kehoe

Chapter 216, Statutes of 2012

Deletes the January 1, 2013, sunset date of the State Race Track Leasing Commission which oversees leases and other agreements for the use of the Del Mar Race Track located on the grounds of the Del Mar Fairgrounds.

SB 305

Calderon

Chapter 334, Statutes of 2011

Modifies a provision of Horse Racing Law that currently requires the California Horse Racing Board (CHRB) to license mini-satellite facilities for two years and instead directs the CHRB to license such facilities for up to five years.

SB 732

Wyland

Chapter 156, Statutes of 2011

Made changes to existing Horse Racing Law provisions pertaining to offsite stabling and vanning of horses in the northern zone. The bill deleted the requirement that racing associations in the northern zone provide, at the option of the horse owner, vanning of participating racehorses from any California Horse Racing Board (CHRB) approved offsite stabling facility. In addition, the bill authorized, with respect to the northern zone and subject to the availability of specified funds, at the option of the horse owner, vanning of participating racehorses from any CHRB approved offsite stabling facility.

SB 855

Kehoe

Gut and amend Assembly G.O. Committee

Extends the sunset on the State Race Track Leasing Commission from January 1, 2013 to January 1, 2018.

SB 1227

Negrete McLeod

Assembly Appropriations Committee

Deletes an existing requirement that 1% of the total amount handled in daily conventional and exotic pari-mutuel pools be distributed to the Fair and Exposition Fund, and instead requires those funds to be equally distributed as commissions and purses.

SB 1418

Berryhill

Chapter 225, Statutes of 2012

Removes the restriction that the California Horse Racing Board may only allocate race dates for combined fair horse racing meetings and for mixed breed meetings between the months of June and October and instead allows those race meetings any time throughout the year. In addition, this bill allows mixed breed meetings and combined fair meetings to be held at the California State Exposition and State Fair (Cal Expo) race track, with the exception of the month of June, if a standardbred meeting is being held at Cal Expo during that time.

Indian Gaming

AB 404 Gatto Gut and amend Senate G.O. Committee

Authorizes the Governor to appoint a liaison with tribal governments and communities whose duties would include assistance with Native American language preservation. In addition, this bill creates the California Native American Language Preservation Fund in the State Treasury for the acceptance of private donations.

AB 517 Hall Chapter 12, Statutes of 2012

Ratifies the tribal-state gaming compact entered into between the State of California and the Federated Indians of Graton Rancheria, executed on March 27, 2012.

AB 742 Nestande Gut and amend Senate G.O. Committee

Strengthens procedures governing the award of grants from the Indian Gaming Special Distribution Fund to ensure that the funds are properly used to mitigate costs associated with tribal gaming. Requires the Indian Gaming Local Community Benefit Committee to adopt and approve a Conflict of Interest Code.

AB 968 Chesbro Assembly G.O. Committee

Establishes the position of Tribal Advisor in the Governor's office, to be appointed by the Governor. The bill would set forth the duties of the Tribal Advisor. The bill would additionally require every state agency and department to communicate and consult with California Indian tribes, as specified.

AB 1020 Chesbro Chapter 27, Statutes of 2011

Ratifies a tribal-state gaming compact entered into between the State of California and the Habematolel Pomo of Upper Lake, executed on March 17, 2011. Requires contributions to the Indian Gaming Special Distribution Fund and the Revenue Sharing Trust Fund, as specified, instead of requiring revenue contributions be made to the General Fund.

AB 1417 Hall Chapter 736, Statutes of 2011

Appropriates \$9.1 million from the Indian Gaming Special Distribution Fund to the California Gambling Control Commission to provide grants to local agencies for the purpose of mitigating the adverse impacts of tribal gaming.

AB 1418

Hall

Chapter 412, Statutes of 2011

Ratifies the tribal-state gaming compact entered into between the State of California and the Pinoleville Pomo Nation, executed on August 8, 2011. Requires contributions to the Indian Gaming Special Distribution Fund and the Revenue Sharing Trust Fund, as specified, instead of requiring revenue contributions be made to the General Fund.

AB 2092

Chesbro

Assembly Appropriations Committee

Requires every state agency to adopt a policy by January 1, 2012 to consult with federally recognized California Indian tribes prior to an agency's development of regulation, policies, rules, plans or other actions that will significantly affect a tribal community.

AB 2515

Hall

Chapter 704, Statutes of 2012

Strengthens procedures governing the awarding of grants from the Indian Gaming Special Distribution Fund to ensure that the funds are properly used to mitigate costs associated with tribal gaming. In addition, appropriates \$9.1 million from the SDF to the California Gambling Control Commission to provide grants to local agencies for the purpose of mitigating the adverse impacts of tribal gaming.

AB 2695

G.O. Committee

Senate Floor

Repeals and renumbers sections of the Government Code Section related to Indian gaming into one stand-alone Title in the Government Code. Makes other technical non-substantive changes.

SB 162

Anderson

Assembly G.O. Committee

Existing law encourages and authorizes all state agencies to cooperate with federally recognized California Indian tribes on matters of economic development and improvement for the Indian tribes. Existing federal law requires the Secretary of the Interior to publish a list of all federally recognized Indian tribes in the federal register. This bill would add to the nonexclusive list of topics that state agencies may cooperate with federally recognized Indian tribes by consulting on a government-to-government basis, in a respectful and meaningful manner, with respect to a fee-to-trust land acquisition application, as specified. This bill would prohibit a state agency from opposing specified Fee-to-trust land acquisition applications. The bill would define a federally recognized Indian tribe as a tribe appearing on the list published by the Secretary of the Interior.

Open Meetings

AB 392

Alejo

Assembly Appropriations Committee

Requires a local agency to post, at least 72 hours before a regular meeting of a legislative body, the agenda and applicable staff-generated reports on the local agency's Internet Web site, if any. For a local agency without an Internet Web site, the bill requires a local agency to disclose on the physically posted agenda the public location where the local agency makes available any applicable staff-generated reports for public inspection and copying at least 72 hours in advance of the regular meeting.

AB 1723

Fuentes

Chapter 580, Statutes of 2012

Requires the governing boards of the California Community Colleges, the California State University, and the California Student Aid Commission, and requests the University of California Regents, to provide live video transmission of all board meetings open to the public and to archive and post video and audio transmissions for at least the preceding 12 months, and within 48 hours of the initial transmission, on their respective Web sites.

SB 103

Liu

Assembly Appropriations Committee

Requires upon the request of a member of a state body, a state body to hold open or closed meeting by teleconference, unless the chair of that state body determines that it is more costly to hold the meeting by teleconference than it would be to hold it in person. In addition, this bill requires state agencies that operate internet websites to provide a live audio or video feed on the website for any board meetings that are open to the public.

SCA 7

Yee

Assembly Appropriations Committee

This constitutional amendment requires that each public body shall provide public notice of its meetings and publicly disclose any action taken. This constitutional amendment, if passed, requires voter approval prior to enactment.

Outdoor Advertising

AB 994

Cedillo

Assembly G.O. Committee

Authorize those advertising displays to continue to be considered as on premises advertising displays after a redevelopment agency is dissolved if the agency consented to the advertising display before January 1, 2011.

AB 2566

Hill

**Senate Transportation & Housing
Committee**

Provides an exemption from the regulations of the Outdoor Advertising Act for an advertising display located on State Route 1, in the County of San Mateo, if certain conditions are satisfied.

SB 402

Vargas

Senate Rules Committee

Provides an exemption from the regulations of the Outdoor Advertising Act for an advertising display located within 1,800 feet of the intersection of State Highway Routes 8 and 111 in the County of Imperial if certain conditions are satisfied.

Public Records

AB 235 Halderman Assembly G.O. Committee

Prohibits the Governor from imposing any restriction whatsoever on the public access to writings relating to applications for clemency. Also requires the Governor, prior to making any materials relating to an application for clemency public, to redact the home address, telephone number, and email address of a victim of a crime, or a family member of a victim of crime, from the materials.

AB 1541 Dickinson Senate Appropriations Committee

Subjects certain actions by the California Public Utilities Commission to the Public Records Act subject to exemptions for security-related information, proprietary business information, market-sensitive information, and personally identifiable employee or customer information.

AB 2201 Bradford Chapter 481, Statutes of 2012

Raises the civil penalties associated with violations of the Elder California Pipeline Safety Act (Act) of 1981. Specifically, it raises the civil penalties for each day that a violation of the Act persists from \$10,000 to \$200,000, and raises the civil penalties for any related series of violations of the Act from \$500,000 to \$2 million.

AB 2221 Block Chapter 697, Statutes of 2012

Adds prosecutors and public defenders to the list of professionals whose firearm licenses and license applications are not fully required to be disclosed as public records under the California Public Records Act.

AB 2222 Block Chapter 84, Statutes of 2012

Provides that a public prosecutor is not prohibited from accessing and obtaining information from the public prosecutor's case management database to respond to a request for publicly disclose able information pursuant to the California Public Records Act.

AB 2641

Skinner

Chapter 418, Statutes of 2012

Requires the Governor's Office of Business and Economic Development (GO-Biz) to post on its Internet Web site information to assist a person in starting a nonprofit corporation and to assist nonprofit corporations to achieve compliance with the state's statutory and regulatory requirements.

SB 8

Yee

Chapter 247, Statutes of 2011

Updates the California Public Records Act to include auxiliary organizations at University of California, California State University, and the California community colleges statewide foundation. Placing state college and university auxiliaries under the authority of the public records act will safeguard the use of taxpayer funds and provide much needed accountability and oversight to state policymakers.

SB 252

Vargas

Gut and amend Assembly Floor

Establishes the Government Oversight and Fiscal Accountability Review Act of 2011 and requires specified financial accounting on personal services contracts to be made available online and subject to the California Public Records Act.

SB 263

Pavley

Vetoed by the Governor

Requires the Department of Water Resources to make the reports that well drillers must submit when a well is constructed, deepened, reperfored, or destroyed available, with certain restrictions, to governmental agencies for studies, college-level or higher academics for research, geologists, geophysicists, hydrologists, civil engineers, licensed well contractors or any person who obtains written authorization from the well owner.

SB 445

Simitian

Chapter 80, Statutes of 2011

Clarifies that patron use records, as defined, of any library which is in whole or in part supported by public funds shall remain confidential, except as provided

SB 484

Rubio

Chapter 336, Statutes of 2011

Provides the Legislative Analyst's Office with the same level of access to confidential California Department of Corrections and Rehabilitation health care services contracts, including rates, as the Joint Legislative Audit Committee and the Bureau of State Audits, as specified.

SB 712

Insurance Committee

Chapter 426, Statutes of 2011

Requires property and casualty insurers to annually submit a Statement of Actuarial Opinion in accordance with the instructions of the National Association of Insurance Commissioners and extends the time for bonds to be issued to pay the claims of insolvent workers' compensation insurers.

SB 965

Wright

Chapter 551, Statutes of 2012

Establishes allowable ex parte communications with State Water Resources Control Board (SWRCB) and Regional Water Quality Control Board (RWQCB) members and increases the public access to the SWRCB and RWQCB public processes.

SB 1000

Yee

Failed passage Assembly U & C Committee

Requires California Public Utilities Commission investigation orders, recommendations, and accident reports to be made publicly available pursuant to the California Public Records Act.

SB 1002

Yee

Vetoed by the Governor

Requires the State Chief Information Officer to conduct a study to determine the feasibility of providing electronic records in an open format.

SB 1227

Negrete McLeod

Assembly Appropriations Committee

Requires the State Chief Information Officer to conduct a study to determine the feasibility of providing electronic records in an open format.

SB 1327

Cannella

Chapter 763, Statutes of 2012

Requires the Governor to create a one-stop-shop Internet Web site to provide individuals with essential information (e.g. permitting, licensing and regulatory) for establishing a business in California.

SB 1578

G.O. Committee

Chapter 227, Statutes of 2012

Makes minor clarifying changes to outdated provisions of law relating to the State Treasurer's Office (STO) in order to modernize its business practices.

State Fire Marshal/Fire Safety

AB 398

Morrell

Chapter 215, Statutes of 2011

Authorizes the State Fire Marshal (SFM) to accept certification by the United States Department of Defense as a firefighter, as specified, as an alternative for the fire protection personnel training and certification standards for the position of Firefighter I established by SFM.

AB 731

Jeffries

Assembly G.O. Committee

Would annually appropriate \$1,030,000 of revenue currently received by the state from specified tax and fee revenue sources for firefighting and emergency response purposes, including, but not limited to, the purchase of firefighting and rescue vehicles and equipment.

AB 1371

V. Manuel Pérez

Assembly G.O. Committee

Would authorize, until January 2, 2017, the sale of certified safe and sane fireworks from 9 a.m. on December 26 to midnight of January 1 of the following year pursuant to a license issued by the State Fire Marshal, if authorized by a charter city, city, county, or city and county ordinance or resolution that may also restrict the hours of use of those fireworks.

AB 1378

Portantino

Assembly G.O. Committee

Requires, until January 1, 2018, the State Fire Marshal (SFM) to establish and collect an additional fee on permits issued to licensees in an amount necessary to enforce applicable laws with respect to training and education regarding dangerous fireworks. The fees would be deposited in the State Fire Marshal Dangerous Fireworks Training and Education Fund, which the bill would establish. Moneys in this fund would be continuously appropriated without regard to fiscal years to the SFM for the purpose of training local fire and law enforcement agencies, as specified.

SB 1468

Calderon

Assembly Appropriations Committee

Authorizes the sale of specified fireworks between Christmas and New Year's Day in 2014-15 and 2015-16, permits limited recovery of specified costs by local governments, and provides for a two-year firework data collection effort to be funded by voluntary contributions from the fireworks industry.

State Lottery

AB 363

Hayashi

Chapter 56, Statutes of 2011

This bill changes the reporting date for the California State Controller to make specific reports to the Legislature from December 31 to April 1, for each of the next five years regarding the State Lottery's efforts to boost income for public education, and extends the operation of the change described above until April 1 of the year following notification of the Legislature and the Governor by the Controller that specified events relating to the total net revenues allocated to the benefit of public education have occurred, and the prior law will be restored at that time.

AB 2542

Norby

Assembly G.O. Committee

This bill would require the director of the California State Lottery, on or before April 1, 2013, to issue a request for information soliciting ideas for enhancing the integration of lottery functions with the goal of increasing the efficiency of the lottery operation, revenues, and contribution to public education.

Tobacco

AB 718 Hall Assembly G.O. Committee

The California Cigarette and Tobacco Products Licensing Act (Act) of 2003 requires a retailer to have and maintain a license from the State Board of Equalization to engage in the sale of cigarette and tobacco products in California. This bill would have made a technical, non-substantive change to a provision within the Act.

AB 795 Block Chapter 617, Statutes of 2011

Grants authority to the governing bodies of the California State University, the University of California, and each community college district to set smoking and tobacco enforcement standards, impose fines, and post signs stating the tobacco use policy on campus.

AB 842 Hall Assembly G.O. Committee

Existing law, the Stop Tobacco Access to Kids Enforcement Act (Act), establishes various requirements for retailers relating to tobacco sales to minors. This bill would make a technical, non-substantive change to the Act.

AB 1030 Achadjian Assembly Revenue and Taxation Committee

Subjects any person who fails to pay a tax liability in violation of the Cigarette and Tobacco Products Tax Law to suspension of their distributor's license and to seizure of any assets "related to distribution of cigarettes or tobacco products.

AB 1301 Hill Chapter 335, Statutes of 2012

Repeals and recasts the Board of Equalization's existing penalty structure for violations of the Stop Tobacco Access to Kids Enforcement Act, a statewide enforcement program related to the illegal sales of tobacco products to persons under the age of 18.

Codifies the ability of a residential landlord to prohibit smoking on the property or in any building or portion of the building, including any dwelling unit. This bill requires every lease entered into on or after January 1, 2012 for residential real property where the landlord has prohibited smoking to include a provision specifying the areas where smoking is prohibited. For leases entered into prior to January 1, 2012, a prohibition against smoking on any portion of the property in which smoking was previously permitted shall constitute a change of terms of tenancy requiring adequate notice, as specified. This bill states that a landlord who exercises the above authority shall be subject to state and local notice requirements governing changes to the terms of rental agreements that are in existence at the time the policy is adopted.

Expands the prohibition on smoking in a place of employment to include an owner-operated business, and also eliminates most of the specified exemptions that permit smoking in certain work environments, such as hotel lobbies, bars and taverns, banquet rooms, warehouse facilities, private residences used as family day care homes, and employee break rooms.

2011- 2012 Governor Vetoes

AB 1116 (Fong)

To the Members of the California State Assembly:

I am returning Assembly Bill 1116 without my signature.

This bill would require the California Emergency Management Agency (Cal EMA) to consider multiple languages and needs of populations who have limited English language proficiency during emergency preparedness planning, response, and recovery.

This bill is unnecessary. Cal EMA already considers the needs of limited English proficiency populations when revising and preparing emergency preparedness materials. Moreover, I will direct Cal EMA to review local plans to account for populations that do not speak English when alerts for evacuation are issued or when emergency medical care is required at shelters.

Sincerely,

Edmund G. Brown Jr.

AB 1429 (Chesbro)

To the Members of the California State Assembly:

I am returning Assembly Bill 1429 without my signature.

This measure would require the state to pay 100 percent of total state eligible costs for damages sustained to Del Norte County by the March 2011 tsunami.

The state has not paid for a local government's share of disaster costs since 2006 and this measure would cost the state over \$1 million. In addition, if I sign this measure, other counties that sustain similar damages would likely request the same relief -- a precedent that the state currently cannot afford.

Sincerely,

Edmund G. Brown Jr.

SB 263 (Pavley)

To the Members of the California State Senate:

I am returning SB 263 without my signature.

The original intent of this bill recognized that wise management and use of groundwater supply requires public disclosure of well logs. Unfortunately, as amended, this bill now unduly restricts the use of these reports and imposes severe criminal penalties for disclosure.

California is the only western state that does not provide ready access to well reports. That should be changed. I am directing the Department of Water Resources to work with the author to ensure responsible public access to well logs.

Sincerely,

Edmund G. Brown Jr.

SB 1002 (Yee)

To the Members of the California State Senate:

I am returning Senate Bill 1002 without my signature.

This bill would require the State Chief Information Officer to provide a report to the Legislature on the feasibility of providing public records in a specific electronic format.

The role of the State Chief Information Officer is to make sure that state government uses information technology efficiently and effectively including providing public records electronically when possible. Another legislative report on electronic public records isn't necessary.

Sincerely,

Edmund G. Brown Jr.