

## CALAFCO Daily Legislative Report as of 8/14/2012

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**AB 2238 (Perea D) Public water systems: drinking water.**
**Current Text:** Amended: 6/25/2012 [pdf](#) [html](#)
**Introduced:** 2/24/2012

**Last Amended:** 6/25/2012

**Status:** 8/8/2012-Read second time. Ordered to third reading.

2Year	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
Dead	1st House				2nd House				Conc.			

**Calendar:**

8/16/2012 #260 SENATE ASSEMBLY BILLS-THIRD READING FILE

**Summary:**

Current law , the Safe Drinking Water State Revolving Fund Law of 1997, requires the State Department of Public Health to administer programs to fund specified projects for public water systems that will enable suppliers to meet safe drinking water standards . This bill would require the department to take specified actions in considering an application for funding pursuant to these provisions, including, but not limited to, reviewing and considering the determinations and recommendations made by the affected local agency formation commission within the previous 5 calendar years in certain specified studies.

**Attachments:**
[CALAFCO Support Letter - June 2012](#)
[CALAFCO Remove Opposition Letter - May 2012](#)
[CALAFCO Opposition Letter - Amended Bill - April 19 2012](#)
[CALAFCO Opposition Letter - March 2012](#)
**Position:** Support

**Subject:** Water, Municipal Services

**CALAFCO Comments:** This bill has been significantly amended to address the concerns raised by CALAFCO. The requirements for LAFCo to conduct reorganization studies in all water and wastewater MSR's has been entirely removed. There are no mandates or requirements for LAFCo in the June amended bill. The bill now would require local water agencies which receive grants for a feasibility study to consider reorganization and efficiency recommendations in a LAFCo MSR, SOI update or special study in that study. It also requires the Department of Public Health to consult with the LAFCo prior to issuing infrastructure grants to ensure alternative delivery options identified by a LAFCo were considered in the feasibility study.

**AB 2624 (Smyth R) Sustainable communities.**
**Current Text:** Introduced: 2/24/2012 [pdf](#) [html](#)
**Introduced:** 2/24/2012

**Status:** 6/25/2012-In committee: Placed on APPR. suspense file.

2Year	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
Dead	1st House				2nd House				Conc.			

**Calendar:**

8/16/2012 Upon adjournment of Session SENATE APPROPRIATIONS

SUSPENSE, KEHOE, Chair

**Summary:**

The Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006, an initiative measure approved by the voters at the

**Summary:**

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 authorizes a city or district to provide new or extended services by contract or agreement outside its jurisdictional boundaries if the city or district requests and receives permission to do so from the local agency formation commission in the affected county. Current law authorizes the commission to authorize a city or district to provide new or extended services outside its jurisdictional boundaries but within its sphere of influence in anticipation of a later change of organization, or outside its sphere of influence to respond to an current or impending threat to the public health or safety of the residents of the affected territory, under specified circumstances. This bill would additionally authorize the commission to authorize a city or district to provide new or current services outside its jurisdictional boundaries and outside its sphere of influence to support current or planned uses involving public or private properties, subject to approval at a noticed public hearing, in which certain determinations are made. The bill would also authorize the commission to delegate to its executive officer the approval of certain requests to authorize a city or district to provide new or extended services outside its jurisdictional boundaries or outside its sphere of influence, as described above, under specified circumstances. The bill would also make certain technical, nonsubstantive, and conforming changes. This bill contains other related provisions and other current laws.

**Position:** None at this time

**Subject:** Disadvantaged Communities, Municipal Services

**CALAFCO Comments:** Sponsored by the League of Cities, this bill does two things: 1) it includes the CALAFCO proposed language on expanding out-of-agency service authority (56133) and 2) removes the annexation requirements from SB 244. Those provisions require a city to apply to annex a disadvantaged unincorporated community if they apply to annex adjacent uninhabited territory. It is anticipated this bill will be completely gutted and amended and changed to Senator Wolk as the author. The anticipated direction is to further amend the definition of a disadvantaged unincorporated community. The League is continuing its efforts to remove or significantly modify the DUC annexation requirements when a city applies for an uninhabited annexation adjacent to a DUC.

**SB 1566 (Negrete McLeod D) Vehicle license fees: allocation.**

**Current Text:** Amended: 4/10/2012 [pdf](#) [html](#)

**Introduced:** 2/24/2012

**Last Amended:** 4/10/2012

**Status:** 5/25/2012-Failed Deadline pursuant to Rule 61(b)(8). (Last location was S. APPR. on 5/24/2012)

2Year	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
Dead	1st House				2nd House				Conc.			

**Summary:**

Current law requires that a specified amount of motor vehicle license fees deposited to the credit of the Motor Vehicle License Fee Account in the Transportation Tax Fund be allocated by the Controller, as specified, to the Local Law Enforcement Services Account in the Local Revenue Fund 2011, for allocation to cities, counties, and cities and counties. This bill would instead require, on and after July 1, 2012, that those revenues be distributed first to each city that was incorporated from an unincorporated territory after August 5, 2004, in an amount determined pursuant to a specified formula , second to each city that was incorporated before August 5, 2004, in an amount determined pursuant to a specified formula , and third to the Local Law Enforcement Services Account in the Local Revenue Fund 2011, for allocation to cities, counties, and cities and counties . By authorizing within the Motor Vehicle License Fee Account in the Transportation Tax Fund, a continuously appropriated fund, to be used for a new

not expected to generate revenues sufficient to provide public services and facilities, maintain a reasonable reserve, and pay its obligations during the 5 years following disincorporation. The bill would require a city that is audited pursuant to these provisions to reimburse the State Auditor for the costs incurred to perform the audit, thereby imposing a state-mandated local program. This bill contains other related provisions and other current laws.

**Position:** Watch

**Subject:** Disincorporation/dissolution, Special District Principle Acts

**CALAFCO Comments:** This bill was gutted and amended on 20 June to create a CSD in any unincorporated area that was previously a city and was disincorporated by the legislature. It is specifically targeted at Vernon. It also contains language directing LAFCo on the terms and conditions of the disincorporation.

**AB 2208 (Perea D) Drinking water.**

**Current Text:** Amended: 6/12/2012 [pdf](#) [html](#)

**Introduced:** 2/23/2012

**Last Amended:** 6/12/2012

**Status:** 7/5/2012-Read second time. Ordered to consent calendar. Ordered to inactive file at the request of Senator Simitian.

2Year	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
Dead	1st House				2nd House				Conc.			

**Summary:**

Current law, the California Safe Drinking Water Act, requires the State Department of Public Health to administer provisions relating to the regulation of drinking water to protect public health. Current law, the Safe Drinking Water State Revolving Fund Law of 1997, establishes the Safe Drinking Water State Revolving Fund, which is continuously appropriated to the department for the provision of grants and revolving fund loans for the design and construction of projects for public water systems that will enable suppliers to meet safe drinking water standards. Current law prohibits the department from approving applications for this funding unless the department determines the proposed study or project meets specified criteria. This bill would authorize the department, with the consent of the applicants, to combine proposed studies and projects from multiple applicants.

**Position:** Watch

**Subject:** Water

**CALAFCO Comments:** While currently this bill does not directly affect LAFCos it is sponsored by the same people at AB 2238 (CRLA) and is in many ways tied to that bill. The current amendments do affect water and wastewater agencies which may be of concern to LAFCos and CALAFCO. It is also likely this bill will be significantly amended but at this time we don't know where it is going.

**AB 2210 (Smyth R) County assessors: notification.**

**Current Text:** Amended: 5/21/2012 [pdf](#) [html](#)

**Introduced:** 2/23/2012

**Last Amended:** 5/21/2012

**Status:** 7/6/2012-Failed Deadline pursuant to Rule 61(b)(13). (Last location was S. G. & F. on 6/14/2012)

2Year	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
Dead	1st House				2nd House				Conc.			

**Summary:**

Current law requires a county assessor, upon the request of the governing body of the jurisdiction where the assessor performs the duty of assessing taxes, to furnish an estimate of the assessed valuation of property within the jurisdiction for the succeeding fiscal year. This bill would require the assessor, upon a request by the board of

**CALAFCO Comments:** Changes state mandate law in a proposed constitutional amendment. Included is specific language that releases mandate responsibility if the local agency can change an individual or applicant for the cost of providing the mandated service. Would likely exempt some mandates to LAFCo from state funding.

**SB 46 (Correa D) Public officials: compensation disclosure.**

**Current Text:** Amended: 6/2/2011 [pdf](#) [html](#)

**Introduced:** 12/9/2010

**Last Amended:** 6/2/2011

**Status:** 8/22/2011-In Assembly. Read first time. Held at Desk.

2Year	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
Dead	1st House				2nd House				Conc.			

**Summary:**

Current provisions of the Political Reform Act of 1974 require certain persons employed by agencies to file annually a written statement of the economic interests they possess during specified periods. The act requires that state agencies promulgate a conflict of interest code that must contain, among other topics, provisions that require designated employees to file statements disclosing reportable investments, business positions, interests in real property, and income. The act requires that every report and statement filed pursuant to the act is a public record and is open to public inspection. This bill would, commencing on January 1, 2013, and continuing until January 1, 2019, require every designated employee and other person, except a candidate for public office, who is required to file a statement of economic interests to include, as a part of that filing, a compensation disclosure form that provides compensation information for the preceding calendar year, as specified. This bill contains other related provisions and other current laws.

**Attachments:**

[CALAFCO Opposition Letter](#)

**Position:** Oppose

**Subject:** LAFCo Administration

**CALAFCO Comments:** Similar to a 2010 bill, this would require all those who file a Form 700 to also file an extensive compensation and reimbursement disclosure report. Would require all local agencies, including LAFCo, to annually post the forms on their website.

**SB 191 (Committee on Governance and Finance) Validations.**

**Current Text:** Amended: 5/16/2011 [pdf](#) [html](#)

**Introduced:** 2/8/2011

**Last Amended:** 5/16/2011

**Status:** 5/25/2012-In Assembly. Held at Desk.

2Year	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
Dead	1st House				2nd House				Conc.			

**Summary:**

This bill would enact the First Validating Act of 2011, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities. This bill contains other related provisions.

**Attachments:**

[CALAFCO Support Letter](#)

**Position:** Support

**Subject:** LAFCo Administration

**CALAFCO Comments:** One of three annual acts which validate the boundaries of all local agencies.

**SB 192 (Committee on Governance and Finance) Validations.**

**Calendar:**

8/16/2012 Upon adjournment of Session - State Capitol, Room 4202  
ASSEMBLY APPROPRIATIONS SUSPENSE, GATTO, Chair

**Summary:**

The California Public Records Act requires state and local agencies to make their records available for public inspection and, upon request of a person, to provide a copy of a public record unless the record is exempt from disclosure. The act requires an agency that has information that constitutes an identifiable public record not otherwise exempt from disclosure that is in an electronic format to make that information available in an electronic format when requested by a person. The act requires the agency to make the information available in an electronic format in which it holds the information. This bill would authorize an agency, upon request, to provide a copy of an electronic record in a format in which the text in the electronic record is searchable by commonly used software. The bill would require the requester to bear the cost of converting the electronic record into a searchable format. This bill contains other related provisions and other current laws.

**Position:** Watch

**Subject:** LAFCo Administration

**CALAFCO Comments:** Would add additional requirements for public electronic access to public documents.

**SB 1084 (La Malfa R) Local government: reorganization.**

**Current Text:** Introduced: 2/14/2012 [pdf](#) [html](#)

**Introduced:** 2/14/2012

**Status:** 5/11/2012-Failed Deadline pursuant to Rule 61(b)(6). (Last location was S. RLS. on 3/1/2012)

2Year	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
Dead	1st House				2nd House				Conc.			

**Summary:**

Current law, for purposes of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, makes various legislative findings and declarations regarding the use of local government reorganization. This bill would make a technical, nonsubstantive change to that provision.

**Position:** None at this time

**CALAFCO Comments:** This is a placeholder bill.

**SB 1090 (Committee on Governance and Finance) Local government: omnibus bill.**

**Current Text:** Amended: 6/15/2012 [pdf](#) [html](#)

**Introduced:** 2/15/2012

**Last Amended:** 6/15/2012

**Status:** 8/13/2012-Read second time. Ordered to consent calendar.

2Year	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
Dead	1st House				2nd House				Conc.			

**Calendar:**

8/16/2012 #205 ASSEMBLY CONSENT CALENDAR-FIRST LEGISLATIVE DAY SENATE MEASURES

**Summary:**

Current law requires the Controller to compile and publish reports of the financial transactions of each county, city, and special district within this state, together with any other matter he or she deems of public interest. Current law requires the Controller to annually publish reports of the financial transactions of each school district within this state, together with any other matter he or she deems of public interest. This bill would require the Controller to publish the annual reports of the financial transactions of each

**Last Amended:** 5/8/2012

**Status:** 7/13/2012-Chaptered by the Secretary of State, Chapter Number 126, Statutes of 2012

2Year	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
Dead	1st House				2nd House				Conc.			

**Summary:**

The Political Reform Act of 1974 requires specified candidates, committees, slate mailer organizations, and lobbyists, lobbying firms, and lobbyist employers to file campaign statements and reports online or electronically with the Secretary of State, as specified. The act requires certain of these entities to also file campaign statements and reports with local filing officers, as specified. This bill, with certain exceptions, would authorize a local government agency to require an elected officer, candidate, committee, or other person required to file specified statements, reports, or other documents to file those statements, reports, or other documents online or electronically with a local filing officer. The bill would prescribe criteria that must be satisfied by a local government agency that requires online or electronic filing of statements, reports, or other documents, as specified, including, among others, that the system be available free of charge to filers and to the public for viewing filings, and that the system include a procedure for filers to comply with the requirement that they sign statements and reports under penalty of perjury. This bill contains other related provisions and other current laws.

**Position:** None at this time

**Subject:** LAFCo Administration

**CALAFCO Comments:** Allows on-line filing of Political Reform Act documents with local agencies.

**SB 878 (DeSaulnier D) Office of the Transportation Inspector General.**

**Current Text:** Amended: 8/9/2012 [pdf](#) [html](#)

**Introduced:** 2/18/2011

**Last Amended:** 8/9/2012

**Status:** 8/9/2012-From committee with author's amendments. Read second time and amended. Re-referred to Com. on APPR.

2Year	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
Dead	1st House				2nd House				Conc.			

**Calendar:**

8/16/2012 Upon adjournment of Session - State Capitol, Room 4202  
ASSEMBLY APPROPRIATIONS, GATTO, Chair

**Summary:**

Current law creates various state transportation agencies, including the Department of Transportation and the High-Speed Rail Authority, with specified powers and duties. Current law provides for the allocation of state transportation funds, including fuel tax revenues allocated from the Highway Users Tax Account, to various transportation purposes. Current law provides funding for transportation capital improvement projects undertaken by the department or regional or local transportation agencies. This bill would create the Office of the Transportation Inspector General in state government as an independent office that would not be a subdivision of any other government entity, to ensure that all state, regional, and local agencies expending state transportation funds are operating efficiently, effectively, and in compliance with federal and state laws. The bill would provide for the Governor to appoint the Inspector General for a 6-year term, subject to confirmation by the Senate, and would provide that the Inspector General may not be removed from office during the term except for good cause. The bill would specify certain duties and responsibilities of the Inspector General, would require an annual report to the Legislature and Governor, and would provide for funding the office, to the extent possible, from federal transportation funds, with other necessary funding to be made available in proportion to the activities of the office from the

regional sustainable communities strategy for the region is consistent with Senate Bill 375 of the 2007-08 Regular Session. The bill would require the commission to prepare a 20-year regional economic development strategy for the region, to be adopted by December 31, 2015, and updated every 4 years thereafter. The bill would require any changes proposed by the commission with respect to bridge toll revenues managed by the Bay Area Toll Authority to be consistent with bond covenants, and would prohibit investment in real property of toll revenues in any reserve fund. This bill contains other related provisions and other current laws.

**Position:** Watch

**Subject:** Sustainable Community Plans

**SB 1305 (Blakeslee R) Regional open-space district: County of San Luis Obispo.**

**Current Text:** Introduced: 2/23/2012 [pdf](#) [html](#)

**Introduced:** 2/23/2012

**Status:** 5/11/2012-Failed Deadline pursuant to Rule 61(b)(6). (Last location was S. G. & F. on 3/8/2012)

2Year	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
Dead	1st House				2nd House				Conc.			

**Summary:**

Current law permits proceedings for the formation of a regional park and open-space district in specified counties of the state to be initiated by resolution of the county board of supervisors adopted after a noticed hearing, and specifies the contents of the resolution. This bill, in addition, would permit the formation of a regional open-space district in the County of San Luis Obispo to be initiated by resolution of the county board of supervisors after a noticed hearing, if the boundaries of a proposed district are coterminous with the exterior boundaries of the County of San Luis Obispo. The bill would specify the contents of the resolution, including a requirement to call an election, as prescribed.

**Position:** None at this time

**Subject:** Special District Principle Acts

**CALAFCO Comments:** Allows the creation of an open space district in San Luis Obispo County and circumvents the LAFCo process.

**SB 1337 (DeSaulnier D) Zone 7 Water Agency Act.**

**Current Text:** Amended: 5/1/2012 [pdf](#) [html](#)

**Introduced:** 2/24/2012

**Last Amended:** 5/1/2012

**Status:** 5/25/2012-Failed Deadline pursuant to Rule 61(b)(8). (Last location was S. APPR. on 5/1/2012)

2Year	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
Dead	1st House				2nd House				Conc.			

**Summary:**

Current law, the Alameda County Flood Control and Water Conservation District Act, establishes the Alameda County Flood Control and Water Conservation District and grants to the district authority relating to, among other things, flood control and stormwater. Under the district law, the Board of Supervisors of Alameda County serves as the Board of Supervisors of the Alameda County Flood Control and Water Conservation District. This bill would create the Zone 7 Water Agency, as prescribed, with specified authorizations, powers, and duties. This bill would permit the Alameda County Local Agency Formation Commission to exclude some or all of the agency's territory from the boundaries of the district and would eliminate from the district act provisions relating to the governance of a zone lying, in whole or in part, in Pleasanton or Murray Townships. This bill would authorize the agency to continue to impose any special taxes based upon assessed value or any other special taxes, assessments, or

park and open-space districts, or regional open-space districts. Current law authorizes 3 or more cities, together with any parcel or parcels of city or county territory, whether in the same or different counties, to organize and incorporate, but requires that all the territory in the proposed district be contiguous. This bill would revise the above authorization to instead only allow district formation for 4 or more cities.

**Position:** None at this time

**Subject:** Special District Principle Acts

**SB 1501 (Kehoe D) Open-space easements.**

**Current Text:** Amended: 4/11/2012 [pdf](#) [html](#)

**Introduced:** 2/24/2012

**Last Amended:** 4/11/2012

**Status:** 6/14/2012-Read second time. Ordered to third reading.

2Year	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
Dead	1st House				2nd House				Conc.			

**Calendar:**

8/16/2012 #82 ASSEMBLY SENATE THIRD READING FILE

**Summary:**

Current law regulates the execution and acceptance of a grant of an open-space easement, as defined. The execution and acceptance of a grant of an open-space easement constitutes a dedication to the public of the open-space character of the lands for the term specified. Current law provides that the easement and covenant run for a term of not less than 20 years. Current law authorizes an open-space easement to contain a covenant against the extraction of natural resources or other activities that may destroy the unique physical and scenic characteristics of the land, as specified. This bill would make technical, nonsubstantive changes to these provisions. This bill contains other related provisions and other current laws.

**Position:** None at this time

**Subject:** Ag/Open Space Protection

**CALAFCO Comments:** Currently a placeholder bill regarding open space easements.

**SB 1519 (Fuller R) Desert View Water District-Bighorn Mountains Water Agency consolidation.**

**Current Text:** Introduced: 2/24/2012 [pdf](#) [html](#)

**Introduced:** 2/24/2012

**Status:** 5/11/2012-Failed Deadline pursuant to Rule 61(b)(6). (Last location was S. RLS. on 3/22/2012)

2Year	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
Dead	1st House				2nd House				Conc.			

**Summary:**

Current law, the Desert View Water District-Bighorn Mountains Water Agency Consolidation Law, effected a consolidation between the Desert View Water District and the Bighorn Mountains Water Agency and required the successor board of directors to operate under the Bighorn Mountains Water Agency Law. Under current law, for a period of not less than 10 years after January 1, 1990, meetings of the successor board of directors are required to be held, as prescribed. This bill would make a technical, nonsubstantive change in these provisions.

**Position:** None at this time

**Subject:** Special District Principle Acts

Total Measures: 29

Total Tracking Forms: 29