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Issue #93

Governor's Final Actions Mixed on League Priority Bills

Governor Signs 17 of League's 21 Requested Signatures; Vetoes Five of 11 Requests

Gov. Jerry Brown finished his work yesterday signing and vetoing legislation sent to him by the Legislature in 2015. Major positives for the League this year were his signatures on AB 2 (Alejo), which establishes a new economic development tool for poorer communities, and the medical marijuana regulatory bill package AB 243 (Wood), AB 266 (Bonta, Cooley, Jones-Sawyer, Lackey and Wood), and SB 643 (McGuire). Disappointments included the veto of AB 35 (Chiu and Atkins), which would have increased the availability of affordable housing tax credits by \$100 million, and his signature on several measures which erode local land use and contracting flexibility.

The following is a list of bills on which the League asked the Governor to either sign or veto. It is broken down into Signed Support Legislation, Vetoed Support Legislation, Signed Oppose Legislation and Veto Oppose Legislation. For more information on legislative language, the League's position letters and sample position letters for cities, please enter bill number in the League's [bill search](#).

Signed Support Legislation

HOT AB 2 (Alejo): Community Revitalization and Investment Authorities

This bill authorizes the creation of a new entity at the local level called a Community Revitalization Investment Authority provides a redevelopment option for the most disadvantaged and poorest areas of our state.

AB 90 (Chau): Federal Housing Trust Fund

This bill prepares for future federal housing funding allocations by designating the state Department of Housing and Community Development (HCD) as the entity responsible for administering funds received through the Federal Housing Trust Fund. It requires HCD to collaborate with the California Housing Finance Agency in developing an allocation process meeting geographic distribution and other criteria and establishes a stakeholder process to inform these discussions.

AB 169 (Maienschein): Local Government: Public Records: Internet

This bill requires that those agencies that maintain an Internet Resource, which is titled or described as "open-data," meet specified formatting requirements.

AB 216 (Garcia): Vapor Products

This bill prohibits the sale of any device intended to deliver a non-nicotine product in a vapor state directly inhaled by the user to a person under 18 years of age.

HOT AB 243 (Wood): Medical Marijuana

AB 243 requires: licensing and regulation of marijuana cultivation under the Department of Food and Agriculture (DFA); the Department of Pesticide Regulation to develop related standards for pesticides and other foreign object residue, including maximum tolerances; and the Department of Public Health to develop standards for production and labelling of marijuana edibles. This bill assigns joint responsibility to DFA, the Department of Fish and Wildlife (DFW) and the State Water Resources Control Board (SWRCB) to prevent illegal water diversion associated with marijuana cultivation from adversely affecting California fish population. The bill also directs a multi-agency task force (DFW-SWRCB) to expand existing enforcement efforts to a statewide level to reduce adverse environmental impacts such as illegal discharge into waterways and poisoning of marine life and habitats.

HOT AB 266 (Bonta, Cooley, Jones-Sawyer, Lackey, Wood): Medical Marijuana

AB 266 protects local control as it establishes statewide regulatory scheme. Under the bill, state regulation will be headed by the Bureau of Marijuana Regulation within Department of Consumer Affairs. The bill provides for dual licensing: the state would issue licenses, while local governments would issue permits or licenses to operate marijuana businesses, according to local ordinances. This legislation also requires establishment of uniform health and safety standards, testing standards, and security requirements at dispensaries and during transport of the product.

AB 313 (Atkins): Enhanced Infrastructure Finance District: Cleanup

This bill makes various improvements to the Enhanced Infrastructure Finance District tool that will facilitate implementation.

AB 388 (Chang): Homeless Veteran's Housing Funding Reports

AB 388 requires the HCD to report specified performance data to the Legislature as part of an annual evaluation performed by the department, in collaboration with the Department of Veterans Affairs, on the expenditure of \$600 million in bonds, authorized by Prop. 41, for a variety of housing options including assisting homeless veterans.

AB 851 (Mayes): LAFCO: Disincorporation

AB 851 updates existing disincorporation laws, including requiring plan for providing services to the area following disincorporation.

AB 1157 (Nazarian): Aircraft Property Tax Assessment

This bill continues the existing aircraft property tax assessment program based on local county assessors for one year.

AB 1222 (Bloom): Tow Trucks

This bill addresses the problem of tow truck scams by requiring better documentation and providing tools for better enforcement.

HOT AB 1223 (O'Donnell): Emergency Medical Services: Ambulance Transportation

AB 1223 alleviates wait time for emergency medical services (EMS) personnel delivering patients by requiring the California Emergency Medical Services Authority to develop a methodology for determining an acceptable amount of time for EMS crews to offload their patients at emergency rooms. The bill requires local EMS authorities to adopt this methodology and begin tracking wait times, and it gives EMS crews the ability to deliver their patients to alternative treatment locations when emergency departments cannot receive them.

AB 1228 (Gibson): Housing for Homeless and Foster Youth

This bill encourages additional flexibility in student housing facilities at state community college and university campuses for the challenges faced by students who are formerly homeless and foster youth.

HOT SB 485 (Hernandez): County of L.A.: Sanitation Districts

SB 485 authorizes sanitation districts in Los Angeles County to acquire, construct, operate, maintain and furnish facilities for the diversion, management, and treatment of stormwater and dry weather runoff.

HOT SB 493 (Cannella): Elections in Cities: By or From Districts

SB 493 authorizes a city council of a city with a population less than 100,000 to adopt an ordinance to switch the election system from at-large to by-district.

SB 533 (Pan): Sales Tax Rebate Agreements

This bill amends existing law to remove several exceptions which have allowed sales tax rebate agreements to shift of local Bradley-Burns sales taxes away from local agencies without their knowledge and consent. SB 533 also requires notification of affected agencies prior to enacting future agreements that would result in reduced sales tax allocations to the affected agencies.

HOT SB 643 (McGuire): Medical Marijuana

This bill imposes fines of up to \$5,000 against physicians for violating the prohibition against

having a financial interest in a marijuana business. Recommendations for cannabis without a prior examination would constitute unprofessional conduct. This bill also: imposes restrictions on advertising for physician recommendations; places Department of Food and Agriculture in charge of cultivation regulations and licensing, and require a track-and-trace program; itemize disqualifying felonies for state licensure; places the Department of Pesticide Regulation in charge of pesticide regulation and Department of Public Health in charge of production and labelling of edibles; and upholds local power to levy fees and taxes.

Vetoed Support Legislation

HOT AB 35 (Chiu, Atkins): Housing Tax Credit

AB 35 would have increased the state's Low-Income Housing Tax Credit from \$70 to \$170 million annually for five years, providing an additional \$500 million to a program that is always heavily oversubscribed.

AB 428 (Nazarian): Seismic Rehabilitation Tax Credits

This bill would have offered a 30 percent tax credit for seismic rehabilitation of endangered properties, capped at a total of \$12 million per-year over a four-year program.

HOT SB 25 (Roth): Incorporations

This bill would have assisted, through a property tax adjustment, four recently incorporated cities harmed by prior vehicle license fee takeaway.

SB 168 (Gaines, Jackson): Unmanned Aircraft Systems

This bill would have provided first-responder immunity for damage to drones interfering with firefighting, airborne or ground ambulances and search-and-rescue operations. It would have increased fines for violation of existing laws prohibiting operations in flight-restricted airspace during emergencies.

Signed Oppose Legislation

HOT AB 57 (Quirk): Wireless Telecom Facilities

This bill deems approved any application for colocation or siting of a new wireless telecommunications facility if a city or county fails to approve or disapprove the application within time periods that the Federal Communications Commission established.

HOT AB 744 (Chau): Density Bonus-Parking

AB 744 undermines local control by establishing unrealistically low parking standards for various affordable housing projects.

AB 1236 (Chiu): EV Charging Stations

This bill requires cities and counties to streamline and expedite the permitting and inspection process for electric vehicle charging stations.

HOT SB 239 (Hertzberg): Fire Service Contracting/LAFCO: Request for Veto

This bill imposes significant barriers to new or extensions of contracts for firefighting services outside of jurisdictional boundaries.

HOT SB 331 (Mendoza): Public Contracts: Local Agencies: Negotiations

SB 331 requires that cities, counties or special districts that have a COIN ordinance for labor negotiations to apply the same standards to other contracts valued at \$250,000 or more for goods or services.

SB 379 (Jackson): Land Use: Safety Element

This bill requires the safety element to be reviewed and updated as necessary to address climate adaptation and resiliency strategies applicable to that city or county.

Vetoed Oppose Legislation

HOT AB 36 (Campos): Local Government: Federal Surplus Property

This bill would have prohibited local agencies from receiving surplus military equipment under the

federal 1033 program unless the legislative body of the local agency has first voted to approve the acquisition at a public meeting that is compliant with the Brown Act. Amendments allowing for closed-session votes and limited disclosure about approved equipment under specified circumstances were deleted from bill.

AB 88 (Gomez): Sales Tax Exemption: Utility Appliance Purchases

This bill would have expanded the scope of utility programs that provide free appliances to low income individuals, by exempting the utility from sales tax (both state and local shares) associated with the equipment purchases.

HOT AB 305 (Gonzalez): Workers' Compensation: Permanent Disability Apportionment

AB 305 would have prohibited apportionment of a permanent disability claim in the case of a physical injury from being based on: pregnancy (or menopause if the condition is contemporaneous with the claimed physical injury) or psychiatric injury occurring on or from being based on psychiatric disability or impairment caused by sexual harassment.

AB 1301 (Jones-Sawyer): Voting Rights: Preclearance

AB 1301 would have established a statewide preclearance system, requiring that voting-related laws, regulations and policies be submitted to the Secretary of State for approval.

SB 406 (Jackson): Employment: Leave

This bill would have changed what family members are covered under existing law. It would also permit parents who work for the same employer to each take 12 weeks of leave.

No Position Signed Legislation

SB 107 (Budget): RDA Dissolution

This legislation makes significant changes to redevelopment dissolution laws and procedures and contains several unrelated items. The League previously distributed a [comprehensive summary](#) of this measure to its members. A letter to the Journal was submitted by Sen. Mark Leno (D-San Francisco) to clarify various aspects. Impacts on cities affected by this issue will depend on future Department of Finance interpretation and implementation.