



MEETING AGENDA

Monday, March 19 | 12:00pm

**Southwest Riverside County Association of REALTORS®
26529 Jefferson Ave. | Murrieta, CA 92562**

Presiding: Dennis Frank, Chair

2012 Strategic Initiatives

Environmental Reform | Job Creation & Business Retention | Budget & Tax reform

Call to Order, Roll Call & Introductions

Chair's Report

Agenda Items

1. **Approval of February, 2012 Meeting Minutes** **ACTION**
2. **Legislative Report #3** **ACTION**
 1. [AB 1655 \(Dickinson\), as introduced. "Public Employees Bill of Rights Act"](#)
 2. [AB 1506 \(Jeffries & Cook\) State responsibility areas: fire prevention fees.](#)
 3. [SB 1566 \(Emmerson and Negrete McLeod\) Vehicle license fees: allocation.](#)
 4. [AB 1686 \(Jeffries\), as introduced. Waterways: Lake Mathews.](#)
 5. [Closing Parks is Bad For Business](#)
 6. **CalChamber requested actions**
 - [AB 1648](#) (Brownley): *Political Reform Act of 1974: advertisements: disclosure.*
 - [AB 1450](#) (Allen): *Employment: discrimination: status as unemployed.*
 - [AB 2039](#) (Swanson): *Family and medical leave.*
 - [SB 1374](#) (Harman): *Liability: good faith reliance on administrative regulation.*
3. **Joan Sparkman – MMG update** **INFORMATION**
4. **Ballot propositions approved thus far** **INFORMATION**

Regional Legislators' Staff and Stakeholders' Updates

Federal: Senators Feinstein and Boxer, Representatives Issa and Bono Mack

State: Governor Brown, Senators Emmerson and Anderson, Assembly Members Jeffries, and Nestande

Local: Temecula, Murrieta, Lake Elsinore and Wildomar, League of California Cities

Chamber and Board Member Announcements

Adjourn: *Next meeting April 16, 2012, SRCAR.*

The Southwest California Legislative Council Thanks Our Partners:

- Southwest Riverside Country Association of Realtors
- Metropolitan Water District of Southern California
- Near-Cal Corporation
- Economic Development Corp of Southwest California
- Elsinore Valley Municipal Water District
- The Gas Company
- Abbott Vascular
- The Murrieta Temecula Group
- Temecula Valley Chamber of Commerce
- Murrieta Chamber of Commerce
- Lake Elsinore Valley Chamber of Commerce
- Wildomar Chamber of Commerce
- Southern California Edison
- Loma Linda University Medical Center
- Ace Hardware of Wildomar
- Southwest Healthcare Systems

Please consider adding your business to the list. The SWCLC is fully funded by sponsorships from various private organizations and businesses. The SWCLC exists solely because of the contributions of these proactive organizations and businesses located throughout the region. Without their support the actions of the SWCLC would not be possible.

Chair's Report

Presentation: Chair Dennis Frank

Letters sent

- **AB 890 (Olsen-R) as amended. Environment: CEQA exemption: roadway improvements.**
LAST HIST. ACT. DATE: 02/16/2012 SEN ENVIRONMENTAL QUALITY
- **SB 973 (Vargas-D) as introduced. Environment: CEQA exemption: limited duration events.**
LAST HIST. ACT. DATE: 02/02/2012 SEN ENVIRONMENTAL QUALITY
- **SB 708 (Corbett-D) as introduced. Residential mortgage loan: foreclosure procedures.**
LAST HIST. ACT. DATE: 01/23/2012 In Assembly. Read first time. Held at Desk.
- **SB 654 (Steinberg-D) as amended. Redevelopment: Low to Moderate income housing funds**
LAST HIST. ACT. DATE: 02/01/2012 In Assembly. Read first time. Held at Desk.
- **L.A. / Ontario International Airport: Local Control**
No update.
- **H.R. 3199 Sensenbrenner (R-W15) as introduced. To provide a comprehensive assessment of the scientific and technical research on the implications of the use of mid-level ethanol blends, and for other purposes.**
No recent action



Southwest California Legislative Council

**Murrieta Chamber of Commerce
Temecula Valley Chamber of Commerce
Lake Elsinore Chamber of Commerce
Wildomar Chamber of Commerce
Meeting Minutes
February 13, 2012**

Legislative Consultant: Gene Wunderlich

2012 Chair: Dennis Frank (Absent, Excused)

Directors Attendance: Nicole Albrecht, Financial Accounting Services
Steve Amante, Amante & Associates
Jeff George, Quality Construction
Isaac Lizarraga, Rancho Ford Lincoln
Tony Lopicolo, First Citizens Bank
Joan Sparkman, MSJC
Tommy Thompson, BIA

Directors Absent: Alex Braicovich, Glen Daigle, Karie Reuther, Gary Thornhill,
Roger Ziemer

City Representatives: Brian Ambrose – City of Murrieta
Susan Jones – City of Temecula

Council Guests: Danielle Coats, EMWD
Ken Dickson, Murrieta Unified School District
LouEllen Ficke, Commerce Bank of Temecula Valley
Jeff Greene, Assemblymember Kevin Jeffries
John Kelliher, The Grapeline
Suzanne Lingold, Cal State University San Marcos - Temecula Campus
Jim McLaughlin, MorrisonMcNabb
Laurie McLaughlin, Mt. San Jacinto College
Morris Meyers, EDC
Don Murray, Commerce Bank of Temecula Valley
Ken Rivers, Southwest Healthcare System
Jana Swenson, Stiefel Nicolaus
Evita Gonzales, Senator Bill Emmerson
Dave Willmon, League of California Cities

Staff Present: Alice Sullivan, Laura Turnbow – Temecula Valley Chamber of Commerce, Kay Harrison
and Donna Partello – Murrieta Chamber of Commerce

Meeting called to order at: 12:05 by Joan Sparkman

Chair's Report

Gene Wunderlich provided an overview of the legislative process as well as the California Chamber of Commerce vote record.

1. Approval of Minutes

Directors reviewed the Minutes from the January 9, 2012 meeting. **The motion was made to approve the minutes as written. The motion was seconded and carried by a unanimous vote.**

2. Legislative Report

RDA Update – Willmon gave an update on the dissolution of the state of California's only economic development program. The cancellation of redevelopment agencies will result in the loss of 300,000 jobs. Alternatives have been submitted, including SB 654 (Steinberg) which would provide authority for cities to keep their 20% set-aside for affordable housing. It is currently on the floor for vote. It is unlikely to pass due to the \$700 million impact on the budget. The second bill is AB 1585 which is a clean up bill that would deal with issues cities face following the dissolution of RDA's. The League of California Cities has created a task force which will meet at the end of February. Willmon reported he is leaving the League of Cities and stated his appreciation for the efforts of the SWCLC.

3. Legislative Report

AB 890 (Olsen) Environment: CEQA exemption; roadway improvement

Recommended action: Support

This bill, until January 1, 2016, exempts from the requirements of the California Environmental Quality Act (CEQA) a project to repair, maintain or alter an existing roadway if the project:

- 1) Is initiated by a city or county to improve public safety.
- 2) Does not cross a waterway.
- 3) Does not expand an existing use or does so only negligibly.

The motion was made to SUPPORT AB 890. The motion was seconded and carried by a unanimous vote.

SB 973 (Vargas-D), as introduced. California Environmental Quality Act: exemption: limited duration events.

Recommended action: Support

Summary:

This bill would exempt from CEQA the approval of a park use or special events permit for a limited duration event, as defined, for specified purposes that is located on public property, within a public right of way, or within a defined event venue. Because a lead agency would be required to determine whether a project falls within this exemption, this bill would impose a state-mandated local program.

The motion was made to SUPPORT SB973. The motion was seconded and carried by a unanimous vote.

SB 708 (Corbett-D), as introduced. Residential mortgage loans: foreclosure procedures.

Recommended action: Support

Summary:

This bill extends the provisions of law that established requirements that mortgage lenders had to adhere to before issuing a notice of default on a homeowner [SB 1137 (Perata, Corbett, and Machado), Chapter 69, Statutes of 2008], from January 1, 2013 to January 1, 2018, and revises the contents of the notice relating to the rights of residents.

The motion was made to SUPPORT SB708. The motion was seconded and carried by a unanimous vote.

SB 654 (Steinberg-D), as amended. Redevelopment: Low & moderate income housing funds.

Recommended action: Support

Summary:

This bill allows the host city or county of a dissolving redevelopment agency to retain the funds on deposit in the agency's housing fund and expands the types of agency loans from the host city or county that are considered enforceable obligations. This bill restores the governor's original proposal to allow cities and counties to keep Low and Moderate Income Housing Fund (L&M fund) balances and continue to use them to develop affordable housing. 20% set-aside would be used as short-term funding for current low to moderate income housing projects.

The motion was made to SUPPORT AB 654. The motion was seconded and carried by a unanimous vote.

L.A. / Ontario International Airport: Local Control

Recommended action: Support

Summary:

After three decades of steady growth Ontario International is now among the fastest-declining midsize airports in the country. Alternatives under consideration by the City of Los Angeles/Los Angeles World Airports range from closure of one of the two operating terminals at the airport to outright closure, as they did with the Palmdale airport last year. Local civic and Congressional leaders are supportive of a move to wrest control away from L.A. and place control and/or management with either the City of Ontario or a local airport authority.

The motion was made to SUPPORT placing control of Ontario International Airport under the City of Ontario or a local airport authority. The motion was seconded and carried by a unanimous vote.

All present were urged to send letters stating support of placing control of Ontario International Airport under the City of Ontario or a local airport authority. Jones stated the City of Temecula will review this item at the February 14, 2012 City Council meeting.

H.R. 3199 (Sensenbrenner) (R-W15) as introduced. H.R. 3199 would require a comprehensive assessment of the scientific and technical research on the implications of the use of mid-level ethanol blends, and for other purposes.

Recommended action: Support

Summary:

The US House Science, Space, and Technology Committee approved legislation that would require the US Environmental Protection Agency to further study possible impacts of increasing allowable ethanol levels in gasoline to 15%. HR 3199, which passed by 19 to 7 votes, would make EPA work with the National Academy of Sciences to comprehensively assess scientific research on E15 before approving its introduction into the marketplace. The bill authorizes up to \$900,000 to be spent on the research and study.

The motion was made to SUPPORT HR 3199. The motion was seconded and carried by a unanimous vote.

4. _____ Legislator and Stakeholder Updates

Senator Emmerson

Gonzales stated Senator Emmerson's office will be releasing chamber articles related to regulatory reform and their impact if the tax initiative is passed. Senator Emmerson is currently serving as Chair of the Finance Committee and is acting Chair of the Inland Southern California Caucus. Senator Emmerson will focus on public safety issues in 2012.

Assemblyman Kevin Jeffries

- AB 666, the water bond reduction bill. Senator Steinberg has stated support, which could assist in this bill passing the assembly.
- ABAB 1506 – Repeals State Responsibility Area Fee.
- Introduced the elected official's pension reform bill

City of Murrieta

Ambrose reported no funding will be provided to the Murrieta Creek project in 2012. All cities concerned are looking for alternative measures. Sparkman urged all to contact local legislators related to the importance of funding this project.

City of Temecula

Lt. Dan Band will perform on March 1, 2012 at a concert to raise funds to build a home for Lance Corporal Juan Dominguez.

Chamber Reports

Alice Sullivan-Temecula – The 46th Annual Awards Gala is set for February 18, 2012 at Pechanga Resort & Casino. The 2011 Lifetime Achievement Award will recognize Shaun Lumachi. Joan Sparkman will present the award to Shaun's wife Deziré Lumachi. The February 15, 2012 Mixer will be held at Provident Bank.

Kay Harrison – City of Murrieta in partnership with the Murrieta Chamber will host the State of the City event on March 1, 2012. The Reverse Drawing is set for March 15th. Ticket at \$99 each.

EDC – Meyers reported a job fair on March 6, 2012. Businesses with 3 or more job openings are encouraged to participate.

Southwest Healthcare – Rivers reported physician and hospital compensation rates have been reduced, potentially impacting services. He continues to work with County Board of Supervisors to free up the necessary funds. Construction progress on the Temecula Valley Hospital continues. Rivers also stated all federal and state sanctions have been removed and expansions at both Inland Valley Hospital and Rancho Springs Medical Center are operational.

Joan Sparkman – MSJC recently received a six-year accreditation. MSJC also received The Best Community College in Riverside County award. Congratulations!

Motion to Adjourn at 1:30

Legislative Report Item 1

Action Item

AB 1655 (Dickinson-D), as introduced. "Public Employees Bill of Rights Act"

Presentation: Gene Wunderlich

Recommended action: Oppose

Summary:

The stated purpose of this act would be to inform public employees of their rights and terms of employment in order to promote harmonious personnel relations between public employees and their employers. This bill would, among other things, provide that state employees shall be entitled to priority over excluded employees or contractors in filling permanent, overtime, and on-call positions. This bill would also authorize the formation of peer review committees for professional staff to provide input regarding workplace operations.

Background

This bill is virtually identical to AB 1744 (Portantino), introduced during the 2009-2010 session, which passed from committee without further action. While there was little or no organized opposition to AB 1744, there were enough problems inherent in the bill to prevent it from submission to the Governor. Those problems continue to exist in AB 1655.

Arguments in Support

- The author states his bill simply gives rank-and-file public employees the same rights and protections as peace officers, firefighters, and state managers and supervisors.
- The author states his goal is to inspire "more dedicated service" from state employees and establish "the most efficient business model for our cash-strapped state."
- Give unionized state employees priority over outside contractors and excluded state workers to fill permanent, overtime and on-call positions.
- Set a one-year statute of limitations for employers to take an adverse action against a state employee. (The current law allows disciplinary actions up to three years after the discovery of fraud, embezzlement or records falsification.)
- Settle grievances in favor of the employee if the employer misses contractual deadlines for response.
- Establish a peer-review committee to provide workplace operations information.
- Guarantee that the state won't impose "unreasonable quotas" on employees, (without defining "unreasonable").
- Ban extra work created by vacancies, furloughs or layoffs without "fair compensation." (Legal overtime pay requirements already are in place.)
- Give priority to workplace safety and health grievances.
- Require employers to exercise "preventive and corrective" actions before administering harsher employee discipline.

Arguments in Opposition

- According to critics, Dickinson's AB 1655, which is backed by Service Employees International Union Local 100, is little more than a gift to public employees, many of whom live in his district.
- California public employees already enjoy job security and benefits far beyond those in the private sector. Not only do they have strong civil-service protections, their powerful unions have the ability to decisively influence collective bargaining on wages, benefits, discipline and job conditions. To a certain extent, they even elect their bosses by contributing heavily to political races.
- AB 1655 bill goes even further by virtually banning outsourcing of any state work to private contractors. This provision giving priority to civil service employees for on-call services over outside contractors appears to conflict with Article 22 of the State Constitution, which prohibits state and local governments from restricting outside contracting for engineering and architectural services.
- State lawmakers are struggling to keep as many basic services as possible under a staggering budget deficit. Tying their hands with legislation that unfairly favors a protected class of workers would make thing immeasurably tougher.
- Critics wonder if making it even more difficult to remove bad employees, eliminating competition from outsourcing and reducing workplace flexibility is the new model for efficiency in Sacramento?
- Several of the provisions, including those giving civil service employees priority in filling overtime and on-call positions, and those prohibiting employers from compelling employees to perform extra work without fair compensation, could be interpreted in ways that raise wage and overtime costs significantly.
- Actual costs are unknown, but as an illustration, if these provisions were to raise overall compensation costs by one percent, the state's annual wage costs would increase \$100 million, of which about \$50 million would be GF.

- Significant costs, in the range of several hundreds of thousands of dollars annually statewide, for employers to deal with tighter timeframes for serving notices and completing investigations related to adverse actions.
- Unknown, potentially significant losses to the extent the bill precludes the state from launching investigations of embezzlement in cases where discovery occurs after the new one-year limitation. (i.e. if you can defraud the state and hide your activity for over a year, no discipline can be brought).
- The changes relating to disciplinary proceedings are purportedly modeled after the Public Safety Officers Procedural Bill of Rights (PSOBOR) and the Firefighters Procedural Bill of Rights Act (FPBOR). Both the PSOBOR and FPBOR have a one-year limitation period for bringing disciplinary actions. However, the one-year limitation period under both these statutes is triggered by the date of discovery of the underlying misconduct. Under this bill, the limitation period is based on when the misconduct actually occurred. The difference is crucial since serious misconduct relating to fraud or embezzlement is often not discovered immediately, but rather through audits and financial reviews. The elimination of the three-years from time of discovery for embezzlement cases would seriously hamper the state's ability to bring action for these serious cases.
- It places in law new employee rights and other provisions that are normally subject to collective bargaining.

Supporting

SEIU Local 100

Opposing

None at present

Status

Feb. 23, read in Com. On P.S., R. & S.S.

Legislative Counsel Digest:

The existing Bill of Rights for State Excluded Employees prescribes various rights and terms and conditions of employment for excluded employees, defined as certain supervisory, managerial, and confidential state employees.

This bill would enact the Public Employees' Bill of Rights Act that would apply to state employees other than excluded employees. The stated purpose of this act would be to inform public employees of their rights and terms of employment in order to promote harmonious personnel relations between public employees and their employers. This bill would, among other things, provide that state employees shall be entitled to priority over excluded employees or contractors in filling permanent, overtime, and on-call positions. This bill would also authorize the formation of peer review committees for professional staff to provide input regarding workplace operations.

Existing law requires notice of any adverse action against any state employee for any cause for discipline based on any civil service law to be served within 3 years after the cause for discipline, upon which the notice is based, first arose. Existing law provides that an adverse action based on fraud, embezzlement, or the falsification of records is valid if notice of the adverse action is served within 3 years after the discovery of the fraud, embezzlement, or falsification.

This bill would require notice of the adverse action to be served and the investigation to be completed within one year after the cause for discipline first arose in order for an adverse action to be valid against any state employee for any cause for discipline based on any civil service law of this state.

Legislative Report Item 2	Action Item
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AB 1506 (Jeffries & Cook) State responsibility areas: fire prevention fees.

(Coauthors: Nielsen, Olsen, Conway, Donnelly, Beth Gaines, Grove, Harkey, Jones, Knight, Logue, Morrell, Nestande, and Valadao)

(Coauthors: Senators Anderson, Berryhill,, Cannella, Dutton, Gaines, La Malfa, Strickland, and Wyland).

Presentation: Gene Wunderlich

Recommended action: Support

Summary:

Existing law requires the State Board of Forestry and Fire Protection, on or before September 1, 2011, to adopt emergency regulations to **establish a fire prevention fee in an amount not to exceed \$150 to be charged on each structure on a parcel** that is within a state responsibility area, as defined, and requires that the fire prevention fee be adjusted annually using prescribed methods. Existing law requires the State Board of Equalization to collect the fire prevention fees, as prescribed, commencing with the 2011–12 fiscal year. Existing law **establishes the State Responsibility Area Fire Prevention Fund** and prohibits the collection of fire prevention fees if, commencing with the 2012–13 fiscal year, there are sufficient amounts of moneys in the fund to finance specified fire prevention activities for a fiscal year. Existing law requires that the fire prevention fees collected, except as provided, be deposited into the fund and be made available, to the board and the Department of Forestry and Fire Protection for certain specified fire protection activities that benefit the owners of structures in state responsibility areas who are required to pay the fee. Existing law further requires the board, on and after January 1, 2013, to submit an annual written report to the Legislature on specified topics.

This bill would repeal the above provisions relating to the fire prevention fees.

Background:

Last July Governor Brown signed AB x1 29 into law. The bill established a \$150 dollar fee for owners of inhabitable structures on wildlands designated as State Responsibility Areas (SRA's). **It is estimated that the fee will impact some 800,000 property owners in the state, nearly 100,000 of those in Riverside/San Bernardino Counties.** It is anticipated the charge will bring in an additional \$85+ million to the state in 2012/2013. So far this year the state has chopped about \$80 million from Cal Fire's budget in anticipation of this backfill. Bills are expected to go out starting in June and residents may see a double billing this year as the first charge will be for this fiscal year, another bill in July for the next fiscal year.

Arguments in Support

- Supporters of this bill complain that the \$150 charge, which will generate about \$85 million annually for the state starting in fiscal 2012-13, will make it harder for local fire districts to raise money.
- **Supporters claim there is no new service in exchange for the fee.**
- The fee unfairly penalizes rural homeowners, many of whom already pay fees to fire prevention districts. Critics of the fee contend that since these residents tend to have less clout than residents of urban centers, they are the go-to group for backfilling state budget cuts.
- The current fee schedule does not differentiate between levels of service or levels of risk.
- **Critics say the fee is as an unconstitutional tax that should have required a two-thirds vote for approval.** "We felt it was a tax, not a fee; and, therefore, it constitutionally required a two-thirds vote of each house of the Legislature, rather than a simple majority," said Tim Bittle, director of legal affairs for the Howard Jarvis Taxpayers Association, which is preparing a legal challenge if 1506 doesn't pass. .
- The California State Association of Counties, in a January letter to the Forestry Board's Gentry, opposed the fee, calling it "double taxation without any additional benefit."
- "In the middle of an economic depression, Sacramento politicians saw fit to illegally impose another burden on struggling taxpayers — a burden that would do nothing to increase protection." Tim Donnelly, co-author.

Arguments in Opposition

- The fee was promoted as a way to **ensure rural residents are paying their share of wildfire prevention costs** amid rising costs and Cal Fire budget shortfalls.
- The California Board of Forestry and Fire Protection has **made some revisions** to the fee guidelines since the original bill's approval, **including charging based on parcel numbers and offering a \$35 discount for structures in local fire districts.** The original bill stated that the \$150 fee was to be charged for 'each structure that is on a parcel' in an SRA – a distinction that could have cost rural property owners multiple fees for a single parcel.
- Residents have increasingly moved to wildland areas, many not covered by local fire districts, causing state fire protection to incur increased costs and liability. Residents who live inside the designated fire prevention areas are receiving a disproportionate service, according to state fire officials. The greater the number of homes in rural areas, the higher the cost of fighting fires.

- The state does not have responsibility to fight structure fires so the Cal Fire fee doesn't duplicate the cost of local fire districts. In the case of a wildland fire, where fire is coming from the forest toward a community, that requires additional resources for protection, that's the rationale according to officials at the Forestry Board.

Status

LAST HIST. ACT. DATE: 03/08/2012

LAST HIST. ACTION : From committee chair, with author's amendments: Amend, and re-refer to Com. on NAT.

RES. Read second time and amended.

Supporting

The San Bernardino County Board of Supervisors
Nevada County
Howard Jarvis Taxpayers Association
Regional Council of Rural Counties
California State Association of Counties

Legislative Report Item 3	Action Item
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[SB 1566 \(Emmerson and Negrete McLeod\) Vehicle license fees: allocation.](#)

(Coauthor: Senator De León)

(Coauthors: Assembly Members Carter, Cook, Jeffries, Miller,

Presentation: Gene Wunderlich

Recommended action: Support

Summary:

Existing 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 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 and second to each city that was incorporated before August 5, 2004, in an amount determined pursuant to a specified formula. By authorizing within the Motor Vehicle License Fee Account in the Transportation Tax Fund, a continuously appropriated fund, to be used for a new purpose, the bill would make an appropriation.

Existing law requires the Legislature to determine and appropriate annually an amount for the use of the Department of Motor Vehicles and the Franchise Tax Board for the enforcement of the Vehicle License Fee Law.

This bill would not allow that amount to be appropriated from the Motor Vehicle License Fee Account in the Transportation Tax Fund.

Background

The **current state budget diverted \$153 million in vehicle license fees from cities' general funds into a grant program for local law enforcement. Every city lost money, but the shift hit especially hard at the state's newest cities: Eastvale, Jurupa Valley, Menifee and Wildomar.** The state had provided newly incorporated cities with additional vehicle license fee money for five years to help fund the transition to cityhood, but that financing abruptly vanished this year. SB 89 effectively eliminated VLF revenue to cities. This legislation shifted these monies to fund law enforcement grants previously provided through the State's General Fund. **Legislators made the same mistake in 2004,** when a complex tax swap accidentally erased funding for new cities and annexations. The state restored the money in 2006 — and legislators should do the same this time.

Arguments in Support

- The state Legislature diverted vehicle license fees from city budgets to the state general fund. Whether by accident or design this also removed funds previously promised and earmarked as start-up and funding assistance for the state's four newest cities – all in Riverside County, all in districts held by Republican lawmakers who had not bowed to Governor Brown's wishes to place additional tax measures on the ballot.
- During their incorporation process, these cities were promised, and had relied upon, these moneys to fund their transition to cityhood.
- For example - the City of Jurupa Valley is faced with two unacceptable alternatives; insolvency coupled with disincorporation, or a reduction in law enforcement that endangers both law enforcement officers and the general public. This is the net effect of SB 89.

Arguments Against

- The bill would reduce the amount of money available for local law enforcement agency grants.
- The state budget will be some \$9+ billion in the hole for this fiscal year driven, in part, by continued excessive spending and reliance on \$4 billion in federal funding which did not materialize (nor were probably ever intended to materialize other than for imaginary budgetary purposes).
- Our state Legislators know what to do with our money better than our local municipalities.

Status

LAST HIST. ACT. DATE: 02/27/2012 LAST HIST. ACTION : Read
first time.

Legislative Report Item 4	Action Item
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[AB 1686 \(Jeffries-R\), as introduced. Waterways: Lake Mathews.](#)

(Coauthors: Assembly Members Miller and Nestande)

(Coauthor: Senator Emmerson)

Presentation: Gene Wunderlich

Recommended action: Support

Summary:

This bill would require the department to allow public access, as prescribed, to Lake Mathews, a reservoir in Riverside County, for the purposes of boating, fishing, and hiking, including access by nonmotorized bicycles. The bill would prohibit body contact with the lake, and limit the type of boats and fuel permitted on the lake. The bill also would allow the Metropolitan Water District of Southern California to develop, fund, and operate any necessary infrastructure; limit the number of boats on the water and persons accessing the recreational area of the lake; establish a fee for access to recreational, boating, and parking areas of the lake; and establish a speed limit for all boats on the water.

Background

Lake Mathews is a large reservoir in Riverside County, California, located in the foothills of the Santa Ana Mountains. It is the western terminus for the Colorado River Aqueduct that provides much of the water used by the cities and water districts of the Metropolitan Water District of Southern California. The reservoir is closed to public access, creating controversy among fishing and recreation proponents. The lake is near the Riverside community of Lake Hills. The drinking-water reservoir is owned and operated by Metropolitan Water District of Southern California. The 4-square-mile lake has been closed to recreation since it was dedicated in 1940.

Arguments in Support

- Allow limited public access, similar to that permitted at Lake Skinner near Temecula and Diamond Valley Lake near Hemet, also owned by Metropolitan, he said. Those reservoirs allow fishing and boating but no swimming or other body contact with the water.
- According to the author, “They have proven they can protect the water quality and still allow the public access to a public facility. This is an opportunity to create more recreational opportunities in the region and maybe some jobs.”
- The Department of Boating and Waterways regulates the navigable waters in the state, including the operation of small craft harbors, boating facility planning and design, and beach erosion.

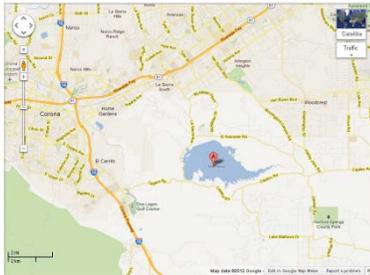
Arguments Against

- This lake is a critical drinking water reservoir
- Opening it to public use will compromise the water quality, as has happened in other areas.
- In addition, there is Lake Perris which is already open to the public, a mere 10 minutes' drive away. Lake Elsinore, also open for those uses, is only 20 minutes away from there. Corona Lake and Diamond Valley Reservoir are also nearby and available for fishing. D is also open for those uses.
- This area is surrounded by permanent, sensitive multi species habitat reserve land that was previously set aside as mitigation for development that has taken place in other areas.

Status

LAST HIST. ACT. DATE: 02/23/2012

COMM. LOCATION : ASM WATER, PARKS AND WILDLIFE



Legislative Report Item 5	Action Item
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Closing Parks is Bad For Business

Presentation: Gene Wunderlich

Recommended action: Support

Summary:

More than 65 million visits were made to state parks last year from Californians and out-of-state tourists. California's state park system generates more in visitor spending and tax revenues than the parks system is annually allocated in the state budget process. Additionally, spending by these visitors supports an estimated 56,000 jobs across the state.

Background

As of July 1, 2012 one-quarter of California's state parks are slated for closure due to budget cuts. These closures would cut off a large part of the economic engine that is the California state parks system. At a time when our economy is struggling and unemployment rates remain high, closing state parks will put increased pressure on the struggling businesses that surround state parks—shops, hotels, restaurants and others that that rely on state park visitors for survival. That is why the

California State Parks Foundation is reaching out to local businesses and business organizations through its *Closing Parks is Bad for Business* Campaign.

Why are parks closing?

In January 2011, Governor Jerry Brown unveiled his proposed budget, which included a reduction of General Fund support for state parks by \$11 million for Fiscal Year 2011-12 and a total reduction of \$22 million by the beginning of Fiscal Year 2012-2013. The California Legislature passed the \$22 million General Fund reduction, necessitating permanent park closures.

How many parks will close?

On May 13th, 2011, the California Department of Parks and Recreation released a list of 70 state parks planned for closure. The list includes closing some of the most unique, historic, culturally important and iconic state parks in California. (See below)

What will be lost if California's park close?

Closing 70 state parks will reduce revenues for local businesses and will result in overall losses in local fees and taxes. Park closures will undermine the earning power of state parks, more jobs will be lost, and California's travel and tourism industry will be hit hard. Hotels, locally-owned bed and breakfast establishments, restaurants, retail shops, tour operations and many more businesses that rely on parks for visitation and economic activity will be devastated.

What is the economic impact of closing state parks?

State parks are an important economic engine to the local communities in which they are located. Studies have shown that every \$1 invested in the state park system returns \$2.35 to the state's General Fund, largely in the form of economic activity in local economies. The plan to close 70 state parks will result in reduced revenues for local businesses and overall losses in local fees and taxes. California's state parks generate over \$4 billion in economic activity across the state while offering an affordable vacation alternative for countless families.

[Interactive map of projected state park closures](#)

- Palomar Mountain State Park features spectacular views of the Pacific, camping, picnicking, hiking, and fishing (trout) in Doane Pond. Coniferous forests cover much of the 1,897, in contrast to the dry lowlands surrounding the mountain. This is one of the few Southern California areas with a Sierra Nevada-like atmosphere. (3/15 According to a news report, {Palomar State Park is getting close to finalizing a public/private partnership allowing that park to remain open})
- One of the world's largest inland seas, Salton Sea was created by accident when a dike broke during the construction of the All-American Canal in 1905. This 360 square-mile basin is a popular site for boaters, water-skiers and anglers. Catches include ocean corvina, gulf croaker, tilapia and sargo. 35 miles long with 110 miles of shoreline, the sea is one of southern California's most popular boating areas. Swimmers, birdwatchers and other visitors can enjoy the site's many recreation opportunities. Because of the sea's low altitude (228 feet below sea level), atmospheric pressure improves speed and ski boat engine performance.
- San Pasqual Battlefield State Historic Park, east of Escondido, honors the soldiers who fought in the battle between the U.S. and California forces on December 6, 1846 in the midst of the Mexican-American War. Generals Stephen Kearny and Andres Pico both claimed victory. The battle was only one of the military encounters in California in the war, but it proved to be the bloodiest and most controversial as to the outcome. The park has been set aside, not as a monument to war, but as a reminder of the human ideals, actions and passions that can drive nations to bloodshed.

Legislative Report Item 6: CalChamber requested action

Action Item

AB 1648 (Brownley): *Political Reform Act of 1974: advertisements: disclosure.*

Presentation: Gene Wunderlich

Recommended action: Oppose

Summary:

Chills participation by the employer community in the political process by requiring significant and onerous changes to disclosure in political advertisements that could expose business to retaliation and harassment.

AB 1450 (Allen): *Employment: discrimination: status as unemployed.*

Presentation: Gene Wunderlich

Recommended action: Support

Summary:

This bill would make it unlawful, unless based on a bona fide occupational qualification or any other provision of law, for an employer, an employment agency, or a person who operates an Internet Web site for posting jobs in this state to take specified employment actions relating to employment status, as defined, including, among other things, refusing to hire a person because of that person's employment status and publishing an advertisement or announcement for any job that includes provisions pertaining to an individual's current employment or employment status, as specified.

AB 2039 (Swanson): *Family and medical leave.*

Presentation: Gene Wunderlich

Recommended action: Oppose

Summary:

This bill would increase the circumstances under which an employee is entitled to protected leave pursuant to the Family Rights Act by (1) eliminating the age and dependency elements from the definition of 'child', thereby permitting an employee to take protected leave to care for his or her independent adult child suffering from a serious health condition, (2) expanding the definition of 'parent' to include an employee's parent-in-law, and (3) permitting an employee to also take leave to care for a seriously ill grandparent, sibling, grandchild, or domestic partner, as defined.

SB 1374 (Harman): *Liability: good faith reliance on administrative regulation.*

Presentation: Gene Wunderlich

Recommended action: Support

Summary:

This bill would provide that any person who relies upon a written administrative regulation, order, ruling, approval, interpretation, practice, or enforcement policy of a state agency shall not be liable or subject to punishment for a violation of a civil statute or regulation in a judicial or administrative proceeding if the person pleads and proves to the trier of fact that, at the time the alleged act or omission occurred, the person was acting in good faith and in conformity with, and in reliance on, an applicable state agency's written administrative regulation, order, ruling, approval, interpretation, practice, or enforcement policy. The bill would provide that these provisions apply to all actions and proceedings that have not resulted in a final judgment on or after January 1, 2013, regardless of whether the action or proceeding was commenced, or based upon, an alleged act or omission that occurred before, on, or after January 1, 2013.

June 2012 Statewide Ballot Measures

Proposition 28

Initiative Constitutional Amendment: *Limits on Legislators' Terms in Office.*

Reduces the total amount of time a person may serve in the state legislature from 14 years to 12 years. Allows a person to serve a total of 12 years either in the Assembly, the Senate, or a combination of both. Applies only to legislators first elected after the measure is passed. Provides that legislators elected before the measure is passed continue to be subject to existing term limits. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: No direct fiscal effect on state or local governments. (09-0048) ([Full Text](#))

Proposition 29

Initiative Statute: *Imposes Additional Tax on Cigarettes for Cancer Research.*

Imposes additional five cent tax on each cigarette distributed (\$1.00 per pack), and an equivalent tax increase on other tobacco products, to fund cancer research and other specified purposes. Requires tax revenues be deposited into a special fund to finance research and research facilities focused on detecting, preventing, treating, and curing cancer, heart disease, emphysema, and other tobacco-related diseases, and to finance prevention programs. Creates nine-member committee charged with administering the fund. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: Increase in new cigarette tax revenues of about \$855 million annually by 2011- 12, declining slightly annually thereafter, for various health research and tobacco-related programs. Increase of about \$45 million annually to existing health, natural resources, and research programs funded by existing tobacco taxes. Increase in state and local sales taxes of about \$32 million annually. (09-0097.) ([Full Text](#))

November 2012 Statewide Ballot Measure

SBx7 2. (Chapter 3, 2009), Cogdill.* [Safe, Clean, and Reliable Drinking Water Supply Act of 2012](#)

*SBx7 2 was amended by [AB 1265](#) (Chapter 126, 2010) Caballero. Safe, Clean, and Reliable Drinking Water Supply Act of 2012: surface storage projects: submission to voters.

1487. (11-0010) Political Contributions by Payroll Deduction: *Prohibitions on Contributions to Candidates. Initiative Statute.*

Restricts union political fundraising by prohibiting use of payroll-deducted funds for political purposes. Same use restriction would apply to payroll deductions, if any, by corporations or government contractors. Permits voluntary employee contributions to employer or union committees if authorized yearly, in writing. Prohibits unions and corporations from contributing directly or indirectly to candidates and candidate-controlled committees. Other political expenditures remain unrestricted, including corporate expenditures from available resources not limited by payroll deduction prohibition. Limits government contractor contributions to elected officers or officer-controlled committees. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: Increased state implementation and enforcement costs of up to hundreds of thousands of dollars annually, potentially offset in part by revenues from fines. (11-0010.) ([Full Text](#))

1495. (11-0013, Amdt. #1S) Changes Law to Allow Auto Insurance Companies to Set Prices Based on a Driver's History of Insurance Coverage. Initiative Statute.

Changes current law to permit insurance companies to set prices based on whether the driver previously carried auto insurance with any insurance company. Allows insurance companies to give proportional discounts to drivers with some prior insurance coverage. Will allow insurance companies to increase cost of insurance to drivers who have not maintained continuous coverage. Treats drivers with lapse as continuously covered if lapse is due to military service or loss of employment, or if lapse is less than 90 days. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: Probably no significant fiscal effect on state insurance premium tax revenues. (11-0013.) [\(Full Text\)](#)

1499. (11-0028) Redistricting: State Senate Districts. Referendum.

State Senate districts are revised every ten years following the federal census. This year, the voter-approved California Citizens Redistricting Commission revised the boundaries of the 40 Senate districts. This referendum petition, if signed by the required number of registered voters and filed with the Secretary of State, will: (1) Place the revised State Senate boundaries on the ballot and prevent them from taking effect unless approved by the voters at the next statewide election; and (2) Require court-appointed officials to set interim boundaries for use in the next statewide election. (11-0028) [\(Full Text\)](#)