

# 2010-2011 LEGISLATIVE SESSION

## ***BILLS STUCK IN 2nd HOUSE POLICY COMMITTEE***

BILL #	BILL AUTHOR(S)	BILL TITLE	BILL STATUS
AB 229	Lara	<b>State Controller: Local Government Audits</b>	7/11/2011 From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. On ED.  COMM. LOCATION: SEN EDUCATION
<b>SUMMARY:</b>		<b>Bill Type:</b> Fiscal	<b>Next Hearing Date:</b> 8/17/2011
<p>This bill expands the State Controller's (Controller) oversight over local government auditing practices. Specifically, this bill: 1) Requires the Controller to receive every annual financial audit report prepared for any local agency, as specified, including reports prepared in compliance with the federal Single Audit Act of 1984 and required under any law to be submitted to any state agency, and, after ascertaining its compliance with that federal act, to transmit the report to the designated state agency. 2) Requires the audits specified above to comply with the Government Auditing Standards issued by the Comptroller General of the United States and to be made by a certified public accountant (CPA) licensed by the California Board of Accountancy (Board) and elected by the local agency from a directory of CPAs maintained by the Controller. 3) Requires, the Controller to use specified criteria in determining which CPAs shall be included in the directory, and requires CPAs to be removed from the directory under specified circumstances. 4) Provides that, commencing with the 2011-12 fiscal year, it shall be unlawful for a public accounting firm to provide audit services to a local agency if the lead audit partner, or coordinating audit partner, having primary responsibility for the audit, or the audit partner responsible for reviewing the audit, has performed audit services for that local agency in each of the six previous fiscal years. The Controller may waive this requirement if he or she finds that no otherwise eligible auditor is available to perform the audit. 5) Requires the governing board of each local agency to include all of the following in its contracts for audits: a) A provision to withhold 10% of the audit fee until the Controller certifies that the audit report conforms to this bill's reporting provisions, as specified; b) A provision to withhold 50% of the audit fee for any subsequent year of a multiyear contract if the prior year's audit report was not certified as conforming to the reporting provisions of this bill, as specified. This provision shall include a statement that a multiyear contract shall be null and void if a public accounting firm or independent auditor is declared ineligible pursuant to this bill's reporting provisions, as specified. The amount withheld shall not be payable unless payment is ordered by the Board or the audit report for that subsequent year is certified by the Controller as conforming to the reporting provisions of this bill, as specified; and, c) A provision that will provide the Controller access to audit working papers. 6) Requires the Controller to develop a plan to review and report on financial and compliance audits of local agencies. The Controller, in consultation with the Department of Finance, and representatives of the League of California Cities, the California State Association of County Auditors, and the California Society of Certified Public Accountants, shall propose the content of, and adopt, an audit guide. 7) Requires audit reports to be submitted to the Controller within nine months after the end of the period audited, or in accordance with applicable federal law. 8) Allows the Controller, if the audit reports required by this bill and current law have not been submitted on or before the due date established by this bill, to appoint a qualified CPA to complete the report and to obtain the information required, with costs to be borne by the local agency. 9) Requires the Controller to annually review and monitor audit reports performed by independent auditors, determine whether audit reports conform with reporting provisions of government auditing standards and the audit guide, and notify each local agency and the auditor of each local agency regarding each determination. 10) Requires independent auditors to correct audit reports within 30 days of notification of any deficiency. The Controller may suspend independent auditors from performing any local agency audits if auditors do not correct audit report within 30 days of notification. 11) Provides an appeals process, as specified, when an independent auditor or audit firm has a portion of an audit fee withheld pursuant to this bill. 12) Requires the Controller to report to the Legislature by January 31 of each year the results of the Controller's oversight activity. 13) Allows the Controller to perform quality control reviews of audit working papers to determine if audits conform to government audit standards and the local agency audit guide. The Controller must communicate review results to the Department of Finance, the independent auditor and the local agency, and must review findings with the independent auditor. 14) Requires the Controller, before performing any quality control reviews, to develop and publish guidelines and standards for those reviews, as specified. The Controller must select audits for review based on specified criteria. 15) Requires the Controller to refer a case to the Board if the Controller finds that an audit is conducted in a manner that constitutes unprofessional conduct, or that there were multiple and repeated failures to disclose noncompliant acts. In that instance, the independent auditor shall be prohibited from performing an audit of a local agency until the Board resolves the matter. If the Board finds that the independent auditor conducted an audit in an unprofessional manner, the Controller may prohibit the independent auditor from performing any audit of a local agency for the period during which the independent auditor is not in good standing with the Board, in addition to any penalties the Board may impose.</p>			

Record Last Updated: 7/14/2011

AB 346	Atkins	<b>Polling places: higher education campuses</b>	7/05/2011 In committee: Hearing postponed by committee.  COMM. LOCATION: SEN ELECTIONS AND CONSTITUTIONAL AMENDMENTS
<b>SUMMARY:</b>		<b>Bill Type:</b> Fiscal	<b>Next Hearing Date:</b>
<p>Existing law requires an elections official to designate a polling place for each precinct at least 29 days prior to the election and provides that if an elections official specifically requests the use of a school building for polling places on an election day, the governing body having jurisdiction over the particular school building shall allow its use for the purpose requested. Existing law requires elections officials, when designating polling places, to undertake necessary measures to ensure that polling places meet the guidelines promulgated by the Secretary of State (SOS) for accessibility by the physically handicapped. This bill requires county elections officials to establish at least one polling place for each state election on a campus of a community college, the California State University (CSU), or the University of California (UC) within their respective counties. This bill exempts from these requirements counties with a population under 150,000 and counties that do not have a CSU, UC, or community college campus within its jurisdiction.</p>			

Record Last Updated: 7/14/2011

BILL #	BILL AUTHOR(S)	BILL TITLE	BILL STATUS
<b>AB 515</b>	<b>Brownley</b>	<b>Public Postsecondary Education: Community Colleges: Extension Program</b>	7/06/2011 In committee: Set, second hearing. Hearing canceled at the request of author. COMM. LOCATION: SEN EDUCATION
<b>SUMMARY:</b>		<b>Bill Type:</b> Non-Fiscal	<b>Next Hearing Date:</b>
<p>This bill requires, until January 1, 2017, the Chancellor's Office of the California Community Colleges to establish a voluntary, pilot program for purposes of allowing eight community college campuses from eight different community college districts to establish and maintain an extension program offering credit courses at fee levels that cover the actual cost, as defined, of maintaining these courses.</p>			
			<b>Record Last Updated:</b> 7/14/2011
<b>AB 649</b>	<b>Harkey</b>	<b>Public Postsecondary Education: Veteran's Enrollment</b>	6/08/2011 In committee: Set, first hearing. Held without recommendation. COMM. LOCATION: SEN EDUCATION
<b>SUMMARY:</b>		<b>Bill Type:</b> Fiscal	<b>Next Hearing Date:</b>
<p>This bill extends the period of time for priority class registration enrollment, from two years to five years, to members or former members of the Armed Services and requires that any member or former member of the Armed Services be a California resident.</p>			
			<b>Record Last Updated:</b> 7/14/2011
<b>AB 680</b>	<b>Block</b>	<b>Community college districts: Grossmont-Cuyamaca Community College District</b>	7/07/2011 Withdrawn from committee. Re-referred to Com. On RLS. COMM. LOCATION: SEN EDUCATION
<b>SUMMARY:</b>		<b>Bill Type:</b> Non-Fiscal	<b>Next Hearing Date:</b>
<p>This bill authorizes a school district or county office of education (COE) to develop portions of the school safety plans that include tactical responses outside of the existing process involving the schoolsite council, and allows districts to choose not to disclose the tactical plan.</p>			
			<b>Record Last Updated:</b> 7/14/2011
<b>AB 852</b>	<b>Fong</b>	<b>Public postsecondary education: community colleges: temporary faculty.</b>	6/29/2011 In committee: Set, first hearing. Hearing canceled at the request of author. COMM. LOCATION: SEN EDUCATION
<b>SUMMARY:</b>		<b>Bill Type:</b> Fiscal	<b>Next Hearing Date:</b>
<p>This bill, commencing on July 1, 2012, provides temporary community college faculty who meet specified requirements the right of first refusal for teaching assignments.</p>			
			<b>Record Last Updated:</b> 7/14/2011
<b>AB 1045</b>	<b>Norby</b>	<b>Local government: bonds</b>	6/02/2011 Referred to Com. On GOV. & F. COMM. LOCATION: SEN GOVERNANCE AND FINANCE
<b>SUMMARY:</b>		<b>Bill Type:</b> Non-Fiscal	<b>Next Hearing Date:</b>
<p>This bill prohibits a local agency from entering into a financial advisory, legal advisory, underwriting, or other similar relationship with an individual or firm, with respect to a bond issue that requires voter approval on or after January 1, 2012, if that individual or firm, or an employee, agent or person related to an employee or agent of the individual or firm, provided or will provide bond campaign services to the bond campaign.</p> <p>Specifically, this bill: 1) Defines, for purposes of the bill, the term "related" to include, but not be limited to, a family relationship by blood or marriage, a financial relationship, an affiliation between business associations, or business associations with directors or principals in common. 2) Defines, for purposes of the bill, the term "bond campaign services" to include fundraising, public opinion polling, election strategy and management, organization of campaign volunteers, get out the vote services, development of campaign literature, and advocacy materials. 3) Specifies that the definition of "bond campaign services" does not include either of the following: a) Advice and support related to the preparation of tax rate statements and other documentation required for inclusion in the voter pamphlet published by the applicable county registrar of voters; or, b) Public opinion polling that is conducted before a bond measure is placed on the ballot for the purposes of gathering information regarding, and evaluating the potential for, the adoption of the bond measure by the electorate.</p>			
			<b>Record Last Updated:</b> 7/15/2011

<b>BILL #</b>	<b>BILL AUTHOR(S)</b>	<b>BILL TITLE</b>	<b>BILL STATUS</b>
<b>AB 1129</b>	<b>Portantino</b>	<b>Unemployment insurance: use of information: federally designated student loan guaranty agencies</b>	5/26/2011 Referred to Com. On L. & I.R. COMM. LOCATION: SEN LABOR AND INDUSTRIAL RELATIONS
<b>SUMMARY:</b>		<b>Bill Type: Fiscal</b>	<b>Next Hearing Date:</b>
This bill authorizes the Director of the Employment Development Department (EDD) to share information with Educational Credit Management Corporation (ECMC), the U.S. Department of Education's student loan guarantor in California.			
			<b>Record Last Updated: 7/15/2011</b>
<b>SB 175</b>	<b>Corbett</b>	<b>Public Contracts: Bid preferences: Solar Photovoltaic System</b>	07/06/2011: Set, first hearing. Failed passage in committee. Reconsideration granted. COMM. LOCATION: ASM BUSINESS, PROFESSIONS AND CONSUMER PROTECTION
<b>SUMMARY:</b>		<b>Bill Type: Fiscal</b>	<b>Next Hearing Date:</b>
SB 175 would require a state agency that accepts bids or proposals for a contract for the purchase or installation of a solar photovoltaic system, as defined, to provide a five percent preference to a business that certifies that all of the solar panels installed as part of the solar photovoltaic system have been manufactured or assembled in California, in accordance with specified criteria.			
			<b>Record Last Updated: 7/15/2011</b>
<b>SB 204</b>	<b>Liu</b>	<b>Education governance.</b>	07/06/2011: Set, first hearing. Hearing canceled at the request of author. COMM. LOCATION: ASM EDUCATION
<b>SUMMARY:</b>		<b>Bill Type: Fiscal</b>	<b>Next Hearing Date:</b>
SB 204 would change the state-level governance structure for K-12 education by reducing the responsibilities and powers of the State Board of Education (SBE) to an advisory role to the Governor, Legislature, and Superintendent of Public Instruction (SPI), and expands the role of the SPI in administering the Department of Education (CDE) and setting education policy.			
			<b>Record Last Updated: 7/15/2011</b>
<b>SB 252</b>	<b>Vargas</b>	<b>Public contracts: personal services</b>	7/06/2011 Set, first hearing. Failed passage in committee. Reconsideration granted. COMM. LOCATION: ASM BUSINESS, PROFESSIONS AND CONSUMER PROTECTION
<b>SUMMARY:</b>		<b>Bill Type: Fiscal</b>	<b>Next Hearing Date:</b>
This bill establishes the Government Oversight and Fiscal Accountability Review Act of 2011 and requires a state agency or department that enters into a privatization contract, as defined, to report to the Department of General Services (DGS) regarding that privatization contract and requires DGS to make that report available for public inspection pursuant to the California Public Records Act (CPRA). Specifically, this bill: 1) Defines "agency" as any state agency or department. 2) Defines a "privatization contract" to mean an agreement or combination or series of agreements, including, but not limited to, a personal services contract, by which a privatization contractor agrees with an agency to provide services valued at \$500,000 or more that are substantially similar to, and in lieu of, services provided, in whole or in part, by civil service employees of the agency. 3) Defines "privatization contract" to mean any contractor, consultant, subcontractor, independent contractor, or private business owner that contracts with an agency to perform services that are substantially similar to, and in lieu of, services provided, in whole or in part, by civil service employees of the agency. 4) Requires an agency, as part of the budgetary process, to provide an addendum to its submitted budget request that includes the name of each privatization contractor or subcontractor that has entered into a privatization contract with the agency during that year, the duration of that privatization contract, the services provided, the total cost of each privatization contract for the prior year, the projected number of privatization contracts for the current and upcoming year, the estimated cost of each contract for the current and upcoming year, and for each privatization contract, the number of privatization contractor employees and consultants, reflected as full-time equivalent positions, and their hourly wage rates for the current fiscal year. This measure provides that this addendum shall be a public record. 5) Requires an agency that enters into a privatization contract to prepare and submit an annual report containing a copy of each privatization contract and a budget analysis of that contract, as specified. 6) Provides that a subcontract performed under a privatization contract is a public record pursuant to CPRA. 7) Requires DGS to compile, publish, and make available for public inspection all contracting reports received pursuant to the provisions of this bill.			
			<b>Record Last Updated: 7/15/2011</b>

BILL #	BILL AUTHOR(S)	BILL TITLE	BILL STATUS
--------	----------------	------------	-------------

**SB 340**      **Wolk, Chesbro**      **Remote caller bingo**      07/14/2011: From committee: Do pass as amended and refer to Com.on APPR. (Ayes 16. Noes 0.) (July 13).

COMM. LOCATION: SEN APPROPRIATIONS

**SUMMARY:**      **Bill Type:**      **Fiscal**      **Next Hearing Date:**

This bill 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. SB 340 reforms existing law regarding remote caller bingo, by removing the California Gambling Control Commission (CGCC) as the licensing and regulating entity and, instead, gives that task to local jurisdictions. Furthermore, this bill requires operators to register with the Department of Justice (DOJ) which is similar to other charitable fundraising activities such as raffles and casino nights. Specifically, this bill: 1) Permits a city, county, or city and county to amend an existing local ordinance that allows bingo games to be conducted, by resolution, to permit the conduct of remote caller bingo games pursuant to that ordinance, as specified. 2) Requires an organization authorized to conduct remote caller bingo games to provide at least 10 days' advance written notice of intent to conduct a remote caller bingo game on a form prescribed by the city, county, or city and county, and to provide at least 24 hours' advance notice if the location of the remote caller bingo game changes and repeal the model ordinance. 3) Requires the live, physical calling and broadcast of a remote caller bingo game to be conducted from a jurisdiction that authorizes by local ordinance the conduct of remote caller bingo games. 4) Deletes all state licensure requirements for the conduct of remote caller bingo, and instead, requires an organization that is eligible to conduct remote caller bingo games to register annually with DOJ, as specified. 5) Requires the DOJ to maintain a registry on its Internet Web site of all organizations registered to conduct remote caller bingo, and authorizes the DOJ to charge an annual registration fee of \$100, to be deposited into the California Bingo Fund, to cover the actual costs of the department to administer and enforce these provisions, and allows DOJ to adopt regulations. 6) Makes other technical and conforming changes relating to the duties of the DOJ and the CGCC, including setting forth procedures for a city, county, or city and county, as the local licensing entity, to obtain a background check from the DOJ. 7) States DOJ may audit the books and records of a licensed organization or vendor of equipment used in a remote caller bingo game at any time and to charge a fee for the audit. 8) Deletes the requirement that the CGCC approve all equipment used for remote caller bingo in advance, but requires the city, county, or city and county to monitor operation of the transmission and other equipment used for remote caller bingo and to monitor the game. 8) Authorizes a city, county, or city and county, until June 1, 2012, to recognize a state license, work permit, or approval of equipment that was issued by the CGCC and effective on June 30, 2011, as specified. 9) Permits an authorized organization to contract with a management company to provide business services but requires the organization to give notice of the contract to the city, county, or city and county and meet other requirements, as specified. 10) Makes additional changes relating to the requirements for cosponsoring remote caller bingo games, and simplifies other procedures and requirements applicable to the conduct of remote caller bingo games. 11) Deletes the requirement that a loan from the Gambling Control Fund to the California Bingo Fund be repaid within 5 years - still requiring repayment, but eliminating the designated timeframe. 12) Repeals provisions relating to card-minding devices and the duties of the CGCC. 13) Allows an organization to conduct one extra remote caller bingo game per quarter in addition to the current two days per week authorization. 14) Contains an urgency clause.

**Record Last Updated:**      7/15/2011

**SB 423**      **Wyland**      **School facilities: local bond measures**      07/13/2011: Ordered to special consent calendar. FILE: SEN SPECIAL CONSENT CALENDAR - NO. 07 - FILE DATE: 07/14/2011- ITEM:21

**SUMMARY:**      **Bill Type:**      **Non-Fiscal**      **Next Hearing Date:**

This bill requires the financial and performance audits of local bonds approved pursuant to Proposition 39 of 2000 to be submitted to local citizens' oversight committees by March 31 of each year.

**Record Last Updated:**      7/15/2011

**SB 429**      **DeSaulnier**      **Before and after school programs: After School Education and Safety Program: supplemental grants**      6/29/2011 Read second time and amended. Re-referred to Com. On APPR.  
COMM. LOCATION: ASM APPROPRIATIONS

**SUMMARY:**      **Bill Type:**      **Fiscal**      **Next Hearing Date:**      8/17/2011

This bill authorizes an After School Education and Safety (ASES) Program provider to use supplemental grant funds to operate a six-hour program and establishes other parameters for programs operating summer, intersession or vacation programs. Specifically, this bill: 1) Strikes the provision in the section establishing a before school program that authorizes a school to be eligible for a supplemental grant to operate the program in excess of 180 schooldays during any combination of summer, intersession, or vacation periods for a maximum of 30% of the total grant amount awarded to the school. 2) Authorizes a before or after school program to receive a supplemental grant to operate the program in excess of 180 regular schooldays or during any combination of summer, intersession, or vacation periods for a maximum of 30% of the total grant amount awarded, per school year, to the school. 3) Authorizes an existing after school supplemental grantee to operate a three-hour or a six-hour per day program, but specifies that an existing supplemental grantee is not eligible to receive additional grant funds for the purpose of operating a six-hour program. Specifies that if the grantee operates a six-hour per day program, the target attendance level for the purpose of grant reductions pursuant to subparagraph (A) of paragraph (1) of subdivision (a) of Education Code (EC) Section 8483.7 shall be computed as if the grant award were based upon the lesser of \$15 per day of pupil attendance or 30% of the total grant awarded to the school per school year. 4) Authorizes a supplemental grantee to change the location of the program to address the needs of pupils and school closures. Authorizes the program to be conducted at an offsite location or at an alternate schoolsite. Requires the supplemental grantee to give notice to the California Department of Education (CDE) of the change of location and to include a plan to provide safe transportation. 5) Authorizes a supplemental grantee to open eligibility to every pupil attending a school in the district. Specifies that if the program is conducted at a schoolsite, priority for enrollment shall be given to the pupils enrolled at the school. 6) Requires a supplemental grantee operating a six-hour per day program to provide for each needy pupil at least one nutritionally adequate free or reduced-price meal during each program day. 7) Requires a supplemental grantee that operates a six-hour extended day program to submit, for prior approval by the CDE, a revised program plan that includes all of the following: a) A plan for provision of the free or reduced-price meal required by this bill. b) An attendance and early release policy for the program that is consistent with the local educational agency's early release policy for the regular schoolday.

**Record Last Updated:**      7/15/2011

<b>BILL #</b>	<b>BILL AUTHOR(S)</b>	<b>BILL TITLE</b>	<b>BILL STATUS</b>
<b>SB 629</b>	<b>Lowenthal</b>	<b>Public postsecondary education: California Community Colleges Economic and Workforce Development Program.</b>	6/20/2011 Referred to Com. on HIGHER ED.
<b>SUMMARY:</b>		<b>Bill Type: Fiscal</b>	<b>Next Hearing Date:</b>
This bill expands the authority of the Board of Governors of the California Community Colleges to appoint persons without permanent civil service status to vice chancellor and assistant vice chancellor positions through the career executive assignment process.			
			<b>Record Last Updated: 7/15/2011</b>
<b>SB 635</b>	<b>Hernandez</b>	<b>Health Care: Workforce training</b>	7/05/2011 Set, first hearing. Hearing cancelled at the request of author.  COMM. LOCATION: ASM HEALTH
<b>SUMMARY:</b>		<b>Bill Type: Fiscal</b>	<b>Next Hearing Date:</b>
SB 635 would require that, commencing January 1, 2014, any amount of funds over \$1 million deposited into the Managed Care Administrative Fines and Penalties Fund that currently are transferred to the Major Risk Medical Insurance Fund for use in the Major Risk Medical Insurance Program (MRMIP) be redirected to the Office of Statewide Health Planning and Development (OSHDP) for use in the Song-Brown Health Care Workforce Training Act (Song-Brown Program) to support health care workforce development.			
			<b>Record Last Updated: 7/15/2011</b>
<b>SB 843</b>	<b>Wolk</b>	<b>Veterans' Home of California</b>	7/05/2011 Set, first hearing. Hearing canceled at the request of author.  COMM. LOCATION: ASM UTILITIES AND COMMERCE
<b>SUMMARY:</b>		<b>Bill Type: Non-Fiscal</b>	<b>Next Hearing Date:</b>
Existing law: 1. Provides for the establishment and operation of the Veterans' Home of California at various sites, and for an administrator for each home or homesite. Existing law defines "administrator" to mean the Administrator of the Veterans' Home of California, Yountville, and the Administrator of the Veterans' Home of California, Barstow. 2. Declares that there is in the Department of Veterans Affairs a Veterans' Home of California, Yountville, authorizes the department to construct a second and additional homes and declares that the second home is a new state function. This bill 1. Updates that definition to include the Administrators of the Veterans' Home of California, Chula Vista, the Veterans' Home of California, Ventura, the Veterans' Home of California, Lancaster, and the Veterans' Home of California, West Los Angeles. 2. Updates that provision to declare that additionally there are in the department a Veterans' Home of California, Barstow, a Veterans' Home of California, Chula Vista, a Veterans' Home of California, Lancaster, a Veterans' Home of California, Ventura, and a Veterans' Home of California, West Los Angeles. 3. Declare that all homes are a new state function.			
			<b>Record Last Updated: 7/15/2011</b>
<b>SB 911</b>	<b>De Leon</b>	<b>Local agency bonds: reports</b>	5/23/2011 Referred to Com. On L. GOV.  COMM. LOCATION: ASM LOCAL GOVERNMENT
<b>SUMMARY:</b>		<b>Bill Type: Non-Fiscal</b>	<b>Next Hearing Date:</b>
This bill requires, after January 1, 2012, that the annual report filed by the chief fiscal officer of a bond-issuers local agency must be filed within 60 days of the end of an agency's fiscal year. This bill requires a local government that issues voter-approved bonds in excess of \$5,000 to make the specified detailed information available to any individual who requests it.			
			<b>Record Last Updated: 7/15/2011</b>