



**CALIFORNIA FISHERIES & SEAFOOD INSTITUTE
LEGISLATIVE REPORT
APRIL 2013**

BILL NUMBER: AB 38 AMENDED

AMENDED IN ASSEMBLY MARCH 19, 2013

INTRODUCED BY Assembly Member John A. Pérez

DECEMBER 3, 2012

LEGISLATIVE COUNSEL'S DIGEST

AB 38, as amended, John A. Pérez. ~~The California Food, Farms, and Jobs Act.~~ *Office of Farm to Fork.*

Existing law establishes the Department of Food and Agriculture, which is tasked with, among other things, promoting and protecting the agricultural industry of the state, and seeking, enhancing, protecting, and perpetuating the ability of the private sector to produce food and fiber in a way that benefits the general welfare and economy of the state. Existing law also establishes the California Healthy Food Financing Initiative for the purpose of promoting healthy food access in the state.

~~This bill would express the intent of the Legislature to enact legislation that would establish the California Food, Farms, and Jobs Act, for the purpose of improving state programs that support local and regional farm and food system infrastructure, expanding access to healthy foods for consumers, and creating new job growth and economic development through increasing the number of direct and retail markets.~~ *create the Office of Farm*

to Fork within the department to, among other things, work with various entities, including, among others, the agricultural industry and other organizations involved in promoting food access, to increase the amount of agricultural products available to schools and underserved communities in the state. The bill would create the Farmto Fork Account in the Department of Food and Agriculture Fund that would consist of money made available from federal, state, industry, and other sources, and would continuously appropriate the money deposited in the account without regard to fiscal years to carry out the purposes of the Office of Farm to Fork. By creating a continuously appropriated fund, the bill would make an appropriation.

Vote: majority. Appropriation: ~~no~~ yes . Fiscal committee: ~~no~~ yes . State-mandated local program: no.

BILL NUMBER: AB 165 INTRODUCED

INTRODUCED BY Assembly Member Beth Gaines

JANUARY 23, 2013

LEGISLATIVE COUNSEL'S DIGEST

AB 165, as introduced, Beth Gaines. Commercial fishing: crayfish.

Existing law governing the commercial fishing of crayfish prohibits the sale or purchase of crayfish taken from Lake Tahoe or the Lake Tahoe Basin.

This bill would repeal that provision.

Existing law requires the taking of crayfish to be subject to regulations as prescribed by the Fish and Game Commission.

This bill would state legislative intent regarding the commercial taking of crayfish in Lake Tahoe or the Lake Tahoe Basin.

This bill would require the commission to ensure that, with respect to the taking of crayfish for commercial purposes in Lake Tahoe or in the Lake Tahoe Basin, the commission's regulations are consistent with the Lake Tahoe Region Aquatic Invasive Species Management Plan, as amended.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

BILL NUMBER: AB 497 AMENDED

AMENDED IN ASSEMBLY MARCH 21, 2013

INTRODUCED BY Assembly Member Chesbro

FEBRUARY 20, 2013

LEGISLATIVE COUNSEL'S DIGEST

AB 497, as amended, Chesbro. Fish and wildlife.

(1) Existing law requires the Fish and Game Commission to form a marine resources committee from its membership consisting of at least one commissioner and requires the committee to report to the commission from time to time on its activities, to make recommendations on all marine resource matters considered by the

commission, and to have the committee or its designee, to the extent practicable, attend meetings of the Department of Fish and Wildlife's staff, including meetings of the department staff with interested parties, in which significant marine living resource management documents are being developed.

This bill would require the commission to form a wildlife resources committee from its membership consisting of at least one commissioner, to report to the commission from time to time on its activities, to make recommendations on all nonmarine resource matters considered by the commission, and to have the committee or its designee, to the extent practicable, attend meetings of the department staff, including meetings of the department staff with interested parties, in which significant wildlife resource management documents are being developed.

—(1)

(2) The California Constitution creates the Fish and Game Commission. Existing law establishes the commission in the Natural Resources Agency to perform specified functions. Existing law requires the commission to hold no fewer than 10 regular meetings per year, if the commission has adequate funding for related travel, including funding for department travel, with no more than 3 regular meetings to be held in Sacramento per year. Existing law requires the commission to cause the notice of the schedule for regular meetings, and notice of any change in the date and location of a meeting, to be disseminated to the public in a manner that will result in broad dissemination, including, but not limited to, electronic distribution, mailings to interested parties, and publication in local newspapers of the affected communities.

This bill would reduce the number of regular meetings *required* per year to 8 and would delete the limitation that no more than 3 regular meetings be held in Sacramento per year. The bill would also delete the requirement that the broad dissemination of the notices regarding meetings be achieved in a ~~specified~~ *specific* manner.

—(2)

(3) Existing law requires the commission, except for emergency regulations, to consider and adopt regulations at a series of no fewer than 3 meetings and requires that these meetings whether regular or special meetings be duly noticed to the public in accordance with specified provisions of state law. Existing law provides that at the 3rd meeting the commission may choose to hear additional public discussion regarding the regulations it intends to adopt and requires that either at that meeting or within 20 days after that meeting, the commission add, amend, or repeal regulations relating to any recommendation received at the initial meeting it deems necessary to preserve, properly utilize, and maintain each species or subspecies.

This bill would delete the 20-day period after the 3rd meeting during which the commission would have been authorized to add, amend, or repeal.

—(3)

(4) Existing law authorizes the commission to annually adopt regulations, as specified, pertaining to migratory birds to conform with or to further restrict the rules and regulations prescribed pursuant to the Migratory Bird Treaty Act. Existing law provides that migratory game birds may be taken in conformity with federal laws and regulations and the regulations of the commission, as specified, and, if no regulations are prescribed by the proper federal agency, authorizes the commission to determine and fix the area or areas, the seasons and hours, the species, the bag and possession limits, and the total number that may be taken during any open season for the taking of migratory game birds, under such rules and regulations as the commission may prescribe.

This bill would add similar provisions that would authorize the commission to annually adopt regulations, as specified, pertaining to salmon and groundfish to conform with or to further restrict the rules and regulations prescribed pursuant to the federal Magnuson-Stevens Fishery Conservation and Management Act and the Pacific Fishery Management Council established pursuant to that act or its successor agency. The bill would also add similar provisions that authorize the commission to determine and fix the area or areas, the seasons and hours, the species, the bag and possession limits, and the total number that may be taken during any open season for the taking of salmon and groundfish, as specified, if no regulations are prescribed by the proper federal agency.

—(4)

(5) Existing law, until April 1, 2019, authorizes the Director of the Department of Fish and Wildlife to order a delay in the opening of the Dungeness crab fishery after December 1 in Districts 6, 7, 8, and 9 in any year and prohibits the delay in the opening from being later than January 15 of any year. Under existing law, if the director orders this delay, the opening date of the Dungeness crab fishery in those districts is required to be preceded by a 36-hour gear setting period, as ordered by the director. This bill instead would require a 64-hour gear setting period.

—(5)

(6) Existing law requires the director, if requested on or before November 10 of any year, to consult with the Dungeness crab industry and to specify by public announcement on or before November 20 of that year when crab traps may be set and baited prior to the opening date of the Dungeness crab season in Districts 6, 7, 8, and 9.

This bill would eliminate the above requirements and instead would authorize crab traps to be set and baited 64 hours prior to the opening date of the Dungeness crab season in Districts 6, 7, 8, and 9.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

BILL NUMBER: AB 504 INTRODUCED

INTRODUCED BY Assembly Member Chesbro

FEBRUARY 20, 2013

LEGISLATIVE COUNSEL'S DIGEST

AB 504, as introduced, Chesbro. Fish and Game Commission: salmon and groundfish.

(1) The California Constitution creates the Fish and Game Commission. Existing law establishes the commission in the Natural Resources Agency to perform specified functions. Existing law requires the commission to hold no fewer than 10 regular meetings per year, if the commission has adequate funding for related travel, including funding for department travel, with no more than 3 regular meetings to be held in Sacramento per year. Existing law requires the commission to cause the notice of the schedule for regular meetings, and notice of any change in the date and location of a meeting, to be disseminated to the public in a manner that will result in broad dissemination, including, but not limited to, electronic distribution, mailings to interested parties, and publication in local newspapers of the affected communities.

This bill would reduce the number of regular meetings per year to 8 and would delete the limitation that no more than 3 regular meetings be held in Sacramento per year. The bill would delete the requirement that the broad dissemination of the notices regarding meetings be achieved in a specific manner.

(2) Existing law requires the commission, except for emergency regulations, to consider and adopt regulations at a series of no fewer than 3 meetings and requires that these meetings whether regular or special meetings to be duly noticed to the public in accordance with specified provisions of state law. Existing law provides that at the 3rd meeting the commission may choose to hear additional public discussion regarding the regulations it intends to adopt and requires that either at that meeting or within 20 days after that meeting, the commission add, amend, or repeal regulations relating to any recommendation received at the initial meeting it deems necessary to preserve, properly utilize, and maintain each species or subspecies.

This bill would delete the 20-day period after the 3rd meeting during which the commission would have been authorized to add, amend, or repeal regulations.

(3) Existing law authorizes the commission to annually adopt regulations, as specified, pertaining to migratory birds to conform with or to further restrict the rules and regulations prescribed pursuant to the Migratory Bird Treaty Act. Existing law provides that migratory game birds may be taken in conformity with federal laws and regulations and the regulations of the commission, as specified, and, if no regulations are prescribed by the proper federal agency, authorizes the commission to determine and fix the area or areas, the seasons and hours, the species, the bag and possession limits, and the total number that may be taken during any open season for the taking of migratory game birds, under such rules and regulations as the commission may prescribe.

This bill would add similar provisions that would authorize the commission to annually adopt regulations, as specified, pertaining to salmon and groundfish to conform with or to further restrict the rules and regulations prescribed pursuant to the federal Magnuson-Stevens Fishery Conservation and Management Act and the Pacific Fishery Management Council established pursuant to that act or its successor agency. The bill would also add similar provisions that authorize the commission to determine and fix the area or areas, the seasons and hours, the species, the bag and possession limits, and the total number that may be taken during any open season for the taking of salmon and groundfish, as specified, if no regulations are prescribed by the proper federal agency.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

BILL NUMBER: AB 509 INTRODUCED

INTRODUCED BY Assembly Member Blumenfield

FEBRUARY 20, 2013

LEGISLATIVE COUNSEL'S DIGEST

AB 509, as introduced, Blumenfield. Consumer affairs.

Existing law, the Consumers Legal Remedies Act, makes unlawful certain acts identified as unfair methods of competition and unfair or deceptive acts or practices undertaken by any person in a transaction intended to result or which results in the sale or lease of goods to any consumer.

This bill would add to that list of unlawful acts the act of representing a product as designed, made, or both in a specific city or county, by using a specified "made in" label, unless the product complies with specified standards.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

BILL NUMBER: AB 711 AMENDED

AMENDED IN ASSEMBLY MARCH 19, 2013

INTRODUCED BY Assembly Member Rendon (*Principal coauthor: Assembly Member Pan*)
(*Coauthors: Assembly Members Blumenfeld, Fong, Stone, and Williams*)

FEBRUARY 21, 2013

LEGISLATIVE COUNSEL'S DIGEST

AB 711, as amended, Rendon. ~~Fish and wildlife: methods of taking.~~ *Hunting: nonlead ammunition.*

Existing law requires the Fish and Game Commission, by July 1, 2008, to establish by regulation a public process to certify centerfire rifle and pistol ammunition as nonlead ammunition, and to define by regulation nonlead ammunition as including only centerfire rifle and pistol ammunition in which there is no lead content. Existing law requires the commission to establish and annually update a list of certified centerfire rifle and pistol ammunition.

Existing law requires that nonlead ammunition, as determined by the commission, be used when taking big game with a rifle or pistol, as defined by the Department of Fish and Wildlife's hunting regulations, and when taking coyote, within specified deer hunting zones, but excluding specific counties and areas. Existing law requires the commission to establish a process, to the extent that funding is available, that will provide hunters in these specified deer hunting zones with nonlead ammunition at no or reduced charge. A violation of these provisions is a crime.

This bill would revise and recast these provisions to require the use of nonlead ammunition for the taking of all wildlife, including game mammals, game birds, nongame birds, and nongame mammals, with any firearm. The bill would require the commission, by July 1, 2014, to certify, by regulation, nonlead ammunition for these purposes. The bill would make conforming changes. The bill would provide that these provisions do not apply to government officials or their agents when carrying out a mandatory statutory duty required by law.

The bill would require the commission to promulgate regulations by July 1, 2014, that phase in the requirements of these provisions. The bill would require that these requirements be fully implemented statewide by no later than July 1, 2016. The bill would also require that the commission not reduce or eliminate any existing regulatory restrictions on the use of lead ammunition in California condor habitat unless or until the additional requirements for use of nonlead ammunition as required by these provisions are implemented.

By expanding and changing the definition of a crime, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

~~*Existing law makes it unlawful to shoot at a game bird or mammal, including a marine mammal, as defined, from a powerboat, sailboat, motor vehicle, or airplane.*~~

~~*This bill would make a nonsubstantive change to this provision.*~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes . State-mandated local program: ~~no~~ yes .

BILL NUMBER: AB 870 INTRODUCED

INTRODUCED BY Assembly Member Jones-Sawyer

FEBRUARY 22, 2013

LEGISLATIVE COUNSEL'S DIGEST

AB 870, as introduced, Jones-Sawyer. Public contracts: bidders: employment practices.

The State Contract Act prescribes the procedures and requirements applicable to various state agency contracts. Existing law governs contracts between state agencies and private contractors, and sets forth requirements for the procurement of materials, supplies, equipment, and services, and the acquisition of information technology goods and services by state agencies.

This bill would prohibit the state from contracting with a person or entity that inquires into or considers the criminal history of a potential employee on an initial employment application. The bill would authorize the state to contract with a person or entity that inquires into or considers an applicant's criminal history after the applicant's qualifications have been screened and the employer has determined the applicant meets the minimum employment requirements, as stated in any notice issued for the position. The bill would not apply to a position for which an employer is otherwise required by law to conduct a criminal history background check or to any contract position with a criminal justice agency, as specified.

The bill would also express a legislative finding and declaration that reducing barriers to employment for people who have previously offended, and decreasing unemployment in communities with concentrated numbers of people who have previously offended, is a matter of statewide concern.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

BILL NUMBER: AB 875 INTRODUCED

INTRODUCED BY Assembly Member Chesbro

FEBRUARY 22, 2013

LEGISLATIVE COUNSEL'S DIGEST

AB 875, as introduced, Chesbro. Forest management.

The Z'Berg-Nejedly Forest Practice Act of 1973 prohibits a person from conducting timber operations, as defined, unless a timber harvesting plan prepared by a registered professional forester has been submitted to, and is approved by, the Department of Forestry and Fire Protection. Existing law establishes the Timber Regulation and Forest Restoration Fund in the State Treasury, and requires that all revenues received from a specified assessment imposed on the retail sale of lumber products, as defined, and engineered wood products, as defined, less amounts deducted for refunds and reimbursements, be deposited into the fund. Existing law requires that moneys deposited into the fund be expended, upon appropriation by the Legislature, for specified purposes, including to fund existing restoration grant programs.

This bill would include the funding of projects relating to salmon and anadromous trout species to this list of purposes.

This bill would require the State Board of Forestry and Fire Protection and the department, with the guidance of other entities, including harvest plan review agencies, to conduct pilot projects, to be completed by January 1, 2017, to determine and implement processes that would result in long-term efficiencies and cost savings while ensuring environmental performance that would protect and restore vital soil, water, wildlife, timber, and forest values and resources. The bill would require these pilot projects to focus on certain things, including reforming and standardizing requirements for vital information on a CalWater planning watershed basis. The bill would require funding and personnel for the development and implementation of the pilot projects to be from existing department and responsible agencies' budgets and personnel. The bill would require all documents that form the basis for the pilot projects to be posted on the department's Internet Web site and the findings and recommendations of the pilot projects to be presented at one or more public meetings.

The bill would require the board to develop recommendations and pass regulations for providing electronic public access to all relevant documents that assist the department in administering timber harvest regulations, in ensuring the protection and recovery of forest and watershed health and productivity, and in monitoring.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

BILL NUMBER: AB 881 INTRODUCED

INTRODUCED BY Assembly Member Chesbro

FEBRUARY 22, 2013

LEGISLATIVE COUNSEL'S DIGEST

AB 881, as introduced, Chesbro. Oil spill prevention and administrative fee.

Existing law imposes an oil spill prevention and administration fee in an amount determined by the administrator to implement oil spill prevention activities, but not to exceed, until January 1, 2015, \$0.065 per barrel of crude oil or petroleum products, on persons owning crude oil or petroleum products at a marine terminal.

The fee is deposited into the Oil Spill Prevention and Administration Fund in the State Treasury. Upon appropriation by the Legislature, moneys in the fund are available for specified purposes, including to cover the costs incurred by the Oiled Wildlife Care Network for training and field collection and search and rescue activities.

This bill would increase the maximum annual assessment from \$0.065 to \$0.08 per barrel of crude oil or petroleum products and would allow the administrator to adjust the maximum fee annually based on the percentage increase in the California Consumer Price Index, as specified.

Existing law permits the administrator to charge a nontank vessel owner or operator a reasonable fee, to be collected with each application to obtain a certificate of financial responsibility, in an amount that is based upon the administrator's costs in implementing oil spill prevention relating to nontank vessels.

This bill would require the fee not to exceed \$3,500 per nontank vessel but would give the administrator discretion to reduce the fee for nontank vessels that pose a reduced risk of pollution and would allow the administrator to adjust the maximum fee annually based on the percentage increase in the California Consumer Price Index, as specified.

This bill would transfer \$0.003 of the per barrel of crude oil or petroleum products fee collected, and \$250 of the per nontank vessel fee collected, to fund specified activities the Oiled Wildlife Care Network.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

BILL NUMBER: AB 886 AMENDED

AMENDED IN ASSEMBLY MARCH 21, 2013

INTRODUCED BY Assembly Member Allen

FEBRUARY 22, 2013

LEGISLATIVE COUNSEL'S DIGEST

AB 886, as amended, Allen. ~~International trade.~~ California Transportation Financing Authority: tax credit certificates for exporters and importers: income tax credit.

Existing law creates the California Transportation Financing Authority, with various powers and duties relative to the financing of transportation projects.

This bill would authorize the authority to award tax credit certificates to exporters and importers, as defined, that demonstrate to the satisfaction of the authority that, during the taxable year, they have increased their cargo tonnage or value through California ports and airports by specified amounts or had a net increase in qualified full-time employees hired in California or have incurred capital costs for a cargo facility in California. The bill would authorize an aggregate \$500,000,000 in tax credit certificates to be awarded by the authority for taxable years beginning on or after January 1, 2014, and before January 1, 2019, as provided. The bill would authorize the authority to impose fees to cover its costs, with fees to be deposited in the Job and Trade Competitiveness Fee Account, which the bill would create in the State Treasury. The bill would authorize the authority to borrow money until the time that sufficient fee revenue is available, with loans made to the authority to be repayable solely from revenues in the account.

The bill would make legislative findings and declarations.

The Personal Income Tax Law and the Corporation Tax Law allow various credits against the taxes imposed by those laws.

This bill would, for taxable years beginning on or after January 1, 2014, and before January 1, 2019, allow a credit or credits in an aggregate amount not to exceed \$250,000 for a taxable year against the taxes imposed by those laws if a taxpayer receives a tax credit certificate from the authority.

This bill would take effect immediately as a tax levy.

~~Existing law requires the Governor's Office of Business and Economic Development to develop and implement an International Trade and Investment Program that will attract employment producing direct foreign investment to the state, provides support for California businesses in accessing international markets, including assistance to increase California exports, and engage in other international trade or foreign investment activities assigned by the Governor, as specified. Existing law also authorizes the Governor's Office of Business and Economic Development to establish an international trade and investment office outside of the United States, under specified circumstances. This bill would state the intent of the Legislature to enact legislation that would address issues that enhance and expand opportunities for California business to engage in international trade with Latin America and other nations.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes. State-mandated local program: no.

BILL NUMBER: AB 976 AMENDED

AMENDED IN ASSEMBLY MARCH 19, 2013

INTRODUCED BY Assembly Member Atkins
(Principal coauthor: Assembly Member Stone)

FEBRUARY 22, 2013

LEGISLATIVE COUNSEL'S DIGEST

AB 976, as amended, Atkins. Coastal resources: California Coastal Act of 1976: enforcement: penalties.

(1) The California Coastal Act of 1976 requires a person undertaking development in the coastal zone to obtain a coastal development permit in accordance with prescribed procedures. Existing law authorizes the superior court to impose civil liability on a person who performs or undertakes development that is in violation of the act or that is inconsistent with a previously issued coastal development permit, and on a person who violates the act in any other manner.

This bill would provide that a person who violates the act is subject to an administrative civil penalty ~~of an unspecified amount~~ that may be imposed by the California Coastal Commission by a majority vote of the commissioners, upon consideration of various factors, ~~in a public hearing~~ *an amount not to exceed 75% of the maximum civil penalty that may be imposed in the superior court, as specified*

This bill would provide that a person, as defined, shall not be subject to both monetary civil liability imposed by the commission and monetary civil liability imposed by the superior court for the same act or failure to act. In the event that a person who is assessed a penalty by the commission fails to pay the penalty, fails to comply with a restoration or cease and desist order, or challenges any of these actions in a court of law, the commission may maintain an action or otherwise engage in judicial proceedings to enforce those requirements and the court may grant relief, as specified. This bill would also allow the commission to record a lien on the property of a violator in the amount of the penalty assessed by the commission if the violator fails to pay the penalty.

(2) The act requires that all funds derived from the payment of a penalty are to be deposited into the Violation Remediation Account of the State Coastal Conservancy Fund, until appropriated by the Legislature, for purposes of carrying out the act.

This bill would instead require that all funds derived from the payment of a penalty be deposited into the Coastal Act Services Fund, until appropriated by the Legislature, for the purposes of carrying out the act.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

BILL NUMBER: AB 991 INTRODUCED

INTRODUCED BY Assembly Member Hueso

FEBRUARY 22, 2013

LEGISLATIVE COUNSEL'S DIGEST

AB 991, as introduced, Hueso. Fish and Game Commission.

The California Constitution establishes the Fish and Game Commission and provides for the delegation to the commission of powers relating to the protection and propagation of fish and game.

Existing statutory law delegates to the commission the power to regulate the taking or possession of birds, mammals, fish, amphibia, and reptiles in accordance with prescribed laws. Existing law excepts from that statutory delegation the power to regulate the taking, possessing, processing, or use of fish, amphibia, kelp, or other aquatic plants for commercial purposes.

This bill would make technical, nonsubstantive changes to the statutory provisions concerning the commission's delegated power.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

BILL NUMBER: AB 1097 AMENDED

AMENDED IN ASSEMBLY MARCH 14, 2013

INTRODUCED BY Assembly Member Nestande

FEBRUARY 22, 2013

LEGISLATIVE COUNSEL'S DIGEST

AB 1097, as amended, Nestande. Department of Fish and Wildlife: primary function.

~~Existing~~

(1) *Existing* law establishes the Department of Fish and Wildlife in the Natural Resources Agency.

This bill would state that the primary function of the department is to provide services to persons who fish and hunt in the state.

(2) *Existing* law requires, until January 1, 2018, that the Mirage Trail within the Magnesia Spring Ecological Reserve be open 9 months of the year to recreational hiking, if the commission determines that specified conditions are met.

This bill would specify the 9 months of the year that the trail would be open as May to January, inclusive, and the 3 months that the trail would be closed as February to April, inclusive.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

BILL NUMBER: AB 1201 INTRODUCED

INTRODUCED BY Assembly Member Allen

FEBRUARY 22, 2013

LEGISLATIVE COUNSEL'S DIGEST

AB 1201, as introduced, Allen. International trade.

Existing law requires the Governor's Office of Business and Economic Development to develop and implement an International Trade and Investment Program that will attract employment-producing direct foreign investment to the state, provides support for California businesses in accessing international markets, including assistance to increase California exports, and engage in other international trade or foreign investment activities assigned by the Governor, as specified. Existing law also authorizes the Governor's Office of Business and Economic Development to establish an international trade and investment office outside of the United States, under specified circumstances.

This bill would state the intent of the Legislature to enact legislation that would address issues that enhance and expand opportunities for California business to engage in international trade with the European Union and other nations.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

BILL NUMBER: AB 1252 INTRODUCED

INTRODUCED BY Committee on Health (Pan (Chair), Logue (Vice Chair), Ammiano, Chesbro, Gomez, Lowenthal, Mitchell, Nazarian, Nestand, Wieckowski, and Wilk)

FEBRUARY 22, 2013

LEGISLATIVE COUNSEL'S DIGEST

AB 1252, as introduced, Committee on Health. Retail food safety.

(1) Existing law, the California Retail Food Code, reestablishes uniform health and sanitation standards for retail food facilities, including mobile food facilities and temporary food facilities, by the State Department of Public Health. Existing law provides that local health agencies are primarily responsible for enforcing these provisions. A person who violates any provision of the code is guilty of a misdemeanor, except as otherwise provided.

(2) The code requires that all employees of food facilities thoroughly wash their hands before engaging in food preparation and before donning gloves for working with food. The code requires that employees wear gloves when contacting food and food-contact surfaces under certain conditions, including when they have cuts, sores, or rashes. The code also requires owners of food facilities and others, as specified, to require food employees to report to the person in charge if a food employee has a lesion or wound that is open or draining, as specified, unless the lesion is covered or protected.

This bill would, among other things, revise the code to require handwashing when changing gloves, except as specified, and that employees wear single-use gloves, as specified, when contacting food and food-contact surfaces under the conditions described above. The bill would prohibit an employee who has a wound, as specified, that is open and draining from handling food, unless the wound is covered, as specified. The bill would make conforming changes to the reporting requirement described above.

(3) The code requires that a food facility be operated within 200 feet travel distance of an approved and readily available toilet and handwashing facility.

This bill would require that the toilet and handwashing facility also be nonresidential.

(4) The code requires that a mobile food facility have a water heater with a minimum capacity of 3 gallons, except as specified.

This bill would increase the required minimum amount of capacity for a water heater on a mobile food facility to 4 gallons, or, if the facility only utilizes the water for handwashing purposes, require only 1/2 gallon, except as specified. The bill would make other changes relating to mobile food facilities.

(5) The code requires a food facility to prevent the entrance and harborage of animals and prohibits a food employee from caring for or handling animals that may be present. The code permits a food employee with a service animal to handle or care for the service animal if the employee washes his or her hands as required. The code defines a service animal to mean a guide dog, signal dog, or other animal individually trained to provide assistance to an individual with a disability.

This bill would revise the definition of a "service animal" for purposes of the code to mean a dog that is individually trained to do work or perform tasks for the benefit of, and directly related to, an individual with a disability. The definition would specifically exclude other species of animals, as specified.

The bill would also define a "hot dog" for purposes of the code and would make a clarifying change to the definition of "limited food preparation."

(6) By revising the standards that must be enforced by local health agencies and by expanding the scope of existing crimes, the bill would impose a state-mandated local program.

(7) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

BILL NUMBER: AB 1260 INTRODUCED

INTRODUCED BY Assembly Member Medina

FEBRUARY 22, 2013

LEGISLATIVE COUNSEL'S DIGEST

AB 1260, as introduced, Medina. California family owned business.

Existing law creates the Department of General Services that provides centralized services, including, but not limited to, planning, acquisition, construction, and maintenance of state buildings and property; purchasing; printing; architectural services; administrative hearings; and accounting services.

This bill would define a California family owned business.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

BILL NUMBER: AB 1324 AMENDED

AMENDED IN ASSEMBLY MARCH 21, 2013

INTRODUCED BY Assembly Members Skinner and Bonta

FEBRUARY 22, 2013

LEGISLATIVE COUNSEL'S DIGEST

AB 1324, as amended, Skinner. ~~Vehicle weight fees.~~

Vehicles: additional registration fees: vehicle theft crimes.

Existing law, until January 1, 2018, in addition to the other fees imposed for the registration of a vehicle, authorizes a county to impose an additional fee of \$1 on all motor vehicles, and an additional service fee of \$2 on commercial motor vehicles of 10,001 pounds or more, as specified, and continuously appropriates the money to fund local programs relating to vehicle theft crimes. Existing law also authorizes the County of Los Angeles, the County of San Diego, and the County of San Bernardino to increase the motor vehicle fee from \$1 to \$2, provides that the service fee on commercial motor vehicles would increase from \$2 to \$4 in those counties, upon adoption of a resolution of their boards of supervisors, and requires the resolution to be submitted to the Department of Motor Vehicles at least 6 months prior to the operative date of the fee increase. Existing law provides that these fees are deposited into a continuously appropriated fund.

This bill would, until January 1, 2018, additionally authorize the County of Alameda to increase the motor vehicle fee from \$1 to \$2, would provide that the service fee on commercial motor vehicles would increase from \$2 to \$4, upon adoption of a resolution of its board of supervisors, and would require the resolution to be submitted to the Department of Motor Vehicles at least 6 months prior to the operative date of the fee increase. The bill would make an appropriation by depositing the increased fees in a continuously appropriated fund.

~~Under existing law, in addition to vehicle registration fees, an annual fee based upon vehicle weight is imposed on commercial motor vehicles. Existing law applies these provisions to pickup trucks and provides that whenever a camper is temporarily attached to a motor vehicle, as specified, it is deemed a load and the fees imposed are based on the unladen weight of the motor vehicle, exclusive of the camper.~~

~~This bill would make technical, nonsubstantive changes to these provisions.~~

Vote: majority. Appropriation: ~~no~~ yes. Fiscal committee: ~~no~~ yes. State-mandated local program: no.

BILL NUMBER: SB 197 INTRODUCED

INTRODUCED BY Senator Evans

FEBRUARY 7, 2013

LEGISLATIVE COUNSEL'S DIGEST

SB 197, as introduced, Evans. Commercial fishing: commercial fishing salmon stamp.

(1) Existing law prohibits specified persons from taking salmon for commercial purposes unless the person has a commercial fishing salmon stamp affixed to his or her commercial fishing license.

Existing law requires the Department of Fish and Game to issue a commercial fishing salmon stamp, upon application for the stamp and payment of a base fee of \$85. That base fee is required to be adjusted during specified commercial salmon seasons. However, existing law prohibits the total fees, as adjusted, from exceeding \$260.

Existing law requires that fee revenues be deposited in the Commercial Salmon Stamp Account in the Fish and Game Preservation Fund, and be available to the department upon appropriation by the Legislature for new or expanded salmon restoration and enhancement programs in the state that will serve to increase ocean salmon landings. Existing law provides that not more than 15% of the funds may be used to pay the costs incurred in the administration of the program.

Existing law repeals these provisions as of January 1, 2014.

The bill would extend the operation of these provisions until January 1, 2019.

(2) Existing law generally makes a violation of fish and game laws a crime.

Because this bill would extend operation of the commercial salmon fishing program and thereby the crimes imposed for a violation of those provisions, the bill would create a state-mandated local program by creating new crimes.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

BILL NUMBER: SB 255 INTRODUCED

INTRODUCED BY Senator Cannella

FEBRUARY 13, 2013

LEGISLATIVE COUNSEL'S DIGEST

SB 255, as introduced, Cannella. Agriculture: California Seafood Council.

Existing law requires the Secretary of Food and Agriculture to take various actions with respect to agricultural marketing advisory and promotional councils and commissions, including the California Seafood Council.

This bill would make nonsubstantive changes to those provisions relating to the California Seafood Council.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

BILL NUMBER: SB 465 INTRODUCED

INTRODUCED BY Senator Correa

FEBRUARY 21, 2013

LEGISLATIVE COUNSEL'S DIGEST

SB 465, as introduced, Correa. Fair Packaging and Labeling Act.

Existing law establishes the Department of Food and Agriculture and sets forth its powers and duties, including, but not limited to, enforcement of the Fair Packaging and Labeling Act. The act prohibits persons from distributing any packaged commodity that is not in conformity with prescribed packaging and labeling requirements.

This bill would make nonsubstantive changes to the latter provision.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

BILL NUMBER: SB 623 INTRODUCED

INTRODUCED BY Senator Gaines

FEBRUARY 22, 2013

LEGISLATIVE COUNSEL'S DIGEST

SB 623, as introduced, Gaines. Food safety.

Existing law requires the State Department of Public Health to adopt regulations providing for the issuance of permits to manufacturers, processors, or packers of a class of food that may be injurious to the health of any human or other animal that consumes the food by reason of contamination with micro-organisms during manufacture, packing, or storage.

This bill would make a technical, nonsubstantive change to that provision.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

BILL NUMBER: SB 671 INTRODUCED

INTRODUCED BY Senator Monning

FEBRUARY 22, 2013

LEGISLATIVE COUNSEL'S DIGEST

SB 671, as introduced, Monning. California Coastal Act of 1976: natural shoreline.

The California Coastal Act of 1976 requires the planning and regulation of development, under a coastal development permit process, within the coastal zone, as defined, to be based on various coastal resources planning and management policies set forth in the act. Existing law allows the construction of revetments, breakwaters, groins, harbor channels, seawalls, cliff retaining walls, and other construction that alters natural shoreline processes when required to serve coastal-dependent uses or to protect existing structures or public beaches in danger from erosion and when designed to eliminate or mitigate adverse impacts on local shoreline sand supply.

This bill would additionally allow construction of those structures when designed to account for sea level rise.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

BILL NUMBER: SB 707 INTRODUCED

INTRODUCED BY Senator Berryhill

FEBRUARY 22, 2013

LEGISLATIVE COUNSEL'S DIGEST

SB 707, as introduced, Berryhill. Unlawful taking or possession of animals.

Existing law makes it unlawful to take mammals, birds, fish, reptiles, and amphibians outside of established seasons or to exceed any bag limit or possession limit established by statute or by regulations adopted by the Fish and Game Commission. Existing law provides that a violation of any established season, bag limit, or possession limit may be charged as a violation generally or of the specific code section or regulation that establishes the season or limit.

This bill would make a technical, nonsubstantive change to these provisions.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

BILL NUMBER: SB 764 INTRODUCED

INTRODUCED BY Senator Yee

FEBRUARY 22, 2013

LEGISLATIVE COUNSEL'S DIGEST

SB 764, as introduced, Yee. Fish and wildlife protection.

Existing law declares that the protection and conservation of the fish and wildlife resources of this state are of utmost public interest.

This bill would make a nonsubstantive change to this provision.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.