

PRIORITY FOCUS



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STATE BUDGET STALEMATE CONTINUES

The California Senate is still in a holding pattern regarding the state budget. After meeting on July 20, the Senate recessed until Wednesday July 25, only to delay until Thursday, July 26.

The sticking point is between the Democrats and Republicans in the Senate, with the Republicans seeking a vote on proposed cuts to the Assembly's version of the budget, while the Democrats are inclined to pass the budget as-is. *For more, see Page 2.*

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WORKERS' COMPENSATION LEGISLATION: LEAGUE-OPPOSED BILLS (PT. 2)

While the state budget was the top priority of the California Legislature this week, the area of workers' compensation has been an important issue throughout the legislative session. The League of California Cities opposes a number of bills this year, due to the potential extreme costs to cities if the measures are passed.

Below is the second round in a series of brief summaries on some of the workers' compensation bills the League opposes (for the first set of bills, see "[Workers' Compensation Legislation: League-Opposed Bills](#)" at www.cacities.org/er, or the June 22 edition of *Priority Focus*).

Cities are encouraged to review the measures and send letters of opposition to the bills' authors and your respective senator/assembly member. *For more, see Page 2.*

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FOUR RESOLUTIONS SET FOR CONSIDERATION AT LEAGUE ANNUAL CONFERENCE

The League of California Cities will consider four resolutions at the 2007 Annual Conference in Sacramento. The resolutions address the renewal of the League grassroots network program, healthy aging, residential care facilities and establishing a new Department of Emergency Services and Homeland Security. *For more, see Page 3.*

'State Budget' Continued from Page 1...

In order to pass the budget, a two-thirds majority vote is needed. A solution to the impasse could see Gov. Arnold Schwarzenegger "blue pencil" (delete) the budget line items in disagreement. Another option is to take a set of Assembly bills, amend them with a new budget proposal, and then send them to the Assembly for a concurrence vote.

At press time, on Friday, July 27, the Senate is on-call, meaning Senate President Pro Tem Don Perata can call the Senate to the floor at any time.

League staff will be monitoring budget advances and will issue a more detailed update on the League Web site as information becomes available. Once a budget is passed, the next edition of *Priority Focus* following the budget's passage will contain a detailed rundown on the impacts it has on cities.

'Workers' Compensation' Continued from Page 1...

- **AB 553 (Hernandez).** AB 553 would exclusively authorize the Public Employees Relations Board (PERB) to determine, under the Meyers Milius Brown Act (MMBA), whether to seek from a court of competent jurisdiction injunctive relief involving employee strikes, work stoppages, or lockouts.

This bill seeks to expand PERB authority into areas in which it has no existing authority or expertise. In addition, AB 553 would directly pre-empt existing litigation; usurp city and county authority over matters involving public health and safety and add unacceptable delays to seeking injunctive relief to protect the public health and safety.

- **AB 220 (Bass).** AB 220 attempts to duplicate the Public Safety Officers Procedural Bill of Rights (POBAR). The bill would permit firefighters to engage in specified political activities and provide procedures and conditions for the investigation and interrogation of an employee that could lead to punitive action.

AB 220 is unnecessary and burdensome. Firefighters are not the subject of investigations and interrogations to the same extent as peace officers. Firefighters already have substantial procedural and due process rights and collective bargaining rights. This bill would impose substantial unfunded mandated costs on local government.

- **AB 419 (Lieber).** Although AB 419 was included in the June 22 edition of *Priority Focus*, it is being re-listed in this update due to its severe negative impacts on cities. The bill deletes the restriction that limits disability compensation for injuries received on the job to safety employees who are members of PERS.

In addition, the bill eliminates the provision that public safety employees be members of one of the retirement systems in order to receive this benefit. This is a very bad carve-out on behalf of public safety.

- **AB 1496 (Swanson).** AB 1496 would impose harsh restrictions on the use of temporary and contract employees. The bill eliminates what is permitted in current law and requires inclusion of all employees within the civil service or merit system with two exceptions:
 - Apprentices or technical experts on a temporary work basis or;
 - Substitute or short term employees paid for less than 50 percent of work days in a fiscal year

The bill competes with authority to limit temporary employment already granted local agency pension systems (i.e. CalPERS). AB 1496 is costly and unnecessary as most of the provisions are subject to local agency collective bargaining. Fortunately, the Senate Local Government Committee saw this bill as troublesome and made it a two-year bill.

AB 1496 is not dead and will resurface in Jan. 2008. It is important to continue letting Assembly Member Swanson and his colleagues know how detrimental AB 1496 is to local governments.

Prior Update

The June 22 issue of *Priority Focus* featured the summaries of the following League-opposed workers' compensation bills:

- AB 419 (Lieber)
- AB 807 (Hancock)
- AB 1636 (Mendoza)
- AB 1073 (Nava)

Visit www.cacities.org/er for the original story covering these bills, and why the League is in opposition.

For more information on all workers' compensation legislation, look up the measures at www.cacities.org/billsearch, www.assembly.ca.gov or www.senate.ca.gov. If you have questions, please contact League Legislative Representative P. Anthony Thomas at (916) 658-8279.

'Resolutions' Continued from Page 1...

The four policy committees to which the resolutions have been assigned—Community Services, Administrative Services, Public Safety, and Housing, Community and Economic Development—will consider them on Wednesday, Sept. 5. Following this action, the resolutions will be considered by the League's General Resolutions Committee on Friday, Sept. 7. The League General Assembly is scheduled to vote on the resolutions referred to it during its morning meeting on Saturday, Sept. 8.

The League encourages each city council to consider the resolutions and to determine a city position so that your voting delegate can represent your city's position on each. A resolutions packet was distributed to all cities this week and is also posted on the League's Web site at www.cacities.org/resolutions.

Cities should also remember to designate voting delegates and two alternates so that their cities may vote on the resolutions at the General Assembly. Information about voting delegates is also available at www.cacities.org/resolutions.

Storm Water Fee Constitutional Amendment Goes to Senate Floor

Senate Constitutional Amendment (SCA) 12, introduced by Sen. Tom Torlakson, D-Antioch, on May 21, has passed out of the Senate Local Government and Elections Reapportionment and Constitutional Amendments Committees. The measure is now awaiting a vote on the Senate Floor.

If signed into law, this League-supported measure would allow fees for storm water and urban runoff management to work in the same way as fees for garbage collection, sewer treatment, and water.

Some cities are faced with using scarce general fund money to support these important water quality programs in light of the restrictions placed upon them by Proposition 218. Existing law (established by Prop. 218) requires local voter approval of certain property related fees. Prop. 218 exempts certain types of fees, such as those for water, sewer and garbage, from the voter approval requirement of Prop. 218.

The League supports SCA 12 (to view the League's letter of support, look up SCA 12 at www.cacities.org/billsearch) and co-sponsored a similar measure to SCA 12 in 2002 (ACA 10 [Harman]).

Public Safety First Responders to Receive Nearly \$1 Billion in Communications Grants

U.S. Commerce Secretary Carlos M. Gutierrez and U.S. Homeland Security (DHS) Secretary Michael Chertoff announced on Wednesday, July 18, that \$968 million in Public Safety Interoperable Communications (PSIC) Grants are available to help state and local first responders improve public safety communications and coordination during a natural or man-made disaster.

The PSIC grant program will assist public safety agencies in the acquisition, deployment, and training of interoperable communications systems to enhance interoperable communications of voice, data, and/or video signals. Public safety agencies in California are encouraged to apply.

The National Telecommunications and Information Administration (NTIA) is working with public safety agencies to improve emergency communications and to fill the gaps identified in Statewide Communications Interoperability Plans (SCIPs). To address these goals, states and territories must consider advanced technological solutions that enhance capabilities for responding to all hazards when selecting projects for PSIC funding.

In particular, applicants should consider solutions that use the nation's airwaves efficiently, are cost-effective, and enhance communications in areas at high risk for natural disasters. These options should continue to improve interoperable communication efforts in high-threat urban and metropolitan areas. Grant-funded projects must be completed by the end of fiscal year 2010.

An application kit is available at www.ntia.doc.gov/psic/. Applications are due by Aug. 22, and grants will be awarded by Sept. 30.

Local Program to Help Obtain Census Info Available

Although the 2010 Census is still three years away, the U.S. Census Bureau has started mailing informational booklets to all state, local and tribal governments about the Local Update of Census Addresses (LUCA) program – a tool for governments to provide updated addresses for their communities.

This joint and voluntary program between the Census Bureau and local governments is the official start of the 2010 Census. The Census Bureau estimates that there will be over 310 million people living in the 50 states, Washington, D.C. and Puerto Rico by 2010.

In partnership with the Census Bureau, local governments will use their area knowledge to improve the list of addresses for housing units and group quarters, including growth from new construction or annexation.

After registering for LUCA between July 2007 and Jan. 2008, participating governments will receive materials and will have 120 days to review and improve the address list.

The information contained in the address list is confidential by law, and those governments that choose to participate in the LUCA program will be provided an option to review the Census Bureau's address list. Like all census employees, those who review and update a confidential address list are subject to a jail term, a fine or both if they disclose any protected information.

After LUCA, but prior to the 2010 Census questionnaire delivery, address listers will perform a field canvass across the country to make sure the latest address list is correct. Using global positioning system (GPS) mapping on hand-held computers, workers will be able to update information electronically while out in the field.

For more information, visit the 2010 Census LUCA Program at www.census.gov/geo/www/luca2010/luca.html, or call the Census Bureau Geography Division at (866) 511-5822.

Applications Now Being Accepted for the Innovations in American Government Award

Applications for the Innovations in American Government Award, given annually to programs that serve as examples of creative and effective government at its best, are now being accepted.

Administered by the Ash Institute for Democratic Governance and Innovation at Harvard University's John F. Kennedy School of Government, the award is open to federal, state, local, tribal and territorial governments. Winners of the 2008 Innovations Award will receive a \$100,000 grant to support replication and dissemination activities.

For more information and an application, visit www.innovationsaward.harvard.edu. Applications are due by Oct. 15.

Find a Bill, Legislators, Leg Committee, or Ask League Leg Staff

Visit (and bookmark!) the League's [Legislative Resources](http://www.cacities.org/legresources) Web page (www.cacities.org/legresources). You'll find a roster and contact information for the League's legislative staff; the online Bill Search program, background materials on lobbying your legislators, and more.
