

CALAFCO Daily Legislative Report
as of 10/12/2010

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[AB 419](#) ([Caballero D](#)) Local government: change of organization or reorganization: elections.

Current Text: Chaptered: 7/7/2010 [pdf](#) [html](#)

Introduced: 2/23/2009

Last Amended: 5/17/2010

Status: 7/7/2010-Chaptered by Secretary of State - Chapter 35, Statutes of 2010.

2Year	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
Dead	1st House			2nd House			Conc.					

Summary:

Would beginning January 1, 2011, require the board of supervisors or the city council to take action, to order and place the item on the ballot, within 45 days of notification by the local agency formation commission, and would require the elections official to place the item on the ballot at the next regular election if the board of supervisors or the city council fails to take action within 45 days of the notification. This bill would also make conforming changes.

Attachments:

[CALAFCO Support Letter](#)

[Request for Governor's Signature](#)

Position: Support

Subject: CKH General Procedures

CALAFCO Comments: This bill was a gut-and-amend to specify that a Board or Council has 45 days to place an item on the next general election ballot when requested by a LAFCo. Current law does not specify the number of days nor state what happens if the item is not placed on the ballot. If the Board or Council does not act within 45 days it requires the election official to place the item on the next General Election ballot. Adds a requirement that LAFCo must notify the election official as well as the Board or Council of an item to be placed on the ballot. It provides clarity to the process.

[AB 853](#) ([Arambula I](#)) Local government: organization.

Current Text: Vetoed: 9/30/2010 [pdf](#) [html](#)

Introduced: 2/26/2009

Last Amended: 8/18/2010

Status: 9/30/2010-Vetoed by the Governor

2Year	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
Dead	1st House			2nd House			Conc.					

Summary:

Would require a board of supervisors, within 180 days of receiving a petition, to apply for annexation to a city or reorganization that includes an annexation to a city, to adopt a resolution of application for an annexation to a city or reorganization that includes an annexation to a city if the affected territory meets specified conditions, thereby imposing a state-mandated local program. This bill contains other related provisions and other existing laws.

Attachments:

- [CALAFCO Letter of Concern](#)
- [Letter of Opposition](#)
- [CALAFCO Analysis of Concerns with Amended Bill](#)
- [CALAFCO Watch Letter - 28 July 2010](#)

Position: Watch

Subject: Annexation Proceedings, Service Reviews/Spheres, Environmental Justice, Municipal Services

CALAFCO Comments: This bill has been significantly amended several times. In the current 1 July 2010 version it requires LAFcos to identify disadvantaged inhabited communities when performing sphere reviews or updates of local agencies. In addition to identifying the communities, the bill requires LAFco to inventory any water, wastewater or fire protection infrastructure deficiencies in those communities. It allows LAFco discretion in identifying the size of a disadvantaged inhabited community. The bill also provides a mechanism for residents to petition a Board of Supervisors to be annexed to a city if they are within an existing city SOI. It requires the Board to send a resolution to LAFco for the annexation and be responsible for the application costs. The bill takes effect on 1 July 2011. It creates an unfunded mandate for LAFcos by requiring this additional information. Those costs will have to be absorbed within a LAFco budget and will likely result in an increased LAFco allocation from cities, counties and special districts. Nonetheless the Legislative Committee felt that significant changes have been made in the bill to address the majority of CALAFCO concerns and changed the position to WATCH.

[AB 1668](#) ([Knight R](#)) Local government: city councils.

Current Text: Chaptered: 7/7/2010 [pdf](#) [html](#)

Introduced: 1/20/2010

Last Amended: 5/24/2010

Status: 7/7/2010-Chaptered by Secretary of State - Chapter 38, Statutes of 2010.

2Year	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
Dead	1st House			2nd House			Conc.					

Summary:

Would require the city council to, within 60 days of a vacancy in an elective office, fill that vacancy by appointment or call a special election to fill the vacancy, as specified. This bill contains other related provisions and other existing laws.

Attachments:

- [CALAFCO Support Letter](#)
- [Request for Governor's Signature](#)

Position: Support

Subject: Incorporation Proceedings

CALAFCO Comments: This bill is nearly identical to AB 18 introduced by Assembly Member Knight in 2009. In addition to specifying the number of days a city council has to fill a vacancy, it clarifies the number of seats up for election at the first election following incorporation. CALAFCO supported AB 18. That bill was vetoed by the Governor because he felt current law was adequate on number of days to fill a vacancy. His veto was silent on number of seats at the first election. CALAFCO has also included the seats up for election as an Assembly Omnibus Bill item.

AB 1668 has been amended several times to make in consistent with both the Assembly and Senate Local Government committees omnibus bills. The author has been in discussions with the Governor's office to help insure a signature should it pass. If both AB 1668 and AB 2795 (Assembly Omnibus Bill) pass, their language will be subject to double-jointing by Legislative Counsel.

AB 1859 (Norby R) Local government: change of organization or reorganization.

Current Text: Amended: 4/8/2010 [pdf](#) [html](#)

Introduced: 2/12/2010

Last Amended: 4/8/2010

Status: 4/23/2010-Failed Deadline pursuant to Rule 61(b)(5). (Last location was L. GOV. on 4/21/2010)

2Year	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
Dead	1st House			2nd House			Conc.					

Summary:

Would include within a local agency formation commission' s powers the power to approve, disapprove, or approve conditionally, a request by a redevelopment agency to establish, extend, or expand a project area. The bill would include within the definition of "change of organization" a proposal to establish, extend, or expand a project area, and would define the term "project area." By expanding a local agency formation commission's duties, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

Position: Watch

Subject: Annexation Proceedings

CALAFCO Comments: This bill would have placed Redevelopment Agency Project Areas under CALAFCO review. It added to LAFCo the power to review and approven deny or conditionally approve a new project area or the expansion of an existing project area. It died in Committee.

AB 2795 (Committee on Local Government) Local government: organization.

Current Text: Chaptered: 7/7/2010 [pdf](#) [html](#)

Introduced: 3/24/2010

Last Amended: 5/27/2010

Status: 7/7/2010-Chaptered by Secretary of State - Chapter 47, Statutes of 2010.

2Year	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
Dead	1st House			2nd House			Conc.					

Summary:

Would define "divestiture of power" as used in the act and would make additional changes to clarify and maintain the consistency of the act. This bill contains other related provisions and other existing laws.

Attachments:

- [CALAFCO Support Letter](#)
- [CALAFCO Support Letter for Senate](#)
- [Request for Governor's Signature](#)

Position: Sponsor

Subject: CKH General Procedures

CALAFCO Comments: This is the Assembly Local Government Committee Omnibus bill. The bill is prepared and sponsored by CALAFCO and makes technical, non-significant changes to C-K-H.

SB 194 (Flores D) Community Equity Investment Act of 2010.

Current Text: Vetoed: 9/27/2010 [pdf](#) [html](#)

Introduced: 2/23/2009

Last Amended: 8/2/2010

Status: 9/27/2010-Vetoed by the Governor

2Year	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
Dead	1st House				2nd House				Conc.			

Summary:

Would enact the Community Equity Investment Act of 2010. The bill would make legislative findings and declarations relating to disadvantaged unincorporated communities. The bill would specify how funds received pursuant to the federal State Community Development Block Grant Program are expended at the local government level and would impose various requirements on a local government in receipt of those funds that would, among other things, ensure the representation and participation of citizens of disadvantaged unincorporated communities.

Attachments:

[CALAFCO Letter of Interest](#)

Position: Watch

Subject: Municipal Services, Planning

CALAFCO Comments: This bill is intended to provide municipal services and infrastructure investment to disadvantaged unincorporated communities. The bill would direct Federal State Community Development Block Grants (CDBG) towards infrastructure improvements in disadvantaged communities within cities and the unincorporated county. It requires the creation of a citizens advisory panel on the use of funds and notification of residents in disadvantaged communities of the availability of funds and to encourage input on their use.

SB 894 (Committee on Local Government) Local Government Omnibus Act of 2010.

Current Text: Chaptered: 9/30/2010 [pdf](#) [html](#)

Introduced: 1/25/2010

Last Amended: 6/7/2010

Status: 9/30/2010-Chaptered by the Secretary of State, Chapter Number 699, Statutes of 2010

2Year	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
Dead	1st House				2nd House				Conc.			

Summary:

Would repeal this requirement. This bill contains other related provisions and other existing laws.

Attachments:

[CALAFCO Support Letter](#)

[CALAFCO Request for Governor's Signature](#)

Position: Support

Subject: Annexation Proceedings, CKH General Procedures

CALAFCO Comments: This is the Senate Local Government Committee Omnibus Bill. It contains two items related to LAFCo: 1) clarifies the statute of limitations for challenges to a LAFCo city boundary change and eliminates an antiquated conflicting section; and 2) cleans up language in various local government laws to clarify that judges can resolve land use and environmental lawsuits through mediation before it goes to trial.

2

[AB 155](#) ([Mendoza D](#)) **Local government: bankruptcy proceedings.**

Current Text: Amended: 8/31/2010 [pdf](#) [html](#)

Introduced: 1/26/2009

Last Amended: 8/31/2010

Status: 10/4/2010-Calendar Event Set for THIRD READING

2Year	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
Dead	1st House			2nd House			Conc.					

Summary:

Would provide that a local public entity may only file under federal bankruptcy law with the approval of the California Debt and Investment Advisory Commission, except as specified. The bill would also provide an alternative procedure for a local entity to file under federal bankruptcy law by submitting specific analyses regarding its financial position to the State Auditor who would be required to audit the analyses and financial position of the local entity. The bill would make the local public entity responsible for the costs of the audit, as specified. The public entity would be authorized to file a petition under federal bankruptcy law after the State Auditor has notified the public entity of completion of its audit work and made public the findings of that audit.

Position: None at this time

Subject: Financial Viability of Agencies

CALAFCO Comments:

[AB 711](#) ([Calderon, Charles D](#)) **Local agency formation commissions: cost of incorporation proceedings.**

Current Text: Chaptered: 6/7/2010 [pdf](#) [html](#)

Introduced: 2/26/2009

Last Amended: 4/22/2010

Status: 6/7/2010-Chaptered by the Secretary of State, Chapter Number 25, Statutes of 2010

2Year	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
Dead	1st House			2nd House			Conc.					

Summary:

Would transfer \$45,000 from the Environmental Enhancement and Mitigation Program Fund to the General Fund, and appropriate that amount from the General Fund to the Controller for allocation to the Los Angeles County Local Agency Formation Commission for a loan to the East Los Angeles Residents Association, as specified. The bill would make findings and declarations regarding the need for a special statute. This bill contains other related provisions.

Position: Watch
Subject: Incorporation Proceedings

CALAFCO Comments: This would be the first time legislation has been introduced to provide funds for the State Controller to allocate to fund incorporation studies as provided in CKH. The legislation is specific that the process must be consistent with CKH law.

AB 2530 (Nielsen R) Local government: Williamson Act: contracts.

Current Text: Chaptered: 9/27/2010 [pdf](#) [html](#)

Introduced: 2/19/2010

Last Amended: 8/25/2010

Status: 9/27/2010-Chaptered by the Secretary of State, Chapter Number 391, Statutes of 2010

2Year	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
Dead	1st House				2nd House				Conc.			

Summary:

Would beginning January 1, 2011, and until January 1, 2015, authorize a county, in any fiscal year in which payments authorized for reimbursement to a county for lost revenue are less than 1/2 of the participating county's actual foregone general fund property tax revenue, to revise the term for new contracts and require the assessor to value the property, as specified, based on the new contract. The bill would provide that a landowner may choose to nonrenew and begin the cancellation process. The bill would also provide that any increased revenues generated by properties under a new contract shall be paid to the county.

Position: Watch
Subject: Ag Preservation - Williamson

CALAFCO Comments: This bill is sponsored by a coalition of organizations working to preserve the Williamson Act. CALAFCO supports the work of the Coalition.

SB 1023 (Wiggins D) Special districts: consolidation and reorganization.

Current Text: Chaptered: 7/9/2010 [pdf](#) [html](#)

Introduced: 2/11/2010

Last Amended: 4/27/2010

Status: 7/9/2010-Chaptered by Secretary of State - Chapter 68, Statutes of 2010.

2Year	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
Dead	1st House				2nd House				Conc.			

Summary:

Would until January 1, 2018, authorize the local agency formation commission to approve or conditionally approve an expedited reorganization of specified districts into a community services district, with the same powers, duties, responsibilities, obligations, liabilities, and jurisdiction of the district proposed to be dissolved, unless the governing body of the district proposed to be dissolved files a resolution of objection with the commission, as specified. This bill contains other related provisions and other existing laws.

Attachments:
[CALAFCO Support Letter](#)

Position: Support
Subject: Special District Consolidations

CALAFCO Comments: This bill provides an expedited process for the conversion of Resort Improvement Districts and select Municipal Improvement Districts to Community Service Districts or a Recreation and Park District. CALAFCO and the affected LAFcos and districts have been consulted on this legislation.

SB 1174 (Wolk D) Land use: general plan: Future Sustainable Communities Pilot Project.

Current Text: Amended: 6/24/2010 [pdf](#) [html](#)

Introduced: 2/18/2010

Last Amended: 6/24/2010

Status: 8/31/2010-Failed Deadline pursuant to Rule 61(b)(17). (Last location was APPR. on 8/12/2010)

2Year	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chapters
Dead	1st House				2nd House				Conc.			

Summary:

Would establish the Future Sustainable Communities Pilot Project. The bill would authorize a city or county with a disadvantaged unincorporated community, as defined, inside or near its boundaries to apply to the Strategic Growth Council, as specified, to receive the financial assistance necessary to update its general plan to facilitate the transformation of the disadvantaged unincorporated community into a sustainable community. The bill would require the Strategic Growth Council to choose 5 cities and 5 counties with a disadvantaged unincorporated community inside or near their boundaries to receive financial assistance. The bill would require, upon receipt of the financial assistance from the council, the city or county to review, prepare, and adopt amendments to one or more elements of its general plan, as necessary to include data and analysis, goals, implementation measures, policies, and objectives to address the presence of unincorporated island, unincorporated fringe, or unincorporated legacy communities, as respectively defined, inside or near its boundaries, and to incorporate into the general plan specified purposes relating to the establishment of sustainable communities. The bill would also require the updated general plan to include specified information. This bill would further require the city or county to make a diligent effort to involve all members of the public in preparing the review and update of the general plan. This bill contains other existing laws.

Position: Watch

Subject: Annexation Proceedings, Service Reviews/Spheres, Growth Management, Environmental Justice, Planning

CALAFCO Comments: As amended in June, this bill directs the Strategic Growth Council to fund up to ten pilot planning projects for disadvantaged communities. These projects include general plan updates identifying how the infrastructure in the community would be brought up to contemporary standards. Five cities and five counties could apply to be pilot projects.

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AB 194 (Torrico D) Retirement: local employees.

Current Text: Vetoed: 9/30/2010 [pdf](#) [html](#)

Introduced: 2/2/2009

Last Amended: 8/27/2010

Status: 9/30/2010-Vetoed by the Governor

2Year	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
Dead	1st House				2nd House				Conc.			

Summary:

Would specify that, notwithstanding any other law, for the purposes of determining a retirement benefit paid to a person who first becomes a member of a public retirement system on or after January 1, 2011, the maximum salary or payrate upon which retirement benefits shall be based shall not exceed 125% of the salary recommended by the California Citizens Compensation Commission to be paid to the Governor of the State of California, effective December 7, 2009. The bill would require that this amount be adjusted annually based on changes in the All Urban California Consumer Price Index. This bill contains other related provisions.

Position:

Subject: LAFCo Administration

CALAFCO Comments:

[AB 827](#) (De La Torre D) Local public employees.

Current Text: Vetoed: 9/30/2010 [pdf](#) [html](#)

Introduced: 2/26/2009

Last Amended: 8/27/2010

Status: 9/30/2010-Vetoed by the Governor

2Year	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
Dead	1st House				2nd House				Conc.			

Summary:

Would on and after January 1, 2011, additionally prohibit an employment contract for a local excluded employee, as defined, from including any clause that provides for an automatic renewal, an automatic compensation increase, as specified, or an automatic compensation increase in excess of a cost-of-living adjustment. The bill would also require the local agency, as defined, to complete a performance review of any excluded employee, as defined, before an increase in compensation in excess of a cost-of-living adjustment may be implemented for that individual. The bill would also specify that those records, procedures, and actions shall conform to the requirements of law, including, but not limited to, the Public Records Act and the Ralph M. Brown Act. By expanding the duties of local officials, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

Position: Watch

Subject: LAFCo Administration

CALAFCO Comments: This bill will likely affect LAFCo Executive Officers and other exempt employees who have contracts with their commissions. Places sever restrictions on contract renewal and compensation increases.

[AB 1955](#) (De La Torre D) Local government: compensation.

Current Text: Amended: 8/30/2010 [pdf](#) [html](#)

Introduced: 2/17/2010

Last Amended: 8/30/2010

Status: 8/31/2010-Withdrawn from committee. Ordered to third reading. Read third time. Urgency clause refused adoption. (Ayes 15. Noes 19. Page 5098.) Motion to reconsider made by Senator Florez. Reconsideration granted. (Ayes 37. Noes 0. Page 5099.)

2Year	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
Dead	1st House				2nd House				Conc.			

Summary:

Would require the Controller to determine, based on a review of public records or reported salary information, whether a city is an excess compensation city, as defined. The bill would authorize a city to request a hearing, as specified, to contest the Controller's determination. The bill would require the Controller, if the city does not request a hearing or if the Attorney General concurs with the Controller's determination after a hearing, to notify the city and the redevelopment agency in the city of the city's status as an excess compensation city, as prescribed. This bill contains other related provisions and other existing laws.

Position: Watch

Subject: LAFCo Administration

CALAFCO Comments: Sets limits on compensation for city councils. May be expanded to cover other local agencies.

[AB 1987](#) (Ma D) Public retirement: final compensation: computation: retirees.

Current Text: Vetoed: 9/30/2010 [pdf](#) [html](#)

Introduced: 2/17/2010

Last Amended: 8/27/2010

Status: 9/30/2010-Vetoed by the Governor

2Year	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
Dead	1st House				2nd House				Conc.			

Summary:

Would generally provide, effective July 1, 2011, that any change in salary, compensation, or remuneration principally for the purpose of enhancing a member's benefits would not be included in the calculation of a member's final compensation for purposes of determining that member's defined benefit. The bill would require the board of each state and local public retirement system to establish, by regulation, accountability provisions that would include an ongoing audit process to ensure that a change in a member's salary, compensation, or remuneration is not made principally for the purpose of enhancing a member's retirement benefits. This bill would limit the calculation of a member's final compensation to an amount not to exceed the average increase in compensation received within the final compensation period and the 2 preceding years by employees in the same or a related group as that member. This bill would also provide that a person who retires on or after January 1, 2012, may not perform services for any employer covered by a state or local retirement system until that person has been separated from service for a period of at least 180 days. This bill would provide for the implementation of the changes under the applicable retirement laws that apply to counties and cities. This bill contains other related provisions.

Position: Watch

Subject: LAFCo Administration

CALAFCO Comments: Affects 1937 Act retirement plans.

AB 2064 (Huber D) State and local government: salary disclosure.

Current Text: Amended: 8/31/2010 [pdf](#) [html](#)

Introduced: 2/18/2010

Last Amended: 8/31/2010

Status: 8/31/2010-From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on RLS. Joint Rules 61(b)(15) and 62(a) suspended. (Page 5080.) Re-referred to Com. on G.O.

2Year	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
Dead	1st House				2nd House				Conc.			

Summary:

Would require each general law or charter city, county, city and county, special district, school district, and joint powers agency to post on its official Internet Web site, if it maintains one, and annually update, annual salary information pertaining to specified persons, including, among others, each elected or appointed official of that entity, thus imposing a state-mandated local program. The bill would provide that this provision not become operative if a specified condition occurs. This bill contains other related provisions and other existing laws.

Position: Watch

Subject: LAFCo Administration

CALAFCO Comments: Requires posting of local agency elected official compensation and the chief executive compensation. Does not specify LAFCo.

AB 2776 (Huffman D) Transfers of water: agricultural use to municipal use.

Current Text: Amended: 7/15/2010 [pdf](#) [html](#)

Introduced: 3/1/2010

Last Amended: 7/15/2010

Status: 8/31/2010-Failed Deadline pursuant to Rule 61(b)(17). (Last location was APPR. on 7/15/2010)

2Year	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
Dead	1st House				2nd House				Conc.			

Summary:

Would prohibit the department, with respect to a contractual entitlement to water from the State Water Project, and the state board, with respect to any other transfer of water or water rights, from approving the transfer of surface water or water rights, or a portion of a contractual entitlement to water from the State Water Project, from agricultural use to municipal use for a period of 20 years or more, unless the water user provides to the department or the state board, as applicable, a written evaluation of the economic, social, and environmental effects of the transfer upon the service area from which the water is to be transferred. The bill would prohibit a water user from replacing specified surface water that is transferred from agricultural use to municipal use with groundwater, unless the groundwater basin of the service area from which the water is to be transferred is monitored and managed in accordance with specified requirements. The bill would require the department and the state board to charge specified fees to a water user that is subject to these provisions. This bill contains other existing laws.

Position: None at this time

Subject: Water

CALAFCO Comments: This bill would severely restrict participants in the State Water Project from transferring water allocations from agricultural to municipal uses. The current bill resulted in a gut and amend of a placeholder bill on 28 June.

SB 501 (Correa D) Local government: compensation disclosure.

Current Text: Amended: 8/20/2010 [pdf](#) [html](#)

Introduced: 2/26/2009

Last Amended: 8/20/2010

Status: 10/6/2010-Action From THIRD READING: To THIRD READING.

2Year	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
Dead	1st House				2nd House				Conc.			

Summary:

Would require filers , as defined, to annually file a compensation disclosure form, as specified. This bill would require the Secretary of State to develop the form, which would provide for the disclosure of, among other things, salaries and stipends , automobile and equipment allowances, and incentive and bonus payments . This bill would also require a county, city, city and county, school district, special district, or joint powers agency that maintains an Internet Web site to post the information contained on the filed form on that Internet Web site, as specified. The bill would authorize a district attorney or any interested person to commence an action by mandamus to enforce the provisions of the bill, as specified. The duties imposed on local departmental agencies by the bill would create a state-mandated local program. This bill contains other related provisions and other existing laws.

Position: Watch

Subject: LAFCo Administration

CALAFCO Comments: May limit compensation of LAFCo staff or require disclosure of LAFCo compensation.

SB 1425 (Simitian D) Public retirement: final compensation: computation: retirees.

Current Text: Vetoed: 9/30/2010 [pdf](#) [html](#)

Introduced: 2/19/2010

Last Amended: 8/19/2010

Status: 9/30/2010-Vetoed by the Governor

2Year	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
Dead	1st House				2nd House				Conc.			

Summary:

Would provide that any change in salary, compensation, or remuneration principally for the purpose of enhancing a member's benefits would not be included in the calculation of a member's final compensation for purposes of determining that member's defined benefit. The bill would generally require the board of each state and local public retirement system to establish, by regulation, accountability provisions that would include an ongoing audit process to ensure that a change in a member's salary, compensation, or remuneration is not made principally for the purpose of enhancing a member's retirement benefits. This bill would revise the definition of "creditable compensation" and would limit the calculation of a member's final compensation to an amount not to exceed the average increase in compensation received within the final compensation period and the 2 preceding years by employees in the same or a related group as that member. This bill would also provide that a person who retires on or after January 1, 2012, may not

perform services for any employer covered by a state or local retirement system until that person has been separated from service for a period of at least 180 days. This bill would provide for the implementation of these required changes under the laws that govern PERS and STRL. This bill contains other related provisions and other existing laws.

Position: Watch

Subject: LAFCo Administration

CALAFCO Comments: Affects PERS retirement plans.