

## Status Report

2/4/2013

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### 7 - Tracked Bills

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#### [AB 1](#)

#### **(Alejo D) Water quality: integrated plan: Salinas Valley.**

**Status:** 1/14/2013-Referred to Com. on E.S. & T.M.

**Location:** 1/14/2013-A. E.S. & T.M.

**Calendar:** 2/12/2013 1:30 p.m. - State Capitol, Room 444 ASSEMBLY ENVIRONMENTAL SAFETY AND TOXIC MATERIALS, ALEJO, Chair

**Summary:** Under existing law, the State Water Resources Control Board and the California regional water quality control boards prescribe waste discharge requirements in accordance with the federal Clean Water Act and the Porter-Cologne Water Quality Control Act (state act). The state act imposes various penalties for a violation of its requirements. The state act requires specified penalties be deposited into the Waste Discharge Permit Fund and separately accounted. The state act requires moneys in the fund, upon appropriation by the Legislature, to be expended by the state board to assist regional boards and prescribed other public agencies in cleaning up or abating the effects of waste on waters of the state or to assist a regional board attempting to remedy a significant unforeseen water pollution problem. This bill would appropriate \$2,000,000 to the state board for use by the Greater Monterey County Regional Water Management Group (management group) to develop an integrated plan to address the drinking water and wastewater needs of disadvantaged communities in the Salinas Valley whose waters have been affected by waste discharges, thereby making an appropriation. The bill would require the management group to consult with specified entities and to submit to the Legislature by January 1, 2016, the plan developed by the group. This bill contains other related provisions.

#### **Position**

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#### [AB 7](#)

#### **(Wieckowski D) Oil and gas: hydraulic fracturing.**

**Status:** 1/14/2013-Referred to Com. on NAT. RES.

**Location:** 1/14/2013-A. NAT. RES.

**Summary:** Under existing law, the Division of Oil, Gas, and Geothermal Resources (DOGGR) in the Department of Conservation regulates the drilling, operation, maintenance, and abandonment of oil and gas wells in the state. The State Oil and Gas Supervisor supervises the drilling, operation, maintenance, and abandonment of wells and the operation, maintenance, and removal or abandonment of tanks and facilities related to oil and gas production within an oil and gas field regarding safety and environmental damage. Existing law requires an operator of a well, before commencing the work of drilling the well, to obtain approval from the State Oil and Gas Supervisor or a district deputy. Existing law requires the operator of a well to keep, or cause to be kept, a careful and accurate log, core record, and history of the drilling of the well. Within 60 days after the date of cessation of drilling, rework, or abandonment operations, the owner or operator is required to file with the district deputy certain information, including the history of work performed. This bill would define, among other things, hydraulic fracturing and hydraulic fracturing fluid. The bill would require an operator of a well to record and include all data on hydraulic fracturing treatment, including the risk posed by

potential seismicity, as a part of the history of the drilling of the well. The bill would require DOGGR, in consultation with the Department of Toxic Substances Control, the State Air Resources Board, and the State Water Resources Control Board, on or before January 1, 2014, to adopt rules and regulations specific to hydraulic fracturing, including governing the construction of wells and well casings and full disclosure of the composition and disposition of hydraulic fracturing. The bill would require an operator to file with the supervisor or a district deputy, at least 30 days prior to the commencement of a hydraulic fracturing treatment, a notice of intention to commence hydraulic fracturing treatment containing specified information. The bill would require the hydraulic fracturing to be completed within one year of the filing of the notice of intention. The bill would require DOGGR, within 10 days of the receipt of the notice of intention, to make the notice publicly available, to post it on the division's Internet Web site, and to notify the appropriate regional water quality control board. The bill would require the supplier, as defined, of the hydraulic fracturing treatment to provide to the operator, within 30 days following the conclusion of the hydraulic fracturing, certain information regarding the hydraulic fracturing fluid. The bill would require the operator, within 60 days of the cessation of hydraulic fracturing treatment, to post or cause to have posted on an Internet Web site accessible to the public specified information on the fracturing and fluid, as specified. The bill would require a supplier claiming trade secret protection for the chemical composition of additives used in the hydraulic treatment to disclose the composition to DOGGR, but would, except as specified, prohibit those with access to the trade secret to disclose it, and a person who violates this prohibition would be guilty of a misdemeanor. Because this bill would create a new crime, it would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

**Position**

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**AB 18**

**(Pan D) Individual health care coverage.**

**Status:** 12/4/2012-From printer. May be heard in committee January 3.

**Location:** 12/3/2012-A. PRINT

**Summary:** Existing federal law, the federal Patient Protection and Affordable Care Act (PPACA) enacts various health care coverage market reforms that take effect January 1, 2014. Among other things, PPACA requires each health insurance issuer that offers health insurance coverage in the individual or group market in a state to accept every employer and individual in the state that applies for that coverage and to renew that coverage at the option of the plan sponsor or the individual. PPACA prohibits a group health plan and a health insurance issuer offering group or individual health insurance coverage from imposing any preexisting condition exclusion with respect to that plan or coverage. PPACA allows the premium rate charge by a health insurance issuer offering small group or individual coverage to vary only by family composition, rating area, age, and tobacco use, as specified, and prohibits discrimination against individuals based on health status. This bill would state the intent of the Legislature to enact legislation that would reform the individual health care coverage market consistent with the PPACA. This bill contains other related provisions and other existing laws.

**Position**

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**AB 21**

**(Alejo D) Safe Drinking Water Small Community Grant Fund.**

**Status:** 1/14/2013-Referred to Com. on E.S. & T.M.

**Location:** 1/14/2013-A. E.S. & T.M.

**Calendar:** 2/12/2013 1:30 p.m. - State Capitol, Room 444 ASSEMBLY ENVIRONMENTAL SAFETY AND TOXIC MATERIALS, ALEJO, Chair

**Summary:** Existing law establishes the Safe Drinking Water State Revolving Fund, which is

continuously appropriated to the department for the provision of grants and revolving fund loans to provide for the design and construction of projects for public water systems that will enable suppliers to meet safe drinking water standards. Existing law requires the department to establish criteria to be met for projects to be eligible for consideration for this funding. This bill would authorize the department to assess a specified annual charge in connection with loans for water projects made pursuant to the Safe Drinking Water Small Community Grant Fund, which the bill would create in the State Treasury. The bill would require the proceeds generated from the imposition of the annual charge, along with other moneys, to be deposited in the grant fund. The bill would authorize the department to expend the money, upon appropriation of the Legislature, for grants for specified water projects that serve disadvantaged and severely disadvantaged communities.

**Position**

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**[AB 38](#)**

**([John A. Pérez](#) D) The California Food, Farms, and Jobs Act.**

**Status:** 12/4/2012-From printer. May be heard in committee January 3.

**Location:** 12/3/2012-A. PRINT

**Summary:** 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.

**Position**

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**[AB 50](#)**

**([Pan](#) D) Health care coverage: Medi-Cal: eligibility: enrollment.**

**Status:** 1/14/2013-Referred to Com. on HEALTH.

**Location:** 1/14/2013-A. HEALTH

**Summary:** Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services, under which qualified low-income individuals receive health care services. The Medi-Cal program is, in part, governed and funded by federal Medicaid Program provisions. This bill would require the department to establish a process in accordance with federal law to allow a hospital that is a participating Medi-Cal provider to elect to be a qualified entity for purposes of determining whether any individual is eligible for Medi-Cal and providing the individual with medical assistance during the presumptive eligibility period. This bill contains other related provisions and other existing laws.

**Position**

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**[AB 53](#)**

**([John A. Pérez](#) D) Governor's Office of Business and Economic Development: biennial California Economic Development Strategic Plan.**

**Status:** 1/18/2013-Referred to Com. on J., E.D., & E.

**Location:** 1/18/2013-A. J., E.D. & E.

**Summary:** The Governor's Office of Business and Economic Development serves as the Governor's lead entity for economic strategy and the marketing of California on issues relating to business development, private sector investment, and economic growth. The office, among others, makes recommendations to the Governor and the Legislature regarding policies, programs, and actions to advance statewide economic goals. This bill would require the office to lead the preparation of a biennial California Economic Development Strategic Plan, as specified.

**Position**

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[AB 127](#)

**(Skinner D) Fire safety: fire retardants: building insulation.**

**Status:** 1/15/2013-From printer. May be heard in committee February 14.

**Location:** 1/14/2013-A. PRINT

**Summary:** Existing law authorizes the State Energy Resources Conservation and Development Commission to adopt regulations pertaining to urea formaldehyde foam insulation materials that are reasonably necessary to protect the public health and safety. Existing law provides that these regulations may include prohibition of the manufacture, sale, or installation of this insulation. Existing law also authorizes the Bureau of Electronic and Appliance Repair, Home Furnishings, and Thermal Insulation to establish by regulation insulation material standards governing the quality of all insulation material sold or installed in the state. This bill would state that it is the intent of the Legislature to enact subsequent legislation that would reduce the use of flame retardants in plastic foam building insulation.

**Position**

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[AB 145](#)

**(Perea D) State Water Resources Control Board: drinking water.**

**Status:** 1/31/2013-Referred to Coms. on W.,P. & W. and E.S. & T.M.

**Location:** 1/31/2013-A. W.,P. & W.

**Summary:** The California Safe Drinking Water Act (state act) provides for the operation of public water systems and imposes on the State Department of Public Health various duties and responsibilities. Existing law requires the department to conduct research, studies, and demonstration projects relating to the provision of a dependable, safe supply of drinking water, to adopt regulations to implement the state act, and to enforce provisions of the federal Safe Drinking Water Act. This bill would transfer to the State Water Resources Control Board the various duties and responsibilities imposed on the department by the state act. This bill contains other related provisions and other existing laws.

**Position**

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[AB 154](#)

**(Atkins D) Healing arts: reproductive health care.**

**Status:** 1/23/2013-From printer. May be heard in committee February 22.

**Location:** 1/22/2013-A. PRINT

**Summary:** Existing law makes it a public offense, punishable by a fine not exceeding \$10,000 or imprisonment, or both, for a person to perform or assist in performing a surgical abortion if the person does not have a valid license to practice as a physician and surgeon, or to assist in performing a surgical abortion without a valid license or certificate obtained in accordance with some other law that authorizes him or her to perform the functions necessary to assist in performing a surgical abortion. Existing law also makes it a public offense, punishable by a fine not exceeding \$10,000 or imprisonment, or both, for a person to perform

or assist in performing a nonsurgical abortion if the person does not have a valid license to practice as a physician and surgeon or does not have a valid license or certificate obtained in accordance with some other law authorizing him or her to perform or assist in performing the functions necessary for a nonsurgical abortion. Under existing law, nonsurgical abortion includes termination of pregnancy through the use of pharmacological agents. This bill would state that it is the intent of the Legislature to enact legislation that would expand access to reproductive health care in California by allowing qualified health care professionals to perform early abortions. This bill contains other existing laws.

**Position**

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[AB 177](#)

**(V. Manuel Pérez D) Renewable energy.**

**Status:** 1/25/2013-From printer. May be heard in committee February 24.

**Location:** 1/24/2013-A. PRINT

**Summary:** Under existing law, the Public Utilities Commission (PUC) has regulatory authority over public utilities, including electrical corporations, as defined. The Public Utilities Act requires the PUC, in consultation with the Independent System Operator (ISO), to establish resource adequacy requirements for all load-serving entities, as defined, in accordance with specified objectives. The definition of a "load-serving entity" includes an electrical corporation. That law further requires each load-serving entity to maintain physical generating capacity adequate to meet its load requirements, including peak demand and planning and operating reserves, deliverable to locations and at times as may be necessary to provide reliable electric service. This bill would state the policy of the state to require all retail sellers of electricity, including investor and publicly owned utilities, to procure new demand-side and clean energy generation to achieve greenhouse gas emissions reduction, resource adequacy, and renewable goals simultaneously in the most cost-effective manner practicable. This bill contains other related provisions and other existing laws.

**Position**

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[ABX1 1](#)

**(John A. Pérez D) Medi-Cal: eligibility.**

**Status:** 1/29/2013-From printer.

**Location:** 1/28/2013-A. PRINT

**Summary:** Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services, under which qualified low-income individuals receive health care services. The Medi-Cal program is, in part, governed and funded by federal Medicaid Program provisions. This bill would, commencing January 1, 2014, implement various provisions of the federal Patient Protection and Affordable Care Act (Affordable Care Act), as amended, by, among other things, modifying provisions relating to determining eligibility for certain groups. The bill would, in this regard, extend Medi-Cal eligibility to specified adults and would require that income eligibility be determined based on modified adjusted gross income (MAGI), as prescribed. The bill would prohibit the use of an asset or resources test for individuals whose financial eligibility for Medi-Cal is determined based on the application of MAGI. The bill would also add, commencing January 1, 2014, benefits, services, and coverage included in the essential health benefits package, as adopted by the state and approved by the United States Secretary of Health and Human Services, to the schedule of Medi-Cal benefits. This bill contains other related provisions and other existing laws.

**Position**

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[ABX1 2](#)

**(Pan D) Health care coverage.**

**Status:** 1/30/2013-From printer.

**Location:** 1/29/2013-A. PRINT

**Summary:** Existing federal law, the federal Patient Protection and Affordable Care Act (PPACA), enacts various health care coverage market reforms that take effect January 1, 2014. Among other things, PPACA requires each health insurance issuer that offers health insurance coverage in the individual or group market in a state to accept every employer and individual in the state that applies for that coverage and to renew that coverage at the option of the plan sponsor or the individual. PPACA prohibits a group health plan and a health insurance issuer offering group or individual health insurance coverage from imposing any preexisting condition exclusion with respect to that plan or coverage. PPACA allows the premium rate charged by a health insurance issuer offering small group or individual coverage to vary only by rating area, age, tobacco use, and whether the coverage is for an individual or family and prohibits discrimination against individuals based on health status, as specified. PPACA requires an issuer to consider all enrollees in its individual market plans to be part of a single risk pool and to consider all enrollees in its small group market plans to be part of a single risk pool, as specified. PPACA also requires each state to, by January 1, 2014, establish an American Health Benefit Exchange that facilitates the purchase of qualified health plans by qualified individuals and qualified small employers, as specified. This bill would require a plan or insurer, on and after October 1, 2013, to offer, market, and sell all of the plan's or insurer's health benefit plans that are sold in the individual market for policy years on or after January 1, 2014, to all individuals and dependents in each service area in which the plan or insurer provides or arranges for the provision of health care services, as specified, but would require plans and insurers to limit enrollment in individual health benefit plans to specified open enrollment and special enrollment periods. The bill would prohibit these health benefit plans from imposing any preexisting condition upon any individual and from conditioning the issuance or offering of individual health benefit plans on any health status-related factor, as specified. The bill would require a health care service plan or health insurer to consider the claims experience of all enrollees or insureds of its nongrandfathered individual health benefit plans to be part of a single risk pool, would require the plan or insurer to establish a specified index rate for that market, and would authorize the plan or insurer to vary premiums from the index rate based only on specified factors. The bill would authorize plans and insurers to use only age, geographic region, and family size for purposes of establishing rates for individual health benefit plans, as specified. The bill would require plans and insurers to provide specified information regarding the Exchange to applicants for and subscribers of individual health benefit plans offered outside the Exchange. The bill would prohibit a plan or insurer from advertising or marketing an individual grandfathered health plan for the purpose of enrolling a dependent of the subscriber or policyholder in the plan and would also require plans and insurers to annually issue a specified notice to subscribers and policyholders enrolled in a grandfathered plan. This bill contains other related provisions and other existing laws.

**Position**

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[SB 4](#)

**(Pavley D) Oil and gas: hydraulic fracturing.**

**Status:** 1/10/2013-Referred to Coms. on N.R. & W. and PUB. S.

**Location:** 1/10/2013-S. N.R. & W.

**Summary:** Under existing law, the Division of Oil, Gas, and Geothermal Resources (DOGGR) in the Department of Conservation regulates the drilling, operation, maintenance, and abandonment of oil and gas wells in the state. The State Oil and Gas Supervisor supervises the drilling, operation, maintenance, and abandonment of wells and the operation, maintenance, and removal or abandonment of tanks and facilities related to oil and gas

production within an oil and gas field regarding safety and environmental damage. Existing law requires an operator of a well, before commencing the work of drilling the well, to obtain approval from the State Oil and Gas Supervisor or a district deputy. Existing law requires the operator of a well to keep, or cause to be kept, a careful and accurate log, core record, and history of the drilling of the well. Within 60 days after the date of cessation of drilling, rework, or abandonment operations, the owner or operator is required to file with the district deputy certain information, including the history of work performed. This bill would define, among other things, hydraulic fracturing and hydraulic fracturing fluid. The bill requires an operator of a well to record and include all data on hydraulic fracturing treatment, including names and locations of all known seismic faults, as a part of the history of the drilling of the well. The bill would require DOGGR, in consultation with the Department of Toxic Substances Control, the State Air Resources Board, and the State Water Resources Control Board, on or before January 1, 2015, to adopt rules and regulations specific to hydraulic fracturing, including governing the construction of wells and well casings and full disclosure of the composition and disposition of hydraulic fracturing. The bill would require an operator to file with the supervisor or a district deputy, at least 30 days prior to the commencement of a hydraulic fracturing treatment, a notice of intention to commence hydraulic fracturing treatment containing specified information. The bill would require the hydraulic fracturing to be completed within one year of the filing of the notice of intention. The bill would require DOGGR, within 10 days of the receipt of the notice of intention, to make the notice publicly available, to post it on the division's Internet Web site, and to notify the appropriate regional water quality control board. The bill would require the supplier, as defined, of the hydraulic fracturing treatment to provide to the operator, within 30 days following the conclusion of the hydraulic fracturing, certain information regarding the hydraulic fracturing fluid. The bill would require the operator, within 60 days of the cessation of hydraulic fracturing treatment, to post or cause to have posted on an Internet Web site accessible to the public specified information on the fracturing and fluid, as specified. The bill would require a supplier claiming trade secret protection for the chemical composition of additives used in the hydraulic treatment to disclose the composition to DOGGR, but would, except as specified, prohibit those with access to the trade secret to disclose it, and a person who violates this prohibition would be guilty of a misdemeanor. Because this bill would create a new crime, it would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

**Position**

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**SB 18**

**(Hernandez D) Individual health care coverage.**

**Status:** 1/10/2013-Referred to Com. on RLS.

**Location:** 1/10/2013-S. RLS.

**Summary:** Existing federal law, the federal Patient Protection and Affordable Care Act (PPACA) enacts various health care coverage market reforms that take effect January 1, 2014. Among other things, PPACA requires each health insurance issuer that offers health insurance coverage in the individual or group market in a state to accept every employer and individual in the state that applies for that coverage and to renew that coverage at the option of the plan sponsor or the individual. PPACA prohibits a group health plan and a health insurance issuer offering group or individual health insurance coverage from imposing any preexisting condition exclusion with respect to that plan or coverage. PPACA allows the premium rate charge by a health insurance issuer offering small group or individual coverage to vary only by family composition, rating area, age, and tobacco use, as specified, and prohibits discrimination against individuals based on health status. This bill would state the intent of the Legislature to enact legislation that would reform the individual health care coverage market consistent with the PPACA. This bill contains other related provisions and other existing laws.

**Position**

[SB 20](#)

**(Hernandez D) Health care coverage: basic health program.**

**Status:** 1/10/2013-Referred to Com. on RLS.

**Location:** 1/10/2013-S. RLS.

**Summary:** Existing law, the federal Patient Protection and Affordable Care Act (PPACA), requires each state to, by January 1, 2014, establish an American Health Benefit Exchange that makes available qualified health plans to qualified individuals and small employers. PPACA also authorizes the establishment of a basic health program under which a state may, if specified criteria are met, enter into contracts to offer one or more standard health plans providing a minimum level of essential health benefits to eligible individuals instead of offering those individuals coverage through an exchange. This bill would state the intent of the Legislature to enact legislation that would establish a basic health program in California as described in PPACA.

**Position**

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[SB 28](#)

**(Hernandez D) Medi-Cal: eligibility.**

**Status:** 1/10/2013-Referred to Com. on HEALTH.

**Location:** 1/10/2013-S. HEALTH

**Summary:** Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services, under which qualified low-income individuals receive health care services. The Medi-Cal program is, in part, governed and funded by federal Medicaid Program provisions. This bill would, commencing January 1, 2014, implement various provisions of the federal Patient Protection and Affordable Care Act (Affordable Care Act), as amended, by, among other things, modifying provisions relating to determining eligibility for certain groups. The bill would, in this regard, extend Medi-Cal eligibility to specified adults and would require that income eligibility be determined based on modified adjusted gross income (MAGI), as prescribed. The bill would prohibit the use of an asset or resources test for individuals whose financial eligibility for Medi-Cal is determined based on the application of MAGI. The bill would also add, commencing January 1, 2014, benefits, services, and coverage included in the essential health benefits package, as adopted by the state and approved by the United States Secretary of Health and Human Services, to the schedule of Medi-Cal benefits. This bill contains other related provisions and other existing laws.

**Position**

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[SB 117](#)

**(Rubio D) Drinking water: State Water Resources Control Board.**

**Status:** 1/31/2013-Referred to Coms. on HEALTH and E.Q.

**Location:** 1/31/2013-S. HEALTH

**Summary:** Existing law, the California Safe Drinking Water Act, provides for the operation of public water systems, and imposes on the State Department of Public Health various responsibilities and duties. Existing law requires the department to conduct research, studies, and demonstration projects relating to the provision of a dependable, safe supply of drinking water, to adopt regulations to implement the California Safe Drinking Water Act, and to enforce provisions of the federal Safe Drinking Water Act. This bill would transfer the various duties and responsibilities imposed on the department by the California Safe Drinking Water Act to the State Water Resources Control Board and make conforming changes.



**Position**

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**SBX1 1**

**(Hernandez D) Medi-Cal: eligibility.**

**Status:** 1/28/2013-Introduced. Read first time. Referred to Com. on RLS.

**Location:** 1/28/2013-S. RLS.

**Summary:** Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services, under which qualified low-income individuals receive health care services. The Medi-Cal program is, in part, governed and funded by federal Medicaid Program provisions. This bill would, commencing January 1, 2014, implement various provisions of the federal Patient Protection and Affordable Care Act (Affordable Care Act), as amended, by, among other things, modifying provisions relating to determining eligibility for certain groups. The bill would, in this regard, extend Medi-Cal eligibility to specified adults and would require that income eligibility be determined based on modified adjusted gross income (MAGI), as prescribed. The bill would prohibit the use of an asset or resources test for individuals whose financial eligibility for Medi-Cal is determined based on the application of MAGI. The bill would also add, commencing January 1, 2014, benefits, services, and coverage included in the essential health benefits package, as adopted by the state and approved by the United States Secretary of Health and Human Services, to the schedule of Medi-Cal benefits. This bill contains other related provisions and other existing laws.

**Position**

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Total Measures: 19

Total Tracking Forms: 19