



The 1995-96 legislative session began on January 4, 1995. The two-year session will continue until August 31, 1996. The first year of the session will continue until midnight on September 15, 1995, with the legislature scheduled to take a one-month recess between July 14 and August 14. The last day for bills to be introduced in 1995 is February 24. Constitutional amendments, urgency measures (requiring a two-thirds vote), tax bills, and resolutions may be introduced beyond the February 24 deadline.

Following are some of the general public interest, regulatory, and governmental structure proposals introduced in the first weeks of the new session.

STATE BOARDS AND COMMISSIONS

SCA 3 (Maddy), as introduced December 5, would create the California Gaming Control Commission and authorize the Commission to regulate legal gaming in this state, subject to legislative control; the bill would also create a Division of Gaming Control within the Office of the Attorney General, and permit the legislature to impose licensing fees on all types of gaming regulated by the Commission to support the activities of the Commission and the Division. [S. GO, RIs, CA]

AB 19 (Tucker). The Gaming Registration Act, among other things, prohibits the ownership or operation of a gaming club, as defined, without first obtaining a valid registration from the Attorney General; existing law subjects any person operating a gaming club without a license to punishment in the state prison or in a county jail for not more than one year. As introduced December 5, this bill would repeal the Gaming Registration Act, enact the Gaming Control Act, create the California Gaming Control Commission, and authorize the Commission to regulate legal gaming in this state, as specified. This bill would also create the Division of Gaming Control within the Department of Justice, and specify that the Division is responsible for investigation and enforcement of controlled gaming activity in the state. [A. GO]

AB 116 (Speier), as introduced January 11, would provide that no state or local agency is required to prepare and submit any written report to the legislature or the Governor until January 1, 1997, except under specified conditions; a list of specified reports would still be required. [A. CPGE&ED]

SB 48 (Lockyer), as introduced December 20, would generally prohibit, with

specified exceptions, an officer or employee of the state from receiving compensation for his/her personal use for sitting on the board of directors for any corporation, if the opportunity to sit on that board of directors arose from his/her position as a state officer or employee; the bill would also require any compensation received for services rendered to a corporation to revert to the state agency or entity for which the employee is employed or officer is serving. [S. PE&R]

CONSUMER PROTECTION

AB 40 (Baca). A specific provision of the Song-Beverly Consumer Warranty Act provides that all new motorized wheelchairs sold at retail or leased in California and paid for pursuant to the Medi-Cal Act shall be accompanied by the manufacturer's or lessor's written express warranty that the wheelchair is free of defects. Existing law also provides that if the written express warranty is not provided to the consumer, the motorized wheelchair is nonetheless deemed to be covered by this warranty. Existing law provides that no wheelchair that has been returned for failure to repair a nonconformity after a reasonable number of attempts to conform to the warranty, as specified, shall be sold or leased again in this state unless the reasons for the return have been fully disclosed to the prospective buyer or lessee.

As introduced December 5, this bill would repeal this specific provision and instead require a manufacturer who sells or leases any wheelchair to a consumer to provide the consumer with a written express warranty that the wheelchair is free of defects, as specified; specify procedures for the repair of the nonconformity or provision of a refund or replacement wheelchair; provide that a wheelchair returned by a consumer for nonconformity in this state or another state under a similar provision shall not be sold or leased again without full disclosure of the reasons for return; and provide that it shall not be construed to limit the remedies available to a consumer under any other law, provide that waiver of the rights under the bill is void, and specify the damages to be awarded a consumer where a manufacturer is found to have violated the bill. [A. CPGE&ED]

ELECTIONS

SB 24 (Kopp), as introduced December 8, would authorize voters to designate "none of these candidates" when voting in all elections for Governor, Lieutenant Governor, Attorney General, Controller,

Insurance Commissioner, Secretary of State, Superintendent of Public Instruction, Treasurer, member of the Board of Equalization, United States Senator, Representative in Congress, Member of the Assembly, and State Senator. The bill would require the votes for "none of these candidates" to be counted and reported. [S. E&R]

SB 68 (Hayden). The existing Political Reform Act of 1974 requires certain campaign committees, as defined, to file certain information concerning their contributions and expenditures for various political campaigns. As introduced January 5, this bill would require the Secretary of State, not later than January 1, 1997, to develop an electronic reporting process for use by those committees to file campaign statements required by the Act; require the Secretary of State to establish a training program on the electronic reporting process and make the process and data available to any committee that files a campaign statement pursuant to the provisions of the bill and the public; require any committee that either receives contributions or makes expenditures totaling more than \$30,000 to support or oppose a candidate for elective state office in any calendar year to file the campaign statements otherwise required by the Act in the electronic format prescribed by the Secretary of State; and permit these committees to voluntarily comply with the electronic format developed by the Secretary of State until December 31, 1997, and require these committees to mandatorily comply beginning on January 1, 1998. [S. E&R]

INFORMATION TECHNOLOGY

SB 1 (Alquist). The Office of Information Technology in the Department of Finance is charged with identifying new applications for information technology, improving productivity and service to clients, and assisting agencies in designing and implementing the use of information technology; OIT operates under the direction of the Director of the Office of Information Technology, who is prescribed specified responsibilities. As introduced December 5, this bill would replace OIT with the Information Services Agency and that Agency would be managed by the Secretary of Information Services, who would have prescribed responsibilities. The Agency would be charged with improving the state's ability to apply information technology effectively, and assisting state agencies in identifying, designing, and implementing these applications. This bill would require the Information Ser-



vices Agency or its secretary to, among other things, create a Department of Information Services within the Agency to perform the operational duties and responsibilities of the Agency, including performing the duties and responsibilities of the former OIT, as modified; consolidate state information technology services in a manner to be determined by the executive branch, which may include the consolidation of existing data centers; establish policies regarding an independent validation and verification of state information technology projects; perform responsibilities currently performed by the Department of General Services with respect to the acquisition of information technology and telecommunication goods and services; and form user committees and advisory committees. [S. GO]

AB 4 (Bates). Existing law requires the Office of Information Technology in the Department of Finance, among other things, to support and promote the use of innovative information technologies within state government as a means of improving state services to the public. As introduced December 5, this bill would require OIT to work with all state agencies, appropriate federal agencies, local agencies, and members of the public to develop and implement a plan to make copies of public information that is already computerized by a state agency accessible to the public in computer-readable form by means of the largest nonproprietary, nonprofit cooperative computer network at no cost to the public, as specified. This bill would require the plan to be completed no later than January 1, 1997, and would require OIT to report to the legislature by certain dates on the progress or obstacles in developing or implementing the plan. The provisions of this bill would be implemented only if the state receives federal funding for this purpose. [A. CPGE&ED]

PUBLIC RECORDS

AB 141 (Bowen), as introduced January 13, would prohibit state and local agencies from selling, exchanging, furnishing, or otherwise providing a public record subject to disclosure under the Public Records Act to a private entity in a manner that would result in the record no longer being available under the Act. [A. GO]

AB 142 (Bowen). The Public Records Act provides that any person may receive a copy of any identifiable public record upon payment of fees covering the direct costs of duplication or any applicable statutory fee. As introduced January 13, this bill would expressly provide that any agency that has information that constitutes an

identifiable public record that is in an electronic format shall, unless otherwise prohibited by law, make that information available in an electronic format, when requested by any person. [A. GO]

