

Calif. lawmakers to consider thousands of bills

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Neighbors and law enforcement agencies would get advance notice when they are dealing with child molesters and sexually violent predators under two of the thousands of bills that will be considered this year by the California Legislature.

Lawmakers submitted more than 2,323 bills by Friday's deadline. That's roughly 19 bills for each of the 120 members of the Assembly and Senate.

Among them are four that grew out of the arrest last year of a paroled sex offender who later pleaded guilty to raping and murdering two teenage girls in San Diego County.

Two of the bills would apply only to those convicted of sex crimes against children or who are found to be sexually violent predators — "the worst of the worst," said Assemblyman Paul Cook, R-Yucca Valley.

One, AB885, would require that their driver's licenses or identification cards carry a coded notation that could be read by law enforcement. A similar bill unanimously cleared the Assembly last year but died in a Senate committee, in part because of concerns over confidentiality and costs. Supporters said offenders could pay for the program through higher license fees.

The second, AB884, would require law enforcement to give written notice to neighbors living within 1,000 feet of a paroled molester within five days of the offender moving into the neighborhood. Nearby schools and daycare centers also would get notice.

"Knowing the threat is half the battle," said, Maurice "Moe" Dubois, whose 14-year-old daughter, Amber, was one of the murdered teens.

John Gardner is serving a life sentence after pleading guilty to killing Dubois and 17-year-old Chelsea King, whose was killed in February 2010. Dubois had been killed the year before, but her body was not discovered until after the King slaying.

"My only child had to suffer the worst possible thing that a child should have to face," Maurice Dubois said during a Capitol news conference to discuss the four-bill package. "I don't want anyone else's family to go through this."

Officials with the American Civil Liberties Union and California Attorneys for Criminal Justice, which represents defense lawyers, said they had not reviewed the bills and could not comment.

A third bill, AB883, was requested by the state Department of Justice. It would let the department consider the underlying facts of a case when deciding whether someone convicted in another state must register as a sex offender in California.

The fourth, AB886, would require judges to keep victim impact statements confidential until they are read aloud in court during a criminal's sentencing hearing. Dubois' written statement was published a day before Gardner's sentencing hearing.

"My ability to tell this person how I felt was ripped away from me," he said.

The statements are public records that should require a court hearing if a victim wants them kept from public view, said Tom Newton, general counsel for the California Newspaper Publishers Association. Moreover, restricting their disclosure would harm victims' interests, he said.

"If you want to maximize the power of the statement, then let the media have it and do what it does," Newton said.

Laws enacted last year, including one named after Chelsea King and three others sought by Dubois, increase penalties and supervision of sex offenders and speed up law enforcement's response to missing persons reports.

Legislative committees will begin considering those and thousands of other bills in the coming weeks after lawmakers act on proposals to close the state's \$26.6 billion budget deficit through June 2012. Here is a look at some of the other bills:

_ California would charge a tax of a penny per ounce on sugar-sweetened beverages, with the projected \$1.7 billion going to fight childhood obesity, under AB669 by Assemblyman Bill Monning, D-Monterey. Critics at the nonprofit Center for Consumer Freedom countered that soft drinks make up less than 6 percent of the average person's calories.

_ Cities would have to give public notice twice before they award raises to city managers, consultants and other top employees under a bill sought by state state Controller John Chiang. AB582 by Assemblyman Richard Pan, D-Sacramento, is responding to last year's pay scandal in the Los Angeles County city of Bell.

_ The controller's office would have greater discretion to audit local governments under a second bill sought by Chiang after the Bell scandal. The controller currently can audit local governments' handling of state and federal money. SB186 by Sen. Christine Kehoe, D-San Diego, would expand the authority to include local taxes, bonds and other funds.

_ Public colleges and universities would have to train employees to spot and prevent bullying and harassment of homosexual and transgender students and staff under AB620. The bill by Assemblyman Marty Block, D-San Diego, also would require the institutions to include a policy on harassment and intimidation in their student codes of conduct.

_ California could join other West Coast states in limiting the number of crab pots in its coastal waters,

among regulations to curb environmental and safety risks from the Dungeness crab fishing industry's annual race to take as many catchable-size crabs as possible after the season opens in November." SB369, by Sen. Noreen Evans, D-Santa Rosa, is based on recommendations from a task force that included crab fishermen. It examined ways to protect the Dungeness population and ease competition from Oregon and Washington crabbers. Former Gov. Arnold Schwarzenegger vetoed two previous bills seeking trap limits.

_Smokers would lose some of the last remaining indoor locations where it is legal to inhale under SB575. The bill by Sen. Mark DeSaulnier, D-Concord, would end exemptions that allow smoking in some areas of motel and hotel lobbies, meeting and banquet rooms, retail or wholesale tobacco shops, warehouses, break rooms and at businesses with five or fewer employees.

_California's tobacco tax would increase another \$1.50 per pack under a bill by Sen. Alex Padilla, D-Los Angeles. His SB330 proposes to spend the projected \$1.2 billion on smoking prevention and cancer research efforts, with a portion going to help balance the state budget. He says the state's current tax of 87 cents per pack is one of the nation's lowest. Padilla's SB331 would restrict tobacco sales within 600 feet of schools, and his SB332 would allow landlords to ban smoking in and around their rental properties.

_ Sen. Alex Padilla wants to outlaw the sale of caffeinated beer beverages such as Four Loko, Joose and Tilt in California. Padilla, D-Los Angeles, says the drinks are popular with youths, and the caffeine masks the effects of the high alcohol content. California would join Kansas, Massachusetts, Michigan, New York, Utah and Washington in banning the drinks under SB39. Many of the companies have reformulated their products after criticism in recent months.

_Welfare recipients would be barred from using their Electronic Benefit Transfer cards to buy alcohol or tobacco under a bill by Senate Minority Leader Bob Dutton, R-Rancho Cucamonga. His SB417 responds to reports that the cards also were used to withdraw money at casinos, strip clubs and cruise ships. Recipients are prohibited from buying alcohol and tobacco with food stamp money, but there is no ban on using CalWORKS funds for the products.

_Employers would be required to give workers paid sick days under a bill by Assemblywoman Fiona Ma, D-San Francisco. Her AB400 requires businesses with 10 or fewer employees to provide five days of sick time annually, with nine days annually at larger businesses. Ma says nearly six million Californians, more than 20 percent, now get no paid sick days.

_Natural gas utilities would have to install automatic and remotely controlled shut-off valves on their pipelines under a bill responding to the deadly September explosion in San Bruno. The Pacific Gas & Electric Co. pipeline had only a manual shut-off valve. SB216 by Sen. Leland Yee, D-San Francisco, would require the new shut-off valves on pipelines that cross an active earthquake fault or populated areas.

<http://sfgate.com/cgi-bin/article.cgi?f=/n/a/2011/02/21/state/n100108S83.DTL>

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