

# CALIFORNIA LEGISLATIVE UPDATE

CALIFORNIA INDIAN LAW ASSOCIATION  
OCTOBER 12, 2018

Jacob Mejia  
Vice President of Public Affairs  
Pechanga Development Corp.  
[jmejia@pechanga-pdc.com](mailto:jmejia@pechanga-pdc.com)





# TOPICS

- The Legislative Landscape
- Recap of 2018 Legislation
- Key Legislative Issues for 2019
- Current and Potential Tribal and Gaming Legislation in the 2019 Session



# IMPORTANT DATES

- November 6 – General Election
- November 30 – Adjournment Sine Die
- December 3 – 2019/2020 Regular Session convenes for Organizational Session
- January 1 – Statutes Take Effect
- January 7 – New Governor Assumes Office



# 2018 LEGISLATURE: STATE SENATE

- 2 new members of the State Senate
  - Ling Ling Chang (R – Fullerton)
  - Vanessa Delgado (D – Artesia)



# 2018 LEGISLATURE: STATE ASSEMBLY

- 4 new members of the State Assembly in 2018-19
  - Wendy Carrillo (D – Los Angeles)
  - Sydney Kamlager-Dove (D – Los Angeles)
  - Jesse Gabriel (D – Encino)
  - Luz Rivas (D – San Fernando)



# VACANCIES AND REPLACEMENTS IN 2018

- 32<sup>nd</sup> State Senate District
  - Former seat of Tony Mendoza
  - Replaced by Vanessa Delgado
- 39<sup>th</sup> Assembly District
  - Former seat of Raul Bocanegra
  - Replaced by Luz Rivas
- 45<sup>th</sup> Assembly District
  - Former seat of Matt Dababneh
  - Replaced by Jesse Gabriel
- 51<sup>st</sup> Assembly District
  - Former seat of Jimmy Gomez
  - Replaced by Wendy Carrillo
- 54<sup>th</sup> Assembly District
  - Former seat of Sebastian Ridley-Thomas
  - Replaced by Sydney Kamlager-Dove



# TERMED OUT IN 2018...

- 7 Legislators Termed Out:
  - Senator Joel Anderson (R – Alpine)
  - Senator Tom Berryhill (R – Modesto)
  - Senator Anthony J. Cannella (R – Ceres)
  - Senator Kevin de León (D – Los Angeles)
  - Senator Jean Fuller (R – Bakersfield)
  - Senator Ed Hernandez O.D. (D – Azusa)
  - Assembly Member Anna Caballero (D – Salinas)



# COMPETITIVE SEATS

- Senate
  - 32<sup>nd</sup> District
- Assembly
  - 15<sup>th</sup> District
  - 26<sup>th</sup> District
  - 40<sup>th</sup> District
  - 42<sup>nd</sup> District
  - 58<sup>th</sup> District
  - 63<sup>rd</sup> District
  - 76<sup>th</sup> District



# LEADERSHIP CHANGES FOR 2018



Senate pro tem  
Democratic Leader: Toni  
Atkins, (D – San Diego),  
Term: 2024

Senator Toni Atkins was born in Wythe County, VA. After graduating from Emory University and Henry College with a degree in political science, she completed the Senior Executive Program at the Kennedy School of Government at Harvard University. Atkins was elected to the San Diego City Council in 2000 and served two terms including a short term as Deputy Mayor. She was elected to the Assembly in 2010 and served until her election to the Senate. From 2014 to 2016, Atkins served as Speaker of the Assembly. She has been a strong advocate for the LGBT community. Prior to her election to the Assembly, Atkins worked for LeSar Development Consultants Group as the Senior Principal on affordable housing, economic development and planning policy in the public sector.



# 2018 LEADERSHIP



**Senate Republican  
Leader: Patricia Bates,  
(R – Laguna Niguel),  
Term: 2022**

Senator Bates received her bachelor's degree in psychology from Occidental College. Patricia began her career as a social caseworker. In 1973, she and her husband established the family architecture practice. Bates led the fight to form the City of Laguna Niguel and was elected the City's first Mayor. She served on the City Council until her election to the State Assembly in 1998, where she served until 2004. In 2006, she was elected to the Orange County Board of Supervisors where she served until her election to the Senate in 2014. Bates and her husband, John, have two children and four grandchildren.



# 2018 LEADERSHIP



## Assembly Speaker: Anthony Rendon, (D - Lakewood), Term: 2024

Anthony Rendon was born in Los Angeles and attended Cerritos Community College before earning his bachelor's and master's degrees from California State University, Fullerton. As a recipient of a National Endowment for the Humanities Fellowship, he earned his Ph.D. from the University of California, Riverside and completed his post-doctoral work at Boston University. From 2001-08, Rendon was an adjunct professor at Cal State Fullerton. He was also the Executive Director of Plaza de la Raza Child Development Services. As Interim Executive Director of the CA League of Conservative Voters, Rendon sponsored SB 375 which was the first-in-the-nation law that gave public officials the tools to reduce greenhouse gases.



# 2018 LEADERSHIP



## Assembly Republican Leader: Brian Dahle (R – Bieber), Term: 2024

Brian Dahle is a third generation farmer from Lassen County where he owns the family homestead with his wife, Megan. In addition to farming more than 2,000 acres, they operate and manage Big Valley Seed and Big Valley Nursery. In 1996, Dahle was elected to the Lassen County Board of Supervisors, where he served for four years. Then Governor Schwarzenegger, appointed him to the CA Sierra Nevada Conservancy. Dahle's wife serves on the Big Valley Joint Unified School Board. They live in Bieber with their two sons and daughter.



# SENATE G.O. COMMITTEE

- Bill Dodd (D – Napa), Chair
- Scott Wilk (R – Santa Clarita), Vice Chair
- Steven Bradford (D – Gardena)
- *Anthony Cannella* (R – Ceres)
- Ted Gaines (R – El Dorado Hills)
- Cathleen Galgiani (D – Stockton)
- Steven M. Glazer (D – Orinda)
- Jerry Hill (D – San Mateo)
- Ben Hueso (D – San Diego)
- Ricardo Lara (D – Bell Gardens)
- Anthony J. Portantino (D – La Cañada Flintridge)
- Andy Vidak (R – Hanford)
- Scott D. Wiener (D – San Francisco)



# ASSEMBLY G.O. COMMITTEE

- Adam C. Gray (D – Merced), Chair
- Frank Bigelow (R – O’Neals), Vice Chair
- Dante Acosta (R – Santa Clarita)
- Cecilia M. Aguiar-Curry (D – Winters)
- Marc Berman (D – Palo Alto)
- Rob Bonta (D – Alameda)
- Ken Cooley (D – Rancho Cordova)
- Jim Cooper (D – Elk Grove)
- Tom F. Daly (D – Anaheim)
- James M. Gallagher (R – Yuba City)
- Eduardo Garcia (D – Coachella)
- Mike A. Gipson (D – Carson)
- Todd Gloria (D – San Diego)
- Reginald Byron Jones-Sawyer, Sr. (D – Los Angeles)
- Kevin Kiley (R – Rocklin)
- Tom Lackey (R – Palmdale)
- Evan Low (D – Cambell)
- Blanca E. Rubio (D – Baldwin Park)
- Rudy Salas, Jr. (D – Bakersfield)
- Marie Waldron (R – Escondido)
- Vacancy





# 2018 LEGISLATION





# LEGISLATION INTRODUCED IN 2018

- Nearly 2,200 bills were introduced in 2018
- Of those, 1,217 bills reached the Governor's desk
- Governor Brown signed 1,016 bills and vetoed 201
- Over his 16 years in office, Governor Brown weighed in on nearly 20,000 bills



# MACRO LEGISLATIVE ISSUES IN 2018

- Affordable housing/rent control
- Wildfires
- Net neutrality
- Workplace conduct
- Health care
- Cap-and-Trade



# 2018 TRIBAL AND GAMING-RELATED BILLS – SIGNED

- **AB 880 (Gray)** – Establishes the Office of the Governor's Tribal Adviser, the Tribal Nation Grant Panel, and the Tribal Nation Grant Fund Program, which is a program that distributes funds to nongaming and limited-gaming tribes
- **AB 1248 (Gloria)** – Provides that a pupil may wear traditional tribal regalia or recognized objects of religious or cultural significance as an adornment, as defined, at school graduation ceremonies
- **AB 1168 (Gipson)** - Extends an existing law which prohibits the amendment of ordinances authorizing legal gaming
- **AB 2836 (Gloria)** – Would update and modernize processes for repatriation, consistent with NAGPRA, and provide for greater input from tribes and additional University faculty members



# 2018 TRIBAL AND GAMING-RELATED BILLS – SIGNED

- **AB 3047 (Daly)** – Waives the fee for filing pro hac vice when the applicant is an attorney representing a tribe in a child welfare matter under the federal Indian Child Welfare Act
- **AB 3176 (Waldron)** - Requires the State Department of Social Services to adopt any regulations necessary to implement the revised steps of a social worker, probation officer, or court is required to take in making an inquiry of a child's possible status as an Indian child. Requires the Judicial Council to adopt any forms or rules of court necessary to implement these provisions.



# COMPACTS RATIFIED IN 2018

- AB 1965 (Aguiar-Curry) – Big Valley Band of Pomo Indians of the Big Valley Rancheria
- AB 1966 (Aguiar-Curry) – Habematolel Pomo of Upper Lake
- AB 3262 (Gray) – Santa Ynez Band of Mission Indians
- SB 1051 (Dodd) – La Jolla Band of Luiseño Indians, Karuk Tribe, Dry Creek Rancheria Band of Pomo Indians, San Pasqual Band of Mission Indians, Twenty-Nine Palms Band of Mission Indians, Mechoopda Indian Tribe of Chico Rancheria, and Torres Martinez Band of Desert Cahuilla Indians



# UNFINISHED TRIBAL AND GAMING LEGISLATION

- ACA 18 (Gray) – Authorizes the Legislature to permit sports wagering only if a change in federal law occurs
- AB 779 (Burke) – Modifies definitions establishing certain classifications for gaming employees and specific requirements for their licenses. Prohibits the Commission from issuing a gambling license before completing the background screening.
- AB 924 (Bonta) – Requires the tribe to establish a cannabis regulatory commission if commercial cannabis activity will be done on Indian country. Exempts the tribe from state cultivation or sales tax related to commercial cannabis activity if the tribe imposes an equivalent tax.



# UNFINISHED TRIBAL AND GAMING LEGISLATION

- AB 3076 (Reyes) - Amends the Indian Child Welfare Act as relates to the Lawyers Trust Account used to fund qualified legal services projects that provide free civil legal services to indigent persons and certain qualified support centers. Requires the State Bar to administer grants to provide legal services to Indian tribes in child welfare matters.
- SB 120 (Roth) – Creates a definitive process for the state to assess proposals to export desert groundwater to other areas of the state



# ADJOURNED TRIBAL AND GAMING LEGISLATION FOR 2019

- SB 1160 (Hueso) – Makes it a misdemeanor to commit a trespass by entering a gaming facility on Indian Lands of a federally recognized tribe after receiving an order of exclusion from the designated agency of the Tribal government
- SB 1490 (Stern) – Changes the name of the Columbus Day holiday to Indigenous Peoples' Day



# POTENTIAL TRIBAL LEGISLATIVE ISSUES FOR 2019

- New gubernatorial administration
- Sports-betting & scope of gaming
- Cannabis
- Banked games at card rooms
- Compact renegotiations
- ICWA



# FEDERAL ISSUES FOR 2019

- Makeup of Congress
- Federal Funding
- Indian Reorganization Act
- Sports-betting





THANK YOU

