



UC Davis State Government Relations Update October 30, 2015

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Legislative Update

October 11th was the last day for Governor Brown to sign or veto bills passed by the Legislature. Below is a summary of legislation that posed a significant impact to the University and what the final outcome was.

UC Sponsored Legislation

AB 819 (Irwin) removes the sunset on the University's authority to continue offering affinity programs to our alumni. The bill was signed by the Governor and chaptered on July 16, 2015.

AB 1150 (Levine) allows the University to expand its successful statewide institutional partnership with Investor Owned Utilities and Publicly Owned Utilities, creating an integrated and flexible energy efficiency program across all UC facilities and reduce the University's emission of greenhouse gases. The bill was signed by the Governor and chaptered on October 8, 2015.

Major Legislation Focused on the University of California

AB 42 (Kim) would prohibit increases mandatory systemwide fees or tuition for five years (until fiscal year 2018-19) as well as a student success fee at a campus unless that fee is approved by a majority vote of those students voting at an election of the student body held at that campus within the preceding 48 months. The University **opposed** the bill, and it was held in the Assembly Higher Education Committee.

AB 147 (Dababneh) would require UC and other postsecondary educational institutions to offer dogs or cats to a not-for-profit animal adoption organization or animal rescue organization after the completion of testing or research, provided that an animal's destruction is not required and the institution's existing procedures for adopting the animal have not resulted in an adoption. In light of amendments that were adopted in the Senate Education Committee that addressed many of UC's concerns, including specifying

that only bona fide organizations could receive research animals for adoption, UC removed its **opposition**. The Governor signed the bill on October 7, 2015.

AB 340 (Weber) would have encouraged UC and requires CSU to each generate a report once every biennium of the legislative session that includes specified information related to the segment's campus climate, post the report on its Web site, and submit the report to specified state bodies. The University took a **Support** position on the bill. Ultimately, the Governor vetoed the bill on October 11, 2015.

AB 352 (Gaines) would require UC, as a condition for receiving state funding, to ensure that no more than 10% of the students enrolled at any UC campus be nonresidents. The bill also prohibited nonresidents from constituting more than 3% of the students enrolled at any CSU campus in any academic year. The University had an **oppose** position on the bill. The author left the bill in the Assembly Higher Education Committee in the face of strong opposition.

AB 837 (Hernandez) states that as a condition of the receipt of state funding in the annual Budget Act, UC shall not pay any of its employees or officers a salary that exceeds \$500,000 in any fiscal year. The University **opposed** the bill. The measure was held in the Assembly Appropriations Committee.

AB 967 (Williams) would have required, in order to receive state funds for student financial assistance, UC, CSU , CCC, and independent postsecondary institutions to adopt and carry out a uniform process, applicable to each of its campuses, for disciplinary proceedings relating to claims of sexual assault as defined by the institution's adopted sexual assault policies; and to have reported on the institution's website in a manner easily accessible to students specified data on cases of alleged sexual assault, domestic violence, dating violence, and stalking. UC **supported** the bill, but it was vetoed by the Governor on October 11, 2015.

AB 968 (Williams) would have required California public institutions of higher education, including UC, to indicate when a student is ineligible to re-enroll at the University due to suspension or expulsion on the student's transcript for the period of time the student is ineligible to re-enroll. The University **supported** the bill, but the Governor vetoed the bill on October 9, 2015.

AB 1307 (McCarty) initially would have prohibited UC from increasing statewide resident tuition, except as authorized in the annual Budget Act. The bill also would have required policies related to consultation with students on mandatory systemwide student fees, as specified, and to mandate a redirection of fees into financial aid programs. UC worked with the author to remove and/or modify these provisions and to exclude graduate students from the bill, and consequently, UC removed its **opposition**. The version that was sent to the Governor requests UC focus its financial aid on resident students and reaffirmed the need to consult students on tuition proposals. The bill was signed the Governor on October 8, 2015.

AB 1317 (Salas) requests UC not give salary increases from General Funds to specified UC Senior Managers, including the President, Vice Presidents, and Chancellors, if tuition has increased in any of the two prior years. UC **opposed** the bill, and with the measure facing a likely defeat in the Senate Education Committee, the author pulled the bill from the hearing agenda.

SB 42 (Liu) would have established the Office of Higher Education Performance Accountability and authorized it to require institutions of public postsecondary education to submit specified data and to administer a study on UC/CSU admissions policies to determine the number of freshman/transfer students eligible for admission. It also would have required a report to the Legislature summarizing the study methodology and findings. The higher education segments expressed **concern** about the lack of segmental representation. The Governor vetoed the bill on October 7, 2015.

SB 376 (Lara) would have required bidders for UC contracts to pay select contract employees assigned to the University a total compensation package (salary and benefits) that is substantially similar to the compensation earned by University employees performing comparable work. The compensation provisions would have applied to employees in such areas of groundskeeping, building maintenance, custodial, security services, foodservice, patient care services, and others. SB 376 would have also precluded UC from engaging in any extensions or renewals of existing contracts. The University pegged the costs of SB 376 at \$36 million annually for additional benefit expenses, and between \$12 million and \$24 million annually for additional salary expenses – for a total cost impact to the University of \$48 million to \$60 million annually. UC **opposed** this measure at every step of the legislative process and requested a veto from the Governor. UC Davis activated key stakeholders, our Chancellor, and numerous other advocates in support of this request, and the Governor vetoed this measure on October 9, 2015.

SB 574 (Pan) requires that the University obtain certain detailed information, as described in the California Public Records Act), about alternative investments. The University **opposed** the bill, which was held in the Assembly Appropriations Committee.

SCA 1 (Lara) repeals the constitutional provisions relating to UC and the Regents and requires UC and the Regents to be continued in existence subject to legislative control. UC did not take a formal position but closely watched the measure and was prepared to quickly **oppose** if the measure was set for hearing. The bill was never set for hearing and remains in the Senate Education Committee.

SCA 4 (Nguyen) freezes systemwide tuition/fees at the 2016-17 level for 5 years and caps UC nonresident enrollment at 10% of an incoming undergraduate class, and not more than 10% of total undergraduate enrollment at each UC campus, beginning in the 2017-18 academic year. The University **opposed** the bill, which was held in the Senate Education Committee.

Education Bond Legislation – The University supported several bills this year that would provide additional funding for capital projects, but none of the bills passed out of the Legislature this year.

AB 581 (Gomez) enacts the State Facilities Renewal Bond Act of 2016. If adopted by voters in the June 2016 statewide election, the bill would have authorized the issuance of bonds in the amount of \$2 billion to finance deferred maintenance on state-owned property. The bill was held in the Assembly Accountability and Administrative Review Committee.

AB 1088 (O'Donnell) would authorize an unspecified amount of state general obligation bonds to provide aid to school districts, county superintendents of schools, county boards of education, charter schools, the CCC, CSU, UC, the Hastings College of the Law, and the CSU to construct and modernize education facilities. The bill remains in the Assembly Appropriations Committee.

AB 1433 (Gray) enacts the Recommitment to Higher Education Bond Act of 2016 to authorize an unspecified amount of state general obligation bonds to provide aid to CCC, CSU, UC and Hastings College of the Law to construct and modernize education facilities. The bill was held in the Assembly Appropriations Committee.

Other Key Bills Followed Closely by UC

Academic Affairs

AB 176 (Bonta) would have requested UC to report admissions and enrollment data for Asian and Pacific Islander students according to categories used by the United States Census Bureau. The Assembly Appropriations Committee removed the costly reporting on graduate students and completion. Although the University requested the Governor's signature on the bill, the Governor vetoed the bill on October 7, 2015.

AB 200 (Alejo) requires that a total of 50,000 Competitive Cal Grant A/B awards be granted for each of the 2015-16 and 2016-17 academic years, and that 60,000 be granted for the 2017-18 academic year and each academic year thereafter. The University did not take a position on the bill. The bill remains in the Senate Education Committee.

SB 634 (Block) authorizes California to enter into an interstate reciprocity agreement for purposes of oversight of postsecondary educational institutions offering postsecondary education in states in which they maintain no physical presence. The University supported the bill, which remains in the Senate Education Committee.

AB 801 (Bloom) enacts the Success for Homeless Youth in Higher Education Act to grant priority enrollment to homeless youth. The University has a Support position on the bill, which was held in the Senate.

AB 1228 (Gipson) requests CCC and requires CSU and UC to (1) provide housing in housing facilities that are open for uninterrupted year-round occupation to current and former homeless youth and current and former foster youth at no extra cost during academic or campus breaks, and (2) develop a plan to ensure that current and former homeless youth and current and former foster youth can access housing resources during and between academic terms, including during academic and campus breaks. The University did not take a position on the bill. The Governor signed the bill on October 7, 2015.

AB 1349 (Weber) establishes the California First Act, requiring CSU and requests UC to guarantee undergraduate admission at a campus, though not necessarily at a campus or in a major of the applicant's choice, to all eligible California residents who submit timely applications for undergraduate admission and to report to the Legislature as specified. UC did not take a position on the bill, which was held in the Assembly Appropriations Committee.

AB 1366 (Lopez) requires CCC and CSU and requests UC to create Dream Resource Centers on each campus to assist certain students by streamlining access to all available financial aid and academic opportunities for those students. The University did not take a position on the bill, which was held in the Senate.

AB 1370 (Medina) requires that, 1) on or before the 2018-19 academic year, and each academic year thereafter, not less than 50% of the revenues in excess of the marginal cost of instruction generated from undergraduate nonresident enrollment be directed to fund increased enrollment for undergraduate resident students at all campuses of the university with undergraduate students, 2) prohibits the total number of undergraduate nonresident students enrolled at all of the campuses of the University of California from exceeding the total number of undergraduate nonresident students enrolled in the 2015-16 academic year, 3) requires UC to annually publish a report including specified data about the revenues generated by undergraduate nonresident enrollment. UC has a **concern** position and worked with policy staff to leave the bill in the Senate pending a state audit of these issues that is due in spring 2016.

Business Operations

SB 8 (Hertzberg) states legislative findings for the Upward Mobility Act, to impose a tax on specified services and use the revenue to increase funding for specified programs, including \$2 billion for UC and CSU. It would have expanded the Sales and Use Tax Law to impose a tax on the gross receipts from the sale in this state of, or the receipt of the benefit in this state of services at a rate of a percentage to be determined. The bill remains in the Senate Governance and Finance Committee.

SB 424 (Pan) provides college and university police with explicit authority to utilize body cameras and initiate pre-text phone calls in any criminal investigation related to sexual assault or other sexual offense. The University had a Watch position on the bill, which was signed by the Governor on August 10, 2015.

SB 665 (Block) requires CCC, CSU, UC, and the governing board of each independent postsecondary educational institution to enter into a contract with a local rape crisis center in order to designate an advocate, who is independent from the campus or university, to assist student victims following incidents of rape or sexual assault. The University did not take a position on the bill, which was held in the Senate Appropriations Committee.

SB 668 (Leyva) modifies the definition of "sexual assault counselor" for purposes of the sexual assault counselor-victim privilege regarding disclosure of confidential communication. The University did not take a position on the bill but would have opposed the measure had it moved forward, since it excluded UC personnel. The bill remains in the Senate Public Safety Committee.

SB 686 (Pan) would have provided that the general provisions of the Higher Education Employer-Employee Relations Act apply, instead of the specified rights, provisions, and definitions for supervisory employees, to supervisory employees who are employed as sworn peace officers by UC or the Hastings College of the Law. The University had a Cost position on the bill, which the Governor vetoed on October 10, 2015.

SB 707 (Wolk) seeks to curtail the prevalence of firearms on California's K-12 school and university campuses by removing the exemption in current law that allows concealed weapons permit holders to

carry firearms on University grounds. The University requested the Governor's signature on the bill, which he signed the bill on October 10, 2015.

UC Davis Capitol Speaker Series Continues

On October 15th Dr. Eleanor B. Schwarz gave a presentation on infant feeding, social policy and public health. The presentation was co-hosted by the UC Center Sacramento and focused on the key role Infant feeding plays not only in infant health, but also the mothers.



On October 22nd Jay Lund, Director of the Center for Watershed Sciences at UC Davis, gave a talk entitled "Drought Lessons for California's Water, Agriculture and Environment." Senator Wolk provided an introduction and welcome with the Assembly Agriculture Committee co-hosting the event. Dr. Lund began his



presentation with the fundamentals of California water then delved into more specifics regarding usage, storage and management.

Coming up in November we have presentations on clinical trials pertaining to cancer and women on corporate boards. Please check our website for further details on these events and upcoming presentations.

<http://gcrtest.ocp.ucdavis.edu/capitol-speaker-series/index.html>

Upcoming State Government Relations Events and Key Dates

- Jan. 1 Statutes take effect
- Jan. 4 Legislature reconvenes

Questions or Need Assistance?

If you have any questions regarding the aforementioned items or would like assistance in connecting with state legislators and/or their staff, please do not hesitate to contact Adrian Lopez, Director, State Government Relations. He can be reached at adnlopez@ucdavis.edu or by phone at (530) 752-9795.