

Leg. Prog.

March 26, 2001

Memorandum 2001-23**Legislative Program: Status of Bills**

Attached to this memorandum is a chart showing the status of bills in the Commission's 2001 legislative program. This memorandum provides additional information concerning some of the bills.

AB 237 (Papan) – Early Disclosure of Valuation Data and Resolution of Issues in Eminent Domain

The bill is set for hearing in Assembly Judiciary Committee on April 3. There are two amendments proposed by the staff in consultation with the author's office:

(1) Clarify that the time limit for seeking a trial de novo following an eminent domain arbitration is "30 days after service of the arbitrator's decision."

(2) Make the bill prospective in operation — "This act applies to a proceeding commenced on or after January 1, 2002."

The staff may suggest additional amendments at the Commission meeting, as issues begin to arise concerning the bill.

AB 873 (Harman) – Estate Planning and Dissolution of Marriage

See Memorandum 2001-37 for discussion.

AB 1103 (Papan) – Law Library Board of Trustees

Legislation to implement the recommendation on *Law Library Board of Trustees* has been introduced as AB 1103 (Papan). The bill has been referred to the Assembly Committee on Local Government. It has not yet been set for hearing.

The bill needs to be amended to make the language in Business and Professions Code Section 6301 parallel to the language in Business and Professions Code Section 6300. In the bill, Section 6300 refers to "a county where there are no more than three judges of the superior court" but Section 6301 refers to a "county where there are three or fewer judges of the superior court." The Commission's recommendation uses the same phrase ("a county where there are no more than three judges of the superior court") in both places. We will take steps to conform the bill.

AB 1278 (Wayne) – Health Care Decision Law Miscellaneous Revisions

See Memorandum 2001-25 for discussion.

SB 562 (Morrow) – Miscellaneous Civil Procedure Revisions

SB 562 (Morrow) incorporates three of the Commission's recommendations: (1) *Civil Procedure: Technical Corrections*, (2) *Authority to Appoint Receivers*, and (3) *Stay of Mechanic's Lien Enforcement Pending Arbitration*. The bill is pending in the Senate Judiciary Committee. It has not yet been set for hearing.

The bill needs to be amended to conform to the Commission's final recommendation on *Civil Procedure: Technical Revisions* and its revised recommendation on *Authority to Appoint Receivers*, which were approved at the February meeting. These amendments are being prepared.

Recommendation on *Unnecessary Procedural Differences Between Limited and Unlimited Civil Cases*

See Memorandum 2001-35 for discussion.

Respectfully submitted,

Nathaniel Sterling
Executive Secretary

Status of 2001 Commission Legislative Program

As of March 26, 2001

		AB 237	AB 873	AB 1103	SB 153	SB 561	SB 562	SB 563	AB 1278		SCR 13
Introduced Last Amended		Feb 13	Feb 22	Feb 23	Jan 30	Feb 22	Feb 22	Feb 22	Feb 23		Feb 14
First House	Policy Committee	<i>Apr 3</i>	<i>Apr 3</i>		<i>Apr 3</i>			<i>Apr 17</i>	<i>Apr 24</i>		<i>Mar 27</i>
	Fiscal Committee										
	Passed House										
Second House	Policy Committee										
	Fiscal Committee										
	Passed House										
Concurrence											
Governor	Received										
	Approved										
Secretary of State	Date										
	Chapter #										

Bill List: AB 237 (Papan) — Early disclosure of valuation data and resolution of issues in eminent domain
 AB 873 (Harman) — Estate planning during marital dissolution
 AB 1103 (Papan) — Law library board in unified court
 AB 1278 (Wayne) — Health Care Decisions Law miscellaneous revisions

SB 153 (Knight) — Expired pilot projects
 SB 561 (Morrow) — Administrative rulemaking cleanup
 SB 562 (Morrow) — Civil procedure: technical corrections, appointment of receiver, stay of mechanic's lien enforcement pending arbitration
 SB 563 (Morrow) — Rulemaking under Penal Code Section 5058

___ (___) — Unnecessary procedural differences between limited and unlimited civil cases

SCR 13 (Morrow) — Resolution of authority

KEY

Italics: Future or speculative
 “—”: Not applicable