

Leg. Prog.

March 28, 1997

## Memorandum 97-15

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1997 Legislative Program

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Attached to this memorandum is a chart showing the status of items in the Commission's 1997 legislative program. We will update the chart at the meeting.

This memorandum supplements the chart as to a few items.

**AB 939 (Ortiz/Ackerman) — mediation confidentiality.** Assemblyman Ackerman has agreed to co-author this measure, to help indicate its nonpartisan character.

**AB 1258 (Ackerman) — attachment by undersecured creditors.** This measure also includes other State Bar-recommended material on creditors' remedies.

**SB 68 (Kopp) — administrative adjudication by quasi-public entities.** This bill has been amended to clarify and refine the application of the quasi-public entity proposal, as approved by the Commission at the February meeting. It also incorporates the Unemployment Insurance Appeals Board telephone hearing provision approved by the Commission at the February meeting.

The bill is also being used as a vehicle for legislation sponsored by the Department of Health Services to make DHS hearings uniformly subject to the Administrative Procedure Act.

**SB 177 (Kopp) — best evidence rule.** This bill has a double policy committee referral, to the Senate Criminal Procedure and the Senate Judiciary committees. It has been approved by the Criminal Procedure Committee but has not yet been heard in the Judiciary Committee. Issues on the bill are discussed separately in Memorandum 97-21.

**SB 209/261 (Kopp) — judicial review of agency action.** These are companion bills. The main body of the recommendation is found in SB 209; conforming changes are in SB 261.

**Commission Budget.** The Commission's budget has been approved by the Senate Budget Subcommittee (chaired by Senator Kopp), with a \$31,000 augmentation. The augmentation would enable us to better handle the significant number of major projects assigned by the Legislature, including environmental law consolidation, trial court unification, civil discovery, administrative procedure, health care decisionmaking, and modernization of insolvency and bankruptcy statutes.

Respectfully submitted,

Nathaniel Sterling  
Executive Secretary

# STATUS OF 1997 COMMISSION LEGISLATIVE PROGRAM

(as of March 28, 1997)

AB 707 (Ackerman): Real Property Covenants (includes First Rule in Spencer's Case and Obsolete Restrictions)

AB 939 (Ortiz/Ackerman): Mediation Confidentiality

AB 1258 (Ackerman): Attachment by Undersecured Creditors

SB 68 (Kopp): Quasi-Public Entity Hearings

SB 143 (Kopp): Unfair Competition Litigation

SB 177 (Kopp): Best Evidence Rule

SB 209, 261 (Kopp): Judicial Review of Agency Action

SB 653 (Calderon): ALJ Code of Ethics

SCR 3 (Kopp): Continuing Authority to Study Topics

Bill Status		AB 707	AB 939	AB 1258	SB 68	SB 143	SB 177	SB 209, 261	SB 653	SCR 3
Introduced		2/26/97	2/27/97	2/28/97	12/11/96	1/13/97	1/22/97	1/29/97	2/24/97	12/11/96
Last Amended					Mar 20			Mar 19		
First House	Policy Committee				[Apr 8]	[Apr 8]	Mar 18/	[Apr 8]		Feb 18
	Fiscal Committee	—	—		—	—	—		—	Mar 17
	Passed House									
Second House	Policy Committee									
	Fiscal Committee	—	—		—	—	—		—	
	Passed House									
Concurrence										
Governor	Received									—
	Approved									—
Chaptered by	Date									
Secretary of State	Chapter #									

• Unless otherwise noted, all dates are in 1997

[date]: scheduled

—: not applicable