

## Legislative Week in Review (August 11-15)

The 2008 legislative session is coming to an end, with adjournment for the year expected to happen no later than August 31. In a typical year, the last two weeks of session would be focused on final amendments to bills and floor votes on all the remaining bills to get them passed and sent to the Governor to sign or veto. However, this is not a typical year. Initially, the Legislature was trying to finish its work early and adjourn this week so that both Democrat and Republican legislators could attend their respective national conventions which take place over the following two weeks. That is unlikely to happen now because the Legislature has not yet passed a budget for the state and will need to remain in session until a budget is passed. The budget was supposed to be in place by July 1, the beginning of the fiscal year. The budget impasse might now have a direct impact on the fate of all bills, including tobacco-related bills, because the Governor has threatened to veto all bills that are sent to him until a budget is adopted.

As for the tobacco-related bills, only two remain active in this legislative session. AB 2662: Clarifying Tobacco Cessation Benefits for Medi-Cal, authored by Assembly Member Dymally (D – Los Angeles), will not see any more legislative activity as the bill was not passed by the Senate Appropriations Committee prior to the August 15 deadline. The other two tobacco-related bills continue to move forward and below is a summary of the legislative activity that occurred last week on these bills.

### **AB 2344: Annual Fee for State Tobacco Retailer License (Beall – D, San Jose)**

This bill would increase the fee for a state tobacco retailer license from \$100 to \$185 and require this fee to be paid annually.

**Status** – AB 2344 was passed by the Senate on August 14 by a vote of 22-17.

*Voted in Favor* – Alquist, Calderon, Cedillo, Corbett, Ducheny, Florez, Kehoe, Kuehl, Lowenthal, Machado, Migden, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Scott, Simitian, Steinberg, Torlakson, Wiggins, Yee

*Voted Against* – Aanestad, Ackerman, Ashburn, Battin, Cogdill, Correa, Cox, Denham, Dutton, Harman, Hollingsworth, Maldonado, Margett, McClintock, Negrete McLeod, Runner, Wyland

*Absent or Not Voting* – Vincent

**Next Step** – Since the Senate did not amend the bill and passed the identical version that the Assembly passed, the bill will now be sent to the Governor who can sign it into law, veto it or allow it to become law without his signature.

### **AB 3010: Prohibiting Tobacco Use at State Mental Hospitals (Blakeslee – R, San Luis Obispo)**

This bill would authorize the Director of the Department of Mental Health to prohibit smoking by patients and staff at any of the five state mental hospitals upon the request of the director of one of those hospitals.

**Status** – AB 3010 is currently awaiting a vote by the full Senate.

*Center for Tobacco Policy & Organizing, August 18, 2008*

*If you have questions about this analysis, please contact Justin Garrett, at ([jgarrett@alac.org](mailto:jgarrett@alac.org)) or Paul Knepprath ([pknepprath@alac.org](mailto:pknepprath@alac.org)) at (916) 554-5864 (LUNG). To view this update and past legislative updates, please visit [www.Center4TobaccoPolicy.org](http://www.Center4TobaccoPolicy.org).*

*Sources: Copies of the legislation outlined above and vote information may be obtained at <http://www.leginfo.ca.gov>.*

*This material was made possible by funds received from the California Department of Public Health, under contract #04-35335.*