

Dan Walters: Sneakiness revs up in California Legislature

<http://www.sacbee.com/2012/08/14/4722941/dan-walters-sneakiness-revs-up.html>

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Last modified: 2012-08-14T06:57:51Z

Published: Tuesday, Aug. 14, 2012 - 12:00 am | Page 3A

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Once upon a time, the favored method of sneaking something through the Legislature was the so-called "conference committee."

Ostensibly, a conference committee of members from both houses would reconcile differences between competing versions of legislation.

In practice, an entirely new bill, one that had never seen the light of day, would be signed by four of a conference committee's six members, without a meeting, and rushed to the floors of both houses for final votes.

Dubbed "low-balling," this sneaky practice became so widespread that some legislators rebelled and rules were adopted to require conference committee reports to be in print for several days before any action.

Suddenly, the number of conference committees dropped by about 99 percent. But low-ball artists – legislators and lobbyists who specialize in subterfuge – were not deterred.

They simply shifted to another vehicle – stripping the contents out of a bill in legislative limbo, filling the shell with an entirely new bill and jamming it through both houses, sometimes in a matter of minutes.

Originally dubbed "hijacking," the technique later acquired another, rather coarse moniker – "gut-and-amend."

Virtually all of the "trailer bills" that accompany the state budget are gut-and-amend creations that are drafted in the dead of night and pushed through the Legislature with only cursory exposure. And, as we've discovered, they often contain important provisions that have little or nothing to do with the budget.

As the biennial legislative session grinds to a close this month, the low-ballers are revving up again, reviving bills that had failed to make it through normal committee processes and/or writing entirely new measures, usually benefiting some moneyed interest.

Assembly Bill 845 is likely to become a poster child for such sneakiness.

Assemblywoman Fiona Ma, D-San Francisco, is carrying water – or garbage – for Waste Connections Inc. via another bill, AB 1178, that would overturn a local ballot measure restricting the amount of out-of-county waste that could be imported into Solano County. Waste Connections owns the Potrero Hills waste disposal site in Solano that it wants to expand.

The bill also could affect another controversial disposal site in Yuba County owned by a prominent San Francisco waste collection firm, Recology.

The bill cleared the Assembly easily but stalled in the Senate Environmental Quality Committee. Now it apparently will be revived via a gut-and-amend with AB 845, another Ma bill sitting in the Senate.

Last week, an environmental coalition sent a letter to Senate President Pro Tem Darrell Steinberg, complaining about an end run and urging that any bill be sent back to committee, rather than be moved directly to the Senate floor.

We'll see.

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