AGENDA

5/2/2013

LEGISLATIVE COMMITTEE
Sacramento Convention Center, rooms 311-313
3:00 - 5:00 pm

Mission Statement: To monitor and supervise the state implementation of C.A.R. public policy in legislation and regulation; and to evaluate policy recommendations that arise in C.A.R.'s five public policy committees: Transaction and Regulatory, Taxation and Government Finance, Land Use and Environmental, Home Ownership Housing, and Investment Housing. The Legislative Committee reports to the Executive Committee and the Board of Directors.

PRESIDING: GEOFF MCINTOSH, CHAIR
ART NELLISON, VICE CHAIR
GREG GALLI, VICE CHAIR

LIAISONS:
TED LORING, EXECUTIVE COMMITTEE
VIRGINIA BUTLER, EXECUTIVE COMMITTEE

STAFF:
STAN WIEG

I. Introduction and Welcome - Geoff McIntosh, Chair
II. Political and Legislative Update
III. Special Report of the Task Force on Ethics and Professionalism - Jim Hamilton
IV. Action and Reporting Items: Policy Committees
A. Home Ownership Housing - Sandy Darling, Chair
B. Investment Housing Committee - Jay Avirom, Chair
C. Land Use and Environmental Committee - Peter Morris, Chair

D. Taxation and Government Finance Committee - Hal Alpert, Chair

E. Transaction and Regulatory Committee - Dennis Badagliacco, Chair

V. 2013 Sponsored Legislation

A. **SB 176 (Galgianni) Regulatory Notification Registry –** C.A.R. is sponsoring SB 176 to promote transparency in the regulatory notice process. Current law requires regulatory bodies to post meeting notices and public reports on their websites. This bill will additionally require state agencies, boards and commissions to re-publish these meeting notices in a single location. Specifically, this bill requires state agencies, boards and commissions to post information related to informational hearings, workshops, scoping hearings, preliminary meetings, public and stakeholder outreach meetings, 15-day comment period notices and website links to public reports at least 15 days prior to any scheduled meeting in the California Regulatory Notice Register.

B. AB 429 (Daly) Retention of DRE staff - In 2012 Governor Brown's reorganization, among other things, moved the Department of Real Estate (DRE) to Consumer Services Agency, effective July 1, 2013, under the Department of Consumer Affairs (DCA). DRE and C.A.R. were concerned that the change in status might prompt the Department of Justice (DOJ) to assert its authority (which has always existed) to take over DRE's legal staff in regulatory hearings.

C.A.R. has sponsored AB 429 to clarify that DRE is to retain its regulatory, enforcement and legal staff in its new status as a Bureau within Consumer Affairs. In early April, in response to AB 429, the Department of Justice (DOJ) confirmed in writing that it has no intent to try and take over DRE's legal action, and that it doesn't have the staff to do so even if it wanted to. The DOJ delivered an inter-agency letter which authorizes the DRE to continue the "status quo" until 2015 when the issue will be revisited with DRE's participation. In addition to the inter-agency letter Assemblymember Daly, the author of AB 429, will place a letter in the Assembly Daily Journal to memorialize the inter-agency agreement. With the written assurances from the

DOJ, as well as the memorializing letter in the Assembly records C.A.R. has agreed not to move AB 429.

C. SB 30 (Calderon), AB 42 (Perea); Debt Forgiveness Income Tax – The federal government enacted the Mortgage Debt Relief Act of 2007 creating mortgage debt forgiveness relieving borrowers from income tax liability on debt forgiven in a “short” sale. In late 2008 the federal government extended this relief through December 31, 2012. This rule, which has been extended several times in both federal and conforming California laws, expired on January 1, 2013. On December 31, 2012, Congress passed budget solutions in an attempt to avoid the "fiscal cliff." Included in that measure was an extension of the mortgage debt forgiveness sunset date to January 1, 2014. C.A.R. is sponsoring SB 30 and AB 42 to make conforming changes in California law effective January 1, 2013.

VI. Other Business

VII. Adjournment