

COPIES OF THIS AGENDA  
ARE AVAILABLE FROM THE  
NEIGHBORHOOD  
INFORMATION SERVICE AT  
THE CENTRAL AND ALL  
BRANCH LIBRARIES.

**AGENDA  
LEGISLATIVE POLICY COMMITTEE  
FEBRUARY 27, 2013**

**MEMBERS**

Bill Bogaard, Mayor  
Jacque Robinson, District 1  
Steve Madison, District 6

**STAFF**

Julie A. Gutierrez, Assistant City Manager  
Sandra Robles, Recording Secretary

**MISSION STATEMENT**

The City of Pasadena is dedicated to delivering exemplary municipal services, responsive to our entire community and consistent with our history, culture and unique character.

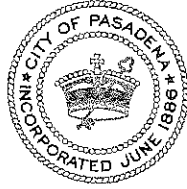
*In compliance with the Americans with Disabilities Act of 1990, listening assistive devices are available from the City Clerk's Office with a 24-hour advance notice. Please call (626) 744-4124 to request use of a listening device.*

*Language translation services are available for this meeting by calling (626) 744-4124 at least 24 hours in advance. Habrá servicio de interpretación disponible para éstas juntas llamando al (626) 744-4124 por lo menos con 24 horas de anticipación.*

*Public meeting begins at 5:30 p.m.  
Items on the agenda may not be called in order listed.*

*Agendas and supporting documents are available on the Internet at <http://www.cityofpasadena.net/commissions>*

*Materials related to an item on this Agenda submitted to the Legislative Policy Committee **after** distribution of the agenda packet are available for public inspection in the City Clerk's Office at 100 N. Garfield Avenue, Room S-228, during normal business hours.*



OFFICE OF THE MAYOR

**CITY OF PASADENA  
LEGISLATIVE POLICY COMMITTEE  
MEETING**

**Wednesday, February 27, 2013 – 5:30 p.m.  
100 N. Garfield Ave. – Fair Oaks Conference Room S039**

**NOTICE IS HEREBY GIVEN** that a regular meeting of the Legislative Policy Committee will be held on Wednesday, February 27, 2013, at 5:30 p.m. at 100 N. Garfield Ave., Fair Oaks Conference Room S039.

The agenda for the meeting is as follows:

**1. CALL TO ORDER/ROLL CALL**

**2. PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA** – Please limit comments to 3 minutes each.

**3. APPROVAL OF MINUTES**

October 24, 2012 – Regular Meeting\*  
December 26, 2012 – Regular Meeting Cancellation\*  
January 23, 2012 – Regular Meeting Cancellation\*

**4. NEW BUSINESS**

- A. Contract Award to Emanuels Jones and Associates for State Legislative Advocacy Services\*
- B. S. 150: Assault Weapons Ban Act of 2013\*

**5. INFORMATION ITEMS**

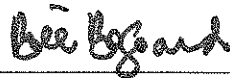
- A. Briefing by David Jones on State Legislative Matters (Oral)
- B. Briefing by Carolyn Chaney on Federal Legislative Matters (Oral)
- C. AQMD Proposed Amended Rule 1304.1 – Electrical Generating Facility Annual Fee for Use of Offset Exemption (Oral)
- D. H.R. 456: LA Residential Helicopter Noise Relief Act\*
- E. Letter of Support for SCA 7, Local Library Funding\*

**6. ADJOURNMENT**

\* Attachment

**NEXT REGULAR MEETING**

March 27, 2013 –5:30pm



---

**BILL BOGAARD**, Chair  
Legislative Policy Committee

I HEREBY CERTIFY that this notice, in its entirety, was posted on the City of Pasadena Council Chamber Building bulletin boards located outside of Room S249 and at the Information Kiosk, the City Clerk's Office and a copy was distributed to Central Library for posting this 21st day of February 2013, by 5:30 p.m.



---

**DEBBIE CAMPOS**  
City Manager's Office

**DISTRIBUTION:**

Bill Bogaard, Mayor  
Jacque Robinson, Councilmember  
Steve Madison, Councilmember  
Michael J. Beck, City Manager  
Julie A. Gutierrez, Assistant City Manager  
Steve Mermell, Assistant City Manager  
Mark Jomsky, City Clerk  
Michele Bagneris, City Attorney  
William Boyer, Public Information Officer  
Jana Stewart, Management Analyst III to Mayor/Council  
Carolyn Chaney, Legislative Advocate  
David Jones, Legislative Advocate  
Sandra Robles, Recording Secretary  
City Hall Information Kiosk  
Website: <http://www.ci.pasadena.ca.us>  
Pasadena Central Library

Barbara Boxer, U.S. Senator  
Dianne Feinstein, U.S. Senator  
Adam Schiff, U.S. Congressman  
Judy Chu, U.S. Congresswoman  
Carol Liu, State Senator  
Chris Holden, State Assemblymember  
La Opinion  
Los Angeles Times  
Neighborhood Connections  
Pasadena Independent  
Pasadena Journal  
Pasadena NOW  
Pasadena Star-News  
Pasadena Sun  
Pasadena Weekly

## **APPROVAL OF MINUTES**

October 24, 2012 – Regular Meeting\*

December 26, 2012 – Regular Meeting Cancellation\*

January 23, 2012 – Regular Meeting Cancellation\*

**CITY OF PASADENA  
LEGISLATIVE POLICY COMMITTEE MINUTES  
CITY HALL  
100 NORTH GARFIELD AVENUE  
FAIR OAKS CONFERENCE ROOM – S039  
OCTOBER 24, 2012  
REGULAR MEETING**

- OPENING** The Chair called the regular meeting of the Legislative Policy Committee to order at 5:51 p.m.
- ROLL CALL** Mayor Bill Bogaard, Chair  
Councilmember Jacque Robinson (Absent)  
Councilmember Steve Madison
- Staff: Julie Gutierrez, Assistant City Manager  
Steve Mermell, Assistant City Manager  
Javan Rad, Assistant City Attorney  
Sandra Robles, Recording Secretary
- PUBLIC COMMENT** No one appeared for public comment.
- APPROVAL OF MINUTES** It was moved by Councilmember Madison, seconded by Mayor Bogaard, to approve the minutes of September 26, 2012 as submitted. (Motion unanimously carried) (Absent: Councilmember Robinson)
- NEW BUSINESS** **ADOPTION OF A RESOLUTION IN SUPPORT OF FAIR TRADE AND THE FAIR TRADE TOWNS INITIATIVES**
- Steve Mermell, Assistant City Manager, summarized the agenda report, including staff's recommendations, as part of the PowerPoint presentation, and responded to questions.
- Councilmember Madison stated his concern with the lack of support from the community regarding the item.
- Following discussion, on the order of the Chair, and by consensus of the Committee, staff was asked to hold this item to the next Committee meeting, at which time representatives from Fair Trade Pasadena will attend and have an opportunity to respond to questions and concerns.
- INFORMATION ITEMS** **BRIEFING BY DAVID JONES ON STATE LEGISLATIVE MATTERS (ORAL)**
- David Jones and Hugh Bower, State Legislative advocates, who were present at the meeting, reported on the following:
- Impacts on the State budget if Propositions 30 (Sales and Income Tax Increase) and 38 (State Income Tax to Support Education) do not pass.
  - Possible changes to the composition of State Senators and Assemblymembers.
  - Predicted legislative issues for 2013: Economic Development, CEQA reform, realignment, water bonds, high speed rail, and the State's budget.
  - Update on several proposition polls

Following discussion, on the order of the Chair, and by consensus of the Committee, the information was received and filed.

**BRIEFING BY CAROLYN CHANEY ON FEDERAL LEGISLATIVE MATTERS (ORAL)**

Carolyn Chaney and Chris Giglio, Federal Legislative advocates, who were present at the meeting, reported on the following:

- Congress is reportedly out of session until after election
- Update on the fiscal cliff negotiations and expiring provisions that would impact local government
- Update on debt limit negotiations
- Update on what appropriations will be extended to March 2013
- Update on municipal bonds, elimination of tax bonds, and inclusion of Social Security at the municipal levels.

Following discussion, on the order of the Chair, and by consensus of the Committee, the information was received and filed.

**ADJOURNMENT**

On the order of the Chair, the regular meeting of the Legislative Policy Committee was adjourned at 6:40 p.m.

ATTEST:

\_\_\_\_\_  
BILL BOGAARD, Chair  
Legislative Policy Committee

\_\_\_\_\_  
Sandra S. Robles  
Recording Secretary

**CITY OF PASADENA  
LEGISLATIVE POLICY COMMITTEE MINUTES  
CITY HALL  
100 NORTH GARFIELD AVENUE  
FAIR OAKS CONFERENCE ROOM – S039  
DECEMBER 26, 2012  
REGULAR MEETING**

The regular meeting of the Legislative Policy Committee, scheduled for Wednesday, December 26, 2012, at 5:30 p.m., was cancelled as ordered on December 20, 2012, and posted as required by law.

---

**BILL BOGAARD, Chair  
Legislative Policy Committee**

**ATTEST:**

---

**Sandra S. Robles  
Recording Secretary**

12/26/2012

**CITY OF PASADENA  
LEGISLATIVE POLICY COMMITTEE MINUTES  
CITY HALL  
100 NORTH GARFIELD AVENUE  
FAIR OAKS CONFERENCE ROOM – S039  
JANUARY 23, 2013  
REGULAR MEETING**

The regular meeting of the Legislative Policy Committee, scheduled for Wednesday, January 23, 2013, at 5:30 p.m., was cancelled as ordered on January 17, 2013, and posted as required by law.

---

BILL BOGAARD, Chair  
Legislative Policy Committee

ATTEST:

---

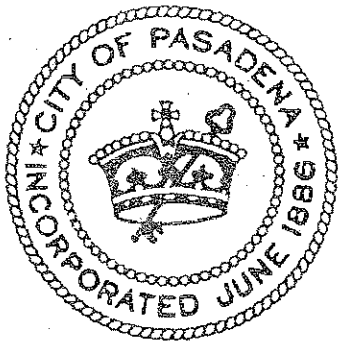
Sandra S. Robles  
Recording Secretary

01/23/2013



## **NEW BUSINESS**

- A. Contract Award to Emanuels Jones and Associates for State Legislative Advocacy Services\***



# Agenda Report

March 11, 2013

**TO:** City Council

**THROUGH:** Legislative Policy Committee (February 27, 2013)

**FROM:** Mayor

**SUBJECT: CONTRACT AWARD TO EMANUELS JONES AND ASSOCIATES FOR STATE LEGISLATIVE ADVOCACY SERVICES**

## **RECOMMENDATION:**

It is recommended that the City Council:

1. Approve a five-year contract renewal with Emanuels Jones and Associates for State legislative advocacy services, effective March 2, 2013 through June 30, 2018 for an annual contract cost of \$49,000 (\$48,000 plus \$1,000 for expenses) with the provision for renegotiating the annual cost beginning in fiscal year 2015, and
2. Exempt the proposed contract from the competitive selection process of the Competitive Bidding and Purchasing Ordinance, pursuant to PMC Section 4.08.049(B), contracts for which the City's best interest are served.

## **BACKGROUND:**

The City has contracted with Emanuels Jones and Associates to provide state legislative advocacy services since January 2001. Emanuels Jones and Associates was initially selected through a competitive selection process. The firm has provided the City a wide range of services over a very turbulent time in state government. These services included:

- Monitoring issues of importance to the City of Pasadena
- Attending League of California Cities briefings
- Alerting staff to legislative proposals that may impact the City of Pasadena
- Providing research and support in evaluating issues and proposed legislation
- Tracking legislation both before and after the City has taken a position

- Lobbying for positions taken by the City of Pasadena

The cost for services in previous years has been as follows:

- Service years 2001-2003: \$3000 per month, plus \$1000 in expenses per year.
- Service years 2003-2005: \$3600 per month, plus \$1000 in expenses per year.
- Service years 2005-2009: \$4000 per month, plus \$1000 in expenses per year.
- Service years 2009-2013: \$4000 per month, plus \$1000 in expenses per year.

Emanuel Jones and Associates' current contract term expires March 2, 2013. The annual contract amount will remain constant for a five year period with allowance for negotiated annual increases beginning in fiscal year 2015.

**FISCAL IMPACT:**

Annual cost of this contract will be \$49,000 (\$48,000 services and \$1,000 expenses) with a total contract cost of \$245,000 over the five years. Funding for this contract is included in the City Council's annual operating budget allocation.

Respectfully submitted,



---

BILL BOGAARD  
Mayor

## **NEW BUSINESS**

**B. S. 150: Assault Weapons Ban Act of 2013\***

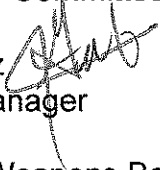


OFFICE OF THE CITY MANAGER

**MEMORANDUM**

February 27, 2013

**TO:** Legislative Policy Committee

**FROM:** Julie A. Gutierrez   
Assistant City Manager

**SUBJECT:** S. 150: Assault Weapons Ban Act of 2013

On January 3, 2013 Senator Feinstein introduced the bill to regulate assault weapons, a bill to stop the sale, transfer, importation and manufacturing of military-style assault weapons and high-capacity ammunition feeding devices.

Recently the City received a request from William T. Fujioka, CEO for the County of Los Angeles, urging our support of Senator Feinstein's bill S. 150 and H.R.437, which is the identical House version of the bill.

I have attached a copy of the bill as well as a memorandum from Capital Edge which provides additional information on this bill.

At the Legislative Policy meeting staff will review this bill and request that the Committee take a position to support, oppose, or take no position at this time.



County of Los Angeles  
**CHIEF EXECUTIVE OFFICE**

Kenneth Hahn Hall of Administration  
500 West Temple Street, Room 713, Los Angeles, California 90012  
(213) 974-1101  
<http://ceo.lacounty.gov>

WILLIAM T. FUJIOKA  
Chief Executive Officer

Board of Supervisors  
GLORIA MOLINA  
First District

MARK RIDLEY-THOMAS  
Second District

ZEV YAROSLAVSKY  
Third District

DON KNABE  
Fourth District

MICHAEL D. ANTONOVICH  
Fifth District

February 11, 2013

The Honorable Bill Bogaard  
Mayor, City of Pasadena  
P.O. Box 7115  
Pasadena, CA 91109-7215

Dear Mayor Bogaard:

On behalf of the Los Angeles County Board of Supervisors, I am writing to urge that your City support Senator Feinstein's bill (S. 150), the Assault Weapons Ban Act of 2013, and H.R. 437, which is the identical House version of the bill.

This legislation importantly reinstates and strengthens the 1994 assault weapons ban, which expired in 2004. It updates and tightens the definition of assault weapons for which the sale, manufacture, and importation would be prohibited. Any assault weapon legally owned when the bill is enacted would be grandfathered in, but background checks would be required on their sale. The bill also would ban the sale of any ammunition magazine with a capacity of more than 10 rounds. Studies of the expired ban found that it reduced the use of assault weapons in crimes and the number of gun murders. The recent use of assault weapons and high capacity ammunition magazines in the deadly mass shootings in Aurora, Colorado, and Newtown, Connecticut highlights the urgent need to reduce the availability of such weapons and magazines.

I respectfully request that your City Council join the Board of Supervisors in adopting a position to support the Assault Weapons Ban Act of 2013 legislation.

Sincerely,

WILLIAM T. FUJIOKA  
Chief Executive Officer

OFFICE OF THE MAYOR  
RECEIVED  
2013 FEB 19 PM 12:09

"To Enrich Lives Through Effective And Caring Service"

Please Conserve Paper – This Document and Copies are Two-Sided  
Intra-County Correspondence Sent Electronically Only

**CITY OF PASADENA  
WASHINGTON OFFICE MEMORANDUM**

**TO:** Julie Gutierrez  
**FROM:** Chris Giglio/Carolyn Chaney  
**DATE:** February 20, 2013  
**SUBJECT:** Federal Assault Weapons Ban

---

On January 24, Senator Dianne Feinstein introduced S. 150, the "Assault Weapons Ban of 2013." Currently, the measure has 21 co-sponsors (all Democrats) and will be considered under the jurisdiction of the Senate Judiciary Committee.

According to Senator Feinstein's office, the legislation would ban the sale, transfer, manufacturing and importation of:

- All semiautomatic rifles that can accept a detachable magazine and have at least one military feature: pistol grip; forward grip; folding, telescoping, or detachable stock; grenade launcher or rocket launcher; barrel shroud; or threaded barrel.
- All semiautomatic pistols that can accept a detachable magazine and have at least one military feature: threaded barrel; second pistol grip; barrel shroud; capacity to accept a detachable magazine at some location outside of the pistol grip; or semiautomatic version of an automatic firearm.
- All semiautomatic rifles and handguns that have a fixed magazine with the capacity to accept more than 10 rounds.
- All semiautomatic shotguns that have a folding, telescoping, or detachable stock; pistol grip; fixed magazine with the capacity to accept more than 5 rounds; ability to accept a detachable magazine; forward grip; grenade launcher or rocket launcher; or shotgun with a revolving cylinder.
- All ammunition feeding devices (magazines, strips, and drums) capable of accepting more than 10 rounds.
- 157 specifically-named firearms.

The legislation excludes weapons that are lawfully possessed at the date of the bill's enactment; manually operated by a bolt, pump, lever or slide action; used by military, law enforcement, and retired law enforcement, and antiques. However, the legislation does add some regulation to existing assault weapons by:

- Requiring a background check on all sales or transfers of a grandfathered assault weapon.
- Prohibiting the sale or transfer of large-capacity ammunition feeding devices lawfully possessed on the date of enactment of the bill.

- Allowing states and localities to use federal Byrne Justice Assistance Grant (JAG) funds to conduct a voluntary buy-back program for grandfathered assault weapons and large-capacity ammunition feeding devices.
- Imposing a safe storage requirement for grandfathered firearms.
- Requiring that assault weapons and large-capacity ammunition feeding devices be engraved with the serial number and date of manufacture of the weapon.

The legislation does not have a sunset provision, which allowed a previous assault weapons ban enacted in 1994 to expire in 2004. The measure also specifically excludes 2,258 “legitimate hunting and sporting rifles and shotguns” by specific make and model.

The Senate Judiciary Committee is scheduled to hold a hearing on the legislation on February 27. Chairman Patrick Leahy (D-VT) has indicated that gun control, along with immigration reform, will be a focus of his committee this year. In addition, companion legislation (HR 437) has been introduced in the House and has 58 Democratic cosponsors, including Reps Judy Chu and Adam Schiff.

At this time, chances of the assault weapons ban appear to be remote at this time, as it would have a difficult time overcoming the 60-vote threshold needed for passage in the Senate in the face of an expected Republican filibuster. Chances of movement in the House might be even more difficult, as Republican leadership could choose not to bring up the bill at all.



113TH CONGRESS  
1ST SESSION

# S. 150

To regulate assault weapons, to ensure that the right to keep and bear arms is not unlimited, and for other purposes.

---

## IN THE SENATE OF THE UNITED STATES

JANUARY 24 (legislative day, JANUARY 3), 2013

Mrs. FEINSTEIN (for herself, Mr. SCHUMER, Mr. DURBIN, Mr. WHITEHOUSE, Mr. BLUMENTHAL, Mr. LEVIN, Mr. ROCKEFELLER, Ms. MIKULSKI, Mrs. BOXER, Mr. REED, Mr. LAUTENBERG, Mr. MENENDEZ, Mr. CARDIN, Mrs. GILLIBRAND, Mr. SCHATZ, Mr. MURPHY, Ms. WARREN, Mr. CARPER, Mr. FRANKEN, Ms. HIRONO, and Ms. KLOBUCHAR) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

---

## A BILL

To regulate assault weapons, to ensure that the right to keep and bear arms is not unlimited, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Assault Weapons Ban  
5 of 2013”.

6 **SEC. 2. DEFINITIONS.**

7 (a) IN GENERAL.—Section 921(a) of title 18, United  
8 States Code, is amended—

1 (1) by inserting after paragraph (29) the fol-  
2 lowing:

3 “(30) The term ‘semiautomatic pistol’ means any re-  
4 peating pistol that—

5 “(A) utilizes a portion of the energy of a firing  
6 cartridge to extract the fired cartridge case and  
7 chamber the next round; and

8 “(B) requires a separate pull of the trigger to  
9 fire each cartridge.

10 “(31) The term ‘semiautomatic shotgun’ means any  
11 repeating shotgun that—

12 “(A) utilizes a portion of the energy of a firing  
13 cartridge to extract the fired cartridge case and  
14 chamber the next round; and

15 “(B) requires a separate pull of the trigger to  
16 fire each cartridge.”; and

17 (2) by adding at the end the following:

18 “(36) The term ‘semiautomatic assault weapon’  
19 means any of the following, regardless of country of manu-  
20 facture or caliber of ammunition accepted:

21 “(A) A semiautomatic rifle that has the capac-  
22 ity to accept a detachable magazine and any 1 of the  
23 following:

24 “(i) A pistol grip.

25 “(ii) A forward grip.

1                   “(iii) A folding, telescoping, or detachable  
2                   stock.

3                   “(iv) A grenade launcher or rocket launch-  
4                   er.

5                   “(v) A barrel shroud.

6                   “(vi) A threaded barrel.

7                   “(B) A semiautomatic rifle that has a fixed  
8                   magazine with the capacity to accept more than 10  
9                   rounds, except for an attached tubular device de-  
10                  signed to accept, and capable of operating only with,  
11                  .22 caliber rimfire ammunition.

12                  “(C) Any part, combination of parts, compo-  
13                  nent, device, attachment, or accessory that is de-  
14                  signed or functions to accelerate the rate of fire of  
15                  a semiautomatic rifle but not convert the semiauto-  
16                  matic rifle into a machinegun.

17                  “(D) A semiautomatic pistol that has the ca-  
18                  pacity to accept a detachable magazine and any 1 of  
19                  the following:

20                         “(i) A threaded barrel.

21                         “(ii) A second pistol grip.

22                         “(iii) A barrel shroud.

23                         “(iv) The capacity to accept a detachable  
24                         magazine at some location outside of the pistol  
25                         grip.

1           “(v) A semiautomatic version of an auto-  
2           matic firearm.

3           “(E) A semiautomatic pistol with a fixed maga-  
4           zine that has the capacity to accept more than 10  
5           rounds.

6           “(F) A semiautomatic shotgun that has any 1  
7           of the following:

8                 “(i) A folding, telescoping, or detachable  
9                 stock.

10                “(ii) A pistol grip.

11                “(iii) A fixed magazine with the capacity to  
12                accept more than 5 rounds.

13                “(iv) The ability to accept a detachable  
14                magazine.

15                “(v) A forward grip.

16                “(vi) A grenade launcher or rocket launch-  
17                er.

18           “(G) Any shotgun with a revolving cylinder.

19           “(H) All of the following rifles, copies, dupli-  
20           cates, variants, or altered facsimiles with the capa-  
21           bility of any such weapon thereof:

22                “(i) All AK types, including the following:

23                   “(I) AK, AK47, AK47S, AK-74,  
24                   AKM, AKS, ARM, MAK90, MISR,  
25                   NHM90, NHM91, Rock River Arms LAR-

1 47, SA85, SA93, Vector Arms AK-47,  
2 VEPR, WASR-10, and WUM.

3 "(II) IZHMAISH Saiga AK.

4 "(III) MAADI AK47 and ARM.

5 "(IV) Norineo 56S, 56S2, 84S, and  
6 86S.

7 "(V) Poly Technologies AK47 and  
8 AKS.

9 "(ii) All AR types, including the following:

10 "(I) AR-10.

11 "(II) AR-15.

12 "(III) Armalite M15 22LR Carbine.

13 "(IV) Armalite M15-T.

14 "(V) Barrett REC7.

15 "(VI) Beretta AR-70.

16 "(VII) Bushmaster ACR.

17 "(VIII) Bushmaster Carbon 15.

18 "(IX) Bushmaster MOE series.

19 "(X) Bushmaster XM15.

20 "(XI) Colt Match Target Rifles.

21 "(XII) DoubleStar AR rifles.

22 "(XIII) DPMS Tactical Rifles.

23 "(XIV) Heckler & Koch MR556.

24 "(XV) Olympic Arms.

25 "(XVI) Remington R-15 rifles.

- 1                   “(XVII) Rock River Arms LAR-15.
- 2                   “(XVIII) Sig Sauer SIG516 rifles.
- 3                   “(XIX) Smith & Wesson M&P15 Ri-
- 4                   fles.
- 5                   “(XX) Stag Arms AR rifles.
- 6                   “(XXI) Sturm, Ruger & Co. SR556
- 7                   rifles.
- 8                   “(iii) Barrett M107A1.
- 9                   “(iv) Barrett M82A1.
- 10                  “(v) Beretta CX4 Storm.
- 11                  “(vi) Calico Liberty Series.
- 12                  “(vii) CETME Sporter.
- 13                  “(viii) Daewoo K-1, K-2, Max 1, Max 2,
- 14                  AR 100, and AR 110C.
- 15                  “(ix) Fabrique Nationale/FN Herstal
- 16                  FAL, LAR, 22 FNC, 308 Match, L1A1
- 17                  Sporter, PS90, SCAR, and FS2000.
- 18                  “(x) Feather Industries AT-9.
- 19                  “(xi) Galil Model AR and Model ARM.
- 20                  “(xii) Hi-Point Carbine.
- 21                  “(xiii) HK-91, HK-93, HK-94, HK-
- 22                  PSG-1, and HK USC.
- 23                  “(xiv) Kel-Tec Sub-2000, SU-16, and
- 24                  RFB.

1           “(xv) SIG AMT, SIG PE-57, Sig Sauer  
2           SG 550, and Sig Sauer SG 551.

3           “(xvi) Springfield Armory SAR-48.

4           “(xvii) Steyr AUG.

5           “(xviii) Sturm, Ruger Mini-14 Tactical  
6           Rife M-14/20CF.

7           “(xix) All Thompson rifles, including the  
8           following:

9                   “(I) Thompson M1SB.

10                   “(II) Thompson T1100D.

11                   “(III) Thompson T150D.

12                   “(IV) Thompson T1B.

13                   “(V) Thompson T1B100D.

14                   “(VI) Thompson T1B50D.

15                   “(VII) Thompson T1BSB.

16                   “(VIII) Thompson T1-C.

17                   “(IX) Thompson T1D.

18                   “(X) Thompson T1SB.

19                   “(XI) Thompson T5.

20                   “(XII) Thompson T5100D.

21                   “(XIII) Thompson TM1.

22                   “(XIV) Thompson TM1C.

23                   “(xx) UMAREX UZI Rifle.

24                   “(xxi) UZI Mini Carbine, UZI Model A  
25           Carbine, and UZI Model B Carbine.

1                   “(xxii) Valmet M62S, M71S, and M78.

2                   “(xxiii) Vector Arms UZI Type.

3                   “(xxiv) Weaver Arms Nighthawk.

4                   “(xxv) Wilkinson Arms Linda Carbine.

5                   “(I) All of the following pistols, copies, dupli-  
6 cates, variants, or altered facsimiles with the capa-  
7 bility of any such weapon thereof:

8                   “(i) All AK-47 types, including the fol-  
9 lowing:

10                   “(I) Centurion 39 AK pistol.

11                   “(II) Draco AK-47 pistol.

12                   “(III) HCR AK-47 pistol.

13                   “(IV) IO Inc. Hellpup AK-47 pistol.

14                   “(V) Krinkov pistol.

15                   “(VI) Mini Draco AK-47 pistol.

16                   “(VII) Yugo Krebs Krink pistol.

17                   “(ii) All AR-15 types, including the fol-  
18 lowing:

19                   “(I) American Spirit AR-15 pistol.

20                   “(II) Bushmaster Carbon 15 pistol.

21                   “(III) DoubleStar Corporation AR  
22 pistol.

23                   “(IV) DPMS AR-15 pistol.

24                   “(V) Olympic Arms AR-15 pistol.



- 1                   “(VI) Rock River Arms LAR 15 pis-  
2                   tol.  
3                   “(iii) Calico Liberty pistols.  
4                   “(iv) DSA SA58 PKP FAL pistol.  
5                   “(v) Encom MP-9 and MP-45.  
6                   “(vi) Heckler & Koch model SP-89 pistol.  
7                   “(vii) Intratec AB-10, TEC-22 Scorpion,  
8                   TEC-9, and TEC-DC9.  
9                   “(viii) Kel-Tec PLR 16 pistol.  
10                  “(ix) The following MAC types:  
11                   “(I) MAC-10.  
12                   “(II) MAC-11.  
13                   “(III) Masterpiece Arms MPA A930  
14                   Mini Pistol, MPA460 Pistol, MPA Tactical  
15                   Pistol, and MPA Mini Tactical Pistol.  
16                   “(IV) Military Armament Corp.  
17                   Ingram M-11.  
18                   “(V) Velocity Arms VMAC.  
19                   “(x) Sig Sauer P556 pistol.  
20                   “(xi) Sites Spectre.  
21                   “(xii) All Thompson types, including the  
22                   following:  
23                   “(I) Thompson TA510D.  
24                   “(II) Thompson TA5.  
25                   “(xiii) All UZI types, including Micro-UZI.

1           “(J) All of the following shotguns, copies, dupli-  
2 cates, variants, or altered facsimiles with the capa-  
3 bility of any such weapon thereof:

4           “(i) Franchi LAW-12 and SPAS 12.

5           “(ii) All IZHMASH Saiga 12 types, in-  
6 cluding the following:

7           “(I) IZHMASH Saiga 12.

8           “(II) IZHMASH Saiga 12S.

9           “(III) IZHMASH Saiga 12S EXP-  
10 01.

11           “(IV) IZHMASH Saiga 12K.

12           “(V) IZHMASH Saiga 12K-030.

13           “(VI) IZHMASH Saiga 12K-040  
14 Taktika.

15           “(iii) Streetsweeper.

16           “(iv) Striker 12.

17           “(K) All belt-fed semiautomatic firearms, in-  
18 cluding TNW M2HB.

19           “(L) Any combination of parts from which a  
20 firearm described in subparagraphs (A) through (K)  
21 can be assembled.

22           “(M) The frame or receiver of a rifle or shot-  
23 gun described in subparagraph (A), (B), (C), (F),  
24 (G), (H), (J), or (K).

1       “(37) The term ‘large capacity ammunition feeding  
2 device’—

3           “(A) means a magazine, belt, drum, feed strip,  
4 or similar device, including any such device joined or  
5 coupled with another in any manner, that has an  
6 overall capacity of, or that can be readily restored,  
7 changed, or converted to accept, more than 10  
8 rounds of ammunition; and

9           “(B) does not include an attached tubular de-  
10 vice designed to accept, and capable of operating  
11 only with, .22 caliber rimfire ammunition.”.

12       (b) RELATED DEFINITIONS.—Section 921(a) of title  
13 18, United States Code, as amended by this Act, is  
14 amended by adding at the end the following:

15       “(38) The term ‘barrel shroud’—

16           “(A) means a shroud that is attached to, or  
17 partially or completely encircles, the barrel of a fire-  
18 arm so that the shroud protects the user of the fire-  
19 arm from heat generated by the barrel; and

20           “(B) does not include—

21           “(i) a slide that partially or completely en-  
22 closes the barrel; or

23           “(ii) an extension of the stock along the  
24 bottom of the barrel which does not encircle or  
25 substantially encircle the barrel.

1       “(39) The term ‘detachable magazine’ means an am-  
2 munition feeding device that can be removed from a fire-  
3 arm without disassembly of the firearm action.

4       “(40) The term ‘fixed magazine’ means an ammuni-  
5 tion feeding device that is permanently fixed to the firearm  
6 in such a manner that it cannot be removed without dis-  
7 assembly of the firearm.

8       “(41) The term ‘folding, telescoping, or detachable  
9 stock’ means a stock that folds, telescopes, detaches or  
10 otherwise operates to reduce the length, size, or any other  
11 dimension, or otherwise enhances the concealability, of a  
12 firearm.

13       “(42) The term ‘forward grip’ means a grip located  
14 forward of the trigger that functions as a pistol grip.

15       “(43) The term ‘rocket’ means any simple or complex  
16 tubelike device containing combustibles that on being ig-  
17 nited liberate gases whose action propels the tube through  
18 the air and has a propellant charge of not more than 4  
19 ounces.

20       “(44) The term ‘grenade launcher or rocket launcher’  
21 means an attachment for use on a firearm that is designed  
22 to propel a grenade, rocket, or other similar destructive  
23 device.

24       “(45) The term ‘permanently inoperable’ means a  
25 firearm which is incapable of discharging a shot by means

1 of an explosive and incapable of being readily restored to  
2 a firing condition.

3 “(46) The term ‘pistol grip’ means a grip, a thumb-  
4 hole stock, or any other characteristic that can function  
5 as a grip.

6 “(47) The term ‘threaded barrel’ means a feature or  
7 characteristic that is designed in such a manner to allow  
8 for the attachment of a device such as a firearm silencer  
9 or a flash suppressor.

10 “(48) The term ‘qualified law enforcement officer’  
11 has the meaning given the term in section 926B of title  
12 18, United States Code.

13 “(49) The term ‘grandfathered semiautomatic as-  
14 sault weapon’ means any semiautomatic assault weapon  
15 the importation, possession, sale, or transfer of which  
16 would be unlawful under section 922(v) but for the excep-  
17 tion under paragraph (2) of such section.

18 “(50) The term ‘belt-fed semiautomatic firearm’  
19 means any repeating firearm that—

20 “(A) utilizes a portion of the energy of a firing  
21 cartridge to extract the fired cartridge case and  
22 chamber the next round;

23 “(B) requires a separate pull of the trigger to  
24 fire each cartridge; and

1           “(C) has the capacity to accept a belt ammuni-  
2           tion feeding device.”.

3 **SEC. 3. RESTRICTIONS ON ASSAULT WEAPONS AND LARGE**  
4           **CAPACITY AMMUNITION FEEDING DEVICES.**

5           (a) IN GENERAL.—Section 922 of title 18, United  
6 States Code, is amended—

7           (1) by inserting after subsection (u) the fol-  
8           lowing:

9           “(v)(1) It shall be unlawful for a person to import,  
10 sell, manufacture, transfer, or possess, in or affecting  
11 interstate or foreign commerce, a semiautomatic assault  
12 weapon.

13           “(2) Paragraph (1) shall not apply to the possession,  
14 sale, or transfer of any semiautomatic assault weapon oth-  
15 erwise lawfully possessed under Federal law on the date  
16 of enactment of the Assault Weapons Ban of 2013.

17           “(3) Paragraph (1) shall not apply to any firearm  
18 that—

19           “(A) is manually operated by bolt, pump, lever,  
20 or slide action;

21           “(B) has been rendered permanently inoperable;  
22 or

23           “(C) is an antique firearm, as defined in section  
24 921 of this title.

25           “(4) Paragraph (1) shall not apply to—

1           “(A) the importation for, manufacture for, sale  
2 to, transfer to, or possession by the United States  
3 or a department or agency of the United States or  
4 a State or a department, agency, or political subdivi-  
5 sion of a State, or a sale or transfer to or possession  
6 by a qualified law enforcement officer employed by  
7 the United States or a department or agency of the  
8 United States or a State or a department, agency,  
9 or political subdivision of a State, for purposes of  
10 law enforcement (whether on or off duty), or a sale  
11 or transfer to or possession by a campus law en-  
12 forcement officer for purposes of law enforcement  
13 (whether on or off duty);

14           “(B) the importation for, or sale or transfer to  
15 a licensee under title I of the Atomic Energy Act of  
16 1954 for purposes of establishing and maintaining  
17 an on-site physical protection system and security  
18 organization required by Federal law, or possession  
19 by an employee or contractor of such licensee on-site  
20 for such purposes or off-site for purposes of licensee-  
21 authorized training or transportation of nuclear ma-  
22 terials;

23           “(C) the possession, by an individual who is re-  
24 tired in good standing from service with a law en-  
25 forcement agency and is not otherwise prohibited

1 from receiving a firearm, of a semiautomatic assault  
2 weapon—

3 “(i) sold or transferred to the individual by  
4 the agency upon such retirement; or

5 “(ii) that the individual purchased, or oth-  
6 erwise obtained, for official use before such re-  
7 tirement;

8 “(D) the importation, sale, manufacture, trans-  
9 fer, or possession of a semiautomatic assault weapon  
10 by a licensed manufacturer or licensed importer for  
11 the purposes of testing or experimentation author-  
12 ized by the Attorney General; or

13 “(E) the importation, sale, manufacture, trans-  
14 fer, or possession of a firearm specified in Appendix  
15 A to this section, as such firearm was manufactured  
16 on the date of introduction of the Assault Weapons  
17 Ban of 2013.

18 “(5) For purposes of paragraph (4)(A), the term  
19 ‘campus law enforcement officer’ means an individual who  
20 is—

21 “(A) employed by a private institution of higher  
22 education that is eligible for funding under title IV  
23 of the Higher Education Act of 1965 (20 U.S.C.  
24 1070 et seq.);



1           “(B) responsible for the prevention or investiga-  
2           tion of crime involving injury to persons or property,  
3           including apprehension or detention of persons for  
4           such crimes;

5           “(C) authorized by Federal, State, or local law  
6           to carry a firearm, execute search warrants, and  
7           make arrests; and

8           “(D) recognized, commissioned, or certified by  
9           a government entity as a law enforcement officer.

10          “(6) The Attorney General shall establish and main-  
11          tain, in a timely manner, a record of the make, model,  
12          and, if available, date of manufacture of any semiauto-  
13          matic assault weapon which the Attorney General is made  
14          aware has been used in relation to a crime under Federal  
15          or State law, and the nature and circumstances of the  
16          crime involved, including the outcome of relevant criminal  
17          investigations and proceedings. The Attorney General  
18          shall annually submit a copy of the record established  
19          under this paragraph to the Congress and make the record  
20          available to the general public.

21          “(w)(1) It shall be unlawful for a person to import,  
22          sell, manufacture, transfer, or possess, in or affecting  
23          interstate or foreign commerce, a large capacity ammuni-  
24          tion feeding device.

1       “(2) Paragraph (1) shall not apply to the possession  
2 of any large capacity ammunition feeding device otherwise  
3 lawfully possessed on or before the date of enactment of  
4 the Assault Weapons Ban of 2013.

5       “(3) Paragraph (1) shall not apply to—

6           “(A) the importation for, manufacture for, sale  
7 to, transfer to, or possession by the United States  
8 or a department or agency of the United States or  
9 a State or a department, agency, or political subdivi-  
10 sion of a State, or a sale or transfer to or possession  
11 by a qualified law enforcement officer employed by  
12 the United States or a department or agency of the  
13 United States or a State or a department, agency,  
14 or political subdivision of a State for purposes of law  
15 enforcement (whether on or off duty), or a sale or  
16 transfer to or possession by a campus law enforce-  
17 ment officer for purposes of law enforcement (wheth-  
18 er on or off duty);

19           “(B) the importation for, or sale or transfer to  
20 a licensee under title I of the Atomic Energy Act of  
21 1954 for purposes of establishing and maintaining  
22 an on-site physical protection system and security  
23 organization required by Federal law, or possession  
24 by an employee or contractor of such licensee on-site  
25 for such purposes or off-site for purposes of licensee-

1 authorized training or transportation of nuclear ma-  
2 terials;

3 “(C) the possession, by an individual who is re-  
4 tired in good standing from service with a law en-  
5 forcement agency and is not otherwise prohibited  
6 from receiving ammunition, of a large capacity am-  
7 munition feeding device—

8 “(i) sold or transferred to the individual by  
9 the agency upon such retirement; or

10 “(ii) that the individual purchased, or oth-  
11 erwise obtained, for official use before such re-  
12 tirement; or

13 “(D) the importation, sale, manufacture, trans-  
14 fer, or possession of any large capacity ammunition  
15 feeding device by a licensed manufacturer or licensed  
16 importer for the purposes of testing or experimen-  
17 tation authorized by the Attorney General.

18 “(4) For purposes of paragraph (3)(A), the term  
19 ‘campus law enforcement officer’ means an individual who  
20 is—

21 “(A) employed by a private institution of higher  
22 education that is eligible for funding under title IV  
23 of the Higher Education Act of 1965 (20 U.S.C.  
24 1070 et seq.);

1           “(B) responsible for the prevention or investiga-  
2           tion of crime involving injury to persons or property,  
3           including apprehension or detention of persons for  
4           such crimes;

5           “(C) authorized by Federal, State, or local law  
6           to carry a firearm, execute search warrants, and  
7           make arrests; and

8           “(D) recognized, commissioned, or certified by  
9           a government entity as a law enforcement officer.”;  
10          and

11          (2) by adding at the end the following:

12          “(aa) SECURE STORAGE OR SAFETY DEVICE RE-  
13          QUIREMENT FOR GRANDFATHERED SEMIAUTOMATIC AS-  
14          SAULT WEAPONS.—It shall be unlawful for any person,  
15          other than a licensed importer, licensed manufacturer, or  
16          licensed dealer, to store or keep under the dominion or  
17          control of that person any grandfathered semiautomatic  
18          assault weapon that the person knows, or has reasonable  
19          cause to believe, will be accessible to an individual prohib-  
20          ited from receiving or possessing a firearm under sub-  
21          section (g), (n), or (x), or any provision of State law, un-  
22          less the grandfathered semiautomatic assault weapon is—

23                 “(1) carried on the person, or within such close  
24                 proximity that the person can readily retrieve and  
25                 use the grandfathered semiautomatic assault weapon

1 as if the grandfathered semiautomatic assault weap-  
2 on were carried on the person; or

3 “(2) locked by a secure gun storage or safety  
4 device that the prohibited individual has no ability to  
5 access.”.

6 (b) IDENTIFICATION MARKINGS FOR SEMIAUTO-  
7 MATIC ASSAULT WEAPONS.—Section 923(i) of title 18,  
8 United States Code, is amended by adding at the end the  
9 following: “The serial number of any semiautomatic as-  
10 sault weapon manufactured after the date of enactment  
11 of the Assault Weapons Ban of 2013 shall clearly show  
12 the date on which the weapon was manufactured or made,  
13 legibly and conspicuously engraved or cast on the weapon,  
14 and such other identification as the Attorney General shall  
15 by regulations prescribe.”.

16 (c) IDENTIFICATION MARKINGS FOR LARGE CAPAC-  
17 ITY AMMUNITION FEEDING DEVICES.—Section 923(i) of  
18 title 18, United States Code, as amended by this Act, is  
19 amended by adding at the end the following: “A large ca-  
20 pacity ammunition feeding device manufactured after the  
21 date of enactment of the Assault Weapons Ban of 2013  
22 shall be identified by a serial number and the date on  
23 which the device was manufactured or made, legibly and  
24 conspicuously engraved or cast on the device, and such

1 other identification as the Attorney General shall by regu-  
2 lations prescribe.”.

3 (d) SEIZURE AND FORFEITURE OF LARGE CAPACITY  
4 AMMUNITION FEEDING DEVICES.—Subsection (d) of sec-  
5 tion 924 of title 18, United States Code, is amended—

6 (1) in paragraph (1)—

7 (A) by inserting “or large capacity ammu-  
8 nition feeding device” after “firearm or ammu-  
9 nition” each time it appears;

10 (B) by inserting “or large capacity ammu-  
11 nition feeding device” after “firearms or ammu-  
12 nition” each time it appears; and

13 (C) by striking “or (k)” and inserting  
14 “(k), (r), (v), or (w)”;

15 (2) in paragraph (2)—

16 (A) in subparagraph (C), by inserting “or  
17 large capacity ammunition feeding devices”  
18 after “firearms or quantities of ammunition”;  
19 and

20 (3) in paragraph (3)—

21 (A) in subparagraph (E), by inserting  
22 “922(r), 922(v), 922(w),” after “922(n),”.

23 (e) APPENDIX A.—Section 922 of title 18, United  
24 States Code, is amended by adding at the end the fol-  
25 lowing:

# United States Senator Dianne Feinstein

January 24, 2013

**Feinstein Introduces Bill on Assault Weapons, High-Capacity Magazines**

**Prohibits sale, transfer, importation and manufacture of 157 dangerous military-style assault weapons; bans high-capacity ammunition magazines**

*Washington*—U.S. Senator Dianne Feinstein (D-Calif.) today joined a broad coalition representing Congress, law enforcement, doctors, clergy and gun violence victims to announce the introduction of the *Assault Weapons Ban of 2013*. The bill bans dangerous military-style assault weapons and high-capacity ammunition feeding devices capable of holding more than 10 rounds.

The following joined the Senate bill as cosponsors: Senators Charles Schumer (D-N.Y.), Dick Durbin (D-Ill.), Sheldon Whitehouse (D-R.I.), Richard Blumenthal (D-Conn.), Carl Levin (D-Mich.), John Rockefeller (D-W.Va.), Barbara Mikulski (D-Md.), Barbara Boxer (D-Calif.), Jack Reed (D-R.I.), Tom Carper (D-Del.), Frank Lautenberg (D-N.J.), Robert Menendez (D-N.J.), Ben Cardin (D-Md.), Kirsten Gillibrand (D-N.Y.), Brian Schatz (D-Hawaii), Chris Murphy (D-Conn.) and Elizabeth Warren (D-Mass.).

**“The bill introduced today is the product of more than a year of work, with input from across the country,” Feinstein said. “Getting this bill signed into law will be an uphill battle, and I recognize that—but it’s a battle worth waging. We must balance the desire of a few to own military-style assault weapons with the growing threat to lives across America. If 20 dead children in Newtown wasn’t a wakeup call that these weapons of war don’t belong on our streets, I don’t know what is.”**

**The *Assault Weapons Ban of 2013* has two principal goals:**

First, the bill prohibits the sale, manufacture, transfer and importation of 157 of the most commonly-owned military-style assault weapons. It also bans an additional group of assault weapons that can accept a detachable ammunition magazine and have one or more military characteristics. Second, the bill bans large-capacity magazines and other ammunition feeding devices that hold more than 10 rounds of ammunition. These

devices allow shooters to fire numerous rounds in rapid succession without having to stop and reload.

The legislation also **protects the rights of law-abiding citizens** who use guns for hunting, household defense or legitimate recreational purposes. The *Assault Weapons Ban* includes a grandfather clause that specifically exempts all assault weapons lawfully possessed at the date of enactment from the ban. The legislation also excludes:

- More than 2,200 legitimate hunting and sporting rifles by specific make and model;
- Any gun manually operated by bolt, pump, lever or slide action; and
- Weapons used by military, law enforcement and retired law enforcement.

**Other key provisions in the bill:**

- Requires background checks on all future transfers of assault weapons covered by the legislation, including sale, trade and gift;
- Requires that grandfathered assault weapons be stored safely using a secure gun storage or safety device in order to keep them away from prohibited persons; and
- Prohibits the sale or transfer of high-capacity ammunition feeding devices currently in existence.

**“I believe this bill is a big step toward ending the mass shootings that have devastated families across the country—from Newtown to Aurora, from Tucson to Virginia Tech, from Columbine to Oak Creek,”** Feinstein said. **“It’s time for Americans to stand up and tell the gun manufacturers that the lives of our children are more important than their profits and get these dangerous weapons out of our schools, our workplaces, our malls and our theaters. It’s time to take action, and we’ll get it done, not matter how long it takes.”**

Senator Feinstein was joined at the press conference by Senators Durbin, Schumer, Blumenthal and Murphy; Reps. Carolyn McCarthy (D-N.Y.), Rep. Ed Perlmutter (D-Colo.) and Elizabeth Esty (D-Conn.); Philadelphia Mayor Michael Nutter (also president of the U.S. Conference of Mayors); Philadelphia Police Commissioner Charles Ramsey (also president of the Major Cities Chiefs Police Association); and a wide range of groups that have endorsed the bill.

The full text of the Assault Weapons Ban of 2013 as well as additional background information is available on Senator Feinstein’s website at [feinstein.senate.gov/assaultweapons](http://feinstein.senate.gov/assaultweapons).

**Additional resources:**

[Summary of the bill](#)



# United States Senator Dianne Feinstein

## *Assault Weapons Ban of 2013*

Mass shootings in Newtown, Aurora, and Tucson have demonstrated all too clearly the need to regulate military-style assault weapons and high capacity ammunition magazines. These weapons allow a gunman to fire a large number of rounds quickly and without having to reload.

### **What the bill does:**

The legislation bans the sale, transfer, manufacturing and importation of:

All semiautomatic rifles that can accept a detachable magazine and have at least one military feature: pistol grip; forward grip; folding, telescoping, or detachable stock; grenade launcher or rocket launcher; barrel shroud; or threaded barrel.

All semiautomatic pistols that can accept a detachable magazine and have at least one military feature: threaded barrel; second pistol grip; barrel shroud; capacity to accept a detachable magazine at some location outside of the pistol grip; or semiautomatic version of an automatic firearm.

All semiautomatic rifles and handguns that have a fixed magazine with the capacity to accept more than 10 rounds.

All semiautomatic shotguns that have a folding, telescoping, or detachable stock; pistol grip; fixed magazine with the capacity to accept more than 5 rounds; ability to accept a detachable magazine; forward grip; grenade launcher or rocket launcher; or shotgun with a revolving cylinder.

All ammunition feeding devices (magazines, strips, and drums) capable of accepting more than 10 rounds.

157 specifically-named firearms (listed at the end of this page).

### **The legislation excludes the following weapons from the bill:**

Any weapon that is **lawfully possessed** at the date of the bill's enactment;

Any firearm **manually operated** by a bolt, pump, lever or slide action; Assault weapons used by military, **law enforcement, and retired law enforcement**; and

**Antique weapons.**

## **The legislation protects hunting and sporting firearms:**

The bill excludes 2,258 legitimate hunting and sporting rifles and shotguns by specific make and model.

## **The legislation strengthens the 1994 Assault Weapons Ban and state bans by:**

Moving from a 2-characteristic test to a 1-characteristic test.

The bill also makes the ban harder to evade by eliminating the easy-to-remove bayonet mounts and flash suppressors from the characteristics test.

Banning dangerous aftermarket modifications and workarounds.

Bump or slide fire stocks, which are modified stocks that enable semi-automatic weapons to fire at rates similar to fully automatic machine guns.

So-called "bullet buttons" that allow the rapid replacement of ammunition magazines, frequently used as a workaround to prohibitions on detachable magazines.

Thumbhole stocks, a type of stock that was created as a workaround to avoid prohibitions on pistol grips.

Adding a ban on the importation of assault weapons and large-capacity magazines.

Eliminating the 10-year sunset that allowed the original federal ban to expire.

## **The legislation addresses the millions of assault weapons and large-capacity magazines currently in existence by:**

Requiring a background check on all sales or transfers of a grandfathered assault weapon.

This background check can be run through the FBI or, if a state chooses, initiated with a state agency, as with the existing background check system.

Prohibiting the sale or transfer of large-capacity ammunition feeding devices lawfully possessed on the date of enactment of the bill.

Allowing states and localities to use federal Byrne JAG grant funds to conduct a voluntary buy-back program for grandfathered assault weapons and large-capacity ammunition feeding devices.

Imposing a safe storage requirement for grandfathered firearms, to keep them away from prohibited persons.

Requiring that assault weapons and large-capacity ammunition feeding devices manufactured after the date of the bill's enactment be engraved with the serial number and date of manufacture of the weapon

## **Assault weapon bans have been proven to be effective**

The 1994 Assault Weapons Ban was effective at reducing crime and getting these military-style weapons off our streets. Since the ban expired, more

than 350 people have been killed and more than 450 injured by these weapons.

A Justice Department study of the assault weapons ban found that it was responsible for a **6.7% decrease in total gun murders**, holding all other factors equal.

Source: Jeffrey A. Roth & Christopher S. Koper, "Impact Evaluation of the Public Safety and Recreational Firearms Use Protection Act of 1994," (March 1997).

The same study also found that "Assault weapons are disproportionately involved in murders with **multiple victims, multiple wounds per victim, and police officers as victims.**"

**The use of assault weapons in crime declined by more than two-thirds** by about nine years after 1994 Assault Weapons Ban took effect.

Source: Christopher S. Koper, "An Updated Assessment of the Federal Assault Weapons Ban: Impacts on Gun Markets and Gun Violence, 1994-2003" (June 2004), University of Pennsylvania, Report to the National Institute of Justice, U.S. Department of Justice.

The percentage of firearms seized by police in Virginia that had **high-capacity magazines dropped significantly during the ban**. That figure has **doubled** since the ban expired.

Source: David S. Fallis and James V. Grimaldi, "In Virginia, high-yield clip seizures rise," Washington Post, at <http://www.washingtonpost.com/wp-dyn/content/article/2011/01/22/AR2011012204046.html>

When Maryland imposed a more stringent ban on assault pistols and high-capacity magazines in 1994, it led to a **55% drop in assault pistols recovered** by the Baltimore Police Department.

Source: Douglas S. Weil & Rebecca C. Knox, Letter to the Editor, The Maryland Ban on the Sale of Assault Pistols and High-Capacity Magazines: Estimating the Impact in Baltimore, 87 Am. J. of Public Health 2, Feb. 1997.

**37% of police departments** reported seeing a **noticeable increase** in criminals' use of assault weapons since the 1994 federal ban expired.

Source: Police Executive Research Forum, Guns and Crime: Breaking New Ground by Focusing on the Local Impact (May 2010).

## List of firearms prohibited by name

**Rifles:** *All AK types, including the following:* AK, AK47, AK47S, AK-74, AKM, AKS, ARM, MAK90, MISR, NHM90, NHM91, Rock River Arms LAR-47, SA85, SA93, Vector Arms AK-47, VEPR, WASR-10, and WUM, IZHMAISH Saiga AK, MAADI AK47 and ARM, Norinco 56S, 56S2, 84S, and 86S, Poly Technologies AK47 and AKS; *All AR types, including the following:* AR-10, AR-15, Armalite M15 22LR Carbine, Armalite M15-T, Barrett REC7, Beretta AR-70, Bushmaster ACR, Bushmaster Carbon 15, Bushmaster MOE series, Bushmaster XM15, Colt Match Target Rifles, DoubleStar AR rifles, DPMS Tactical Rifles, Heckler

& Koch MR556, Olympic Arms, Remington R-15 rifles, Rock River Arms LAR-15, Sig Sauer SIG516 rifles, Smith & Wesson M&P15 Rifles, Stag Arms AR rifles, Sturm, Ruger & Co. SR556 rifles; Barrett M107A1; Barrett M82A1; Beretta CX4 Storm; Calico Liberty Series; CETME Sporter; Daewoo K-1, K-2, Max 1, Max 2, AR 100, and AR 110C; Fabrique Nationale/FN Herstal FAL, LAR, 22 FNC, 308 Match, L1A1 Sporter, PS90, SCAR, and FS2000; Feather Industries AT-9; Galil Model AR and Model ARM; Hi-Point Carbine; HK-91, HK-93, HK-94, HK-PSG-1 and HK USC; Kel-Tec Sub-2000, SU-16, and RFB; SIG AMT, SIG PE-57, Sig Sauer SG 550, and Sig Sauer SG 551; Springfield Armory SAR-48; Steyr AUG; Sturm, Ruger Mini-14 Tactical Rifle M-14/20CF; All Thompson rifles, including the following: Thompson M1SB, Thompson T1100D, Thompson T150D, Thompson T1B, Thompson T1B100D, Thompson T1B50D, Thompson T1BSB, Thompson T1-C, Thompson T1D, Thompson T1SB, Thompson T5, Thompson T5100D, Thompson TM1, Thompson TM1C; UMAREX UZI Rifle; UZI Mini Carbine, UZI Model A Carbine, and UZI Model B Carbine; Valmet M62S, M71S, and M78; Vector Arms UZI Type; Weaver Arms Nighthawk; Wilkinson Arms Linda Carbine.

**Pistols:** All AK-47 types, including the following: Centurion 39 AK pistol, Draco AK-47 pistol, HCR AK-47 pistol, IO Inc. Hellpup AK-47 pistol, Krinkov pistol, Mini Draco AK-47 pistol, Yugo Krebs Krink pistol; All AR-15 types, including the following: American Spirit AR-15 pistol, Bushmaster Carbon 15 pistol, DoubleStar Corporation AR pistol, DPMS AR-15 pistol, Olympic Arms AR-15 pistol, Rock River Arms LAR 15 pistol; Calico Liberty pistols; DSA SA58 PKP FAL pistol; Encom MP-9 and MP-45; Heckler & Koch model SP-89 pistol; Intratec AB-10, TEC-22 Scorpion, TEC-9, and TEC-DC9; Kel-Tec PLR 16 pistol; The following MAC types: MAC-10, MAC-11; Masterpiece Arms MPA A930 Mini Pistol, MPA460 Pistol, MPA Tactical Pistol, and MPA Mini Tactical Pistol; Military Armament Corp. Ingram M-11, Velocity Arms VMAC; Sig Sauer P556 pistol; Sites Spectre; All Thompson types, including the following: Thompson TA510D, Thompson TA5; All UZI types, including: Micro-UZI.

**Shotguns:** Franchi LAW-12 and SPAS 12; All IZHMASH Saiga 12 types, including the following: IZHMASH Saiga 12, IZHMASH Saiga 12S, IZHMASH Saiga 12S EXP-01, IZHMASH Saiga 12K, IZHMASH Saiga 12K-030, IZHMASH Saiga 12K-040 Taktika; Streetsweeper; Striker 12.

**Belt-fed semiautomatic firearms:** All belt-fed semiautomatic firearms including TNW M2HB.

## **INFORMATION ITEMS**

- A. Briefing by David Jones on State Legislative Matters (Oral)
- B. Briefing by Carolyn Chaney on Federal Legislative Matters (Oral)
- C. AQMD Proposed Amended Rule 1304.1 – Electrical Generating Facility Annual Fee for Use of Offset Exemption (Oral)

## **INFORMATION ITEMS**

**D. H.R. 456: LA Residential Helicopter Noise Relief Act\***



OFFICE OF THE CITY MANAGER

**MEMORANDUM**

February 27, 2013

**TO:** Legislative Policy Committee

**FROM:** Julie A. Gutierrez   
Assistant City Manager

**SUBJECT:** H.R. 456: LA Residential Helicopter Noise Relief Act

On February 4, 2013 Representatives Schiff and Waxman introduced H.R. 456 to the 113<sup>th</sup> Congress. The bill would require the FAA to create regulations for helicopter operations in the Los Angeles County. The regulations would have to include requirements relating to the flight paths and altitudes in order to reduce helicopter noise pollution, increase safety, and minimize scheduled commercial aircraft delays.

As it relates to the City of Pasadena, the bill as introduced would EXEMPT emergency, law enforcement, or military activities from the requirements.

In addition to this bill, Senators Boxer and Feinstein have introduced the companion bill in the Senate. There was no activity on the bill during the last Congress, and we would not expect it to move very quickly this Congress, either. Measures like these that target specific communities tend to languish as they create precedents that federal agencies would like to avoid. Also, Congress approved a three-year FAA Reauthorization Bill last year, so aviation legislation is not expected to be high on anyone's radar this year in Congress.

Attached is a copy of the bill as well as a press release from Congressman Schiff.

113TH CONGRESS  
1ST SESSION

# H. R. 456

To require the Administrator of the Federal Aviation Administration to prescribe regulations to reduce helicopter noise pollution in certain residential areas, and for other purposes.

---

## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 4, 2013

Mr. SCHIFF (for himself, Mr. SHERMAN, and Mr. WAXMAN) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

---

## A BILL

To require the Administrator of the Federal Aviation Administration to prescribe regulations to reduce helicopter noise pollution in certain residential areas, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Los Angeles Residen-  
5 tial Helicopter Noise Relief Act of 2013”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds the following:



1           (1) Residents across Los Angeles County suffer  
2 intrusive and disruptive low-flying helicopter traffic  
3 above their neighborhoods.

4           (2) Los Angeles County is home to a unique  
5 and excessively large concentration of scenic, his-  
6 toric, entertainment, and transportation venues, in-  
7 cluding sight-seeing, movie studios, movie star  
8 homes, outdoor entertainment facilities, Griffith  
9 Park, the Hollywood Sign, freeways, and many oth-  
10 ers, that generate extensive helicopter activity.

11           (3) Los Angeles County is home to the world's  
12 leading civil helicopter manufacturer that conducts  
13 extensive helicopter operational testing in the region.

14           (4) The unique terrain of canyons and valleys  
15 surrounding residential neighborhoods in Los Ange-  
16 les County often concentrates high decibel level noise  
17 from the low-flying helicopters in and around resi-  
18 dences in Los Angeles County.

19           (5) The concentrated noise interrupts daily life  
20 for many Los Angeles County residents by drowning  
21 out conversations and disrupting sleep cycles.

22           (6) Despite multiple efforts from several com-  
23 munity and homeowner organizations in Los Angeles  
24 County to address these disturbances, helicopter  
25 traffic in Los Angeles County is not currently regu-

1 lated by the Federal Aviation Administration or any  
2 other agency.

3 (7) At the request of members of Congress, the  
4 Federal Aviation Administration formed an internal  
5 working group in July 2012 to solicit input from  
6 local communities and stakeholders on helicopter  
7 noise and safety issues in Los Angeles County.

8 (8) As part of that process, several public meet-  
9 ings were held in the fall and summer of 2012 that  
10 have allowed the Federal Aviation Administration  
11 and stakeholders to hear and better understand the  
12 concerns and complaints of affected residents.

13 (9) The Federal Aviation Administration is  
14 scheduled to release a report in May 2013 evalu-  
15 ating a full set of voluntary and regulatory options  
16 to reduce helicopter noise and address safety issues  
17 in Los Angeles County.

18 (10) The report should explore how helicopters  
19 can be regulated in Los Angeles County in a manner  
20 that provides relief to residents from helicopter noise  
21 while also meeting the needs of relevant stake-  
22 holders, including first responders.

1 **SEC. 3. REGULATIONS TO REDUCE HELICOPTER NOISE**  
2 **POLLUTION IN CERTAIN RESIDENTIAL**  
3 **AREAS.**

4 (a) **REGULATIONS REQUIRED.**—Not later than 1 year  
5 after the date of the enactment of this Act, the Adminis-  
6 trator of the Federal Aviation Administration shall pre-  
7 scribe regulations for helicopter operations in Los Angeles  
8 County, California, that include requirements relating to  
9 the flight paths and altitudes associated with such oper-  
10 ations to reduce helicopter noise pollution in residential  
11 areas, increase safety, and minimize scheduled commercial  
12 aircraft delays.

13 (b) **EXEMPTIONS.**—In prescribing regulations under  
14 subsection (a), the Administrator shall exempt helicopter  
15 operations related to emergency, law enforcement, or mili-  
16 tary activities from the requirements described in that  
17 subsection.

18 (c) **CONSULTATIONS.**—In prescribing regulations  
19 under subsection (a), the Administrator shall make rea-  
20 sonable efforts to consult with local communities and local  
21 helicopter operators in order to develop regulations that  
22 meet the needs of local communities, helicopter operators,  
23 and the Federal Aviation Administration.

○

## Schiff, Feinstein, Boxer Introduce Bill to Regulate Helicopter Traffic over L.A. Neighborhoods

---

February 4, 2013

**Washington, DC** –Today, Congressman Adam Schiff (D-Calif.) and Senators Dianne Feinstein (D-Calif.) and Barbara Boxer (D-Calif.) introduced legislation today that would require the Federal Aviation Administration to provide Los Angeles County residents relief from the noise and safety concerns caused by low-flying helicopters above residential neighborhoods.

The Los Angeles Residential Helicopter Noise Relief Act would establish regulations on flight paths and minimum altitudes for helicopter operations in Los Angeles County. Feinstein and Schiff hope that the legislation will prompt the FAA to act, and if passed, will require the agency to finally address numerous resident complaints. They were joined by other Los Angeles congressional colleagues, including Congressmen Henry Waxman (D-Calif.) and Brad Sherman (D-Calif.).

"Los Angeles area residents living in Glendale, Pasadena, the Valley, the Hollywood Hills, West Hollywood and other areas are especially affected by intrusive, disruptive and often non-emergency related helicopter traffic above their neighborhoods," said **Congressman Schiff**. "The terrain of canyons around the Rose Bowl concentrates low-flying helicopter noise to high levels, and Hollywood Hills and West Hollywood residents frequently suffer from noise generated by celebrity news media that follow stars to the beach, the grocery store, or for court appearances. The residents in these areas deserve peace and quiet, and if the FAA won't act, Congress must pass this legislation to give residents the relief they need."

"LA County residents suffer from high levels of disruptive, low-flying helicopter traffic over their neighborhoods. This bill would address that problem by requiring the FAA to create regulations for how helicopters operate in the skies above Los Angeles," said **Senator Feinstein**. "In addition to reducing noise, this bill would increase safety and minimize commercial aircraft delays while exempting first responders and military aircraft from its limitations. I look forward to working with Congressman Schiff and Senator Boxer to get this bill passed."

"This legislation will ensure that the FAA sets responsible guidelines that allow helicopters to continue to operate above Los Angeles while protecting residents from excessive noise associated with low-altitude flights," said **Senator Boxer**.

"I hear complaints about helicopter noise from every part of the 33rd District—from Malibu to Brentwood to Benedict Canyon," said **Congressman Waxman**. "FAA regulation of the thunderous helicopter traffic over LA is long overdue. And if the FAA won't act, Congress must."

"I am pleased to join my colleagues in introducing this legislation to urge the FAA to implement enforceable measures that provide meaningful more relief for Valley communities impacted by helicopter noise and to protect the safety of aircraft in the crowded skies above our metropolitan area," said **Congressman Sherman**. "The active participation of the FAA, community leaders and the helicopter industry can also help lead to substantial progress in developing solutions to better balance public safety and relief from excessive helicopter noise."

Last year, Schiff and Feinstein wrote to Department of Transportation Secretary Ray LaHood urging him to form a working group at the Federal Aviation Administration (FAA) to solicit input from local communities and stakeholders on helicopter noise and safety issues across Los Angeles County. For the past year, that working group has been meeting with local residents, stakeholders and officials to discuss ways to move forward and adequately address the concerns and complaints of affected residents.

Under the legislation sponsored by Schiff, Feinstein and Boxer, the FAA would be required to exercise its legal authority to set guidelines on flight paths and minimum altitudes for helicopter operators in residential areas in Los Angeles County within 12 months of being signed into law. Exemptions would be provided for law enforcement, emergency responders and the U.S. military.

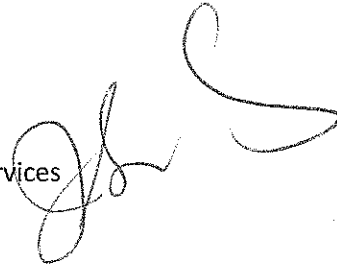
"I'm heartened that Congressman Schiff and Senator Feinstein will be taking up the mantle of helicopter noise regulation next year. They have been steadfast partners with me on the LA Helicopter Noise Relief Act," said former **Congressman Howard Berman**. "Los Angeles County residents should know that they will have an important voice in Washington who will continue to fight for common sense reforms to protect their safety and quality of life from intrusive helicopter flights."

###

## **INFORMATION ITEMS**

**E. Letter of Support for SCA 7, Local Library Funding\***

**To:** Legislative Policy Committee  
**From:** Jan Sanders, Director Library and Information Services  
**Date:** February 27, 2013  
**Subject:** Letter of Support for SCA 7, Local Library Funding



This note is to request support from the Legislative Policy Committee of the City Council for SCA 7, the constitutional measure that seeks to reduce the local vote threshold for special library taxes and construction bonds from the current two-thirds vote to 55% and that the Mayor send a letter to our State Legislators noting our support. Support of this bill is consistent with the adopted 2013 State Legislative Platform.

Over the past twenty years, more than 20 local library funding measures that failed would have passed had this wording been in place. Notably, the Camarillo library measure that failed and resulted in the potential complete loss of library services for that community received 57+% vote, a number high enough to have saved that institution for the community.

The Pasadena Public Library and libraries throughout California are faced with staff, service, and hour reductions—even up to and including closings in some areas. At the same time, the need for libraries as places for homework assistance, computer resources and the training to use them, literacy training, job searches and applications, and a host of other uses continues to grow. While a tax measure is not an issue here in Pasadena since we passed our parcel tax in 2008 for the following 15 years, we stand in solidarity with other California public libraries to voice our support.

While Prop 13 will still limit the amount of property taxes that local governments can collect, SCA 7 would make it easier for local jurisdictions to pass special assessments to fund public library services and facility improvements.

At their meeting on February 19, the Library Commission endorsed this position and asked that the issue be carried to the Council's Legislative Policy Committee. It is our hope that they will also endorse it and pass it up to the Council.

Thank you for your consideration; I am ready to respond to questions or comments.

---

**Introduced by Senator Wolk**  
**(Coauthor: Senator Leno)**  
(Coauthor: Assembly Member Williams)

December 3, 2012

---

Senate Constitutional Amendment No. 7—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1 and 4 of, and by adding Section 4.5 to, Article XIII A thereof, by amending Section 2 of Article XIII C thereof, by amending Section 3 of Article XIII D thereof, and by amending Section 18 of Article XVI thereof, relating to public libraries.

LEGISLATIVE COUNSEL'S DIGEST

SCA 7, as introduced, Wolk. Local government financing: public libraries: voter approval.

(1) The California Constitution prohibits the ad valorem tax rate on real property from exceeding 1% of the full cash value of the property, subject to certain exceptions.

This measure would create an additional exception to the 1% limit for a rate imposed by a city, county, city and county, or special district to service bonded indebtedness incurred to fund public library facilities, that is approved by 55% of the voters of the city, county, city and county, or special district, as applicable.

(2) The California Constitution conditions the imposition of a special tax by a city, county, or special district upon the approval of  $\frac{2}{3}$  of the voters of the city, county, or special district voting on that tax, and prohibits these entities from imposing an ad valorem tax on real property or a transactions or sales tax on the sale of real property.

This measure would authorize the imposition, extension, or increase of a special tax by a city, county, city and county, or special district for

the purpose of funding public libraries, upon the approval of 55% of its voters voting on the proposition, and would also make conforming changes to related provisions.

(3) The California Constitution prohibits specified local government agencies from incurring any indebtedness exceeding in any year the income and revenue provided in that year, without the assent of  $\frac{2}{3}$  of the voters and subject to other conditions. In the case of a school district, community college district, or county office of education, the California Constitution permits a proposition for the incurrence of indebtedness in the form of general obligation bonds for the construction, reconstruction, rehabilitation, or replacement of school facilities, including the furnishing and equipping of school facilities, or the acquisition or lease of real property for school facilities, to be adopted upon the approval of 55% of the voters of the district or county, as appropriate, voting on the proposition at an election.

This measure would similarly lower to 55% the voter-approval threshold for a city, county, or city and county to incur bonded indebtedness, exceeding in any year the income and revenue provided in that year, that is in the form of general obligation bonds issued to fund public libraries.

Vote:  $\frac{2}{3}$ . Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

1     *Resolved by the Senate, the Assembly concurring,* That the  
2     Legislature of the State of California at its 2013–14 Regular  
3     Session commencing on the third day of December 2012,  
4     two-thirds of the membership of each house concurring, hereby  
5     proposes to the people of the State of California, that the  
6     Constitution of the State be amended as follows:

7     First—That Section 1 of Article XIII A thereof is amended to  
8     read:

9     SECTION 1. (a) The maximum amount of any ad valorem  
10    tax on real property shall not exceed ~~One 1 percent (1%)~~ of the  
11    full cash value of ~~such~~ *that* property. The ~~one 1 percent (1%)~~ tax  
12    ~~to~~ *shall* be collected by the counties and apportioned according to  
13    law to the districts within the counties.

14    (b) The limitation provided for in subdivision (a) shall not apply  
15    to ad valorem taxes or special assessments to pay the interest and  
16    redemption charges on any of the following:

17    (1) Indebtedness approved by the voters prior to July 1, 1978.



1 (2) Bonded indebtedness for the acquisition or improvement of  
2 real property approved on or after July 1, 1978, by two-thirds of  
3 the votes cast by the voters voting on the proposition.

4 (3) Bonded indebtedness incurred by a school district,  
5 community college district, or county office of education ~~for to~~  
6 *fund* the construction, reconstruction, rehabilitation, or replacement  
7 of school facilities, including the furnishing and equipping of  
8 school facilities, or the acquisition or lease of real property for  
9 school facilities, approved by 55 percent of the voters of the district  
10 or county, as appropriate, voting on the proposition on or after ~~the~~  
11 ~~effective date of the measure adding this paragraph~~ *November 8,*  
12 *2000.* This paragraph shall apply only if the proposition approved  
13 by the voters and resulting in the bonded indebtedness includes  
14 all of the following accountability requirements:

15 (A) A requirement that the proceeds from the sale of the bonds  
16 be used only for the purposes specified in ~~Article XIII A, Section~~  
17 ~~4(b)(3), this paragraph~~ and not for any other purpose, including  
18 teacher and administrator salaries and other school operating  
19 expenses.

20 (B) A list of the specific school facilities projects to be funded  
21 and certification that the school district board, community college  
22 board, or county office of education has evaluated safety, class  
23 size reduction, and information technology needs in developing  
24 that list.

25 (C) A requirement that the school district board, community  
26 college board, or county office of education conduct an annual,  
27 independent performance audit to ensure that the funds have been  
28 expended only on the specific projects listed.

29 (D) A requirement that the school district board, community  
30 college board, or county office of education conduct an annual,  
31 independent financial audit of the proceeds from the sale of the  
32 bonds until all of those proceeds have been expended for the school  
33 facilities projects.

34 (4) *Bonded indebtedness, approved by 55 percent of the voters*  
35 *of a city, county, city and county, or special district, as applicable,*  
36 *voting on the proposition on or after the effective date of the*  
37 *measure adding this paragraph, incurred by the city, county, city*  
38 *and county, or special district to fund the construction,*  
39 *reconstruction, rehabilitation, or replacement of public library*  
40 *facilities, including the furnishing and equipping of public library*

1 facilities, or the acquisition or lease of real property for public  
2 library facilities.

3 (c) Notwithstanding any other provisions of law or of this  
4 Constitution, ~~a school districts, community college districts, and~~  
5 ~~county offices of education district, community college district,~~  
6 ~~county office of education, city, county, city and county, or special~~  
7 ~~district~~ may levy a 55 percent vote ad valorem tax pursuant to  
8 subdivision (b).

9 Second—That Section 4 of Article XIII A thereof is amended  
10 to read:

11 SEC. 4. ~~Cities, Counties and special districts, Except as~~  
12 ~~provided by Section 4.5, a city, county, or special district, by a~~  
13 ~~two-thirds vote of the qualified electors of such district its voters~~  
14 ~~voting on the proposition, may impose special taxes on such district~~  
15 ~~a special tax within that city, county, or special district, except an~~  
16 ~~ad valorem taxes tax on real property or a transaction transactions~~  
17 ~~tax or sales tax on the sale of real property within such City, County~~  
18 ~~that city, county, or special district.~~

19 Third—That Section 4.5 is added to Article XIII A thereof, to  
20 read:

21 SEC. 4.5. The imposition, extension, or increase of a special  
22 tax by a city, county, city and county, or special district, as may  
23 otherwise be authorized by law for the purpose of funding public  
24 libraries, is subject to approval by 55 percent of the voters in the  
25 city, county, city and county, or special district, as applicable,  
26 voting on the proposition.

27 Fourth—That Section 2 of Article XIII C thereof is amended to  
28 read:

29 SEC. 2. ~~Local Government Tax Limitation.~~ Notwithstanding  
30 any other provision of this Constitution:

31 (a) ~~All taxes~~ Any tax imposed by any local government shall be  
32 ~~deemed to be~~ is either a general taxes tax or a special taxes tax.  
33 ~~Special purpose districts~~ A special district or agencies agency,  
34 including a school districts, shall have district, has no power  
35 authority to levy a general taxes tax.

36 (b) ~~No~~ A local government may not impose, extend, or increase  
37 any general tax unless and until that tax is submitted to the  
38 electorate and approved by a majority vote. A general tax shall is  
39 not be deemed to have been increased if it is imposed at a rate not  
40 higher than the maximum rate so approved. The election required

1 by this subdivision shall be consolidated with a regularly scheduled  
2 general election for members of the governing body of the local  
3 government, except in cases of emergency declared by a unanimous  
4 vote of the governing body.

5 (c) Any general tax imposed, extended, or increased, without  
6 voter approval, by any local government on or after January 1,  
7 1995, and prior to the effective date of this article, ~~shall~~ may  
8 continue to be imposed only if *that general tax is* approved by a  
9 majority vote of the voters voting in an election on the issue of the  
10 imposition, which election shall be held ~~within two years of the~~  
11 ~~effective date of this article~~ *no later than November 6, 1996*, and  
12 in compliance with subdivision (b).

13 (d) ~~No~~ *Except as provided by Section 4.5 of Article XIII A*, a  
14 local government may *not* impose, extend, or increase any special  
15 tax unless and until that tax is submitted to the electorate and  
16 approved by a two-thirds vote. A special tax ~~shall~~ is not be deemed  
17 to have been increased if it is imposed at a rate not higher than the  
18 maximum rate so approved.

19 Fifth—That Section 3 of Article XIII D thereof is amended to  
20 read:

21 SEC. 3. ~~Property Taxes, Assessments, Fees and Charges~~  
22 ~~Limited.~~ (a) ~~No~~ *An agency shall not assess a tax, assessment, fee,*  
23 *or charge shall be assessed by any agency upon any parcel of*  
24 *property or upon any person as an incident of property ownership*  
25 *except:*

26 (1) The ad valorem property tax imposed pursuant to Article  
27 XIII and Article XIII A.

28 (2) Any special tax receiving a two-thirds vote pursuant to  
29 Section 4 of Article XIII A *or, as applicable, a 55-percent vote*  
30 *pursuant to Section 4.5 of Article XIII A.*

31 (3) Assessments as provided by this article.

32 (4) Fees or charges for property related services as provided by  
33 this article.

34 (b) For purposes of this article, fees for the provision of electrical  
35 or gas service ~~shall~~ *are* not be deemed charges or fees imposed as  
36 an incident of property ownership.

37 Sixth—That Section 18 of Article XVI thereof is amended to  
38 read:

39 SEC. 18. (a) No county, city, town, township, board of  
40 education, or school district, shall incur any indebtedness or

1 liability in any manner or for any purpose exceeding in any year  
2 the income and revenue provided for ~~such~~ *that* year, without the  
3 assent of two-thirds of the voters of the public entity voting at an  
4 election to be held for that purpose, except that with respect to any  
5 such public entity ~~which~~ *that* is authorized to incur indebtedness  
6 for public school purposes, any proposition for the incurrence of  
7 indebtedness in the form of general obligation bonds for the  
8 purpose of repairing, reconstructing, or replacing public school  
9 buildings determined, in the manner prescribed by law, to be  
10 structurally unsafe for school use, shall be adopted upon the  
11 approval of a majority of the voters of the public entity voting on  
12 the proposition at ~~such~~ *that* election; nor unless before or at the  
13 time of incurring ~~such indebtedness~~ *the indebtedness*, provision  
14 shall be made for the collection of an annual tax sufficient to pay  
15 the interest on ~~such~~ *the* indebtedness as it falls due, and to provide  
16 for a sinking fund for the payment of the principal thereof, on or  
17 before maturity, which shall not exceed forty years from the time  
18 of contracting the indebtedness.

19 (b) Notwithstanding subdivision (a), on or after ~~the effective~~  
20 ~~date of the measure adding this subdivision,~~ *November 8, 2000,*  
21 in the case of any school district, community college district, or  
22 county office of education, any proposition for the incurrence of  
23 indebtedness in the form of general obligation bonds for the  
24 construction, reconstruction, rehabilitation, or replacement of  
25 school facilities, including the furnishing and equipping of school  
26 facilities, or the acquisition or lease of real property for school  
27 facilities, shall be adopted upon the approval of 55 percent of the  
28 voters of the district or county, as appropriate, voting on the  
29 proposition at an election. This subdivision shall apply only to a  
30 proposition for the incurrence of indebtedness in the form of  
31 general obligation bonds for the purposes specified in this  
32 subdivision if the proposition meets all of the accountability  
33 requirements of paragraph (3) of subdivision (b) of Section 1 of  
34 Article XIII A.

35 (c) *Notwithstanding subdivision (a), on or after the effective*  
36 *date of the measure adding this subdivision, in the case of any city,*  
37 *county, or city and county, any proposition to incur indebtedness*  
38 *in the form of general obligation bonds shall be adopted by 55*  
39 *percent of the voters of the city, county, or city and county, as*  
40 *applicable, voting on the proposition at an election, where the*

1 *general obligation bonds would fund public libraries, including,*  
2 *but not limited to, the construction, reconstruction, rehabilitation,*  
3 *or replacement of public library facilities, the furnishing and*  
4 *equipping of public library facilities, or the acquisition or lease*  
5 *of real property for public library facilities.*

6 (e)

7 (d) When two or more propositions for incurring any  
8 indebtedness or liability are submitted at the same election, the  
9 votes cast for and against each proposition shall be counted  
10 separately, and when two-thirds or a majority or 55 percent of the  
11 voters, as the case may be, voting on any one of those propositions,  
12 vote in favor thereof, the proposition shall be deemed adopted.