Calif. keeps tweaking pot policies

By Peter Hecht, Sacramento Bee

Colorado has the nation’s most meticulously regulated medical marijuana industry. Washington has the first-ever blood-level standard for driving while high.

But in the birthplace of America’s medical cannabis movement and home of the most robust pot economy, California lawmakers can’t seem to figure out what they want to do about marijuana.

The governance of marijuana in California remains hazy as many legislators are skittish over California’s medical cannabis industry, over an unfolding federal crackdown and over risking disapproval of law enforcement interests.

An Assembly committee this month advanced a bill to have the state agency that regulates bars and liquor stores oversee medical cannabis dispensaries.

The bill’s author argued that state regulation could discourage ongoing federal raids on California marijuana businesses. But law enforcement hates the proposal, and marijuana advocates are divided.

A cop-driven bill in the Senate faces furious resistance from cannabis advocates who complain that it will criminalize sick people relying on marijuana. The bill would punish drivers for any detectable level of nonprescription drugs, including marijuana.

Though voters made California the first state to legalize marijuana for medical use by passing Proposition 215 in 1996, California lags behind in setting the rules.

“Proposition 215 called for the Legislature to come up with regulations and they never have," said Sacramento lawyer George Mull, whose California Cannabis Industry Association last year pushed for a licensing bill for marijuana businesses and is trying again this year.

State Senate leader Darrell Steinberg said it may take two years for the Legislature to agree on how – or whether – to license hundreds of dispensaries and govern an industry providing marijuana to as many as a million Californians with physicians' recommendations for cannabis.

Steinberg, a Sacramento Democrat, has co-sponsored a regulatory bill in the Senate that he says will be heavily rewritten before getting a vote. He said he is troubled by pot stores that sprouted long after Proposition 215 legalized use for people with ailments such as AIDS or cancer or "any other illnesses for which marijuana provides relief."

"I don't think there is any secret that, with the dispensary system, there has been a lot of license taken and there is very little distinction between those who suffer from serious illnesses … and those who can easily get a piece of paper to get the marijuana," Steinberg said.

Steinberg said he wants to regulate pot businesses and protect access by sick people to marijuana. But he said, "I do not support the legalization of marijuana."

In Colorado, where voters approved marijuana for medical use in 2000, a for-profit industry thrives under 2010 legislation that licenses marijuana stores and commercial cultivation. The law requires video surveillance of operations and state registration and background checks for medical marijuana workers.

Last year, voters in Colorado and Washington legalized marijuana for recreational use. While California advocates plan a similar measure in 2016, they're still struggling to persuade lawmakers to deal with medical marijuana.

A California cannabis industry, once valued at $1.5 billion, hangs on a nebulous 2003 state bill that says people with diagnosed illnesses have legal protection “to cooperatively and collectively cultivate marijuana for medical purposes.”

Police and prosecutors in some jurisdictions argue that retail-style dispensaries are not legal under California law, and state courts have issued conflicting rulings. The state Supreme Court is weighing whether cities can ban pot outlets or be forced to accept them.

Amid the ambiguity, federal prosecutors have brought criminal charges against California marijuana businesses, asserting that pot profiteers are operating in “an unregulated free-for-all.”

Colorado’s regulated marijuana industry has seen far less federal enforcement. With that in mind, the Assembly public safety committee Tuesday passed a bill to set a California licensing and oversight program for businesses selling, growing, baking, transporting or lab-testing medical marijuana.

“We have a state of urgency on this issue,” said Assemblyman Tom Ammiano, D-San Francisco, the bill sponsor and committee chair. “People who are obeying the law are currently being heavily prosecuted and having their bank accounts seized. … It’s crying out for regulation.”

Ammiano’s Assembly Bill 473 was blasted by law enforcement interests, signaling a difficult road ahead.

“What this bill does is go beyond Proposition 215 and authorize dispensaries throughout California,” said John Lovell, a lobbyist for the California Narcotic Officers’ and California Police Chiefs associations. “Dispensaries are a blight on communities.”

Mull said many lawmakers are intimidated by police lobbying against perceived pro-pot legislation. He said fears of more federal raids in California, even if legislators act, are another reason “for the lack of energy” on marijuana.

Last year, the Assembly passed an Ammiano bill that would have created a medical marijuana policing division in the state Department of Consumer Affairs, overseen by a committee laden with cannabis business interests and advocates. It stalled in the state Senate.

Don Duncan, California director of the medical cannabis advocacy group Americans for Safe Access, supports Ammiano’s new bill. But he is uncomfortable with the agency picked to oversee dispensaries – the state Department of Alcoholic Beverage Control.

“ABC is better than not moving forward,” Duncan said. “But I really do find it an inappropriate place for regulating medicine.”

Medical marijuana advocates are out to kill separate legislation – Senate Bill 289 by Sen. Lou Correa, D-Anaheim. Backed by law enforcement as “zero tolerance” for “drugged driving,” it would make it illegal to drive with any detectable level of narcotics.

While SB289 exempts prescription medications, the legislation provides no waiver for people with a physician’s recommendation for marijuana.

The bill, to be heard Tuesday, contrasts with the nation’s first-ever driving under the influence standard for marijuana in Washington. Passed by voters as part of that state’s 2012 pot legalization initiative, it sets a blood-level standard for impaired driving based on a specific measurement of pot’s psychoactive component, THC.

The California State Sheriffs’ Association said in a letter that the “any detectable amount” standard in the Correa bill “would provide law enforcement the necessary tools to prosecute drugged drivers.”

“This bill was designed to placate lobbyists for law enforcement,” protested Duncan. “It’s not OK to pass a law that jeopardizes legal medical cannabis patients.”

Calif. medical board open to some prescription-drug-abuse reforms

By Lisa Girion and Scott Glover, Los Angeles Times

The Medical Board of California on Friday embraced a host of reforms aimed at combating prescription drug abuse and reducing overdose deaths but balked at a proposal to strip it of its authority to investigate physician misconduct.

The board, meeting in Los Angeles, voted to support proposed legislation that would upgrade the state’s prescription drug monitoring system, require coroners to report prescription drug overdose deaths to the board, and give the panel new power to halt a doctor’s prescribing in some cases.

The pending legislation was inspired by an investigative series published in The Times last year that revealed that nearly half of the prescription drug deaths in four Southern California counties from 2006 through 2011 included at least one drug that had been prescribed by a doctor. The medical board was unaware of the vast majority of the deaths. In some cases, patients died while investigations into their doctors dragged on for months or years.

Although the board was supportive of those reforms, a proposal by two state legislators to transfer its investigators to the state attorney general's office was met with more resistance. Sen. Curren Price (D-Los Angeles) and Assemblyman Richard Gordon (D-Menlo Park) said they think shifting investigative responsibilities to the state attorney general would foster cooperation between investigators and prosecutors and streamline the process.

Board members labeled the proposal "drastic" and "radical," though ultimately decided they did not have sufficient information to take a vote on the matter. Some members struck a defensive tone, blaming lawmakers and the media for failing to grasp the complexity of investigating and disciplining the state's 100,000-plus doctors.

"It's easy to assault us," said board member Reginald Low, adding, "there's no way the attorney general could take our investigators or hire their own and do what we do."

When it came to the board's performance, Low said, "I see the cup as half full, not half empty."

Fellow board member Gerrie Schipske seemed to agree.

"There's nobody who would say we can't improve," Schipske said. "But there's a witch hunt going on right now."

Others seemed to take a more introspective view.

Michael Bishop said he thought Price and Gordon were motivated by a sense of frustration with the status quo – the pair wrote a letter to the board earlier this month threatening to dissolve the panel if it did not become more proactive and show significant progress in its oversight role.

"What they are telling us is: This is your last chance. We've given you a lot of rope and you've hung yourself," Bishop told his colleagues.

“So far, the board just hasn’t gotten it,” Bishop added. “We need to get it.”

The idea of placing investigators in the attorney general’s office is not a new one.

A similar plan was proposed in 2004 by Julianne D’Angelo Fellmeth, a public interest lawyer who was appointed by the Legislature to examine the medical board’s oversight of physicians. The plan was supported by then-Atty. Gen. Bill Lockyer, the medical board, the California Medical Assn. and other key players. Ultimately, however, there was political opposition to the idea and it was dropped from proposed legislation.

On Friday, Fellmeth told the board she still considers the transfer “the last best hope” for more timely investigations.

Board members agreed to further study the issues before taking an official position. They also discussed the need to better communicate with the public – and lawmakers – about what they do and how they do it.

To that end, they asked a top staff member to set up a meeting between Price and Gordon and board president Sharon Levine so they could discuss issues, including the proposed transfer of investigators, face to face.

Board member David Serrano Sewell told Levine he thought she needed to personally tell lawmakers of the board’s plan for the future and to assure them of the board’s commitment to seeing it through.

“It think that’s what it’s going to take,” Sewell said.

In other business Friday, the board voted unanimously to create a task force to develop guidelines for the treatment of pain and the prescription of narcotic painkillers.

Notably absent from the board’s discussion was the question of whether it would support the use of CURES, the state's prescription drug monitoring system, to look for problem doctors as well as drug-abusing patients.

The Centers for Disease Control and Prevention has called on state medical boards to use prescription data to do so, but the idea has been controversial among physician groups that fear it could have a chilling effect on legitimate prescribing.

Board member Barbara Yaroslavsky appeared to touch on the topic, talking about "the technology out there that allows us to know who is prescribing what to whom."

But the matter was dropped without further discussion.

Placer County sets dates to discuss Tahoe plans

Placer County Board of Supervisors received a progress report last week about the Lake Tahoe Basin Community Plans.

Primary efforts include consolidating the nine current Tahoe Basin Plans with one overarching community plan and four local area plans.

In consolidating the existing community plans into a single policy document, the update is addressing planning documents developed 20 years ago by the county and the TRPA. The single document will be the overarching Tahoe Basin Community Plan.

The four consolidated planning areas are:

North Tahoe East, which covers Kings Beach and the Stateline community;

Greater Tahoe City, which includes Tahoe City, Tahoe City Gateway, Lake Forest, and Dollar Hill;

North Tahoe West, which includes Carnelian Bay and Tahoe Vista; and

West Shore, which includes Sunnyside, Homewood and Tahoma.

The next steps will include preparation of the actual documents that will be used in the updated community plan. Staff will conduct a three-day public workshop in late June in Kings Beach. The focus will be on the beach and commercial core area behind it. Information gathered will be integrated into the policy document.

In addition, a meeting will also be conducted for the Greater Tahoe City plan area team on May 8 from 4-8pm at the Gaterkeeper's museum, 130 West Lake Blvd., Tahoe City.

Meetings for the North Tahoe West and North Tahoe East planning area teams will be May 14. Both meetings will be at the same location and time, from 4-8pm at the North Tahoe Event Center, 8318 North Lake Blvd., Kings Beach.

The West Shore plan area team will meet May 16 from 5:30-7:30pm at the Placer County Tahoe City Offices, 775 North Lake Blvd., Tahoe City.

For more information, contact Supervising Planner Crystal Jacobsen at (530) 745.3000.

Interest groups often write legislation

By Laurel Rosenhall, Sacramento Bee

At first glance, the role interest groups play in crafting laws in California seems easy to spot.

Unlike in many states, legislative analyses list “sponsors” for many bills, indicating that a lobbyist suggested – perhaps even wrote – and martialed forces for the measure.

But a *Bee* review of sponsored bills found that the forces behind legislation are often masked, leaving the public in the dark about the interests driving the creation of some new laws.

No rule requires disclosing when a bill is sponsored. Legislative committees are inconsistent about listing sponsors in legislative reports. Lobbyists and lawmakers decide privately whether to highlight or hide an interest group’s involvement.

“If the firefighters or the nurses or small-business owners support your bill, then you trumpet that support,” said Dan Schnur, director of the Unruh Institute of Politics at USC.

“If it’s tobacco companies, probably less so.”

The *Bee* worked with Capitol Track, a company that monitors legislation, to assess how pervasive sponsorship is in California’s Legislature. The organizations analyzed data from the 2011-12 legislative session – the most recent completed session – and found that 27 percent of the roughly 4,800 bills introduced list a sponsoring interest group.

In the Democrat-controlled Legislature, labor unions and liberal public interest groups, such as those that advocate for the poor, civil liberties, gay rights or animal welfare, are most commonly identified as bill sponsors. Local governments, state agencies and trade associations also appear frequently.

But the number of bills written by lobbyists, or at their request, is higher than the data reflects. Some bills do not show up because legislative staff did not flag them as sponsored when writing bill analyses, or because lawmakers completely rewrote the bill in the final days of the session. Some lawmakers are reluctant to describe the bills they carry as sponsored by outside interests.

A bill making its way through the Legislature illustrates the confusing state of sponsorship. Senate Bill 598 by Sen. Jerry Hill, D-San Mateo, establishes a protocol for dispensing a new type of drugs called “biosimilars” once they are approved by the federal government.

Unlike generic cold medicine or pain relievers, biosimilars are not identical to the brand-name drug they replace. Already used in Europe, they are substitutes for more complex medications that are injected into the body, such as those used in treating cancer.

A legislative analysis says the bill is supported by several drug companies, including Amgen and Merck, and opposed by pharmacies and makers of generic drugs. It also says the bill is not sponsored by any interest group, a point Hill reiterated in an interview with the *Bee*.

“I’ve certainly met with Genentech. I’ve met with Amgen. I’ve met with many drug companies, and they all have some input into this process,” Hill said.

“But I don’t take sponsored bills.”

Yet California’s SB598 contains several key paragraphs that are almost identical to passages in similar bills introduced this year in Indiana, North Dakota and Virginia. Lawmakers in those states told the New York Times that Genentech and Amgen brought them the bills.

Across the country, bills about biosimilars have pitted drug companies against makers of generic drugs.

At a hearing earlier this month on the California bill, an Amgen representative and Genentech lobbyist flanked Hill as the three answered questions from lawmakers on the Senate’s Business and Professions Committee.

The drug companies argued that the bill would protect consumers who receive biosimilars, while makers of generic drugs said it would make it harder for patients to get the lower-cost replacements.

In the last election cycle, Hill received almost $55,000 in campaign contributions from pharmaceutical companies and their industry groups. He told the *Bee* that SB598 stems from his experience on the Assembly Committee on Biotechnology and knowledge gained through representing South San Francisco, a biotech industry hub where Genentech is headquartered.

The bill was written by California’s legislative counsel’s office, Hill said, adding that any similarities to bills in other states come from a desire to be consistent in crafting health policy.

“I’ve never seen a bill from Amgen or Genentech,” he said. “Nobody handed me a bill and said, ‘Here.'”

One interest group is trying to do just that with another piece of legislation. The San Manuel Indian tribe is drafting an Internet poker bill it expects to be carried by Sen. Lou Correa, D-Santa Ana.

Look in the Legislature’s public record for Senate Bill 678 and you’ll find a “spot bill” just five sentences long. No mention is made of a sponsoring interest group, nor is there any detail on how a legal Internet poker system would work.

The gambling interests that want Internet poker to become legal, however, have plenty of proposed content. In April, a representative of the California Nations Indian Gaming Association sent an email to member tribes containing a draft of SB678. It is 53 pages long.

"The San Manuel Band of Mission Indians is asking California's Tribal Governments to review the attached working draft for an Internet Poker bill and provide comment as soon as possible," said the April 4 email from Susan Jensen, the group's director of communications.

"Please note that the proposed language has not been submitted to the Legislature. This is purely a working draft."

Correa declined to talk to the *Bee* about the bill.

Whether or not it's disclosed, sponsoring bills is big business in the capital city, where there are more than 10 registered lobbyists for every state lawmaker.

When a group sponsors a bill, its lobbyists frequently serve as pseudo-staff to legislators – drafting bill language, researching issues and rounding up people to testify at hearings. Many times, the sponsoring interest group has drafted a bill before a lawmaker has even signed on.

"We write a fact sheet, we go knocking door to door to legislators, to those we think might have an interest in the issue – committee chairs if possible," said Michelle Castro, a lobbyist for the Service Employees International Union. "If they don't want to be associated with a union bill, then they decline, they don't do our bill."

SEIU was listed in legislative records as sponsoring two dozen bills last session, more than any other interest group. They included measures to take away fingerprinting requirements for recipients of in-home care and a resolution creating a special day honoring “justice for janitors.”

Lobbyists sometimes know the bills they sponsor better than lawmakers do. It is not uncommon for legislators to send out news releases directing media to call a sponsoring interest group for more information on a bill.

One example: A news release about a bill by Sen. Kevin de León, D-Los Angeles, that would put new breastfeeding protocols in place at hospitals that deliver babies lists the sponsoring interest group, the California WIC Association, as a resource for reporters seeking interviews and information.

But political need, more than the public’s right to know, guides how much lawmakers say about the interest groups for whom they carry legislation.

Earlier this year, Correa called a news conference to tout his Senate Bill 289, which would make it easier to prosecute people who drive under the influence of drugs. The event put Correa, who is raising money for a 2018 run for attorney general, on the podium alongside the police chiefs, sheriffs and narcotics officers sponsoring the bill.

He allowed them to answer questions from a reporter who asked how the measure proposed to punish drivers under the influence of drugs.

“It will be very similar, on par, with drunk driving,” Scott Seaman, president of the California Police Chiefs Association, said from the stage.

“There will be actions against your license, there will be criminal prosecution.”

“And treatment programs,” the group’s lobbyist, John Lovell, called out from the audience.

In an interview afterward, Correa said the bill's sponsors help boost its odds of success.

"Carrying a bill like this is going to be a heavy lift. And by myself I think it would be very difficult to do it," he said. "But having sponsors such as these individuals really gives the effort credibility."

The *Bee*'s analysis supports the contention that sponsored bills are more likely to become law. During the 2011-12 session, about 60 percent of the bills identified as having sponsors were signed into law, roughly double the success rate of bills without interest group sponsorship.

Sen. Mark Leno, a San Francisco Democrat, said politicians who have already written bills sometimes seek sponsors to increase the likelihood it will be signed into law.

For example, he said, a current bill that would reduce punishment for drug possession addresses an issue that heavily affects black and Latino communities.

For that reason, Leno said he asked the NAACP to sign on as a sponsor. The group is one of seven sponsoring organizations touted on a news release for SB649.

Although Democrats dominate the Legislature, they are not the only ones who carry bills sponsored by groups popular with their constituencies.

Last August, as the Senate prepared to vote on a bill to extend the length of race car-carrying trucks permissible on state roads, two GOP senators ribbed each other about their ties to the racing industry.

"I wondered how you got this bill, because I'm the NASCAR guy," then-Sen. Doug La Malfa, a Richvale Republican, said to Sen. Mimi Walters, who was carrying the bill sponsored by the National Hot Rod Association and two other motorsports groups.

Walters, R-Laguna Niguel, smiled across the chamber and replied: “Well, I hate to break the news to you, but the NASCAR people like me better.”

The Senate approved SB1174 without a single “no” vote, and Gov. Jerry Brown signed it into law less than three weeks later.

California’s culture of listing interest-group sponsors in bill analyses is rare among statehouses nationwide, said Brenda Erickson, a senior research analyst at the National Conference of State Legislatures.

Most states do not ask lawmakers to disclose who wrote the bills they introduce, though some provide a place for them to say who requested the legislation.

“But that’s only in a few states and a few occasions where they do that,” Erickson said. “The majority of bills, you don’t know.”

Still, California should do a better job of informing the public about the interest groups backing legislation, said Phillip Ung, an advocate with California Common Cause, a government watchdog group that also sponsors bills.

Ung said lobbyists should be required to disclose bills they sponsor in the quarterly reports they file with the secretary of state. He said legislative staff should be required to list sponsors in the bill analyses they write, eliminating inconsistencies among committees.

“Being able to get that disclosure helps bring some transparency to the sponsorship process,” he said.

But lawmakers seem disinterested in changing.

Three years ago, after the *San Jose Mercury News* wrote a series of stories about sponsored bills, legislators discussed ideas to both limit the practice and require more disclosure.

Nothing came of it in the end.

“People have the right to advocate their position,” said Senate President Pro Tem Darrell Steinberg, D-Sacramento.

“Where they give money to candidates, where they give money to a ballot measure, where they provide any kind of support to an elected or appointed official — all that must be reported. But beyond that, I don’t know how you regulate the fact that some company or entity might be gathering a group of like-minded entities to talk about what their position may be on a bill.”

Veteran lobbyist Jim Gross, who represents Genentech as well as other health industry clients, said labeling a bill “sponsored” is more of an advocacy tool than a technical definition.

“Here’s the thing about sponsorship: It’s a term that has no legal meaning,” Gross said. “An author can say, ‘I want to call somebody a sponsor,’ or ‘I don’t.'”

California redefines ‘temporary’ when it comes to fees

By Jim Sanders, Sacramento Bee

Californians have paid tens of millions of dollars the past three years in state fees that had been scheduled to die — but never did.

The Legislature routinely has adopted fees as temporary but quietly extended them as expiration dates neared.

Nearly two of every three state fees scheduled to end between 2010 and 2012 have been kept alive for years to come, according to state records.

Thirteen of 21 fees received extensions, cumulatively raising more than $70 million annually for programs ranging from a missing persons database to an effort to fight auto insurance fraud.

Unlike general taxes paid by nearly all Californians, fees are targeted assessments to people who participate or benefit from a state program for the purpose of funding that service.

Perhaps the oddest Capitol trail left by a single fee involved five bills over the past decade to raise millions for California courts.

What is now a $40 court fee tacked onto all criminal convictions, including traffic violations, began as a $20 charge in 2003. It later was raised to $30, then to $40, then expiration dates were eliminated, leaving the charge permanent.

Republican Sen. Jim Nielsen of Gerber said that Democrats who dominate the Legislature routinely allow fees to go "on and on and on, particularly now when the call is out to fund government by every way that you possibly can."

"The taxpayers, the citizens, deserve that there be certainty," Nielsen said. "If fees are to end, they should end."

But Sen. Mark Leno, a San Francisco Democrat who chairs the Senate Budget Committee, said that placing an expiration date – or "sunset" – on a newly adopted fee does not necessarily mean that legislators intend the charge to die automatically.

"Sunsetting" provides a mechanism for weeding out ineffective programs by creating a deadline for lawmakers to review the impacts of a fee and to keep it alive if they decide the public is getting its money’s worth, he said.

Democratic Assemblyman Bob Blumenfield of Los Angeles, chairman of the Assembly Budget Committee, said the state would be well served by placing sunsets on tax deductions and tax credits, too. Once signed into law, perhaps in a budget compromise, they become virtually impossible to remove, he said.

But Jon Coupal, president of the Howard Jarvis Taxpayers Association, said attaching sunsets to new fees tends to be more of a political gesture – a “legislative two-step” – than a genuine commitment to review.

“Sometimes legislators know that going for a permanent fee right out of the box is not politically palatable, so they say, ‘You know, it’s just temporary.’ And later, ‘Oh, now you’re used to paying it, so let’s make it permanent,'” Coupal said.

Nielsen said that extending a fee should spark substantive discussion but seldom does.

A check by the Bee of written legislative policy committee analyses of the 13 bills that have extended fees the past three years show they typically detail the origin and purpose of a fee, but not how funds have been spent, or drawbacks, or unintended consequences.

Nielsen also complained that it is not unusual for lawmakers to expand permissible uses when extending a fee’s life.

The $40 court fee, for example, began as a charge to support court security but now can be spent on court operations.

A fee on grape growers to fight Pierce’s disease and the glassy-winged sharpshooter – a leaf-eating insect – was changed in 2009 to be used against other grape diseases and pests, too.

Programs to protect the Dungeness crab population, oversee certified farmers markets, provide safety training to the food industry and handle consumer auto insurance complaints are among the beneficiaries of fees extended since 2010.

Several of the extensions involved fees that were more than a decade old and have been saved at least once in years past.

A fee on steelhead fishermen to restore and protect that trout population was extended in 2011 for the fourth time since its inception in 1991. The annual fee, initially $3.15 but now $7.05, has been given yet another date for expiration: July 2017.

Not included in the tally of extended fees was a law providing state authority for an administrative fee to oversee animal rendering and the transporting of inedible grease. It died, but quickly was revived by lawmakers.

Of the eight fees allowed to die the past three years, at least one is targeted for revival, though in slightly different form: Gov. Jerry Brown’s budget proposes a fee of up to 15 cents per homeowner’s insurance policy to help fund the state’s Seismic Safety Commission.

Passage of Proposition 26 in 2010 broadened the definition of taxes in a way that now requires a two-thirds vote of the Legislature to extend some assessments that were approved as fees years ago by a simple majority.

Jack Pitney, political science professor at Claremont McKenna College, said state government was mired in budget crisis for years so “it’s not surprising that most of the fees remain in place.”

Pitney said fees represent a logical way to support state services by targeting only users, not all families.

“Expecting a fee to go away is like expecting a warm day in Seattle – it happens, but it’s not the norm,” Pitney said.

Study: Students prefer ‘real’ classrooms, not online

By Carla Rivera, Los Angeles Times

As colleges are rushing – or being pushed – to embrace online education, they might want to take pause: Most students prefer connecting with teachers and fellow students and don’t want to take all of their classes online, a study suggests.

Students preferred direct instruction if they expected a course to be difficult, singling out math and science, according to the study released Thursday by the Community College Research Center at Columbia University’s Teachers College.

They also preferred a face-to-face setting when studying subjects they considered interesting or important, especially if the class was in their major. Many of the students said they learned more when the instructor is present.

The overall findings suggest that demand for online courses may be less than advertised. That consideration may become more important as many states move toward greater online offerings as a way to increase access and lower costs.

The drive in California is being led by Gov. Jerry Brown, who proposed new funding for online efforts in his 2013-14 budget plan, including nearly $17 million for the state’s 112 community colleges to create a “virtual campus.”

“In our students, about 10 percent said yes if I could take all of my courses online that would be helpful, but 90 percent said they’d like to take some online mixed with face-to-face,” said study author Shanna Smith Jaggars, who is the assistant director of the research center. “If students are not able to get into courses because there are not enough course sections, it doesn’t seem to suggest that adding more online courses is the answer.”

The findings, drawn from a larger study, are based on interviews with 46 students at two community colleges in Virginia who were taking at least one online class in spring 2011. They were a mix of ages and most were working.

Most students said they took online courses because of the flexible schedule, and some older students said they preferred a virtual classroom because they didn’t have to interact with their younger classmates.

But most said they missed the personal back-and-forth of the classroom.

“It just seems more, when you do it online, if you need help, your teacher is basically not there,” said one student. “Like face-to-face, she can help you a little bit more. But then when it comes to online, you have to teach yourself, I guess you could say.”

Nearly 27 percent of California’s 2.4 million community college students take at least one online class, up from 12.5 percent in 2005-06, according to officials. Students ages 18 to 24 account for 61 percent of those enrolled in online courses, and those younger students seem to be driving demand.

But the Columbia study echoes concerns that online learning doesn’t serve the needs of all students.

“It’s consistent with what the chancellor [Brice Harris] has been saying, that we don’t want students taking 100 percent of their classes online, it needs to be the proper mix," said spokesman Paul Feist. "We need to restore course offerings at community colleges and restore access, but that will not be exclusively online."

CalFire trains in anticipation of early fire season

By Richard Chang, Sacramento Bee

Seasonal firefighters were at work in Jackson on Thursday, finishing up a weeklong fire training academy where they practiced forming firebreaks, hand tool safety and deploying fire shelters.

"We're running two weeks ahead of schedule due to the dry weather," said Robert Withrow, battalion chief for CalFire's Amador, El Dorado and Sacramento unit, who oversaw the training. "Fire activity is going to start real soon."

The early training by the CalFire was prompted by an unusually dry winter and spring, combined with recent high winds that have created near-perfect conditions for wildfires. In addition to the academy in Jackson, the unit for Nevada, Yuba and Placer counties will start May 6.

CalFire spokesman Daniel Berlant said the department has "already responded to 660 wildfires statewide this year," 200 more than the average.

"Just because we're not in summer doesn't mean there isn't a fire danger," he said.

Fire season typically starts June 1 for Northern California, but this year, that “could be moved up to May,” Berlant said.

CalFire is dispatching units weekly to monitor the moisture contained in grass, brush and timber – considered a big indicator of how intensely and quickly a wildfire will burn.

Firefighters won’t get relief from Mother Nature anytime soon. The National Weather Service is predicting dry conditions through the month.

“We don’t have any real chance of precipitation at least for the next week or two,” said Craig Shoemaker, a forecaster with the weather service in Sacramento.

The situation is particularly dire this year because the season’s precipitation occurred in November and December. January, February and March stayed relatively dry.

As a result, the “lack of rainfall has allowed grass and brush to dry out,” Berlant said, adding that high winds are exacerbating the situation.

Sacramento’s precipitation levels are 81 percent of normal for the year, while the Sierra is at 82 percent, according to the weather service.

“It’s unlikely we’re going to make that up. May is a fairly dry month,” Shoemaker said.

In some areas of the state, precipitation is only 20 percent to 30 percent of normal. Drought conditions are likely to return to California and will “significantly” worsen during summer, said Tom Rolinski, a meteorologist with the U.S. Forest Service’s predictive services program.

“Certainly the potential is going to be there for more fire activity and larger fires because we’ve had two dry years,” Rolinski said.

In Southern California, where fire season began two weeks early on April 15, firefighters on Wednesday contained a blaze in Monrovia that they had been battling for five days, but not before it had charred 125 acres.

The fire started Saturday in a backyard with a garden tool that “somehow sparked” nearby brush, Monrovia city spokeswoman Jennifer McLain said.

At least a dozen fire departments were called in, and at one point several hundred homes were threatened.

Last year, CalFire responded to 5,800 wildfires that burned 140,000 acres. By comparison, 2011 saw 4,600 blazes that engulfed 57,000 acres.

So far, the agency has spent $168 million in emergency money taming the flames for the fiscal year beginning July 2012. That figure is projected to grow to $215 million when the period ends June 30.

CalFire, however, is responsible for protecting only one-third of the state, with the other two-thirds under the jurisdiction of cities or the U.S. Forest Service.

Rolinski noted that many wildfires are started by humans, either intentionally or accidentally. “It could be hot metal underneath a car or mowing a lawn,” he said.

The 2012 Robbers fire was sparked when Sacramento resident Bryon Craig Mason threw an illegal firework into a remote Placer County swimming hole. The fire stretched 2,630 acres and destroyed four structures.

Mason was released from custody earlier this month after his lawyer successfully argued that the fire wasn’t started willfully and maliciously.

CalFire is asking the public to clear dead brush and other combustible vegetation from around houses, especially in rural areas.

“It’s not going to take much for a fire to quickly escape and require us to respond,” Berlant said.

Feds involved in Nevada patient-dumping case

By Lee Romney, Los Angeles Times

SAN FRANCISCO — Following state Senate President Pro Tem Darrell Steinberg’s call for an investigation, federal authorities have taken disciplinary action against a Nevada hospital in an alleged case of “patient dumping” in California.

In a letter dated Thursday, the Centers for Medicare & Medicaid Services gave Nevada 10 days to correct problems at Rawson-Neal Psychiatric Hospital following reports it may have improperly discharged patients and bused them out of state.

“If we do not receive an acceptable, timely submission, or if a resurvey finds that the hospital is not complying with any [conditions of participation], we will notify you that we are initiating action to terminate the facility’s Medicare provider agreement,” the letter stated.

Steinberg’s concern was prompted by a Sacramento Bee story about Flavy Coy Brown, who was discharged from the Las Vegas hospital with a one-way Greyhound bus ticket to Sacramento and a three-day supply of medication.

When he arrived at a Sacramento homeless shelter Feb. 13, staff described Brown as confused and scared. They said he had no money, medication or understanding of why he was sent to Sacramento.

The Bee followed with an investigative report that said Rawson-Neal had purchased one-way bus tickets for 1,500 discharged patients over five years, some of whom had been sent to locations where they had no contacts.

The revelations prompted the city attorneys of Los Angeles and San Francisco to announce probes into the matter earlier this week. Rawson-Neal patients were bused to both cities, according to the Bee’s findings.

Nevada Gov. Brian Sandoval said in a statement that his office had launched three separate investigations and that disciplinary actions had been taken. The governor’s office determined that policies were not followed in at least one instance. The new policy, he said, provides “additional oversight” to ensure the hospital follows proper discharge procedures.

“I take the concerns regarding Rawson-Neal Psychiatric Hospital very seriously and it is not the policy of the state of Nevada to engage in ‘patient dumping,'” he said in a statement.

The director of Nevada’s Department of Health and Human Services also issued a statement saying the problems were not systemic.

On Friday, Steinberg, D-Sacramento, said that Rawson-Neal’s administration and the state of Nevada “must be held accountable by federal regulators.”

“People with mental health disorders can recover with access to prevention, early intervention and treatment,” he wrote in a statement. “Instead, this man being treated for schizophrenia and depression was given a one-way ticket to a place he’d never been. Such actions are tantamount to abuse, and I’m relieved that CMS is taking action.”

South Shore ready to play new game – one focused on recreation, collaboration

By Kathryn Reed

STATELINE – Want to bring a sporting event to the South Shore? Then plan to make multiple calls to South Lake Tahoe, Douglas County, El Dorado County and Lake Tahoe Unified School District. And that’s just for starters.

A permit from the Tahoe Regional Planning Agency is needed for many things. If it were a water event, other entities would likely be involved.

Need roads to be closed? There’s Caltrans, NDOT, city and county departments of transportation, plus CHP, NHP, city cops and county sheriff’s departments.

And if you want a sign put up somewhere to advertise the event, more paperwork and not just one entity in most cases to get that done.

Signs at the state line welcome people to Nevada and California, respectively, but officials would like to focus on this being one community, one economy. Photo/LTN

There is no one place to go to make it easy for locals or outsiders to attract athletic events to the region. But that is likely to change.

Through the recreation master plan that is being developed by the city and El Dorado County, a one-stop center could be a reality. It might even involve having a true visitors center in the area that would be operated by staff who is supported by various jurisdictions. Now that Douglas County is at the table and wants to be a player, it could make the rec plan a truly cohesive enterprise.

Recreation will be one of the main topics of discussion at the April 29 joint South Lake Tahoe City Council-Douglas County Commission meeting.

South Lake Tahoe City Manager Nancy Kerry and Douglas County Manger Steve Mokrohisky spoke with *Lake Tahoe News* at length Friday about how far the two jurisdictions have come since the inaugural joint meeting in November 2011. They also delved into the particulars about Monday’s agenda.

While Mokrohisky said the county’s recreation facilities exceed the basic standards, he added, “But we need better coordination with the city. We don’t do a good job of coordinating events. We need more event planning.”

When the consultant who is hired to do the rec plan comes for a visit, the team will spend multiple days on the South Shore experiencing the facilities. A rep from the firm will be at the April 29 meeting.

“I think the debate is long over. We are a tourist economy. Recreation is our economy,” Kerry said. “If we don’t invest, we don’t have anything to compete with.”

Mokrohisky described the South Shore as once being gaming dominant, with recreation as an amenity, now recreation is the dominant economic driver and gaming is an amenity.

Besides recreation, the area plans each body is creating for their respective sections of the state line will be discussed. Both are proceeding, with the electeds likely to vote on the respective plans later this spring or early summer before the TRPA Governing Board hears them later in the summer.

In some ways, this is an extension of the first joint meeting where much of the talk was about the South Shore Vision Plan. City and county staffs have been coordinating so design elements are similar and each knows what the other is working on.

This is one more way the state line is being blurred – by creating a visual connection between the areas.

Collaboration was the one word that was repeated most often by Kerry and Mokrohisky. While they, staff and local electeds are on the same page when it comes to wanting to focus on recreation and one economy, those in Sacramento and Carson City don’t see it that way.

The three bills floating around the two legislatures that could bring the dissolution of TRPA are on Monday’s agenda.

“It’s like an Old West standoff between the two states,” Mokrohisky said. “Our goal is to bring civility to the discussion. It is absolutely high stakes.”

It doesn’t mean everyone sees eye-to-eye on every detail, but locally compromise was found by being able to adopt the TRPA Regional Plan in December. No one got everything they wanted, but the outcome was something everyone but the Sierra Club, which has sued to stop the implementation of the plan, says they can live with.

Kerry and Mokrohisky say it is imperative locals move forward no matter what is going on around them.

“We plan in a state of ambiguity all the time,” Kerry said.

Mokrohisky added, “We are not going to cower in fear of the threat of a lawsuit.”

In the desire to work more closely, it’s possible the governments will share services. Douglas does this with its neighbors in Nevada. The city is looking at cooperative agreements with El Dorado County.

“You start by forming relationships, seeing what you have in common and who does what well,” Mokrohisky said.

Kerry added, “The movement is toward sharing resources instead of siloing.”

No action is expected by the electeds on Monday, though direction to staff of some sort is possible. Future joint meetings are likely.

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Note:

The South Lake Tahoe City Council-Douglas County Commission meeting is open to the public. It is April 29 at 1pm at Lake Tahoe Resort Hotel – the old Embassy Suites.

Safeway's revenues drop

By Tiffany Hsu, Los Angeles Times

Safeway Inc. – Northern California supermarket giant – facing competition from dollar stores and Wal-Mart – reported flat revenue in the first quarter.

The Pleasanton company said revenue for the period ended March 23 dipped slightly to $9.99 billion from $10 billion a year earlier – a dent that Safeway attributed to lower fuel sales and the sale of its Genuardi's stores.

But same-store sales – a gauge that strips out volatility by only considering stores open at least a year and excludes the impact of fuel – rose 1.5 percent. Safeway also operates local chain Vons.

The measure got a boost by a calendar shift that pushed sales from the New Year holiday into the first quarter, according to Safeway. A new loyalty program called "Just for U" gained traction, as did a partnership with gas stations to offer fuel rewards.

A move to generic drugs, however, pinched results.

For the quarter, Safeway said it earned $119.9 million, or 49 cents a share, including a 14-cent-per-share tax benefit. During the same period a year earlier, the company reported $72.9 million in profit, or 27 cents a share.

Safeway also said its 1,638 stores in the U.S. and Canada gained market share for the fourth straight quarter, despite growing pressure from chains such as Wal-Mart and Target, which are expanding their grocery offerings.