

TO: Members, County of Santa Barbara Legislative Committee

FROM: Cliff Berg, Legislative Advocate
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RE: April 2016 Update

DATE: April 28, 2016

The legislature is now processing hundreds of bills through policy committees. Meanwhile, they are hearing the state budget in the budget sub-committees in both houses, as the Department of Finance gets ready to issue the May Revise, which will be released before May 15th. Friday, April 22nd was the deadline for Fiscal Bills that were introduced in their house of origin this year to be out of their policy committees and move on to Appropriations. The deadline for non-fiscal bills is May 6th.

We met with Assemblymember Williams this week and discussed priorities for the County. The Santa Barbara Assemblymember requested that the County considers supporting his bill, AB 2247, which was passed on consent in Appropriations on April 27th and will be headed to the Assembly Floor. AB 2247 provides the City of Santa Barbara and the Santa Barbara Unified School District an option to purchase the Santa Barbara Armory at fair market value by July 1, 2017.

The District Attorney of Santa Barbara contacted CSB for guidance on seeking funding for complex homicide trials. During our meeting with Assemblymember Williams, we had discussed this issue and are currently working with their office to provide state funding.

Housing and homelessness remain a top priority for the legislature this session as multiple members of the Assembly have come out with a handful of “housing first” initiatives. On April 25th, more than twelve of the Democratic Assembly Caucus Members set a press conference to reveal a one-time proposal for \$1.3 Billion from the budget surplus out of the 2016-17 Fiscal Year General Budget in order to address the housing affordability crisis in California, focusing on homelessness and low income families. We will continue to work with your staff to determine what should impact the County.

The County of LA also requested that all counties support their sponsored proposal for the 2016-17 Fiscal Year to set up a state matching fund program to combat homelessness which would be a one-time \$100 Million from the general fund to match their \$100 Million. It is important here to keep a close eye out on what the percentage of the amount will go to LA and what amount are they actually expecting from the proposal. Although a good cause, before supporting their proposition we need to wait to see what benefits Santa Barbara will gain from this proposal.

The President Pro-Tem has proposed that we look at the budget to work on leveraging the Prop. 63 funds to bond again at get housing for our mentally ill homeless populations which consists of \$2 Billion bond to construct permanent supportive housing for chronically homeless persons

with mental illness. As we have discussed before we need to be mindful that this does not take away funds that are in our community to provide supportive services, so we are watching closely, briefing our delegation and keeping a close eye on what the actual proposal will look like. Since this will be a budget play there is not a timeline when specifics will be released as the Senator will try to negotiate a deal with the Governor by the end of the fiscal year, but we are hopeful to at least get the framework to determine what this will look like in the community.

Special Sessions

Transportation:

Caltrans, the state's Transportation Department, maintains 50,000 lane-miles of highway and nearly 13,000 state-owned bridges. While the repair, maintenance and efficient operation of the state's highway system are vital to the state's continued economic growth, current funding fails to adequately fund this necessary work. The state's current fuel excise tax is sufficient to fund only \$2.3 billion of work—leaving \$5.7 billion in unfunded repairs each year.

The Governor has called for a special session in order to address the outstanding issue of transportation funding which will remain an ongoing effort until the Legislature can settle on a transportation package which they can agree on. He proposed that the Legislature enact permanent and sustainable funding to maintain and repair the state's transportation and critical infrastructure, improve the state's key trade corridors and complement local infrastructure efforts.

He has proposed a plan as part of his January budget. In this plan he proposes that they reinstate truck weight fees, increase VLF by \$65.00 per vehicle and an increased gas tax. We are currently monitoring the negotiations and discussions during their special session, as well evaluating them to see if it is a workable solution for the county. As of last week there have not been any updates, but we continue to monitor and work with County staff in order to continue to keep the board updated as this discussion unfolds.

Bills of Interest to the County

AB 45 (Mullin) This bill is opposed by the County. The bill would mandate cities and counties that provide residential collection and disposal of solid waste to create a household hazardous waste (HHW) baseline and to meet an unspecified diversion requirement for HHW collection. The bill was opposed by many cities and counties. The bill is sitting in the Senate Environmental Quality Committee awaiting a hearing, which will most likely be late spring, early summer as they are trying to get through the Senate bills first.

AB 1564 (Williams) This bill requires the Office of Emergency Services (Cal OES), the California Highway Patrol (CHP), and county coordinators to review the states routing of 911 calls. The bill was heard on the consent calendar on April 20th in the Assembly Governmental

Organization Committee, it will go to Assembly Appropriations Committee next. The County is supporting the bill.

AB 1825 (Gordon/Maienschein) This bill will provide more local control and allow shelters to follow best practices to assess dogs upon entering them. Under current law the label of “vicious dog” is automatically applied to dogs seized under the penal code. Many dogs that are seized under this section, such as from a breeder that is connected to animal fighting, do not pose a risk and are perfectly safe for future adoption. The bill was passed in the Assembly Local Government Committee on April 27th. Since this is not a fiscal bill, it will be going to the Assembly Floor. The County is in support of this bill.

AB 1882 (Williams) This bill enhances oversight and accountability to ensure water used as drinking water or irrigation is not being contaminated by oil production and that it would not affect the quality of the water. On April 20th the bill was sent to the suspense file by the Assembly Appropriations Committee and will be heard at a later hearing. The County is in support of the bill.

AB 2039 (Ting) The bill requires the development and implementation of industry-generated plans to collect and recycle home-generated sharps to ensure affordable sharps collection and would create recycling opportunities. The County is in support of this bill. On April 12th, the bill was pulled by the Author before the Assembly Environmental Safety and Toxic Materials Committee, and unfortunately died before reaching the Fiscal Deadline.

AB 2729 (Williams) The county supports this bill. In large, this bill would increase idle oil and gas well fees and indemnity bonds to provide a disincentive for operators to maintain large numbers of idle wells. Currently, there is not a high incentive for operators to terminate their abandoned wells and this could cause potential danger to life, health or natural resources, this bill would increase fees to provide incentive to close the wells. This bill passed the Assembly Environmental Safety and Toxic Materials Committee 4-3, and will go to the Assembly Appropriations Committee next.

ABX2 10 (Bloom) This bill would permit counties and cities to impose new taxes on retailers who sell tobacco products, including cigarettes. Additionally, this bill would allow counties and cities to enter into agreement in order to share costs associated with startup or administration, as well as, enter into agreement with the State Board of Equalization to assist in the operation and administration of said taxes. This bill has passed both Houses and is currently at the Governor’s Desk. The County is in support of the bill.

SB 122 (Jackson, Hill and Roth) This bill is a vehicle for potential CEQA reform. The bill would require the lead agency, at the request of a project applicant and consent of the lead agency, to prepare a record of proceedings concurrently with the preparation of a negative declaration, mitigated negative declaration, EIR, or other environmental document for projects. The bill would state the intent of the Legislature to enact legislation establishing an electronic database clearinghouse of notices and environmental document prepared pursuant to CEQA, establishing a public review period for a final environmental impact report, and relating to the record of proceedings for a project for which an environmental impact report is prepared pursuant to CEQA. This County is supporting the bill. The bill passed the Assembly Natural Resources Committee where it passed 7-1; it is now sitting on the Assembly Appropriations Suspense file, and will be taken up in 2016.

SB 233 (Hertzberg) AB 2503 (Perez) Chapter 687, 2010, established the “rigs to reefs” program when it passed. The current law passed with much consideration across the state and included relevant stakeholders and agencies to address the issues surrounding oil platforms remaining in the ocean off the coast of California. The County is opposed to SB 233 because we believe it is unnecessary. The measure is a two-year bill, sitting in the Assembly Appropriations Committee and will come up in 2016.

SB 811 (Gaines) This bill would make it a misdemeanor for a person that is intentionally operating an unmanned aircraft system on or above the grounds of a state prison or jail. The County supported the bill and requested to amend it by including all Juvenile and Adult Correctional Facilities to be included in the bill. The bill did not pass the Fiscal Deadline.

SB 867 (Roth) This bill will allow the Richie Pediatric Trauma Fund to continue past its sunset date of January 1, 2017. This bill authorizes a county to continue to establish an EMS Fund to be used to reimburse physicians and hospitals for patients who do not make payment for emergency medical services, which would allow the County’s Public Health Department to continue to distribute pediatric trauma funds to support local pediatric trauma services. The County is in support of this bill. This bill has passed the Senate and is moving on to the Assembly.

SB 941(Mitchell) The purpose of the bill is to eliminate fiscal liabilities to parents, guardians and minors for costs associated with a minor’s involvement in the juvenile justice system. The bill would remove local control, and essentially cause a negative fiscal impact on the County. The County opposes the bill as it would remove the County’s ability to send Institution accounts to the FTB Court Ordered Debt leaving accounts uncollectible, and repeal the \$100 per day fee for parents who refuse to pick up minors from Juvenile Hall or Los Prietos Boy’ Camp. The bill passed the Senate Public Safety Committee and will go to Senate Appropriations next.

SB 968 (Monning) The County is in support of the bill. The bill would require PG&E to submit to the California Public Utilities Commission an assessment of the adverse economic impacts that could occur in the San Luis Obispo County region if the Diablo Canyon Nuclear Power Plant were to shut down. The bill is set to be heard in Senate Appropriations on May 2nd.

SB 1229 (Jackson) This bill would establish a duty of care for pharmacies that host secure drug take-back bins for prescription and over the counter drugs that are left over from treatment or have expired. The County supports the bill. The bill has passed the Senate and will be moving on to the Assembly.

SB 788 (McGuire) The County is supporting this measure. This bill eliminates the exception in the California Coastal Sanctuary Act of 1994 (AB 2444, O’Connell) (CCSA) that allows the State Lands Commission (Commission) to issue an offshore oil lease if state oil or gas deposits are being drained by wells on federal lands and the lease is in the best interests of the state. The bill is a two-year bill; it is sitting in the Assembly Appropriations Committee where it will be heard in 2016.

Conclusion

With the Legislature in the midst of deadlines to consider bills in policy and fiscal committees, we will continue to update the County staff with the progress of the legislation. The deadline for Fiscal Bills was April 22nd, meanwhile the next legislative deadline is on May 6th, which will be the last day for policy committees to hear non-fiscal bills introduced in their house. May 13th will be the last day for policy committees to meet prior to June 6th, while May 27th will be the last day for fiscal committees to hear and report to the Floor bills that were introduced in their house of origin, as well as the last day for fiscal committees to meet prior to June 6th.

We will continue to work with staff on the many bill and budget items that are moving and keep the committee and Board updated. As always, should you or your staff have any questions, please don't hesitate to let us know.