

TO: Members, County of Santa Barbara Legislative Committee

FROM: Cliff Berg, Legislative Advocate  
Kristina Gallagher

RE: 2019 November Update

DATE: December 3, 2019

The Legislature will reconvene the second year of the two-year session on Monday, January 6th, with statuses taking effect on January 1<sup>st</sup>. The last day to submit bill requests to the Office of Legislative Counsel will be on January 24<sup>th</sup> while the last day for bills to be introduced will be on February 21<sup>st</sup>. Two-year bills will be considered when the Legislature will reconvene and will need to clear their house of origin before the California constitutional deadline of January 31<sup>st</sup>, therefore we will watch any legislation that didn't meet their legislative deadlines in 2019, as well as completely new legislation.

There are a number of two-year bills that the County had positions on this year, including AB 1356 (Ting), which would require that if more than 50 percent of the voters of a local jurisdiction voted in favor of Proposition 64, these local jurisdictions must issue a minimum number of licenses authorizing retail cannabis activity within that jurisdiction. The County believes that AB 1356 would fundamentally erode local control as provided in Proposition 64, therefore is opposed to the bill. Another bill that we will watch closely is SB 144 (Mitchell), which would seek to eliminate numerous criminal justice fees and could result in the loss of tens of millions of dollars in probation funding that supports vital programs and practices as well as probation positions. AB 245 (Muratsuchi) is a two-year bill that is supported by the County and would enact the California Aerospace and Aviation Act of 2019, which establishes the 15-member California Aerospace and Aviation Commission for serving as a central point of contact for related industries and supporting the health and competitiveness of these industries in California. The Author is still trying to figure out what his plans are on the bill. If the two-year bills do not make it past their house of origin by January 31<sup>st</sup>, they will be considered dead for the year. AB 1550 (Bonta) is a two-year bill that the County has not taken a position on yet. The bill is currently on the Senate Floor, so they have a while to decide the direction. The Author's office has stated that they might decide to go with the bill as is or add amendments. The bill would authorize a crisis stabilization unit, at the discretion of a mental health plan (MHP), to provide medically necessary crisis stabilization services to individuals beyond 24 hours, but not more than 48 hours, when specified requirements are met. The bill was placed on the inactive file and is now a two-year bill.

Governor Gavin Newsom will submit his 2020-21 January budget proposal to the Legislature by January 10, 2020. The Legislative Analyst's Office (LAO) has submitted their Fiscal Outlook on November 20<sup>th</sup> and they found that the budget has an estimated additional \$7 billion surplus available in 2020-21. The LAO stated in their report that if a recession does begin, the findings show that California is in a good shape to weather a recession typical of the post-World War II

era, showing the significant progress that California has made in preparing for a downturn. However, they also noted that this does not mean that California is prepared to weather *any* possible recession. The report shows that the budget will build an \$18.3 billion balance in the state's rainy-day fund by the end of 2020-21, showing that the budget is in good condition, although they do believe that the Legislature will be cautious in allocating the estimated \$7 billion surplus and recommend that the Legislature should initially plan to dedicate no more than \$1 billion of the estimated \$7 billion surplus to ongoing purposes in 2020-21 in order to avoid having to make cuts to programs during a recession. Following the report, the Governor stated that, "As Washington soaks Americans with a trillion dollars in debt to pay for tax cuts that benefit the wealthy and destroys the social safety net, our state is now doing more than ever before to provide opportunity for all California families, especially those who are not equally sharing in our nation's prosperity. We are taking important steps so that growth is broadly shared, doing it all while saving record amounts for a rainy day."

Although the LAO report looks positive, the Governor did state in October that California's longest-ever period of economic growth is slowing, stating that, "You're already seeing the plane land in terms of the slowdown...I think it's going to reflect in a more sober look at next year's budget."

### Emergency Response

The Cave fire broke out on the afternoon of Monday, November 25<sup>th</sup>, near East Camino Cielo and Painted Cave Road in the Los Padres National Forest. The wind blew the fire toward communities in Santa Barbara and Goleta, creating evacuations. CBC Fire has stated that containment will go to 100% by Dec. 4<sup>th</sup>. The Santa Barbara County Sheriff's office, in consultation with fire agencies and other public safety official has announced that Evacuation Orders and Debris Flow Evacuation Warnings are lifted for all areas in Santa Barbara County. We have been updating our delegation's staff members, please let us know if there is any way we can assist.

The Senate Energy, Utilities and Communications Committee had a hearing on "Electric Utility Power Shutoffs: Identifying Lessons Learned and Actions to Protect Californians" on November 18<sup>th</sup>. The LAO gave some background on the Public Safety Power Shutoffs (PSPS) including history of PSPS authority, the state role in PSPS events and mitigating impacts on vulnerable populations. The presentation stated that CPUC provides guidance regarding what factors IOUs might consider when determining whether to shut power off but the state does not direct utilities to shut power off or approve shutoffs before they are implemented, and that the decision is made by the IOUs. Utilities must take extra steps to notify vulnerable customers by providing medical baseline customers extra notifications in advance of a PSPS.

The CPUC has opened an investigation to examine the recent PSPS events in order to make sure utilities are held accountable for their actions during these events. On October 28<sup>th</sup>, the Governor issued the following statement in a press release on the investigation by the CPUC on the Public Safety Power Shutoffs: "I want to see the CPUC launch a total reform of power shutoff rules and regulations. Utilities must be held accountable and be aggressively penalized for their overreliance on PSPS, and the product of this investigation must be new rules and regulations to do that. I also want to see customers not charged for PSPS. It seems obvious, but under the

current rules, utilities can do just that. It's unacceptable and must be remedied." Earlier in October, the Governor also launched a \$75 million program for state and local governments to mitigate impact of PSPS. Half of the funds will be allocated to local governments – at least \$150,000 will be awarded to all 58 counties with additional funding based on county size and experience with PSPS. The cities of Los Angeles, San Jose, San Diego, and Oakland will receive \$500,000 each. A total of \$8 million will support competitive grants available to other incorporated cities and \$1.5 million will be available in competitive grants for tribal governments.

The press release stated that the grant funding can be used to secure equipment, such as generators and/or generator connections, fuel storage or other backup energy sources for essential facilities, such as fire stations, community centers, health facilities and other facilities that are critical to communities' function during energy interruptions, backup emergency communications equipment, and developing and conducting plans that better prepare communities for PSPS events, including risk assessment for critical infrastructure and equipping resource centers for the public to access. The grants will be administered by the Governor's Office of Emergency Services.

On November 1<sup>st</sup>, Governor Newsom appointed his Cabinet Secretary Ana Matosantos, as "Energy Czar" along with a formal energy team that includes Ann Patterson, Lead Attorney, Alice Reynolds, Lead Energy and Environmental Policy Expert and Rachel Wagoner, Senior Legislative Strategist, in order for them to work closely with other senior leadership in the Governor's office, outside legal, financial and energy advisors and leadership across the state in an effort to work out every option and prepare a plan should the state need to interfere.

### Housing/Homelessness

On May 21<sup>st</sup>, Governor Gavin Newsom announced the formation of the Homeless and Supportive Housing Advisory Task Force and its co-chairs Sacramento Mayor Darrell Steinberg and Los Angeles County Supervisor Mark Ridley-Thomas. The goal of the taskforce is to meet throughout the year in cities and counties around the state to observe best practices first-hand and receive input from governments and constituents statewide to propose solutions to address the homelessness epidemic. The Task Force will deliver at least one annual report to the Governor on the work it performed to guide the creation of joint regional plans to address homelessness, including highlighting best practices and model programs at the local level.

The first meeting of Governor Newsom's Homeless and Supportive Housing Advisory Task Force took place on September 6th, at the Stanislaus Veterans Center in Modesto. The agenda included five discussion items open to the public, including presentations by the Homeless Coordinating and Financing Council, Stanislaus County, the City of Modesto, the working group on behavioral health, and the working group on shelters/navigation centers. Governor Newsom's Task Force is charged with meeting throughout the year in cities and counties around the state to observe best practices firsthand and receive input from governments and constituents statewide to propose solutions to address the homelessness epidemic.

The second meeting of the Governor's Statewide Homeless and Supportive Housing Advisory Task Force, which has been renamed to "Council of Regional Homeless Advisors," took place on September 27th, in Los Angeles at the King-Drew Magnet High School of Medicine and Science. The meeting included presentations from the Los Angeles Homeless Services Authority and other local experts framing the Los Angeles response and providing best practices. Attached is the meeting agenda and a document including notes on each agenda item/presentation, the homelessness council presentation, and a letter from the Governor to the Council.

The last meeting was closed to the public, but CSAC received a brief update from Supervisor Ridley-Thomas, stating that the task force heard from multiple research experts rather than local officials. They are focused on developing recommendations that will meet the three goals outlined in the Governor's letter to the task force. There is word about an additional closed session and maybe a tour in Northern California and then a last session open to the public.

On October 9<sup>th</sup>, Governor Newsom signed a number of housing bills, while vetoing SB 5 (Beall), a bill that would have authorized up to \$2 billion in annual state funding for affordable housing projects in California. The Governor's main concern was the fiscal aspect of the bill, stating in his veto message that, "...this bill would increase costs by \$2 billion annually once fully implemented. Legislation with such a significant fiscal impact needs to be part of budget deliberations so that it can be considered in light of other priorities. I will continue to work collaboratively with the Legislature next year to continue to support increased housing production at all income levels across our state."

On November 4<sup>th</sup>, CSAC held its Homelessness Policy Workshop at the Sheraton Grand Sacramento Hotel, which included over 350 attendees, including county Supervisors, county executive staff, city Mayors, city council members, city managers, department leaders, community organizations, and staff from the Legislature and state Administration. The attendees heard from experts on the state of homelessness in California including Mark Ghaly, Secretary of the Health and Human Services Agency, Mark Ridley-Thomas, Los Angeles County Supervisor, and Darrell Steinberg, Mayor of the City of Sacramento. The panels had discussions on funding opportunities, regional approaches and planning, litigation considerations, city and county-tested best practices and projects, building community partnership and engagement, and state-level efforts and coordination. The Workshop highlighted that collaboration is key in addressing homelessness.

On November 7<sup>th</sup>, Governor Newsom issued a press release stating the availability of \$610 million in funding to help California communities build more housing and increase transit and active transportation options close to job centers and services. This follows the release of \$279 million from the Infill Infrastructure Grant (IIG) program. The California Strategic Growth Council will award the funds through two programs – Affordable Housing and Sustainable Communities (AHSC) and Transformative Climate Communities (TCC). On November 1, the California Strategic Growth Council opened the application period for about \$550 million available in Round 5 of the Affordable Housing and Sustainable Communities Program (AHSC), implemented in partnership with the California Department of Housing and Community Development. Governor Newsom's press release states that these three programs – AHSC, TCC,

and IIG will complement one another, and often work in combination to help ensure new housing.

### 340B Program

The Santa Barbara County Public Health Department has notified the County how the Governor's Executive Order N-01-19 will have a major impact on the five health care centers and three homeless shelter clinics operated by the Public Health Department. The pharmacy transition will eliminate \$4.4 million in savings to the Public Health Department and would be catastrophic to patient care as the PHD would be forced to cut a variety of programs, including reductions in Health Center services, staffing, and available specialty and mental health care resulting in poor health outcomes for the indigent and underserved county residents and special populations - including people experiencing homelessness.

The 340B program currently allows Santa Barbara County to greatly expand the County's services to patients. Suzanne Jacobson, CPA, Chief Financial Officer at the County's Public Health Department and Dana Gamble, LCSW, Assistant Deputy Director, at the County's Public Health Department traveled to Sacramento on November 20<sup>th</sup> in order to meet with the California Health and Human Services Agency (Agency) and the Department of Health Care Services (DHCS) in order to discuss the impacts on the County due to the Governor's Executive Order. We received positive feedback from the Agency and DHCS acknowledging that was not their intended purpose, and that they are still waiting back on other clinics for feedback. There are no current commitments on any specific fix but understand the County's concerns and will continue to be in communication with the County.

### Cannabis and Public Banking

As a result of AB 97, the Cannabis Trailer Bill that was signed into law on July 1, 2019, commercial cannabis license applicants are no longer required to have held a temporary license to be eligible for a provisional cannabis license. This law also extended the issuance of provisional licenses until January 1, 2022, and authorized the renewal of provisional licenses, provided the licensee is actively and diligently pursuing annual cannabis license requirements.

Per the Cal Cannabis website, in the coming months, the California Department of Food and Agriculture will provide guidance on the procedure for transitioning from a provisional license to an annual license, and for renewing a provisional license. Licensees who do not have CEQA compliance and/or an LSA agreement will need to have proof of progress toward meeting those requirements before their provisional license will be renewed.

The California Department of Food and Agriculture's comparable-to-organic cannabis program, OCal, has been soliciting public input on its regulations. The fifth and final pre-rulemaking meeting was held on Monday, November 4, 2019.

On the Legislative front, SB 51 (Hertzberg) was pulled by the author and co-sponsor Treasurer Fiona Ma and has been made into a two-year bill. Senator Hertzberg announced on September 9<sup>th</sup> that he is planning on re-introducing the legislation in early 2020.

SB 51 provides for the licensure and supervision of cannabis limited charter banks and credit unions authorized to offer limited depository services to cannabis businesses. The bill also restricts the activities of cannabis limited charter banks and credit unions to accepting deposits and issuing and redeeming special purpose checks and prohibits a cannabis limited charter bank or credit union from engaging in banking activity with any other financial institution that lacks a limited purpose charter.

SB 67 (McGuire) would have extended temporary cannabis licenses until September 15, 2019, issued by the California Department of Food and Agriculture if the temporary license holder submitted an application and fees for an annual license before the temporary license's expiration date. The author didn't pursue this bill due to the passing of the Cannabis Trailer Bill – AB 97. The bill was pulled out of the Committee and is now a two-year bill. The County was opposed to the bill.

The County had an *opposed unless amended* position on SB 153 (Wilk). The bill updates California's provisions regulating cultivation and testing of industrial hemp to conform to new requirements for state plans under the federal Agriculture Marketing Act of 1946. The County believes that local governments retain plenary land use authority regarding industrial hemp under existing law, which establishes only limited state-level requirements, and does not occupy the field of hemp regulation. As the state rules become more comprehensive, local agencies may face arguments that these state laws and regulations preempt local control over industrial hemp. The bill was chaptered on October 12<sup>th</sup>.

AB 286 (Bonta) would temporarily reduce California's cannabis excise tax from 15 percent to 11 percent and suspend the cultivation tax altogether through 2022. The bill was held on the Assembly Appropriations Committee Suspense File and dead for the year.

AB 857 (Chiu) The bill provides for the establishment of a public bank by a local agency, subject to approval by the Department of Business Oversight (DBO) and Federal Deposit Insurance Corporation (FDIC). The bill was signed and chaptered on October 2<sup>nd</sup>. The bill will go into effect on January 1, 2020.

AB 1356 (Ting) would require that if more than 50 percent of the voters of a local jurisdiction voted in favor of Proposition 64, these local jurisdictions must issue a minimum number of licenses authorizing retail cannabis activity within that jurisdiction. AB 1356 would mandate that local communities issue retail cannabis permits in spite of clear and unambiguous promises to voters in the Control, Regulate, and Tax Adult Use of Marijuana Act (Proposition 64) that local communities would have the right to decide how and when to adopt local legal regulatory frameworks for adult use cannabis business. The County believes that AB 1356 would fundamentally erode local control as provided in Proposition 64, therefore is opposed to the bill. The bill is on the inactive file at the request of the Author.

#### Bills of Interest to the County

*AB 56 (Garcia) Electricity: procurement by the California Alternative Energy and Advanced Transportation Financing Authority*

The bill would significantly expand the energy procurement ordering authority of the California Public Utilities Commission (CPUC) by granting the CPUC new powers that would scale back

local control, complicate community efforts to ensure reliability, and create significant problems for local energy providers. On July 10<sup>th</sup> the bill did not receive enough votes to pass the Senate Energy, Utilities and Communications Committee and received reconsideration for next year, therefore the bill is a two-year bill. CalCCA and the County are in opposition to the bill.

*AB 138 (Bloom) California Community Health Fund*

The bill would impose a tax on every distributor, as defined, for distributing bottled sugary drinks and concentrate in this state, at a rate of \$0.02 per fluid ounce. The hearing was cancelled at the request of the author and became a two-year bill. The Author says he plans to pursue it again next year. The County is in support of the bill.

*AB 141 (Cooper) Trial Costs: Joseph James DeAngelo, Jr.*

Over a span of 14 years the Golden State Killer (GSK) was suspected of committing multiple murders, rapes, kidnappings, robberies and burglaries throughout California. Last year Joseph DeAngelo was arrested as the GSK suspect. The trial of the GSK is going to place an unexpected financial burden on the counties responsible for trying this case. AB 141 will provide some cost recovery to the district attorneys and public defenders responsible for the prosecution and defense of the GSK. The bill was held on the Assembly Appropriations Committee Suspense File, and is now a two-year bill. The County is in support of this bill.

*AB 245 (Muratsuchi) CA Aerospace and Aviation Commission: Establishment*

The bill would enact the California Aerospace and Aviation Act of 2019, which establishes the 15-member California Aerospace and Aviation Commission for serving as a central point of contact for related industries and supporting the health and competitiveness of these industries in California. The County is in support of this bill. The bill passed Assembly Floor, and then passed the Senate Business, Professions and Economic Development on June 17<sup>th</sup>. The bill was referred to the Senate Governmental Organization, but was never heard in the Committee, therefore is now a two-year bill.

*AB 255 (Limon) Coastal Resources: oil spills: grants*

The bill clarifies that Native American tribes and other public entities are also eligible to receive grants through the Office of Spill Prevention and Response's (OSPR) local government grants program for oil spill response equipment. The bill was signed by the Governor on July 12<sup>th</sup>. The County was in support of this bill.

*AB 388 (Limon) Alzheimer's disease*

The bill would require the Department of Public Health to implement the Healthy Brain Initiative action items, operate a pilot program, as specified, in up to eight local health jurisdictions, update the Legislature annually on specified activities, and report to the Legislature by January 1, 2023, an evaluation of the pilot program's community-based solutions and innovations. The bill was held on the Senate Appropriations Suspense File and became a two-year bill. The County is in support of the bill.

*AB 398 (Chu) School accountability: local control and accountability plans: visual and performing arts*

The bill will help the State better understand the quality of and disparities in arts education by extending State data collection regarding course enrollment and completion to grades K-6,

requiring that such data are analyzed at the state-level and that school districts emphasize the importance of visual and performing arts curricula in their local educational planning. The bill passed the Assembly Appropriations Committee and the Assembly Floor, but was not heard in the Senate Education Committee, therefore is now a two-year bill. The County is in support of the bill.

*AB 409 (Limon) Climate Change: agriculture: grant program*

This bill would establish the Agricultural Climate Adaption Tools Program. It establishes pilot projects in the Central Valley, Central Coast, and desert regions of the state, and requires trainings for technical assistance providers on how to use planning tools. The bill requires the Strategic Growth Council to make available, upon appropriation, \$2,000,000 to fund a grant program; and requires the council to provide the planning tools developed as part of this program to the Office of Planning and Research. The bill was held on the Senate Appropriations Suspense File and became a two-year bill. The County is in support of the bill.

*AB 486 (Limon) Disaster preparedness: local government: animal wildfire evacuation plan*

The bill would, if a city or county requires a permit to keep an animal within its jurisdiction, require an animal owner as a condition for obtaining the permit to create and submit to the city or county an animal wildfire evacuation plan for any animal covered by the permit. By imposing a new duty on local government, this bill would impose a state-mandated local program. The bill was held on the Assembly Appropriations Committee Suspense File, and is now a two-year bill. The County is in support of the bill.

*AB 510 (Cooley) Local government records: destruction of records*

The bill would modernize the Government Code to allow local public agencies to adopt records retention policies designed for modern digital recording technologies, while ensuring the proper retention of any records in which an incident may have occurred. The bill was referred to the Assembly Local Government Committee but was not heard and is now a two-year bill because it did not make the first policy deadline. The County is in support of the bill.

*AB 516 (Chiu) Authority to remove vehicles*

The bill would prevent lower-income Californians from permanently losing their cars because of towing conducted for non-public safety reasons by local governments seeking to collect minor debts. The bill was held on the Senate Appropriations Suspense File and became a two-year bill. The County is in support of this bill.

*AB 585 (Limon) Public Lands: oil, gas, and mineral leases*

The bill authorizes the State Lands Commission when considering the approval of an assignment, transfer, or sublet of an oil and gas lease to consider whether a proposed assignee is likely to comply with the provisions of the assigned, transferred, or sublet lease for the duration of the lease term. The bill also requires present and future oil and gas leases or permit holders to be liable for specified obligations. The bill was signed by the Governor on July 30<sup>th</sup>. The County was in support of the bill.

*AB 764 (Bonta) Sugar-sweetened beverages: non-sale distribution incentives*

This bill would prohibit a beverage company, manufacturer, or distributor, from giving or offering a distributor or retailer a non-sale distribution incentive for a sugar-sweetened beverage

(SSB) or SSB product. The bill would state that these provisions do not preempt or prohibit the adoption and implementation of local ordinances related to promotional and marketing activities for sugar sweetened beverages that are consistent with these requirements, including ordinances that impose additional or more restrictive requirements on those activities. The bill passed out of the Assembly Appropriations Committee Suspense File and was not taken up on the Assembly Floor before deadline, therefore the bill is now a two-year bill. The County is in support of the bill.

*AB 765 (Wicks) Health Checkout Aisles for Healthy Families Act*

The bill would establish the California Healthy Checkout Aisles for Healthy Families Act, which prohibits stores from making available sugar sweetened beverages (SSBs) in the checkout area. The Assembly Health Committee hearing was cancelled at the request of the author and is now a two-year bill. The County is in support of the bill.

*AB 1057 (Limon) Oil and gas: wells and facilities: indemnity bonds and remediation: additional security: civil penalty*

The bill renames the Division of Oil, Gas, and Geothermal Resources the Geologic Energy Management Division to the Geologic Energy Management Division and authorizes the Oil and Gas Supervisor to require an operator to provide an additional amount of security in an amount not to exceed the reasonable costs of plugging and abandoning all of the operator's wells or \$30 million. The bill was signed by the Governor on October 12<sup>th</sup>. The County is in support of the bill.

*AB 1356 (Ting) Cannabis: local jurisdictions: retail commercial cannabis activity*

The bill would require that if more than 50 percent of the voters of a local jurisdiction voted in favor of Proposition 64, these local jurisdictions must issue a minimum number of licenses authorizing retail cannabis activity within that jurisdiction. AB 1356 would mandate that local communities issue retail cannabis permits in spite of clear and unambiguous promises to voters in the Control, Regulate, and Tax Adult Use of Marijuana Act (Proposition 64) that local communities would have the right to decide how and when to adopt local legal regulatory frameworks for adult use cannabis business. The County believes that AB 1356 would fundamentally erode local control as provided in Proposition 64, therefore is opposed to the bill. The bill was placed on the inactive file, making it a two-year bill.

*AB 1550 (Bonta) Crisis stabilization units: psychiatric patients*

The bill would authorize a crisis stabilization unit, at the discretion of a mental health plan (MHP), to provide medically necessary crisis stabilization services to individuals beyond 24 hours, but not more than 48 hours, when specified requirements are met. The bill was placed on the inactive file and is now a two-year bill. The County does not have a position.

*AB 1680 (Limon) Coastal lands: public access program: Hollister Ranch*

The bill requires the California Coastal Commission in collaboration with the California State Coastal Conservancy, the Department of Parks and Recreation, and the State Lands Commission to develop a new coastal access program for Hollister Ranch in the County of Santa Barbara that will replace the existing coastal access program for Hollister Ranch that was adopted by the Commission in 1982. AB 1680 was chaptered into law on October 9<sup>th</sup>. The County did not have a position on the bill.

*ACA 1 (Aguiar-Curry) Local government financing: affordable housing and public infrastructure: voter approval*

ACA 1 is a constitutional amendment that would have made it easier for local governments to increase property taxes and would have asked voters to decide whether property tax increases for affordable housing and infrastructure could be approved by a 55% vote instead of two-thirds vote. ACA 1 failed to pass on the Assembly Floor with a vote of 44-20 on August 19th. As a proposed constitutional amendment, ACA 1 needed approval by two-thirds of the Assembly. The Author requested a motion to reconsider, but the bill was not taken up again.

*SB 46 (Jackson) State government: emergency services*

This bill expands on last year's SB 821 (Jackson, Ch. 615, stats. 2018) by helping to ensure that more California residents will receive critical emergency alerts by expanding California's opt-out emergency notification program to include cities and universities, and by clarifying that alerting authorities may use mobile telephone subscriber data to enroll residents in local alerting systems. The bill would also require a local government that enters into an agreement to access information of resident account holders to, upon receipt of that information, notify residents that they have been entered into the public emergency warning system, and require a local government that enters into an agreement to access information to include procedures to enable any resident to opt out of the warning system and a process to terminate the receiving agency's access to the contact information of the resident from a public utility. The bill was held on the Senate Appropriations Committee Suspense File, and is now a two-year bill. The County is in support of this bill.

*SB 50 (Wiener) Planning and zoning: housing development: incentives*

The bill would reduce or waive certain local zoning standards in jobs and transit-rich areas when development meets specified criteria. We understand there were going to be forthcoming amendments to the bill, that would exclude smaller counties, which would include the County of Santa Barbara in the category and therefore reduce the burden on the County, but the bill was held on the Senate Appropriations Committee Suspense File, and is now a two-year bill. The County currently does not have a position on the bill.

*SB 67 (McGuire) Cannabis: temporary licenses*

The bill would extend a temporary cannabis licenses until September 15, 2019, issued by the California Department of Food and Agriculture if the temporary license holder submitted an application and fees for an annual license before the temporary license's expiration date. The County currently has 1,200 temporary license that will be expiring by September 15<sup>th</sup>, and has significant concerns that SB 67 (McGuire) would become a disincentive for applicants who have been following the rules up until this point. The bill passed the Assembly Agriculture Committee on June 5<sup>th</sup>, and then was set to be heard in the Assembly Business and Profession Committee but was pulled from the Committee File, and hasn't moved since, therefore it is now a two-year bill. The County is opposed to the bill.

*SB 144 (Mitchell) Fees: criminal administrative fees*

The bill would eliminate numerous criminal justice fees. Removal of specified fees for probation services alone, for example, would likely result in the loss of tens of millions of dollars in probation funding, funding that currently supports vital programs and practices as well as probation positions. The loss of positions would mean impacts on court related services we

provide, an increase in caseload sizes, and impacts on evidence-based program delivery. In line with CSAC, the County is opposed to SB 144 (Mitchell), unless sustainable funding is provided to back-fill the loss of revenue resulting from eliminating counties' ability to charge criminal justice related fees and shifting a variety of costs from the offender to the counties. The bill passed the Senate Floor, but was pulled from the Assembly Public Safety Committee Hearing, and is now a two-year bill.

#### *SB 153 (Wilk) Industrial Hemp*

The County had an opposed unless amended position on SB 153 (Wilk). The bill updates California's provisions regulating cultivation and testing of industrial hemp to conform to new requirements for state plans under the federal Agriculture Marketing Act of 1946. The County believes that local governments retain plenary land use authority regarding industrial hemp under existing law, which establishes only limited state-level requirements, and does not occupy the field of hemp regulation. As the state rules become more comprehensive, local agencies may face arguments that these state laws and regulations preempt local control over industrial hemp. The bill was chaptered on October 12<sup>th</sup>.

#### *SB 155 (Bradford) California Renewables Portfolio Standard Program: integrated resource plans*

The California Community Choice Association (CalCCA), adopted a position of neutral on SB 155, by Senator Steve Bradford, which would increase PUC enforcement authority in RPS and IRP filings of all load serving entities (LSEs). While CalCCA had originally opposed the bill, amendments taken in the Assembly Committee on Natural Resources have addressed their main concerns, so they removed their "oppose, unless amended" position. The County followed CalCCA's lead and also became neutral on the bill. The bill was chaptered into law on October 2<sup>nd</sup>.

*The amendments remove the requirements of Section 454.52, that would allow the commission to enforce the requirement, that the integrated resource plan of each load-serving entity shall contribute to a diverse and balanced portfolio of resources needed to ensure a reliable electricity supply that provides optimal integration of renewable energy resources in a cost-effective manner, meets the emissions reduction targets for greenhouse gases described in subparagraph (A) of paragraph (1) of subdivision (a) of Section 454.52, and prevents cost shifting among load-serving entities.*

#### *SB 160 (Jackson) Emergency Services: Cultural Competence*

This bill requires a county to integrate cultural competence into its emergency plan, upon the next update to its emergency plan, and requires counties to provide a forum for community engagement in geographically diverse locations in order to engage with culturally diverse communities. The bill was chaptered into law on October 2<sup>nd</sup>. The County is in support of this bill.

#### *SB 182 (Jackson) Local Government: planning and zoning: wildfires*

This bill would improve the local planning process and incorporates actionable data that can decrease fire risk to our community. The bill would, among other things, impose new planning requirements on local governments and require cities and counties to make specified findings on

fire standards prior to permitting development in very high-risk fire areas. The County is in support. The bill was not taken up on the Assembly Floor, and is now a two-year bill.

*SB 224 (Grove) Grand theft: agricultural equipment*

This bill creates a separate grand theft statute for agricultural equipment and requires the proceeds of the fine imposed following a conviction of the new provision to be allocated to the Central Valley Rural Crime Prevention Program or the Central Coast Rural Crime Prevention Program. The bill was signed by the Governor on July 12<sup>th</sup>. The County was in support of this bill.

*SB 276 (Pan) Immunizations: Medical Exemptions*

This bill increases state oversight of medical exemptions to mandatory vaccinations required for school entry and standardizes reporting of such exemptions. The County is in support of the bill. The bill was signed by the Governor on September 9<sup>th</sup>.

*SB 346 (Jackson) After school programs: Distinguished After School Health Recognition Program Reauthorization*

The bill would reestablish the Distinguished After School Health (DASH) Recognition Program, a certification for on school-site after school youth programs that meet specific healthy eating and physical activity standards that have been determined to help children lead healthier, more productive lives. Through DASH certification, these youth programs are recognized for having program curriculum that match the DASH standards for nutrition and physical activity for youth. Before it sunsetted in 2018, over 200 after school programs in California were recognized for meeting the DASH standards. The bill was held in the Assembly Appropriations Committee Suspense File, and is now a two-year bill. The County is in support of this bill.

*SB 528 (Hueso) California Infrastructure and Economic Development Bank*

The bill would establish a task force to examine whether the California Infrastructure and Economic Development Bank could become a bank that not only makes loans but could also receive deposits. Becoming a full-service bank may allow government agencies to achieve reduced bank fees and reduced borrowing costs compared to commercial banks. The Board believes that an alternative to commercial banks ought to be studied, and if the I-Bank is economically viable, established to reduce the cost of banking services to the public sector if an entity chooses to use the services of the I-Bank. The bill was held on the Senate Appropriations Committee Suspense File, and is now a two-year bill. The County is in support of the bill.

*SB 551 (Jackson) Oil and gas: decommissioning, cleanup, and remediation: costs*

The bill phases in a requirement that oil and gas well operators provide estimates of the cost to plug and abandon wells and decommission attendant oil and gas production facilities, as specified, and requires the Division of Oil, Gas, and Geothermal Resources to establish criteria for these estimates and perform certain related inspections, among other things. The bill was signed by the Governor on October 12<sup>th</sup>. The County is in support of this bill.

*SB 573 (Chang) Homeless Emergency Aid Program: funding*

This bill which would have continuously appropriate funding to the Homeless Emergency Aid Program (HEAP) was amended on May 21<sup>st</sup>, to change the funding flow to now go through

COC's to Cities, so Counties won't directly receive the funding. The bill was pulled from the Housing and Community Development Committee Hearing and is now a two-year bill. The County is no longer in support of this bill.

*SR 12 (Jackson) Relative to the 50<sup>th</sup> anniversary of the Santa Barbara oil spill*

The Senate Resolution would resolve that the Senate encourage its members to urge their constituents to participate in beach clean-up and other community efforts to bring citizen action and involvement to the protection of our environment and further honor the tireless efforts and important accomplishments of California's environmental leaders stretching from the time of the Santa Barbara oil spill 50 years ago up to the present day. The bill passed the Senate 30-1 on January 28<sup>th</sup> and is chaptered into law. The County supported this Senate Resolution.

Conclusion

The Legislature will reconvene for a second year of a two-year session on January 6<sup>th</sup>. Once the Legislature is back in session, they will prioritize submitting bill introductions into the Office of Legislative Counsel before the January 24<sup>th</sup> deadline, as well as focusing on the Governor's budget which will be released on or before January 10<sup>th</sup>. With the Legislature adjourned, the County will now need to work on legislative priorities for next year, and start discussing legislative ideas with Legislators before the deadlines arrive.

We are looking forward to working with the County on the platform and legislative priorities for next year. We will continue to work with staff 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.