

TO: Legislative Committee, County of Santa Barbara

FROM: Cliff Berg, Legislative Advocate
Monica Miller, Legislative Advocate

RE: September 2013 State Update

DATE: October 2, 2013

The Legislature has adjourned for the year; they will be in their districts until January 2014 when they will begin the second year of the two-year session. They moved over 1,000 bills to the Governor's desk during the last few weeks of the session. They were also able to come to agreement on a variety of issues that were outstanding such as what to do with the prisoners that they needed to move as well as the bill to clean-up the Medical expansion. They also attempted to deal with some of the CEQA fixes, but that was specifically targeted at the city of Sacramento's agreement to build a stadium for the Sacramento Kings due to the tight time-line the NBA gave the City in order to be able to keep the team here.

They had hoped to have a newly written water bond ready to go, but that fell flat so the goal is to work on what that will look like over the fall and bring back a more comprehensive version than what they currently have. This will replace the water bond that is currently slated for a vote in November of 2014.

Specific Legislation of interest to Santa Barbara County

AB 65 (Achadjian) – This bill was a reintroduction of AB 765 from the last session. This bill was introduced at our request by Assembly Member Katcho Achadjian on behalf of our DA, Joyce Dudley and is part of the Board of Supervisor's platform. The bill has had bi-partisan support both this year and last year session. AB 765 was held in the Senate Public Safety Committee on June 28, 2011 due to concerns that the bill would create a new crime. This measure will allow the penal code to catch up with modern day life related to sexually violent crimes and allow for DA's to properly prosecute offenders. There has been some significant media around the issue that AB 65 intends to fix; the bill moved out of the Assembly at the end of August and is officially sitting on the Governor's desk awaiting his action.

AB 154 (Atkins) – This bill is supported by the County. The bill is one of many attempts to expand the scope of practice for various providers to allow access once the Affordable Care Act is implemented. This bill allows for additional privileges for Nurse Practitioners and to date is the only bill to make it out of the legislature. It is currently sitting on the Governor's desk awaiting his action.

AB 537 (Bonta) – This bill makes various changes to the Meyers-Milius-Brown Act

(MMBA) governing local public employer and employee relations related to arbitration agreements, mediation, ground rules, contract ratification, and employee relations ordinances. The bill binds a governing body to any tentative agreement reached by its bargaining representatives. The MMBA currently states that a tentative agreement is provided to the governing body for review, but does not bind them. It also establishes legislative ground rules, under currently practice local conditions would establish those ground rules. This bill passed the Assembly and the Senate; it is currently sitting on the Governor's desk awaiting his action.

AB 982 (Williams) – This bill requires the regional water quality board to approve a proposed groundwater monitoring plan prior to noticing the intent to begin any oil or gas drilling. The bill also requires the notice to include the source of water used during any Hydraulic fracturing operations. The bill was held on the Assembly Appropriations Committee suspense file; however the language was amended into AB 669 by Assembly Member Mark Stone (D-Monterey) however that bill is now a two year bill after it was defeated on the Assembly Floor.

SB 191 (Padilla) – The Board just took a support position on this bill. The bill would authorize counties to continue to collect funds used to support local emergency medical services systems, pediatric trauma centers, and hospitals and physicians who provide uncompensated trauma and emergency care to ill and injured patients. Given our past work on maintaining the Maddy Fund as a standalone bill, this bill seeks to address locals funding issues related to keeping our trauma system open and accessible. The bill successfully moved out of the Assembly Health Committee on June 18th, with no debate, however there was an amendment taken to allow this to sunset in 2020, we will continue to look at ways to extend this, but we are pleased it is sitting on the Governor's desk awaiting his action.

SB510 (Jackson) - The Board just took a support position on this bill. The measure is a reintroduction of SB 444 from last session. SB 510 seeks to clarify that a local government, when considering an application to convert a mobile home park to resident ownership, is required to consider the results of the survey to residents about their support for the conversion in making its decision to approve, conditionally approve, or disapprove the map, and allows the local government to disapprove the map if it finds that the results of the survey have not demonstrated adequate resident support. The bill was signed by the Governor on September 26, 2013.

SB 727 (Jackson) - The Board has taken a support position on this bill. Creates the Drug Abuse Prevention and Safe Disposal Program stewardship program. This bill is intended to address serious social and environmental problems that persist from lack of appropriate disposal options for pharmaceuticals. The stockpiling of unused medications in the home allow for easier access for children and teens, thus fueling youth drug abuse. Poisoning is the fastest rising cause of accidental death among older adults. For example, unintentional poisoning of adults over 60 resulting in hospitalization increased by 43% in Alameda County from 1998 to 2006. Flushing medications into sewage systems harms

the environment and contaminates the water we drink. This bill will be held as a two-year bill in an effort to work with the opposition.

SB 804 (Lara) – This Board has taken a support position on this bill. Existing California law defines biomass conversion as the direct combustion of certain listed types of biomass materials. This definition excludes conversion technologies that can more efficiently generate electricity from biomass with lower air emissions. Additionally, existing law is unclear regarding how anaerobic digestion facilities should be permitted. This hampers the State's goals of diverting additional organic materials from disposal. This bill made it to the Governor's desk and is now waiting for his action. There was a compromise agreed to that allowed the bill to continue to move that will be introduced in a clean-up bill next year. This compromise does not affect what the County will be able to do; it was reached with some last minute opposition.

Water Bond

The Senate Committee on Natural Resources and the Senate Committee on Environmental Quality held an informational hearing yesterday to open up the discussion on a proposed water bond that they hope will be ready for the November 2014 election. There are currently two measures that are moving through the process, SB 42 by Senator Lois Wolk (D-Yolo and a Delta County) and AB 1331 by Assembly Member Anthony Rendon (D-Los Angeles). They each address some different priorities but have some similarities. The goal is to reach some common ground so one bill can move forward next year. Based on my read, SB 42 appears to be more environmental friendly while AB 1331 addresses more structural issues statewide with maintaining our current infrastructure while planning for the future. The goal is to keep the bond between \$7-\$8.2 billion, they agree that this does not address all of our current needs but will go a long ways to getting the state in a good place. They are hopeful that there will be no opposition, but that may be a bit too optimistic. This was only one in a series of several hearings that we anticipate will take place.

The Assembly Speaker did put together a “working water group” that had regional representatives that could speak to individual regional issues. The Senate did not take this approach; again it was more about the environment and a way to keep the Delta sustainable. Both authors agreed that there would not be any ear marks for specific projects and each will be competitively bid. They also plan to take amendments to allow for Tribes to be eligible as long as they meet the grant criteria. Attached are two documents, one is from Senate Natural Resources and the Senate Environmental Quality Committees that goes over the background and asks questions for the purpose of discussion; the other is from the Association of California Water Agencies (AWCA) outlining what the 2009 proposed water bond looked like and what they think this bond should look like.

In Conclusion

The legislature will be on their fall recess until next January, there will be a few hearings but many will remain in their district for the rest of the year. When they return they will move very quickly the first month, as January is the house of origin deadline for all two-year bills, then when we move into February they will get back on track with their bill introductions and begin the budget discussions. The Governor must release his budget by January 10, 2014; it should also be noted that he had a new Director of the Department of Finance, Michael Cohen. His previous director resigned effective at the end of the session.