

TO: Board of Supervisors, Santa Barbara County

FROM: Cliff Berg, Legislative Advocate  
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RE: August 2014 State Update

DATE: September 2, 2014

The legislature adjourned well ahead of its August 31, 2014 at midnight deadline. They worked Friday, August 29<sup>th</sup> until the next morning, wrapping up at about 5 am Saturday morning. They had a very busy session but accomplished many stated goals with a mostly bi-partisan spirit. The legislature is done and a new one will be sworn-in in early December after the November elections. Members who are termed out will remain until November 30, 2014 but this is now a lame duck legislature. Below are many of their issues that they worked on that was either supported or opposed by the county or issues we watched closely.

**Water Bond**

**Proposition 1: Water Quality, Supply, and Infrastructure Improvement Act of 2014**

**Position Recommendation: Support**

**Priority Recommendation: 1**

Following is a brief overview of Proposition 1.

**\$7.545 Billion**

*Regional Water Reliability—\$810M*

- Integrated regional water management (with minimum for direct expenditure for disadvantaged communities) \$510M.
- Stormwater Capture \$200M.
- Water Conservation \$100M.

*Safe Drinking Water—\$520M*

- Provide clean, safe and reliable drinking water to all Californians. With minimum to leverage federal funds for safe drinking water and clean water programs and for disadvantaged communities.
- Small Community Program \$260M.
- Drinking Water Public Infrastructure \$260M.

*Water Recycling—\$725M*

- Statewide water recycling projects and activities.

*Groundwater Sustainability—\$900M*

- Prevent and reduce groundwater contaminants \$800M.
- Provide sustainable groundwater management planning and implementation \$100M.

*Watershed Protection, Watershed Ecosystem Restoration, State Settlements—\$1.495B*

- Conservancies \$327.5M.
- Wildlife Conservation Board \$200M (restoration flows).
- Department of Fish & Wildlife \$285M (out of Delta, no mitigation on BDCP).
- Department of Fish & Wildlife \$87.5M (in Delta with constraints).
- State settlement obligations including Central Valley Project Improvement Act \$475M.
- Rivers and Creeks \$120M

*Storage—\$2.7B*

- Continuous appropriation for water storage projects.

*Statewide Flood Management—\$395M*

- Statewide flood management projects and activities \$100M.
- For Delta levee subvention programs and Delta flood protection projects \$295M.

*General Provisions*

- Funding eligibility requires urban or agricultural water management plans and compliance with 2009 Water Conservation Act.
- Bay Delta Conservation Plan neutral.
- Protects existing water rights and reaffirms area of origin protections.
- Assumes repurposing of \$105M from Proposition 84, and \$95M of Proposition 50, \$81M from Proposition 13, \$25.5M from Proposition 204, \$13.5M from Proposition 44, \$5M from Proposition 82, \$100M from Proposition IE, and \$6.99B on new debt.

**Ground Water Bills**

There were two ground water bills, SB 1168 by Senator Fran Pavley (D- Agoura Hills) and AB 1739 by Assembly Member Roger Dickinson (D-Sacramento) which passed the last night of session. The County did not have a position on either of these two bills but watched them very closely. They were amended many times over the course of the session and in the end were double-joined so both would have to be acted on in order to go into effect. The Administration lobbied hard to get these bills, signaling that he will sign them.

These bills are both tied to the budget as well as to the water bond. The budget put \$5 million each year for the next five years to cover the costs of these bills and the bond has \$900 million for ground water to be used for the implementation of these bills.

SB 1168 (Pavley) This bill requires adoption of a sustainable groundwater sustainability plan (GSP) by January 31, 2020, for all high or medium priority basins that are subject to critical conditions of overdraft and by January 31, 2022, for all other high and medium priority basins unless the basin is legally adjudicated or the local agency establishes it is otherwise being sustainably managed.

AB 1739 (Dickinson) would require, together with SB 1168 (Pavley) of the current legislative session, that in all basins and subbasins designated high and medium priority by the Department of Water Resources (DWR) that a locally-formed groundwater sustainability agency (GSA) adopt a groundwater sustainability plan (GSP) unless the basin or subbasin is adjudicated or otherwise being sustainably managed. Requires adoption of a GSP by January 31, 2020, if the basin or subbasin is in a critical condition of overdraft, or by January 31, 2022, for all other high and medium priority basins or subbasins.

### **Bills of Interest to the County**

AB 919 (Williams) This bill was a two year bill, but successfully moved to the second house in January. The bill was heard in Senate Appropriations and is currently sitting on their suspense file, its fate will be determined their first week back in August when the suspense file is taken up for a vote. The bill enables a "qualified veteran" to receive from the state a "qualified repayment" of state and local sales taxes paid to the State Board of Equalization (BOE) during the eight-year period beginning on and after April 1, 2002, and before April 1, 2010. The bill is sponsored by the State Board of Equalization and has had unanimous support to date. The bill is supported by the County and is sitting on the Governor's desk awaiting his action.

AB 1799 (Gordon) This bill was introduced to allow for greater use of tax payer dollars. As of late, the Department of Fish and Wildlife have moved to a very aggressive form of endowments for mitigation, therefore locking up precious resources in perpetuity. Local governments are charged with careful use of tax payer dollars and as such many believe it is an inappropriate use of those dollars to lock them up so DFW can utilize the interest earned to take care of any potential mitigation issues. The bill in not intended to have public agencies get out of covering mitigation costs, simply to use those dollars more appropriately. There are many safe guards in the bill to ensure that they are still responsible for those projects in perpetuity. The bill was referred to Assembly Local Government Committee where it passed unanimously. The bill was held on the Assembly suspense file on May 23, 2014, so the bill is now dead. There was some opposition, which we are continuing to work with to try and find a solution as there is a plan to try to reintroduce this bill next year. The bill is sponsored by the Santa Clara Valley Water District and is supported by the County.

AB 1970 (Gordon) This bill proposes to create the Community Investment and Innovation Program which will provide funding to local governments in the form of grants and other financial assistance to develop and implement greenhouse gas (GHG) emission reduction projects. The bill is supported by the County and had bi-partisan support to date. However, the bill was held on the Assembly Suspense file on May 23, 2014, the bill is dead for this year.

AB 2026 (Stone) This bill allows for safeguards to individual mobile home owners by decreasing their reliance on mobile home park management when attempting to sell their mobile home. The bill is supported by the County but unfortunately failed to garner the necessary votes to come off of the Assembly floor, the bill is dead for this year.

AB 2119 (Stone) This bill would authorize a county board of supervisors to levy, increase, or extend a transactions and use tax (TUT), for general or specific purposes, within the unincorporated area of the county, if the ordinance proposing the tax is approved by the qualified voters of the unincorporated area. The bill was signed by the Governor on July 18, 2014.

AB 2373 (Hernandez) This bill requires every county to provide its probation officer with the resources the probation officer needs to properly discharge his or her responsibilities or provide notification that it does not have the resources available to do so. The bill is opposed by the County, the bill was held on the Assembly Appropriations suspense file, so the bill is dead for this year.

AB 2455 (Williams) This bill changes the Community Services District Law that specifies that those boards must have 5 board members, AB 2455 would allow this special district to drop down to 3 board members until January of 2035. This will allow the District to conduct its regularly scheduled business which they are unable to do at this time. The bill is supported by the County and is currently sitting on the Governor's desk awaiting his action.

SB 270 (Padilla) This bill is the compromise bill prohibiting stores from allowing single-use carry-out bags. This bill would require stores that have gross sales at a specific price point to allow customers to purchase bags, but they will not have them available for free. As mentioned, this is the compromise bill between government and industry as well as the "mom and pop" stores. This bill is supported by the County. This bill died on the Assembly floor but was revived during the last few days of session and is now sitting on the Governor's desk awaiting his action.

SB 498 (Lara) This bill is a reintroduction of SB 801 that the county supported last year. Unfortunately, due to last minute amendments the Governor vetoed SB 801. The Senator met with stakeholders over the fall and this is the compromise bill. SB 498 will help to facilitate the development of cleaner and more efficient technologies in California for converting biomass materials into renewable energy by expanding the definition of biomass to include non-combustion conversion technology. The County is supporting the bill and it is sitting on the Governor's desk awaiting his action.

SB 949 (Jackson) This bill establishes the Distinguished after School Health (DASH) Recognition Program within the Department of Public Health in consultation with the Department of Education, as appropriate. It allows after-school programs to apply for DASH certification by self-certifying to meeting the requirements of the program. It also requires

DASH-certified programs to recertify every year. Additionally, it requires DPH to maintain and update a list of DASH-certified programs on its Internet Web site. The bill is supported by the County and is currently sitting on the Governor's desk awaiting his action.

SB 1014 (Jackson) This bill would require the Department of Resources Recycling and Recovery (CalRecycle) to develop regulations for programs that collect and dispose of home-generated pharmaceutical waste (HGPW). This bill would declare that a collection program in compliance with these regulations would be considered in compliance with all state laws and regulations concerning the handling, management, and disposal of HGPW. This bill is supported by the County, it died on the Assembly floor when it was taken up for a vote the last week of session.

SB 1451 (Hill) This bill would require the Secretary of the Natural Resources Agency, on or before January 1, 2016, and on or before January 1 of each year thereafter, to submit to the Legislature a report on the types and effectiveness of a representative sample of mitigation measures adopted by state and local agencies. This bill was heard in Senate Environmental Safety on April 30, 2014, where it passed, but the bill was pulled from Senate Judiciary Committee, where the bill ultimately died.

### **Conclusion**

Now that they have wrapped up for the year, they will begin to focus on the November election. They are also waiting to see what the Governor does on the hundreds of bills sent to him during the last couple weeks of session. He has until September 30, 2014 to either sign or veto a bill. Members will be in their current offices until November 30, 2014 at which time the new members will be sworn-in unless that legislator was not up for re-election this year. It has been a challenging year, especially for the Senate but they got through their challenges and moved forward with a rather aggressive agenda and found a pathway to success on many controversial items. For now, we look ahead at the election.