

Memorandum

TO: Members, Santa Barbara County Board of Supervisors

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

RE: October 2009 Update

DATE: October 26, 2009

The Legislature and the Budget

As we mentioned in our last report, the legislature wrapped up the legislative session in the early morning hours on September 12, 2009. However, the senate failed to pass a package of bills related to the budget clean-up. The Senate did not have the necessary votes to be able to pass those two-thirds vote measures, they did however return on October 14th with an agreement in place. Part of that package was SB 65 and SB 67, both of which directly relate to local government finances. SB 65 was the HUTA bill and SB 67 was the Prop. 1A fix bill that was promised in July when the budget was originally passed. Once the Senate passed those measures they went back into recess, we do anticipate that they will return to Sacramento later this fall to deal with the three special sessions that are on-going, one related to education and drawing down federal dollars, the second related to the tax commissions report and the third related to water in California.

Prop. 1A – SB 67 finally had the necessary votes to pass the Senate and was signed by the Governor on October 19, 2009. This measure was part of an agreement reached in July that would allow for the state to borrow from the locals under the Prop. 1A agreement. However, when the budget bill was passed in July there were some drafting errors, the locals were supposed to have the ability to borrow from a JPA that would allow them to remain whole, while the state used our money to fill in their budget shortfall. Now that SB 67 has been passed, we will in fact be able to borrow to ensure that at the local level we are not financially in the red.

Tranquillon Ridge – AB 1536 by Assembly Member Blakeslee was held in Senate Rules committee. The Assembly Member tried to negotiate a deal when the Senate had returned in October, however the discussions fell apart, the bill has been amended back to its original form and no longer has anything to do with the proposed Tranquillon Ridge project. The author said that he believed it would be best to have the issue go back to the State Lands Commission and let them work it out. We will continue to keep you posted should this issue arise again in the future.

Highway User Tax Account (HUTA) – SB 65 did pass the Senate when they returned in October and was signed by the Governor. The measure was agreed to by local governments, the agreement will accelerate locals Prop. 1B money to supplant the taking

of our highway tax money. Not a perfect or ideal solution, but one that will not leave locals holding the bag, yet again.

Water Bonds

The Legislature attempted to put together a water deal during the last weeks of session. There was a water conference committee convened, they came up with a compromise, which was heard the last night of session in SB 68, it was ultimately decided that they would not hear the measure on the Assembly floor. The Governor had threatened a veto of all bills if they failed to reach an agreement. On Sunday, October 11, 2009, the Governor issued a statement saying he believed that all parties were acting in good faith and were close to agreement; therefore he called a special session on water. The senate gaveled open that session on October 14, 2009, the Assembly will do the same on Monday, October 26, 2009 when they return to take up some measures that were sent over from the senate when the senate was in session earlier this month.

Legislative Platform

We wanted to update you on the County's two sponsored bills. The first measure is AB 359 by Assembly Member Nava, which will allow women in the Medi-Cal system to receive a digital mammogram in place of an analogue mammogram, which is currently covered under the Medi-Cal system. This measure moved out of both the Senate and the Assembly with bi-partisan support and was signed by the Governor on October 11, 2009.

SB 619 by Senator Strickland and Assembly Member Pedro Nava passed the Assembly floor with unanimous, bi-partisan support. The bill was signed by the Governor on October 11, 2009.

AB 50 by Assembly Member Nava is another measure that was held hostage at the end of session. You may recall that this measure would have allowed the county to receive the proper reimbursements from the Tea Fire as well as the Jesusita Fire. We worked with the Governor's office and they have asked that we remove the Zaca fire, based on the tax year, due to the expenses of the fires in San Diego; therefore we amended that tax year out of the bill in hopes of obtaining his signature on the measure, in addition we took other amendments to satisfy their concerns. During the last two days of session while we waited to take the bill up hoping the Senate Republicans and Democrats could work out their issues, we were informed by the Administration that the amendments they asked us to take now concerned them and the Governor was going to veto the bill. Unfortunately, the republican caucus had some concerns about the amendments taken in the senate appropriations committee, we attempted to further amend the bill to appease them, and it was ultimately decided to wait until January to move this measure forward.

There is one other measure that the County is interested in, AB 566 by Assembly Member Pedro Nava. This measure relates to mobile home park issues and the right of the residents to own the park (i.e. park conversions). AB 566 was vetoed by the

Governor. We anticipate that this measure will be reintroduced in January when they return.

Another issue that has been on our radar screen is AB 494 by Assembly Member Anna Caballero, the county is opposed to this bill because it takes away local authority as it relates to housing permits on Williamson Act land for farm worker housing. This measure attempts to further the intent of a 1999 bill by now Senator Denise Ducheny. Essentially, the bill will allow those who want to build more farm worker housing by exempting leases from the Map Act and prohibiting local officials from denying use permits. The measure has been amended, others such as CSAC and the Farm bureau have removed their opposition, and the bill was signed by the Governor on October 11, 2009.

Wrap-Up

The session is technically over, however, we are dealing with three special sessions concurrently. As I mentioned earlier, the senate opened the latest session on water on October 14, 2009, but did not introduce any measures at that time. The Assembly is expected to return on Monday, October 26, 2009 at which time we anticipate they will open up the water session as well. The other two special sessions, one on education and the other on tax reforms, were opened earlier this year. While there isn't anything introduced at this time, discussion among the legislative leadership and the Governor's office continue. Once there is something more concrete, we will get that to you to process. In the meantime, should you or your staff have any questions or concerns, please don't hesitate to contact us.