

TO: Legislative Committee, County of Santa Barbara

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

RE: August 2013 State Update

DATE: September 4, 2013

The Legislature returned during the month of August, if you recall, the Assembly returned on August 5th and the Senate on August 12th. They are now in full swing racing to the September 15th deadline to adjourn for the year. Over the next few weeks in addition to dealing with all of the bills that have made their way through the process they must also tackle the much anticipated Appropriations Suspense file at the end of August as well as dealing with the prison crisis and the requirement for the state to move 10,000 inmates by October 1, 2013.

We are also faced with the implementation of the Medi-Cal Optional Expansion that was agreed to in AB 85 as part of the budget discussions. While the bill moved through we were successful at getting an audience with decision makers to discuss our specific concerns. Once they understood our problem, they cleared the way for language to go into the clean-up bill to address our issues. However, there was a local agreement reached that will address our concerns so we were no longer in need of a clean-up fix. Fortunately for us this was addressed, once other counties had time to review the ramifications of AB 85 they realized how detrimental it was locally and now the clean-up bill has been halted, so the local fix worked out to be the best for Santa Barbara.

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 is now sitting on the Senate floor waiting to be taken up.

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 is currently sitting on the Senate floor for concurrence in the Assembly amendments. If it is successful, it will then move to the Governor's desk.

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 successfully made it out of the Appropriations committee and is now sitting on the Assembly floor waiting to be taken up.

In Conclusion

The legislature is in the process of wrapping up the first year of the two-year session. They must gavel down prior to September 15th, however with the Jewish High Holy Days, we anticipate that they will adjourn sometime after midnight on September 12th. They have at least 500 bills still to deal with in the Senate and several hundred in the Assembly so their work is cut out for them over the next week or so. We will provide an update once the legislature has completed its work. It should also be noted that due to the lateness of the discussion on prison reform and the unwillingness of the Democratic majority to work with the Governor we may see a special session called in order to reach a compromise deal. We will keep you updated.