

 **NOSSAMAN** LLP | Memorandum

**TO:** Monterey County Board of Supervisors  
**FROM:** Ashley S. Walker, Senior Policy Advisor  
**RE:** Legislative Program: 2020 Annual Report  
**DATE:** January 11, 2021

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## **I. Introduction**

Nossaman LLP is honored to represent the County of Monterey at the state level of government to achieve the goals outlined in the County's Legislative Program. This past year was unprecedented, as we faced extreme challenges in our state and nation due to the COVID-19 pandemic. We took an "all-hands on deck" approach to advocacy in 2020, resulting in an even stronger working relationship between Nossaman, the County, and our legislative delegation. We look forward to continuing our success and work together in partnership with the County, as we enter what is sure to be another interesting and demanding 2021-22 Legislative Session.

## **II. Summary of Legislative Accomplishments in 2020**

Nossaman collaborated with the County to achieve the following legislative accomplishments:

- **Monterey County's 2020 Legislative Advocacy Fast Facts:**
  - Reviewed 2,223 bills for potential impacts to the County.
  - Drafted 42 position letters.
  - Drafted 16 position memos.
  - Supported 25 bills.
  - Opposed 3 bills.
  - Watched 7 bills.
  - Advocated on 3 state budget issues outside of the COVID-19 pandemic.
  - Advocated on 13 COVID-19 specific issues.
  - Engaged on 4 state ballot propositions.
  - Of the bills supported by the County, 9 bills were signed.
  - Of bills that the County opposed, only 1 was signed.
- **State Budget Issues (Outside of COVID-19):** We worked with the County on the following budget related issues that were not related to the COVID-19 pandemic.
  - **Old Jail State Budget Request:** At the beginning of 2020, the State was enjoying a budget surplus and making investments in community projects. We worked with the County's former Resource Management Agency on preparing a state budget request for funding the Old Jail project and presented it to our Legislative Delegation. Assemblymember Rivas had planned to assist the County with this effort, but the request was put on hold due to the COVID-19 pandemic and the dire impacts to our State's budget.
  - **Realignment:** The County requested stabilization of funding for 1991 and 2011 Realignment funded programs (public health, public safety, social services, and behavioral health services) to avoid massive cuts or service disruptions. Efforts were

coordinated with CSAC and other counties. This was successfully included in the State budget.

- **Vape Tax Proposal:** The County requested that First 5 receive 14.8% of Vape Tax revenues. Efforts were coordinated with CSAC and First 5. This proposal was not included in the final enacted budget, but is likely to be considered again.
- **Efforts on Legislation:** The County took 35 positions in 2020 which is consistent with a normal legislative year. However, not many bills made it through the legislative process and to the Governor’s desk, largely due to the Legislature and Governor’s shift in focus to address the COVID-19 pandemic. There were many challenges the Legislature faced in 2020 in terms of passing legislation, including a shortened legislative calendar with unexpected recesses. Below is a chart outlining the bills we took positions on that made it to the Governor’s desk, and the final actions taken on the proposals.

Measure	Author	Topic	Position	Status
AB 331	Medina	Pupil instruction: high school graduation requirements: ethnic studies.	Support	VETOED
AB 1460	Weber	California State University: graduation requirement: ethnic studies.	Support	SIGNED
AB 1525	Jones-Sawyer	Cannabis: financial institutions.	Support	SIGNED
AB 1945	Salas	Emergency services: first responders.	Support	SIGNED
AB 2043	Rivas, Robert	Occupational safety and health: agricultural employers and employees: COVID-19 response.	Support	SIGNED
AB 2164	Rivas, Robert	Telehealth.	Support	VETOED
ACA 4	Mullin	Elections: voting age.	Support	SIGNED
SB 67	McGuire	Cannabis: marketing: appellations of origin: county, city, or city and county of origin.	Support	SIGNED
SB 823	Committee on Budget and Fiscal Review	Juvenile justice realignment: Office of Youth and Community Restoration.	Oppose	SIGNED
SB 1102	Monning	Employers: Labor Commissioner: required disclosures.	Support	VETOED
SB 1117	Monning	Master-meter customers: electrical or gas service.	Support	SIGNED
SB 1231	Monning	Endangered species: take: Santa Cruz long-toed salamander.	Support	SIGNED
SB 1409	Caballero	Franchise Tax Board: California earned income tax credit: report.	Support	SIGNED

- **COVID-19 Related Issues and Disparate Impacts:** In 2020, we worked with the County to focus much of our state advocacy efforts on the impacts locally and statewide due to the COVID-19 pandemic. We have worked closely with the County to address the disparate impacts of the COVID-19 pandemic on the most vulnerable populations since the first stay-at-home orders were announced in March 2020. As outlined below, we have worked with our legislative delegation and policy makers across the state on the following issues that are prioritized in the County's Covid-19 Pandemic Disparate Impact Report, such as: Broadband expansion, economic development, education, housing and homelessness, increased state investments, public health related issues, and Spanish translation of pandemic guidance documents. Specifically, we advocated for:
  - **All Mail November Election:** Requested issuance of Executive Order to conduct the November 3, 2020 Presidential Election entirely by mail.
  - **Barbershops and Hair Salons:** Requested reconsideration of guidelines to allow outdoor operations for barbershops and hair salons.
  - **Beach Closures – Labor Day Weekend:** Requested closure of State beaches in Monterey County during Labor Day Weekend.
  - **Cal OES Trailers:** Requested the State fulfill its commitment by Cal OES to provide Monterey County with 100 trailers to assist with housing efforts related to COVID-19 pandemic.
  - **CARES Act Funding for Counties:** Requested that CARES Act funding be allocated to the 42 of 48 small counties with populations under 500,000.
  - **Disaster Relief for Undocumented:** Requested creation of a disaster relief fund for undocumented community members that do not qualify for other public benefits and resources.
  - **Food and Supplies:** Requested assistance to ensure the availability of resources and commodities to local businesses so that necessary supplies, food and water are available to our community.
  - **Food Emergency:** Requested that the State expand resources to support California's food banks including local capacity and ongoing sustenance of waivers in the CalFresh and WIC Programs.
  - **Housing for the Harvest:** Requested the State to assist local hotels in contracting with the Housing for the Harvest Program.
  - **PPE & Testing for Farmworkers:** Requested assistance in securing Personal Protective Equipment (PPE) and testing supplies to protect essential farmworkers.
  - **Restaurant Re-openings:** Requested to allow counties to implement safe restaurant policies in accordance with established state and county safety protocols, thus enabling restaurants in the purple tier to open immediately for indoor dining at 25% of pre-COVID-19 capacity – moving to 50% once counties achieve the red tier.

- **School Re-openings:** Requested guidance and resources to assist K-12 school districts and students to facilitate reopening (testing/response, PPE, technology).
- **Spanish Translation:** Requested for Spanish Translation of Industry Guidance and Checklist Documents.
- **Vaccine – Farmerworker Prioritization:** Requested that the State’s farmworker population be prioritized to receive COVID-19 vaccinations to protect our farmworkers who are providing critical and essential service for our community, region, and state.
- **Wine Tasting Rooms:** Requested to allow counties to permit winery tasting rooms to open immediately for indoor wine tasting experiences at a safe capacity, without any food service requirements. This reopening incorporates the implementation of safe winery tasting room practices according to established State, County, and industry health protocols.
- **Other Advocacy Efforts:**
  - **Ballot Propositions:** Nossaman presented all of the 2020 ballot propositions to the Legislative Committee for recommendation to the full board of supervisors. The Board took support positions on the following four ballot propositions:
    - Proposition 16 would have removed the ban on affirmative action involving race-based or sex-based preferences from the California Constitution. The proposition was not passed by voters.
    - Proposition 17 amends the Constitution of California to allow people who are on parole for felony convictions to vote. The proposition was passed by voters.
    - Proposition 18 would have authorize a United States citizen who is 17 years of age, is a resident of this State, and will be at least 18 years of age at the time of the next general election to register to vote and to vote in any intervening primary or special election that occurs after the person registers to vote. The proposition was not passed by the voters.
    - Proposition 21 would have allowed local governments to enact rent control on housing that was first occupied over 15 years ago, with an exception for landlords who own no more than two homes with distinct titles or subdivided interests. The proposition was not passed by voters.
  - **Broadband:** Nossaman worked with the County to engage on access to broadband issues that have been exacerbated by the COVID-19 pandemic. The Board of Supervisors endorsed a letter to the California Public Utilities Commission regarding the California LifeLine proposed decision that focused on improving affordable broadband offerings without raising California LifeLine subsidy levels. This proposed decision also prioritizes access to emergency services through voice and bundled wireline services. Additionally, the Board sent a letter to the County’s Internet Service Providers (ISPs) to participate in the California LifeLine program.

- **Climate Change:** Nossaman worked in a coalition of stakeholders to advocate for a minimum of \$700 million to be included in the Legislature's Climate Change and Resiliency Bond proposal for critically needed dam safety improvements. The Bond was put on hold due to the focus on the COVID-19 pandemic, but has already been reintroduced this legislative session.
- **Engagement with CSAC and RCRC:** Nossaman attended weekly legislative meetings with CSAC and advocates for counties across the State. In these meetings, we discussed the most important issues facing counties and coordinate strategy for supporting, opposing or amending legislation or budget proposals. The County joined RCRC and Nossaman keeps in communication with RCRC staff to update them on the Counties rural related priorities.
- **Engagement with County Board of Supervisors and Staff:** Due to the COVID-19 pandemic, Nossaman began participating in weekly briefings for the Board of Supervisors, preparing and providing detailed updates related to COVID-19 state legislative and budget issues. Additionally, as we do each year, we met with each Member of the Board of Supervisors to ensure our legislative program reflects the Board's vision. Nossaman met regularly with county staff to provide updates on state legislation and our advocacy efforts.
- **Engagement with Legislative Delegation and Staff:** Nossaman met with the County's legislative delegation and/or staff on an almost weekly basis to discuss legislative proposals and positions, budget issues, and priority projects within the County.

### **III. Looking Ahead to 2021**

As we prepared for the new two-year legislative session, we anticipate opportunities for the County to be highly engaged on budget and legislative issues that directly impact the County's response to the COVID-19 pandemic, services provided to the community, administration of services, infrastructure, county operations, and financial security. Below Nossaman has outlined what we can anticipate in 2021.

- **New Session:** California lawmakers returned to Sacramento on January 11, 2021, after delaying the start of session one week due to the COVID-19 pandemic. We anticipate the Legislature and Administration needing to be flexible with the legislative calendar, as they were last year, in the event that there are extended or unplanned recesses due to the pandemic. According to Capitol Public Radio, more than a dozen Capitol staff have tested positive for COVID-19 since Members were sworn in on December 7, 2020.

There are new Members of the Legislature we will want to get to know, and the County has a new Senator in District 17, John Laird. New legislative leadership and committee assignments have been announced, and the Assembly created a new standing committee titled "Committee on Emergency Management" that will be tasked with hearing bills related to issues like the pandemic and wildfire response.

- **FY 2021-22 State Budget:** On Friday, January 8 the Governor released his January State Budget Proposal and summary. The lengthy 380 page document contains a long wish-list from the Administration, and urges the Legislature to take immediate actions on some items such as reopening schools and a state stimulus plan. The State is enjoying a one-time budget surplus of \$26 million; however the LAO still predicts large deficits in the out-years, reaching a \$17 billion budget shortfall by FY 2024-25. The Legislature and Administration will debate the details of the budget through short term immediate actions, and longer term fiscal year proposals.
- **Disparate Impact Advocacy:** While we accomplished some of the important goals outlined in the Disparate Impact legislative advocacy section, lot's more is still to be done. We anticipate advocating in the following areas (this is not an all-inclusive list):
  - **Affordable Housing:** Multiple legislative proposals aimed at streamlining affordable housing developments, as well as state budget proposals and support for HCD.
  - **Broadband:** Broadband and cell service expansion to disadvantaged and hard to reach communities, including a broadband bond proposal and telehealth funding in the state budget.
  - **Childcare:** Supportive services and funding in the state budget for expanded child care efforts.
  - **Economic Development:** Funding in the state budget to support small businesses and nonprofits impacted by the pandemic.
  - **Food security:** Legislative proposals to expand eligibility of food programs, and state budget funding for food banks.
  - **Homelessness:** Additional funding in the state budget to address homelessness.
  - **Public Health:** Investments in public health initiatives to address the pandemic, such as testing, contact tracing, and vaccine distribution. Additionally, the state budget proposal for CalAIM.
  - **Project Homekey:** State contracts for hotels/motels and additional funding in the state budget, and supporting the inclusion of wage replacement through Senator Caballero's efforts.
  - **Stimulus:** The Golden State Stimulus package in the state budget that provides cash payments to low income households and extends the eviction moratorium due to the pandemic.
  - **Student Mental Health:** Funding in the state budget to support student mental health services through counties.

- **2021 Legislative Committee Assignments:** The following chart outlines the County's legislative delegation and associated committee assignments.

LEGISLATOR	COMMITTEE/LEADERSHIP ASSIGNMENT
Senator Anna Caballero	<ul style="list-style-type: none"> <li>• Agriculture</li> <li>• Banking And Financial Institutions</li> <li>• Budget And Fiscal Review</li> <li>• Budget And Fiscal Review Subcommittee No. 4 On State Administration And General Government</li> <li>• Housing</li> <li>• Joint Committee On Fairs, Allocation And Classification</li> <li>• Joint Legislative Budget Committee</li> <li>• Judiciary</li> </ul>
Senator John Laird	<ul style="list-style-type: none"> <li>• Appropriations</li> <li>• Budget And Fiscal Review</li> <li>• Budget And Fiscal Review Subcommittee No. 1 On Education</li> <li>• Joint Committee On Rules</li> <li>• Joint Legislative Audit Committee</li> <li>• Joint Legislative Budget Committee</li> <li>• Judiciary</li> <li>• Labor Public Employment And Retirement</li> <li>• Natural Resources And Water</li> <li>• Rules</li> </ul>
Assemblymember Robert Rivas	<ul style="list-style-type: none"> <li>• Agriculture</li> <li>• Appropriations</li> <li>• Governmental Organization</li> <li>• Joint Committee On Fairs, Allocation And Classification</li> <li>• Local Government</li> <li>• Select Committee On Latina Inequities</li> </ul>
Assemblymember Mark Stone	<ul style="list-style-type: none"> <li>• Banking And Finance</li> <li>• Budget</li> <li>• Budget Subcommittee No. 5 On Public Safety</li> <li>• Human Services</li> <li>• Joint Committee On Fisheries And Aquaculture</li> <li>• Judiciary</li> <li>• Natural Resources</li> </ul>