



TO: Monterey County Legislative Committee **DATE:** October 11, 2017

FROM: Jennifer Capitolo, Senior Policy Advisor, Nossaman LLP
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RE: Legislative Program: State Advocacy Updates

STATUS OF LEGISLATIVE SESSION:

During the early hours of September 16, 2017, the Legislature adjourned its 2017 legislative session. The Governor will have 30 days (until October 16, 2017) to act on measures passed by the Legislature and sent to him for final action during the last weeks of the legislative session. All bills that were introduced in 2017, but that did not get passed by the Legislature, remain eligible to be considered during 2018, pursuant to a number of specific legislative deadlines that will apply. The Legislature is scheduled to convene the second year of its 2017-2018 two-year legislative session on January 3, 2018.

LEGISLATIVE ADVOCACY EFFORT HIGHLIGHTS:

i. Bill Report:

- **AB 21 (Kalra) – SUPPORT:** Public postsecondary education: Access to Higher Education for Every Student. Signed by the Governor on October 5th.
- **AB 26 (Caballero) – SUPPORT:** Child care and development: child care resource and referral programs: assistance to license-exempt child care providers. On the Governor's Desk.
- **AB 300 (Caballero) – SUPPORT:** Child care and development services: individualized county child care subsidy plans: Counties of Monterey, San Benito, Santa Clara, and Santa Cruz. On the Governor's Desk.
- **AB 668 (Gonzalez-Fletcher) – SUPPORT:** Voting Modernization Bond Act of 2018. Placed on the inactive file, two-year bill.
- **AB 696 (Caballero) – SUPPORT:** Department of Transportation: Prunedale Bypass: County of Monterey: disposition of excess properties. Vetoed by the Governor on October 4th.
- **SB 54 (de León) – WATCH:** Law enforcement: sharing data. Signed by the Governor on October 5th.
- **SB 649 (Hueso) – OPPOSE:** Wireless telecommunications facilities. On the Governor's Desk.
- **SCR 57 (Cannella) – Support:** Memorial highways. Placed on the inactive file, two-year bill.

- ii. AB 747 (Caballero) Nitrogen-based fertilizer application tax:** At the end of session, the SBASG worked with Assemblywoman Caballero to introduce the County of Monterey Nitrogen-based Fertilizer Application Tax. The County submitted a letter of support. The bill did not move at the end of session.

- iii. **Housing Package:** The Governor held a signing ceremony for the package of bills focused on affordable housing development in San Francisco on September 29th. The package included 15 bills to help increase the supply and affordability of housing in California. The measures provide funding for affordable housing, reduce regulations, boost construction and strengthen existing housing laws.

SB 2 (Atkins) establishes the Building Homes and Jobs Trust Fund. Beginning January 1, 2018, the bill imposes a \$75 fee on every real estate instrument, paper, or notice. The proposal limits the fee to \$225. We understand the County Assessor's Office that there is confusion about how to implement this bill and there will be an attempt to run a "clean-up" bill to clarify the details of when the fee's apply and how they will be collected.

SB 3 (Beall) enacts the Veterans and Affordable Housing Bond Act of 2018 and authorizes the issuance of \$4 billion in general obligation bonds for affordable housing, subject to approval by the voters, in the November 2018 election.

SB 167 (Skinner) increases the burden on local jurisdictions from "substantial evidence" to "a preponderance of the evidence" when making findings as to the disapproval of a housing development project.

The County had support positions on SB 2, SB 3, and SB 167 which were all signed. We are reviewing all other local permitting bills related to housing to ensure the County is prepared to comply with these measures.

- iv. **Park Bond - SB 5 (de Leon):** The Legislature settled on SB 5 as the vehicle for the park and water bond bill. The bill includes \$4 billion to finance a drought, water, parks, climate, coastal protection, and outdoor access for all program. The Bond is subject to approval by the voters in the November 2018 election. This proposal is pending on the Governor's desk. The County has a support position on this bill.

v. **Cannabis:**

- Supervisor Alejo has informed the Intergovernmental & Legislative Affairs Division that he has interest in a 2018 legislative proposal to allow cannabis crops to be included in County Crop Reports. The legislative committee may want to discuss this item during the committee meeting.
- Additionally, Supervisor Alejo has informed the Intergovernmental & Legislative Affairs Division that he wants to discuss cannabis regulation & licensing issues and assurances from the Bureau of Cannabis Control that may be necessary while the County considers Conditional Use Permits for growing operations.

vi. **Receive Monterey County State Bill Track**

UPCOMING LEGISLATIVE DEADLINES

- October 15, 2017 – Last day for Governor to sign or veto bills
- January 3, 2018 – Legislature reconvenes for the 2nd year of the 2017-2018 session.