



TO: Monterey County Legislative Committee

FROM: Ashley S. Walker, Senior Policy Advisor

DATE: March 9, 2020

RE: Legislative Program: State Advocacy Updates

Bill introduction deadline was February 21, 2020. The Legislature has begun calendaring policy and budget hearings in the subcommittees to dig into details of the introduced legislation and the January State Budget proposal. Policy and budget hearings will take place over the next few months.

- A. Old Monterey County Jail – Budget Request:** We are working with RMA on preparing a one page summary of the state budget request to present to our Legislative Delegation, and Assemblymember Rivas has shown interest in assisting the County with this effort. The summary includes an overview of the project site, the amount of funding requested, and the project scope of work.
- B. SB 1231 (Monning) Endangered Species: take: Santa Cruz Long-Toed Salamander: Recommended action – Support.** This is a bill sponsored by TAMC which will enable the construction of critical safety improvements on the State Route (SR) 156 West corridor in Monterey County and mitigate impacts and expand habitat for the Santa Cruz Long-Toed Salamander.
- C. AB 2163 (Rivas) Rural Broadband and Emergency Infrastructure Grant Act of 2020. Recommended action – Support.** This bill would establish the Rural Broadband and Emergency Infrastructure Grant Act of 2020 to ensure that all California fairgrounds are equipped with adequate broadband and telecommunications infrastructure to support local, regional, and state emergency and disaster response personnel and systems. It would require the Department of Technology, Department of Food and Agriculture, Public Utilities Commission, California Broadband Council, and Office of Emergency Services to jointly develop the Rural Broadband and Emergency Infrastructure Grant Program to provide each California fairground with grant moneys to support broadband and telecommunications infrastructure deployment.
- D. AB 2164 (Rivas) E-Consult Services and Telehealth Assistance Program. Recommended action – Watch.** This bill would create the E-Consult Services and Telehealth Assistance Program within the State Department of Health Care Services to award grants to health center-controlled networks, health centers, and rural health clinics to conduct projects to implement and test the effectiveness of e-consult services and related telehealth services. The bill would require a health center-controlled network, health center, or rural health clinic to meet specified criteria to be eligible for a grant, and would require a project awarded a grant to address specified objectives. County staff is reviewing the bill for recommended action.

- E. AB 2121 (Friedman) Traffic safety. Recommended action – Watch.** In February, a report summarizing the findings of the ‘Zero Traffic Fatalities Task Force’ were released by the California State Transportation Agency (CalSTA). The task force was created by Assemblymember Friedman who authored AB 2363 in 2018. According to a press release by Assemblymember Friedman, “In response to the task force’s findings, Assemblymember Friedman has introduced Assembly Bill 2121, legislation that would put many of their recommendations into law. With the bill, Friedman aims to create a pathway for California’s cities to promote safer travel and work to reduce traffic collisions. AB 2121 provides greater flexibility to local governments when calculating speed limits along a section of roadway if there is found to be an uptick in traffic-related crashes. In addition, the bill creates a statewide traffic safety monitoring program to identify locations with pedestrian- and bicyclist-related crashes, and requires the Department of Transportation to convene a committee of external design experts to advise the Department on revisions to the Highway Design Manual.”
- F. AB 3310 (Maratsuchi) Community colleges: ethnic studies. Recommended action – Watch.** The bill would, commencing with the 2021–22 academic year, require each community college district to offer courses in ethnic studies at each of its campuses. The bill would require that the units earned by students for successful completion of these courses would be eligible for transfer and, if applicable, would meet ethnic studies graduation requirements at the California State University. The bill would also, commencing with the 2023–24 academic year, require each community college district to require the completion of at least one course in ethnic studies of at least 3 units as a requirement for a student to obtain an associate degree.
- G. Fire Insurance Related Issues:**
- i. Senate Insurance Committee Hearing:** The Committee will be holding an informational hearing related to insurance affordability on March 25. Nossaman suggests the County provide the Committee with a letter outlining local issues residents are facing related to fire insurance, and making public comment during the hearing. Nossaman has met with the Committee several times to discuss the legislative proposals that have been introduced, and overall strategy in achieving outcomes that assist residents, while incentivizing insurance companies to continue to offer coverage in California. Some of the legislative proposals are listed below, however these are all “works in progress.”
 - ii. AB 2367 (Gonzalez) Residential property insurance: wildfire resilience. Recommended action – Watch.** The bill would establish the Wildfire Resilience Task Force, which would include the Insurance Commissioner, the Director of the Office of Emergency Services, and the State Fire Marshal, or their designees. The bill would require the task force to establish minimum standards for fire-hardened homes and communities. The bill would require an admitted insurer that offers or sells residential property insurance to, at a minimum, offer or sell the existing residential property insurance coverage it most commonly offers or sells to an applicant or insured who owns a residence that has an estimated replacement cost consistent with the insurer’s underwriting guidelines, meets the minimum standards established by the task force, and was built before those standards were established.

- iii. **AB 1852 (Daly) Property insurance. Recommended action – Watch.** Most relevant in this bill, it would require the California FAIR Plan Association, on or before July 1, 2021, to develop and implement a clearinghouse program to help reduce the number of existing FAIR Plan policies and provide the opportunity for admitted insurers to offer homeowners' insurance policies to FAIR Plan policyholders.
- iv. **AB 2167 (Daly) Insurance market action plan. Recommended action – Watch.** This bill would establish the Insurance Market Action Plan (IMAP) program under which residential property insurance policies in a county may qualify for IMAP protection if residential property insurance policies issued by the FAIR Plan constitute 3% or more of all policies issued and in force in that county. The bill would authorize an insurer to submit an IMAP filing to the department and would require the IMAP to include a request for adequate rates, a plan for maintaining solvency of the insurer, and mitigation requirements. The bill would also require an insurer to commit in the IMAP to offer new and renewal residential property insurance policies in a set of IMAP counties until the insurer achieves a market penetration rate in those IMAP counties that is no lower than 85% of its statewide market penetration rate.
- v. **SB 755 (Rubio) Insurance: residential property insurance: requirements upon nonrenewal. Recommended action – Watch.** This bill is a placeholder bill, intended to work with AB 2167 regarding affordability.

H. Early Childhood Budget Proposals: The Governor's budget proposal includes several investments in early childhood programs. Some of interest to the County include:

- A \$5 million one-time investment to create a "Master Plan for Early Learning and Care." The Plan will outline strategies to address facility capacity, a trained workforce, universal access to preschool, and revenue options to support the Plan.
- A \$2.2 million General Fund each year for three years to establish the Early Childhood Policy Council, an advisory body that includes parents, providers, and administrative agencies from the state's system of early learning and care, to provide recommendations to the Legislature and Administration on state early learning and care policy.
- A \$143.3 million in ongoing funding to increase children in the Alternative Payment Program, that provides subsidies to pay for child care in a location of the parent's choice while the parent or parents are working, in training, or seeking employment, and in the General Childcare Program, that provides child development services for children from birth through 12 years of age and older children with exceptional needs.
- Related to CalWORKs Stage One, funds continuous Stage One child care eligibility for 12 months. Provides authorization of Stage One child care on a full-time basis. Provides additional allowable activities under Stage One child care services. And requires data sharing between county welfare departments and child care contractors.
- A \$157.5 million in ongoing funding to address caseload increases for children in CalWORKs States 2 and 3 child care.
- Moves toward providing universal preschool by funding increased access to the State Preschool Program, removes the work requirement for the full-day State Preschool Program, and expands eligibility for the State Preschool Program for children in most need.

- A \$245 million, plus an additional \$18 million transfer from the Child Care Facilities Revolving Loan Fund, for grants to child care and preschool providers for facilities expansions.
- A \$195 million for grants for child care and preschool workforce professional development and education to improve the quality of care and provide accessible avenues for child care professionals to move along the early education/child care professional continuum.
- A \$300 million one-time investment to construct new or retrofit existing facilities to support full-day kindergarten programs
- An investment of \$331.5 million General Fund and federal Temporary Assistance for Needy Families (TANF) block grant funds in 2019-20 and \$441.8 million ongoing General Fund and federal TANF block grant funds to increase CalWORKs Maximum Aid Payment (MAP) levels, effective October 1, 2019.
- An investment of \$30.8 million ongoing federal funds and \$23.1 million ongoing Proposition 56 funds for developmental screenings for children in the Medi-Cal program and \$27.2 million ongoing federal funds and \$13.6 million ongoing Proposition 56 funds for trauma screenings for children and adults in the Medi-Cal program. In addition, the Budget includes \$25 million federal funds and \$25 million Proposition 56 funds (as part of a total investment of \$120 million one-time combined federal and Proposition 56 funds over three years) to train providers on delivering trauma screenings.
- Increased funding for the CalWORKs Home Visiting Program.

I. Climate Change Bond Proposals: There are several proposals related to a climate change / natural resources related bond. The Secretary of Natural Resources, Wade Crowfoot has noted that all parties will be working together towards one end goal in terms of a climate resilience bond. Nossaman is engaged in several bond stakeholder workgroups to ensure the County is well positioned to benefit from these potential funding opportunities.

- i. Administration's Budget Proposal:** The Governor's January Budget Proposal includes a \$4.75 billion climate resilience bond that the Governor proposes would be on the November 2020 ballot. The Governor's proposed bond is structured around climate risks such as drinking water, flood, drought (\$2.9 billion), wildfires (\$750 million), sea level rise (\$500 million), extreme heat (\$325 million) and community resilience (\$250 million).
- ii. AB 352 (E. Garcia) Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2020.** This is a 3.92 billion bond proposal and differs from the Administration in that it does not include any funding for the Department of Forestry and Fire Protection for fire response and prevention. This is the only legislative bond proposal that includes parks related funding.
- iii. SB 45 (Allen) Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2020.** This is a 5.51 billion bond proposal and is the only legislative proposal to include funding for Department of Forestry and Fire Protection for fire response and prevention. It does not include any parks related funding.

- iv. **Conservation Strategy Group Initiative:** This is a 7.88 billion bond proposal and provides larger pots of funding in general than all other bond proposals. It does not include funding for the Department of Forestry and Fire Protection for fire response and prevention, or parks related funding.

J. Wildfire Prevention Related Issues: There are several budget and legislative proposals being discussed to assist in combating wildfires.

- i. **Budget – Wildfire Related Proposals:** The budget proposes \$120 million in 2020-21 and \$150 million ongoing, as well as 677 positions phased in over the next five years for additional CAL FIRE operational resources during peak fire season. The budget proposes \$9 million and 22 positions across Cal OES, CAL FIRE, the Military Department and the PUC to implement the Wildfire Forecast Center which will derive data and intelligence from sources to enhance the state's emergency response and recovery capabilities. The budget proposes \$110.1 million to implement the home hardening program included in AB 38 from 2019. Additionally, the budget includes additional resources and funding for Cal OES to anticipate, prepare for, respond to, and recover from disasters. This includes additional funding for the California Disaster Assistance Act (CDAA).
- ii. **AB 2178 (Levine) Emergency Services. Recommended action – Watch.** Current law defines the terms "state of emergency" and "local emergency" to mean a duly proclaimed existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by, among other things, fire, storm, or riot. This bill would additionally include a deenergization, defined as a planned public safety power shutoff, within those conditions constituting a state of emergency and a local emergency.
- iii. **AB 2179 (Levine) Electrical corporations: wildfire mitigation plans. Recommended action – Watch.** If the Public Utilities Commission approves a wildfire mitigation plan that authorizes an electrical corporation to deenergize portions of the electrical grid, this bill would require the commission to adopt rules requiring an electrical corporation, upon request from an entity of local government with responsibility for mitigating public safety impacts of a deenergization event, to provide or make available to that entity information relative to those customers receiving or determined to be eligible to receive medical baseline rates, that may lose electrical service during the deenergization event.
- iv. **AB 2180 (Levine) Electrical corporations: wildfire mitigation plans. Recommended action – Watch.** This bill would prohibit electrical corporations from diverting revenue authorized for specified purposes in the plans to other activities or investments that are also authorized by the plans, if the diversion would cause the total amount of all such diversions to exceed 5% of the allocation approved for their plans, unless the commission authorizes that diversion.

K. Housing and Homelessness Related Issues

- i. **Budget – Housing/Homelessness Proposals:** The Governor's January budget proposal includes over \$1 billion in funding through several proposals related to housing and homelessness, including:

- \$750 million in one-time funds to establish the California Access to Housing and Services Fund to reduce homelessness by moving people into stable housing and increasing the number of units available.
- \$659 million, growing to \$1.4 billion by 2022, for Medi-Cal Healthier California for All, would specifically address many challenges of chronically unsheltered populations – providing funding for tenancy support services, housing navigation services, recuperative care, and could include targeted rental assistance if housing insecurity is tied to inappropriately high utilization of costly health care services.
- Proposes a Community Care Collaborative Pilot (CCCP). The budget includes \$24.6 million in 2020-21 and \$364.2 million over 6-years for the Department of State Hospitals to implement efforts in three pilot counties to place individuals with mental health needs, specifically those designated Incompetent to Stand Trial, into stable placements in the community instead of state hospital placements.
- Establishes a Behavioral Health Task Force to bring together state departments, counties, advocates, health plans, providers, and other stakeholders to coordinate efforts and respond to mental illness and substance abuse disorders.

ii. **Response to Senator Caballero's request for additional information:** During the County's Legislative Workshop, Senator Caballero requested more information about how the County has spent, is currently spending, and what future spending is planned for in regards to State Budget funding that has already been allocated toward homelessness efforts. Nossaman suggests the County provide additional details to Senator Caballero regarding how the funding is being used locally and what improvements are being made.

L. **Court Construction Funding List and Methodology Update:** Nossaman continues to be in contact with the County's legislative delegation regarding the budget subcommittee process is further evaluating the Judicial Council's new court construction methodology and project ranking list. We will continue to keep the County informed when the subcommittees hold hearing so that we can engage and provide comments.

M. **AB 1525 (Jones-Sawyer) Cannabis: financial institutions. Recommended action – Support.** This bill will incentivize banks and credit unions to provide services to the cannabis industry by facilitating access to licensees' track and trace data. Access to this information will help financial institutions better comply with federal reporting requirements. AB 1525 will also create a state safe harbor for financial institutions and accountants that provide services to the cannabis industry.

N. **Impact of Closure of Secure Facilities for Developmentally Disabled who Pose a Danger to Self or Others under Welfare & Institutions Code Section 6500:** The County raised concerns regarding placement of individuals deemed by the courts to be a "danger to themselves" or a "danger to others" pursuant to Welfare and Institutions Code section 6500. The County discussed concerns about ensuring that developmentally disabled citizens are receiving all services that they are entitled to receive through the Department of Developmental Services (DDS), and that sufficient funding is available to ensure DDS has community facilities available to place persons who are a danger to self or others. Nossaman coordinated a meeting with CSAC on the issue and stated that the State is

required to still provide those resources and placement in the community. That this is still the responsibility of the “regional centers.” Things are in flux right now because there are conversations about changing the definition of “medical necessity,” to allow counties to provide services before a person is diagnosed, and receive reimbursement for it. There are gaps that have been identified, and CSAC has heard concerns like this from other counties. The core issue is there are no places to place these folks. We are coordinating another meeting with CSAC to continue this discussion.

O. State Bill/Issues Track: See attached.