BOARD MEETING DATE: May 1, 2020 AGENDA NO. 17

REPORT: Legislative Committee

SYNOPSIS: The Legislative Committee held a meeting on Friday,

April 10, 2020. The following is a summary of the meeting.

#### **RECOMMENDED ACTION:**

Receive and file.

Judith Mitchell, Chair Legislative Committee

DJA:FW:LTO:PFC:sd:lm:ar

#### **Committee Members**

Present: Council Member Judith Mitchell/Chair (Zoom)

Council Member Joe Buscaino/Vice Chair (Zoom)

Dr. William A. Burke (Zoom)

Senator Vanessa Delgado (Ret.) (Zoom) Supervisor V. Manuel Perez (Zoom) Supervisor Janice Rutherford (Zoom)

Absent: None

#### Call to Order

Chair Mitchell called the meeting to order at 9:02 a.m.

#### **DISCUSSION ITEMS:**

#### 1. Update on Federal Issues

South Coast AQMD's federal legislative consultants (Carmen Group, Kadesh & Associates, and Cassidy & Associates) each provided a written report on various key Washington, D.C. issues and oral reports on the "Coronavirus Aid, Relief, and Economic Security Act" (CARES) and potential next steps.

Mr. Gary Hoitsma of Carmen Group reported that the federal consulting firms have been working together as a team to represent South Coast AQMD's interests in Washington, D.C. on legislation related to the coronavirus. The Carmen Group is focused on and actively engaged in working with the White House, federal agencies, and others to support South Coast AQMD funding priorities. During the last round of negotiations on the COVID 3 bill, the consulting firms worked to gain eligibility for South Coast AQMD to access federal relief funds. Mr. Hoitsma also indicated that transportation and infrastructure could be in future COVID bills related to economic stimulus and that this would be an opportunity for South Coast AQMD to pursue funding for clean air related programs.

Council Member Mitchell inquired if electric vehicle infrastructure would be a possibility in future COVID-related bills that included transportation provisions.

Mr. Hoitsma replied that while the President has indicated that he does not want a "New Green Deal," there will be compromise in order to develop a bill that can be approved by both the Democrats and Republicans. The bi-partisan Senate Surface Transportation bill by Senators John Barrasso and Tom Carper that was unanimously approved by the Committee on Environment and Public Works includes electric vehicle infrastructure.

Dr. Burke asked if hydrogen was included in the Senate Transportation bill. Mr. Hoitsma stated that hydrogen was included in the alternative fuel infrastructure provisions of the Senate bill.

Senator Delgado asked how likely it would be for South Coast AQMD to receive federal funding given the President's stance on air quality. Mr. Hoitsma indicated that any federal legislative effort is a balancing act between the Republican and Democratic parties, so there are opportunities to work with our Congressional Delegation for provisions that will support air quality.

Mr. Mark Kadesh of Kadesh & Associates stated that South Coast AQMD's federal consulting firms worked together to gain eligibility for South Coast AQMD in COVID-related federal loan programs for state government. The legislative efforts included, but were not limited to, the Carmen Group working with the Vice President's office with Kadesh and Cassidy & Associates focusing on Congressional Leadership and Committees. Mr. Kadesh pointed out that while the loans through the Stabilization Fund are not grants, it was the first crucial step in making sure South Coast AQMD is eligible for COVID-related relief funding.

With regard to the next legislative actions, Mr. Kadesh advised that House Speaker Pelosi is seeking to provide additional funds for small businesses, state and local government, hospitals, and increased Supplemental Nutrition Assistance Program benefits for individuals and families. Subsequent COVID-related bills may include more economic stimulus types of provisions such as transportation and infrastructure, which South Coast AQMD already has begun working on. Executive Officer Wayne Nastri has facilitated a coalition of California air agencies including South Coast AQMD, Bay Area Air Quality Management District, San Joaquin Valley Air Pollution Control District, and Sacramento Metropolitan Air Quality Management District to advocate for key air quality related programs to Members of the California Congressional Delegation. A joint letter is under development by the air agencies to focus on funding for the Diesel Emissions Reduction Act (DERA) incentives program, Targeted Airshed Grants, infrastructure for electric vehicle charging, and hydrogen and natural gas fueling stations, as well as research and mitigation of wildfire and smoke events.

Mr. Kadesh then pointed out a study by the Harvard School of Public Health which draws correlations of long term exposure to fine particulate matter air pollution and the risk of death from COVID-19. This study reminds policymakers of the centrality of our mission and importance of air quality in this pandemic.

Dr. Burke asked if the Harvard study breaks down the mortality rates by ethnic groups. Mr. Kadesh recalled that the study was by counties, but he will look further at the appendices to see if there is any additional data to provide.

Ms. Amelia Jenkins of Cassidy & Associates informed the Committee that Mr. Hoitsma and Mr. Kadesh comprehensively covered the current federal issues. She added that Congressional Committee staff are also learning to work remotely on legislative efforts and it is extremely important for South Coast AQMD to continue to conduct outreach. She spoke with House Energy and Commerce staff regarding South Coast AQMD's requirements under the federal Clean Air Act while being impacted by a loss of revenues due to COVID-19. She further advised that Cassidy & Associates will be following up with key Committee staff on these issues as there is interest in working on legislative provisions to assist state and local government agencies such as South Coast AQMD.

Ms. Jenkins then introduced Mr. Jed Dearborn who recently joined Cassidy & Associates. Mr. Dearborn shared that he just left the Senate Committee on Energy and Natural Resources under the leadership of Chairperson Senator Lisa Murkowski. Prior to that position, he worked for Senator John Barrasso as counsel on energy issues for the Senate Committees on Environment and Public Works and Energy and Natural Resources. He also practiced law in a private firm on energy regulatory law in state and federal courts and before the Federal Energy Regulatory Commission.

#### 2. Update on State Legislative Issues

South Coast AQMD's state legislative consultants (Joe A. Gonsalves & Son, Resolute, and California Advisors, LLC) provided written reports on various key issues in Sacramento.

Mr. Jason Gonsalves of Joe A. Gonsalves & Son informed the Committee that the State Legislature has changed their scheduled date to reconvene the current legislative session from April 13 to May 4. The May 4 date may be extended depending on how the COVID-19 crisis unfolds. Senate President pro Temp Toni Atkins and Assembly Speaker Anthony Rendon recently announced preparations for special Senate and Assembly Budget Subcommittee hearings to provide some oversight relating to state spending during the COVID-19 crisis. The Senate Budget Subcommittee will hold its hearing on Thursday, April 16 and will be chaired by Senate Budget Committee Chair Holly Mitchell. The details on how public participation and social distancing efforts will be handled in relation to this hearing are still to be determined.

Mr. Gonsalves reported that the deadlines for amending spot bills have passed. The Senate processed those amendments, however the Assembly has hundreds of amendments to bills sitting at the Assembly Desk, waiting to be processed. It is still unclear how this year's legislative session will proceed, in terms of timing and topics handled, once the legislators return. With the state income tax filing deadline extended to July 15, there will not be revenue data until August or September, which will be after the June 15 budget deadline. The regular Legislative session ends on August 31 so it is likely that the Legislature will have an extraordinary session to address legislative matters later in 2020.

Dr. Burke inquired as to how a legislative session can be held while maintaining social distancing guidelines. Mr. Gonsalvez responded that the Legislature is still trying to determine how to address that issue.

Dr. Burke asked whether the Governor and Legislature believe that the state's Rainy Day Fund will fulfill the needs of the State Budget and cover the non-collection of state income tax revenue. Mr. Gonsalves responded that they believe that it will fill some of the funding gap. However, the June 15 State Budget is expected to only be a skeleton budget to cover essential services. The Governor and State Legislature will need to come back after tax receipts have been received by July 15 to determine the appropriate funding levels for programs at that time. Mr. Gonsalves stated that the version of the Budget that gets adopted by June 15 will be very different than the \$222 billion proposed by the Governor in January.

Dr. Burke asked where South Coast AQMD is in regard to the budget process. Mr. Gonsalves responded that despite the fact that most staff are working remotely,

advocacy by South Coast AQMD staff and representatives is still taking place. Dr. Burke also asked how South Coast AQMD can ensure it has funding to pay employee salaries. Mr. Gonsalves responded that a COVID-19 relief package for employers, including South Coast AQMD, is possible.

Mr. Nastri commented that South Coast AQMD staff and representatives have been aggressive in their advocacy efforts relating to the State Budget, including through outreach to the Govenor's Office and Cal EPA. This has helped to facilitate executive orders involving clarifications that remote committee meetings can be held by South Coast AQMD as well as other government entities. Mr. Nastri indicated that South Coast AQMD is heavily engaged in advocacy efforts to obtain state budget funding, including sending the message that AB 617 funding should not be cut, especially given the racial disparities and disprotionate impacts related to COVID-19. Information has also been submitted relating to the voting district authorization bill language.

Mr. David Quintana of Resolute reported that on April 6, Assembly Budget Committee Chair Phil Ting sent out a letter that provided a description of what the State Budget will look like this year. For the State Budget that must be passed by June 15, as required by the State Constitution, this will be a baseline and service level budget that will focus primarily on providing funding to keep State operations running. Instead of the usual May Revise Budget, there will be an August Revise Budget, after the July 15 tax return revenue is received. Then the Govenor and State Legislature will be able to finalize a more substantial budget in August. Assemblymember Ting also mentioned that there are likely to be sizable reductions in available budget funding for ongoing programs. Assemblymembers' priorities will have to take a back seat this year to the key budget priorities mentioned in Ting's letter: 1) COVID-19 response; 2) homelessness; and 3) wildfire prevention. Also, it was mentioned that Greenhouse Gas Reduction Fund (GGRF) allocations will be considered after the June 15 State Budget deadline.

Mr. Quintana also informed the Committee that on April 9, Senate Budget Committee Chair Holly Mitchell sent a letter to the Governor regarding the up to \$1 billion dollars that the State Legislature authorized the Governor to spend for COVID-19 response. This included an initial \$500 million authorization with additional \$50 million increments, with proper 72-hour notice to the State Legislature, up to the \$1 billion limit. Senator Mitchell's letter expresses concerns about a lack of transparency relating to the spending of these funds, and requested that a website be set up to track the expenditures. Additionally, Senate President pro Temp Toni Atkins created a budget subcommittee to look at the State's COVID-19 response expenditures. This subcommittee will have its first hearing on April 16 at 2:00 p.m.

Council Member Mitchell asked how the public can access the April 16 budget subcommittee hearing. Mr. Quintana responded that those details are still being worked out, however it is the Senate's intent that the public will have access to this hearing.

Senator Delgado mentioned that she was told that any bills that have a budget impact would not be heard this year. Mr. Quintana responded that Assembly Appropriations Chair Lorena Gonzalez sent out a letter stating that any bills with a budget impact not related to COVID-19 would be held in her committee.

Mr. Nastri commented about the discussion relating to limited funds in the GGRF. With the information available on racial disparities in mortality related to COVID-19 and how air pollution exacerbates this impact, South Coast AQMD needs to push hard for funding, regardless of the source, to help reduce air pollution.

Council Member Mitchell commented that air quality appears to be temporarily better around the state because most people are not driving currently. However, there are also severe racial disparities apparent in how negative health impacts, including deaths from COVID-19, are affecting communities of color. It is clear that the poor air quality is making this respiratory-related virus worse, so we must continue to fight to clean the air.

Dr. Burke expressed concern that Assemblymember Gonzalez needs to better understand the pressing needs to benefit all Californians, including all communities of color, by allowing important legislation to go through her Committee even if it has a budget impact.

Supervisor Perez suggested that a letter should be prepared for Assemblymember Gonzalez and state leadership in Sacramento to better explain the racial disparities in how negative health impacts, including deaths from COVID-19 are affecting communities of color, and the importance of reducing air pollution as part of that equation. Dr. Burke suggested that staff prepare such a letter, Supervisor Perez agreed, and Mr. Nastri responded that staff would prepare a letter.

Senator Delgado offered to speak with Assemblymember Gonzalez as well, and mentioned that she read an article that shows how starkly COVID-19 is affecting AB 617 communities. She also stated that the data in California reflects that Latinos are actually being most negatively affected by COVID-19. This is our chance to connect the air pollution issue with COVID-19.

Mr. Will Gonzalez of California Advisors, LLC reported that there is still no definitive answer available on how the State Legislature is planning to handle the thousands of bills that are still pending before the Legislature this year. Legislators

have been pulling a few controversial bills, but thousands of bills still remain. There has been different criteria provided by various committee chairs in the Senate and the Assembly regarding which bills they think should move forward or be dropped, but no consistent message or criteria has been provided. Some common themes on priority bills include: 1) COVID-19 related; 2) homelessness; and 3) economic stimulus. There have been messages sent out to the members of the State Legislature encouraging a reduction in bill loads but no mandates. Mr. Gonzalez advised that South Coast AQMD should take the approach that all bills will be heard when the Legislature returns on May 4, especially bills that we have positions on, such as those relating to back up generators and emergency power shutoffs. Communication and advocacy involving the Legislature relating to all relevant bills should continue.

Council Member Mitchell asked whether it was true that there has been a five bill limit imposed on members of the State Legislature. Mr. Gonzalez responded that this was just a rumor and is not the case.

3. Update on Legislation Regarding Voting District Authorization for Clean Air Mr. Derrick Alatorre, Deputy Executive Officer of Legislative, Public Affairs & Media provided an update regarding South Coast AQMD-sponsored legislation relating to the authorization of a voting district within the South Coast region to allow for potential ballot funding measures within the District.

Mr. Alatorre reported that a spot bill for this legislation was previously introduced by Assemblymember Ian Calderon, who was undecided as to whether he would carry the bill for the South Coast AQMD in 2020. Mr. Alatorre thanked Mr. Quintana for securing that bill introduction and possible author. Discussions with Assemblymember Calderon's staff gave the impression that the Assemblymember wanted to learn more about the bill and had left open the possibility that he might carry it. However, the deadline to officially amend the spot bill has passed, so this bill may not be able to be revisited until a possible extraordinary legislative session later in the year.

Supervisor Perez stated that he believes that there will be an extraordinary session later this year. He further stated that he believes that there may be bill limits for legislators, so the more we can do to educate Assemblymember Calderon regarding this bill, to encourage him to introduce it and make it a priority bill for him, the better.

Dr. Burke suggested that South Coast AQMD should do a cost benefit analysis to determine whether this bill is still worth pursuing.

Senator Delgado expressed support for the previous Committee member comments on this bill.

# **OTHER MATTERS:**

# 4. Other Business

There was no other business.

#### 5. Public Comment Period

There was no public comment.

# **6.** Next Meeting Date

The next regular Legislative Committee meeting is scheduled for Friday, May 8, 2020 at 9:00 a.m.

# Adjournment

The meeting adjourned at 9:57 a.m.

#### **Attachments**

- 1. Attendance Record
- 2. Update on Federal Legislative Issues Written Reports
- 3. Update on State Legislative Issues Written Reports

# **ATTACHMENT 1**

# SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT LEGISLATIVE COMMITTEE MEETING (VIA ZOOM) ATTENDANCE RECORD – April 10, 2020

Dr. William A. Burke	South Coast AQMD Board Member
Council Member, Joe Buscaino	South Coast AQMD Board Member
Senator Vanessa Delgado (Ret.)	South Coast AQMD Board Member
Council Member, Judith Mitchell	
Supervisor V. Manuel Perez	~
Supervisor Janice Rutherford	
Supervisor sumee reductions	Boutin Coust HQHIB Bourd Member
Thomas Gross	Board Consultant (Benoit)
Fred Minassian	Board Consultant (Mitchell)
Andrew Silva	· · · · · · · · · · · · · · · · · · ·
Mark Taylor	` ,
Trank Tujivi	Deputy emer of starr (realistica)
Mark Kadesh	Kadesh & Associates
Gary Hoitsma	
Amelia Jenkins	-
Jed Dearborn	•
Jason Gonsalves	•
David Quintana	~
Will Gonzalez	California Advisors, LLC
Mark Abramowitz	
Curt Coleman	Southern California Air Quality Alliance
Christian Hernandez	Southern Camornia An Quanty Amance
	Dooific Manchant Chimping Association
Thomas Jelenic	Pacific Merchant Snipping Association
Lee Kindberg	W. G. D. I. A. S.
Bridget McCann	
Bill LaMarr	California Small Business Alliance
Margo Parks	
David Rothbart	
Peter Whittingham	Whittingham Public Affairs Advisors
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Derrick Alatorre	~
Barbara Baird	•
Naveen Berry	~
Philip Crabbe	South Coast AQMD Staff
Amir Dejbakhsh	South Coast AQMD Staff
Philip Fine	South Coast AQMD Staff
Stacy Day	South Coast AQMD Staff
Bayron Gilchrist	
Sheri Hanizavareh	_
Kathryn Higgins	~
Sujata Jain	
Terrence Mann	
Matt Miyasato	~
•	_
Ron Moskowitz	
Wayne Nastri	~
Sarah Rees	South Coast AQMD Staff

South Coast AQMD Staff
South Coast AQMD Staff

# **ATTACHMENT 2**

# South Coast AQMD Report for the April 2020 Legislative Meeting covering March 2020 Kadesh & Associates

#### March:

March featured two weeks in session for the House followed by a one-week recess which was extended through another week because of COVID-19. The Senate canceled the week of recess and stayed in session to pass the second COVID-19 response package, H.R. 6201 and develop and pass the third package, the CARES Act, H.R. 748.

We were pursuing support in the delegation for the Clean Corridors legislation as well as beginning a delegation support letter for the Targeted Airshed Grants program, but those are by necessity now on hold. You will recall that on May 15, 2019, Congressman Mark DeSaulnier (CA-11) announced legislation to launch a major federal program to accelerate the transition to clean transportation technology. The Clean Corridors Act (H.R. 2616) would direct \$3 billion in federal dollars over the coming decade to construct and install infrastructure to support technologies like hydrogen fuel cell and electric battery-powered vehicles.

#### COVID-19 novel coronavirus:

At the direction and coordination of South Coast AQMD executive staff, two critical issues were identified and worked on aggressively: the funding for states and local governments in the third COVID bill (CV3) and correcting an injurious provision inserted in the second COVID bill during the "technical amendments" process, namely the prohibition to state and local units of government to use Tax Credits for repayment to employers (i.e. South Coast AQMD) for mandated paid sick leave.

#### Three COVID-related legislative packages:

- CVI- An \$8.3 billion emergency coronavirus spending package enacted into law on March 6. These funds largely backfilled accounts at the Centers for Disease Control and Department of Health and Human Services, provided some funds to international functions and enhanced Small Business Administration's loan authority by \$7 billion.
- CV2- H.R. 6201, The Families First Coronavirus Response Act building on CV1 was enacted into law on March 16 expanding access to Emergency Paid Sick Leave and Family Leave to as many as 87 million U.S. workers. Both paid leave provisions would take effect no later than 15 days after the bill's enactment and expire on December 31, 2020.

#### **Emergency Paid Sick Leave**

#### Eligibility:

- -Employees at companies with fewer than 500 employees (Currently, 89 percent of employees at companies with more than 500 workers have access to paid sick leave.)
- -Local, state, and federal government employees.
- -Employees who work under a multiemployer collective agreement and whose employers pay into a multiemployer plan.

#### Benefits:

- -Entitled eligible full-time employees up to two weeks (80 hrs) of fully paid time off (up to \$511/day) to self-quarantine, seek diagnosis or preventive care, or receive treatment for COVID-19.
- -Eligible part-time employees are entitled to fully paid time off (up to \$511 per day) for the typical number of hours that they work in a typical two-week period to self-quarantine to seek a diagnosis or preventive care or receive treatment for COVID-19.
- -Eligible full-time employees are entitled to two weeks (80 hours) paid time off at two-thirds of their regular pay (up to \$200 per day) to care for a family member or to care for a child whose school has closed, or if their child care provider is unavailable due to COVID-19.
- -Eligible part-time employees are also entitled to the typical number of hours that they work in a typical two-week period at two-thirds of their typical pay (up to \$200 per day) to care for a

child whose school has closed, or if their childcare provider is unavailable, due to COVID-19.

#### Who Pays for the Emergency Paid Sick Leave?

Employers initially front the cost of emergency paid sick leave but will be fully reimbursed by the federal government within three months. The reimbursement will cover both the wages paid and the employer's contribution to employee health insurance premiums during the period of leave. Employers will be reimbursed through a refundable tax credit that counts against employers' payroll tax, which all employers pay regardless of non-profit/for-profit status. Employers will submit emergency paid sick leave expenses as part of their estimated quarterly tax payments. If employer's costs more than offset their tax liability, they will get a refund from the IRS.

#### **Emergency Paid Family Leave**

In response to prolonged school closures, the Families First Coronavirus Response Act provides protections to ensure that workers can care for their children without sacrificing their paycheck. *Eligibility includes:* Employees at companies with fewer than 500 employees; State and local government employees and certain federal government employees; Employees who work under a multiemployer collective agreement and whose employers pay into a multiemployer plan. *Benefits:* Eligible full-time employees and part-time employees are entitled to 12 weeks of job-protected leave to take care for their children in the event of a school closure or their childcare provider is unavailable due to COVID-19. The 12 weeks of job-protected leave includes two weeks of unpaid leave, followed by 10 weeks of paid leave. Eligible employees may elect or be required to overlap the initial two weeks of unpaid leave with two weeks of other paid leave they have available. Eligible employees will receive a benefit from their employers that will be no less than two-thirds of the employee's usual pay.

Who Pays for the Emergency Paid Family Leave?

- -Employers initially front the cost of emergency paid sick leave but will be fully reimbursed by the federal government within three months.
- -The reimbursement will cover both the wages paid and the employer's contribution to employee health insurance premiums during the period of leave.
- -Employers will be reimbursed through a refundable tax credit that counts against employers' payroll tax, which all employers pay regardless of non-profit/for-profit status.
- -Employers will submit emergency paid sick leave expenses as part of their estimated quarterly tax payments. If employer's costs more than offset their tax liability, they will get a refund from the IRS.
- CV3- The features and benefits of the \$2 trillion CV3 are too numerous to summarize here, but in general CV3: The size of the stimulus package is unprecedented, surpassing the approximately \$800 billion Obama stimulus that passed five months after the 2008 financial crash. Together with Federal Reserve actions, the legislation will amount to a injection of \$6 trillion into the economy, according to White House economic adviser Larry Kudlow, or about 30% of annual gross domestic product. About \$2 trillion would be provided to individuals, businesses, and states, among others, in response to the coronavirus pandemic under the Senate-passed version of H.R. 748. The measure, negotiated between the Senate and administration, includes:
  - -\$500 billion for loans and assistance to companies and state and local governments, including \$29 billion for loans to U.S. airlines and related businesses. Stock buybacks and executive compensation would be restricted. Additional funds would be provided to aviation workers.
  - -\$349 billion in low-interest small business loans that could be partially forgiven
  - -Payments of as much as \$1,200 for individual taxpayers, and \$500 per child, phased out when incomes exceed \$75,000 for individuals and \$150,000 for couples filing jointly.
  - -An additional \$600 per week for those receiving unemployment benefits.
  - -\$150 billion for aid to state, local, and tribal governments.
  - -A suspension of Medicare sequestration through the end of the year and the extension of several health programs until December.

The measure would bar businesses controlled by the president, vice president, members of Congress, and heads of executive departments from receiving loans or assistance under the Treasury Department programs. Through an Appropriations Title, the measure would also provide about \$342 billion in emergency supplemental funding, including \$100 billion for hospitals.

State Stabilization Fund in CV3 comprises a fund of \$150 billion to be distributed among the states, counties, local units of government, large cities (500k+ pop.) territories and tribes. The \$150 billion in the Coronavirus Relief Fund is mostly allocated by population, but with \$3 billion reserved for U.S. territories and the District of Columbia and \$8 billion set aside for tribal governments, along with a guarantee that each state receives at least \$1.25 billion even if its population share would otherwise indicate a lesser amount.

Local governments with populations of 500,000 or more are also eligible for aid, and any aid they receive is subtracted from the amount otherwise available to their state's government. This too is apportioned by population, but localities may only receive 45 percent of the amount associated with their population.

To be eligible for federal funding, state expenditures must meet three conditions. First, they must be necessary expenditures incurred due to the COVID-19 public health emergency. Second, they must not be accounted for in the state or locality's most recently approved budget (as of the time of the federal law's enactment). And third, the expense must be incurred between March 1 and December 30, 2020.

Early and unofficial calculations of the maximum amount allocated for each state, using 2019 population figures and making pro rata adjustments of the allocable share once each state is guaranteed at least \$1.25 billion indicate that California may receive as much as \$15 billion from this fund. [Sources: CARES Act; Tax Foundation calculations.]

Importantly, the CARES Act also includes \$340 billion in emergency funding to combat the outbreak, \$274 billion going to state and local governments for specific purposes. This is in addition to the \$150 billion distributed to states to cover their own separate efforts and forms a major part of the federal government's plan to assist state efforts. The CARES Act also includes additional federal funding for joint federal-state programs like Medicaid and unemployment compensation, along with other expenditures which will reduce some of the need for states to undertake new COVID-19 spending on their own.

Finally, the Federal Reserve is also engaging in emergency lending, backstopped by \$454 billion in new funding under what is known as the Exchange Stabilization Fund. States and local governments, as well as businesses, may apply for these loans.

Tax Credits use for repayment to employers for paid sick leave in CV2 issue. An injurious provision inserted in CV2 during the "technical amendments" process at the insistence of the Administration, namely the prohibition to state and local units of government to use Tax Credits for repayment to employers (i.e. South Coast AQMD) for mandated paid sick leave. No good reason was offered for this feature of the legislation and many oppose it and seek its removal, including the National Association of Counties (NACo), the League of Cities, the Association of California Water Agencies (ACWA) and others. Speaker Pelosi's alternative legislative bill, offered as a companion to the Senate CV3 bill which became law, would have corrected this injurious feature of CV2. The Speaker and others are already advocating for a CV4 package. Correcting this provision will continue to be a top priority for South Coast AQMD and your advocates in Washington, DC.

#### Contacts:

Contacts included staff and House Members throughout the CA delegation, especially Leadership and Appropriators who were targeted.
###



**To:** South Coast AQMD Legislative Committee

From: Carmen Group

**Date:** March 26, 2020

**Re:** Federal Update -- Executive Branch

<u>Federal Agencies Provide Information on Coronavirus</u>: Federal agencies across the board are providing access to a wide array of public information and resources on the coronavirus challenge. Here are links to relevant websites that have been stood up in the last month by several key federal agencies, including those that cover SCAQMD issues.

- The White House / Centers for Disease Control and Prevention (CDC) / Federal Emergency Management Agency (FEMA) https://www.coronavirus.gov
- Environmental Protection Agency (EPA) https://www.epa.gov/coronavirus
- Department of Transportation (DOT) https://www.transportation.gov/coronavirus
- Department of Energy (DOE)
  <a href="https://www.energy.gov/ceser/articles/covid-19-energy-sector-response-efforts-and-frequently-asked-questions">https://www.energy.gov/ceser/articles/covid-19-energy-sector-response-efforts-and-frequently-asked-questions</a>

<u>President Signs Three Major Bills to Address Crisis</u>: In March, President Trump signed three rounds of federal legislation in response to the Coronavirus Disease 2019 (COVID-19) pandemic – legislation informally dubbed as COVID 1, COVID 2 and COVID 3. These include the following:

- 1. Emergency Supplemental Appropriations -- \$8.3 billion, signed March 6;
- 2. Families First Coronavirus Response Act signed March 18; and
- 3. Coronavirus Aid, Relief, and Economic Security Act (CARES Act) \$2.2 trillion, to be signed March 27.

Meanwhile, a possible COVID 4 is already being discussed.

CARES Act Notes of Interest: Of possible special interest to South Coast AQMD, the CARES Act includes a \$150 billion "Coronavirus Relief Fund" to provide direct assistance to states and municipalities to help cover expenditures incurred due to the COVID-19 public health emergency in the face of revenue declines. Localities eligible for this direct assistance include: a county, municipality, town, township, village, parish, borough or other unit of government below the State level with a population that exceeds 500.000.

In addition, the bill includes a \$454 billion "Economic Stabilization Fund" to provide "loans, loan guarantees and other investments" to companies, states and municipalities—including "a political subdivision of a State; and an instrumentality of a municipality, a State, or a political subdivision of a State." The full meaning and import of these terms and provisions will require further research.

In the run-up to final passage of the CARES Act, Carmen Group assisted the federal consulting team by communicating South Coast AQMD's views to the Office of the Vice President, among others.

EPA Announces Temporary Enforcement Discretion Policy for COVID-19: The Environment Protection Agency announced March 26 a temporary policy – retroactive to March 13 – regarding EPA enforcement of legal obligations during the COVID-19 pandemic. EPA says "the temporary enforcement discretion policy applies to civil violations during the COVID-19 outbreak", but emphasizes "the policy does not provide leniency for intentional violations of law." EPA further explains that "the policy addresses different categories of noncompliance differently. For example, under the policy, EPA does not expect to seek penalties for noncompliance with routine monitoring and reporting obligations that are the result of the COVID-19 pandemic, but does expect operators of public water systems to continue to ensure the safety of our drinking water supplies. The policy also describes the steps that regulated facilities should take to qualify for enforcement discretion." EPA will provide at least 7 days' notice prior to terminating this temporary policy.

**EPA Announces Review of Ambient Air Standards for Lead:** EPA announced in March its intent to initiate the next review of the National Ambient Air Quality Standards for lead, in compliance with the standards and deadlines mandated by the Clean Air Act which calls for completing the five-year air quality standards for each criteria pollutant.

**EPA Extends Deadline to Apply for Air Toxics Monitoring Grants:** EPA announced in March that it is extending the deadline to apply for the Community-Scale Air Toxics Monitoring grants competition. EPA periodically awards these grants to help air agencies conduct air quality monitoring projects to address specific localized air toxics issues. EPA currently regulates 187 hazardous air toxic pollutants. The new deadline will be May 1, 2020.

<u>Presidential Nomination:</u> Russell Vought of Virginia has been officially nominated to be Director of the White House Office of Management & Budget, having served as Acting Director since January of 2019. He previously served nearly 20 years on Capitol Hill including four years with Senator Phil Gramm.

<u>Outreach</u>: Relevant contacts included the Office of the Vice President, the office of Senator James Inhofe and representatives of Cummins, PACCAR, Volvo Trucks and the U.S. Chamber of Commerce on issues related to the then-pending CARES Act, including the Economic Stabilization Fund, the FET tax, and energy related tax extenders.

###



607 Fourteenth Street NW, Suite 400 Washington, DC 20005 (202) 585-2300 www.cassidy.com

To: South Coast Air Quality Management District

From: Cassidy & Associates

Date: March 26, 2020 Re: Feb/March Report

#### **Summary**

The House and Senate were returning to regular order following a tumultuous impeachment trial that concluded in February. The House took an initial vote on a supplemental funding bill to address Coronavirus on March 9, a second bill on March 18, and a third is currently expected to be signed into law before the end of March. In late February, the Senate Energy and Natural Resources (ENR) Committee released its long-awaited energy reform package which failed to garner enough votes to move forward.

#### **Congressional Activities in February**

February was a busy month for Congress. The President gave his State of the Union address on February 4 during the Senate impeachment trial, which concluded in early February with just one Republican Senator voting to convict on one of the two articles of impeachment (Senator Mitt Romney R-UT). The Administration sent its Fiscal Year (FY) 2021 budget request to Congress on February 10 and budget hearings began this week.

#### Government Funding

The House and Senate Appropriations Committees have posted deadlines for Members and Senators to submit funding requests. House appropriators planned to start subcommittee markups for FY 2021 spending bills on April 21. This is obviously delayed as a result of the Coronavirus crisis.

It is unclear how Congress will move forward with the FY 2021 spending bills. It is highly likely that there will be at least one, if not many, continuing resolutions through the end of the calendar year.

#### Climate

In February, House Minority Leader McCarthy (R-CA) released a package of climate change legislation as the Republican alternative to the Democrats' sweeping climate bill. The package includes legislation to permanently extend the carbon sequestration tax credit, 45Q (Schweikert/Wenstrup); incentivize carbon capture, utilization, and storage technology development (McKinley R-WV) and (Crenshaw R-TX); and the Trillion Trees Act to establish forest management and reforestation practices to sequester greenhouse gases (GHG).

Earlier in January, Democrats in the House released a <u>framework</u> for a \$760 billion, five-year infrastructure package that emphasizes clean energy and climate resilience while reauthorizing the surface transportation reauthorization bill that expires September 30. The House Transportation and Infrastructure Committee continued working this month on legislative details, though the committee has not publicly released text.

#### **House and Senate Committee Action**

In February, the **House Energy and Commerce Committee** held a legislative hearing on "Clearing the Air: Legislation to Promote Carbon Capture, Utilization, and Storage" to examine H.R. 1166, the Utilizing Significant Emissions with Innovative Technologies Act (Reps. Peters D-CA, McKinley (R- WV, Veasey D-TX) which incentivizes carbon capture and storage technology to reduce carbon dioxide emissions.

The **House Natural Resources Committee** held a legislative hearing to examine two bills with two markedly different approaches to tackling climate change. One bill, H.R. 5435 (Chairman Grijalva D- NM) would require net-zero emissions from the nation's public lands and oceans by 2040. The Republican climate alternative, H.R. 5859 (Rep. Westerman R-Ark.) gives the legislative backing to plant 1 trillion trees by 2050.

#### **Congressional Activities in March**

The House and Senate began hearings related to the FY 2021 spending bills. However, the House Members returned to their Districts on March 13 due to concerns over Coronavirus. The Senate remained in session to approve two House initiated Coronavirus packages. Following passage of the third bill, the Senate recessed until April 20.

#### **Cassidy & Associates Efforts on Coronavirus III package**

Throughout the intense passage of legislation to address the Coronavirus crisis, Cassidy worked with other DC consultants to share information and provide targeted reports to the South Coast AQMD team. Our focus was to ensure South Coast AQMD would be directly eligible for programs opposed to relying on allocations from the state. Cassidy worked very closely with the

South Coast AQMD team to ensure that the state and local government provisions in the third Coronavirus package included "political subdivision of state" language. This work involved closely tracking each version of legislation and engaging Senate Republican leadership staff and House Democratic leaders.

#### **Summary of Congressional Outreach**

- ❖ Weekly calls with South Coast AQMD staff
- ❖ Monitoring Clean Trucks Initiative and ongoing Heavy-Duty NOx rulemaking
- ❖ Meeting with Energy and Commerce Committee staff
- ❖ Work with South Coast AQMD on funding in Coronavirus/Economic Stimulus packages

# **ATTACHMENT 3**



**TO:** South Coast Air Quality Management District

**FROM**: Anthony, Jason & Paul Gonsalves

**SUBJECT**: Legislative Update – March 2020

**DATE**: Thursday, March 26, 2020

Due to the Governor's Executive Order and action taken by the Assembly and Senate on the Covid-19 outbreak, the Legislature has recessed until April 13, 2020. This is the first time in 158 years that the Legislature has had to abruptly cease operations. The only time lawmakers unexpectedly suspended their meetings was in 1862 when a flood consumed most of Sacramento. Lawmakers missed a few days before reconvening in San Francisco to continue their work

Although the Legislature has recessed until April 13, 2020, they can extend the recess at their discretion. At this point, it is uncertain of how long the Legislature will be in recess. We will continue to keep you and your staff apprised as the Legislature progresses through these uncertain times.

The following will provide you with information of interest to the District:

#### **LEGISLATIVE RESPONSE TO COVID-19**

Prior to the Legislature adjourning for recess due to the Covid-19 outbreak, they passed 2 bills to the Governor to help address immediate needs, SB 117 and SB 89.

SB 89 appropriates \$500 million to be used by the Governor for disaster relief, including funding for increased hospital capacity and any activities included in the Governor's March 4th proclamation declaring a state of emergency. An additional \$500 million may be appropriated for the same purpose upon notification to the Joint Legislative Budget Committee. SB 89 also includes language stating the Legislature's intent that the Administration work with stakeholders to develop strategies to provide assistance to individuals, small businesses, and nonprofits experiencing economic hardship as a result of the pandemic. This language merely notes the Legislature's desire to address issues in substantive legislation in the coming weeks. In

discussing this language on their respective floors, the Assembly and Senate Budget Chairs noted that the Legislature would be reviewing how Federal relief legislation would impact the state. SB 117 provides for the continued support for schools in the state, ensuring schools do not lose funding during this time, with an additional \$100 million for cleaning and protective equipment.

The Senate adopted a Resolution which, among other things, amended their House Rules to allow Senators to participate in Legislative proceedings remotely. In presenting the resolution, Pro Tem. Atkins stated that she hoped the new authority would only be used rarely. The legality of remote voting and exactly how this would be implemented in practice are open questions.

Lastly, the Senate and Assembly adopted a joint resolution, ACR 189, sending the Legislature into recess until April 13 unless leadership from each house calls them back into session sooner. There was some discussion of potentially extending the recess, depending on how things develop. It remains to be seen what this will mean for the Legislature's schedule and the several thousand bills introduced at the beginning of the year.

In addition to the actions taken by the Legislature, Governor Newsom has taken action on numerous Executive Orders to help Local Agencies and Boards comply with current law. On March 19, 2020, the Governor issued a stay at home order to protect the health and well-being of all Californians. This required all "non-essential" employees to stay at home. This action led to many challenges throughout the State's many sectors. In response, Governor Newsom has issued several Executive orders to address these challenges. For example, the Governor issued an Executive Order addressing the Bagley-Keene and Brown Act. The order authorizes a local or state legislative body to hold public meetings via teleconferencing and waived the physical presence requirement under the Brown Act.

#### **GOVERNOR'S APPOINTMENTS**

Alexander Sherriffs has been reappointed to the San Joaquin Valley Air Pollution Control District, where he has served since 2011. Sherriffs has been a health science clinical professor at the University of California, San Francisco Fresno Campus since 2008 and a staff physician at the Central California Faculty Medical Group since 1984. He was a staff physician at Fowler Community Health Center, Adventist Health from 2003 to 2017. Sherriffs was an expert reviewer for the Medical Board of California from 1996 to 2018. He was an associate clinical professor volunteer at the University of California, San Francisco from 1992 to 2007. Sherriffs was medical director for the Skilled Nursing District at Selma Community Hospital from 1990 to 2004. He was a private practice physician from 1983 to 2003. Sherriffs is president of the Yale University Alumni Association of the Central Valley and a member of the California Air Resources Board, California Medical Association, the Fresno Madera Medical Society, the California Academy of Family Physicians, the American Academy of Family Physicians and the Alumni Schools Committee at Yale University. Sherriffs earned a Doctor of Medicine degree from the University of California, Davis School of Medicine. This position requires Senate confirmation.

Erin Curtis has been appointed deputy secretary for communications and external affairs at the California Environmental Protection Agency. Curtis has been assistant regional director for external affairs at the U.S. Fish and Wildlife Service in Sacramento since 2019. She was public affairs officer for the Bureau of Reclamation, Mid-Pacific Region from 2017 to 2019 and 2014 to

2015, deputy state director for communications at the Bureau of Land Management's Idaho state office from 2015 to 2017 and chief of the Office of Communications, Bureau of Land Management's Alaska state office from 2013 to 2014. She was public affairs specialist/public affairs lead for the Bureau of Land Management's California state office from 2010 to 2013 and public affairs specialist for the Bureau of Land Management's Western Colorado office from 2009 to 2010. Curtis held multiple positions for the Coast Community College District, including associate vice chancellor for educational services and external affairs from 2005 to 2007 and public affairs director from 2001 to 2005. Curtis earned a Master Public Administration degree from California State University, Long Beach. This position does not require Senate confirmation.

#### **2020 LEGISLATIVE CALENDAR:**

As the Legislature and Governor continue to address the immediate impact of Covid-19, it remains uncertain of what the Legislative calendar will look like and what it means to the roughly 2000 bills that remain. Please note, any deadline noted below that is established by a Joint Rule can be changed by the Legislature with a rule waiver. Constitutional deadlines, however, cannot be changed by the Legislature and would require a Constitutional amendment. I have highlighted the Constitutional deadlines below in red:

#### March Deadlines

Mar. 27 Cesar Chavez Day observed.

#### April Deadlines

**Apr. 2 Spring Recess** begins upon adjournment (J.R. 51(b)(1)).

**Apr. 13** Legislature reconvenes from Spring Recess (J.R. 51(b)(1)).

Apr. 24 Last day for policy committees to hear and report to fiscal committees fiscal bills introduced in their house (J.R. 61(b)(5)).

#### May Deadlines

May 1 Last day for **policy committees** to meet and report to the floor **nonfiscal** bills introduced in their house (J.R. 61(b)(6)).

May 8 Last day for policy committees to meet prior to June 1 (J.R. 61(b)(7)).

May 15 Last day for **fiscal committees** to hear and report to the **floor** bills introduced in their house (J.R. 61 (b)(8)). Last day for **fiscal committees** to meet prior to June 1 (J.R. 61 (b)(9)). **May 25** Memorial Day.

May 26-May 29 Floor session only. No committee may meet for any purpose except for Rules Committee, bills referred pursuant to Assembly Rule 77.2, and Conference Committees (J.R. 61(b)(10)).

May 29 Last day for each house to pass bills introduced in that house (J.R. 61(b)(11)).

#### June Deadlines

June 1 Committee meetings may resume (J.R. 61(b)(12)).

June 15 Budget Bill must be passed by midnight (Art. IV, Sec. 12(c)).

**June 25** Last day for a legislative measure to qualify for the Nov. 3 General Election ballot (Elections Code Sec. 9040).

**June 26** Last day for **policy committees** to hear and report fiscal bills to fiscal committees (J.R. 61(b)(13).

#### July Deadlines

**July 2** Last day for **policy committees** to meet and report bills (J.R. 61(b)(14)). **Summer Recess** begins upon adjournment, provided Budget Bill has been passed (J.R. 51(b)(2)).

July 3 Independence Day observed.

#### **August Deadlines**

Aug. 3 Legislature reconvenes from Summer Recess (J.R. 51(b)(2)).

Aug. 14 Last day for fiscal committees to meet and report bills (J.R. 61(b)(15)).

**Aug. 17-31 Floor session only.** No committee may meet for any purpose except Rules Committee, bills referred pursuant to Assembly Rule 77.2, and Conference Committes (J.R. 61(b)(16)).

Aug. 21 Last day to amend bills on the floor (J.R. 61(b)(17)).

Aug. 31 Last day for each house to pass bills (Art. IV, Sec 10(c), J.R. 61(b)(18)). Final Recess begins upon adjournment (J.R. 51(b)(3)).



To: South Coast Legislative Committee

From: David Quintana

Subject: Monthly Legislative Report

Date: 26 March, 2020

#### The Calendar

**Existing Calendar Deadlines per Constitution:** As of the Legislature's recess, it appears that all legislative deadlines for this year that are created by Joint Rules are in flux. Ergo, House of Origin Deadline, Deadline for Policy Bills to be Heard, et. al., are all likely going to be re-set by the Legislature. There are two deadlines that cannot be changed because they are set out in the California Constitution, those are:

- June 15 Budget Bill must be passed by midnight (Art. IV, Sec. 12(c))
- August 31 Last day for each house to pass bills (Art. IV, Sec 10(c), J.R. 61(b)(18)). Final Recess begins upon adjournment (J.R. 51(b)(3)).

Therefore, expect when the Legislature returns, based upon the time of that return, for leadership to hold organizational meetings to create a new schedule for the remainder of the year.

#### The Legislature's Recess and Return

On March 16<sup>th</sup>, the Assembly (with Senate concurrence) voted to recess the legislative session (ACR 189) from March 13 through April 13. Pro Tem Atkins stated in her concurrence speech, "The legislature will stay open for the state's business. We cannot entirely drop all the other issues and we will continue to work on them. Our work is essential"

# The provisions of ACR 189 are below:

- (a) Either house may recall itself from the joint recess.
- (b) The Legislature may recall itself from the joint recess by joint proclamation of the President pro Tempore of the Senate and the Speaker of the Assembly.

- (c) The Legislature may extend the joint recess by joint proclamation of the President pro Tempore of the Senate and the Speaker of the Assembly.
- (d) If the Governor or the Governor's designee declares that continued home isolation is, or similar preventative measures are, necessary to address the current state of emergency, the joint recess shall be extended until the Legislature recalls itself from the joint recess.

#### **Executive Order Loosening Brown Act and Bagley-Keene**

On March 12, 2020, Governor Newsom issued Executive Order N-25-20, of which paragraph 11 suspends provisions of the Brown Act and Bagley-Keene Act to allow for greater flexibility to hold public meetings via telephone conference. Specifically, paragraph 11 of the Executive Order states as follows:

... a local legislative body or state body is authorized to hold public meetings via teleconferencing and to make public meetings accessible telephonically or otherwise electronically to all members of the public seeking to attend and to address the local legislative body or state body, during the period in which state or local officials impose or recommend measures to promote social distancing, including but not limited to limitations on public events.

### Governor Issues Stay at Home Order

On March 19<sup>th</sup> the Governor changed everything when he, followed the lead of SF Mayor Breed and L.A. Mayor Garcetti and issued Executive Order N-33-20, a Stay at Home Order for the State of CA. This stay at home order is to stay in effect until "further notice".

#### **CARES Act Passed**

On March 27, the CARES Act was signed into law by President Trump. CARES Act provides a bit over \$2 trillion to individuals and states affected by COVID 19

Specifically, for CA, \$10 billion will be allocated by the stimulus bill just passed in Congress

- \$5.5 billion will go directly to state
- Remainder will go to cities and counties
- Includes a \$600 dollar increase *a week* on unemployment benefits since shutdown/quarantine

#### The Return

I have spoken with a number of legislators and top staffers. Here is what I am hearing on when they shall return or what they will be doing when they return.

- The April 13<sup>th</sup> date is still in play as to whether it will be extended and for how long. Since the cases and deaths have continued to climb in California, it appears likely from all I spoke with that even if they do "return" on that date, it is likely to be in a manner that still needs to be worked out. In other words, what was believed to be, "business as normal" on the 13<sup>th</sup> is definitely not going to happen.
- All I speak with tell me that it is very likely that the Gov will call a Special Session to specifically address COVID recovery issues. There appears to be momentum growing behind a Special Session and also for a CA "stimulus bill." We will continue to follow both of these items as they either grow or diminish.
- Bills: One of the biggest issues of contention is how many bills each legislator will be allowed to carry assuming they return. At first, I was being told that in the Assembly they were discussing that the chairs of each committee would choose how many bills would be heard in their committees. This was greeted with pushback by the members. Last I heard was that the Assembly was discussing a specified number of bills to be heard for each member. I spoke with a very high-ranking person in Senate leadership and they told me that this has never even been discussed by the Senate and that any plan such as this would have to be a JOINT decision between the houses. So, rest assured that this issue is still evolving and will continue to evolve for the next couple of weeks.

### Resiliency/Water Bond

I had a long discussion with the chief of staff for Asm. Eduardo Garcia and the legislative director for Sen. Ben Allen on the prospects for the bond. Both told me that they are working 110% on moving the bond forward every day until they are told NOT to do so. They believe that under a worst case scenario, they will have to "re-brand" the bond as one which is emphasizing "recovery and jobs" and roll it into COVID recovery efforts. Therefore, I suggest we continue to engage in all bond conversations.



South Coast AQMD Report California Advisors, LLC April 10, 2020 Legislative Committee Hearing

#### **General Update**

The global pandemic of COVID-19 has caused numerous challenges and obstacles to the Legislative process. On March 4<sup>th</sup> the Governor declared a State of Emergency because of the threat COVID-19 posed to the state. Then on March 16<sup>th</sup> both the Assembly and the Senate agreed to take a three-week joint recess, beginning Thursday, March 19<sup>th</sup> and lasting through April 13<sup>th</sup>. This means that all budget and policy committees would be postponed until after they return from this recess. Before they adjourned, they did pass two pieces of emergency legislation related to the COVID-19 response. The first bill authorized the Governor \$500 million to spend in responding to the pandemic and that amount can increase up to \$1 billion if this crisis persists. The second bill was to ensure that schools would remain fully funded even though all school districts have been physically closed.

With the statewide shelter in home being announced, the Capitol and other legislative buildings have been closed. However, Legislators and staff have continued to work remotely and are adapting to the challenging times. It remains unclear how long the Legislature will remain on recess and how that will affect legislative deadlines when they return. There is some thought that this year will only focus on the response to this pandemic and a few key priorities.

Given that there is no definitive end date to the shelter in home orders the Legislature has not provided any specifics on what the timelines will look like for the budget process or legislation. Assuming the Legislature reconvenes in April or May, the June 15<sup>th</sup> budget deadline would loom large. The revenue estimates will be much lower than the state was projecting and there will need to be cuts made across the entire state budget. After the budget deadline, the Legislature's focus will shift to legislation. The deadline for bills to pass the Legislature is August 31<sup>st</sup>.

#### **Elected Officials Contacted on Behalf of South Coast AQMD:**

California Advisors met with the following legislators or their offices on behalf of the South Coast Air Quality Management District:

#### Senate:

Ben Allen (SB 732), Toni Atkins (SB 732), Ben Hueso (back-up generator bills), Lena Gonzalez (SB 732, AB 617 Funding), Holly Mitchell (AB 617 Funding)

# Assembly:

Cristina Garcia (AB 617 Funding), Anthony Rendon (AB 617 Funding), Laura Friedman (back-up generator bills), Eloise Reyes (SB 732), Phil Ting (AB 617 Funding)