
MEMORANDUM

To: Orange County Sanitation District
From: Townsend Public Affairs
Date: April 14, 2022
Subject: Monthly Legislative Report

State Legislative Update

The month of March saw amendments to hundreds of bills, the introduction of numerous legislative proposals with major budget impacts, and the Legislature returning to its full pace as it works to consider the 2,115 bills introduced during the 2022 legislative session. Below is an overview of notable legislative happenings in the past month.

While February marked the deadline for new bill vehicle introductions, it did not mark the deadline for new legislative language. Assembly and Senate leadership set hard mid-late March deadlines for major amendments and amendments to “spot” legislation to be submitted, meaning the month of March featured hundreds of major amendments to existing legislation – many of which completely altered the scope and intent of their previous versions.

Governor Newsom Issues Executive Order to Bolster Drought Response

Following the driest first three months of a year in the state’s recorded history, this month Governor Gavin Newsom took steps to drive water conservation at the local level, calling on local water suppliers to move to Level 2 of their Water Shortage Contingency Plans, which require locally appropriate actions that will conserve water across all sectors, and directing the State Water Resources Control Board to consider a ban on the watering of decorative grass at businesses and institutions.

Governor Newsom signed an [Executive Order](#) that directs the State Water Resources Control Board (SWRCB) to evaluate the adoption of regulations banning irrigation of “non-functional” turf (or grass), such as decorative grass adjacent to large industrial and commercial buildings. The ban would not include residential lawns or grass used for recreation, such as school fields, sports fields and parks. The Department of Water Resources estimates this ban alone will result in potential water savings of several hundred thousand acre-feet. An acre-foot of water serves the needs of approximately three households for a year.

In addition to the water supplier conservation measure, the Order includes a number of key directives for local governments:

- *New Local Well Permitting Requirements.* Local governments may not approve a permit for a new groundwater well or alteration of an existing well in a basin with a Groundwater Sustainability Agency (medium- or high-priority) without first obtaining written verification from the managing Groundwater Sustainability Agency; and must determine that the groundwater will is not likely to interfere with nearby wells and/or cause subsidence that may damage nearby infrastructure. This excludes small and domestic wells.
- *Certain Water Hauling Ordinances Suspended.* Suspends all local prohibitions on hauling of water for human consumption, cooking, or sanitation out of a water basin of origin, or public agency jurisdiction.
- *Groundwater Recharge Projects Expedited.* Expedites and reduces permitting requirements for groundwater recharge projects to support future flood-flows.
- *Expanded Illegal Diversion Enforcement.* Expands State Water Board inspections for illegal diversions and/or waste and unreasonable use of water.
- *Funding Requests for State Agencies.* Requests state agencies to submit proposals for drought mitigation by April 15, 2022 for inclusion in the Governor’s May Revision budget.

COVID-19 Updates

- *Assembly Member Buffy Wicks Announced she will not move forward with vaccine Mandate legislation* - This month, Assembly Member Wicks announced she will hold [AB 1933](#) during the 2022 session. The bill would have mandated vaccines for workplaces (for both employees and independent contractors) and require employers to verify that their workers are immunized. New hires would need to have at least one shot by their first day — and the second within 45 days. Assembly Member Wicks cited strong public safety union opposition and the decline in COVID-19 cases as reasons for holding the bill. AB 1933 constituted the most comprehensive push for vaccine mandates/reform as it pertained to the COVID-19 pandemic. Other legislation, like Senator Scott Wiener’s SB 866, which would allow minors aged 12 years and older to consent to a vaccine without parental oversight, is still active.
- *Legislators consider, and vote to not repeal the COVID-19 state of emergency* – This month, the Senate Committee on Governmental Organization considered the merits of SCR 5 (Melendez), which would end the COVID-19 State of Emergency and all of the current Executive Orders related to the emergency if passed by both houses. It was the first hearing the bill received since Senator Melendez introduced the bill in 2020. The measure failed on a 4-8 party line vote. However, it was granted reconsideration to allow Senator Melendez to bring it forward at a later date.

During the bill’s discussion, proponents iterated that the existing State of Emergency constituted a violation of the separation of powers doctrine and that the decline in COVID-19 should lead to the end of the emergency.

Opponents of the measure noted that the State of Emergency allows for the coordination of aid and resources across federal, state, and local agencies and provides for the stability of existing Executive Orders relating to COVID-19, such as remote meeting flexibility. Representatives from the California Professional Firefighters Association and the California Hospital Association spoke in opposition to the measure, citing concerns that ending the Emergency could impact hospital and public safety staffing, and the ability for emergency services to respond.

Multiple Proposals Emerge to Offset High Gas Prices

This past month featured multiple proposals to help offset the cost of soaring gas prices, which include issuing hard-cash rebates to Californians, foregoing the gas tax, and combinations of both. Below is an overview of each proposal:

- Governor Newsom champions “gas tax holiday,” then adds cash rebates for all drivers – Governor Newsom expanded on his original “gas tax holiday” proposal and released details for a more comprehensive rebate plan. This plan includes \$11 billion in budget surplus funds for the following programs:
 - \$400 debit cards to every CA vehicle owner, which will be distributed via DMV records to cover those who don’t earn enough to pay taxes. Owners of electric vehicles and individuals who lease cars will also be eligible,
 - \$750 million to provide three months of free public transit throughout the state,
 - Up to \$600 million to pause the diesel sales tax for one year; and
 - \$523 million to pause the gas inflation adjustment, set to become effective July 1, 2022.

Ultimately, this proposal will require legislative approval. Assembly and Senate leadership have signaled that they are against pausing the gas inflation adjustment, which they say is a critical component to financing transportation infrastructure improvements throughout the state.

- Democratic Legislators Announce Gas Rebate Plan for all tax-paying Californians – Assembly Member Petrie-Norris and other members of the Assembly Democratic Caucus unveiled a new legislative proposal to offer all *tax-paying* Californians a \$400 tax rebate to offset high gas and goods prices. The proposal would dedicate approximately \$9 billion of the state’s budget surplus toward providing \$400 rebates to all Californians who pay state income taxes, regardless of their income.

The proposal framework was in response to the rising price of gas and presents an alternative solution to Governor Newsom’s proposal to issue a “gas tax holiday” before the gas price inflation readjustment period on July 1.

This proposal differs from the Governor’s plan in that it would be extended to all tax-paying Californians – regardless of car ownership status. It also does not include a gas tax suspension.

Eviction Protections Legislation Signed into Law

On March 31, Assembly Bill 2179 (Grayson and Wicks) was signed into law. The bill extends the date on which landlords may initiate eviction proceedings from April 1 to July 1, as long as an application is submitted by March 31 to a rent relief program. The legislation is designed to allow struggling tenants and the state another three months to finish sending out rental relief payments. The measure includes an urgency clause, meaning its provisions are effective immediately.

The state's eviction moratorium was scheduled to expire without intervention on March 31. For the last two years, lawmakers have negotiated legislation to protect renters against eviction if they have faced pandemic-related hardship. California received a total of \$5.2 billion in federal funds to establish a rent relief program last year to help alleviate the burden of debt for renters and landlords. However, these programs have been oversubscribed and backlogged in the distribution of sought relief payments.

In February, legislators approved an early action [budget bill](#) to free up state funds and expedite the backlog of applications, which also eased restrictions on who could qualify for the relief.

AB 2179 was expedited through the legislative process, following the introduction of the bill's language only a week prior to its signing into law. Notably, Lieutenant Governor Eleni Kounalakis signed the bill into law because Governor Newsom was vacationing out of state until April 12. She is the first woman to sign a bill into law in the state of California.