Legislative Action Guide
AND
Policy Platform
2021-2022
Dear Business Partner,

Enclosed for your review is the Orange County Business Council (OCBC) 2021-2022 Legislative Action Guide, which serves as the policy platform guiding OCBC’s advocacy programs locally, in Sacramento and Washington, D.C.

Led by its dedicated Board of Directors, OCBC serves Orange County’s diverse business community, working with public agencies and academia, to ensure the county’s long term economic vitality and high quality of life.

Heading into 2021, the business community faces a pivotal time with unprecedented challenges brought by the COVID-19 pandemic and economic downturn. Key drivers of Orange County’s economy have been decimated under this public health crisis such as the tourism and hospitality industries and small businesses. Rebuilding an economy and workforce that is even stronger and more resilient in collaboration with local, state and federal policy makers is important now more than ever.

To support the efforts of both business and government to promote an environment conducive to job growth and economic prosperity, the OCBC Legislative Action Guide is developed with significant review and contributions from OCBC members to enumerate a variety of positions on major policy issues. This biennial resource includes contact information for the county’s local, state and federal elected officials to encourage dialogue between business and government.

OCBC’s Legislative Action Guide is also available online at www.ocbc.org. We encourage you to review the website frequently and subscribe to OCBC’s eNewsletter for up-to-the-minute news on the activities of Orange County businesses, OCBC-sponsored events, as well as legislative tracking and OCBC position statements.

OCBC values and appreciates each of our members and our partners in government. Please consider OCBC a reliable resource and staunch advocate for the business community as we enter this next decade together and do not hesitate to contact our dedicated team with any questions.

Sincerely,

Lucy Dunn
President and CEO
Orange County Business Council

Jennifer Ward
Senior Vice President, Government Affairs and Advocacy
Orange County Business Council

The Leading Voice of Business in Orange County
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ABOUT OCBC

MISSION STATEMENT

Orange County Business Council (OCBC) represents and promotes the business community, working with government and academia to enhance Orange County’s economic development and prosperity in order to preserve a high quality of life.

CORE Initiatives

INFRASTRUCTURE: Increase investment in construction, management, and maintenance of Orange County’s infrastructure, which is integral to the region’s long-term viability.

WORKFORCE HOUSING: Increase the supply, choices, and affordability of housing available for a growing Orange County workforce.

WORKFORCE DEVELOPMENT: Lead the business community’s efforts to further develop a high quality workforce that supports the growing technology-based workplace.

ECONOMIC DEVELOPMENT: Create a full spectrum of jobs to enhance the economic well-being and quality of life for Orange County residents.

Underpinning the implementation of these initiatives is the expert research of OCBC’s Chief Economic Advisor, Dr. Wallace Walrod. Dr. Walrod and his research team produce in-depth analyses of the state, regional, and local economy, among them the acclaimed Community and Workforce Indicators Reports and the Workforce Housing Scorecard.

Finally, OCBC maintains an aggressive communications program to highlight the organization’s many efforts and accomplishments, and presents high profile events to build awareness and support for OCBC initiatives.

HISTORY

OCBC formed in 1995 through the merger of the 100-year old Orange County Chamber of Commerce, the Industrial League of Orange County, the Orange County Economic Development Consortium, and the public-private think tank, Partnership 2010.

OCBC accomplishes its mission by leading a high-profile, proactive advocacy program at the county, state, and federal level for business interests throughout California and the nation. OCBC focuses on four core initiatives: improving infrastructure, enhancing workforce development, increasing the supply of workforce housing, and advancing economic development.

OCBC’s history of accomplishments includes assisting in reorganizing local governance structures, advancing business-friendly legislation, leading local and regional economic development opportunities, helping charitable partners achieve their financial objectives, promoting high-tech and innovation initiatives, and numerous other programs.

Through its core initiatives, OCBC works to make Orange County a better place to live, work, and raise a family.
OC Fast Facts

Orange County, CA offers companies the ideal conditions to locate and grow a business.

Jobs and the Economy

OC is a leading global economy

If OC were a separate country, its economy would rank 46th in the world!

Orange County’s per capita GRP ranks 3rd in the world!

OC’s International Appeal

OC exports reached over $21 billion in 2018 making it the 15th largest U.S. exporting metro area

Foreign-Owned Enterprises contribute 104,253 jobs and $7.4B in wages

OC is an economic powerhouse leading the region, state and nation

+ 19,600 jobs in last 12 months

One of the lowest unemployment rates at 2.8% in February 2020

Demographics

No one ethnicity is in the majority

4th most ethnically diverse place in the U.S.

White 40.4%

Asian 20.3%

Hispanic 34.2%

Other 5.1%

6th largest county in the U.S. by population. That’s more people than 20 states in the union!

Lowest overall crime rate in the nation, as well as the lowest violent and property crime

Education

OC’s residents are among the most educated in the nation

OC colleges and universities educate over 350,000 students each year

Over 41% of adult residents have a bachelor’s degree or higher

Students received 16,361 STEM-related degrees and certifications in 2019

For more stats, data and insights on Orange County, visit www.ocbc.org or LocationOC.org
Economic Development
BACKGROUND

Orange County is one of the most economically competitive and prosperous regions in the world. Maintaining this competitive edge requires an intense commitment to preserving and enhancing a positive business climate in the evolving global economy, especially through recovery from the COVID-19 pandemic’s impacts.

Orange County continues to transform from a traditional manufacturing economy to a high-tech, knowledge-intensive economy. OCBC conducts substantial research on rapidly growing industry clusters, results of which validated this ongoing transformation. A key trend is the significant loss of defense, aerospace, and computer hardware industry activity over the past 20 years and the rise of the health care, business, construction, and professional services clusters.

Whether Orange County will continue on this path will hinge in no small part on its ability to cultivate a workforce fit for an increasingly inter-dependent and competitive global economy. Arguably, the most important economic development tool for Orange County’s future is our education and workforce training system. Creating a skilled workforce will require bold ideas and concerted actions among business leaders, policy-makers, educators, workforce professionals, researchers, and most importantly, parents and students.

Attainable but ambitious short-term goals must be paired with an understanding and vision about Orange County’s long-term prospects to maintain competitiveness. A highly skilled workforce, affordable workforce housing, and efficient transportation networks are of paramount importance to the successful growth and prosperity of the region’s economy.

Workers’ compensation and health care costs, restricted access to capital, and limited tax-based incentives must be addressed in order to discourage businesses from leaving the State or expanding elsewhere.

POLICY OBJECTIVES

Orange County business requires State and federal policies enabling businesses to thrive in the global economy and a comprehensive strategy for local governments to achieve each community’s economic goals. OCBC also acknowledges the need for government to allow for advancements in technology and innovation as the economy changes. In support of the sharing/Gig economy, discussions are necessary with internal and external partners to explore issues related to independent contractor/dependent contractor status and joint-employer standards. In addition, conducting further research, events, and member outreach relating to the public’s perception of Internet of Things (IoT) to prepare for possible legislative and regulatory measures related to the debate. Focus will remain on appropriately communicating the broad positive economic impact on both industry and the consumer to federal policymakers and regulators.

“Maintaining the County’s competitive edge requires an intense commitment to preserving and enhancing a positive business climate in the evolving global economy.”
OCBC Supports:

ED-1: State and local government fiscal reform that result in better land use decisions that provide stable funding through identifiable source(s) and a public policy environment conducive to meeting the region’s infrastructure maintenance, rebuilding, and expansion; transportation; housing; and workforce education needs.

ED-2: Economic development programs that take into account the current workforce trends, including the need to emphasize healthcare, bio- and high-technology training.

ED-3: Evaluation of regulatory impacts on housing supply, infrastructure development, and other critical land uses, and on business and the economy.

ED-4: Continuation of monitoring action at the federal level and preventing enactment of divergent laws at the State level that would stifle technology development and potentially harm the safety around these technologies.

ED-5: Federal research and development investments, manufacturers job credit proposals, and other strategies that will support manufacturing and growth in industry clusters that produce high multiplier effects and strengthen global competitiveness.

ED-6: Statewide coordinated economic development goals that allow for regional coordination to remain competitive in a global marketplace.

ED-7: Economic development programs within educational institutions and other community-based organizations to produce a more qualified workforce by ensuring effective and timely communication between businesses, workers, and educators, to ensure that education and training programs target the needs of business to provide a robust local talent pipeline for new and in-demand jobs.

ED-8: Work with internal and external partners to ensure that small business has access to technical assistance, capital, and a support structure to scale from small, to medium, to large business while remaining within Orange County.

ED-9: Support for new business and expansion of business within Orange County through incentives and programs such as the permanent establishment of Opportunity Zones, California Competes Tax Credits, Manufacturing/R&D/Biotech Sales and Use Tax Exemption, and the New Employment Credit.

ED-10: Federal, State, and local fees imposed by agency/department officials rather than those duly approved by the voters or appropriate elected officials.

ED-11: Contracting government services out to the private sector when appropriate, sustainable, and cost-effective for the construction of public infrastructure. Using progressive contracting methods, including design/build, design/build/operate, design/build/own, and public-private partnerships that provide a sufficient timeframe to determine effectiveness, expanded eligibility, and allow the appropriate balance of partnership between State and local agencies.
ED-12: Sustainable public and private infrastructure that protects public health, facilitates a well-educated public and workforce, supports a robust economy with reliable multi-modal transportation systems, provides reliable water and waste management systems, provides for reliable natural gas and electric transmission, distribution, and storage systems and supports sufficient “green” and open space infrastructure to promote quality of life.

ED-13: Reforms to the California Environmental Quality Act (CEQA) that improve the efficiency of the environmental permitting process without compromising existing and relevant environmental protections, and also minimize litigation and related delays.
ECONOMIC COMPETITIVENESS AND GLOBAL TRADE

BACKGROUND

In order for Orange County to maintain and build on its economic competitiveness, Orange County needs to continue to expand into global markets, supporting local enterprises and sustaining economic vitality. International trade plays a significant role with exporting responsible for over 700,000 jobs in the Los Angeles-Long Beach-Anaheim Metropolitan Statistical Area (MSA) region. Orange County itself is the fifth highest exporter in the State, producing $16.5 billion in export volume. Orange County also experiences investment from over 2,000 foreign owned enterprises from over 45 different countries, and foreign direct investment accounts for nearly 110,000 jobs.

Developing trade partners and maintaining open markets not stifled by tariffs is imperative to promoting international trade. The ability to move into global markets is partly reliant upon the President’s ability to fast track negotiating authority, which allows the administration to negotiate trade agreements that Congress can approve or disapprove but cannot amend or filibuster. Fast track policies provide an appropriately balanced role for Congress and are clearly in Orange County’s economic interests. Reauthorization of fast track authority will help continue to increase high technology competitiveness and ensure access to foreign markets by eliminating tariffs/duties on Information Technology (IT) products, medical equipment, telecommunications products, and infrastructure.

Protectionist legislation hurts California’s economy, increases the cost of government processes, and encourages companies to leave the State—taking jobs with them. The best way for California to protect its job base is to ensure a diverse workforce that will be fit for an increasingly interdependent and competitive global economy.

However, offshore outsourcing is a result of the increasing global economy. For local businesses to be competitive in the global economy, California must reduce the high cost of doing business. In the absence of a more competitive business climate in California, offshore outsourcing provides a way to reduce costs and enables companies to compete globally and grow locally.

POLICY OBJECTIVES

Public policy should promote and maintain a competitive business environment in Orange County, California, and throughout the nation by enhancing opportunities for high technology companies and others in global trade.

POSITIONS

OCBC Supports:

GT-1: Overall trade policy and practices that enhance Orange County as a globally competitive metropolitan region, able to compete for new foreign investment and increased imports and exports.

GT-2: Unlimited fast track authority for the President in international trade negotiations and U.S. participation in the World Trade Organization (WTO) and adherence to its precepts for the promotion of fair standards.

GT-3: Removing barriers that hinder U.S. companies in foreign markets and the elimination of unfair trading practices.

GT-4: Negotiations in the U.S. and other countries to protect patents, trademarks, copyrights, and intellectual property.
GT-5: Agreements and standards facilitating the development of a port security strategy to secure movement of goods and services, and long-term strategies to avert work stoppages at West Coast ports.

GT-6: International trade education designed to increase general awareness, understanding, and participation in the growth of international business.

GT-7: Programs and training that assist companies to expedite regulatory compliance for trade, such as Foreign Trade Zones.

GT-8: Support for leveraging foreign investment, existing treaties and expansion of opportunities with foreign governments, and international and domestic business incentives and programs which grow Orange County’s economy through import and exports via Free Trade Agreements, the U.S. Export-Import Bank, U.S. Commercial Services and District Exports Council, and industry focused trade missions.

GT-9: Support for research and development of new technologies that will generate new business creation and growth opportunities such as Virtual Reality, Augmented Reality, Artificial Intelligence (AI), 5G network expansion, and IoT, to create a competitive Smart Metropolitan Region prepared for business in the Smart Economy.

GT-10: Continued advocacy for an open environment to allow for continuing research and the creation of responsible AI technologies. Work with public and private sector leaders to educate the public, media, the business community, and policymakers on the benefits of AI and Financial Technology (FinTech).

GT-11: Urging regulators to avoid regulatory arbitrage and proceed with caution regarding FinTech development and implementation. As with traditional financial services, avoid massive regulatory duplication, unnecessary burdens, and ambivalence to cost benefit analyses to encourage FinTech innovation.

GT-12: Open markets here and abroad including supporting trade deals in the Pacific and with the EU and UK and the United States-Mexico-Canada Agreement (USMCA).

GT-13: An in-depth study of the benefits of offshore outsourcing to the economy of California and the nation.

GT-14: Greater investment from and collaboration between federal, State and regional economic development organizations to drive more foreign direct investment into Orange County.

OCBC Opposes:

GT-15: Protectionist policies including tariffs.

*Also refer to Policies ED-2 through ED-6, GR-13, TE-3, TE-4, TR-1, CC-7, CC-8, HC-21*
Tourism is California’s fourth largest employer and fifth largest contributor to the gross state product. After a record-breaking year in 2019, the tourism industry experienced an unparalleled crisis with the COVID-19 pandemic. In 2019, a record 50.2 million travelers visited Orange County, spending $13.0 billion. Employment in Orange County’s Leisure and Hospitality sector peaked in July 2019 at 233,100, dropping only slightly to 225,200 by January 2020. Once COVID-19 took hold, employment declined to 123,400 by May 2020, a reduction of 47 percent or nearly 110,000 jobs from the sector’s July 2019 high. Statewide, visitors to California in 2019 spent $145 billion in travel, and now revenue is expected to drop to $66 billion in 2020. Before COVID-19, California’s travel-related businesses employed 1.2 million Californians. The industry’s jobs have since plummeted to 594,000 as of mid-2020, and many of these jobs are unlikely to return after the pandemic. With travel spending not expected to return to pre-pandemic levels until 2024, it is crucial that policymakers act quickly to help the tourism industry rebound in a thoughtful and strategic manner.

Orange County’s economy is especially dependent on tourism. For example, the closure of Disneyland Resort, which has an $8.5 billion impact on the region, in mid-March 2020 due to COVID-19 had already cost the Southern California economy $3 billion after seven months. The economic generating power of Orange County’s entire tourism sector—from theme parks to sports, arts and entertainment to hospitality, and the thousands of other retailers and small businesses that serve visiting tourists—is absolutely essential to the economic health of Orange County. Economic well-being is tied to the ability for Orange County’s tourism industry to open and operate in a safe and responsible manner.

**Policy Objectives**

Legislation should focus on restoring, supporting and protecting the County and State’s tourism industry through responsible advocacy working with elected officials, government agencies, and the public.

**Positions**

**OCBC Supports:**

T-1: Protecting Orange County’s tourist destinations as critical to enabling a growing share of Orange County’s jobs and economic impact.

T-2: Encouraging public-private partnerships for increased investment in tourism projects.

T-3: Encouraging partnerships between visitors’ bureaus, convention centers, hotel operators, and economic development leaders to showcase Orange County expansion and growth opportunities to tourists and visiting business leaders.

T-4: Designation of John Wayne Airport as a Port of Entry by the U.S. Customs and Border Protection (CBP) so that the federal government is responsible for all costs associated with federal inspection services.

T-5: Support for ease of access to multi-modal mobility options for tourists and visiting business leaders to reach their destinations.
T-6: Investment in infrastructure to support leisure destinations and tourism attractions.

T-7: Government incentives for attracting private investment for dining, entertainment, and lodging establishments.

T-8: Encouraging thoughtful employment regulation which recognizes the complexities of large-site, tourist destinations.

T-9: Recognizing the importance of investment in tourism assets, encourage CEQA and other regulatory process reform to streamline development which will promote economic recovery and growth.
Since the passing of the Sarbanes-Oxley Act, the Securities and Exchange Commission (SEC) has approved a variety of other corporate governance statutes and regulations to oversee and control the manner in which corporations and similar business entities are managed.

OCBC recognizes the importance of maintaining public confidence in corporate markets through ethical and competent corporate management. At the same time, profits and ethics are not mutually exclusive. Ethical patterns in the boardroom permeate down through the corporation. The best way of ensuring that a corporation’s business will prosper to the benefit of the shareholders, directors, officers, employees, and customers, is to create a corporate culture that encourages everyone in the corporation—from the directors to the officers to the employees—to perform their duties in an honest and competent manner.

Public policies should promote standards of corporate governance that guide boards of directors and corporate officers in managing their corporations in a competent and ethical manner.

OCBC contends that rules regarding the governance and management of corporations, including those pertaining to accounting procedures, should ideally be created and imposed voluntarily by a corporation’s directors and officers, rather than mandated by law. OCBC realizes, however, that in some cases, mandatory laws are preferable in order to ensure uniform compliance or to foster public confidence.

OCBC Supports:

CG-1: Establishing a climate that encourages competent, qualified, honest, and ethical people to commit the time and effort necessary to become corporate directors.

CG-2: Protecting not only a corporation’s majority and minority shareholders, but also its employees, customers, suppliers, creditors, and the public at large.

CG-3: Providing safeguards against negligent or incompetent decision-making while still giving directors and officers the freedom to take reasonable business risks.
Public policies and regulatory climates can either boost or negatively impact the ability of California’s businesses to compete locally, nationally, and globally. In considering public policies and regulations impacting the workplace, it is important for decision makers and regulators to be mindful of ramifications their decisions have on business owners striving to remain competitive in the global marketplace.

Compensation Issues

Wage and compensation issues have a direct impact on labor costs and therefore impact a business’ overall competitiveness. California enacted policies and regulations that go well beyond federal protections for employees. This places Orange County businesses at an economic disadvantage when competing nationally and globally with businesses from other states and has the potential to drive businesses to leave California.

California minimum wage for businesses with 26 or more employees increases each year until reaching $15 per hour in 2022. Once the minimum wage reaches $15 per hour for all businesses, wages could then increase each year up to 3.5 percent (rounded to the nearest 10 cents) for inflation as measured by the national Consumer Price Index. Taxpayers also are affected because the companies pass on the higher costs to the cities and/or counties with which they have contracts.

Chemical and Environmental Exposure

Businesses inherently need to ensure that workplaces are healthy and safe for all employees. To this end, various regulatory measures protect all workers from chemical exposures (e.g., combustibles, airborne contaminants) and other work environment exposures (e.g., noise, temperature, ergonomics). Businesses must pay a cost
impact to comply with these regulatory measures and thus, there is a direct correlation between these types of regulations and a business’ competitiveness. To the extent that California enacts policies and regulations that exceed federal standards for employee protection, Orange County businesses are at an economic disadvantage compared to those operating in other states.

**INDEPENDENT CONTRACTORS**

Independent contractors serve an important role in the economic development of Orange County by providing expertise, flexibility, quality improvement, and cost savings to all types of businesses. Recent case law and legislation are eroding the cost-effectiveness of independent contractors, making their clients liable for health care, unemployment benefits, workers’ compensation, savings plans, pensions, and even stock options. The continuation of this trend will deprive businesses of a vital resource.

**RIGHT TO WORK**

Labor unions are increasingly active in influencing the State legislature on workforce issues. In particular, they are pressing for the expansion of the Family and Medical Leave Act’s (FMLA) binding arbitration in labor-management disputes, limitations on employers’ abilities to screen for legal residency status, and for such protections as requiring a janitorial company that has been purchased by a new owner to continue the employment of the existing staff for a 60-day “trial” period. It is important to create a better balance between the employees’ rights to organize and business vitality.

**AVAILABILITY OF LABOR**

The Orange County labor pool will continue experiencing significant growth over the next 20 years. However, forecasts indicate a substantial loss of its 25- to 34-year-old demographic. As a result, by 2025, the largest age groups will be in the 0- to 14-year-olds and 65+ demographics. Residents aged 65+ are the only segment of the population expected to see growth between 2020 and 2060, at which point they are projected to represent 25 percent of the County’s population. Orange County must respond to the fact that as its population ages, the region loses the single greatest age group that contributes to the job base.

The most significant reason for this shift in the labor force is a lack of affordable housing opportunities for young families and first-time home buyers, as well as transportation challenges that make it increasingly difficult for this segment of the labor force to commute to and from, as well as within, Orange County for work. Policymakers and business leaders must work to find solutions to these issues and confront the additional challenges that businesses have in finding employees with strong math and science skills.

**MEDICAL/BENEFIT PARITY ISSUES**

Businesses often experience friction with organized labor groups over medical and other employment benefits. Many labor union contracts call for full family medical plans paid totally by the employing company. California businesses will experience continued friction in this regard over the next few years. Additionally, State and local policymakers, including the Orange County Board of Supervisors, must work to reform the current employee pension obligation system, which is in danger of becoming insolvent if administration and contribution reforms are not considered. Refer to the Health Care section for more information.

**POLICY OBJECTIVES**

Public policies should enable business to respond competitively to new opportunities while promoting safe environments for employees.
**Positions**

**OCBC Supports:**

EE-1: California’s conformity with federal law in the areas of overtime and alternative work schedule flexibility.

EE-2: Efforts to keep California from further exceeding federal laws for:

- Exempt and non-exempt classifications;
- FMLA; and
- Equal Employment Opportunity (EEO) discrimination (e.g., age discrimination, sexual harassment, etc).

EE-3: The right of employees and employers to enter into agreements for Alternate Dispute Resolution (ADR).

EE-4: A consistent definition of independent contractors, simplified rules regarding independent contractor/client relationships, and the elimination of financial penalties, such as back taxes and benefits obligations, arising from good faith misclassifications.

EE-5: Limitations on the activities of unions where the employees of a company have indicated a lack of desire to unionize.

EE-6: Limitations on the use of binding arbitration in labor/management negotiations.

EE-7: Legislative review of existing statutes with a focus towards a more equitable balance of the rights of employers, employees, and organized labor.

EE-8: A better balance between employee privacy and business responsibility, including limits on business liability where privacy legislation precludes employers from asking or securing employee information.

**OCBC Opposes:**

EE-9: Prevailing and living wage mandates and ordinances.

**Litigation Reform**

**Background**

The perception that California does not offer a business-friendly environment is due, in part, to a legal system that is inefficient, expensive, and slow to respond to genuine needs. A virtual legal lottery exists in many different areas of the law; particularly wrongful termination, discrimination, and product liability claims. As a result, employers and their insurers often face the painful choice of settling frivolous lawsuits early as an economic tradeoff to mounting a more expensive—though usually successful—legal defense. Civil litigation reform is critical to economic success.
Policy Objectives

Litigation reform is needed to halt the crippling effects of unwarranted, excessive, and frivolous lawsuits on businesses, consumers, and taxpayers.

Positions

OCBC Supports:

LR-1: Reforms to the legal system to discourage and eliminate frivolous lawsuits, including reasonable limits upon recoveries, particularly in punitive damages and non-economic damages, and prevailing party recovery of litigation expenses, including attorneys’ fees, in cases of questionable merit.

LR-2: Use of arbitration and mediation for prompt and cost-effective dispute resolution in appropriate circumstances, including employment, health care, property, and automobile accident cases.

LR-3: Construction dispute litigation reform and other legal strategies to encourage settlement of issues between builders and homeowners.

LR-4: The cornerstones of the Medical Injury Compensation Reform Act (MICRA), which place reasonable limits on attorneys’ fees and non-economic damages in medical malpractice cases.

LR-5: New laws to ensure consumers are fully informed of their rights and options when hiring a contingency fee attorney.

LR-6: Appellate review of rulings granting class action certification, similar to established law providing for appellate review of rulings denying class certification.

LR-7: Stricter guidelines for the use of science and hired “experts” in the courtroom.

LR-8: Improvements to California’s system for jury service and jury selection to achieve a more representative sample of the community to serve as jurors.

LR-9: Preservation of reforms enacted through California’s Unfair Practice Act, intended to reduce excessive litigation and abusive lawsuits targeted at California businesses;

LR-10: New laws for disclosure of partnerships between the attorney general and private attorneys pursuing litigation on behalf of the State.

LR-11: Reforms to the Americans with Disabilities Act (ADA) legislation that encourages access rather than litigation.

LR-12: Action by the attorney general to stop abusive lawsuits alleging violations of the Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65).

OCBC Opposes:

LR-13: Attempts to circumvent the workers’ compensation system in the construction area.

LR-14: Attempts to publicize confidential business information obtained in the “discovery” process of a lawsuit.
LR-15: Efforts by the attorney general to regulate business through litigation instead of the public legislative process.

Also refer to Policy WC-1, HL-3, ER-5

# 4 Taxes and Fees

## Background

Business taxpayers pay more than their share of the cost of government. Additional tax increases, especially those that target business, will cripple California’s economic growth and job creation.

## Policy Objectives

Businesses benefit from simplified tax structures, lower taxes, taxes logically associated with specific government services, and the enactment of incentives supporting economic growth.

## Positions

**OCBC Supports:**

TF-1: Balanced local, State, and federal budgets that reduce spending without shifting costs to or imposing mandates upon other levels of government.

TF-2: Federal tax reform, which may include consideration of the flat tax, a national sales tax, or value-added tax to meet overall policy objectives as a replacement for current income tax structure.

TF-3: Lower capital gains taxes.

TF-4: Tax credits and other incentives for saving and investing, including increased 401(k) percentages and increased ceiling limits on contributions.

TF-5: The use of private sector investment, rather than governmental taxes and spending, where possible, to accomplish public benefits.

TF-6: Majority vote approval of tax increases for community infrastructure improvements, coupled with oversight and cost-containment.

TF-7: Clear distinctions between taxes and user fees; a direct nexus for fees to an administrative cost or provision of public service.

TF-8: Extreme caution in the modification or elimination of taxpayers’ ability to have elected officials, as opposed to appointed board members and staff, determine California tax disputes.

TF-9: Tax incentives to maintain and create high-value jobs in the manufacturing sector.

TF-10: Review of public services provided by government, privatization of public services wherever possible, restructuring of governmental agencies for greater efficiency, and streamlining of the tax structures.
OCBC Opposes:

TF-11: Taxes that place California or Orange County at a competitive disadvantage.

TF-12: Changes to Proposition 13 (i.e. split roll tax).

TF-13: Any local tax that is not a special tax that requires a higher voter approval threshold.

TF-14: Taxes on services.

TF-15: Federal, State, and local fees imposed by agency/department officials rather than those duly approved by the voters or appropriate elected officials.

TF-16: Local sales tax increases without alternative methods of funding, cost reductions, or a list of projects or services for voters that includes oversight, accountability and a sunset option.

Also refer to Policies ED-5, E-21, I-2, HL-4

5 CONSUMER PRIVACY

BACKGROUND

Privacy is an issue that continues to grow in importance. Due to an increase in paperless transactions, better technology, and new ways to market to consumers, keeping one’s personal history secure is increasingly difficult. In recent years, there has been a rise in identity theft, which costs consumers, businesses, and financial institutions over $56 billion each year. Federal and State legislators and regulators continue to enact laws to protect consumers. In 2018, the California Consumer Privacy Act (CCPA) passed representing a significant and far-reaching update to the way in which businesses are regulated with regards to customer information. Voters in 2020 approved Proposition 24, which builds upon the CCPA even further.

A federal standard on privacy would create national guidelines that help businesses and commerce between states. Due to privacy limitations set forth by the FMLA and Health Insurance Portability and Accountability Act (HIPAA), it is difficult for businesses to determine the extent to which an employee will be away from his/her job due to injury. This can create staffing issues and make it difficult for businesses to mitigate problematic conditions. Companies need access to the information critical to meeting their obligations of returning injured workers to work and ensuring safe work environments. Privacy needs to equally protect and benefit the consumer, business, and employee. Business understands the need for consumer privacy protection and works closely with government and law enforcement to create a secure climate. With electronic commerce expanding at a high rate, lawmakers must gain a deeper understanding of how consumers benefit from information sharing and allow businesses greater flexibility.

POLICY OBJECTIVES

To advocate for strong consumer privacy protection, while continuing to promote business opportunities and enable businesses to be competitive.
Positions

OCBC Supports:


CP-2: Fair and equitable State and local regulations that align within federal guidelines and do not interfere with a company’s ability to serve its customers.

CP-3: Legislation that allows businesses to access critical information required to respond to the workplace needs of injured or disabled employees and prevent further injury in the workplace.

OCBC Opposes:

CP-4: Burdensome privacy regulations that would stifle commerce while providing little protection to the consumer.

CP-5: Local privacy ordinances that attempt to preempt State or federal legislation or regulation.

Background

Whether paid in the form of insurance premiums or direct expenses for medical treatment and benefits, workers’ compensation is a significant cost of doing business for every public and private employer in California. Despite California employers paying a much higher cost than employers in other states, the outcomes are worse for California’s injured workers. Only after years of exorbitant costs and crippling inefficiency did State leaders begin to make fundamental reforms to the workers’ compensation system, occurring between 2002 and 2004. Unfortunately, gains made in reforming the workers’ compensation program have since been chipped away. A 2017 workers’ compensation cost survey of all states, conducted by the National Academy of Social Insurance, found that California, which ranked fifth in highest costs in 2010, had jumped to third place, with an average of $1.83 per $100 of payroll, which is nearly 34 percent above the national average.

California employers pay 18 percent of national benefits, but employ only 12 percent of the covered workforce. Workers’ compensation costs to employers must be further reduced to ensure that California remains economically competitive in the global economy. In addition, the system needs more reforms to ensure efficient and clear processes, allowing employers and employees to resolve workplace accidents without having to navigate the court system.

Policy Objectives

California needs an efficient and cost-effective workers’ compensation system that provides fair compensation for legitimate claims while protecting employers from the financial and productivity effects of abuse.
POSITIONS

OCBC Supports:

WC-1: Controlled costs through the elimination of fraud, reduced litigation, and the consistent application of established principles for determining eligibility.

WC-2: Best practices in the areas of standards, medical findings, and criteria applied uniformly to the application of workers’ compensation law and the administration of the workers’ compensation system to streamline the determination of disability, delivery of benefits, and decisions concerning injured workers’ ability to return to work.

WC-3: Elimination of financial and other incentives for claimants to seek legal representation.

WC-4: The option for employers to combine health care coverage for employees with the medical coverage provided through workers’ compensation.

WC-5: Efforts to address the problem of carrier insolvency consistent with the above principles.

OCBC Opposes:

WC-6: Any roll-back or amendments designed to weaken workers’ compensation reform in California.

Also refer to Policy CP-3

GOVERNMENT REFORM

BACKGROUND

It is prudent to regularly review the role of government and the manner in which public services are provided. Orange County’s population increased 1,400 percent in the past 50 years, growing from 216,000 to over 3 million people. It is the third most populous county in the State and the sixth most populous in the U.S. Orange County has 34 incorporated cities and more than 200 independent agencies providing a myriad of services to its residents. Hundreds of directors serve on the governing boards of special purpose agencies that often receive less attention from the public and/or media. While the quality of public services provided by these government agencies is often very good, multiple management layers and overlapping service areas dictate a need for greater efficiency and accountability. At the State level, long-term, stable funding for government services is critical. The lack of stable funding has resulted in many local governments passing numerous (and often burdensome) special fees and taxes and raising revenue by directly competing with the private sector to provide certain services. OCBC urges the Governor, the State Legislature, municipalities and special districts to work for the adoption of stable, long-term, and reliable financing formulas for local governments that will in turn promote land use approvals that are not solely based upon revenue generation. These policies will result in a stronger economy for both Orange County and the State.
**Policy Objectives**

Californians should be able to rely on long-term, stable, reliable, and equitable funding for essential public services.

**Positions**

**OCBC Supports:**

GR-1: State and local government finance reform that provides a long-term, stable financing mechanism for essential public services and infrastructure during both lean- and high-growth economic times.

GR-2: Accountability to the voters and other taxpayers that includes a form of funding for public services that is understandable to the voting public.

GR-3: Local government term limit reform that results in long enough terms to encourage leadership on governmental association and regional/special district governing boards.

GR-4: Services provided at the level of government closest to the people and with funds most closely related to the services, including greater reliance upon property taxes by local governments to provide property-related community services.

GR-5: Clarification of State and local governments’ roles.

GR-6: Eliminating of unfunded State mandates.

GR-7: Equitable redistribution of sales and property taxes to protect cities’ and counties’ long-term infrastructure, public safety, and human resources investments.

GR-8: Contracting governmental services out to the private sector through the competitive bidding process when appropriate.

GR-9: Effective research/market-based pension reforms.

**OCBC Opposes:**

GR-10: Wasteful government spending.

GR-11: State raids on local government funding.

GR-12: Excessive and inconsistent term limits on elected officials.

GR-13: Legislation or regulations that are intended to harm or eliminate competition in a free marketplace.

GR-14: Regional governmental bodies reaching beyond their scope or jurisdiction to create or influence policy.

*Also refer to Policies ED-1, ED-4, ED-11, HL-1, HL-2, E-7*
The U.S. is a prime target of massive and sustained cyberattacks into national computer, banking, and communication networks. Massive and sustained cyberattacks pose a threat to U.S. economic competitiveness and to critical infrastructure resources that are central to everyday life. Victims of major cyberattacks have included Target, J.P. Morgan Chase, UPS, Home Depot, Google, eBay, and U.S. Investigations Services (a federal contractor).

Cyber threats can originate from domestic or overseas sources and from the public or private sector. A 2013 National Intelligence Estimate report identified China as the country most aggressively seeking to penetrate the computer systems of American businesses and institutions to gain access to data that could be used for economic gain. Cyberattacks can however, originate from nearly any jurisdiction and with any number of objectives.

Cyberattacks targeting businesses doubled from 82,000 in 2016 to 159,700 in 2017. And since the majority of cyberattacks are never reported, the actual number of incidents could be much higher. It is estimated that cybercrime damage costs could reach $6 trillion annually by 2021, up from $3 trillion in 2015. Protecting against cyber threats will be even more important as the U.S. enters a post-COVID-19 world. In the months following the start of the pandemic, the FBI saw a 300 percent increase in reported cybercrimes and cybersecurity companies experienced huge spikes in hacking attempts.

Unfortunately hacking is easy—80 to 90 percent of successful breaches of corporate networks required only the most basic techniques. In addition, a total of 96 percent of successful breaches could have been avoided if the victim had put in place simple or intermediate controls. A strong majority of breaches take months to be discovered with an average time of five months and the discovery was usually made by a third party rather than the victim. Currently there are almost 50 million different viruses on the Internet and detection rates for antivirus software average only 20 percent.

One challenging factor is that the speed and sophistication of the threats posed to U.S. companies and institutions continuously evolve. Those devising malevolent intrusions of U.S. networks learn, react, and improvise almost as nimbly as do the safeguards designed to prevent such intrusions. The public-private nature of this phenomenon is clear in that cyber-attacks present national security, public safety, economic sabotage, and law enforcement threats (that is, areas that traditionally involve government’s most basic roles). At the same time, the targets of such cyber-attacks are quite often private companies and individuals. Therefore, the initial defense mechanisms also reside in the private sector.

Federal and state governments are increasingly active in this realm. In 2018, the National Institute of Standards and Technology (NIST) released an updated version of its “Framework for Improving Critical Infrastructure Cybersecurity.” The Framework is an analytical tool for assessing cybersecurity threats and applying risk management best practices to them. The Framework is a set of recommendations and adoption of its content is voluntary. Other federal agencies (including the SEC, FTC, FCC, and FFIEC) increased their focus on cybersecurity and these issues are being addressed by corporate boards, insurance underwriters, and others.

All of this is occurring while more devices increase in interconnectivity in what has been referred to as the “Internet of Things” where things, people, processes, and data are all connected. This era promises great innovation opportunities, but also increased (and different) cybersecurity risks than those that currently prevail.
Policy Objectives

A major objective of cybersecurity public policy should be encouraging investments in cybersecurity safeguards (including preparedness and mitigation measures) and their deployment as part of an enterprise’s broader risk management strategy. OCBC fosters the participation of Orange County companies and institutions in cybersecurity policy discussions in Washington D.C. and Sacramento.

Positions

OCBC Supports:

CS-1: Continued public-private partnership of the type which led to the NIST Framework.

CS-2: Maintenance of a voluntary approach to cybersecurity practices in the private sector, as opposed to a system of legally mandated practices.

CS-3: Passage of bills similar to the Cyber Information Sharing Act at the federal or State levels that remove barriers to the sharing of information about cyber threats and cyber events.

CS-4: Adherence to transparent rule-making procedures by government agencies considering an increase in their oversight of private sector cybersecurity practices in activities falling under their respective jurisdictions.

CS-5: Strict consistency with a risk-based approach for further government oversight of private sector cybersecurity practices.

CS-6: Creating either a single federal standard or efforts to harmonize disparate State standards pertaining to data breach notification criteria and procedures.

CS-7: Efforts designed to make Orange County’s elected representatives at various government levels champions of reasonable and appropriate cybersecurity policies.

CS-8: Active engagement by Orange County companies with legislative and regulatory officials and participation in various public-private policy councils on cybersecurity.

CS-9: Increasing awareness among Orange County companies about government sales opportunities involving cybersecurity goods and services (including technical requirements).

CS-10: Outsourcing of cybersecurity in order to reduce company risk by not trying to do things in house.

CS-11: Ensuring all cybersecurity measures are audited and frequently reported.

CS-12: Creation of policies at the Board/Council level so leaders are aware of actions regarding cybersecurity.

Also refer to Policy ED-4
INFRASTRUCTURE
Background

OCBC supports a comprehensive approach to addressing the State’s infrastructure needs and will work with the administration, legislature, and municipal and special district officials to ensure that a proportional share of State and federal infrastructure funds are secured for Orange County projects. Comprehensive infrastructure improvements include: natural gas and electric transmission and distribution systems; transportation funding to repair roadways, reduce congestion, improve bridge safety, expand public transit, airports and improve port security; as well as policies that promote water storage and improved delivery systems, along with funding for levee repair, and advanced flood control systems.

Investing a portion of State revenues in infrastructure leverages existing dollars and financing mechanisms and fosters public-private partnerships. A solid commitment to infrastructure investment is critical to the State’s economic vitality.

Policy Objectives

Public policies should promote annual State, local, and private investments in infrastructure sufficient to meet the expanding needs of a growing population and a dynamic and healthy economy and to protect existing public and private infrastructure investments.

“State legislature, municipal and special district officials need to ensure that a proportional share of State and federal infrastructure funds are secured for Orange County projects.”
**OCBC Supports:**

I-1: Protection for dedicated transportation-related tax revenues, annual funding to maintain and enhance personal mobility, and the movement of goods and services.

I-2: Potential for Mileage Based Road Usage Charges to eventually replace gas tax.

I-3: Investment strategies based on sound science and public policy criteria that direct resources into the most needed regional and local infrastructure categories and leverage State and federal dollars, maximizing the return on existing infrastructure investments.

I-4: Priority funding or financing tools for joint-use, public-private infrastructure plans and projects.

I-5: Utilization of the “Orange County Infrastructure Report Card” findings to create awareness of Orange County’s infrastructure needs and further the dialogue on asset management and smart public investments in infrastructure.

I-6: Maintaining in-state manufacturing for California’s transportation fuels needs and jet fuel needs to keep greenhouse gas (GHG) emissions to a minimum, and promote the robust California economy as the most cost effective energy solution for the transportation fuel needs of California.

I-7: Desalinization technology to increase water supply reliability by retail water agencies that voluntarily choose to participate in the projects.

I-8: Adequate rehabilitation and protection of critical levee and waterway systems in the Bay-Delta and other areas of the State that have critical importance to the long-term and sustained movement of water supplies to their points of use.

I-9: Adequate investment in surface water impounds, recycle and reuse projects, and groundwater storage systems that protect the State from droughts, earthquakes, and other events that would otherwise cause significant economic dislocations, loss of human lives, or the loss of significant natural resources.

I-10: Fair-share federal and State funding to Orange County based on population, urban nature, and the amount of tax revenue contributed to federal and State budgets.

I-11: Restrictions on growth control policies and “smart” growth initiatives that may result in unintended consequences such as unreasonably higher housing costs, increased commute times that impact individuals and families, limited housing supplies that impact labor supplies, and unreasonably inflated land values that limit economic expansion.

I-12: Accelerated project delivery through streamlined environmental delegation and increased authority to local California Department of Transportation (Caltrans) Districts and through use of alternative project delivery methods such as design-build, public-private partnerships, etc.

I-13: Fair distribution of sales tax revenues based on origination point of sale rather than distribution.

*Also refer to Policies ED-1, ED-3, ED-11, and GR-1*
BACKGROUND

Delivery of advanced data services to all Americans is important to the future of the U.S. economy. Some experts believe the Internet is the largest single contributor to the growth of the U.S. economy and a powerful influence on the growth of global commerce. The Internet helps to disseminate ideas and information anywhere in the world inexpensively and immediately. As the Internet develops, it will continue to bring more services and products to more people, often faster, easier, and cheaper than current market mechanisms.

The smooth flow of goods, services, and information into, out of, and within Orange County is critical in this growing economy. It demands infrastructure that is well-maintained and enhanced to meet demands now and in the future. Private sector innovation and investment is integral to meeting these objectives.

POLICY OBJECTIVES

Public policy and regulatory frameworks should promote advanced telecommunications networks to promote the exchange of knowledge, trade, and communications.

POSITIONS

OCBC Supports:

TE-1: Fulfillment of the Federal Telecommunications Act of 1996 to fully open competitive markets and maintain the benefits of competition to Orange County consumers.

TE-2: Fair and equitable regulations by local agencies and the California Public Utilities Commission (CPUC) and Federal Communications Commission (FCC), to ensure equal treatment for all communications providers and limited regulation by the FCC and CPUC with regard to advanced communications services.

TE-3: Private sector investments to install and maintain state–of-the-art broadband capabilities for businesses and citizens in Orange County.

TE-4: Local government support and prompt permitting for the placement of infrastructure leading to expansion, construction, and implementation of advanced broadband networks, including the expanded deployment of fiber optic, wireless small cell technology, and wireline hybrid fiber coax (HFC) infrastructure.

TE-5: A policy that protects the rights of business and residential consumers to select the communications provider of their choice by providing telecommunications companies the authority to enter buildings and businesses without prejudice.

TE-6: Fair and equitable area code relief plans that minimize inconvenience to customers.

TE-7: Limiting the municipal rights-of-way fees to the reimbursement of the city’s actual costs of administering the use of the public rights-of-way so that these fees are not used to generate general fund or other special purpose revenues.
TE-8: Protecting the principles of Open Internet through bipartisan Congressional action.

TE-9: Maintaining the classification of Broadband as an Information Service under Title I of the Federal Telecommunications Act.

TE-10: The preservation of cable providers’ authority under the California Digital Infrastructure and Video Competition Act (DIVCA).

TE-11: Policy reform related to Public Safety Power Shutoffs (PSPS) which recognizes need to avert catastrophic wildfire events but also takes into account the telecommunication industry reliance on commercial power to operate their communications network, the potential safety hazards and implications of deploying portable generators in high fire zones, and business protections for telecommunication companies who make good faith efforts to comply with their PSPS requirements.

**OCBC Opposes:**

TE-12: Taxes, fees, or burdensome regulations that would stifle electronic commerce.

TE-13: Government, government-owned utilities, or other government subsidized consortiums offering communications services since their powers of taxation and regulation provide an inherent competitive advantage relative to other communications providers and have a high fail rate resulting in misuse of tax dollars. State and local governments should instead seek to partner with and support private broadband providers who have invested billions of private-risk capital, rather than build duplicative, taxpayer-funded networks.

TE-14: Requiring cable operators to sign onto ancillary agreements that are inconsistent with the authority granted under DIVCA, such as Encroachment and Maintenance Agreements.

*Also refer to Policy ED-13*

“**Public policy and regulatory frameworks should promote advanced communications networks to promote the exchange of knowledge, trade, and communications.”**
BACKGROUND

The smooth flow of people, goods, and services into, out of, and within Orange County is critical to Orange County’s economy. Employees must get to and from work efficiently, as personal mobility is integral to a thriving economy and community. It is important that government not constrain citizens’ movements in a way that diminishes their quality of life.

Equally important is the efficient regional movement of goods throughout Southern California. The Ports of Los Angeles/Long Beach comprise the ninth busiest seaport complex in the entire world and are the largest and second-largest container ports in the U.S., respectively. Trade flowing through these ports generates more than 3 million jobs nationwide. The Ports of Los Angeles/Long Beach handle nearly 40 percent of the nation’s total containerized import traffic and 25 percent of its exports. Los Angeles International Airport handles 79 percent of the region’s air cargo. Efficient regional goods movement is dependent upon a well maintained, well-coordinated, and safe transportation system, including a variety of transportation alternatives and adequate access to air cargo, air travel, and ground shipping facilities.

Further, long-term, dedicated, and stable funding is essential for the expansion, improvement, and maintenance of the transportation system. Business community and private sector participation and investment, as well as innovative project delivery, are key to meeting these transportation objectives. OCBC supports efforts and transportation funding formulas that ensure California taxpayers receive fair and adequate return on their investments.

POLICY OBJECTIVES

Public policy should promote safe, efficient, and cost-effective movement of people, goods, and services via air, highway, and rail conveyances.

POSITIONS

OCBC Supports:

TR-1: An integrated, comprehensive, and efficient multi-modal transportation network in Orange County, meeting the needs of its residents and of a globally competitive Orange County, to include inter-county and intra-county highways, mass transit, passenger and freight rail, and air travel services, facilities, and infrastructure.

TR-2: Long-term, dedicated, and consistent funding sources by federal, State, and local governments equitably distributed for new road, highway and transit improvement projects, as well as for maintenance, safety, and capacity enhancements.

TR-3: Reduced regulatory burdens for project approvals, increasing efficiency in meeting environmental requirements, and eliminating unnecessary duplication on lead agencies awarding contracts using alternative project delivery mechanisms.
TR-4: Full and efficient implementation of the renewed Measure M, Orange County’s 30-year, half-cent sale tax specifically dedicated to transportation improvements.

TR-5: Government agencies contracting services with the private sector for the construction of public infrastructure, using progressive contracting methods (i.e., design/build, design/build/operate, and design/build/own) and public-private partnerships when appropriate, sustainable, and cost-effective.

TR-6: Projects that allow for more efficient interoperability between transportation modes and improve capacity.

TR-7: Public-private partnerships, including private sector investments in intra-county and inter-county transportation infrastructure projects.

TR-8: Investment in the development and use of Intelligent Transportation System (ITS) technologies (e.g., smart vehicles, smart corridors, traffic management centers, and real-time traffic data information availability) to maximize use of existing facilities and capacity.

TR-9: Implementation of managed lane technology on select new lanes or conversion of carpool lanes to managed lanes to increase mobility and generate highway construction and maintenance revenue.

TR-10: Coordination between local, State, and federal permitting agencies conducting environmental reviews to expedite project delivery and promote cost-effectiveness along with environmental compliance.

TR-11: Directing a portion of cap-and-trade revenues to roads for improving road conditions and traffic flow that reduces fuel use and GHG emissions.

TR-12: Ensuring effective projects, efficient project development and delivery, appropriate funding sources, and prioritizing “self-help” states and counties.

TR-13: Ensuring that the intent of SB 1 is followed by preventing diversion for non-intended uses, making sure funding is easily accessible by local and regional governments, expediting its use, and ensuring Orange County receives a fair and equitable share.

TR-14: Raise revenues across a broad range of options (must be guaranteed by strong accountability and reform measures), including:

• Reasonable increases in federal gasoline and diesel excise taxes. Ensuring SB 1 funds are used effectively through accountability, transparency, oversight, and a sunset option.
• Dedicating a portion of the cap and trade revenue paid by motorists at the pump to transportation projects that reduce GHG emissions.
• Ensuring existing transportation revenues are invested in transportation-related purposes (i.e. truck weight and fuel taxes for off-road vehicles that are currently being diverted into the general fund).
• Explore user charge introduced over time for electric and other non-fossil fuel powered vehicles that may not proportionally contribute to road upkeep; and
• Explore options to replace the gas tax at both the State and Federal level to address long-term transportation funding in response to increasing fleet fuel efficiency and the transition to non-internal combustion engines.

TR-15: Maximizing direct investments in regional priority projects.

TR-16: Prioritizing projects that support and ease inter- and intra-regional travel.
TR-17: Incentives for the transition to near-zero and zero-emission transportation technologies, including Fuel Cell Electric Vehicles (FCEVs), to help businesses, customers, and transit operators comply with State requirements.

TR-18: Policies that facilitate the development of infrastructure for near-zero and zero-emission transportation technologies including FCEVs, such as permit streamlining and the build out of fueling infrastructure to help achieve State mandates.

Also refer to Policies ED-1, ED-11, ED-12, GR-1, I-2, CC-5

“The smooth flow of people, goods, and services into, out of, and within Orange County is critical to Orange County’s expanding economy.”
BACKGROUND

Job growth cannot continue without an adequate and reliable water supply to support the economy. Orange County’s economic viability as a highly desirable location for homes, commerce, industry and tourism depends on the availability of a safe, reliable, and affordable water supply. To that end, OCBC serves as a resource for educating businesses, elected and appointed officials, and the public at large about programs and projects that will address this need.

A reliable water supply is integral to the state’s economic health. Business, therefore, supports activities leading to a cost-effective, fair, timely, comprehensive, and long-term solution to California’s water challenges. California’s ability to address its water needs and Orange County’s ability to manage its water supplies as efficiently as possible are key determinants in Orange County’s economic prosperity.

Southern California is highly dependent on both Northern California and the Colorado River for its imported water supplies. Almost half of the water consumed in Orange County is imported. The continued reliability of these sources, however, is subject to the successful implementation of the Delta Conveyance Project in a way that achieves the co-equal goals of restoring the Delta ecosystem and water supply reliability and to continued cooperative approaches to the management of the Colorado River.

Critical to the Orange County business community is the support of public policies to ensure long-term reliability of water supplies from both the State Water Project and the Colorado River, and public policies that promote and protect local investments in reliable, drought-resilient supplies that are consistent with “beneficiary pays” principles. It is time for the State to add cost-effective surface water storage projects and take steps to fix the Sacramento-San Joaquin Delta conveyance system. This later item is most important; as more than 27 million Californians receive some or all of their water supply from the Delta. An interruption in the delivery of this supply will have highly predictable adverse effects on the state economy.

Ongoing planning and development of local water supply resources is vital to diversifying Orange County’s water supply portfolio and alleviating potential future water shortages. This includes:

- Current and future expansions of the Orange County Water District’s Groundwater Replenishment System;
- Development of the Huntington Beach Seawater Desalination Project and the South Orange Coastal Ocean Desalination Project in Dana Point by retail water agencies that voluntarily choose to participate in the projects;
- Expanded recycled water storage capability through the development of the Syphon Reservoir Recycled Water Storage Project and the Trampas Canyon Non-Domestic Water Seasonal Storage Reservoir;
- Improvement of the San Juan Basin for both storage and future potable reuse of recycled water through such projects as the San Juan Watershed Project;
• Expanded use of “purple pipe” recycled water for irrigation and other non-potable uses such as industrial processes and toilet flushing;
• Development of the Second Lower Crossfeeder;
• Additional stormwater capture behind Prado Dam; and
• Water banking and other projects, including those identified in the Municipal Water District of Orange County’s 2018 Orange County Water Reliability Study.

The completion of the Santa Ana River Mainstem Project is another critically important regional water project and a public safety necessity. In the event of a flood, the U.S. Army Corps of Engineers estimates that this project could save more than 3,000 lives, lessen the impact on more than 3.35 million people, prevent destruction of 500,000 homes, curtail economic losses of more than $40 billion in Orange, Riverside, and San Bernardino Counties, and save millions of dollars across Southern California in mandated federal flood insurance costs. In addition, the completed project will provide water quality, habitat enhancement, and water supply benefits, as well. The business community recognizes the importance of flood protection to Orange County residents and businesses and supports the completion of the entire Santa Ana River Mainstem Project as originally planned. The project, which began construction in 1989, requires significant federal, State and local funds for its completion.

**POLICY OBJECTIVES**

The Orange County business community seeks to ensure it has safe, clean, high quality, adequate, and reliable water supplies in order to support the needs of economic growth and quality of life in Southern California.

**POSITIONS**

**OCBC Supports:**

**STATEWIDE**

WS-1: Securing Orange County’s fair share of approved and proposed state water bond funding and other State and federal water infrastructure funding.

WS-2: State and federal funding of public benefits related to the restoration of the Sacramento-San Joaquin River Delta.

WS-3: Accelerated development of a secure and reliable alternative conveyance system in the Sacramento-San Joaquin River Delta that will significantly improve water supply reliability and water quality.

WS-4: Successful and fair implementation of the “Making Water Conservation a California Way of Life” legislation.

WS-5: State and federal cooperation, funding, and policy adoption to ensure balanced implementation of a modernized Delta Conveyance to achieve the co-equal goals of Delta ecosystem restoration and improved water supply reliability.

WS-6: Continued implementation of, and adherence by, all involved parties to the Quantification Settlement Agreement (QSA).

WS-7: Intentionally Created Surplus (ICS) programs and projects that increase storage in Lake Mead.

WS-8: Development of cost-effective surface and groundwater storage to improve the reliability of water supplies throughout California and to create emergency water supplies for times of shortage.

WS-9: Review and updating of California’s regulations governing recycled water.
WS-10: Development of a uniform framework and science-based regulations which would allow for the cost-effective expansion of potable reuse throughout California.

WS-11: Simplification of the process of water transfers between all areas of the state and, where possible, pre-approval of these transfers.

WS-12: Drinking water regulatory standards that are based on science and can demonstrate cost effectiveness.

WS-13: Programs and projects that affect sustainable salt management.

WS-14: Consolidation of California codes that codify recycled water as a resource, not a waste.

WS-15: Statutory protection for local investments in drought resiliency, drought-resilient supplies, and emergency supplies.

“California’s ability to address its water needs and Orange County’s ability to manage its water supplies as efficiently as possible are key determinants in Orange County’s economic prosperity.”

REGIONAL

WS-16: Regulatory frameworks that promote efficient maintenance and management of water resources and infrastructure.

WS-17: Efforts to secure a combination of federal, State, regional and local funding for the development of local and regional projects that will improve water reliability through transfers, desalination, water use efficiency, storage, and water recycling.

WS-18: Cost-effective expansion of water recycling with a focus on newly developing areas.

WS-19: Water use efficiency projects and programs, as well as voluntary conservation, to reduce urban runoff and over-watering.

WS-20: Development of cost-effective and sustainable desalination of ocean water and groundwater, including reasonable approaches to the regulation of brine disposal.

WS-21: Projects that make optimum use of groundwater resources.

LOCAL

WS-22: Projects and programs that protect the quality, reliability, and sustainability of the Orange County Groundwater Basin, including the current and future expansion of the Groundwater Replenishment System.

WS-23: The San Juan Watershed Project, which will enhance the quality, reliability and sustainability of the San Juan Groundwater Basin.
WS-24: Expedited acquisition of necessary property behind Prado Dam by Orange County Flood Control to maximize usable water storage.

WS-25: Completion of the Santa Ana River Mainstem Project and the funding and timely distribution of the accumulated state subventions to reimburse Orange County.

WS-26: Completion of the Santa Ana River Interceptor (SARI) wastewater line relocation project to ensure the long-term integrity of the pipeline, protect public health, and safeguard the environment.

WS-27: Development of additional stormwater capture at Prado Dam.

WS-28: Continued North-South County collaboration to enhance water supply and system reliability as well as provide South County with a more reliable emergency water supply.

WS-29: Expansion of local water storage, including recycled water storage through the development of the Syphon Reservoir Recycled Water Storage Project, the Trampas Canyon Non-Domestic Water Seasonal Storage Reservoir, and other projects.

WS-30: Development of cost-effective emergency water supplies for Orange County, including through projects such as the Kern Fan Project and the Strand Ranch/Stockdale West Integrated Water Banking Projects.

Also refer to Policies ED-12, ED-13, GR-1, I-7 through I-9, and ER-10

2 OCEAN WATER QUALITY AND STORMWATER MANAGEMENT

BACKGROUND

A dynamic urban county, Orange County must take adequate and appropriate action to protect public health, water resources, and environmental resources from the harmful effects of point source and non-point source water pollution. While public and private entities have made great strides to significantly reduce the impact of pollutants on these important resources by building facilities to abate these pollutants and by practicing source control methods, some problems persist and must be addressed. Business and environmental interests often coincide on this broad issue when accurate and timely information is shared and appropriate actions are taken by all responsible parties. Continued cooperation in Orange County on these issues is important.

Ocean water quality is vitally important to Orange County business and quality of life. At the same time, the measures available to address near-shore pollution are rapidly developing and the alternatives are sometimes very expensive. The protection of beach water quality must therefore be addressed as a collaborative process with the best knowledge from all stakeholders and disciplines brought to bear to prioritize problems and implement rational solutions.

OCBC strongly supports improvement of ocean water quality through widespread public education and the adoption of cost-effective public policies, practices, and facilities that are consistently based upon sound research. Orange County is better served by a reasonable regulatory process that functions cooperatively, uses scientifically-based facts, and establishes water quality objectives that consider the cost of attaining water quality standards.
Federal, State, and local government agencies must address urban runoff issues pragmatically and sequentially. Various methods suggested by private and public entities to address urban runoff must be fairly considered on a case-by-case basis and the permitting authorities must evaluate the site-specific costs, constraints, and other practical matters. Flexibility and cost-effectiveness are principles that all parties must embrace as the collective understanding of this issue evolves. Watershed approaches will lead to more meaningful improvements.

OCBC will play an active role in improving ocean water quality and supports the approaches listed below for addressing this important issue:

1. **Orange County’s Storm Water Management Program**: This multi-initiative program of Orange County, its 34 cities, and the Flood Control District engages all stakeholders in finding and maintaining cost-effective and practical methods for reducing pollutants that would otherwise enter the storm water system and impact water quality. Public education and best management practices are important parts of this program and should remain fully funded and supported by the Orange County Board of Supervisors and city councils.

2. **Orange County Sanitation District (OCSD) Education “Tool Kit”**: Developed by OCSD and sponsored by the Orange County Chapter of the California Restaurant Association, the tool kit educates business, residents, and students about how to keep the waterways clean.

3. **Urban Runoff Treatment**: Urban runoff diversion and treatment systems constructed, operated, and maintained by public entities should remain a key component to an effective and region-wide approach to the sustainable, long-term management of water quality.

4. **Fats, Oils, and Grease (FOG) Program**: Now in use by the special districts and cities here in Orange County, this program demonstrably reduces sanitary sewer overflows, which is the most important step in protecting beach water quality. The FOG program is business-friendly and provides incentives to businesses that comply with its rules and regulations.

**Policy Objectives**

California must protect, enhance, and sustain ocean water quality using comprehensive, watershed- and science-based approaches that reduce contaminants from point and non-point sources in a cost-effective and sustainable manner. Storm water management should integrate public safety and pollution control in a cost-effective manner.

**Positions**

**OCBC Supports:**

OS-1: Compliance with laws and regulations aimed at protecting our coastline and ocean resources from inadequately treated wastewater and sanitary sewer overflows.

OS-2: Water quality management programs to reduce, where practical, non-point source pollution as well as improve ocean water quality.

OS-3: Science-based programs and projects to manage urban runoff and storm water in a cost-effective and sustainable manner.

OS-4: Improvements in water quality testing methodologies to more quickly and accurately determine levels of pathogens, sources of contamination, and health risk, which result in the timely notification of the public.
OS-5: Dry weather diversions into the sanitary system for treatment and disposal or reclamation, but only when there is sufficient capacity to do so and other practices of the sanitary sewage system are not negatively impacted.

OS-6: Education of business, residents, and visitors regarding pollution prevention practices that reduce urban runoff and of the importance of water quality to the economy and quality of life in Orange County.

OS-7: Updates to the Basin Plans to incorporate current scientific understanding and establish appropriate standards that adequately protect water quality in a practical and cost-effective manner.

OS-8: Employing risk-based approaches, “use attainability analyses”, and other valid scientifically-based techniques to evaluate bodies of water and their designated uses when setting water quality standards, adopting Total Maximum Daily Loads, and issuing permits that require action by public and private entities.

OS-9: The use of technology, best available practices, and “natural treatment” systems to adequately protect public health and the environment from harmful pollutants contained in urban runoff and agricultural runoff with a preference for natural treatment system solutions.

OS-10: Exempting “natural treatment” systems from the definition of “Waters of the United States” and “Waters of the State” recognizing that these facilities are water treatment systems that provide multiple benefits.

OS-11: California policy should be amended to treat storm water and dry weather runoff as a resource wherein flood protection, water quality, and water supply improvements are complementary goals.

OS-12: Regional, watershed/subwatershed-specific storm water and dry weather runoff planning efforts that engage key stakeholders in the planning process and allow for consideration of local factors that may impact the appropriateness of storm water and dry weather runoff capture, infiltration and use within a region should be encouraged.

OS-13: Storm water and dry weather runoff management and capture planning should be done regionally and not on a parcel-by-parcel basis. Regional boards should move away from parcel-by-parcel water quality requirements and focus on regional compliance in order to encourage large-scale regional storm water and dry weather runoff capture, retention, diversion, use and recharge.

*Also refer to Policies GR-1, W5-16, ER-10*
Housing and Land Use
BACKGROUND

A diverse housing market is critical to the long-term success of Orange County. Residents need a broad spectrum of housing products. Whether it’s a single-family detached home or a new high-rise condominium—owned or rented—residents of Orange County need choices, and the cities within Orange County must plan to meet current and future housing needs. In addition, the business community needs a healthy housing market to attract and retain top talent employees.

Housing growth has not kept up with demand in Orange County for decades. According to OCBC’s 2019-20 Workforce Housing Scorecard, Orange County has a shortfall of 58,160 housing units. That shortfall will likely grow to 114,031 units by 2045 without a significant increase in housing production. While rising land values, job, and population growth are market factors, the regulatory environment has also played a major role. The high regulatory costs associated with housing production is one of the reasons Orange County’s housing production has been tepid relative to population and employment. Each city charges impact fees to homebuilders to offset the fair share cost of infrastructure such as roads, parks, water, sewer and storm drain facilities. Additionally, cities charge processing fees to recover the full cost of environmental, planning, and permitting review activity. These fees are in addition to other outside agency costs such as school fees, TCA and regional transportation fees, natural gas and electrical fees.

Beyond direct, per-unit housing fees, regulations can also slow housing construction. For those wishing to stymie development in their community (also known as “NIMBYs” for “Not in My Backyard”), CEQA has proven a popular and effective tool. Using CEQA, a claim against a developer can delay housing projects for years or stop them altogether. Approximately 50 percent of all CEQA litigation results in a victory for the petitioner. In 2018, 60 percent of all CEQA lawsuits targeted housing—compared to 23 percent in 2010-2012.

Land scarcity also affects the cost of housing. While Orange County is commonly characterized as “built-out,” that perception is owed more to local cities’ failure to zone land in a more economical fashion (i.e. more high density) than to actual spatial constraints. The result is an artificial scarcity of developable land. According to University of California, Berkeley Professor John Landis, a 10 percent reduction in supply of available land can increase home prices by 20 percent to 30 percent. Often lost in the planning discussion in most communities are the economic ramifications of an insufficient housing supply. An aging population, high-cost housing, and inefficient transportation infrastructure limits the number and types of businesses that will locate or remain in an area. Landis determined that a 1.5 jobs-per-housing-unit ratio is ideal for most regions. OCBC’s 2019-20 Workforce Housing Scorecard found that Orange County’s ratio is projected to grow to 2.74 between by 2025, and increase further to 3.53 between 2025 and 2030. The only way for a region to plan for its future economic vitality is to link its housing and economic development planning together.

POLICY OBJECTIVES

Public policy and regulatory frameworks should promote the highest and best land use practices for meeting California’s housing, community infrastructure, recreation, business facility, and open space needs while preserving the quality of life in California.
Positions

OCBC Supports:

HL-1: Incentives to local governments to encourage overall increases to the housing supply, housing affordability, and choices of home types for a variety of families and workers.

HL-2: State and local fiscal reform to permit cities and counties to make land use decisions based upon good planning principles, rather than upon potential tax revenue generation or cost of service issues; address funding formulas that are unfair to Orange County; and establish a nexus between sources of funding and services and programs funded.

HL-3: Ongoing efforts to ensure that construction disputes are addressed outside of the court system.

HL-4: Limits on taxes, fees, and assessments that unfairly burden new homes and new homebuyers with costs for community-wide infrastructure (e.g., roads, water, sewer, school) needs.

HL-5: Legislative and regulatory incentives for the development of for-purchase and rental housing near existing jobs and high job growth areas.

HL-6: Protection of large scale master planned communities and associated entitlements.

HL-7: Housing bonds within State capacity limits.

HL-8: Public-private partnerships to provide affordable, transitional, and emergency housing.

HL-9: Fair and economically sensible land use and zoning policies based on the most accurate State, regional, and local housing needs projections to achieve a reasonable balance between residential and commercial uses as well as an appropriate jobs-housing mix that takes advantage of opportunities for transit-oriented development, infill, high-density, and mixed-use development.

HL-10: Creative approaches to re-purpose land that are consistent with city or county general plans for housing, business, and mixed-use purposes, as well as complementary to the existing neighborhoods and surrounding communities. The County and cities need to face the reality of a challenged bricks and mortar retail environment due to the on-line economy (see OCBC 2018 Retail E-Volution Study). Commercially zoned property should be re-evaluated for the highest and best use, including potentially residential use. More residents in turn will benefit the remaining existing commercial areas.

HL-11: Collaborative land use decision-making processes that permit and encourage business community input.

HL-12: Legislation to develop a permanent source of funding for affordable housing.

OCBC Opposes:

HL-13: “Prevailing wage” requirements and other legislative and regulatory barriers to the construction of affordable homes for working professionals and their families.

HL-14: Unfair application of zoning laws, including instances when businesses are unreasonably or unfairly treated.

HL-15: Urban limit lines, moratoriums, and other measures that stifle housing creation.
HL-16: Conversion of industrial-zoned areas to favor upscale housing developments and/or retail centers.

HL-17: Any form of rent control.

HL-18: State and local adoption of inclusionary zoning.

HL-19: Comprehensive ballot-box land use planning that contradicts “good planning” or contributes to a constrained housing supply for a growing workforce.

*Also refer to Policies ED-1, ED-3, I-11, CC-5*
Workforce Development
BACKGROUND

Fostering continued economic growth in Orange County requires a capable workforce that sustains and enhances growth and development. Workforce development and education are key to supplying industry with the necessary pool of talent that drives innovation and prosperity. While the Common Core State Standards, Local Control Funding Formula, and Transitional Kindergarten are important steps in the right direction, trends suggest the skills gap is intensifying. While Orange County’s public schools perform significantly better than state and national indicators, educational improvements are required to develop a knowledgeable, high-performing workforce for competitive advantage. Specifically, such improvements include:

- Investment in the renovations of school facilities at the primary, secondary and collegiate levels to make them more suitable for a 21st century learning environment;
- Partnering with industry and academia for internships, job shadowing, and externships to provide a global workforce perspective;
- Institutional and business collaboration to bridge the classroom with the work environment;
- Increased teacher development in enriched curriculum, particularly in the STEAM (science, technology, engineering, arts, and mathematics) disciplines;
- Developing innovative strategies and methods to better teach English-language learners and close the Achievement and Opportunity Gaps; and
- Offering guidance and continuous support to students, from pre-K through college with a collaborative environment of school districts, community colleges, and universities.

OCBC research indicates the skills gap is inhibiting Orange County’s established and growing innovation, entrepreneurial, and technology clusters. These gaps occur at all levels, but a strong focus is needed on “middle skill” jobs, which require post-secondary education, but not necessarily a university degree. Systematic research at the regional level is required to both quantify these gaps and craft effective responses. However, significant problems already identified are:

- A worker shortage in occupational categories demanding high-technology skills;
- A lack of STEAM skills in professional and technician level occupations; and
- An absence of basic education among 16 percent of Orange County’s workers over the age of 25 years old who lack a high school diploma.

POLICY OBJECTIVES

Orange County needs a highly-qualified, well-educated workforce and a robust educational system developing a talent pipeline prepared for productive citizenship in a knowledge-based economy, supporting the needs of Orange County’s employers in today’s workplace.

POSITIONS

OCBC Supports:

OVERALL

WD-1: Annual assessments on worker shortages and industry growth patterns in Orange County.
WD-2: Public-private partnerships with business to support education programs through non-profits to fill the workforce gaps.

WD-3: Monitoring the implementation of the Common Core State Standards and Local Control Funding Formula to ensure students are college and career ready.

WD-4: Successful implementation of a cradle-to-career longitudinal data study system.

WD-5: Developing more nimble models for educational institutions to respond to the rapid changes in economic and workforce trends.

WD-6: A reorientation of education institutions at all levels to prioritize the development of skills and competencies for students to be career ready upon graduation.

FEDERAL

WD-7: Sustained federal funding for critical basic research.

WD-8: Sustained federal funding for Small Business Innovation Research Programs (SBIR) and Small Business Technology Transfer Programs.

STATE

WD-9: Increased access to early childhood education and Transitional Kindergarten to assist in lowering the Achievement and Opportunity Gaps.

WD-10: Commitment to fund higher education at the appropriate levels to absorb increased enrollment growth and return to a more stable funding policy for students and California’s higher education system, while continued efficient stewardship of appropriated resources and expansion of revenue generating endeavors are achieved.

WD-11: State school bonds to match local dollars for school facilities.

WD-12: Funding for student support services geared towards timely degree completion.

WD-13: Sustainable funding for regional career technical education programs from elementary school through college, as well as adult retraining, to respond to changes in the economic and workplace environments.

WD-14: Expanded English-language programs for employees and job-seekers coupled with digital literacy, so non-native English speakers develop the skills that increase their chances of employability.

WD-15: Streamlining teacher and administrator certification, including alternative avenues to expand the pool of high-quality teachers and administrators.

WD-16: Partnerships and collaboration that would assist schools in providing broadband and devices for online instruction to occur anywhere.

WD-17: Updating the CSU per student funding formulas to ensure equitable funding amongst all 23 campuses in the system

“Fostering continued economic growth in Orange County requires a capable workforce that sustains and enhances growth and development.”
LOCAL

WD-18: Locally-determined priorities and implementation strategies for attaining and exceeding statewide academic standards.

WD-19: Emphasis on 21st century skills such as written and verbal communication skills, teamwork, problem solving, time management, and life-long learning.

WD-20: Continued support of programs like OC Pathways that foster collaboration between universities, community colleges, and K-12 schools, as well as occupational training programs, businesses, workforce investment boards, and others involved in workforce preparedness, to develop programs that respond to employer and labor market needs and to ease matriculation between educational institutions.

WD-21: Assisting educational providers and Workforce Investment Boards (WIBs) to strategically align available funding with research outcomes and projections that respond to both the current and future employment and training needs of businesses.

WD-22: Internships, field studies, service learning, and workplace-centered opportunities for students at all levels, including graduate students.

WD-23: Highly trained and appropriately compensated teachers and administrators.

WD-24: Workplace externships for teachers to refresh skills in their discipline.

WD-25: Support for programs that offer training, retooling, and reskilling of the current workforce and provide students with the digital literacy upon graduation to be competitive in the global economy.

Also refer to Policies ED-1, ED-7
IMMIGRATION

BACKGROUND

Immigration has a significant impact on California’s economy, affecting both the labor force and the movement of goods. Approximately 1 in 10 workers in California is an undocumented immigrant. Immigration, both documented and undocumented, is expected to account for almost all of the growth in the labor force. America’s current immigration system is broken, however, and does not meet the needs of our citizens or businesses. Immigration reform is especially important to California as approximately 1.75 million of the estimated 2.35 to 2.6 million undocumented immigrants in California are working and contributing to the State’s economy. California’s undocumented immigrant population accounts for 26 percent of the nation’s total and about 7 percent of the State’s population—two-thirds of whom have lived here for more than 10 years. Furthermore, more than 200,000 Deferred Action for Childhood Arrivals (DACA) recipients live in California. In Orange County, 30 percent of the population is foreign-born. These individuals have developed roots in this country, leaving little incentive to return to their country of origin. The uncertainty over their legal status is a drag on our economy and, if resolved, would stimulate consumer spending and investment.

POLICY OBJECTIVES

OCBC supports new laws for the controlled admission of immigrant workers, along with a defined path for permanent residency and/or citizenship for unauthorized members of America’s workforce. While OCBC opposes illegal immigration, OCBC also encourages a new federal commitment to enforcing existing laws to gain control of our borders and to better track the immigrant population within the U.S. Comprehensive immigration reform legislation that includes a carefully monitored guest worker program, which provides Orange County businesses with a skilled and lower-skilled labor pool, is necessary to compete in today’s marketplace. The federal government has primary responsibility for enforcing immigration laws, not the business community. OCBC opposes unfairly burdening employers with penalties and new worker verification requirements that are unreliable and underfunded.

A talented workforce is a key driver of the economy, as such; OCBC seeks to bring increased focus on the critical challenge of improving access to top international talent. Combined with programs to strengthen domestic STEAM training, OCBC promotes increased availability of legal immigration and immigrant investment as a way to improve long-term economic competitiveness.

POSITIONS

OCBC Supports:

IM-1: A bipartisan solution in Congress for borders as lines of defense against those who enter illegally and against those who pose security threats to this country.

IM-2: Temporary worker programs to meet the needs of employers for high- and low-skilled jobs that cannot be filled by U.S. workers.

IM-3: Combining enforcement of employment verification with 100 percent reliable employment eligibility information (E-Verify).

IM-4: An earned pathway to legal status for undocumented workers.

IM-5: Protecting Dreamers, Temporary Protected Status (TPS) recipients, and employment-authorized H-4 dependent spouses from losing their work authorization.
BACKGROUND

Reasonable environmental protections are important for sustaining Orange County’s high quality of life. However, conflicting and costly regulations jeopardize the business climate, which supports and finances the essential services contributing to the quality of life enjoyed by our citizens. We need to protect our environment without sacrificing economic prosperity or global competitiveness.

Excessive, conflicting, and overlapping requirements among local, State, and federal jurisdictions and across media (i.e. air, water, solid waste) can create inefficiencies that stifle job creation and divert business dollars away from developing products, investing for growth, and adding value to customers and shareholders.

Policy makers must coordinate their oversight and take into consideration market-oriented approaches and incentives that offer maximum compliance flexibility and achieve cost-effective outcomes.

POLICY OBJECTIVES

Regulations should protect the environment without sacrificing economic prosperity or global competitiveness.

“We need to protect our environment without sacrificing economic prosperity or global competitiveness.”

POSITIONS

OCBC Supports:

ER-1: Environmental regulations based upon sound science (e.g., realistic risk assessments, accurate pollutant inventories, and credible environmental and economic models) that produce achievable, cost effective, and measurable benefits to public health and the environment.

ER-2: Improved methods and techniques for modeling and measuring health risks, securing accurate pollutant inventories, assessing environmental impacts, and measuring the effectiveness of control measures.

ER-3: Consistency and coordination in CEQA and other environmental review processes among governmental agencies to streamline environmental reviews, expand participation by project proponents, and ensure fairness in environmental review fees.

ER-4: Efficient environmental analysis through integration of environmental and planning laws and the elimination of CEQA duplication.
ER-5: CEQA litigation for compliance issues rather than delay to reduce frivolous, excessive, and costly lawsuits.

ER-6: Local access to and accountability from regulators within regional and statewide frameworks that promote statewide consistency.

ER-7: Innovative, market-oriented approaches for meeting environmental standards such as emission reduction credit banking and trading, habitat conservation plans, carbon labeling of goods sold within the state, and incentives for voluntary impact reductions.

ER-8: Participatory and inclusive processes between the regulated community, regulators, and other stakeholders leading to consensus-based rule making and the correction of deficiencies.

ER-9: Environmental justice policies that weigh environmental effects against economic opportunity so that the overall quality of life of the affected populations is not adversely impacted.

ER-10: Urban runoff and ocean water quality strategies that include thorough assessments of all sources; prevention of pollution through education; cost-effective regional and watershed-based solutions and treatment options; and public infrastructure improvements.

ER-11: Reforms in California’s Electronics Recycling Program to clarify requirements in order to better facilitate compliance by both manufacturers and consumers.

ER-12: Environmental regulations that also enable the State to meet housing objectives.

Also refer to Policies ED-3, I-12, E-10, TR-4, TR-11, E-10

“Policy makers must coordinate their oversight and take into consideration market-oriented approaches and incentives that offer maximum compliance flexibility and achieve cost-effective outcomes.”
BACKGROUND

California has been the leader for combating global climate change and Governor Newsom and the State legislature have committed much of their legislative and regulatory agenda to achieve aggressive GHG reduction targets. The legislation includes reducing today’s petroleum use in cars and trucks by up to 50 percent, eventually increasing the amount of our electricity derived from renewable sources to 100 percent by 2045, doubling the energy efficiency savings achieved at existing buildings and making heating fuels cleaner, reducing vehicles miles traveled, reducing the release of methane, black carbon, and other short-lived climate pollutants, managing farm and rangelands, forests and wetlands so they can store carbon, and periodically updating the state’s climate adaptation strategy. Lastly, former Governor Brown signed an executive order establishing a statewide goal of achieving carbon neutrality by 2045, which Governor Newsom supports.

Governor Newsom wants to increase California’s output of alternative fuels beyond solar and wind to include geothermal and ocean-based energy. He supports the state’s cap-and-trade system, in which companies pay for each ton of greenhouse gases they emit, as “vital to our climate leadership.” He wants to ensure that 35 percent of the revenue generated by the program goes to projects that help low-income communities. In 2020, Governor Newsom signed an executive order directing the State to require that all new cars and passenger trucks sold in California be zero-emission vehicles by 2035.

OCBC recognizes the importance of the issue of global climate change and will continue to engage in the effort to achieve equitable solutions.

POLICY OBJECTIVES

Many of the State’s ambitious efforts to curb GHG emissions are undergoing regulatory implementation by the California Air Resources Board (CARB) to reduce the State’s one percent contribution to the world’s GHG emissions. Regulations created by CARB should be implemented with stakeholder input from the business community. Current GHG reduction targets are only achievable with a systematic and integrated approach across all sectors of the economy. California cannot afford to further lose its businesses, including manufacturing, wholesale trade and logistics, as well as its jobs to other states or countries where GHG regulations are more relaxed or non-existent. Additionally, climate change goals should be pursued in a manner that does not also neglect California’s housing goals or disproportionately negatively impact disadvantaged communities. OCBC supports reasonable efforts to reduce GHG emissions into the atmosphere, but it is important to pursue policies that achieve California’s environmental goals in a cost-effective manner.

OCBC’s position is simple: Protecting California’s economy and the environment for future generations are mutually desirable goals. Thus, regulatory and legislative solutions must embrace and protect both.

POSITIONS

OCBC Supports:

CC-1: Minimizing the compliance costs by actively pushing for measures that effectively reduce carbon while allowing for continued economic growth.
CC-2: CARB incorporating cost effectiveness, sector equity, and a consistent path to 2030 and 2050 targets as key criteria for the adoption of program measures in the Scoping Plan. Cost effectiveness, as used here, means pursuing lower cost options and not simply placing a cost per-metric-ton price tag on a measure. To the extent that CARB is incorporating the social cost of GHGs in its cost- effectivenes calculations, CARB should also include the impacts on energy affordability. Safety measures should be included in the Scoping Plan to ensure that California’s GHG reduction program is continuously monitored based on key variables that will trigger warnings about impacts on California’s residents and businesses.

CC-3: Promoting manufacturing in the state for transportation fuels and jet fuels, since importing them from locations with less stringent environmental controls only increase the world’s GHGs and the cost of energy for California consumers. Promote the development of local clean energy sources.

CC-4: State sponsored regulatory relief and incentive-based program funding, rather than mandates, for emerging technologies.

CC-5: Focusing on GHG reduction strategies that support a pro-growth agenda, including adequate housing, choice, and mobility solutions for a growing state population.

CC-6: Adequate funding for planning and implementation of State mandates at the local level.

CC-7: Environmental regulations that are developed in a way that allows for economic growth in California.

CC-8: Environmental policy approaches that recognize and encourage California’s leadership and innovation in the environmental arena and the pioneering of new, low-carbon technologies.

CC-9: Transparency in the public process concerning development and implementation of the state’s climate change agenda is critical. Public awareness, engagement and acceptance are keys to ultimate success of California’s strategies; California cannot solve climate change alone. Thus, success will make California a leader in global climate change, but failure will be duly noted and throw caution to the global community.

OCBC Opposes:

CC-10: Mandates that negatively impact California’s most vulnerable populations (social equity) without appropriate mechanisms to help those communities to adapt.

CC-11: Mandates or regulations not based on a scientifically derived and uniform threshold of significance for GHG emissions used in environmental analysis.

CC-12: Reducing vehicle miles traveled (VMT) as a way to limit development outside of transit-focused urban cores or impact voter-approved local transportation sales tax expenditure plans.

CC-13: Energy mandates on business and residents that negatively limit business’ options or ability to compete.

Also refer to Policies ED-10, TF-8, and TF-10
BACKGROUND

ELECTRIC ENERGY
OCBC generally supports open and efficient markets, promoting competition, reducing costs, technology neutrality, and increasing value to consumers as California transitions to a clean energy future.

Public policy should support the development of a more modern and smart/intelligent grid — one that can manage and integrate increasing sources of carbon free energy and distributed generation technologies, while facilitating more customer choice. Businesses must have clear and concise rules (e.g., status of departing load tariffs and standby impacts) for implementing more efficient and reliable distributed and co-generation systems. It is important to have reliable and diverse sources of energy that enable communities to meet California State requirements and allow businesses to have the ability to be competitive in the economy.

Energy policies should be applied equally and equitably to all energy consumers, producers, and providers. Rates should more closely reflect the actual cost to serve and reduce cross-subsidies that hide the true cost of delivering electricity to residential customers, which in turn, inflates the cost of electricity to commercial and industrial customers. The State needs to revisit rules governing the adequacy of resources to meet retail load that ensure clear accountability for retail supplies and prevent cost shifting and free-riding by energy consumers who chose alternate providers. All energy consumers should share equitably in the cost of investments in clean energy and other energy resources.

OCBC supports the development of renewable electricity systems and clean energy technologies to provide jobs and boost the economy while helping the State meet its environmental goals. Recent advances in electric technologies are opening new economic opportunities in California and Orange County for businesses and consumers alike. Once the most expensive resources available, today wind and solar are among the most competitive energy resources available in electricity markets. Since 2010, the costs of battery storage technologies have also decreased by almost 90 percent and are forecast to continue declining over the next ten years, providing further reliability benefits. The proliferation of electric vehicles, including fuel cell vehicles, and innovations in other end uses, such as electric heat pump technologies, are continually driving down the costs of these technologies and providing clean, efficient and affordable options for residents and businesses. Orange County is well positioned to take advantage of the emerging economic opportunities that these clean energy technologies and renewable energy resources present.

NATURAL GAS
Deregulation of natural gas at the wellhead began when Congress passed the Natural Gas Policy Act of 1978. This legislation ended federal control over the wellhead price of “new” gas on January 1, 1985, but kept in place price controls for gas produced from wells drilled prior to 1977. In 1989, the Natural Gas Wellhead Decontrol Act lifted all remaining federal wellhead price controls on natural gas.

Since then, the price of natural gas across the United States has been subject to market forces, rising and falling with changes in supply and demand. In this competitive market, the price of natural gas is set between all buyers (including industrial users, power generators, marketers and gas utilities like Southern California Gas Company and San Diego Gas & Electric) and all sellers (including independent producers and major oil and gas companies). Demand for natural gas continues to increase throughout the U.S., but supply production must keep pace with that demand, particularly for low-carbon fuels such as clean natural gas.
Technological advances in drilling have accessed new resources that have created an abundance of gas at affordable prices. According to the Energy Information Agency, the United States has potential natural gas reserves sufficient to supply the country for 110 years. Benefits of abundant natural gas resources include providing a road map to energy independence and opportunities for cleaner manufacturing and vehicle technologies.

**RENEWABLE AND DECARBONIZED GASES**
Renewable gas, including biomethane, hydrogen, bio syngas and synthetic natural gas (methanated hydrogen), has the potential for targeted benefits in the electric generation, residential, industrial, and transportation sectors with the potential to produce a net savings of GHG emissions. Renewable gas is also not an intermittent resource and is always available. OCBC supports the development of renewable gases, including blue and green hydrogen and biomethane, in California to provide jobs and boost the State’s economy while helping the state to meet its environmental goals.

**CARBON FREE ENERGY**
OCBC recognizes protecting California’s economy and the environment for future generations are mutually desirable goals. Thus, regulatory and legislative solutions must embrace and protect both. Energy and environmental policies are highly intertwined. OCBC and its partners advocate national, State, and local policies that support a diverse supply of carbon free energy sources, such as hydro, wind, solar geothermal, and bio-gas provide adequate transmission and distribution infrastructure systems, encourage distributed energy technology and promote the efficient use of energy.

**POLICY OBJECTIVES**
California needs reliable, stable, and competitively priced energy supplies for its businesses and consumers.

**POSITIONS**

**OCBC Supports:**

E-1: Comprehensive and coordinated national, State, and local energy policies that will address multiple energy and environmental issues as a system in order to ensure adequate supplies, reasonable pricing in order to facilitate economic growth and preserve quality of life, and achieve California’s environmental goals at the lowest cost to consumers.

E-2: A market structure that will promote realistic pricing policies, accurate price signals (devoid of cross-subsidies), market stability, and access to competitively priced supplies.

E-3: A diverse resource mix that provides resilient and reliable options for meeting State mandates and does not negatively impact the ability of businesses to compete.

E-4: Restoration and implementation of direct access in a program that avoids cost shifting, ensures that providers are accountable for their share of continued supply reliability, and preserves the financial viability of California’s utilities.

E-5: Improvements in generation, transmission, distribution, and storage infrastructure required to support future Statewide growth and reserve needs (electric and gas).

E-6: Improved grid “intelligence” in order to integrate distributed energy resource technology and micro-grid infrastructures into the power grid.
E-7: Removal of unnecessary regulatory impediments and improvement of coordination between regulatory agencies with overlapping responsibilities to eliminate unnecessary obstacles and inconsistent regulatory findings that could negatively impact these future improvements.

E-8: The easing of barriers to maintaining, upgrading, and building natural gas and dedicated hydrogen pipelines/storage facilities and electrical transmission lines.

E-9: Easing of barriers to increase in-state production of crude oil to reduce dependency for importing more than 50 percent of the States’ crude oil needs from foreign countries with less stringent environmental controls than California.

E-10: Close coordination between State and local regulatory agencies to ensure responsible protections for the environment while supporting reasonable growth needs.

E-11: Improvements in demand-side energy management and conservation programs for businesses and consumers leading to more predictable load shed capabilities during periods of high energy demand.

E-12: Continued research, development and use of cleaner, alternate power sources such as co-generation/distributed generation, renewable energies, and fuel cell technologies.

E-13: Distributed energy systems policies that support technologies like combined heat and power and fuel cells which provide resilient and reliable back up power.

E-14: Appropriate policies including incentives to ensure economic volumes of renewable gas, including hydrogen, remain accessible.

E-15: A more participatory role for business in regulatory processes so as to promote a better understanding of rate structures upon business operations.

E-16: Ensuring policies and regulations are technology neutral, focusing on outcomes and not solutions.

E-17: Employing new and proven natural gas based equipment and applications such as combined heat and power technologies as energy efficiency tools.

E-18: Employing new and proven electric equipment and applications such a heat pump water heaters and heat pump HVACs as energy efficiency tools, and reducing regulatory barriers hindering customer adoption.

E-19: The development of carbon free energy sources such as wind, solar, hydro, renewable gas, and energy storage technologies.

E-20: Creating a safe environment by supporting an escalated enforcement process, which helps limit the damage to natural gas pipes, on excavators who did not call DigAlert (811).

E-21: Support incentives to help businesses navigate California’s clean energy transition. Ensure incentives are funded by appropriate sources and methods, like tax incentives and existing revenue streams (e.g., cap-and-trade revenue) and not by increasing or creating new fees or taxes.

Also refer to Policy ED-13
Health Care
BACKGROUND

More than $70 billion in tax revenue is spent in California each year on government-sponsored programs (i.e., Medicare, Medi-Cal, and County-sponsored health/mental health programs) for the otherwise uninsured. Implementation of the federal Affordable Care Act (ACA) expanded Medicaid (Medi-Cal in California) by guaranteeing coverage for the uninsured and moving many of those served in the county’s former health care program (MSI) into Medi-Cal. Before ACA, 17 percent—or 526,340—of Orange County residents were uninsured. As of 2020, it was seven percent. CalOptima, Orange County’s administering agency for the Medi-Cal program, saw significant growth in its membership as a result of the ACA. As of September 2020, nearly 788,000 Orange County residents and their children were CalOptima members.

From an employment perspective, growth in the health care sector is anticipated to increase over the next five years as aging workers retire and high demand for services continues. In addition to registered nurses, home health aides, medical and dental assistants, there is a large need for radiology technicians, physical therapists and social and human service assistants. Employment growth varies between high-wage and low-wage jobs, and education requirements differ in every field.

The health care industry is also one of the most highly regulated sectors of the economy and suffers from unsustainably low reimbursement from the government, as well as unpredictability of funding. In Orange County and throughout California, we must explore new models that will use existing resources more efficiently. The business community must partner with elected and agency officials and influential stakeholders to forge creative, consensus-based solutions to health care access and support the providers.

Important policy debates, including the future of the ACA, will continue while demographic shifts driven by the aging American population—along with rapid innovation in healthcare technology and scientific discovery—drive strong demand for new therapies and cures.

OCBC will also continue its focus on supporting the public health and health care priorities that emerged during the COVID-19 pandemic to support the County’s economic recovery.

POLICY OBJECTIVES

Promote public-private partnerships to expand affordable health care coverage for all citizens; maximize free market options and choices; and minimize mandates upon employers, insurers, and providers. Identify sustainable, reliable funding sources for all initiatives and programs.

POSITIONS

OCBC Supports:

HC-1: Monitoring federal efforts to modify provisions of the Affordable Care Act (ACA) to evaluate impacts on health care coverage for Americans and ensure collective accountability, cost transparency, timely reimbursement to health care providers and improved cost and coverage outcomes for employers and employees.
HC-2: Competition in the health care market and among private-sector providers as the best means to achieve a more efficient, affordable, and quality-driven health care system.

HC-3: Preservation of MICRA in California and adoption of similar policies at the federal level. Restrictions on merit less lawsuits against hospitals and other providers alleging breach of government obligation to provide medical care to uninsured patients.

HC-4: Reasonable, cost-based reimbursements to health care providers in voluntary, contracted relationships with governmental entities to provide health care services.

HC-5: Emphasis in workforce development initiatives and the direction of workforce development funds toward solutions that will increase the number of nurses and other health professionals needed in the Orange County workforce.

HC-6: Reasonable flexibilities in the California nurse/patient ratio regulations that recognize practical, workplace challenges and are consistent with the provision of quality hospital care.

HC-7: State/local fiscal reforms that address property tax distribution inequities in realignment formulas in order to bring Orange County closer to parity with other counties in providing health care services to their residents.

HC-8: Adequate funding to assist hospitals and medical personnel in planning for and responding to natural disasters, mass casualty incidents and other public health emergencies.

HC-9: Seismic mandate relief for hospitals without the imposition of additional, unrelated regulatory burdens.

HC-10: The evaluation of current health care delivery models in Orange County, with an eye toward changes and reforms leading to greater efficiencies, better patient care, expanded health care access, and a sustainable system.

HC-11: Policies that promote the retention and growth of California’s life sciences industry, with particular emphasis on issues that affect Orange County’s ability to maintain its leadership in the biopharmaceutical and medical device sector.

HC-12: Development of options for employers to combine health care coverage for employees with the medical coverage provided through workers’ compensation.

HC-13: The alignment of policies with current research and data to support early intervention for mental and developmental health of children and adolescents.

HC-14: Federal/State legislation and regulations that support innovative value-based models of care that drive healthcare affordability, quality, and access to care for patients, employers, payers, and health systems.

**OCBC Opposes:**

HC-15: Disparity in taxes, regulations, or mandated standards applied to private-sector health plans versus public-sector or union plans.

HC-16: Mandatory staffing ratios and other unfunded mandates imposed by government agencies.

HC-17: Imposition of burdensome and inflexible standards on nonprofit hospitals in order to obtain tax-exempt status and financing.
HC-18: Unreasonable mandates upon employers to procure health care coverage for employees.

HC-19: Mandates on hospitals and other providers to provide services at government-imposed rates (de facto, forced contracting).

HC-20: Price control legislation or attempts to influence the free market process impacting the biopharmaceutical and medical device sectors.

HC-21: Mandates that require Orange County based companies in the life sciences sector to report proprietary information to any government agency.

HC-22: Legislative or regulatory attempts to establish benchmark rates to resolve out-of-network payment disputes between payers and healthcare providers.

*Also refer to Policy ED-2, ED-12, LR-2, WC-4, OS-4, OS-9, ER-1*
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**Phone:** 202.225.3906  |  **Fax:** 202.225.3303  
**Website:** mikelevin.house.gov
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### California Congressional Roster - 117th Congress

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District Office Phone: 714.662.6050 | District Office Fax: 714.662.6055
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The Honorable Phillip Chen (R-55)
Capitol Office, Room 4177, Sacramento, CA 94249
Phone: 916.319.2055  Fax: 916.319.2155
Email: assemblymember.chen@assembly.ca.gov
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THE HONORABLE COTTIE PETRIE-NORRIS (D-74)
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Email: assemblymember.petrie-norris@assembly.ca.gov
Website: a74.asmrc.org
District Office: 1503 South Coast Drive, Suite 205, Costa Mesa, CA 92626
District Office Phone: 714.668.2100  District Office Fax: 714.668.2104
### California State Assembly Roster

(All addresses are: State Capitol, Room ________. Sacramento, CA 95814)

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## California State Assembly Roster

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Orange County Board of Supervisors

Supervisor Andrew Do - 1st District
333 W. Santa Ana Blvd., Santa Ana, CA 92701
Email: firstdistrict@ocgov.com
Phone: 714.834.3110 | Fax: 714.834.5754
Cities: Fountain Valley (portions of), Santa Ana, Westminster, Garden Grove

Vacant - 2nd District
10 Civic Center Plaza, Santa Ana, CA 92701
Cities: Buena Park (portions of), Costa Mesa, Cypress, Fountain Valley (portions of), Huntington Beach, La Palma, Los Alamitos, Newport Beach, Seal Beach, Stanton

Supervisor Doug Chaffee - 4th District
333 W. Santa Ana Blvd., Santa Ana, CA 92701
Phone: 714.834.3440 | Fax: 714.834.2045
Email: doug.chaffee@ocgov.com
Cities: Anaheim (portions of), Brea, Buena Park (portions of), Fullerton, La Habra, Placentia

Supervisor Lisa Bartlett - 5th District
333 W. Santa Ana Blvd., Santa Ana, CA 92701
Phone: 714.834.3550 | Fax: 714.834.2670
Email: lisa.bartlett@ocgov.com
Cities: Aliso Viejo, Dana Point, Irvine (portions of), Laguna Beach, Laguna Hills, Laguna Niguel, Laguna Woods, Lake Forest, Mission Viejo, Rancho Santa Margarita, San Clemente, San Juan Capistrano