
THIRD READING

Bill No: AB 398
Author: Eduardo Garcia (D), Senator De León (D), Cristina Garcia (D), Bloom (D), Chu (D), Dababneh (D), Gipson (D), Gonzalez Fletcher (D), Levine (D), Mullin (D), Muratsuchi (D), Nazarian (D), Quirk (D), Santiago (D), Weber (D), and Wood (D), et al.
Amended: 7/14/17 in Senate
Vote: 27 - Urgency

SENATE ENVIRONMENTAL QUALITY COMMITTEE: 5-2, 7/13/17
AYES: Wieckowski, Hill, Lara, Skinner, Stern
NOES: Stone, Gaines

SENATE APPROPRIATIONS COMMITTEE: 5-2, 7/17/17
AYES: Lara, Beall, Bradford, Hill, Wiener
NOES: Bates, Nielsen

ASSEMBLY FLOOR: 75-0, 6/1/17 - See last page for vote

SUBJECT: California Global Warming Solutions Act of 2006: market-based compliance mechanisms: fire prevention fees: sales and use tax manufacturing exemption

SOURCE: Author

DIGEST: This bill (1) requires the Air Resources Board (ARB), no later than January 1, 2018, to update the scoping plan, (2) extends ARB's authority to establish and utilize, through regulations, a market-based mechanism, specifically cap-and-trade, (3) requires ARB to include specified price ceilings, price containment points, offset credit compliance limits, and industry assistance factors for allowance allocation as part of the regulation, (4) requires additional reports and accountability to the Legislature, (5) prohibits an air quality management district (AQMD) from adopting or implementing an emission reduction rule for carbon dioxide from stationary sources that are also subject to cap-and-trade, (6) suspends the State Responsibility Area (SRA) Fire Prevention Fee on

January 1, 2031, and then repeals the fee as of that date, (7) provides additional tax exemptions for qualified tangible personal property purchased for use by a qualified person, as specified, (8) provides the Greenhouse Gas Reduction Funds (GGRF) are to be transferred to the General Fund to offset the revenue loss to the state of this tax exemption, and (9) provides that it is the intent of the Legislature for GGRF to be used to fund the activities funded by the SRA Fire Prevention Fee.

ANALYSIS:

Existing law:

- 1) Establishes the ARB as the air pollution control agency in California to control emissions from mobile sources.
- 2) Establishes local AQMDs as the air pollution control agencies to control emissions from stationary sources.
- 3) Provides, under the California Global Warming Solutions Act of 2006, for the following:
 - a) Establishes the ARB as the state agency responsible for monitoring and regulating sources emitting greenhouse gases (GHGs).
 - b) Requires ARB to approve a statewide GHG emissions limit equivalent to the statewide GHG emissions level in 1990 to be achieved by 2020 (AB 32 cap) and to ensure that *statewide GHG emissions are reduced to at least 40% below the 1990 level by 2030 (SB 32 cap)*.
 - c) Requires ARB to prepare and approve a scoping plan for achieving the maximum technologically feasible and cost-effective reductions in GHG emissions and to update the scoping plan at least once every five years.
 - d) Authorizes ARB to include the use of a market-based compliance mechanism, through the adoption of regulations, applicable from January 1, 2012, to December 31, 2020, inclusive, as specified.
 - i) Provides that it may be a “system of market-based declining annual aggregate emissions limits for sources or categories of sources that emit greenhouse gases” or “greenhouse gas emissions exchanges, banking, credits, and other transactions, governed by rules and protocols established by the state board, that result in the same greenhouse gas emission reduction, over the same time period, as direct compliance

with a greenhouse gas emission limit or emission reduction measure adopted by the state board pursuant to this division.”

- e) Sets, beginning on January 1, 2013 until December 31, 2020, a firm, declining cap (3% annually) on total GHG emissions from sources that make up approximately 85% of all statewide GHG emissions.
- f) Requires each covered entity to surrender one allowance for every metric ton of carbon dioxide equivalent (MTCO₂e) that it emits at the end of a compliance period (currently three years).
- g) Allocates some fraction of allowances freely to covered entities, including to industries that would have their economic competitiveness against out-of-state entities negatively impacted by the cost of compliance.
- h) Sets a small portion of allowances aside as part of an allowance price-containment reserve.
- i) Auctions the remaining allowances quarterly.
- j) Sets a price floor for auctioned allowances (currently \$13.57), and requires reserve allowances to be sold if prices reach a specified level (currently approximately \$50).
- k) Increases allowance price floor and ceiling at 5% per year plus inflation.
- l) Allows allowances, which are generated by the state in an amount equal to the cap, to be “banked” indefinitely by a covered entity for future compliance.
- m) Allows issued allowances to be traded among entities.
- n) Allows compliance for up to eight percent of MTCO₂e emitted by a covered entity via the purchase of an “offset,” which is a credit for a real, verified, permanent, and enforceable emission reduction project from a source outside a capped sector.
- o) Requires all moneys, except for fines and penalties, collected by the state board as part of a market-based compliance mechanism to be deposited in the GGRF and to be available upon appropriation and continuously appropriates 60% of the annual proceeds of the fund for transit, affordable housing, sustainable communities, and high-speed rail purposes.

- p) Provides that GGRF must be used to facilitate the achievement of measurable GHG emissions reductions and outlines various categories of allowable expenditures.
- 4) Requires that the SRA Fire Prevention Fee be charged on each habitable structure on a parcel that is within a state responsibility area, to be used for specified fire prevention activities.
 - 5) Provides, commencing July 1, 2017, that the California Department of Tax and Fee Administration is responsible for the administration of the Sales and Use Tax Law, which was previously administered by the State Board of Equalization.
 - 6) Imposes taxes on retailers measured by the gross receipts from the sale of tangible personal property sold at retail in this state, or on the storage, use, or other consumption in this state of tangible personal property purchased from a retailer for storage, use, or other consumption in this state, and provide various exemptions from those taxes.
 - 7) Exempts from those taxes, on and after July 1, 2014, and before July 1, 2022, the gross receipts from the sale of, and the storage, use, or other consumption of, qualified tangible personal property purchased by a qualified person for use primarily in manufacturing, processing, refining, fabricating, or recycling of tangible personal property, as specified.
 - 8) Requires, by March 1, the California Department of Tax and Fee Administration to provide to the Joint Legislative Budget Committee a report of the total dollar amount of exemptions taken for the immediately preceding calendar year.

This bill:

- 1) Requires ARB, no later than January 1, 2018, to update the scoping plan, as specified and requires all GHG rules and regulations adopted by ARB to be consistent with the scoping plan.
- 2) Extends ARB's authority to establish and utilize, through regulations, a market-based mechanism, specifically authorizes a system of market-based declining annual aggregate emissions limits for sources or categories of sources that emit GHGs (cap-and-trade) until December 31, 2030.

- a) Requires ARB to include specified price ceilings, price containment points, offset credit compliance limits, and industry assistance factors for allowance allocation as part of the regulation.
 - b) Requires ARB to develop approaches to increase offset projects in the state and to make specified reports to the Legislature as part of the regulation.
 - c) Reduces the amount of offsets to 4% between 2020 and 2025 and 6% between 2025 and 2030.
 - d) Requires 50% of all offsets to be in California.
 - e) Declares the intent of the Legislature that moneys collected pursuant to the market-based compliance mechanism be appropriated in accordance with a specified order of priorities.
 - f) Establishes, until January 1, 2031, the Compliance Offsets Protocol Task Force, the Independent Emissions Market Advisory Committee and the California Workforce Development Board, to conduct meetings, advise and report to ARB and the Legislature on matters related to specific provisions and impacts of the regulations.
 - g) Requires, until January 1, 2031, the Legislative Analyst's Office (LAO) to annually report to the Legislature on the economic impacts and benefits of specified GHG emissions targets.
- 3) Prohibits an AQMD from adopting or implementing an emission reduction rule for carbon dioxide from stationary sources that are also subject to a specified market-based compliance mechanism.
 - 4) Suspends the SRA fee until January 1, 2031, and then repeals the fee as of that date.
 - 5) Declares that it is the intent of the Legislature that moneys derived from the auction or sale of allowances pursuant to the market-based compliance mechanism replace the fire prevention fee to continue the funding of the fire prevention activities.
 - 6) On and after July 1, 2014, and before July 1, 2030, provides additional tax exemptions for qualified tangible personal property purchased for use by a qualified person to be used primarily in the generation or production, as defined, or storage and distribution, as defined, of electric power or purchased for use by a contractor for the qualified person, as specified.

- 7) Provides, on and after January 1, 2018, and until July 1, 2030, additional tax exemptions for special purpose buildings and foundations used for the generation or production or storage and distribution of electric power.
- 8) Expands, on and after January 1, 2018, and until July 1, 2030, the definition of qualified person to include, among others, a person primarily engaged in the business of electric power generation.
- 9) Requires the California Department of Tax and Fee Administration to provide the exemption report and requires the total dollar amount, as reported by the department, with the concurrence of the Department of Finance, to be transferred from GGRF to the General Fund, as provided.
- 10) Makes various nonsubstantive and conforming changes and repeals this tax exemption on January 1, 2031.

Background

- 1) *Implementing AB 32: The California Global Warming Solutions Act of 2006.* In addition to calling on the ARB to inventory GHGs in California (including carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride) and approve a statewide GHG emissions limit, to be achieved by December 31, 2020, equivalent to the level of 1990 emissions, AB 32 (Núñez, Pavley, Chapter 488, Statutes of 2006) also requires ARB to (a) implement regulations that achieve the maximum technologically feasible and cost-effective reduction of GHG emissions, (b) identify and adopt regulations for discrete early-action measures, and (c) prepare and approve a Scoping Plan, to be updated every five years, to achieve the maximum technologically feasible and cost-effective reduction of GHG emissions by 2020.

The statute also specifies that ARB *may* include market-based compliance mechanisms. The Legislature defined “market-based compliance mechanism” as either (a) “a system of market-based declining annual aggregate emissions limitations for sources or categories of sources that emit greenhouse gases”, or (b) “greenhouse gas emissions exchanges, banking, credits, and other transactions, governed by rules and protocols established by the state board, that result in the same greenhouse gas emission reduction, over the same time period, as direct compliance with a greenhouse gas emission limit or emission reduction measure adopted by the state board pursuant to this division.”

The Legislature further specified that prior to the inclusion of any market-based compliance mechanism in the regulations, the ARB was required to (a)

“consider the potential for direct, indirect, and cumulative emission impacts from these mechanisms, including localized impacts in communities that are already adversely impacted by air pollution,” (b) “design any market-based compliance mechanism to prevent any increase in the emissions of toxic air contaminants or criteria air pollutants,” and (c) “maximize additional environmental and economic benefits for California, as appropriate.”

The cap-and-trade program was recommended in the Scoping Plan as a central approach to flexibly and iteratively reduce emissions over time. Pursuant to legal authority under AB 32, ARB adopted cap-and-trade regulations and those regulations were approved on December 13, 2011.

Beginning on January 1, 2013, the cap-and-trade regulation sets a firm, declining cap on total GHG emissions from sources that make up approximately 85% of all statewide GHG emissions. Sources included under the cap are termed “covered” entities. The cap is enforced by requiring each covered entity to surrender one “compliance instrument” for every emissions unit (i.e., metric ton of carbon dioxide equivalent or MTCO₂e) that it emits at the end of a compliance period.

Over time, the cap declines, resulting in GHG emission reductions. Two forms of compliance instruments are used: allowances and offsets. Allowances are generated by the state in an amount equal to the cap and may be “banked” (i.e., allowing current allowances to be used for future compliance). An offset is a credit for a real, verified, permanent, and enforceable emission reduction project from a source outside a capped sector (e.g., a certified carbon-storing forestry project). Offsets may be used to satisfy up to 8% of a covered entity’s compliance obligation. Some fraction of allowances are allocated freely to covered entities, a small portion is set aside as part of an allowance price-containment reserve, and the rest is auctioned off quarterly.

- 2) *Use of Cap-and-Trade Auction Revenue.* Since November 2012, ARB has conducted eight California-only and nine joint California-Québec cap-and-trade auctions. To date, \$3.4 billion has been appropriated by the Legislature to 12 state agencies that have distributed \$1.2 billion to projects that have been completed or are under way.

Existing state law specifies that the auction revenues must be used to facilitate the achievement of measurable GHG emissions reductions and outlines various categories of allowable expenditures. Statute further requires the Department of Finance, in consultation with ARB and any other relevant state agency, to develop a three-year investment plan for the auction proceeds, which are

deposited in the GGRF. ARB is required to develop guidance for administering agencies on reporting and quantifying methodologies for programs and projects funded through the GGRF to ensure the investments further the regulatory purposes of AB 32.

Proceeds from cap-and-trade auctions provide an opportunity for the state to invest in projects that help California achieve its climate goals and provide benefits to disadvantaged communities. Several bills in 2012, one in 2014, and one in 2016 provide legislative direction for the expenditure of auction proceeds including SB 535 (de León, Chapter 830, Statutes of 2012), AB 1532 (J. Pérez, Chapter 807, Statutes of 2012), SB 1018 (Committee on Budget and Fiscal Review, Chapter 39, Statutes of 2012), SB 862 (Committee on Budget and Fiscal Review, Chapter 36, Statutes of 2014), and AB 1550 (Gomez, Chapter 369, Statutes of 2016).

These statutes also require a state agency, prior to expending any money appropriated to it by the Legislature from the fund, to prepare a description of (a) proposed expenditures, (b) how they will further the regulatory purposes of AB 32, (c) how they will achieve specified GHG emission reductions, (d) how the agency considered other objectives of that act, and (e) how the agency will document expenditure results.

- 3) *LAO*. In the LAO's review of the Governor's 2017-18 Budget released in February, LAO made the following recommendations:
- *“Authorize Cap-and-Trade Beyond 2020 Because Likely Most Cost-Effective Approach.* We recommend the Legislature authorize cap-and-trade (or a carbon tax) beyond 2020 because it is likely the most cost-effective approach to achieving the state's 2030 GHG emissions target. If the Legislature approves cap-and-trade, we recommend the Legislature (1) strengthen the allowance price ceiling because there is potential for substantial price volatility associated with the lower cap and (2) provide clearer direction to ARB regarding the criteria that the board should use to determine whether complementary policies should be adopted. We also recommend the Legislature continue to take steps to ensure oversight and evaluation of major climate policies by establishing an independent expert committee.”
 - *“Approve With a Two-Thirds Vote to Ensure Ability to Design Effective Program.* Although cap-and-trade could be extended with a simple majority vote, we recommend the Legislature approve cap-and-trade (or carbon tax) with a two-thirds vote because it would provide greater legal certainty and

ensure ARB has the ability to design an effective program. For example, a two-thirds vote would provide legal certainty regarding ARB's authority to auction allowances—a method for distributing allowances that is generally recommended by economists. A two-thirds vote would also allow the Legislature to remove the current requirement that cap-and-trade auction revenues can only be used on activities that reduce GHG emissions.”

- *“Broaden Allowable Uses of Revenue to Include Other Legislative Priorities.* With a two-thirds vote, we recommend the Legislature broaden the allowable uses of auction revenue because it would give the Legislature flexibility to use the funds on its highest priorities. The Legislature could use the funds to (1) offset higher energy costs for households and businesses by providing tax reductions or rebates; (2) promote other climate-related policy goals, such as climate adaptation activities; and/or (3) support other legislative priorities unrelated to climate policy. In our view, returning the revenue to businesses and consumers by reducing taxes or providing rebates could become a particularly important option if allowance prices—and, consequently energy costs for households and businesses— increase substantially in the future.”

Related/Prior Legislation

AB 617 (C. Garcia) requires, among other things, ARB to establish a uniform, statewide system for stationary sources to report their emissions of criteria pollutants and toxic air contaminants; creates an expedited schedule for certain facilities covered under the state's cap-and-trade program to implement best achievable retrofit control technology for criteria pollutants and toxic air contaminants; requires ARB to establish a clearinghouse of information on best achievable control technology and best achievable retrofit control technology; increases civil and criminal penalties for certain types of emissions; and creates community emissions reduction programs for communities with a heavy exposure to criteria pollutants and toxic air contaminants. AB 617 is pending hearing in the Senate Environmental Quality Committee.

SB 775 (Wieckowski, 2017) requires ARB to adopt regulations for a cap-and-trade program post 2020 that would prohibit free allowances and offsets, prohibit allowance banking, put a price ceiling and floor on the cost of allowances that changes predictably over time, and establish an Economic Competitiveness Assurance Program to protect trade-impacted industries in the state and reduce leakage. SB 775 also establishes the California Climate Infrastructure Fund meant to assist the state and local communities to adjust to the changing environment,

California Climate Dividend Fund to provide money directly to all Californians on a quarterly basis, and the California Climate and Clean Energy Research Fund to fund scientific research. SB 775 is in the Senate Environmental Quality Committee.

SB 32 (Pavley, Chapter 249, Statutes of 2016) required ARB to ensure that statewide GHG emissions are reduced to at least 40% below the 1990 level by December 31, 2030.

AB 32 (Núñez, Pavley, Chapter 488, Statutes of 2006) established the California Global Warming Solutions Act of 2006, which requires ARB to monitor and regulate sources of GHG emissions that cause global warming in order to reduce emissions of GHG, as specified.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

SUPPORT: (Verified 7/17/17)

Advanced Energy Economy
American Lung Association
Boeing Company
California Biomass Energy Alliance
California Business Roundtable
California Chamber of Commerce
California Council for Environmental and Economic Balance
California Electric Transportation Coalition
California Interfaith Power & Light
California Labor Movement, OPEIU 29 AFL-CIO
California League of Conservation Voters
California Manufacturers & Technology Association
California Metals Coalition
California Natural Gas Vehicle Coalition
California Professional Firefighters
California Steel Industries, Inc.
CalPortland Company
Caterpillar, Inc.
CERES/BICEP
Clean Energy
Coalition for Sustainable Cement Manufacturing & Environment
Dignity Health
Dow Chemical Company
Environmental Defense Fund

Environmental Entrepreneurs (E2)
Foster Poultry Farms
Gerdau Steel
Graphic Packaging International Inc.
Hilmar Cheese Company
Independent Energy Producers Association
Industrial Environmental Association
J.G. Boswell Tomato Company, LLC
Los Angeles County Metropolitan Transportation Authority Board of Directors
Los Gatos Tomato Products
Lung Force
Lutheran Office of Public Policy – California
Manufacturers Council of the Central Valley
Metro Gold Line Foothill Extension Construction Authority
Natural Resources Defense Counsel
Nature Conservancy
NextGen California
Orange County Business Council
Oregon State Representative Ken Helm
Oregon State Senator Michael Dembrow
Owens-Illinois, Inc.
Pacific Gas and Electric Company
Procter & Gamble Company
San Diego Gas & Electric Company
Searles Valley Minerals
Silicon Valley Leadership Group
Solar Turbines Inc.
Southern California Edison
Southern California Gas Company
Southern California Public Power Authority
State Building and Construction Trades Council, AFL-CIO
Union of Concerned Scientists
Valley Industry and Commerce Association
Valley Vision
Vista Metals Corp.
Western Wood Preservers Institute
One individual

OPPOSITION: (Verified 7/17/17)

American Fire Sprinkler Association, California Chapters

American Vets (AMVETS)
Apostolic Faith Center
Asian Pacific Environmental Network
Bay Area Air Quality Management District
California Air Pollution Control Officers Association
California Communities Against Toxics
California Environmental Justice Alliance
California Kids IAQ
California Safe Schools
Center for Biological Diversity
Center for Community Action and Environmental Justice
Center on Race, Poverty & the Environment
Central Coast Alliance United for a Sustainable Economy
Coalition for a Safe Environment
Communities for a Better Environment
Community Dreams
Del Amo Action Committee
Desert Citizens Against Pollution
EMERGE
Environmental Health Coalition
Independent Roofing Contractors of California, Inc.
Leadership Counsel for Justice and Accountability
Mothers of East Los Angeles
NAACP San Pedro-Wilmington Branch #1069
Plumbing-Heating-Cooling Contractors Association of California
Physicians for Social Responsibility – Los Angeles
PODER
Sacramento Metropolitan Air Quality Management District
San Joaquin Valley Air Pollution Control District
San Pedro & Peninsula Homeowners Coalition
Sierra Club California
Society for Positive Action
South Coast Air Quality Management District
St. Philomena Social Justice Ministry
Strategic Concepts in Organizing and Policy Education
Western Electrical Contractors Association
Wilmington Improvement Network
2 individuals

ARGUMENTS IN SUPPORT: Supporters argue that “AB 398 would continue successful climate policies by confirming the Air Resources Board’s authority to

extend a market-based compliance mechanism beyond 2020, in concert with direct emissions reduction measures. The Cap and Trade program is an effective part of a larger suite of policies that reduce greenhouse gas emissions, advance health benefits, and allow compliance flexibility. The full complement of tools and benefits that the Cap and Trade program offers are an essential part to a post-2020 solution, and have been successful so far in reducing greenhouse gas emissions while supporting continued economic growth.”

Supporters believe that AB 398 improves on the current cap-and-trade system by:

- “Ratcheting down emissions cap to ensure compliance with SB 32 target in 2030
- Bulletproofing legal authority to charge polluters for their greenhouse gas emissions and invest the proceeds in scaling up clean energy, particularly in disadvantaged communities
- Preserving the platform to link to other states and regions to leverage and export California’s climate leadership in the fight against global climate change
- Reducing offsets to strengthen price signal and capture more in-state benefits
- Slashing oversupply of emissions permits to tighten the emissions cap post-2020”

Supporters argue that “AB 398 continues California’s leadership in addressing global climate change and supporting economic growth, while AB 617 is also responding to the urgent needs of our state’s most vulnerable communities. We appreciate the leadership of both authors and your leadership on these critical issues in extending and enhancing California’s successful suite of climate policies.”

ARGUMENTS IN OPPOSITION: According to the opposition, “Environmental justice communities are on the front lines of climate change and will be hit first and worst by changing climatic conditions. Our communities - and the planet - need the most aggressive, effective greenhouse gas reduction policies as possible. And while we recognize that compromises must be made, especially to reach a 2/3 vote bill, we believe the bill in its current form contains far too many concessions to the various industries whose activities we are trying to - and must - curtail in order to stop climate change.

“We believe the following elements of the bill significantly undermine our ability to reach our climate goals and include far too many give-aways to industry:

- A rollback of both the state’s regulatory authority, which undermines the hard work completed last year through AB 197 by preventing direct regulations from ARB on oil & gas outside of the market-based mechanism.
- Preventing local air districts ability to independently regulate greenhouse gases from stationary sources, which would overturn years of work from community groups and BAAQMD on proposed refinery caps and may undermine numerous other air district climate change programs and regulations.
- The continued use of offsets and a carryover of reserve allowances from current program into 2030 program will undermine the SB 32 target. There are up to ~300 million tons of either carryover allowances or offsets being included in the proposed program. That's toward the high end of the reductions that will be required from cap-and-trade. Especially given the recent working paper from Severin Borenstien et al. that indicated a real chance of over-allocation in 2030, this is a real concern.

Free allowances more than double the level needed to prevent leakage and locks in industry assistance factors for the current period, leading to increased free allocation to industry in excess of what ARB currently recommends. This primarily benefits oil and gas because they receive 72% of the free allowances that industry gets. This also impacts the state’s ability to meet our SB 32 targets.

“If California is to maintain our climate leadership, we simply cannot tie the hands of our state and local authorities to enact GHG regulations. We need a program that helps us achieve our 2030 targets, not hinders that ability. In our analysis, the bill as in print now unfortunately does not help us meet our statutory requirements under AB 197 or SB 32, nor does it address the urgent crisis of climate change in a meaningful way.”

ASSEMBLY FLOOR: 75-0, 6/1/17

AYES: Acosta, Aguiar-Curry, Travis Allen, Arambula, Baker, Berman, Bigelow, Bloom, Bocanegra, Bonta, Brough, Burke, Caballero, Calderon, Cervantes, Chau, Chávez, Chen, Chiu, Cooley, Cooper, Cunningham, Dababneh, Dahle, Daly, Flora, Fong, Frazier, Friedman, Gallagher, Cristina Garcia, Eduardo Garcia, Gipson, Gloria, Gomez, Gonzalez Fletcher, Gray, Grayson, Harper, Holden, Irwin, Jones-Sawyer, Kalra, Kiley, Lackey, Levine, Limón, Low, Maienschein, Mathis, Mayes, McCarty, Medina, Melendez, Mullin, Muratsuchi, Nazarian, Obernolte, Patterson, Quirk, Quirk-Silva, Reyes, Rodriguez, Rubio,

Salas, Santiago, Steinorth, Mark Stone, Thurmond, Ting, Voepel, Waldron,
Weber, Wood, Rendon
NO VOTE RECORDED: Choi, Chu, Eggman, O'Donnell, Ridley-Thomas

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**** **END** ****