# PLACER COUNTY 2000 LEGISLATIVE PLATFORM



**December 7, 1999** 

**Prepared by the County Executive Office** 

# PLACER COUNTY 2000 LEGISLATIVE PLATFORM Part One General Principles

The first and foremost goal of the County's elected representatives and its employees is to serve and support the social, economic, health, safety and well-being of its citizens. To this end, in 2000, the Placer County Board of Supervisors shall support the following general principles. County staff, including the County's legislative advocates, will apply these general principles to evaluate legislation and make recommendations to the Board.

- 1. Encourage and seek legislation that facilitates orderly economic expansion and growth, and increases the opportunity for discretionary revenues while limiting financial responsibility for mandated programs.
- **2.** Support legislation to assure Placer County's authority to govern itself and oppose legislation that will hinder or limit the County's self-rule authority.
- **3.** Support administrative changes to increase programmatic and financial flexibility for the county and oppose any action that limits it.
- **4.** Support the authority to assure mutually acceptable tax sharing agreements for annexation, incorporation and redevelopment that are fiscally neutral to the County.
- **5.** Support legislation that provides tax and funding formulas for the equitable distribution of state and federal monies.
- **6.** Support the equitable distribution of local tax revenue among all local government agencies.
- **7.** Oppose any transfer of existing state programs to the County unless adequate state funding is provided and assured which does not require additional county funds to support these programs.
- **8.** Continue to encourage local agencies and governments to cooperate for the betterment of the community and encourage voluntary regional solutions to regional problems, including funding and support for capital acquisition projects.
- 9. Support increased state and federal appropriations, and revenue shifts for health and human services sufficient to meet the demand by eligible persons. Assure that the design of systems guarantee: quality of care; uniform availability of appropriate services throughout the state; accountability by service providers; and local determination of needs and priorities. Legislation and/or administrative action to the contrary will be opposed.
- **10.** Continue to support all aspects of the justice system, including increased federal and state funding for County law enforcement programs, while preserving flexibility for local jurisdictions. Recognizing the State has assumed responsibility for Trial Court funding, support complete and total state funding for the courts.

# PLACER COUNTY 2000 LEGISLATIVE PLATFORM Part Two State Proposals

# Assessor

#### **Proposal: Property Tax Administration Funds**

Support legislation to remove the sunset clause from the statute providing funds to counties for property tax administration. Support legislation that will provide counties with the full payment of the schools' share of property tax administration.

**Problem:** The current law that provides counties' funds for property tax administration sunsets in 2001. Without State funding, property tax administration programs will have to be provided by the County General Fund (including the school's share of property tax administration, which is currently borne by the counties).

# **Auditor**

# **Proposal: Local Libraries and Property Tax Revenue**

Reintroduce legislation that would validate the property tax apportionment factors the County applied to the County free libraries regarding Educational Revenue Augmentation Fund (ERAF) shifts for FY 1992-1993.

**Problem:** Legislation passed in 1997 made the status of library funds unclear and seemed to require an increased transfer of library funds to ERAF.

# Clerk-Recorder-Registrar

#### **Proposal: Involuntary Lien Notice**

Amend Revenue and Taxation Code, Chapter 387, Section 2191.3 to add the cost to give notice to the lien amount.

**Problem:** Current law requires notification of involuntary liens. No provisions were included to collect the cost to give notice. The first 10 months of 1999, Placer County has sent more than 138 notices at a cost of \$6.00 per notice, with a total cost of \$828.

# **County Counsel**

#### Proposal: Lanterman-Petris-Short (L.P.S.) Act Conservatees

Propose legislation to authorize the transfer of mental conservatorship cases from one county to another with the Transferee County accepting full responsibility for the mental health treatment.

**Problem:** Placer County is obligated to pay for mental health treatment for residents on L.P.S. conservatorships. Once a conservatorship is established, there is no provision to transfer this responsibility to another county as residency changes.

# County Counsel (con't)

# **Proposal: Modification of Designation of Conducting Authority**

Modify Government Code Sections 56029(d); 56839 and 57081 which provides that the County serve as the Conducting Authority for voluntary consolidations (e.g. fire districts), and designate LAFCO as the Conducting Authority, since there is no discretion to be exercised.

**Problem:** Pursuant to existing law, the Board of Supervisors has the role, as Conducting Authority, to count ballots to determine if a sufficient number of votes exist to provide an election or terminate a proposed consolidation. If, as it has been argued, the Board of Supervisors has no discretion but primarily serves a clerical role, then these duties should remain with LAFCO or be the responsibility of the County Clerk.

# **County Executive Office**

#### Proposal: Workforce Investment Act (WIA) Board

Propose legislation to allow Placer County to create and appoint its own Workforce Investment Act Board to facilitate County integration of services to the families it serves.

**Problem:** Currently, the County participates in a 5-county joint powers agency. However, the County is unique in its population and workforce needs.

# **Proposal: Use of the County's Name**

Amend the Government Code to require that any special district proposing to use the name of the County in the name of its district seek permission from the County prior to such use.

**Problem:** Confusion arises when a special district (e.g. Placer County Fire) has a name which implies that it is a county agency when in fact it is not.

#### **Proposal: Local Disaster Preparedness Trust Fund**

Support AB 1122 that establishes a Local Disaster Preparedness Trust Fund to improve the capability of local governments to reduce disaster losses and increase local emergency preparedness.

**Problem:** Currently, state law does not provide for a stable, permanent funding source for local emergency management programs, rather relying upon variable FEMA (Federal Emergency Management Assistance) dollars and sporadic state funds. Counties do not have sufficient resources to adequately plan and prepare for local emergencies.

# **County Executive Office** (con't)

#### **Proposal: Insure the State Assumes All Trial Court Costs**

Recent Trial Court Funding legislation (AB 233) significantly benefited the County by requiring the State to assume most costs of the Trial Courts. However, there are still costs that are borne by the County (e.g. transporting and housing detainees, courthouse maintenance).

**Problem:** There continues to be legislative discussions regarding costs and revenues associated with the Trial Courts. The County needs to support efforts to insure the State abides by its commitment to pay for all court-related costs with State revenues rather than local revenues.

#### **Proposal: Authority to Levy**

Extend the penalty assessments (e.g. surcharge on fines) for Placer County to provide for criminal justice facilities; courthouse construction and special purposes such as technology.

**Problem:** Current law needs to be broadened and extended for the application and collection of penalty assessments.

# **Facilities**

#### **Proposal: Regional Wastewater Treatment System**

In conjunction with federal advocacy efforts, seek legislation to authorize necessary funding and support to address the regional wastewater treatment needs in Placer County.

**Problem:** Funds necessary to meet the wastewater treatment needs of the County need to be sought from both the federal and state governments.

#### **Proposal: Purchase of Property for State Subvented Programs**

Amend the appropriate statutes to allow state funds to be encumbered and used for the purchase of real property for state subvented programs.

**Problem:** Current law does not allow the use of subvention funds for the purchase of real property.

#### **Proposal: Leasing of County Property**

Reinstate Government Code Section 25537. This Section provided that commercial or industrial buildings owned by, or leased to, the County may be leased for a term not exceeding 10 years and having an estimated monthly rental not exceeding \$10,000.

**Problem:** This Section became inoperative on July 1, 1999 and will be repealed effective January 1, 2000 if the sunset provision is not extended or repealed. Without such provisions, the BOS will be required to approve leases on a case-by-case competitive solicitation, which seems cumbersome for this category of leasing activity.

# Facilities (con't)

#### **Proposal: Collection of Fees**

Amend current statutes to allow the collection of delinquent garbage and utility bills on the property tax statements.

**Problem:** Recently, the Second District Court of Appeals issued an opinion finding an ordinance authorizing liens for delinquent utility bills to be unconstitutional. While liens may not be possible, a statute could authorize the collection of current and delinquent charges as part of the property tax bill.

# **Health & Human Services**

# **Proposal: Murphy Conservatees**

Propose legislation to clarify the distinction between developmentally disabled and the mentally ill.

**Problem:** Presently, the County is responsible for the care of the mentally ill and the State is responsible for the developmentally disabled. However, when one of these persons commit a crime, the court makes no distinction between the two. Therefore, often times the County becomes responsible for those people who are actually developmentally disabled, not mentally ill. The County is currently responsible for approximately four Murphy Conservatorships. The cost to the County for the 1998/99 fiscal year was approximately \$320,000.

#### **Proposal: Local Oversight of Group Homes**

Seek an administrative remedy to allow local agencies (counties and cities) to provide input and oversight regarding group homes, rehabilitation facilities and other such operations which provide services other than the rental of living space to adults and/or juveniles.

**Problem:** Current law does not allow local regulation of facilities for fewer than six people. Therefore, local government has no input or oversight regarding the provisions of residential treatment facilities for homes that house fewer than six people.

#### **Proposal: Payment Responsibility for Patients**

Support legislation to require that the counties of residence be responsible for patients that are sent to out-of-county private medical and hospital facilities when the patients are a public agency responsibility.

**Problem:** When a county sends a patient to a private out-of-county medical facility and that patient is a public responsibility, the county in which the private hospital facility is located bears the financial burden.

# **Public Safety**

#### **Proposal: Facilities for Mentally Ill Offenders**

Support legislation that provides funding for facilities to house mentally ill offenders, both adults and juveniles.

**Problem:** Existing law does not provide funding for mentally ill offenders, as a separate group.

#### **Proposal: Increased Public Safety Funding**

Support legislation that would:

- 1. Increase state funding for ranches and camps for local juvenile institutional beds in California, in lieu of out-of-state placements;
- 2. Establish a juvenile facilities bond measure on the state ballot;
- 3. Provide for pilot project operations funding for regional facilities for seriously emotionally disturbed minors;
- 4. Fund adult probation services to promote public safety and accountability;
- 5. Fund additional Challenge Grant programs for probation youth services grants, as administered by the Board of Corrections;
- 6. Increase legal protections for juvenile institutional staff;
- 7. Provide funding for domestic violence caseloads, programs, and services.

**Problem:** Juvenile probation and incarceration services are seriously underfunded and funds are not available to meet current needs.

#### Proposal: North Lake Tahoe Multi-Jurisdictional Criminal Justice Facility

Seek funding for a multi-jurisdictional criminal justice facility in North Lake Tahoe to house the courts, an adult jail for sentenced inmates, and a juvenile incarceration center.

**Problem:** There is a need for a county criminal justice facility in North Lake Tahoe sufficiently large enough to house courts, and adult and juvenile offenders.

#### Proposal: Statewide Standard for Medicinal Use of Marijuana

Support the establishment of a statewide standard for the growing and use of marijuana for medical purposes.

**Problem:** Because there is no statewide standard for the medicinal use of marijuana, the enforcement of current laws involving medical marijuana is subject to varying interpretations and enforcement actions.

# Public Safety (con't)

# **Proposal: Continued Funding of COPS Program**

Support the continued funding of the current COPS program, with jail personnel costs continuing to be eligible.

**Problem:** Governor Davis suggested restricting the use of COPS funds to "front-line" law enforcement. This could eliminate funding for jail personnel and prosecution staff from these funds.

# **Public Works**

# **Proposal: State Speed Law (Zoning & Radar)**

Support modifications in existing speed survey requirements to allow setting speed limits, and the use of radar for enforcement, without an Engineering and Traffic Study.

**Problem:** Existing law requires an Engineering and Traffic Study to establish radar enforceable speed limits.

#### **Proposal: Road Maintenance Funds**

Support legislation to provide funds from the State Highway Trust Fund to local governments for the local road maintenance.

**Problem:** In 1998, the Governor vetoed legislation that would have provided \$300 million to counties and cities from state highway funds. Use of these funds for local road maintenance via a one-time allocation will allow local communities to catch-up on badly needed road maintenance.

#### **Proposal: Local Transportation Funding**

Support proposed legislation and initiatives that provide for a transportation sales tax for local transportation use.

**Problem:** Senate Constitutional Amendment (SCA 3) provided up to ½ cents sales tax for transportation funding. However, it failed to get through the Legislature in 1999, but may be introduced again (in some form) next year.

#### **Proposal: Caltrans Standard Plans and Specifications**

Support legislation that requires Caltrans to maintain and update its Standard Plans and Specifications in English units as well as metric units.

**Problem:** All 58 counties use Caltrans Standards in constructing county roadways. Caltrans uses only metric units in its plans and specifications, which creates difficulties for local agencies and results in increased project costs since many consultants and most contractors lack familiarity with the metric system.

# **Public Works** (con't)

# **Proposal: State Funding for County Snow Removal**

Support an increase in current statewide limitation of \$5.5 million for snow removal reimbursement to counties.

**Problem:** The current statewide allocation only covers a portion (50%-80%) of actual snow removal costs for affected counties. Since snow removal is unique to mountain counties but benefits residents and visitors alike, an increased level of funding is warranted.

#### Proposal: Design/Build Concept for Highway Projects

Support an expansion of existing laws governing public works contracts to permit and encourage the use of the design/build concept for local highway projects.

**Problem:** Design/Build has great potential for cost savings and reduced time for construction projects. Design and construction of public works projects should be allowed to avail itself of current successful methods of project delivery.

# DOES DON L. WANT TO INCLUDE SOMETHING LIKE THIS (MODIFIED TO INCLUDE ALL COUNTY SERVICES)?

#### (INCLUDED IN 1999 PLATFORM)

**Proposal: Indian Casino Law Enforcement Costs** 

Require that Indian tribes which have casinos pay for criminal justice system costs needed to provide law enforcement for a casino.

**Problem:** Counties in which Indian gaming facilities are located have tried various methods of financing the law enforcement necessary for these facilities. The most satisfactory method is for the Indian casinos to pay the County directly for the number of deputies required. This methodology could be applied to the rest of the costs incurred by the criminal justice system.

# 12/15/98, 10:00 a.m. 1999 Legislative Platform

- Good Morning, Mr. Chairman, board members. MH, CEO. This
  morning we are asking your Board to approve the 1999 Legislative
  Platform (page of your packet), and approval to submit it to the
  County's Legislative Advocates to seek enactment, and in some
  cases, appropriate sponsors for the specific proposals outlined.
- Also here with me this morning are the County's Legislative Advocates, Don Peterson of Peterson Consulting and Christopher Risetto with the firm of Holland and Knight.
- Before we present the 1999 Legislative Platform, I'd like to take a moment to review a few significant accomplishments from 1998:
  - Passage of State Assembly Bill 2788 (Trial Court Funding) This bill provides complete buyout of Placer County trial court costs beginning in FY 1999-2000 at an estimated annual savings to the County of \$1.8 million.
  - Passage of State Assembly Bill 635 which allows Placer County to establish a 3-year pilot project to allow peace officers and specified defendants to testify or appear for arraignment via closed-circuit TV.
  - \$2.7 million in federal funds for the County to complete improvements to Foresthill Road.
  - A \$125,000 federal grant to fund the development of environmental and engineering documents related to the proposed construction of a regional wastewater treatment plant.
- This year's Legislative Platform is composed of three parts.
- Part 1 contains the County's overall legislative principles for 1999.
   If approved, these general principles will guide County staff throughout the year in evaluating legislation and making recommendations to your Board.

- Part 2 consists of 26 specific legislative proposals for State consideration. These proposals are based on consultation from various County departments. Several of these proposals were also included in last year's platform but for various reasons, as noted in the platform, we were unsuccessful in having them either introduced or enacted.
- Part 3 contains our federal proposals for 1999.
- I have asked Don Peterson to review the County's 1999 State Proposals with your Board. He will be followed by Christopher Risetto, who will brief you on our federal agenda for the upcoming year.
- In addition, I've also asked that each of them provide you with a brief wrap-up of the highlights from the 1998 Legislative Session and a look ahead to 1999.

Thank you for your consideration.

December 17, 1997

Honorable Rico Oller State Assembly P.O. Box 942849 Sacramento, CA 94249-0001

#### RE: PLACER COUNTY'S 1998 LEGISLATIVE PLATFORM

Dear Assemblyman Oller,

Enclosed is a copy of Placer County's 1998 Legislative Platform, which was adopted by the Board of Supervisors on December 16, 1997.

Part One represents the County's general legislative policy guidelines for 1998. Part Two consists of a number of specific legislative proposals of interest to the County during the upcoming legislative session. We will be working closely with our Legislative Advocate, Donald Peterson; CSAC; and our legislative representatives in an effort to achieve our specific legislative goals.

Thank you for your consideration. We look forward to your continued assistance in the New "Legislative" Year. If you have any questions regarding the platform, please do not hesitate to contact me at (530) 889-4093.

Sincerely,

Donald Lunsford County Executive Officer

Mary Herdegen CEO Management Analyst

Enclosure

cc: Donald Peterson CSAC

December 17, 1997

Honorable Tim Leslie State Senate 1200 Melody Lane, Suite 110-D Roseville, CA 95678

#### RE: PLACER COUNTY'S 1998 LEGISLATIVE PLATFORM

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Thank you for your consideration. We look forward to your continued assistance in the New "Legislative" Year. If you have any questions regarding the platform, please do not hesitate to contact me at (530) 889-4093.

Sincerely,

Donald Lunsford County Executive Officer

Mary Herdegen CEO Management Analyst

Enclosure cc: Donald Peterson CSAC

MEMORANDUM
OFFICE OF THE
COUNTY EXECUTIVE
COUNTY OF PLACER

**TO:** Distribution

**FROM:** Mary Herdegen, Management Analyst

**DATE:** December 18, 1997

**SUBJECT:** 1998 Legislative Platform

Enclosed is a copy of Placer County's 1998 Legislative Platform which was adopted by the Board of Supervisors on December 16, 1997.

The platform is composed of two sections. Part One represents the County's general legislative policy guidelines for 1998. County staff shall apply these general principles to evaluate legislation and make recommendations to the Board.

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If you have any questions regarding the platform, please do not hesitate to contact me at x4093.