



COUNTY OF HUMBOLDT
2006 State Legislative Platform

General Legislative Policy Guidelines

The top legislative priority for all Humboldt County departments is to make every effort to maintain or increase funding for the continued provision of local services to the residents of Humboldt County. Additional general policy guidelines include:

- **Local Control and Flexibility:** Advocate for maximum local control and flexibility in the allocation of resources and the administration of county programs.
- **Oppose Reductions in Funding:** Oppose any reductions to the current level of state funding for county programs.
- **Oppose Cost-Shifting to Counties:** Aggressively oppose attempts by the Legislature to shift costs from the state to the counties for mandated and/or non-mandated programs.
- **Oppose Elimination or Restriction of Revenue Sources:** Oppose attempts by the Legislature and/or the Executive Branch to take away or restrict revenue sources or impose costly changes without adequate funding.
- **Support Favorable State Organizational Structures:** Advocate for state organizational structures to maximize leadership and support for Humboldt County and North Coast services and programs.
- **Watch CalPERS Legislation:** Monitor legislation or initiatives which would change benefits or have a fiscal impact on the California Public Employees Retirement System.
- **Oppose County Sanctions for State Failures:** Oppose state and federal fiscal sanctions against counties for failure to comply with state and/or federal laws when the errors are beyond the counties' control.

- Support departmental pursuits of additional funding opportunities associated with the state budget process, and respond as timely and effectively as possible to legislative issues both by Board action and, if time constraints exist, by the affected department heads with the concurrence of the County Administrative Officer.
- Maintain close relationships with Humboldt County's legislative delegation to foster greater advocacy and understanding of Humboldt County's issues.



Administration of Justice - State Legislative Projects

COUNTY OF HUMBOLDT - SHERIFF, PROBATION, COUNTY ADMINISTRATIVE OFFICE
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1. **Title:** Rural County Law Enforcement Grant Funding

Legislative Platform: Support continuation and expansion of law enforcement funding for small rural counties.

Issue and Background: Recognizing the limited funds of small rural counties, the State has provided \$500,000 annually since FY 2001-02 to 16 small rural counties to assist law enforcement efforts. Funding was eliminated in FY 2003-04 due to State budget deficits, but was restored in FY 2004-05. This program's funding has been endangered each year because of State budget deficits.

This funding provides critical front line law enforcement services to the citizens of Humboldt County that could not otherwise be maintained. The funding directly supports patrol operations, special services programs, and much-needed support staff. This includes a patrol sergeant position in McKinleyville, a deputy sheriff and clerical support in our Office of Emergency Services, supplemental funding for the boating safety and beach patrol programs, and purchased replacement light bars for the Sheriff's patrol vehicles, among other items.

2. **Title:** Restoration or Increase in Juvenile Justice Crime Prevention Act (JJCPA) Funding

Legislative Platform: Support legislation that restores JJCPA funding to \$100 million annually, or increases funding.

Issue and Background: The Juvenile Justice Crime Prevention Act of 2000 established \$120 million in state funding for local crime and delinquency prevention programs. Funding was later reduced to \$100 million annually. The Humboldt County Probation Department received approximately \$359,000 in FY 2004-05. JJCPA funding provides critical funding for the Northern California Regional Facility's New Horizons Program and for critical probation diversion activities.

Since its inception, the State has funded the JJCPA program approximately three-quarters of a year in advance. County probation departments were then able to earn

interest on JJCPA funds and thereby increase the amount of funding available for JJCPA programs. Due to the State's fiscal crisis, the State decided to fund only one quarter for FY 2006-07 in order to better align JJCPA funding with the year in which it is intended to be expended. County probation departments fear that the 75% reduction in funding may become permanent.

3. **Title: Continuation Funding for local Substance Abuse and Crime Prevention Act (SACPA, Proposition 36) Programming**

Legislative Platform:

- Support SB 803 or similar legislation that would continue appropriations through FY 2010 and authorize the use of "flash incarceration" for SACPA program violations.
- Oppose SB 556 or similar legislation that creates unfunded local mandates.
- Oppose AB 858 or similar legislation that prevents local law and justice agencies from having the ability to impose meaningful sanctions when program violations occur.

Issue and Background: Voters approved Proposition 36, the Substance Abuse and Crime Prevention Act of 2000, which refers drug offenders to treatment rather than incarceration with the hope of stopping the cycle of continuous drug use and re-arrest. The State has appropriated funding to implement the Act since FY 2000-01. Humboldt County's Probation Department received \$155,000 in funding in FY 2004-05. State funding for SACPA sunsets in June 2006.

Humboldt County's Probation Department currently supervises approximately 120 drug-involved adult offenders. SACPA funding supports 1.4 FTE Probation Officers and a Legal Office Assistant. If SACPA funding is not continued, the statutory requirements of SACPA would become an unfunded service mandate for county probation departments and health and human services drug-prevention/treatment programs.

SB 803 would make a number of changes to SACPA, including an appropriation of \$120 million for FY 2006-07 and each subsequent year through FY 2010-11. It would also authorize the use of "flash incarceration" as a disincentive for SACPA program violations.

SB 556 makes statutory changes to the ongoing implementation of the original mandated probation supervision and substance abuse treatment requirements, but contains no appropriations.

AB 858, as currently written, prevents local agencies from imposing meaningful sanctions when program violations occur.

4. **Title: Sustainability of Juvenile Probation Funding (Formerly Probation TANF Funding)**

Legislative Platform: Support legislation that continues State Juvenile Probation Funding or inclusion of Probation Departments in Temporary Assistance for Needy Families funding.

Issue and Background: California probation departments began claiming for federal reimbursement for eligible service activities under Title IV-A of the Federal Social Security Act in the late 1980s. Beginning in FY 2000-01 as part of federal welfare reform, Title IV-A was redistributed to state via block grants as Temporary Assistance for Needy Families (TANF). This included a set-aside for continuation funding for probation services eligible for reimbursement under the state's Comprehensive Youth Services Act of 1998. Probation TANF funding remained in place as an annual state block grant appropriation to county probation departments until FY 2005-06. As part of its annual budget negotiations, the State began funding TANF-eligible probation services as a direct State General Fund appropriation known as Juvenile Probation Funding.

The Humboldt County Probation Department currently receives approximately \$289,000 annually. These funds are used to support services in Juvenile Hall and to fund three probation officers covering an intensive supervision caseload in adult probation serving adult probationers with young children.

5. **Title: Combat Methamphetamine Project**

Legislative Issue: Advocate for funding, such as an expansion of the existing Cal-MMET program, that would allow small rural counties to fight the growing methamphetamine problem.

Issue and Background: Humboldt County has a significant problem with the manufacture, sale, and personal use of methamphetamine. This major issue significantly impacts our local business community, private and public health care, social services, schools, law enforcement, and judicial resources in a very adverse manner – both financially and socially. Our methamphetamine problem directly impacts our crime rate, especially property crimes such as burglary and larceny, domestic violence and child abuse crimes, officer safety, and methamphetamine abuse severely taxes our local medical and social services agencies. Due to Humboldt County's limited financial resources, only one Deputy Sheriff can be dedicated to directly deal with and combat narcotic-related crimes.

Lack of funding prevents the Humboldt County Sheriff's Office from directing an appropriate amount of resources to bring about a significant reduction in the manufacture, sales, and personal use of methamphetamine that is taking place within Humboldt County.

The proposed project would include a state appropriation of \$500,000 to Humboldt County that would allow the Humboldt County Sheriff's Office to dedicate the appropriate number of Deputy Sheriffs to significantly impact the methamphetamine program through both law enforcement and education services. This project would target not only the local manufacture and sales of methamphetamine, but also personal possession and use, with the goal of reducing local demand.

The direct law enforcement effort would be coupled with an educational program designed to make community members of all age levels more aware of the dangers and negative results associated with the use of methamphetamine. The public education effort would also include a component on how the public can help the Sheriff's Office deal with methamphetamine-related problems such as drug houses. By reducing methamphetamine trafficking and demand locally, there would be a beneficial impact on the local business community, private and public health care resources, social services agencies, and all local judicial and law enforcement resources.

6. Title: Funding for Beach Patrol

Legislative Platform: Advocate for increased and ongoing funding from Off-Highway Vehicle registration fees and/or the U.S. Fish and Wildlife Service to completely fund two Deputy Sheriffs for beach patrol.

Issue and Background: Since FY 2000-01, the Sheriff's Office has received funding through the State's Off-Highway Vehicle Commission grants to fund a Deputy Sheriff to perform beach patrol duties. This Deputy Sheriff's primary responsibility is to patrol local coastal beaches to ensure that members of the public who utilize the beaches for recreational purposes are doing so in a safe and proper manner. In addition, the Beach Patrol Deputy assists the Humboldt County Parks and Recreation Department and the federal Fish and Wildlife Service with the protection of endangered Snowy Plover habitat during their nesting season, and assists the federal Bureau of Land Management and the federal Fish and Wildlife Service with the management of the South Spit peninsula. Over the last two years, State funding has been reduced to the point where it covers only 50% of the actual program cost. The U.S. Fish and Wildlife Service provided \$20,000 in one-time funding for FY 2005-06.

This position is a critical component of any beach management plan for local coastal beaches within Humboldt County. Without sufficient funding to cover the program's actual costs, the Sheriff's Office will not be able to maintain this position on a year-round basis. This proposal for \$200,000 would provide the Sheriff's Office with sufficient funding for two full-time Deputy Sheriffs to provide more consistent beach patrol coverage on all of Humboldt County's local beaches and provides back-up coverage on the original Deputy's days off, vacation time, etc.

7. Title: Training Reimbursement Funding for Correctional Officers and Juvenile Detention Officers

Legislative Platform: Support training reimbursement funding for correctional officers and juvenile detention officers.

Issue and Background: Prior to FY 2003-04, the Sheriff's Office and the Probation Department received partial reimbursement for training costs from the Board of Corrections for correctional officers, probation officers, and juvenile detention officers. These training funds provided reimbursements similar to those received for Deputy Sheriff and Police Officer training from the Peace Officer Standards and Training (POST) Office. Approximately \$16.1 million was appropriated in FY 2002-03 from a money derived by court-imposed fines. Training funds were eliminated beginning in FY 2003-04 due to the State's budget deficit.

Elimination of this funding was a double-edged fiscal sword because it did not eliminate the training mandates nor the counties' legal obligation to provide adequate training to its officers. It provides a hardship to counties as they struggle with inadequate funding. The Sheriff's Office lost approximately \$62,000 and the Probation Department lost approximately \$60,000 when the STC reimbursement was eliminated.

8. Title: Oppose Transfer of California Youth Authority Parole Supervision to Counties

Legislative Platform: Oppose SB 609 or similar legislation that would transfer responsibility for provision of parole supervision and services from the California Youth Authority to counties.

Issue and Background: Juvenile parole supervision and services has always been a State responsibility. Counties fear that they will be left with an unfunded state mandate (estimated at \$10,000 per parolee per year) if responsibility for parole supervision and services is transferred to county probation departments.

9. Title: Include Delinquent Minors as Eligible Individuals for the Kinship Guardian Assistance (Kin-Gap) Payment Program.

Legislative Platform: Support legislation that would revise California Welfare & Institutions Code Section 11363(1) to add Delinquency Minors.

Issue and Background: The Kinship Guardian Assistance payment program is a California program designed to help children who were removed from their homes and placed in the homes of relatives. By providing funds to these families, the program encourages family preservation and stability while providing a significant cost savings for the care of children who would otherwise end up in more costly group home care. The wording of current law pertaining to Kin-Gap limits eligibility

only to those children falling under the dependency Welfare & Institutions Code 300 minors. Delinquency minors falling under WIC Code Sections 601 and 602 are not eligible for these funds, even though AB 575 of 1999 mandates the same judicial oversight and legal requirements for delinquent children who are placed out of home under the jurisdiction of Probation Departments.

WIC Code Section 11363(1) should be amended "...has been adjudged a dependent child of the juvenile court pursuant to Section 300 or ward of the juvenile court pursuant to Sections 601 and 602."

10. **Title: Abandoned Vehicle Abatement Funding**

Legislative Platform: Support legislation that allows a jurisdiction to increase the DMV fee by one dollar to remove and dispose of abandoned and junked vehicles.

Issue and Background: The Humboldt County Abandoned Vehicle Authority, consisting of the County and the cities of Arcata, Eureka, Fortuna, Blue Lake, and Rio Dell, spends over \$225,000 to dispose of an approximately 3,400 abandoned vehicles. The current level of revenue, approximately \$129,000, is insufficient to handle the volume of abandoned vehicles and illegal dumping. Abandoned vehicles have become a safety hazard as well as an eyesore – an abandoned trailer resulted in the death of two teens in December 2004.

11. **Title: Clarification of the Court Facilities Act of 2002**

Legislative Platform:

- Support legislation that specifies that all holding cells that are for the exclusive use of court proceedings should be included in the definition of "court facility" and shall be included as part of a court facility to be transferred to the State.
- Support legislation that allows counties to use more recent fiscal years for the calculation of the Court Facility Payment, such as the most recent five years for which data is available.
- Support legislation that requires the State to transfer title (if applicable) and responsibility for Superior Court space back to its original County if the State builds a replacement courthouse and vacates the former Superior Court space.

Issue and Background: The Court Facilities Act of 2002 (SB 1732) authorized a process of transferring responsibility for construction, maintenance, and replacement of Superior Court facilities from the counties to the State. This occurs through a negotiations process between each county and the Administrative Office of the Courts. After the court facilities are transferred, the County must pay an annual Court Facility Payment to the State in an amount equivalent to its average maintenance costs from FY 1995-96 through FY 1999-00. There have been some disputes

statewide concerning the precise definition of “court facilities” and regarding the baseline date for the Court Facility Payment. Some counties had extraordinary expenditures during the baseline years, and would prefer to use different years for the calculation of the Court Facility Payment. Finally, in the event that the State builds a new courthouse and vacates a currently-used County building, that the State provide the County with a first option to transfer responsibility and title (if applicable) back to the original County.



Community Development - State Legislative Projects

COUNTY OF HUMBOLDT - COMMUNITY DEVELOPMENT DEPARTMENT
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1. **Title:** Funding for Public Infrastructure Projects

Legislative Platform: Support legislation that maintains or increases state funding for public infrastructure (sewer, water, drainage) projects. These can include revolving loan funds.

Issue and Background: Public infrastructure in Humboldt County is in dire need of upgrades to bring existing systems up to public works and regulatory standards, and need to be expanded to meet current and anticipated population needs. There are numerous sewer, water, and drainage systems in the County that currently pose serious health risks to the public, hamper development, and degrade the community due to their inadequacy. Infrastructure is critical to maintaining the local economy. These projects require state and federal financial assistance due to their high costs. A total of \$180 million is needed just to bring sewer and water systems within Humboldt County into compliance with public works and regulatory standards. Examples of projects include the Arcata Water Storage Reservoir (also serving the cities and communities of Eureka, McKinleyville, Fieldbrook, Blue Lake, Manila, and the Humboldt Community Services District, \$3.8 million); Ferndale Wastewater Treatment Plant Improvements, \$6.1 million; and the Ramney Collectors Domestic Drinking Water Rehabilitation/Upgrade (serving Arcata, Blue Lake, Eureka, Fieldbrook, Humboldt, Manila, and McKinleyville, \$4.2 million).

There is also a strong need to expand existing systems due to population growth. For example, the Martin Slough Interceptor Project alone is projected to cost \$30 million; and the sewer systems in the communities of Orick, Willow Creek, Glendale, and McKinleyville are all in need of expansion.

2. **Title:** Funding to Encourage Development of Affordable Housing

Legislative Platform: Support legislation that provides incentives, such as tax credits or grants to public jurisdictions, to encourage the development of affordable housing.

Issue and Background: Humboldt County is obligated to provide a certain amount of affordable housing each year. Due to high land and building costs in California, the private sector alone cannot meet these goals.

Many housing programs that are available through the federal government, such as the farmworker housing program, require a 20-40% local cash match to access federal funds. For a \$2 million project and a 20% match requirement, the County would

need to provide \$400,000 for its local cash match. Humboldt County is too cash-strapped to provide this level of matching funds. Therefore, elimination of local match requirements on existing housing programs would be highly desirable.

Although a federal tax credits program offers credits to corporations that invest in affordable housing and the State offers tax credits and issues bonds for housing, there is simply more demand for affordable housing than funding available to meet the needs. Additional tax credits or grant programs for government agencies to provide subsidized housing are needed.

3. Title: Grant Funding for Housing Opportunity Plan Pilot Project

Legislative Platform:

- Support legislation that would provide grant funding from the California Department of Housing and Community Development (HCD) for a Housing Opportunity Plan pilot project.
- Support legislation that provides incentives to jurisdictions that adopt the Housing Opportunity Plan approach in the process of adopting a redevelopment agency.

Issue and Background: Humboldt County is working with HCD and the California State Association of Counties on a pilot project to demonstrate an alternative approach to the preparation of General Plan Housing Elements. The pilot project would involve the cooperative preparation of a Housing Opportunity Plan in conjunction with the California Department of Housing and Community Development; Humboldt County cities and community service districts; community organizations such as the Farm Bureau, the Housing Coalition, Humboldt State University, and the Humboldt Economic Land Plan; and the general public.

The pilot project would create a 20-year land supply for housing and zone for 10-year housing production, with a five-year action plan and a five-year supply of "by right" housing. It would also, among other things, accommodate an adequate housing supply for families of all income levels with an efficient land use pattern; establish minimum density levels and housing product mix; and reduce regulatory barriers and time delays for production.

4. Title: Brownfield Remediation and Liability

Legislative Platform:

- Support legislation that maintains or increases funding for remediation of toxic brownfield sites, particularly those in rural areas.

- Support legislation that encourages the reuse of formerly developed properties and limits liability for developers of these sites, particularly in rural areas that have large unused vacant industrial sites.

Issue and Background: Rural areas of Humboldt County include large unused vacant industrial sites, particularly former mill sites. Clean-up of these apparent toxic brownfield sites is the single largest hindrance to redevelopment of these areas. The County has received funding from the U.S. Environmental Protection Agency (EPA) in the past to assess the number of brownfield sites in redevelopment areas. The County's goal is to expand this work to other unincorporated areas of the County. Liability has been an obstacle to redevelopment of these areas. Last year, the State enacted the California Land Resuse and Revitalization Act of 2004 that limits the liability of developers. This act made it easier for developers to redevelop brownfield sites. Humboldt County would oppose any legislation that reverses the gains made in this act.

An ideal source of funding would be grants from the state government to develop revolving loan funds for brownfield clean-up, with provisions for forgivable loans to public entities.

5. Title: Protection of Redevelopment Funding from ERAF Shifts

Legislative Platform: Support legislation that would permanently protect redevelopment agency funding and oppose legislation that would shift redevelopment agency funds to the State's Educational Revenue Augmentation Fund (ERAF).

Issue and Background: Humboldt County is in the process of creating a redevelopment agency. It is important that ERAF shifts don't become so invasive that redevelopment ceases to be a viable economic development tool.

SB 1096 of 2004 provides a sunset protecting redevelopment agencies from future funding shifts. However, it is not anticipated to be permanent protection. Legislation is needed that would provide permanent protection against funding shifts.



General Government - State Legislative Projects

COUNTY OF HUMBOLDT - COUNTY ADMINISTRATIVE OFFICE

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1. **Title:** Property Tax Administration Program

Legislative Platform: Support legislation that restores funding for the Property Tax Administration Program.

Background and Discussion: In 1992, the State enacted the Educational Revenue Augmentation Fund (ERAF), which shifted property tax revenues from the counties to the state. Although counties assess property values, act as a hearing board for property tax appeals, and collect property tax payments, the State receives more than 65% of every property tax dollar collected in Humboldt County. The State recognized that it was in its own best interests to ensure that properties were being assessed to the greatest extent possible. Therefore, in 1994, the State established the Property Tax Administration Program (PTAP). PTAP provided funds to each county to support the work of the Assessor's Office. Humboldt County received \$210,806 in PTAP funding in FY 2004-05.

However, due to the state budget deficit, the State eliminated the PTAP program after FY 2005-06. Humboldt County will need to lay off three experienced appraisers and one assessment technician at the end of the fiscal year if funding is not restored. A study conducted by the California State Auditor in 2000 concluded that \$11 of property tax revenues are generated by every \$1 invested in the PTAP program. Therefore, the PTAP program is extremely beneficial to the State, the county, and to all local jurisdictions that receive property tax funding.

2. **Title:** Pension Reform

Legislative Platform:

- Oppose legislation that proposes to replace CalPERS' defined-benefit retirement plan with a defined-contribution plan.
- Support legislation that proposes to cure abuses of the current CalPERS retirement system.

Background and Discussion: Because of stock market volatility and investment losses earlier this decade, retirement system costs skyrocketed from 2.1% of salary in FY 1999-00 to 13.9% in FY 2005-06 for general members and from 3.0% to 24.6% for public safety members over the same time period. The State and many local jurisdictions provided enhanced retirement system benefits (such as the 3%@50 Public Safety formula), which also increased costs.

These cost increases, along with a series of Sacramento Bee articles regarding pension system abuses, caused an outcry against defined contribution pension systems such as CalPERS. Rather than fix the abuses or adjust the actuarial accounting methods that are the underlying causes of the cost run-ups, however, the Governor and some legislators have proposed the elimination of all defined benefit pension plans. Many local governments believe that it is exactly these defined benefit pension plans that allow them to recruit and retain many of the best and brightest candidates in government careers.

3. **Title: Streamlined Sales Tax Agreement**

Legislative Platform: Encourage the State of California to participate in the national Streamlined Sales Tax Agreement to receive sales taxes from internet sales.

Background and Discussion: Internet sales have largely been tax-free to encourage the development of the internet commerce medium, and because of differing tax laws in each of several thousand different taxing jurisdictions. Sales taxes generate 33% of all state revenue and 12% of all revenue to local governments. However, this revenue is rapidly eroding as an increasing number of consumers make purchases on-line. Sales taxes are never collected on almost two-thirds of business-to-consumer transactions over the internet.

States can only require retailers located within their borders to collect sales tax on their behalf. The U.S. Supreme Court, in the *Quill* decision, has ruled that it is a violation of the Commerce Clause of the United States Constitution for a state to require a retailer that is not physically located within a state to comply with a state's tax laws.

Proposed federal legislation would overturn the *Quill* decision and require out-of-state retailers to collect sales taxes – but only for states that become members in the Streamlined Sales Tax Agreement. California is not yet a member of the Agreement.



Health & Human Services - State Legislative Projects

COUNTY OF HUMBOLDT – DEPARTMENT OF HEALTH & HUMAN SERVICES
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1. **Title:** Development of a Subsidized Training Program for Public Health Laboratory Directors

Legislative Platform:

- Support programs that will provide stipends to PhD students and training to post-doctoral candidates who agree to serve one year as a Public Health Laboratory director for each year of support received.
- Support legislation which would allocate funding to enact training programs for health professionals.

Background and Discussion: There is a critical shortage of qualified public health laboratory directors in California. Only one newly-qualified Public Health Laboratory Director has been hired by any public health laboratory in California within the last ten years. As of July 2005, twelve of the 39 County public health laboratories have vacant director positions that are being filled by interim, acting, and part-time directors. Humboldt County is one of these twelve. Without taking proactive measures to support training, 29 of the 39 positions will be vacant by 2017. County public health laboratories play a critical role in the control of infectious diseases, a core function of public health departments. Private laboratories cannot fill the void because they only perform tests which are financially rewarding. Public health laboratories are essential for the management of West Nile Virus, tuberculosis, influenza, food-borne illnesses, and more. Public health laboratories are also vital to preparedness for bioterrorism events.

Representatives of the California Conference of Local Health Officers (CCLHO), the County Health Executives Association of California (CHEAC), the California Association of Public Health Laboratory Directors (CAPHLD), and representatives from the California Department of Health Services have formulated a plan to address the critical shortage of Public Health Laboratory Directors. The program would grant stipends to four PhD students per year in three-year programs of appropriate disciplines, and to re-establish training opportunities for four post-doctoral candidates per year. Graduates who have received financial support during training would be required to serve as Public Health Laboratory Directors one year for each year of support received. The goal would be to fully staff the 39 public health laboratories by 2017.

It is anticipated that this program would cost \$650,000 in FY2006-07, \$1.3 million in FY 2007-08, and \$1.5 million per year thereafter. The State Department of Health and Human Services has requested the program's inclusion in the Governor's FY 2006-07 state budget.

The passage of S.506 at the federal level would not eliminate the need for funding at the state level. The stipends of the federal legislation are relatively low and would not support PhD and post-doctorate students adequately.

2. Title: Funding for HIV Care and Treatment

Legislative Platform: Support legislation that continues or increases the current level of funding for the care, treatment, and case management of individuals suffering from AIDS or carrying the HIV virus.

Background and Discussion: The federal government may drastically reduce Ryan White Title II allocations to California for FFY 2006-07. Major reductions may cause the California Office of AIDS to reduce allocations to local health jurisdictions. In the event of federal funding reductions, the State of California should continue providing funding to local jurisdictions at a level that will assure that basic HIV care and treatment services will be available to people living with HIV.

3. Title: Comprehensive Nutrition and Physical Education Programs in Public Schools

Legislative Platform: Support comprehensive nutrition and physical education programs at all levels of public schools.

Background and Discussion: Nutrition and physical education curricula and programming have suffered severe reductions as schools have been required to meet more exacting academic standards in an atmosphere of increased standardized testing and scrutiny. For many children, particularly those from low-income families, school is their primary opportunity to develop healthy eating and exercise habits. Obesity is the nation's #1 health problem, and developing healthy nutrition and activity habits in children is the best and most cost-effective method to prevent obesity in the future.

4. Title: Reimbursement Programs for Uncompensated Emergency Care

Legislative Platform: Support SB 941, SB 57, SB 266, SB 277, and other similar legislation that would increase funding for uncompensated emergency care programs and continue the RHS "contract back" option for rural counties.

Background and Discussion: There are two programs that provide reimbursement for uncompensated emergency care, each with differing funding sources and program requirements: (1) The Proposition 99 Rural Health Services Program and (2) the SB12/SB612 Maddy Emergency Medical Services Fund. Rural counties can contract back the RHS program to the State; this program has delayed revenue receipt and is

subject to the vagaries of the State budget. Maddy EMS funds come from fines and forfeitures levied by the Courts, and is considered a stable funding source. Counties need to be able to maintain the contract back option for the RHS program due to problematic funding because of State budget cuts, delayed revenue receipt, cost of program implementation, and administration. Special interest groups want to eliminate the RHS contract back option, forcing the counties to administer it, because they feel the State is slow and limits funding. Increased funding and staffing would mitigate these issues.

5. Title: Discounted Medicare Rates for Inmate Inpatient Healthcare Costs

Legislative Platform: Support SB 159 and similar legislation that allows counties to be billed at Medicare, Medical, and CMSP rates for inmate inpatient costs.

Background and Discussion: Due to sharply rising healthcare costs, hospitals no longer negotiate discounted rates, forcing counties to pay close to the Normal and Customary rates for inmate inpatient costs. These rates are significantly higher than Medical, Medicare, or California Medical Services Program (CMSP) rates. Counties should be billed at these lower rates.



Natural Resources - State Legislative Projects

COUNTY OF HUMBOLDT – AGRICULTURAL COMMISSIONER
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1. **Title:** Funding for Continued Operation of the Mad River Fish Hatchery

Legislative Platform: Seek and support legislation for continued operation of the Mad River Fish Hatchery.

Background and Discussion: The State eliminated \$440,000 of Department of Fish and Game funding for the Mad River Fish Hatchery in FY 2003-04. The Mad River Fish Hatchery was forced to close as a result. Humboldt County lost an estimated \$1.5 million in annual revenues derived from a variety of local businesses such as hotels, restaurants, and local stores providing fishing tackle equipment and general supplies and related tourism imports.

In addition, the residents of Humboldt County lost a major recreational resource that is affordable to its low-income families; loss of a significant educational and social policy resource for grade school, middle school, high school, and university students; as well as a significant local resource in terms of future fisheries mitigation issues that include but are not limited to salmonoid restoration, watershed management, and economic development.

The local community has responded by forming a local nonprofit organization called Friends of the Mad River Hatchery and has partnered with other groups within the community to focus efforts on restoring the Hatchery. As a result of those efforts, an MOU has been established with the California Department of Fish and Game to establish a “downsized” operation to allow the taking of 150,000 steelhead eggs in December 2005. Friends of the Mad River Fish Hatchery has raised \$85,000 of the needed \$120,000 to maintain this annual operation. Tens of thousands of dollars in “sweat equity” have been provided by industry, businesses, and volunteers. While it is anticipated that the remaining balance of \$35,000 for this operational cycle will be obtained, community efforts cannot provide enough funding to fully fund this operation without the restoration of state financial support.

2. **Title:** High-Risk Pest Exclusion Programs

Legislative Platform: Support legislation that would restore funding for state-mandated High-Risk Pest Exclusion Programs.

Background and Discussion: Humboldt County conducts high-risk pest exclusion inspections at distribution points for packages containing plant material. These inspections are extremely important for ensuring that the County and the State are

kept free from the introduction of foreign pests on commercial plant shipments, which could seriously impact our environment and agricultural industries. Because these inspections are so important to California's agricultural industry, the California Department of Agriculture (CDFA) used to provide contract program funding from federal monies. These reimbursements were eliminated completely in FY 2005-06. Because the program is so important to the County, the Agricultural Commissioner's Office has absorbed the unreimbursed costs, but has had to limit and prioritize the inspections that it conducts.

The estimated cost of providing these inspections in FY 2005-06 is approximately \$51,000.

3. Title: Funding for State-Mandated Pesticide Use Enforcement Program

Legislative Platform: Support legislation that would provide an increase in or full cost reimbursement for the Pesticide Use Enforcement Program.

Background and Discussion: The Humboldt County Agricultural Commissioner's Office provides various types of pesticide use monitoring inspections, as well as reviewing and issuing permits to ensure that hazards are mitigated. This state-mandated program is expected to grow due to ever-increasing statutory restrictions, requirements, and changes in the laws and regulations. The program is critical to protect public health, property, pesticide handler and fieldworker safety, and the environment in Humboldt County. In FY 2005-06, Humboldt County expects to receive approximately \$37,500 in state funding, approximately 66% of the estimated total annual cost of \$56,054.

4. Title: Funding for Wildlife Services Program

Legislative Platform: Support legislation that would provide an increase in or full cost reimbursement for the Wildlife Services Program.

Background and Discussion: The Humboldt County Agricultural Commissioner's Office and the U.S. Department of Agriculture (USDA) currently share costs to maintain Humboldt County's Wildlife Services Program. The program responds to public needs in handling conflicts with wildlife, to reduce losses to livestock producers by predatory animals, and to protect urban areas and respond to nuisance complaints. Due to the proximity of urban areas to wildlife areas in Humboldt County, it is inevitable that conflicts arise between humans and wild animals. In these cases, it is crucial to have trained Wildlife Service professionals available to respond to complaints.

Humboldt County's portion of the cost is \$43,500, or 63% of the total cost of approximately \$69,000 annually. Federal funding has declined from \$36,000 in FY 2003-04 to an estimated \$25,000 in FY 2005-06.

5. Title: Funding and Monitoring Activities for the Klamath River

Legislative Platform: Support legislation that would provide funding and develop a coordinated monitoring system for water quality and biological criteria along the Klamath River.

Background and Discussion: The Klamath River runs across the northern portion of Humboldt County, providing critical water resources, natural habitat, fisheries, and recreation for the County's citizens. The Klamath River needs funding to protect its water quality, and needs coordinated monitoring activities by its stakeholders, such as local government entities; the Yurok, Karuk, and Hoopa Tribes, fisheries; the California Regional Water Quality Control Board; the U.S. Geological Survey; the California Department of Fish & Game; and the U.S. Department of Fish & Wildlife.

6. Title: Develop Critical Habitat Incentive Program

Legislative Platform: Support legislation that would create an incentive program, similar to the Williamson Act, to encourage property owners to protect critical natural habitats.

Background and Discussion: Humboldt County is reknowned for its abundant natural resources. However, economic incentives can cause property owners to opt for development of their properties rather than protecting the environment. An incentive program similar to the Williamson Act is needed to avoid additional listings of various animals and plants as endangered or threatened species. The definition of "critical habitat" should conform to existing state and federal definitions in current law.



Public Works - State Legislative Projects

COUNTY OF HUMBOLDT - PUBLIC WORKS DEPARTMENT
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1. **Title:** Use of Proposition 42 Funding for its Intended Purpose -- Transportation

Legislative Platform: Support legislation that transfers Proposition 42 transportation funding to local governments, as originally envisioned by the voters, and oppose any legislation that proposes to transfer Proposition 42 monies to the State's General Fund to balance its budget.

Background and Discussion: Proposition 42, the Transportation Congestion Improvement Act, was passed by the voters in 2002. Proposition 42 specifies that existing revenues from state sales and use taxes on the sale of motor vehicle fuel be used for transportation; city and county street and road repairs and improvements; and state highway improvements. However, the proposition also allows the money to suspend or modify the revenue allocations upon a two-thirds vote of the state legislature. Due to the State's budget difficulties, local governments received no Proposition 42 funding for the first three years of the law's existence. In FY 2005-06, the State budget for the first time included the pass-through of Proposition 42 funding to local governments, along with a promise to repay funds from prior years. Proposition 42 funds will provide Humboldt County with approximately \$1,200,000 for various road projects in FY 2005-06.

Road infrastructure in California is in critical condition. Moreover, road maintenance is cost-effective for the citizens of California. It has been estimated that \$1.00 in road maintenance spent now will save \$4.50 that will need to be spent later to make repairs on roads that have had deferred maintenance or none at all.

With the State's ongoing budget difficulties, it will be tempting for the State to again "suspend" the allocation of Proposition 42 monies to local governments. The voters have indicated their desire for this revenue to be restricted to road maintenance and improvements.

2. **Title:** Diesel Particulate Control Strategy for Public Fleets

Legislative Platform:

- Oppose legislation and state regulations that require only public fleets and utilities to reduce particulate emissions from diesel trucks.

- Support legislation and state regulations that would require engine manufacturers to attain specified emission reduction goals, so that costs can be spread out over all consumers instead of one targeted group.
- Support legislation and state regulations that would allow fleet owners to purchase new low-emission trucks as they replace the older non-compliant vehicles.

Background and Discussion: The California Air Resources Board is currently in the process of implementing a program to reduce particulate emissions from diesel trucks owned by public fleets and utilities. This project will severely affect Humboldt County's ability to maintain its road system. The cost of implementing the particulate emissions program is conservatively estimated at more than \$1.5 million, and will exceed the County's entire annual maintenance budget for road resurfacing. Moreover, the proposed program will have little impact on statewide air quality standards because it does not address private-sector vehicle business fleets or individual diesel truck owners, who own far more diesel vehicles than public-sector fleets. Low-sulfur diesel fuel is not even available in Humboldt County.

Recognizing the need to improve air quality in California, Humboldt County offers an alternative proposal: instead, introduce legislation or new air-quality regulations that require engine manufacturers to attain specified emission reduction goals so that the costs can be spread over all consumers, not just a targeted group.

3. **Title: Storm Water Waste Discharge in Areas of Special Biological Significance**

Legislative Platform:

- Support legislation and/or state regulations that postpone implementation of the State Water Resources Control Board's Ocean Plan prohibitions related to stormwater waste discharge in Areas of Special Biological Significance (ASBS).
- Support legislation that provides funding for implementation of these requirements.
- Support legislation that requires future regulations to be based on best management practices as established by scientific panels.

Background and Discussion: The California State Water Resources Control Board revised the Ocean Plan, which included various prohibitions against stormwater waste discharge in Areas of Special Biological Significance. The State has not provided any funding to implement its mandate.

Current regulations essentially require local areas to cease all drainage. State-designated ASBS's in Humboldt County include the Shelter Cover area in southern Humboldt County, Redwood National Park, Trinidad, Westhaven, and the King Range. The topography of these areas make it economically infeasible and environmentally destructive to relocate drainage from these areas of the county.

Legislation and regulations need to be more realistic, streamlining requirements to focus on what is absolutely necessary to protect habitat. Future regulations should be based on best management practices as established by scientific panels.

Humboldt County is seeking an exception to the stormwater discharge requirement. However, the application costs for the exception alone are estimated to cost the county approximately \$100,000. Carrying out the provisions of the mandate would cost far more. The County is requesting postponement of the regulations until such time as funding to carry out this mandate is provided by the State.

4. Title: McKinleyville Stormwater Management Program

Legislative Platform:

- Support legislation and/or state regulations that postpone implementation of the National Pollutant Discharge Elimination System (NPDES) permit requirements for the StormWater Management Program.
- Support legislation that provides funding for implementation of these requirements.

Background and Discussion: The Federal Clean Water Act requires that most municipal entities obtain NPDES permits and reduce the pollutant load from municipal storm sewers to the maximum extent practicable. NPDES has been an unfunded mandate.

Under the authority of the Federal Clean Water Act, the California State Water Resources Control Board has issued Water Quality Order 2003-0005-DWQ. In response, the County has prepared a StormWater Management Program (SWMP) for the unincorporated community of McKinleyville for Phase II of the NPDES program. The SWMP outlines activities to be implemented during the first five-year NPDES permit period, such as regulation and inspection of construction, industry, municipal operations, commercial uses, and maintenance activities. It also requires a program of public outreach and education, as well as research studies and water quality monitoring programs. For certain types of development, on-site storm water filters or treatment and implementation of Best Management Practices are required to minimize pollutants discharged to surface water.

Although these requirements are unfunded mandates, failure to implement the program will subject the County to fines of up to \$27,500 per day, and both civil and criminal liability for willful noncompliance. Either the NPDES requirements need to be deferred, or funding mechanisms for implementation need to be identified.