SOLANO COUNTY

Legislative Committee Meeting

Committee
Supervisor Erin Hannigan (Chair)
Supervisor John M. Vasquez

Staff
Nancy L. Huston
Matthew A. Davis

March 9, 2020
1:30 p.m.

Solano County Administration Center
Sixth Floor Conference Center, Room 6003
675 Texas Street
Fairfield, CA 94533

AGENDA

i. **Introductions** *(Attendees)*

ii. **Additions / Deletions to the Agenda**

iii. **Public Comment** *(Items not on the agenda)*

iv. **Federal Legislative update** *(Paragon Government Relations)*
- Budget and Appropriations
  - Trump Administration releases FY 2021 Budget Proposal
  - FY 2020 Emergency Supplemental Appropriations / Coronavirus Update
- Update on homelessness legislation
- Department of Transportation Soliciting Applications for FY 2020 BUILD Grant Program
- Water Policy Update

v. **Update from Solano County Legislative Delegation** *(Representative and/or staff)*

vi. **State Legislative Update** *(Karen Lange)*
- Provide an update on recent events in the California State Legislature and bills of significance to Solano County

State Action Items:
(1) Consider **supporting** legislation amending the Military and Veterans Code, allowing for an additional $11 million annually for County Veterans Service Offices. (Ted Puntillo, VSO)
- AB 2688 (Cervantes – D) Veteran Service Officers

(2) Consider **supporting** legislation amending the Government and Public Utilities Code relating to public utilities, which would require electrical corporations to include protocols that specifically address the needs of customers during PSPS events. (CSAC)
- SB 862 (Dodd – D) Planned Power Outage, Public Safety

(3) Consider **supporting** amending the Vehicle Code, authorizing an emergency vehicle to be equipped with a “hi-lo” audible warning sound to be used to notify the public of an immediate need to evacuate. (Tom Ferrara, Sheriff-Coroner)
- SB 909 (Dodd – D) Emergency Vehicles

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(4) Consider **opposing** legislation to amend the Revenue and Taxation Code in relation to taxation, allowing taxpayers not to pay property taxes on a property that is subject to a pending assessment appeal. (Marc Tonnesen, Assessor-Recorder)

- SB 1959 (Mayes - I) Property Taxation, Assessment Appeals, Deferral of Tax Payment

vii. **Informational item**

- Receive the California State Association of Counties FY 2020 Legislative Platform

viii. **Bill Tracking Report** (Legislative Update)

ix. **Scheduled Meetings:**

- Monday, April 6, 2020 at 1:30 p.m.
- Monday, April 20, 2020 at 1:30 p.m.

x. **Adjourn**

ASSEMBLY BILL No. 2688

Introduced by Assembly Member Cervantes

February 20, 2020

An act to amend Section 974 of, and to repeal and add Section 972.1 of, the Military and Veterans Code, relating to veterans, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

legislative counsel's digest

AB 2688, as introduced, Cervantes. Veterans: veterans service officers.

Existing law permits the Department of Veterans Affairs to assist veterans and the dependent or survivor of a veteran with presenting and pursuing claims against the federal government arising out of military service and establishing rights to any privilege, preference, care, or compensation provided for by the federal government or the state. County veteran service officers are appointed by county officials to assist veterans, dependents, and survivors in presenting and pursuing claims. Existing law requires the department to disburse funds, appropriated to the department pursuant to the annual Budget Act, on a pro rata basis, to counties that have established and maintain a county veterans service officer in accordance with the staffing level and workload of each county veterans service officer under a formula based upon performance developed by the department. The department is required to submit an annual report on the activities of county veteran service officers to the Department of Finance, the State Department of Health Care Services, the California Veterans Board, and to each Member of the Legislature.

This bill would appropriate $11,000,000 on July 1, 2020, and annually thereafter, from the General Fund to the department for allocation to counties for county veterans service officers based upon a workload unit performance formula to be developed by the department. This bill would also require the department to develop performance metrics to demonstrate the effective use of appropriated funds. Finally, this bill would require the department to submit the annual report of county veterans service officer activities by November 15 of each year, and to include the new performance metrics within the report.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: ⅔. Appropriation: yes. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares all of the
2 following:
3 (a) Since 2001, the Global War on Terrorism has created a new
4 generation of veterans who may be eligible for federal veteran
5 benefits because of their wartime service and their resulting service
6 connected disabilities.
7 (b) Californians make up to 10 percent of the federal military
8 forces used in these conflicts. Furthermore, the California National
9 Guard and California-based reserve units have contributed
10 significantly to these current conflicts at levels unheard of in prior
11 eras.
12 (c) In addition to this new generation of veterans, the needs of
13 prior generations of veterans change as those veterans age, whether
14 by age-related changes or long-term effects from their service,
15 resulting in additional need for assistance in accessing their benefits
16 throughout their lifetimes.
17 (d) Many of the more than 20,000 veterans returning to
18 California annually are not aware of how to access the federal and
19 state benefits that are available to them. Furthermore, many
20 veterans from prior eras are not aware that they may still be eligible
21 for state and federal veteran benefits despite the time that has
22 passed since their discharge from service.
23 (e) California's county veteran service officers, and their staffs
24 of trained professional veteran service representatives are the initial

1 local point of contact for claimants accessing veteran benefits
2 through both the United States Department of Veterans Affairs
3 and the State of California.
4 (f) California's veteran benefits delivery model is similar to
5 other states and relies on a close partnership between the California
6 Department of Veterans Affairs and the county veteran services
7 officers who are the "boots on the ground" and who act as the
8 distributed network for outreach, education, and claim initiation
9 and development.
10 (g) A California Department of Veterans Affairs report to the
11 Legislature in 2007 titled "Strategies to Improve California's
12 Utilization of Veteran Benefits" noted that California's veteran
13 benefit utilization lagged behind Florida and Texas, states with
14 comparable veteran populations, as well as lagging behind
15 utilization rates nationwide. The report substantiated that California
16 could increase federal benefit utilization by putting more trained,
17 professional veteran service representatives in the field.
18 (h) A review of benefit utilization over several fiscal years shows
19 a direct correlation between increased state funding for new hires
20 and increased utilization of federal veteran benefits by California's
21 veterans. While early history shows California lagging behind
22 Florida, Texas and the nation as a whole, recent history clearly
23 shows that California was able to exceed the utilization rates of
24 both Florida and the nation but still lags behind Texas. This
25 improvement has been attributed to the last significant increase in
26 state funding for county veteran service officers which allowed
27 some counties to hire additional veteran service representatives.
28 Even with those new hires California still lags behind Texas where
29 there are proportionally more trained, professional veteran service
30 representatives in the field.
31 (i) Estimates show that by improving California's benefit
32 utilization to the same utilization rate as Texas, in particular by
33 targeting funding to additional veteran service representatives,
34 California could connect approximately 30,000 additional veterans
35 to monetary benefits and bring in an additional $500 million per
36 year to the state's economy.
37 (j) The cost of maintaining county veterans service officers are
38 shared from county general funds and state reimbursement to the
39 counties. In 1997, in order to track performance, the Legislature
40 enacted, and the Governor signed into law, Senate Bill 608, which

1 required the California Department of Veterans Affairs to annually
2 report the amount of monetary benefits paid to veterans by the
3 federal government that were attributable to the assistance of
4 county veterans service officers. Senate Bill 608 also required the
5 Department of Finance to consider an increase in the annual budget
6 for county veterans service officers of up to $5 million, if approved
7 in the annual budget process. In 2009, the Legislature enacted, and
8 the Governor signed into law, Senate Bill 419, which raised this
9 amount to $11 million, if approved in the annual budget process.
10 These dollar amounts represented approximately 50 percent of the
11 total cost to operate county veteran services offices statewide in
12 the respective years.
13 (k) As a result of this annual reporting, by the end of 2016, it
14 was determined that from 1995 to 2016, inclusive, the state had
15 cumulatively appropriated $58.2 million from the General Fund
16 for its share of the cost of the county veterans service officers. As
17 a result of this investment, county veterans service officers were
18 able to assist local veterans in obtaining $5.4 billion in new federal
19 moneys. This is a return of about $93 for every $1 the state
20 allocates to county veterans service officers. Furthermore, due to
21 the nature of the annual reporting, the $5.4 billion only reflects
22 the incremental monetary benefits in a given year, not the
23 cumulative amount for ongoing benefits. The incremental monetary
24 benefits reported in prior years cannot be tracked, yet the veterans
25 and their dependents often continue to receive those benefits for
26 the rest of their lives. Added to this stellar return on the state's
27 investment, but also not counted in the annual reporting, are the
28 Medi-Cal cost avoidance savings incurred as a result of county
29 veterans service officers qualifying and shifting veterans away
30 from Medi-Cal and into the appropriate federal veterans program.
31 (*l*) County veterans service officers accomplished all of this
32 without ever reaching the statutory goal of $11 million in state
33 funding, set in 2009. To date, county veterans service officers have
34 not received more than $5.6 million per year from the state's
35 General Fund.
36 (m) It is critical that the county veterans service officers receive
37 a steady stream of funding as there continues to be a large number
38 of underserved veterans and dependents who are not aware of the
39 federal and state benefits available to them as a result of their
40 military service or how to access them. Studies which looked at

states with similar populations and veteran service operations show that higher staffing at county veterans service offices results in larger amounts of federal moneys to veterans, both in the aggregate and to the individual veteran. Other independent studies show that by using trained professional veteran service representatives when applying for benefits the claimants receive higher, more comprehensive awards.

(n) These federal monetary benefits are paid directly from the United States Department of Veterans Affairs to the qualifying veterans or their dependents and have a positive, multiple factor, impact on the state and local economies.

(o) Current regulations limit each county's allocation of these funds to 50 percent of that county's annual expenditures. If these regulations remain in place, high performing small and mid-sized counties will be disadvantaged. It is the intent of the Legislature that these regulations be changed so that allocation of funds is based primarily upon performance, under a formula using workload units as defined in the legislation. In order to avoid penalizing high performing small and mid-size counties, it is the desire of the Legislature that arbitrary "percent of expenditure" limits currently imposed in regulations, as related to these funds, be abolished.

SEC. 2. Section 972.1 of the Military and Veterans Code is repealed.

~~972.1. (a) The sum of five hundred thousand dollars ($500,000) is hereby appropriated from the General Fund to the Department of Veterans Affairs for allocation, during the 1989–90 fiscal year, for purposes of funding the activities of county veterans service officers pursuant to this section. Funds for allocation in future years shall be as provided in the annual Budget Act.~~

~~(b) Funds shall be disbursed each fiscal year on a pro rata basis to counties that have established and maintain a county veterans service officer in accordance with the staffing level and workload of each county veterans service officer under a formula based upon performance that shall be developed by the Department of Veterans Affairs for these purposes, and that shall allocate county funds in any fiscal year for county veterans service officers in an amount not less than the amount allocated in the 1988–89 fiscal year.~~

~~(c) The department shall annually determine the amount of new or increased monetary benefits paid to eligible veterans by the federal government attributable to the assistance of county veterans~~

~~service officers. The department shall, on or before October 1 of each year, prepare and transmit its determination for the preceding fiscal year to the Department of Finance and the Legislature. The Department of Finance shall review the department's determination in time to use the information in the annual Budget Act for the budget of the department for the next fiscal year.~~

~~(d) (1) The Legislature finds and declares that 50 percent of the amount annually budgeted for county veterans service officers is approximately eleven million dollars ($11,000,000). The Legislature further finds and declares that it is an efficient and reasonable use of state funds to increase the annual budget for county veterans service officers in an amount not to exceed eleven million dollars ($11,000,000) if it is justified by the monetary benefits to the state's veterans attributable to the effort of these officers.~~

~~(2) It is the intent of the Legislature, after reviewing the department's determination in subdivision (c), to consider an increase in the annual budget for county veterans service officers in an amount not to exceed five million dollars ($5,000,000), if the monetary benefits to the state's veterans attributable to the assistance of county veteran service officers justify that increase in the budget.~~

~~(e) This section shall become operative January 1, 2016.~~

SEC. 3. Section 972.1 is added to the Military and Veterans Code, to read:

972.1. (a) Notwithstanding Section 13340 of the Government Code, the sum of eleven million dollars ($11,000,000) is hereby appropriated annually from the General Fund each fiscal year commencing July 1, 2020, to the Department of Veterans Affairs to be available for allocation to counties to fund the activities of county veterans service officers.

(b) (1) Funds shall be disbursed each fiscal year on a pro rata basis to counties that have established and maintain a county veterans service officer in accordance with this article, under a formula based upon workload unit performance that shall be developed by the Department of Veterans Affairs for these purposes.

(2) The Department of Veterans Affairs shall maintain a database of each county's 2019–20 fiscal year county veterans service office expenditures to be used as a baseline for comparison

1 to future years' expenditures. Each county must certify in advance
2 of receiving funds appropriated by this section that any increase
3 in the county's allocation resulting from this appropriation will
4 only be used to expand the operations of its county veteran service
5 office. The department shall review implementation of this
6 requirement during its annual audit of county veterans service
7 offices by comparing current year expenditures to the baseline
8 expenditures.
9 (3) For the purposes of this section, "workload unit" means a
10 specific claim activity that is used to allocate subvention funds to
11 counties, which is approved by the department, and performed by
12 county veterans service officers.
13 (c) The department, in consultation with county veterans services
14 officers, shall develop performance metrics to demonstrate the
15 effective use of these funds. Metrics shall include, but not be
16 limited to:
17 (1) The number of veterans and the number of family members
18 of veterans who have contacted or utilized the services of the
19 county veterans service offices during the fiscal year.
20 (2) The number of contacts who initiated claims activities or
21 were referred to other direct services or benefits.
22 (3) The monetary value of benefits obtained through the efforts
23 of the county veterans services office.
24 (4) The number of claims filed to achieve benefits such as
25 pension, disability compensation, and health care on behalf of
26 veterans and their dependents.
27 (5) Demographics of the claimants served, including, but not
28 limited to, era, age, gender, sexual orientation, housing status, and
29 number of clients seeking assistance with special interest claims,
30 including, but not limited to, military sexual trauma, mental health,
31 or environmental exposures.
32 (6) Office staffing levels broken down by veteran service
33 representatives and support staff with percent change since the
34 baseline year established in paragraph (2) of subdivision (b).
35 SEC. 4. Section 974 of the Military and Veterans Code is
36 amended to read:
37 974. (a) The Department of Veterans Affairs ~~shall annually~~
38 *shall, on or before November 15 of each year,* prepare a report of
39 the activities of county veterans service officers, and may require

each county veterans service officer to submit information required to prepare the report. The report shall include the following:

(1) The number of veterans and ~~their~~ *the number of* family members *of veterans* who have contacted or utilized the services of the county veterans service offices during the fiscal year.

(2) The number of claims filed to achieve benefits such as pension, disability compensation, and health care on behalf of veterans and their dependents.

(3) The annualized monetary value of benefits received by veterans and their dependents as a result of the efforts of county veterans service offices, broken down by type of benefit.

(4) Other performance metrics developed pursuant to subdivision (c) of Section 972.1.

~~(4)~~

(5) A summary of other services provided by county veterans service offices and special events and activities in which county veterans service offices participated, such as veterans outreach events, homeless veteran "Stand Downs," and job fairs for veterans.

(b) The information required to be included in paragraphs (1) to (3), inclusive, of subdivision (a) shall be set forth for each county together with a statewide total.

(c) The department shall transmit a copy of the report to the Department of Finance, the State Department of Health Care Services, the California Veterans Board, and to each Member of the Legislature.

SEC. 5. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the California Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to provide for uninterrupted continuity of services critical to the successful reintegration of California's veterans, to increase California's utilization of veteran benefits at the earliest possible time, and to ensure veterans' claims for benefits are processed in a timely manner, it is necessary that this act take effect immediately.

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SENATE BILL No. 862

Introduced by Senator Dodd

January 16, 2020

An act to amend Section 8557 of the Government Code, and to amend Section 8386 of the Public Utilities Code, relating to public utilities.

LEGISLATIVE COUNSEL'S DIGEST

SB 862, as introduced, Dodd. Planned power outage: public safety.

Existing law, the California Emergency Services Act, authorizes the Governor to proclaim a state of emergency, and local officials and local governments to proclaim a local emergency, when specified conditions of disaster or extreme peril to the safety of persons and property exist, and authorizes the Governor or the appropriate local government to exercise certain powers in response to that emergency. Existing law defines the terms "state of emergency" and "local emergency" to mean a duly proclaimed existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by, among other things, fire, storm, or riot.

This bill would additionally include a planned deenergization event, as defined, within those conditions constituting a state of emergency and a local emergency.

Existing law requires each electrical corporation to annually prepare a wildfire mitigation plan and to submit its plan to the commission for review and approval, as specified. Following approval, the commission is required to oversee compliance with the plan. Existing law requires a wildfire mitigation plan of an electrical corporation to include, among other things, protocols for deenergizing portions of the electrical distribution system that consider the associated impacts on public safety, and protocols related to mitigating the public safety impacts of those

protocols, including impacts on customers who receive medical baseline allowances.

This bill would require an electrical corporation, as a part of its public safety mitigation protocols, to include protocols that deal specifically with access and functional need individuals, as defined, including those individuals who are enrolled in the California Alternative Rates for Energy program, as specified.

Existing law authorizes an electrical corporation to deploy backup electrical resources or provide financial assistance for backup electrical resources to a customer receiving a medical baseline allowance who meets specified requirements, including that the customer is not eligible for backup electrical resources provided through medical services, medical insurance, on community resources.

This bill would recast those provisions to authorize the electrical corporation to deploy backup resources to a customer, including an individual with an access of functional need, as defined, and would delete the requirement that the customer not be eligible for backup electrical resources from the other providers.

Because a violation of the public utilities provisions by an electrical corporation would be a crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 8557 of the Government Code is amended
2 to read:
3 8557. (a) "State agency" means any department, division,
4 independent establishment, or agency of the executive branch of
5 the state government.
6 (b) "Political subdivision" includes any city, city and county,
7 county, district, or other local governmental agency or public
8 agency authorized by law.

(c) “Governing body” means the legislative body, trustees, or directors of a political subdivision.

(d) “Chief executive” means that individual authorized by law to act for the governing body of a political subdivision.

(e) “Disaster council” and “disaster service worker” have the meaning prescribed in Chapter 1 (commencing with Section 3201) of Part 1 of Division 4 of the Labor Code.

(f) “Public facility” means any facility of the state or a political subdivision, which facility is owned, operated, or maintained, or any combination thereof, through moneys derived by taxation or assessment.

(g) “Sudden and severe energy shortage” means ~~a~~ *either of the following:*

(1) A rapid, unforeseen shortage of energy, resulting from, but not limited to, events such as an embargo, sabotage, or natural disasters, and which has statewide, regional, or local impact.

(2) A deenergization event.

(h) For purposes of this section, a “deenergization event” means a planned power outage, undertaken by an electrical corporation, as defined in Section 218 of the Public Utilities Code, to reduce the risk of wildfires caused by utility equipment, pursuant to Public Utilities Commission Resolution ESRB-8 and any decisions issued by the commission, the Wildfire Safety Division, as set forth in Section 326 of the Public Utilities Code, the Office of Energy Infrastructure Safety, or any other agency with authority over electrical corporations. A deenergization event commences when an electrical corporation provides notice to any state agency or political subdivision of the potential need to initiate a planned deenergization of the electrical grid, and ceases when the electrical corporation restores electrical services to all deenergized customers, or at such time as the electrical corporation cancels the power outage for some or all of its affected customers, and rescinds the notice of the potential need to initiate the deenergization event.

SEC. 2. Section 8386 of the Public Utilities Code is amended to read:

8386. (a) Each electrical corporation shall construct, maintain, and operate its electrical lines and equipment in a manner that will minimize the risk of catastrophic wildfire posed by those electrical lines and equipment.

(b) Each electrical corporation shall annually prepare and submit a wildfire mitigation plan to the Wildfire Safety Division for review and approval. In calendar year 2020, and thereafter, the plan shall cover at least a three-year period. The division shall establish a schedule for the submission of subsequent comprehensive wildfire mitigation plans, which may allow for the staggering of compliance periods for each electrical corporation. In its discretion, the division may allow the annual submissions to be updates to the last approved comprehensive wildfire mitigation plan; provided, that each electrical corporation shall submit a comprehensive wildfire mitigation plan at least once every three years.

(c) The wildfire mitigation plan shall include all of the following:

(1) An accounting of the responsibilities of persons responsible for executing the plan.

(2) The objectives of the plan.

(3) A description of the preventive strategies and programs to be adopted by the electrical corporation to minimize the risk of its electrical lines and equipment causing catastrophic wildfires, including consideration of dynamic climate change risks.

(4) A description of the metrics the electrical corporation plans to use to evaluate the plan's performance and the assumptions that underlie the use of those metrics.

(5) A discussion of how the application of previously identified metrics to previous plan performances has informed the plan.

(6) Protocols for disabling reclosers and deenergizing portions of the electrical distribution system that consider the associated impacts on public safety. As part of these protocols, each electrical corporation shall include protocols related to mitigating the public safety impacts of disabling reclosers and deenergizing portions of the electrical distribution system that consider the impacts on all of the following:

(A) Critical first responders.

(B) Health and communication infrastructure.

(C) ~~Customers~~ *Access and functional needs individuals as defined in subdivision (b) of Section 8593.3 of the Government Code, and customers* who receive medical baseline allowances pursuant to subdivision (c) of Section 739. The electrical corporation may deploy backup electrical resources or provide financial assistance for backup electrical resources to *an access*

and functional needs individual and a customer receiving a medical baseline allowance ~~for a customer who~~ *when the individual or customer demonstrates financial need, including, but not limited to, enrollment in the California Alternative Rates for Energy program created pursuant to Section 739.1 and* meets ~~all~~ *either* of the following requirements:

(i) The *individual or* customer relies on ~~life-support~~ equipment that operates on electricity to sustain life.

~~(ii) The customer demonstrates financial need, including through enrollment in the California Alternate Rates for Energy program created pursuant to Section 739.1.~~

~~(iii) The customer is not eligible for backup electrical resources provided through medical services, medical insurance, or community resources.~~

(ii) The individual or customer is a person with a disability or an access and functional need.

(D) Subparagraph (C) shall not be construed as preventing an electrical corporation from deploying backup electrical resources or providing financial assistance for backup electrical resources under any other authority.

(7) Appropriate and feasible procedures for notifying a customer who may be impacted by the deenergizing of electrical lines, including procedures for *access and functional needs individuals and customers and* those customers receiving a medical baseline allowance as described in paragraph (6). The procedures shall direct notification to all public safety offices, critical first responders, health care facilities, and operators of telecommunications infrastructure with premises within the footprint of potential deenergization for a given event.

(8) Plans for vegetation management.

(9) Plans for inspections of the electrical corporation's electrical infrastructure.

(10) Protocols for the deenergization of the electrical corporation's transmission infrastructure, for instances when the deenergization may impact customers who, or entities that, are dependent upon the infrastructure.

(11) A list that identifies, describes, and prioritizes all wildfire risks, and drivers for those risks, throughout the electrical corporation's service territory, including all relevant wildfire risk and risk mitigation information that is part of the Safety Model

1 Assessment Proceeding and the Risk Assessment Mitigation Phase
2 filings. The list shall include, but not be limited to, both of the
3 following:
4 (A) Risks and risk drivers associated with design, construction,
5 operations, and maintenance of the electrical corporation's
6 equipment and facilities.
7 (B) Particular risks and risk drivers associated with topographic
8 and climatological risk factors throughout the different parts of
9 the electrical corporation's service territory.
10 (12) A description of how the plan accounts for the wildfire risk
11 identified in the electrical corporation's Risk Assessment
12 Mitigation Phase filing.
13 (13) A description of the actions the electrical corporation will
14 take to ensure its system will achieve the highest level of safety,
15 reliability, and resiliency, and to ensure that its system is prepared
16 for a major event, including hardening and modernizing its
17 infrastructure with improved engineering, system design, standards,
18 equipment, and facilities, such as undergrounding, insulation of
19 distribution wires, and pole replacement.
20 (14) A description of where and how the electrical corporation
21 considered undergrounding electrical distribution lines within those
22 areas of its service territory identified to have the highest wildfire
23 risk in a commission fire threat map.
24 (15) A showing that the electrical corporation has an adequately
25 sized and trained workforce to promptly restore service after a
26 major event, taking into account employees of other utilities
27 pursuant to mutual aid agreements and employees of entities that
28 have entered into contracts with the electrical corporation.
29 (16) Identification of any geographic area in the electrical
30 corporation's service territory that is a higher wildfire threat than
31 is currently identified in a commission fire threat map, and where
32 the commission should consider expanding the high fire threat
33 district based on new information or changes in the environment.
34 (17) A methodology for identifying and presenting
35 enterprisewide safety risk and wildfire-related risk that is consistent
36 with the methodology used by other electrical corporations unless
37 the commission determines otherwise.
38 (18) A description of how the plan is consistent with the
39 electrical corporation's disaster and emergency preparedness plan
40 prepared pursuant to Section 768.6, including both of the following:

(A) Plans to prepare for, and to restore service after, a wildfire, including workforce mobilization and prepositioning equipment and employees.

(B) Plans for community outreach and public awareness before, during, and after a wildfire, including language notification in English, Spanish, and the top three primary languages used in the state other than English or Spanish, as determined by the commission based on the United States Census data.

(19) A statement of how the electrical corporation will restore service after a wildfire.

(20) Protocols for compliance with requirements adopted by the commission regarding activities to support customers during and after a wildfire, outage reporting, support for low-income customers, billing adjustments, deposit waivers, extended payment plans, suspension of disconnection and nonpayment fees, repair processing and timing, access to electrical corporation representatives, and emergency communications.

(21) A description of the processes and procedures the electrical corporation will use to do all of the following:

(A) Monitor and audit the implementation of the plan.

(B) Identify any deficiencies in the plan or the plan's implementation and correct those deficiencies.

(C) Monitor and audit the effectiveness of electrical line and equipment inspections, including inspections performed by contractors, carried out under the plan and other applicable statutes and commission rules.

(22) Any other information that the Wildfire Safety Division may require.

(d) The Wildfire Safety Division shall post all wildfire mitigation plans and annual updates on the commission's internet website for no less than two months before the division's decision regarding approval of the plan. The division shall accept comments on each plan from the public, other local and state agencies, and interested parties, and verify that the plan complies with all applicable rules, regulations, and standards, as appropriate.

SEC. 3. No reimbursement is required by this act pursuant to Section 6 of Article XIIIB of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty

1 for a crime or infraction, within the meaning of Section 17556 of
2 the Government Code, or changes the definition of a crime within
3 the meaning of Section 6 of Article XIII B of the California
4 Constitution.

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SENATE BILL No. 909

Introduced by Senator Dodd
(Coauthor: Assembly Member Aguiar-Curry)

February 3, 2020

An act to amend Section 27002, relating to emergency vehicles.

LEGISLATIVE COUNSEL'S DIGEST

SB 909, as introduced, Dodd. Emergency vehicles.

Existing law prohibits any vehicle, other than an authorized emergency vehicle, from being equipped with a siren. Existing law requires an emergency vehicle to be equipped with a siren that meets requirements set forth by the Department of the California Highway Patrol.

Existing regulations of the California Highway Patrol define a "hi-lo" to be a nonsiren sound alternating between a fixed high and a fixed low frequency and require the "hi-lo" function to be disabled on any siren manufactured after January 1, 1978.

This bill would authorize an emergency vehicle to be equipped with a "hi-lo" audible warning sound and would authorize the "hi-lo" to be used solely for the purpose of notifying the public of an immediate need to evacuate.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 27002 of the Vehicle Code is amended
2 to read:
3 27002. *(a)* No vehicle, except an authorized emergency
4 vehicle, shall be equipped with, nor shall any person use upon a
5 vehicle any siren except that an authorized emergency vehicle

1 shall be equipped with a siren meeting requirements established
2 by the department.
3 *(b) An emergency vehicle may also be equipped with a Hi-Lo*
4 *audible warning sound that may only be used for the purposes of*
5 *notifying the public of an immediate evacuation in case of an*
6 *emergency.*
7 *(c) As used in this section, a "Hi-Lo" is an audible warning*
8 *sound that alternates between a fixed high and a fixed low*
9 *frequency. A "Hi-Lo" is not a siren.*

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AMENDED IN ASSEMBLY FEBRUARY 14, 2020

CALIFORNIA LEGISLATURE—2019–20 REGULAR SESSION

ASSEMBLY BILL No. 1959

Introduced by Assembly Member Mayes

January 21, 2020

An act to amend Sections 2605, 2606, 4833.1, and 4985.3 of, and to add Section 2606.5 to, the Revenue and Taxation Code, relating to taxation.

LEGISLATIVE COUNSEL'S DIGEST

AB 1959, as amended, Mayes. Property taxation: assessment appeals: deferral of tax payment.

Existing property tax law provides for the payment property taxes on real property on the secured roll in two installments, which are due and payable on specified dates. Under existing property tax law, unpaid property taxes become delinquent, and subject to a delinquent penalty of 10%, as provided. ~~In~~ *Under existing law,* the case of corrections or cancellations made to the roll following a decision of a board of equalization or assessment appeals board in an adopting county if the taxpayer has failed to pay an amount of taxes computed upon assessed value that is the subject of a pending assessment appeal, that taxpayer's relief from penalties is limited to the difference between the county board's final determination of value and the value on the assessment roll for the fiscal year covered by the taxpayer's application for reduction in assessment.

This bill, notwithstanding any other law, would require, upon the filing of an application with a county board of equalization or assessment appeals board for a reduction in an assessment as provided, that the date on which the taxes on the secured roll for the subject real property

are due and payable be tolled during the pendency of the assessment ~~appeal.~~ *appeal as to the disputed amount of the taxes. The bill would authorize tolling only for real property that the taxpayer both owns and occupies.* The bill would provide that any taxes owed by the taxpayer are due and payable on specified dates after the resolution of the assessment appeal, as provided, and, if unpaid, deemed delinquent and subject to penalty. The bill would authorize the Governor to suspend operation of these provisions by executive order when, in the Governor's judgment, economic conditions affecting the market in real property on a statewide basis warrant such a suspension. The bill would also make various conforming changes.

By adding to the duties of local tax officials to administer these provisions, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 2605 of the Revenue and Taxation Code
2 is amended to read:
3 2605. Subject to Section 2606.5, the following taxes on the
4 secured roll are due and payable November 1:
5 (a) All taxes on personal property.
6 (b) Half the taxes on real property, and if the amount is not
7 evenly divisible by two, the odd cent is also due and payable unless
8 the roll shows the odd cent as part of the second installment.
9 SEC. 2. Section 2606 of the Revenue and Taxation Code is
10 amended to read:
11 2606. Subject to Section 2606.5, the second half of taxes on
12 real property on the secured roll is due and payable February 1.
13 SEC. 3. Section 2606.5 is added to the Revenue and Taxation
14 Code, to read:

2606.5. (a) Notwithstanding any other law and subject to subdivision (c), upon the filing of an application pursuant to Section 1603, the date on which the taxes on the secured roll for the real property that is the subject of that application are due and payable pursuant to this chapter shall be tolled *as to the disputed amount of the taxes* during the pendency of the assessment appeal.

(b) (1) In the case of *disputed* taxes on real property for which the due and payable date is tolled pursuant to subdivision (a), any *disputed* taxes owed by the taxpayer shall be due and payable on the first November 1 or February 1, whichever occurs earlier, after the resolution of the assessment appeal. ~~Taxes~~ *Disputed taxes* due and payable pursuant to this subdivision that are unpaid as of the applicable due and payable date shall be deemed to be delinquent and subject to penalty, as provided in Section 2617 or 2618, as applicable.

(2) For purposes of this subdivision, "resolution of the assessment appeal" means that either of the following has occurred:

(A) The county board of equalization or assessment appeals board, as applicable, has determined to not make any changes to the assessed value of the property, or amount of taxes owed, by the taxpayer based on an application filed pursuant to Section 1603.

(B) The county board of equalization or assessment appeals board, as applicable, has determined to make changes to the assessed value of the property, or amount of taxes owed, by the taxpayer based on an application filed pursuant to Section 1603 and the auditor has corrected the roll with respect to that property pursuant to Section 1646.1.

(c) This section shall only be applicable to an assessment appeal relating to real property the taxpayer both owns and occupies.

~~(c)~~

(d) The Governor may, by executive order, suspend operation of subdivisions ~~(a) and (b)~~ *(a), (b), and (c)* when, in the Governor's judgment, economic conditions affecting the market in real property on a statewide basis warrant suspension of those provisions.

SEC. 4. Section 4833.1 of the Revenue and Taxation Code is amended to read:

4833.1. (a) Notwithstanding Section 2610.5, in the case of corrections made to the roll pursuant to Section 1646.1, where a

1 taxpayer has failed to pay an amount of tax computed upon
2 assessed value that is the subject of a pending assessment appeal
3 and the due date for that amount of tax has not been tolled pursuant
4 to Section 2606.5, the relief from penalties shall apply only to the
5 difference between the county board's final determination of value
6 and the value on the assessment roll for the fiscal year covered by
7 the application. For purposes of this section, "county board" means
8 either a county board of supervisors that meets as a county board
9 of equalization or an assessment appeals board.
10 (b) The county board shall cause notice of the requirements of
11 this section to be mailed to each taxpayer or to be presented to
12 each taxpayer upon filing an application for reduction in assessment
13 with the county board if that taxpayer will be impacted by the
14 penalty provisions of this section.
15 (c) For any taxpayer who has paid at least 80 percent of the
16 amount of tax finally determined due by the county board within
17 60 days of mailing or presentation of the notice prescribed in
18 subdivision (b), the tax collector shall accept payment of the
19 balance of the tax due without penalties or interest.
20 (d) This section shall apply only to those properties upon which
21 an application for reduction in assessment is pending before the
22 county board on the effective date of the act adding this section
23 or those applications for reduction in assessment that are filed with
24 the county board after the effective date of the act adding this
25 section.
26 (e) This section shall only become operative if the board of
27 supervisors of a county, with the approval of the county's tax
28 collector and the county's auditor, adopts a resolution or ordinance
29 approving this section.
30 SEC. 5. Section 4985.3 of the Revenue and Taxation Code is
31 amended to read:
32 4985.3. (a) Notwithstanding Section 2610.5, in the case of
33 cancellations made to the roll pursuant to Section 1646.1, where
34 a taxpayer has failed to pay an amount of tax computed upon
35 assessed value that is the subject of a pending assessment appeal
36 and the due date for that amount of tax has not been tolled pursuant
37 to Section 2606.5, the relief from penalties shall apply only to the
38 difference between the county board's final determination of value
39 and the value on the assessment roll for the fiscal year covered by
40 the application. For purposes of this section, "county board" means

1 either a county board of supervisors that meets as a county board
2 of equalization or an assessment appeals board.
3 (b) The county board shall cause notice of the requirements of
4 this section to be mailed to each taxpayer or to be presented to
5 each taxpayer upon filing an application for reduction in assessment
6 with the county board if that taxpayer will be impacted by the
7 penalty provisions of this section.
8 (c) For any taxpayer who has paid at least 80 percent of the
9 amount of tax finally determined due by the county board within
10 60 days of mailing or presentation of the notice prescribed in
11 subdivision (b), the tax collector shall accept payment of the
12 balance of the tax due without penalties or interest.
13 (d) This section shall apply only to those properties upon which
14 an application for reduction in assessment is pending before the
15 county board on the effective date of the act adding this section
16 or those applications for reduction in assessment that are filed with
17 the county board after the effective date of the act adding this
18 section.
19 (e) This section shall only become operative if the board of
20 supervisors of a county, with the approval of the county's tax
21 collector and the county's auditor, adopts a resolution or ordinance
22 approving this section.
23 SEC. 6. If the Commission on State Mandates determines that
24 this act contains costs mandated by the state, reimbursement to
25 local agencies and school districts for those costs shall be made
26 pursuant to Part 7 (commencing with Section 17500) of Division
27 4 of Title 2 of the Government Code.

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CALIFORNIA STATE ASSOCIATION OF COUNTIES

2020 Legislative Platform

TABLE OF CONTENTS

1. **General Provisions** *Page 1*
    - Chapter 1 – General Provisions *Page 1*

2. **Administration of Justice** *Page 4*
    - Chapter 2 – Administration of Justice *Page 4*

3. **Agriculture, Environment, and Natural Resources** *Page 18*
    - Chapter 3 – AENR Policy Platform *Page 18*
        - Flood Protection Principles *Page 36*
        - State Water Policy Guideline *Page 41*
    - Chapter 4 – Energy *Page 43*
    - Chapter 14 – Climate Change *Page 47*
    - Chapter 17 – CEQA Reform Guidelines *Page 59*
    - Cannabis Policy *Page 63*

4. **Government Finance and Administration** *Page 67*
    - Chapter 5 – Government Operations *Page 67*
    - Chapter 8 – Public Employment and Retirement *Page 70*
    - Chapter 9 – Financing County Services *Page 77*
    - Chapter 12 – State Mandate Legislation *Page 81*
    - Chapter 13 – Economic Development Policy Committee *Page 83*

5. **Health and Human Services** *Page 86*
    - Chapter 6 – Health Services *Page 86*
    - Chapter 11 – Human Services *Page 99*
    - Chapter 16 – Realignment Platform *Page 108*

6. **Housing, Land Use and Transportation** *Page 110*
    - Chapter 7 – Planning, Land Use and Housing *Page 110*
    - Chapter 10 – Transportation and Public Works *Page 120*
    - Chapter 14 – Climate Change *Page 127*
    - Chapter 15 – Tribal Intergovernmental Relations *Page 139*

As adopted by the CSAC Board of Directors on 2.14.19

Chapter One

General Provisions

Preamble

The strength and creativity of America's government institutions reflects the ability of a free people to create, control, and use their freedom for the purpose of self-government. The bedrock foundation of that strength and creativity is responsible and responsive local government. It is to local government – and particularly to county government – that citizens turn for day-to-day government needs. It is to the county that citizens turn for equal protection under the laws guaranteed by the state and federal constitutions, and locally provided by the sheriff, courts, and jails. Citizens look to the county for the protection of health, the treatment of physical and mental illnesses and chemical dependency, and for help in times of financial crisis. The county enhances economic well-being through its work in the fields of transportation, business regulation, planning, public safety, agricultural advice, libraries, and the protection and improvement of the built and natural environment.

Yet decisions made by the California Legislature and electorate have restricted counties' ability to provide those services and others at the levels their communities desire. Beginning with its implementation of Proposition 13, the Legislature has entrusted counties, but not funded counties, to provide the most important services to Californians. Counties now face the twin pressures of increasing service demands and statutory requirements on the one hand, and the inability to raise necessary resources to meet those demands on the other.

Local control is the chief principle underlying the California County Platform. Based on that principle, the three major planks of the Platform are:

1) to allow county government the fiscal resources that enable it to meet its obligations;

2) to permit county government the flexibility to provide services and facilities in a manner that resolves the day-to-day problems communities face; and

3) to grant county government the ability to tailor the levels of local revenues and services to citizens' satisfaction.

This Platform is a statement of general principle and policy direction. It recognizes that when dealing in a fast-changing political arena in a state with many local differences almost any policy guideline will occasionally require exceptions. Therefore, it is anticipated that both the CSAC Board of Directors and Executive Committee will support exceptions in appropriate situations upon finding that there exist compelling special conditions.

The Platform is incomplete in that it is continually subject to review and revision. The Platform chapters are arranged in a manner that facilitates additions and amendments without affecting remaining portions.

Section 1: Local Control

Local control calls for the recognition of the differences that exist throughout the state and holds that local government should have the flexibility to develop systems by which services are provided and problems are resolved. It calls on counties to resist externally imposed systems that ignore the differences among them.

Not only does local control fortify counties' position that the state must recognize local differences, it also allows for individual counties to adopt alternatives that might not be acceptable to other counties – provided that these alternatives are not imposed on those who do not wish them.

Counties adopt the principle of local control as the policy cornerstone of CSAC

CSAC will strive to assure that all legislative proposals, policies, and regulations recognize the differences that exist throughout the state. CSAC will strongly resist any externally imposed systems that ignore statewide differences or that erode local determination.

CSAC internally incorporates the principle of local control. In matters limited to county-wide or regional application, counties are free to determine their own solutions, except when the CSAC Board of Directors or the Executive Committee determines them to be of the gravest and most far-reaching proportions.

CSAC will firmly support any county or counties seeking to oppose the external imposition of systems upon them.

CSAC will firmly support any county or counties seeking to resolve local or regional issues through the enactment of legislation or otherwise, as long as the proposal is not contrary to the basic precepts of a strong and viable county government.

Section 2: Intergovernmental Relations

There are various issues and problems that transcend the boundaries of political subdivisions. In implementing the Platform, CSAC will endeavor to foster an understanding of the appropriate levels of governmental responsibility to promote efficient and effective governance for the citizens of the State of California. Within this context, it is essential that the roles of state, regional, and local agencies be recognized as distinct and separate. Areas of mutual concern do exist; however, the appropriate role of each agency varies.

Counties comprehensively plan for future growth, the management of natural resources, and the provision of public services; the state should only add requirements to this local planning in areas the Legislature explicitly finds to be of statewide concern. One useful measure of statewide significance is the Legislature's commitment of funds to local government for related costs.

Counties will fully implement state-mandated, state-funded programs locally. However, doing so is not financially or operationally feasible when state regulations are overly burdensome, internally inconsistent, too inflexible to local concerns, or generally under-funded. Therefore, CSAC supports a process of periodic legislative review to determine each mandated program's benefits, including the fiscal and operational feasibility of the program and related regulations.

Counties, cities, and special districts should adopt formal policies that encourage locally initiated solutions to regional problems.

CSAC will support reasonable proposals that encourage local agencies to resolve disputes without costly litigation and in a way that buoys public confidence in local government, for instance through non-binding mediation.

Section 3: Efficiency, Economy, and Effectiveness

Counties also advocate the principle of local control to improve efficiency, economy, and effectiveness.

CSAC will consider proposals to realign responsibility for public services among levels of government. However, any realigned program responsibility must be accompanied by revenue authority sufficient to fund the ongoing costs of the program.

CSAC will support efforts to align program responsibility with revenue authority among various levels of government.

Many local services are well-suited for the utilization of private contracts. When properly used, private contracts can be an effective method of increasing efficiency and economy. CSAC encourages expanded permission to use private contracts to provide local services in justifiable areas as a means of achieving efficiency and economy.

Chapter Two

Administration of Justice

Section 1: General Principles

This chapter is intended to provide a policy framework to direct needed and inevitable change in our justice system without compromising our commitment to both public protection and the preservation of individual rights. CSAC supports improving the efficiency and effectiveness of the California justice systems without compromising the quality of justice.

<u>The Role of Counties</u>
The unit of local government that is responsible for the administration of the justice system must be close enough to the people to allow direct contact, but large enough to achieve economies of scale. While acknowledging that the state has a constitutional responsibility to enact laws and set standards, California counties are uniquely suited to continue to have major responsibilities in the administration of justice. However, the state must recognize differences arising from variations in population, geography, industry, and other demographics and permit responses to statewide problems to be tailored to the needs of individual counties.

We believe that delegation of the responsibility to provide a justice system is meaningless without provision of adequate sources of funding.

Section 2: Legislative and Executive Matters

<u>Board of Supervisors Responsibilities</u>
It is recognized that the state, and not the counties, is responsible for trial court operations costs and any growth in those costs in the future. Nevertheless, counties continue to be responsible for justice-related services, such as, but not limited to, probation, prosecutorial and defense services, as well as the provision of local juvenile and adult detention facilities. Therefore, county board of supervisors should have budget control over all executive and administrative elements of local justice programs for which we continue to have primary responsibility.

<u>Law Enforcement Services</u>
While continuing to provide the full range of police services, county sheriffs should move in the direction of providing less costly specialized services, which can most effectively be managed on a countywide basis. Cities should provide for patrol and emergency services within their limits or spheres of influence. However, where deemed mutually beneficial to counties and cities, it may be appropriate to establish contractual arrangements whereby a county would provide law enforcement services within incorporated areas. Counties should maintain maximum flexibility in their ability to contract with municipalities to provide public safety services.

District Attorney Services

The independent, locally-elected nature of the district attorney must be protected. This office must have the capability and authority to review suspected violations of law and bring its conclusions to the proper court.

Victim Indemnification

Government should be responsive to the needs of victims. Victim indemnification should be a state responsibility, and the state should adopt a program to facilitate receipt of available funds by victims, wherever possible, from the perpetrators of the crime who have a present or future ability to pay, through means that may include, but are not limited to, long-term liens of property and/or long-term payment schedules.

Witness Assistance

Witnesses should be encouraged to become more involved in the justice system by reporting crime, cooperating with law enforcement, and participating in the judicial process. A cooperative anonymous witness program funded jointly by local government and the state should be encouraged, where appropriate, in local areas.

Grand Juries

Every grand jury should continue to have the authority to report on the needs of county offices, but no such office should be investigated more than once in any two-year period, unless unusual circumstances exist. Grand juries should be authorized to investigate all local government agencies, not just counties. Local government agencies should have input into grand jury reports on non-criminal matters prior to public release. County officials should have the ability to call the grand jury foreman and his or her representative before the board of supervisors, for the purpose of gaining clarification on any matter contained in a final grand jury report. Counties and courts should work together to ensure that grand jurors are properly trained and that the jury is provided with an adequate facility within the resources of the county and the court.

Public Defense Services

Adequate legal representation must be provided for indigent persons as required by constitutional, statutory, and case law. Such representation includes both criminal and mental health conservatorship proceedings. The mechanism for meeting this responsibility should be left to the discretion of individual counties.

Counsel should be appointed for indigent juveniles involved in serious offenses and child dependency procedures. The court-appointed or -selected attorney in these procedures should be trained specifically to work with juveniles.

Adult defendants and parents of represented juveniles who have a present and/or future ability to pay part of the costs of defense should continue to be required to do so as determined by the court. The establishment of procedures to place the responsibility for the cost of juvenile defense rightfully upon the parents should be encouraged. The state should increase its participation in sharing the costs of public defense services.

Coronor Services

The independent and investigative function of the coroner must be assured. State policy should encourage the application of competent pathological techniques in the determination of the cause of death.

The decision as to whether this responsibility should be fulfilled by an independent coroner, sheriff-coroner combination, or a medical examiner must be left to the individual boards of supervisors. In rural counties, the use of contract medical examiners shall be encouraged on a case-by-case basis where local coroner judgment is likely to be challenged in court. A list of expert and highly qualified medical examiners, where available, should be circulated to local sheriff-coroners.

Pre-Sentence Detention

Adults

1) Facility Standards

   The state's responsibility to adopt reasonable, humane, and constitutional standards for local detention facilities must be acknowledged.

   Recognizing that adequate standards are dynamic and subject to constant review, local governments must be assured of an opportunity to participate in the development and modification of standards.

   It must be recognized that the cost of upgrading detention facilities presents a nearly insurmountable financial burden to most counties. Consequently, enforcement of minimum standards must depend upon state financial assistance, and local costs can be further mitigated by shared architectural plans and design.

2) Pre-sentence Release

   Counties' discretion to utilize the least restrictive alternatives to pre-sentence incarceration that are acceptable, in light of legal requirements and counties' responsibility to protect the public, should be unfettered.

3) Bail

   We support a bail system that would validate the release of pre-sentence persons using risk assessment tools as a criteria for release. Risk assessment tools and pre-trial release assessments should be designed to mitigate racial and economic disparities while maintaining public safety. .

   Any continuing county responsibility in the administration or operation of the bail system must include: 1) a mechanism to finance the costs of such a system and 2) provide counties with adequate local flexibility.

Juveniles

1) General

   We view the juvenile justice system as being caught between changing societal attitudes calling for harsher treatment of serious offenders and its traditional orientation toward assistance and rehabilitation. Therefore, we believe a thorough review of state juvenile laws is necessary. Any changes to the juvenile justice system

should fully involve and draw upon the experience of county officials and personnel responsible for the administration of the present system. CSAC must be involved in state-level discussions and decision-making processes regarding changes to the juvenile justice system that will have a local impact. There must also be recognition that changes do not take place overnight and that an incremental approach to change may be most appropriate.

Counties must be given the opportunity to analyze the impact, assess the feasibility, and determine the acceptability of any juvenile justice proposal that would realign services from the state to the local level. As with any realignment, responsibility and authority must be connected, and sufficient resources — with a built-in growth factor adjustment — must be provided. Any shift in juvenile detention or incarceration from large state-run facilities to local facilities — if determined to be appropriate — must be pre-planned and funded by the state. However, counties believe that a class of juvenile offenders exists that is best treated by the state. These juvenile offenders are primarily those offenders whose behavioral problems, treatment needs, or criminogenic profile are so severe as to outstrip the local ability to properly treat.

We support a juvenile justice system that is adapted to local circumstances and increased state and federal funding support for local programs that are effective.

2) Facility Standards

The state's responsibility to adopt reasonable, humane, and constitutional standards for juvenile detention facilities is recognized. The adoption of any standards should include an opportunity for local government to participate. The state must recognize that local government requires financial assistance in order to effectively implement state standards, particularly in light of the need for separating less serious offenders from more serious offenders.

3) Treatment and Rehabilitation

As with adult defendants, counties should have broad discretion in developing programs for juveniles.

To reduce overcrowding of juvenile institutions and to improve the chances for treatment and rehabilitation of more serious offenders, it is necessary that lesser offenders be diverted from the formal juvenile justice system to their families and appropriate community-based programs. Each juvenile should receive individual consideration and, where feasible, a risk assessment.

Counties should pursue efficiency measures that enable better use of resources and should pursue additional funding from federal, state, and private sources to establish appropriate programs at the county level.

Prevention and diversion programs should be developed by each county or regionally to meet the local needs and circumstances, which vary greatly among urban, suburban, and rural areas of the state. Programs should be monitored and evaluated on an ongoing basis to ensure their ability to protect public safety and to

ensure compliance with applicable state and federal regulations. Nevertheless, counties believe that the state must continue to offer a commitment option for those juvenile offenders with the most serious criminogenic profile and most severe treatment needs.

4) Bail
Unless transferred to adult court, juveniles should not be entitled to bail. Release on their own recognizance should be held pending the outcome of the proceedings.

5) Separation of Offenders
We support the separation of juveniles into classes of sophistication. Separation should be based upon case-by-case determinations, taking into account age, maturity, need for secure custody among other factors, since separation by age or offense alone can place very unsophisticated offenders among the more mature, sophisticated offenders.

In view of the high cost of constructing separate juvenile hall facilities, emphasis should be placed on establishment of facilities and programs that facilitate separation.

6) Removal of Serious Offenders to Adult Court
To the greatest extent possible, determinations regarding the fitness of serious offenders should be made by the juvenile court on a case-by-case basis.

7) Jury Trial for Serious Offenders
Except when transferred to adult court, juveniles should not be afforded the right to a jury trial — even when charged with a serious offense.

General Principles for Local Corrections

Definition
Local corrections include maximum, medium and minimum security incarceration, work furlough programs, home detention, county parole, probation, Post Release Community Supervision (PRCS) and community-based programs for convicted persons.

Purpose
We believe that swift and certain arrest, conviction, and punishment is a major deterrent to crime. Pragmatic experience justifies the continuation of rehabilitative programs for those convicted persons whom a court determines must be incarcerated and/or placed on local supervision.

In light of the state's recent efforts on corrections reform — primarily on recidivism and overcrowding in state detention facilities, counties feel it is essential to articulate their values and objectives as vital participants in the overall corrections continuum. Further, counties understand that they must be active participants in any successful effort to improve the corrections system in our state. Given that local and state corrections systems are interconnected, true reform must consider the advantage — if not necessity — of investing in local programs and services to help the state reduce the rate of growth in the prison population. Front-end investment in local programs and initiatives will enrich the changes

currently being contemplated to the state system and, more importantly, will yield greater economic and social dividends that benefit communities across the state.

An optimum corrections strategy must feature a strong and committed partnership between the state and local governments. State and local authorities must focus on making productive use of offenders' time while in custody or under state or local supervision. A shared commitment to rehabilitation can help address the inextricably linked challenges of recidivism and facility overcrowding. The most effective method of rehabilitation is one that maintains ties to an offender's community.

Programs and services must be adequately funded to enable counties to accomplish their functions in the corrections system and to ensure successful outcomes for offenders. To the extent that new programs or services are contemplated, or proposed for realignment, support must be in the form of a dedicated, new and sustained funding source specific to the program and/or service rather than a redirection of existing resources, and adequate to achieve specific outcomes. In addition, any realignment must be examined in relation to how it affects the entire corrections continuum and in context of sound, evidence based practices. Any proposed realignment of programs and responsibility from the state to counties must be guided by CSAC's existing Realignment Principles.

System and process changes must recognize that the 58 California counties have unique characteristics, differing capacities, and diverse environments. Programs should be designed to promote innovation at the local level and to permit maximum flexibility, so that services can best target individual community needs and capacities. Data collection and sharing is additionally critical as counties implement new criminal justice efforts.

Equal Treatment

Conditions, treatment and correctional opportunities that are equal for all detainees, regardless of gender, are strongly supported. State policy must allow recognition of the individual's right to privacy and the differing programmatic needs of individuals.

Community-Based Corrections

The most cost-effective method of rehabilitating convicted persons is the least restrictive alternative that is close to the individual's community and should be encouraged where possible.

State policy must recognize that correctional programs must always be balanced against the need for public protection and that community-based corrections programs are only successful to the extent that they are sufficiently funded.

Relationship to Human Services Systems

State policy toward corrections should reflect a holistic philosophy, which recognizes that most persons entering the correctional system should be provided welfare, medical, mental health, vocational and educational services. Efforts to rehabilitate persons entering the correctional system should involve these other services, based on the needs — and, when possible, a risk assessment — of the individual.

Relationship to Mental Health System: Mentally Ill Diversion Programs

Adequate mental health services can reduce criminal justice costs and utilization. Appropriate diagnosis and treatment services, as well as increased use of diversion programs, will result in positive outcomes for offenders with a mental illness. Ultimately, appropriate mental health services will benefit the public

safety system. Counties continue to work across disciplines to achieve good outcomes for persons with mental illness and/or co-occurring substance use disorder issues.

Inmate Medical Services

CSAC supports efforts at the federal level to permit local governments to access third-party payments for health care provided in detention facilities, including medical services provided for those who are accused, but not yet convicted. CSAC also supports efforts to ensure continuity of benefits for those detained in county detention facilities – adult and juvenile – and for swift reenrollment in the appropriate benefits program upon a detainee's release.

Private Programs

Private correctional programs should be encouraged for those categories of offenders that can most effectively be rehabilitated in this manner.

Investment in Local Programs and Facilities

The state's investment in local programs and facilities returns an overall benefit to the state corrections system and community safety. State support of local programs and facilities will aid materially in addressing the "revolving door" problem in state and local detention facilities.

The state should invest in improving, expanding and renovating local detention facilities to address overcrowding, early releases, and improved delivery of inmate health care. Incentives should be included to encourage in-custody treatment programs and other services.

The state should invest in adult probation services — using as a potential model the Juvenile Justice Crime Prevention Act (JJCPA) — to build a continuum of intervention, prevention, and supervision services for adult offenders.

The state should continue to fully support the successful JJCPA initiative, which provides a range of juvenile crime prevention and intervention programs and which represents a critical component of an overall crime reduction and public safety improvement strategy. Diverting juveniles from a life of offending will help to reduce pressure on the adult system.

The state should invest in mentally ill in-custody treatment and jail diversion programs, where treatment and services can help promote long-term stability in mentally ill offenders or those with co-occurring disorders, decrease recidivism, and divert appropriate offenders out of the criminal justice system.

The state should continue to invest in alcohol and substance use disorder treatment and diversion programs, including but not limited to outpatient treatment facilities, given that the vast majority of inmates in state and local systems struggle with addiction, which is a primary factor in their criminality.

Inmate Reentry Programs

Reentry programs represent a promising means for addressing recidivism by providing a continuum of care that facilitates early risk assessment, prevention, and transition of inmates back into the community through appropriate treatment, life skills training, job placement, and other services and supports. The state should consider further investment in multiagency programs authorized under SB

618[1], which are built on proven, evidence-based strategies including comprehensive pre-sentence assessments, in-custody treatment, targeted case management, and the development of an individualized life plan. These programs promote a permanent shift in the way nonviolent felony offenders are managed, treated and released into their respective communities. Examples of program elements that have been demonstrated to improve offenders' chances for a successful reintegration into their communities upon release from custody include, but are not limited to, the following:

a. Early risks and needs assessment that incorporates assessments of the need for treatment of alcohol and substance use disorders, and the degree of need for literacy, vocational and mental health services;
b. In-custody treatment that is appropriate to each individual's needs — no one-size-fits-all programming;
c. After care and relapse prevention services to maintain a "clean and sober" lifestyle;
d. Strong linkages to treatment, vocational training, and support services in the community;
e. Prearranged housing and employment (or vocational training) for offenders before release into their communities of residence;
f. Completion of a reentry plan prior to the offenders' transition back into the community that addresses the following, but is not limited to: an offender's housing, employment, medical, dental, and rehabilitative service needs;
g. Preparation of the community and offenders' families to receive and support each offender's new law-respecting and productive lifestyle before release through counseling and public education that recognize and address the inter-generational impact and cycles of criminal justice system involvement.
h. Long-term mentorship and support from faith-based and other community and cultural support organizations that will last a lifetime, not just the duration of the parole period; and
i. Community-based treatment options and sanctions.
j. Counties believe that such reentry programs should include incentives for inmate participation.

Siting of New Facilities

Counties acknowledge that placement of correctional facilities is controversial. However, the state must be sensitive to community response to changing the use of, expanding, or siting new correctional facilities (prisons, community correctional facilities, or reentry facilities). Counties and other affected municipalities must be involved as active participants in planning and decision-making processes regarding site selection. Providing for security and appropriate mitigations to the local community are essential.

Impact on Local Treatment Capacity

Counties and the state must be aware of the impact on local communities' existing treatment capacity (e.g., mental health, drug treatment, vocational services, sex offender treatment, indigent healthcare, developmental services, and services for special needs populations) if the correction reforms contemplate a major new demand on services as part of development of community correctional facilities, reentry programs, or other locally based programs. Specialized treatment services that are not widely available are likely the first to be overtaxed. To prevent adverse impacts upon existing alcohol and substance use disorder and mental health treatment programs for primarily non-criminal justice

[1] Chapter 603, Statutes of 2005.

system participants, treatment capacity shall be increased to accommodate criminal justice participants. In addition, treatment capacity shall be separately developed and funded.

Impact on Local Criminal Justice Systems

Proposals must adequately assess the impact on local criminal justice systems (courts, prosecution and defense, probation, detention systems and local law enforcement).

Emerging and Best Practices

Counties support the development and implementation of a mechanism for collecting and sharing of best practices that can help advance correction reform efforts.

Adult Correctional Institutions

Counties should continue to administer adult correctional institutions for those whose conviction(s) require and/or results in local incarceration.

The state and counties should establish a collaborative planning process to review the relationship of local and state corrections programs.

Counties should continue to have flexibility to build and operate facilities that meet local needs. Specific methods of administering facilities and programs should not be mandated by statute.

Adult Probation

Counties should continue to provide adult probation services as a cost-effective alternative to post-sentence incarceration and to provide services—as determined appropriate—to persons released from local correctional facilities. Counties should be given flexibility to allocate resources at the local level according to the specific needs of their probation population and consideration should be granted to programs that allow such discretion. State programs that provide fiscal incentives to counties for keeping convicted offenders out of state institutions should be discouraged unless such programs – on balance – result in system improvements. State funding should be based upon a state-county partnership effort that seeks to protect the public and to address the needs of individuals who come into contact with the justice system. Such a partnership would acknowledge that final decisions on commitments to state institutions are made by the courts, a separate branch of government, and are beyond the control of counties. Some integration of county probation and state parole services should be considered. Utilization of electronic monitoring for probationers and parolees should be considered where cost-effective and appropriate for local needs.

General Principles for Juvenile Corrections

We believe that efforts to curtail the criminal behavior of young people are of the highest priority need within the correctional area. The long-term costs resulting from young offenders who continue their criminal activities justifies extraordinary efforts to rehabilitate them.

Efforts should be made to force parents to assume greater responsibility for the actions of their children, including fines and sanctions, if necessary. Counties should be given flexibility to allocate resources at the local level according to the specific needs of their probation population and consideration should be granted to programs that allow such discretion. State programs that provide fiscal incentives to counties for keeping convicted offenders out of state institutions should be discouraged unless such programs – on balance – result in system improvements. Any program should

recognize that final decisions on commitments to state institutions are made by the courts, a separate branch of government, and are beyond the control of counties.

Juvenile Correctional Institutions
Counties should continue to administer juvenile correctional institutions and programs for the majority of youths requiring institutionalization. Retention of youths at the local level benefits the state by reducing demands on programs and institutions operated by the California Division of Juvenile Justice.

While counties believe that a state-operated rehabilitation and detention system is a necessary component of the continuum of services for juvenile offenders, CSAC opposes efforts that would require any additional county subsidy of that system. The state should provide subvention for these activities at a reasonable level, with provisions for escalation so that actual expenses will be met.

Juvenile Probation
Counties should continue to provide juvenile probation services as a cost-effective alternative to post-adjudication and to provide juvenile probation services to individual youths and their families after the youth's release from a local correctional facility.

Truants, run-a-ways, and youths who are beyond the control of their parents should continue to be removed from the justice system except in unusual circumstances. These youths should be the responsibility of their parents and the community, not the government. Imposing fines and/or sanctions on parents to prompt their participation in their children's lives and involvement in the process should remain an option.

Gang Violence Prevention
Counties recognize the devastating societal impacts of gang violence – not only on the victims of gang-related crimes, but also on the lives of gang members and their families. Counties are committed to working with allied agencies, municipalities, and community-based organizations to address gang violence and to promote healthy and safe communities. These efforts require the support of federal and state governments and should employ regional strategies and partnerships, where appropriate.

Human Services System Referral of Juveniles
State policy toward juvenile corrections must be built on the realization that a juvenile offender may be more appropriately served in the human services system. Considering the high suicide potential of youths held in detention facilities and, acknowledging the fact that juvenile offenses are more often impulse activities than are adult offenses, juvenile cases and placement decisions should be reviewed more closely under this light.

Federal Criminal Justice Assistance
The federal government should continue to provide funding for projects that improve the operation and efficiency of the justice system and that improve the quality of justice. Such programs should provide for maximum local discretion in designing programs that are consistent with local needs and objectives.

Section 3: Sex Offender Management

For the safety and well-being of California's citizens, especially those most vulnerable to sexual assault, it is essential for counties and the state to manage known sex offenders living in our communities in ways that most effectively reduce the likelihood that they will commit another offense, whether such

reoffending occurs while they are under the formal supervision of the criminal justice system or takes place after that period of supervision comes to an end.

In light of this counties need to develop strategies to 1) educate county residents, 2) effectively manage the sex offender population, which may or may not coincide with existing state policy, 3) assess which sex offenders are at the highest risk to re-offend and thus in need of monitoring and 4) partner with other state and local organizations that assist in supervision of sex offenders.

To that end, CSAC has adopted the following principles and policy on sex offender management.

Any effective sex offender management policy should contain restriction clauses that do not focus on where a sex offender lives but rather on the offender's movements. Counties believe an offender's activities and whereabouts pose a greater danger than his or her residence. Therefore, any strategy should consider the specific offense of the sex offender and prohibit his/her travel to areas that relate to their specific offense.

Each county, when taking actions to address and/or improve sex offender management within its boundaries, should do so in a manner that does not create difficulties for other counties to manage the sex offender population within their jurisdiction.

There are many community misconceptions about how to best monitor the sex offender population, how sex offenders are currently monitored and the threats sex offenders do and do not pose to communities. Any comprehensive sex offender management program must contain a community education component for it to be successful.

Supervision programs administered at the local level will require stable and adequate funding from the State to ensure that the programs are appropriately staffed, accessible to local law enforcement departments, and effective.

Global Positioning Systems (GPS) devices are but one of a multitude of tools that can be used simultaneously to monitor and supervise sex offenders. California counties believe that if the State is to adopt the use of GPS to monitor sex offenders a common system should be developed. This system should be portable and accessible no matter where an offender travels within California.

Counties and the state should rely more heavily on the use of risk and needs assessments to determine how to allocate resources. These assessments will allow an agency at the local level to determine who is most at risk to reoffend and in need of monitoring.

Regional collaboration should be encouraged as a means to address sex offender management.

The level of government with jurisdiction to supervise a sex offender (state parole or county probation) should be responsible and be given the authority for managing that offender.

Counties believe that for any policy to work, local governments and the State must work collaboratively to manage this population of offenders. The passage of Jessica's Law (Proposition 83, November 2006) intensified discussions regarding sex offender management and the public's perception about effective sex offender management policies. Accordingly, state and local governments should reexamine sex offender management policies.

Section 4: Judicial Branch Matters

Trial Court Management

The recognized need for greater uniformity and efficiency in the trial courts must be balanced against the need for a court system that is responsive and adaptable to unique local circumstances. Any statewide administrative structure must provide a mechanism for consideration of local needs.

Trial Court Structure

We support a unified consolidated trial court system of general jurisdiction that maintains the accessibility provided by existing trial courts. The state shall continue to accept financial responsibility for any increased costs resulting from a unified system.

Trial Court Financing

Sole responsibility for the costs of trial court operations should reside with the state, not the counties. Nevertheless, counties continue to bear the fiscal responsibility for several local judicial services that are driven by state policy decision over which counties have little or no control. We strongly believe that it is appropriate for the state to assume greater fiscal responsibility for other justice services related to trial courts, including collaborative courts. Further, we urge that the definition of court operations financed by the state should include the district attorney, the public defender, court appointed counsel, and probation.

Trial Court Facilities

The court facility transfers process that concluded in 2009 places responsibility for trial court facility maintenance, construction, planning, design, rehabilitation, replacement, leasing, and acquisition squarely with the state judicial branch. Counties remain committed to working in partnership with the courts to fulfill the terms of the transfer agreements and to address transitional issues as they arise.

Court Services

Although court operation services are the responsibility of the state, certain county services provided by probation and sheriff departments are directly supportive of the trial courts. Bail and own recognizance investigations, as well as pre-sentence reports, should be provided by probation, sheriff, and other county departments to avoid duplication of functions, but their costs should be recognized as part of the cost of operating trial courts.

Jurors and Juries

Counties should be encouraged to support programs that maximize use of potential jurors and minimize unproductive waiting time. These programs can save money, while encouraging citizens to serve as jurors. These efforts must consider local needs and circumstances. To further promote efficiency, counties support the use of fewer than twelve person juries in civil cases.

Collaborative Courts

Counties support collaborative courts that address the needs and unique circumstances of specified populations such as the mentally ill, those with substance use disorders, and veterans. Given that the provision of county services is vital to the success of collaborative courts, these initiatives must be developed locally and entered into collaboratively with the joint commitment of the court and county. This decision making process must include advance identification of county resources – including, but not limited to, mental health treatment and alcohol and substance use disorder treatment programs

and services, prosecution and defense, and probations services – available to support the collaborative court in achieving its objectives.

Court and County Collection Efforts

Improving the collection of court-ordered debt is a shared commitment of counties and courts. An appropriately aggressive and successful collection effort yields important benefits for both courts and counties. Counties support local determination of both the governance and operational structure of the court-ordered debt collection program and remain committed to jointly pursuing with the courts strategies and options to maximize recovery of court-ordered debt.

Section 5: Family Violence

CSAC remains committed to raising awareness of the toll of family violence on families and communities by supporting efforts that target family violence prevention, intervention and treatment. Specific strategies for early intervention and success should be developed through cooperation between state and local governments, as well as community, and private organizations addressing family violence issues taking into account that violence adversely impacts Californians, particularly those in disadvantaged communities, at disproportionate rates.

Since counties have specific responsibilities in certifying domestic violence batterer intervention programs, it is in the best interest of the state and counties that these programs provide treatment that addresses the criminogenic needs of offenders and looks at evidence-based or promising practices as the most effective standard for certifying batterer intervention programs.

Section 6: Government Liability

The current government liability system is out of balance. It functions almost exclusively as a source of compensation for injured parties. Other objectives of this system, such as the deterrence of wrongful conduct and protection of governmental decision-making, have been largely ignored. Moreover, as a compensatory system of ever-increasing proportions, it is unplanned, unpredictable and fiscally unsound – both for the legitimate claimant and for the taxpayers who fund public agencies.

Among the principal causes of these problems is the philosophy – expressed in statutes and decisions narrowing governmental immunities under the Tort Claims Act – that private loss should be shifted to society where possible on the basis of shared risk, irrespective of fault or responsibility in the traditional tort law sense.

The expansion of government liability over recent years has had the salutary effect of forcing public agencies to evaluate their activities in terms of risk and to adopt risk management practices. However, liability consciousness is eroding the independent judgment of public decision-makers. In many instances, mandated services are being performed at lower levels and non-mandated services are being reduced or eliminated altogether. Increasingly, funds and efforts are being diverted from programs serving the public to the insurance and legal judicial systems.

Until recently, there appeared to be no end to expansion of government liability costs. Now, however, the "deep pocket" has been cut off. Insurance is either unavailable or cost prohibitive and tax revenues are severely limited. Moreover, restricted revenue authority not only curtails the ability of public entities to pay, but also increases exposure to liability by reducing funding for maintenance and repair programs.

As a result, public entities and ultimately, the Legislature, face difficult fiscal decisions when trying to balance between the provision of governmental service and the continued expansion of government liability.

There is a need for data on the actual cost impacts of government tort liability. As a result of previous CSAC efforts, insurance costs for counties are fairly well documented. However, more information is needed about the cost of settlements and awards and about the very heavy "transactional costs" of administering and defending claims. We also need more information about the programmatic decisions being forced upon public entities: e.g., what activities are being dropped because of high liability? CSAC and its member counties must attempt to fill this information gap.

CSAC should advocate for the establishment of reasonable limits upon government liability and the balancing of compensatory function of the present system with the public interests in efficient, fiscally sound government. This does not imply a return to "sovereign immunity" concepts or a general turning away of injured parties. It simply recognizes, as did the original Tort Claims Act, that: (1) government should not be more liable than private parties, and (2) that in some cases there is reason for government to be less liable than private parties. It must be remembered that government exists to provide essential services to people and most of these services could not be provided otherwise. A private party faced with risks that are inherent in many government services would drop the activity and take up another line of work. Government does not have that option.

In attempting to limit government liability, CSAC's efforts should bring governmental liability into balance with the degree of fault and need for governmental service.

In advocating an "era of limits" in government liability, CSAC should take the view of the taxpayer rather than that of counties per se. At all governmental levels, it is the taxpayer who carries the real burden of government liability and has most at stake in bringing the present system into better balance. In this regard, it should be remembered that the insurance industry is not a shield, real or imagined, between the claimant and the taxpayer.

Chapter Three

Agriculture, Environment and Natural Resources

Introduction

Counties recognize the necessity of balancing the need to develop and utilize resources for the support of our society and the need to protect and preserve the environment. Counties also recognize that climate change and the release of greenhouse gases (GHG) into the atmosphere have the potential to dramatically impact our environment, public health and economy. Due to the overarching nature of the climate change issues, all sections in this chapter should be viewed in conjunction with chapter fifteen.

Counties assert that solutions necessary to achieve this delicate balance can best be formulated at the local level in cooperation with public and private industry and state and federal government.

Over-regulation is not the answer. Processes must be adopted for all federal and state proposed rules and regulations to include a detailed environmental and economic cost/benefit analysis. Additionally, proposed and existing state rules and regulations that exceed federal standards should be evaluated and justified.

Section 1: Agriculture

Counties recognize the importance of agriculture and its contribution to the state's economy. If California is to continue as the leading agriculture state in the nation, the remaining viable agricultural lands must be protected. In order to ensure that agricultural land protection is a statewide priority, the state, in cooperation with local governments, must continue to implement existing policies or adopt new policies which accomplish the following:

1. Provide innovative incentives that will encourage agricultural water conservation and retention of lands in agricultural production;

2. Promote agricultural economic development activities.

3. Support allocation of transportation resources to improvement of important goods movement corridors and farm-to-market routes.

4. Encourage the development of new water resources and delivery systems;

5. Provide research and development for biological control and integrated pest management practices;

6. Ensure water and air quality standards are retained at a level that enables agricultural production to continue without significant lessening in the quantity or quality of production;

7. Support the continuation of statewide public education curricula that address the essential role that agriculture plays in California and world economics;

8. Promote California agriculture, protect it from pests and diseases and ensure the safety and wholesomeness of food and other agricultural products for the consumer;

9. Foster a decision-making environment based upon input from all interested parties and analysis of the best available information, science and technology;

10. Continue to build consumer and business confidence in the marketplace through inspection and testing of all commercial weighing and measuring devices;

11. Encourage low impact/sustainable agricultural practices;

12. Support the elimination of inheritance taxes on agricultural lands; and,

13. Support full funding for UC Cooperative Extension given its vital role in delivering research-based information and educational programs that enhance economic vitality and the quality of life in California counties.

Working with other Entities

The University of California's Cooperative Extension Service, County Agriculture Commissioners, Sealers of Weights and Measures, Resource Conservation Districts (RCDs), local farm bureaus, Coordinated Resource Management Planning committees (CRMPs), and Resource Conservation & Development Councils (RC&Ds) are valuable resources that can be relied upon to assist state and local governments with the implementation of the policy directives noted above, as well as other programs supporting agricultural and natural resources. Given the long-standing relationship between local cooperative extension offices, county agricultural departments (i.e. County Farm Advisors and Agricultural Commissioners), RCDs, local farm bureaus, CRMPs, RC&Ds and individual counties, it is imperative that state and county officials develop ongoing support for these programs. Further, state and county officials are encouraged to remind other policy and decision makers of the importance of these entities and their value to agriculture, natural resources, the environment and community development.

Williamson Act

Counties support revisions to the California Land Conservation Act of 1965, also known as the Williamson Act, that provide property owners greater incentives to continue participation under the Act. Additionally, counties are committed to support other reasonable legislative changes which

preserve the integrity of the Williamson Act and eliminate abuses resulting in unjustified and premature conversions of contracted land for development.

Counties support the restoration of Williamson Act subventions. The state subventions to counties also must be revised to recognize all local tax losses.

State and County Fairs

Whether state-owned/operated or county-owned, fairs are important assets to California's counties. They provide educational and competitive exhibits that highlight state and local industrial enterprises, resources and products. Fairs also provide the venue for a variety of agricultural and local community events and serve the state by assisting in emergency preparedness and response.

Unfortunately, declining budget resources threaten to force the closure of fairs throughout the state unless a new governance and funding structure is established. Counties recognize that fairs represent a critical state and community asset that is in dire need of funding and strongly support the development of a comprehensive solution that will ensure the viability of the entire fair network.

Section 2: Forests

Counties recognize the importance of forests to the state's economy. California is the second leading timber producing state in the nation. As with agriculture, to remain so, the state must protect and maintain its viable timberland base. Counties also recognize the importance of forestry in the context of climate change. Effectively managed forests have less of a probability of releasing harmful greenhouse gases into the atmosphere and increase the potential for carbon sequestration. To ensure protection of the viable timberland base, it must become a statewide priority to implement existing policies or adopt new policies that accomplish the following:

1. Continue reimbursement to counties for lost timber related revenues as currently provided under the Secure Rural Schools and Community Self-Determination Act of 2000;

2. Encourage sustainable forestry practices through the existing regulatory process;

3. Encourage continued reforestation on private timberlands;

4. Provide new and innovative incentives that will encourage good management practices and timberland retention;

5. Support the State Fire Safe Council's mission to preserve California's natural and man-made resources by mobilizing all Californians to make their homes, neighborhoods and communities fire safe;

6. Support for state and federal resources to address the tree mortality crisis in California;

7. Support the continuing work of the Governor's Forest Management Task Force; and

8. Oppose any net increase in state or federal land acquisition, unless otherwise supported by the affected local governments and until all of their issues and concerns are addressed or mitigated to their satisfaction.

Biomass

Counties recognize the problems and opportunities presented by biomass bi-product and accumulated fuels reduction efforts. The state of California must develop a coherent, integrated biomass policy that will guide regulation and investment for the next 20 years. The state must give highest priority in the near term to the retention of its unique biomass energy industry, which is in danger of disappearing as the result of electric services restructuring and changes in energy markets. By integrating State and local air quality goals, wildfire prevention and waste management strategies into a statewide biomass policy, California will solve several critical environmental problems and create viable private industries, which will serve the public need.

Section 3: Mineral Resources

The extraction of minerals is essential to the needs and continued economic well-being of society. To ensure the viability of this important industry and to protect the quality of the environment, existing and new statewide policies concerning mineral resources must accomplish the following:

1. Encourage conservation and production of known or potential mineral deposits for the economic health and well-being of society;

2. Ensure the rehabilitation of mined lands to prevent or minimize adverse effects on the environment and to protect public health and safety;

3. Recognize that the reclamation of mined lands will allow continued mining of minerals and will provide for the protection and subsequent beneficial use of the mined and reclaimed land;

4. Recognize that surface mining takes place in diverse areas where the geologic, topographic, climatic, biological and social conditions are significantly different and that reclamation operations and the specifications thereof may vary accordingly;

5. Oversee surface, pit, in-stream and off-site mining operations so as to prevent or minimize adverse environmental effects;

6. Specify that determination of entitlements to surface mining operations is a local land use issue provided that reclamation plans are obtained and enforced.

Section 4: Air Quality

Counties fully recognize that clean air laws have been enacted to protect the public from the adverse and deleterious health effects of air pollution. However, any rules and regulations aimed at improving California's air quality must be developed with the input of local government. Rule makers working on air quality issues must ensure a balance between economic advancement, health effects and environmental impacts.

Counties assert that federal and state agencies, in cooperation with local agencies, have the ability to develop rules and regulations that implement clean air laws that are both cost-effective and operationally feasible. In addition, state and federal agencies should be encouraged to accept equivalent air quality programs, thereby allowing for flexibility in implementation without compromising air quality goals.

As it pertains to air quality regulations, distinctions need to be drawn between different types of open burning (i.e. wildland fuel reduction programs using prescribed fire v. agricultural burning). Efforts should continue to find economical alternatives to open burning in general.

Failure to meet air quality standards may jeopardize federal transportation funding statewide. Counties continue to work closely with congestion management agencies, air quality districts, metropolitan organizations and regional transportation agencies to ensure that transportation planning is coordinated with air quality objectives.

Many portions of the state, including the broader Sacramento area and mountain counties air basin, have been formally identified by the California Air Resources Board (CARB) as receptors of ozone-related air pollution transported from the San Francisco Bay Area and the San Joaquin Valley. Although the California Air Resources Board is considering actions that will help mitigate air pollution transport, the receptor counties are still potentially subject to sanctions if they do not take sufficient steps to achieve and maintain healthy air quality. Sanctions can take many forms, including lowered New Source Review thresholds in the receptor districts as compared to transporting districts and through transportation conformity. Given the potential impacts on the receptor counties, legislation and/or policy measures must be enacted that provide reasonable sanction protection for counties impacted by air pollution transport from upwind areas. Other legislative or policy measures that would require the upwind areas to implement air pollution mitigation measures should also be considered.

Given its longstanding support of local autonomy, CSAC opposes the addition of state appointees to local air districts. Such an action would result in a loss of local control without perceived improvements to the public process and clean air efforts. However, technical support services at the state level such as research, data processing and specialized staff support should be maintained and expanded to assist local air quality management efforts.

Section 5: Water Resource Management

Water Resources Development

Counties recognize the complexities of water use and distribution throughout the state, and therefore should be officially represented geographically on all federal, state, and/or regional water policy bodies and decision-making authorities. A comprehensive statewide water resource management plan – one that includes the upper watershed areas – is essential to the future of California. Such a plan should include a full assessment of needs for all users.

In relation to any specific water project, counties support statutory protection of counties of origin and watershed areas. These protections provide that only water that is surplus to the reasonable ultimate human and natural system needs of the area of origin should be made available for beneficial uses in other areas. A natural system includes the ecosystem, meaning a recognizable, relatively homogeneous unit that includes organisms, their environment, and all interactions among them. Additionally, the cost of water development to users within the areas of origin should not be increased by affecting a water export plan. Furthermore, in all federal and state legislation, county of origin protections should be reaffirmed and related feasibility studies should clearly identify and quantify all reasonable future needs of the counties of origin to permit the inclusion of specific guarantees. Existing water rights should be recognized and protected.

Counties must be compensated for any third party impacts, including, but not limited to, curtailed tax revenues and increases in costs of local services occasioned by an export project.

There currently exists a need for the development of new solutions to expand water resources to meet the growing needs of the state. The increased demand for water is due to the rapid population growth, agricultural needs and industrial development. Projects should be considered that will create new water supplies through a variety of means such as recycling, water neutral developments, storm water capture, desalinization, waste water reclamation, watershed management, development of additional storage and conservation. In building any new water projects, the state must take into account and mitigate any negative socio-economic impacts on the affected counties.

Counties support the incorporation of appropriate recreational facilities into all water conservation and development projects to the extent feasible.

Water Rationing

Counties oppose statewide mandatory water rationing programs that would establish unrealistic and unnecessary restrictions on some areas of the state and which establish inadequate goals for other areas. Instead, counties support a voluntary approach to water conservation that promotes a permanent "conservation ethic" in California. If water rationing does become necessary in certain areas of the state, counties will need statutory authorization to impose water rationing decisions at the county government level.

Water Conservation

The Legislature has recognized the need for water conservation. Counties recognize the need for local programs that promote water conservation and water storage. Water conservation may include reuse of domestic and industrial wastewater, reuse of agriculture water, groundwater recharge, or economic incentives to invest in equipment that promotes efficiency. No conservation of water shall be recognized if the conservation arises from the fallowing of agricultural land for compensation, unless the board of supervisors of the county in which the water has been devoted to agricultural use consents to the fallowing.

The Regional Water Quality Control Boards need to direct staff to issue permits for direct discharge of properly treated wastewater to promote reuse.

Ground Water Management

It is CSAC's position that ground water management is necessary in California and that the authority for ground water management resides at the county level. Adequate management of water supply cannot be accomplished without effective administration of both surface and ground water resources within counties. Ground water management boundaries should recognize natural basins and responsibilities for administration should be vested in organizations of locally elected officials. Private property rights shall be addressed in any ground water management decisions.

Ground water management programs should maintain the flexibility to expeditiously address critical localized and basin-wide problems. Studies necessary to design ground water programs should be directed by local agencies with technical or economic support from state and federal programs.

Financing of Water Management

Counties throughout California face many funding challenges and needs that involve stormwater, flood control, groundwater management requirements and compliance with water conservation requirements. Proposition 218 creates challenges for local government to manage water responsibly for public safety, and environmental and conservation purposes. Given all of the changes that have occurred and requirements enacted since the 1970's relative to how the State manages its water resources, voters should be provided with the opportunity to consider constitutional reforms that reflect the needs of modern water management.

CSAC supports constitutional reforms to address the unintended consequences of Propositions 218 for local governments' ability to manage water responsibly. These reforms should maintain high standards of transparency and accountability, while providing local agencies with the needed flexibility to enact funding mechanisms that will enable them to improve supply reliability, maintain water quality for public and environmental health, and protect the state's residents and businesses from harmful flooding.

Flood Control
The following policy guidance on flood control shall be followed in conjunction with CSAC's Flood Management Principles and Policy Guidelines.

Long-term flood control improvements are necessary in order to provide improved flood protection and minimize future damages. Local, state and federal agencies should work to improve communications, coordination and consistency prior to and following a flood disaster. Counties are encouraged to look for funding opportunities to move structures out of flood plains.

CSAC supports and encourages the U.S. Army Corps of Engineers, through the Waterways Experiment Stations, to adopt innovative geo-technical (high-tech) inspections systems to identify unexpected voids and saturated sand lenses in government-authorized levees. CSAC further supports follow up by the Army Corps with a recommendation for non-federal sponsors to add these techniques to their annual levee inspection programs.

Counties continue to experience frustration when applying for the state and federal permits that are required to repair, restore and maintain flood control facilities. Counties support streamlining of such permits or any other efforts that would allow expeditious implementation of such activities.

Counties recognize the need for environmental mitigation measures to protect endangered species. The unique need for ongoing and routine levee maintenance must be reconciled with reasonable mitigation requirements. Solutions could include blanket "take permit" exempting levee maintenance from compliance and a more efficient process for routine maintenance.

Counties further recognize that providing habitat and flood control may not be mutually achievable goals within river, stream or ditch channels. However, ecosystem restoration projects may provide flood control benefits and will require detailed hydraulic and other engineering studies to assess the individual and cumulative hydraulic impacts in floodways. Counties also recognize that habitat areas shall be maintained in such a manner as to not obstruct the flow of water through the channel. Further, the river, stream and ditch channels should also have blanket "take permits" issued to allow for proper cleaning of obstructions to the water flow and/or carrying capacity.

Federal and state agencies that have the expertise and have been funded to identify, protect and are responsible for species that would be harmed in the course of flood control projects – such as levee reconstruction, maintenance or repairs – must be charged with the rescue of these species and not the local government performing such activities. These local governments have little, if any, expertise in the identification and rescue procedures of threatened and endangered species. This identification and rescue should be accomplished in the most expedient time frame practicable. The federal agencies should be required to consult with the local action agencies within thirty days of any species rescue determination.

In respect to locally sponsored flood control projects, CSAC shall continue to urge the administration and the legislature to fully fund the State Flood Control Subvention Program.

Delta
CSAC believes that any proposed Delta solutions be implemented in a manner that:

- Respects the affected counties' land use authority, revenues, public health and safety, economic development, water rights, and agricultural viability.
- Promotes recreation and environmental protection.
- Ensures Delta counties' status as voting members of any proposed Delta governance structure.
- Improves flood protection for delta residents, property, and infrastructure.
- Improves and protects the Delta ecosystem, water quality, flows and supply.
- Ensures consistency with affected counties adopted policies and plans.
- Secures financial support for flood management, improved emergency response, preservation of agriculture, protection of water resources, and enhancement and restoration of habitat.
- Accords special recognition, and advances the economic vitality of "heritage" or "legacy" communities in the Delta.
- Demonstrates a clearly evidenced public benefit to any proposed changes to the boundaries of the Delta.
- Support development of adequate water supply, utilizing the concept of "Regional Self Sufficiency" whereby each region maximizes conservation and recycled water use, implements storage (surface and groundwater) and considers desalination, as necessary.

Section 6: Parks and Recreation

Counties are encouraged to consider supporting the efforts of the California Association of Regional Park and Open Space Administrators to provide for the health, safety and quality of life for all Californians by protecting parkland and open space.

Section 7: Solid Waste Management

CSAC supports policies and legislation that aim to promote improved markets for recyclable materials, and encourages the following:

- The use of recycled content in products sold in California;
- The creation of economic incentives for the use of recycled materials; and,

- The expansion of the Beverage Container Recycling Program.

CSAC shall support legislation that:

- Protects local solid waste franchising and fee-setting authority;
- Provides for the use of performance standards and alternative daily cover for landfills; and,
- Requires state facility cooperation with local jurisdictions on waste reduction to meet AB 939 and organic waste diversion goals.
- Promotes the development of conversion technologies as an alternative to land filling, and provides state funding to local jurisdictions for such projects; provides full diversion credit and greenhouse gas emission reduction credits under applicable state law; and, provides that all energy produced by these conversion technology facilities be designated as renewable energy.

CSAC shall oppose legislation that:

- Preempts local planning decisions regarding solid waste facility siting;
- Preempts local solid waste and AB 939 fee-setting authority; and,
- Requires burdensome changes to locally adopted plans.

CSAC does not oppose legislation that assesses fees on solid waste that is disposed of out of state, as long as the fees reflect the pro-rata share of California Integrated Waste Management Board services used.

CSAC supports an Extended Producer Responsibility Framework Approach to the end-of-life management of products, which creates effective producer-lead reduction, reuse and recycling programs, to deal with a product's lifecycle impacts from design through end of life management, without relying solely on state and local governments.

In order to comply with the diversion requirements of the California Integrated Waste Management Act, local governments must continue to have the ability to direct the flow of waste. Given federal and state court decisions which restrict this ability, counties are encouraged to consider supporting legislation which ensures local governments' authority to direct the flow of waste.

Section 8: Endangered Species

Because of widespread impacts of the state and federal endangered species acts on public projects, agriculture, timber and other industries in California, including the resulting impact on county revenues, both acts should be amended to provide for the following:

1. Recognition and protection of private property rights and local government's land use authority;

2. All those who benefit should pay the costs. It should be recognized that inequity exists concerning the implementation of the existing acts in that the cost of species protection on private property is borne by a few property owners for the benefit of all;

3. If Congress and the state legislature deem the protection of certain species is of national interest, then the responsibility for that protection, including the costs, should be assumed by all who benefit through federal and/or state funding, and a process should be adopted which is consistent with other public projects of national interest;

4. Applications for a listing should be required to include a map of critical habitat, a recovery plan and an economic and environmental analysis of costs and benefits;

5. The development of a delisting process that is as aggressively adhered to as the listing process;

6. The creation of a scientifically based and efficient process for delistings;

7. Include independent scientific peer review, local public hearings, and equal access to judicial review;

8. Delegation of implementation of the Federal Endangered Species Act to the state;

9. Full compensation to property owners when historical or future use of their land is diminished;

10. Use of public lands first for multi-species protection;

11. Prohibit the distribution of public grant funds to private entities that seek to support or oppose listings or delistings of endangered species;

12. Control of protected species that prey upon and reduce either the adult or juvenile population of any listed species;

13. Protection of current land uses;

14. Support recovery efforts of endangered species;

15. The ability to produce food, fiber, and all other agricultural products is not abridged; and
16. Agricultural produces should not be held liable for any "take" that occurs during normal agricultural operations.

Section 9: Public Lands

Plans for state and federal public lands shall be coordinated and compatible with local general plans and zoning. Private uses on public federal lands, exclusive of Native American lands, should be required to comply with applicable state and local laws. In addition, counties should be reimbursed for lost tax revenues when land is transferred for non-profit or public uses.

Counties should have an opportunity to review and comment on management decisions affecting their economies, general plans and resources. Public participation, including public hearings, should be required in land use planning on public lands to ensure that economic or environmental concerns are addressed.

Counties encourage the operation and ownership of land resources under private rather than governmental control. Lands acquired by government or utilities for particular purposes which are no longer essential should be returned to private ownership – with preference to previous owners where possible – and without reservation of water and mineral rights. Small isolated units of publicly held property should be offered for sale to private operators, with preference to adjacent owners.

Government should be required to demonstrate, using reliable data, an integrated program of land use and the need for the acquisition before being permitted to purchase, further expand or transfer land from one governmental agency to another. Management plans and budgetary information should be required on all lands proposed for acquisition by governmental agencies prior to such acquisition, so that they can be made part of the public hearing process.

The practice of government funding through grants or other means to organizations and foundations in order to purchase private land that will be resold or donated to some governmental entity threatens to diminish the tax base of local units of government. As a result, counties' tax base should be kept whole in the event of federal or state purchase of land.

Counties support the multiple use of public lands. Uses of these lands include grazing, mining, timber, wildlife and recreation. Lands under governmental control should be actively managed in concert with private activities to encourage the greatest use and improvement. Counties believe that timber harvest, mining, and grazing activities are a valuable component of ecosystem management in some instances and that recreational activities, impacts on wildlife and natural events like fires and floods must be considered. Properly managed land results in higher sustained yields of water, forage, timber, minerals, and energy. Grazing and logging are important elements of the multiple-use concept. Therefore, counties support efforts to minimize additional acreage designated as wilderness, unless otherwise supported by the affected local governments, and all of their issues and concerns are addressed or mitigated to their satisfaction.

Reforestation and continued management of public lands with suitable soils for producing forest crops are essential to maintaining a viable forest industry in California. Timber stand improvement is needed and required for producing maximum yields both for quality and quantity of timber products. Additionally, comprehensive fuels management programs are encouraged for the protection and sustainability of timber producing lands. Counties support economically and environmentally sound management of public forests for the production of forest products, which support local industry and, in the case of National Forests, maximize federal payments for support of local government.

Federal and State Compensation

Adequate compensation must be made available to local governments to offset the costs of providing services to public lands. Current federal compensation programs, such as PL 106-393, should be retained with respect to land where harvesting is severely limited or no longer occurs. Counties continue to support a per acre charge for any land which has historically received revenue timber receipts.

Information regarding county revenues generated from federal lands indicates that receipts are down, will continue to go down, and are not likely to change direction in the near future. In order to ensure that a system is in place that is fair and equitable, a revenue sharing and/or payment in-lieu of taxes system must meet three criteria:

1. Equitable - The federal government must compensate the state and counties at a level that is consistent with revenues that would be expected to be generated if such lands were not in federal ownership and management.

2. Predictable – The system in place must provide some assurance and predictability of the level and timing of revenues; and,

3. Sustainable - Revenues should be maintained over time; and changes in federal policies in the future should not adversely affect local communities.

CSAC shall continue to pressure the state and the federal government to meet its statutory obligation to annually pay local agencies full in-lieu fees and payments in-lieu of taxes for state and federal purchased properties. CSAC supports the premise that no new state or federal acquisitions of private property shall occur until state in-lieu fees and federal payments in-lieu of taxes are fully funded. Federal legislation is needed to provide additional compensation for those public land counties that meet specified hardship criteria.

Forest Service and Bureau of Land Management Exchanges

Counties recognize that efficient management of public lands requires land adjustments to ensure manageable units and prevent conflicts with adjacent private land uses.

Land exchanges and purchases are the usual means available to the two federal agencies. Tripartite and direct timber for land exchange are permitted under federal law.

Counties will support the federal agencies in these exchange and consolidation efforts when:

1. Better and more productive management of public land will result;

2. Counties affected are consulted and given opportunity to help determine acquisition of local lands in exchange process and negative effects are fully mitigated;

3. County revenues, including PL 106-393 and payment in lieu of taxes (PILT) are protected or enhanced;

4. Areas slated for disposal in exchanges are included in the county general plan and classified as to probable use (e.g. residential, TPZ, commercial); and

5. Land-for-land exchanges enhance the counties and result in no net loss of value.

Counties support efforts to streamline and shorten the federal land exchange procedure so mutually beneficial consolidations will be more attractive and expeditious.

Local Use of Public Lands
Counties support legislation and land management policies to enable local agencies to acquire state and federal lands for public purposes.

Waste Disposal on Public Lands
Counties experience considerable difficulty locating and maintaining facilities to dispose of solid waste. Counties with large areas of state and federal lands used for recreation are required to assume the responsibility of disposing solid waste generated by these recreational activities. The entities that administer these public lands should assume responsibility for providing sites for solid waste disposal and funds for development, maintenance and operation of such sites.

Section 10: Invasive Species Control

Counties support aggressive action by federal, state, and local agencies to limit the spread, and to enhance the eradication of, identified invasive plants and animal species, and support prioritizing the efforts that are most attainable and cost-effective.

Section 11: Predator Control

Counties benefit from the established federal-state Cooperative Animal Damage control program through reduced livestock depredation, and property damage as well as public health protection.

Counties support predator control and promoting program efficiency through cooperative federal-state-county programs.

Changes in state law have removed many tools previously utilized by landowners and Animal Damage Control professionals for use in predator control. The result is an increased need for additional Animal Damage Control professionals.

Counties support expanded program funding through the current Federal-State Cooperative Animal Damage Control program and strongly support equal cost sharing between counties and cooperative agencies.

Section 12: Emergency Management

CSAC shall support legislative and regulatory proposals that maximize California counties' ability to effectively mitigate, prepare for, respond to, and recover from natural and man-made disasters and public health emergencies, protecting both physical and fiscal health. Such proposals must recognize that the 58 California counties have unique characteristics, differing capacities, and diverse environments. In addition, emergency management and homeland security policies, practices, and funding should be designed to promote innovation at the local level and to permit maximum flexibility, so that services can best target individual community needs, hazards, threats, and capacities. To achieve this broad-based policy direction, CSAC shall:

- Support adherence to the Standardized Emergency Management System (SEMS) and the National Incident Management System (NIMS) processes, especially as they relate to the operational area concept.

- Advocate for broad county access to technologies that offer effective and wide-ranging communications capabilities for alerting the public in emergency situations.

- Work to ensure that proposals that impose responsibilities upon counties are accompanied by full and flexible funding.

- Advocate for improved coordination between state and local offices of emergency services and state and local departments with health and safety-related responsibilities (e.g. California Health and Human Services Agency, Department of Health Services, and the Emergency Medical Services Authority, and county offices of emergency services, county health agencies and local emergency services agencies).

- Support full and flexible funding for on-going emergency preparedness and all hazard planning.

- Support grant processes, procedures, and guidelines that allow full funding for personnel in order to carry out emergency management and homeland security mandates.

- Support efforts to reform the existing state and federal grant funding structure that result in a streamlined and flexible process for the protection of Californians' physical and fiscal health and wellbeing.

- Support full and flexible funding for on-going emergency preparedness exercises and training, focusing on an all hazards approach, at the state and local level.

- Support full and flexible funding for emergency communication system interoperability between all local government agencies and the State of California.

- Advocate at the federal level for policies and requirements that are practically achievable by local governments.

Fire Protection

Fires are best prevented and fought through long-term fuels management and other anticipatory actions. Such fire protection efforts must be integrated and supported by other natural resource programs and policies. Counties support the achievement of a sustainable ecosystem and the maintenance of healthy forests while providing defensible space for protection of life and property. Governmental agencies alone cannot achieve fire safe communities; private property owners are also obligated to take necessary actions to reduce their fire risk.

Counties further support an increase in state and federal funding for fuels management. However, given existing concerns expressed by counties regarding the allocation of fire protection resources, it is imperative that local governments be included in any effort to develop appropriate allocation of these resources between pre-fire management and fire suppression.

Fires are best fought by rapid response from trained firefighters. Counties support CDF’s reconnaissance and rapid response systems. Counties support state funding of local fire agencies – both paid and volunteer – and local Fire Safe Councils for wildland fire response.

Prescribed Fire

The state of California should pursue alternate methods of biomass disposal that conserves energy in order to reduce the wildland fuel volumes consumed by prescribed fire.

Where alternative methods are not available, the state of California should assume greater responsibility in the development of a less restrictive program of prescribed fire for forest and range improvement, enhancement of wildlife, watershed management and reduction of major wildfire hazards.

Solutions must be found to the problems of liability when a county maintains a controlled burning program.

The State Department of Forestry and Fire Protection and the State Air Resources Board should arrive at a joint policy concerning controlled burning so that counties will be dealing with one state government policy, rather than with two conflicting state agency policies.

Environmental Health

Recent environmental hazard events across the State have demonstrated the need to bolster enforcement actions and local authority to prevent environmental incidents from occurring. Counties support policies to prevent and protect the public and the environment from hazardous incidents by improving enforcement of hazardous waste laws and regulations, and strengthening oversight and regulations of facilities that treat, store, or dispose toxic substances and pose an endangerment to public health and safety. Additionally, Counties also support legislation that expedites the cleanup of environmental hazards, and increases resources for remediation activities, and increases community engagement.

Section 13: Energy

This section should be viewed in conjunction with Chapter 4, which includes CSAC's Energy Policy Guidelines.

It is CSAC's policy that the state and the 58 counties should seek to promote energy conservation and energy efficiency. Counties are encouraged to undertake vigorous energy action programs that are tailored to the specific needs of each county. When developing such action programs counties should:

- Assess available conservation and renewable energy options and take action to implement conservation, energy efficiency and renewable energy development when feasible;
- Consider the incorporation of energy policies as an optional element in the county general plan; and,
- Consider energy concerns when making land use decisions and encourage development patterns which result in energy efficiency.

In order to meet the state's energy needs, counties fully recognize the importance of establishing a cooperative relationship between other levels of government and the private sector. This includes working with public and private utilities that serve their areas to develop energy transmission corridors and to minimize delays in approvals and land use conflicts.

With respect to alternative and renewable energy sources, the state and counties should encourage use of agricultural, forestry and non-recyclable urban wastes for generating usable energy. They should also take into consideration the other benefits of waste-to-energy production. Additionally, the state should encourage, and counties should explore, the development of cogeneration projects at the local

level. In respect to public power options, counties support efforts that enhance local governments' ability to become community aggregators of electricity.

Counties support the encouragement of new generation facilities by the provision of increased incentives and a streamlined permitting process. However, state government needs to maintain regulatory oversight of these facilities. Lastly, counties oppose state acquisition and/or management of electric generating or transmission facilities.

Section 14: Medical Cannabis

This section should be viewed in conjunction with CSAC's Cannabis policy. CSAC believes that the constitutional police powers of counties to protect the health, safety, and general welfare of the public authorizes counties to take actions to address what an elected Board of Supervisors legislatively determines to be the negative secondary effects of medical cannabis dispensaries and cultivation. The proliferation of such dispensaries and cultivation has created a variety of problems in many areas of the State. Counties must be able to enact prohibitions or regulations in the face of threats to the public health, safety and general welfare. Such decisions represent legislative judgments made by locally elected legislative bodies about the wisdom and need for local control over a particularly vexing and unusual land use. Under well settled constitutional separation of powers principles, deference must be afforded to the legislative judgments made by locally elected officials, who are in the best position to evaluate local conditions, community needs, and the public welfare. Accordingly, CSAC believes that any legislation to develop a statewide program for the regulation of medical marijuana dispensaries and cultivation must allow individual local governments the discretion to either adopt that program in full, to modify the program as they see fit, or to opt out of the program completely.

In addition, the cultivation of cannabis is often accompanied by land use and operational activities such as clearing of land, grading, road-building, water withdrawals from streams and application of herbicides, pesticides and fertilizers. These activities are routinely regulated and enforced by Federal, State and local agencies when they are associated with industries such as timber, ranching or farming, so as to reduce their potential impacts on the environment. CSAC believes responsible agencies should be given clear guidance and adequate resources to regulate and enforce existing environmental laws when they are associated with the cultivation of cannabis. CSAC also supports a requirement that state agencies coordinate with local governments to ensure uniform application in enforcement efforts

Chapter Three

Agriculture, Environment and Natural Resources: Flood Protection Attachment

(As Approved by the CSAC Board of Directors 3/30/06)

Background

The California State Association of Counties (CSAC) believes that the State flood control system must be viewed as a complete functioning system and funded accordingly. Intermittent and piecemeal efforts at mapping, maintaining, and repairing the system has proved to be inefficient, costly and generally ineffective. CSAC also recognizes the critical need for new projects and repairs within the existing flood control infrastructure and the necessity of ensuring the ongoing maintenance of all components, from upper watershed to end-users. As such, CSAC has developed the following flood protection principles and policy guidelines that CSAC can use as a base for lobbying efforts on behalf of counties.

Section 1: Funding

CSAC supports a statewide, multi-level funding approach to funding new flood protection projects, mapping, improvements to the system, and the maintenance and operation of all flood mitigation efforts, including upper watershed flood positive mapping and watershed rehabilitation, coastal watershed mitigations and flood protections plans, and other identified projects in each of the state's 10 flood control zones. CSAC also recognizes that appropriations or bond funds earmarked for flood protection must be equally available to all areas of the state.

- CSAC would consider the use of financial incentives to encourage local governments to adopt flood related planning activities if such incentives applied equally to all jurisdictions affected by the statewide flood control system and were based on a uniform standard, such as the community rating system used by FEMA.

- CSAC supports full funding for the State's Flood Control Subventions Program within the Department of Water Resources to ensure appropriate staffing and reimbursements for delinquent and future claims.

- CSAC supports funding mechanisms originating within all levels of government, including local, state and federal, but not relying solely on ratepayer shares.

- CSAC encourages state and federal funding that is stable, predictable and sufficient for planning, capital projects, and ongoing operation and maintenance costs.

- CSAC supports prioritizing funding for improvements to areas deemed to be at the most risk in the statewide flood control system.

- CSAC supports a variety of funding sources which may include but are not limited to: statewide bond measures, statewide and local assessments, developer fees, wheeling charges, beneficiary pays and the creation of a maintenance endowment fund.

- CSAC supports identifying specific dollar amounts for flood protection within any bond measure, and supports the minimization or elimination of local matching requirements.

- CSAC supports funding being made available for both capital costs and operation and maintenance of the system.

- All state flood protection funding shall be protected under Proposition 1A.

- CSAC will continue to support efforts to exempt flood control and storm water fees from the voter approval requirements of Proposition 218.

Section 2: Flood Protection and Levee Integrity

CSAC supports the assessment of the integrity of the statewide flood control system provided it is not to the exclusion of investing in actual and critical project improvements.

- In assessing the integrity of the flood control system, CSAC believes that project levees shall be distinguished from non-project levees; and levees that protect agriculture, urban areas or critical infrastructure shall be distinguished from each other.

- CSAC supports the assessment and inclusion of non-project levees into the statewide project levee system, as they are integral to the overall water management system.

- CSAC supports the use of formal, uniform and reliable federal standards relating to levee integrity and the flood management system upon which all flood control agencies and jurisdictions can rely.

- CSAC supports the targeted and expedited assessment of levees in problem areas, and supports operators at the local level who are willing to provide their expertise to agencies tasked that are tasked with assessing the integrity of California's flood protection system.

- While CSAC recognizes the need for detailed studies of the flood protection system, we support a reasonable ratio of time and funds for this purpose to be balanced by the urgent need for actual flood protection to protect threatened areas.

- CSAC supports the use of forecast-based management of the statewide flood protection system.

- CSAC supports the rehabilitation of the upper watershed areas for partial mitigation of flood events affecting downstream reservoirs and control systems.

  CSAC supports recognition of the Sacramento-San Joaquin Delta as a critical region of statewide importance encompassing vital water, transportation, energy, agricultural and economic interests. As such, funding to assure the adequacy of its flood protection systems is of statewide importance.

Section 3: Mapping of the System

CSAC supports the creation of updated detailed FEMA and Statewide Awareness Maps and acknowledges the need for such maps to be created as soon as possible.

- The updated maps should be based on general plan build out of the watershed or a reasonable build out scenario.

- If FEMA must maintain a floodplain map based on existing development, then it should include a second floodplain zone based on a reasonable watershed build out.

- CSAC opposes changing federal standards from the current 100-year flood designation to a 200-year standard without a clear demonstration of the benefits and the attendant amount of funding that would enable local governments to achieve the new standard.

Section 4: Development in Flood Prone Areas

CSAC opposes any state preemption of local land use authority and reiterates that land use decisions must remain at the local level. CSAC supports the strengthening of flood protection policies in State General Plan law while recognizing the value of agricultural uses, existing natural resources and housing needs of each region in the state.

- CSAC recognizes the existing role of state agencies to review and comment on development proposals.

- CSAC supports updated building standards to reflect appropriate flood prevention standards.

- CSAC supports efforts to ensure that every local entity creates an emergency flood response management plan that would include such items as emergency response protocols, integrated regional communications and emergency evacuation plans.

- CSAC believes that new development should pay its fair share, up to the full cost of project related impacts including mitigation, to achieve a designated level of flood protection. Furthermore new development should be a part of the funding solution relative to the maintenance and operation costs of project related flood protection.

- CSAC supports the update of the CEQA Guidelines Checklist to ensure that projects are evaluated for flooding impacts.

Section 5: Regulatory Streamlining

CSAC supports improvements to the regulatory process for flood protection projects, especially those deemed to be imminent threats.

- CSAC supports an expedited permit process for flood protection projects, including maintenance and operation work.

- CSAC supports better coordination between state and federal regulatory agencies and clear direction on flood control requirements and responsibilities.

- CSAC supports programmatic Environmental Impact Reports (EIRs) and standardized mitigation measures for the flood management system, levee maintenance and capital projects that fall under certain thresholds.

- CSAC opposes repeated mitigation requirements in connection with any ongoing maintenance of the flood management system, projects and facilities.

Section 6: Insurance

CSAC supports outreach and notification efforts by all levels of government to people at risk in identified flood prone areas.

- CSAC supports the establishment of an outreach or notification program administered by the state to educate the public regarding the level of risk they face in identified flood prone areas. Such efforts by the state shall be developed with input from, and coordinated with, local government.

- CSAC is concerned about the possible effects of any new state-imposed flood insurance program and would oppose any mandates requiring local governments to administer such a program.

- CSAC supports efforts to encourage property owners to secure and maintain flood insurance.

Section 7: Liability

CSAC opposes the transfer of primary liability for the statewide flood control system to local jurisdictions.

- CSAC supports a defined standard of liability for flood control infrastructure

- CSAC supports a proportional and equitable distribution of liability between all levels of government associated with the statewide flood control system

- CSAC supports the enactment of a State Hazard Mitigation Plan law to provide funds for targeted relocation efforts in high-risk areas.

Chapter Three

Agriculture, Environment and Natural Resources: State Water Policy Attachment

Background

As the nation's most populous state, California faces many complicated and compelling water resource issues. The California State Association of Counties (CSAC) recognizes the complexities of water use and distribution throughout the state and has reiterated its position on this issue over the years through various policy statements, including, but not limited to support for statutory protection of counties of origin and watershed areas, support for existing water rights, the need for new and expanded water resources, and the need for local water conservation efforts. This policy attachment is consistent with other existing CSAC policy guidelines concerning water, land use, agriculture, forestry, climate change and flood protection.

Introduction

CSAC acknowledges the reliance of counties on the Delta as a water delivery system, and recognizes the urgency with which all of the Delta partners, including the State must act to resolve and fund infrastructure, environmental and supply issues.

Section 1: Water Conveyance

Decisions regarding the Delta necessitate the inclusion of policy direction in CSAC's platform to ensure consideration of county interests. These proposed policies also build upon CSAC's existing policy that recognizes the Delta as a critical region of statewide importance encompassing vital water, transportation, energy, agriculture and economic interests. The proposed policies will be relied upon by CSAC staff in conjunction with existing CSAC policy in developing recommendations regarding the State Water Plan, the Bay Delta Conservation Plan, and the California Water Fix Project. CSAC believes that any proposed Delta solutions be implemented in a manner that:

- Respects the affected counties' land use authority, revenues, public health and safety, economic development, water rights, and agricultural viability.

- Promotes recreation and environmental protection.

- Ensures Delta counties' status as voting members of any proposed Delta governance structure.

- Improves flood protection for delta residents, property, and infrastructure.

- Improves and protects the Delta ecosystem, water quality, flows and supply.

- Ensures consistency with affected counties adopted policies and plans.

- Secures financial support for flood management, improved emergency response, preservation of agriculture, protection of water resources, and enhancement and restoration of habitat.

- Accords special recognition, and advances the economic vitality of “heritage” or ”legacy” communities in the Delta.

- Demonstrates a clearly evidenced public benefit to any proposed changes to the boundaries of the Delta.

- Supports development of adequate water supply for the south, utilizing the concept of "Regional Self Sufficiency" whereby each region maximizes conservation and recycled water use, implements storage (surface and groundwater) and considers desalination, as necessary.

Chapter Four

Energy Policy Guidelines

Introduction

The following policy guidelines cover a wide range of energy issues of significant interest to county governments. This policy direction will assist CSAC with its efforts to represent county interests on energy proposals moving through the legislative process.

Section 1: Tax and Revenue Impacts

Legislative, Public Utility Commission (PUC), and State Board of Equalization (SBE) decisions concerning energy issues shall include provisions to avoid negative impacts on local government and schools.

Local governments rely on property tax revenues and franchise fees from utilities to provide essential public services. These revenues, as well as property tax revenues from alternative energy facilities, must be protected to ensure that local governments can continue to provide essential services, and support statewide energy needs by siting new power plants, and alternative energy facilities, bringing old power plants back on line and enacting long-term conservation measures.

Section 2: Energy Generation

Counties support efforts to ensure that California has an adequate supply of safe, reliable energy at the most competitive prices possible, while adhering to the state's expressed order of priorities of conservation, renewables, new generation and new transmission.

Counties support establishing incentives that will encourage the development and use of alternative energy sources such as wind, solar, biomass, hydropower, and geothermal resources. Counties also support promoting the timely development of new infrastructure, such as new electric transmission, needed to facilitate renewable energy development. Such efforts will lead to the state realizing its goal of having 100% of its electricity supply come from renewable and zero carbon energy sources by 2045.

To encourage local siting of renewable energy facilities, counties support restoring authority to assess alternative energy facilities such as commercial solar facilities currently exempt under SB 871 (Chapter 41, Statutes 2014)

While CSAC supports a statewide assessment and planning for future transmission needs, we oppose transmission corridor designations that ignore the local land use decision-making process.

Counties support the construction and operation of biomass facilities through the establishment of state policies that will ensure sustainable long-term commitments to resource supply and electrical generation purchases at a price that supports resource-to- energy conversion.

Counties shall commit to examine their own policies on alternative energy for any potential impacts that discourage the use of such systems.

Counties support efforts to allow local agencies to retain regulatory oversight over generators by statutorily changing the threshold from 50 megawatts to 100 megawatts.

Counties support additional state grant funding for back-up generation for essential facilities.

Counties support additional state grant funding for air quality compliance for emergency generation facilities.

Counties support providing incentives to local agencies to site energy facilities. The following incentives would stimulate the development and siting of more energy generation facilities:

- *Funding to streamline the siting process at the local level.* Funds would be available to reimburse cities and counties for the costs of permits, environmental review and other local expenses in order to expedite the process at the local level.

- *Energy facility incentive payments.* Financial incentives for cities and counties that approve new generating facilities, and/or the expansion of existing generation facilities, to replace them with more efficient facilities, or to build renewable projects, including photovoltaics, fuel cells or cogeneration. Increased incentives would be given to those facilities that generate power beyond the demand of the host jurisdiction's facilities alone.

- *Property tax allocation incentives.* Any city or county that approves siting of a privately developed generating facility should receive 100% of the property tax of that facility.

- *Waiving charges.* To stimulate development of projects such as cogeneration facilities, standby charges for generating facilities should be waived.

- *Aligning processes at various levels.* Streamlining of timeframes currently associated with the state and federal regulatory process for siting power generating facilities.

Counties support an amendment to the California Integrated Waste Management Act (CIWMA) to provide full diversion credit for cogeneration facilities to further encourage their development. The CIWM Act currently establishes a 10% limitation on solid waste diversion that occurs through transformation.

Counties support streamlining the approval and environmental review process for new power plants and any building using alternative sources of energy.

Counties support payments to qualified facilities consistent with state and federal standards for renewable energy sources.

Counties oppose state ownership of power plants because of the impact on local government revenue streams, water rights, the operation of hydro facilities, and the efficient management of such systems,

including the economic uncertainty associated with state ownership of power plants. In the event of state ownership, all impacts on local government shall be mitigated.

Section 3: Public Power

Counties support measures that enhance public power options available to local governments.

Counties support measures that enhance local government's ability to become community aggregators of electricity.

Section 4: Conservation

CSAC and its member counties are committed to reducing electricity use and increasing efficiency in their facilities.

Counties support development of a statewide grant program to fund energy conservation and energy management equipment in local government facilities.

Counties support a rate structure that recognizes conservation efforts.

Counties support grants and loans that promote energy efficiency among businesses and homeowners.

Counties support the adoption of real-time metering and time-of-use metering, allowing consumers to make choices about their consumption of electrical energy based on the real-time price of electricity.

Counties support providing incentives, including the use of new technologies, for businesses that generate their own energy, and support encouraging them to make their excess capacity available to the utilities.

Section 5: Economic Development

Counties support the development and implementation of a statewide "proactive" California business retention strategy, led by the Governor's Office of Business and Economic Development (GO-Biz). We encourage partnerships with local economic development organizations.

Counties support the development and execution of a statewide, consistent and balanced message campaign that presents the true business climate in California.

Counties support efforts to encourage alternative energy solutions to be instituted in businesses and residences.

Counties support the right to implement Property Assessed Clean Energy (PACE) programs and establish property assessment liens for energy conservation and renewable energy investments. PACE programs create jobs, stimulate business growth, reduce greenhouse gas emissions and add lasting value to residential and commercial properties without increasing risks of mortgage defaults.

Section 6: Notification of Power Outages

Counties, as providers of essential services, must be provided with adequate notice regarding any planned rotating block outages.

Section 7: Miscellaneous

Counties support a utility market structure that ensures that energy supply and demand is not unreasonably constrained by artificially imposed price caps.

Chapter Fourteen

CSAC Climate Change Policy Guidelines

- CSAC recognizes that sustainable development and climate change share strong complementary tendencies.

- CSAC recognizes that mitigation and adaptation to climate change – such as promoting sustainable energy, improved access and increased walkability, transit oriented development, and improved agricultural methods – have the potential to bolster sustainable development.

- CSAC recognizes that climate change will have a harmful effect on our environment, public health and economy. Although there remains uncertainty on the pace, distribution and magnitude of the effects of climate change, CSAC also recognizes the need for immediate actions to mitigate the sources of greenhouse gases.

- CSAC recognizes the need for sustained leadership and commitment at the federal, state, regional and local levels to develop strategies to combat the effects of climate change.

- CSAC recognizes the complexity involved with reducing greenhouse gases and the need for a variety of approaches and strategies to reduce greenhouse gas (GHG) emissions.

- CSAC supports a flexible approach to addressing climate change, recognizing that a one size fits all approach is not appropriate for California's large number of diverse communities.

- CSAC supports special consideration for environmental justice issues, disadvantaged communities, and rural areas that do not have the ability to address these initiatives without adequate support and assistance.

- CSAC supports cost-effective strategies to reduce GHG emissions and encourages the use of grants, loans and incentives to assist local governments in the implementation of GHG reduction programs.

- CSAC recognizes that adaptation and mitigation are necessary and complementary strategies for responding to climate change impacts. CSAC encourages the state to develop guidance materials for assessing climate impacts that includes adaptation options.

- CSAC finds it critical that the state develop protocols and GHG emissions inventory mechanisms, providing the necessary tools to track and monitor GHG emissions at the local level. The state, in cooperation with local government, must determine the portfolio of solutions that will best minimize its potential risks and maximize its potential benefits. CSAC also supports the establishment of a state climate change technical assistance program for local governments.

- CSAC believes that in order to achieve projected emission reduction targets, cooperation and coordination between federal, state and local entities must occur to address the role public lands play in the context of climate change.

- CSAC recognizes that many counties are in the process of developing, or have already initiated climate change-related programs. CSAC supports the inclusion of these programs into the larger GHG reduction framework and supports acknowledgement and credit given for these local efforts.

- CSAC acknowledges its role to provide educational forums, informational resources and communication opportunities for counties in relation to climate change.

- CSAC recognizes that collaboration between cities, counties, special districts, and the private sector is necessary to ensure the success of a GHG reduction strategy at the local level.

- CSAC encourages counties to take active measures to reduce GHG and create energy efficiency strategies that are appropriate for their respective communities.

Section 1: Fiscal

The effects of climate change and the implementation of GHG reduction strategies will have fiscal implications for county government.

CSAC recognizes the potential for fiscal impacts on all levels of government as a result of climate change, i.e. sea level rise, flooding, water shortages and other varied and numerous consequences. CSAC encourages the state and counties to plan for the fiscal impacts of climate change adaptation, mitigation and strategy implementation.

- CSAC supports the use of grants, loans, incentives and revenue raising authority to assist local governments with the implementation of climate change response activities and GHG reduction strategies.

- CSAC continues to support its state mandate principles in the context of climate change. CSAC advocates that new GHG emissions reduction programs must be technically feasible for counties to implement and help to offset the long-term costs of GHG emission reduction strategies.

- CSAC advocates that any new GHG reduction strategies that focus on city-oriented growth and require conservation of critical resource and agricultural lands within the unincorporated areas should include a mechanism to compensate county governments for the loss of property taxes and other fees and taxes.

- CSAC supports the allocation of cap and trade revenues to fund programs that help reduce GHG emissions at the local level.

- CSAC supports changes and refinement to the California Communities Environmental Health Screening Tool (CalEnviroScreen) to include criteria that reflects the diversity of disadvantaged communities in California.

Section 2: Land Use, Transportation, and Housing

CSAC recognizes that population growth in the state is inevitable, and therefore climate change strategies that affect land use must focus on how and where to accommodate and mitigate the expected growth in California. Land use planning and development play a direct role in transportation patterns, affecting travel demands and in turn vehicle miles traveled (VMT) and fuel consumption. It is recognized that in addition to reducing VMTs, investing in a seamless and efficient transportation system to address congestion also contributes to the reduction of GHG emissions. The provision of housing affordable to all income levels also affects the ability to meet climate change goals. Affordable housing in close proximity to multi-modal transportation options, work, school, and other goods and services is a critical element to reducing GHG emissions in the state. Smart land use planning and growth, such as that required by SB 375 (Chapter 728, Statues of 2008),remains a critical component to achieve the GHG emission reduction targets pursuant to AB 32 (Chapter 488, Statutes of 2006), particularly to address the emissions from the transportation sector (i.e. vehicle, air and train). In order to better understand the link between land use planning, transportation, housing, and climate change further modeling and consideration of alternative growth scenarios is required to determine the relationship and benefits at both the local and regional levels.

- CSAC supports measures to achieve reductions in GHG emissions by promoting housing/jobs proximity and transit-oriented development, and encouraging high density residential development along transit corridors. CSAC supports these strategies through its support for SB 375 (Chapter No. 728, Statutes of 2008) and other existing smart growth policies for strategic growth. These policies support new growth that results in

compact development within cities, existing unincorporated urban communities and rural towns that have the largest potential for increasing densities, and providing a variety of housing types and affordability.

- CSAC supports policies that efficiently utilize existing and new infrastructure investment and scarce resources, while considering social equity as part of community development, and strives for an improved jobs-housing balance.

- CSAC supports the protection of critical lands when it comes to development, recognizing the need to protect agricultural lands, encourage the continued operations and expansion of agricultural businesses, and protect natural resources, wildlife habitat and open space.

- CSAC acknowledges that growth outside existing urban areas and growth that is non-contiguous to urban areas may be necessary to avoid the impacts on critical resource and agricultural lands that are adjacent to existing urban areas.

- CSAC supports providing incentives for regional blueprints and countywide plans, outside of SB 375, to ensure that all communities have the ability to plan for more strategic growth and have equitable access to revenues available for infrastructure investment purposes. It is CSAC's intent to secure regional and countywide blueprint funding for all areas.

- CSAC supports new fiscal incentives for the development of countywide plans to deal with growth, adaptation and mitigation through collaboration between a county and its cities to address housing needs, protection of resources and agricultural lands, and compatible general plans and revenue and tax sharing agreements for countywide services.

- CSAC recognizes that counties and cities must strive to promote efficient development in designated urban areas in a manner that evaluates all costs associated with development on both the city and the county. Support for growth patterns that encourage urbanization to occur within cities must also result in revenue agreements that consider all revenues generated from such growth in order to reflect the service demands placed on county government. As an alternative, agreements could be entered into requiring cities to assume portions of county service delivery obligations resulting from urban growth.

- While local governments individually have a role in the reduction of GHG emissions through land use decisions, CSAC continues to support regional approaches to meet the State's GHG emission reduction and climate change goals, such as efforts which build upon existing regional blueprint and transportation planning processes. CSAC continues

to support regional approaches over any statewide "one size fits all" approach to addressing growth and climate change issues. Further, CSAC supports countywide approaches to strategic growth, resource and agricultural protection, targeting scarce infrastructure investments and tax sharing for countywide services.

- CSAC finds it critical that state and federal assistance is provided for data and standardized methodologies for quantifying GHG emissions for determining and quantifying GHG emission sources and levels, vehicle miles traveled and other important data to assist both local governments and regional agencies in addressing climate change in environmental documents for long-range plans.

Section 3: Energy

Reducing energy consumption is an important way to reduce GHG emissions and conserve. Additionally, the capture and reuse of certain GHGs can lead to additional sources of energy. For example, methane gas emissions, a mixture of methane, carbon dioxide and various toxic organic and mercuric pollutants, from landfills and dairies have been identified as potent GHGs. Effective collection and treatment of these gases is not only important to the reduction of GHG emissions, but can also result in an additional source of green power.

CSAC continues to support efforts to ensure that California has an adequate supply of safe and reliable energy through a combination of conservation, renewables, new generation and new transmission efforts.

<u>Energy Efficiency</u>

- CSAC supports energy conservation and energy efficiency, along with broader use of renewable energy resources. Counties are encouraged to undertake vigorous energy action programs that are tailored to the specific needs of each county. When developing such action programs counties should:
  (1) assess available conservation and renewable and alternative energy options and take action to implement conservation, energy efficiency and renewable energy development when feasible;
  (2) consider the incorporation of energy policies as an optional element in the county general plan; and,
  (3) consider energy concerns when making land use decisions and encourage development patterns which result in energy efficiency.

- CSAC supports incentive based green building programs that encourage the use of green building practices, incorporating energy efficiency and conservation technologies into

state and local facilities. A green building is a term used to describe structures that are designed, built, renovated, operated or reused in an ecological and resource-efficient manner. Green buildings are designed to meet certain objectives using energy, water and other resources more efficiently and reducing the overall impact to the environment.

- CSAC supports the state's development of green building protocols sustainable building standards, including guidelines for jails, hospitals and other such public buildings.

- CSAC supports the use of grants, loans and incentives to encourage and enable counties to incorporate green building practices into their local facilities.

- CSAC supports the use of procurement practices that promote the use of energy efficient products and equipment.

Methane Emissions

- CSAC supports state efforts to develop a dairy digester protocol to document GHG emissions reductions from dairy farms. CSAC supports funding mechanisms that support the use of dairy digesters to capture methane gas and convert it to energy.

- CSAC supports state efforts to capture methane gases from landfills, and supports development of a reasonable regulatory measure with a feasible timeline to require landfill gas recovery systems on landfills that can support a self-sustaining collection system.

- CSAC supports the development of a guidance document for landfill operators and regulators that will recommend technologies and best management practices for improving landfill design, construction, operation and closure for the purpose of reducing GHG emissions.

- CSAC also supports funding mechanisms, including grants, loans and incentives to landfill operators to help implement these programs.

Section 4: Water

According to the Department of Water Resources, projected increases in air temperature may lead to changes in the timing, amount and form of precipitation, changes in runoff timing and volume, sea level rise, and changes in the amount of irrigation water needed. CSAC recognizes the need for state and local programs that promote water conservation and water storage development.

CSAC recognizes that climate change has the potential to seriously impact California's water supply. CSAC continues to assert that adequate management of water supply cannot be accomplished without effective administration of both surface and ground water resources within counties, including the effective management of forestlands and watershed basins.

- CSAC supports the incorporation of projections of climate change into state water planning and flood control efforts.

- CSAC supports water conservation efforts, including reuse of domestic and industrial wastewater, reuse of agriculture water, groundwater recharge, and economic incentives to invest in equipment that promotes efficiency.

- CSAC continues to support the study and development of alternate methods of meeting water needs such as desalinization, wastewater reclamation, watershed management, the development of additional storage, and water conservation measures.

Section 5: Forestry

With a significant percentage of California covered in forest land, counties recognize the importance of forestry in the context of climate change. Effectively managed forests have a lower probability of releasing large amounts of harmful GHG emissions into the atmosphere in the form of catastrophic wildfires. Furthermore, as a result of natural absorption, forests reduce the effects of GHG emissions and climate change by removing carbon from the air through the process of carbon sequestration. CSAC also recognizes the benefits of biomass energy as an alternative to the burning of traditional fossil fuels, as well as the benefits of carbon sequestration through the use of wood products.

- CSAC supports encouraging sustainable forestry practices through the existing regulatory process, and encouraging continued reforestation and active forest management on both public and private timberlands.

- CSAC supports responsible optimum forest management practices that ensure continued carbon sequestration in the forest, provide wood fiber for biomass-based products and carbon-neutral biomass fuels, and protect the ecological values of the forest in a balanced way.

- CSAC supports the state's development of general forestry protocols that encourage private landowners to participate in voluntary emission reduction programs and encourage National Forest lands to contribute to the state's climate change efforts.

- It is imperative that adequate funding be provided to support the management of forest land owned and managed by the federal government in California in order to ensure the reduction of catastrophic wildfires.

- CSAC supports additional research and analysis of carbon sequestration opportunities within forestry.

Section 6: Agriculture

The potential impacts of climate change on agriculture may not only alter the types and locations of commodities produced, but also the factors influencing their production, including resource availability. Rising temperatures, changes to our water supply and soil composition all could have significant impacts on California's crop and livestock management. Additionally, agriculture is a contributor to GHG emissions in form of fuel consumption, cultivation and fertilization of soils and management of livestock manure. At the same time, agriculture has the potential to provide offsets in the form of carbon sequestration in soil and permanent crops, and the production of biomass crops for energy purposes.

- CSAC supports state efforts to develop guidelines through a public process to improve and identify cost effective strateiges for nitrous oxide emissions reductions.

- CSAC continues to support incentives that will encourage agricultural water conservation and retention of lands in agricultural production.

- CSAC continues to support full funding for UC Cooperative Extension given its vital role in delivering research-based information and educational programs that enhance economic vitality and the quality of life in California counties.

- CSAC supports additional research and analysis of carbon sequestration opportunities within agriculture.

Section 7: Air Quality

CSAC encourages the research and development and use of alternative, cleaner fuels. Further, air quality issues reach beyond personal vehicle use and affect diesel equipment used in development and construction for both the public and private sector.

- CSAC supports state efforts to create standards and protocols for all new passenger cars and light-duty trucks that are purchased by the state and local governments that conform to the California Strategy to Reduce Petroleum Dependency. CSAC supports

state efforts to revise its purchasing methodology to be consistent with the new vehicle standards.

- CSAC supports efforts that will enable counties to purchase new vehicles for local fleets that conform to state purchasing standards, are fuel efficient, low emission, or use alternative fuels. CSAC supports flexibility at the local level, allowing counties to purchase fuel efficient vehicles on or off the state plan.

- CSAC supports identifying a funding source for the local retrofit and replacement of county on and off road diesel powered vehicles and equipment.

- CSAC opposes federal standards that supersede California's ability to adopt stricter vehicle standards.

- Counties continue to assert that federal and state agencies, in cooperation with local agencies, have the ability to develop rules and regulations that implement clean air laws that are both cost-effective and operationally feasible. In addition, state and federal agencies should be encouraged to accept equivalent air quality programs, thereby allowing for flexibility in implementation without compromising air quality goals.

- CSAC also recognizes the importance of the Air Pollution Control Districts (APCDs) and Air Quality Management Districts (AQMDs) to provide technical assistance and guidance to achieve the reduction of GHG emissions.

- CSAC supports the development of tools and incentives to encourage patterns of product distribution and goods movement that minimize transit impacts and GHG emissions.

- CSAC supports further analysis of the GHG emission contribution from goods movement through shipping channels and ports.

Section 8: Solid Waste and Recycling

The consumption of materials is related to climate change because it requires energy to mine, extract, harvest, process and transport raw materials, and more energy to manufacture, transport and, after use, dispose of products. Recycling and waste prevention can reduce GHG emissions by reducing the amount of energy needed to process materials, and reducing the amount of natural resources needed to make products.

CSAC continues to support policies and legislation that aim to promote improved markets for recyclable materials, and encourages:

- The use of recycled content in products sold in California;
- The creation of economic incentives for the use of recycled materials;
- Development of local recycling markets to avoid increased emissions from transporting recyclables long distances to current markets;
- The expansion of the Electronic Waste Recycling Act of 2003 and the Beverage Container Recycling Program;
- The use of materials that are biodegradable;
- Greater manufacturer responsibility and product stewardship.

Section 9: Health

CSAC recognizes the potential impacts of land uses, transportation, housing, and climate change on human health. As administrators of planning, public works, parks, and a variety of public health services and providers of health care services, California's counties have significant health, administrative and cost concerns related to our existing and future built environment and a changing climate. Lack of properly designed active transportation facilities have made it difficult and in some cases created barriers for pedestrians and bicyclists. Lack of walkability in many communities contributes to numerous chronic health related issues, particularly obesity which is an epidemic in this country. Heat-related illnesses, air pollution, wild fire, water pollution and supply issues, mental health impact and infectious disease all relate to the health and well-being of county residents, and to the range and cost of services provided by county governments.

CSAC recognizes that there are direct human health benefits associated with improving our built environment and mitigating greenhouse gas emissions, such as lowering rates of obesity, injuries, and asthma. Counties believe that prevention, planning, research, education/training, and preparation are the keys to coping with the public health issues brought about by our built environment and climate change. Public policies related to land uses, public works, climate change and public health should be considered so as to work together to improve the public's health within the existing roles and resources of county government.

- CSAC supports efforts to provide communities that are designed, built and maintained so as to promote health, safety and livability through leadership, education, and funding augmentations.

- CSAC supports efforts to improve the public health and human services infrastructure to better prevent and cope with the health effects of climate change through leadership, planning and funding augmentations.

- CSAC supports state funding for mandated local efforts to coordinate monitoring of heat-related illnesses and responses to heat emergencies.

- CSAC supports efforts to improve emergency prediction, warning, and response systems and enhanced disease surveillance strategies.

Glossary of Terms

Climate change
A change of climate which is attributed directly or indirectly to human activity that alters the composition of the global atmosphere and which is in addition to natural climate variability observed over comparable time periods.
United Nations Framework Convention on Climate Change

Carbon Sequestration
Carbon sequestration refers to the provision of long-term storage of carbon in the terrestrial biosphere, underground, or the oceans so that the buildup of carbon dioxide (the principal greenhouse gas) concentration in the atmosphere will reduce or slow. In some cases, this is accomplished by maintaining or enhancing natural processes; in other cases, novel techniques are developed to dispose of carbon.
US Department of Energy

Environmental Justice
Environmental Justice is the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.
US Environmental Protection Agency

Greenhouse gas
A gas that absorbs radiation at specific wavelengths within the spectrum of radiation (infrared radiation) emitted by the Earth's surface and by clouds. The gas in turn emits infrared radiation from a level where the temperature is colder than the surface. The net effect is a local trapping of part of the absorbed energy and a tendency to warm the planetary surface. Water vapour (H_2O), carbon dioxide (CO_2), nitrous oxide (N_2O), methane (CH_4) and ozone (O_3) are the primary greenhouse gases in the Earth's atmosphere.
United Nations Intergovernmental Panel on Climate Change

Chapter 17

CEQA Reform General Principles and Policy Statements

The California Environmental Quality Act (CEQA), signed into law by Governor Ronald Reagan in 1970, establishes a process to incorporate scientific information and public input into the approval of development projects, both public and private. Viewed by many as California's landmark environmental law, CEQA has attracted controversy throughout its 43 years and its reform is a frequent subject of proposed legislation.

In order to respond to CEQA reform proposals, CSAC convened a working group of CEQA experts including, planning directors, county counsels, and public works directors to help draft policy principles to guide CSAC through ongoing reform debates. The following chapter sets forth the CEQA Working Group's principles and policy statements regarding CEQA reforms.

Section 1: Role of CEQA

Counties acknowledge that CEQA provides essential environmental information to the local decision-making process. Its purpose is to ensure that governmental decisions take full account of environmental impacts, including reducing or avoiding significant environmental impacts wherever feasible, as well as fostering transparency in the decision making process.

The protection of our environment is a responsibility that counties take very seriously. Likewise, counties know that local governments must balance environmental protection and the need to complete necessary infrastructure projects and ensure the economic vitality of our communities. This balancing role is explicitly recognized in the CEQA statute and its Guidelines, which provide that CEQA must not be subverted into an instrument for the oppression and delay of social, economic, or recreational development or advancement. However, the CEQA process remains wrought with uncertainty, costly litigation, and project delays.

Counties believe there are several opportunities for enhancing key areas of CEQA to improve its effectiveness and the efficiency of the environmental review process while ensuring that the law's environmental protection and public involvement purposes are fulfilled. As lead agencies with responsibility for a wide range of environmental resources, counties have a unique ability to provide meaningful input into the process.

CSAC's focus is to identify improvements that will streamline our delivery of public works and other public projects and make our development review processes more efficient by enhancing CEQA in ways that apply our increasingly scarce resources to actions that actually protect the environment.

The following general principles and policy statements are CSAC's foundation for representing counties and the citizens they serve at both the administrative and legislative level.

Section 2: General Principles

- Counties support the balance of sound environmental protection with the need to complete projects that promote economic prosperity and social equity. Any proposed CEQA revisions should seek to modernize, simplify and streamline the law, and not dismantle it or create new and equally complicated processes resulting in litigation.

- Local government performs the dominant role in planning, development, conservation, and environmental procedures. Counties have and should retain the primary responsibility for land use decisions in unincorporated areas. In addition, counties should act as the lead agency where projects are proposed in unincorporated areas requiring discretionary action by the county and other jurisdictions.

- The CEQA process should be integrated with the planning process wherever possible, including the preparation of programmatic or master environmental documents that allow the use of tiered environmental review (including negative declarations) to achieve a more streamlined CEQA process for subsequent development and infrastructure projects.

- Counties support state funding to update and implement general plans, specific plans, sustainable communities strategies, and smart growth plans, including programmatic CEQA review of these plans.

- CSAC encourages state and federal agencies to provide timely and complete review of local projects within the timelines set forth in CEQA so that issues relevant to those agencies' regulatory role can be addressed at the earliest possible time.

- CSAC encourages local agencies to resolve CEQA disputes without costly litigation and in a way that buoys public confidence in local government. Examples of this include the use of non-binding mediation.

- CSAC acknowledges its role in providing educational forums, informational resources and communication opportunities for counties in regards to CEQA practice and reform efforts.

Section 3: Policy Statements

- Counties support statutory changes that provide lead agencies with the ability to find that de minimis contributions to a significant impact are not cumulatively considerable.

- Counties strongly support statutory changes to improve the defensibility of well-prepared mitigated negative declarations (MND), including but not limited to applying the substantial evidence standard of review to MNDs that meet certain criteria, such as those prepared for projects that are consistent with current zoning or an existing general plan.

- CEQA currently allows for potential issues to be raised late in the decision-making process, giving rise to disruptive and counterproductive tactics known as "late hits" and "document dumps" to stall the project review process. Counties support limits on the submittal of late input into the process. In order to raise an issue in court, counties assert that the issue with an EIR or MND must have been raised during the Draft EIR or MND public comment period, unless the new issue was not known and could not have been raised earlier.

- Counties support CEQA exemptions and streamlining for infill projects in both cities and existing urbanized areas in counties. Conditions for such exemptions and streamlining processes should be based on population densities that reflect reasonable infill densities in counties or other objective measures of urban development, rather than arbitrary jurisdictional boundaries.

- Roadway infrastructure projects that protect the health and safety of the traveling public are subject to project delivery delays due to environmental review, even when a project replaces existing infrastructure. Counties support categorical and/or statutory exemptions and streamlining for road safety projects in the existing right-of-way. The maintenance or rehabilitation of existing public facilities, within existing public right-of-way, with previously approved environmental documents, should also be provided a streamlined process or be exempt from having to do another CEQA document.

- Support measures to reduce or eliminate duplicative environmental review for public works projects that are subject to both NEPA and CEQA. This could include action at the federal level to allow use of the CEQA document in place of a NEPA document.

- Counties support programmatic Environmental Impact Reports (EIRs) and standardized mitigation measures for the flood management system, levee maintenance and capital projects that fall under certain thresholds.

- Counties support providing the courts with more practical discretion to sever offending parts of a large project that is subject to CEQA litigation and allow the beneficial parts of a project to proceed when they are not relevant to the court's CEQA decision.

- Counties support transparency in the preparation and distribution of environmental documents. To accomplish this, CSAC supports state funding and assistance for the electronic filing of documents. Further, counties believe they are in the best position to decide how to make governmental information available to non-English speaking communities within their jurisdictions. Counties do not support state-mandated translation of CEQA documents.

- Counties believe that in some circumstances existing environmental laws and regulations can be used to streamline the CEQA process and help avoid unnecessary duplication. However, Counties also believe that any such standards or thresholds must be found by the lead agency to be specifically applicable to the project where they are applied. If the use of existing environmental laws is intended to exempt a project from further CEQA review, it should be focused on specific impacts and limited to "qualified standards" that the lead agency reasonably expects will avoid significant impacts in the area addressed by the standard.

- Challenges to the contents of the administrative record have become a common way to create litigation delays and increased costs. Counties support a statutory clarification that the contents of an administrative record only include all documents that were submitted to the relevant decision making body before the challenged decision. Counties further support a statutory clarification allowing public agencies to certify both accuracy and completeness of an administrative record prepared by a petitioner. Counties support statutory clarification that resolution of disputes regarding preparation and certification of the administrative record should occur through motions to supplement which run parallel to briefing on the merits, not prior.

- Counties support statutory revisions that increase the transparency by limiting the standing of parties filing CEQA lawsuits and actions to persons or entities with an environmental concern rather than economic interest in the project.

- Counties support statutory revisions to the private attorney general statute governing awards of attorneys' fees, which are available to petitioners but not defendants. This low-risk, high-return imbalance in favor of petitioners is one of the primary drivers for CEQA litigation.

- Counties support the use of the substantial evidence standard for challenges to a categorical exemption.

CSAC Cannabis Policy

Introduction

On November 8, 2016, voters passed Proposition 64, the Adult Use of Marijuana Act (AUMA), legalizing the adult use of cannabis in California. AUMA contains broad local regulatory and taxation authority, allowing local governments to decide how best to regulate – and impose local taxes on – the retail sale and cultivation of cannabis in their respective communities while integrating local regulatory programs within a larger state licensing system. AUMA provides guidelines for several state agencies to develop specific regulations that taken together will create a statewide licensing and regulatory framework for the cultivation, manufacture, transportation, testing, and sale of adult use cannabis. In addition to AUMA, the Governor signed into law the Medical Cannabis and Regulatory Safety Act (MCRSA) in 2015. MCRSA established a similar statewide licensing and regulatory framework specific to medical cannabis. While substantially similar, these two laws contain several differences. As a result, the Legislature and regulatory agencies are working to reconcile several inconsistencies between AUMA and MSCRA as they work to implement both laws.

AUMA and MCRSA respect local police powers and contain explicit county taxing authority. However, counties have a stake in shaping the broader statewide landscape of cannabis regulation in California as it will undoubtedly have a significant impact on local government operations. As the Legislature and regulatory agencies work to develop regulations to implement both the medical and adult use cannabis laws, counties put forth the following policy principles to guide CSAC positions and advocacy on cannabis regulation in California.

Policy Principles

Section 1: Licensing, Regulation, and Local Control

Local government police powers and authority over taxation and fees must be respected in the development of any regulations implementing both medical and adult use cannabis laws. This includes support for existing local land use authority and counties' ability to ban the commercial adult use or medical cannabis retail sale, delivery, and/or cultivation within the unincorporated area.

The MCRSA and AUMA outline categories of different types of licenses for the cultivation, sale, manufacture, distribution, and testing of cannabis. Both laws contain different types of restrictions on how many licenses can be held by a single entity. Counties support existing prohibitions on the cross-ownerships of licenses within the medical cannabis laws, and support restrictions on the cross-ownership of licenses within AUMA.

Counties support:

1. The development of a dual licensing system, which requires the verification of a local license as a condition precedent to the issuance of a state license for both medical and adult use commercial cannabis licensees, and the development of a strong license revocation policy and procedure for violations of license requirements.
2. Limitations and/or phase-in of unlimited acreage licenses, or Type Five licenses. (Proposition 64 allows for an unlimited acreage cultivation license - Type 5 - after the law has been in effect for five years).
3. State development of uniform regulations, when feasible, for adult use and medical cannabis.

Section 2: Cultivation and Environmental Impacts

Counties urge:

1. Action to reduce environmental degradation and ensure the responsible use of resources, including water and electricity, in cannabis cultivation.

Counties support:

1. Uniform pesticide and other contaminant standards for adult use and medical cannabis.
2. A statewide track and trace technology system designed with compatibility and full integration with local programs.
3. Local access to both the state track and trace system and laboratory test results for cannabis and cannabis products.
4. Integration with GIS systems at the local level, especially with respect to cultivation sites. This should include integration and consultation with resource conservation districts and enable integration with Integrated Watershed Management Plans.
5. Strong coordination between local and state agencies to ensure uniform application in environmental enforcement efforts. This includes providing clear guidance and adequate resources to responsible agencies to regulate and enforce existing environmental laws when they are applied to the cultivation of cannabis.
6. The ability to grow industrial hemp as an agricultural product, while respecting local control.

Section 3: Enforcement and Public Safety

Counties strongly urge the state to fully enforce all state aspects of cannabis regulations, and to provide resources to local governments for enforcement efforts undertaken by local governments.

Counties support:

1. The development of enforceable standards for impaired driving.
2. Employer rights to maintain competency for duty and a drug-free workplace and the ability to impose restrictions on cannabis use by employees.
3. Action and assistance to aid local government and law enforcement's ability to stop unlicensed commercial activity and diversion of cannabis and cannabis products.
4. Dedicated resources for the active enforcement of illegal cannabis cultivation on state and federal lands.
5. State standards governing worker safety and security in the cannabis industry.
6. Inspections of cannabis retail establishments, sales locations, or cultivation sites to ensure adherence to state and local laws and policies.

Section 4: Labeling, Testing, and Advertising

Counties urge the state:

1. To develop packaging requirements that are designed to display no appeal for children and to require childproof containers, where appropriate.
2. To allow counties to use state-run labs for pesticide, heavy metal, and biological testing for enforcement purposes.
3. To develop uniform potency standards for cannabis products to ensure consumer health and safety.

Counties support:

4. Standards for the recognition of a particular appellation of origin of cannabis cultivated in a certain geographical region.
5. Strict labeling and testing requirements of all adult use and medical cannabis products.

Section 5: Resources, Revenue Collection, and Banking

Counties urge:

1. The federal government to continue to respect states' rights with respect to cannabis regulation and enforcement.
2. The federal government to allow banking services for the cannabis industry to help reduce the public safety issues posed by a cash-based industry.
3. The federal government to declassify cannabis as a Schedule I drug and remove all conflicts under federal law.
4. Revenue sharing and grants from state revenues to manage the impacts of cannabis growth.

Counties support:

5. Interim solutions to encourage tax compliance in the absence of adequate banking solutions.
6. Sufficient resources for local code enforcement and environmental health and other departments.
7. Sufficient funding for adequate staffing at the state and local level to conduct regular inspections for dispensaries, cultivation, and manufacturing facilities, to conduct investigations and enforcement activity, and to quickly respond to and resolve complaints in a timely manner.
8. Actions that would provide state funding and resources to local governments for public education efforts concerning responsible use of cannabis.

Section 6: Public Education, Outreach, and Research

Counties support:

1. Methods of sharing best practices, lessons learned, and model ordinances on cannabis regulation and taxation.
2. The development of strong, effective substance abuse prevention and education campaigns at the state level with input from counties, and resources for local education.
3. Statewide data collection and additional research and monitoring of trends regarding the impacts of cannabis – including impacts to public health, enforcement issues, and other impacts. Counties urge the state to share such data and research with local governments.
4. Continued collaboration between local and state agencies, including ongoing dialogue about implementation efforts, tax rates, enforcement issues, and other issues of significance.
5. Adequate local representation on the state Cannabis Advisory Committee to help inform state regulatory agencies and other stakeholders about local conditions, concerns and issues of significance.
6. Widespread communication on the impacts of cannabis on public health, especially related to impaired driving and youth.

Chapter Five

Government Operations

Local control is the primary policy cornerstone of CSAC. Counties should determine the scope and extent of the government services that it will render in response to the needs and desires of the local community. While counties do act as agents of the state and federal government in performing services in some policy areas – and do so with substantial state or federal financing – these activities should be distinguished from areas of local interest or state, federal and local interest when determining the basis for applying statewide standards and supervision.

Section 1: General Principles

Scope of Services

Counties should have full discretion over the scope and extent of government services offered. Each county should further examine its ability to support such services, always subject to the requirement to provide mandated services as state agents.

Uniformity in Services

When performing mandated duties, the degree of uniformity required should be carefully determined, with emphasis on the purpose of each requirement with the goal of uniformity to serve a specific beneficial purpose. This will enable progress through the application of a variety of administrative approaches and methods.

Freedom to Devise Program Operating Policies

Counties should be free to devise their own operating policies for all government programs not financed wholly or substantially by federal or state funds.

Whole Responsibility with Board of Supervisors

To be directly responsible to the people, general control of county government should be placed wholly with the board of supervisors.

Non-Partisan Nature of County Government

The office of county supervisor should continue to be nonpartisan, enabling the people to vote on the basis of local issues and to enable supervisors to solve local problems without binding allegiances to political parties.

Section 2: Electronic Data Processing (EDP)

Utilizing technology and automation can provide for the improvement of government function and accessibility, and counties pledge cooperation to the state and federal governments in developing the means to fully utilize electronic resources.

Differences in state and local applications of EDP must be fully recognized in order that efforts at excessive standardization will not reduce the effectiveness of the total system.

Section 3: Local Government Organization

Different government organizational structures exist throughout the state; legal constraints and time-consuming restrictions have severely limited the use of the charter as a method of obtaining local control. The State Constitution and statutes should be revised to provide authorization for counties to independently organize by local control.

The principle of local control also applies to the issue of elected "ministerial" officials. The board of supervisors should have authority to submit proposals for appointment of elected officials to the voters. Also, counties should be allowed to submit to their electorate the questions of whether elected non-legislative officials, except District Attorney, should be appointed by the board of supervisors.

Counties should be allowed maximum flexibility to structure their organization through the process of "local option control."

Section 4: Library Services

The continued vitality of our free and democratic society and the effective operation of government at all levels is dependent on an informed and knowledgeable citizenry. Therefore, it is the responsibility of all levels of government, including county government, to assure that all people have access to sources of knowledge and information that affect their personal and professional lives and society as a whole.

The public library is a supplement to the formal system of free public education and a source of information and inspiration to persons of all ages, as well as a resource for continuing education. As such, public libraries deserve adequate financial support from all levels of government.

Counties are among the traditional providers of library and information services to the people. Counties form a natural region for the provision of this service. Citizens expect free library services that are responsive to local needs.

Intergovernmental Relationships

The state is urged to recognize public libraries as part of the system of public education and should continue providing financial assistance to support their operation.

The state should also continue and strengthen funding for the interjurisdictional library cooperatives established under Education Code Sections 18700 through 18766.

Privacy and Censorship

Recognizing the right of an individual to privacy, circulation records and other records identifying the names of library users with specific materials, including Internet usage, are to be confidential in nature.

Section 5: Administration of Elections

Counties support efficient and accessible voting for all. Elections administration should strike a balance between uniformity and flexibility.

Reimbursement for Special and Vacancy Election Costs
Counties support efforts to reinstate language directing the state to provide reimbursement to counties that hold a special election to fill a legislative or Congressional vacancy, and other special elections. Until such reimbursement is provided, counties support efforts to reduce special election administrative costs borne by counties.

All Mail Ballot Elections
Given the increasing popularity of voting by mail and the increasing costs of administering elections due to state and federal regulations, and also considering the positive effect it would have on voter participation, counties support proposals that would give Boards of Supervisors the option of holding any election by mail in lieu of in-person voting.

Section 6: Broadband

Counties support the expansion of broadband (high speed internet service) to all parts of the State to drive economic development and job opportunities, support county service delivery, and improve health, education, and public safety outcomes for residents.

Broadband must be capable of supporting current technology standards and speeds in order for counties to realize these benefits. This may require infrastructure solutions specific to a given county or region.

Access and adoption are both necessary elements that should be supported in state and federal legislative or regulatory proposals. This includes, but is not limited to:

- Establishing and maintaining reliable broadband in unserved or underserved communities;
- Promoting the knowledge, skills and behaviors that comprise digital literacy;
- Making broadband affordable for all households;
- Maximizing funding for infrastructure; and
- Reducing infrastructure deployment barriers.

Chapter Eight

Public Employment & Retirement

Section 1: Public Employee Relations

Counties are committed to an employment system that provides public employees with protection against arbitrary and capricious loss of jobs, unfair hiring practices, and preferential promotions or job assignments. Counties believe in and support merit systems. For this purpose, they have provided personnel services, grievance procedures, health and safety protection, retirement and pension plans. Foremost, however, counties have a fundamental obligation to all citizens to exercise the peoples' sovereign power in determining what government will do, at what cost to the taxpayer, and under what circumstances. Thus, the basic principle of county employer-employee relations is one of balancing the legitimate desires and needs of employees against the publics' right to economical, efficient, effective and stable government.

Collective Bargaining

Counties support collective bargaining legislation that:

1) Recognizes the right of each employee to join or not join organizations and bargain collectively or individually.

2) Recognizes the responsibility of local elected officials to govern and manage the organization and to implement public policy.

3) Minimizes conflict over procedural matters.

4) Provides an acceptable method of resolving impasse resulting from negotiations. CSAC opposes compulsory, binding arbitration.

Political Activity by Employees

Employees whose job security is protected by civil service or merit systems or by agreement between the county and an employee organization cannot be permitted to engage in any political activity during times when they are paid to be performing the duties of their employment.

Nepotism Restriction

CSAC supports nepotism restriction policies that are consistent with applicable state statutes. Specifically, CSAC supports policies that prohibit employment of immediate family members by county officers, or participation of county officers or employees in employment decisions affecting immediate family members. No person should be employed in a position where that position will be directly supervised by a member of the immediate family or where it is reasonable to believe and it can be shown that employment of immediate family members in the same department, division or facility involves potential conflicts of interest.

Employee Benefits Legislation

Counties strive to develop employee benefit plans that are affordable, responsive to the needs and desires of county employees, and reflect the values of the community. CSAC is opposed to the state legislating salary, wages, or employee benefits for county employees. These issues must be determined only at the local bargaining table; otherwise the foundation of the collective bargaining process is undermined.

Workers' Compensation

CSAC supports preserving the original intent of the Workers' Compensation Act and legislation that would prevent or correct abuses within the system. CSAC believes that timely and unprejudiced benefits should be provided to employees who suffer from work-related injuries or illnesses at a reasonable cost to county employers. CSAC opposes state policy which would erode the original intent of the Workers' Compensation Act or result in excessive costs to county employers and increased litigation.

CSAC supports:

1) Reasonable measures to assist employees in returning to suitable employment.

2) Promoting medical care treatment guidelines that are based on evidentiary medicine and designed to cure or relieve the effects of employment-related injury or illness.

3) The concept of apportionment for disability that is the result of other industrial or non-industrial injuries or conditions.

4) Maintaining objectivity in evaluating permanent disability standards.

5) The concept that tax exemptions on temporary disability should extend only to the statutory maximum, as outlined in Labor Code 4453.

6) Ensuring that the Workers' Compensation Appeals Board remains a forum for efficient

resolution of claim issues.

CSAC opposes:

1) Extending workers' compensation benefits to any person other than the employee as defined by law, except in the case of dependent death benefits.

2) Injury presumptions for only certain employee classifications.

Coordination of Governmental Employers

Counties, cities, and local governmental management are strongly encouraged to freely exchange information of a timely nature on employee demands over wages and employee benefits as well as settlements reached. In this manner, each employer can deal more effectively with its own "meet and confer" process.

While multi-employer bargaining is not possible now, there are many real benefits available if governmental units would keep adjoining and comparable agencies promptly informed of employer positions on salaries, employee demands and employee benefits. Governmental entities are continuously used for comparison of employee benefits sometimes at an "anticipated" rather than actual level.

Closed Sessions for Negotiation Discussions

Successful negotiations depend upon meaningful discussions at the bargaining table. Under no circumstances should closed sessions of the Board of Supervisors and its designated management representatives be required to be opened to the public.

National Labor Relations Legislation

Counties oppose the intrusion of the federal government into the field of state and local public labor relations legislation. States should be free to experiment with new legislative approaches and to adopt procedures tailored to meet the needs of their constituents.

However, should national labor relations legislation become inevitable, counties should encourage adoption of legislation which parallels their positions on state legislation.

Section 2: Public Retirement

Public retirement systems should be established and maintained on actuarially sound principles and be fiscally responsible. Public pension reform has garnered widespread interest and has generated significant debate among policy leaders about the appropriate remedy for actual and perceived abuse,

rising costs, and accountability to taxpayers. CSAC welcomes this discussion and approaches the concept of reform with the overarching goal of ensuring public trust in public pension systems, and empowering local elected officials to exercise sound fiduciary management of pensions systems, as well as maintaining a retirement benefit sufficient to assure recruitment and retention of a competent local government workforce. The guiding principles are intended to apply to new public employees in both PERS and 1937 Act retirement systems.

Local elected officials should be able to develop pension systems that meet the needs of their workforce, maintain principles of sound fiduciary management, and preserve their ability to recruit and retain quality employees for key positions that frequently pay less than comparable positions in the private sector. CSAC opposes efforts to remove board of supervisor authority to determine retirement benefits since they are responsible for funding benefit changes. For 1937 Act county retirement systems, CSAC is opposed to any legislation which would transfer authority now vested with the county board of supervisors to the county board of retirement. Such transfer could include, but is not limited to, adoption of salaries for retirement board members or employees, the extension of benefits, or decisions related to funding of the system.

Public pension systems provide an important public benefit by assisting public agencies to recruit and retain quality employees. Any fraud or abuse must be eliminated to ensure the public trust and to preserve the overall public value of these systems.

Public pension systems boards have a constitutional duty to:

(a) Protect administration of the system to assure prompt delivery of benefits and related services to members and their beneficiaries; and

(b) Minimize employer costs; and

(c) Diversify the investments of the system so as to minimize the risk of loss and to maximize the rate of return.

To protect the long-term sustainability of public pension systems and promote responsible fiduciary management, CSAC opposes state-imposed divestment mandates that would harm investment performance, compromise investment strategies, or contradict the constitutional duties outlined above.

Public pensions should adhere to the following principles:

1) Protect Local Control and Flexibility
    a. Local elected officials should be able to develop pension systems that meet the needs of their workforce, maintain principles of sound fiduciary management, and preserve their ability to recruit and retain quality employees for key positions that frequently pay less than comparable positions in the private sector. A statewide mandated retirement

system is neither appropriate nor practical, given the diversity of California's communities. Further, a mandated defined contribution retirement system could force a reconsideration of the decision of local governments not to participate in Social Security.

2) Eliminate Abuse
    a. Public pension systems provide an important public benefit by assisting public agencies to recruit and retain quality employees. Any fraud or abuse must be eliminated to ensure the public trust and to preserve the overall public value of these systems.

3) Reduce and Contain Costs
    a. Public pension reform should provide for cost relief for government, public employees, and taxpayers.

4) Increase Predictability of Costs and Benefits for Employee and Employer
    a. Responsible financial planning requires predictability. Employers must be able to predict their financial obligations in future years. Employees should have the security of an appropriate and predictable level of income for their retirement after a career in public service.

5) Strengthen Local Control to Develop Plans with Equitable Sharing of Costs and Risks Between Employee and Employer
    a. Equitable sharing of pension costs and risks promotes shared responsibility for the financial health of pension systems and reduces the incentive for either employees or employers to advocate changes that result in disproportionate costs to the other party, while diminishing the exclusive impact on employers for costs resulting from increases in unfunded liability.

6) Increase Pension System Accountability
    a. Public pension systems boards have a constitutional duty to both protect administration of the system to ensure benefits are available to members and minimize employer costs. The constitutional provisions and state statutes governing such boards should promote responsible financial management and discourage conflicts of interest.

Section 3: Industrial Disability Retirement (IDR)

CSAC has traditionally supported the principle of provision of IDR to safety employees who are unable to continue their safety employment due to a bona fide job-connected disabling injury or illness. CSAC also has traditionally recognized that IDR can be extremely expensive, and that responsible reforms may be

warranted to limit the cost to truly legitimate claims.

Section 4: Occupational Safety and Health Standards

The occupational safety and health standards and practices for counties should comply with the California Division of Occupational Safety and Health (Cal-OSHA).

Safety Member Category

The safety member classification is intended to provide a retirement system for the class or classes of public employees whose duties consist of physically active functions in the protection and safety of the public. The purpose of such classification is to ensure that persons so employed will be agile, active, and possess a high degree of physical alertness and stamina. It is designed to provide an opportunity for career employment and, at the same time, provide for and ensure separation from such service without financial hardship at a relatively younger age than other employees. The term "safety," as used in the retirement law, refers to the safety of the public.

Personal risk or the hazardous nature of job functions are not elements of the classification and shall have no bearing in determining the establishment of or eligibility for safety membership.

Coordination of Personnel Functions with Central Administration

Counties recognize the success or failures of local government rests heavily on the quality of its personnel, and therefore support the close organizational ties between the central administration and the personnel function. Counties are encouraged to establish and maintain effective partnerships between central administration and the personnel functions and to link activities directly related to those functions.

Equal Employment Opportunity (EEO)

CSAC is committed to the concept of EEO in public service as a basic merit system principle. Acceptance of this principle does not end with mere prohibition of discriminatory practices. CSAC recognizes the obligation of counties to develop practical plans for specific steps to be taken to achieve more fully the goal of equal employment opportunity in county government. This includes positive efforts in recruitment, examination, selection, promotion, pay, job restructuring and due process protection so that appropriate numbers of protected group members achieve positions in county government and are provided promotional opportunities at all job classification levels.

Testing, Selection, and Promotion

Counties believe initial selection and promotional devices used should eliminate artificial barriers, be job related, and ensure job success. Special consideration should be given to facilitate the transfer and promotion of qualified employees and full utilization of human resources particularly in protected

classes.

Licensing and Certification

Counties urge a review of all requirements for licenses or certificates for county employment to ensure they are realistically related to job performance. Counties should strive to prevent the requirement of licenses or certificates when those requirements create artificial barriers to employment and/or upward mobility.

State Duplication of Federal Law and Reporting Requirements

Counties are opposed to the adoption of state laws which duplicate, are inconsistent or conflict with federal law or regulations.

Counties are greatly concerned with the multitude of varying EEO reporting requirements coming from state and federal government. The time required to gather and report EEO data from the many different state and federal agencies, each requiring its own data, greatly reduces the time available to accomplish the objective of EEO. Counties urge state and federal government reporting requirements that are realistically related to necessary monitoring and evaluation activities.

Counties support the consolidation and integration of federal agencies with responsibilities for the monitoring, auditing or regulating of local affirmative action plans and activities. The federal government should initiate efforts to increase standardization and uniformity of their practices in these areas.

Section 5: Workforce Development

CSAC recognizes and endorses the principles of prime sponsorship and accountability of county officials in the planning, administration and supervision of comprehensive local systems of workforce training and employment--with a minimum of federal regulation.

Chapter Nine

Financing County Services

California counties are the unit of government best suited to deliver public assistance, public protection, and some public works services, but counties have limited ability to adequately finance these responsibilities. In order to meet each community's unique needs, counties must be given greater financial independence from the state and federal budget processes, including the authority to collect revenues at a level sufficient to provide the degree of local services the community desires. Counties will seek a level of financial independence that provides for the conduct of governmental programs and services, especially discretionary programs and services, at an adequate level.

Section 1: State Policy Objectives

Program Realignment

Reforms of county finances need to involve agreement between the state and the counties on a realignment of responsibilities to provide social services, income maintenance, health care, justice services, or any other service that the county is best suited to provide. Counties must be given realistic and adequate revenue sources to pay for ongoing program and service responsibilities. The CSAC Realignment Principles appear in the Realignment chapter within this Platform. .

Financial Independence

Counties have neither the financial resources to both operate state programs and also meet local needs, nor the ability to predict service levels beyond each legislative session. Therefore, counties advocate for aligning revenue authority with service responsibility, and also support other measures that grant counties financial independence.

1) Protection of local government revenues: Counties strongly support the provisions of Proposition 1A (2004), which provides constitutional protection of local governments' property tax, sales tax, and Vehicle License Fee revenues. It also requires the Legislature to fully fund or else suspend reimbursable local mandates.

2) Mandate funding: Counties continue to advocate for guaranteed state appropriations of sufficient funds prior to requiring counties to provide new or increased services. (Also see Chapter XII: STATE MANDATE LEGISLATION.) Counties also seek a guarantee that programs and services that are funded wholly or partially by the state will annually receive full adjustments for the increased cost of providing them, including inflation and population changes.

3) State Borrowing of Property Tax Revenues: Counties will firmly oppose any attempt by the state to borrow property tax revenue from counties under the provisions of Proposition 1A. Such borrowing would cause counties increased costs in several areas, including the cost of

borrowing and lost investment income. Furthermore, borrowing to cover ongoing state costs is fiscally unwise, and would put negative pressure on state funding of county-provided services in the out-years.

4) Local Authority**:** Counties should be granted enhanced local revenue-generating authority to respond to unique circumstances in each county to provide needed infrastructure and county services. Any revenue raising actions that require approval by the electorate should require a simple majority vote.

   Furthermore, counties should have the ability to adjust all fees, assessments, and charges to cover the full costs of the services they support.

5) State Payments: Counties seek a guarantee that the state will pay reimbursements and subventions promptly, with the payment of interest to counties when it fails to do so.

<u>Existing Revenue Sources</u>

1) Property Tax Revenue: Counties oppose erosion of the property tax base through unreimbursed exemptions to property taxes. The state should recognize that property tax revenues are a significant source of county discretionary funds. Any subventions to counties that are based upon property tax losses through state action should be adjusted for inflation annually.

2) Property Tax Administration: Counties incur significant costs in administering the property tax system and in maintaining financial records for other government entities and jurisdictions, and should receive full reimbursement from all recipients – proportional to their benefit – for actual administrative costs upon distribution of property tax proceeds.

3) 1991 Realignment: In 1991, the state and counties entered into a new fiscal relationship known as realignment. Realignment affects health, mental health, and social services programs and their funding. The state transferred control of certain programs to counties, altered program cost-sharing ratios, and provided counties with dedicated tax revenues from the sales tax and vehicle license fee to pay for these changes. Counties support full continuation of all dedicated realignment revenues. Counties also urge the state to pay counties for the full, current, actual costs of administering programs on its behalf, which is currently frozen at 2001 levels.

4) Incorporation, Annexation, and Dissolution: Counties support the provisions of revenue neutrality and encourage enhancements and improvements to new city incorporation law Property tax transfers resulting from municipal incorporations, annexations, or dissolutions should be generally negotiated.

5) Sales Tax Distribution and Exemptions
   i. Distributions: Any distribution formula for new sales tax revenue growth should not be limited to a situs-only distribution. Other options for distribution of new sales tax

revenue growth should be fully explored.

ii. Sales Tax Exemption: Counties oppose unreimbursed sales tax exemptions enacted by the state including exemptions of the local portion and state portions dedicated to counties for county administered services

Efficient Government

The state should facilitate the efficient use of taxpayers' dollars by:

1) Streamlining or eliminating unnecessary planning, reporting, and administrative requirements in state-county partnership programs.

2) Reducing or eliminating regulations that seek to control the implementation of state-mandated programs and services.

3) Granting counties greater flexibility to manage county programs in a more efficient and effective manner and tailored to a community's individual needs.

4) Allowing counties to use the least costly methods of providing services while meeting operational needs.

Equal Treatment

The allocation of new financial resources or needed reductions should treat all counties equally, based on service needs.

Counties should engage in ongoing efforts to discuss and negotiate equitable resolutions of conflicts between counties and other units of local government.

Aligning Revenue Authority with Service Responsibility

The passage of Proposition 13 and implementing legislative and judicial decisions, along with myriad other actions since, have eliminated most connections between the payment of taxes and the benefits received by the individual or business taxpayer. Counties support aligning revenue authority with the level of government responsible for providing services.

Master Settlement Agreement

Under the terms of a Memorandum of Understanding (MOU) with the state, California counties receive forty percent of proceeds from the Master Settlement Agreement between the tobacco industry and a number of states. The MOU specifies that these funds are discretionary. Counties oppose any effort to diminish their share of the tobacco settlement or to impose restrictions on its expenditure. Additionally, counties oppose any effort to lower or eliminate the state’s support for programs with the expectation that counties will backfill the loss with tobacco settlement revenue.

Section 2: Federal Policy Objectives

Adequate compensation must be made available to local governments to offset the costs of providing

services as required by federal law. Additionally, any revenue sharing or payment in-lieu of taxes should be equitable, predictable, and sustainable.

Basic Service Levels

The federal government should finance a basic level of health, social service, and income maintenance services, including resultant county administrative costs. It must provide flexibility to adjust to local needs and circumstances and it must provide for long-term program planning and program stability.

Adequately Finance Specific Program Objectives

Federal efforts to address certain domestic needs as partners with counties must adequately provide for county administrative costs, provide flexibility to adjust to local needs and circumstances, provide for long-term program planning, and provide for program stability.

Shared Revenues

The federal government should continue to share the benefits of its greater and more equitable taxing ability with state and local government in a non-restrictive manner. When possible, the shared revenues should be provided in the form of block grants.

Encourage Public Investment

The maintenance and development of state and local infrastructure must be facilitated with federal tax exemptions for state and municipal debt and by special taxing and expenditure programs to meet priority needs.

Payments In Lieu Of Taxes

Payments in lieu of taxes (PILT) should be made in full whenever the federal government removes or withholds otherwise productive property from the property tax rolls. PILT payments should receive full cost of living adjustments annually.

Taxation Of Remote Sales

The federal government should endeavor to approve a nationwide system for sales taxation that ensures fairness between remote (online) and brick-and-mortar retailers.

Telecommunications

Counties endorse promoting competition among telecommunications providers and treating like services alike. Any effort to reform the Telecommunications Reform Act of 1996 must maintain local management of the public rights-of-way, encourage investment in all communities and neighborhoods, preserve support funding for public education and governmental (PEG) channels and institutional networks (I-NET), and hold local governments fiscally harmless for any loss of fees or other revenue that result from franchise agreements.

Chapter Twelve

State Mandate Legislation

The state is constitutionally required through Proposition 4 (1979) and Proposition 1A (2004) to pay for new or higher levels of service it mandates counties and other local agencies provide. However, the issue of mandate reimbursement remains contentious, since mandates reside at the intersection of local control and the reality that counties are providers of state services.

Section 1: Mandate Suspension
The ongoing suspension of established mandated programs or services is problematic. The state should either fund a mandate annually or repeal it completely. Continually suspending mandates merely burdens counties with either funding the service out of its own general funds or absorbing the cost of repeatedly resetting service levels.

Section 2: Need for Mandates
Mandates are particularly burdensome for counties because of the severe restrictions on raising county revenues to pay for new requirements. State mandates should only be imposed when there is a compelling need for statewide uniformity.

Section 3: Timing of Mandate Payments
All state mandates should be funded prior to delivery of the new or higher level of service. The current policy of reimbursing established mandates following a Commission on State Mandates determination constitutes a loan from counties to the state. The state should not require counties to provide a service for which it is unwilling to timely pay. Bills mandating new or increased levels of service should include a direct appropriation.

Section 4: Mandate Alternatives
Local agencies and the state should endeavor to take advantage of Reasonable Reimbursement Methodology and Legislatively Determined Mandates. These processes will provide budgetary certainty to the state and counties, and help to decrease the extraordinary time and cost involved with determining reimbursement levels through the traditional Commission on State Mandates process.

Section 5: Mandate Reforms
The current mandate determination and processes must be reformed. The reforms must make the determination process more efficient, in terms of both time and cost, and less biased against local agencies. State audits of local claims must be timely, consistent, reasonable, and predictable.

It should not take several years to determine whether the state has required a new or higher level of service. State Controller audits should not be able to cut reasonable claims by half or more based on technicalities or unreasonable records requirements.

Constitutional amendments should not exempt additional categories of state mandates from cost reimbursement. Also, voter approval of requirements or programs similar to those already established as reimbursable mandates should not be cause for the state to cease reimbursements.

Chapter Thirteen

Economic Development

To maintain a vital economy in California, counties support an economic development process that retains, expands, and recruits businesses while reducing regulatory barriers to such businesses. For example, regulatory barriers may include permitting issues, fees and taxes on business in California, and streamlining government.

Section 1: Economic Development Program Retention

Counties believe that existing state economic development programs should be retained within existing resources. Job creation is important to counties and should help guide policy on such issues as investment in infrastructure and the allocation of state resources.

Currently, counties continue to advocate for the following programs to be retained within existing resources as budgeted by the State of California:

1) Office of Military Base Retention and Reuse. This office provides ongoing assistance and support to communities with closed bases, as well as communities with active installations, in an effort to ensure the continued viability and retention of the remaining bases in California.

2) Infrastructure AND Economic Development Bank (iBank). The iBank is authorized to issue tax-exempt and taxable revenue bonds, provide financing to public agencies, provide credit enhancements, acquire or lease facilities, and leverage State and Federal funds. The iBank also provides low-cost financing to public agencies for a wide variety of infrastructure projects that help create jobs in California.

3) Marketing Programs. These programs include Team California, which is a network of economic development professionals actively involved in business attraction, retention, expansion, and job creation efforts throughout the state.

4) Small Business Development Centers (SBDC). The SBDC program links federal, state, educational, and private resources designed for small businesses. They provide one-stop access to free business counseling, planning, marketing and training programs.

5) Tourism. The California Office of Tourism supports efforts to attract tourist dollars to the Golden State, and CSAC supports efforts to promote agricultural, historic, and natural resources tourism throughout the state.

6) Film Industry. The California Film Commission works to retain film production in the state, and CSAC supports partnerships and continued collaboration between the state and the efforts of regional and county film commissions.

7) Manufacturing Retention and Expansion Programs. Support tools to create and expand manufacturing jobs and capacity throughout California.

Section 2: Community Development Block Grant Program (CDBG)

Counties recognize the importance of the Community Development Block Grant Program, which provides funding to small communities for economic development. This program is administered by the State Department of Housing and Community Development (HCD). Counties maintain that this program is very important to rural counties and provides significant investment in the rural economy.

Within the economic development portion of the CDBG program, counties believe that there should be less paperwork, more flexibility, more emphasis on economic development issues, and an increase in the availability of technical assistance provided by HCD.

The state should provide more guidance and technical assistance to those counties in need of additional resources in order to apply for these funds.

Key priorities for reform in the CDBG Program include the following:

1) Model the state Economic Development CDBG program to the greatest extent possible after the current federal entitlement community in order to streamline the program.

2) Renew HCD focus on technical assistance, specifically to those jurisdictions with limited resources. This could include assistance from CALED and Economic Development Corporations located throughout California.

3) Increase the focus on economic development including the possibility of having an economic development advocate within HCD.

4) Improve communication between HCD and rural counties. This would include providing counties with new directives from the United States Department of Housing and Urban Development (HUD), and alerting counties to best practices and funding provided by the CDBG program. Counties also maintain that this should also include better guidance on the re-monitoring and auditing of grant recipients.

5) Increase the flexibility in the CDBG program to enable smaller jurisdictions to limit the amount of paperwork and regulation that currently make this program difficult to implement.

Section 3: Military Base Retention and Reuse

Counties support funding for and the retention and sustainability of military installations and their inextricably linked sea, air, and land operating areas in California. The Department of Defense (DoD)

generates billions for the economy in California, providing thousands of quality jobs with real benefits and career advancement opportunities. Counties believe that California is uniquely positioned to support military missions and operations and that the DoD provides a substantial economic benefit to the state. Therefore, counties vow to continue efforts to support, preserve, and enhance the military mission capabilities of areas throughout the state.

In the area of military base reuse, counties support programs and efforts to attract high quality technological businesses that can maximize existing facilities to further the economic development goals of local governments. Counties further affirm that flexibility at the local level to help communities develop reuse areas in a timely manner is critical to the successful reuse of former military installations.

Chapter Six

Health Services

Section 1: General Principles

Counties are mandated to protect Californians against threats of widespread disease and illness and are tasked with promoting health and wellness. This chapter deals specifically with health services and covers the major segments of counties' functions in health services. Health services in each county shall relate to the needs of residents within that county in a systematic manner without limitation to availability of hospital(s) or other specific methods of service delivery. The board of supervisors in each county sets the standards of care for its residents.

Local health needs vary greatly from county to county. Counties support and encourage the use of multi-jurisdictional approaches to health care. Counties support efforts to create cost-saving partnerships between the state and the counties, and other organizations to achieve better health outcomes. Therefore, counties should have the maximum amount of flexibility in managing programs. Counties should have the ability to expand or consolidate facilities, services, and program contracts to provide a comprehensive level of service and accountability and achieve maximum cost effectiveness. Additionally, as new federal and state programs are designed in the health care field, the state must work with counties to encourage maximum program flexibility and minimize disruptions in county funding, from the transition phase to new reimbursement mechanisms.

Counties also support a continuum of preventative health efforts – communicable disease control and chronic disease prevention – and the inclusion of public health in the design and planning of healthy communities. Counties also support efforts to prevent and treat substance use and mental health disorders. Preventative health efforts have proven to be cost effective and provide a benefit to all residents.

Federal health reform efforts, including the Patient Protection and Affordable Care Act (ACA) of 2010, provide new challenges, as well as opportunities, for counties. Counties, as providers, administrators, and employers, are deeply involved with health care at all levels and must be full partners with the state and federal governments t to expand Medicaid and provide health insurance and care to a broader population of Californians. Counties believe in maximizing the allowable coverage for their residents in accordance with eligibility criteria, while also preserving access to local health services for the residual uninsured. Counties remain committed to serving as an integral part of any effort to reform California's health system.

At the federal level, counties also support economic stimulus efforts that help maintain services levels and access for the state's neediest residents. Counties strongly urge that any federal stimulus funding, enhanced matching funds, or innovation grants that have a county share of cost be shared directly with counties.

Section 2: Public Health

County health departments and agencies are responsible for protecting, assessing and assuring

individual, community and environmental health. Public health agencies are tasked with controlling the spread of infectious diseases through immunizations, surveillance, disease investigations, laboratory testing and planning, preparedness, and response activities. Furthermore, county health agencies are tasked with evaluating the health needs of their communities and play a vital role in chronic disease and injury prevention through education, policy, system, and environmental changes promoting healthier communities.

County health departments are also charged with responding to public health emergencies, ranging from terrorist and biomedical attacks to natural disasters and emerging infectious diseases, including maintaining the necessary infrastructure – such as laboratories, medical supply, and prescription drug caches, as well as trained personnel – needed to protect our residents.. Currently, counties are concerned about the lack of funding, planning, and ongoing support for critical public health infrastructure.

County health departments are also working to reduce health inequities with efforts to eliminate barriers to good health and support the equitable distribution of resources necessary for the health of California's diverse population. Strategies include working with other sectors to maintain and expand affordable, safe, and stable housing; ensuring a health equity lens is applied to economic and social policies to identify and address unintended consequences and potential effects on vulnerable populations; and collecting, analyzing, and sharing information to understand and address the health impacts of discrimination and bias.

1) To effectively respond to these local needs, counties must have adequate, sustained funding for local public health communicable disease control, epidemiological surveillance, chronic disease and injury prevention, emergency preparedness, planning and response activities, and other core public health functions.

2) Counties support the preservation of the federal Prevention and Public Health Fund for public health activities, and oppose any efforts to decrease its funding. Counties support efforts to secure direct funding for counties to meet the goals of the Fund.

3) Counties believe strongly in comprehensive health services planning. Planning must be done through locally elected officials, both directly and by the appointment of quality individuals to serve in policy and decision-making positions for health services planning efforts. Counties must also have the flexibility to make health policy and fiscal decisions at the local level to meet the needs of their communities.

Section 3: Behavioral Health

Counties provide community-based treatment for individuals living with severe mental illness and with substance use disorders (SUD). Counties have responsibility for providing treatment and administration of mental health and substance use disorder programs. Counties should have the flexibility to design and implement behavioral health services that best meet the needs of their local communities. The appropriate treatment of people living with substance use and severe mental health issues should be in the framework of local, state, and federal criteria.

Proposition 63: Mental Health Services Act

The adoption of Proposition 63, the Mental Health Services Act of 2004 (MHSA), assists counties in service delivery. It is intended to provide new funding that expands and improves the capacity

of existing systems of care and provides an opportunity to integrate funding and innovate at the local level. MHSA funding is also dedicated to meeting the needs of each community, via stakeholder input, to determine spending priorities.

1) Counties oppose additional reductions in state funding for behavioral health services that will result in the shifting of state or federal costs to counties, or require counties to use MHSA funds for that purpose. These cost shifts result in reduced services available at the local level and disrupt treatment options for behavioral health clients. Any shift in responsibility or funding must hold counties fiscally harmless and provide the authority to tailor behavioral health programs to individual community needs.

2) Counties also strongly oppose any effort to redirect the MHSA funding to existing state services instead of the local services for which it was originally intended. The realignment of health and social services programs in 1991 restructured California's public behavioral health system. Realignment required local responsibility for program design and delivery within statewide standards of eligibility and scope of services, and designated revenues to support those programs to the extent that resources are available.

3) MHSA funds have been diverted in the past due to economic challenges and the establishment of the No Place Like Home Program. Any further diversions of MHSA funding will be disruptive to programming at the local level.

4) Counties support timely and clear reporting standards, including reversion timelines, for MHSA expenditures and seek guidance from the Department of Health Care Services on all reporting standards, deadlines, and formats.

5) Counties support the fiscal integrity of the MHSA and transparency in stakeholder input, distributions, spending, reporting, and reversions.

Specialty Mental Health Plans

Counties are committed to service delivery that manages and coordinates services to persons with behavioral health needs and that operates within a system of performance outcomes that assures funds are spent in a manner that provides the highest quality of care. Integration of care and parity requirements require county specialty mental health plans to adapt to new models and lead collaborative efforts in the next era of behavioral health care.

Counties supported actions to consolidate the two Medi-Cal behavioral health systems, one operated by county behavioral health departments and the other operated by the state Department of Health Services, and to operate Medi-Cal behavioral health services as managed care program. Counties chose to operate as a Medi-Cal Mental Health Plans, and many counties have chosen to operate as managed care plans for substance use disorder services under the Drug Medi-Cal Organized Delivery System waiver program. There is a negotiated sharing of risk for services between the state and counties, particularly because counties became solely responsible for managing the nonfederal share of cost for these behavioral health services under 2011 Realignment.

1) Counties have developed a range of locally designed programs to serve California's diverse population, and must retain the local authority, flexibility, and funding to continue such services.

2) Counties anticipate increased demand for behavioral health services including substance use disorder services, under Medi-Cal parity, and must seek collaboration at the local level to meet care standards for these populations.

3) Behavioral health services can reduce criminal justice costs and utilization through prevention, diversion, and during, or post incarceration.

4) Counties continue to work across disciplines and within the 2011 Realignment structure to achieve good outcomes for persons with mental illness and/or substance abuse issues to help prevent incarceration and to treat those who are about to be incarcerated or are newly released from incarceration and their families.

Substance Use Disorder Prevention and Treatment

Counties provide community-based treatment for individuals who meet income eligibility requirements and qualify for medically necessary substance use disorder treatment services and provide individual and community-based prevention services. Counties support federal parity requirements and are working to ensure evidence-based treatment capacity, but are also challenged by new managed care requirements that may strain local systems. .

1) Counties support and seek additional housing options for people with substance use disorders, including recovery and treatment housing options within the community, as well as residential treatment services.

2) Adequate early intervention, substance use disorder prevention, and treatment services have been proven to reduce criminal justice costs and utilization. However, appropriate funding for diagnosis and treatment services must be available. Appropriate substance use disorder treatment services benefits the public safety system. Counties will continue to work across disciplines to achieve good outcomes for persons with substance use disorder issues and/or mental illness.

3) Counties support cross-sector, multi-jurisdictional collaboration to promote education on substance use disorders, and prevent overdoses and substance use related deaths.

4) Counties continue to support state and federal efforts to provide substance use disorder benefits under the same terms and conditions as other health services and welcome collaboration with public and private partners to achieve substance use disorder services and treatment parity.

5) The courts may still refer individuals to counties for treatment under Proposition 36 or by court order, but counties are increasingly unable to provide these voter and judge-mandated services without adequate dedicated state funding.

6) Counties recognize that access to high quality substance use disorder prevention

and treatment services for adolescents and young adults can be improved, and support fiscally viable strategies for building a more comprehensive continuum of substance use disorder prevention and treatment services for this age group.

7) Counties support technical assistance for counties and providers to ensure timely and accurate billing, as well as compliance with quality and service requirements.

Section 4: Public Guardians/Administrators/Conservators

Public Administrators, Public Guardians and Public Conservators act under the authority granted by the California Superior Court, but are solely a county function and funded with county General Funds. The recent rise in interest in conservatorships as vehicles to help manage justice involved and homeless populations also places significant fiscal pressure on county guardians and conservators.

1) CSAC supports the acquisition of additional and sustainable non-county resources for public guardians, conservators, and administrators to ensure quality safety-net services for all who qualify.

2) CSAC opposes additional duties, mandates, and requirements for public guardians, conservators, and administrators without the provision of adequate funding to carry out these services.

3) CSAC will work to support placement capacity for public guardians, conservators, and administrators as California severely lacks safe and secure housing for the majority of residents under conservatorship.

Section 5: Children's Health

California Children's Services

Counties administer the California Children's Services programs on behalf of the State. Recent implementation of the Whole Child Model within County Organized Health Systems (COHS) counties, moved service authorization and case management services to local managed care plans. Under the Whole Child Model, counties also are still responsible for determination of residential, medical, and financial eligibility for the program. Counties also provide Medical Therapy Program services for California Children's Services children, and retain a share of cost for services to non-Medi-Cal children.

1) Maximum federal and state matching funds for The California Children's Services program must continue to avoid the shifting of costs to counties. Counties cannot continue to bear the rapidly increasing costs associated with both program growth and eroding state support.

2) Counties also support efforts to test alternative models of care under pilot programs.

3) As counties shift towards the Whole Child Model, counties seek to ensure these high-need patients continue to receive timely access to quality care, there are no disruptions in care, and there is an adequate plan for employee transition.

State Children's Health Insurance Program

1) CSAC supports sustained funding for the federal Children's Health Insurance Program (CHIP/Healthy Families). In 2018, the CHIP program was reauthorized through 2023. However, the federal match rate decreases over time during this period and limits the requirement to provide coverage for children in families with income at or below 300% of the federal poverty level. Without federal funding, some families risk losing coverage for their children if their income is too high to qualify for Medicaid/Medi-Cal and too low to purchase family coverage.

Proposition 10: The First 5 Commissions

Proposition 10, the California Children and Families Initiative of 1998, provides significant resources to enhance and strengthen early childhood development at the local level and created First 5 commissions in all 58 counties.

1) Local children and families commissions (local First 5 Commissions), established as a result of the passage of Proposition 10, must maintain the full discretion to determine the use of their share of funds generated by Proposition 10.

2) Local First 5 commissions must maintain the necessary flexibility to direct these resources address the greatest needs of communities surrounding family resiliency, comprehensive health and development, quality early learning, and systems sustainability and scale. Counties oppose any effort to diminish Proposition 10 funds or to impose restrictions on local First 5 Commissions' expenditure authority.

3) Counties oppose any effort to lower or eliminate state support for county programs with the expectation that the state or local First 5 commissions will backfill the loss with Proposition 10 revenues. Further, counties will support the backfill that Proposition 10 now receives from the state's most recent tobacco tax, Proposition 56 (2016), just as Proposition 10 pays to the previous tobacco initiatives.

4) Counties support local and state collaborations and leveraging First 5 commissions funding to sustain and expand critical services for children and families in our communities.

Section 6: Medi-Cal: California's Medicaid Program

California counties have a unique perspective on the state's Medicaid program, Medi-Cal. Counties are charged with preserving the public health and safety of communities; they also operate health plans, provide direct services, specialize in care for patients with complex social needs, conduct eligibility for benefits, and bear a significant amount of risk for financing the program. As the local public health authority, counties are vitally concerned about health outcomes. Undoubtedly, changes to the Medi-Cal program, including efforts to integrate and coordinate care for Medi-Cal enrollees, will affect all counties.

1) Counties remain concerned about state and federal proposals that would decrease access to health care or shift costs and risk to counties.

2) Any Medi-Cal reform that results in decreased access to or funding of county hospitals and health systems will be devastating to the safety net. The loss of Medi-Cal funds translates into fewer dollars to help pay for safety net services for all persons served by county facilities. Counties are not in a position to absorb or backfill the loss of state and federal funds. Rural counties already have particular difficulty developing and maintaining health care infrastructure and ensuring access to services.

3) County welfare departments determine eligibility for the Medi-Cal program and must receive adequate funding for these duties.

4) County behavioral health departments provide Medi-Cal Managed Care Specialty Mental health services, and must receive adequate funding for these critical services. Changes to the Medi-Cal program, including the move toward integrated care, will undoubtedly affect the day-to-day business of California counties.

5) It is vital that changes to Medi-Cal preserve the viability and innovations of the local safety net and not shift additional costs to counties.

6) Counties oppose any efforts to decrease funding for or reverse expansions to the Medi-Cal program, which will shift the responsibility of providing these individuals with healthcare from the Medi-Cal program to counties, which are required to provide services to the medically indigent.

7) The state should continue to provide options for counties to implement managed care systems that meet local needs. The state should work openly with counties as primary partners in this endeavor.

8) The state needs to recognize county experience with geographic managed care and make strong efforts to ensure the sustainability of county organized health systems. The Medi-Cal program must offer a reasonable reimbursement and rate mechanism for managed care.

9) Changes to Medi-Cal must preserve access to medically necessary behavioral health care and drug treatment services.

10) The carve-out of specialty behavioral health services within the Medi-Cal program must be examined in the era of integrated care, but must preserve federal funding, and minimize county risks to continue the effective delivery of rehabilitative community-based mental health services to local Medi-Cal enrollees.

11) Counties recognize the need to continue to innovate under the Drug Medi-Cal Organized Delivery System Waiver program in ways that maximize federal funds, ensure access to medically necessary evidence-based practices, allow counties to retain authority and choice in contracting with accredited providers, and minimize county risks.

12) Any reform effort must recognize the importance of substance use disorder treatment and services in the local health care continuum, as well as the evidence of good outcomes under integrated care models.

13) Counties will not accept a share of cost to locally support the Medi-Cal program. Counties also

believe that Medi-Cal long-term care must remain a state-funded program and oppose any cost shifts or attempts to increase county responsibility through block grants or other means.

14) The state should fully fund county costs associated with the local administration of the Medi-Cal program.

15) Complexities of rules and requirements should be minimized or reduced so that enrollment, retention and documentation and reporting requirements are not unnecessarily burdensome to recipients, providers, and administrators and are no more restrictive or duplicative than required by federal law.

16) The State should consider counties as full partners in the administration of Medi-Cal, and consult with counties in formulating and implementing all policy, operational and technological changes.

Medicare Part D

Medicare Part D led to an increase in workload for case management across many levels of county medical, social welfare, criminal justice, and behavioral health systems.

1) Counties strongly oppose any change to realignment funding that may result and would oppose any reduction or shifting of costs associated with this benefit that would require a greater mandate on counties.

Medicaid and Aging Issues

1) Counties are committed to addressing the unique needs of older and dependent adults in their communities, and support collaborative efforts to build a continuum of services as part of a long-term system of care for this vulnerable but vibrant population.

2) Counties also believe that Medi-Cal long-term care must remain a state-funded program and oppose any cost shifts or attempts to increase county responsibility through block grants or other means.

3) Counties support the continuation of federal and state funding for the In-Home Supportive Services (IHSS) program, and oppose any efforts to shift additional IHSS costs to counties.

4) Counties support the IHSS Maintenance of Effort (MOE) as negotiated in the 2012-13 state budget.

5) Counties support moving collective bargaining for the IHSS program to the Statewide IHSS Authority or another single statewide entity.

6) Counties also support federal and state funding to support Alzheimer’s disease and dementia research, early detection and diagnosis, community education and outreach, and resources for caregivers, family members and those afflicted with Alzheimer’s disease and dementia.

Section 7: Health Reform Efforts

Counties support affordable, comprehensive health care coverage for all persons living in the state. The sequence of changes and implementation of federal or state healthcare reform efforts must be carefully planned, and the state must work in partnership with counties to successfully realize any gains in health care and costs.

Under AB 85, Counties must also retain sufficient health realignment revenues for residual responsibilities, including existing Medi-Cal non-federal share responsibilities to care for the remaining uninsured, and public health. Any changes to AB 85 must also allow counties to retain sufficient health realignment revenues for these residual responsibilities and future needs.

1) Counties support offering a truly comprehensive package of health services that includes mental health and substance use disorder treatment services at parity levels and a strong prevention component and incentives.

2) Counties support the integration of health care services for inmates and offenders of county and state correctional institutions, detainees, and undocumented immigrants into the larger health care service model.

3) Health reform efforts must address access to health care in rural communities and other underserved areas and include incentives and remedies to meet these needs as quickly as possible.

4) Counties strongly support maintaining a stable and viable health care safety net with adequate funding.

5) The current safety net is grossly underfunded. Any diversion of funds away from existing safety net services will lead to the dismantling of the health care safety net and will hurt access to care for all Californians.

6) Counties believe that delivery systems that meet the needs of vulnerable populations and provide specialty care – such as emergency and trauma care and training of medical residents and other health care professionals – must be supported in any health care reform effort.

7) Counties strongly support adequate funding for the local public health system as part of a plan to reform health care and achieve universal health coverage. A strong local public health system will reduce medical care costs, contain or mitigate disease, reduce health inequities, and address disaster preparedness and response.

8) Counties support access to affordable, comprehensive health coverage through a combination of mechanisms that may include improvements in and expansion of the publicly funded health programs, increased employer-based and individual coverage through purchasing pools, tax incentives, and system restructuring. The costs of universal health care and health care reform shall be shared among all sectors: government, labor, and business.

9) Health reform efforts, including efforts to achieve universal health care, should simplify the health care system – for consumers, providers, and overall administration. Any efforts to reform the health care system should include prudent utilization control mechanisms that are

appropriate and do not create barriers to necessary care.

10) The federal government has an obligation and responsibility to assist in the provision of health care coverage.

11) Counties encourage the state to pursue ways to maximize federal financial participation in health care expansion efforts, and to take full advantage of opportunities to simplify Medi-Cal, and other publicly funded programs with the goal of achieving maximum enrollment and provider participation.

12) County financial resources are currently overburdened; counties are not in a position to contribute permanent additional resources to expand health care coverage.

13) Counties strongly encourage public health to be a key component of any health care coverage expansion. Public health prevention activities in addition to access to health education, preventive care, and early diagnosis and treatment will assist in controlling costs through improved health outcomes.

14) Counties, as both employers and administrators of health care programs, believe that every employer has an obligation to contribute to health care coverage, and counties advocate that such an employer policy should also be pursued at the federal level and be consistent with the goals and principles of local control at the county government level.

15) Reforms of health care coverage should offer opportunities for self-employed individuals, temporary workers, and contract workers to obtain affordable quality health coverage.

Section 8: California Health Services Financing

1) Those eligible for Temporary Assistance for Needy Families (TANF)/California Work Opportunity and Responsibility to Kids (CalWORKs), should retain their categorical linkage to Medi-Cal.

2) Counties are concerned about the erosion of state program funding and the inability of counties to sustain current program levels. As a result, we strongly oppose additional cuts in county administrative programs as well as any attempts by the state to shift the costs for these programs to counties. With respect to the County Medical Services Program (CMSP), counties support efforts to improve program cost effectiveness and oppose state efforts to shift costs to participating counties, including administrative costs and elimination of other state contributions to the program. Due to the unique characteristics of each county's delivery system, health care accessibility, and demographics of client population, counties believe that managed care systems must be tailored to each county's needs, and that counties should have the opportunity to choose providers that best meet the needs of their populations. Where cost-effective, the state and counties should provide non-emergency health services to undocumented immigrants and together seek federal and other reimbursement for medical services provided to undocumented immigrants.

3) Counties support the continued use of federal Medicaid funds for emergency services for undocumented immigrants. Counties support increased funding for trauma and emergency room services.

4) Although reducing the number of uninsured through expanded health care coverage will help reduce the financial losses to trauma centers and emergency rooms, critical safety-net services must be supported to ensure their long-term viability.

Realignment

1) Counties believe the integrity of realignment should be protected. However, counties strongly oppose any change to realignment funding that would negatively impact counties.

2) Counties remain concerned and will resist any reduction of dedicated realignment revenues or the shifting of new costs from the state and further mandates of new and greater fiscal responsibilities to counties in this partnership program.

3) Any effort to realign additional programs must occur in the context of Proposition 1A constitutional provisions and must guarantee that counties have sufficient revenues for residual responsibilities, including public health programs.

4) In 2011, counties assumed fiscal responsibility for Medi-Cal Specialty Mental Health Services, including Early and Periodic Screening, Diagnosis, and Treatment (EPSDT); Drug Medi-Cal; drug courts; perinatal treatment programs; and women's and children's residential treatment services as part of the 2011 Public Safety Realignment. Please see the Realignment Chapter of the CSAC Platform and accompanying principles.

5) Counties bear significant responsibility for financing the non-federal share of Medi-cal services in county public health systems. They also continue to have responsibility for uninsured services.

Hospital Financing

Public hospitals are a vital piece of the local safety net, and serve as indispensable components of a robust health system, providing primary, specialty, and acute health services, as well as physician training, trauma centers, and burn care. California's public hospitals are increasingly providing funding for the non-federal share of the state's Medicaid program, and these local expenditures are made at the sole discretion of the county Supervisors.

1) Counties have been firm that any proposal to change hospital Medicaid financing must guarantee that county hospitals do not receive less funding than they currently do, and are eligible for more federal funding in the future as needs grow.

2) Counties strongly support the continuation of a robust Medicaid Section 15000 waiver to help ensure that county hospitals are paid for the safety net care they provide to Medi-Cal recipients and uninsured patients.

3) Counties support a five-year state Medicaid Waiver that provides funding to counties at current levels. The successor waiver should: 1) support a public integrated safety net delivery system; 2) build on previous delivery system improvement efforts for public health care systems so that they can continue to transform care delivery; 3) allow for

the creation of a new county pilot effort to advance improvements through coordinated care, integrated physical and behavioral health services and provide robust coordination with social, housing and other services critical to improve care of targeted high-risk patients.; 4) improve ability to share and integrate health data and systems; 5) and provide flexibility for counties/public health care systems to deliver more coordinated care and effectively serve individuals who will remain uninsured.

4) Counties are supportive of opportunities to reduce costs for county hospitals and health systems, particularly for mandates such as seismic safety requirements and nurse-staffing ratios. Therefore, counties support infrastructure bonds that will provide funds to county hospitals for seismic safety upgrades, including construction, replacement, renovation, and retrofit.

5) Counties also support opportunities for county hospitals and health systems to make delivery system improvements and upgrades, which will help these institutions, compete in the modern health care marketplace.

6) Counties support proposals to preserve supplemental payments to public and private hospitals as the Federal Medicaid Managed Care rules are implemented in California. Any loss of federal funds through changes to waiver agreements or modifications to federal managed care rule implementation must address through other support to ensure the continued viability of the safety net.

Section 9: Family Violence

CSAC remains committed to raising awareness of the toll of family violence on families and communities by supporting efforts that target family violence prevention, intervention, and treatment. Specific strategies for early intervention and success should be developed through cooperation between state and local governments, as well as community and private organizations addressing family violence issues, taking into account that violence adversely impacts Californians, particularly those in disadvantaged communities, at disproportionate rates.

Section 10: Healthy Communities

Built and social environments significantly impact the health of communities. Counties support public policies and programs that aid in development of healthy communities including food and beverage policies that increase access to healthier food in county-operated no/low cost food programs (e.g., USDA Summer Lunch, inmate programs, and senior meals) or concession and vending operations. Counties support the concept of joint use of facilities and partnerships, mixed-use developments and walkable and safe developments, to promote healthy community events and activities.

Section 11: Veterans

Specific strategies for intervention and service delivery to veterans should be developed through cooperation between federal, state and local governments, as well as community and private organizations serving veterans.

Counties support coordination of services for veterans among all entities that serve this population, especially in housing, treatment, and employment training.

Section 12: Emergency Medical Services

1) Counties do not intend to infringe upon the service areas of other levels of government who provide similar services, but will continue to discharge our statutory duties to ensure that all county residents have access to the appropriate level and quality of emergency services, including medically indigent adults.

2) Counties support ensuring the continuity and integrity of the current emergency medical services system, including county authority related to medical control, trauma planning, and alternative destination efforts.

3) Counties recognize that effective administration and oversight of local emergency medical services systems includes input from key stakeholders, such as other local governments, private providers, state officials, local boards and commissions, and the people in our communities who depend on these critical services.

4) Counties support maintaining the authority and governing role of counties and their local emergency medical services agencies to plan, implement, and evaluate all aspects and components of the local Emergency Medical Services system.

5) Counties oppose efforts that would weaken the local authority of local medical services agencies or lead to system fragmentation and safety issues.

Section 13: Court-Involved Population

Counties recognize the importance of enrolling the court-involved population into Medi-Cal and other public programs. Medi-Cal enrollment provides access to important behavioral health, substance use, and primary care services that will improve health outcomes and may reduce recidivism. CSAC continues to look for partnership opportunities with the Department of Health Care Services, foundations, and other stakeholders on enrollment, eligibility, quality, and improving outcomes for this population. Counties are supportive of obtaining federal Medicaid funds for inpatient hospitalizations, including psychiatric hospitalizations, for adults and juveniles while they are incarcerated.

Section 14: Incompetent to Stand Trial

Counties affirm the authority of County Public Guardians under current law to conduct conservatorship investigations and are mindful of the potential costs and ramifications of additional mandates or duties in this area.

Counties support collaboration among the California Department of State Hospitals, county Public Guardians, Behavioral Health Departments, and County Sheriffs to find secure placements for individuals originating from DSH facilities, county jails, or who are under conservatorship. Counties support a shared funding and service delivery model for complex placements, such as the Enhanced Treatment Program.

Counties recognize the need for additional secure placement options for adults and juveniles who are conserved or involved in the local or state criminal justice systems, including juveniles.

Chapter Eleven

Human Services

Section 1: General Principles

Counties are committed to the delivery of public social services at the local level. However, counties require adequate and ongoing federal and state funding, maximum local authority, and flexibility for the administration and provision of public social services.

Inadequate funding for program costs strains the ability of counties to meet accountability standards and, in some programs, avoid penalties, putting the state and counties at risk for hundreds of millions of dollars in federal disallowances and fiscal penalties. Freezing program funding also shifts costs to counties and increases the county share of program costs above statutory sharing ratios, while at the same time running contrary to the constitutional provisions of Proposition 1A.

At the federal level, counties support additional federal funding to help maintain service levels and access for the state's neediest residents. Counties are straining to provide services to the burgeoning numbers of families in distress. With each downturn in the economy, counties experience an increased need of individuals and families seeking assistance through vital safety net programs such as Medicaid, Supplemental Nutrition Assistance Program (SNAP, or Food Stamps), Temporary Assistance to Needy Families (TANF), and General Assistance. Even in strong economic times, millions of Californians struggle to make ends meet. For these reasons, counties strongly urge that any additional federal or state funding must be shared directly with counties for programs that have a county share of cost.

Despite state assumption of major welfare program costs after Proposition 13, counties continue to be hampered by state administrative constraints and cost-sharing requirements, which ultimately affect the ability of counties to provide and maintain programs. The state should set minimum standards, allowing counties to enhance and supplement programs according to local needs of each county. If the state implements performance standards, the costs for meeting such requirements must be fully reimbursed.

Section 2: Human Services Funding Deficit

While counties are legislatively mandated to administer numerous human services programs including Foster Care, Child Welfare Services, CalWORKs, Adoptions, Adult Protective Services, CalFresh, and In-Home Supportive Services, funding for these services has generally been frozen at 2001 cost levels. The state's failure to fund actual county cost increases contributes to a growing funding gap of nearly $1 billion annually. This places counties in the untenable position of backfilling the gap with their own limited resources or cutting services that the state and county residents expect us to deliver.

2011 Realignment shifted fiscal responsibility for the Foster Care, Child Welfare Services, Adoptions and Adult Protective Services programs to the counties. Counties remain committed to the overall principle of fair, predictable, and ongoing funding for human services programs that keeps pace with actual costs. Please see the Realignment Chapter of the CSAC Platform and accompanying principles.

Section 3: Child Welfare Services/Foster Care

A child deserves to grow up in an environment that is healthy, safe, and nurturing. To meet this goal, families and caregivers should have access to public and private services that are comprehensive and collaborative. Further, recent system reforms and court-ordered changes, such as the Continuum of Care Reform (CCR) effort require collaboration between county child welfare services/foster care and mental health systems as well as other systems.

The existing approach to budgeting and funding child welfare services was established in the mid1980's. Since that time, dramatic changes in child welfare policy have occurred, as well as significant demographic and societal changes, impacting the workload demands of the current system. 2011 Realignment provides a mechanism that will help meet some of the current needs of the child welfare services system, but existing workload demands and continued pressure to expand services remain a concern without additional investments by the state and federal government.

Further, court settlements (Katie A.) and policy changes (AB 12 Fostering Connections to Success Act of 2010 and AB 403, CCR) require close state/county collaboration with an emphasis on ensuring adequate ongoing funding that adapts to the needs of children who qualify.

The Continuum of Care Reform (CCR) enacted significant changes in the child welfare program that are intended to reduce the use of group homes and improve outcomes for foster youth. In addition, CCR is designed to increase the availability of trauma-informed services and utilize child and family teams to meet the unique needs of foster youth. Counties remain firmly committed to the ongoing implementation of these comprehensive and systematic changes.

Commercial sexual exploitation of children (CSEC) is a growing national and statewide issue. Counties believe this complex problem warrants immediate attention, including funding for prevention, intervention, and direct services through county child welfare services agencies.

1) Counties support comprehensive array of prevention, intervention and post-permanency services for children, youth and families. Both counties and the State have a stake in achieving desired outcomes and as such, these services should be resourced appropriately.

2) When, despite the provision of voluntary services, the family or caregiver is unable to minimally ensure or provide a healthy, safe, and nurturing environment, a range of intervention approaches should be available for families. When determining the appropriate intervention approach, the best interest of the child should always be the first consideration.

3) When a child is in danger of physical harm or neglect, either the child or alleged offender may be removed from the home, and formal dependency and criminal court actions may be taken. Where appropriate, family preservation, and support services should be available in a comprehensive, culturally appropriate, and timely manner.

4) Counties support efforts to reform the congregate care – or youth group home – system under AB 403, the CCR. Providing stable family homes for all of our foster and probation youth is anticipated to lead to better outcomes for those youth and our communities. However, funding for this massive post-2011 Realignment system change is of paramount importance. Any reform

efforts must also consider issues related to collaboration, capacity, and funding. County efforts to recruit, support, and retain foster family homes and provide pathways to mental health support are but some of the challenges under CCR. Additionally, reform efforts must take into account the needs of juveniles who are wards of the court.

5) When foster children/youth cannot return home, counties support a permanency planning process that matches foster children/youth through adoption and/or guardianship, with a foster caregiver. Counties support efforts to accelerate the judicial process for terminating parental rights in cases where there has been serious abuse and where it is clear that the family cannot be reunified.

6) Counties support adequate state funding for adoption services and post-permanency supportive services.

7) Counties seek to obtain additional funding and flexibility at both the state and federal levels to provide robust transitional services to foster youth such as housing, employment services, and increased access to aid up to age 26. Counties support such ongoing services for former and emancipated foster youth up to age 26. Counties have implemented the Fostering Connections to Success Act of 2010for non-minor dependents in foster care (aged 18-21) and have assumed hundreds of millions of dollars in costs that have not been reimbursed by the State, an issue that remains unresolved.

8) With regards to caseload and workload standards in child welfare, especially with major policy reforms such as CCR, counties remain concerned about increasing workloads and the possibility of reduced Realignment funding in an economic downturn, both of which threaten the ability of county child welfare agencies to meet their federal and state mandates in serving children and families impacted by abuse and neglect.

9) Counties support a reexamination of reasonable caseload levels given significant recent changes in policy and practice, including CCR and AB 12, and the complex needs of children, youth and families, often requiring cross-system collaboration (i.e. youth with developmental disabilities, behavioral health needs, and special education needs) with youth and families. Counties support ongoing augmentations for Child Welfare Services, including investments in workforce development and workload reduction, to support children and families in crisis. Counties also support efforts to document workload needs and gather data in these areas so that we may ensure adequate funding for this complex system.

10) Counties support efforts to build capacity within local child welfare agencies to serve child victims of commercial sexual exploitation. Counties support close cooperation on CSEC issues with law enforcement, the judiciary, and community-based organizations to ensure the best outcomes for child victims.

11) As our focus remains on the preservation and empowerment of families, we believe the potential for the public to fear some increased risk to children is outweighed by the positive effects of a research-supported family preservation emphasis. Within the family preservation and support services approach, the best interest of the child should always be the first consideration. Counties support transparency related to child fatality and near-fatality incidents so long as it preserves the privacy of the child and additional individuals who may reside in a setting but were not involved or liable for any incidents.

Section 4: Employment and Self-Sufficiency Programs

Self-sufficiency and employment programs play a critical role in the well-being of county residents and provide needed cash assistance, food assistance, and employment services for eligible individuals. The California Work Opportunity and Responsibility to Kids (CalWORKs) program is California's version of the federal Temporary Assistance for Needy Families (TANF) program, which provides temporary cash assistance to low-income families with children to meet basic needs as well as welfare-to-work services that help families become self-sufficient. CalFresh is California's version of the federal Supplemental Nutrition Assistance Program (SNAP), which provides food assistance benefits to help improve the health of low-income families and individuals.

There is a need for simplification of the administration of public assistance programs. The state should continue to take a leadership role in seeking state and federal legislative and regulatory changes to achieve simplification, consolidation, and consistency across all major public assistance programs, including CalWORKs, Medi-Cal, and CalFresh. In addition, electronic technology improvements in human services administration are important tools to obtaining a more efficient and accessible system. It is only with adequate and reliable resources and flexibility that counties can truly address the fundamental barriers that many families have to self-sufficiency.

1) California counties are far more diverse from county to county than many regions of the United States. The state's welfare structure should recognize this and allow counties flexibility in administering welfare programs, while providing overall state-level leadership that draws on the latest understanding of how families in poverty interact with public systems and how to best support them toward self-sufficiency. There should remain as much uniformity as possible in areas such as eligibility requirements, grant levels and benefit structures. To the extent possible, program standards should seek to minimize incentives for public assistance recipients to migrate from county to county within the state.

2) The welfare system should also recognize the importance of and provide sufficient federal and state funding for education, job training, child care, and support services that are necessary to move recipients to self-sufficiency. There should also be sufficient federal and state funding for retention services, such as childcare and additional training, to assist former recipients in maintaining employment.

3) Any state savings from the welfare system should be directed to counties to provide assistance to the affected population for programs at the counties' discretion, such as General Assistance, indigent health care, job training, child care, mental health, alcohol and drug services, and other services required to accomplish welfare-to-work goals.

4) Federal and state programs should include services that accommodate the special needs of people who relocate to the state after an emergency or natural disaster.

5) Counties support providing services for indigents at the local level. However, the state should assume the principal fiscal responsibility for administering programs such as General Assistance. The structure of federal and state programs must not shift costs or clients to county-level programs without full reimbursement.

6) Welfare-to-work efforts should focus on prevention of the factors that lead to poverty and welfare dependency including unemployment, underemployment, a lack of educational

opportunities, food security issues, and housing problems. Counties support the development of a continuous quality improvement system with agreed upon measures and the consideration of incentives for improvement. Prevention efforts should also acknowledge the responsibility of absent parents by improving efforts for absent parent location, paternity establishment, child support award establishment, and the timely collection of child support.

7) California's unique position as the nation's leading agricultural state should be leveraged to increase food security for its residents. Counties support increased nutritional supplementation efforts at the state and federal levels, including increased aid, longer terms of aid, and increased access for those in need.

8) Counties recognize safe, dependable, and affordable child care as an integral part of attaining and retaining employment and overall family self-sufficiency, and therefore support efforts to seek additional funding to expand child care eligibility, access, and quality programs.

9) Counties support efforts to address housing supports and housing assistance efforts at the state and local levels. Long-term planning, creative funding, and accurate data on homelessness are essential to addressing housing security and homelessness issues.

10) The state should fully fund county costs for the administration of the CalWORKs and CalFresh programs, and consult with counties on all policy, operational, and technological changes in the administration of the programs.

Section 5: Medicaid Eligibility

Counties support health care reform efforts to expand access to affordable, quality healthcare for all California residents, including the full implementation of the federal Patient Protection and Affordable Care Act of 2010 (ACA) and the expansion of coverage to the fullest extent allowed under federal law. Health care eligibility and enrollment functions must build on existing local infrastructure and processes and remain as accessible as possible. Counties are required by law to administer eligibility and enrollment functions for Medi-Cal, and recognize that many of the new enrollees under the ACA may also participate in other human services programs. For this reason, counties support the continued role of counties in Medi-Cal eligibility, enrollment, and retention functions.

The state should fully fund county costs for the administration of the Medi-Cal program, and consult with counties on all policy, operational, and technological changes in the administration of the program. Further, enhanced data matching and case management of these enrollees must include adequate funding and be administered at the local level.

Section 6: Aging and Dependent Adults

California is home to more older adults than any other state in the nation and this population continues to grow. The huge growth in the number of older Californians will affect how local governments plan for and provide services, running the gamut from housing and health care to transportation and in-home care services. While many counties are addressing the needs of their older and dependent adult populations in unique and innovative ways, all are struggling to maintain basic safety net services in addition to ensuring an array of services needed by this aging population.

The Adult Protective Services (APS) Program is the state's safety net program for abused and neglected

adults. APS is now solely financed and administered at the local level by counties. As such, counties provide around-the-clock critical services to protect the state's most vulnerable seniors and dependent adults from abuse and neglect. Counties must retain local flexibility in meeting the needs of our aging population, and timely response by local APS is critical, as studies show that elder abuse victims are 3.1 times more likely to die prematurely than the average senior.

1) Counties support reliable funding for programs that affect older and dependent adults, such as Adult Protective Services and In-Home Supportive Services, and oppose any funding cuts, or shifts of costs to counties without revenue, from either the state or federal governments.

2) Counties support efforts to prevent, identify, and prosecute instances of elder abuse.

3) Counties support investments of new state and federal resources to support the APS workforce and enhance the direct services available to victims of abuse and neglect.

4) Counties are committed to addressing the unique needs of older and dependent adults in their communities, and support collaborative efforts to build a continuum of services as part of a long-term system of care for this vulnerable but vibrant population.

5) Counties support federal and state funding to support Alzheimer's disease and dementia research, community education and outreach, and resources for caregivers, family members and those afflicted with Alzheimer's disease and dementia.

In-Home Supportive Services

The In-Home Supportive Services (IHSS) program is a federal Medicaid program administered by the state and run by counties that enables program recipients to hire a caregiver to provide services that enable that person to stay in his or her home safely and prevents institutional care, which supports California in meeting federal Olmstead Act requirements. Individuals eligible for IHSS services are disabled, age 65 or older, or those who are blind and unable to live safely at home without help.

County social workers evaluate prospective and ongoing IHSS recipients, who may receive assistance with such tasks as housecleaning, meal preparation, laundry, grocery shopping, personal care services such as bathing, paramedical services, and accompaniment to medical appointments. Once a recipient is authorized for service hours, the recipient is responsible for hiring his or her provider.

Although the recipient is considered the employer for purpose of hiring, supervising, and firing their provider, state law requires counties to establish an "employer of record" for purposes of collective bargaining to set provider wages and benefits.

As California's aging population continues to increase, costs and caseloads for the program continue to grow. According to the Department of Social Services, caseloads are projected to increase between five and seven percent annually going forward.

In response to the end of the Coordinated Care Initiative and the County IHSS Maintenance of Effort (MOE), a new MOE was negotiated during the 2017-18 state budget process. The new MOE included specific offsetting revenue, including a State General Fund contribution.

1) Counties support the continuation of federal and state funding for IHSS, and oppose any efforts to shift additional IHSS costs to counties.

2) The IHSS MOE negotiated in the 2017-18 state budget is not sustainable for counties as the county share of IHSS costs will significantly outpace the available revenues in the coming years. Counties support changes that provide additional state funding for IHSS costs or lower the county share of IHSS costs. Counties support a long-term solution that aligns the county share of IHSS costs with the available revenues, which could occur through a lowered sharing ratio, restructured MOE, or increased State General Fund contribution.

3) The state should fully fund county costs for the administration of the IHSS program, and consult with counties on all policy, operational, and technological changes in the administration of the program.

4) Counties support moving collective bargaining for the IHSS program to a single statewide entity.

Section 7: Child Support Program

Counties are committed to strengthening the child support program through implementation of federal mandates and state statutes. Ensuring effective and efficient ongoing operations requires sufficient federal and state funding and must not result in any increased county costs. Counties support maximizing federal funding for child support operations at the county level.

1) The way in which child support funding is structured prevents many counties from efficiently meeting state and federal collection guidelines and forces smaller counties to adopt a regional approach or, more alarmingly, fail to provide needed services as mandated by existing standards. Counties need an adequate and sustainable funding stream and flexibility at the local level to ensure timely and accurate child support efforts, and must not be held liable for failures to meet guidelines in the face of inadequate and inflexible funding.

2) Counties must have the freedom to make local decisions at the local level. While program standards and mandates are codified in state statute and federal mandate, the unique decisions on how to operationalize those mandates must remain a decision that is made at the local level.

A successful child support program requires a partnership between the state and counties. Counties must have meaningful and regular input into the development of state policies and guidelines regarding the child support program and the local flexibility to organize and structure effective programs.

Section 8: Realignment

In 1991, the state and counties entered into a new fiscal relationship known as 1991 Realignment. 1991 Realignment affects health, mental health, and social services programs and funding. The state transferred control of programs to counties, altered program cost-sharing ratios, and provided counties with dedicated tax revenues from state sales tax and vehicle license fees to pay for these changes.

In 2011, counties assumed fiscal responsibility for Child Welfare Services, adoptions, adoptions assistance, Child Abuse Prevention Intervention and Treatment services, foster care and Adult Protective

Services as part of the 2011 Public Safety Realignment. Please see the Realignment chapter of the CSAC Platform and accompanying principles.

1) Counties support the concept of state and local program realignment and the principles adopted by CSAC and the Legislature in forming realignment. Thus, counties believe the integrity of realignment should be protected.

2) Counties strongly oppose any change to realignment funding that would negatively impact counties. Counties remain concerned and will resist any reduction of dedicated realignment revenues or the shifting of new costs from the state and further mandates of new and greater fiscal responsibilities in this partnership program.

3) Any effort to realign additional programs must occur within the context of the constitutional provisions of Proposition 1A or Proposition 30.

Section 9: Proposition 10: The First Five Commissions

Proposition 10, the California Children and Families Initiative of 1998, provides significant resources to enhance and strengthen early childhood development at the local level and created First 5 Commissions in all 58 counties.

1) Local children and families commissions (First 5 Commissions), established as a result of the passage of Proposition 10, must maintain the full discretion to determine the use of their share of funds generated by Proposition 10.

2) Local First 5 commissions must maintain the necessary flexibility to direct these resources to address the greatest needs of communities surrounding family resiliency, comprehensive health and development, quality early learning, and systems sustainability and scale. Counties oppose any effort to diminish local Proposition 10 funds or to impose restrictions on their local expenditure authority.

3) Counties oppose any effort to lower or eliminate state support for county programs with the expectation that the state or local First 5 commissions will backfill the loss with Proposition 10 revenues. Further, counties will support the backfill that Proposition 10 now receives from the state's most recent tobacco tax, Proposition 56 (2016), just as Proposition 10 pays to the previous tobacco initiatives.

4) Counties support local and state collaborations and leveraging First 5 commissions to sustain and expand critical services for children and families in our communities.

Section 10: Family Violence

CSAC remains committed to raising awareness of the toll of family violence on families and communities by supporting efforts that target family violence prevention, intervention, and treatment. Specific strategies for early intervention and success should be developed through cooperation between state and local governments, as well as community and private organizations addressing family violence issues, taking into account that violence adversely impacts Californians, particularly those in disadvantaged communities, at disproportionate rates.

Section 11: Veterans

Specific strategies for intervention and service delivery to veterans should be developed through cooperation between federal, state, and local governments, as well as community and private organizations serving veterans.

Counties support coordination of services for veterans among all entities that serve this population, especially in housing, treatment, and employment training.

Chapter 16

Realignment

In 2011, an array of law enforcement and health and human services programs – grouped under a broad definition of "public safety services" – was transferred to counties along with a defined revenue source. The 2011 Realignment package was a negotiated agreement with the Brown Administration and came with a promise, realized with the November 2012 passage of Proposition 30, of constitutional funding guarantees and protections against costs associated with future programmatic changes, including state and federal law changes as well as court decisions. Counties will oppose proposals to change the constitutional fiscal structure of 2011 Realignment, including proposals to change or redirect growth funding that does not follow the intent of the law.

CSAC will oppose efforts that limit county flexibility in implementing programs and services realigned in 2011 or infringe upon our individual and collective ability to innovate locally. Counties resolve to remain accountable to our local constituents in delivering high-quality programs that efficiently and effectively respond to local needs. Further, we support counties' development of appropriate measures of local outcomes and dissemination of best practices.

These statements are intended to be read in conjunction with previously adopted and refined Realignment Principles, already incorporated in the CSAC Platform below. These principles, along with the protections enacted under Proposition 1A (2004), will guide our response to any future proposal to shift additional state responsibilities to counties.

2010 CSAC Realignment Principles: Approved by the CSAC Board of Directors

Facing the most challenging fiscal environment in the California since the 1930s, counties are examining ways in which the state-local relationship can be restructured and improved to ensure safe and healthy communities. This effort, which will emphasize both fiscal adequacy and stability, does not seek to reopen the 1991 state-local Realignment framework. However, that framework will help illustrate and guide counties as we embark on a conversation about the risks and opportunities of any state-local realignment.

With the passage of Proposition 1A the state and counties entered into a new relationship whereby local property taxes, sales and use taxes, and Vehicle License Fees are constitutionally dedicated to local governments. Proposition 1A also provides that the Legislature must fund state-mandated programs; if not, the Legislature must suspend those state-mandated programs. Any effort to realign additional programs must occur in the context of these constitutional provisions.

Counties have agreed that any proposed realignment of programs should be subject to the following principles:

1) **Revenue Adequacy.** The revenues provided in the base year for each program must recognize

existing levels of funding in relation to program need in light of recent reductions and the Human Services Funding Deficit. Revenues must also be at least as great as the expenditures for each program transferred and as great as expenditures would have been absent realignment. Revenues in the base year and future years must cover both direct and indirect costs. A county's share of costs for a realigned program or for services to a population that is a new county responsibility must not exceed the amount of realigned and federal revenue that it receives for the program or service. The state shall bear the financial responsibility for any costs in excess of realigned and federal revenues into the future. There must be a mechanism to protect against entitlement program costs consuming non-entitlement program funding.

   a. The Human Services Funding Deficit is a result of the state funding its share of social services programs based on 2001 costs instead of the actual costs to counties to provide mandated services on behalf of the state. Realignment must recognize existing and potential future shortfalls in state responsibility that have resulted in an effective increase in the county share of program costs. In doing so, realignment must protect counties from de facto cost shifts from the state's failure to appropriately fund its share of programs.

2) **Revenue Source.** The designated revenue sources provided for program transfers must be levied statewide and allocated on the basis of programs and/or populations transferred; the designated revenue source(s) should not require a local vote. The state must not divert any federal revenue that it currently allocates to realigned programs.
3) **Transfer of Existing Realigned Programs to the State.** Any proposed swap of programs must be revenue neutral. If the state takes responsibility for a realigned program, the revenues transferred cannot be more than the counties received for that program or service in the last year for which the program was a county responsibility.
4) **Mandate Reimbursement.** Counties, the Administration, and the Legislature must work together to improve the process by which mandates are reviewed by the Legislature and its fiscal committees, claims made by local governments, and costs reimbursed by the State. Counties believe a more accurate and timely process is necessary for efficient provision of programs and services at the local level.
5) **Local Control and Flexibility.** For discretionary programs, counties must have the maximum flexibility to manage the realigned programs and to design services for new populations transferred to county responsibility within the revenue base made available, including flexibility to transfer funds between programs. For entitlement programs, counties must have maximum flexibility over the design of service delivery and administration, to the extent allowable under federal law. Again, there must be a mechanism to protect against entitlement program costs consuming non-entitlement program funding.
6) **Federal Maintenance of Effort and Penalties.** Federal maintenance of effort requirements (the amount of funds the state puts up to receive federal funds, such as IV-E and TANF), as well as federal penalties and sanctions, must remain the responsibility of the state.

Chapter Seven

Planning, Land Use and Housing

Section 1: General Principals

General-purpose local government performs the dominant role in the planning, development, conservation, and environmental review processes. Within this context, it is essential that the appropriate levels of responsibility at the various levels of government be understood and more clearly defined. These roles at the state, regional, county, and city level contain elements of mutual concern; however, the level of jurisdiction, the scale of the problem/issue, available funding and the beneficiaries of the effort require distinct and separate treatment.

The following policies attempt to capture these distinctions and are intended to assist government at all levels to identify its role, pick up its share of the responsibility, and refrain from interfering with the details of how other agencies carry out their responsibility.

The housing needs throughout the state, lack of revenue, and controversial planning law in the area of housing have resulted in the need for new focus on housing planning law. Housing principles are identified and included under a separate heading in this section.

Counties are charged with comprehensive planning for future growth, the management of natural resources and the provision of a variety of public services both within the unincorporated and incorporated areas.

Although Agriculture and Natural Resources are in this Platform as a separate chapter, there is a correlation between Planning and Land Use, and Agriculture and Natural Resources (Chapter Three). These two chapters are to be viewed together on matters where the subject material warrants.

Additionally, climate change and the release of greenhouse gases (GHGs) into the atmosphere have the potential to dramatically impact our environment, land use, public health, and our economy. Due to the overarching nature of climate change issues this chapter should also be viewed in conjunction with Chapter Fourteen, which outlines CSAC's climate change policy.

1) Counties have and must retain a primary responsibility for basic land use decisions.

2) Counties are cognizant of the need for resource conservation and development, maintaining our economic and social well being, protecting the environment and guiding orderly population growth and property development.

3) Counties are responsible for preparing plans and implementing programs to address land use, transportation, housing, open space, conservation, air quality, water distribution and quality, solid waste, and liquid waste, among other issues.

4) Counties play a major role in facilitating inter-jurisdictional cooperation between all levels of government in order to achieve the balanced attainment of these objectives.

5) Counties must have sufficient funding from state sources to meet state mandated planning programs.

6) Counties define local planning needs based on local conditions and constraints.

Section 2: The County Role in Land Use

General Plans and Development

Counties should protect vital resources and sensitive environments from overuse and exploitation. General and specific plans are policy documents that are adopted, administered, and implemented at the local level. State guidelines can serve as standards to insure uniformity of method and procedure, but should not mandate substantive or policy content. Land use and development problems and their solutions differ from one area to another and require careful analysis, evaluation, and appraisal at the local government level. Local government is the best level of government to equitably, economically and effectively solve such problems. Further, it is important that other public agencies, (e.g. federal, state, regional, cities, schools, special districts, etc.) participate in the local general planning process to avoid conflicts with future local decisions that are consistent with the general plan.

1) State requirements for general plan adoption should be limited to major planning issues and general plan mandates should include the preparation of planning elements only as they pertain to each individual county.

2) Zoning and other implementation techniques should be a logical consequence to well thought out and locally certified plans.

3) Counties support a general plan judicial review process which first requires exhaustion of remedies before the Board of Supervisors, with judicial review confined to a reasonable statute of limitations and limited to matters directly related to the initial hearing record. Counties also support retaining the current judicial standard whereby the courts defer to the judgment of the local agency when that judgment is supported by substantial evidence in the record.

4) Policy development and implementation should include meaningful public participation, full disclosure and wide dissemination in advance of adoption.

Public Facilities and Service

Counties have a vital role in ensuring that municipal services and public facilities are provided to re residents in the unincorporated area in an efficient manner.

1) Within the framework of the general plan, counties should protect the integrity and efficiency of newly developing unincorporated areas and urban cores by prohibiting fringe area development, which would require services and compete with existing infrastructure.

2) Counties should accept responsibility for community services in newly developing unincorporated areas where no other appropriate entity exists.

3) In the absence of feasible incorporation, County Service Areas or Community Service Districts are appropriate entities to provide needed services for urbanizing areas. They work against proliferation of single purpose districts, allow counties to charge the actual user for the service, permit direct control by the Board of Supervisors, and set the basis of reformation of multi-purpose districts.

4) County authority to require land and/or in-lieu fees to provide public facilities in the amount needed to serve new development must be protected.

Environmental Analysis

The environmental review process under the California Environmental Quality Act (CEQA) provides essential information to be constructively used in local decision-making processes. Unfortunately, the CEQA process is too often used as a legal tool to delay or stop reasonable development projects.

1) The CEQA process and requirements should be simplified wherever possible including the preparation of master environmental documents and use of tiered EIRs and negative declarations, including Climate Action Plans and associated environmental impact reports for tiering under CEQA.

2) The length of environmental reports should be minimized without impairing the quality.

3) Other public agencies (federal, state, regional, affected local jurisdictions, special districts, etc.) should participate in the environmental review process for plans and projects in order to provide a thorough review and analysis up front and avoid conflicts in future discretionary actions.

4) Counties should continue to assume lead agency roles where projects are proposed in unincorporated territory requiring discretionary action by the county and other jurisdictions.

5) CEQA documents should include economic and social data when applicable; however, this data should not be made mandatory.

Coastal Development

Preservation, protection, and enhancement of the California coastline is the planning responsibility of each county and city with shoreline within its boundaries. Planning regulation and control of land use are the implementation tools of county government whenever a resource is used or threatened.

Counties within the coastal zone are also subject to the California Coastal Act which is implemented via cooperative agreements between the California Coastal Commission and counties and cities. Most development in the coastal zone requires a coastal development permit issued by local agencies with a certified Local Coastal Plan or by the Commission in the absence of a cooperative agreement. LCPs link statewide coastal policies to local planning efforts in an attempt to protect the quality and environment of California's coastline.

1) Counties are committed to preserve and provide access to the coast and support where appropriate beach activities, boating activities, and other recreational uses in developing and implementing precise coastal plans and appropriate zoning.

2) Comprehensive coastal plans should also include preservation of open space, development of commercial and recreational small craft harbor facilities, camping facilities, and commercial and industrial uses.

3) Local jurisdictions must have the statutory and legal authority to implement coastline programs. Statewide efforts related to the California coastline must respect local land use authority. The State should collaboratively and cooperatively work with counties and cities to ensure decisions do not erode local control and decision-making.

4) The State, counties, and cities should mutually encourage, seek, and support efforts to streamline, improve, and modernize coastal development permit and local coastal planning processes, without compromising or undermining the original intent and tenets of these laws.

5) Counties support measures to streamline the process for approving and amending Local Coastal Plans.

    a. Measures should re-prioritize Commission staff and resources to the early scoping phase of any proposed amendment, to help identify key issues early on.

    b. Measures should identify standard timelines for each stage of the amendment process and develop specific procedures/mechanisms for adhering to those timelines, and should also require clearly identified reasons for any extensions requested by Commission staff.

6) Counties support legislative funding options that will enhance efficiency and accountability in the local coastal planning process.

Open Space Lands

Counties support open space policy that sets forth the local government's intent to preserve open space lands and ensures that local government will be responsible for conserving natural resources and developing and implementing open space plans and programs. Counties need state policies and fiscal resources to fully implement open space plans.

1) Counties support additional revenues for local open space acquisition programs, such as the subvention funds formerly provided by the Williamson Act.

2) Counties support reimbursement to local agencies for property tax losses.

3) Counties support greater use of land exchange powers for transfer of development rights.

4) Counties support protection of current agricultural production lands through the purchasing of development rights.

5) In some cases, open space easements should be created and used by local jurisdictions to implement open space programs, like the Williamson Act program.

6) Timber preserve zones and timber harvesting rules should enhance protection of this long-term renewable resource.

Healthy Communities

Counties support policies and programs that aid in the development of healthy communities which are designed to provide opportunities for people of all ages and abilities to engage in routine daily physical activity.

1) Counties support promoting active living via bicycle- and pedestrian-oriented design.

2) Counties support mixed-use development, providing recreation facilities, and siting schools in walkable communities.

Environmental Justice

Environmental justice is the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies.

1) Counties support policies and programs that ensure environmental justice by providing information and raising awareness on a number of environmental issues, such as air quality, greenhouse gas emissions, water quality, noise and heavy industrial uses.

2) Counties support environmental justice by providing sufficient services and infrastructure; protecting and conserving open space, natural and resource areas, and making them accessible; preventing and minimizing pollution impacts.

3) Counties support environmental justice by facilitating stakeholder participation in planning efforts.

Section 3: State Role in Land Use

Local government recognizes that state government has a legitimate interest in proper land use planning and utilization of those lands which are of critical statewide concern.

1) The state interest shall be statutorily and precisely defined and strictly limited to those lands designated to be critical statewide concern in concert with attainable and specified state goals and policies.

2) In determining those lands of crucial statewide concern, a mechanism should be created which ensures significant local involvement through a meaningful state/local relationship.

3) The state should prepare a statewide plan that reconciles the conflicts between the various state plans and objectives in order to provide local governments with greater certainty in areas of statewide concern. This is not intended to expand the State's authority over land use decisions; rather it should clarify the state's intent in relation to capital projects of statewide significance.

4) The state's participation in land use decisions in those designated areas shall be strictly limited to insuring the defined state interest is protected at the local level.

5) Any regulatory activity necessary to protect the state's interest, as defined in statute, shall be carried out by local government.

6) Counties enforcement procedures for violations of zoning and building ordinances should not be hampered by State established maximum fines that in some cases do not serve as a deterrent and are merely incorporated into the cost of doing business.

7) Climate change is a programmatic issue of statewide concern that requires a clear understanding of the roles and responsibilities of each level of government as well as the state's interest in land use decisions to ensure statewide climate change goals are met. Population growth in the state is inevitable, thus climate change strategies will affect land use decisions in order to accommodate and mitigate the expected growth in the state.

8) Local government, as the chief land use decision-maker and integral part of the housing planning process, must have a clearly defined role and be supported with the resources to achieve the State's climate change goals.

9) Adequate financial resources shall be provided, before a state-mandate is activated, to ensure local government has the ability to carry out state-mandated planning requirements.

Section 4: Regional Governments

Counties support voluntary participation within regional agencies as appropriate to resolve regional problems throughout the State. Regional approaches to planning and resolution to issues that cross jurisdictional boundaries are increasingly important. While California's growth rate has slowed since the boom in the 1980's, the State will still see significant population gains over the next 50-years with the total population projected to reach 52.7 million by 2060. Within that same time frame, 13 counties will have one million or more residents and six of those counties will have a population of two million or more residents.

Regional agencies in California play an important role in the allocation of regional housing need numbers, programming of Federal and State transportation dollars, in addressing air quality non-attainment problems, and climate change to name a few. Regional collaboration remains important to

address issues associated with growth in California, such as revenue equity issues, service responsibilities, a seamless and efficient transportation network, reducing GHGs and tackling climate change, job creation, housing, agricultural and resource protection, and open space designation.

1) The passage of SB 375 in 2008 and the preparation of regional Sustainable Communities Strategies in most of the State's regions elevate the importance of regional collaboration. Regional agencies must make genuine and substantive efforts to include local governments in their regional planning efforts.

2) While planning at the regional scale is increasingly important, land use decisions shall remain the exclusive province of cities and counties based on state planning and zoning law and the police powers granted to them under the State Constitution.

3) Cities and counties are responsible for a vast infrastructure system, which requires that cities and counties continue to receive direct allocations of revenues to maintain, operate and expand a variety of public facilities and buildings under their jurisdiction. As an example, cities and counties own and operate 81 percent of the state's publically maintained road miles, thus must retain direct allocations of transportation dollars to address the needs of this critical network and protect the public's existing investment.

4) Regional approaches to tax sharing and other financial agreements are appropriate and often necessary to address service needs of future populations; however, cities and counties must maintain financial independence and continue to receive discretionary and program dollars directly.

5) Counties support voluntary revenue-sharing agreements for existing revenues at the regional level, and any mandated revenue sharing must be limited to new revenues.

6) Regional agencies must consider financial incentives for cities and counties that have resource areas or farmland instead of (or in addition to) high growth areas. For example, such incentives should address transportation investments for the preservation and safety of city and county road systems, farm to market transportation, and interconnectivity transportation needs.

7) Regional agencies should also consider financial assistance to address countywide service responsibilities in counties that contribute towards the GHG emissions reductions targets by implementing policies for growth to occur within their cities and existing urbanized areas.

Section 5: Special Districts

In recent years, Local Agency Formation Commissions (LAFCOs) have been generally successful at regulating incorporations, annexations, and the formation of new special districts. However, the state has a legacy of a large number of independent special districts that leads to fragmentation of local government.

1) Counties find that there are many fully justified districts that properly serve the purpose for which they were created. However, there are districts whose existence is no longer "defensible."
2) Counties find that nothing is served by rhetorically attacking "fragmentation."

3) LAFCOs should retain the authority to evaluate special districts to test their value to the community for whom they were initially formed to serve and identify those districts that no longer serve the purposes for which they were created.

Section 6: Housing

Housing is an important element of economic development and essential for the health and well being of our communities. The responsibility to meet the state's housing needs must be borne by all levels of government and the private sector. Reductions in state and federal funding and the loss of redevelopment housing set aside funding create a need for new funding sources to support the development of affordable housing. Moreover, reforms are needed to address the current property and sales tax systems in California, which can work against housing affordability by providing fiscal disincentives for additional housing development.

Counties support the following principles in relation to housing. These principles must be taken as a whole, recognizing the importance of their interdependence. These principles provide a comprehensive approach to address the production of housing, recognizing the role of counties, which is to encourage and facilitate the production of housing. They should not be misinterpreted to hold counties responsible for the actual production of housing; instead they should recognize the need for various interests to cooperatively strive to provide affordable housing that is accessible and available to meet the needs of California residents at all income levels and in all geographic areas.

State Role in Housing Planning

1) CSAC supports a role by the state Department of Housing and Community Development (HCD) that focuses on assisting local governments in financing efforts and advising them on planning policies--both of which strive to meet the state's housing needs.

2) HCD's role should focus on facilitating the production of housing, rather than an onerous and unpredictable housing element compliance process that detracts from local governments' efforts to seek funding and actually facilitate housing production.

Housing Element Reform

1) A sweeping reform of the current housing element requirements should be undertaken to streamline and simplify existing housing element law.

2) The housing element should place a greater emphasis on obtaining financing and enabling production, rather than the overly-detailed data analysis now required under state law.

3) Housing element reform should provide local governments with the flexibility and creativity to adopt local housing elements, comprehensive housing assistance strategies, and other local plans and programs that will be effective in their communities.

4) Housing element reform should conserve state and local resources by promoting predictable HCD review consistent with statutory requirements, including transparent standards that are uniformly applied and includes timelines for comment periods and decision-making.

Affordable Housing Funding

1) Counties support identifying and generating a variety of permanent financing resources and subsidy mechanisms for affordable housing, including a statewide permanent source for affordable housing.

2) These sources need to be developed to address California's housing needs, particularly with the reduction of federal and state contributions in recent years. The elimination of redevelopment in 2012 redirected most public funds previously dedicated to affordable housing development and preservation, as it ended all future receipts of affordable housing set-aside funds, as well as recapturing many millions of dollars in housing funds that had been received in prior years.

3) The need for new affordable housing units exceeds the number of new units for which financing and subsidies will be available each year. Therefore, additional funding is necessary to ensure production of new subsidized units, and adequate funds for housing subsidies to households.

4) Policies should be established to encourage continued flow of capital to market rate ownership housing in order to assure an adequate supply of low-cost, low-down payment mortgage financing for qualified buyers.

5) A need exists to educate the private building and financial communities on the opportunities that exist with the affordable housing submarket so as to encourage new investments.

6) Establish and adequately fund federal and state tax incentives for the provision of affordable housing. The tax codes and financial industry regulations need to be revised to provide stimulus to produce affordable housing, particularly for median, low and very low-income households. Counties support expansion of existing tax credit programs to better allow local governments to meet statewide goals for the development of affordable homes.

Restructure Local Government Funding to Support Housing Affordability

The current property and sales tax systems in California are not supportive of housing development and work against housing affordability because housing is not viewed as a "fiscal winner" by local governments as they make land use and policy decisions.

1) Local government finance should be restructured at the state level to improve the attractiveness and feasibility of affordable housing development at the local level.

2) At a minimum, there should be better mechanisms to allow and encourage local governments to share tax revenues.

Promote a Full Range of Housing in All Communities

1) Local governments, builders, the real estate industry, financial institutions and other concerned stakeholders should recognize their joint opportunities to encourage a full range of housing and should work together to achieve this goal.

2) Promoting a full range of housing will require cooperative effort from the beginning of the planning and approval process.

3) CSAC supports creatively applying incentives and development standards, minimizing regulations and generating adequate financing in order to make housing more affordable and available to all income groups.

4) CSAC supports reforms that facilitate the ability of counties to provide for the construction and financing of affordable housing, including the repeal of constitutional limitations on the ability of local government to financially support affordable housing without voter approval.

Chapter Ten

Transportation and Public Works

Section 1: General Principles:

Transportation infrastructure and multi-modal transportation choices are essential for the current and future well-being of the State of California. A balanced transportation system utilizes all modes of travel in a complimentary manner to provide all users access and mobility options to safely move about their community. Counties also recognize that climate change and the release of GHGs into the atmosphere have the potential to dramatically impact our environment, land use decisions, transportation networks, and the economy. Due to the overarching nature of climate change issues, all sections in this chapter should be viewed in conjunction with Chapter Fourteen, which outlines CSAC's climate change policy.

1) Transportation infrastructure investments should balance the competing needs of all segments of society and the economy with maximum coordination between all levels of government and reasonable amounts of free choice for the consumer.

2) Transportation systems must be fully integrated with planned land use; support the lifestyles desired by the people of individual areas; and be compatible with the environment by considering greenhouse gas (GHG) emissions, air and noise pollution, aesthetics, ecological factors, cost benefit analyses, and energy consumption measures.

3) Transportation systems should be designed to serve the travel demands and desires of all the people of the state and support a robust economy, recognizing the principles of local control and the unique restraints of each area.

4) Local control recognizes that organizational and physical differences exist and that governments should have flexibility to cooperatively develop systems by which services are provided and problems resolved.

Section 2: Balanced Transportation Policy

System Policy and Transportation Principles

It is of statewide interest to provide for a balanced, seamless, multi-modal transportation system on a planned and coordinated basis consistent with social, economic, political, and environmental goals within the state. The statewide network includes the local streets and roads, state highways, transit, bicycle and pedestrian facilities, rail, and ports. Rural and urban transportation needs must be balanced so as to build and operate a single transportation system. While urban transportation systems support significant daily vehicle miles traveled and the transportation of millions of people, the rural transportation network connects communities together and plays a critical role in the movement of goods for the entire state. The statewide transportation system should be an asset to present and future generations. It must consider and protect the natural and built environment and support economic development of the state.

1) Transportation systems must be regularly and consistently maintained in order to preserve the existing public infrastructure (current revenues are not keeping pace with needs of the local road or state highway or transit systems), reduce the future costs to tax-payers, and to protect the environment. All users of the system have a responsibility to adequately invest in the transportation infrastructure that is so critical to every-day life.

2) Repairs to local access roads that are damaged in the course of emergency operations (for example, in fighting a fire or flood) should be eligible for reimbursement under the same programs as roads which are directly damaged by the event.

3) System process modifications are needed to expedite project delivery and minimize project cost.

4) Heavy vehicles impose exponentially greater wear and tear on roadways than lighter vehicles. Many locally-maintained roads may not have been designed to accommodate heavy vehicles. Proposed increases in weight limits to improve efficiency by reducing number of heavy vehicle trips required, or to meet other policy goals should be balanced against the costs of additional wear and tear on roads, bridges and highways.

Financing Policy and Revenue Principles

Transportation financing needs exceed existing and foreseeable revenues despite growing recognition of these needs at all levels of government. Further, traditional sources of revenue for transportation are declining as communities develop more sustainably and compactly in order to reduce vehicle miles traveled and GHG emissions to meet statewide climate change goals. Additional funding is required and should be supported and any new sources of funding should produce enough revenue to respond significantly to transportation needs.

1) As the owner and operator of a significant portion of the local system, counties support continued direct funding to local governments for preservation and safety needs of that system.

2) Counties support regional approaches for transportation investment purposes for capital expansion projects of regional significance and local expansion and rehabilitation projects through regional transportation planning agencies.

3) Single transportation funds—comprised of state and federal subventions—should be available at each of the local, regional and statewide levels for financing the development, operation, and/or maintenance of highways, public transit, airports or any other modal system as determined by each area in accordance with local, regional, and statewide needs and goals.

4) The cooperative mechanisms established by counties and cities to meet multi-jurisdictional needs should be responsible for the financing, construction, operation and maintenance of regional transportation systems utilizing—as appropriate—existing transportation agencies and districts.

5) Federal and state funds for safety and preservation purposes should be sent directly to applicable operational levels without involvement of any intermediate level of government. Pass-through and block grant funding concepts are highly desirable.

6) The cost of transportation facilities and services should be fairly shared by the users and also by indirect beneficiaries.

7) Transportation funding should be established so that annual revenues are predictable with reasonable certainty over several years to permit rational planning for wise expenditure of funds for each mode of transportation.

8) Financing should be based upon periodic deficiency reports by mode to permit adjustment of necessary funding levels. Additional elements such as constituent acceptance, federal legislative and/or administrative actions, programmatic flexibility, and cost benefit studies should be considered.

9) Efforts to obtain additional revenue should include an examination of administrative costs associated with project delivery and transportation programs.

10) Funding procedures should be specifically designed to reduce the cost of processing money and to expedite cash flow. Maximum use should be made of existing collection mechanisms when considering additional financing methods.

11) In the development of long-range financing plans and programs at all levels of government, there should be a realistic appreciation of limitations imposed by time, financing, availability, and the possibility of unforeseen changes in community interest.

12) Existing funding levels must be maintained with historical shares of current funding sources ensured for counties (e.g. state and federal gas tax increases, etc.).

13) Although significant transportation revenues are raised at the local level through the imposition of sales taxes, additional state and federal revenue sources are needed such as additional gas and sales taxes, congestion pricing, public-private partnerships, and user or transaction fees to provide a diverse financing strategy.

14) Additional revenue raising authority at the local and regional level is needed as well as other strategies as determined by individual jurisdictions and regions.

15) Transportation revenues must be utilized for transportation purposes only and purposes for which they are dedicated. They should not be diverted to external demands and needs not directly related to transportation activities.

16) Revenue needed for operational deficits of transit systems should be found in increased user fees, implementation of operating efficiencies and/or new sources, rather than existing sources depended upon by other modes of transportation.

17) Future revenues must be directed to meet mobility needs efficiently and cost effectively with emphasis on current modal use and transportation choices for the public.

Government Relations Policy

The full partnership concept of intergovernmental relations is essential to achieve a balanced transportation system. Transportation decisions should be made comprehensively within the framework of clearly identified roles for each level of government without duplication of effort.

1) Counties and cities working through their regional or countywide transportation agencies, and in consultation with the State, should retain the ability to program and fund transportation projects that meet the needs of the region.

2) No county or city should be split by regional boundaries without the consent of that county or city.

3) Counties and cities in partnership with their regional and state government, should attempt to actively influence federal policies on transportation as part of the full partnership concept.

Management Policy

Effective transportation requires the definite assignment of responsibility for providing essential services including fixed areas of responsibility based upon service output.

1) Greater attention should be devoted to delivery and maintenance of transportation infrastructure in a cost-effective manner with flexibility in delivery methods and project management.

2) Special transportation districts should be evaluated and justified in accordance with local conditions and public needs.

3) The State Department of Transportation should be responsible for planning, designing, constructing, operating, and maintaining a system of transportation corridors of statewide significance and interest. Detailed procedures should be determined in concert with regional and local government.

4) Restrictive, categorical grant programs at federal and state levels should be abandoned or minimized in favor of goal-oriented transportation programs which can be adjusted by effective management to best respond the to social and economic needs of individual communities.

5) Policies and procedures on the use of federal and state funds should be structured to minimize "red tape," recognize the professional capabilities of local agencies, provide post-audit procedures and permit the use of reasonable local standards.

Section 3: Specific Modal Transportation Policies

Aviation

1) Air transportation planning should be an integral part of overall planning effort and airports should be protected by adequate zoning and land use. Planning should also include consideration for helicopter and other short and vertical take-off aircraft.

2) State and federal airport planning participation should be limited to coordination of viable statewide and nationwide air transportation systems.

3) Local government should retain complete control of all airport facilities, including planning, construction, and operation.

Streets and Highways

The local street and road system, over 81-percent of the total maintained miles in the state, continues to play an important role in the mobility of Californians and critical for a vibrant economy. Further, local roads serve as the right-of-way for active transportation and transit. In a coordinated statewide transportation system, highways will continue to carry a great percentage of the goods and people transported within the state. Non-motorized transportation facilities, such as pedestrian and bicycle facilities are also proper elements of a balanced transportation system.

1) Counties and cities must work cooperatively with regional agencies, the state, and the federal government to ensure the local system is maintained in a cost-effective and efficient condition and that is fully integrated into the statewide transportation network.

2) A program of highway maintenance and improvement of this modal system must be continued in coordination with the development of other modal components. Efforts to maximize utilization of transportation corridors for multi-purpose facilities should be supported.

3) Counties support efforts to design and build complete streets, ensuring that all roadway users – motorists, bicyclists, public transit vehicles and users, and pedestrians of all ages and abilities – have safe access to meet the range of mobility needs.

4) Given that funding for basic maintenance of the existing system is severely limited, however, complete streets improvements should be financed through a combination of sources best suited to the needs of the community and should not be mandated through the use of existing funding sources.

Public Transit

1) Counties and cities should be responsible for local public transit systems utilizing existing transportation agencies and districts as appropriate.

2) Multi-jurisdictional public transit systems should be the responsibility of counties and cities acting through mechanisms, which they establish for regional decision-making, utilizing existing transportation agencies, and districts as appropriate.

3) The State should be responsible for transportation corridors of statewide significance, utilizing system concepts and procedures similar to those used for the state highway system. Contracts may be engaged with existing transit districts and public transportation agencies to carry out and discharge these state responsibilities.

4) Consideration of public transit and intercity rail should be an integral part of a local agency's overall planning effort and should maximize utilization of land for multi-purpose transportation corridors.

5) Public transit planning should include a continuing effort of identifying social, economic, and environmental requirements.

Rail

Railroads play a key role in a coordinated statewide transportation system. In many communities, they form a center for intermodal transportation.

Rail carries a significant portion of goods and people within and out of the state. The continued support of rail systems will help balance the state's commuter, recreational, and long distance transportation needs. Support for a high-speed rail system in California is necessary for ease of future travel and for environmental purposes.

1) Rail should be considered, as appropriate, in any local agency's overall planning effort when rail is present or could be developed as part of a community.

2) Research and development of innovative and safe uses of rail lines should be encouraged.

<u>Section 4: Conclusion</u>

Between 1994 (when the state gas excise tax was last increased) and 2017, when the Legislature passed SB 1 (Beall), California's population and travel increased ,while revenues for maintenance and improvement of state highways and local roads failed to keep pace. In fact, by 2017 the value of the existing state gasoline tax had eroded to roughly half of its 1994 value due to inflation and improvements in vehicle fuel efficiency. SB 1 provides an ongoing source of approximately $5 billion in revenue to invest in state highways, local roads, regional improvements, public transportation and active transportation and will allow California to reverse the trend of deteriorating transportation infrastructure.

The 2018 California Statewide Local Streets and Roads Needs Assessment Report Update found that the statewide average local street and road Pavement Condition Index (PCI), which ranks roadway pavement conditions on a scale of zero (failed) to 100 (excellent), is 65, an "at risk" rating. Through a combination of SB 1 funding and increased use of sustainable pavement preservation techniques, local agencies will be able to stabilize the average condition of pavements at a PCI of 64, reduce the deferred maintenance backlog by $18.4 billion in the coming decade, and improve a significant percentage of the network from at-risk to good condition.

Accordingly, it is vitally important to protect the $1.5 billion share of local street and road formula funding from SB 1, which will be adjusted based on inflation and increasing vehicle values. Furthermore, CSAC must continue to advocate for streamlining administrative processes and environmental review and promoting efficiencies and sustainable practices that allow counties to make the most of every dollar of transportation funding.

The citizens of California have invested significant resources in their transportation system. This $3 trillion investment is the cornerstone of the state's commerce and economic competitiveness. Virtually all vehicle, pedestrian, and bicycle trips originate and terminate on local streets and roads. Emergency response vehicles extensively use local roads to deliver public service. Public safety and mobility rely on a well-maintained transportation infrastructure. Protecting transportation funding is important to the economy and the economic recovery of the state. Increased investment in the transportation network is essential to stimulate the economy, to improve economic competitiveness and to safeguard against loss of the public's existing $3 trillion investment in our transportation system.

(The source of information for the statistics provided is from the Transportation California website and includes reports from the: California Transportation Commission (CTC), Legislative Analyst Office (LAO), United States Department of Transportation (USDOT), Federal Highway Administration (FHWA), and the Local Streets and Roads Needs Assessment).

Chapter Fourteen

CSAC Climate Change Policy Guidelines

- CSAC recognizes that sustainable development and climate change share strong complementary tendencies.

- CSAC recognizes that mitigation and adaptation to climate change – such as promoting sustainable energy, improved access and increased walkability, transit oriented development, and improved agricultural methods – have the potential to bolster sustainable development.

- CSAC recognizes that climate change will have a harmful effect on our environment, public health and economy. Although there remains uncertainty on the pace, distribution and magnitude of the effects of climate change, CSAC also recognizes the need for immediate actions to mitigate the sources of greenhouse gases.

- CSAC recognizes the need for sustained leadership and commitment at the federal, state, regional and local levels to develop strategies to combat the effects of climate change.

- CSAC recognizes the complexity involved with reducing greenhouse gases and the need for a variety of approaches and strategies to reduce greenhouse gas (GHG) emissions.

- CSAC supports a flexible approach to addressing climate change, recognizing that a one size fits all approach is not appropriate for California's large number of diverse communities.

- CSAC supports special consideration for environmental justice issues, disadvantaged communities, and rural areas that do not have the ability to address these initiatives without adequate support and assistance.

- CSAC supports cost-effective strategies to reduce GHG emissions and encourages the use of grants, loans and incentives to assist local governments in the implementation of GHG reduction programs.

- CSAC recognizes that adaptation and mitigation are necessary and complementary strategies for responding to climate change impacts. CSAC encourages the state to develop guidance materials for assessing climate impacts that includes adaptation options.

- CSAC finds it critical that the state develop protocols and GHG emissions inventory mechanisms, providing the necessary tools to track and monitor GHG emissions at the local level. The state, in cooperation with local government, must determine the portfolio of solutions that will best minimize its potential risks and maximize its potential benefits. CSAC also supports the establishment of a state climate change technical assistance program for local governments.

- CSAC believes that in order to achieve projected emission reduction targets, cooperation and coordination between federal, state and local entities must occur to address the role public lands play in the context of climate change.

- CSAC recognizes that many counties are in the process of developing, or have already initiated climate change-related programs. CSAC supports the inclusion of these programs into the larger GHG reduction framework and supports acknowledgement and credit given for these local efforts.

- CSAC acknowledges its role to provide educational forums, informational resources and communication opportunities for counties in relation to climate change.

- CSAC recognizes that collaboration between cities, counties, special districts, and the private sector is necessary to ensure the success of a GHG reduction strategy at the local level.

- CSAC encourages counties to take active measures to reduce GHG and create energy efficiency strategies that are appropriate for their respective communities.

Section 1: Fiscal

The effects of climate change and the implementation of GHG reduction strategies will have fiscal implications for county government.

CSAC recognizes the potential for fiscal impacts on all levels of government as a result of climate change, i.e. sea level rise, flooding, water shortages and other varied and numerous consequences. CSAC encourages the state and counties to plan for the fiscal impacts of climate change adaptation, mitigation and strategy implementation.

- CSAC supports the use of grants, loans, incentives and revenue raising authority to assist local governments with the implementation of climate change response activities and GHG reduction strategies.

- CSAC continues to support its state mandate principles in the context of climate change. CSAC advocates that new GHG emissions reduction programs must be technically feasible for counties to implement and help to offset the long-term costs of GHG emission reduction strategies.

- CSAC advocates that any new GHG reduction strategies that focus on city-oriented growth and require conservation of critical resource and agricultural lands within the unincorporated areas should include a mechanism to compensate county governments for the loss of property taxes and other fees and taxes.

- CSAC supports the allocation of cap and trade revenues to fund programs that help reduce GHG emissions at the local level.

- CSAC supports changes and refinement to the California Communities Environmental Health Screening Tool (CalEnviroScreen) to include criteria that reflects the diversity of disadvantaged communities in California.

Section 2: Land Use, Transportation, and Housing

CSAC recognizes that population growth in the state is inevitable, and therefore climate change strategies that affect land use must focus on how and where to accommodate and mitigate the expected growth in California. Land use planning and development play a direct role in transportation patterns, affecting travel demands and in turn vehicle miles traveled (VMT) and fuel consumption. It is recognized that in addition to reducing VMTs, investing in a seamless and efficient transportation system to address congestion also contributes to the reduction of GHG emissions. The provision of housing affordable to all income levels also affects the ability to meet climate change goals. Affordable housing in close proximity to multi-modal transportation options, work, school, and other goods and services is a critical element to reducing GHG emissions in the state. Smart land use planning and growth, such as that required by SB 375 (Chapter 728, Statues of 2008),remains a critical component to achieve the GHG emission reduction targets pursuant to AB 32 (Chapter 488, Statutes of 2006), particularly to address the emissions from the transportation sector (i.e. vehicle, air and train). In order to better understand the link between land use planning, transportation, housing, and climate change further modeling and consideration of alternative growth scenarios is required to determine the relationship and benefits at both the local and regional levels.

- CSAC supports measures to achieve reductions in GHG emissions by promoting housing/jobs proximity and transit-oriented development, and encouraging high density residential development along transit corridors. CSAC supports these strategies through its support for SB 375 (Chapter No. 728, Statutes of 2008) and other existing smart growth policies for strategic growth. These policies support new growth that results in

compact development within cities, existing unincorporated urban communities and rural towns that have the largest potential for increasing densities, and providing a variety of housing types and affordability.

- CSAC supports policies that efficiently utilize existing and new infrastructure investment and scarce resources, while considering social equity as part of community development, and strives for an improved jobs-housing balance.

- CSAC supports the protection of critical lands when it comes to development, recognizing the need to protect agricultural lands, encourage the continued operations and expansion of agricultural businesses, and protect natural resources, wildlife habitat and open space.

- CSAC acknowledges that growth outside existing urban areas and growth that is non-contiguous to urban areas may be necessary to avoid the impacts on critical resource and agricultural lands that are adjacent to existing urban areas.

- CSAC supports providing incentives for regional blueprints and countywide plans, outside of SB 375, to ensure that all communities have the ability to plan for more strategic growth and have equitable access to revenues available for infrastructure investment purposes. It is CSAC's intent to secure regional and countywide blueprint funding for all areas.

- CSAC supports new fiscal incentives for the development of countywide plans to deal with growth, adaptation and mitigation through collaboration between a county and its cities to address housing needs, protection of resources and agricultural lands, and compatible general plans and revenue and tax sharing agreements for countywide services.

- CSAC recognizes that counties and cities must strive to promote efficient development in designated urban areas in a manner that evaluates all costs associated with development on both the city and the county. Support for growth patterns that encourage urbanization to occur within cities must also result in revenue agreements that consider all revenues generated from such growth in order to reflect the service demands placed on county government. As an alternative, agreements could be entered into requiring cities to assume portions of county service delivery obligations resulting from urban growth.

- While local governments individually have a role in the reduction of GHG emissions through land use decisions, CSAC continues to support regional approaches to meet the State's GHG emission reduction and climate change goals, such as efforts which build upon existing regional blueprint and transportation planning processes. CSAC continues

to support regional approaches over any statewide “one size fits all” approach to addressing growth and climate change issues. Further, CSAC supports countywide approaches to strategic growth, resource and agricultural protection, targeting scarce infrastructure investments and tax sharing for countywide services.

- CSAC finds it critical that state and federal assistance is provided for data and standardized methodologies for quantifying GHG emissions for determining and quantifying GHG emission sources and levels, vehicle miles traveled and other important data to assist both local governments and regional agencies in addressing climate change in environmental documents for long-range plans.

Section 3: Energy

Reducing energy consumption is an important way to reduce GHG emissions and conserve. Additionally, the capture and reuse of certain GHGs can lead to additional sources of energy. For example, methane gas emissions, a mixture of methane, carbon dioxide and various toxic organic and mercuric pollutants, from landfills and dairies have been identified as potent GHGs. Effective collection and treatment of these gases is not only important to the reduction of GHG emissions, but can also result in an additional source of green power.

CSAC continues to support efforts to ensure that California has an adequate supply of safe and reliable energy through a combination of conservation, renewables, new generation and new transmission efforts.

Energy Efficiency

- CSAC supports energy conservation and energy efficiency, along with broader use of renewable energy resources. Counties are encouraged to undertake vigorous energy action programs that are tailored to the specific needs of each county. When developing such action programs counties should:
  (1) assess available conservation and renewable and alternative energy options and take action to implement conservation, energy efficiency and renewable energy development when feasible;
  (2) consider the incorporation of energy policies as an optional element in the county general plan; and,
  (3) consider energy concerns when making land use decisions and encourage development patterns which result in energy efficiency.

- CSAC supports incentive based green building programs that encourage the use of green building practices, incorporating energy efficiency and conservation technologies into

state and local facilities. A green building is a term used to describe structures that are designed, built, renovated, operated or reused in an ecological and resource-efficient manner. Green buildings are designed to meet certain objectives using energy, water and other resources more efficiently and reducing the overall impact to the environment.

- CSAC supports the state's development of green building protocols sustainable building standards, including guidelines for jails, hospitals and other such public buildings.

- CSAC supports the use of grants, loans and incentives to encourage and enable counties to incorporate green building practices into their local facilities.

- CSAC supports the use of procurement practices that promote the use of energy efficient products and equipment.

Methane Emissions

- CSAC supports state efforts to develop a dairy digester protocol to document GHG emissions reductions from dairy farms. CSAC supports funding mechanisms that support the use of dairy digesters to capture methane gas and convert it to energy.

- CSAC supports state efforts to capture methane gases from landfills, and supports development of a reasonable regulatory measure with a feasible timeline to require landfill gas recovery systems on landfills that can support a self-sustaining collection system.

- CSAC supports the development of a guidance document for landfill operators and regulators that will recommend technologies and best management practices for improving landfill design, construction, operation and closure for the purpose of reducing GHG emissions.

- CSAC also supports funding mechanisms, including grants, loans and incentives to landfill operators to help implement these programs.

Section 4: Water

According to the Department of Water Resources, projected increases in air temperature may lead to changes in the timing, amount and form of precipitation, changes in runoff timing and volume, sea level rise, and changes in the amount of irrigation water needed. CSAC recognizes the need for state and local programs that promote water conservation and water storage development.

CSAC recognizes that climate change has the potential to seriously impact California's water supply. CSAC continues to assert that adequate management of water supply cannot be accomplished without effective administration of both surface and ground water resources within counties, including the effective management of forestlands and watershed basins.

- CSAC supports the incorporation of projections of climate change into state water planning and flood control efforts.

- CSAC supports water conservation efforts, including reuse of domestic and industrial wastewater, reuse of agriculture water, groundwater recharge, and economic incentives to invest in equipment that promotes efficiency.

- CSAC continues to support the study and development of alternate methods of meeting water needs such as desalinization, wastewater reclamation, watershed management, the development of additional storage, and water conservation measures.

Section 5: Forestry

With a significant percentage of California covered in forest land, counties recognize the importance of forestry in the context of climate change. Effectively managed forests have a lower probability of releasing large amounts of harmful GHG emissions into the atmosphere in the form of catastrophic wildfires. Furthermore, as a result of natural absorption, forests reduce the effects of GHG emissions and climate change by removing carbon from the air through the process of carbon sequestration. CSAC also recognizes the benefits of biomass energy as an alternative to the burning of traditional fossil fuels, as well as the benefits of carbon sequestration through the use of wood products.

- CSAC supports encouraging sustainable forestry practices through the existing regulatory process, and encouraging continued reforestation and active forest management on both public and private timberlands.

- CSAC supports responsible optimum forest management practices that ensure continued carbon sequestration in the forest, provide wood fiber for biomass-based products and carbon-neutral biomass fuels, and protect the ecological values of the forest in a balanced way.

- CSAC supports the state's development of general forestry protocols that encourage private landowners to participate in voluntary emission reduction programs and encourage National Forest lands to contribute to the state's climate change efforts.

- It is imperative that adequate funding be provided to support the management of forest land owned and managed by the federal government in California in order to ensure the reduction of catastrophic wildfires.

- CSAC supports additional research and analysis of carbon sequestration opportunities within forestry.

Section 6: Agriculture

The potential impacts of climate change on agriculture may not only alter the types and locations of commodities produced, but also the factors influencing their production, including resource availability. Rising temperatures, changes to our water supply and soil composition all could have significant impacts on California's crop and livestock management. Additionally, agriculture is a contributor to GHG emissions in form of fuel consumption, cultivation and fertilization of soils and management of livestock manure. At the same time, agriculture has the potential to provide offsets in the form of carbon sequestration in soil and permanent crops, and the production of biomass crops for energy purposes.

- CSAC supports state efforts to develop guidelines through a public process to improve and identify cost effective strateiges for nitrous oxide emissions reductions.

- CSAC continues to support incentives that will encourage agricultural water conservation and retention of lands in agricultural production.

- CSAC continues to support full funding for UC Cooperative Extension given its vital role in delivering research-based information and educational programs that enhance economic vitality and the quality of life in California counties.

- CSAC supports additional research and analysis of carbon sequestration opportunities within agriculture.

Section 7: Air Quality

CSAC encourages the research and development and use of alternative, cleaner fuels. Further, air quality issues reach beyond personal vehicle use and affect diesel equipment used in development and construction for both the public and private sector.

- CSAC supports state efforts to create standards and protocols for all new passenger cars and light-duty trucks that are purchased by the state and local governments that conform to the California Strategy to Reduce Petroleum Dependency. CSAC supports

state efforts to revise its purchasing methodology to be consistent with the new vehicle standards.

- CSAC supports efforts that will enable counties to purchase new vehicles for local fleets that conform to state purchasing standards, are fuel efficient, low emission, or use alternative fuels. CSAC supports flexibility at the local level, allowing counties to purchase fuel efficient vehicles on or off the state plan.

- CSAC supports identifying a funding source for the local retrofit and replacement of county on and off road diesel powered vehicles and equipment.

- CSAC opposes federal standards that supersede California's ability to adopt stricter vehicle standards.

- Counties continue to assert that federal and state agencies, in cooperation with local agencies, have the ability to develop rules and regulations that implement clean air laws that are both cost-effective and operationally feasible. In addition, state and federal agencies should be encouraged to accept equivalent air quality programs, thereby allowing for flexibility in implementation without compromising air quality goals.

- CSAC also recognizes the importance of the Air Pollution Control Districts (APCDs) and Air Quality Management Districts (AQMDs) to provide technical assistance and guidance to achieve the reduction of GHG emissions.

- CSAC supports the development of tools and incentives to encourage patterns of product distribution and goods movement that minimize transit impacts and GHG emissions.

- CSAC supports further analysis of the GHG emission contribution from goods movement through shipping channels and ports.

Section 8: Solid Waste and Recycling

The consumption of materials is related to climate change because it requires energy to mine, extract, harvest, process and transport raw materials, and more energy to manufacture, transport and, after use, dispose of products. Recycling and waste prevention can reduce GHG emissions by reducing the amount of energy needed to process materials, and reducing the amount of natural resources needed to make products.

CSAC continues to support policies and legislation that aim to promote improved markets for recyclable materials, and encourages:

- The use of recycled content in products sold in California;
- The creation of economic incentives for the use of recycled materials;
- Development of local recycling markets to avoid increased emissions from transporting recyclables long distances to current markets;
- The expansion of the Electronic Waste Recycling Act of 2003 and the Beverage Container Recycling Program;
- The use of materials that are biodegradable;
- Greater manufacturer responsibility and product stewardship.

Section 9: Health

CSAC recognizes the potential impacts of land uses, transportation, housing, and climate change on human health. As administrators of planning, public works, parks, and a variety of public health services and providers of health care services, California's counties have significant health, administrative and cost concerns related to our existing and future built environment and a changing climate. Lack of properly designed active transportation facilities have made it difficult and in some cases created barriers for pedestrians and bicyclists. Lack of walkability in many communities contributes to numerous chronic health related issues, particularly obesity which is an epidemic in this country. Heat-related illnesses, air pollution, wild fire, water pollution and supply issues, mental health impact and infectious disease all relate to the health and well-being of county residents, and to the range and cost of services provided by county governments.

CSAC recognizes that there are direct human health benefits associated with improving our built environment and mitigating greenhouse gas emissions, such as lowering rates of obesity, injuries, and asthma. Counties believe that prevention, planning, research, education/training, and preparation are the keys to coping with the public health issues brought about by our built environment and climate change. Public policies related to land uses, public works, climate change and public health should be considered so as to work together to improve the public's health within the existing roles and resources of county government.

- CSAC supports efforts to provide communities that are designed, built and maintained so as to promote health, safety and livability through leadership, education, and funding augmentations.

- CSAC supports efforts to improve the public health and human services infrastructure to better prevent and cope with the health effects of climate change through leadership, planning and funding augmentations.

- CSAC supports state funding for mandated local efforts to coordinate monitoring of heat-related illnesses and responses to heat emergencies.

- CSAC supports efforts to improve emergency prediction, warning, and response systems and enhanced disease surveillance strategies.

Climate change
A change of climate which is attributed directly or indirectly to human activity that alters the composition of the global atmosphere and which is in addition to natural climate variability observed over comparable time periods.
United Nations Framework Convention on Climate Change

Carbon Sequestration
Carbon sequestration refers to the provision of long-term storage of carbon in the terrestrial biosphere, underground, or the oceans so that the buildup of carbon dioxide (the principal greenhouse gas) concentration in the atmosphere will reduce or slow. In some cases, this is accomplished by maintaining or enhancing natural processes; in other cases, novel techniques are developed to dispose of carbon.
US Department of Energy

Environmental Justice
Environmental Justice is the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.
US Environmental Protection Agency

Greenhouse gas
A gas that absorbs radiation at specific wavelengths within the spectrum of radiation (infrared radiation) emitted by the Earth's surface and by clouds. The gas in turn emits infrared radiation from a level where the temperature is colder than the surface. The net effect is a local trapping of part of the absorbed energy and a tendency to warm the planetary surface. Water vapour (H2O), carbon dioxide (CO2), nitrous oxide (N2O), methane (CH4) and ozone (O3) are the primary greenhouse gases in the Earth's atmosphere.
United Nations Intergovernmental Panel on Climate Change

Chapter Fifteen

Tribal and Intergovernmental Relations

Section 1: General Principals

CSAC supports government-to-government relations that recognize the unique roles and interests of tribes, states, and counties in protecting their mutual constituents and providing governmental services and infrastructure beneficial to all.

CSAC recognizes and respects the tribal right of self-governance to provide for tribal members and to preserve traditional tribal culture and heritage. In similar fashion, CSAC recognizes and promotes self-governance by counties as a means to provide for the health, safety and general welfare of all residents of their communities. To that end, CSAC supports active participation by counties on issues and activities that have an impact on counties' abilities to provide for the public safety, health, and welfare of all county constituents, including tribal members.

Federal or state law should not interfere with the provision of public health, safety, welfare or environmental services by local government. CSAC will support legislation and regulations that preserve—and do not impair—the ability of counties to provide these services. CSAC will work to mitigate any impacts on the ability of counties to provide these critical functions and services should federal or state law or regulations propose to hamper the ability of counties to protect all residents of their communities and the environment.

Accordingly, CSAC's fundamental goals for county-tribal intergovernmental relations are to facilitate intergovernmental agreements, develop mechanisms to mitigate for the off-reservation impacts of tribal developments on local government services and the environment, and to promote best practices and models of successful tribal-county relationships. CSAC is committed to promoting and supporting the development of positive working relationships between counties and tribes to the mutual benefit of both parties and the communities they respectively serve.

Section 2: Federal Acknowledgment

Due to the potential interaction between Federal Acknowledgement, Restoration, and Reaffirmation decisions and the Indian Gaming Regulatory Act (IGRA), as well as the potential for such decisions to impact the services provided by counties, CSAC recommends that federal law or policy include the following steps in the acknowledgement process:

1) CSAC supports requirements for the Bureau of Indian Affairs to solicit input from and convene consultation meetings with local governments, including counties, concerning acknowledgment petitions, at the earliest opportunity. Counties have government-to-government relationships with tribes affecting a variety of important interests, including child welfare, gaming, environmental protection and mitigation of off-reservation impacts created by on-reservation development, including gaming in particular.

2) CSAC supports requirements for Bureau of Indian Affairs consultation with counties prior to authorizing re-petition by a previously denied petitioner.

3) CSAC recognizes that newly acknowledged tribes are a clear exception under section 20 of IGRA. Although it is separate from the acknowledgement process, CSAC supports a stringent and transparent fee to trust process with significant input from all stakeholders considered regarding "initial" reservation lands.

Section 3: Federal Tribal Lands Policy/Development on Tribal Land

The overriding principle supported by CSAC is that when tribes are permitted to engage in gaming activities under federal law, then the state should negotiate in good faith with tribes to secure gaming compacts that require judicially enforceable mitigation agreements between counties and tribal governments. These agreements should fully mitigate local impacts from a tribal government's gaming activities and fully identify the governmental services to be provided by the county to that tribe.

Additionally, when tribes seek to acquire additional trust land, subsequent tribal development projects, which may not have otherwise been consistent with local land use regulations, could have impacts to off-reservation local government services and the environment. As such, federal law and regulations should incentivize intergovernmental agreements between counties and tribes to address the impacts of non-gaming development projects on proposed trust lands. Such agreements could also establish a process to identify and mitigate off-reservation impacts of future projects not envisioned or described in a fee-to-trust application.

CSAC believes that existing law fails to address the off-reservation impacts of tribal land development. The following provisions would address this issue while emphasizing that counties and tribal governments need to each carry out their governmental responsibilities in a manner that respects the governmental responsibilities of the other.

1) CSAC supports federal legislation that gives counties an effective voice in the decision-making process for taking lands into trust for a tribe and furthers the overriding principle discussed above.

2) CSAC supports federal legislation and regulations to provide that lands are not to be placed into trust and removed from the land use jurisdiction of local governments without adequate and timely notice and opportunity for consultation and the consent of the State and the affected county.

3) CSAC supports federal legislation and regulations which ensure that material changes in the use of trust land, particularly from non-gaming to gaming purposes, shall require separate approval and environmental review by the Department of the Interior.

4) CSAC reiterates its support of the need for enforceable agreements between tribes and local governments concerning the mitigation of off-reservation impacts of development on tribal land. CSAC opposes any federal or state limitation on the ability of tribes, counties and other local governments to reach mutually acceptable and enforceable agreements, including any federal prohibitions on deed restrictions mutually agreed to by tribal and local governments.

5) CSAC supports legislation or policy to incentivize intergovernmental agreements between counties and Tribes concerning an application to acquire additional trust lands. Agreements

should include provisions related to environmental review and mitigation measures for off-reservation impacts of projects planned at the time of the acquisition, as well as future, projects that would represent a material change in land use from the projects envisioned and described by a fee-to-trust application.

6) CSAC supports Bureau of Indian Affairs standards and regulations requiring justification of the need and purpose for acquisition of additional trust lands. CSAC also supports a lower threshold for acquisition of trust land that will be restricted to only non-gaming or non-intensive economic purposes, including development of housing for tribal members, and religious, cultural, and governmental uses for tribes that lack sufficient trust lands for these purposes.

7) CSAC opposes the practice commonly referred to as "reservation shopping" where a tribe seeks to place land into trust outside its aboriginal territory over the objection of the affected county.

8) CSAC will support federal legislation that addresses "reservation shopping" or consolidations in a manner that is consistent with existing CSAC policies, particularly the requirements of consent from Governors and local governments and the creation of judicially enforceable local agreements.

9) CSAC supports the use by a tribe of non-tribal land for economic development purposes. CSAC recognizes that existing law requires tribes to fully comply with state and local laws and regulations applicable to development projects, including environmental laws, health and safety laws, and mitigation of environmental impacts on the affected community.

10) In recognition of the unique relationship between tribal governments and the federal government, CSAC will support changes in federal law that further the ability of counties to enforce compliance with all environmental, health and safety laws. CSAC opposes legislation to authorize the Secretary of the Interior to take land into trust for tribes that were not under federal jurisdiction in 1934 unless it includes additional reforms that ensure a meaningful role for counties in the fee-to-trust process and includes standards requiring justification of the need and purpose for acquisition of additional trust lands.

11) Class II bingo-style video gaming devices have similar off-reservation impacts to the environment and local government services as those of class III devices. CSAC supports requiring tribes that operate such machines to work with local governments to mitigate all impacts caused by such businesses. This would require an amendment to the Indian Gaming Regulatory Act.

Section 4: Intergovernmental Relations

The relationships between tribes and counties are not limited to gaming and issues related to development on tribal lands. Counties and tribes have shared interests in promoting economic development and self-sufficiency for their overlapping constituencies, promoting the general health, safety and well-being of the entire community, and protecting natural resources.

1) CSAC supports policy to encourage and incentivize collaboration between counties and tribes on state and federal grant applications and other funding sources.

2) CSAC supports policies, including the recently-created tribal nations grant fund, which will devote a portion of tribal gaming revenues to provide equitable opportunities for economic development for tribes and tribal members that do not participate in gaming.

Section 5: Tribal-State Gaming Compacts

CSAC recognizes that Indian Gaming in California is governed by a unique structure that combines federal, state, and tribal law.

While the impacts of Indian gaming fall primarily on local communities and governments, Indian policy is largely directed and controlled at the federal level by Congress.

The Indian Gaming Regulatory Act of 1988 (IGRA) is the federal statute that governs Indian gaming. IGRA requires compacts between states and tribes to govern the conduct and scope of casino-style gambling by tribes. Those compacts may allocate jurisdiction between tribes and the state.

While subsequent compacts provide a better framework to promote effective intergovernmental relationships between counties and tribes that seek to develop a casino and supporting facilities, CSAC believes that the 1999 Compacts fail to adequately address these impacts and/or to provide meaningful and enforceable mechanisms to prevent or mitigate impacts. Recent negotiations between Governor Brown and tribes have already resulted in new and extended compacts that address many issues with the original 1999 agreements.

The overriding purpose of the principles presented below is to harmonize existing policies that promote tribal self-reliance with policies that promote fairness and equity and that protect the health, safety, environment, and general welfare of all residents of the State of California and the United States. Towards that end, CSAC urges the State to consider the following principles when it negotiates or renegotiates Tribal-State Compacts:

1) Compacts should require a tribal government operating a casino or other related businesses to analyze and mitigate all off-reservation impacts caused by that business through the development of tribal environmental impact reports. In order to ensure consistent regulation, public participation, and maximum environmental protection, Tribes will promulgate and publish environmental protection laws that have standards for environmental analysis and mitigation that are at least as stringent as state and federal environmental laws, including the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA) with judicial review in the California courts.

2) Compacts should require tribes to meet and negotiate judicially-enforceable mitigation agreements with local jurisdictions prior to the construction of new or expanded gaming facilities.

3) Compacts should include robust mechanisms for mitigation of the impacts on local government services of casino developments that pre-exist the date of the compact. The compacts should consider the differences between tribes with very small pre-existing casinos and those that are permitted to operate larger facilities.

4) Compacts should impose binding "baseball style" arbitration on the tribe and county if the parties cannot agree on the terms of a mutually-beneficial enforceable agreement related to mitigation of the impacts of a new or expanded casino or related project.

5) Compacts should provide a process to determine whether tribal environmental impact reports are provide analysis and mitigation measures consistent with what NEPA and CEQA standards would require and provide adequate information to fully assess the impacts of a project. In order to properly address the impacts of a project, this process should occur prior to negotiation of an intergovernmental agreement between a tribe and local government, and therefore prior to construction of a new facility or an expansion of an existing facility.

6) The compact should require a tribal government constructing or expanding a casino or other related business that impacts off-reservation land to seek review and approval of the local jurisdiction to construct off-reservation improvements consistent with state law and local ordinances, including the CEQA with the tribal government acting as the lead agency and with judicial review in the California courts.

7) The compact should require counties and tribes to negotiate local agreements as to the applicability of local and state regulations concerning health and safety issues, including, but not limited to, water service, sewer service, fire inspection and protection, rescue/ambulance service, and food inspection.

8) A Tribal Government operating a casino or other casino-related businesses will pay to the local jurisdiction the Tribe's fair share of appropriate costs for local government services. These services include, but are not limited to, water, sewer, fire inspection and protection, rescue/ambulance, food inspection, health and social services, the full range of public safety functions, roads, transit, flood control, and other public infrastructure. Means of reimbursement for these services include, but are not limited to, in lieu payments equivalent to property tax, sales tax, transient occupancy tax, benefit assessments, appropriate fees for services, development fees, impacts fees, and other similar payments.

9) To address socioeconomic impacts and other impacts of casinos that are not easily quantifiable, in addition to direct mitigation offsets, the Compact shall provide for an appropriate percentage of Net Win to go to the affected county to address in-direct impacts.

10) The Indian Gaming Special Distribution Fund (SDF) has not been sufficiently funded, nor has it been adequate to serve as the exclusive source of casino mitigation funding for many counties. If the SDF is retained in new and amended compacts, it should serve as an additional mechanism to ensure that counties are guaranteed funds to mitigate off-reservation impacts caused by tribal gaming. Special Distribution Funds should be provided directly to the Indian Gaming Community Benefit Committee in each county that receives this funding. The SDF program should be amended to provide greater reliability of local government funding, as well as increased flexibility in the use of mitigation funding to reasonably address casino impacts.

11) The Governor should establish and follow appropriate criteria to guide the discretion of the Governor and the Legislature when considering whether to consent to tribal gaming on lands acquired in trust after October 17, 1988 and governed by IGRA (25 U.S.C § 2719). The Governor

should also establish and follow appropriate criteria/guidelines to guide his/her participation in future compact negotiations.

12) Compacts should be specific to a particular tribal casino location rather than pertaining to a potential casino an indeterminate location.

Section 6: Sacred Sites

California's ever-increasing population and urbanization threatens places of religious and social significance to California's Native American tribes.

In the sprit of government-to-government relationships, local governments and tribal governments should work cooperatively to ensure sacred sites are protected at the earliest possible time, without undue delay to the development process, and ideally well before environmental review for a specific development project begins.

1) Local governments should consult with tribal governments when adopting or amending general plans to ensure that long-range development plans do not interfere with efforts to preserve and/or mitigate impacts to Native American historical, cultural, or sacred sites.

2) Local governments should also consult with tribes during the review of individual development projects to avoid and mitigate impacts to tribal cultural resources.

3) The state should provide counties with technical and financial assistance in identifying tribes whose cultural resources may be affected by a plan or project, and in determining how to mitigate or avoid impacts to these resources.

4) In the spirit of government to government collaboration, tribes should also consult with counties on the off-reservation impacts of projects proposed on tribal lands early in the development process.

Glossary of Terms

Fee Simple (Fee Land)
Land ownership status in which the owner, for instance a tribal government, holds title to and control of the property. The owner may make decisions about land use or sell the land without federal government oversight.

Fee-to-Trust Conversion
When fee simple lands are converted to trust status and title is transferred to the federal government. Tribes or individual Indians can initiate the process on fee lands they already own or lands they acquire.

Indian Gaming Regulatory Act (IGRA) of 1988
The United States Congress passed IGRA and President Reagan signed it into law on October 17, 1988. The Act established a statutory framework for tribal government gaming operations and regulation. Among others, the Act defines three classes of gaming and requires negotiation of a Tribal-State gaming compact before an Indian tribe can conduct Class III (casino style) gaming on their lands.

Tribal Gaming
A business enterprise of a tribe. Tribal governments initiated gaming on reservations to create jobs and generate revenue for tribal government operations, programs and services and to create/sustain an economy on reservations.

Tribal-State Gaming Compact
IGRA requires states to negotiate in good faith with Indian tribes that seek to enter into Tribal-State compacts to conduct Class III gaming on Indian lands. Class III gaming includes slot machines and banked card games. Although the content of these compacts vary from state-to-state and from tribe-to-tribe, the Act specifies that these agreements cover two primary issues: 1) the scope of gaming that is to be conducted at the tribal gaming facility, and 2) a system of regulation for the gaming activity on Indian lands. In California, the Tribal-State gaming compact provides for revenue sharing with tribes that have little or no gaming, funding and mitigation agreements for local governments to assist in addressing the impacts of tribal gaming, and the Tribal Labor Relations Ordinance, which prescribes a process for collective bargaining.

Trust Land
Land owned either by an individual Indian or a tribe, the title to which is held in trust by the federal government. Most trust land is within reservation boundaries, but trust land can also be off-reservation, or outside the boundaries of an Indian reservation.

Solano County Legislation of Interest
Tuesday, March 03, 2020

Bill ID/Topic	Location	Summary	Position
AB 823 **Arambula** D Developmental services.	SENATE RLS. 1/30/2020 - Read third time. Passed. Ordered to the Senate. In Senate. Read first time. To Com. on RLS. for assignment.	The Lanterman Developmental Disabilities Services Act makes the State Department of Developmental Services responsible for providing various services and supports to individuals with developmental disabilities, and for ensuring the appropriateness and quality of those services and supports. Pursuant to that law, the department contracts with regional centers to provide services and supports to persons with developmental disabilities.This bill would additionally require a regional center to contract for mobile crisis services to assist consumers in remaining in, or returning to, the community.This bill contains other related provisions and other existing laws. **Last Amended on 1/6/2020**	
AB 831 **Grayson** D Department of Housing and Community Development: study: local fees: new developments.	SENATE RLS. 6/6/2019 - Referred to Com. on RLS.	Existing law requires the Department of Housing and Community Development, by June 30, 2019, to complete a study to evaluate the reasonableness of local fees charged to new developments, as defined, and requires the study to include findings and recommendations regarding potential amendments to the Mitigation Fee Act to substantially reduce fees for residential development.This bill would require the department to post the study on its internet website on or before March 1, 2020. The bill would also require the department, by January 1, 2024, to issue a report to the Legislature on the progress of cities and counties in adopting the recommendations made in the study. **Last Amended on 5/16/2019**	
AB 901 **Gipson** D Juveniles.	SENATE ED. 9/11/2019 - In committee: That the measure be held in committee pursuant to Senate Rule 29.10. (Set for hearing on 03/25/2020) 3/25/2020 9 a.m. - John L. Burton Hearing Room (4203) SENATE EDUCATION, LEYVA, Chair	(1)Existing law authorizes a pupil to be referred to a school attendance review board, or to the probation department for services if the probation department has elected to receive these referrals, if the pupil is habitually truant, a chronic absentee, or is habitually insubordinate or disorderly at school. Existing law requires the school attendance review board or probation officer to direct those pupils or their parents or guardians to make use of community services, if available. Upon a determination that available community services cannot resolve the problem of truancy or insubordination, existing law authorizes the school attendance review board or probation officer to notify the district attorney in a county that has elected to participate in a truancy mediation program. In a county that has not elected to participate in a truancy mediation program, existing law authorizes the county superintendent of schools to petition the juvenile court on behalf of a pupil for proper disposition of a case. In a county that has not established a school attendance review board, existing law authorizes the school district to notify the district attorney or probation officer, as specified, that available community resources cannot resolve the problem of truancy or insubordination.This bill would, commencing July 1, 2021, repeal the authority of the county superintendent of schools to petition the juvenile court on behalf of a pupil, as described above, in a county that has not	Oppose

		elected to participate in a truancy mediation program.This bill contains other related provisions and other existing laws. **Last Amended on 9/6/2019**	
AB 1853 **Frazier D** Health care: medical goods: reuse and redistribution.	ASSEMBLY AGING & L.T.C. 1/30/2020 - Referred to Coms. on AGING & L.T.C. and HEALTH. 3/31/2020 3 p.m. - State Capitol, Room 127 ASSEMBLY AGING AND LONG TERM CARE, NAZARIAN, Chair	Existing law, the Mello-Granlund Older Californians Act, reflects the policy mandates and directives of the Older Americans Act of 1965, as amended, and sets forth the state's commitment to its older population and other populations served by the programs administered by the California Department of Aging.This bill would require the department, upon appropriation by the Legislature, to establish a comprehensive 3-year pilot program in the Counties of Contra Costa, Napa, and Solano to facilitate the reuse and redistribution of durable medical equipment and other home health supplies. The bill would require the department to contract in each county with a local nonprofit agency to oversee the program and would require the contracting nonprofit agency to, at a minimum, develop a computerized system to track the inventory of equipment and supplies available for reuse and redistribution and organize pickup and delivery of equipment and supplies.	
AB 1861 **Santiago D** Mental health: involuntary commitment.	ASSEMBLY PRINT 1/8/2020 - From printer. May be heard in committee February 7.	Under existing law, if a person, as a result of a mental disorder, is a danger to others, or to themselves, or is gravely disabled, the person may, upon probable cause, be taken into custody and placed in a facility designated by the county and approved by the State Department of Health Care Services as a facility for 72-hour treatment and evaluation. Existing law prohibits specified mental health personnel from taking certain actions that interfere with a peace officer seeking to transport, or having transported, a person detained for 72-hour treatment and evaluation.This bill would make technical, nonsubstantive changes to these provisions.	
AB 1915 **Chu D** Electrical corporations: deenergization events.	ASSEMBLY U. & E. 1/17/2020 - Referred to Com. on U. & E.	Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including electrical corporations. Existing law authorizes the commission to establish rules for all public utilities, subject to control by the Legislature. Existing law requires each electrical corporation to annually prepare and submit a wildfire mitigation plan to the commission for review and approval, as specified. Following approval, the commission is required to oversee compliance with the plans. Existing law requires a wildfire mitigation plan of an electrical corporation to include, among other things, protocols for deenergizing portions of the electrical distribution system that consider the associated impacts on public safety, as well as protocols related to mitigating the public safety impacts of those protocols, including impacts on critical first responders and on health and communications infrastructure. Existing law requires a wildfire mitigation plan of an electrical corporation to also include appropriate and feasible procedures for notifying a customer who may be impacted by the deenergizing of electrical lines and requires these procedures to consider the need to notify, as a priority, critical first responders, health care facilities, and operators of telecommunications infrastructure with premises within the footprint of a potential deenergization event.Because this bill requires action by the commission to implement its requirements, and because a violation of an order or decision of the commission implementing its requirements would be a crime, the bill would impose a state-mandated local program by creating a new crime.This bill contains other related provisions and other existing laws.	

AB 1916 **Chu D** Deenergization: notification: languages.	ASSEMBLY U. & E. 1/17/2020 - Referred to Com. on U. & E.	Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including electrical corporations. Under its existing regulatory authority, the commission has adopted guidelines and procedures for the intentional deenergization of an electrical corporation's distribution and transmission systems, including the provision of certain notices regarding the deenergization event.This bill would require an electrical corporation, by July 1, 2021, to conduct a survey of its customers asking each customer the language in which the customer prefers to receive direct communications from the electrical corporation and to list any medical needs that would require accommodation during a deenergization event. The bill would require the electrical corporation to provide direct communications and updates regarding the intentional deenergization of the electrical corporation's distribution and transmission system to each affected customer in the preferred language of that customer. The bill would require an electrical corporation to provide communications to the general public regarding the intentional deenergization of its distribution and transmission system in each language that is identified by the Department of Health Care Services as a Medi-Cal threshold language in any area that is within its service territory, utilizing at least 3 of 4 specified means of communication.This bill contains other related provisions and other existing laws.	
AB 1924 **Grayson D** Housing development: fees.	ASSEMBLY L. GOV. 1/23/2020 - Referred to Coms. on L. GOV. and H. & C.D.	The Mitigation Fee Act authorizes a local agency to charge or imposed a variety of fees, dedications, reservations, or other exactions in connection with the approval of a development project, as defined. Existing law, when a local agency imposes any fee or exaction as a condition of approval of a proposed development, as defined, or development project, prohibits those fees or exactions from exceeding the estimated reasonable cost of providing the service or facility for which the fee or exaction is imposed.This bill would require that a fee levied or imposed on a housing development project by a local agency be proportionate to the square footage of the proposed unit or units. By imposing additional duties on local agencies that impose fees under the Mitigation Fee Act, the bill would impose a state-mandated local program.This bill contains other related provisions and other existing laws.	
AB 1958 **Cooper D** State Plan of Flood Control: facilities.	ASSEMBLY W.,P. & W. 2/6/2020 - Referred to Coms. on W., P., & W. and PUB. S.	Existing law establishes the Central Valley Flood Protection Board and authorizes the board to engage in various flood control activities along the Sacramento River, the San Joaquin River, their tributaries, and related areas. Existing law requires every plan of reclamation, flood control, drainage, improvement, dredging, or work, that includes or contemplates the construction, enlargement, revetment, or alteration of any levee, embankment, canal, or other excavation in the bed of or along or near the banks of the Sacramento or San Joaquin Rivers or any of their tributaries or connected therewith, upon any land adjacent thereto, within any of the overflow basins thereof, or upon any land susceptible to overflow therefrom, to be approved by the board before construction is commenced. Existing law prohibits a levee along a river or bypass at any of those specified places, or any levee forming part of any adopted flood control plan, from being cut or altered without permission of the board. Existing law makes a violation of the latter provisions a misdemeanor.This bill would instead prohibit a person from concealing, defacing, destroying, modifying, cutting, altering, or physically or visually obstructing any levee along a river or bypass at any of those specified places, any levee forming	

		part of any flood control plan, or any other facility of the State Plan of Flood Control, including, but not limited to, any and all associated rights of way, without permission of the board. By expanding the behavior that would be punishable as a misdemeanor, the bill would impose a state-mandated local program. The bill would authorize the board or its designee, or a local agency that maintains the levee or facility, to inspect and remove any physical or visual obstructions placed or alterations made on any of the above-specified levees or facilities, including, but not limited to, any and all associated rights of way. The bill would authorize a peace officer, as defined, to enforce those provisions punishable by a misdemeanor in any place in the state to which the peace officer's authority extends.This bill contains other related provisions and other existing laws.	
AB 1976 **Eggman D** Mental health services: assisted outpatient treatment.	ASSEMBLY HEALTH 2/6/2020 - Referred to Coms. on HEALTH and JUD. 3/17/2020 1:30 p.m. - State Capitol, Room 4202 ASSEMBLY HEALTH, WOOD, Chair	The Assisted Outpatient Treatment Demonstration Project Act of 2002, known as Laura's Law, until January 1, 2022, authorizes each county to elect to offer specified mental health programs either through a resolution adopted by the county board of supervisors or through the county budget process if the county board of supervisors makes a finding that specified mental health programs will not be reduced as a result of participating. Existing law authorizes participating counties to pay for the services provided from moneys distributed to the counties from various continuously appropriated funds, including the Mental Health Services Fund, when included in a county plan, as specified.This bill would instead require a county or group of counties to offer those mental health programs unless a county opts out by a resolution passed by the governing body stating the reasons for opting out and any facts or circumstances relied on in making that decision. The bill would also authorize a county to instead offer those mental health programs in combination with one or more counties, as specified. The bill would also repeal the expiration of Laura's Law, thereby extending it indefinitely.This bill contains other related provisions and other existing laws.	
AB 1979 **Friedman D** Foster youth: housing.	ASSEMBLY HUM. S. 2/6/2020 - Referred to Com. on HUM. S. 3/10/2020 1:30 p.m. - State Capitol, Room 437 ASSEMBLY HUMAN SERVICES, REYES, Chair	Existing law requires county agencies that place children in foster care to conduct an evaluation of the county's placement resources and programs in relation to the needs of children placed in out-of-home care, and specifically requires county placement agencies to examine placements that are out of county and determine the reason the placement was necessary.This bill would additionally require a county placement agency to examine its ability to meet the emergency housing needs of nonminor dependents.This bill contains other related provisions and other existing laws.	
AB 2015 **Eggman D** Certification for intensive treatment: review hearing.	ASSEMBLY HEALTH 2/14/2020 - Referred to Coms. on HEALTH and JUD. 3/17/2020 1:30 p.m. - State Capitol, Room 4202 ASSEMBLY HEALTH, WOOD, Chair	Existing law authorizes a peace officer or a professional designated by the county to take a person into custody for a period of up to 72 hours for assessment, evaluation, and crisis intervention, or placement for evaluation and treatment, when the person is a danger to self or others, or is gravely disabled, as a result of a mental health disorder. Existing law also authorizes a court to order the evaluation of a person who is alleged to be a danger to self or others as a result of a mental disorder, or the evaluation of a criminal defendant who appears to be a danger to self or others, or to be gravely disabled, as a result of chronic alcoholism or the use of narcotics or restricted dangerous drugs. Existing law authorizes a person who is detained or	

		under court order pursuant to those provisions to be certified, under certain conditions, for not more than 14 days of intensive treatment related to the mental health disorder or impairment by chronic alcoholism.This bill would authorize the evidence presented in support of the certification decision to include information regarding the person's medical condition and how that condition bears on the person's ability to survive safely without involuntary detention. The bill would require the hearing officer to consider the information in the determination of probable cause.This bill contains other existing laws.	
AB 2033 **Wood D** Deenergization: spoilage claims.	ASSEMBLY U. & E. 2/14/2020 - Referred to Com. on U. & E.	Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including electrical corporations. Existing law requires each electrical corporation to annually prepare a wildfire mitigation plan and submit its plan to the commission for review and approval, as specified. Existing law requires the wildfire mitigation plan to include, among other things, protocols for disabling reclosers and deenergizing portions of the electrical distribution system, and appropriate and feasible procedures for notifying impacted customers.This bill would require an electrical corporation that engages in a public safety power shutoff to compensate a customer for any qualified claim for spoilage of food or medication if the customer experienced an interruption in electrical service for greater than 8 hours and received less than 24 hours notice of the interruption.This bill contains other related provisions and other existing laws.	
AB 2057 **Chiu D** San Francisco Bay area: public transportation.	ASSEMBLY PRINT 2/4/2020 - From printer. May be heard in committee March 5.	Existing law creates the Metropolitan Transportation Commission as a local area planning agency for the 9-county San Francisco Bay area with comprehensive regional transportation planning and other related responsibilities. Existing law creates various transit districts located in the San Francisco Bay area, with specified powers and duties relative to providing public transit services. This bill would state the intent of the Legislature to later enact legislation relating to public transportation in the 9-county San Francisco Bay area.	
AB 2095 **Cooper D** Water theft: enhanced penalties.	ASSEMBLY L. GOV. 2/24/2020 - Re-referred to Com. on L. GOV.	Existing law authorizes the legislative body of a city or a county to make, by ordinance, any violation of an ordinance subject to an administrative fine or penalty and limits the maximum fine or penalty amounts for infractions, to $100 for the first violation, $200 for a 2nd violation of the same ordinance within one year of the first violation, and $500 for each additional violation of the same ordinance within one year of the first violation. This bill would authorize the legislative body of a city or a county to make, by ordinance, any violation of an ordinance regarding water theft, as defined, subject to an administrative fine or penalty in excess of the limitations above, as specified. **Last Amended on 2/20/2020**	
AB 2105 **Quirk-Silva D** Criminal procedure: competence to stand trial.	ASSEMBLY PUB. S. 2/20/2020 - Referred to Com. on PUB. S. 3/10/2020 9 a.m. - State Capitol, Room 126 ASSEMBLY PUBLIC SAFETY, JONES-SAWYER, Chair	Existing law specifies a process for declaring a defendant who is charged with a felony to be mentally incompetent to stand trial. Existing law requires the court to order that the mentally incompetent defendant be delivered by the sheriff to a State Department of State Hospitals facility or to any other available public or private treatment facility that meets stated specifications, or placed on outpatient status.This bill would authorize a court to order a defendant who is charged with a felony and who is not in the custody of the sheriff to self-surrender to a State Department of State Hospitals facility at a specific date and time. The bill would also require the State Department of State Hospitals to provide a patient who self-	

		surrenders to a state hospital with notice directing the defendant to appear in court at a specific date and time.	
AB 2106 **Aguiar-Curry D** Wildlife habitat: Nesting Bird Habitat Incentive Program: upland game bird hunting validation: state duck hunting validation.	ASSEMBLY W.,P. & W. 2/20/2020 - Referred to Com. on W., P., & W.	(1)Existing law makes it unlawful to take upland game birds without first procuring a hunting license and an upland game bird hunting validation. Under existing law, moneys derived from upland game bird hunting validations are required to be deposited in the Upland Game Bird Account in the Fish and Game Preservation Fund. Existing law provides that moneys in the account are to be available, upon appropriation, to the Department of Fish and Wildlife to be used solely for the purpose of acquiring land, completing projects and implementing programs to benefit upland game bird species, and expanding public hunting opportunities and relating public outreach. Existing law requires an advisory committee, as determined by the department, to review and provide comments to the department on all proposed projects funded by the Upland Game Bird Account to help ensure that specified requirements pertaining to the Upland Game Bird Account have been met. Existing law requires the department to post on its internet website budget information and a brief description for all projects funded from the Upland Game Bird Account.This bill would raise by $5 the upland game bird hunting validation and the state duck hunting validation fees, as specified, with that $5 to be deposited, and available upon appropriation to the department for the Nesting Bird Habitat Incentive Program, in the Nesting Bird Habitat Incentive Subaccount, which the bill would create in the California Waterfowl Habitat Preservation Account.This bill contains other related provisions and other existing laws.	
AB 2125 **Rivas, Luz D** Cal grant eligibility.	ASSEMBLY HIGHER ED. 2/20/2020 - Referred to Com. on HIGHER ED.	The Ortiz-Pacheco-Poochigian-Vasconcellos Cal Grant Program establishes the Cal Grant A and B Entitlement awards, the California Community College Transfer Entitlement awards, the Competitive Cal Grant A and B awards, the Cal Grant C awards, and the Cal Grant T awards under the administration of the Student Aid Commission, and establishes eligibility requirements for awards under these programs for participating students attending qualifying institutions. The program prohibits a student who is incarcerated from being eligible to receive a Cal Grant award.This bill would make a person committed to or detained in a juvenile facility eligible to receive a Cal Grant award.	
AB 2131 **Rodriguez D** Emergency ambulance employees: mental health treatment.	ASSEMBLY PRINT 2/11/2020 - From printer. May be heard in committee March 12.	Under existing law, every emergency ambulance employee is entitled to employer-paid mental health services through an employee assistance program (EAP). Existing law requires the EAP coverage to provide up to 10 mental health treatments per issue, per calendar year.This bill would require a private emergency ambulance provider to provide an emergency ambulance employee who requests mental health treatment for critical incident stress management, as defined, or post-traumatic stress disorder (PTSD), in addition to the EAP coverage described above, in-person treatment from a qualified professional who is trained in the areas of critical incident stress management or PTSD.	
AB 2137 **Wicks D** Planning and Zoning	ASSEMBLY L. GOV. 2/27/2020 - Referred to Coms. on L. GOV. and H. & C.D.	The Planning and Zoning Law requires a county or city to adopt a comprehensive, long-term general plan for the physical development of the county or city that includes, among other mandatory elements, a housing element. Existing law requires a court, when issuing a final order or judgment in favor of a plaintiff challenging the validity of a general plan or mandatory	

Law: court orders: housing development projects.		element, to include one or more specified remedies in the order or judgment. Under existing law, these remedies include, among others, suspension of the authority of the city, county, or city and county to issue specified building permits, to grant zoning changes or variances, and to grant subdivision map approvals, as provided. The Housing Accountability Act, which is part of the Planning and Zoning Law, prohibits a local agency from disapproving a housing development project for very low, low-, or moderate-income households, or an emergency shelter, or condition approval in a manner that renders the housing development project infeasible for development for the use of very low, low-, or moderate-income households, or an emergency shelter, including through the use of design review standards, unless it makes prescribed written findings. The act defines a housing development project for these purposes to mean residential units, mixed-use developments consisting of residential and nonresidential uses with at least two-thirds of the square footage designated for residential use, and transitional housing or supportive housing. This bill would remove the option of a court, when issuing a final order or judgment in favor of a plaintiff challenging the validity of a general plan or mandatory element, to suspend the authority of the city, county, or city and county to issue specified building permits, to grant zoning changes or variances, and to grant subdivision map approvals, for housing development projects, as defined in the Housing Accountability Act.	
AB 2178 **Levine D** Emergency services.	ASSEMBLY G.O. 2/27/2020 - Referred to Com. on G.O.	Existing law, the California Emergency Services Act, authorizes the Governor to proclaim a state of emergency, and local officials and local governments to proclaim a local emergency, when specified conditions of disaster or extreme peril to the safety of persons and property exist, and authorizes the Governor or the appropriate local government to exercise certain powers in response to that emergency. Existing law defines the terms “state of emergency” and “local emergency” to mean a duly proclaimed existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by, among other things, fire, storm, or riot.This bill would additionally include a deenergization, defined as a planned public safety power shutoff, as specified, within those conditions constituting a state of emergency and a local emergency.	
AB 2179 **Levine D** Electrical corporations: wildfire mitigation plans.	ASSEMBLY U. & E. 2/27/2020 - Referred to Com. on U. & E.	Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including electrical corporations. Existing law authorizes the commission to establish rules for all public utilities, subject to control by the Legislature. Existing law requires each electrical corporation to annually prepare and submit a wildfire mitigation plan to the commission for review and approval, as specified. Following approval, the commission is required to oversee compliance with the plans. Existing law requires a wildfire mitigation plan of an electrical corporation to include, among other things, protocols for deenergizing portions of the electrical distribution system that consider the associated impacts on public safety, as well as protocols related to mitigating the public safety impacts of those protocols, including impacts on critical first responders and on health and communications infrastructure. Existing law requires a wildfire mitigation plan of an electrical corporation to also include appropriate and feasible procedures for notifying a customer who may be impacted by the deenergizing of electrical lines and requires these procedures to consider the need to notify, as a priority, critical first	

		responders, health care facilities, and operators of telecommunications infrastructure with premises within the footprint of potential deenergization event.This bill would provide that no reimbursement is required by this act for a specified reason.This bill contains other existing laws.	
AB 2180 **Levine D** Electrical corporations: wildfire mitigation plans.	ASSEMBLY U. & E. 2/27/2020 - Referred to Com. on U. & E.	Existing law requires electrical corporations to submit annually wildfire mitigation plans for review and approval by the Wildfire Safety Division. Existing law prohibits electrical corporations from diverting revenues authorized for the implementation of the plans to any activities or investments outside the plans.This bill would additionally prohibit electrical corporations from diverting revenue authorized for specified purposes in the plans to other activities or investments that are also authorized by the plans, if the diversion would cause the total amount of all such diversions to exceed 5% of the allocation approved for their plans, unless the commission authorizes that diversion. The bill would require electrical corporations to retain records of all diversions of revenues that are authorized for specified purposes in the plans to other activities or investments that are also authorized by the plans.	
AB 2182 **Rubio, Blanca D** Emergency backup generators: water and wastewater facilities: exemption.	ASSEMBLY U. & E. 3/2/2020 - Referred to Coms. on U. & E. and NAT. RES.	Existing law imposes various limitations on emissions of air contaminants for the control of air pollution from vehicular and nonvehicular sources. Existing law generally designates air pollution control and air quality management districts with the primary responsibility for the control of air pollution from all sources other than vehicular sources. Existing law requires the State Air Resources Board to identify toxic air contaminants that are emitted into the ambient air of the state and to establish airborne toxic control measures to reduce emissions of toxic air contaminants from nonvehicular sources.This bill would exempt the operation of an alternative power source, as defined, to provide power to a critical facility, as defined, from any local, regional, or state regulation regarding the operation of that source. The bill would authorize providers of essential public services, in lieu of compliance with applicable legal requirements, to comply with the maintenance and testing procedure set forth in the National Fire Protection Association Standard for Emergency and Standby Power System, NFPA 110, for alternative power sources designated by the providers for the support of critical facilities.	
AB 2205 **Jones-Sawyer D** Board of State and Community Corrections: membership.	ASSEMBLY PUB. S. 2/20/2020 - Referred to Com. on PUB. S.	Existing law establishes the Board of State and Community Corrections to provide statewide leadership, coordination, and technical assistance to promote effective state and local efforts and partnerships in California’s adult and juvenile criminal justice system. The board is currently composed of 13 members.This bill would add two additional members, a rank-and-file probation officer or deputy probation officer who is actively serving as the president of a county probation association and a member of the public who has a record of a felony conviction, to be appointed by the Governor, subject to confirmation by the Senate.	
AB 2237 **Berman D** Bay area county transportation	ASSEMBLY TRANS. 2/27/2020 - Referred to Coms. on TRANS. and L. GOV.	The Bay Area County Traffic and Transportation Funding Act authorizes each of the 9 counties in the bay area to impose a 1/2 of 1% or 1% sales tax for transportation purposes, subject to voter approval. Existing law provides for the establishment of a county transportation authority in each county imposing a sales tax under these provisions, requires the development of a county transportation expenditure plan, and specifies the powers and duties of a county board of supervisors and the county transportation authority in this regard. Existing law requires each	

authorities: contracting.		county transportation authority to award contracts for the purchase of supplies, equipment, and materials in excess of $75,000 to the lowest responsible bidder after competitive bidding, except in an emergency declared by the vote of 2/3 of the voting membership of the county transportation authority.This bill would require each county transportation authority to award contracts for the purchase of supplies, equipment, and materials in excess of $150,000, rather than $75,000, either to the lowest responsible bidder or to the responsible bidder whose proposal provides the best value, as defined, on the basis of the factors identified in the solicitation, except in a declared emergency, as specified.	
AB 2242 **Levine D** Mental health services.	ASSEMBLY HEALTH 2/20/2020 - Referred to Com. on HEALTH.	Existing law, the Knox-Keene Health Care Service Plan Act of 1975, provides for the licensure and regulation of health care service plans by the Department of Managed Health Care and makes a willful violation of the act a crime. Existing law also provides for the regulation of health insurers by the Department of Insurance. Existing law requires an individual or small group health care service plan contract or health insurance policy issued, amended, or renewed on or after January 1, 2017, to include coverage for essential health benefits, which include mental health services.This bill would require a health care service plan or a health insurance policy issued, amended, or renewed on or after January 1, 2021, that includes coverage for mental health services to, among other things, approve the provision of mental health services for persons who are detained for 72-hour treatment and evaluation under the Lanterman-Petris-Short Act and to schedule an initial outpatient appointment for that person with a licensed mental health professional on a date that is within 48 hours of the person's release from detention. The bill would prohibit a noncontracting provider of covered mental health services from billing the previously described enrollee or insured more than the cost-sharing amount the enrollee or insured would pay to a contracting provider for those services. Because a willful violation of the bill's requirement by a health care service plan would be a crime, the bill would impose a state-mandated local program.This bill contains other related provisions and other existing laws.	
AB 2246 **Mayes I** Surface Mining and Reclamation Act of 1975: exemption: Metropolitan Water District of Southern California.	ASSEMBLY NAT. RES. 2/27/2020 - Referred to Coms. on NAT. RES. and W., P., & W.	(1)The Surface Mining and Reclamation Act of 1975 prohibits a person, with exceptions, from conducting surface mining operations unless, among other things, a permit is obtained from, a specified reclamation plan is submitted to and approved by, and financial assurances for reclamation have been approved by the lead agency for the operation of the surface mining operation. The act exempts certain activities from the provisions of the act, including, among others, emergency excavations or grading conducted by the Department of Water Resources or the Central Valley Flood Protection Board for the specified purposes; surface mining operations conducted on lands owned or leased, or upon which easements or rights-of-way have been obtained, by the Department of Water Resources for the purpose of the State Water Resources Development System or flood control; and surface mining operations on lands owned or leased, or upon which easements or rights-of-way have been obtained, by the Central Valley Flood Protection Board for the purpose of flood control.This bill would additionally exempt from the provisions of the act emergency excavations or grading conducted by the Metropolitan Water District of Southern California for the specified purposes and surface mining operations	

		conducted on lands owned or leased, or upon which easements or rights-of-way have been obtained, by the Metropolitan Water District of Southern California for the purpose of repairing, maintaining, or replacing pipelines, infrastructure, or related transmission systems used for the distribution of water in the specified counties. The bill would require the Metropolitan Water District of Southern California to provide an annual report to the Department of Conservation and any affected county by the date specified by the department on these surface mining operations. To the extent this bill adds to the duties of local governments acting as a lead agency, the bill would impose a state-mandated local program.This bill contains other related provisions and other existing laws.	
AB 2258 **Reyes D** Doula care: Medi-Cal pilot program.	ASSEMBLY HEALTH 2/20/2020 - Referred to Com. on HEALTH.	Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services and under which qualified low-income persons receive health care benefits. The Medi-Cal program is, in part, governed and funded by federal Medicaid program provisions. Existing federal law authorizes, at the option of the state, preventive services, as defined, to be provided by practitioners other than physicians or other licensed practitioners.This bill would require the department to establish, commencing July 1, 2021, a full-spectrum doula care pilot program to operate for 3 years for pregnant and postpartum Medi-Cal beneficiaries residing in 14 counties, including the Counties of Alameda, Sacramento, San Diego, and Solano, that experience the highest burden of birth disparities in the state, and would provide that any Medi-Cal beneficiary who is pregnant as of July 1, 2021, and residing in a pilot program county, is entitled to doula care. The bill would require the department to develop multiple payment and billing options for doula care, and to ensure specified payment and billing practices, including that any doula and community-based doula group participating in the pilot program be guaranteed payment within 30 days of submitting any claim for reimbursement. The bill would require the department to establish a centralized registry listing any doula who is available to take on new clients in each county participating in the pilot program, and would provide several requirements for the registry, such as the information on the registry being accessible by various means, including the internet website. The bill would require each Medi-Cal managed care health plan in any county participating in the pilot program to provide information in its materials, and specified notices, on identified topics related to doula care, including reproductive and sexual health, and to inform pregnant and postpartum enrollees at prenatal and postpartum appointments about doula care, such as the availability of doula care and how to obtain a doula.This bill contains other related provisions.	
AB 2262 **Berman D** Regional transportation plans: sustainable communities strategies: zero-	ASSEMBLY TRANS. 2/24/2020 - Referred to Coms. on TRANS. and NAT. RES.	Existing law requires certain transportation planning agencies to prepare and adopt a regional transportation plan directed at achieving a coordinated and balanced regional transportation system. Existing law requires the regional transportation plan to include, if the transportation planning agency is also a metropolitan planning organization, a sustainable communities strategy, which is designed to achieve certain targets for 2020 and 2035 established by the State Air Resources Board for the reduction of greenhouse gas emissions from automobiles and light trucks in the region. Existing law requires the sustainable communities strategy to, among other things, identify a transportation network to service the transportation needs of the	

emission vehicle readiness plan.		region. After adopting a sustainable communities strategy, existing law requires a metropolitan planning organization to submit the strategy to the state board for review to determine whether the strategy, if implemented, would achieve the greenhouse gas emission reduction targets. Existing law requires each transportation planning agency to adopt and submit to the California Transportation Commission and the Department of Transportation an updated regional transportation plan every 4 or 5 years, as specified. This bill would require each sustainable communities strategy to also include a zero-emission vehicle readiness plan, as specified. By imposing new requirements on local agencies, the bill would impose a state-mandated local program.This bill contains other related provisions and other existing laws.	
AB 2265 **Quirk-Silva D** Mental Health Services Act: use of funds for substance use disorder treatment.	ASSEMBLY HEALTH 2/24/2020 - Referred to Com. on HEALTH.	Existing law, the Mental Health Services Act (MHSA), an initiative measure enacted by the voters as Proposition 63 at the November 2, 2004, statewide general election, funds a system of county mental health plans for the provision of mental health services, as specified. The act establishes the Mental Health Services Fund, which is continuously appropriated to, and administered by, the State Department of Health Care Services to fund specified county mental health programs.This bill would authorize funding from the MHSA to be used to treat a person with cooccurring mental health and substance use disorders when the person would be eligible for treatment of the mental health disorder pursuant to the MHSA. The bill would also authorize the use of MHSA funds to assess whether a person has cooccurring mental health and substance use disorders and to treat a person who is preliminarily assessed to have cooccurring mental health and substance use disorders, even when the person is later determined not to be eligible for services provided with MHSA funds. The bill would require a person being treated for cooccurring mental health and substance use disorders who is determined to not need the mental health services that are eligible for funding pursuant to the act, to be, as quickly as possible, referred to substance use disorder treatment services. By authorizing the use of continuously appropriated funds for a new purpose, this bill would make an appropriation.	
AB 2266 **Quirk-Silva D** Mental Health Services Act: use of funds for substance use disorder treatment.	ASSEMBLY HEALTH 2/24/2020 - Referred to Com. on HEALTH.	Existing law, the Mental Health Services Act (MHSA), an initiative measure enacted by the voters as Proposition 63 at the November 2, 2004, statewide general election, funds a system of county mental health plans for the provision of mental health services, as specified. The act establishes the Mental Health Services Fund, which is continuously appropriated to, and administered by, the State Department of Health Care Services to fund specified county mental health programs.This bill would require the department to establish a pilot program in up to 10 counties, as specified, and would authorize funding from the MHSA, commencing January 1, 2022, and continuing until January 1, 2027, to be used by participating counties to treat a person with cooccurring mental health and substance use disorders when the person would be eligible for treatment of the mental health disorder pursuant to the MHSA. The bill would also authorize participating counties during the specified time period to use MHSA funds to assess whether a person has cooccurring mental health and substance use disorders and to treat a person who is preliminarily assessed to have cooccurring mental health and substance use disorders, even when the person is later determined not to be eligible for services provided with MHSA funds. The bill would require a person being treated for cooccurring mental health	

		and substance use disorders who is determined to not need the mental health services that are eligible for funding pursuant to the act, to be, as quickly as possible, referred to substance use disorder treatment services. By authorizing the use of continuously appropriated funds for a new purpose, this bill would make an appropriation.This bill contains other related provisions.	
AB 2276 **Reyes D** Medi-Cal: Blood lead screening tests.	ASSEMBLY HEALTH 2/24/2020 - Referred to Com. on HEALTH.	Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services, under which qualified low-income individuals receive health care services. The Medi-Cal program is, in part, governed and funded by federal Medicaid program provisions. Existing law authorizes the department to enter contracts with managed care plans to provide Medi-Cal services. Under existing law, Medi-Cal covers early and periodic screening, diagnosis, and treatment for individuals under 21 years of age, consistent with federal law.This bill would require the department to ensure that a Medi-Cal beneficiary who is a child receives blood lead screening tests at 12 and 24 months of age, and that a child 2 to 6 years of age, inclusive, receives a blood lead screening test if there is no record of a previous test for that child. The bill would require the department to report its progress toward blood lead screening tests for Medi-Cal beneficiaries who are children, as specified, annually on its internet website, establish a case management monitoring system, and require health care providers to test Medi-Cal beneficiaries who are children. The bill would require the department to notify a child's parent, parents, guardian, or other person charged with their support and maintenance, and the child's health care provider, with specified information, including when a child has missed a required blood lead screening test. The bill would require a contract between the department and a Medi-Cal managed care plan to ensure the plan and its contractors meet specified standards of care for lead testing. The bill would provide that it is the goal of the state that children at risk of lead exposure receive blood lead screening tests.	
AB 2277 **Salas D** Medi-Cal: Blood lead screening tests.	ASSEMBLY HEALTH 2/24/2020 - Referred to Com. on HEALTH.	Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services, under which qualified low-income individuals receive health care services. The Medi-Cal program is, in part, governed and funded by federal Medicaid program provisions. Existing law authorizes the department to enter contracts with managed care plans to provide Medi-Cal services. Under existing law, Medi-Cal covers early and periodic screening, diagnosis, and treatment for individuals under 21 years of age, consistent with federal law.This bill would require any Medi-Cal managed care health plan contract to impose requirements on the contractor on blood lead screening tests for children, including identifying every enrollee who does not have a record of completing those tests, and reminding the responsible health care provider of the need to perform those tests. The bill would require the department to develop and implement procedures to ensure that a contractor performs those duties, and to notify specified individuals responsible for a Medi-Cal beneficiary who is a child, including the parent or guardian, that their child has missed a required blood lead screening test, as part of an annual notification on preventive services.	
AB 2278 **Quirk D**	ASSEMBLY HEALTH 3/2/2020 - From committee chair, with author's amendments:	Existing law requires the State Department of Public Health to maintain an electronic database to support electronic laboratory reporting of blood lead tests, management of lead-exposed children, and assessment of sources of lead exposures. Existing law requires a laboratory that	

Lead screening.	Amend, and re-refer to Com. on HEALTH. Read second time and amended.	performs a blood lead analysis on human blood drawn in California to report specified information, including the test results and the name, birth date, and address of the person tested, to the department for each analysis on every person tested. Existing law authorizes the department to share the information reported by a laboratory with, among other entities, the State Department of Health Care Services for the purpose of determining whether children enrolled in Medi-Cal are being screened for lead poisoning and receiving appropriate related services. This bill also would additionally require a laboratory that performs a blood lead analysis to report to the department, among other things, the Medi-Cal identification number and medical plan identification number, if available, for each analysis on every person tested. **Last Amended on 3/2/2020**	
AB 2282 McCarty **D** CalFresh: low-income students: former foster youth students.	ASSEMBLY PRINT 2/15/2020 - From printer. May be heard in committee March 16.	Existing federal law provides for the Supplemental Nutrition Assistance Program (SNAP), known in California as CalFresh, formerly the Food Stamp Program, under which supplemental nutrition assistance benefits allocated to the state by the federal government are distributed to eligible individuals by each county. Under existing law, households are eligible to receive CalFresh benefits to the extent permitted by federal law. Existing federal law provides that students who are enrolled in college or other institutions of higher education at least 1/2 time are not eligible for SNAP benefits unless they meet one of several specified exemptions, including participating in specified employment training programs.This bill would state the intent of the Legislature to enact legislation to remove obstacles to the University of California, the California State University, and the California Community College systems coordinating with the State Department of Social Services to provide CalFresh benefits to low-income college students and students who are former foster youth.	
AB 2296 Quirk **D** State Water Resources Control Board: local primacy delegation: funding stabilization program.	ASSEMBLY E.S. & T.M. 2/24/2020 - Referred to Com. on E.S. & T.M.	Existing law, the California Safe Drinking Water Act, requires the State Water Resources Control Board to administer provisions relating to the regulation of drinking water to protect public health, including, but not limited to, conducting research, studies, and demonstration programs relating to the provision of a dependable, safe supply of drinking water, enforcing the federal Safe Drinking Water Act, adopting implementing regulations, and conducting studies and investigations to assess the quality of water in private domestic water supplies. The act authorizes the state board to delegate, through a local primacy delegation agreement, primary responsibility for the act's administration and enforcement within a county to a local health officer, as specified. The act requires that a local primacy delegation remain in effect until specified conditions occur.This bill would authorize the state board to delegate partial responsibility for the act's administration and enforcement by means of a local primacy delegation agreement. The bill would authorize the state board, for counties that have not been delegated primary responsibility as of January 1, 2021, to offer an opportunity for the county to apply for partial or primary responsibility if the state board determines that it needs assistance in performing administrative and enforcement activities, as specified. The bill would authorize the state board to approve the application for delegation if the state board determines that the local health officer is able to sufficiently perform the administrative and enforcement activities and would specify that a local primacy agency has all of the authority over designated public	

		water systems as is granted to the state board by the act.This bill contains other related provisions and other existing laws.	
AB 2329 **Chiu D** Homelessness: statewide needs and gaps analysis.	ASSEMBLY H. & C.D. 2/24/2020 - Referred to Com. on H. & C.D.	Existing law requires the Governor to create the Homeless Coordinating and Financing Council to, among other things, identify mainstream resources, benefits, and services that can be accessed to prevent and end homelessness in California and to serve as a statewide facilitator, coordinator, and policy development resource on ending homelessness in California.This bill, upon appropriation by the Legislature, would require the coordinating council to conduct, or contract with an entity to conduct, a statewide needs and gaps analysis to identify, among other things, state programs that provide housing or services to persons experiencing homelessness and funding required to move persons experiencing homelessness into permanent housing. The bill would authorize local governments to collaborate with the coordinating council upon the above-mentioned appropriation. The bill would also require the council to seek input from the coordinating council's members on the direction of, design of data collection for, and items to be included in the statewide needs and gaps analysis. The bill would require the council to report on the analysis to specified committees in the Legislature by July 31, 2021.This bill contains other related provisions.	
AB 2353 **McCarty D** Public postsecondary education: affordable housing for students.	ASSEMBLY PRINT 2/19/2020 - From printer. May be heard in committee March 20.	Existing law establishes the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, the University of California, under the administration of the Regents of the University of California, and the California State University, under the administration of the Trustees of the California State University, as the 3 segments of public postsecondary education in this state. This bill would express the intent of the Legislature to enact legislation to remove obstacles for the University of California, the California State University, and the California Community Colleges to finance and construct affordable housing units for students.	
AB 2356 **Bauer-Kahan D** Electrical corporations: failure to comply with safety standards or requirements: enforcement.	ASSEMBLY PRINT 2/19/2020 - From printer. May be heard in committee March 20.	Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including electrical corporations. Existing law authorizes the commission to establish rules for all public utilities, subject to control by the Legislature. Existing law authorizes the commission, after a hearing, to require every public utility to construct, maintain, and operate its line, plant, system, equipment, apparatus, tracks, and premises in a manner so as to promote and safeguard the health and safety of its employees, passengers, customers, and the public. The Public Utilities Act provides that any public utility that violates any provision of the California Constitution or the act, or that fails or neglects to comply with any order, decision, decree, rule, direction, demand, or requirement of the commission, where a penalty has not otherwise been provided, is subject to a penalty of not less than $500 and not more than $100,000 for each offense.This bill would authorize the Attorney General or the district attorney of a proper county or city and county, as specified, to bring an action in the name of the people, pursuant to the above-described civil penalty provision, against an electrical corporation involving a failure to comply with safety standards or requirements. The bill would provide that when the conduct that constitutes the violation or failure to comply is of a continuing nature, each day of that violation or failure to comply is subject to a separate and distinct civil penalty. The bill	

		would require that an action seeking these civil penalties be commenced within 4 years after the cause of action accrues.This bill contains other related provisions and other existing laws.	
AB 2367 **Gonzalez D** Residential property insurance: wildfire resilience.	ASSEMBLY PRINT 2/19/2020 - From printer. May be heard in committee March 20.	Existing law generally regulates classes of insurance, including residential fire and property insurance. Existing law defines the measure of indemnity for a loss under a property insurance policy. Existing law requires a person who controls a building or structure in, upon, or adjoining a specified wildfire-prone area to, among other things, maintain 100 feet of defensible space around the structure.This bill would create the Wildfire Resilience Task Force, which would include the Insurance Commissioner, the Director of the Office of Emergency Services, and the State Fire Marshal, or their designees. The bill would require the task force to establish minimum standards for fire-hardened homes and communities, and would authorize the commissioner to promulgate regulations to implement specified exceptions to those standards. The bill would require an admitted insurer that offers or sells residential property insurance to, at a minimum, offer or sell the existing residential property insurance coverage it most commonly offers or sells to an applicant or insured who owns a residence that has an estimated replacement cost consistent with the insurer's underwriting guidelines, meets the minimum standards established by the task force, and was built before those standards were established.	
AB 2388 **Berman D** Public postsecondary education: basic needs of students.	ASSEMBLY PRINT 2/19/2020 - From printer. May be heard in committee March 20.	Existing law establishes the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, as one of the 3 segments of public postsecondary education in this state. Existing law establishes community college districts throughout the state, and authorizes them to provide instruction to students at community college campuses. Existing law requests campuses of the California Community Colleges to give priority for certain student housing to current and former homeless youth, as specified, and requests those campuses to develop a plan to ensure that current and former homeless youth can access housing resources during and between academic terms, including during academic and campus breaks. Existing law defines homeless youth for these purposes. This bill would make legislative finding, about student housing insecurity and student food insecurity, and would express the intent of the Legislature to enact legislation to address the basic needs of community college students.	
AB 2422 **Grayson D** Lead testing.	ASSEMBLY HEALTH 2/27/2020 - Referred to Com. on HEALTH.	Existing law requires a laboratory that performs a blood lead analysis on a specimen of human blood drawn in California to report specified information to the department for each analysis on every person tested. Existing law requires that all information reported be confidential, except that the department is authorized to share the information for the purpose of surveillance, case management, investigation, environmental assessment, environmental remediation, or abatement with the local health department, environmental health agency, or building department, so long as the entity receiving the information otherwise maintains the confidentiality of the information, as specified. Existing law requires the State Department of Public Health to implement and administer a program to meet the requirements of the federal Residential Lead-Based Paint Hazard Reduction Act of 1992. Among other things, the program requires the department to establish certification requirements for persons conducting lead-related construction work, abatement, or lead hazard evaluation. Existing regulations require	

		specified information relating to hazard evaluations for public and residential buildings to be provided to the department. This bill would add to the information that a laboratory is required to provide the Medi-Cal identification number, or other equivalent medical identification number of the person tested. The bill would require, if the person tested is a minor, that the laboratory include the person's contact information and a unique identifier, in a form to be determined by the department, as specified.	
AB 2425 **Stone, Mark D** Juvenile police records.	ASSEMBLY PUB. S. 2/27/2020 - Referred to Com. on PUB. S.	Existing law requires, except as provided, law enforcement agencies in the County of Los Angeles to release, upon request or by court order, either a complete copy or a redacted copy of a juvenile police record, as defined, to certain individuals and entities, including other law enforcement agencies and the attorney representing the juvenile who is the subject of the juvenile police record in a criminal or juvenile proceeding involving the minor. Existing law provides that information received pursuant to these provisions are confidential, prohibits further dissemination, and makes an intentional violation of the confidentiality provisions a misdemeanor.This bill would make the provisions relating to the release of a juvenile police record applicable to all counties in the state, and, notwithstanding those provisions, would prohibit a law enforcement agency from releasing a copy of a juvenile police record if the subject of the juvenile police record is a minor who has been diverted by police officers from arrest, citation, detention, or referral to probation, any district attorney, or the juvenile court, except as provided. The bill would also make records or information created, collected, or maintained by a diversion service provider confidential, except as specified. By imposing additional duties on law enforcement agencies and expanding the scope of an existing crime, the bill would impose a state-mandated local program.This bill contains other related provisions and other existing laws.	
AB 2502 **Quirk D** Groundwater sustainability plans: impacts on managed wetlands.	ASSEMBLY W.,P. & W. 2/27/2020 - Referred to Com. on W., P., & W.	Existing law, the Sustainable Groundwater Management Act, requires all groundwater basins designated as high- or medium-priority basins by the Department of Water Resources that are designated as basins subject to critical conditions of overdraft to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans by January 31, 2020, and requires all other groundwater basins designated as high- or medium-priority basins to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans by January 31, 2022, except as specified. The act prescribes that plans contain certain required contents and requires that plans contain, where appropriate and in collaboration with the appropriate local agencies, additional analyses or components, including, among others, control of saline water intrusion, wellhead protection areas and recharge areas, a well abandonment and well destruction program, well construction policies, and impacts on groundwater dependent ecosystems.This bill would add impacts to managed wetlands, as specified, to the additional analyses or components that a plan is required to contain when appropriate. By requiring local agencies that are groundwater sustainability agencies to include this in their plans, this bill would impose a state-mandated local program.This bill contains other related provisions and other existing laws.	

AB 2518 **Wood D** Voluntary stream restoration landowner liability.	ASSEMBLY W.,P. & W. 2/27/2020 - Referred to Com. on W., P., & W.	Existing law prohibits an entity from substantially diverting or obstructing the natural flow of, or substantially changing or using any material from the bed, channel, or bank of, any river, stream, or lake, or from depositing certain material where it may pass into any river, stream, or lake, without first notifying the Department of Fish and Wildlife of that project, and entering into a lake or streambed alteration agreement if required by the department to protect fish and wildlife resources.This bill would exempt a landowner who voluntarily allows land to be used for such a project to restore fish and wildlife habitat from civil liability for property damage or personal injury resulting from the project if the project is funded, at least in part, by a state or federal agency that promotes or encourages riparian habitat restoration, unless the property damage or personal injury is caused by willful, intentional, or reckless conduct of the landowner or by a design, construction, operation, or maintenance activity performed by the landowner.This bill contains other existing laws.	
AB 2569 **Grayson D** Crimes: juvenile victim confidentiality.	ASSEMBLY PRINT 2/21/2020 - From printer. May be heard in committee March 22.	The California Public Records Act requires state and local agencies to make public records available for inspection by the public, subject to specified criteria and with specified exceptions. Existing law exempts from disclosure any investigatory or security file compiled by any other state or local police agency, or any investigatory or security files compiled by any other state or local agency for correctional, law enforcement, or licensing purposes. Existing law requires, however, that state and local law enforcement agencies make public specified information, including names of victims, relating to the circumstances surrounding all complaints or requests for assistance, among other things, except to the extent that disclosure of a particular item of information would endanger the safety of a person involved in the investigation. Existing law allows victims of specified crimes, including human trafficking, to request that their names be withheld from any public records request, and upon that request prohibits law enforcement agencies from disclosing those names except under specified circumstances. Existing law additionally prohibits law enforcement agencies from disclosing the addresses of victims of specified crimes, including human trafficking.This bill would exempt from disclosure the name and address of the victim of any crime who is less than 18 years of age. The bill would require a law enforcement officer receiving a report in which a minor is a victim to indicate on the report that the alleged victim is a minor and inform the person making the report that the minor’s name and address will remain confidential. The bill would prohibit, except as otherwise specified, the disclosure of the minor’s name and address.This bill contains other related provisions and other existing laws.	
AB 2625 **Boerner Horvath D** Emergency ground medical transportation.	ASSEMBLY HEALTH 3/2/2020 - Referred to Com. on HEALTH.	Existing law, the Knox-Keene Health Care Service Plan Act of 1975, provides for the licensure and regulation of health care service plans by the Department of Managed Health Care and makes a willful violation of the act a crime. Existing law also provides for the regulation of health insurers by the Department of Insurance. Existing law requires that health care service plan contracts and health insurance policies provide coverage for certain services and treatments, including emergency medical transportation services.This bill would require a health care service plan contract or a health insurance policy issued, amended, or renewed on or after January 1, 2021, that offers coverage for emergency ground medical transportation	

		services to include those services as in-network services and would require the plan or insurer to pay those services at the contracted rate pursuant to the plan contract or policy. Because a willful violation of the bill's requirements relative to a health care service plan would be a crime, the bill would impose a state-mandated local program.This bill contains other related provisions and other existing laws.	
AB 2632 **Patterson R** Williamson Act: subvention payments: appropriation.	ASSEMBLY AGRI. 3/2/2020 - Referred to Coms. on AGRI. and L. GOV.	The Williamson Act, also known as the California Land Conservation Act of 1965, authorizes a city or county to enter into contracts with owners of land devoted to agricultural use, whereby the owners agree to continue using the property for that purpose, and the city or county agrees to value the land accordingly for purposes of property taxation. Existing law sets forth procedures for reimbursing cities and counties for property tax revenues not received as a result of these contracts and continuously appropriates General Fund moneys for that purpose. This bill, for the 2020–21 fiscal year, would appropriate an additional $40,000,000 from the General Fund to the Controller to make subvention payments to counties, as provided, in proportion to the losses incurred by those counties by reason of the reduction of assessed property taxes. The bill would make various findings in this regard.	
AB 2642 **Salas D** Department of Conservation: Multibenefit Land Conversion Incentive Program: administration.	ASSEMBLY PRINT 2/21/2020 - From printer. May be heard in committee March 22.	Existing law, the Sustainable Groundwater Management Act (SGMA), requires numerous groundwater basins throughout the state designated by the Department of Water Resources as medium- or high-priority basins to each be managed under a separate groundwater sustainability plan or coordinated groundwater sustainability plans by specified dates. SGMA requires, with some exceptions, that local agencies designated as groundwater sustainability agencies prepare, administer, and enforce the groundwater sustainability plans with the goal of sustainably managing these groundwater basins to avoid undesirable results such as overdrafting groundwater, subsidence, and sea water intrusion, among others. To achieve the sustainability goal, SGMA authorizes a groundwater sustainability agency to, among other measures, control groundwater extractions by regulating, limiting, or suspending extractions from groundwater wells, establish a program of voluntary fallowing of agricultural lands, or validate an existing fallowing program. This bill would require the Department of Conservation to establish and administer a program named the Multibenefit Land Conversion Incentive Program for purposes of providing grants to groundwater sustainability agencies, or other specified entities designated by groundwater sustainability agencies, for the development or implementation of local programs supporting or facilitating multibenefit land conversion at the basin scale. The bill establishes procedures for the department's administration of the program and authorizes the department to develop guidelines to implement the program and to exercise its expertise and discretion in awarding program funds to eligible applicants. The bill specifies numerous criteria regarding program eligibility, including compliance with several specified requirements of SGMA. The bill prescribes certain actions regarding program accountability and oversight, including preparation of an annual report with specified information evaluating the implementation of local programs and use of program funds.	

AB 2674 Ting D Toll bridges: pedestrians and bicycles.	ASSEMBLY TRANS. 3/2/2020 - Referred to Com. on TRANS.	Existing law provides for the construction and operation of various toll bridges by the state, the Golden Gate Bridge, Highway and Transportation District, and private entities that have entered into a franchise agreement with the state. Existing law, until January 1, 2021, prohibits a toll from being imposed on the passage of a pedestrian or bicycle over these various toll bridges. This bill would extend that prohibition until January 1, 2031.	
AB 2700 Friedman D Solar energy systems.	ASSEMBLY PRINT 2/21/2020 - From printer. May be heard in committee March 22.	Existing law creates the right to receive sunlight, which is referred to as a solar easement, and defines it to mean the right of receiving sunlight across real property of another for any solar energy system. Existing law defines a “solar energy system” for this purpose to include a structural design feature of a building, including a design feature whose primary purpose is to provide for the collection, storage, and distribution of solar energy for electricity generation, space heating or cooling, or for water heating.This bill would specify that a design feature, for the purpose described above, includes elevated solar structures, including carport and shade structures that support solar collectors or other solar energy devices.This bill contains other related provisions and other existing laws.	
AB 2705 Low D Deenergization events.	ASSEMBLY PRINT 2/21/2020 - From printer. May be heard in committee March 22.	Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including electrical corporations. Existing law requires each electrical corporation to annually prepare and submit a wildfire mitigation plan to the commission for review and approval, as specified. Following approval, the commission is required to oversee compliance with the plans. Existing law requires a wildfire mitigation plan of an electrical corporation to include, among other things, protocols for deenergizing portions of the electrical distribution system that consider the associated impacts on public safety, as well as protocols related to mitigating the public safety impacts of those protocols, including impacts on critical first responders and on health and communications infrastructure. Existing law requires a wildfire mitigation plan of an electrical corporation to also include appropriate and feasible procedures for notifying a customer who may be impacted by the deenergizing of electrical lines and requires these procedures to consider the need to notify, as a priority, critical first responders, health care facilities, and operators of telecommunications infrastructure with premises within the footprint of a potential deenergization event.This bill would state the intent of the Legislature to enact legislation with regard to notifications by electrical corporations relating to deenergization events.	
AB 2722 McCarty D Development fees and charges: deferral.	ASSEMBLY PRINT 2/21/2020 - From printer. May be heard in committee March 22.	Existing law prohibits a local agency that imposes fees or charges on a residential development for the construction of public improvements or facilities from requiring the payment of those fees or charges until the date of the final inspection or the date the certificate of occupancy is issued, whichever occurs first, except that the payment may be required sooner under specified circumstances.This bill would similarly prohibit a noncompliant local agency, as defined, that imposes any fees or charges on a qualified development, as defined, from requiring the payment of those fees or charges until 20 years from the date of the final inspection, or the date the certificate of occupancy is issued, whichever occurs first. The bill would authorize a noncompliant local agency that defers a fee or charge to require the property owner, or lessee	

		if the lessee's interest appears of record, as a condition of issuance of the building permit, to execute a contract to pay the fee or charge if the fee or charge is not fully paid before the issuance of a building permit for the construction of any portion of the qualified development encumbered by the fee or charge, as provided.	
AB 2724 **Gray D** In-home supportive services: provider wages and benefits.	ASSEMBLY PRINT 2/21/2020 - From printer. May be heard in committee March 22.	Existing law provides for the county-administered In-Home Supportive Services (IHSS) program, under which qualified aged, blind, and disabled persons are provided with supportive services in order to permit them to remain in their own homes. Existing law requires the state and counties to share the annual cost of providing IHSS, and requires all counties to have a rebased County IHSS Maintenance of Effort (MOE), as prescribed. Existing law requires the state to pay 65%, and each county to pay 35%, of the nonfederal share of wage and benefit increases when any increase in provider wages or benefits is locally negotiated, mediated, or imposed by a county, public authority, or nonprofit consortium, or any increase in provider wages or benefits is adopted by ordinance, and associated employment taxes, as specified. Existing law requires the rebased County IHSS MOE to be adjusted for the annualized cost of those local increases.This bill would, until January 1, 2025, instead require the state to pay 70%, and each county to pay 30%, of the nonfederal share of wage and benefit increases and associated employment taxes in any impasse county, as defined, that enters into a collective bargaining agreement, as specified, with its providers between January 1, 2020, and December 31, 2021. The bill would make conforming changes to related rebased County IHSS MOE provisions.	
AB 2743 **McCarty D** California School Employee Housing Assistance Pilot Program.	ASSEMBLY PRINT 2/21/2020 - From printer. May be heard in committee March 22.	Existing law establishes the Department of Housing and Community Development (HCD) and requires it to administer, among other housing programs, the Multifamily Housing Program, pursuant to which HCD provides deferred payment loans to pay for the eligible costs of development for specified types of housing projects, as provided. Existing law, the Teacher Housing Act of 2016, authorizes a school district to establish and implement programs that address the housing needs of teachers and school district employees who face challenges in securing affordable housing, as provided. This bill, upon appropriation in the annual Budget Act, would require HCD, in collaboration with the State Department of Education, to administer a competitive grant program to provide planning grants of up to $100,000 each to up to 10 qualified school districts, as defined, that partner with a developer to provide affordable school employee rental housing, as defined, to be used for specified purposes in connection with an affordable school employee rental housing project. The bill would require a qualified school district that receives a grant to submit an annual report and, no later than 3 years after receiving a grant, a final report that includes specified information. Upon completion of the pilot program established under the bill, the bill would require HCD, in collaboration with the State Department of Education and the Office of Public School Construction, to create a toolkit for school districts to use to develop strategies for providing affordable school employee rental housing.	

AB 2804 **McCarty D** State property: juvenile detention centers.	ASSEMBLY PRINT 2/21/2020 - From printer. May be heard in committee March 22.	Existing law authorizes the Director of General Services to dispose of surplus state real property if that property is not needed by another state agency and the Legislature has authorized disposal of the property. Existing law also specifies the manner in which the department is to dispose of surplus state real property. The California Constitution requires that the proceeds from the sale of surplus state property be used to pay the principal and interest on bonds issued pursuant to the Economic Recovery Bond Act, until the principal and interest on those bonds are fully paid, the final payment of which was made in the 2015–16 fiscal year, after which these proceeds are required to be deposited into the Special Fund for Economic Uncertainties, a continuously appropriated fund. This bill would state the intent of the Legislature to explore the reuse and repurposing of juvenile detention centers that have closed or that have a specified vacancy rate.	
AB 2806 **Wood D** Transfer of residential property: disclosures: fire hazards.	ASSEMBLY PRINT 2/21/2020 - From printer. May be heard in committee March 22.	Existing law requires a seller of residential real property located in a high or very high fire hazard severity zone, as specified, to provide to the buyer documentation stating that the property is in compliance with state law requiring certain defensible space requirements around the property or, if applicable, with a local vegetation management ordinance. If the seller has not obtained that documentation, existing law requires the seller and buyer to enter into a written agreement pursuant to which the buyer agrees to obtain documentation of compliance, as specified.This bill would specify that nothing in those provisions, including provisions regarding the existence of an agreement between a buyer and seller, limits the ability of a state or local agency to enforce defensible space requirements or other applicable statutes, regulations, and local ordinances.	
AB 2809 **Mullin D** San Francisco Bay Conservation and Development Commission: Suisun Marsh Preservation Act of 1977.	ASSEMBLY PRINT 2/21/2020 - From printer. May be heard in committee March 22.	(1)Existing law sets forth a comprehensive plan for the conservation of the waters of the San Francisco Bay and the development of its shoreline and delegates to the San Francisco Bay Conservation and Development Commission authority to implement the plan. Existing law requires any person or governmental agency wishing to place fill, to extract materials, or to make any substantial change in the use of any water, land, or structure within the shoreline and body of the bay to, among other things, secure a permit from the commission, which has authority to impose permit conditions and civilly enforce permit requirements, as prescribed.This bill would require, by the end of the 2020–21 fiscal year, that the commission create and implement procedures to provide managerial review of staff decisions in enforcement cases, timelines for resolving enforcement cases, and a penalty matrix for assessing fines and civil penalties. The bill would, commencing with the 2022–23 fiscal year, authorize the commission to record notices of violation on the titles of properties that have been subject to enforcement actions, as specified. This bill contains other related provisions and other existing laws.	
AB 2824 **Bonta D** San Francisco-Oakland Bay Bridge:	ASSEMBLY PRINT 2/21/2020 - From printer. May be heard in committee March 22.	Existing law creates the Metropolitan Transportation Commission as a local area planning agency for the 9-county San Francisco Bay area with comprehensive regional transportation planning and other related responsibilities. Existing law creates various transit districts located in the San Francisco Bay area, with specified powers and duties relative to providing public transit services. This bill would state the intent of the Legislature to enact future legislation	

public transit: greenhouse gases.		pertaining to the issue of high carbon emissions and inefficient public transit across the San Francisco-Oakland Bay Bridge in order to create a more environmentally sustainable, equitable, and efficient approach to transportation.This bill contains other existing laws.	
AB 2865 **Wicks D** Juveniles: transfer to court of criminal jurisdiction.	ASSEMBLY PRINT 2/24/2020 - Read first time.	Existing law, the Public Safety and Rehabilitation Act of 2016, as enacted by Proposition 57 at the November 8, 2016, statewide general election, authorizes the district attorney to make a motion to transfer a minor from juvenile court to a court of criminal jurisdiction in a case in which a minor is alleged to have committed a felony when the minor was 16 years of age or older, or in a case in which a specified serious offense is alleged to have been committed by a minor when the minor was 14 or 15 years of age, but the minor was not apprehended prior to the end of juvenile court jurisdiction. The act requires the juvenile court to decide whether the minor should be transferred to a court of criminal jurisdiction following submission and consideration of a specified report from the probation officer, and of any other relevant evidence, and requires the court to consider certain criteria in making its decision, including whether the minor can be rehabilitated prior to the expiration of the juvenile court's jurisdiction and the success of previous attempts by the juvenile court to rehabilitate the minor. The act may be amended by a majority vote of the members of each house of the Legislature if the amendments are consistent with and further the intent of the act.This bill would amend Proposition 57 by requiring the court to find that the minor is not amenable to rehabilitation while under the jurisdiction of the juvenile court in order to find that the minor should be transferred to a court of criminal jurisdiction. By increasing the number of minors retained under the jurisdiction of the juvenile court, this bill would impose a state-mandated local program.This bill contains other related provisions and other existing laws.	
AB 3118 **Bonta D** Medically supportive food and nutrition services.	ASSEMBLY PRINT 2/24/2020 - Read first time.	Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services, under which qualified low-income individuals receive health care services, including enteral nutrition products, pursuant to a schedule of benefits, and subject to utilization controls, such as prior authorization. The Medi-Cal program is, in part, governed and funded by federal Medicaid program provisions. Existing law, until January 1, 2021, or as otherwise specified, requires the department to establish a 3-year pilot program in specified counties, including the Counties of Alameda and Sonoma, to provide medically tailored meals, as defined, to Medi-Cal participants with specified health conditions, such as cancer and renal disease.This bill would expand the Medi-Cal schedule of benefits to include medically supportive food and nutrition services, such as medically tailored groceries and meals, and nutrition education. The bill would provide that the benefit include services that link a Medi-Cal beneficiary to community-based food services and transportation for accessing healthy food. The bill would require the department to implement these provisions by various means, including provider bulletins, without taking regulatory action, and would condition the implementation of these provisions to the extent permitted by federal law, the availability of federal financial participation, and the department securing federal approval.	

AB 3144 **Grayson D** Housing Cost Reduction Incentive Program.	ASSEMBLY PRINT 2/24/2020 - Read first time.	Existing law establishes, among other housing programs, the Multifamily Housing Program, pursuant to which the Department of Housing and Community Development provides financial assistance in the form of deferred payment loans to pay for the eligible costs of development for specified types of housing projects. Existing law, the Mitigation Fee Act, establishes procedures and limitations with respect to the establishment, increase, or imposition of fees, as defined, as a condition of approval of a development project by a local agency, including requiring the local agency to determine the reasonable relationship between the fee's use and the type of development project on which the fee is imposed.This bill would establish the Housing Cost Reduction Incentive Program, to be administered by the department, for the purpose of reimbursing cities, counties, and cities and counties for development impact fee waivers or reductions provided to qualified rental housing developments. Upon appropriation, the bill would require the department to provide grants to applicants in an amount equal to 50% of the amount of development impact fee waived or reduced for a qualified rental housing development by issuing a Notice of Funding Availability for each calendar year in which funds are made available for the program, as provided. The bill would require an applicant that receives a grant under the program to use those funds solely for those purposes for which the development impact fee that was waived or reduced would have been used. The bill would require the department to adopt guidelines to implement the program and exempt those guidelines from the rulemaking provisions of the Administrative Procedure Act.	
AB 3145 **Grayson D** Local government: housing development projects: fees and exactions cap.	ASSEMBLY PRINT 2/24/2020 - Read first time.	The California Constitution authorizes cities and counties to make and enforce within their limits all local, police, sanitary, and other ordinances and regulations not in conflict with general laws, and further authorizes cities organized under a charter to make and enforce all ordinances and regulations in respect to municipal affairs, which supersede inconsistent general laws. Existing law provides that a city or a county may, in the exercise of their police powers, license and regulate businesses operating within their jurisdiction and may fix the rate of the license fee and provide for its collection. Existing law authorizes the legislative body of a city and the board of supervisors of a county to license, for revenue and regulation, and fix a license tax upon, every kind of lawful business transacted in the city or county, as specified. Existing law requires a legislative body of a city or a board of supervisors of a county imposing a license tax upon a business operating both within and outside the legislative body's or board's taxing jurisdiction to levy the tax so that the measure of tax fairly reflects that proportion of the taxed activity actually carried on within the taxing jurisdiction.This bill would prohibit a city or county from imposing a specified fee or exaction if the total dollar amount of the fees and exactions that a city or county would impose on a proposed housing development is greater than 12 percent of the city's or county's median home price unless approved by the Department of Housing and Community Development. The bill would authorize a city or county to seek approval from the department to impose a fee or an exaction that would result in the total dollar amount of fees and exactions exceeding that limitation by making a specified finding and submitting a completed application for a waiver. The bill would require the department to develop a standard form application for a waiver in conjunction with the Governor's Office of Planning and Research. The bill would also require the department to develop standards to	

		determine whether to grant a waiver and the total dollar amount limitation to which a city or county granted a waiver is subject. The bill would require the department to conduct and post on its internet website an analysis that, for purposes of these provisions, determines the median home price in each city and county of the state.This bill contains other related provisions and other existing laws.	
AB 3146 **Bonta D** Housing data: collection and reporting.	ASSEMBLY PRINT 2/24/2020 - Read first time.	The Planning and Zoning Law requires a city or county to adopt a general plan for land use development within its boundaries that includes, among other things, a housing element. That law requires the planning agency of a city or county to provide by April 1 of each year an annual report to, among other entities, the Department of Housing and Community Development that includes, among other specified information, the number of net new units of housing that have been issued a completed entitlement, a building permit, or a certificate of occupancy, thus far in the housing element cycle, as provided.This bill would require a planning agency to include in that annual report specified additional information regarding housing development projects located within the jurisdiction, and information related to local requirements or incentives for proposed housing development projects, as provided, thereby imposing a state-mandated local program. The bill would authorize the department to assess the accuracy of the information submitted as part of the annual report and, if it determines that any report submitted to it by a planning agency contains inaccurate information, require that the planning agency correct that inaccuracy. The bill would require the department to post a report submitted pursuant to these provisions on its internet website within a reasonable time of receiving the report.This bill contains other related provisions and other existing laws.	
AB 3147 **Gabriel D** Fees for development projects.	ASSEMBLY PRINT 2/24/2020 - Read first time.	The Mitigation Fee Act authorizes a local agency to charge a variety of fees, dedications, reservations, or other exactions in connection with the approval of a development project, as defined. Existing law prohibits a local agency from imposing fees for specified purposes, including fees for water or sewer connections, capacity charges, zoning variances or changes, use permits, and building inspections or permits, among others, that exceed the estimated reasonable cost of providing the service for which the fee is charged, unless voter approval is obtained. Existing law, for specified fees, requires any judicial action or proceeding to attack, review, set aside, void, or annul an ordinance, resolution, or motion adopting a new fee or service charge or modifying an existing fee or service charge to be commenced within 120 days of the effective date of the ordinance, resolution, or motion. Exiting law also provides that, if an ordinance, resolution, or motion provides for an automatic adjustment in a fee or service charge and the adjustment results in an increase in the fee or service charge, that any action to attack, review, set aside, void, or annul the increase to be commenced within 120 days of the increase.This bill would delete the provisions requiring a judicial action or proceeding to attack, review, set aside, void, or annul an ordinance within 120 days of the effective date of the ordinance or increase, as applicable. The bill would instead require a judicial action or proceeding to be conducted in accordance with other procedures that, among other things, require a protest to be filed within 90 days after the imposition of the fees and an action to attack, review, set aside, void, or annul the imposition of the fees to be filed within 180 days	

		after delivery of a specified notice by the local agency. The bill would require revenues in excess of actual cost to be used to reimburse the payor of the fee or service charge. By imposing new duties on local agencies, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.	
AB 3148 **Chiu D** Planning and zoning: density bonuses: affordable housing: fee reductions.	ASSEMBLY PRINT 2/24/2020 - Read first time.	Existing law, known as the Density Bonus Law, requires a city or county to provide a developer that proposes a housing development within the jurisdictional boundaries of that city or county with a density bonus and other incentives or concessions for the production of lower income housing units, or for the donation of land within the development, if the developer agrees to construct a specified percentage of units for very low income, low-income, or moderate-income households or qualifying residents and meets other requirements. Existing law requires the Department of Housing and Community Development to notify a city or county, and authorizes the department to notify the Attorney General, that the city or county has taken an action that violates specified provisions of law, including the Density Bonus Law. Existing law authorizes the Attorney General to seek all remedies available under law.This bill would require a city, county, special district, water corporation, utility, or other local agency, except a school district, to reduce an impact fee or other charges imposed on the construction of a deed restricted affordable housing unit that is built pursuant to a density bonus, to amounts that are, depending on the affordability restriction on the unit, a specified percentage of the impact fee or other charge that would be imposed on a market rate unit within the development. The bill would exempt from these provisions units that are required to be affordable pursuant to a local inclusionary housing ordinance. The bill would define “impact fee” for purposes of these provisions. By imposing requirements on local agencies with respect to density bonuses, this bill would impose a state-mandated local program.This bill contains other related provisions and other existing laws.	
AB 3153 **Rivas, Robert D** Parking and zoning: parking credits.	ASSEMBLY PRINT 2/24/2020 - Read first time.	Existing law, known as the Density Bonus Law, requires a city or county to provide a developer that proposes a housing development within the jurisdictional boundaries of that city or county with a density bonus and other incentives or concessions for the production of lower income housing units, or for the donation of land within the development, if the developer agrees to construct a specified percentage of units for very low income, low-income, or moderate-income households or qualifying residents and meets other requirements. Existing law provides for the calculation of the amount of density bonus for each type of housing development that qualifies under these provisions. This bill would require a local jurisdiction, as defined, notwithstanding any local ordinance, general plan element, specific plan, charter, or other local law, policy, resolution, or regulation, to provide, if requested, an eligible applicant of a residential development with a parking credit that exempts the project from minimum parking requirements based on the number of nonrequired bicycle parking spaces or car-sharing spaces provided subject to certain conditions, as specified.This bill contains other related provisions and other existing laws.	

AB 3180 **Gabriel** **D** Pupils: tobacco and cannabis products: confiscation.	ASSEMBLY PRINT 2/24/2020 - Read first time.	Existing law prohibits the use of tobacco and nicotine products in a county office of education, charter school, or school district-owned or leased building, on school or school district property, and in a school or school district vehicle. Existing law requires school districts, charter schools, and county offices of education to prominently display signs at all entrances to school property stating "Tobacco use is prohibited."This bill would authorize a school of a school district or county office of education or a charter school to permanently confiscate and immediately dispose of a tobacco product, as defined, or cannabis product, as defined, taken from a pupil while the pupil is on campus, attending a school-sponsored activity, or under the supervision and control of a school employee.This bill contains other existing laws.	
AB 3360 **Cunningham** **R** Sales and use tax: lease of solar equipment.	ASSEMBLY PRINT 2/24/2020 - Read first time.	The Sales and Use Tax Law imposes a use tax 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. That law specifies that a "sale" and "purchase" includes, among other things, a lease of tangible personal property in any manner or by any means whatsoever, for consideration, except a lease of, among other things, household furnishings with a lease of the living quarters in which they are to be used.This bill would additionally exclude, from the definitions of "sale" and "purchase," a lease of solar equipment used for purposes of complying with specified state building standards.This bill contains other related provisions and other existing laws.	
ACA 1 **Aguiar-Curry** **D** Local government financing: affordable housing and public infrastructure: voter approval.	ASSEMBLY RECONSIDERATION 8/19/2019 - Read third time. Refused adoption. Motion to reconsider made by Assembly Member Aguiar-Curry. 3/5/2020 #2 ASSEMBLY MOTION TO RECONSIDER	(1)The California Constitution prohibits the ad valorem tax rate on real property from exceeding 1% of the full cash value of the property, subject to certain exceptions.This measure would create an additional exception to the 1% limit that would authorize a city, county, city and county, or special district to levy an ad valorem tax to service bonded indebtedness incurred to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure, affordable housing, or permanent supportive housing, or the acquisition or lease of real property for those purposes, if the proposition proposing that tax is approved by 55% of the voters of the city, county, or city and county, as applicable, and the proposition includes specified accountability requirements. The measure would specify that these provisions apply to any city, county, city and county, or special district measure imposing an ad valorem tax to pay the interest and redemption charges on bonded indebtedness for these purposes that is submitted at the same election as this measure.This bill contains other related provisions and other existing laws. **Last Amended on 3/18/2019**	Support
ACA 3 **Mathis** **R** Clean Water for All Act.	ASSEMBLY W.,P. & W. 4/30/2019 - In committee: Set, first hearing. Failed passage. Reconsideration granted.	Under existing law, the Department of Water Resources performs duties relating to water resources throughout the state, and the State Water Resources Control Board exercises regulatory functions relating to water quality. Existing law, the Water Quality, Supply, and Infrastructure Improvement Act of 2014, approved by the voters as Proposition 1 at the November 4, 2014, statewide general election, authorizes the issuance of general obligation bonds in the amount of $7,545,000,000 to finance a water quality, supply, and infrastructure improvement program.This measure, the Clean Water for All Act, would additionally require, commencing with the 2021–22 fiscal year, not less than 2% of specified state revenues to be set apart for the payment of principal and interest on bonds authorized pursuant to the Water	

		Quality, Supply, and Infrastructure Improvement Act of 2014; water supply, delivery, and quality projects administered by the department, and water quality projects administered by the state board, as provided.This bill contains other existing laws. **Last Amended on 3/20/2019**	
ACR 177 **Grayson** **D** Family Justice Centers.	ASSEMBLY THIRD READING 3/2/2020 - From committee: Be adopted. Ordered to Third Reading. (Ayes 10. Noes 0.) (March 2). 3/5/2020 #6 ASSEMBLY THIRD READING FILE - ASSEMBLY BILLS	This measure would declare March 5, 2020, as Family Justice Center Day in California and would recognize the lifesaving and hope-giving work of the California Family Justice Center Network and its member Family Justice Centers as they work with rape crisis centers, domestic violence shelters, human trafficking agencies, prosecutors' offices, law enforcement agencies, and other professionals and community-based organizations to ensure that adult and child survivors of trauma can access all of their services in one setting.	
SB 214 **Dodd** **D** Medi-Cal: California Community Transitions program.	ASSEMBLY APPR. 8/21/2019 - August 21 set for first hearing canceled at the request of author.	Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services, under which qualified low-income individuals receive health care services. The Medi-Cal program is, in part, governed and funded by federal Medicaid program provisions. Existing federal law establishes the Money Follows the Person Rebalancing Demonstration, which is designed to achieve various objectives with respect to institutional and home- and community-based long-term care services provided under state Medicaid programs.This bill would require the department to implement and administer the California Community Transitions (CCT) program, as authorized under federal law and pursuant to the terms of the Money Follows the Person Rebalancing Demonstration, to help an eligible Medi-Cal beneficiary move to a qualified residence, as defined, after residing in an institutional health facility for a period of 90 days or longer. The bill would require CCT program services to be provided by a lead organization, as defined, which would coordinate and ensure the delivery of all services necessary to implement the program. The bill would specify the functions of the lead organization, the services to be offered under the CCT program, and the targeted populations for those services. The bill would specify that the CCT program is voluntary, and that eligibility to participate in the program would be determined by CCT lead organizations in accordance with specified requirements. The bill would require the department to use federal funds made available through the Money Follows the Person Rebalancing Demonstration to implement the CCT program, and if the demonstration is not reauthorized or sufficient funds are unavailable, to fund and administer the program in a manner that attempts to maximize federal financial participation. The bill would also authorize the department to seek enhanced and complementary funding. The bill would be operative only upon an appropriation in the annual Budget Act or another statute for the purposes of the bill.This bill contains other related provisions. **Last Amended on 8/12/2019**	
SB 278 **Beall** **D** Metropolitan	ASSEMBLY DESK 1/27/2020 - Ordered to special consent calendar. Read third time. Passed. (Ayes 38. Noes 0.) Ordered	The Metropolitan Transportation Commission Act creates the Metropolitan Transportation Commission as a local area planning agency to provide comprehensive regional transportation planning for the region comprised of the 9 San Francisco Bay area counties. The act requires the commission to continue to actively, on behalf of the entire region, seek to assist in the development of adequate funding sources to develop, construct, and support transportation	

Transportation Commission.	to the Assembly. In Assembly. Read first time. Held at Desk.	projects that it determines are essential.This bill would also require the commission to determine that those transportation projects are a priority for the region.This bill contains other related provisions and other existing laws. **Last Amended on 3/28/2019**	
SB 378 **Wiener D** Electrical corporations: deenergization events: procedures: allocation of costs: reports.	ASSEMBLY DESK 1/27/2020 - Read third time. Passed. (Ayes 25. Noes 2.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.	Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including electrical corporations. Existing law requires every public utility to furnish any reports required by the commission. Existing law requires the commission to establish the Wildfire Safety Division within the commission to undertake specified tasks. Existing law, effective July 1, 2021, transfers all functions of the Wildfire Safety Division to the Office of Energy Infrastructure Safety.This bill would require each electrical corporation to annually submit a report to the Wildfire Safety Division and, after June 30, 2021, to the Office of Energy Infrastructure Safety, that includes the age, useful life, and condition of the electrical corporation's equipment, inspection dates, and maintenance records for its equipment, investments to maintain and improve the operation of its transmission and distribution facilities, and an assessment of the current and future fire and safety risk posed by the equipment.This bill contains other related provisions and other existing laws. **Last Amended on 1/21/2020**	
SB 753 **Stern D** Public social services: emergency notification.	ASSEMBLY DESK 1/27/2020 - Read third time. Passed. (Ayes 39. Noes 0.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.	Existing law permits an authorized employee of a county social services department to disclose the name and residential address of elderly or disabled clients to police, fire, or paramedical personnel, or other designated emergency services personnel, in the event of a public safety emergency that necessitates the possible evacuation of the area in which those elderly or disabled clients reside. Existing law specifies that public safety emergencies include, but are not limited to, events that jeopardize the immediate physical safety of county residents.This bill would additionally permit those individuals' telephone numbers and e-mail addresses to be disclosed and would specifically identify a public safety power shut-off as a public safety emergency. The bill would require a county social services agency that intends to disclose information as described above to notify elderly or disabled individuals receiving services of that fact and give the individual the option to opt out of having that information disclosed. The bill would limit the use of the disclosed information to providing emergency services in the event of a public safety emergency described above. **Last Amended on 1/15/2020**	
SB 793 **Hill D** Flavored tobacco products.	SENATE HEALTH 1/15/2020 - Referred to Com. on HEALTH.	Existing law, the Stop Tobacco Access to Kids Enforcement (STAKE) Act, prohibits a person from selling or otherwise furnishing tobacco products, as defined, to a person under 21 years of age. Existing law also prohibits the use of tobacco products in county offices of education, on charter school or school district property, or near a playground or youth sports event, as specified.This bill would prohibit a tobacco retailer from selling, offering for sale, or possessing with the intent to sell or offer for sale, a flavored tobacco product, as defined. The bill would make a violation of this prohibition an infraction punishable by a fine of $250 for each violation. The bill would state the intent of the Legislature that these provisions not be construed to preempt or prohibit the adoption and implementation of local ordinances related to the prohibition on the sale of flavored tobacco products. The bill would state that its provisions are severable. By creating a new crime, the bill would impose a state-mandated local program.This bill contains other related provisions and other existing laws.	Support

SB 797 Wilk **R** Water resources: permit to appropriate: application procedure.	SENATE N.R. & W. 1/15/2020 - Referred to Com. on N.R. & W. 3/24/2020 9:30 a.m. - Room 112 SENATE NATURAL RESOURCES AND WATER, STERN, Chair	Under existing law, the State Water Resources Control Board administers a water rights program pursuant to which the board grants permits and licenses to appropriate water. Existing law requires an application for a permit to appropriate water to include, among other things, sufficient information to demonstrate a reasonable likelihood that unappropriated water is available for the proposed appropriation. Existing law requires the board to issue and deliver a notice of an application as soon as practicable after the receipt of an application for a permit to appropriate water that conforms to the law. Existing law allows interested persons to file a written protest with regard to an application to appropriate water and requires the protestant to set forth the objections to the application. Existing law declares that no hearing is necessary to issue a permit in connection with an unprotested application, or if the undisputed facts support the issuance of the permit and there is no disputed issue of material fact, unless the board elects to hold a hearing. This bill, if the board has not rendered a final determination on an application for a permit to appropriate water within 30 years from the date the application was filed, would require the board to issue a new notice and provide an opportunity for protests before rendering a final determination, with specified exceptions.	
SB 801 Glazer **D** Electrical corporations: wildfire mitigation plans: deenergization: public safety protocol.	SENATE E. U., & C. 1/15/2020 - Referred to Com. on E., U. & C. 3/17/2020 9 a.m. - Room 3191 SENATE ENERGY, UTILITIES AND COMMUNICATIONS, HUESO, Chair	Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including electrical corporations. Existing law requires each electrical corporation to annually prepare and submit a wildfire mitigation plan to the commission for review and approval, as specified. Following approval, the commission is required to oversee compliance with the plans. Existing law requires a wildfire mitigation plan of an electrical corporation to include, among other things, protocols for deenergizing portions of the electrical distribution system that consider the associated impacts on public safety. As part of these protocols, an electrical corporation is required to include protocols related to mitigating the public safety impacts of deenergizing portions of the electrical distribution system that consider customers that receive medical baseline allowances. Existing law authorizes an electrical corporation to deploy backup electrical resources or provide financial assistance for backup electrical resources to a customer receiving a medical baseline allowance if the customer meets specified conditions.This bill would require an electrical corporation to deploy backup electrical resources or provide financial assistance for backup electrical resources to a customer receiving a medical baseline allowance if the customer meets those conditions.This bill contains other related provisions and other existing laws.	
SB 802 Glazer **D** Emergency backup generators: health facilities: permit operating condition exclusion.	SENATE E.Q. 1/15/2020 - Referred to Coms. on EQ. and E., U. & C.	Existing law imposes various limitations on emissions of air contaminants for the control of air pollution from vehicular and nonvehicular sources. Existing law generally designates air pollution control and air quality management districts with the primary responsibility for the control of air pollution from all sources other than vehicular sources. Existing law requires the State Air Resources Board to identify toxic air contaminants that are emitted into the ambient air of the state and to establish airborne toxic control measures to reduce emissions of toxic air contaminants from nonvehicular sources.This bill would require an air district to adopt a rule or revise its existing rules, consistent with federal law, to allow a health facility that has received a permit from the district to construct and operate an emergency backup generator to use that	

		emergency backup generator during a deenergization event without having that usage count toward any time limitation on actual usage and routine testing and maintenance included as a condition for issuance of that permit. By requiring air districts to adopt or revise its rules, the bill would impose a state-mandated local program.This bill contains other related provisions and other existing laws.	
SB 862 **Dodd D** Planned power outage: public safety.	SENATE E. U., & C. 1/29/2020 - Referred to Com. on E., U. & C.	Existing law, the California Emergency Services Act, authorizes the Governor to proclaim a state of emergency, and local officials and local governments to proclaim a local emergency, when specified conditions of disaster or extreme peril to the safety of persons and property exist, and authorizes the Governor or the appropriate local government to exercise certain powers in response to that emergency. Existing law defines the terms "state of emergency" and "local emergency" to mean a duly proclaimed existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by, among other things, fire, storm, or riot.This bill would additionally include a planned deenergization event, as defined, within those conditions constituting a state of emergency and a local emergency. This bill contains other related provisions and other existing laws.	
SB 889 **Skinner D** Juveniles.	SENATE RLS. 2/6/2020 - Referred to Com. on RLS.	Existing law generally subjects any person under 18 years of age who commits a crime to the jurisdiction of the juvenile court, which may adjudge that person to be a ward of the court. This bill would state the intent of the Legislature to raise the age limit on California's youth justice system.	
SB 899 **Wiener D** Density bonuses.	SENATE RLS. 2/12/2020 - Referred to Com. on RLS.	Existing law, known as the Density Bonus Law, requires a city or county to provide a developer that proposes a housing development within the jurisdictional boundaries of that city or county with a density bonus and other incentives or concessions for the production of lower income housing units, or for the donation of land within the development, if the developer agrees to construct a specified percentage of units for very low income, low-income, or moderate-income households or qualifying residents and meets other requirements.This bill would make a nonsubstantive change to that law.	
SB 902 **Wiener D** General plan.	SENATE HOUSING 2/12/2020 - Referred to Com. on HOUSING.	Existing law, the Planning and Zoning Law, requires a city or county to adopt a general plan for land use development within its boundaries that includes, among other things, a housing element. That law requires the planning agency of a city or county to provide by April 1 of each year an annual report to, among other entities, the Department of Housing and Community Development. The law requires that the annual report include, among other specified information, the number of housing development applications received and the number of units approved and disapproved in the prior year.This bill would additionally require the planning agency include in the annual report whether the city or county is a party to a court action related to a violation of state housing law, and the disposition of that action. By requiring a planning agency to include additional information in its annual report, the bill would impose a state-mandated local program.This bill contains other related provisions and other existing laws.	

SB 906 **Skinner D** Housing: joint living and work quarters and occupied substandard buildings or units.	SENATE HOUSING 2/12/2020 - Referred to Com. on HOUSING.	Existing law, the State Housing Law, establishes statewide construction and occupancy standards for buildings used for human habitation. Existing law permits a city or county to adopt alternative building regulations for the complete or partial conversion of commercial or industrial buildings to joint living and work quarters. Existing law defines a joint living and work quarter as residential occupancy by a family or not more than 4 unrelated persons maintaining a common household of one or more rooms or floors in a building originally designed for industrial or commercial occupancy, as specified.This bill would redefine joint living and work quarters to mean residential occupancy by a group of persons, whether those persons are related or unrelated.This bill contains other related provisions and other existing laws.	
SB 909 **Dodd D** Emergency vehicles.	SENATE TRANS. 2/12/2020 - Referred to Com. on TRANS.	Existing law prohibits any vehicle, other than an authorized emergency vehicle, from being equipped with a siren. Existing law requires an emergency vehicle to be equipped with a siren that meets requirements set forth by the Department of the California Highway Patrol. Existing regulations of the California Highway Patrol define a “hi-lo” to be a nonsiren sound alternating between a fixed high and a fixed low frequency and require the “hi-lo” function to be disabled on any siren manufactured after January 1, 1978. This bill would authorize an emergency vehicle to be equipped with a “hi-lo” audible warning sound and would authorize the “hi-lo” to be used solely for the purpose of notifying the public of an immediate need to evacuate.	
SB 917 **Wiener D** California Consumer Energy and Conservation Financing Authority: eminent domain: Northern California Energy Utility District: Northern California Energy Utility Services.	SENATE E. U., & C. 2/12/2020 - Referred to Coms. on E., U. & C., GOV. & F., and JUD.	Existing law creates the California Consumer Power and Conservation Financing Authority, with prescribed powers and responsibilities, including the issuance of revenue bonds, for the purposes of augmenting electrical generating facilities and to ensure a sufficient and reliable supply of electricity, financing incentives for investment in cost-effective energy-efficient appliances and energy demand reduction, achieving a specified energy capacity reserve level, providing financing for the retrofit of inefficient electrical powerplants, renewable energy and conservation, and, where appropriate, developing strategies for the authority to facilitate a dependable supply of natural gas at reasonable prices to the public. Existing law prohibits the authority from approving any new program, enterprise, or project on or after January 1, 2007, unless authority to approve such an activity is granted by statute enacted on or before January 1, 2007.This bill would rename the authority the California Consumer Energy and Conservation Financing Authority and would repeal the prohibition upon the authority approving any new program, enterprise, or project, on or after January 1, 2007. The bill would authorize the authority to acquire, by eminent domain, the assets or ownership of an electrical corporation, gas corporation, or public utility that is both an electrical and gas corporation, including any franchise rights, if that corporation has been convicted of one or more felony criminal violations of laws enacted to protect the public safety within 10 years of the date the eminent domain action is commenced. The bill would authorize a local publicly owned energy utility, as defined, to elect to join in the eminent domain action brought by the authority and acquire that portion of the electrical or gas system necessary to provide service within its borders if the local publicly owned energy utility contributes its proportionate share of the compensation paid for the assets or ownership of the public utility. The bill would establish the Northern California Energy Utility District, with a governing board elected by district and with powers and duties similar to	

		a municipal utility district, to provide electrical and gas service, and authorizes the authority to transfer any public utility acquired by eminent domain to the district or to a local publicly owned energy utility that participates in the eminent domain action. By providing for misdemeanor liability for violations of the duties of the general manager or directors of the district, this bill would impose a state-mandated local program. By increasing the duties of local elections officials, this bill would impose a state-mandated local program. Until the transfer of the utility is completed, the authority would be required to perform all management duties for the utility and operate the utility in trust. The bill would state the intent of the Legislature that the acquisition by eminent domain and transfer of those assets or ownership interest acquired be completed within 5 years of initiation of the eminent domain action. The bill would repeal the existing $5,000,000,000 upper limit upon the authority's ability to issue bonds and replace that limit with an unspecified amount. The bill would require that any bonds issued by the authority solely to acquire the assets or ownership interest of a public utility acquired by eminent domain so recite and be secured by a dedicated rate component in the rates of the public utility acquired. The bill would require that any transfer to the district include provisions preserving a dedicated rate component as security for any bonds issued by the authority to acquire the assets or ownership interest acquired.This bill contains other related provisions and other existing laws.	
SB 925 **Glazer D** Mobile telephony service base transceiver station towers: performance reliability standards.	SENATE E. U., & C. 2/12/2020 - Referred to Com. on E., U. & C.	Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including telephone corporations. Existing law requires the commission to develop and implement performance reliability standards for backup power systems installed on the property of residential and small commercial customers by a facilities-based provider of telephony services upon determining that the benefits of the standards exceed the costs.This bill would require the commission, in consultation with the Office of Emergency Services, to develop and implement performance reliability standards, as specified, for all mobile telephony service base transceiver station towers, commonly known as "cell towers."This bill contains other related provisions and other existing laws.	
SB 944 **McGuire D** Personal income taxes: Fire Safe Home Tax Credits Act.	SENATE GOV. & F. 2/20/2020 - Referred to Com. on GOV. & F.	The Personal Income Tax Law allows various credits against the tax imposed by that law. Existing law requires any bill authorizing a new tax credit to contain, among other things, specific goals, purposes, and objectives that the tax credit will achieve, detailed performance indicators, and data collection requirements.This bill would allow credits against the tax imposed by the Personal Income Tax Law for each taxable year beginning on or after January 1, 2021, and before January 1, 2026, to a qualified taxpayer for qualified costs relating to qualified home hardening, as defined, and for qualified costs relating to qualified vegetation management, as defined, in specified amounts, not to exceed an aggregate amount of $500,000,000 per taxable year.This bill contains other related provisions and other existing laws.	
SB 946 **Pan D**	SENATE N.R. & W. 2/20/2020 - Referred to Com. on	Existing law authorizes a local agency to prepare a local plan of flood protection and prescribes that a plan include, among other components, a strategy to meet the urban level of flood	

Local Flood Protection Planning Act: local flood protection plans.	N.R. & W. 3/24/2020 9:30 a.m. - Room 112 SENATE NATURAL RESOURCES AND WATER, STERN, Chair	protection, an emergency response and evacuation plan for flood-prone areas, and an identification of current and future flood corridors.This bill would require a local plan of flood protection to also include an identification of current and future weirs, bypasses, and other appurtenances.	
SB 947 **Dodd D** Electrical corporations: financial performance-based incentives and performance-based metrics.	SENATE E. U., & C. 2/20/2020 - Referred to Com. on E., U. & C. 3/17/2020 9 a.m. - Room 3191 SENATE ENERGY, UTILITIES AND COMMUNICATIONS, HUESO, Chair	Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including electrical corporations. The California Constitution authorizes the commission, among other things, to establish its own procedures, subject to statute and due process, and to fix rates and establish rules for all public utilities, subject to control by the Legislature.This bill would require the commission to evaluate financial performance-based incentives and performance-based metric tracking to identify mechanisms that may serve to better align electrical corporation operations, expenditures, and investments with public benefit goals, including safety, reliability, cost efficiency, and other state energy policies the commission believes may benefit from performance-based ratemaking. The bill would require the commission to report the results of the evaluation to the relevant policy and fiscal committees of the Legislature, as specified, by January 1, 2022.	
SB 1008 **Leyva D** Childhood Lead Poisoning Prevention Act: online lead information registry.	SENATE RLS. 2/18/2020 - From printer. May be acted upon on or after March 19.	Existing law, the Childhood Lead Poisoning Prevention Act of 1991, establishes the Childhood Lead Poisoning Prevention Program (Program), which is administered by the State Department of Public Health. Existing law requires the department to collect and analyze information to monitor appropriate case management efforts, to prepare a biennial report on the effectiveness of those efforts, and to post the report on the department's internet website. Existing law requires the report to include specified information, including the total number of children tested for lead poisoning in each county, identified sources of lead exposure for those children having lead poisoning, and whether the sources of lead exposure identified in, on, or around a residence or location associated with a child with lead poisoning have been removed, remediated, or abated.This bill would require the department to design, implement, and maintain an online lead information registry on the department internet website that enables the public to determine the lead inspection and abatement status for properties, and to use information it maintains for the registry to the extent that the department ensures that any personally identifying information is made unavailable to the public.	
SB 1020 **Dahle R** Income taxes: credits: generators.	SENATE GOV. & F. 2/27/2020 - Referred to Com. on GOV. & F.	The Personal Income Tax Law and the Corporation Tax Law allow various credits against the taxes imposed by those laws. Existing law requires any bill authorizing a new tax credit to contain, among other things, specific goals, purposes, and objectives that the tax credit will achieve, detailed performance indicators, and data collection requirements.This bill would allow a credit against those taxes for each taxable year beginning on or after January 1, 2019, and before January 1, 2021, to a taxpayer that purchases a backup power generator for use in a residence or commercial property located in a high fire-threat district, as defined, not to exceed $1,500 per tax payer. The bill would limit the total amount of credits allowed to $2,000,000,000 and would require the credits to be allocated on a first-come-first-served basis. The bill also	

		would include additional information required for any bill authorizing a new income tax credit.This bill contains other related provisions.	
SB 1045 **Bradford D** Criminal records: sealing.	SENATE PUB. S. 2/27/2020 - Referred to Com. on PUB. S.	Existing law allows a person who has suffered an arrest that did not result in a conviction, or resulted in a conviction that was subsequently vacated or reversed on appeal, to petition the court to have their arrest and related records sealed. Existing law allows a person who has fulfilled the conditions of probation, was convicted of a misdemeanor and not granted probation, was sentenced to a county jail for a felony, or was sentenced prior to implementation of the 2011 Realignment Legislation for a crime for which they would have been eligible to be sentenced to a county jail to petition the court to set the conviction aside and dismiss the accusation or information against them.This bill would allow a person who has had their conviction set aside and dismissed to petition to have their arrest and related records sealed. Because this bill would result in additional duties on local law enforcement agencies to seal these arrest records, this bill would impose a state-mandated local program.This bill contains other related provisions and other existing laws.	
SB 1059 **Hill D** Property taxation: new construction: active solar energy systems.	SENATE GOV. & F. 2/27/2020 - Referred to Com. on GOV. & F.	The California Constitution generally limits the maximum rate of ad valorem tax on real property to 1% of the full cash value of the property and defines "full cash value" for these purposes as the appraised value of real property when purchased, newly constructed, or a change in ownership has occurred after the 1975 assessment. Pursuant to constitutional authorization, existing property tax law excludes from the definition of "newly constructed" for these purposes the construction or addition of any active solar energy system, as defined, through the 2023–24 fiscal year. Under existing property tax law, this exclusion remains in effect only until there is a subsequent change in ownership, but an active solar energy system that qualifies for the exclusion before January 1, 2025, will continue to receive the exclusion until there is a subsequent change in ownership.This bill would provide that a subsequent change in ownership for these purposes does not include a change in ownership of the real property of a corporation, partnership, limited liability company, or other legal entity in which another corporation, partnership, limited liability company, other legal entity, or any other person obtains a controlling interest, as specified. By adding to the duties of county assessors in applying this exclusion, the bill would impose a state-mandated local program.This bill contains other related provisions and other existing laws.	
SB 1085 **Skinner D** Density Bonus Law: qualifications for incentives or concessions: student housing for lower income students:	SENATE HOUSING 2/27/2020 - Referred to Coms. on HOUSING and GOV. & F.	(1)Existing law, known as the Density Bonus Law, requires a city or county to provide a developer that proposes a housing development in the city or county with a density bonus and other incentives or concessions for the production of lower income housing units, or for the donation of land within the development, if the developer agrees to, among other things, construct a specified percentage of units for very low income, low-income, or moderate-income households or qualifying residents, including lower income students. Existing law defines "housing development," for these purposes, to mean a development project for 5 or more residential units, as specified, and defines "incentives or concessions" to include, among other things, regulatory incentives or concessions proposed by the developer or the city or county that result in identifiable and actual cost reductions to provide for affordable housing costs, as	

moderate-income persons and families: local government constraints.		specified.This bill would instead define "housing development," for those purposes, to mean any residential development, as specified. The bill would require the developer to provide the city or county with an analysis demonstrating the anticipated cost reductions for purposes of determining whether an incentive or concession results in identifiable and actual cost reductions.This bill contains other related provisions and other existing laws.	
SB 1092 **Galgiani D** Gambling establishments.	SENATE G.O. 2/27/2020 - Referred to Com. on G.O.	Existing law, the Gambling Control Act, provides for the licensure and regulation of various legalized gambling activities and establishments by the California Gambling Control Commission and the investigation and enforcement of those activities and establishments by the Department of Justice. Existing law prohibits, until January 1, 2023, the governing body and the electors of a city, county, or city and county that has not authorized legal gaming within its boundaries prior to January 1, 1996, from authorizing legal gaming. Existing law also prohibits, until January 1, 2023, an ordinance in effect on January 1, 1996, that authorizes legal gaming within a city, county, or city and county from being amended to expand gaming in that jurisdiction beyond that permitted on that effective date. This bill would exclude an increase in the number of tables authorized in existing gambling establishments from the prohibition on expansion of gaming and would explicitly authorize a city, county, or city and county to expand, by ordinance, the number of tables permitted in a gambling establishment.	
SB 1099 **Dodd D** Emergency backup generators: critical facilities: exemption.	SENATE E.Q. 2/27/2020 - Referred to Com. on EQ.	Existing law imposes various limitations on emissions of air contaminants for the control of air pollution from vehicular and nonvehicular sources. Existing law generally designates air pollution control and air quality management districts with the primary responsibility for the control of air pollution from all sources other than vehicular sources. Existing law requires the State Air Resources Board to identify toxic air contaminants that are emitted into the ambient air of the state and to establish airborne toxic control measures to reduce emissions of toxic air contaminants from nonvehicular sources.This bill, consistent with federal law, would require air districts to adopt a rule, or revise its existing rules, to allow critical facilities with a permitted emergency backup generator to use that emergency backup generator during a deenergization event or other loss of power, and to test and maintain that emergency backup generator, as specified, without having that usage, testing, or maintenance count toward that emergency backup generator's time limitation on actual usage and routine testing and maintenance. The bill would prohibit air districts from imposing a fee on the issuance or renewal of a permit issued for those critical facility emergency backup generators. By requiring air districts to adopt a new permitting program for those critical facility emergency backup generators, the bill would impose a state-mandated local program. The bill also would define certain terms for purposes of these provisions.This bill contains other related provisions and other existing laws.	
SB 1132 **Dodd D** Recycling: beverage containers.	SENATE RLS. 2/27/2020 - Referred to Com. on RLS.	The California Beverage Container Recycling and Litter Reduction Act, which is administered by the Department of Resources Recycling and Recovery, is established to promote beverage container recycling and provides for the payment, collection, and distribution of certain payments and fees based on minimum refund values established for beverage containers.This bill would state the intent of the Legislature to enact future legislation relating to the California Beverage Container Recycling and Litter Reduction Act.	

SB 1134 **Beall D** Wards: probation.	SENATE PUB. S. 2/27/2020 - Referred to Com. on PUB. S.	Existing law subjects a minor between 12 and 17 years of age, inclusive, who violates any federal, state, or local law or ordinance to, and a minor under 12 years of age who is alleged to have committed specified serious offenses to, the jurisdiction of the juvenile court, which may adjudge the minor to be a ward of the court. When a minor is adjudged to be a ward of the court, as previously described, and is placed under the supervision of the probation officer or committed to the care, custody, and control of the probation officer, existing law authorizes the court to make any and all reasonable orders for the conduct of the ward, and to impose and require any and all reasonable conditions that it may determine fitting and proper to the end that justice may be done and the reformation and rehabilitation of the ward enhanced.This bill would limit to 6 months the period of time in which a court may place a ward of the court on probation, under the supervision of the probation officer, except as specified. The bill would additionally require that conditions of probation for a ward be individually tailored and developmentally appropriate.	
SB 1138 **Wiener D** Housing element: emergency shelters: rezoning of sites.	SENATE HOUSING 2/27/2020 - Referred to Com. on HOUSING.	(1)The Planning and Zoning Law requires the legislative body of each county and city to adopt a comprehensive, long-term general plan for the physical development of the county or city that includes a housing element. Existing law requires that the housing element identify adequate sites for housing, including rental housing, factory-built housing, mobilehomes, and emergency shelters, and to make adequate provision for the existing and projected needs of all economic segments of a community. This bill would revise the requirements of the housing element, as described above, in connection with identifying zones or zoning designations that allow residential use, including mixed use, where emergency shelters are allowed as a permitted use without a conditional use or other discretionary permit. If an emergency shelter zoning designation where residential use is a permitted use is unfeasible, the bill would permit a local government to designate zones for emergency shelters in a nonresidential zone if the local government demonstrates that the zone is connected to amenities and services, as specified, that serve homeless people. The bill would delete language regarding emergency shelter standards structured in relation to residential and commercial developments and instead require that emergency shelters only be subject to specified written, objective standards. If a local government applies written, objective standards pursuant to these provisions, the bill would require the local government to attach and analyze the standards in its housing element. The bill would require that zones where emergency shelters are allowed include sites that meet at least one of certain prescribed standards. The bill would also require that the number of people experiencing homelessness that can be accommodated on each identified site under these provisions be demonstrated by calculating a minimum of 200 square feet per person.This bill contains other related provisions and other existing laws.	
SB 1140 **Caballero D** Personal income	SENATE GOV. & F. 2/27/2020 - Referred to Com. on GOV. & F.	The Personal Income Tax Law, beginning on or after January 1, 2015, in modified conformity with federal income tax laws, allows an earned income tax credit against personal income tax, and a payment from the Tax Relief and Refund Account for an allowable credit in excess of tax liability, to an eligible individual that is equal to that portion of the earned income tax credit allowed by federal law as determined by the earned income tax credit adjustment factor, as	

taxes: credits: child poverty tax credit.		specified. The Personal Income Tax Law allows a refundable young child tax credit against the taxes imposed under that law, for each taxable year beginning on or after January 1, 2019, in an amount equal to $1,176 multiplied by the earned income tax credit adjustment factor, not to exceed $1,000 per each qualified taxpayer per taxable year and requires amounts of this credit in excess of the qualified taxpayer's tax liability to be paid to the qualified taxpayer from the Tax Relief and Refund Account, a continuously appropriated fund.This bill, under the Personal Income Tax Law, would additionally allow a refundable child poverty tax credit against the taxes imposed under that law, for each taxable year beginning on or after January 1, 2020, in an amount equal to either (1) $2,940 multiplied by the earned income tax credit adjustment factor for qualified taxpayers, as defined, residing in a "Region 1" county on the last day of the taxable year, not to exceed $2,500 per each qualified taxpayer per taxable year, or (2) $2,353 multiplied by the earned income tax credit adjustment factor for qualified taxpayers, as defined, residing in a "Region 2" county on the last day of the taxable year, not to exceed $2,000 per each qualified taxpayer per taxable year, as specified. The bill would require amounts of this credit in excess of the qualified taxpayer's tax liability to be paid to the qualified taxpayer from the Tax Relief and Refund Account, thereby making an appropriation. The bill would specify that the credit is only operative for taxable years for which resources are authorized in the annual Budget Act for the Franchise Tax Board to oversee and audit returns associated with the earned income tax credit.	
SB 1237 **Dodd D** Nurse-midwives: scope of practice.	SENATE RLS. 2/21/2020 - From printer. May be acted upon on or after March 22.	(1)Existing law, the Nursing Practice Act, establishes the Board of Registered Nursing within the Department of Consumer Affairs for the licensure and regulation of the practice of nursing. A violation of the act is a crime. Existing law requires the board to issue a certificate to practice nurse-midwifery to a person who, among other qualifications, meets educational standards established by the board or the equivalent of those educational standards. Existing law authorizes a certified nurse-midwife, under the supervision of a licensed physician and surgeon, to attend cases of normal childbirth and to provide prenatal, intrapartum, and postpartum care, including family-planning care, for the mother, and immediate care for the newborn. Existing law defines the practice of nurse-midwifery as the furthering or undertaking by a certified person, under the supervision of licensed physician and surgeon who has current practice or training in obstetrics, to assist a woman in childbirth so long as progress meets criteria accepted as normal. Existing law requires all complications to be referred to a physician immediately. Existing law excludes the assisting of childbirth by any artificial, forcible, or mechanical means, and the performance of any version from the definition of the practice of nurse-midwifery.The bill would delete the condition that a certified nurse-midwife practice under the supervision of a physician and surgeon and would instead authorize a certified nurse-midwife to attend cases of normal pregnancy and childbirth and to provide prenatal, intrapartum, and postpartum care, including gynecologic and family-planning services, interconception care, and immediate care of the newborn, consistent with standards adopted by a specified professional organization, or its successor, as approved by the board. The bill would delete the above-described provisions defining the practice of nurse-midwifery, and instead would provide that the practice of nurse-midwifery includes consultation, comanagement, or referral, as those terms are defined by the	

		bill, as indicated by the health status of the patient and the resources and medical personnel available in the setting of care, subject to specified conditions, including that a patient is required to be transferred from the primary management responsibility of the nurse-midwife to that of a physician and surgeon for the management of a problem or aspect of the patient's care that is outside the scope of the certified nurse-midwife's education, training, and experience. The bill would authorize a certified nurse-midwife to attend pregnancy and childbirth in an out-of-hospital setting if specified conditions are met, including that the gestational age of the fetus is within a specified range. Under the bill, a certified nurse-midwife would not be authorized to assist childbirth by vacuum or forceps extraction, or to perform any external cephalic version. The bill would require a certified nurse-midwife to maintain clinical practice guidelines that delineate the parameters for consultation, comanagement, referral, and transfer of a patient's care, and to document all consultations, referrals, and transfers in the patient record. The bill would require a certified nurse-midwife to refer all emergencies to a physician and surgeon immediately, and would authorize a certified nurse-midwife to provide emergency care until the assistance of a physician and surgeon is obtained.This bill contains other related provisions and other existing laws.	
SB 1292 **Jackson D** Senior affordable housing: nursing pilot program.	SENATE RLS. 2/24/2020 - From printer. May be acted upon on or after March 25. Read first time.	Existing law permits age restrictions in connection with housing and defines senior citizen housing for these purposes as a residential development for senior citizens that has at least 35 dwelling units.This bill would state the intent of the Legislature to enact legislation that would create a nursing pilot program in a specified number of senior affordable housing developments in 5 counties for 5 years to require collaboration between an onsite nurse who provides necessary health care and onsite coordinators who facilitate other services that enable residents to remain living independently, and avoid costly and unnecessary hospitalizations and long-term care facility stays.	
SB 1314 **Dodd D** Community Energy Resilience Act of 2020.	SENATE RLS. 2/24/2020 - From printer. May be acted upon on or after March 25. Read first time.	Existing law establishes the Strategic Growth Council in state government consisting of various state agency heads and 3 public members. Existing law assigns to the council various duties, including managing and awarding grants and loans to support the planning and development of sustainable communities, as provided.This bill, the Community Energy Resilience Act of 2020, would require the council to develop and implement a grant program for local governments to develop community energy resilience plans. The bill would set forth guiding principles for plan development, including equitable access to reliable energy, as provided, and integration with other existing local planning documents. The bill would require a plan to, among other things, ensure a reliable electricity supply is maintained at critical facilities and identify areas most likely to experience a loss of electrical service.This bill contains other related provisions.	
SB 1355 **Durazo D** California Community	SENATE RLS. 2/24/2020 - From printer. May be acted upon on or after March 25. Read first time.	Existing law establishes the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, as one of the segments of public postsecondary education in this state. Existing law establishes community college districts throughout the state, and authorizes them to provide instruction at the campuses they operate. Existing law authorizes the governing board of a community college district to let to any private person, firm, or corporation, any real property that belongs to the community college district if	

Colleges: affordable housing.		the instrument by which the property is let requires the lessee to construct on the demised premises, or provide for the construction on the real property of, a building or buildings for the joint use of the community college district and the private person, firm, or corporation during the term of the lease or agreement if certain conditions are met, including that no rental fee or other charge for the use of the building or buildings is paid by the community college district.This bill would authorize the community college district to agree to a rental fee or other charge for that use if the constructed building or buildings are developed and operated as affordable housing for students or employees of the community college district, or for both those students and employees.	
SB 1408 **Dodd D** State Route 37 Toll Bridge Act.	SENATE RLS. 2/24/2020 - From printer. May be acted upon on or after March 25. Read first time.	The California Toll Bridge Authority Act makes the California Transportation Commission, together with the Department of Transportation, responsible for building and acquiring toll facilities and related transportation facilities.This bill would require an unspecified authority, on behalf of the state, to operate and maintain tolling infrastructure, including by installing toll facilities, and charge and collect tolls for the use of the Sonoma Creek Bridge, and to be responsible for the design and construction of improvements on the bridge and a segment of State Route 37 between its intersections with Route 121 in the County of Sonoma and Walnut Avenue in the County of Solano in accordance with programming and scheduling requirements adopted by the authority. The bill would authorize the authority to issue bonds payable from the revenues derived from those tolls. The bill would authorize those toll and bond revenues to be used for specified purposes, including near-term and long-term improvements to the segment of State Route 37 and the bridge to improve the roadway’s mobility, safety, and long-term resiliency to sea level rise and flooding. The bill would require the authority to update and approve an expenditure plan for those toll and bond revenues on an annual basis beginning on July 1 following implementation of a toll. The bill would require the authority to develop and implement an equity program for the toll bridge to reduce the impact of the toll on low-income drivers.This bill contains other related provisions and other existing laws.	

Total Measures: 108

Total Tracking Forms: 108