



COUNTY OF HUMBOLDT 2007 State Legislative Platform

General Legislative Policy Guidelines

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

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



Administration of Justice - State Legislative Projects

COUNTY OF HUMBOLDT – SHERIFF, PROBATION, PUBLIC DEFENDER

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1. Title: Protection of Dedicated Public Safety Funding (Rural County Law Enforcement, Juvenile Justice Crime Prevention Act, Substance Abuse and Crime Prevention Act, Juvenile Probation and Camps Funding, Standards and Training for Corrections, Mentally Ill Offender Crime Reduction Grant, Cal-MMET “War on Methamphetamine” Funding)

Legislative Platform: Support legislation that continues or increases funding for dedicated local public safety funding, and oppose legislation that would reduce or eliminate this funding.

Issue and Background: The County receives more than \$2.6 million annually from a variety of State funds to enhance local law enforcement, juvenile justice crime prevention, substance abuse treatment, reduce the use and sale of methamphetamine, treat the mentally ill in our jails and juvenile detention facilities, support the operations of our juvenile hall and regional juvenile facility, and provide training to Correctional Officers and Juvenile Correctional Officers. Several of these sources of funding – most notably the Rural County Law Enforcement Grant, Juvenile Justice Crime Prevention Act, and Standards and Training for Corrections funding – have been slated several times for reduction or elimination over the last five years as the State struggles with its budget problems.

Rural counties such as Humboldt rely heavily on grant funding to provide critically-needed Public Safety programs. Some of the most important programs to Humboldt County are described below:

- ✚ **Rural County Law Enforcement Grant** – provides \$500,000 annually to assist front-line law enforcement in 38 small and rural counties, including Humboldt. The funding supports, for example, a Patrol Sergeant in the northern area of the County, a Deputy Sheriff in the Eel River Valley area, and clerical support in the Office of Emergency Services.
- ✚ **Mentally Ill Offender Crime Reduction (MIOCR) Grant** – Humboldt County expects to receive almost \$1.4 million over an 18-month period for the newly re-established MIOCR program to reduce recidivism and keep mentally ill offenders out of the justice system (more detail provided under #7, below). Unfortunately, there have been no assurances of continued funding beyond the initial 18-month period.

- ✚ Juvenile Justice Crime Prevention Act – For FY 2006-07, this program provides Humboldt County with \$423,279, which funds the Northern California Regional Facility’s New Horizons program and critical probation diversion programs.
- ✚ Juvenile Probation and Camps Funding -- The Humboldt County Probation Department currently receives approximately \$289,000 annually. These funds are used to support case management and transition/community re-entry services for youth residing in the Juvenile Hall and Northern California Regional Facility. Juvenile Probation and Camps Funding has remained at the same level since FY 2000-01, while the costs of providing services have continued to increase, thereby impacting the County’s ability to maintain a stable level of service to youth and families.
- ✚ Cal-MMET “War on Methamphetamine” Funding – Methamphetamine has been widely identified as a major threat to public health and public safety, but most agencies have insufficient funding to mount an effective effort against the manufacture, sale, and use of the drug. Recognizing the need, the State expanded the Cal-MMET program from a few Central Valley counties to statewide for FY 2006-07. Humboldt County received approximately \$257,000 this year, but program funding has not been assured for future years.
- ✚ Substance Abuse Crime Prevention Act – Authorized by Proposition 36 in 2000, this program provides \$207,644 for drug treatment and monitoring within the community to non-violent offenders, in lieu of incarceration, saving jail and prison costs through successful treatment. Continued funding needs to be re-authorized (see #2, below).
- ✚ Standards and Training for Corrections (STC) – Adult and juvenile correctional officers must meet certain state-mandated standards of initial training and ongoing professional education. The County can be held legally liable for “failure to train” if an incident occurs in the Jail or in Juvenile Hall or the Regional Facility. Humboldt County expects to receive approximately \$122,000 in STC training reimbursement funds in FY 2006-07.

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

Legislative Platform:

- ✚ Support legislation that would express the Legislature’s intent to fund SACPA drug treatment and supervision each year in the annual State Budget Act
- ✚ Support legislation that would include language authorizing the use of therapeutic interventions such as brief incarceration and drug testing as tools for detoxification and/or motivating an offender’s engagement/continuation in treatment.

Issue and Background: Voters approved Proposition 36, the Substance Abuse and Crime Prevention Act of 2000, which refers drug offenders to treatment rather than incarceration with the hope of stopping the cycle of continuous drug use and re-arrest. The Act required that the State continuously appropriate \$120 million in funding to

implement the Act beginning in FY 2001-02 through FY 2005-06. As part of the FY 2006-07 State Budget Act, the Legislature appropriated “one time” continuation funding to support mandated SACPA activities.

In July 2006, the Governor signed Senate Bill 1137, which authorizes judges to sentence certain types of drug offenders who fall within the scope of Proposition 36 to limited jail time in order to assess treatment compliance or for the purpose of detoxification. A lawsuit was subsequently filed challenging the provisions of SB 1137. As a result, a preliminary injunction has been instituted, preventing the implementation of SB 1137 until there is a trial on the merits of the issue.

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

3. **Title: Funding for Beach Patrol**

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

Issue and Background: Since FY 2000-01, the Sheriff’s Office has received funding through the State’s Off-Highway Vehicle Commission grants to fund 40% of a Deputy Sheriff to perform beach patrol duties. This Deputy Sheriff’s primary responsibility is to patrol local coastal beaches to ensure that members of the public who utilize the beaches for recreational purposes are doing so in a safe and proper manner. In addition, the Beach Patrol Deputy assists the Humboldt County Parks and Recreation Department and the federal Fish and Wildlife Service with the protection of endangered Snowy Plover habitat during their nesting season, and assists the federal Bureau of Land Management and the federal Fish and Wildlife Service with the management of the South Spit peninsula. Over the last two years, State funding has been reduced to the point where it covers only 50% of the actual program cost. The U.S. Fish and Wildlife Service provided \$20,000 in one-time funding for FY 2005-06.

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

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

Legislative Platform:

- ✚ Support legislation that allows a jurisdiction to increase the DMV fee by one dollar to remove and dispose of abandoned and junked vehicles.
- ✚ Support legislation that allows a jurisdiction to place an item on the local ballot to increase the DMV fee by one dollar to remove and dispose of abandoned and junked vehicles.

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

The Legislature passed Senate Bill 1225 in 2006, which would have authorized local jurisdictions to increase the fee from \$1 to \$2 per vehicle registration. However, the Governor vetoed the bill, stating his belief that fees like these should be approved by the voters. Counties do not currently have the authority to place an item like this on the ballot.

5. **Title: Adult Probation Services Funding**

Legislative Platform: Support legislation that would provide direct State funding for adult probation supervision and investigation services, including electronic/GPS monitoring. The program could be structured in a manner similar to the Juvenile Justice Crime Prevention Act of 2000.

Issue and Background: California is one of only two states where primary funding for adult probation services comes exclusively from county funds and offender fees. The only State funding that has been made available for adult probation services in California is the portion of Substance Abuse and Crime Prevention Act funding that local coordinating committees allocate to probation departments to supervise the probationers receiving treatment under the act.

More than 75 % of the offenders on probation in Humboldt County are adults. Supervision for the adult probation caseloads, 94% of which are convicted felons, presents significant community safety concerns. Probation services can be the most beneficial for clients and cost-effective when sufficient resources are available to allow for meaningful intervention. Absent meaningful supervision, offender behavioral change is unlikely to occur and recidivism is almost inevitable. This leads to increased public safety concerns, time and cost to the County and criminal justice system, and ultimately, to higher rates of commitment to our already

overcrowded state prisons. Humboldt County, like other probation departments, has had to concentrate the available adult resources to serve serious felony caseloads, leaving probationers convicted of misdemeanors and less serious felonies assigned to “bank” caseloads. “Bank” caseloads are only intermittently monitored for compliance with conditions of probation. Included in these banked caseloads are many offenders who are not receiving the level of probation supervision commensurate with their risk assessment. Caseload sizes of 70-80 are not atypical for “serious felony” probationers. Caseloads of this size restrict the ability of the Probation Department to provide routine levels of supervision – let alone the intensive supervision that such serious felonies should receive.

Probation resources for adult offenders have been squeezed even tighter with the recent addition of unfunded state mandates (SB 1128 and SB 1178 of 2006), which require the in-depth, pre-sentence investigation risk assessment of adult sex offenders and electronic/GPS monitoring for identified high risk sex offenders.

6. Title: Local Detention Facilities Construction Funding

Legislative Platform: Support legislation that will provide State funds to allow for the expansion and/or new construction of adult jails and juvenile halls.

Issues and Background: Local detention facilities – adult jails and juvenile halls and camps – are the crucial front end of California's correctional system. They are a vital part of every community's effort to protect itself. Without them, law enforcement, probation and parole lose a key consequence to impose for illegal behavior. In California's local adult system, jail facilities are bursting at the seams. Dangerous crowding is a daily fact of life in many of the state's 460 jails. California does not have enough local detention capacity or adequate program space to meet its current and future public safety demands.

Detention facilities are required to separate the many classifications comprising their populations, including gang members from members of rival gangs, and violent offenders from those they might prey upon. Additionally, those who are physically or mentally ill must be provided appropriate housing. Detention facilities are supposed to maintain a "vacancy factor" to allow for these classification separations.

On any given day, California's 125 juvenile halls and camps house between 10,000 and 11,000 youth. While the state juvenile facility capacity is in better shape than it had been, it is still true that, especially in juvenile halls, juvenile capacity is *merely* adequate. On peak population days in the final quarter of 2005, the number of juvenile hall rated capacity beds statewide (8,181) exceeded incarcerated populations (7,560) by only 621 beds. Like adult detention facilities, juvenile halls require at least a 5% vacancy factor to appropriately manage their populations. On peak days it would take only 243 additional juvenile detainees statewide to drive bed need up to the level of optimum capacity. The Chief Probation Officers of California (CPOC) predict a need for approximately 6,800 additional local juvenile detention and commitment beds by 2015. An upward trend in the juvenile crime rate could greatly expand that number. In addition, juvenile correctional reforms under discussion in the Legislature could make significant new demands on local capacity. Whether or

not those changes come to fruition, it is quite certain that, at the conclusion of the current juvenile facility construction program, there will still be counties that need to replace old, outmoded facilities and others that will continue to face chronic crowding problems in their juvenile facilities. Humboldt County is one such county.

7. **Title: Mentally Ill Offender Crime Reduction (MIOCR) Grant Funding**

Legislative Platform: Support legislation to provide continuation funding for the MIOCR grant program.

Issue and Background: In the State Budget Act for FY 2006-07, the legislature appropriated \$235 million for the MIOCR grant program to support creative solutions for both juvenile and adult mentally ill offenders and reduce their unacceptably high rates of recidivism. This is a proven program which will save local and state dollars that focus on identifying, treating, and keeping mentally ill offenders out of the criminal justice system. Grant funding is currently limited to an 18-month period (January 1, 2007 – June 30, 2008). Humboldt County is in the process of applying for MIOCR grants to serve both adult and juvenile target populations. Given the fiscal uncertainties at the state level, sustainability of the MIOCR grant program beyond the 18-month period is in question. *If* the Legislature appropriates continuation funding for the program in FY 2007-08, *and* the grantee is making progress toward stated goals, grantees *may* be funded for up to four additional years. Without continuation funding, the program will cease to exist before it has had an opportunity to demonstrate its effective upon targeted offender populations.

8. **Title: Medi-Cal Coverage for Incarcerated Youth**

Legislative Platform: Support legislation that will enhance Medi-Cal coverage/eligibility for youth in custody.

Issue and Background: Existing law requiring youth to apply for Medi-Cal upon leaving an institution leaves many youth without necessary prescriptions, mental health services, and medical treatment. Requiring eligible youth to reapply also creates additional work for probation, public health, and other youth serving professionals.

Assembly Bill 2004, approved by the Legislature in June 2006, provided a practical solution by (1) suspending coverage rather than terminating Medi-Cal eligibility for juveniles who are inmates of a public institution, (2) providing for timely processing of Medi-Cal applications for youth not already on Medi-Cal, and (3) referring youth who are not eligible for Medi-Cal to the Healthy Families program. By preserving and facilitating Medi-Cal eligibility, AB 2004 would have helped to fulfill the goal of increasing health care coverage for all eligible children. However, the bill was vetoed by the Governor.

9. Title: Medi-Cal Drug Treatment Services

Legislative Platform: Support legislation to expand the scope of Medi-Cal drug treatment services to youthful offenders 12 to 20 years of age.

Issues and Background: In California and within Humboldt County, very few resources exist for youth drug treatment, specifically residential or inpatient care. Even the state's Drug Medi-Cal program neglects many of the drug treatment needs of youths. In 2004, the California Legislative Analyst's Office found that although youths compose 23% of the caseload for Drug Medi-Cal, they only receive 6-8% of the total budget. In addition, youths suffering from substance abuse disorders are restricted from access to SACPA Proposition 36 funds. The increasing trend of both youth substance abuse disorders and juvenile drug arrests is compounded by the lack of drug treatment in the juvenile institutional setting. There is clearly a huge youth treatment gap that needs to be addressed.

The Drug Medi-Cal program for which the state receives federal matching funds does not cover residential drug treatment services unless the a youth is pregnant or parenting. Neither does it cover outpatient one-on-one care among other necessary drug and alcohol treatment services. The limited benefits under the Drug Medi-Cal program for youth under 21 does not allow providers to offer the level of care required by the state's own youth treatment standards.

Senate Bill 1288, approved by the Legislature in June 2006, increased the scope of benefits contained in Drug Medi-Cal for youth 21 and under. Youth suffering from substance abuse disorders would have had access to a continuum of care, including outreach, screening, individual counseling, family counseling, day rehabilitative care, ancillary services, residential, and aftercare. This bill would have provided an incentive for providers to establish more youth-driven treatment facilities within the community. The bill , however, was vetoed by the Governor.

10. Title: Additional Support for Minors Transitioning to Adult Responsibility

Legislative Platform: Support legislation that provides funding to support those minors who are transitioning from delinquency (600) or dependency (300) status to adult responsibility.

Background and Discussion: When a minor has been placed out of the home and turns 18, there are few, if any, local resources to help him/her transition to independent adult living. A cost-effective solution would be the local development of programs like Remi Vista, a multiple assistance center or co-housing center for young adults that provides a somewhat structured setting or assistance in living for 18-25-year-olds who are former dependent or delinquent youth.

11. Title: Operational Costs for Offenders Transferred from State Corrections System

Legislative Platform: Support legislation that provides state funding for housing any adult or juvenile offenders at the local level who would normally have been housed in the State Department of Corrections System.



Community Development - State Legislative Projects

COUNTY OF HUMBOLDT – COMMUNITY DEVELOPMENT DEPARTMENT
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1. **Title: Set-Aside of Proposition 1C Housing Bond Funds for Small & Rural Counties**

Legislative Platform: Support legislation that provides rural set-asides of housing bond funding, rather than having allocations based solely on population of the county or metropolitan area.

Background and Discussion: Voters passed Proposition 1C, the Housing and Emergency Shelter Trust Fund Act of 2006, in November. Proposition 1C authorizes the issuance of up to \$2.85 billion in bond funding for a variety of housing-related issues: to provide shelters to battered women and their families; clean and safe housing for low-income senior citizens; homeownership assistance for the disabled, military veterans, and working families; and repairs and accessibility improvements to apartments for families and disabled citizens. There has been some concern among rural counties that their needs will be overlooked in the distribution of bond funding if allocations are based on population. Small counties would benefit from a set-aside of bond funds for rural areas.

2. **Title: Funding for Public Infrastructure Projects**

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

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

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

3. Title: Development of Fiber Optic Cable Redundancy

Legislative Platform: Support legislation that provides funding for rural extension of broadband capability.

Issue and Background: Humboldt County has one fiber optic cable line that runs along U.S. Highway 101 from Ukiah to Eureka. A portion of the line passes through Eel River Canyon, an area known for its geological instability and vulnerability to landslides caused by earthquakes and heavy North Coast rains. Hurricane Katrina severed the main fiber optic cables going into New Orleans, crippling communications and hindering communications efforts. On December 26th, 75 mph winds severed the fiber optic cable serving the entire California North Coast area north of Laytonville, cutting off high-speed internet service, e-mail, and some cell phone service for 16 hours. In addition to cutting off internet service, many businesses were unable to process debit cards and retail gift cards. ATM machines were also down. These outages affected Mendocino, Humboldt, and Del Norte Counties.

Technology businesses looking to move or start up in an area count the reliability of the telecommunications infrastructure as one of their biggest considerations. For existing businesses of any size in the Humboldt area, the ability to communicate outside of the area is critical for them to function.

In addition, a May 2006 report from the California Public Utilities Commission stated that particular attention should be given to ensure that broadband services are available to lower income Californians, residents of rural areas, and the disabled community.

The County, in cooperation with the Redwood Region Economic Development Commission, the Redwood Technology Consortium, and Redwood Coast Rural Action, recently completed a study to determine the feasibility of installing a second fiber line to provide redundancy to the system. The recommendation of the Alternate Middle Mile Fiber Feasibility Study was to develop a second fiber optic line from Redding to Eureka.

4. Title: Funding to Encourage Development of Affordable Housing

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

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

Many housing programs that are available through the federal government, such as the farmworker housing program, require a 20-40% local cash match to access federal funds. For a \$2 million project and a 20% match requirement, the County would need to provide \$400,000 for its local cash match. Humboldt County is too cash-strapped to provide this level of matching funds. Therefore, elimination of local match requirements on existing housing programs would be highly desirable.

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

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

Legislative Platform:

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

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

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

6. **Title: Brownfield Remediation and Liability**

Legislative Platform:

- ✚ Support legislation that maintains or increases funding for remediation of toxic brownfield sites, particularly those in rural areas.
- ✚ Support legislation that encourages the reuse of formerly developed properties and limits liability for developers of these sites, particularly in rural areas that have large unused vacant industrial sites.

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

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



Education - State Legislative Projects

COUNTY OF HUMBOLDT – DEPARTMENT OF HEALTH & HUMAN SERVICES

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1. **Title: Restoration of Public Library Fund monies**

Legislative Platform:

- ✚ Support legislation which would increase funding for the Public Library Fund.

Background and Discussion: The State Library Fund, which provided a reliable source of acquisitions monies for libraries throughout the state, was cut by 75% over a four-year period in the early 2000s. For Humboldt County, this meant a reduction from \$206,300 to \$51,575 annually. As a result, new acquisitions of library materials were virtually eliminated.

The Humboldt County Library is a vital community institution providing library service to all County residents through a main library in Eureka, ten branches and a bookmobile. The Humboldt County Library System provides resources and opportunities to support lifelong learning, local heritage, and the cultural, recreational, and information needs of Humboldt County communities. The collections and services the library provides as part of its mission are well used county-wide.

Libraries thrive when they are able to update and replenish its collections with new materials. The State Library Fund is critical to Humboldt's ability to make new acquisitions.



General Government - State Legislative Projects

COUNTY OF HUMBOLDT – COUNTY ADMINISTRATIVE OFFICE

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

Legislative Platform: Support legislation that re-establishes and restores funding for the Property Tax Administration Program.

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

However, due to the state budget deficit, the State eliminated the PTAP program after FY 2005-06. Statutory authorization for the existence of the program sunsets on June 30, 2007. Humboldt County has three appraisal positions and one assessment technician positions that are vacant due to the elimination of funding. A study conducted by the California State Auditor in 2000 concluded that \$11 of property tax revenues are generated by every \$1 invested in the PTAP program. Therefore, the PTAP program is extremely beneficial to the State, the county, and to all local jurisdictions that receive property tax funding.

The Legislature recently introduced Assembly Bill 83 in an effort to establish a similar program, the State-County Property Assessment and Revenue for Education funding program (PARE). The bill (if passed) will re-establish the program, but an appropriation will also need to be included in the State Budget Act.

2. **Title: Elections Transparency Measure**

Legislative Platform: Support legislation that would allow the Registrar of Voters to unseal ballots for the purpose of creating an electronic image of each ballot and making that image available for re-count purposes.

Background and Discussion: Many citizens are distrustful of electronic election systems. One way to rebuild the trust of voters in elections would be to scan the

images of each ballot onto electronic media, and then provide compact discs or internet access to the ballot images. This would allow interested groups to determine for themselves that the ballot count was accurate. However, current law requires the ballots to be sealed except for recounts and destruction. A statutory amendment would be needed to allow the ballots to remain unsealed.

3. **Title: Pension Reform**

Legislative Platform:

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

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

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

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

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

Background and Discussion: Internet sales have largely been tax-free to encourage the development of the internet commerce medium, and because of differing tax laws in each of several thousand different taxing jurisdictions. Sales taxes generate 33% of all state revenue and 12% of all revenue to local governments. However, this revenue is rapidly eroding as an increasing number of consumers make purchases on-line. Sales taxes are not collected on almost two-thirds of business-to-consumer transactions over the internet.

States can only require retailers located within their borders to collect sales tax on their behalf. The U.S. Supreme Court, in the *Quill* decision, has ruled that it is a violation of the Commerce Clause of the United States Constitution for a state to

require a retailer that is not physically located within a state to comply with a state's tax laws.

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



Health & Human Services - State Legislative Projects

COUNTY OF HUMBOLDT – DEPARTMENT OF HEALTH & HUMAN SERVICES
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1. **Title: Reauthorize AB 1881 (Chapter 655 Statutes of 2004) Integrated Health and Human Services Programs; make permanent the duration of the program; and extend its scope to waive statute.**

Legislative Platform:

- ✚ Support legislation that would re-authorize Integrated Health and Human Services Programs.
- ✚ Support legislation that would extend the authority to implement an integrated health and human services program in accordance with provisions as determined by the Secretary of California Health and Human Services.
- ✚ Support legislation that makes the program permanent, without a sunset date.
- ✚ Support legislation that extends its scope to waive statute under Section 118986.86(k) of the Welfare & Institutions Code.

Background and Discussion:

Currently, Humboldt County, Mendocino County, Alameda County, and any additional county or counties, as determined by the Secretary of California Health and Human Services, with the assistance and participation of the appropriate state departments, within the existing resources of those departments, may implement a program, upon approval of the county board of supervisors for the funding and delivery of services and benefits through an integrated and comprehensive county health and human services system. This statutory provision sunsets as of January 1, 2009.

The intent of this legislation request is to amend the following sections of existing Welfare and Institution Codes:

Section 18986.86 (k): Add authority of participating counties to waive statutes in addition to regulations as proposed in the amended language below:

(k): The appropriate state departments, as designated by the Secretary of Health and Human Services, that are assisting, participating, and cooperating in the implementation of the program authorized by this chapter shall have the authority to waive regulations and statutes regarding the method of providing services and the

method of reporting and accountability, as may be required to meet the goals set forth in subdivision (b).

Section 18986.88: Eliminate the sunset date of the chapter as proposed below: “This chapter shall remain in effect on a permanent basis, and the sunset date of January 1, 2009, is repealed.”

2. **Title: Mental Health Medi-Cal Claims**

Legislative Platform: Support legislation for a deficiency appropriation to pay Mental Health Medi-Cal Claims from FY 2003-04 through FY 2005-06.

Background and Discussion: The State currently owes counties approximately \$252 million for mental health costs dating back to FY 2003-04 and continuing through FY 2005-06. Humboldt County is owed approximately \$4.6 million for claims through September 2006. Accounting changes at the State level caused the backlog. Both the State Department of Mental Health and the California Department of Finance acknowledge that all of these past claims must be paid and are working towards developing legislation for a deficiency appropriation from the State General Fund.

3. **Title: Public Health – Pandemic Preparedness**

Legislative Platform: Support legislation for non-categorical funding to address individual County issues and mandates related to pandemics (e.g., pandemic flu, emerging diseases, smallpox pre-event vaccination plans, etc.).

Background and Discussion: Infrastructure is required for emergency preparedness. Humboldt County needs financial resources to enhance its infrastructure, for active surveillance, for pre-event mandates from the state and federal governments, and for any major disaster or disease pandemic.

4. **Title: Healthy Lifestyles**

Legislative Platform: Support Healthy Community Initiatives including work place wellness, built communities that support physical activity, and access to healthy food.

Background and Discussion: There is a marked lack of support in the built community and the workplace for healthy life styles, including physical activity and healthy food choices.

Good nutrition and physical activity can be increased by a Public Health approach to the built community and by employee wellness programs. Additional funding opportunities through State Legislation for Healthy Community Initiatives would go a long way toward increasing community health and reducing the incidence of obesity and chronic disease in our population.

5. **Title: Use of HIV prevention and education funds to support needle exchange projects**

Legislative Platform: Support legislation similar to AB 2076 (Laird) which would authorize State funds to be used for the purchase of needles and syringes. AB 2067 passed the legislature but was pulled from the Governor's desk before his decision.

Background and Discussion: Since needle exchange programs in Humboldt County were authorized by the Board of Supervisors, six syringe exchange programs have operated in the County without the benefit of public funds, frequently limiting their scope due to lack of funding. Nevertheless, there has been a significant and sustained reduction in the incidence of acute hepatitis B in Humboldt County. Hepatitis B is transmitted sexually or by contact with infected blood, as in needle sharing situations. Not only have the needle exchange programs reduced needle sharing, but the programs have also vaccinated injection drug users enrolled in the programs against hepatitis B. This protects not only the drug user, but also his or her sexual partners and offspring.

Despite research that clearly shows a reduction in HIV transmission as a result of needle exchange, the State Department of Health Services does not allow purchase of sterile needles and syringes with State funds. Due to this lack of funding, the numbers of people who can be reached through needle exchange programs is severely limited. Legislation similar to AB 2067 would authorize State funds to be used for the purchase of needles and syringes, thus increasing the ability to stop transmission of HIV, hepatitis B and C, and other blood borne pathogens. Presumably, under the legislation it would be optional for local health jurisdictions to purchase needles and syringes using State funding.



Natural Resources - State Legislative Projects

COUNTY OF HUMBOLDT – AGRICULTURAL COMMISSIONER
Contact: John Falkenstrom, Agricultural Commissioner/Sealer of Weights & Measures,
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1. **Title: Williamson Act Funding and Enforcement**

Legislative Platform:

- ✚ Support the continuation of the Williamson Act and subventions to counties for its implementation, and oppose any weakening of the Act and/or elimination or reduction of the subventions.
- ✚ Support legislation and administrative action that would improve the ability of both the State and the County to enforce Williamson Act agreements through uniform control measures.

Background and Discussion: The Williamson Act (California Land Conservation Act) is important for the preservation of agricultural land in California. When land is enrolled in a Williamson Act agreement, the landowner is taxed at a rate based on the actual use of the land for agricultural purposes, as opposed to its Proposition 13 or unrestricted market value. The program is estimated to save agricultural landowners from 20 to 99% in property tax liability each year. In return, the landowner commits to restricting the use of his/her land to agricultural and open space for at least ten years. The contracts are automatically renewed each year.

2. **Title: Motor Vehicle Fuel Account (Unclaimed Gas Tax)**

Legislative Platform: Support legislation for the transfer of specific Motor Vehicle Fuel Accounts (MVFA) Funds from the California Department of Food and Agriculture (CDEFA) to the Department of Pesticide Regulation (DPR).

Background and Discussion: Currently, the California Food and Agriculture Code §224 provides for the allocation of \$1.5 million of the Motor Vehicle Fuel Account to the CDFA annually. Of that amount, \$1.0 million is allocated as urgency funds for statewide pest eradication, and \$500,000 for CDFA administrative costs. Funds received above the first \$1.5 million are distributed to the counties for local support of mandated agricultural programs. Humboldt County receives approximately \$109,000 from these “unclaimed gas taxes” annually.

DPR does not receive any funds at this time from the MVFA. A change in existing law is necessary to appropriate \$12.0 million to DPR with the following provisions for distribution of funds:

- ✚ 5% but not less than \$1.65 million would be allocated to the CDFA for administrative overhead;
- ✚ 9% but not less than \$300,000 would go to the urgency fund;
- ✚ \$3.0 million would be allocated to counties for pest detection activities, with an additional 7% of the appropriation to the counties for carrying out other state-mandated agricultural programs; and
- ✚ The remaining portion of the funds would be distributed to counties to offset authorized agricultural/pesticide use enforcement programs, as specified.

This change in law is necessary to provide fiscal relief to counties, CDFA, and DPR. It would substantially increase funding for Agricultural Commissioners statewide. Its intent has support from the California Agricultural Commissioners and Sealers Association. Similar legislation (AB 1059) was introduced in 2006.

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

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

Background and Discussion: Humboldt County conducts high-risk pest exclusion inspections at distribution points for packages containing plant material. These inspections are extremely important for ensuring that the County and the State are kept free from the introduction of foreign pests on commercial plant shipments, which could seriously impact our environment and agricultural industries. Because these inspections are important on a statewide level, the California Department of Agriculture (CDFA) used to provide contract program funding from federal monies. These reimbursements were eliminated completely in FY 2005-06. Because the program is so important to the County, the Agricultural Commissioner's Office has absorbed the unreimbursed costs, but has had to limit and prioritize the inspections that it conducts.

The estimated cost of providing these inspections in FY 2005-06 was approximately \$59,000.

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

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

Background and Discussion: The Humboldt County Agricultural Commissioner's Office provides various types of pesticide use monitoring inspections, as well as reviewing and issuing permits to ensure that hazards are mitigated. This state-mandated program is expected to grow due to ever-increasing statutory restrictions, requirements, and changes in the laws and regulations. The program is critical to

protect public health, property, pesticide handler and fieldworker safety, and the environment in Humboldt County. In FY 2006-07, Humboldt County expects to receive approximately \$61,000 in state funding, approximately 60% of the estimated total annual cost of \$102,000.

5. Title: Sudden Oak Death Management and Mitigation Resources

Legislative Platform: Seek legislation that would support funding for efforts to 1) continue to slow the spread of Sudden Oak Death and 2) provide resources to remove the large number of hazardous dead trees.

Background and Discussion: The presence of Sudden Oak Death in the north coast of California represents an emergency situation with very limited time for coordinated action. The infestation in the southern part of Humboldt County is isolated and small from the other 13 California counties currently impacted by the disease. It also represents a rare opportunity to try and manage the wildland disease, that no other County is in a position to address. Several factors make the spread of Sudden Oak Death (SOD) a particular concern in the north coast region. It is now clear that left un-managed, the pathogen will continue to spread in north coast wildlands; one small infestation detected in 2002 in Southern Humboldt has grown to encompass patches scattered over several dozens of square miles and threatens much of the north coast. Many speculate that if the infestation in Humboldt County is left unmanaged it will vector the pathogen to Del Norte County and to Oregon. Ecologists expect Sudden Oak Death's impacts to area forest ecosystems (tribal, wildlife, fire hazard, and aesthetic, to name a few) to be significant.

There is a limited time window for early response and pathogen control following the point of detection of a new wildland infested area. The County is grateful for the past funding from the Forest Service, matched (50/50) by the California Department of Forestry and Fire Protection, University of California and a few others; however, early response is limited by lengthy contracting processes that do not support emergency action. The County is in need of more institutional and financial resources to manage this growing problem. The Humboldt County office of UC Cooperative Extension is expecting to receive \$185,000 from the USDA Forest Service for FY 2006-07 to continue an early detection and very limited strategic management response problem, but a realistic cost for control is \$1.0 million. Resources are also needed to address the impacts of the disease. As Sudden Oak Death spreads, it leaves behind significant numbers of dead trees that present both fire and safety hazards. The County has no funds available to remove dead trees along County roads, or to assist local communities in managing the increasing dead tree problem. The estimated costs for dead tree management ranges from \$50,000-\$100,000 annually.

6. Title: Funding for Wildlife Services Program

Legislative Platform: Support legislation that would provide a state contribution to the cost of the Wildlife Services Program

Background and Discussion: The Humboldt County Agricultural Commissioner's Office and the U.S. Department of Agriculture (USDA) currently share costs to maintain the Humboldt County's Wildlife Services Program. In prior years, this program was funded one-third by the USDA, one-third by the California Department of Food & Agriculture, and one-third by the County. However, state funding was eliminated some years ago. The program responds to public needs in handling conflicts with wildlife, to reduce losses to livestock producers by predatory animals, and to protect urban areas and respond to nuisance complaints. Due to the proximity of urban areas to wildlife areas in Humboldt County, it is inevitable that conflicts arise between humans and wild animals. In these cases, it is crucial to have trained Wildlife Service professionals available to respond to complaints and/or concerns. Humboldt County's portion of the cost is \$58,181, or 59% of the total cost of approximately \$98,600 annually. The County's cost for FY 2006-07 has increased approximately 34% over FY 2005-06.

7. **Title: Funding and Monitoring Activities for the Klamath River**

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

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

8. **Title: Timely Funding and Local Flexibility**

Legislative Platform: Support timely receipt of State funding and local flexibility to enhance the Agricultural Commissioner's ability to immediately respond to pest emergencies.

9. **Title: Regulation of Pesticide Use**

Legislative Platform: Support the legal, responsible, and judicious use of pesticides by farmers and others in the production of a wholesome and safe food supply, and suppression of serious pests and diseases of agricultural and horticultural interests.

10. **Title: Sustainable Agricultural Practices and Integrated Pest Management**

Legislative Platform: Support legislation that supports sustainable agricultural practices and integrated pest management, but not to the exclusion of all other legal and responsible systems for the production of crops and protection of public health.

11. Title: Agricultural Biotechnology

Legislative Platform: Support legislation that preserves the rights of farmers and others to utilize scientifically developed and approved biotechnology for the production of food, fiber, and health aides.



Public Works - State Legislative Projects

COUNTY OF HUMBOLDT – PUBLIC WORKS DEPARTMENT

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Contact: Elena Reyes, Management Analyst; e-Mail ereyes@co.san-joaquin.ca.us; Telephone (209) 468-3399

1. **Title: Release of Proposition 1B Bond Funds**

Legislative Platform:

- ✚ Support legislation that prioritizes the use of Proposition 1B funds for Local Road Improvements, and authorizes the release of bond funds directly to counties.
- ✚ Support legislation that provides rural set-asides of transportation bond funding, rather than having allocations based solely on population of the area surrounding the transportation project.

Background and Discussion: Voters passed Proposition 1B, the Highway Safety, Traffic Reduction, Air Quality & Port Security Bond Act of 2006 in November. Proposition 1B authorizes the issuance of up to \$19.925 billion in bond funding for a variety of transportation issues. A total of \$2.0 billion was set designated for Improved Local Roads, Congestion Reduction, Highway and Local Road Improvements. It is anticipated that the entire \$19.925 billion in bond funding will not be issued right away. However, prioritizing the Local Road Improvements portion of the bond funding will allow the most funds to go directly into projects right away, as counties have projects that are ready to be implemented immediately upon receipt of funding.

There has been some concern among rural counties that their needs will be overlooked in the distribution of bond funding if allocations are based on the population surrounding a proposed project. Small counties, who are oftentimes especially cash-strapped, would benefit from a set-aside of bond funds for rural areas.

2. **Title: Buckhorn Grade Improvement Project**

Legislative Platform: Support legislation that provides funding for further development of the Buckhorn Grade Improvement Project on State Route 299.

Issue and Background: The Buckhorn Grade Improvement Project is of critical importance to the economic stability and development of Humboldt County and adjoining counties. Humboldt is one of only two counties in California that is entirely inaccessible to the size of truck that carries most goods in the state. The Buckhorn Grade on State Route 299 between Eureka (U.S. Highway 101) and Redding (Interstate 5) is a 7.2-mile stretch of highway consisting of narrow roads, hairpin curves and steep inclines, making it inaccessible to the majority of long-haul

trucks. Although \$8 million in federal funds have been appropriated for the revised project description (for a less-costly on-alignment alternative) and environmental impact report, up to \$150 million is estimated to be needed for construction of the complete project.

3. Title: Stormwater Waste Discharge in Areas of Special Biological Significance

Legislative Platform:

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

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

Current regulations essentially require local areas to cease all drainage. State-designated ASBS's in Humboldt County include the Shelter Cover area in southern Humboldt County, Redwood National Park, Trinidad, Westhaven, and the King Range. The topography of these areas make it economically infeasible and environmentally destructive to relocate drainage from these areas of the county. Legislation and regulations need to be more realistic, streamlining requirements to focus on what is absolutely necessary to protect habitat. Future regulations should be based on best management practices as established by scientific panels. Humboldt County is seeking an exemption from the stormwater discharge requirement. However, the application costs for the exception alone are estimated to cost the county approximately \$100,000. Carrying out the provisions of the mandate would cost far more. The County is requesting postponement of the regulations until such time as funding to carry out this mandate is provided by the State.

4. Title: Reduction in Vote Threshold Required to Pass Local Transportation Sales and Gasoline Tax Initiatives

Legislative Platform: Support legislation that would reduce the vote threshold required to pass local transportation initiatives from a two-thirds majority to 55%.

Background and Discussion: Assembly Constitutional Amendment 7, introduced in the 2005-06 legislative session, would have lowered the voter approval requirement for a city, county or special district to impose a special tax from two-thirds to 55 percent of the voters voting on the measure. Over the last several years, a number of

jurisdictions have seen special tax initiatives receive a “yes” vote from the majority of the electorate, but fall short of the two-thirds vote requirement. Because roads are used by virtually every citizen on a daily basis, and a majority has shown that they are willing to tax themselves to support transportation projects, the current two-thirds vote requirement is unfair in a political system based on the concept of majority rule.

5. Title: Funding and Regulatory Relief for Maintenance of Redwood Creek Levee System

Legislative Platform: Support legislation that would:

- ✚ Allow Proposition 84 (Flood Control, Natural Resources, and Parks Bond Act) or other State funding to be used for levee system repairs and maintenance Redwood Creek near Orick.
- ✚ Allow for expedited permitting from State agencies for levee system repairs

Background and Discussion: The Natural Resources Division of the Humboldt County Public Works Department maintains the flood control system at Redwood Creek. Due to limited funding and extensive permit requirements, maintenance usually consists of gravel and minor vegetation removal. However, more intensive vegetation and gravel removal is needed to properly maintain the system to it’s design capacity. The work needed to reclaim the design capacity of this flood control system would require a variety of permits and/or regulatory relief from state and federal agencies. Rural flood control systems would benefit from expedited permitting when local agencies need to maintain or repair levees.