

# County of San Mateo



## 2007-2008 State Legislative Session Program

San Mateo County Board of Supervisors

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## CONTENTS

- I. INTRODUCTION
- II. COUNTY-SPONSORED AND COSPONSORED STATE INITIATIVES
- III. 2007-2008 STATE LEGISLATIVE PRIORITIES
- IV. LEGISLATIVE POLICIES
  - A. Administration and Finance
  - B. Human Services
  - C. Health Services and Hospitals
  - D. Public Safety and Justice
  - E. Land Use, Housing, Transportation and Environment
  - F. Miscellaneous

## INTRODUCTION

The mission of the San Mateo County Legislative Program is to sponsor legislative proposals and to influence the state budget process and legislation that relates to the people, places, prosperity and partnerships of our community. The 2007-2008 State Legislative Session Program reflects San Mateo County's commitment to our Shared Vision 2010.

The overarching goal of the San Mateo County Legislative Program is to identify legislation that could impact San Mateo County and to attempt to influence the outcome of such legislation. In this effort, the Legislative Committee with the support of County staff will assess the impact of legislation and refine and represent the Board's positions on the range of proposals, priorities and policies found in this document. The goal of the Legislative Program also includes legislative ideas that originate from County staff and Board members. This document, the 2007-2008 State Legislative Session Program, is intended to provide a basic policy framework in which San Mateo County can work toward this goal. Divided into three general categories (legislative proposals, priorities, and policies), the Program asserts some of the key issues and general positions for issues of concern to San Mateo County.

While this document attempts to cover the breadth and depth of legislative issues that may have an impact on San Mateo County, it is not comprehensive, complete or final. The Legislative Committee will review policy positions related to legislation and make recommendations to the full Board. All legislation, on which the County takes a position, will be tracked through the legislative process. For relevant issues, County staff or consultants will prepare position letters for relevant legislators and committees, deliver testimony at hearings, conduct other advocacy roles, and provide regular status reports to the Legislative Committee and the Board. Some issues may require heightened advocacy. As a result, Board members may testify or meet with relevant legislators. With the approval of the Director of Intergovernmental and Public Affairs and the Board President, staff will utilize the authority found in the 2007-2008 Legislative Session Program in lieu of an official Board position to advocate on particular legislation or issues that conform to adopted policy positions.

## COUNTY SPONSORED AND COSPONSORED LEGISLATIVE PROPOSALS

This section details legislative proposals that San Mateo County will pursue, either through sponsorship or co-sponsorship, in the upcoming session. Once approved by the Board of Supervisors, County staff and legislative consultants will work to develop the proposals, identify bill authors/sponsors and shepherd them through the legislative process. The Board of Supervisors will receive regular updates on the status of the legislative proposals and may be asked to testify before the legislature.

### 1. **San Mateo County Demonstration for Orders to Seek Employment for Non-Delinquent Child Support Obligors**

**Proposal:** Provide the Superior Court of the County San Mateo the flexibility to order unemployed parents to seek work at the time of the initial order for support rather than wait until an obligor has become delinquent.

**Background:** Current law (FC §4505) requires delinquent child support obligors that allege they are not paying because they are unemployed to contact at least 5 employers a week and report back to the child support agency, the court or another entity. This requirement may only be imposed after the obligor has become delinquent. The seek work order cannot be imposed until an unemployed obligor defaults on their child support payments. Since orders cannot be reserved due to unemployment alone, this contributes to the creation of arrears. This proposal would allow San Mateo County's Courts to order unemployed parents to seek work at the time of the initial order for support. (2006, DCSS)

### 2. **Foster Family Regional Rate Pilot**

**Proposal:** The Foster Family Regional Rate Pilot would provide a 35% increase to the Foster Family Home (FFH) rates for three counties, a large (Santa Clara), medium (San Mateo) and small (Marin), that have among the highest 2006 Fair Market Rents (FMR) in California. The pilot would last five years to study whether a rate increase can better support current and prospective foster parents in high FMR counties.

**Background:** The recruitment of foster family homes is critical to keeping foster children in their communities. Studies show that in terms of reunification, it is critical that parents and children establish a regular and consistent pattern of visitation during the first six months after removal. While there are many factors in a family's decision to become a foster family, the San Mateo County Foster Parents Association asserts that foster parents point to low financial assistance as a critical factor that influences whether or not they continue fostering children. The Human Services Agency's Foster Parent Recruiter often finds that families who express strong interest in fostering are immediately dissuaded upon disclosure of the amount of financial assistance (commonly referred to as the reimbursement rate and/or rate). With a few minor exceptions the current payment rate for out-of-home placements is the same throughout California's counties. The average payment rate of \$505 (range \$425-597 for children ages 0-4 through 15-19, respectively) helps cover half or more of the FMR in 74% of California counties; whereas, in San Mateo County, \$505 helps cover only 34% of the FMR (assuming a two-bedroom apartment). Staff believes that high costs of living consume excessive amounts of FFH funds and can negatively impact prospective and current foster parents' decision to be foster parents.

## 2007-2008 STATE LEGISLATIVE PRIORITIES

This section highlights the most important 2007-2008 Legislative Session issues that could significantly affect San Mateo County. While San Mateo County will not actively pursue legislation, in the following areas, the following priorities will receive heightened scrutiny and may warrant significant involvement on the part of County staff or Board members. The County may request amendments to legislation in these priority areas—amendments that conform to the general goals and objectives of the below priorities.

### **1. Protecting County Revenues and Operations**

San Mateo County has had a long-standing policy relating to full funding for state-mandated and partnership programs, increased flexibility and the simple elimination of programs not properly funded by state and/or federal funds (2001-2002). The County generally supports the principle and related legislation that guarantees local governments including schools, cities, special districts and counties reliable, predictable and equitable funding. This support includes the proper allocation of existing tax revenues. The County supported the passage of Proposition 1A in November 2004. San Mateo County opposes state program reductions that have the effect of increasing reliance on county “safety net” services.

Should funding for programs not be maintained with the current budget revenue and expenditure levels, the County would support increases in alcohol and cigarette taxes.

Not mutually exclusive to increases in revenues, the County supports, in concept, the reduction in funding for various programs and activities only when the concomitant requirement to provide such programs and activities is relieved. The Board has not considered what specific programs would be acceptable for reductions in funding and expressly reserves its ability to take a position on this issue should (as) it arises during the next legislative session and any pertinent special sessions.

The County supports restoration of historic reductions in local government funding and increased flexibility in implementing and administering services. Providing local governments with greater flexibility to provide services to local communities ensures that services match local needs and greater efficiencies for limited resources. The County also supports the preservation and increase of funding for Health and Human services “realigned” to counties in the early 1990s. The County opposes any effort to alter the existing Realignment funding allocation formula if it will result in a reduction of funds to San Mateo County.

For programs, like trial courts, no longer operated by counties, the County supports the elimination of maintenance of effort requirements and equitable transition of responsibilities and facilities to the State.

### **2. Infrastructure Needs, Investments and On-going Revenues**

In November 2006, California voters approved \$42.7 billion (from Propositions 1B-E and 84) in bond funding for infrastructure needs. Where appropriate, the County supports allocation formulas that ensure the County receives a fair share of infrastructure bond funding by reflecting, in part, the need and the wide variation in the cost of living and doing business among

California's diverse communities. San Mateo County, like others, is already addressing local infrastructure needs through local efforts such as housing trust funds and dedicated revenues for transportation. As a result, the County supports recognition of local efforts to address infrastructure needs by ensuring that housing trusts gain access to Proposition 1C funding.

Of greater importance is the need to secure additional and/or dedicated on-going revenues for the operations and maintenance of existing local infrastructure and future infrastructure improvements. While capital improvements are needed, maintaining existing infrastructure first—"fix it first"—is a sound, cost effective investment of tax dollars. Unfortunately, revenues have not been able to keep pace with the costs of operating and maintaining our critical infrastructure. As a result, the County supports:

- Funding that adequately supports local infrastructure needs;
- From existing revenue sources like Proposition 42 and SAFETEA-LU, funding allocations that reasonably support local needs;
- Consideration of additional and/or dedicated statewide on-going revenue sources that support local operations and maintenance of existing and future infrastructure needs;
- Increasing local flexibility to create new and increased local transportation revenue sources such as local transportation sales taxes, vehicle license fees and
- Updating, adjusting and/or indexing the current gas tax;
- Statewide policies that ensure rehabilitation and operation and maintenance of local infrastructure are among the top funding priorities; and
- Balanced with the need for environmental protection, the streamlining of regulatory requirements that reduce the costs of both initial construction of and on-going operations and maintenance of local infrastructure.

### **3. Health Care**

The County supports universal health care coverage in California. However, the existing system of publicly funded health care requires greater support from both the federal and state levels of government. In addition to expanding health care coverage to ensure access to all Californians, the County supports state efforts to adequately fund existing public health care programs. The state cannot rely upon the County to expand health care coverage and access—such expansions must be funded from other levels of government. Proposed health care reforms should include:

- Health care services for prisoners, offenders, detainees and undocumented immigrants;
- Adequate maintenance and support for "safety net" health care to ensure that such care is stable and viable;
- Reforms that simplify the health care system for recipients, providers and administration;
- Meaningful participation from the federal government that maximizes federal financial participation;
- Access to health education, preventive care, and early diagnosis and treatment that assist in controlling costs through improved health outcomes;
- County participation in all aspects of planning and implementation.

#### **4. Corrections Reform**

With increased attention on recidivism and overcrowding in state detention facilities, corrections reform will likely receive increased attention in the near future. Since local and state corrections systems are significantly intertwined, both the state and local governments must work collaboratively to achieve any meaningful improvements in California's corrections system. To that end, the County supports:

- A consistent and committed partnership between local and state governments;
- Adequate funding for existing, new and expanded programs that rely on county services to ensure successful outcomes for offenders;
- Investment in local programs and services that reduce recidivism and the growth in the population of incarcerated individuals such as greater funding for adult probation services modeled after the Juvenile Justice Crime Prevention Act (JJCPA) and increased funding for the JJCPA itself;
- An increased focus on adult and juvenile offender rehabilitation that recognizes the importance of an offender's ties to his/her community;
- A greater recognition of the importance of adequate alcohol and other drug treatment and mentally ill in-custody services;
- Local flexibility that recognizes the unique characteristics of each county and that enables local communities to best meet the needs of offenders;

#### **5. Use of County-specific Cost of Doing Business in State Funding Allocations**

While the cost of doing business varies widely by county, most state allocations of funding to the counties do not account for such differences. For example the Substance Abuse and Crime Prevention Act (SACPA) allocation methodology, assumes that a dollar of allocation can purchase an equal amount of services in each county. In contrast, Federal funding to states accounts for cost differences among states. The formula in the Federal Public Health Service Act for allocating funds to the states for the Federal Substance Abuse Prevention and Treatment (SAPT) Block Grant utilizes a Cost of Service Index Factor whose purpose is to accurately reflect the differences between California and the other states in the cost of providing substance abuse services. The County supports adjustments to county human service fund allocations that account for the differences among California counties in the cost of providing services.

## STATE LEGISLATIVE POLICIES

This section describes San Mateo County's general positions on legislative issues that are expected to appear in the next legislative session, appear regularly at the federal and state levels or are standing policies of the County. While the policies are broken down into five general categories (Administration and Finance; Human Services; Health Services and Hospitals; Public Safety and Justice; and Land Use, Housing Transportation and Environment) and a miscellaneous category, many of the policies bridge more than one category. Every effort has been made to place properly each of the policies.

### **Administration and Finance**

The County supports:

1. Preservation of existing revenues and revenue authority, including the elimination of ERAF and maintenance of effort (MOE) requirements. The County opposes efforts to expand MOE requirements and ERAF. Maintenance of effort requirements tend to penalize more progressive counties that implement programs before the statewide program.
2. Maintenance of property tax revenues directed to local government. The County opposes efforts to direct property tax revenues away from local government.
3. Efforts to allocate funding through block grants, which allow for maximum flexibility in the use of funding within the designated program.
4. Increased funding for county infrastructure needs, should such funds be available.
5. Examination of equitable funding structures and formulas that reflect a county's responsibilities, demographics, cost of living and caseloads. The County opposes funding restructuring efforts that do not ensure adequate revenues for new responsibilities and obligations.
6. Federal funding mechanisms that allow funding to flow directly to local governments rather than through state government.
7. Efforts to create faster reimbursement processes from state and federal sources to local government.
8. Increased ability to utilize state or local matching funds to draw down additional federal funds.
9. "Revenue neutrality," that requires the transfer of adequate revenues to accompany the corresponding responsibility. Generally, the County opposes the use of local revenues to satisfy state or federally mandated activities.
10. Economic Development efforts that grow the California and local economies in an sustainable (environmental and economic) fashion.
11. Efforts that improve voting accessibility and the implementation and compliance of the Help America Vote Act (HAVA). (2006, CoD)

### **Human Services**

The County supports:



1. Preservation of the 1991 county health and human services realignment program. The County also supports a careful and cautious analysis of any efforts to alter the current system in light of California's fiscal constraints. (2001-2002, revised)
2. Increased flexibility for the administration of CalWORKs. Flexibility in the CalWORKs program should include income eligibility standards for child care.
3. Performance incentives and other rewards for cooperation and collaboration among local governments, including regional and sub-regional efforts to provide accessible, affordable and transit oriented housing. (2001-2002)
4. Preservation of children's protective services, participation and funding for foster/adoptive programs and funding for child care. (2001-2002, revised)
5. Maximum flexibility to institute innovative practices in child welfare and foster care such as "wraparound" services and multi-discipline service approaches.
6. Increased funding and greater funding flexibility for foster care services, which are critical to adequately protect children in need.
7. Protection of counties from any penalties associated with child support enforcement-reporting violations associated with the state's failure to adequately implement an electronic reporting system.
8. Elimination of or reductions to federal penalties related to food stamps.
9. Where appropriate, aligning incongruent rules for resource limits and treatment of particular types of resources in the CalWORKs, Food Stamps and Medi-Cal programs. (2005, HSA)
10. Preservation of existing safety net program benefits and income eligibility threshold, e.g., Medi-Cal, Food Stamps, CalWORKs. (2005, HSA)
11. Recognition that efforts to improve the quality of health care through staffing standards must be accompanied by additional state or federal funds (2005, SMMC).

### **Health Services and Hospitals**

The County supports:

1. The creation and funding for a health care system that provides access to health insurance to all San Mateo County residents regardless of their ability to pay. To that end, the County supports efforts to reduce or eliminate premiums and co-payments that serve to deny access to care.
2. Improved access to health care and increased stability of the health care system through Medi-Cal. The County supports increased reimbursement rates, full funding for emergency room services and costs, expanded dental coverage, increased funding for outreach and enrollment, funding and flexibility to provide increased health care and mental health services in the County's jail system.
3. Expanding the Healthy Families program (State Children's Health Insurance Program (SCHIP)); to include families of eligible children and preserving federal funds to California.
4. Full funding for Emergency Medical Service program costs.
5. Legislation and budget actions that reduce the fiscal impact of the In-Home Supportive Services program on county revenues, including Realignment funds. The County supports examinations of the In-Home Support Services program and its impact on other

- programs realigned to counties, particularly its impact on mental health services and efforts to secure dedicated funding for mental health programs.
6. Legislation that facilitates the implementation of the U.S. Supreme Court's Olmstead Decision at the State and local level. Community-based services that enable individuals with disabilities to live independently for as long as possible are the cornerstone to the implementation of Olmstead. (2005, CoD)
  7. Preserving and/or advocating for the accessibility of community infrastructure and anti-discrimination provisions that often come under attack by efforts to weaken or dilute the Americans with Disabilities Act (ADA) of 1990 and California Government Code § 12955 (housing) § 12940 (employment) § 12926.1 (definitions of disability) and Civil Code § 51 (prohibits discrimination). (2006, CoD)
  8. The integration of Long Term Care that is aimed at supporting people with disabilities to have the best possible quality of life through a system built around consumer needs and preferences that allows local flexibility in providing services and supports. (2006, CoD)
  9. Full funding for the County's costs incurred in providing mental health services to special education students and ensuring that AB 3632 program service responsibilities are assigned to schools. (2006, Health)
  10. The Mental Health Services Act funding allocation/distribution formulas that recognize counties' historical support of mental health programs, geographic differences in the cost of living and cost of doing business, the need for self-sufficiency of clients and that considers "under service" to individuals as well as unmet need as a lack of any service to eligible clients. (2005, Health)

## **Public Safety and Justice**

The County supports:

1. Preservation of funding for local public safety efforts, including inmate health, juvenile probation and prevention programs, mental health and drug and alcohol programs. (2001-2002)
2. Preservation of funding and, in the future, seek additional funding for Proposition 36 implementation. Support statutory changes that improve the operational efficiency and local flexibility of the program. (2001-2002, revised)
3. Full funding and/or equity in the trial court realignment block grant. The County also supports efforts to continue examination into trial court funding and maintenance including the transfer of trial court facilities.
4. Full funding for the cost of booking and processing of persons arrested by public entities in San Mateo County. In the event full funding is not made available through a state appropriation or other fund source, the County supports reinstatement of booking fees that ensure full cost recovery.
5. Increased regulation of firearms.
6. Efforts to facilitate the construction and operation of youth services facilities, such as increased or reallocated funding for correctional facilities that are ready for immediate construction.
7. Increased funding for substance abuse treatment, mental health services and other diversionary services for inmates.

8. Continued review of the alignment of Chief Probation Officer selection, appointment and retention authority with funding. The County also supports cautious review of any potential separation of adult and juvenile probation activities.
9. Efforts to align law library costs, including facilities maintenance, with trial courts rather than the County.
10. Increased federal funding for State Criminal Alien Assistance Program (SCAAP).
11. Disaster preparedness measures that enable local governments to better plan for and respond to emergencies and disasters.

## **Land Use, Housing, Transportation and Environment**

The County supports:

1. Solutions and funding for the region's housing crisis that address the needs of homeless, lower-income residents, CalWORKs participants and at-risk populations including the housing needs of people with disabilities and the elderly.
2. Efforts to preserve affordable and accessible housing and the development of new affordable and accessible housing through activities including additional funding for local housing trust funds, development of a statewide and national housing trust funds, and efforts to increase the amount of multi-family housing in San Mateo County.
3. Smart Growth efforts and other land use decisions that facilitate appropriate mixed use developments along efficient, public transportation corridors. The County also supports an examination of current rules and standards that benefit lower density development (over higher density development), vehicular movement at the expense of pedestrian traffic and safety. While the County supports development incentives for Smart Growth related activities, the County opposes efforts to divert or restrict funding usage to specific programs.
4. Increases in Housing Assistance Payments and Administrative Fee amounts and greater flexibility for use of Section 8 Housing Choice Voucher Program funds. The County opposes efforts to reduce funding amounts in this arena and or limitations on the flexibility of use of funds. (2006, Housing)
5. Renewal of subsidies for the Supportive Housing Program as well as the Shelter Plus Care Program. These programs fund San Mateo County's transitional and permanent supportive housing for homeless families and homeless persons with disabilities. It also is the primary funder of our homeless providers for support staff and program operations. These funds also support rental assistance for disabled homeless people. (2006, Housing)
6. Meaningful reform related to redevelopment agencies—reform that includes an examination of the definition of blight and of project area mergers. (2006, CMO)
7. Careful and cautious review of the implementation of Proposition 50 water bond funds.
8. Careful and cautious examination of state efforts to manage regional growth issues.
9. Maintenance of adequate open space/park lands through increased funding for development easements and needed restoration and rehabilitation activities.
10. Efforts to protect, conserve, restore, and enhance environmental resources of the San Mateo County, its coast and adjacent waters for environmentally sustainable and prudent use by current and future generations. (2005, ESA)
11. Increased funding to address the growing Sudden Oak Death syndrome affecting several California coastal counties. (2002, ESA)

12. The Legislative Analysts Office recommendation to require a statewide transportation needs assessment every five years, if the assessment has no fiscal impact on County funds or revenues.
13. Increased energy efficiency and conservation efforts that reduce California's per-capita need for energies including electricity and fossil fuels; increased production and use of renewable energies that grows the renewable energies "market share" of California's energy consumption profile; and, when necessary, non-renewable energies development that meets environmental reviews, that maintains or exceeds current environmental and/or emission controls, and that best protects our natural environments and offshore areas.

### **Miscellaneous**

The County supports:

1. The development of regulations and the implementation of Proposition 49, the After School Education and Safety Program Act of 2002, which will benefit the County's existing system of before and after school programs.
2. Legislation that will benefit horseracing and other subsequent horse racing related activities in and around Bay Meadows.
3. Legislation that conveys to domestic partners any and all benefits and advantages enjoyed by married couples.

The County opposes:

1. Limitations on live horseracing meetings conducted by the San Mateo County Fair or satellite wagering in San Mateo County. (B&P § 18549.14, 19605.45)