



County of Los Angeles CHIEF EXECUTIVE OFFICE

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April 19, 2012

To: Supervisor Zev Yaroslavsky, Chairman
Supervisor Gloria Molina
Supervisor Mark Ridley-Thomas
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Supervisor Michael D. Antonovich

From: William T Fujioka
Chief Executive Officer

SACRAMENTO UPDATE

This memorandum contains pursuits of County position on legislation related to: 1) fees for weighing and measuring devices; 2) services for homeless youth; and 3) the closure of State facilities for juvenile offenders.

Pursuit of County Position on Legislation

AB 1623 (Yamada), as amended on March 29, 2012, would extend the authority of county board of supervisors to: 1) charge an annual registration fee to recover the costs of the county sealer from January 1, 2013 to January 1, 2018; 2) provide adjustments to the fee for particular weighing and measuring devices; and 3) specify that, in certain circumstances, the fee consisting of the business location fee and the device fees shall not exceed a specified amount.

Existing law requires the sealer of a county to inspect and test weighing and measuring devices that are used or sold in the county. Testing the accuracy of commercial weighing and measuring devices, whose measurements determine the price of goods or services, ensures accuracy and protects both the buyer and seller. Commercial weighing and measuring devices include gasoline pump meters, propane and butane meters, residential utility meters, taximeters, grocer scales, jewelry and pharmacy scales, deli-counter scales, and livestock scales. Current law also authorizes county board of supervisors, by ordinance, to charge an annual registration fee, not to exceed

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the county's total cost of inspecting or testing weighing and measuring devices to recover the costs to the county sealer to perform these duties.

The Department of Agricultural Commissioner/Weights and Measures (ACWM) indicates that AB 1623 would revise the device registration fees to offset costs of annual inspections and would allow counties to specify rates charged to business operators. The bill also would extend the sunset date to January 1, 2018 and amend multiple fees for recovery of administration and inspection costs. Current device registration fees provide the framework to recover costs, ensuring the accuracy of devices used in commercial transactions in the marketplace, protecting consumers from fraud or negligence, and providing a level playing field for competing businesses. The changes to the fee structure proposed in AB 1623 would allow counties to set their registration fees according to the actual costs for testing the various business devices.

Further, the existing negotiated fee limitations have been demonstrated to be insufficient for a majority of counties to recover costs to ensure the viability of their respective Weights and Measures Device Inspection Programs and to meet mandated inspection frequency requirements. AB 1623 would allow the update of annual registration fees for a number of specified weighing and measuring devices and refine the category list of device types to more accurately and equitably address the respective costs associated with testing and inspecting the individual devices. The proposed fee revisions would generate additional revenue to facilitate enhanced recovery of costs by counties. According to ACWM, the fees proposed by AB 1623 are conservative in respect to statewide cost recovery shortfalls and considered appropriate to offset average testing costs.

Should the maximum fees proposed by AB 1623 be enacted and adopted by your Board for implementation, ACWM estimates that additional device registration fee revenues would total approximately \$660,000. This estimated revenue would facilitate inspections of nearly all device types in accordance with existing State regulations related to inspection frequencies and methodologies. The bill would also extend the authority for the County to charge fees to recover the costs to the ACWM to January 1, 2018 and continue the enforcement program.

The Department of Agricultural Commissioner/Weights and Measures and this office support AB 1623. Therefore, consistent with existing Board policy to support proposals which allow for the County's full recovery of costs related to enforcement of laws governing commercial weighing and measuring device accuracy, packaging and sales of commodities, the quality of motor vehicle fuels, and the accuracy of prices charged in retail transactions, **the Sacramento advocates will support AB 1623.**

AB 1623 is sponsored by the California Agricultural Commissioners and Sealers Association and supported by California State Associations of Counties. It is opposed by the Avis/Budget Group, Enterprise Holdings, and Hertz Corporation.

AB 1623 passed the Assembly Business, Professions and Consumer Protection Committee by a vote of 8 to 0 on April 17, 2012. This measure now proceeds to the Assembly Floor.

AB 2547 (Blumenfield), which as introduced on February 24, 2012, would create within the California Health and Human Agency the Office of the Homeless Youth Advocate (Office) to: 1) coordinate services and facilitate interagency collaboration; 2) identify obstacles to providing services to homeless youth; 3) improve the quality of services; 4) reduce expenditures caused by overlapping services; and 5) identify housing and supportive services funding resources.

According to the author of AB 2547, every year in California an estimated 200,000 unaccompanied youth ages 18 to 24 sleep on the streets and there is no one State agency that is responsible for coordinating services or ensuring their safety. Many of these youth are former foster and/or probation youth. The author also notes that the current economic crisis has pushed even more youth who lack job skills and educational opportunities into homelessness. Once homeless, these youth are at greater risk for physical and mental health problems or substance abuse, and they may have no alternative but to seek treatment in county-operated health or mental health facilities. AB 2547 is intended to ensure that all available resources are used to help these youth obtain housing and essential supportive services.

The Departments of Children and Family Services, Health Services and Mental Health indicate that AB 2547 is an important first step in identifying, coordinating, and providing needed services for homeless youth. These departments support AB 2547 and this office concurs. Therefore, consistent with existing Board policies to support proposals to provide additional resources for meeting the housing and supportive services needs of special populations, **the Sacramento advocates will support AB 2547.**

AB 2547 is supported by the California Coalition for Youth and the California Teachers Association. There is no registered opposition on file.

AB 2547 is scheduled for a hearing in the Assembly Human Services Committee on April 24, 2012.

AB 2576 (Davis), which as amended on March 29, 2012, would, as of January 1, 2013, prohibit the Department of Corrections and Rehabilitation, Division of Juvenile Facilities (DJF - formerly DJJ) from accepting youthful offenders. The bill would abolish DJF as of June 1, 2014 and would establish two funds, the Juvenile Justice Rehabilitation Best Practices Fund and the Juvenile Justice Realignment Fund to appropriate funding to counties and service providers to provide custodial and noncustodial rehabilitative services for juveniles.

As previously reported, the Governor's FY 2012-13 Proposed Budget includes a proposal to continue the realignment of juvenile justice responsibilities from the State to counties by ceasing in-take at DJF beginning January 1, 2013. DJF would continue to house commitments placed in State custody on or before January 1, 2013 until the population phases out. The Governor's DJF proposal does not include any details related to funding mechanisms available to counties to plan and implement juvenile justice realignment. The Department of Finance testified at a March 28, 2012 Assembly Budget Subcommittee hearing that the Administration would present a revised detailed proposal regarding DJF when it releases the May Budget Revision.

AB 2576 proposes the same elements included in the Governor's DJF proposal and would stipulate that DJF cease all in-take of youthful offenders beginning January 1, 2013 and would abolish DJF as of June 1, 2014. The bill establishes the Juvenile Justice Rehabilitation Best Practices Fund which would provide \$40.0 million beginning in FY 2012-13 for counties to contract with service providers and to renovate facilities to provide services for this population. The bill also establishes the Juvenile Justice Realignment Fund and appropriates \$60.0 million in FY 2013-14 and \$120.0 million annually thereafter to be distributed to counties according a specified formula to contract with service providers and to renovate facilities.

According to the Probation Department, youthful offenders eligible for DJF are not an appropriate population to realign to counties. Any proposals to close DJF would place a significant burden on the County to find suitable housing and provide the required programming and treatment for these offenders. As a result of their offense, risk-level, mental health issues and criminal histories, these offenders require specialized housing not currently available in Los Angeles County and a high level of intensive supervision and treatment.

Consistent with your Board action of March 13, 2012 to send five-signature letters to the Governor, the Legislature and the California State Association of Counties strongly opposing the Governor's DJF proposal, and your directive of March 22, 2011 for the Chief Executive Office to work with the Brown Administration and the Legislature to develop a feasible and sustainable realignment framework which included

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recommendations to oppose the realignment of DJF, **the Sacramento advocates will oppose AB 2576.**

AB 2576 is sponsored by Books Not Bars Coalition. This measure is opposed by California State Association of Counties and Urban County Caucus.

AB 2576 is scheduled to be heard in the Assembly Public Safety Committee on April 24, 2012.

We will continue to keep you advised.

WTF:RA
MR:KA:IGEA:sb

c: All Department Heads
Legislative Strategist
Local 721
Coalition of County Unions
California Contract Cities Association
Independent Cities Association
League of California Cities
City Managers Associations
Buddy Program Participants