[MS-0398.042.002.004]

SAN DIEGO COUNTY BOARD OF SUPERVISORS

LEON L. WILLIAMS, SUPERVISOR

NATIONAL & STATE BOARDS

NATIONAL ASSOCIATION OF COUNTIES

COUNTY SUPERVISORS ASSOCIATION OF CALIFORNIA

SOUTHERN CALIFORNIA HAZARDOUS WASTE MANAGEMENT AUTHORITY

REGIONAL BOARDS

CITY COUNTY REINVESTMENT TASK FORCE

SAN DIEGO CONSORTIUM & PRIVATE INDUSTRY COUNCIL

SERVICE AUTHORITY FOR FREEWAY EMERGENCIES

METROPOLITAN TRANSIT DEVELOPMENT BOARD

SAN DIEGO WATER AUTHORITY WATER RECLAMATION ADVISORY COMMITTEE

REGIONAL TASK FORCE ON THE HOMELESS

1600 PACIFIC HIGHWAY • SAN DIEGO, CALIFORNIA 92101 • (619)531-5544

FAX COVER SHEET

Date September 3, 1992

To Governor Pete Wilson
Attention: Doris Forward

Fax # 916-445-4633

From Supervisor Leon L. Williams

Fax 557-4025

Number of pages following Cover Sheet 4

Comments

Doris:

Tried to FAX yesterday, but line was busy.

Please see that the Governor gets this. It is most important..

Leon

Recycled paper

SAN DIEGO COUNTY BOARD OF SUPERVISORS

LEON L. WILLIAMS
SUPERVISOR, FOURTH DISTRICT

NATIONAL & STATE BOARDS:

NATIONAL ASSOCIATION OF COUNTIES

CALIFORNIA STATE ASSOCIATION OF COUNTIES

SOUTHERN CALIFORNIA HAZARDOUS WASTE MANAGEMENT AUTHORITY

REGIONAL BOARDS:

METROPOLITAN TRANSIT DEVELOPMENT BOARD

SAN DIEGO WATER AUTHORITY WATER RECLAMATION ADVISORY COMMITTEE

REGIONAL TASK FORCE ON THE HOMELESS

CITY / COUNTY REINVESTMENT TASK FORCE

SAN DIEGO CONSORTIUM AND PRIVATE INDUSTRY COUNCIL

SERVICE AUTHORITY FOR FREEWAY EMERGENCIES

ABANDONED VEHICLE ABATEMENT AUTHORITY

September 3, 1992

The Honorable Pete Wilson
Governor
State Capitol
Sacramento, CA 95814

Dear Governor:

Please sign SB 1559 (No Author). This bill is intended to mitigate the severe impact of the State budget and trailer bills on counties. It contains the following major provisions of interest to the County of San Diego:

- It provides counties relief from court-ordered mandates when there are inadequate resources to comply with court orders.
- It protects counties from unwarranted revenue losses stemming from city incorporations.
- It relieves counties of the cost burden associated with medical care required for injuries received by persons at the time of arrest.
- It permits medical insurers to be billed for the cost of medical care required by their insureds who may be in jail.
- It permits counties to recoup from convicted persons with the ability to pay the administrative cost of booking them into a county detention facility.
- It clarifies ambiguities in SB 2557 (Maddy).
- It relieves counties of the obligation to provide free legal services to schools.

Counties will lose a tremendous portion of their general revenue as a result of the new State budget. We cooperated with the State in its efforts to address its budget shortfall. We are now trying to find ways to continue to provide essential services.

1600 PACIFIC HIGHWAY • SAN DIEGO, CALIFORNIA 92101 • (619) 531-5544 • 1-(800) 852-7324 • FAX (619) 557-4025

Recycled Paper.

Dear Governor:

Please sign SB 1559 (No Author). This bill is intended to mitigate the severe impact of the State budget and trailer bills on counties. It contains the following major provisions of interest to the County of San Diego:

- It provides counties relief from court-ordered mandates when there are inadequate resources to comply with court orders.
- It protects counties from unwarranted revenue losses stemming from city incorporations.
- It relieves counties of the cost burden associated with medical care required for injuries received by persons at the time of arrest.
- It permits medical insurers to be billed for the cost of medical care required by their insureds who may be in jail.
- It permits counties to recoup from convicted persons, with the ability to pay the administrative cost of booking them into a county detention facility.
- It clarifies ambiguities in SB 2557 (Maddy).
- It relieves counties of the obligation to provide free legal services to schools.

Counties will lose a tremendous portion of their general revenue as a result of the new State budget. We cooperated with the State in its efforts to address its budget shortfall. We are now trying to find ways to continue to provide essential services.

SB 1559 is modest in its reach, but it is an extremely critical bill for counties, in the long term. Attached is a more detailed explanation of its provisions. I urgently request that you sign this legislation.

Sincerely,

LEON L. WILLIAMS

Enclosures (1)

(916) 445.4633-

SUMMARY OF SB 1559
County of San Diego

Court Orders. SB 1559 establishes a requirement that a court find that a county has adequate resources to carry out a court order before finding the board of supervisors in contempt for failure to carry out that order.

- This is a form of "mandate relief" which will be critical in the coming year, given the extent of budget reductions.

- It also may help the County of San Diego defend against an appeal of this week's favorable trial court ruling in support of the County's time limit on General Assistance for employable adults -- a ruling based on a defense of "fiscal impossibility.

Incorporations. SB 1559 requires that new city incorporations be revenue neutral -- i.e., that a county not give up more revenue (from any source) than the cost of the municipal service obligations assumed by a new city.

- It does not affect annexations -- i.e., it does not affect existing cities.

- It does not affect revenue growth in the incorporating territory.

An example of the need for this provision comes from the incorporation of the City of Encinitas. The new city assumed responsibility for municipal service obligations costing the County $3.5 million. The County transferred to the new city, pursuant to existing law, $3.5 million of its property tax base. But the new city also received, by operation of law, all of the County's $2 million in sales tax collected in the area. In other words, the new city made a $2 million profit on this transaction, while the County lost $2 million that otherwise would be available for courts, jails, health and social services in the region -- services we still must provide to the City of Encinitas.

We are not looking for a windfall here. We are looking for fairness, and an opportunity to consider a broader range of revenue exchange which would permit us to continue providing the regional services for which we are responsible under State law.

Medical Care for Arrestees. SB 1559 permits sheriffs to refuse to receive into the county jail arrestees who are in need of immediate medical care -- i.e., until such persons have been transported to a hospital or medical facility for care.

Our jail medical staff reports that the County of San Diego has incurred current fiscal year costs of $759,723 as of this date for persons needing immediate medical intervention as a result of injuries received in the process of arrest. A large portion of these costs result from concussions, fractures and gun shot wounds. This figure does not include emergency room visits, physician fees, ambulance transport and other services. Jail medical staff estimate that the annualized cost of such services is in excess of $1 million.

Insurance Coverage for Jail Prisoners. SB 1559 allows counties to seek recovery of medical costs for jail prisoners from the health insurance provider of the prisoner (if one exists). Under existing law, the county is responsible for the cost of such care.

Criminal Justice Administration Fee. SB 1559 allows counties to recoup from persons arrested by non-local agencies (e.g., CHP, INS) the cost of booking them into the county jail. This "criminal justice administration fee" would only be collected from persons who (a) are convicted, and (b) have the ability to pay.

Clarification of SB 2557. SB 1559 clarifies ambiguities in Chapter 466 of 1990 (SB 2557) based on legislative intent as characterized by Senator Maddy, author of the measure. Hopefully, this will reduce litigation related to the administration of this earlier statute.

Free Legal Services. SB 1559 deletes a current statutory requirement for counties to provide free legal services to schools. As I am sure you can appreciate, county counsels up and down the state can barely keep up with the barrage of legal claims made possible by our lopsided legal system. We need to protect our limit attorney resources, and this bill will help.

sb1559.ltr