

AMENDED IN SENATE APRIL 17, 1996

**SENATE BILL**

**No. 2062**

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**Introduced by Senator Rogers**  
(Coauthor: Assembly Member Brown)

February 23, 1996

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An act relating to agricultural commissioners.

LEGISLATIVE COUNSEL'S DIGEST

SB 2062, as amended, Rogers. Agricultural commissioners: enforcement programs: study.

(1) Existing law provides for county agricultural commissioners with specified duties and responsibilities.

This bill would require the ~~University of California Agricultural Extension Services, on or before January 1, 1998, and in conjunction with Secretary of Food and Agriculture to~~ designate representatives of the agricultural industry, consumer groups, county governments, county agricultural commissioners, the Department of Pesticide Regulation, and the Department of Food and Agriculture; to *conduct a study of specified content and to prepare and submit, on or before January 1, 1998, a report to the Legislature with proposed legislation to provide for the adequate funding of state enforcement programs conducted by relating to the county agricultural commissioners.* The bill also would ~~require these recommendations to include specific recommendations as to which of these enforcement programs should continue to be mandated by the state~~ *authorize the study group, by consensus, to select a third party to facilitate meetings and prepare the report to the Legislature.* By requiring

representatives of local agencies to participate in the study, the bill would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

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

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

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

1 ~~SECTION 1. On or before January 1, 1998, the~~  
 2 SECTION 1. The Legislature hereby finds and  
 3 declares all of the following:  
 4 (a) State-mandated enforcement programs  
 5 conducted by the county agricultural commissioners are  
 6 critical to the state's agricultural food and fiber supply,  
 7 public health and welfare, and the agricultural industry.  
 8 (b) Fiscal constraints have caused many counties to  
 9 reduce the level of support that is available and can be  
 10 provided by the county general funds to support these  
 11 programs.  
 12 (c) Representatives from the county agricultural  
 13 commissioners, the agricultural industry, county  
 14 governments, consumer groups, the Department of  
 15 Pesticide Regulation, and the Department of Food and  
 16 Agriculture are prepared to meet and study this situation  
 17 and provide recommendations to the Legislature for  
 18 funding and levels of service.  
 19 SEC. 2. (a) The Secretary of Food and Agriculture  
 20 shall designate representatives of the agricultural  
 21 industry, consumer groups, county governments, county



1 agricultural commissioners, the Department of Pesticide  
2 Regulation, and the Department of Food and Agriculture  
3 to conduct a study that evaluates the statutory and  
4 regulatory responsibilities and appropriate funding  
5 sources for mandated programs conducted by the county  
6 agricultural commissioners.

7 (b) The study shall review the essential county  
8 agricultural commissioner responsibilities and  
9 opportunities for improving and funding mandated  
10 activities, using criteria that includes, but is not limited to,  
11 the following:

12 (1) An inventory of the major activities of the county  
13 agricultural commissioners.

14 (2) A determination, activity by activity, whether or  
15 not an activity is a core function integral to  
16 accomplishment of the mission of the county agricultural  
17 commissioner.

18 (3) If the activity is not critical to the mission of the  
19 county agricultural commissioner, a determination  
20 whether the activity is essential to the mission of another  
21 government agency.

22 (4) A development of performance, cost, and quality  
23 measures for all activities of the county agricultural  
24 commissioner.

25 (5) A determination of direct control over an activity  
26 or whether the county agricultural commissioner can  
27 obtain a comparative advantage over alternative sources  
28 by performing the activity itself.

29 (6) Identification of funding sources for activities that  
30 are performed more cost-effectively by the county  
31 agricultural commissioner.

32 (c) The study group designated pursuant to  
33 subdivision (a) shall prepare a report of its findings and  
34 recommendations and submit the report to the  
35 Legislature on or before January 1, 1998. The report shall  
36 contain the findings and recommendations for mandated  
37 programs and proposals for adequate funding of state  
38 enforcement programs.

39 (d) The study group designated pursuant to  
40 subdivision (a), by consensus, may select a third party to



1 facilitate meetings and prepare the report to the  
2 Legislature required by subdivision (c).

3 SEC. 3. Notwithstanding Section 17610 of the  
4 Government Code, if the Commission on State Mandates  
5 determines that this act contains costs mandated by the  
6 state, reimbursement to local agencies and school  
7 districts for those costs shall be made pursuant to Part 7  
8 (commencing with Section 17500) of Division 4 of Title  
9 2 of the Government Code. If the statewide cost of the  
10 claim for reimbursement does not exceed one million  
11 dollars (\$1,000,000), reimbursement shall be made from  
12 the State Mandates Claims Fund.

13 Notwithstanding Section 17580 of the Government  
14 Code, unless otherwise specified, the provisions of this act  
15 shall become operative on the same date that the act  
16 takes effect pursuant to the California Constitution.

17 ~~University of California Agricultural Extension Services;~~  
18 ~~in conjunction with representatives of the agricultural~~  
19 ~~industry, consumer groups, county governments,~~  
20 ~~agricultural commissioners, and the Department of Food~~  
21 ~~and Agriculture, shall report to the Legislature with~~  
22 ~~proposed legislation to provide for the adequate funding~~  
23 ~~of state enforcement programs conducted by county~~  
24 ~~agricultural commissioners. These recommendations~~  
25 ~~shall include, but not be limited to including, specific~~  
26 ~~recommendations as to which of these enforcement~~  
27 ~~programs should continue to be mandated by the state.~~

