



## Proposed 2023 ACCG Policy Agenda

\*Potential Priority Item (to be voted on during the ACCG Legislative Leadership Conference)

### Economic Development and Transportation:

**Truck Weight Limit Increase** - ACCG opposes legislation that increases allowable weight limits on local roads and bridges as current allowable weight limits are at maximum capacity. The increase in truck weight limits contributes to the rapid deterioration of local road and bridge infrastructure and increases the severity of accidents which negatively affects the movement of freight and people through Georgia.

\***Local Maintenance & Improvement Grant (LMIG) Program** - ACCG opposes any changes to the LMIG program that reduce current county funds or reduce counties' proportionate share of such grants. With the suspension of the state motor fuel excise tax, ACCG requests that the Governor and the Georgia General Assembly preserve at a minimum the adopted FY 2023 budget levels for the Georgia Department of Transportation (GDOT) in particular the LMIG appropriations. In addition, ACCG requests that the FY 2024 budget appropriate funding that would have been collected had there not been a suspension of collection for the state motor fuel excise tax.

### General County Government:

\***Creation of New Cities** - The creation of new cities duplicates local administrative structures and can disrupt long term planning, create service delivery challenges and inefficiencies, and impose greater costs on taxpayers both within and outside the new city. To that end, any legislation to create new cities should only be introduced following a signed petition of at least 10 percent of the registered voters in the proposed city's jurisdiction. It should be introduced in the first year of the General Assembly's biennial session and voted upon in the second year, with no changes in boundaries of the proposed municipality in the second year. ACCG urges the General Assembly to place several additional measures in statute to provide more certainty, transparency and equity in the process of creating new cities in Georgia.

**Home Rule: Design Standards, Short-Term Rentals, and Build-to-Rent Subdivisions** - In recent years, numerous bills have been introduced which would substantially prohibit or preempt Georgia's cities and counties from responding to their constituents' demands through establishing appropriate local oversight of residential design standards, short-term rentals and build-to-rent subdivisions within their jurisdictions. ACCG opposes these state preemptions, believing that county elected officials, working with and accountable to their community, are in the best position to determine the oversight of these practices at the local level. One size certainly doesn't fit all of Georgia's counties in these areas, and this legislation sets a very dangerous precedent of state usurpation of Constitutional home rule authority.

**\*Modify Legal Organ Notice Requirements** - Counties should be allowed to post legal notices on their county website or common statewide websites in addition to the required paid post in the county's legal organ. Should the legal organ fail to post the notice, the publication on the county website or common statewide website should serve as adequate notice to the public and serve as having met statutory notice requirements.

### **Health and Human Services:**

**\*Emergency Medical Services (EMS)** - The EMS community provides the first hands-on response to Georgians in need, whether provided by a fire or EMS department, a hospital-based service, or a private provider under contract. Counties must invest in this service and its personnel in order to provide the highest quality of care. By adjusting EMS reimbursement rate policies, EMS providers can address workforce shortages and continue to provide these vital services to their communities. ACCG encourages the Governor and General Assembly to:

- Reimburse licensed ambulance services including transportation payment for the first 10 miles.
- Increase the EMS Medicaid rate to the rural and urban Medicare rate.
- Utilize EMS License fees to increase Medicaid reimbursement rates for ambulance services.

**\*Mental Health Reform** - While the passage of House Bill 1013 and Senate Bill 403 were a tremendous success, comprehensive mental health reform is going to be a multi-year effort. This policy statement aims at building on the effort of the mental health legislation that was passed during the 2022 legislative session. Counties are often the front line in the effort to assist those with mental illness and substance abuse challenges. Adequate funding is needed for counties to properly address the magnitude of this challenge. ACCG encourages the Governor and General Assembly to:

- Increasing the Medicaid reimbursement rate for behavioral health provider services in order to increase the workforce and make Georgia competitive in the marketplace.
- Expand the availability of Behavioral Health Crisis Centers (BHCC) and Crisis Stabilization Units across the state within a reasonable distance in order to divert individuals from local jails.
- Appropriate funds for the establishment of co-responder programs across the state.
- Address the challenge of mental health and substance abuse patient transport in an efficient and cost-effective manner.
- Authorize state agencies to work more closely with local officials to identify appropriate placements of re-entry housing for substance abuse and mental health patients.

## **Natural Resources and the Environment:**

**Environmental Trust Funds** - ACCG urges the General Assembly to dedicate the two remaining fees inadvertently not included in HB 511 that passed during the 2021 Session - the hazardous waste management fee and the hazardous substance reporting fee - to the Hazardous Waste Trust Fund (HWTF). Almost every county in Georgia has at least one hazardous waste site. Dedicating these fees ensures that there are funds available to clean up these sites.

**\*Soil Amendments Derived from Industrial By-Products** - ACCG supports the efforts of the Georgia Department of Agriculture to amend the soil amendment regulations. In addition, legislation or department rules should be considered that would:

- Require manifest to include the true identification of the contents of the soil amendments being transported and land applied;
- Require the Georgia Department of Agriculture to provide frequent site inspections;
- Promote collaboration between local governments, Georgia Department of Agriculture and the Georgia Environmental Protection Division;
- Include UGA Cooperative Extension in the development and implementation of the site-specific nutrient management plan;
- Provide notification to the Georgia Department of Agriculture and to local governing authorities when soil amendments are being land applied; and,
- Extend concurrent jurisdiction to county governing authorities that employ qualified code enforcement officials to inspect locations where soil amendments are being applied, and to issue temporary stop work orders pending inspection by state officials.

## **Public Safety and the Courts:**

**Juvenile Court** - ACCG urges the General Assembly to create a study committee to develop recommendations regarding the funding and staffing of juvenile courts. With Juvenile Justice Reform came many additional administrative duties and timelines, the state provides no funding for juvenile court staff, but created mandates to the counties without providing resources. Currently juvenile court judgeships are funded through a grant to counties program that is based on the number of superior court judges within a judicial circuit; there is no known correlation between the number of superior court judges and the caseload or judgeship needs in juvenile courts. We strongly urge the study of juvenile court judgeship needs, caseload recommendations, minimum staffing requirements and state funding where appropriate.

**\*Assume Full Financial Responsibility for State Prisoners** - ACCG urges the Governor and the Legislature to take full financial responsibility for state prisoners who are housed in local jails and correctional institutions by increasing the per diem reimbursement rate for housing.

**\*PTSD Insurance for First Responders** – ACCG encourages the General Assembly to authorize and provide funding assistance for the establishment of a post-traumatic stress disorder (PTSD) insurance program for first responders. Eligible first responders are employees who work as a peace officer, correctional officer, emergency health worker, firefighter, highway emergency response operator, jail officer, juvenile correctional officer, probation officer, emergency services dispatcher, or coroner. This insurance program is aimed at offsetting the cost of treatment for any first responder that is clinically diagnosed with PTSD from exposure to a traumatic event during the normal course of occupational duties.

### **Revenue and Finance:**

**\*Public Notification of Tax Increase** - With property taxes being the largest revenue source for counties and inflation currently running much higher than normal, it makes it nearly impossible for counties to keep up with inflation in their expenses without receiving some inflation from their largest revenue source. Counties have to spend more money now to provide the same level of services due to inflation. ACCG urges the General Assembly to adjust the formula for the rollback rate to allow counties to capture inflation.

**Taxes Exceeding Fair Market Value** - When property taxes are not paid for several years, the property taxes owed can exceed the market value of the property making it impossible to sell and recover the owed taxes. County commissioners should be granted the authority to waive taxes that exceed the fair market value of a property to recover a portion of the taxes owed and place the property back in private ownership that will pay future taxes. ACCG asks the General Assembly to call for a constitutional amendment that would grant the authority for county commissioners to waive taxes that exceed a property's fair market value.

**Tax Commissioners Contracting to Collect City Taxes** - There are three different ways, depending on the population of the county, for counties to contract with cities for the collection of city property taxes. There is also a separate contract with the tax commissioner allowed in some counties. To make the process uniform, there should be a single contract that must be signed by the county commission, tax commissioner and city council. This contract should specify reimbursement to the county for administrative costs and any personal compensation paid to the tax commissioner.

**LOST Renegotiations** - Although LOST renegotiations occur once every ten (10) years, they are often contentious and pit counties and cities against one another. The difficulty encountered in these negotiations hurts county-city relationships, which is not good for constituents of either group. ACCG asks the General Assembly to create a study committee on LOST negotiations to determine a way to resolve these issues when an impasse is reached and to make the negotiations less contentious by providing additional guidance.

## **Federal:**

**Federal Inmate Exclusion Policy** - ACCG requests that the federal government allow federal benefits such as Medicaid, Veterans Affairs, and the Children's Health Insurance Program (CHIP) to remain active for eligible inmates / detainees in local jails pre-adjudication. Federal law prohibits the use of federal funds and services for medical care provided to "inmates of a public institution." The federal law does not differentiate between a convicted inmate and a person incarcerated prior to conviction. The "Medicaid Inmate Exclusion Policy" should be rescinded for those awaiting trial that have not been convicted. Those accused should not lose their federal health benefits until the adjudication process is complete for those individuals in a pretrial status. This policy creates a financial burden for counties and adds to the behavioral and mental health crises our communities are experiencing.

**Behavioral Health Services** - ACCG urges the federal government to advance legislation and administrative changes that will enhance counties' abilities to provide comprehensive behavioral health services. ACCG also supports federal funding for existing mental and behavioral health services through enhancements to programs like the Community Mental Health Services block grant and the Substance Abuse Prevention and Treatment block grant, and support for expansion of broadband and telehealth resources for behavioral health providers, particularly in rural communities. Furthermore, ACCG supports other measures to meet the growing demands for behavioral health services, including developing and expanding the workforce, building an infrastructure for behavioral health crisis response, fully implementing and expanding mental health parity, expanding access to health information technology, and the clarification of data privacy provisions.

**Funding for Juvenile Justice** - ACCG encourages all federal justice grant funds for juvenile justice and delinquency prevention to go directly to counties. These grant funds will be used for early intervention programs, providing resources to youth to offset risk factors, and establish and implement education and treatment strategies for juveniles involved with illegal substances. By reauthorizing and updating the Juvenile Justice and Delinquency Prevention Act (JJDP), the federal government can collaborate with local governments to establish a process for the direct funding of these grant funds to local county governments