

ADMINISTRATIVE BULLETIN NO. 16

Issued: October 3, 2000

Revised: June 17, 2025

SUBJECT: LEGISLATIVE PROGRAM AND PROCEDURES

Establishing and Advocating Legislative Policy

It is the policy of the Board of Supervisors to identify, monitor, and comment on state and federal legislation, regulations and administrative actions with the goal of influencing the outcome of matters which affect the County's ability to provide services.

As it is essential that the County presents coherent legislative positions on issues to the state and federal legislature to be effective, the Board of Supervisors has adopted the following policy:

Only the Board of Supervisors, as the governing body, shall establish legislative policy for Kern County. County employees and members of County advisory commissions, committees and boards may not, in their official capacity, promulgate nor advocate legislative policies or positions independently of the Board. In cases where time does not permit Board adoption of legislative policy, only the County Administrative Officer may, consistent with the County's legislative platform adopted by the Board, promulgate and advocate policies on behalf of the County. Elected officials shall be the sole exception to this policy.

Legislative Program Administration

The County Administrative Office (CAO) administers the Countywide Legislative Program, which includes the development of the County's Legislative Platform, legislative analysis and position letters, and coordination of the Legislative Program Committee. The CAO will work closely with departments, the Board of Supervisors and the County's legislative consultants in forming and advocating legislative policy and in developing legislative proposals and strategies for enactment.

It is the responsibility of departments to recommend legislative positions to the Board of Supervisors through the CAO. In addition to using information and resources provided by CAO staff, departments should use other available means, including online services and county affiliate organizations, to gather information and identify emerging issues to bring to the attention of the Board. The CAO is responsible for evaluating departments' legislative requests and for recommending legislative matters for Board action.

Legislative Platform

Each year the Board of Supervisors adopts a Legislative Platform for the County. The Platform is meant to include broad policy goals and objectives that allows the County to take a position on most legislation and streamlines Board approval on County letters of support or opposition.

The Platform is intended to serve as a strategic framework to guide and expedite the County's legislative decision-making. Legislative proposals that fall under the parameters of the most recently adopted County Legislative Platform but could reasonably be determined to be controversial or require significant policy discourse shall be referred to the Legislative Program Committee or the full Board of Supervisors for thorough review and deliberation, dependent upon urgency of the matter.

The most recently adopted Legislative Platform can be found here:

<https://www.kerncounty.com/government/county-administrative-office/cao/legislation>

Legislative Program Committee

The Legislative Program Committee was established in October 2024 and consists of two Board members following the Brown Act. The committee serves as an advisory body to the Board on legislative matters, identifies emerging legislative issues, and considers strategies to advocate for the County's legislative positions. The Legislative Program Committee allows enhanced communication and improved coordination between the Board of Supervisors, contract lobbying firms, County departments, and other pertinent stakeholders on legislative matters.

Although not an exhaustive list, the typical functions of the legislative committee are to:

- Identify opportunities for County-sponsored legislation with the assistance of County departments, CAO, and contract lobbyists and make appropriate recommendations to the Board.
- Review the annual legislative platform (state and federal) with the assistance of County departments, CAO, and contract lobbyists and make appropriate recommendations to the Board.
- Consider recommendations presented by County departments, CAO, and contract lobbyists, resolve differences and develop a strategy to effectively advocate County positions on legislation and make appropriate recommendations to the Board.
- Evaluate the performance of the County's legislative program with regular updates from contract lobbyists on 1) the fiscal/budgetary impact and 2) rate of preferred outcomes resulting from enacted legislation that lobbyists actively engaged on for the County and present findings to the Board.
- Ascertain cost-benefit of the legislative program and recommend to the Board whether to continue the program at current service levels, enhance the program, curtail the program, or discontinue the program.
- Review and notify the Board of Supervisors of any other important legislative matters.

Information regarding Legislative Program Committee meetings and related material can be found here:

<https://www.kerncounty.com/government/board-of-supervisors/ad-hoc-and-standing-committees/legislation-program-committee>

County Position Letters

The CAO, in coordination with County departments and contract lobbyists, analyzes introduced state and federal legislation for County impacts. All requests for a County position letter must be directed to the CAO for appropriate review and handling. An official County position letter on legislation may be issued as follows:

1) A direct request from the CAO to the Chairman of the Board

A recommendation to support or oppose a bill that is determined to fall within the parameters of the most recently adopted Legislative Platform may be made directly to the Chairman by the CAO (via email with all other Board members carbon copied). Requests for direct action via the Legislative Platform can also be submitted to the CAO by a Department Head or individual Board members. Any Board member who reasonably determines that the position letter may be controversial or the issue would benefit from a more robust policy discussion must notify the CAO within 24 hours of the email notification so the item can be fully vetted at a future Board of Supervisors meeting. Items requiring full Board consideration shall be agendized under Departmental Requests (CAO) for the full Board to consider. The Board can only take an official position on a bill if a majority of its members vote in favor of the action.

2) Legislative Program Committee Review

Legislative matters that are not covered by the Legislative Platform, but that the County wishes to take a position on, shall be placed on the next available Legislative Program Committee meeting agenda by the CAO for thorough review and deliberation on whether to support, oppose, or consider some other position on the legislation for recommendation to the full Board for approval.

3) *Full Board Review*

Legislative matters that are not covered by the Legislative Platform, or were determined to be controversial or in need of more robust public vetting, but cannot wait to be heard by the Legislative Program Committee first (typically due to a rapidly approaching legislative hearing or some other developing, time-sensitive or uncontrollable circumstance) shall be placed on the next available Board of Supervisors meeting agenda. Items shall be agendized under Departmental Requests (CAO) for the full Board to consider. The Board can only take an official position on a bill if a majority of its members vote in favor of the action.

The Chair of the Board of Supervisors may, at his or her discretion, delegate the signing of a position letter to the Vice Chair.

In addition, individual Board members may, at their discretion and in their role as a district supervisor, express and/or advocate support or opposition to legislative issues. In such instances, the Supervisor shall ensure that supervisorial district stationery is used in the communication of such support or opposition, shall utilize his or her appointed staff to prepare correspondence, testimony, or other communication, and shall in no way imply that the Board of Supervisors supports or opposes the matter.

County Sponsored Legislation

Annually, department heads are asked to propose legislation for County sponsorship. The proposals typically range from simple language changes to ease service provisions to more robust policy changes in the law. Items brought forth by departments shall be considered in accordance with steps outlined above under “County Position Letters”.

Regulatory Policy Coordination

As regulations generally implement and enforce legislative policies which have already been adopted, departments are not required to gain Board approval to respond to regulatory proposals. It is each department’s responsibility to coordinate the advocacy of state and federal regulatory policies with other affected departments, ensuring a consistent County position. For highly significant or controversial regulatory issues, as determined by the department head, departments are to notify the CAO and the Board when comments are going to be provided to a regulatory agency and to provide a copy of such comments when they are promulgated. The CAO is available to advise and assist departments in developing responses to regulatory issues.