



August 16, 2013

## **Gut-and-Amend Takes Counties Out of the Action**

It is that time of year in Sacramento... when the weather starts to change and things really heat up at the Capitol. Lawmakers have four more weeks to finish their work for this legislative year and that means it's time for "gut-and-amends", where entire contents are stripped from bills that are already moving through the process and replaced with new content that usually engenders controversy. One such gut-and-amend has me very worried because, if passed, it would silence the voice of local governments on vital statewide issues.

Late last week, Senate Bill 594, by Senator Jerry Hill, came to my attention. This gut-and-amend would place significant new restrictions on nonprofit organizations that receive public funds and participate in campaign activities. It broadly expands definitions of public resources, expenditures, and contributions in a manner that would effectively preclude CSAC and organizations like ours to participate, financially or otherwise, in ballot measure campaigns.

Because county supervisors serve as our Officers, Executive Committee members, and Board of Directors members, your participation in our association is also caught up in these restrictions.

So why is CSAC being targeted in this bill? Because the proponents are worried that we might decide to expend our non-public funds to advocate on behalf of local government! As you know, we have always used great discretion before we have jumped into these waters, but when we do it's important. For example, in the past, we have advocated on behalf of Proposition 1A, thereby protecting counties from property tax raids and unfunded state mandates – a huge win and a protection that some in state government would love to roll back. We also fought for pension reform and won, but in the process angered some unions who are now proponents of this bill. On the other side of the aisle, we recently supported Proposition 30, securing funding for schools and public safety, thereby angering the other main proponent of the bill – the Howard Jarvis Taxpayers Association. I cannot predict the subject of next battle or what group we will be fighting, but I can say that if SB 594 is signed into law, the voice of counties will not be heard. That is why we are joined in opposition by the California State Sheriffs' Association, California District Attorneys Association, League of California Cities, California Special Districts Association, and many more similarly situated associations. All of us will be silenced by this bill.

Proponents of the bill have asserted that CSAC and organizations like ours are inappropriately expending public funds for political campaigns. Nothing could be further from the truth. CSAC receives funds from both public and private sources to conduct its business. We receive about 37% of our budget from dues and the remainder comes from a variety of sources, including fees for services, rents, and the like – funds that our organization receives as a result of providing goods and services. These funds are accounted for separately, are considered non-public funds,

and available for expenditure on ballot measure campaigns should the CSAC's Board of Directors so decide.

CSAC has in fact scrupulously complied with all existing state and federal tax and campaign laws and consistently discloses its campaign contributions just as other compliant nonprofit organizations do. In fact, in 2009, the Fair Political Practices Commission (FPPC) investigated complaints against CSAC and other local agency associations about our use of funds in campaigns and found no evidence that CSAC and those associations had violated the Political Reform Act.

We reject the assertion that we have evaded the law when it comes to our involvement in ballot measure campaigns. And, frankly, it is offensive that this bill is being pushed forward at the last days of the legislative session under false assumptions that only serve to meet the political needs of a chosen few.

SB 594 was heard this week by the Assembly Elections and Redistricting Committee and Assembly Judiciary Committee where it received no "no" votes. It now moves to the Assembly Appropriations Committee for hearing. County supervisors should contact their Senators and Assembly Members immediately and urge them to vote "NO" on SB 594. [We've linked here to a listing of your state representatives by county.](#) Thank you for your help.

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