



California State Association of Counties

CSAC 2010 STATE ADVOCACY PRIORITY

Approved by CSAC Board of Directors (March 2010)

CSAC State Advocacy Priority: Protecting Programs, Services, and Systems that Sustain Communities

California remains mired in a budget crisis of unprecedented magnitude. Even after nearly \$60 billion in budget reductions over the last two fiscal years, the state finds itself facing an estimated \$21 billion budget shortfall through 2010-11. Given the dramatic effects of previously implemented budget reductions and the likely consequences of additional cuts affecting all Californians, the California State Association of Counties (CSAC) will focus its 2010 legislative advocacy on protecting county programs, services, and systems. As in 2009, there are a number of potential legislative priorities for counties, but none is as critical as how the Legislature addresses the fiscal crisis.

Perennial fiscal crises over the last 30 years have highlighted the dysfunctional relationship counties share with the state as its local service provider. Counties' fates are inextricably tied to that of the state. Now, though, considering the state's ever-worsening fiscal condition, we are concerned about the California we will leave to the next generation. County governments have an important role in communities; we specialize in helping those most in need, in protecting the public, and in creating living and working environments where individuals and industry can thrive. In one way or another, counties serve every one of California's 38 million residents every day.

Therefore, California counties remain focused on communicating the consequences of state budget actions to decision-makers and encouraging them to assess the cumulative impact of their fiscal decisions on California counties and the citizens we serve. To that end, CSAC will strive to educate state leaders and the public about county government and the many ways we serve and improve the lives of Californians. Further, counties are committed to providing expertise and assistance in creating practical solutions that achieve meaningful reforms and make fiscal sense.

With these goals in mind, CSAC has identified the following principles that will guide our advocacy efforts during the 2010 legislative session. The principles outlined below reflect long-standing policies of the Association as outlined in the California County Platform and both documents will inform the Association's positions on specific budget and fiscal proposals.

→ **Protect the health and safety of all Californians.**

During this time of economic crisis, demands for government health services, human services, and public safety services far outpace resources. Counties across the state are seeing a spike in health care needs and human services caseloads – coming directly on the heels of nine years of severe underfunding of program costs and significant state budget

reductions. CSAC supports efforts to maintain core public services, including programs that provide assistance to those in need, protect local communities, and that promote economic well-being for Californians of all means.

→ **Seek budget solutions that address the structural deficit.**

The state's chronic budget troubles require meaningful changes that transcend the short-term deficit. Cost shifts, borrowing, delays, deferrals, and other short-term "solutions" only serve to create additional budget stress in the out-years and exacerbate the state's chronic budget imbalance. All levels of government must focus on the long-term objective of cultivating reliable revenue sources that are adequate to fund priority programs, services, and systems when they are run efficiently and effectively. CSAC supports reevaluating the state's revenue structure and reviewing program outcomes, as these are necessary steps in developing a sensible state budget solution.

→ **Promote programs and services that stimulate the economy and protect jobs.**

Counties partner with the state to provide services to Californians in interconnected systems – transportation, flood control and water delivery, health and human services, and corrections, to name a few. These systems are important components to a healthy economy and the quality of life of all residents. CSAC supports evaluation of such systems to ensure they provide cost-effective, adequate, and stable investments that meet current and future needs.

→ **Engage in long-term reform conversations.**

CSAC joins the chorus echoing throughout the state: California government is broken. A renewed state-local partnership is necessary to restore public trust in government and to ensure a sustainable California. Considering our unique role in providing critical programs and services throughout California, counties seek a partnership with the state that allows us to provide services in an efficient, effective, and sustainable manner, which we believe will result in better outcomes and better lives for all Californians. To that end, the Association has adopted CSAC Principles for Reform 2010 to guide our discussions on reform options, whether they appear at the ballot box or within the halls of the State Capitol.



CSAC 2010 FEDERAL ADVOCACY PRIORITIES

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CSAC's contract for federal affairs services with Waterman and Associates provides for a nine-issue agenda. CSAC staff, in consultation with Waterman and Associates, developed the following list of eight federal issues of significance to California's counties, with one issue left in reserve to accommodate emerging topics.

New Authorization of the Nation's Surface Transportation Law (SAFETEA-LU)

The nation's surface transportation law, SAFETEA-LU, is currently operating under an extension that will expire on March 28. As of this writing, it appears as though Congress will renew the current extension through the end of 2010, with authorizers hoping to complete a new six-year transportation bill prior to the next extension's expiration.

For its part, CSAC continues to actively promote its transportation reauthorization agenda with key policymakers. Among things, the association is recommending a more streamlined and flexible approach to allocating federal transportation funds to state, regional, and local agencies. This policy change could take shape by reducing the current 108 programs under SAFETEA-LU into a smaller number of more flexible programs, such as the 10 new federal programs recommended by the National Surface Transportation Policy and Revenue Study Commission.

Health Care Reform

Reform of the nation's health care system has dominated the congressional agenda over the past year, with additional legislative action expected soon. Both the House and Senate have adopted their respective health reform bills, with President Obama releasing his health care outline and urging action on his plan by the end of March.

CSAC supports health system reform legislation to provide health coverage and access to the uninsured and funding for a robust public health system to detect and prevent disease. Medicaid expansion initiatives, however, must minimize the additional fiscal contributions of states and counties to fund such initiatives. CSAC also supports mitigating any reductions in the Medicaid disproportionate share hospital (DSH) payment program, given the federal estimates that 17 to 25 million will remain uninsured after reform is implemented.

State Criminal Alien Assistance Program (SCAAP)

The SCAAP program is a critically important budget item for many California's counties. CSAC is one of the leading local government organizations in the fight to protect and enhance funding for SCAAP, which continues to be underfunded by Congress. CSAC will continue to advocate for maximum funding levels to offset the cost of housing undocumented criminals in county detention facilities.

Climate Change – Renewable Energy

Climate change and renewable energy legislation has advanced in both chambers of Congress, but much work lies ahead. In the House, lawmakers narrowly approved comprehensive global warming legislation (HR 2454), handing President Obama and House Democratic leaders a key victory. In the Senate, the Environment and Public Works Committee approved its climate change bill on an 11-1 Democratic-only vote after panel Republicans boycotted the committee's markup of the legislation. Before moving to the floor, several other Senate committees must consider the package.

Among other things, CSAC is urging Congress to provide financial incentives to states that adopt and set greenhouse gas emissions reductions targets. CSAC also is urging Congress to provide additional funding for the Energy Efficiency and Conservation Block Grant, which provides resources to local governments for a variety of energy efficiency programs.

Native American Affairs

In the wake of this year's U.S. Supreme Court ruling in *Carciere v. Salazar*, key members of Congress have introduced legislation that would provide the secretary of the U.S. Department of Interior with authority to take land into trust for Indian tribes regardless of whether they were under federal jurisdiction at the time of the passage of the Indian Reorganization Act of 1934. In response, CSAC has been actively working with the California congressional delegation and other key members of Congress to broaden the scope of the legislation to include much-needed reforms in the fee-to-trust process. CSAC also has been working with the California congressional delegation and the Obama Administration on other key tribal issues, including potential modifications to laws and federal regulations related to off-reservation gaming.

As in the past, CSAC continues to be a leader in promoting legislation that would require tribes, counties, and other local governments to reach judicially enforceable agreements that address mitigation of off-reservation impacts, service impacts, and public safety costs associated with tribal gaming and other related development.

Temporary Assistance for Needy Families (TANF) Reauthorization

Congress must reauthorize the TANF program before September 30, 2010. The Obama administration is proposing an extension of current programs for one more year, with a full review of TANF in 2011. Congress – as well as previously issued regulations – placed additional administrative burdens on the program via the 2005 Deficit Reduction Act. Many of those provisions had the effect of changing the focus on following federally imposed processes to the detriment of moving families into self-sufficiency.

CSAC is urging Congress to restore state and county flexibility to tailor work and family stabilization activities to families' individual needs. CSAC also supports maintaining the focus on work activities under TANF, while recognizing that "work first" does not mean "work only."

On a related matter, the TANF Emergency Contingency Fund enacted under the American Recovery and Reinvestment Act is slated to expire September 30, 2010. California's counties have worked with private and non-profit sectors to create 15,000 subsidized jobs through the program. CSAC urges an extension and expansion of TANF-ECF through September 30, 2011.

Clean Water Act

The Clean Water Act (CWA) and subsequent amendments have positively impacted the health of our nation's rivers and streams, as well as introducing a host of unintended consequences. One of the unintended consequences is the negative impact on the maintenance of flood protection and drainage facilities from CWA Section 404 permitting.

CSAC will continue to collaborate with other interested stakeholders in seeking amendments to Section 404 of the Clean Water Act to define maintenance of flood control channels or facilities as a non-prohibited activity thereby exempting maintenance from requiring Section 404 permits.

Extension of ARRA/Support for Federal Jobs Package

CSAC supports a robust federal jobs package that provides funding for state and local infrastructure, health and human services, community development, energy, and forest restoration programs. With a statewide unemployment rate of 12.3 percent and California's state budget crisis continuing to threaten the delivery of county services, federal investment in state and local programs is not only critically needed, it represents one of the best ways to spur positive economic growth.

When Congress approved ARRA in 2009, lawmakers made the decision to invest in a host of local programs based on the recognition that county and city governments were capable of implementing shovel-ready projects and delivering services that would help jumpstart the nation's flagging economy. Although certain sectors of the economy have shown signs of improvement, more needs to be done.

California counties have the capacity to deliver projects in a variety of program areas, all of which would assist in economic recovery efforts by putting people back to work. Accordingly, CSAC strongly believes that providing federal dollars for programs such as highways and transit assistance, the Community Development Block Grant, the Energy Efficiency and Conservation Block Grant, Build America Bonds, and Forest Restoration activities represents a prudent investment of federal jobs funds.

CSAC INTERNAL MONITORING

In addition, CSAC will continue to provide internal monitoring on a number of issues that are of significance to California's counties.

Fuels Management

Congress approved as part of the fiscal year 2010 Interior Appropriations bill key provisions of the Federal Land Assistance, Management and Enhancement (FLAME) Act, which creates a separate appropriations account to help fund large-scale federal emergency wildfire suppression activities. Also pending before Congress is legislation that would create a grant program to assist local communities in implementing activities and policies of nationally recognized wildland fire codes and standards. The grants, administered by FEMA, could be used to enforce local ordinances, develop incentive programs to retrofit hazardous structures, create defensible space, and reduce hazardous fuel loads near communities. Additionally, the bill

would authorize the U.S. Forest Service and the Department of the Interior to offer grants to local communities for fire safe practices.

CSAC has actively supported legislation that would provide at-risk communities with incentives to improve fire prevention efforts. The Association also has supported federal fuels management, fire preparedness, and state and local fire assistance programs.

Community Development Block Grant (CDBG)

The fiscal year 2010 federal budget included nearly \$4.5 billion for HUD's Community Development Fund, or a roughly \$600 million increase over fiscal year 2009 spending levels. Of the total amount, almost \$4 billion is available for the Community Development Block Grant (CDBG) program.

The CDBG funding provided in the fiscal year 2010 budget is on top of the \$1 billion in funding that was included as part of ARRA. CSAC has actively promoted full funding for the CDBG.

Telecommunications Reform

Unlike its predecessor, the 110th Congress did not consider major video franchising reform legislation. Looking ahead, it remains to be seen if the 111th Congress and Obama Administration will promote a telecommunications overhaul.

For its part, CSAC has resisted efforts in Congress to grant the Federal Communications Commission with additional decision-making authority over state and local telecommunications matters. However, CSAC supports funding for increased broadband penetration to rural and hard-to-serve areas.

Foster Care Reform

As part of TANF reauthorization, Congress may consider legislation to reform the foster care financing system, as well as provide additional resources to stabilize families and train and retain child welfare staff. CSAC supports additional programmatic flexibility along with an updated foster care payment methodology.

Homeland Security

The fiscal year 2010 appropriations bill for homeland security-related programs included level funding for the state homeland assistance program (\$890 million) and a \$50 million increase to \$887 million for the Urban Area Security Initiative. The Emergency Management Performance Grant program received a \$25 million boost for a fiscal year 2010 level of \$340 million.

CSAC has successfully advocated for increased funding for first responder programs, including the State Homeland Security Grant Program and Emergency Management Performance Grants. The association also has successfully lobbied to ensure that high-threat states, such as California, receive a greater share of homeland security grant funds.

Byrne Grant Funding

The American Recovery and Reinvestment Act (ARRA) made significant investments in the Byrne Memorial Justice Assistance Grant (JAG). CSAC strongly supports prioritizing Byrne funding in

fiscal year 2011, and we will continue to work collaboratively with our congressional delegation and others in the coming year to secure and promote increased funding for this program and the positive local outcomes it helps achieve.

Immigration Reform

CSAC supports comprehensive immigration reform that recognizes the role that county governments play in the immigration arena. Any federal reform efforts should include the following elements: (1) a state and local impact grant program for health and education services; such a grant program should recognize that county governments – particularly along the southwest border – incur significant unreimbursed health care costs related to the provision of services to undocumented immigrants; (2) full funding for SCAAP; (3) border security strategic planning; (4) federal training dollars for county law enforcement officers targeted to jurisdictions along the borders; and, (5) the promotion of access to health care.

Cooperative Endangered Species Conservation Fund

CSAC supports increased funding for the U.S. Fish and Wildlife Service's Cooperative Endangered Species Conservation Fund from the \$73.8 million current-year level to \$125 million in FY2010. This increase will restore the fund to approximately its fiscal 2001 level (adjusted for inflation) and provide much needed support to regional Habitat Conservation Plans (HCPs) in California and nationally.

County Payments/Secure Rural Schools Program

In 2008, Congress approved a four-year renewal of the Secure Rural Schools (SRS) program, which provided \$1.6 billion in SRS funding through 2011. Counties rely on this funding to maintain local roads and other public infrastructure, operate search and rescue missions, and provide many other essential local services. Stakeholder discussions are currently underway regarding the next reauthorization. CSAC will monitor these efforts to ensure that California county interests are protected.

2-1-1 Statewide

CSAC has actively supported both state and federal legislation to help build and fund a statewide 2-1-1 referral system. 2-1-1 is a free, easy-to-remember telephone number that connects people to essential community information and services. In 2008, over one million Californians called 2-1-1 for help finding needed community services such as rent and mortgage assistance, food and shelter, health care, job training, transportation, child care, and senior care. 2-1-1 also plays an informational role during emergencies and disasters and relieves pressure on the 9-1-1 system at these critical times. This value of this service was evident during the 2007 San Diego wildfires when 2-1-1 call centers provided information and support to more than 130,000 callers in five days.

Currently, just 21 of California's 58 counties have 2-1-1 service. Some funding for 2-1-1 infrastructure may become available via federal economic stimulus funds or federal legislation. CSAC will continue to work at both the state and federal levels to promote the need for a comprehensive statewide 2-1-1 system.

State's Water Crisis

California's political leaders and various state and local water interests continue to pressure California's Congressional Delegation and the Obama Administration to address the State's chronic water shortage. A wide range of proposals are being discussed that would address water transfers, endangered species laws, water quality and Delta protections to name a few. CSAC will monitor these proposals to ensure consistency with the organization's comprehensive policy direction on water.