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County Joins Efforts to Invalidate Governor's Budget Cuts

SANTA CLARA COUNTY, CALIF. – This week, the County of Santa Clara urged the California Court of Appeal to invalidate Governor Schwarzenegger's recent budget cuts to vital health and social safety-net programs. Many of the state programs the Governor line-item vetoed are administered by County agencies, which depend on state funding to provide necessary services to the County's most vulnerable residents.

"The Governor's unlawful budget cuts will have a devastating impact on Santa Clara County's most needy residents by reducing or eliminating funding for many providers of health and welfare services within the County," said Supervisor Liz Kniss, President of the County of Santa Clara Board of Supervisors. "This will place an overwhelming burden on County resources because the County will have to fill the gap in services created by these cuts."

Programs that will suffer from the Governor's cuts include:

- In-Home Support Services (IHSS), which provides living support to low-income elderly and disabled people;
- The HIV/AIDS Prevention and Control Program (HAP), which offers early intervention, education, and prevention services to residents with HIV/AIDS;
- The Black Infant Health Program, which provides support and education to pregnant and parenting African-American women; and
- The Adolescent Family Life Program, which provides education and vital services to pregnant and parenting teens.

The County agrees with the nonprofits that filed the case, the leaders of the California Assembly and Senate who intervened, and the Legislative Counsel Bureau that the Governor exceeded his authority under the California Constitution.

"The California Constitution grants the Governor a limited veto power," said Acting County Counsel Miguel Márquez. "He can veto a bill entirely, or he can use a line-item veto to eliminate 'appropriations,' but he can't modify any other legislative decisions, including the kind of budget cuts adopted in AB 1."

“The legislature tried to save these programs because they recognize failure to act at early stages often carries with it higher costs in the long-term,” said Jeff Smith, Santa Clara County Executive. “If the Governor’s attempt to slash state funding for health and welfare services succeeds, more and more County residents will need to rely on County emergency services or go without treatment.”

In February, when the Legislature enacted the 2009 Budget Act, it made its funding decisions for the 2010 fiscal year. In July, the Governor called a special legislative session in response to the state budget crisis. When the Legislature presented the Governor with AB 1, a bill that reduced funding for certain programs to meet the state's fiscal emergency, he unilaterally tried to substitute his judgment for that of the Legislature, using line-item vetoes to make even deeper cuts in state funding for vital programs and services.

The petition to invalidate the Governor’s budget cuts was filed by the St. John’s Well Child and Family Center and other nonprofit groups. Darrell Steinberg, President pro Tempore of the California Senate, and Karen Bass, Speaker of the California Assembly, intervened in the case, *St. John’s Well Child and Family Center, et al., v. Schwarzenegger, et al.*, Case No. A125750 (Ca. Ct. App. 1st Dist. 2009).

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