

FIRST 5 SANTA BARBARA CHILDREN AND FAMILIES COMMISSION
AND
BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA

A JOINT RESOLUTION OF THE
FIRST 5 SANTA BARBARA CHILDREN
AND FAMILIES COMMISSION AND
THE BOARD OF SUPERVISORS OF
THE COUNTY OF SANTA BARBARA
SUPPORTING EFFORTS TO DECLARE
ASSEMBLY BILL 99 UNLAWFUL AND
UNCOSTITUTIONAL

RESOLUTION # _____

WHEREAS, the California Children and Families Act of 1998 was enacted by Proposition 10, and initiative statute adopted by California voters in the 1998 November general election, providing an unprecedented investment in our younger children for the purposes of “promoting, supporting and improving the early development of children through the prenatal stage to five years of age”; and,

WHEREAS, the voters provided that the statute created by the initiative could only be amended by the voters themselves or by the Legislature by a two-thirds vote of both houses and only if the proposed changes were consistent with the purposes and intent of the initiative; and,

WHEREAS, prior attempts to expropriate First 5 Trust Fund moneys were rejected by the voters, the most recent being Proposition 1D in 2009 when two-thirds of voters state-wide rejected Proposition 1D; and,

WHEREAS, tobacco tax revenues raised under the Act may not be used to supplant state or local General Fund monies for any purpose; funds may only be used to fund entirely new programs and to supplement existing levels of service, and may not be used to fund existing levels of service; and,

WHEREAS, Assembly Bill 99, signed into law by Governor Jerry Brown on March 24, 2011, is inconsistent with and amends the California Children and Families Act of 1998 by diverting \$1 billion from the tax revenue received by First 5 California and local county commissions and supplants General Fund money with Prop 10 trust funds and will use the trust funds to pay for the State’s pre-existing Medi-Cal services obligations; and,

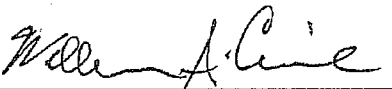
WHEREAS, First 5 Santa Barbara County has improved early childhood development of thousands of local children by bringing community-based services to children and families through the provisions of health, education, and family strengthening services throughout Santa Barbara County.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that First 5 Santa Barbara County Commission and the Board of Supervisors of the County of Santa Barbara fully supports the efforts to declare AB 99 illegal and unconstitutional because AB 99 amends the California Children and Families Act of 1998 without required voter approval; because funds are improperly directed out of the control of the voter established county children and families commissions and into the control of the state Legislature; because local revenues are used in a manner that is not consistent with the approved strategic plans for the local Commissions; and, because the funds will be improperly used to pay for existing levels of services and to supplant state General Fund Revenues.

FIRST 5 SANTA BARBARA CHILDREN AND FAMILIES COMMISSION

PASSED AND ADOPTED by the First 5 Santa Barbara Children and Families Commission, this 15 day of August, 2011, by the following vote:

AYES: 6
NOES: 1
ABSTAINED:
ABSENT: 6

By: 

William J. Cirole
Chair, First 5 Santa Barbara
Children and Families Commission

ATTEST:
Patricia L. Wheatley
Executive Director

By: 

COUNTY OF SANTA BARBARA

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this __ day of __, 2011, by the following vote:

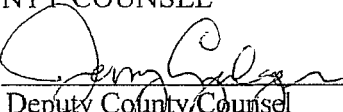
AYES:
NOES:
ABSTAINED:
ABSENT:

By: _____
Chair of the Board of Supervisors
County of Santa Barbara

ATTEST:
CHANDRA L. WALLAR
CLERK OF THE BOARD

By: _____

APPROVED AS TO FORM:
DENNIS MARSHALL
COUNTY COUNSEL

By:  _____
Deputy County Counsel