

Opinion: Calif. fights feds over states' rights

By Dan Walters, CalMatters

California's Democratic state government is exerting "resistance" to the Republican federal government on issues such as immigration and climate change.

California insists, under the doctrine of "states' rights," that President Donald Trump and a Republican Congress should not interfere with state policies on those and other issues that reflect Californians' views.



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Meanwhile, however, the state finds itself facing similar conflicts with its own local governments over attempts to force them to comply with decrees from Sacramento.

A prime example is an effort by Gov. Jerry Brown and Democratic legislators to compel cities to build more housing.

Although the state has long set paper quotas for housing construction, they lacked enforcement teeth. That has allowed cities to ignore the quotas when projects faced, as they often do, opposition among current residents, a syndrome known as "not in my backyard" or NIMBY.

With new housing construction generating barely half of the projected annual need of 180,000 units, Brown and lawmakers

are negotiating details of legislation that would overcome NIMBYism and compel cities to approve projects meeting certain criteria, thus eroding their traditional land use powers.

City officials don't like it. The League of California Cities says the governor's streamlining proposal violates "the principles of local democracy and public engagement," thus echoing complaints from Brown and other state officials about high-handed federal decrees.

Housing policy is not the only point of friction between state and local officials. For instance, members of the Los Angeles County Board of Supervisors, Democrats, are complaining loudly about a pending measure that would radically change the county's governing structure, saying it heavy-handedly violates local control.

Senate Constitutional Amendment 12, carried by Los Angeles County Sen. Tony Mendoza, would expand the county's five-member Board of Supervisors to at least seven members after the 2020 census and, most importantly, shift much of its power to an elected county executive.

Many other examples abound, and one of the most significant is Assembly Bill 1250, which would virtually prohibit counties from using private contractors or even non-profit groups, from providing county services.

The bill, carried by Assemblyman Reginald Jones-Sawyer, D-Los Angeles, and backed by a powerful coalition of public employee unions, is supposedly aimed at making counties more efficient and accountable. However, it's evident that its true motive is protecting unionized civil service jobs from private sector competition.

The bill, which has cleared the Assembly and is pending in the Senate, is being stoutly opposed by the California State Association of Counties as unwarranted state interference in local affairs.

However, the criticism is not confined to the counties themselves. The Senate Governance and Finance Committee's staff analysis declared: "AB 1250 erodes local officials' ability to manage local affairs, making it hard for them to preserve essential public services during tough financial times. Local elected officials are well-positioned to judge the merits of a service contract and can either negotiate better terms or reject a contract altogether."

That did not prevent committee approval on a party-line vote, however.

The more important criticism is coming from Gov. Brown's Department of Finance, which is opposed because "it applies a one-size-fits-all approach to contracting for personal services that could severely restrict the ability of counties to provide services in an efficient manner (and) makes sweeping change...when the extent of the problem is unknown."

That pretty much parrots what Brown and other California politicians have been saying about sweeping, one-size-fits-all decrees from the Trump White House and the Republican Congress.

Do as we say, not as we do?