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By Shane Goldmacher
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Reporting from Sacramento—

Child development agencies sue to halt state funding shift

County commissions challenge legality of legislation to divert money from children's programs to reduce the deficit. The agencies receive funding from a tobacco tax approved by voters in 1998.



Part of California Gov. Jerry Brown's budget plan faces a legal challenge from child-development agencies in Madera, Merced and Fresno counties. (Rich Pedroncelli, Associated Press / April 6, 2011)

A group of agencies that operate programs for children in California is suing Gov. Jerry Brown over legislation he signed to shift nearly \$1 billion away from their funds to help close the state's budget deficit.

The lawsuit, filed Tuesday, marks the first legal challenge to Brown's budget plan.

California voters approved a tax on tobacco products in 1998 to fund development programs for children younger than 5. Brown recently signed a law that moves \$950 million from county commissions that run those programs.

Three such commissions, in Fresno, Madera and Merced, argue in their lawsuit that the fund shift was illegal and contrary to voters' intent.

The measure voters passed allowed the Legislature to amend the measure as long as the changes furthered its mission. The commissions say the shift does the opposite.

"The Legislature is disregarding the will of the voters and taking local funds from counties to fill holes in the state budget," Merced County Supervisor Jerry O'Banion said in a statement.

Elizabeth Ashford, a Brown spokeswoman, said the money was moved "to keep children on healthcare."

"We feel that, given the budget situation, this is the most appropriate thing and the best thing for kids," she said.

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