

The Socialist, Ecologist, and Republican Group in the Senate in the face of the crisis :

Our proposals for a news era from Decentralization

With the municipal, then departmental and regional elections, a new cycle begins for the territories. Like the new elections we have just experienced, marked by the health crisis, the mandate that is opening up is one of all challenges. Economic, social, environmental, but also democratic challenges.

The management of the crisis and its consequences has highlighted the key role of local authorities and local elected officials. While the State was struggling to establish clear guidelines and provide tests to the population, masks or equipment to mobilized personnel, it was the local authorities that made up for the shortfalls, thus ensuring the continuity of services to the population and the continuity of the State. The central government's blockages and red tape have been overcome by the responsiveness, adaptability and inventiveness of local elected officials. However, the legislative framework must allow them to act. This is why we wanted to secure the actions of local elected officials and support them in the support they provided to the population, within the framework of the examination of the various health emergency laws.

After exchanging with several hundred local elected officials throughout France, we felt it was necessary to deepen our reflection on the challenges of decentralization. New challenges, new solutions. This is the meaning and ambition of the proposals of the socialist senators for a "new era" of decentralization. The year during which we worked on a project for the territories has reinforced our belief that we are at the end of a cycle and that new solutions must be found.

Overwhelmingly, a new territorial big bang is not desired by the elected representatives, and an umpteenth "new act of decentralization" which would consist of a new institutional "mechanism" or distribution of competences is a vision that now seems outdated.

It is necessary to move away from this organizational logic and the distribution of competences, to put the purpose of decentralization back at the heart of the proposals. The challenge is to ensure that local public goods and services are distributed equitably across the territory in such a way that no citizen is ever forgotten or put on the periphery.

For this to happen, the central State must finally break out of a vertical logic in its relations with the territories to become their partner.

The priority is to clarify the distribution of competences within the Republic.

Our conviction is that the State must focus on its regalian competencies, national infrastructure and solidarity. The competences devolved to the State should be listed in the Constitution, the others falling under local competence.

However, this does not mean that the State should take a back seat to the local authorities, but rather that it should be their partner. We believe in a strong State that ensures national unity and equality among its citizens wherever they are on the territory, in metropolitan France and overseas. However, if the State is the guarantor of these principles, the centralizing State is no longer the only condition.

The State must - finally - carry out the reform of its territorial organization.

It must clarify its field of intervention and eliminate duplication, particularly in areas where powers are transferred to local authorities. It must put an end to the process of setting up agencies, which is the sign of its dismemberment. The authority of departmental prefects over deconcentrated services must be strengthened and the corps préfectoral must be established as the sole interface for communication with elected officials in the department.

In parallel with this reform of the territorial organization of the State, decentralization must be deepened by a new cycle of redistribution of competences from the State to local authorities.

It is necessary to re-establish the steering of the apprenticeship policy in the regions and entrust them with that of the public employment service. The role of the department for solidarity must be affirmed by entrusting them with the management of residential establishments for dependent elderly people (EHPAD) as well as that of school medicine. Local elected representatives, and in particular mayors and presidents of departmental councils, must be given a greater role and powers in hospital governance and the territorial organization of access to care, which will be the corollary of the implementation of a fifth risk.

Towards Community Self-Sufficiency

In order for local authorities to become fully-fledged players, rather than extras dependent on State allocations to whom powers are transferred without the corresponding means, a stable, multi-year financial framework must be put in place that guarantees the financial solidarity and equalization that are essential to national cohesion.

The creation of a law on the financing of local authorities, the redefinition of the financial autonomy ratio, the revision of State allocations, tax reform, changes in budget classifications so as to no longer distinguish between operating and investment expenditure and to highlight the level of expenditure constrained by local authorities, and the full and evolving compensation for the transfer of State charges are indispensable developments. This new framework should put an end to competition between territories. This is why it will be necessary to "deterritorialize" economic taxation by organizing a levy and redistribution on the scale of at least one employment zone and very strictly supervise calls for projects.

The new financial framework that we are promoting will also have to take into account the absolute necessity of our country's ecological transition. We advocate the creation of a "territorial green endowment".

"The "decarbonized" territories, which can be partially supplemented by citizen investments such as the "savings book for local transition".

The recovery will be green and territorial

There is an urgent need to extend the community support plan with a "territorial rebound plan.

The recovery will be local, which is why the State must enable local authorities to make massive investments, with priority given to health, digital coverage and accessibility or ecological transition: thermal renovation of buildings, ecotourism, agro-forestry, development of short circuits, sustainable water management, development of soft mobility, rail and river freight, local production of renewable energy.

New levers for action

This new era of decentralization aims to create a new model that puts citizens, the territory they live in, the notion of equity and the cooperative aspect at the heart of the issues at stake, to the detriment of territorial competition. This requires new tools for local authorities.

+ **More subsidiarity:** We propose to authorize, within the communal block, the "à la carte" transfer of the optional competences of the communes to the EPCI, as well as the differentiated exercise of the same competence within the same EPCI.

+ **Local experimentation:** We propose that the granted derogation can be perpetuated without necessarily being generalized. In particular, this could allow volunteer departments to experiment with the implementation of a basic income.

+ **of differentiation:** We propose the creation of a right to differentiation that encourages territorial innovation, allows the exercise of competences to be adapted to territorial diversity and gives more flexibility to public action; without this differentiation having the object or effect of stripping one level of community to the benefit of another. We are thinking in particular of the overseas territories, where we will support all the approaches, expressed locally, aimed at accentuating the transfer of competences locally with a view to a real adaptation of public action to the realities and specificities of each territory.

+ **regulatory power:** We propose to give local authorities regulatory power to enable them to determine how the law is to be applied in their areas of competence. Each local authority would be competent in the event of failure to refer to the State's regulatory power or to supplement it. The power to refer matters to the regional council provided for in the Notre law to propose regulatory adjustments, whether in force or in the process of being drawn up, would be extended to the other levels of local authorities.

+ **inter-territoriality:** We propose the creation of inter-territorial pacts at the departmental or inter-departmental level that will ensure, within the framework of cooperation between all levels of government, equitable access and distribution of public goods and services accessible in less than 30 minutes to the citizens of the area concerned. These pacts will particularly ensure the continuity of services between local authorities, particularly in terms of networks (public transport, soft mobility, waste, water, etc.).

They should help intensify the ecological transition. These pacts will also provide an opportunity to revitalize the territorial and rural balance poles (PETR) and metropolitan poles.

Decentralization, a democratic project

Decentralization is above all a project for the democratic breathing of territories. There can therefore be no deepening of decentralization without strengthening local democracy. This requires a better representation of communes within inter-communal bodies, a democratization of inter-communal executive functions, and also, without doubt, the separation of local "executive" and "legislative" functions.

Above all, because decentralization would be nothing without the commitment of those who make it happen, we must complete the democratization of local authorities by strengthening parity, particularly in the executive branch, and the establishment of a real status for elected officials that will allow for the diversification of the social origin of political personnel while ensuring the conditions for their renewal.

