

The Emperor Has No Reforms—No on Prop. 76

Opinion Editorial – by Oakland City Attorney John Russo

The upcoming and unnecessary special election is a disaster for California democracy. There is much to fear in these initiatives but none of them is as devastating to our American system of checks and balances as Proposition 76. Proposition 76 is not reform; it is a dangerous power-grab by Governor Schwarzenegger and his allies to destroy representative democracy and create a King Governor.

Under Proposition 76, just 14 of the state's 120 legislators can block the passing of the state budget. Just 14 intransigent ideologues can now trigger a 'fiscal emergency' that automatically gives the Governor sweeping new powers to make spending and budget decisions with absolutely NO legislative oversight or accountability. The Governor would then be able to cut programs and services at will, without the approval of the Legislature or the people of California.

If passed, Proposition 76 would make Schwarzenegger "King of California". In fact, the entire special election resembles the storyline of the Hans Christian Anderson's folk tale, "The Emperor's New Clothes". The Emperor (Schwarzenegger) has been strutting around his kingdom (California) flaunting his 'new' clothes (the reform agenda) in his parade (the special election). We voters, in this scenario, must act as the child in the story and speak the truth about the situation—"The Emperor has no clothes!" or "Schwarznegger has no reforms!" reveals the façade.

Real reform would have brought California in line with the rest of the country and made it easier for the legislature to pass a budget. California is one of only three states in the entire country that requires a "super majority" or two-thirds support to pass a budget. The two-thirds hurdle is the problem stifling sensible budgeting and has weakened the legislature to the point of impotency.

True democratic reform requires courage, skill and tough decision making, not the partisan, strong-arm tactics of Proposition 76. If Proposition 76 succeeds not only would the majority of the people's representatives be unable to pass a budget, but a small, special-interest minority could completely divest the legislature of any budget authority.

Proposition 76 would have severe impacts on state funding for education, healthcare, transportation, public safety and other state programs; and change state minimum funding requirements that were overwhelmingly supported by California voters and mandated by Proposition 98.

Proposition 76 would devastate our public schools, cutting school funding by over \$4 billion every year, \$600 per student, leading to more overcrowded classrooms, fewer teachers and less textbooks. Our schools already lost \$2 billion at the hands of Schwarzenegger. Proposition 76 guarantees that he never has to repay our children or invest in our future.

The Founders of this nation conceived a pretty good system of checks and balances. That system gives budget authority to the people's representatives in the legislature and guards against the tyranny of ill-conceived initiatives like Proposition 76. I oppose Proposition 76 because it is wrong for a single person of any party or ideology to have ultimate control over our democracy. Protect our ability to have an equal voice, fair representation and balanced decision making in state government –Vote NO on Proposition 76.

Oakland City Attorney John A. Russo served as the President of the League of California Cities in 2002-2003.