

Dan Walters: Majority-vote budget measure Proposition 25 is a mixed bag

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Conceptually, Proposition 25 could be an incremental step, albeit a very small one, toward improving California's ever-worsening governmental dysfunction. Or not.

Backed by unions and Democratic politicians, the measure would eliminate the decades-old requirement in the California Constitution for a two-thirds legislative vote on the state budget.

Its advocates contend, with good cause, that the two-thirds vote has usually meant weeks of delay each year in passing a budget, capped by some sort of expedient get-out-of-town deal that leaves underlying problems unresolved. Typically, votes are acquired one by one with special favors.

Proposition 25's practical effect would be to eliminate Republican leverage on the budget, which is why GOP lawmakers and their business allies intensely dislike the measure.

What we don't know is whether Proposition 25, if enacted, would actually improve the Capitol's abysmal record on governance, especially in fiscal matters, and – more importantly – whether its passage would have hidden consequences, intended or unintended.

Supposedly, the measure would not affect another section of the constitution, enacted by voters as part of Proposition 13 in 1978, that requires two-thirds votes "for the purpose of increasing revenues." But the California Chamber of Commerce and other opponents contend that Proposition 25's precise language opens the door to new taxes without super-majority votes.

Specifically, the measure would, "notwithstanding any other provision of law or of this constitution," allow simple-majority votes not only for the budget but "other bills providing for appropriations related to the budget bill."

Proponents assert that the two-thirds vote on taxes would remain intact, but on Thursday a judge erased the words "Retains two-thirds vote requirement for taxes" from the official ballot title, saying they were misleading. The decision is important politically because polls indicate voters are more likely to change the budget vote to a simple majority if the two-thirds tax vote stays in place.

One must wonder, however, why Democrats are so eager to lower the budget vote if the supermajority tax vote remains. Seemingly, they would then bear full responsibility for doing the budget each year without new revenues – especially if voters also pass Proposition 26, which would harden the two-thirds tax vote.

There is, however, another troublesome aspect to Proposition 25. Even if its language isn't a backdoor way of raising taxes, it would allow extraneous matters to be included in the budget package and protect them from being challenged via referendum.

Thus, it could be a vehicle for secretly passing special-interest favors that may have no real budgetary purpose.

Conceptually, it's a step forward. In practice, however, it could have insidious and corrosive consequences.

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