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## JOHN FUND ON THE TRAIL

### Sacramento Showdown

Is Gov. Schwarzenegger's reform effort on the verge of defeat?

Monday, May 2, 2005 12:01 a.m. EDT



SACRAMENTO, Calif.--In every action movie there is a scene in which the hero is in deep trouble, perhaps dangling from the ledge of a building as villains train their fire on him. In the end, of course, the hero defies the odds, overcomes his adversaries and triumphs. But such happy endings are dictated by scripts; in politics, as Gov. Arnold Schwarzenegger knows, leaders must write their own storyline and then make sure it succeeds.

The governor started out this year with a bang, proposing a series of dramatic political reforms he would take to the voters in a special election this November if the Democratic Legislature ignored them. Lawmakers largely did so, and the governor began collecting signatures for several initiatives. But since then a combination of bad luck and his own missteps is making even supporters wonder if the governor knows where he is going.

May 2, 2005

11:48am EDT

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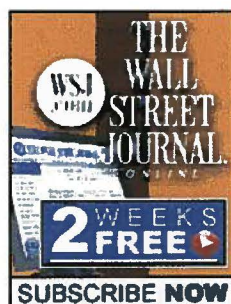
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Schwarzenegger withdrew his proposal to replace gold-plated state employee pensions with 401(k)-type plans after an embarrassing drafting omission left it open to charges it might end pensions for the widows of slain policemen and firemen. His proposal to zero out 88 regulatory boards and commissions was sabotaged by some of the governor's own aides and shelved. Then last week, he backtracked on his insistence on having California's gerrymandered congressional and legislative districts redrawn by next year. His formerly "nonnegotiable" plan for immediate reform has morphed into a willingness to negotiate with Democrats because "the key thing is not what is the year that we change the system, but that it will be changed."

Democrats were ecstatic at the governor's climb-down. Desperate to retain their seats, they have offered to support the governor's redistricting plan if it doesn't actually change district lines until the 2012 election and includes an incumbent-sweetener in the form of looser term limits on state legislators.

The governor's retreat infuriated the main backers of his redistricting initiative. Bill Mundell, a Los Angeles investment adviser and son of Nobel Prize-winning economist Robert Mundell, gave a bitter interview to David Drucker of the Los Angeles Daily News. "The people want redistricting reform now," he said. "The people have spoken. The question now is: Is the governor listening?"

A new opinion poll conducted by the Rose Institute of State and Local Government backs up Mr. Mundell's confidence that voters

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### VIEWPOINT

#### The Federalist Patriot

Ed Feulner, President, Heritage Foundation, reads *The Patriot* ... "The Federalist Patriot is a 'must read' for informed conservatives." *The Patriot* is free by e-mail.

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are on to the gerrymandering game incumbent legislators play. The Rose survey found that even though only two out of three voters have heard of the concept of gerrymandering, a full 73% of those surveyed strongly or somewhat agreed it was a conflict of interest for legislators to draw their own election districts. Given that the current lines give Democrats an advantage, it's surprising that half of all Democrats were either very or somewhat worried that gerrymandering was a problem in the state. When people in the Rose survey were asked if they supported redistricting reform to take effect before the 2006 elections or instead after the next scheduled redistricting in 2011, they backed the earlier date by a solid 59% to 31% margin.

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With the perception growing that the governor is sounding an uncertain political trumpet, his aides admit that there were key mistakes in the way his reform initiatives were drafted and that the response to a barrage of union-paid attacks attacking the governor has been weak. A late start in gathering signatures makes it questionable new boundaries can legally be put in place in time. It wasn't just Democrats who were opposed; many Republicans also disliked the idea of having to abandon cozy, safe seats and run in more competitive ones. But the Rose survey found that while the governor's approval rating has fallen to 47%, that hasn't been accompanied by any greater public support for the Legislature, which stands at 30% approval.

The governor's advisors say fears that he is retreating are overblown. "He is playing three-dimensional political chess," says one. "He is often a move or three ahead of everyone else." Others aren't so sure. Shawn Steel, a former state chairman of the California Republican Party and a co-sponsor of the governor's proposal to enact merit pay for public school teachers, is worried that the governor's backtracking is demoralizing many of his key supporters.

Ted Costa, the taxpayer advocate who made the 2003 recall that brought Arnold Schwarzenegger to office possible, says he will refuse to pull the plug on redistricting reform. His supporters fret that if the governor strikes a deal with Democratic lawmakers, his campaign committee won't turn in the 300,000 signatures it has collected to put immediate redistricting reform on the ballot that happens, Mr. Costa plans to send vans over to their offices and invite the media to observe how the people's will is being thwarted.

Says Mr. Steel: "The governor may be the main supporter of these ideas, but he should know from the recall that ultimately the voters who sign the petition have the bigger stake in the idea."

But however shaky some of the planks in the governor's original reform agenda now look, GOP legislators say there is a Plan B. Should final talks with Democratic leaders on reform fail, they point out that a "doomsday measure aimed at the heart of the Democratic Party's financial base is headed for a vote on any November special election ballot. The initiative, sponsored by anti-tax activist Lew Uhler, would require public-sector labor unions to obtain written permission from each of their members before using any portion of his dues for political activity. Mr. Uhler believes his "paycheck protection" measure would



popular in a low-turnout special election. "Can you imagine the outcry if corporations were to require their employees to contribute to a political act committee and only the corporate leaders could decide how to spend it?"

The idea was put before California voters once before, by former governor Wilson. But it appeared on a 1998 primary ballot which drew a disproportionately large number of Democratic voters to the polls. It still won 47% of the vote after a \$30 million campaign to defeat it. Mr. Uhler believes limiting paycheck protection to state employee unions will enhance its popularity. "It's easy to convince people the prison guards union runs the prisons in this state, the teachers union controls the schools and their undue influence is attributable to their ability to use taxpayer money paid to state employees for political purposes without the employee having any say in the matter."

Mr. Uhler notes that several states, including Colorado, Michigan, Utah and Washington, have adopted limits on the use of union dues for politics. Gov. Schwarzenegger has not formally endorsed paycheck protection, but his advisors say he finds the idea "very interesting," and his key campaign committee includes a link to the paycheck-protection petition on its Web site

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It's clear that Gov. Schwarzenegger has allowed his reform agenda to be demonized by his opposition without adequately explaining why voters should support it. His apparent backtracking on key elements of it has fueled the impression that the once-invincible "Governator" is vulnerable. "They see the governor changing the pages in his political script as quickly as a director of a muddled B-movie in rewrite," says one disillusioned GOP state legislator. He finds it ironic that a governor who came to office largely because he was willing to take huge risks by running in a recall election should now be seen as vacillating.

It's been four months since Mr. Schwarzenegger first proposed his reform agenda. It's time he settles on a simple, clear version of it, calls a special election and spends the next six months asking voters to support it. His Hollywood pals say he has overcome adversity before. "Every time a movie of his would bomb, he would figure out what went wrong and his next movie would be a big hit," Jamie Lee Curtis once told me. It's time the governor focuses that can-do attitude on his reform agenda before he begins losing his audience.

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