

MARTY OMOTO
CALIFORNIA DISABILITY RIGHTS PERSPECTIVES
Remembering the Life & Work of Joan Lee
NOVEMBER 25, 2008 - TUESDAY

To read other and previous commentaries, go to the CDCAN website at:
www.cdcan.us

EMAIL REPLY TO THIS COMMENTARY: martyomoto@rcip.com

FIXING A HOLE

The Right Way – and the Wrong Way: Trying to Pass Major Cuts and Revenue Proposals Without Hearings and Public Review Is Wrong

SACRAMENTO - It is easy to justify almost anything now days, especially in Sacramento and Washington, DC. But justifying something is not the same thing as doing what is right. And what the Legislature and Governor are attempting to do now, in considering proposals to close a huge budget shortfall, without public hearings, without public review, without even careful review by termed out or retiring legislators who would be asked to vote, is wrong.

The Beatles sang back in 1967 “fixing a hole where the rain gets in”. And in 2008 no one disagrees that the rain – a torrential storm actually – is pouring into a budget hole that is growing and needs to be fixed.

It is true that sometimes, a governor and legislature needs to respond fast to an emergency, such as a wild fire or earthquake, where the type of immediate relief and aid is not only clear, but is needed and necessary. Those types of actual emergencies have almost no advance warning and the threat is real time, immediate and evident.

Some would argue that the current budget crisis falls into the same category of immediate relief, response and action.

But this is different. We had warning – but even if that was not enough or sufficient, we certainly had more time.

This budget crisis – unlike a fire or earthquake – has been unraveling for weeks, at least since early October. Some would say even earlier. Weeks have gone by.

The Legislature met in a floor session once on November 6th in a combined total amount of time that could be measured in minutes. One two hour hearing held on November 14th, that only touched on the general outlines of the Governor’s

proposals and that of the Legislative Analyst – no specifics and no public testimony at all. That has been it.

How would the public react if the Governor and Legislature took that long to respond to an actual fire or earthquake?

The delay in action is the fault of the Governor and Legislature – and we as voters are to blame too, for allowing them to do that. They are supposed to make government work, which includes public participation, not as an accommodation, but as a right.

This is not some idealistic rant on how democracy should work or ignoring the reality that leaders – in any setting – often will meet and try to work out possible solutions. This is about what happens after that.

It is as if the right protecting the public process is reduced to an after thought or a barrier to solving a problem. It is ironic since the general public is more apt to believe that it is the Governor and the Legislature who are the barriers to solving a problem.

We have a responsibility too, to make sure they are doing their job. We are part of that process. The Legislature and Governor have seemed to have forgotten that we are.

We cannot allow them to forget that. We often do.

And if the Legislature considers and votes on proposals – and worse, pass any proposals – without real public hearings where the public can fully participate in, without the time for legislators – not just leaders and the Governor – to really review what they are voting on – then that is not fixing a hole. It is making the hole bigger.

At a recent meeting updating advocates on proposed budget cuts, an Administration official said that the proposed cuts were made and driven by “fiscal reasons” and not policy reasons, as if the two shouldn’t ever be the same thing.

Well, in a crisis like this – it is all more reason to drive *any* proposal to solve the budget crisis with good public policy that is linked to good fiscal (budget) reasons.

We are largely in this mess now – because one was done without the other. And that goes for the larger economic problems we face as a state and nation.

A process that includes public participation somehow is seen by some in the Legislature and by the State as a convenience or privilege that often can be ignored, replaced, overlooked or excused when one cites “crisis” or “hard choices”. Well, they are **not** excused any longer and we cannot be ignored any more.

Or at least we shouldn't let that happen.

What they are considering and voting on could have dramatic and immediate impact on the lives of hundreds of thousands of children and adults with disabilities, their families, people with mental health needs, seniors, community organizations, facilities, workers who provide supports and services, special education, and others services and programs,

How is the Governor's and Legislature's actions today – in considering proposals that impact our communities in such a huge and potentially devastating way – is anything about acting responsibly or with a response to a crisis that could in fact endanger the very same people that it is meant to save and protect.

Deliberation does not mean delay.

We – the public and we, as advocates for people with disabilities, mental health needs, seniors, low income families, veterans with disabilities and mental health needs – did not cause this revenue crisis and problem. We did not cause this budget crisis or the economic meltdown in the country, and we certainly do not cause and did not cause the situation of why the Legislature and Governor cannot work effectively together in a way that responds to this crisis responsibly. We did not cause the delay of weeks that have gone by.

The Governor and Legislature have an obligation to respect that process. To ignore it – to consider and vote on proposals that no one has seen or had a chance to comment on in a hearing, is not responsible.

Acting responsibly means not just coming up with ways to make reductions, or ways to raise revenues or ways to cap spending but also being accountable, being open and respecting the rights of Californians in participating in a process that is ours as much as it is the Legislature's and the Governor's. This budget crisis cannot be solved by ignoring that. .

And we – as advocates and Californians – have a responsibility of making sure they respect that process.

It is about fixing the hole. Together.

California is better than this. Lets remind the Governor and Legislature that it can be.

.

SOME SUGGESTED ACTION STEPS:

CALL THE LEGISLATIVE LEADERS

Call them and let them know that taking action without public hearings, without release to the public of details, is a huge part of what is wrong with California. It is wrong to take action on major proposals that Californians have not seen or had the chance to comment on. It is wrong for legislators – many of whom are retiring by the end of the day November 30th, to vote on such proposals – even good proposals – without hearings, without a chance for even members to review carefully – that could have such a tremendous impact on people's lives. Please be respectful when calling or writing or visiting these offices. Respect and rights apply to everyone – not just us.

**Call the Senate President Pro Tem's Office
Senate President Pro Tem Don Perata (Democrat - Oakland, 9th District)
Capitol Office: (916) 651-4009**

**Call the New Incoming Senate President pro Tem's Office
Sen. Darrell Steinberg (Democrat – Sacramento – 6th District)
Note: he will assume this position on December 1.
Capitol Office: (916) 651-4006**

**Call the Assembly Speaker's Office
Assembly Speaker Karen Bass (Democrat - Los Angeles, 47th District)
Capitol Office: (916) 319-2047**

**Call the Senate Republican Leader's Office:
Sen. Dave Cogdill (Republican - Fresno, 14th District)
Capitol Office: (916) 651-4014**

**Call the Assembly Republican Leader's Office
Assemblymember Mike Villines (Republican - Clovis, 29th District)
Capitol Office: (916) 319-2029**

MARTY OMOTO COMMENTARY

This is a periodic personal commentary by Marty Omoto, director/advocate of the California Disability Community Action Network (CDCAN). These commentaries represent the personal opinion of Marty Omoto only - and does not necessarily represent the viewpoints or opinions of anyone else. These commentaries are separate from the CDCAN Reports, which strive to be objective in getting information out to people with disabilities, mental health needs, seniors, their families, workers and others. Address inquires to Marty Omoto, CDCAN at 1225 8th Street, Suite 480, Sacramento, CA 95814 916/446-0013 or email martyomoto@rcip.com Website: <http://www.cdcan.us> to get the free non-partisan CDCAN Disability News Reports and to view archived copies. Omoto's sister Alana had developmental and other disabilities.

Since 2000, CDCAN Reports and commentaries go out to over 45,000 people with disabilities, seniors, families, Asian and Pacific Islanders disability groups, other minority advocacy groups, organizations, policymakers, media and others across California. It is okay to forward this - just provide attribution.

PLEASE HELP CDCAN CONTINUE ITS WORK!!!

Townhall Telemeetings, reports and alerts and other activities cannot continue without your help!

CDCAN Disability Rights News Reports, Telemeetings & other Events

Please send your contribution/donation (make payable to "CDCAN" or "California Disability Community Action Network):

CDCAN

1225 8th Street Suite 480

Sacramento, CA 95814

Note: the paypal option on the CDCAN website is temporarily not working and will be fixed soon.