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Published July 8th, 2009

Local Impact of the Gas Tax Grab

By Cathy Tyson

Addressing the City Council recently, State Senator Mark DeSaulnier, who represents most of Contra Costa County said, "We need to protect local government." However he's also part of the majority party in the state legislature that proposes seizing \$986.3 million of gas tax or Highway Users Tax Account (HUTA) in fiscal year 2009 - 2010. For Lafayette, that means \$467,000 in road repair money that would vanish - money that would fill a lot of potholes.

More than sixty five California cities are officially protesting, all agree that the proposal is unconstitutional.

Lafayette Mayor Don Tatzin, with the unanimous support of City Council Members, authorized the City Attorney to join the effort and cooperate with the League of California Cities in litigation challenging the constitutionality of any seizures by the state government of city street maintenance funds.

The irony of DeSaulnier's report did not go unnoticed. "As cities we're expected to balance our budget with money that is available to us," said Mayor Don Tatzin. Now the state wants cities that regularly balance their budgets to hand over money to the fiscally challenged state, which has the worst credit rating in the country.

While the divisive budget process lumbers on just like last year, as of press time, the final outcome is unclear. Part of the problem is the supermajority required to pass a budget, even with a majority of democratic members, some republicans would have to cross party lines to reach the required 66%. In addition Governor Schwarzenegger has threatened to veto any proposal that doesn't completely account for the \$24.3 billion and growing current deficit.

"We need to change the tax initiative system and how we provide services," said De Saulnier. At one point noting that the California constitution is like the Winchester Mystery House, amended 512 times since the late 1800's constitutional convention, he thinks it's a structural problem. California is one of only three states in the country requiring a supermajority; throw in record unemployment, and a budget cycle that seems to have not adjusted for "bust" years after the "boom" years and you have the perfect storm of budget disasters.

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