

LEGISLATIVE FILE

Of some 1,000 bills before the Legislature as the September 12 deadline for passage approaches, here are a few generating special attention:

Smog Check II — ABs 208 (Migdon, D-San Francisco) and 57 (Escutia, D-Huntington Park): Sen. Quentin L. Kopp (I-South San Francisco), Senate Transportation committee chairman, forced significant amendments to these measures designed to address the fierce public outcry against Smog Check II while keeping the program in place. The bills sought to pass on to the public much of the potentially huge costs of bringing "gross polluters" into compliance.

Under 208 and 57, "low-income" car owners would pay no more than a maximum \$200 toward de-smogging their cars, with the "state" paying any remaining balance. Kopp reportedly balked on grounds funding sources for this subsidy were not clearly identified and reliably available. As Transportation committee chairman, Kopp added a guarantee that low-income people will not lose their right to drive their cars if

Schedules and status of specific bills can be found by calling the office of their author. Capitol operator: 916/322-9900. Abbreviations: AB: Assembly bill; SB: Senate bill; ACA: Assembly Constitutional Amendment; SCA: Senate Constitutional Amendment.

Smog Check II-mandated repairs cost more than \$200 and the state fails to pay the balance. Thus, the burden is on the state (*us*) to come up with the money or low-income-owned smog-producers stay on the road. More to come on this issue.

AB 1492 (Baugh, R-Huntington Beach) places a \$450 cap on repairs for non-"low income" folks. If costs exceed the cap, a two-year waiver is granted to allow owners to spread out repair



payments. Then the car must pass or cannot be driven.

Kuehl vs. the Family — Three Assembly-passed anti-family bills, ABs 257 (Villaraigosa, D-Los Angeles), 310 (Kuehl, D-Encino), and 1059 (Migden), all now in the Senate, were severely criticized in an August 19 Capitol speech by Dr. Martin Luther King's niece Alveda Celeste King. Of AB 257, which equates homosexuality with race and other characteristics banned as bases for discrimination by state civil rights laws, King said

"the state education code already requires children to be taught all about civil rights. Connect the dots — if homosexual behavior becomes a civil right, our children will be taught all about homosexuality" in public schools. AB 310 would punish expression of beliefs critical of homosexual behavior. 1059 would require employers to provide health care benefits to homosexual "domestic partners," thus equating them with married couples. King called all three bills "unjust" to "family values" and said "to equate homosexuality with race is to give a death sentence to civil rights." She urged calls to senators asking their defeat. The California Republican Assembly reported that "the only Republican senator who has not taken a strong public position against these bills is Bruce McPherson of Santa Cruz." Floor votes should be close; all might prove veto-bait for Governor Wilson should they reach his desk.

Capital gains taxes — SB 5, co-authored by strange-bedfellows Senate Democrat Leader Bill Lockyer (D-Hayward) and Senator John Lewis (R-Orange), excludes from taxation the first \$250,000 of capital gains from sale of a home by a single taxpayer (\$500,000 for couples). Current law taxes such gains as normal income, although taxes are waived if the gains are reinvested in another home within two years. SB 5 eliminates this waiver.

CPR

pre-eminent state university systems in the nation.”

The truth about Munitz’ CSU is the exact opposite. It is plagued by high student attrition, deferred maintenance, loss of experienced faculty, and administrative bloat. Nearly half of its entering freshmen require remedial instruction, and even after two years of college courses, students aiming to become public school teachers fail the idiotically simple CBEST exam at a 43 percent rate. The open secret that high grades from CSU campuses are discounted by serious educators was confirmed in a delicious irony last month, when the race preference lobby got the Clinton Education Department to launch an inquiry of the new admissions policies at UC’s Boalt Hall Law School. It turns out that one of the grounds for the investigation is that the Law School now discounts grades from inferior colleges and universities, which often graduate high percentages of minority students. An A from Harvard, in other words, means more than an A from Howard University. Surprise. It also means more than an A from “the best university in the country.”

MUNITZ’ LEGACY will include the costly and ludicrously PC Monterey Bay campus and diversity-mad CSU San Marcos, whose founding president, Bill Stacy, leaves behind an inferior and racially-divided campus with a plaque in the central quad reading, “Excellence through Diversity.” The *San Diego Union Tribune’s* farewell editorial on Stacy’s departure, a generally kindly piece, nonetheless concludes that, as overflowing with diversity as the campus may be, still “CSUSM needs to be known for something tangible — science, economics, linguistic studies, whatever.” *Whatever!*

Unless the trustees come to their senses, it will also include the formless, unneeded CSU Channel Islands campus in Ventura County, whose “president,” J. Handel Evans, tells local civic leaders that CSUCI’s primary “mission” is “to grow the Ventura County economy.”

Recent developments in the CSUCI story include a “Needs Assessment Survey” conducted, at public expense, by the Colorado-based National Center for Higher Education Management Systems. The survey is useless and incompetent junk. For instance, it argues that a CSU campus is “needed” in Camarillo because the transfer rate from Ventura and Santa Barbara County community colleges to public four-year institutions is lower than the state-wide average. But to arrive at this conclusion, the study must include in its data Allan Hancock Community College in Santa Maria, *more than 100 miles* from the proposed Ventura County campus. Had the study excluded this one, too-far-away-to-be-relevant JC, it would then have found

that the transfer rate to public four-year universities from Ventura and Santa Barbara County JCs is *higher* than the state-wide average, as is overall attendance in the JC sector and, in fact, total public college attendance from the region — *all* higher than the state average.

In addition, this “study,” like all the research used to justify the new campus, blithely ignores the role of non-profit independent colleges both in the area and state-wide. Enrollment in private colleges and universities in California, *not* including the for-profits, equals about 137 percent of the entire University of California system. Any serious study of students’ “needs” would have to include so large a sector. But the Educrats at NCHEMS and CSU are not interested in students; they want to expand the CSU “market share,” and what their study really shows is not that students are poorly served but that CSU is below its share in the target area.

Since the CSU policy is increasingly towards technical and job training, the omission of private for-profit post-secondary institutions is even more interesting. These schools, which not only cost taxpayers nothing (they actually *pay* taxes) serve more than 400,000 students, more than the entire enrollment in “one of the pre-eminent state university systems in the country.” NCHEMS’s analysis makes no mention of this sector.

Munitz’ legacy will also include, as I learned at the July 23 CSU trustees’ special meetings, a 30 percent salary increase the next three years for top administrators. The system abounds with top administrators: at least 18 make more than \$100,000 at Sac State alone. And Munitz’s successor will receive a whopping \$250,000 salary, not including housing and other allowances. Administrators’ salaries are, according to the chancellor, “a quality issue, unlike faculty salaries, which are an economic issue.” Moreover, the successor search will be kept tightly confidential, and there will be no faculty input, except from faculty trustee Bernie Goldberg, a member of the CSU headquarters inner circle in Long Beach, and the author of that memorable scholarly publication, “Condoms on a Roll.” (*see: trustee bios on the CSU website.*)

Of course, it is not to be expected that Munitz and his compliant trustees would take seriously teachers’ and scholars’ advice on running the university. The plans from CSU central are for a radical transformation of the university away from its traditional high purposes to forming part of the Clinton Administration’s “seamless web” of social service and job training. It’s just the upper end of the “School to Careers” and “Goals 2000” scheme hatched in Washington, as Governor Wilson’s own application to the Feds indicated last year when it declared that California is well on its way to establishing a systematic STC plan for “K-16 by

the year 2002.” The CSU component of the plan goes by the name of Cornerstones, and it too can be found on the system’s website. It features techno-gimmickry and outcome-based education, larger class sizes, and a diminution of the faculty’s role in favor of administrators and corporate and governmental special interests (called “stakeholders” in Munitz-talk).

You have to hand it to Barry, though. He moves from triumph to triumph, supported by a Republican governor and a GOP-appointed board of trustees, and unnoticed by conservative education activists largely focused on the battles in K-12 schools. Now he will disperse the \$4.2 billion Getty funds, as the Czar of High Culture for the state. I weep for the Muses. CPR

THE MIDNIGHT ECONOMIST

Midnight Knockings on the Door

A community cannot be politically free and economically slave.

W I L L I A M R . A L L E N

IT IS hardly to be expected that respectable economists — those brooders over scarcity — would have many friends. But I have a few. Several years ago, several of them immigrated from behind the Iron Curtain.

These friends from lands of tyranny have added to my understanding of government-condoned and -conducted brutality — of political thugs permitted in the streets and police raids on homes in the night. But even when the mind is instructed by trusted associates, full emotional comprehension is not attained when personal experience is lacking.

In a small way, I have had a taste of the midnight pounding on the door by armed men. The door in question was that of my hotel room. Not only was there beating on the door, the door was actually opened as far as the chain would allow. A voice from the corridor claimed to be from “hotel security.”

I reclosed the door and called the front desk. Yes, they were aware that “security” was operating on my floor. I informed the desk that “security” would be called off at that moment or I would utilize legal mechanisms to put the hotel into a state of great financial regret.

It all turned out to be only a breakdown in hotel

staff communications. There were no truly bad guys in this episode — just some who were confused. But in many instances in many places around the world, there have been thoroughly bad guys — ruffians of government who could not be deterred by appeals to constitutional protections and by threats to legal reprisal.

How big a step is there between physical coercion and economic domination?

A non-profit policy-research institute once received a message from an agency of the government of California. The letter said, insinuatingly, that an informer had reported that the institute had failed to take out a required personnel insurance policy. The president of the institute was ordered to appear “precisely at 9:50 a.m.” at a specified address to account for his transgressions against society. In the government’s version of magnanimity, the bureaucrats would permit any relevant papers, lawyers, and accountants to be brought along. (No mention was made of clergy to administer last rites.) As if in trivial afterthought, the possibility was acknowledged that the informer had been incorrect, in which case a copy of the insurance policy could be (and was) forwarded in lieu of a personal appearance.

William R. Allen, of the UCLA economics department, manfully opposes officious campus officials. This meditation is a version of the pearls in his The Midnight Economist: Little Essays on Big Truths (with an introduction by Milton Friedman), Thomas Horton and Daughters, Sun Lakes, Arizona, 1997, 322 pages, \$24.95, paper.

EVEN BY uncivilized standards of government, it was a coarse performance. The belligerent message implied that the recipient was presumed guilty, and seemingly rejoiced that a culprit had been discovered in his dastardliness. Petty and provincial Little Brother — state and local gov-