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## D is for Deception

Measure D on the ballot would give a county firefighter's group a share of sales-tax money it doesn't deserve or need

By STEVEN GREENHUT

Some political battles remind me of the bloody fight between Stalin's communist forces and Hitler's Nazi forces. For whom do you root? You root for a very long war.

At first glance, taxpayers might be justified in taking a similar view with regard to Measure D, the countywide ballot initiative Nov. 8 that pits some of the most aggressive and self-interested government unions against each other.

The Orange County Professional Firefighters Association is duking it out with the Association of Orange County Deputy Sheriffs and other law enforcement unions over sales-tax dollars now earmarked for the deputy sheriffs and the district attorney. Measure D would take a portion of those dollars and give it to the firefighters.

If the unions spend their dues pounding each other, one might reason, perhaps they will have less money to spend on the liberal causes they typically endorse.

Despite such well-warranted cynicism, on closer examination it is imperative that taxpayers defeat Measure D, which represents a new low in money grabbing by an already well-funded special interest.

Some history. In 1993, California taxpayers, in their weakness, decided to tax themselves an extra half-cent to pay for public safety services by voting in favor of the statewide initiative, Proposition 172.

This was in response to the storied revenue shift in which the Legislature took money from counties and cities to pay for what's called the state Education Revenue Augmentation Fund. After Prop. 13's passage in 1978, the state shifted property-tax funds to localities to make up for Prop. 13 revenue losses. In the 1990s it did the reverse, taking money from the localities to plug a hole in Prop. 98-mandated school funding. After the revenue shift, legislators convinced the public to pay higher taxes to backfill law-enforcement budgets.

After Prop. 172 passed, the Board of Supervisors voted to split the new tax money between the Sheriff's Department and the District Attorney's Office. The county later created the fire authority, which is a special district exempt from the education revenue shift. The trade-off: The fire authority gets a healthy chunk of property taxes for funding, while law enforcement gets Prop. 172 sales taxes.

The fire authority has done exceedingly well under this arrangement, as property values have soared. The fire authority budget gained \$52 million more than it would have without the school-funding shift and Prop. 172, according to county budget figures. The county budget received \$68 million less under that situation.

The fire authority - which serves the 43 percent of the county not served by city fire departments - has a multimillion-dollar reserve, built a \$50 million administrative building that even the firefighters union leader terms a "Taj Mahal," and oversees employees with some of the best pay and pension benefits in the country.

Firefighters in Orange County earn median salaries and benefits of \$175,181 a year. They retire with 100 percent of their base pay, after 33-1/3 years of work. A firefighter representative corrects me when I say that they are paid *for* sleeping on duty. Actually, he says, they are paid *while* sleeping. However you parse it, this is a pretty good deal.

This is when Greenhut's Rule of Government kicks in: "No matter how much money you give an agency or union, it is not enough." One reader illustrates this point with a joke: A public agency is negotiating with a union, and the agency agrees: Union members will get full pay for no work and only have to come in and pick up their paychecks every Wednesday. Shoots back an outraged union rep: *EveryWednesday!?*

Now the firefighters want a share of the Prop. 172 sales-tax money. Union chief Joe Kerr cries poormouth, complaining about ancient fire engines, decrepit helicopters, inadequate equipment and understaffed fire stations.

The union - in response to the goals set by the national union - wants to put a fourth person on every firetruck, even though about 90 percent of calls are for paramedic services. There are very few fires in Orange County because of strict building standards and insurance requirements.

When a firetruck arrives at a fire, firefighters cannot fight the flames until a second truck arrives because of federal rules that require the same number of firefighters outside the building as inside. This is how government operates: Create burdensome rules, then complain that there isn't enough manpower because of those rules.

Last week, the Register reported on the 24 firefighters who took seven minutes to put out a fire. As one blog entry noted, Measure D would require 31 firefighters to do the same job. Can you say, "union featherbedding"?

In the private sector, when resources are tight, companies make sure they get the same job done without sacrificing quality, or they lose customers. In the public sector, the agencies spend excessively on things that benefit themselves - i.e., 100 percent pensions, six-figure salaries even though there are thousands of applicants for every firefighter job opening, lavish headquarter buildings - and to hell with the public.

If the fire authority got control of its salaries and benefits and other spending, it could easily hire more employees or buy new trucks. It will never do that. This is why firefighting and paramedic services should be private efforts, not public bureaucracies, but that's a column for another day.

County Treasurer John Moorlach offers the most realistic explanation for this attempted money grab. "They just need to find a funding source" for their underfunded pension plans. Granted, the law enforcement officials receive a similar level of benefits (and high, although not nearly as high, salaries), but it is the firefighters who are the aggressors here.

If the firefighters succeed, then cop and DA positions might need to be cut or more tax dollars found. Local-government expert Steven Frates says, "Measure D would be a gross and inefficient misallocation of public funds."

Politically, the firefighters say they deserve the money because they helped the campaign for Prop. 172, which featured pictures of heroic firefighters and carried the implicit promise that fire agencies would get some money. That is one of the funniest arguments I've heard in years. Somehow, the promises of deceptive TV ads are now *sacred*! Apparently, campaign ads must trump the verbiage of the law itself, says former state Sen. John Lewis, who is a consultant on the anti-D campaign.

The entire county board and most everyone not connected to the fire authority or the fire union are opposed to Measure D. The supervisors have proposed Measures B, C and E as alternative choices for the distribution of 172 funds.

Don't get confused by all the choices. Just vote "no" on all of them. While you're at it, vote "yes" on statewide Proposition 75, which would make it harder for all public-sector unions to take money from members to wage these selfish, anti-taxpayer political campaigns.