Opinion: Calif.’s next governor will be its most powerful

By Joe Mathews

Who is the most powerful governor in California history?

The next one.

Joe Mathews

Our state’s governorship has grown so great in reach and power that it now constitutes a second American presidency.

California governors now routinely sign international treaties. They head a state government that operates as a fourth branch of American government—employing regulations, lawsuits, and the size of the California market to check the president and Congress. Here at home, our governors dominate not only politics and policy but also California’s civic conversation itself.

California’s centralized executive power contrasts with the state’s image as complex and diverse, with a progressive culture and innovative technology bent on disrupting existing structures. But this diversity and complexity—and the resulting frustration about getting anything done—is at the heart of the governor’s power.

Precisely because it’s so hard to get attention and to orchestrate policy among so many unruly constituencies, Californians are often desperate to find someone—anyone—with the agency to make a decision and accomplish what they want. And that person has been, more often than not, the governor.

For the past 40 years, the governor’s authority has grown, as power was transferred from local governments to Sacramento, via state court decisions (notably equalizing school funding) and by ballot initiatives (like Proposition 13, which restricted local taxation).

As Sacramento made more decisions for Californians, governors worked to enhance their office’s power. Pete Wilson pioneered the use of executive orders for vital policy changes. Gray Davis devised new ways to intervene in the legislative process, declaring of legislators: “Their job is to implement my vision.”

Arnold Schwarzenegger devised ballot initiative campaigns to give himself greater leverage with the Legislature. He also pushed through climate change legislation that empowers the state’s regulatory agencies to enforce one of the most complicated environmental regimes on Earth.

The state’s regular budget crises also enhanced gubernatorial power; governors demanded wider room to manage the state’s budget and cash, as the price of compromise. Gov. Jerry Brown also has skillfully bargained for more authority; the state’s new law to establish a $15 minimum wage by 2022 gives the governor the power to delay the hike for different reasons.

And voters, disgusted by gridlock that was easily blamed on the Legislature, have often granted more authority to governors. The most dramatic example was when voters installed legislative term limits in 1990. With that change, lawmakers and staffs could stay for only a few years a time, whereas in the executive branch the governor could rely on department

heads and powerful regulators who had long careers and inside knowledge.

The Legislature has failed to counter such executive power—its relatively small number of lawmakers is stretched thin, and has little time for detailed hearings, investigation, or oversight of the governor and his administration. The Legislature also doesn't have the same institutional infrastructure to produce data and reports to guide policymaking; when legislators make laws and budgets, they often rely on the executive branch's numbers.

More recent political reforms also have weakened the Legislature and thus strengthened the governor. In 2008, voters stripped the Legislature of perhaps its greatest power—the power to draw legislative districts—and gave it to an independent commission. And in 2010, voters got rid of the requirement of a two-thirds vote to pass a budget, which had given the minority party in the Legislature considerable power to challenge the governor.

These days, the opposition has little juice. All the governor needs is the support of the two leaders of the majority party in the Legislature. In this era of one-party Democratic control, that majority party is the governor's own party, further enhancing his power.

California's diminished media also reinforces the notion that the governor is the only game in town. With fewer reporters covering Sacramento, the governor has become the only politician who is covered regularly. Even state Sen. Kevin de León, who has been the most influential legislator of this decade and is now running for U.S. Senate, remains little known across the state.

In much of Sacramento, the power of the governor is considered a positive. In a state so big, goes the argument, it's good to have one elected official—the governor—who can focus attention

and accountability.

Of course, that’s only true if Californians pick a governor who can use that power responsibly. And right now, few of us are paying much attention to the gubernatorial contest. Instead, Californians are deeply worried about all the power in the American presidency, and how it might be misused by the current occupant of the White House.

But the perils of runaway executive power aren’t limited to Washington, D.C. Pay attention, California, because it could happen here.

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