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# Intiatives at a Glance

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## Proposition 19

### Changes to the Law

- ☞ Makes it legal for an individual to possess, share, and transport one ounce of marijuana or less for personal consumption
- ☞ Defines personal consumption as use of marijuana in a private residence or other non-public place, or use of marijuana at a facility licensed by state or local law to be used for marijuana sale and consumption
- ☞ Makes it lawful for a private property owner to cultivate marijuana on a plot not larger than 25 square feet
- ☞ Driving while under the influence of marijuana is still prohibited under this initiative.
- ☞ Does not affect laws regarding marijuana possession on school grounds, laws regarding contributing to the delinquency of a minor, and laws prohibiting use of controlled substances in the workplace by persons whose jobs involve public safety

### Policy Considerations

YES on Prop 19	No on Prop 19
<ul style="list-style-type: none"><li>• The tax on marijuana could generate around \$1.4 billion dollars per year. California could also generate as much as \$12-\$18 billion dollars in spin-off industries such as coffeehouses, tourism, industrial hemp etc.</li><li>• Helps to reduce California's soaring unemployment rate through job creation. Thousands of jobs would be created through new marijuana industry.</li><li>• Reduces prison costs and would free-up police resources to allow more focus on violent offenders. Studies estimate anywhere from \$300 million to \$1.9 billion in yearly savings in California's prison costs.</li><li>• By removing California from the illegal market, legalization of marijuana will cut off a vital source of cartel funding and aid in the fight against drug cartels.</li><li>• Marijuana has some legitimate health benefits, which outweigh the negative effects of the drug. Marijuana is currently used to relieve pain or symptoms from nerve damage, nausea, spasticity, glaucoma, chemotherapy, and movement disorders.</li><li>• Marijuana has fewer harmful effects than either alcohol or cigarettes and it does not have long-term toxic effects on the body.</li></ul>	<ul style="list-style-type: none"><li>• Would increase social costs while failing to raise the revenue the proponents promise. As was true for alcohol and tobacco, the healthcare and criminal justice costs associated with the marijuana will more than make up for the tax revenue it raises.</li><li>• Will lead to more wrongful termination lawsuits because individuals terminated for poor performance may claim their marijuana use was the actual, and impermissible motive behind their termination.</li><li>• Prevents employers from complying with federal drug-free workplace requirements.</li><li>• Does not effectively limit where marijuana can be grown and advertised, leaving this responsibility to local governments.</li><li>• MADD, police, and firefighters oppose proposition 19 because of the affect it will have on traffic safety, making enforcement of laws prohibiting driving under the influence harder to enforce.</li><li>• Consumption of the drug would increase, because some people have abstained from using for no reason other than the illegality of marijuana.</li><li>• Smoking one marijuana cigarette deposits around four times more tar into the lungs than a filtered tobacco cigarette.</li></ul>

## Proposition 20: Congressional Redistricting

- ☞ In 2008, California voters passed Proposition 11, which created the Citizens Redistricting Commission to draw maps for state districts starting in 2011. Also, Proposition 11 created a public process and new guidelines for redistricting, such as not allowing districts that are designed to favor a candidate or political party
- ☞ The commission consists of 14 members, 5 democrats, 5 republicans, and 4 non-affiliated members. Proposition 11 left in place the legislature's power to draw the state's congressional districts, but established new redistricting criteria for the Legislature to follow when redrawing congressional district lines.
- ☞ Proposition 20 places the responsibility of determining boundaries for California's congressional districts in the Citizens Redistricting Commission. Proposition 20 seeks to accomplish the following: (1) remove elected representatives from the process of establishing congressional districts and transfer that authority to the recently authorized 14-member Citizens Redistricting Commission; and (2) require any newly-proposed district lines to be approved by nine commissioners including three democrats, three republicans, and three from neither party.

### Policy Considerations

YES on Prop 20	NO on Prop 20
<ul style="list-style-type: none"><li>• Creates fair congressional districts</li><li>• Makes congressional representatives more accountable and responsive to voters</li><li>• Easier to vote Members of Congress out of office if they are not doing their jobs.</li></ul>	<ul style="list-style-type: none"><li>• Reduces the amount of time the commission has to do its work while adding to the amount of work they do</li><li>• Narrows the definition of communities of interest in ways that would make it harder for the commission to protect California's diverse neighborhoods</li><li>• Wastes taxpayer dollars</li></ul>

## Proposition 21: \$18 Annual Vehicle License Fee for State Parks

- ☞ Establishes \$18 fee per California vehicle license registration and annual renewal, to be collected by the Department of Motor Vehicles
- ☞ Collects approximately \$500 million annually
- ☞ Annual surcharge does not apply to commercial vehicles, trailers, or trailer coaches
- ☞ Provides free California vehicle admission, parking, and day use at State Parks, subject to limitations such as overcrowding and damage to facilities
- ☞ Revenues generated by the surcharge will be deposited into the State Parks and Wildlife Conservation Trust Fund
  - 85% of the money collected will go to the Department of Parks and Recreation for operation and maintenance of facilities
  - 15% of the collected money will go towards wildlife conservation activities by appropriating funds to the California Department of Fish and Game, Ocean Protection Council, state conservancies, and the Wildlife Conservation Board
- ☞ Includes administrative supervision to assure funds will be used for stated purposes

### Policy Considerations

YES on Prop 21	NO on Prop 21
<ul style="list-style-type: none"><li>• Provides a dedicated revenue for State Park staffing and maintenance, while protecting California's natural resources for future generations</li><li>• Allows Parks to complete the backlog of maintenance and repairs necessary for a safe sanitary environment for park attendees</li><li>• Allows General Fund resources to be diverted to support other funding priorities</li></ul>	<ul style="list-style-type: none"><li>• Vehicle surcharge is a new tax imposed on all vehicle owners regardless of park utilization</li><li>• Vehicle access pass has limitations and not all parks will be free</li><li>• Fee is inflexible over time so cannot be lowered once parks are fully funded</li><li>• Free access may result in increased park visits resulting in damage to the parks' natural and historical resources</li></ul>

## **Proposition 22: Prohibits the State from Borrowing or Taking Funds Used for Transportation, Redevelopment, or Local Government Projects and Services**

- ☞ Would eliminate the possibility of loans of city transportation/fuel and property tax revenue funds to the General Fund
- ☞ Would impose new procedures on the state legislature if they seek to reallocate city transportation/fuel and property tax revenue funds
  - Procedures would include opportunity for public comment and a two-thirds vote of each house
- ☞ Would no longer require local redevelopment agencies to provide revenues for the benefit of the state
  - Exception: the state's ability to appropriate funds from redevelopment agencies to fund low-to-moderate income housing would be preserved

### **Policy Considerations**

<b>YES on Prop 22</b>	<b>NO on Prop 22</b>
<ul style="list-style-type: none"><li>• Cities provide important services to residents, such as emergency response, roadway repair, traffic safety, and public transportation</li><li>• Keeping management of local revenues local is the best way to make sure they are used the way they were intended</li><li>• The state should not be able to use local funds as their “rainy day” fund</li><li>• Redevelopment agencies should be able to use their funds to improve blighted areas and help promote economic growth</li></ul>	<ul style="list-style-type: none"><li>• The state provides important services to residents, such as other types of emergency response, public education, health care and assistance for seniors and those with disabilities</li><li>• Baring the state from reallocating local funds in an economic emergency will make it even more difficult to balance the state budget than it is now</li><li>• Keeping city funds within the cities they come from could create pockets with more resources/services and pockets with fewer resources that do not get needed services</li></ul>

## Proposition 23: Suspension of Global Warming Law until Unemployment Drops

### Current Law

- ☞ The Global Warming Solutions Act – AB 32 –enacted to commit the State of California to reduce its greenhouse gas emissions. The Act ordered the California Air Resources Board (CARB) to create a comprehensive regulatory and marketing plan that would lower the State’s emissions to its 1990 emission level by year 2020.

### Proposed Changes to the Law

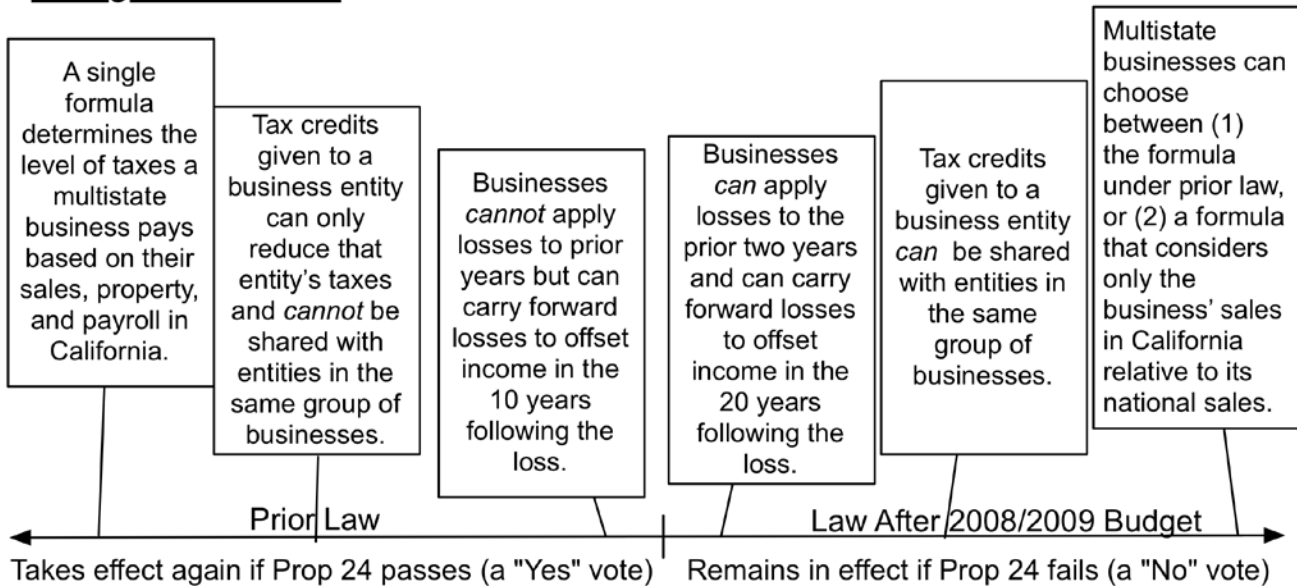
- ☞ Proposition 23 seeks to suspend the Global Warming Solutions Act until California’s unemployment rate drops to 5.5% for at least 12 months. This means that all current emission-reduction measures that were adopted under the authority of AB 32, as well as all future measures that CARB intended to adopt, would come to a halt. Since the suspension lift would be dependent on the State’s unemployment rate, it is difficult to predict when AB 32 would actually be reenacted, as it could be several years before California’s unemployment rate is at such a low level. Currently, the State faces a 12% unemployment rate, and economists are skeptical of unemployment dropping drastically in the near future.

### Policy Considerations

YES on Prop 23	NO on Prop 23
<ul style="list-style-type: none"><li>• AB 32 may cause an increase in California’s unemployment rate by driving up the cost of operation to California businesses and causing them to downsize their overall operations structure, including the amount of jobs they make available.</li><li>• The emissions rates contemplated by AB 32 are currently more stringent than those set by the federal government, which could ultimately impact interstate commerce and result in a possible violation of the U.S. Constitution.</li><li>• Stringent emissions rates may negatively impact California’s ability to attract new businesses and keep its current ones from relocating to other states with lower emissions rates.</li><li>• Consumers may carry the burden of lowering emissions rates as businesses increase product prices to balance their increased cost of operation.</li><li>• It is not California’s duty to take on the global problem of air pollution at the expense of its economy and its citizens.</li></ul>	<ul style="list-style-type: none"><li>• AB 32 may result in more jobs in the clean technology sector as California transitions to alternative fuels and “green energy” to meet the new emissions rates.</li><li>• Air pollution is a major threat to public health in California and will continue to be a threat with the suspension of AB 32</li><li>• Suspending the statewide emissions rates under AB 32 may result in independently-set emissions rates among local agencies and businesses that may conflict and dissuade any potential out-of-state entities from doing business in California.</li><li>• California has already developed a regional cap-and-trade program with Western Climate Initiative that allows California businesses to trade emissions permits with other western U.S. states and some provinces of Canada; suspending AB 32 will force California out of this program.</li><li>• California’s progressive environmental policies have attracted many investors, and California risks losing billions of dollars in investments to other states or countries if AB 32 is suspended.</li></ul>

# Proposition 24: Repeal Corporate Tax Loopholes

## Changes to the Law:



## Policy Considerations:

Yes	No
<ul style="list-style-type: none"> <li>❖ The legislative changes that would take effect if Prop 24 does not pass do not ensure increased employment opportunities.</li> <li>❖ Tax provisions that would take effect if Prop 24 does not pass only benefits the wealthiest 2% of multistate businesses.</li> <li>❖ The business tax break provisions set to take effect if Prop 24 does not pass would place a greater burden on the average tax payer.</li> <li>❖ The increased taxes paid by business will help increase the state general fund revenues, increasing education funding.</li> </ul>	<ul style="list-style-type: none"> <li>❖ Prop 24 will substantially decrease employment opportunities for Californians</li> <li>❖ Removing the provision which allowed tax shifts to past years provision will harm small business</li> <li>❖ The disallowance of tax credits will drive businesses out of state and hits job producing industries the hardest.</li> <li>❖ Due to the negative impact Prop 24 will have on the economy, the general fund revenue will decrease, thereby also decreasing education funding.</li> </ul>

## Proposition 25: The On Time Budget Act of 2010

### ☞ **Lowers the Legislative Vote Needed to Pass the Budget and Budget-Related Legislation**

- The vote requirement will be reduced from the current two-thirds to a simple majority, requiring fifty-percent plus one vote in each house of the Legislature.
- This reduced voting threshold would also apply to trailer bills that are identified by the Legislature as being related to the budget.
- This reduced voting threshold would also apply to trailer bills that are identified by the Legislature as being related to the budget.
- Retains the two-thirds majority required to overcome the Governor's veto.
- Purports not to amend the two-thirds vote requirement to raise taxes.

### ☞ **Forfeiture of Legislators' Lost Pay and Reimbursements On Days that the Budget is Late**

- Legislators would not be paid their salaries and will not be reimbursed for travel and living expenses on days that the budget is late.
- Legislators could not recoup these payments at a later date.

## Policy Considerations

YES on Prop 25	NO on Prop 25
<ul style="list-style-type: none"><li>• Breaks legislative gridlock by allowing a budget to be approved by a simple majority vote in each legislative house—just like in 47 other states.</li><li>• Holds lawmakers accountable if they fail to pass a budget on time by not paying them for any time spent working on a late budget.</li><li>• Late budgets waste money and cost California jobs. When the budget is late, the state is forced to issue interest bearing IOU's that cost the state millions of dollars in interest alone. Late budgets also force schools, and other state funded institutions to lay off employees because without a budget, they have no way of knowing how many people they can keep on the payroll.</li><li>• Preserves the two-thirds vote that is required for raising taxes.</li></ul>	<ul style="list-style-type: none"><li>• Gives the dominant party too much control with no guarantees that the budget will be passed on-time.</li><li>• Legislators will not be held accountable because they could recoup any lost wages by giving themselves pay raises in future budgets.</li><li>• Based on the current makeup of the Legislature, a simple majority vote requirement would allow the dominant party to pass a budget without any support from the minority party. This will set the dominant party free to enact wasteful spending programs and reward special interests.</li><li>• Proposition 25 could make it easier for the Legislature to raise taxes. By characterizing tax hikes as "fees," the Legislature could sidestep the two-thirds vote that is required to raise taxes. These "fees" could be deemed "closely related to the budget" and passed as part of the budget bill with only a simple majority vote.</li></ul>



## Proposition 26: Vote Requirement for State Fees and Levies

- ☞ Prop 26 amends the California Constitution to expand the definition of taxes to say a tax is any statutory change that results in any taxpayer paying a higher tax.
  - Many regulatory fees and “revenue neutral” bills would be considered taxes under the new definition, and would require approval by two-thirds of the Legislature or two-thirds of local voters.
- ☞ Prop 26 places the burden of proof on the government to show that a regulatory fee passed with a simple majority vote is not a tax requiring a two-thirds vote.
- ☞ Prop 26’s new tax definition would apply to new laws and laws passed from January 1, 2010 to November 2011. Any measures falling under the new tax definition not approved with a two-thirds vote would be void after one year unless the Legislature reapproved the measure with a two-thirds vote.
- ☞ There is a potential conflict between Prop 25, which would allow budgets to be passed with a simple majority vote, and Prop 26, because most state budgets include tax and fee increases.
  - Prop 25 and 26 may be harmonized by separating non-revenue budget bills, which could be passed with a simple majority vote, from revenue-raising bills, which would require a two-thirds vote to be approved.

### Policy Considerations

YES on Prop 26	NO on Prop 26
<ul style="list-style-type: none"><li>• Expanding the definition of taxes will prevent the government from avoiding existing Constitutional requirements.</li><li>• Making it more difficult for the government to approve tax increases will force politicians to be more responsible when spending taxpayer dollars.</li></ul>	<ul style="list-style-type: none"><li>• Making it more difficult to enact regulatory fees on businesses could hurt the environment.</li><li>• Making it more difficult for the Legislature to raise revenues will make California’s budget problems worse.</li></ul>

## Proposition 27: Elimination of the Citizen’s Redistricting Commission

- ☞ Returns the redistricting authority for the State Senate, State Assembly and Board of Equalization Districts to the Legislature by eliminating the Citizens Redistricting Commission
- ☞ Population of each district would be required to be equal, which is the current standard for congressional districts.
- ☞ Requires “communities of interest” to be considered
  - Legislature would define “community of interest”
- ☞ Increases public access to the redistricting process
  - Legislature must give 14 days notice before any hearing
  - Cannot amend redistricting bills within 3 days of their passage
  - Required to provide public access to redistricting data
- ☞ Imposes a strict spending cap of \$2.5 million for the redistricting process
- ☞ Eliminates the required consideration of certain factors such as political parties, incumbency, or political candidates.
- ☞ Ensures that the people have the power of referendum
- ☞ Proposition 20 and Proposition 27 directly conflict with one another
  - Proposition 20 would expand the jurisdiction of the Citizens Redistricting Commission, which Proposition 27 would eliminate
- ☞ If Proposition 27 *and* Proposition 20 both pass, the proposition with the highest number of affirmative votes would become law

### Policy Considerations

YES on Prop 27	NO on Prop 27
<ul style="list-style-type: none"><li>• Would restore accountability by returning the redistricting authority to a body elected by the people</li><li>• The legislature knows and will be able to better represent their areas rather than a Commission made up of non-elected commissioners</li><li>• Will eliminate the waste of state resources by capping the amount of funds that can be spent on the redistricting process.</li></ul>	<ul style="list-style-type: none"><li>• The independent Citizens Redistricting Commission was enacted in 2008 and has yet to begin its work.</li><li>• Opponents of Proposition 27 fear that if the power is returned to the legislature, elected officials will continue to draw safe districts, ensuring their own reelection.</li><li>• Opponents believe that the Commission is the best way to ensure a transparent process.</li></ul>

# Primary Election Systems

## Types of Primary Election Systems

1. Closed Primary
  - Only registered party members may vote in a party's primary election.
2. Semi-Closed Primary
  - Similar to a closed primary, however, also allows unaffiliated voters to participate in the party's primary election.
3. Open Primary
  - All registered voters may vote in a party's primary regardless of party affiliation.
4. Blanket Primary
  - Similar to an open primary, however, registered voters may vote for any party's candidate for *any* office.
  - Two types of blanket primary systems:
    - Partisan: The candidate who receives the most votes within each party becomes the nominee in the general election for that party, regardless if other candidates from other parties received more votes.
    - Nonpartisan: The two candidates with the most votes are put on the ballot for the general election, regardless of party affiliation.

## Future of California Primary Elections

- ☞ California is currently under a semi-closed primary election system in which unaffiliated voters are allowed to vote in a party's primary election if approved by that party.
- ☞ Proposition 14: Effective January 1, 2011.
  - In June 2010, California voters approved Proposition 14, which follows a nonpartisan blanket primary format.
  - Constitutionality:
    - July 2010 complaint: Seeks the removal of a provision that allows write-in votes to be cast off, and another provision that only allows candidates to affiliate with parties that qualified for the ballot.
    - Right to Associate: Has not yet been challenged, but the proposition is likely to survive. Proposition 14 is structurally similar to the nonpartisan blanket primary initiative passed in Washington in 2004, which the Supreme Court held as constitutionally sound. The Court reasoned that since the law does not require political parties to associate with or endorse candidates the right of association is not violated.