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2010 Propositions

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This election cycle, voters have been focused on the highly competitive and record spending top-of-the-ticket races for California Governor and U.S. Senate. The candidates' ads have dominated the press, radio and television airways. In addition to voting for representatives at the local, state and federal levels, voters will also have to work their way through nine ballot measures.

Several of the measures are high-profile, such as Proposition 19, which seeks to legalize marijuana, and Proposition 23, which would suspend California's landmark climate-change law for the foreseeable future. Although the spending is not as high on these measures as some other recent initiatives, their passage could have significant impacts on the state of California. Proposition 25 would make it easier to pass a state budget by reducing the current two-thirds vote requirement to a simple majority, while Proposition 26 would make raising revenue more difficult by requiring a two-thirds vote on many fees. Below, we present a "snapshot" of each initiative and a concise argument both for and against.

Proposition 19

Legalizes Marijuana Under California, but not Federal, Law. Permits Local Governments to Regulate and Tax Commercial Productions, Distribution, and Sale of Marijuana. Initiative Statute.

If enacted, the language of this statute will allow for people 21 years old or older to possess, cultivate, and/or transport marijuana for personal use. The projected fiscal impact, depending on federal, state, and local government actions, is potential increased tax and fee revenues in the hundreds of millions of dollars annually and potential correctional savings of several tens of millions of dollars annually.

Supporters of Proposition 19 argue that this is a long-sought-out "common sense" control of marijuana. They believe that it will help stop wasting taxpayer dollars on a failed marijuana prohibition.

Supporters highlight that the statute adds criminal penalties for giving it to anyone under 21 and has the additional benefit of weakening drug cartels, generating revenue and saving taxpayers' money.

Opponents of the measure, which include Mothers Against Drunk Driving (MADD), argue that the initiative has dangerous implications to road safety because it "allows drivers to smoke marijuana until the moment they climb behind the wheel." They further argue that it jeopardizes \$9.4 billion in school funding, billions in federal contracts, and therefore thousands of jobs. The list of opposing organizations and individuals is varied and vast. The most recent boon to the "No on 19" campaign was U.S. drug czar Gil Kerlikowske holding a press conference urging voters to vote "No,"

Proposition 20
Redistricting of Congressional Districts. Constitutional Amendment.

If passed by voters, this amendment to the California constitution will remove elected representatives from the process of establishing congressional districts and transfer that authority to a recently authorized 14-member redistricting commission composed of Democrats, Republicans, and representatives of neither party.

Supporters argue that the voter-approved Citizens Redistricting Commission will draw fair districts for the Legislature and Congress. They argue that politicians oppose the measure so they can keep power to draw "safe" congressional districts. Proponents believe that this helps the effort to keep elected representatives accountable to their constituents. Supporters include major state publications, community organizations, small business, tax and law enforcement groups.

Opponents argue that the Citizens Redistricting Commission is a "fourteen-person bureaucracy" which will yield even more concentrated power than currently exists. Opponents include: League of Women Voters, California State Firefighter's Association and the California Teachers Association.

(NOTE: Proposition 27 also relates to redistricting. If both are approved, the one with the greater amount of "yes" votes would go into effect and the other would not.)

Proposition 21
Establishes \$18 Annual Vehicle License Surcharge to Help Fun State Parks and Wildlife Programs. Grants Surcharged Vehicles Free Admission to all State Parks. Initiative Statute.

If enacted, an \$18 surcharge would be added to the vehicle license fee. The language exempts commercial vehicles, trailers and trailer coaches. The projected fiscal impact is an annual increase to state revenues of \$500 million from this new surcharge on vehicle

registrations. The Secretary of State's office predicts that after offsetting some existing funding sources, the revenue would provide at least \$250 million more annually for state parks and wildlife conservation.

Proponents advocate the importance of preserving and investing in state parks, emphasizing that those who register their vehicles, and subsequently pay the surcharge, will have free admission to state parks.

Opponents contend that Proposition 21 is an attempt to bring back a portion of the vehicle license fee that Governor Schwarzenegger repealed after the recall of Governor Gray Davis. They argue that government needs to make tough funding decisions and work within the pool of money they have and not require more from the citizens of California.

Proposition 22

Prohibits the State from Borrowing or Taking Funds Used for Transportation, Redevelopment or Local Government Projects and Services. Initiative Constitutional Amendment.

This proposition will prohibit the state, even during severe fiscal hardship, from delaying distribution of tax revenues towards transportation, redevelopment and local government projects and services. The fiscal impact is decreased state General Fund spending and/or increased state revenues, probably in the range of \$1 billion to several billions of dollars annually. Comparable increases in funding for state and local transportation programs and local redevelopment.

Supporters state that this initiative will stop state politicians from taking local government funds and, further, stop the State from taking gas taxes voters have dedicated to transportation.

Supporters include: the California Fire Chiefs Association, the California Police Chiefs Association, and the California Library Association.

Opponents argue that tax dollars should go first to schools, public safety, health care and social services safety nets. They argue that the "Yes on 22" is being advanced by bureaucrats, developers and the redevelopment agencies that support Proposition 22.

Proposition 23

Temporarily Suspends Implementation of Air Pollution Control Law (AB 32)

Proposition 23 would suspend the landmark legislation Assembly Bill 32, which requires major sources of carbon emissions to report and reduce greenhouse gas emissions that cause global warming. This suspension would be in effect until unemployment drops to 5.5 percent or less for a full year.

Supporters argue that implementing Assembly Bill 32, the carbon emission reporting and reduction measure, will cause further damage to the fragile California economy by causing additional

burden to California businesses. They state that Proposition 23 will save jobs, prevent energy tax increases and help families.

Opponents argue that big oil companies want to kill clean energy and air pollution standards in California for their own personal wealth and gain. They argue that by postponing the enactment of Assembly Bill 32, public health will suffer from greater air pollution and we will have to continue to contend with dependence on costly oil. Additionally, it will dissuade competition from job-creating California renewable energy companies. Opponents include the American Lung Association and the California Professional Firefighters.

Proposition 24

Repeals Recent Legislation that Would Allow Business to Lower Their Tax Liability. Initiative Statute.

If enacted, this proposition will increase state revenues of about \$1.3 billion each year by 2012–13 from higher taxes paid by some businesses. Smaller increases are projected for 2010–11 and 2011–12.

Proponents contend that Proposition 24 will stop \$1.7 billion in new special tax breaks for wealthy, multi-state corporations. They argue that corporations are receiving what they consider unfair tax loopholes without creating new jobs while small businesses get virtually no benefit.

Opponents argue that businesses will create more jobs if they have less of a tax burden.

Proposition 25

Changes Legislative Vote Requirement to Pass Budget and Budget-Related Legislation from Two-Thirds to a Simple Majority. Retains Two-Thirds Vote Requirement for Taxes. Initiative Constitutional Amendment.

If enacted, Proposition 25 will change the constitution to allow for a majority vote budget in the Legislature versus the current two-thirds requirement. Further, the Legislature will permanently forfeit daily salary and expenses until the annual budget bill passes.

Supporters of Proposition 25 argue that the constant gridlock over budget disagreements needs to come to an end. By changing the vote threshold to act on a state budget, supporters believe that we will have a more timely budget and that the state will less likely be in perpetual chaos with chronically late budgets.

Opponents argue that Proposition 25 is a power grab by politicians. The party in power will have a significantly easier time passing budgets that don't represent a compromise of all the interests in California.

Proposition 26

Requires that Certain State and Local Fees be Approved by Two-Thirds Vote. Fees Include Those That Address Adverse Impacts on Society or the Environment Caused by the Fee-Payer's Business. Initiative Constitutional Amendment.

If passed into law, the definition of taxes would be broadened to include many payments currently considered to be fees or charges. As a result, more state and local proposals to increase revenues would require approval by two-thirds of each house of the Legislature or by local voters.

Supporters of Proposition 26 state that Proposition 26 helps to stop state and local politicians from raising what they consider hidden taxes by disguising taxes as "fees" and circumventing constitutional requirements for passing higher taxes.

Opponents argue that Proposition 26 is an attempt by oil and tobacco corporations among others to save money on cleanup and health matters. They argue that if enacted, it will cause additional strain on an already troubled budget and would result in additional cuts to schools and public safety, among other programs.

Proposition 27

Eliminates State Commission on Redistricting. Consolidates Authority for Redistricting with Elected Representatives. Initiative Constitutional Amendment and Statute.

Proposition 27 seeks to eliminate the 14-member redistricting commission. It consolidates the authority for establishing state Assembly, Senate, and Board of Equalization districts with elected representatives who draw congressional districts.

Proponents argue that the Citizen Redistricting Commission is yet another state bureaucracy that the state of California cannot afford. It puts the power of legislative redistricting back with elected representatives.

Opponents argue that Proposition 27 is an attempt by politicians to regain the power of drawing safe legislative districts.

(NOTE: Proposition 20 also relates to redistricting. If both are approved, the one with the greater amount of "yes" votes would go into effect and the other would not.)

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