

Honorable Chair and Members
of the Legislative Ad Hoc Committee
City Hall
Torrance, California

Members of the Committee:

**SUBJECT: Report of the Ad Hoc State Legislative Advocacy Committee for the
November 2010 Statewide Ballot Measures**

RECOMMENDATION

Recommendation of the Ad Hoc State Legislative Advocacy Committee that City Council concurs with the November 2, 2010 ballot measure positions recommended by the Committee.

BACKGROUND/ANALYSIS

On August 3, 2010 the Mayor appointed a State Legislative Advocacy Ad Hoc Committee. Members of the Committee are: Mayor Frank Scotto, Councilmember Gene Barnett and Councilmember Susan Rhilinger. The role of the Committee is to work with staff and State lobbyists in achieving the City's legislative goals at the state level. In addition, the Committee reviews and takes position on ballot measures prior to elections to consider state, county and local measures. In reviewing the ballot measures, the committee applies the criteria listed below to determine the potential impact of these measures on the City of Torrance:

- Does the proposed measure affect local control?
- Does the proposed measure have a fiscal impact on the City?
- Does the proposed measure affect public safety?

There are nine (9) State measures that will be presented to the electorate on November 2, 2010, Special General Election. There are five (5) state measures that meet the City's established criteria. The other 4 State propositions do not meet the City's criteria as currently defined.

The Legislative Ad Hoc Committee met on September 30, 2010 to review the measures and take a position on each measure. The agenda included an overview of each ballot measure, the City's overall legislative strategy, Committee's position on each measure, and public comment (Attachment A).

The handout materials for the Committee were organized by proposition number with materials explaining the individual proposition including a summary from the Legislative Analyst's Office and presented to the Committee. In order to obtain a better understanding of what affect a measure may have on the City, City departments were requested to complete an analysis of the proposition that would fall in their area of expertise. In addition, the Committee reviewed the California Quick Reference Guide issued by the Secretary of State that provided titles and summaries for each ballot proposition (information can be found on the Secretary of State website <http://www.sos.ca.gov/>).

After studying the background material on the individual measures, review of City Departmental analysis, and discussion on the issue with staff, the Committee voted on these measures.

Proposition 19 would change California law to legalize marijuana and all it to be regulated and taxed. It also allows people 21 years old or older to possess, cultivate, or transport marijuana for personal use and commercial marijuana-related activities would remain illegal under state law. The Police Chief indicated that if passed, Proposition 19 will undermine public health and public safety in California and communities would potentially be overwhelmed by international drug cartels that use violence and guns to protect their lucrative markets. The Police Department opposes this measure. Members of the Committee unanimously voted to oppose Proposition 19.

Proposition 22 would prohibit the state of California from borrowing or taking local funds used for transportation, redevelopment, or local government projects and services. The Finance Director stated that the intent of this measure is to prevent the state from raiding local government funds in order to balance its own state budget deficit. The Finance Director also indicated that limiting the state's authority to redirect revenues would likely result in increased availability of resources for redevelopment, local governments and transportation programs. Proposition 22 gives more power to local government to control and protect its various resources. Therefore, the Finance Department supports Proposition 22. The Committee voted unanimously to support Proposition 22.

Proposition 23 suspends implementation of air pollution control law Assembly Bill 32 law until unemployment drops to 5.5 percent or less for a full year. AB 32, which was signed into law in 2006, requires the major sources of California's greenhouse gas emissions to be reduced to 1990 levels by 2020. During the suspension period, state agencies are prohibited from proposing or adopting new regulations to address global warming or enforcing previously adopted regulations that would implement AB 32. A NO vote on this measure means that the State could continue to implement the measures authorized under AB 32 to address global warming. The Community Development Director has taken a neutral position on Proposition 23. The Committee is in favor for reducing greenhouse gas emissions and the aims of AB 32; however each member agreed that now is not the time for business to have financial burdens and pressures to meet regulations. The Committee voted to support Proposition 23.

Proposition 25 would change the legislative vote requirement to pass the state budget and budget-related legislation from a two-thirds vote to a simple majority and retains the two-thirds vote requirement for taxes. The proposition amends the State Constitution to lower the voter requirement necessary for each house of the Legislature to pass a budget bill and send to the Governor. A two-thirds vote requirement to override any veto by the Governor would still be required. According to the Finance Director, Proposition 25 would prevent a minority from holding up the budget and allow a majority of legislators to approve the budget. This proposition also seeks to hold legislators accountable for missed budgetary deadlines by permanently forfeiting their daily salary and expenses until a budget bill passes. Members of the Committee agree that a budget needs to be passed in a timely manner but legislators should be forced to pass it with everyone working together for a two-thirds vote requirement and not change it to make passing a budget easier on them. The Finance Department supports Proposition 25. However, the Committee voted to oppose Proposition 25.

Proposition 26 requires that certain state and local fees be approved by a two-thirds vote. The proposition takes aim at certain fees that currently require a majority vote for approval and attempts to reclassify these fees as taxes. According to the Finance Director, the proposition broadens the definition of taxes to include some charges classified as fees and apply the same constitutional two-thirds voting requirement. If the proposition was approved then more state revenue proposals would require approval by two-thirds of each house of the Legislature and more local revenue proposals would require local voter approval as a result. By expanding the scope of what is considered a tax, Proposition 26 would make it more difficult for state and local governments to pass new laws that raise revenues, thereby reducing local control a significant amount. For this reason, The Finance Department opposes Proposition 26. The Committee accepted the Finance Director's recommendation to oppose Proposition 26 due to the limits it imposes on local control.

Positions of Other Organizations and Committee's Recommended Positions

The League of Women Voters, the League of California Cities, Torrance Chamber of Commerce, and South Bay Cities Council of Governments have taken positions on these propositions.

Meets the City's criteria

Statewide Ballot Measures						
Proposition	League of Women Voters	League of California Cities	Torrance Chamber of Commerce	South Bay Cities Council of Governments	City Dept Positions	Committee's Recommendations
19	No Stand	Oppose	No Stand	No Stand	Oppose	Oppose
22	Neutral	Support	Support	Support	Support	Support
23	Oppose	No Stand	No Stand	Oppose	Neutral	Support
25	Support	No Stand	Oppose	Support	Support	Oppose
26	Oppose	Oppose	Support	Oppose	Oppose	Oppose

For Information Only:

Does not meet City's criteria as currently defined

Statewide Ballot Measures				
Proposition	League of Women Voters	League of California Cities	Torrance Chamber of Commerce	South Bay Cities Council of Governments
20	Oppose	No Stand	Support	No Stand
21	Neutral	No Stand	No Stand	No Stand
24	Support	No Stand	Oppose	No Stand
27	Oppose	No Stand	Oppose	No Stand

Respectfully submitted,

STATE LEGISLATIVE ADVOCACY AD HOC COMMITTEE



Mayor Frank Scotto, Chair



Councilman Gene Barnett, Member



Councilwoman Susan Rhilinger, Member

Attachment:

A) Agenda for the September 30, 2010 Legislative Advocacy Ad Hoc Committee