

## The Xpress 2020 California Ballot Measure Voting Guide

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### Body

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Californians will have the option to vote on 12 statewide ballot measures this November. A handful of these deal with longly contested topics, such as affirmative action and rent control. In order for a proposition to have made the ballot this year, voter signature-based propositions required 623,212 votes for initiative statutes and 997,139 for initiative constitutional amendments. Voter signatures pushed eight propositions forward, while the California State Legislature is seeking to modify the California Constitution with the other four proposed propositions.

The Xpress California Ballot Measure Voting Guide was created as a comprehensive resource to clarify what each proposition entails, as well as who supports and opposes each proposition.

Proposition 14, the Stem Cell Research Institute Bond Initiative:

If passed, Proposition 14 would provide the California Institute for Regenerative Medicine \$5.5 billion through general obligation bonds, bonds backed by the state's ability to tax residents to pay bondholders.

The bonds would add up to about \$7.8 billion, given a projected \$2.3 billion in interest and broken down into estimated annual payments of \$310 million for 25 years. This total is subject to change based on interest rates and the time in which the bonds are paid.

CIRM was created after the passing of Proposition 71 in 2004, granting the institute \$3 billion. Of that funding, \$132 million remained as of October 2019. CIRM halted project applications in July of last year as a result of the available funds; without additional funding, CIRM is expected to end by 2023.

Proposition 14 would outline how CIRM spends its money. Funds would be used for the sole purpose of stem cell research and facility start-up costs, with 7.5% allocated for operational costs. Neurological disorder therapies and treatment methods would be allotted \$1.5 billion; human clinical trials, treatments and cure facilities 1.5%; state-funded facilities under the Shared Labs Program 0.5%.

CIRM would also change the way it operates if the proposition is passed. The number of members governing CIRM under the Independent Citizens' Oversight Committee would increase to 35 from its current 29. A fourth advising group to the ICOC, specific toward treatments and cures, would be added to the already-existing groups on medical research funding, research standards and facilities grants. CIRM would also establish a cap on full-time employees and training programs for undergraduate and graduate students interested in stem cell research.

Proponents of Proposition 14 include: UC Board of Regents

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Opponents of Proposition 14 include: Center for Genetics and Society

Proposition 15, Tax on Commercial and Industrial Properties for Education and Local Government Funding Initiative:

If passed, Proposition 15 would tax all commercial and industrial properties -- with an exception for commercial agriculture -- based on their current market values, rather than their initial purchase prices. The shift would largely begin in the fiscal year 2022-23.

Properties are currently taxed at their purchase prices and experience annual increases of 2% or increases equal to the rate of inflation- whichever is lower.

Residential properties, agricultural properties and owners of commercial and industrial properties with combined value of \$3 million or less would remain exempt from Proposition 15.

The money gathered from Proposition 15 would first cover county costs of implementation and go to the state to supplement decreases in revenue resulting from increased tax deductions. The remaining revenue would then be split, as opposed to going into the General Fund- 60% to local governments and special districts and 40% to school districts and community colleges in a newly created Local School and Community College Property Tax Fund.

The further breakdown of money toward education would look like this: 89% for public and charter schools and county education offices; 11% for community colleges; and an additional minimum of \$100 for all schools per full-time student (adjusted annually).

Proponents of Proposition 15 include: Democratic Party VP nominee Kamala Harris; Sen. Bernie Sanders; California State Sen. Scott Wiener; San Francisco Mayor London Breed; Oakland Mayor Libby Schaaf; and Los Angeles Mayor Eric Garcetti. Both Los Angeles and San Francisco school districts support the proposition as well.

Opponents to Proposition 15 include: California Black Chamber of Commerce; California Small Business Association; California NAACP State Conference; California Hispanic Chambers of Commerce

Proposition 16, Repeal Proposition 209 Affirmative Action Amendment:

If passed, Proposition 16 would repeal Proposition 209, established in 1996, allowing public employment, public education and public contracting to take race, sex, color, ethnicity and national origin into account when selecting applicants for hirings and admissions.

To clarify, affirmative action in the form of racial quotas was deemed unconstitutional in 1978, under the landmark Supreme Court case of Regents of the University of California v. Bakke. The Supreme Court also stated that any forms of affirmative action must be reviewed under strict scrutiny.

The calls for affirmative action largely grow out of proponents' desire for more diverse college campuses. Following the implementation of Proposition 209 in 1998, the California State University saw two-thirds of the drop in minority enrollment across the state, and the University of California system witnessed a decline in underrepresented groups - Black, Latino, Pacific Islander and American Indian - from 20% in 1995 to 15%.

Opponents of Proposition 16 argue that it would discriminate against more deserving students and applicants and judge individuals based on their ancestry rather than merit. Former California 12th Congressional District Rep. Tom Campbell mentioned that Asian Americans make up 15.3% of the California population, yet are 39.72% of UC enrollees. He added that this proposition would create tension between Asian-American and Black and Latino communities, as "[t]he politics are inescapably racial."

Proponents of Proposition 16 include: Democratic Party VP nominee Kamala Harris; UC Board of Regents; CSU Chancellor Timothy P. White; and the Asian Pacific Islander Legislative Caucus.

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Opponents to Proposition 16 include: San Diego Asian Americans for Equality; Asian American Coalition for Education; and the Pacific Legal Foundation

Proposition 17, Voting Rights Restoration for Persons on Parole Amendment:

If passed, Proposition 17 would restore the right to vote for over 57,000 Californians on parole for felony convictions.

Currently, those on parole for felonies are ineligible to vote until their time on parole is completed. This would make California the 20th state to allow parolees to vote if passed. As of now, California is one of three states that requires people convicted of felonies to complete parole in order to have their voting status restored. In California, individuals are ineligible for voting if they are serving prison time at state or federal prisons, serving a state prison felony sentence, awaiting transfer for a felony conviction or have violated parole.

Proposition 17 would also address the mass incarceration of Blacks and Latinos. The Public Policy Institute of California found in a 2016 study that African-Americans, which comprise 6% of the state's adult population, made up 26% of those on parole. Similarly, Latinos comprise 35% of the adult population and make up 40% of those on parole. White individuals make up 26% of the adult population and make up 7% of those on parole.

Opponents of Proposition 17 argue the right to vote is a privilege that shouldn't be restored until those who have committed felons have fully completed their sentencing.

Proponents of Proposition 17 include: Democratic Party VP nominee Kamala Harris; state Sen. Scott Wiener; ACLU of California; and League of Women Voters of California

Opponents of Proposition 17 include: The Election Integrity Project California

Proposition 18, Primary Voting for 17-Year-Olds Amendment:

If passed, Proposition 18 would allow individuals to vote in the primary election at the age of 17 if they turn 18 before the general election.

Proposition 18 would make California the 19th state, in tandem with Washington D.C., that allows this demographic to vote in primary elections.

While there is no exact count for how many 17 year olds would become eligible voters, the Lucile Packard Foundation for Children's Health estimates there are over 2 million people in the state of California between the ages of 14 and 17.

The bill was first introduced by South San Francisco Assemblyman Gene Mullin in 2004. Last year, Mullin's son, San Mateo Assemblyman Kevin Mullin, reintroduced the bill. This was his sixth attempt, but it was the first time it had ever reached the Senate floor. It passed with a bipartisan vote of 29-2, with two Republican senators voting for the bill.

The California Association of Student Councils argues that the proposition would correct the "disadvantage" these young people face, as they are not permitted to have a say in who will be on the general election ballot. "Without full exposure to the election process they are unable to submit their most educated vote in the general election," a statement from the association read.

The Election Integrity Project California, Inc. argues that because 17 year olds are still legally considered minors, they are heavily influenced by their parents and "immediate superiors." "This again makes it less likely that they would be expressing their own, independently thought-out choices were they to be allowed to vote," the group said.

Proponents of Proposition 18 include: The California Association of Student Councils

Opponents of Proposition 18 include: The Election Integrity Project California

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### Proposition 19, Property Tax Transfers, Exemptions, and Revenue for Wildfire Agencies and Counties Amendment:

If passed, Proposition 19 would allow eligible homeowners to transfer their property tax to a more expensive home anywhere in the state with an upward adjusted tax rate, rather than a new rate altogether. This would protect eligible homeowners from having to pay additional taxes for a property that is better suited for their needs. Older homeowners and those with disabilities can also move to a new property up to three times, rather than the current limit of once. Wildfire and natural disaster victims would not be eligible to move more than once.

Currently, homeowners that are disabled, over the age of 55 or victims of natural disasters are eligible to transfer their property tax rates from their original property if they move into a new home of the same or lower value within the same county. For inherited properties, a lower property tax rate would only be possible when moved-into properties are used as primary residences and used only on the first \$1 million between original purchase price and its market value.

Inherited properties, such as family vacation homes and business properties, would be subject to reassessment if they were to exceed \$1 million purchase price and market value difference. Any additional tax revenue would go toward the California Fire Response Fund and County Revenue Protection Fund. The CFRF would reimburse counties for revenue-related losses resulting from the proposition, and the CRPF would fund fire-suppression staffing and full-time station personnel.

Because of the proposition's proposed tax increases for inherited properties, the fiscal impact statement claims it would bring in tens of millions of dollars to local- and state-level governments, including school and fire protection funding.

Proponents argue that this measure will help victims of natural disasters find homes easier in an expensive market and also open up more family homes after older homeowners move to a smaller property. They also argue that this would close a loophole that allows wealthy, non-California residents to avoid paying a "fair share of property taxes on vacation homes, income properties, and beachfront rentals they own in California."

Opponents argue that this measure is a revised version of a previous, failed proposition which was largely voted against, such as 2018's Proposition 5.

Proponents of Proposition 19 include: Gov. Gavin Newsom; California Professional Firefighters; Californians for Disability Rights

Opponents of Proposition 19 include: Howard Jarvis Taxpayers Association

### Proposition 20, Criminal Sentencing, Parole and DNA Collection Initiative:

If passed, Proposition 20 would add restrictions on parole eligibility for incarcerated people charged with non-violent offenses. In order to be granted parole, the parole review board would have to consider additional factors such as the person's family ties, age, mental wellbeing and attitude about the crime, along with the conditions of the crime.

The proposition would also classify 51 offenses as violent crimes or offenses otherwise not eligible for parole. Crimes such as firearm theft, credit card fraud and organized retail crime would be defined as wobblers - crimes that could either be charged as a misdemeanor or a felony based on the circumstances. Certain wobblers or felonies -- shoplifting, prostitution with a minor, drug possession -- would require offenders to submit a DNA sample for state databases.

The Legislative Analyst and Director of Finance estimate that this proposition would cost state and local correctional facilities tens of millions of dollars due to greater penalties for theft-related crimes. It would also cost state and local courts a few million dollars annually because of stricter probation qualifications and felony filings.

The state currently has a list of crimes permitted to shorter sentences under the 2016 Proposition 57, an effort to encourage incarcerated people to participate in rehabilitation programs. Among the offenses on the list are: spousal abuse; human trafficking of a child; and rape.

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Proponents of Proposition 20 include: Orange County Board of Supervisors; Los Angeles Police Protective League; and Peace Officers Research Association of California

Opponents of Proposition 20 include: former Gov. Jerry Brown; ACLU of Northern California; and SEIU California State Council

Proposition 21, Local Rent Control Initiative:

If passed, Proposition 21 would permit local governments to create rent control for houses over 15 years old that are owned by landlords with more than two properties. These specifics modify the now-rejected Proposition 10 from 2018.

Proposition 21 would also allow properties under rent control to increase their monthly fees only "up to 15% over three years from previous tenant's rent above any increase allowed by local ordinance," according to the proposition's ballot summary. The proposition would also supersede current local rent control rules.

The Legislative Analyst and Director of Finance estimates that this could reduce local and state revenues by tens of millions of dollars per year, contingent on local government action.

Rent control in California has been a widely contested subject of interest - 56 of 58 California counties rejected rent control in 2018. However, 2018 polling revealed Californians were mostly in favor of rent control, but rejected the specifics of the former proposition.

Proponents believe that rent control will protect lower income and middle class citizens from being displaced from their homes, especially in high population cities with limited housing, like San Francisco.

Opponents of the proposition argue that it would discourage the private sector from creating affordable housing units to the market. Lax regulations on permitting processes and zoning could make this possible.

Proponents of Proposition 21 include: Sen. Bernie Sanders; Rep. Barbara Lee; Rep. Maxine Waters; the AIDS Healthcare Foundation; Urban League of Los Angeles; and the Eviction Defense Network

Opponents of Proposition 21 include: President Sid Larkey of the California Rental Housing Association; Californians for Responsible Housing; State Building and Construction Trades Council of California; and the California NAACP State Conference

Proposition 22, App-Based Drivers as Contractors and Labor Policies Initiative:

If passed, Proposition 22 would define app-based rideshare and delivery drivers as independent contractors. Instead of following the state-wide benefits and protections employees receive, these companies would be required to provide alternative benefits that meet the specificities of their gig-workers, including "minimum compensation and healthcare subsidies based on engaged driving time, vehicle insurance, safety training and sexual harassment policies," according to the state's official proposition summary.

Proposition 22 would override California Assembly Bill 5 in regards to only app-based drivers. AB 5 is a response to the 2018 Supreme Court case *Dynamex Operations West, Inc. v. Superior Court*, in classifying gig-workers in the state as employees rather than independent contractors if the employer cannot prove each part of a three part test.

Under AB 5, if employers fail to prove these three components of the test, their employees are entitled to standard benefits such as minimum wage, health insurance and sick leave. Under Proposition 22, employers must classify app-based drivers as independent contractors unless the company sets drivers' hours, requires acceptance of specific ride or delivery requests, or restricts working for other companies.

App-based delivery services and ride-share programs such as Uber, Lyft and Doordash are asking for an exception, as their business structure depends on digitally based gig-workers who have the freedom to work as much or as little as they want.

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This proposition may slightly increase state personal income tax revenue for rideshare and delivery company drivers and investors, according to a report by the Legislative Analyst. If these companies no longer have to pay for state employee benefits, lower delivery and rideshare rates could follow. Cheaper rates may appeal to more customers and generate more revenue for drivers.

Proponents of Proposition 22 include: California NAACP State Conference; California Black Chamber of Commerce; California Hispanic Chambers of Commerce; CalAsian Chamber of Commerce; and the California Small Business Association

Opponents of Proposition 22 include: Democratic Party nominee Joe Biden; Democratic Party VP nominee Kamala Harris; Sen. Elizabeth Warren; California Labor Federation; and California State Council of Laborers

Proposition 23, Dialysis Clinic Requirements Initiative:

If passed, Proposition 23 would require Chronic Dialysis Clinics to have a doctor on-site during all hours of operation, though a nurse practitioner or physician's assistant can suffice if there is a proven shortage of doctors in the area.

Additionally, clinics must: report dialysis-related infections to the California Department of Public Health and National Healthcare Safety Network every three months or face penalties up to \$100,000; seek state approval before closing or reducing clinic hours; receive approval from the clinic's principal officer under penalty of perjury; and serve every patient regardless of their source of payment for care.

In California there are approximately 600 centers treating the state's almost 80,000 patients each month, according to the Legislative Analyst's Office. The office also found that roughly 75% of these centers are owned by two for-profit, private companies: Davita, Inc. and Fresenius Medical Care.

Proposition 23 builds off 2018's Proposition 8. The proposition, which was rejected by a margin of 2.4 million votes, intended to maximize center profits. According to Calmatters, a nonpartisan media organization that covers California policy, this proposition battle was the most expensive ballot campaign ever, with Davita, Inc. and Fresenius Medical Care spending a combined \$111 million to go against the Service Employees International Union-United Healthcare Workers union in 2018.

This proposition would likely increase the costs of state and local spending by tens of millions of dollars, as well as the cost of dialysis service due to staff demands, according to the Legislative Analyst's Office.

Proponents of Proposition 23 include: California Democratic Party; California Labor Federation

Opponents of Proposition 23 include: California Medical Association; Dialysis Patient Citizens; California NAACP State Conference

Proposition 24, Consumer Personal Information Law and Agency Initiative:

If passed, Proposition 24 would expand upon the California Consumer Privacy Act of 2018, creating a new government agency - the Privacy Protection Agency, designed to regulate data privacy. Consumers would also be permitted to change incorrect information, prohibit data sharing and protect "sensitive personal information." Business violation penalties would triple for data violations of minors 16 and under.

The California Consumer Privacy Act initially gave California consumers a say in how much personal information businesses can collect from them. Since then, businesses must now disclose how personal data is used and stored, allow consumers to delete information, opt-out of their data being sold and cannot discriminate customers for doing so. Proposition 24 is seeking to further heighten these privacy measures.

Organizations such as Common Sense and Consumer Watchdog say this proposition would make California the example for privacy protection laws, especially as a state run by major tech companies.

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"Especially post-COVID, people are going to be more sensitive to privacy concerns," San Francisco-based real estate developer and chair of Californians for Consumer Privacy Alastair Mactaggar said in June. Mactaggar also heavily pushed for the 2018 privacy act as well.

Opponents argue that there simply hasn't been enough time to determine how effective the existing privacy act is yet, as it's taken effect this July.

"We fear Prop 24 would undermine existing California privacy regulations by making it more burdensome for consumers to prohibit Big Tech companies from selling their confidential data," Linda Sherry, Director of National Priorities at Consumer Action, said in a statement.

Proponents of Proposition 24 include: Common Sense; Consumer Watchdog

Opponents of Proposition 24 include: ACLU of California; Council on Islamic American Relations - California; Consumer Federation of California; Media Alliance

### Proposition 25, Replace Cash Bail with Risk Assessments Referendum:

If passed, Proposition 25 would replace the current cash bail system for detained criminal suspects with a risk assessment to determine the conditions of potential pretrial release.

Currently, criminal suspects are eligible for release before trial if cash bail is posted and promise to return to court for their trial and hearings. Bail, which is refunded to accommodating suspects regardless of trial outcomes, can be posted using personal funding or commercial bail bond agents that charge non-refundable premiums. There is no limit to how much premiums can cost, although the average is typically at 10%, according to the California Department of Insurance.

If passed, Proposition 25 would make California the first state to end cash bail, which will be replaced with assessments using "tools [that] shall be demonstrated by scientific research to be accurate and reliable," according to the bill. In the assessments, suspected criminals would be categorized into one of three categories: low, medium and high risk. High-risk individuals would be refused pretrial release, low-risk would be allowed release given specific circumstances and medium-risk could be subject to either option depending on the court's rules. Those denied pretrial release would be allowed to argue the assessment before a judge.

Opponents to the bill argue that the potential tools to make assessments carry the risk of racial bias. "While we all agree that bail reform is necessary, this costly, reckless plan will use racially-biased computer algorithms to decide who gets stuck in jail and who goes free. That's not right," Californians Against the Reckless Bail Scheme spokesman Jeff Clayton said.

Proponents of Proposition 25 include: Rep. Karen Bass; state Sen. Scott Wiener; California Democratic Party; and the League of Women Voters of California

Opponents of Proposition 25 include: California NAACP State Conference; California Hispanic Chambers of Commerce; Crime Victims United of California; and the California Black Chamber of Commerce

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