

SOME OTHER BALLOT MEASURES TO WATCH

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By Walter Olson

Voters will face the usual wide array of state and local ballot measures tomorrow, and my colleagues have already done an excellent job reviewing many of the highlights. In particular, you should check out Chris Edwards's posts on income, sales, and property tax measures, and who contributes, as well as on marijuana legalization measures under consideration in four states, Arizona, Montana, New Jersey, and South Dakota. Michael Tanner has looked at California measures related to poverty, including important votes on rent control and freelance work.

Amid a host of generally dispiriting propositions before San Francisco voters, Proposition H, backed by Mayor London Breed, makes for a bright spot. It is aimed at easing openings of storefront businesses and "would streamline the planning process and require that permits be processed within 30 days if the request already complies with zoning rules and the applicant is in a neighborhood commercial district." Sharky Laguana, who heads the city's small business commission, says it "is outrageous that it should take 16 months and \$200,000 to open an ice cream store" in the city due to permitting hassles.

Also in California, statewide Proposition 16 would enable the reintroduction of racial preferences into state government and state universities, repealing Proposition 209, which voters adopted in 1996. A recent poll shows Prop 16 to be failing with voters by a margin of 37 to 50 percent, although the Yes side has vastly outspent the No and enjoys the support of virtually every establishment institution to make itself counted.

Kentucky's Constitutional Amendment 1 would inscribe the crime-victims'-rights package known as Marsy's Law into the state constitution. I've written about the problems with this set of laws, which can deprive accused persons of information needed to mount their criminal defense, block open access to information about crime that is legitimately important to the public and, in backwards and prejudicial fashion, designate some persons as crime victims before any legal process determines whether a crime has been committed against them. An extensive new investigation by USA Today and ProPublica confirms another warned of problem with the laws, which is that they can work to shield the identities of police officers facing excessive force claims who allege they were themselves aggressed against.

Voters in Massachusetts and Alaska will decide whether to adopt ranked choice voting (RCV), an innovation that has spread at the city level. This year, Maine will use the method in its closely contested election for U.S. Senate.

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For more on why RCV appeals to many libertarians, see my comments as part of a panel discussion hosted by advocacy group FairVote last week.

Washington, D.C.'s Initiative 81 would assign lowest law enforcement priority to violations involving hallucinogenic mushrooms and related fungi. The liberty angle to one side, medical researchers are finding evidence that some agents in this class may have therapeutic applications in psychiatric and other settings. Jason Kuznicki wrote about the incoherence of the federal Schedule One classification of drugs, chemicals, and psychoactive substances.

In my own state of Maryland, where I've been a participant in charter revision processes at the county level, I've been critical of statewide Question One, which would free the legislature from some current constitutional constraints on its budget powers.

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