Agenda Item 2c

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Memorandum

TO: Legislation Committee DATE: May 1, 2015

FR: Executive Director W. I. 1131

RE: ACA 4 (Frazier): Vote Threshold for Local Transportation Measures

Background

ACA 4 by Assembly Transportation Committee Chair Jim Frazier proposes to lower the voter-approval requirement for local transportation taxes from two-thirds to 55 percent — the same vote threshold required for educational bonds since 2004, when voters approved Proposition 39 providing an exception for them.

Recommendation: Support

Discussion

Since 1978, Proposition 13 has required a 2/3 vote for passage of local special taxes by cities, counties and local districts. Since 2001, only half of special district proposals subject to the 2/3 rule have been approved by voters. Ironically, the law allows general taxes that may be used for any government purpose to be passed by a simple majority even though such taxes arguably provide the voters with significantly less accountability than a special tax. MTC has long supported proposals similar to ACA 4, most recently in the last legislative session when the commission endorsed two similar bills — SCA 4 (Liu) and SCA 9 (Corbett), along with SCA 11 (Hancock) which would have lowered the threshold for a wide array of local measures. If approved by the voters, this constitutional amendment would encourage more local agencies to seek voter approval for transportation funding, something that the Legislature should strongly encourage.

ACA 4 is written explicitly to apply to any local transportation measures on the ballot at the same time or in the future. This is significant given that a number of transit agencies and local jurisdictions are planning to submit transportation measures to the voters in 2016, including Solano Transportation Authority (in June) and the Bay Area Rapid Transit District (BART), the Contra Costa Transportation Authority, and the Santa Clara Valley Transportation Authority in November. For these reasons, staff recommends we support ACA 4.

Known Positions

Support
None on file

Oppose
None on file

Steve Heminger

SH: RL
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