



County of Monterey

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Board Report

File #: 22-910, Version: 1

Consider approval of recommendations from the Legislative Committee to adopt positions on three (3) measures which will appear on the November 8, 2022, ballot: Proposition 1, Constitutional Right to Reproductive Freedom; Proposition 27, Allows Online and Mobile Sports Wagering Outside Tribal Lands; and Proposition 31, Referendum on 2020 Law That Would Prohibit the Retail Sale of Certain Flavored Tobacco Products.

RECOMMENDATION

It is recommended that the Board of Supervisors consider approval of recommendations from the Legislative Committee to adopt positions on three (3) measures which will appear on the November 8, 2022 ballot:

- SUPPORT - Proposition 1: Constitutional Right to Reproductive Freedom. Legislative Constitutional Amendment.
- OPPOSE - Proposition 27: Allows Online and Mobile Sports Wagering Outside Tribal Lands. Initiative Constitutional Amendment and Statute.
- SUPPORT - Proposition 31: Referendum on 2020 Law That Would Prohibit the Retail Sale of Certain Flavored Tobacco Products.

SUMMARY

The Legislative Committee met on September 15, 2022, and reviewed and recommended that the Board of Supervisors adopt positions on three (3) statewide ballot measures appearing on the November 8, 2022, ballot:

- SUPPORT - Proposition 1: Constitutional Right to Reproductive Freedom. Legislative Constitutional Amendment.
- OPPOSE - Proposition 27: Allows Online and Mobile Sports Wagering Outside Tribal Lands. Initiative Constitutional Amendment and Statute.
- SUPPORT - Proposition 31: Referendum on 2020 Law That Would Prohibit the Retail Sale of Certain Flavored Tobacco Products.

DISCUSSION

The Secretary of State Official Voter Information Guide for the California General Election on Tuesday, November 8, 2022, includes the following descriptions of Propositions 1, 27 and 31. The full guide is included in **Exhibit A**.

PROPOSITION 1: CONSTITUTIONAL RIGHT TO REPRODUCTIVE FREEDOM. LEGISLATIVE CONSTITUTIONAL AMENDMENT.

Placed on the ballot by the Legislature.

Amends California Constitution to expressly include an individual's fundamental right to reproductive freedom, which includes the fundamental right to choose to have an abortion and the fundamental right to choose or refuse contraceptives. This amendment does not narrow or limit the existing rights to privacy and equal protection under the California Constitution.

Fiscal Impact: *No direct fiscal effect because reproductive rights already are protected by state law.*

Recommendation: The Legislative Committee recommends the Board adopt a SUPPORT position on Proposition 1. If the Board approves this recommendation CAO-IGLA staff will convey the Board's position to Yes on Prop. 1, Protect Abortion Rights, (916) 238-8392, info@YESon1CA.com <<mailto:info@YESon1CA.com>>, YESon1CA.com.

PROPOSITION 27: ALLOWS ONLINE AND MOBILE SPORTS WAGERING OUTSIDE TRIBAL LANDS. INITIATIVE CONSTITUTIONAL AMENDMENT AND STATUTE.

Put on the Ballot by Petition Signatures

Allows Indian tribes and affiliated businesses to operate online/mobile sports wagering outside tribal lands.

Directs revenues to regulatory costs, homelessness programs, nonparticipating tribes.

Fiscal Impact: *Increased state revenues, possibly in the hundreds of millions of dollars but not likely to exceed \$500 million annually. Some revenues would support state regulatory costs, possibly reaching the mid-tens of millions of dollars annually.*

Recommendation: The Legislative Committee recommends the Board adopt an OPPOSE position on Proposition 27. The CSAC Board of Directors adopted an oppose position on Proposition 27 on September 1, 2022. If the Board approves this recommendation CAO-IGLA staff will convey the Board's position to NO on Prop. 27, 1017 L Street #408, Sacramento, CA 95814-3805, (888) 256-8602, info@NoProp27.com <<mailto:info@NoProp27.com>>, NoProp27.com.

PROPOSITION 31: REFERENDUM ON 2020 LAW THAT WOULD PROHIBIT THE RETAIL SALE OF CERTAIN FLAVORED TOBACCO PRODUCTS.

Put on the Ballot by Petition Signatures

A "Yes" vote approves, and a "No" vote rejects, a 2020 law prohibiting retail sale of certain flavored tobacco products.

Fiscal Impact: *Decreased state tobacco tax revenues ranging from tens of millions of dollars annually to around \$100 million annually.*

Recommendation: The Legislative Committee recommends the Board adopt a SUPPORT position on Proposition 31. The CSAC Board of Directors adopted a support position on Proposition 31 on September 1, 2022. If the Board approves this recommendation, CAO-IGLA staff will convey the Board's position to the Yes on Proposition 31, Committee to Protect California Kids, 555 Capitol Mall, Suite 400, Sacramento, CA 95814, Info@YesonProp31.com <<mailto:Info@YesonProp31.com>>, VoteYeson31.com.

OTHER AGENCY INVOLVEMENT

The County Administrative Office-Intergovernmental and Legislative Affairs Division prepared this report with information provided by the County's state legislative advocacy firm (Nossaman LLP), and the Secretary of State's Office.

FINANCING

Approval of the recommendation included in this report will not result in additional General Fund contributions.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES

Support for these ballot measures is in alignment with all of the Board's Strategic Initiatives.

Mark a check to the related Board of Supervisors Strategic Initiatives

Economic Development

Administration

X - Health & Human Services

Infrastructure

X - Public Safety

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Approved by: Nicholas E. Chiulos, Assistant CAO

September 22, 2022

Attachment:

Exhibit A - Official Voter Information Guide for the November 8, 2022, Election.