

★ ARGUMENT IN FAVOR OF PROPOSITION 50 ★

VOTE YES ON PROPOSITION 50—ALLOW THE LEGISLATURE TO SUSPEND MEMBERS WITHOUT PAY

Proposition 50 would amend the state Constitution to give the California Legislature clear authority to suspend members of the Senate or the Assembly without pay.

The measure is a simple and straightforward way for lawmakers to hold their own colleagues accountable for breaching the public's trust.

Currently, the California Constitution does not make it clear that the Legislature can suspend its members without pay. This issue came to light in 2014 when three state senators—all charged with criminal offenses—were suspended by a resolution of the Senate.

But those members continued to receive their salaries—more than \$95,000 a year—because it was not clear that the Senate had the authority to suspend their pay, as well.

The incident frustrated lawmakers who wanted to hold their own members accountable, and angered the public, which saw it as another example of how lawmakers are shielded from the consequences of their own actions and play by a different set of rules than everyone else.

"It's an aggravating situation that allows full pay for no work," opined the *San Francisco Chronicle*, urging lawmakers to fix the loophole.

The Legislature took it upon themselves to do just that. Lawmakers wrote and passed—overwhelmingly and with

strong bipartisan support—this constitutional amendment and placed it before voters for their approval.

The constitutional amendment would require the Assembly or the Senate to pass a resolution declaring why the member is being suspended. And to guard against political misuse, the resolution would require the higher threshold of a two-thirds vote for approval.

The National Conference of State Legislatures believes the power to discipline and expel members is inherent to a legislative body. That power has long been a staple of American democracy. It is common practice in most states.

The California Legislature has the power to expel members, and it should have the authority to suspend them without pay should the circumstances warrant.

Californians want and deserve a government that is worthy of their trust. Voters have passed many political reforms in the last decade to improve the governance in California, but more needs to be done to restore the public trust.

Proposition 50 is a commonsense step that would give lawmakers the authority to police their own, which is the right next step to holding all lawmakers accountable for serving the public interest.

That's why fair-minded Californians support Proposition 50.

HELEN HUTCHISON, President,
League of Women Voters of California
JAMES P. MAYER, President/CEO,
California Forward

★ REBUTTAL TO ARGUMENT IN FAVOR OF PROPOSITION 50 ★

Why did the legislature vote to add Prop. 50 to the ballot?

Because Prop. 50 gives legislative leadership options NOT TO EXPEL fellow Assembly members and Senators who have been indicted or convicted of felony charges.

Prop. 50 isn't necessary because the Constitution already allows Assembly members and Senators who have been indicted or convicted of felony charges to be removed from office by expelling them.

Instead, Prop. 50 allows those in the legislature who have been indicted or convicted to be suspended WITH or without pay and it robs constituents of their representation. For many Californians, politicians are already allowed to serve in office for too long. Allowing them to continue in office after criminal behavior under Prop. 50 is wrong!

If you believe that Assembly members and Senators should not be above the law, please vote NO and send the clear message: No more special privileges for Assembly members and Senators indicted or convicted of felonies.

Californians deserve honest representatives serving them—NOT indicted or convicted legislators who have been suspended from their duties yet remain in office, which Prop. 50 allows.

Vote No on Prop. 50—Stop the corruption!

JON FLEISCHMAN, President,
California Term Limits
RUTH WEISS, San Diego County Coordinator,
California Election Integrity Project

★ ARGUMENT AGAINST PROPOSITION 50 ★

Proposition 50 is a scam brought to you by those that would turn a blind eye to a culture of corruption in our State Capitol! Voters should oppose this measure because:

It perpetuates a culture of corruption in the State Capitol
It creates taxation without representation

Capitol insiders can use it to stifle political opposition
PERPETUATES A CULTURE OF CORRUPTION IN THE
STATE CAPITOL

In 2014 when this measure was put on the ballot, nearly one of every ten California State Senators were either convicted or under indictment on multiple felony criminal counts including perjury, bribery and even gun-running. While this was going on, the author of Proposition 50, then the President Pro-Tem of the State Senate, refused to consider expelling these scoundrels from their offices of public trust—even after one of them was convicted by a jury!

Headlines in the news included:

“Attempt to Expel Convicted State Senator Derailed”—*Capital Public Radio*, 2/27/14

“Wright Sentencing Delayed; Senators Refuse to Expel Convicted Democrat”—*Breitbart News Network*, 7/8/14

Prop. 50 is designed to make you feel like the Sacramento political class actually wants to take a tough position to root out corruption. What they are really doing is hiding from you the fact that they would not make the tough decision to expel a convicted felon—their buddy.

TAXATION WITHOUT REPRESENTATION

Prop. 50 also denies millions of Californians their basic rights. It imposes taxation without representation. When a legislator is “suspended” instead of expelled, that means that the citizens in that district has no one representing their interests in the State Legislature. It means no election can take place to replace that bad actor, because he or she still “occupies” the office.

CAPITOL INSIDERS CAN USE PROP. 50 TO STIFLE
POLITICAL OPPOSITION

Perhaps the most disturbing part of this measure is that it places into the state constitution a permanent means by which the majority can stifle minority opinion in the legislature. It is not hard to see where if you are a vocal member of the Senate or Assembly, on an issue that is not popular with your colleagues that you could have to face the reality that they could vote to suspend—to take away your voice and your vote in the legislature!

VOTE NO ON PROP. 50!

Visit: Stopprop50.com

JOEL ANDERSON, Senator,
38th District

BRIAN JONES, Assembly Member,
71st District

★ REBUTTAL TO ARGUMENT AGAINST PROPOSITION 50 ★

This measure would give lawmakers the authority needed to discipline fellow Assembly Members and Senators—taking into consideration the nature of the allegation and other circumstances.

In severe cases, the Assembly and Senate already have the authority to expel a member. But expulsion is not always the just response. Even when a lawmaker is accused of a crime, given the presumption of innocence, it may not be appropriate to expel that person until all the facts are known and the case resolved.

In many such instances, lawmakers need the authority to respond in a reasonable and measured way—to do something short of expelling the member from the Legislature and something more than allowing that member to sit home and collect a taxpayer-funded paycheck.

Prop. 50 gives the Assembly or Senate the ability to suspend a member—and suspend the member’s pay.

The proposition sets a high bar to prevent lawmakers from unjustly punishing each other. It requires the house to publicly declare the reason for its action, and the resolution must be approved by a two-thirds vote—never easy and almost always requiring bipartisan support.

The measure does not inoculate the Legislature or lawmakers from corrupting influences, and more needs to be done to encourage ethical behavior, increase transparency, investigate complaints and enforce the law.

Prop. 50 gives lawmakers one more way to respond to ethical breaches by making it clear that when the circumstances warrant, lawmakers can be suspended without pay.

JAMES P. MAYER, President/CEO,
California Forward

HELEN HUTCHISON, President,
League of Women Voters of California