



Ballot Argument in Support of Proposition 128

Proposition 128 keeps the Voter Protection Act firmly in place, meaning that the legislature will still be unable to change or over-ride measures passed by the voters as long as those measures are Constitutional and in compliance with the law. It does solve a problem that has occurred on several occasions in the past and will likely occur again in the future.

Groups putting initiatives onto the ballot sometimes make drafting errors or otherwise include language that is later found by the courts to be unconstitutional or illegal according to existing law. When this occurs, the court is faced with the difficult determination of whether to strike down the entire proposition.

Under current law, the state legislature is powerless to correct the illegal or unconstitutional language. This means that proponents of the proposition may have to go back to the drawing board, starting over with the entire costly and lengthy process of getting a new initiative on the ballot in the next election. During the interim, the measure previously approved by voters would not be in effect.

With Proposition 128, the legislature could make limited corrections to the proposition that either remove the illegal or unconstitutional language or redraft it in a way that is lawful. This is a simple solution that protects the will of the voters and improves the initiative process.

Vote YES on Proposition 128!