



# PETE RATES THE PROPOSITIONS

Sensible opinions on the California ballot propositions since 1980 by Pete Stahl

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Pete recommends:

- 1 YES Guarantee Right to Abortion
- 26 NO Sports Betting: Indian Tribes
- 27 NO Sports Betting: Gaming Companies
- 28 NO Arts and Music Education Earmark
- 29 NO Dialysis Clinic Regulation (Yet Again!)
- 30 YES Tax High Earners to Subsidize EVs
- 31 YES Ban Flavored Tobacco Products

## Proposition 1: Guarantee Right to Abortion – YES

**SUMMARY:** Writes into the state Constitution the rights “to choose to have an abortion” and “to choose or refuse contraceptives.” Because these rights are already protected by legislative statutes and state Supreme Court interpretations, there will be no practical effect in the near term. But, should the political landscape change, Prop 1 will prevent future legislatures and courts from revoking these rights without a vote of the people.

**DETAILS:** Prop 1 became necessary when the U.S. Supreme Court struck down *Roe v. Wade* in June. Prior to that, abortion rights were protected throughout the country. Now, every state can make its own laws.

The California Constitution guarantees all people a [right to privacy](#). It’s up to our state Supreme Court to say exactly what that means. Since 1969, the [court has ruled](#) that [privacy covers abortion](#), so for now, there can be no state or local law limiting it.

But, just as the federal court in Washington has changed, so could the state court in San Francisco (not Sacramento—who knew, right?). Remember: As recently as the 1990s Californians elected conservative Republicans governor and senator, and just 14 years ago voters passed Prop 8, temporarily banning same-sex marriage. The potential for a statewide right turn is always present.

If the state Supreme Court someday were to flip conservative, the current interpretation of the privacy clause could be overturned, and access to abortion in California could be limited or even eliminated. Prop 1 will prevent this by adding abortion and contraception specifically as protected rights in the state Constitution. If Prop 1 passes,

abortion rights will no longer be vulnerable to the whims of some future court majority.

If you favor abortion rights, you should automatically vote yes. Conversely, if you want to see abortion outlawed here, then vote no.

If, however, you are conflicted, then I invite you to vote for Prop 1, for several reasons. First, in this country we **do not impose our religious convictions** on others. Limitations on abortion (beyond those based on medical science, such as the [viability test](#)) are ultimately rooted in faith-based definitions of when life begins. Failure of Prop 1 would allow enactment of laws like [Idaho’s](#), which prohibits abortion [at all stages](#) of pregnancy. Such laws impose **one** faith-based view, that life begins at conception, on **every-one** regardless of their own beliefs.

Second, you **don’t know what you’re buying** with a “no” vote. It could be as abhorrent as the [Ohio law](#) that forced a 10-year-old rape victim to flee the state in order to avoid carrying the baby to term, or the [Texas law](#) that created “[abortion vigilantes](#)” looking to collect a \$10,000 [bounty](#) for outing anyone who assists an abortion patient. You might wish for some middle ground, a mild restriction. But sadly, like all politics in America, abortion politics has become polarized, all-or-nothing. The prospects for compromise on such a hot-button issue are virtually nil.

Finally, all else being equal, vote for **freedom**—that is, whenever possible, avoid limiting what people can do. Where there is doubt, err on the side of permissiveness. For many, the issue of abortion exemplifies doubt. Here is a perfect opportunity to demonstrate respect for fellow citizens by trusting them to make thoughtful choices.

## Proposition 26: Sports Betting – Indian Tribes – NO

## Proposition 27: Sports Betting – Gaming Companies – NO

**SUMMARY:** These initiatives were written by gaming operators for their own benefit, and an enormous benefit it would be. Both propositions would legalize betting on sports such as pro and college football games. Prop 26 would require bets to be made in person at existing race-tracks or tribal casinos. Prop 27 would permit online betting everywhere via mega-websites such as DraftKings and BetMGM. In both cases, the state would receive a small portion of net proceeds, earmarked for motherhood and apple pie (education, homelessness, gambling addiction, etc.). The backers of these initiatives have spent one quarter of a billion dollars on their campaigns, which can mean only one thing: they expect profits far greater than that. Vote no on both, and let the Legislature strike a better deal than these lopsided schemes.

*Note: **You can vote against both Props 26 and 27. I recommend you do exactly that.***

### DETAILS:

You might think these two propositions ask whether we should legalize sports betting. But, while that is superficially true, it's not really what Props 26 and 27 are about. The actual question on your ballot is whether to award **tremendously lucrative monopolies** to wealthy gambling interests, under terms **written by the interests themselves**.

**Prop 26** would legalize sports betting, grant exclusive rights to a group of Indian tribes and horse racetracks, and require all bets to be placed in person at a casino or track. The betting establishments would send the state roughly 10% of their net profits (bets received minus prize payouts and expenses). The state estimates this could be in the tens of millions of dollars annually, meaning the profits retained by the tribes would be **hundreds of millions every year**. That's a tidy return on the \$100 million they've spent on this campaign.

**Prop 27** would legalize sports betting, grant exclusive rights to some large, out-of-state online gambling services in partnership with local Indian tribes, and allow bets to be placed anywhere, anytime, on any connected device. "*Hey,*

*Siri/Alexa/Google, put fifty bucks on the Tigers!*" The services would send the state 10% of their net profits. The state estimates this could be in the hundreds of millions of dollars annually, meaning the profits retained by the gaming companies would be in the **billions every year**. That's a tidy return on the \$200 million they've spent on this campaign.

The question to you, dear voter, is this: Are these proposals truly in the public interest? Or are they so seriously tilted toward their authors that we should reject them?

Luckily, [we can compare](#) the 10% proposed here with other states that already have sports betting. Let's see: [New Hampshire](#) and Rhode Island collect **51%** of net profits. Pennsylvania collects **34%**, Tennessee **20%**, and Illinois **15%**. Even gambling-friendly [New Jersey](#) collects 13%. How does the 10% proposed for California look? Weak. Very weak. Hundreds of millions of dollars weak.

These measures amount to an **enormous giveaway** compared with other states—billions every decade in the case of the online Prop 27. The gambling interests are **playing us for chumps**, and we must not stand for it. These are **horrible** deals for California. It's almost as if they were written by the gaming companies themselves. Oh, wait—*they were!*

I won't even go into the cynical attempts by both sets of proponents to sugar-coat their self-dealing measures with empty promises to improve education, tribal services, homelessness, mental health, and addiction. It's just sad that it could work.

If Props 26 and 27 fail, the backers will not sullenly skulk away in abject defeat. After all, sports betting in California will still represent a potential **goldmine** for them. So they will quickly approach the state Legislature and negotiate a deal that properly **balances the public interest** with gambling business.

That deal will likely appear on your ballot in 2024, because allowing sports betting requires amending the state Constitution (what a dumb Constitution we have). You can decide **then** whether legalized sports betting would be a good thing.

## Proposition 28: Arts and Music Education Earmark – NO

**SUMMARY:** Requires the Legislature to allocate an additional \$1 billion to public school arts and music every year, with no new revenue sources. The ends may be laudable, but the means are terrible. Prop 28 is budgeting by

ballot box, which ties legislators' hands, imposes absurd spending priorities, and ratchets up the pain during budget emergencies.

### DETAILS:

No budget expenditure is an island,  
Entire of itself;  
Every line item is a piece of the General Fund,  
A part of the main.

If a program be privileged by ballot,  
What remains is the less:  
Be it a healthcare program or a homeless program;  
Be it an emergency responder of thy friend's  
Or of thine own.

Any program's funding guarantee diminishes me,  
Because I am involved in the whole state,  
And therefore never send to know for whom this proposition tolls;  
It tolls for thee.

## Proposition 29: Dialysis Clinic Regulation (Yet Again!) – NO

**SUMMARY:** A third ham-handed attempt by the union SEIU-United Healthcare Workers West to exact revenge on dialysis giants Fresenius and DaVita (no angels themselves) in retaliation for resisting unionization. Prop 29 would impose new costs on the clinics by requiring more expensive medical staff on-site at all times. There's no evidence this is necessary, so I cannot recommend voting for it.

disarm it before it goes off? The hero is usually played by Liam Neeson or Bruce Willis; the villain John Malkovich or Jeremy Irons. It's a tried and true formula. You've seen it a hundred times.

Prop 29 is this movie. The Service Employees International Union-United Healthcare Workers West have planted a bomb on this ballot in the form of a nuisance initiative, and then walked away, daring dialysis clinic chains Fresenius and DaVita to defuse it before Election Day.

**DETAILS:** You know the kind of thriller where a villain plants a time bomb and then dares the hero to find it and

### PROP 29: THE MOVIE - SCENE 1

INT. GRANT'S CAR - DAY

Ex-cop Grant DaVito is driving his adorable daughter, Fresenia, to school for her first day of Fifth Grade.

FRESENIA

Daddy, do you think my new teacher will like me?

DAVITO

Sweetheart, there isn't anyone on earth who wouldn't like you.

FRESENIA

I love you, Daddy.

They arrive at school. Fresenia kisses her father good-bye and disappears into the school building. Grant's mobile phone chimes. He answers it.

DAVITO

Grant DaVito. Talk to me.

Cut to tight shot of the lips of international menace Healthcare Warkers, in a smoky, ill-lit warehouse, speaking into a decrepit phone.

WARKERS

(slight British accent)

Listen very carefully, DaVito. There is a ticking bomb somewhere in this city, positioned to cause maximum damage and loss of life. It will explode precisely at noon today, unless you, and only you, can find it and disarm it first. But I very much doubt you'll be able to, given your rather ... unfortunate history. Ta ta, and do give my love to little Fresenia!

Cut back to Grant's car. The phone line goes dead.

DAVITO

(to no one in particular)

Dammit, Healthcare Warkers is at it again.

(resignedly)

Well, there goes my morning!

You know what happens next. Grant frantically searches for the bomb, learns that Fresenia is in danger, enlists the help of his ex-partner on the police force, nearly captures Warkers (who shoots the ex-partner while making his getaway), almost gives up in despair, and then, as the seconds tick down, miraculously locates and defuses the bomb. Cue general cheering and a swell of triumphant music. That's Hollywood gold.

SEIU-UHW is barely campaigning for Prop 29. It didn't even bother to create a [Yes on 29](#) website until late September. Instead, the union is sitting back and enjoying the show, taunting the dialysis chains as they scramble frantically and spend profusely—[over \\$80 million](#) so far—to defeat the measure. The union [achieved its aims](#) when Prop 29 qualified for the ballot. They obviously don't care whether it passes or fails, only that it drained those millions from the coffers of DaVita and Fresenius.

The provisions of Prop 29 are beside the point. For the record, the measure would require dialysis clinics to have a physician, nurse practitioner, or physician assistant on site during all treatment hours; obtain permission from the state before reducing or eliminating service at any clinic; and offer the same quality of care to all patients regardless of insurance. Proponents have offered no actual evidence that any of these are necessary, so we must conclude there is no reason to vote for this ballot bomb.

Revenge may be sweet, but do you and I really have to be a part of it? Prop 29 is an appalling abuse of the initiative process. You shouldn't be allowed to plant an incendiary device on the ballot solely to antagonize your political opponents, then walk away and laugh as they squirm. As the villain Healthcare Warkers might say in our movie, it's simply bad manners.

## Proposition 30: Tax High Earners to Subsidize EVs – YES

**SUMMARY:** Prop 30 temporarily bumps up the tax rate on personal income above \$2 million in order to accelerate California's conversion to electric vehicles (EVs). The revenue will be spent for rebates on new EVs, building charging stations, and wildfire prevention and response, with an emphasis on assisting those in heavily polluted and/or low income communities. The goal is to put EVs within reach of working-class Californians, particularly rideshare drivers, who must migrate to EVs by 2030. Prop 30 is neither a giveaway to Lyft nor an attack on public schools. It's a key step toward the ubiquitous charging infrastructure we need so everyone, not just the well-off, can transition away from gasoline and diesel.

**DETAILS:** There are [thirty million motor vehicles](#) in California. All but [840,000](#) of them burn gasoline or diesel fuel, emitting the greenhouse gases that warm the planet and [exacerbate](#) wildfires, heat waves, sea level rise, and drought.

[Over one-third](#) of California's greenhouse gas emissions come from cars, trucks, and buses: more than from industry, agriculture, residences, or electricity generation. If we add emissions from extracting, refining and moving fuel, the total increases to about [half](#) of statewide emissions.

To put that in perspective, California's greenhouse gas emissions just from **vehicles** are greater than the emissions from [all sources](#) in Colombia, Ethiopia, and Bangladesh, which have larger populations. In other words, we damage the atmosphere more by **driving** than larger countries do through **all activities**.

We also compare poorly to industrialized countries. California's per-capita CO<sub>2</sub> emissions, at [8.79 metric tons](#) per person in 2019, are 13% higher than Germany, 24% higher than China, 31% higher than New Zealand, and a whopping **72% higher** than the UK. It's an **embarrassing** position to be in for a supposedly environmentally-conscious state.

To combat the problem, California has adopted a long-term goal of phasing out internal combustion (IC) vehicles and replacing them with electric vehicles (EVs). Sales of new IC vehicles will be [banned](#) starting in 2035. Ride-hailing services in our state must be [90% IC-free by 2030](#) (more on that below). Multiple state programs offer subsidies for EV purchase by low- and moderate-income drivers: [Clean Cars 4 All](#) offers up to \$9,500, the [Clean Vehicle Rebate Program](#) up to \$7,000, and the [Clean Vehicle Assistance Program](#) up to \$5,000.

At the federal level, the recently-signed [Inflation Reduction Act](#) offers tax credits up to \$7,500 on the purchase of EVs through 2032. Beginning in 2024, buyers can opt to take the credit as a discount at time of purchase, reducing their out-of-pocket payments. The Act also offers 30% tax credits for new EV chargers, and there's \$3 billion to electrify the Postal Service fleet.

And still, **it isn't enough**. EVs comprise less than 3% of vehicles in California. State rebate programs periodically [run out of money](#). EV [prices are rising](#) due to [chip shortages](#), supply chain issues and inflation. Most drivers don't have reliable access to chargers where they're needed. The electrical grid must be upgraded to support the new load. If we are serious about addressing the outrageously high vehicle emissions in our state, we must do more.

**Prop 30 will push the effort** further and faster, by taxing very high incomes at a slightly higher rate to accelerate adoption of EVs and build out the charging infrastructure. Specifically, Prop 30 will increase the state tax rate on income above \$2 million by 1.75%, raising the top [incremental](#) rate from [13.3%](#) to 15.05%. The increase will last 20 years, until 2043.

If your income is below two million dollars, then Prop 30 will **cost you nothing**. If your income is barely over the line, say \$2,000,400, then the new tax will cost you just seven dollars. At \$3 million, it will cost \$17,500. And at \$12 million, Prop 30 will cost you \$175,000. The goal here is to tax those most able to pay.

A caveat: There is some risk that this bump will trigger a **millionaires' exodus** from the Golden State, with adverse consequences for all of us. According to longtime political columnist [Dan Walters](#), the top 1% of California taxpayers account for **nearly half** of the state's income tax revenue. That may be good news if you believe it's their fair share, but it also makes the General Fund vulnerable if many of those top 150,000 taxpayers leave the state. High earners have been battered by the near-elimination of the [federal deduction](#) for state and local taxes in the 2017 [Tax Cuts and Jobs Act](#), and they're not happy. A further increase to their tax burden, as Prop 30 proposes, may push them to reconsider where they live. If enough choose to depart for **no-income-tax states** like Nevada, Wyoming or Florida, we could see a significant decrease in funding for **all** state programs. There are [bits of evidence](#) that high earners are leaving California, but it's not known whether this is a serious trend.

How much money will the new tax provide? In good

years for capital gains, it will raise around \$5 billion. In years when the stock and/or real estate markets crash, it will provide far less. **That variability is okay**. This is **supplemental** money, to be used as available to expedite our transition away from IC. There is **no minimum** amount of funding required for Prop 30 programs to be "viable," as there might be with, say, a new bus route that needs enough vehicles and drivers to attract riders. And Prop 30 is not a massive, all-or-nothing project like High-Speed Rail, which is useless until it's finished, and faces the looming specter of [white-elephantization](#). Instead, Prop 30 offers small subsidies for individuals, businesses, and agencies, which are **helpful in any amount**. More money, more subsidies; less money, fewer subsidies (but better than **no** subsidies). Fluctuations in the income stream are not a problem.

The money brought in by Prop 30 will be earmarked for three purposes: 45% for subsidies for households, businesses and governments to purchase **new and used EVs**; 35% for subsidies to install and operate **charging stations**; and 20% for **wildfire prevention and response**. Prop 30 stipulates the two subsidy programs must benefit primarily those living in disadvantaged and low-income communities.

The **EV purchase subsidy** will be administered by the [California Air Resources Board](#) (CARB) under two programs. The first program will distribute grants, loans, and incentive rebates to help individuals, businesses and government agencies purchase **new and used EVs**. These will mostly be passenger cars and trucks, but also include electric school buses, transit buses, agricultural worker vans, and even [e-bikes](#). Financing assistance will focus on "those without access to capital or high credit," which is key, because our total emissions won't decline much if only the financially secure can abandon their pollution-spewing IC vehicles. Also, Prop 30 requires CARB to "provide local air quality benefits in [communities](#) overburdened by diesel pollution." This will improve life in inner cities where air quality is worst. The second program will distribute grants, loans, and rebates to help California residents purchase or lease **new EVs**. CARB is directed to "prioritize achieving the greatest reduction in GHG emissions." So the program is more likely to offer rebates on two \$27,000 Chevy Bolts than one \$60,000 Tesla, because that would presumably get two IC vehicles off the roads instead of just one.

The **charging station subsidy** will be administered by the [California Energy Commission](#). This set of programs will provide grants, loans, and rebates for construction, operation and maintenance of all types of charging stations. It includes support for larger infrastructure, such as the electric grid, to ensure availability of sufficient electricity everywhere. One half of the charging station money is directed to projects and activities in low-income and disadvantaged communities. This provision is critical, because these communities currently (heh) have few chargers, and they must be in place before residents can transition to EVs. The program provides copious funding for charging stations at apartment buildings, and also promotes single-family home chargers, fast chargers, and heavy-duty vehicle

charging.

The **wildfire money** will be administered by [Cal Fire](#). It would increase total spending on wildfire response and prevention by 20-40%, and be used mostly to hire and train more firefighters. In addition to all the damage on the ground, in 2020 wildfires emitted [107 million metric tons of CO<sub>2</sub>](#) into the atmosphere—nearly one-third as much as all man-made emissions. The hope is that more firefighters on the front lines will mean faster containment, lower emissions, less hazardous smoke making our air unbreathable, and fewer CO<sub>2</sub>-absorbing trees lost.

Let's talk about **earmarks**. In general, I'm allergic to propositions that permanently dedicate a portion of state revenue for a specific purpose, because they prevent the Legislature from directing funding where it's needed most each year. I oppose [Prop 28](#) on this ballot for precisely that reason. I also opposed [Prop 6 \(2008\)](#), which would have permanently allocated \$1 billion from the General Fund for certain local law enforcement programs; [Prop 1A \(2006\)](#), which permanently earmarked billions from the general sales tax for road construction; and [Prop 49 \(2002\)](#), which permanently walled off over half a billion dollars of the General Fund in order to support after-school programs. Does anyone seriously believe that, in a budget emergency, these programs would deserve to have their funding protected while hospitals, public safety, and poverty programs must fight for what remains? Propositions with budget set-asides give me hives.

But **Prop 30 is an exception**, for several reasons. The new income stream in Prop 30 is **temporary**, expiring after 20 years. So, unlike Prop 28, Prop 30 does not commit General Fund money forever. Also, because it's essentially self-funding, Prop 30 **cannot harm** other state programs. Perhaps most importantly, in an emergency, Prop 30 programs **would** deserve to have their funding protected, because they address an **existential threat** to our coastline, our forests, and our water supply.

The California Teachers Association [accuses](#) Prop 30 of “redirecting general fund monies traditionally used to support California’s public schools, teachers and students,” with the implication that Prop 30 would reduce school funding. This is simply false. Prop 30 will have **no impact** on school funding or any other General Fund programs. What the CTA is really complaining about is that Prop 30's income stream is not subject to the “Prop 98” rule that half of General Fund revenues be spent on public education. But

the Prop 98 funding guarantee is intended for **permanent** income streams such as the state income tax. It [ratchets upward](#), and can never fall. Prop 30, on the other hand, is **temporary**. When the new tax expires in 2043, the revenue will disappear, but the Prop 98 spending requirement would remain. How is that fair to the rest of the General Fund programs?

The campaign to pass Prop 30 is being paid for by ride-hailing service **Lyft**, which has poured in [\\$35 million](#). Considering Lyft's support two years ago of the odious [Prop 22](#), which eliminated drivers' employee benefits, I wouldn't blame anyone for being very suspicious. So it's fair to ask: What's in it for Lyft?

Some background is needed. In September 2018, Gov. Jerry Brown (wow, he was governor only four years ago?) signed [a bill](#) requiring ride-hailing services such as Uber and Lyft to phase out gas-powered cars, and directing CARB to make it happen at the earliest practicable date. In May 2021, CARB finally issued [its rules](#). [They require](#) ride-hailing services to meet successive targets for electrification, starting at 2% of vehicle miles in 2023, ramping up to 30% in 2026, 65% in 2028, and **90% in 2030**. The initial target may seem laughably low, but it represents a four-fold increase over the current rate of 0.5%.

Problem: Uber and Lyft **don't own** fleets of cars that they can upgrade to EVs to meet CARB's targets. Remember that Prop 22 classified ride-hailing drivers as independent contractors, and contractors must use **their own vehicles**. As the successive CARB deadlines approach, Uber and Lyft must somehow **convince their contractors** to transition to zero-emission vehicles. How will they do it?

For Lyft, part of the answer is Prop 30. The measure's objective to help low- and moderate-income residents acquire and operate EVs seems tailor-made for a ride-hailing company. But—and this is key—Prop 30 will **not directly benefit Lyft** at all. I have read the fine print, and I can tell you there is nothing in this bill that subsidizes ride-hailing companies, gives them a voice in designing the grant and rebate programs, or helps their drivers receive subsidies. (Maybe this is why Uber and other gig-driver companies haven't contributed to the campaign.)

My guess is that, because it is in their business interest, Lyft is simply **hoping** that Prop 30's programs are **well-run and well-funded**, and **achieve their goals** of accelerating EV ownership and charger access. And you know what? For different reasons, I'm hoping for that too.

## Proposition 31: Ban Flavored Tobacco Products – YES

**SUMMARY:** Prop 31 would ban flavored cigarettes, e-cigarettes, vape pods, and chewing tobacco. These are currently offered in child-friendly flavors like cotton candy, mango, and butterscotch. More than three-quarters of middle and high school students who smoke use flavored products. They are a reliable gateway to lifelong tobacco addiction, which remains the leading cause of preventable deaths in California. Local bans of flavored products have proven effective in reducing school-age smoking and vaping. Let's build on that success.

**DETAILS:** Nicotine in tobacco products is particularly damaging to children. Early exposure affects [attention, learning, and memory](#), and increases chances of [severe addiction](#) later in life. According to the [Centers for Disease Control](#), 9 of 10 adults who smoke daily started before turning 18—that is, while they were still children.

Since their [introduction in the US](#) in 2011, **electronic cigarettes** have leapfrogged past cigarettes, cigars, and smokeless to become the [nicotine delivery system of choice](#) for teens. By 2019, [28% of high school students](#) reported recent e-cigarette use, compared to 6% for cigarettes. And two-thirds of those inhaled a **flavored** pod.

Flavored products are especially attractive to kids. What 13-year-old could resist a puff on a [pineapple-flavored](#) vape pen? Or is [Glazed Donuts](#) or Candy King's [Strawberry Watermelon Bubblegum](#) more their speed? The makers of these e-liquids **fool no one** when they claim not to be marketing to children. Flavored e-cigarettes are how the industry now hooks kids for the rest of their shortened lives.

Flavored conventional cigarettes other than menthol were banned nationwide by a [2009 federal act](#). But the act has not been updated to apply to e-cigarettes. Why not? Good question.

In July 2018, the city of Oakland stepped up where Washington had failed. It implemented a restriction on convenience store flavored tobacco sales. The result was that "...both vaping and cigarette use declined in Oakland among high school youth," according to public health researchers at the [University of Pennsylvania](#). The following year, San Francisco began enforcing a ban on the sale of all flavored tobacco products, and other cities and counties soon followed. In 2023, they'll be joined by our two largest cities, Los Angeles and San Diego.

In 2020, the state Legislature got into the act, passing [Senate Bill 793](#), which outlawed the sale of all flavored tobacco products, including vape pods, **throughout the state**. Exceptions were granted for pipe tobacco, artisan cigars, and exotic hookahs. SB 793 passed with near-unanimous support from **both parties**, clearing the state Senate 34-0 and the Assembly 58-1. Slam dunk.

The attentive among you will have noticed that SB 793 goes **beyond** the 2009 federal act, as it makes no exception for menthol flavoring. Some have [argued](#) that this amounts to an attack on Black communities that traditionally favor menthol. However, if that were the case, one would expect Black leaders to oppose SB 793. Instead, there has been strong support from [Black state legislators](#), and a growing recognition that banning menthol will [save Black lives](#).

As you would expect, Big Tobacco has not taken this assault on their customer acquisition strategy lying down. Philip Morris, R. J. Reynolds, and associates [paid](#) to collect signatures for a referendum on SB 793. The law has now been **put on hold**, and will go into effect **only if approved by voters**.

That's what Prop 31 is. **Vote yes** to confirm SB 793, ban flavored tobacco products, and protect our kids from the predations of an uncaring industry.

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