

Bond Case Briefs

Municipal Finance Law Since 1971

California Law Shedding Light on Public Bond Costs May Die Next Year.

- **State senator seeks rollback of disclosure law passed in 2017**
- **Law requires ballot question to include tax increase estimate**

Is too much public disclosure about municipal-bond elections a bad thing?

About a year after a new California law mandated that ballots disclose the fiscal impact of local bond and various tax measures, legislators are seeking to roll it back. Democratic state senator Scott Wiener's bill would remove that requirement for bond measures proposed by schools and other municipalities, as well as for those that affect certain taxes.

That's a setback for Republican assemblyman Jay Obernolte, who had pushed for the disclosure that took effect in 2018. He said voters should have all the information when they read the ballot questions — not just in voluminous election guides they may not review.

"It seems to me like the proponents only want to tell people all the good things that would be done with that money," said Obernolte, whose party is in the minority in the legislature. "They don't want to be transparent about the fact that it is a tax increase and will actually result in higher taxes."

The way Wiener sees it, municipal boards already face challenges raising money, such as needing two-thirds approval for bonds slated for particular purposes. Trying to explain the fiscal impact in 75 words, the limit of a ballot question, creates confusion, may cause more measures to lose and makes it virtually impossible for tiered parcel taxes to pass, he said. His measure would delegate the description to the guide or another separate document.

"I believe strongly that we need to give local communities more tools to fund basic services," said Wiener, who noted that the word limit is a third of that for Twitter. "These laws are setting local governments up for failure."

The battle to win voters is particularly acute in California, where the Progressive-era initiative laws are frequently invoked to force citizens to weigh in on a wide range of issues, including agricultural policies such as the proper way to house hens. Voter guides issued by counties can easily run more than 100 pages.

Opponents of the disclosure law, such as school boards, wanted the details of the fiscal impact to remain solely in the guides, arguing that they have sufficient space for context.

Wiener's bill wasn't introduced at the start of the session. Instead, the language for the rollback replaced text of a different topic in one of his bills that had already moved through much of the legislative process, a technique known as "gut and amend." The practice would help improve the chances of a speedy adoption before the session adjourns in September, though it irks groups promoting good government.

Obernolte said he's willing to work with advocates to address their concerns, such as the fact that the amount raised by proposed taxes could vary over time.

"I certainly don't think that those things warrant taking the voter out of the loop when it comes to transparency," he said.

Bloomberg Business

By Romy Varghese

June 24, 2019, 9:13 AM PDT

Copyright © 2024 Bond Case Briefs | bondcasebriefs.com