

THE ORANGE COUNTY REGISTER

Teresa Casazza: Prop. 26: Stop levying taxes disguised as 'fees'

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For years, state and local politicians have been disguising taxes as "fees" to get around the state constitution's higher vote requirements for taxes. By calling a tax a "fee," local politicians can pass taxes themselves and deprive us of our constitutional right to vote on local taxes. State and local elected officials have passed or proposed billions of dollars in these hidden taxes on a number of consumer products, including food, gas, toys, water, grocery bags and cell phones.

On Nov. 2, you can put an end to the politicians' game by voting yes on Proposition 26, the Stop Hidden Taxes Initiative.

Prop. 26 protects Californians by strengthening the legal definition of a tax, protecting our right to vote on local taxes, and by placing the burden of proof regarding whether an exaction is a tax or a fee on the government, rather than the taxpayer. The initiative continues to allow environmental cleanup fees and legitimate regulatory fees and user fees to be approved by a majority vote.

This is what the California voters intended when they approved Prop. 13, to establish a two-thirds vote requirement for the Legislature to impose new taxes, and when they approved Prop. 218 to require two-thirds voter approval for special taxes and a majority voter approval for general taxes enacted by local government.

Prop. 26 is needed simply because the Legislature and local governments have found ways to get around the existing constitutional restrictions by using gimmicks and labeling taxes as "fees." In fact, politicians have passed or proposed more than \$10 billion in hidden taxes in recent years.

This initiative is a very reasonable approach to the problem. Prop. 26 protects taxpayers without hamstringing the administrative and regulatory functions of state and local government.

Prop. 26 requires local politicians to get the voters' approval for hidden taxes, just like the California Constitution requires for most other local taxes.

The initiative also encourages government officials to engage in more oversight of spending and to look for ways to increase efficiency and eliminate waste and fraud before increasing taxes.

By making politicians do more to control spending rather than simply increasing hidden taxes, Prop. 26 also protects jobs. Small businesses in California and their employees have been hit hard by the recession. In fact, small business bankruptcies are up 81 percent and simply cannot afford more hidden taxes.

So, who opposes Prop. 26? A "Who's Who" of government employee labor unions, all seeking to keep the existing loophole in place so politicians can raise your taxes to fund salary increases and generous retirement benefits for government workers.

Opponents include the American Federation of State, County and Municipal Employees (AFSCME), which earlier this year proposed more than \$40 billion in tax increases, including billions that the union misleadingly described as "fees."

Our elected officials should be honest with the people of California. If they want to pass a new tax, they should call it a tax and meet the requirements for approving a new tax. It is just that simple.

As you fill out your absentee ballot or prepare to go to the polls, remember that the proposition will close the loophole that allows the politicians to pass hidden taxes by calling them "fees," and will protect your right to vote on local tax increases. Vote yes on Prop. 26.

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