

The Ultimate Legislature

September 7, 2021

Proposition 22 was supported by 59 percent of California voters last November.

The statutory initiative partly reverses the destructive effects of AB5, a law that forced many California gig workers or freelancers to be treated as regular employees who must receive benefits – whether these gig workers like it or not.

One notices at Ballotpedia that all the listed opponents of this measure were politicians, including our current Vice President (then Senator) Kamala Harris as well as socialist Bernie Sanders, while the diverse list of Prop 22's supporters included: the California Chambers of Commerce along

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with the Black, CalAsian, and Hispanic Chamber of Commerce, Crime Victims United of California, California Farm Bureau Federation, California NAACP State Conference, California Small Business Association, and Mothers Against Drunk Driving.

The benefits of the so-called gig economy are politically opposed and diversely appreciated.

Unions funded the opposition, though far outspent by the



prosperous app companies: Uber, Lyft, Doordash, etc. Those same unions, having failed to win over voters, then filed suit to block implementation of Prop 22.

‘The Court finds,’ reads Judge Frank Roesch’s opinion, “that Section 7431 is unconstitutional because it limits the power of a future legislature to define app-based drivers as workers subject to workers’ compensation law.”

Simply. Not. So.

A statutory California initiative can only be changed via a vote of the people, whether that vote happens because the legislature places the change on the ballot or citizens do so through the initiative petition process.

The voters are the *ultimate* legislature.

Therefore, nothing prevents the elected California Legislature from providing a change to ultimately be decided by the people of California, i.e. the whole legislature, at the ballot box.

For good reason, the judge’s decision is being appealed.

This is Common Sense. I’m Paul Jacob.