



EDUCATION FUND

LEAGUE OF WOMEN VOTERS OF CALIFORNIA®

www.lwvc.org www.smartvoter.org www.easyvoter.org

PRESS DATE: DECEMBER 7, 2007

Pros & Cons

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 President: Janis R. Hirohama

About the League

The League of Women Voters, a nonpartisan political organization, encourages informed and active participation in government. The League also influences public policy through action and advocacy. The League does not support or oppose candidates or political parties.

The League of Women Voters of California Education Fund publishes the Pros & Cons of the state ballot measures, an explanation of the propositions on the state ballot, and the main arguments of their proponents and opponents. The League does not judge the merits of the arguments nor does it guarantee their validity. Arguments come from many sources and are not limited to those found in the state ballot pamphlet.

In order to vote in the February 5 election, you must:

- Be a United States citizen and a resident of California
- Be at least 18 years old by the date of the election
- Not be in prison or on parole for a felony conviction
- Not have been judged mentally incompetent to vote by a court

When do you need to re-register to vote?

- When you move
- When you change your name
- When you change your political party affiliation

Election Day is Tuesday, February 5, 2008.

Polls are open from 7 a.m. to 8 p.m.
 January 22, 2008 is the LAST DAY to register to vote for the February 5 election.

NEW CITIZEN?

If you became a citizen in California after the close of registration on January 22, 2008, you may still register to vote by visiting your county elections office on or between the dates of January 23-30, 2008. Bring proof of citizenship with you, and be prepared to declare to the county elections official that you have established residency in California.

VOTING BY MAIL

The last day that your county elections official can accept an application by mail for an absentee ballot is January 29. You may apply in person for an absentee ballot at the office of your county elections official through Election Day. Your completed absentee ballot must be in the hands of your county elections official by 8:00 p.m. on Election Day, February 5, 2008.

ELECTION INFORMATION

If you are a registered voter, you will receive a notice of the election that includes the location of your polling place. The notice will also include a sample ballot, an application for an absentee ballot and information about the ballot measures.

PROPOSITION

91

THE QUESTION

Should the California Constitution be amended to prohibit motor vehicle fuel sales taxes that are earmarked for transportation purposes from being retained in the state's General Fund?

THE SITUATION

The state of California collects motor vehicle fuel taxes and motor vehicle fees to support its transportation programs. In fiscal year 2007-08, revenues from these sources are expected to total about \$9 billion. Historically, these revenues have amounted to nearly half of the total cost to maintain, operate, and improve the state's highways, streets and roads, passenger rail, and transit systems.

During times of fiscal crisis, the state has borrowed revenue from fuel sales taxes and used them for non-transportation purposes by retaining those revenues in the General Fund. Propositions 42 and 1A, approved by California voters in 2002 and 2006, respectively, required that fuel sales taxes be used for transportation purposes only, and limited the state's ability to borrow those revenues. Generally, the state Constitution now allows only short-term borrowing of these dedicated revenues by the General Fund for cash flow purposes, and requires full repayment, with interest, to the state's transportation fund within specified timeframes.

In addition, under certain conditions the state's General Fund may borrow, for up to three fiscal years, Article XIX revenues (from excise taxes on motor vehicle fuel, truck weight fees, driver license fees, and vehicle registration fees) that are usually dedicated to transportation purposes.

THE PROPOSAL

Proposition 91 would amend the state Constitution to:

- prohibit gasoline sales tax revenue that is earmarked for the Transportation Investment Fund (TIF) from being retained in the General Fund;
- require full repayment of vehicle fuel taxes which were borrowed by the General Fund in fiscal years 2003-04 and 2004-05 by June 30, 2017, which is a year later than the current repayment deadline; and
- eliminate the state's authority to loan Article XIX revenues to the General Fund for multiple years, allowing only loans for short-term cash flow purposes within a fiscal year.

FISCAL EFFECT

According to the California Legislative Analyst's Office, Proposition 91 would increase the stability and

TRANSPORTATION FUNDS.

Initiative Constitutional Amendment.

predictability of state funding for highways, streets, and roads. However, it may decrease stability of funding for public transit by removing current restrictions on borrowing fuel tax revenues designated for public transit purposes, and by possibly allowing state borrowing of local transportation funds.

WHAT A YES OR NO VOTE MEANS

A YES vote means that the California Constitution will be amended to restrict the state General Fund's ability to borrow fuel sales tax revenues from transportation funds, and eliminate its ability to borrow specified transportation funds over multiple years.

A NO vote means that the state's General Fund would still be able to borrow fuel sales tax revenue from transportation funds, and continue to be able to borrow specified transportation funds for up to three years.

SUPPORTERS SAY

Editor's Note: The original authors of this measure now oppose it and are urging a "No" vote on Proposition 91. (See Opponents Say, below.)

Other supporters of this measure say:

- Proposition 91 will completely close the Proposition 42 loophole that has been exploited by the Legislature and the Governor.
- Closing the loophole will send a firm message that these funds are off limits for anything other than the purposes the voters intended.

OPPONENTS SAY

Editor's Note: No official argument against Proposition 91 was submitted to the Secretary of State; however, the measure's original authors now express the following arguments in opposition.

- Since voters passed Proposition 1A in 2006, Proposition 91 is no longer needed.
- Vote NO on Proposition 91, since Proposition 1A already stopped the politicians from taking our gas tax dollars to use for non-transportation purposes.

FOR MORE INFORMATION

PRO: (213) 388-2364, Southern California Transit Advocates, www.yeson91.net
CON: (916) 446-5508, Transportation California, www.transportationca.com

HOW TO EVALUATE BALLOT PROPOSITIONS

- Who are the real sponsors and opponents of the measure? Investigate the names of groups with which you are not familiar.
- Does the measure deal with one issue that can be easily decided by a "yes" or "no," or is it a complex issue that should be thoroughly examined in the legislative arena?
- Is it written well? Are there conflicts in the measure that may require court resolution or interpretation? Is it "good government," or will it cause more problems than it will resolve?

- If the measure amends the Constitution, consider whether it really belongs in the Constitution. Amending the Constitution is cumbersome and costly and requires a vote of the people. Would a statute accomplish the same purpose?
- Does the measure create its own revenue source? Does it earmark, restrict, or obligate a specific percentage of General Fund revenues? Consider the effect on the overall flexibility of the budget.
- Examine the measure by its merits. During the campaign, be wary of distortion tactics and commercials that rely on image but tell nothing of substance about the measure.

Courtesy of Margaret Craig, LWV Orange Coast

YES! I'd like to join the League of Women Voters

Name _____
 Address _____
 City/State/Zip _____
 Email _____



- Yes, I'd like to become a member. Enclosed is my check for annual dues of \$50.00, payable to the LWVC.
- Please send me more information about the LWV and its publications.
- I'd like to support the League with a gift of \$ _____ Please make check payable to the LWVC Education Fund.

Membership in the League of Women Voters is open to all men and women of voting age who are U.S. citizens. Others are welcome to join the League as associate members.
 Dues and contributions to the League of Women Voters are not tax deductible; contributions to the LWVC Education Fund are tax deductible.

Mail to: The League of Women Voters of California
 801 12th St., Suite 220
 Sacramento, CA 95814

Local Leagues in California

To learn more about the ballot or request a Pros and Cons speaker, find your local League at www.lwvc.org

Alameda
Bakersfield
Beach Cities
Benicia
Berkeley/Albany/Emeryville
Butte County
Capistrano Bay Area
Central Orange County Area
Claremont Area
Cupertino/Sunnyvale
Davis
Diablo Valley
East San Diego County
East San Gabriel Valley
Eastern Sierra
Eden Area
El Dorado County
Escondido
Fremont, Newark, Union City
Fresno
Glendale/Burbank
Humboldt County
Livermore/Amador Valley
Long Beach Area
Los Altos/Mountain View Area
Los Angeles
Marin County
Marysville/Yuba City
Mendocino County
Merced County
Monterey Peninsula
North Coast San Diego County
North Orange County
North and Central San Mateo County
Northwest Riverside County
Oakland
Orange Coast
Palo Alto
Palos Verdes Peninsula
Pasadena Area
Piedmont
Placer County
Redding Area
Sacramento County
Salinas Valley
San Bernardino
San Diego
San Francisco
San Joaquin County
San Jose/Santa Clara
San Luis Obispo County
Santa Barbara
Santa Cruz County
Santa Maria Valley
Santa Monica
Sonoma County
South San Mateo County
Southwest Riverside County
Southwest Santa Clara Valley
Stanislaus County
Torrance
Tulare County
Ventura County
West Contra Costa County
Western Nevada County
Whittier
Woodland

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PROPOSITION

92

THE QUESTION

Should the California Constitution be amended to formally recognize a community college system with separate funding formulas for public schools (K-12) and community college districts?

THE SITUATION

Proposition 98, adopted by California voters in 1988, required that the state provide a minimum level of funding each year for elementary and secondary schools (K-12) and community colleges, which together are called K-14 education. This requirement is met by using both state General Fund and local property tax revenues.

In recent years, community colleges have received between 10 and 11 percent of the total Proposition 98 funds allocated to K-14 education. This accounts for nearly two-thirds of the total \$8 billion spent on community college programs throughout the state; the remaining third comes from other sources, such as student fee revenues and federal funds. Student fees are currently set at \$20 per semester unit.

THE PROPOSAL

Proposition 92 would:

- formally establish the community college system as part of the state's public school system and specify the composition and powers of its Board of Governors;
- require minimum levels of state funding for school districts and community college districts, appropriated separately using different criteria and calculations;
- allocate 10.46 percent of the current Proposition 98 school funding maintenance factor to community colleges; and
- reduce community college fees from \$20 to \$15 per unit, with limits on future fee increases.

FISCAL EFFECT

According to the California Legislative Analyst's office, Proposition 92 would increase state spending on K-14 education from 2007-08 through 2009-10 by an additional \$300 million annually, with unknown impacts annually

PROPOSITION

93

THE QUESTION

Should the California Constitution be amended to reduce the total time an elected official may serve in the state Legislature from the current limit of 14 years (with a maximum of 6 years in the Assembly and 8 years in the Senate) to a proposed limit of 12 years without regard to the house in which the time is served?

THE SITUATION

In November 1990, California voters passed Proposition 140, which changed the State Constitution to establish term limits for elected officials serving in the state Legislature. Currently, an individual generally cannot serve more than 14 years total between the two houses – a maximum of six years in the Assembly and eight years in the Senate.

THE PROPOSAL

Proposition 93 would reduce the permissible state legislative service to 12 years, without regard to whether that time is served in the Assembly or the Senate. For instance, a state legislator could serve six two-year terms in the Assembly, or three four-year terms in the Senate, or some combination of terms in both houses.

The measure includes a transition period that would allow current members of the Legislature to serve a total of 12 years in their current legislative house regardless of how long they may already have served in the other house. This could result in some current members serving longer than 14 years in the Legislature.

FISCAL EFFECT

According to the California Legislative Analyst's office, there would be no direct fiscal effect on total state spending or revenues.

COMMUNITY COLLEGES. FUNDING. GOVERNANCE. FEES.

Initiative Constitutional Amendment and Statute.

thereafter. The reduction in community college student fees from \$20 per unit to \$15 per unit with future limits on increases would result in a potential revenue loss of about \$70 million annually.

WHAT A YES OR NO VOTE MEANS

A **YES** vote means that the state Constitution will be amended to formally recognize a community college system with separate funding formulas for K-12 schools and the community colleges, and that community college fees will be reduced to \$15 per unit for the foreseeable future.

A **NO** vote means that the existing laws and formulas regarding community college funding, fees, and governance would remain unchanged.

SUPPORTERS SAY

- Proposition 92 doesn't raise taxes. It lowers community college fees to \$15 per unit, limits future fee increases, and stabilizes funding.
- A full-time community college student costs less than half what the state spends on a California State University student, and one-third of what the state spends on a University of California student.

OPPONENTS SAY

- Proposition 92 locks huge new spending into California's Constitution with no way to pay for it, other than taking from K-12 schools and other programs.
- It contains no accountability and no guarantee that the funds will reach students in community college classrooms.

FOR MORE INFORMATION

PRO: (916) 444-8641, Yes on Proposition 92, www.prop92yes.com

CON: (916) 218-6640, Californians for Fair Education Funding, www.noprop92.org

LIMITS ON LEGISLATORS' TERMS IN OFFICE.

Initiative Constitutional Amendment.

WHAT A YES OR NO VOTE MEANS

A **YES** vote means members of the State Legislature could serve a maximum of 12 years in office, without regard to whether the years are served in the Assembly or Senate.

A **NO** vote means members of the State Legislature could continue to serve a maximum of 14 years in office – up to 6 years in the Assembly and 8 years in the Senate.

SUPPORTERS SAY

- Proposition 93 strikes a balance between the need to elect new people with fresh ideas and the need for knowledgeable, experienced legislators to solve complex problems facing our state.
- The simple but important adjustments of Proposition 93 will let legislators spend more time working for taxpayers and less time worrying about which office to run for next.

OPPONENTS SAY

- Proposition 93 is a scam written by politicians and funded by special interests that will benefit 42 term-out incumbent politicians by giving them more time in office.
- This measure actually lengthens politicians' time in office by doubling Assembly terms from 6 to 12 years, and increasing Senate terms from 8 to 12 years.

FOR MORE INFORMATION

PRO: (916) 443-7817, Committee for Term Limits and Legislative Reform, www.termlimitsreform.com

CON: (916) 482-5000, California Term Limits Defense Fund, www.stopthepoliticians.com

PROPOSITIONS 94-97: REFERENDA ON AMENDMENTS TO INDIAN GAMING COMPACTS.

Editor's Note: The following four Referenda have also qualified for California's 2008 Presidential Primary ballot, but as of our press date, the Supplemental Voter Information Guide for these measures was in the public inspection period and the ballot label descriptions, below, remained tentative. For updates and complete descriptions of Propositions 94-97, please visit the Web sites of the Secretary of State at www.sos.ca.gov/elections, or the League of Women Voters at www.smartvoter.org

Proposition 94

"Yes" vote approves, and "No" vote rejects, a law that ratifies an amendment to existing gaming compact between the state and Pechanga Band of Luiseño Mission Indians. Fiscal Impact: Net increase in annual state revenues probably in the tens of millions of dollars, growing over time through 2030.

Proposition 95

"Yes" vote approves, and "No" vote rejects, a law that ratifies an amendment to existing gaming compact between the state and the Morongo Band of Mission Indians. Fiscal Impact: Net increase in annual state revenues probably in the tens of millions of dollars, growing over time through 2030.

Proposition 96

"Yes" vote approves, and "No" vote rejects, a law that ratifies an amendment to existing gaming compact between the state and Sycuan Band of the Kumeyaay Nation. Fiscal Impact: Net increase in annual state revenues probably in the tens of millions of dollars, growing over time through 2030.

Proposition 97

"Yes" vote approves, and "No" vote rejects, a law that ratifies an amendment to existing gaming compact between the state and Agua Caliente Band of Cahuilla Indians. Fiscal Impact: Net increase in annual state revenues probably in the tens of millions of dollars, growing over time through 2030.