

**Veterans' Bond Act Of 2008.**

**THE QUESTION**

Should the state be authorized to sell \$900 million in general obligation bonds to replenish funding for Cal-Vet home and farm loans for California veterans?

**THE SITUATION**

Since 1921, the state has offered veterans long-term, low-interest loans to finance the purchase of homes and farms through the Cal-Vet program. About 420,000 veterans have purchased property through the program. California voters have approved all 26 of the past bond measures to replenish the funding and continue funding for Cal-Vet loans.

**THE PROPOSAL**

Proposition 12 would authorize the state to borrow \$900 million through the sale of general obligation bonds to replenish funding for the Cal-Vet loan program. These bonds would provide funds for at least 3,600 additional veterans to receive loans. The measure requires a simple majority vote for approval.

**FISCAL EFFECT**

If the bonds are sold at an interest rate of 5 percent and repaid over 30 years, the cost to the General Fund would total about \$1.8 billion in principal and interest, with an average payment of about \$59 million per year. According to the Legislative Analyst, the Cal-Vet program has been self-supporting, with mortgage payments by veterans paying for the bond debt and all operating costs. However, if veterans' payments did not

fully cover the amount owed on the bonds, the state would have to pay the difference.

**WHAT A YES OR NO VOTE MEANS**

A **YES** vote means that state could sell \$900 million in general obligation bonds to replenish funding for Cal-Vet home and farm mortgages for veterans.

A **NO** vote means that state could not sell these bonds.

**SUPPORTERS SAY**

- ★ The Cal-Vet loan program has helped hundreds of thousands of veterans invest in homes and farms in California at no expense to taxpayers.
- ★ This program is good for the economy, generating millions of dollars in housing-related jobs.

**OPPONENTS SAY**

- ★ With home prices declining, state taxpayers could be liable if home buyers cannot make payments or sell their homes.
- ★ This program has indirect costs to taxpayers, since the tax-deductible interest paid to bondholders reduces state tax revenue.

**FOR MORE INFORMATION**

There do not appear to be any Web sites for either supporters or opponents of Proposition 12.

**Local Leagues in California**

To learn more about the ballot or request a Pros & Cons speaker, find your local League at [www.lwvc.org](http://www.lwvc.org).

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# PROS & CONS

General Election November 4, 2008

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President: Janis R. Hirohama

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## 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

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## High-Speed Passenger Train Bond Act.

### THE QUESTION

Should the state of California be authorized to issue \$9.95 billion of general obligation bonds to partially fund a high-speed passenger train system?

### THE SITUATION

The California High-Speed Rail Authority, formed in 1996, is the state entity responsible for planning, constructing, and operating a high-speed train system serving the state's major metropolitan areas. It has spent about \$60 million so far on planning and development. The system could potentially carry over 100 million passengers annually by 2030. The Authority estimated in 2006 that the total cost of this system would be about \$45 billion. The bonds from this proposition would provide part of the needed funding.

### THE PROPOSAL

Proposition 1A would authorize California to issue \$9.95 billion of general obligation bonds, to be repaid from the state's General Fund, to partially fund this high-speed rail system. The measure requires a simple majority vote for approval.

The funds would be available when appropriated by the Legislature. \$9 billion would initially be used, together with any other available funds, to construct the segment from San Francisco to Los Angeles and Anaheim. The funds could also be used to construct additional segments of the high-speed train system if that would not adversely affect the initial phase. The other \$950 million would be available to fund improvements to other passenger rail systems. The measure limits the use of funds for planning activities and administrative expenses, creates an independent peer review group to review the Authority's plans, and requires the State Auditor to audit use of the funds.

### FISCAL EFFECT

If the bonds are sold at an interest rate of 5 percent and repaid over 30 years, the cost to the General Fund would total about \$19.4 billion in principal (\$9.95 billion) and interest (\$9.5 billion), with an average payment of about \$647 million per year. The completed train system will likely have operating costs of over \$1 billion annually, which would be at least partially offset by passenger fares.

### WHAT A YES OR NO VOTE MEANS

A **YES** vote would mean that California could sell \$9.95 billion of general obligation bonds to partially fund a high-speed passenger train system.

A **NO** vote would mean that California could not sell the bonds.

### SUPPORTERS SAY

- ★ High-speed rail will be a convenient and affordable alternative to high gas costs, highway congestion, and expensive and declining airline service.
- ★ Prop. 1A will create nearly 160,000 construction-related jobs and 450,000 permanent jobs in tourism and related sectors.
- ★ High-speed rail will reduce our reliance on foreign oil and improve the environment by cutting greenhouse gases and using less energy.

### OPPONENTS SAY

- ★ Prop. 1A is a boondoggle that will cost taxpayers billions while adding to our bond debt at a time of budget crisis and cuts in services.
- ★ Californians' most important traffic problems involve getting to work, not travelling between major cities.
- ★ There is no accountability as to how the bond proceeds will be spent, and no assurance that other funds will be available.

### FOR MORE INFORMATION

#### Supporters:

Californians for High Speed Rail

<http://www.californiahighspeedtrains.com/>

#### Opponents:

Derail HSR ★ <http://www.derailhsr.com/>

**Standards for Confining Farm Animals.**

**THE QUESTION**

Should the law require that farm enclosures housing certain hens, calves, or pigs provide enough room for the animals to lie down, stand, stretch and turn around?

**THE SITUATION**

Current animal production practices include the use of restrictive enclosures such as “battery cages” for poultry. Less confining methods include “cage free” or “free range.” State law generally prohibits cruelty to animals, without specifying farm animals.

**THE PROPOSAL**

Proposition 2 would make it a misdemeanor, effective January 1, 2015, to confine veal calves, pregnant pigs, or egg-laying hens so as to interfere with the ability to stand, lie down, turn around and fully extend the limbs. Exceptions are made for research, veterinary treatment, transportation, etc.

**FISCAL EFFECT**

Costs could increase for farmers needing to change production methods. State and local governments could possibly lose tax revenue of several million dollars annually if higher costs reduce production or profitability, or farmers leave business.

**WHAT A YES OR NO VOTE MEANS**

A **YES** vote means that farm enclosures for certain hens, calves and pigs must provide enough room for the animal to lie down, stand up, and move about.

A **NO** vote means that current laws relating to these animals will remain unchanged.

**SUPPORTERS SAY**

- \* It will improve food safety by outlawing overcrowded conditions that foster the spread of diseases among farm animals.
- \* This is a moderate, reasonable reform measure that gives the industry ample time to phase it in.

**OPPONENTS SAY**

- \* This measure would drive many egg producers out of California, resulting in lost jobs and tax revenue.
- \* Prop. 2 endangers public health by effectively forcing hens outdoors, where they may contact wild and migratory birds carrying diseases.

**FOR MORE INFORMATION**

**Supporters:** Yes on Prop 2, Californians for Humane Farms 323 896.1126 \* [www.YesonProp2.org](http://www.YesonProp2.org)

**Opponents:** Californians for Safe Food 213 362.9539 \* <http://www.safecaliforniafood.org>

**Children’s Hospital Bond Act. Grant Program.**

**THE QUESTION**

Should the state sell \$980 million in general obligation bonds for capital improvement projects at children’s hospitals?

**THE SITUATION**

Children’s hospitals provide specialized health care—often free or low-cost—for sick and injured children. A 35 percent growth in the pediatric population is projected over the next two decades. In 2004, Proposition 61 authorized \$750 million in bonds for children’s hospitals; about \$403 million had been awarded as of 6/1/08.

**THE PROPOSAL**

Proposition 3 would authorize \$980 million in bonds for expansion, renovation and equipping of children’s hospitals. Twenty percent of the funds would be available to five U.C. children’s hospitals, and eighty percent to other nonprofit children’s hospitals (8 are likely to qualify). A simple majority vote is required to pass.

**FISCAL EFFECT**

If the bonds are sold at an interest rate of 5 percent and repaid over 30 years, the cost to the state would be about \$2 billion in principal (\$980 million) and interest (\$933 million), with an average payment of about \$64 million per year. Administrative costs would be minor.

**WHAT A YES OR NO VOTE MEANS**

A **YES** vote means the state could sell \$980 million in bonds for capital improvements for children’s hospitals.

A **NO** vote means the state could not sell the bonds.

**SUPPORTERS SAY**

- \* Children’s hospitals provide essential treatment and need these funds to meet increasing demand for their services.
- \* Children’s hospitals could buy the latest medical technology and equipment and provide more beds to care for sick children.

**OPPONENTS SAY**

- \* In tough economic times, we can’t afford new spending and bond debt that will necessitate higher taxes or reduced spending on other programs.
- \* Prop. 3 is unnecessary because unspent Prop. 61 funds are still available.

**FOR MORE INFORMATION**

**Supporters:** California Children’s Hospital Association 916 552-7111 \* [www.imaginewithus.org](http://www.imaginewithus.org)

**Opponents:** National Tax Limitation Committee 916 786-9400 \* [www.limittaxes.org](http://www.limittaxes.org)

## Waiting Period and Parental Notification Before Termination of a Minor's Pregnancy.

### THE QUESTION

Should the California Constitution be amended to require parental notification, followed by a 48-hour waiting period, before a physician could terminate the pregnancy of a minor?

### THE SITUATION

Minors in California currently have the right to abortion to the same extent as adults. In 1987, the Legislature passed a law requiring parental consent before a minor's abortion, but it was not implemented and was invalidated by the California Supreme Court in 1997.

### THE PROPOSAL

Proposition 4 would amend the state Constitution to require a physician to notify the parent or legal guardian of a pregnant, unemancipated minor in writing at least 48 hours before performing an abortion. An unemancipated minor is not married, not on active military duty, or not legally free from parental custody and control.

The notice must be delivered in person or by certified mail. Parental notification is not required if: (1) the physician certifies that the abortion is necessary to prevent the mother's death or that a delay would create serious risk of substantial and irreversible impairment of a major bodily function; (2) the parent waives the notification and waiting period in writing; (3) the minor states in writing that she fears parental abuse based on a pattern of such abuse, in which case the physician may notify an adult family member instead of the parent and must report the suspected abuse to authorities; or (4) the minor gets a court order waiving notification, based upon a finding either that she is sufficiently mature and well-informed to decide whether to have an abortion or that parental notification would not be in her best interest. A physician who fails to comply with the measure would be liable for civil damages.

### FISCAL EFFECT

The fiscal effects of this measure would depend on whether it affects the childbearing behavior of minors. State and county health and social service costs would rise if a decrease in abortions results in increased births among low income minors. The costs would be due to increases in cash assistance and services to needy families, child welfare and foster care costs, and health care costs related to pregnancy and delivery. However, cost savings could result from fewer minors obtaining abortions paid for by state health programs. The net fiscal effect would probably not exceed a few million dollars annually, which is small in relation to the billions spent annually on

health care programs and social services. There will be state administrative costs of up to \$350,000 initially and up to \$150,000 annually. There may be small increases in court costs.

### WHAT A YES OR NO VOTE MEANS

A **YES** vote means that the state Constitution would be amended to require a physician to give written notice to the parent or guardian of a pregnant minor at least 48 hours before terminating the pregnancy.

A **NO** vote means that minors would continue to have the right to abortion to the same extent as adults.

### SUPPORTERS SAY

- ★ Prop. 4 will keep teenagers safe by ensuring that a family member would know about the teen's medical situation and be informed of risks to her health and safety.
- ★ More than 30 states have similar parental notification laws. These laws reduce teen pregnancies and sexually transmitted diseases.
- ★ It protects teenagers suffering from parental abuse by allowing the doctor to notify another family member instead and by requiring the abuse to be reported. A teenager can also seek a waiver from the court.

### OPPONENTS SAY

- ★ Parents rightfully want to be involved in their teenagers' lives, but government can't force good family communication. Not all teens live in homes where they can safely turn to their parents for help.
- ★ It would put teens at risk, because desperate, scared teenagers may seek dangerous illegal abortions or delay or avoid care, rather than telling parents, reporting parental abuse or going to court.
- ★ The exceptions offered are daunting and difficult—it's too much to expect a teenager to report parental abuse or seek a judicial waiver

### FOR MORE INFORMATION

#### Supporters:

Friends of Sarah/Yes on 4  
866 828-8355 ★ <http://www.YESon4.net>

#### Opponents:

Campaign for Teen Safety  
916 804-4456 ★ [www.noonproposition4.org](http://www.noonproposition4.org)

## Nonviolent Drug Offenses. Sentencing, Parole and Rehabilitation.

### THE QUESTION

Should existing drug treatment diversion programs for criminal offenders be revised and expanded, and changes made to sentencing and parole laws to shorten some sentences and parole periods and place more focus on treatment and rehabilitation for those convicted of certain drug possession and nonviolent crimes?

### THE SITUATION

There are three major drug treatment diversion programs—Penal Code Section 1000, Proposition 36, and Drug Courts—which send some criminal offenders charged or convicted of nonviolent drug possession offenses to treatment instead of jail or prison.

### THE PROPOSAL

Proposition 5 would allocate \$460 million annually to support and expand treatment and diversion for drug offenders, with a three-track system replacing most existing programs. Court authority to incarcerate offenders who re-offend, break treatment rules or violate parole would be curtailed. Credits to reduce prison sentences of inmates convicted of drug and some nonviolent offenses would be expanded. Other changes would shorten parole periods for certain drug and nonviolent crimes, increase them for some serious and violent felonies, and expand parolee rehabilitation programs. Penalties for marijuana possession would be reduced.

### FISCAL EFFECT

It would appropriate \$460 million from the General Fund for these programs in 2009-10 and thereafter, plus annual cost of living and population adjustments. State costs, mostly for the diversion programs and more treatment and rehabilitation for inmate and parolees, could exceed \$1 billion annually. State savings from reduced prison and parole operating costs could exceed \$1 billion annually. One-time savings on prison construction costs could exceed \$2.5 billion.

### WHAT A YES OR NO VOTE MEANS

A **YES** vote means drug treatment diversion programs will be revised and expanded, and sentencing and parole changes would shorten some sentences and parole periods and increase others, reduce penalties for marijuana possession, and expand treatment and rehabilitation for inmates and parolees.

A **NO** vote means drug treatment diversion programs would remain the same, and current laws relating to parole, prison custody credits, marijuana possession penalties, and rehabilitation and treatment for inmates and parolees would not change.

### SUPPORTERS SAY

- ★ Treatment and rehabilitation for minor drug offenses will reduce recidivism and pay for themselves by reducing incarceration and prison construction costs.
- ★ Treating violent and nonviolent offenders differently makes sense. Judges can send nonviolent offenders to treatment while maintaining accountability, building on the successful approach of Prop. 36.
- ★ Effective rehabilitation programs will better prepare the 85 to 90 percent of inmates who are returned to society to become law-abiding, productive citizens.

### OPPONENTS SAY

- ★ Dumping 45,000 criminals out of prisons and into our communities will not “save” money on the prison system, but will increase crime.
- ★ It weakens drug treatment programs by reducing court authority to incarcerate offenders who violate probation, parole, or drug treatment program rules.
- ★ This measure isn’t about keeping minor first-time drug offenders out of prison, because in reality such offenders never go to prison. Meanwhile, it puts dangerous criminals back on the streets sooner.

### FOR MORE INFORMATION

#### Supporters:

NORA Campaign: Yes on 5  
213 382-6400 ★ [www.Prop5yes.com](http://www.Prop5yes.com)

#### Opponents:

People Against the Proposition 5 Deception  
[www.NoOnProposition5.com](http://www.NoOnProposition5.com)

## Police and Law Enforcement Funding. Criminal Penalties and Laws.

### THE QUESTION

Should the state increase funding for new and existing local criminal justice programs by at least \$365 million yearly, create new crimes and increase penalties for specified offenses, lower the age at which juvenile offenders can be tried as adults for certain offenses, and make numerous other changes to the criminal justice system?

### THE SITUATION

Currently, state and local governments spend approximately \$600 million annually for local law enforcement activities and juvenile justice. This does not include state prisons, parole, and the court system.

### THE PROPOSAL

Proposition 6 would increase state spending on new and existing local law enforcement activities, including juvenile facilities and probation programs for youth, city law enforcement efforts targeting crimes, county jail construction and operation, parolee reentry programs, and increased supervision of probationers. It would increase penalties for some crimes, including vehicle theft and methamphetamine offenses, and create new crimes, including additional gang-related offenses. Other changes include lowering the age at which juveniles could be tried as adults from 16 to 14 years for some gang-related offenses, expanding admission of hearsay evidence, and allowing use of temporary housing for inmates to relieve jail overcrowding.

### FISCAL EFFECT

The measure requires about \$965 million in spending for new and existing programs in 2009-10, an increase of \$365 million from current levels. Inflation adjustments will increase that by about \$100 million in five years. The General Fund could lose \$14 million from redistribution of state penalty funds. Potential one-time capital costs for prison construction could exceed \$500 million. Net fiscal effect on courts, county jails, and criminal justice agencies is unknown and depends on how costs for more arrests, prosecutions and imprisonment compare with savings from any reductions in crime.

### WHAT A YES OR NO VOTE MEANS

A **YES** vote means that changes to the criminal justice system proposed by this measure would go into effect, including increased spending on law enforcement and criminal justice programs, addition of new crimes and penalties, and changes to juvenile law.

A **NO** vote means that the changes proposed in this measure would not go into effect and the current law and procedures would remain the same.

### SUPPORTERS SAY

- ★ Prop. 6 will prioritize 1 percent of the state's budget for local law enforcement without raising taxes, keeping our children safe while fully funding education.
- ★ It will give local government the resources it needs to win the war on gangs and crime by increasing penalties, creating new felonies and misdemeanors, and giving law enforcement new legal powers.

### OPPONENTS SAY

- ★ Prop. 6 will spend \$1 billion in one year on expanded programs without providing any new funding, taking money from education, health care, and proven public safety efforts.
- ★ Crime and gang problems need a coordinated balanced approach that includes community service workers, mental health, and drug and alcohol services along with tough enforcement of the law.

### FOR MORE INFORMATION

#### Supporters:

Yes on Prop 6

916 214-5709 ★ [www.safeneighborhoodsact.com](http://www.safeneighborhoodsact.com)

#### Opponents:

Vote No Prop 6

916 442-2952 ★ [www.votenoprop6.com](http://www.votenoprop6.com)

## Renewable Energy Generation.

### THE QUESTION

Should the state require all utility companies to increase the amount of electricity generated from renewable sources to 20 percent by 2010 and 50 percent by 2025, and make other regulatory changes intended to increase renewable energy use in California?

### THE SITUATION

Most of the electricity generated in California power plants is fueled by natural gas, and a substantial amount of electricity used in California is produced out-of-state from coal. These fuel sources release greenhouse gases into the atmosphere. California has enacted legislation to curb greenhouse gas emissions, including adoption of standards that require utilities regulated by the Public Utilities Commission (PUC) to produce 20 percent of their electricity from renewable sources of energy by 2010 and reduction of the state's greenhouse gas emissions to 1990 levels by 2020. The PUC now regulates (1) investor-owned utilities and (2) electric service providers, but not publicly-owned utilities.

### THE PROPOSAL

Proposition 7 would extend the existing 20 percent renewable source requirements to publicly-owned utilities, not just those regulated by the PUC, and would increase the required percentage of renewably-generated electricity for all utilities to 40 percent by 2020 and 50 percent by 2025. It would also create new regulations that would, among other things, redefine solar and clean energy plants to require 30 megawatts or more generating capacity; add new criteria for determining the market price of electricity; require 20 year or longer contracts for renewable fuels; and impose penalties for failure to meet renewable energy requirements. The measure declares that in the "short term" the new investment in solar and clean energy would result in no more than a 3 percent increase in rates for consumers, but contains no specific provisions to implement or enforce this declaration.

### FISCAL EFFECT

State agency regulatory costs could increase by up to \$3.4 million annually, and would be paid by fee revenues. State and local costs and revenues may increase and/or decrease by unknown amounts due to possible energy rate increases or decreases, impacts on tax revenue, and energy taxes; the net fiscal effect is unknown. The PUC estimates that increasing renewable fuel requirements would entail a state infrastructure investment in the tens of billions of dollars.

### WHAT A YES OR NO VOTE MEANS

A **YES** vote means the state would require utility companies to increase the percentage of electricity generated from renewable sources of energy to 20 percent by 2010 and 50 percent by 2025, and make other changes intended to increase renewable energy use.

A **NO** vote means the state's requirements for renewable energy generation would remain the same.

### SUPPORTERS SAY

- ★ This is a balanced solution, written and reviewed by energy and environmental experts, to cut the rising cost of energy and reduce global warming.
- ★ Prop. 7 will make California a world leader in clean power, creating over 370,000 new high-wage jobs and growing a strong market for solar and renewable energy businesses, as well as protecting the environment.
- ★ The measure will protect consumers by limiting rate increases to 3 percent and prohibiting utilities that fail to meet renewable energy standards from passing penalties on to consumers.

### OPPONENTS SAY

- ★ Prop. 7 would hurt progress in increasing use of renewable power by shutting out the small providers that currently represent nearly 60 percent of California's renewable energy contracts.
- ★ It will increase costs to consumers by allowing power companies to charge 10 percent above the market price, while providing no mechanism for limiting cost increases to the 3 percent per year it specifies.
- ★ The measure adds no new renewable energy sources. Simply raising required percentages of renewable energy each year will not create new sources for that energy.

### FOR MORE INFORMATION

#### Supporters:

Californians for Solar and Clean Energy  
916 444-2425 ★ [www.Yeson7.net](http://www.Yeson7.net)

#### Opponents:

Californians Against Another Costly Energy Scheme  
866 811-9255 ★ [www.NoProp7.com](http://www.NoProp7.com)

**Eliminates Right of Same-Sex Couples to Marry.**

**THE QUESTION**

Should the California Constitution be amended to specify that only marriage between a man and a woman is valid or recognized in California?

**THE SITUATION**

Under California law, same-sex couples may register with the state as domestic partners. However, marriage between same-sex couples was prohibited by Proposition 22, a statute passed by the voters in 2002, which stated that “only marriage between a man and a woman is valid or recognized in California.” In May 2008 the California Supreme Court struck down Proposition 22, holding that it violated the equal protection and inalienable rights guarantees of the California Constitution. Marriages between same-sex couples have been permitted in California since June 16, 2008, when the Court’s ruling took effect.

**THE PROPOSAL**

Proposition 8 would amend the California Constitution to specify that only marriage between a man and a woman is valid or recognized in California (essentially writing the statutory language of Proposition 22 into the Constitution). As a result, same-sex couples would no longer be allowed to marry in California, and such marriages entered into in other jurisdictions would not be recognized in California.

**FISCAL EFFECT**

According to the Legislative Analyst, over the long run the measure would likely have little fiscal impact on state and local governments, although in the short term there is a potential revenue loss of possibly tens of millions of dollars from loss of sales of wedding-related goods and services from same-sex marriages.

**WHAT A YES OR NO VOTE MEANS**

A **YES** vote means that the California Constitution will specify that only marriage between a man and a woman is valid or recognized in California, eliminating the right of same-sex couples to marry.

A **NO** vote means that same-sex marriages will continue to be valid and recognized in California.

**SUPPORTERS SAY**

- ★ This measure will restore the sanctity of traditional marriage, which can only be between a man and a woman, as affirmed by the sixty-one percent of California voters who supported Proposition 22.
- ★ While affirming traditional marriage, Prop. 8 does not eliminate any of the rights, privileges or benefits given to same-sex registered domestic partners.
- ★ Same-sex marriage should only be legalized through a vote of the people, and not by the flawed reasoning of four activist judges in San Francisco.

**OPPONENTS SAY**

- ★ Allowing same-sex couples to marry does not diminish the sanctity of traditional marriage, but extends the rights and responsibilities of marriage to more people.
- ★ Domestic partnerships are not afforded the same dignity and respect as marriage, and partners don’t have the same rights as spouses in many situations, including medical emergencies and when life-and-death decisions are made.
- ★ The California Constitution guarantees equal protection under the law to everyone, and should not be amended to single out one group for different treatment.

**FOR MORE INFORMATION**

**Supporters:**

Yes on Proposition 8

916 446-2956 ★ [www.protectmarriage.com](http://www.protectmarriage.com)

**Opponents:**

Equality for All

916 717-1411 ★ [www.noonprop8.com](http://www.noonprop8.com)

## Criminal Justice System. Victims's Rights. Parole.

### THE QUESTION

Should the state Constitution and state laws be amended to expand the legal rights of crime victims, restrict the early release of inmates, and change the procedures for granting and revoking parole?

### THE SITUATION

Crime victims in California have the right to be notified of, attend, and state their views at sentencing and parole hearings. They also have the right to restitution from the offender for their losses suffered as a result of the crime, although judges can decide not to order it if they find compelling and extraordinary reasons not to do so.

The state prison system is currently facing an overcrowding crisis. The Legislature and courts have been considering various proposals to reduce overcrowding, including early release of prisoners.

### THE PROPOSAL

Proposition 9 would change the state Constitution and some state statutes to: give crime victims the right to be notified, attend and be heard at all public criminal proceedings including bail hearings, pleas, sentencing and parole; require that the victim's safety be considered in setting bail; and require that restitution be ordered from offenders, with no exceptions. The measure would also change procedures for parole by, among other things, allowing less frequent parole hearings for inmates serving life terms and restricting the right to legal counsel for parole revocation hearings. It would also provide that criminal sentences cannot be substantially reduced by early release policies to relieve prisons or jail overcrowding.

### FISCAL EFFECT

The initiative could result in potentially hundreds of millions of dollars in increases in state prison and county jail operating costs due to the restrictions on early release of inmates. There could be potential savings in the low tens of millions of dollars resulting from fewer parole hearings and changes to parole revocation procedures. The changes to restitution and victims' rights are not likely to have a significant fiscal impact. The net fiscal effects of Proposition 9 are unknown because costs and savings will largely depend on future factors such as how the measure is implemented, the results of any court challenges, and legislative and court actions to reduce prison overcrowding.

### WHAT A YES OR NO VOTE MEANS

A **YES** vote means that the legal rights of crime victims, including the right to restitution, will be expanded, early release of inmates will be restricted, and changes will be made in the procedures for granting and revoking parole.

A **NO** vote means that the rights of crime victims will remain as they are now in the state Constitution and in state law, and parole.

### SUPPORTERS SAY

- ★ Prop. 9 guarantees crime victims' rights to justice and due process, putting those rights in the state Constitution.
- ★ It protects crime victims by requiring that the safety of victims and their families be considered in bail decisions and by mandating that victims be notified when offenders are released.
- ★ Prop. 9 ensures that criminals will serve their full sentences and pay restitution to their victims, and it eliminates unnecessary parole hearings for dangerous criminals who have virtually no chance of release.

### OPPONENTS SAY

- ★ The state Constitution is not the appropriate place for a detailed listing of victims' rights; they belong in state statutes.
- ★ Prop. 9 is misleading and duplicative. Many of its provisions are already the law, such as the victim's right to be heard throughout the legal process.
- ★ California is already strict on parole—for the past 20 years, the annual parole rate for inmates convicted of second degree murder or manslaughter has been less than 1 percent of those eligible.

### FOR MORE INFORMATION

#### Supporters:

Friends of Marsy's Law  
[www.friendsofmarsyslaw.org](http://www.friendsofmarsyslaw.org)

#### Opponents:

No on Propositions 6 & 9  
 916 443-7817

*(Note: The "No on Propositions 6 & 9: Communities for Safe Neighborhoods and Fiscal Responsibility" committee has filed with the California Secretary of State in opposition to Proposition 9. The only apparent Web site for this group, [www.VoteNoProp6.com](http://www.VoteNoProp6.com), focuses on Proposition 6 only.)*

## Alternative Fuel Vehicles And Renewable Energy. Bonds.

### THE QUESTION

Should the State of California be authorized to issue \$5 billion in general obligation bonds to provide incentives to individuals and companies to purchase high fuel economy and clean alternative fuel vehicles; provide additional funds for research leading to the development of renewable energy technology, and train people to operate new technology?

### THE SITUATION

The United States depends heavily on petroleum. While holding less than 3 percent of the world's oil supply, it consumes 20 percent of the world's oil production. Petroleum prices climbed to new highs in 2008, while worldwide competition for petroleum resources continues to grow and easy-to-reach sources of petroleum are being depleted. There is also growing concern about the impact that burning fossil fuels like gasoline has on global climate change and the environment.

### THE PROPOSAL

Proposition 10 authorizes \$5 billion in bonds, to be repaid from the state's General Fund, to provide the following:

- ★ Approximately \$3.4 billion in cash rebates, ranging from \$2,000 to \$50,000 each, to purchasers of high fuel economy and clean alternative fuel vehicles. "Clean alternative fuel" is defined as natural gas or any fuel that achieves a reduction of at least 10 percent carbon intensity.
- ★ \$1.25 billion in incentives for research, development and production of electricity from wind, solar and renewable technology.
- ★ \$200 million in grants to local governments for alternative and renewable energy demonstration projects.
- ★ \$125 million in grants to public universities and colleges for development of alternative fuel and clean energy commercialization and workforce development.

### FISCAL EFFECT

If the bonds are sold at an interest rate of 5 percent and repaid over 30 years, the cost to the General Fund would total about \$9.8 billion in principal (\$5 billion) and interest (\$4.8 billion), with an average payment of about \$325 million per year. While up to 1 percent of the bond funds may be used for administrative costs, additional state administrative costs could total \$10 million annually through 2018-19. State and local sales tax and vehicle tax revenue may increase by an unknown amount due to sale of higher priced fuel-efficient vehicles, but highway or gasoline taxes may decrease due to lower consumption of gas.

### WHAT A YES OR NO VOTE MEANS

A **YES** vote means the state could issue \$5 billion in bonds to provide incentives to purchase high fuel economy and alternative fuel vehicles and to fund research on clean fuel alternatives.

A **NO** vote means the state could not issue \$5 billion in bonds to provide incentives for purchase of high fuel economy and alternative fuel vehicle and to fund research on clean fuel alternatives.

### SUPPORTERS SAY

- ★ Prop. 10 will reduce our dependence on foreign oil, develop new clean energy industries in California, and create thousands of well-paying jobs.
- ★ This measure will give consumers alternatives to high priced gasoline by giving them the choice to buy vehicles that run on cleaner fuels or on electricity from renewable sources.
- ★ It will create cleaner air and a healthier future by replacing more than 28,000 diesel trucks with alternative fuel trucks and reducing greenhouse gases.

### OPPONENTS SAY

- ★ Prop. 10 will cost taxpayers nearly \$10 billion that could be used for needed programs and services, while duplicating existing clean fuel and alternative energy programs.
- ★ The measure will primarily subsidize trucks and large vehicles using natural gas, benefiting natural gas producers and driving up prices.
- ★ It does not require air quality improvements or reductions in greenhouse gas emissions, and only a small portion of the funds could be used to replace diesel vehicles, the only health benefit proponents claim.

### FOR MORE INFORMATION

#### Supporters:

Californians for Energy Independence  
[www.prop10yes.com](http://www.prop10yes.com)

#### Opponents:

Consumer Federation of California  
650 375-7840 ★ [www.votenooprop10.com](http://www.votenooprop10.com)

## Redistricting.

### THE QUESTION

Should the process for redrawing state legislative and Board of Equalization districts be changed to transfer the redistricting authority from the Legislature to a citizens redistricting committee?

### THE SITUATION

The California Constitution provides that, after each federal census, the Legislature must redraw the district boundaries for members of the U.S. House of Representatives, the state Legislature (Assembly and Senate), and the State Board of Equalization (BOE). This process is known as "redistricting." The redistricting plan must be passed by the Legislature and signed by the Governor.

### THE PROPOSAL

Proposition 11 would amend the Constitution to transfer responsibility for drawing district lines for legislative and BOE seats from the Legislature to a new Citizens Redistricting Commission, beginning with the 2010 Census. The State Auditor will coordinate the selection process for the Commission. Any registered California voter can apply, but those who do not meet conflict of interest rules and other requirements will not be eligible. For instance, an applicant (or immediate relative) could not have been a candidate for state or federal office in the past 10 years. Applicants would undergo a multi-part screening process, and then a partly random drawing process that includes input from legislative leaders. The Commission will have 14 members, five each from the state's two largest political parties and four not belonging to either party.

Required criteria for drawing district boundaries are set forth in the measure. They include: districts of reasonably equal population; compliance with the federal Voting Rights Act; minimizing splitting of counties and cities; maintaining communities of interest and neighborhoods; geographical compactness; and not favoring or discriminating against incumbents, candidates or parties. In developing the plan the Commission must hold public hearings and accept public comment. The plan must be approved with at least three votes from Commission members of each of the two largest political parties and three votes from the other members, for a total of nine. The Legislature would still draw Congressional districts, but must use the same districting criteria and open hearing requirements applicable to the Commission.

### FISCAL EFFECT

The cost for the Commission's redistricting work is estimated to be about \$4 million, similar to the Legislature's cost for performing that task in 2001. It is estimated that the proposition will not significantly increase redistricting costs.

### WHAT A YES OR NO VOTE MEANS

A **YES** vote means that redistricting responsibility for state legislative and Board of Equalization seats would be transferred from the Legislature to a Citizens Redistricting Commission.

A **NO** vote means that the redistricting process will not be changed, and responsibility for redistricting will remain with the Legislature.

### SUPPORTERS SAY

- ★ Prop. 11 will eliminate the current conflict of interest legislators have in drawing their own districts. Instead of politicians selecting their voters, voters will be empowered to select their elected officials and hold them accountable.
- ★ Redistricting reform will help reduce or eliminate the partisan gridlock that is keeping the Legislature from effectively dealing with the state budget, health care, the environment and other crucial issues.
- ★ The citizens' redistricting commission ensures an open, balanced, inclusive process that will result in fair districts that protect our neighborhoods and communities.

### OPPONENTS SAY

- ★ Prop. 11 will leave power in the hands of politicians and bureaucrats, not the voters. Bureaucrats will select the redistricting commission and seats will be set aside for partisan members of the two biggest political parties.
- ★ This measure creates a powerful, unelected redistricting commission but does not ensure that its 14 members will reflect the gender, racial, or geographic diversity of the state's 36 million people.
- ★ Prop. 11 gives redistricting power to a commission that is not answerable to the voters, with no audits or financial accountability to protect the taxpayers.

### FOR MORE INFORMATION

#### Supporters:

Yes on Prop 11: California Voters First  
916 325-0056 ★ [yesprop11.org](http://yesprop11.org)

#### Opponents:

Citizens for Accountability  
916 443-5900 ★ [www.noonprop11.org](http://www.noonprop11.org)