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October 24, 2008

To: Supervisor Yvonne B. Burke, Chair
Supervisor Gloria Molina
Supervisor Zev Yaroslavsky
Supervisor Don Knabe
Supervisor Michael D. Antonovich

From: William T Fujioka
Chief Executive Officer

NOVEMBER 4, 2008 GENERAL ELECTION BALLOT MEASURES

This is to provide you with information about the 12 Statewide propositions on the November 4, 2008 General Election Ballot. The Board has taken a support position on Proposition 1A and an oppose position on Propositions 4, 5, and 8 but has not taken a position on the remainder.

- Proposition 1A: Safe, Reliable High-Speed Passenger Train Bond Act. Legislative Bond Act. – **Support** (Board Action: October 21, 2008)
- Proposition 2: Standards for Confining Farm Animals. Initiative Statute. – **No Position**
- Proposition 3: Children's Hospital Bond Act. Grant Program. Initiative Statute. – **No Position**
- Proposition 4: Waiting Period and Parental Notification Before Termination of Minor's Pregnancy. Initiative Constitutional Amendment. – **Oppose** (Board Action: September 23, 2008)
- Proposition 5: Nonviolent Drug Offenses. Sentencing, Parole and Rehabilitation. Initiative Statute. – **Oppose** (Board Action: August 19, 2008)

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- Proposition 6: Police and Law Enforcement Funding. Criminal Penalties and Laws. Initiative Statute. – **No Position**
- Proposition 7: Renewable Energy Generation. Initiative Statute. – **No Position**
- Proposition 8: Eliminates Right of Same-Sex Couples to Marry. Initiative Constitutional Amendment. – **Oppose** (Board Action: September 23, 2008)
- Proposition 9: Criminal Justice System. Victims' Rights. Parole. Initiative Constitutional Amendment and Statute. – **No Position**
- Proposition 10: Alternative Fuel Vehicles and Renewable Energy. Bonds. Initiative Statute. – **No Position**
- Proposition 11: Redistricting. Initiative Constitutional Amendment and Statute. – **No Position**
- Proposition 12: Veterans' Bond Act of 2008. Legislative Bond Act. – **No Position**

Attachment I includes a brief summary of each proposition and comments from affected County Departments. Attachment II is a list of all local jurisdiction measures which have qualified for the November ballot.

Please contact me or your staff may contact Marshall Langberg at (213) 974-1114 or via e-mail at mlangberg@ceo.lacounty.gov, or Maxine Schmidl, if you have any questions.

WTF:GK
MAL:MS:er

Attachments

c: Executive Officer, Board of Supervisors
County Counsel
All Department Heads
Legislative Strategist

PROPOSITION 1A: SAFE, RELIABLE HIGH-SPEED PASSENGER TRAIN BOND ACT. Legislative Bond Act. – COUNTY POSITION: **SUPPORT** (By Board action of October 21, 2008)

PROPOSITION 1A, as authorized by AB 3034 (Chapter 267, Statutes of 2008), would provide for the issuance of \$9.95 billion of State general obligation bonds for construction of a high-speed passenger train system to link the major population centers in California; and capital improvements to passenger rail systems that expand capacity, improve safety, or permit train riders to connect to the high-speed train system.

The bond measure makes available \$9 billion to plan and build a high-speed passenger network that serves metropolitan areas and connects regional and local transit systems to form an integrated transportation system. It would link all of the State's major population centers including Sacramento, the San Francisco Bay Area, the Central Valley, Los Angeles, the Inland Empire, Orange County, and San Diego. The measure funds up to 50 percent of the total cost of construction of each segment of the high-speed train system and would limit the amount of bond funds that can be used to finance certain pre-construction and administrative activities. The California High-Speed Rail Authority (Authority) would be required to obtain private and other public funds to finance the remaining costs of the project, including Federal funds, and funds from revenue bonds and local sources.

Phase I of the high-speed train project is defined as the corridor between San Francisco Transbay Terminal, Los Angeles Union Station and Anaheim. Upon a finding by the Authority that there would not be an adverse impact on the construction of Phase I of the project, bond funding for capital costs may be requested for expenditure on any of the following high-speed train corridors:

- Sacramento to Stockton to Fresno
- San Francisco Transbay Terminal to San Jose to Fresno
- Oakland to San Jose
- Fresno to Bakersfield to Palmdale to Los Angeles Union Station
- Los Angeles Union Station to Riverside to San Diego
- Los Angeles Union Station to Anaheim to Irvine
- Merced to Stockton to Oakland and San Francisco via the Almont Corridor

The remaining \$950 million in bond funds would be allocated for capital improvements to other passenger rail systems for capacity enhancements and safety improvements or direct connections to the high-speed train system and its facilities. Of the \$950 million, \$190 million is designated for State-supported intercity rail lines including a minimum of 25 percent of this amount to be allocated to the State's three intercity rail corridors. The remaining \$760 million would be available for other passenger rail service including commuter rail, light rail, heavy rail and cable car rail services.

Proposition 1A would provide for oversight of the planning, engineering, financing, and other elements of the Authority's plans by an independent peer review group, which would be comprised of individuals designated by the California Treasurer, California Controller, California Director of Finance (CDOF), and the Secretary of Business, Transportation and Housing. This group would review, analyze, and evaluate the Authority's plans, including the financing plan for each corridor and report its findings and conclusions to the Legislature. The Authority would be required to approve and submit a detailed funding plan for each segment of the high-speed train system to the peer review group, CDOF, and the Legislature prior to seeking an initial appropriation of bond proceeds. In addition, the measure provides for the State Auditor to perform periodic audits of the Authority's use of bond funds.

Legislative Analyst's Office Report. The Legislative Analyst's Office (LAO) reports that the costs of these bonds would depend on interest rates in effect at the time they are sold and the time period over which they are repaid. If the bonds are sold at an average interest rate of 5 percent, the State General Fund cost would be about \$19.4 billion, assuming 30 years to pay off both principal (\$9.95 billion) and interest (\$9.5 billion). The average repayment for principal and interest would be approximately \$647 million per year. According to the LAO, when constructed, the high-speed rail system will incur unknown ongoing maintenance and operation costs, probably in excess of \$1 billion a year. These costs would be at least partially and potentially, fully offset by revenue from fares paid by passengers.

Affected Departments. The Department of Regional Planning (DRP) indicates that the bond measure would have no direct impact on County government. Proposition 1A would provide funds for urban and commuter rail, which would provide a benefit to the regional transportation network; however, most of the bond funds would be spent on high-speed rail for intercity rail services. DRP is concerned that only about 8 percent of the total bond measure would be spent on urban and commuter rail. According to DRP, the State in general has other unfunded transportation projects that have been identified and prioritized by both local and regional government agencies. Implementation of these projects would provide a greater benefit to more residents of California than Proposition 1A. Repayment of the bonds would further reduce the State's ability to repay transportation funds that already have been borrowed from local transportation projects.

The Department of Public Works (DPW) advises that although Proposition 1A is not anticipated to provide direct funding to DPW, the high-speed train is recognized as a project of Statewide significance that would relieve congestion, enhance mobility, and improve air quality. DPW would coordinate various phases of the project with the Authority in connection to the County's jurisdictional approval process; however, there would be no direct service impacts on the Department.

The Internal Services Department indicates that Proposition 1A will have no impact on its operations.

Support and Opposition. Proposition 1A is supported by over 100 organizations and elected officials including Senator Dianne Feinstein; Assembly Members Fiona Ma, and Cathleen Galgiani; State Senator Christine Kehoe; California State Association of Counties; League of Women Voters; California Alliance for Jobs; California Democratic Party; Sierra Club California; the Los Angeles Times; Antelope Valley Press; and the Fresno Bee. **The Board of Supervisors voted to support Proposition 1A on October 21, 2008.**

Proposition 1A is opposed by a number of organizations and individual political leaders, including Assembly Member Chuck DeVore; State Senators Tom McClintock, George Runner, and Roy Ashburn; the California Chamber of Commerce; and the Howard Jarvis Taxpayers Association.

PROPOSITION 2: STANDARDS FOR CONFINING FARM ANIMALS. Initiative Statute. – COUNTY POSITION: **NONE**

Effective January 1, 2015, Proposition 2 would prohibit the confinement on a farm of pregnant pigs, calves raised for veal, and egg laying hens, in a manner that does not allow them to turn around freely, lie down, stand up, and fully extend their limbs. Under this measure, any person found in violation of this law would be guilty of a misdemeanor, punishable by a fine of up to \$1,000 and/or imprisonment in County jail for up to six months. Animals subject to scientific or agricultural research, transportation, individual examination or treatment, state or county fair exhibits, or slaughter would be exempt from these provisions.

Proponents of Proposition 2 contend that it would prevent cruelty to animals, improve the health and safety of the food supply by eliminating crowded conditions which increase the risk of food borne disease, support family farmers, and would mitigate the negative environmental impact of high density egg laying operations.

Opponents indicate that Proposition 2 would increase the cost of producing eggs to the extent that it would no longer be cost efficient to operate in California and result in reliance on eggs produced in other states and countries. They also assert that its provisions would undermine existing standards, which allow egg laying hens to groom, lie down, stand, stretch, and turn around under the California Egg Quality Assurance Plan, which is a voluntary food safety program adopted by the egg industry.

Legislative Analyst's Office Report. The Legislative Analyst's Office (LAO) reports that Proposition 2 responds to concerns about some animal farming practices that limit the amount of space provided to animals raised for food purposes. However, current State law already prohibits cruelty to animals. Animals are generally required to have access to exercise, shelter, food and water. Violations of the law are subject to fine and/or imprisonment as either a misdemeanor or felony.

Proposition 2 would require more space and alternate methods for housing pigs, veal and egg laying hens. This would increase production costs for some farmers. To the

extent that higher production costs cause some producers to leave the business, or reduce their overall production and profitability, there could be a reduction in State and local tax revenue. The LAO indicates that the fiscal impact could potentially be several million dollars annually. The LAO also indicates that the measure could result in a minor increase in costs for State and local governments for the enforcement and prosecution of this new crime. These costs would be partially offset by an increase in fine revenues.

Affected Departments. The Office of the Agricultural Commissioner indicates that the impact of Proposition 2 on Los Angeles County is not expected to be significant.

Support and Opposition. Proposition 2 is supported by the Humane Society of the United States; Sierra Club; California Veterinary Medical Association; Center for Food Safety; Union of Concerned Scientists; Consumer Federation of America; California Democratic Party; California Council of Churches IMPACT; Senators Barbara Boxer and Dianne Feinstein; Superintendent of Public Instruction Jack O'Connell; State Treasurer Bill Lockyer; Representatives Howard Berman, Laura Richardson, Brad Sherman, Maxine Waters, and Henry Waxman; Mayor Antonio Villaraigosa; Mayor Gavin Newsom; State Senator Sheila Kuehl; Assembly Members Mike Davis, Mervyn Dymally, Paul Krekorian, and Lloyd Levine; and the Los Angeles City Council, among many others.

It is opposed by the Association of California Veterinarians; American College of Poultry Veterinarians; National Animal Interest Alliance; California State Firefighters' Association; Congress of California Seniors; California Senior Advocates League; United Food & Commercial Workers Western States Council; California Teamsters Public Affairs Council; National Latino Congreso; California State Conference of the NAACP; Mexican American Political Association; California Farm Bureau Federation; Agricultural Council of California; California Grocers Association; California Chamber of Commerce; California Hispanic Chamber of Commerce; California Small Business Association; Neighborhood Market Association; California Restaurant Association; California Taxpayer Protection Committee; California Black Chamber of Commerce; American Association of Avian Pathologists; Association of California Veterinarians; Association of Veterinarians in Egg Production; Association of Veterinarians in Turkey Production; California Chapter of American Registry of Professional Animal Scientists; California Food Animal Veterinary Medical Association; California Poultry Federation; Pacific Egg and Poultry Association; and the Poultry Science Association among many others.

PROPOSITION 3: CHILDREN'S HOSPITAL BOND ACT. GRANT PROGRAM.
Initiative Statute. – COUNTY POSITION: **NONE**

Proposition 3 would authorize the sale of \$980 million in general obligation bonds to provide funding for the construction, expansion, remodeling, renovation, furnishing, equipping, financing, or refinancing of children's hospitals. It would require that

80 percent of the bond funds be available for nonprofit children's hospitals and the remaining 20 percent would be available to University of California children's hospitals.

The California Health Facilities Financing Authority (CHFFA), an existing State agency, would be required to develop the grant application for this bond program. The CHFFA's decision to award a grant must be based on several factors, including: 1) whether the grant would assist the expansion or improvement of health care access for children who are eligible for governmental health insurance programs, or who are indigent, underserved, or uninsured; 2) whether the grant would help improve child health care or pediatric patient outcomes; and 3) whether the applicant hospital would promote pediatric teaching or research programs.

Legislative Analyst's Office Report. The Legislative Analyst's Office (LAO) indicates that the cost of these bonds to the State would depend on the interest rates obtained when they were sold and the time period over which this debt would be repaid. If the \$980 million in bonds authorized by this measure were sold at an interest rate of 5 percent and repaid over 30 years, the cost to the State General Fund would be about \$1.9 billion to pay off both the principal (\$980 million) and the interest (\$933 million). The average payment for principal and interest would be about \$64 million per year. Administrative costs would be limited to CHFFA's actual costs or one percent of the bonded funds, whichever is less. The LAO estimates that these costs would be minor.

Affected Department. The Department of Health Services (DHS) notes that Proposition 3 is written specifically for University of California hospitals or certain private hospitals and extends the funding solely to children's hospitals, excluding non-profit general acute care hospitals which provide extensive health care services to medically needy children. DHS hospitals, including the LAC+USC Women and Children's Hospital, would not qualify to receive Proposition 3 funding. In Los Angeles County, DHS indicates that only the Children's Hospital of Los Angeles would be likely to meet the requirements for funding.

Support and Opposition. Proposition 3 is supported by the University of California Board of Regents; American Academy of Pediatrics; California Medical Association; California Association of Physician Groups; California Hospital Association; Children's Defense Fund; Children Now; California Federation of Teachers; California Parent Teacher Association; League of Women Voters of California; Long Beach Chamber of Commerce; California Democratic Party; Valley Industry & Commerce Association; Santa Clara County Board of Supervisors; Lieutenant Governor John Garamendi; State Treasurer Bill Lockyer; Former Governor Pete Wilson; Senator Barbara Boxer; Representatives Lois Capp, Anna Eshoo, Lucille Roybal-Allard, Jim Costa, George Radanovich, and Adam Schiff; Senate President Pro Tempore-Elect Darrell Steinberg; Assembly Speaker Emeritus Fabian Nunez; Assembly Members Hector De La Torre, Nicole Parra, Jim Beall, and Sally Lieber; and Los Angeles County Sheriff Lee Baca.

It is opposed by Lewis K. Uhler, President, National Tax Limitation Committee; Assemblyman Ted Gaines; James V. Lacy, Director, American Conservative Union;

Edward Costa, President, People's Advocate; and John Fleischman, Publisher, Flashpoint.org.

PROPOSITION 4: WAITING PERIOD AND PARENTAL NOTIFICATION BEFORE TERMINATION OF MINOR'S PREGNANCY. Initiative Constitutional Amendment. – COUNTY POSITION: **OPPOSE** (By Board action of September 23, 2008)

Proposition 4 would amend the State Constitution to require healthcare professionals to notify a parent or legal guardian 48 hours before performing an abortion on an unemancipated minor, except in a medical emergency or with a parental or judicial waiver. For purposes of this initiative, an unemancipated minor is a female under the age of 18 years who is not married, is not on active duty with the armed services of the United States and who has not received a declaration of emancipation under State law. A physician could notify an adult family member instead of notifying the minor's parent based on the minor's written statement that she fears abuse from the parent and that her fear is based on a pattern of such abuse. Proposition 4 would permit a judicial waiver of notice based on clear and convincing evidence of the minor's maturity or of the minor's best interests. If the waiver is denied, the minor could appeal that decision to an appellate court.

Physicians would be required to report abortions performed on minors and the Judicial Council and California Department of Health Services would be required to maintain records and compile statistics relating to these abortions that would be available to the public. These reports would not identify the minor or any parent or guardian by name. The measure also would allow a minor to seek help from the juvenile court if anyone attempts to coerce her to have an abortion and would require the court to take whatever action it found necessary to prevent coercion.

Any person who performs an abortion on a minor failing to comply with the provisions of this measure would be liable for damages in a civil action brought by the minor, her legal representative, or by a parent or guardian who was denied notification. Any person, other than the minor or her physician, who knowingly provides false information that notice of an abortion has been provided to a parent or guardian would be guilty of a misdemeanor punishable by a fine.

Legislative Analyst's Office Report. The Legislative Analyst's Office (LAO) reports that the State costs of this measure are likely to be several million dollars annually for health and social services programs, court administration, and California Department of Health Services administration.

Affected Departments. The Department of Health Services indicates that this measure would have a minor effect on the Department because few abortions are performed in County facilities on patients under 18 years of age.

The Department of Public Health (DPH) indicates that based on a review of the literature and the experiences of states that have parental notification laws, Proposition 4 will increase the health risk associated with unwanted pregnancies for women under the age of 18. DPH is concerned that this measure is likely to increase the delay in seeking care resulting in an increased number of higher risk second trimester abortions. According to DPH, research indicates that pregnant teenagers delay obtaining abortions; and parental involvement laws increase the delay even further. A multi-state study confirms that teenagers who conceal their abortion decisions from their parents rightly fear a negative, conflict-ridden or even abusive response. DPH further notes that before legalized pregnancy termination became available, low-income, young, and minority women were most frequently impacted by the negative health consequences of illegal abortion and higher maternal mortality rates.

The Department of Children and Family Services advises that Proposition 4 will have minimal if any effect on its operations.

Support and Opposition. Proposition 4 is supported by Barbara Alby, author of "Megan's Law;" Joseph R. Zanga, Past President, American Academy of Pediatrics; Tony Rackauckas, Orange County District Attorney; Mary L. Davenport, Fellow, American College of Obstetricians and Gynecologists; Thomas Murphy Goodwin, Professor of Obstetrics and Gynecology and Pediatrics, Keck School of Medicine, University of Southern California; Dr. Evelyn Li, President, Patients Advocate; Frank Lee, President, Organization for Justice and Equality; State Assembly Members Jim Silva, Anthony Adams, Joel Anderson, Bob Huff, Sharon Runner, Audra Strickland, Mimi Walters, Guy Huston, Martin Garrick, Kevin Jeffries, Bill Maze, Roger Niello, and Chuck DeVore; State Senators Dennis Hollingsworth, George Runner, Tom McClintock, Bob Dutton, Sam Aanestad, Dick Ackerman, and Bob Margett; Bill Leonard, California Board of Equalization; Representative Duncan L. Hunter; Family Research Council; Bioethics Defense Fund; and Americans United for Life.

Proposition 4 is opposed by a number of medical and other organizations because it interferes with the doctor-patient relationship, and delays medical care and counseling, which is likely to result in riskier and more complicated procedures. It is opposed by the California Conference of Local Health Officers; California Nurses Association; American Academy of Pediatrics-California District; California Academy of Family Physicians; California Family Health Council; Planned Parenthood Affiliates of California; American College of Obstetricians and Gynecologists District IX California; League of Women Voters of California; NARAL Pro-Choice California; ACLU Northern California; ACLU Southern California; Equality California; California National Organization for Women; California School Health Centers Association; California Teachers Association; Anti-Defamation League; California National Organization for Women; California Women Lawyers; National Association of Social Workers California Chapter; National Women's Political Caucus of California; and the Reproductive Rights Coalition, among others.

The Board of Supervisors voted to oppose Proposition 4 on September 23, 2008.

Proposition 4 is substantially the same as Proposition 73 on the November 8, 2005 ballot and Proposition 85 on the November 7, 2006, ballot which were opposed by the Board on October 25, 2005, and October 17, 2006, respectively.

PROPOSITION 5: NONVIOLENT DRUG OFFENSES. SENTENCING, PAROLE AND REHABILITATION. Initiative Statute. – COUNTY POSITION: **OPPOSE** (By Board action of August 19, 2008)

Proposition 5 would create a new juvenile drug treatment program, change the State's current parole system and establish new programs for offenders returning to the community. It would create a tiered, three-track drug treatment diversion program that would replace the existing California Substance Abuse and Crime Prevention Act of 2000 (Proposition 36) and drug court programs. Proposition 5 would mandate State funding for these new programs, with adjustments for inflation and changes in population, thereby reducing State funds available for other existing programs which the County operates.

Three-Track Drug Treatment System. Proposition 5 establishes a drug treatment system which diverts offenders into one of three possible treatment programs depending on the level of their prior offense.

Track I: Offenders with no prior violent or serious offenses, but who may have prior drug offenses. Track I is a six to 18 month pre-trial diversion program that does not require probation supervision. An offender who completes an assigned drug treatment program and stays out of trouble would have the charges dismissed.

Track II: Offenders who have been convicted of a nonviolent drug possession offense. Track II is a modified form of existing Proposition 36 programs, which would divert eligible participants to treatment and probation for up to a year, or 24 months with extensions. Offenders could not participate in Track II if they have had a violent or serious felony on their record during the prior five years. Track II allows diversion of offenders who were also convicted at the same time of a non-drug related crime. However, offenders with five or more offenses in the prior 30 months (other than infractions) would be excluded from diversion under Track II.

Track III: Offenders who have committed a nonviolent drug possession violation, as well as those who have committed other types of crimes but appear to have a drug problem. Track III is similar to existing drug court programs, and would provide treatment and probation-supervision in lieu of incarceration for up to 18 months, or 24 months with an extension. Judges would generally be provided discretion as to which nonviolent drug possession offenders would be admitted, except that a drug offender excluded from Track II for having five or more prior felonies or misdemeanors in the prior 30 months must be placed in Track III.

New Juvenile Treatment Program. Proposition 5 creates a new county-operated program for nonviolent youth under age 18 deemed to be at risk of committing future

drug offenses. The program would provide drug treatment, mental health medication and counseling, family therapy, educational stipends for higher education, employment stipends, and transportation services.

Changes to State Parole and Rehabilitation Programs. This measure makes a number of changes to the State's current parole system, affecting which offenders can be returned to prison and jail for parole violations, revising and often shortening parole terms, changing parole revocation procedures, and requiring new programs for offenders returning to the community. Proposition 5 generally prohibits certain parolees from being returned to State prison for technical or misdemeanor parole violations, but it would allow revocation of parolees who committed felony violations of parole, were classified high-risk by the California Department of Corrections and Rehabilitation (CDCR), or have violent or serious offenses on their record. Proposition 5 would allow offenders to request up to a year of rehabilitation services within one year after they are discharged from parole. These services would be provided by county probation departments and reimbursed by CDCR.

Proposition 5 creates a new 21-member Parole Reform Oversight and Accountability Board with authority to review, direct, and approve the rehabilitation programs and to set parole policies. State agencies must collect and report information on the inmate and parole populations and the effectiveness of rehabilitation programs for these offenders, and commission research by a public university on parole policies and practices.

Change in Marijuana Possession Penalties. Proposition 5 would make the possession of less than 28.5 grams of marijuana by either an adult or a minor an infraction (similar to a traffic ticket) rather than a misdemeanor. Adults would be subject to fines, which would be used to provide additional support for the new youth programs created by the measure.

Mental Health Provisions. Proposition 5 would prohibit the denial of drug treatment services to a person due to a psychiatric or developmental disorder. While mental health treatment may be required in addition to drug treatment, it may not be provided in lieu of all other services. Adult offenders, except for parolees, with both a serious mental illness and a substance abuse problem who are in court-supervised drug treatment programs would be considered for mental health services paid for by the Mental Health Services Act (Proposition 63), a 2004 initiative that expanded community mental health services.

Funding. Proposition 5 would require an allocation of \$460 million annually from the State General Fund to the Substance Abuse Treatment Trust Fund (SATTF) for support of the three-track drug treatment diversion program and the program for juvenile treatment services, with periodic adjustments for inflation and changes in population. Proposition 36 alone is currently funded at \$100 million. Proposition 5 would allow the State to impose a requirement for matching funds in order for counties to receive SATTF funds. After funds are set aside for certain administrative and program costs, the

measure designates 15 percent of the remainder for Track I programs, 60 percent for Track II programs, 10 percent for Track III programs, and 15 percent for juvenile programs.

Legislative Analyst's Office Report. According to the Legislative Analyst's Office (LAO), Proposition 5 could eventually result in an increase in State costs exceeding \$1 billion annually primarily for administration of the expansion of drug treatment and other services provided for eligible offenders. However, the LAO also indicates that the measure could result in a reduction in State operating costs that could eventually exceed \$1 billion annually due mainly to reductions in prison and parole supervision caseloads.

The LAO indicates that Proposition 5 would provide more than \$300 million in additional funding annually for drug treatment diversion programs and juvenile programs that would be operated mainly by counties. While counties are likely to incur increased expenditures over time for the programs, the LAO indicates that the increases are generally in line with the allocations that counties would receive. However, the possibility that the State may require counties to provide matching funds to receive SATTFF funds, and the provisions requiring use of Proposition 63 funds for mentally ill offenders placed in drug treatment diversion programs could increase County costs. The LAO suggests that some counties could face added capital outlay costs for housing parole violators who would be diverted from prison to jails. However, these costs could be offset by the diversion of drug offenders from jails to treatment in the community. The LAO concludes that the full potential fiscal impact of Proposition 5 on counties cannot be determined.

Potential County Impacts. While acknowledging the need for additional treatment funding, the California State Association of Counties (CSAC) notes in a recent report that Proposition 5 would earmark additional State General Fund revenues for these programs without new revenues. Given the State's fiscal outlook, the measure may result in additional reductions to programs also supported by the State General Fund, and could result in cuts to other county programs. CSAC further cautions that it is not clear how the provisions of Proposition 5 will affect the distribution of Proposition 63 funds at the local level, and indicates that Proposition 63 requires counties to undergo extensive community input processes to determine programming funded by the Proposition.

Affected Departments. The Department of Public Health (DPH) is supportive of efforts to enhance drug treatment and to remove the stigma associated with addiction; and Proposition 5 would provide reliable funding to expand service delivery. In addition, the expansion of treatment services for youth will increase the possibility of averting long term substance abuse and criminal behavior.

However, DPH has the following concerns with Proposition 5: 1) reduced penalties for possession of marijuana may serve as a disincentive to pursue early treatment, resulting in more severe involvement in substance abuse; 2) participants will be likely to

require an array of ancillary services which are not reimbursable through the measure; 3) under Tracks I and II, no funds may be used for drug testing, which is an important tool used by treatment programs and the courts; 4) any change to Proposition 5 would require a four-fifths vote of the Legislature, which will make it almost impossible to change an ineffective or cumbersome provision; 5) the possibility that offenders could re-offend five times before being incarcerated would limit the courts' ability to use jail sanctions as motivation to engage in treatment; and 6) the need to extensively expand and modify information technology systems to meet increased data collection and reporting requirements would result in substantial costs for DPH and other County agencies.

The Office of the District Attorney (DA) disputes the argument that Proposition 5 will save billions of dollars in prison costs because there is no reason to believe that Proposition 5 will be any more successful than Proposition 36. The DA cites a UCLA study, which found Proposition 36 to have a failure rate of 77 percent, and indicates that those who fail treatment under Proposition 5 will ultimately be incarcerated. The DA states that Proposition 5 will not only fail to produce the desired results, but it will cost taxpayers billions of dollars, needlessly clog the courts, divert scarce resources from those who really want sobriety to those who simply want a "Get-Out-of-Jail-Free" card, and lead to a significant increase in crime. The DA also is concerned that Proposition 5 will decrease funding for the County's highly successful drug-court programs.

The Probation Department agrees that Proposition 36 has been ineffective and that Proposition 5 will be even worse, noting that it eliminates probation supervision for second time offenders. Offenders could commit more new offenses and have more drug-related violations while in the various tracks before custody sanctions and custody treatment may be ordered. The Probation Department cautions that commitment of over \$1 billion from the State General Fund without a new revenue source, as estimated by the LAO, could result in the reduction of State funding for proven juvenile justice and other public safety programs.

The Department of Mental Health indicates that offenders need treatment; however, Proposition 5 would mandate the use of Mental Health Services Act (Proposition 63) funding to provide mental health treatment to adults in drug treatment programs, except for parolees. DMH is opposed to any effort to change Proposition 63 as it was originally approved by the voters.

The Sheriff's Office indicates that while the intent of Proposition 5 is good, the consequences are unlikely to be beneficial, noting that those in the criminal justice system were not included in the development of the measure. The Sheriff indicates that the State of California is trying to close a \$15 billion budget deficit and that this is not a good time to introduce new programs requiring mandatory funding. The Sheriff also is concerned that Proposition 5 would allow individuals to continue to use drugs while receiving treatment, which is not an effective way to deal with addiction.

The Public Defender's Office disapproves of the provision of Proposition 5 that requires individuals to be convicted in order to receive treatment, noting that successful drug treatment programs allow individuals to go into treatment almost immediately upon arraignment. The Public Defender supports in-custody treatment, which is not funded by Proposition 5, indicating that some drug addicted individuals need a disablement strategy for a short period so that they will not have access to drugs. The Public Defender also is concerned that Proposition 5 does not provide funding when medical detoxification is needed for those who are incarcerated and going through withdrawal.

Support and Opposition. Proposition 5 is sponsored by the Drug Policy Alliance Network, the advocacy group that sponsored Proposition 36, which provided for substance abuse treatment instead of incarceration for certain low-level offenders, and was approved by the voters in November 2000. It is supported by the California Association of Alcohol and Drug Program Executives; the California Society of Addiction Medicine; the California Public Defenders Association; County Alcohol and Drug Program Administrators' Association of California; the California Democratic Party; the League of Women Voters of California; and the Los Angeles County Narcotics and Dangerous Drugs Commission.

It is opposed by the District Attorney; the Sheriff; the Countywide Criminal Justice Coordination Committee; California Narcotics Officers Association; National Association of Drug Court Professionals; Community Anti-Drug Coalitions of America; California Association of Drug Court Professionals; Mothers Against Drunk Driving; California Police Chiefs Association; and the California State Association of Counties. **The Board of Supervisors voted to oppose Proposition 5 on August 19, 2008.**

PROPOSITION 6: POLICE AND LAW ENFORCEMENT FUNDING. CRIMINAL PENALTIES AND LAWS. Initiative Statute. – COUNTY POSITION: **NONE**

Proposition 6, also known as "The Safe Neighborhoods Act," makes changes to the State's criminal justice system which include increasing State funding and setting spending levels for new and existing criminal justice programs; increasing penalties for certain crimes; making changes to State parole policies; and providing enhanced services to victims of crime, among others. It would require the State to expend at least \$965 million annually on various criminal justice programs beginning in FY 2009-10, reflecting an increase of \$365 million from the amount in the Budget Act of 2007. This funding increase would primarily go to police, sheriff, district attorney and probation services. The remaining new funding would be provided for local juvenile justice programs, offender rehabilitation, and crime victim assistance.

The measure would require that funding for existing programs be continued at their FY 2007-08 levels. It would prohibit local governments from using the new funds to replace existing funds used for the same purpose, and would require that funding for these programs be adjusted annually for inflation.

New program funding required by Proposition 6 includes:

- Increased supervision for adult probationers (\$65 million);
- Juvenile facility repair, renovation and operation of county juvenile probation programs (\$50 million);
- City public safety grants to focus on violent crimes, gang activities and firearms related crimes (\$30 million);
- Prosecution of violent, gang and vehicle theft (\$25 million);
- Construction and operation of county jails (\$25 million);
- Multi-jurisdictional enforcement programs (\$20 million); and
- Parolee re-entry programs (\$20 million).

The major provisions of Proposition 6 include:

Increased Criminal Penalties

Proposition 6 increases criminal penalties for gang participation and recruitment; intimidation of participants in court proceedings; possession and sale of methamphetamines; vehicle theft; removing or disabling a GPS tracking device; possession of a firearm; and vandalism.

Changes to State Parole Policies

The measure reduces the average parole agent caseload from about 70 parolees per parole agent to 50 parolees per parole agent. It requires the State to pay the cost of GPS monitoring of sex offenders after their discharge from parole supervision and designates GPS monitoring imposed by State parole as a fully reimbursable State mandate.

Enhanced Services for Crime Victims

Proposition 6 would authorize a county to establish child advocacy centers to coordinate the activities of various agencies involved in the investigation and prosecution of child abuse. The centers would protect the victims of child abuse by minimizing the trauma of the interview, reduce the chances of conflicting and inaccurate information by asking age appropriate questions, and develop information that would be admissible in court proceedings. Membership in these centers would include representatives from the district attorney, sheriff, police, and child protective services, and may include medical and mental health professionals. The measure also establishes a comprehensive victim recovery program.

Juvenile Justice Provisions

The measure would require existing Youthful Offender Block Grant Funds to be distributed to county probation departments, eliminating existing provisions permitting these funds to be provided directly to drug treatment, mental health or other county departments. The measure would modify and reduce the composition of the multi-agency Juvenile Justice Coordinating Councils which develop the County Comprehensive Juvenile Justice Plan in each county in accordance with the requirements of the Juvenile Justice Crime Prevention Act. Representation from a

community-based drug and alcohol program, a community-based provider, and an at-large member would be eliminated.

Accountability

Proposition 6 creates a new State office to distribute information to the public on crime rates and criminal justice statutes, and establishes a commission to evaluate publicly funded early intervention and rehabilitation programs.

Proposition 6 also includes other changes to the criminal justice system. They are:

Gang Databases

Proposition 6 would require the development of a new Statewide gang related database to make gang information available to local, State, and Federal law enforcement agencies, and to better target and prosecute gang crime. It also would provide funding for regional gang information resource centers.

Witness Protection Program

The measure would require funding for the Witness Protection Program to reimburse local law enforcement costs associated with protecting a potential witness from intimidation and threats.

Hearsay Evidence

The measure would modify existing hearsay statutes to allow the admission of hearsay evidence in court when a witness has been intimidated from testifying or there has been a tampering of a witness in a court proceeding.

Gang Injunctions

The measure would make it easier for local governments to bring lawsuits against members of street gangs for violations of gang injunctions.

Temporary Jails

The measure would allow counties with overcrowded jails to operate temporary jails in the community. These facilities would be required to meet local health and safety codes related to residences.

Detention of Undocumented Persons

The measure would prohibit the release from jail of any person charged with a violent or gang related felony if he or she is in the country illegally.

Juveniles in Adult Court

The measure would presume that a person 14 years of age or older alleged to have committed a gang related offense should be tried as an adult.

Legislative Analyst's Office Report. The Legislative Analyst's Office (LAO) indicates that Proposition 6 would require State spending for various State and local criminal justice programs totaling \$965 million beginning in FY 2009-10, which would increase

State funding for these programs by \$365 million compared to FY 2007-08. The LAO estimates that this amount will increase by \$100 million in about five years due to required adjustments for inflation. The transfer of funding in the State Penalty Fund to various criminal justice programs will result in an annual loss to the State General Fund of \$13 million.

The LAO expects that the increase in costs associated with enhanced criminal penalties, decreased parole officer caseloads, and GPS monitoring of sexual offenders to be hundreds of millions of dollars annually. The additional capital outlay costs needed to house an anticipated increase in prison population is expected to exceed \$500 million. Increased funding for law enforcement and prevention may have offsetting effects on the prison inmate and parolee population. Authority to operate temporary jails would increase the number of jail beds available to counties, which the LAO expects would increase total detention costs. The LAO also anticipates that holding undocumented persons in jail will increase county costs by an undetermined amount.

Potential County Impacts. Although dedication of resources to a range of public safety programs would result in local benefits and would eliminate uncertainty in funding of core justice services, the California State Association of Counties (CSAC) is concerned that Proposition 6 could harm other county service areas. To the extent that the measure guarantees State General Fund expenditures for specified public safety purposes, without providing new revenues, there will be fewer discretionary resources to dedicate to other shared county and State priorities. Of greatest concern to CSAC is that county health and human services programs could suffer the brunt of the resources constraints, given the inflexibility of the State budget process, and the lack of a long-term plan to address the ongoing structural State Budget deficit.

Affected Departments. The Public Defender's Office has identified a number of concerns regarding this initiative that include:

- The initiative would require permanent funding for these programs notwithstanding the other priorities of the State.
- The emphasis of the initiative is unbalanced as the programs funded by this program emphasize crime suppression over crime prevention.
- While there is a review of existing prevention programs, there are not similar reviews of the impact of enhancing criminal sentences, investigative or crime suppression programs.
- The crime rate has trended downward raising the question of whether the total law enforcement and correctional system is underfunded.
- It is not clear that the proposed changes to criminal law will reduce crime.

- Based upon a study by the Washington State Institute for Public Policy, each dollar invested in imprisoning convicts results in 37 cents in crime reduction benefits, each dollar invested in treatment produced \$18.52 in crime prevention benefits.
- Prohibiting direct funding of alcohol treatment and mental health services through the Youthful Offender Block Grant could result in a reduction of these services to juvenile offenders needing these services, possibly depriving them of the treatment oriented services that are needed to reduce recidivism.
- Based upon a study by the Justice Policy Institute, a juvenile prosecuted as an adult upon release is more likely to commit a greater number of crimes, and more violent crimes than a person held in a juvenile facility.
- Expanding the hearsay rule that would allow evidence to be introduced at a court hearing when a witness refuses to testify regarding his or her statement would preclude the defendant from cross examining the witness. This restriction could raise issues regarding the defendant's rights under the Sixth Amendment of the U.S. Constitution, which ensures defendants in a criminal proceeding the right to confront witnesses.
- Prohibiting a person charged with a violent felony to be released on bail if he or she is in the country illegally, is likely to increase the number of inmates housed in local detention facilities, which would increase costs and pressure to release other prisoners prior to the completion of their term. Further, the denial of bail may conflict with the Eighth Amendment of the U.S. Constitution regarding excessive bail. Because the measure is not clear how status would be determined, it may be difficult to implement.

The Probation Department is supportive of this initiative and indicates that it will ensure investments are made in our local police, sheriff, prosecutors and probation departments with the accountability taxpayers deserve. It invests in gang prevention and intervention efforts to end the gang lifestyle while increasing public accountability for programs that spend taxpayers' money. While overall crimes rates in Los Angeles are down, there have been increases in the number of reported low level property crimes, including petty theft, as well as increased arrests of youthful adult offenders 19 to 25 years of age. There has been a significant increase in crime in other parts of the State. There are also increased reports of gang related crime activity in portions of Los Angeles County and the State not traditionally associated with gang activity. Proposition 6 will provide funding for supervision and rehabilitation services for the underserved population of youthful offenders most often associated with low level property crimes and gang activity.

The Probation Department indicates that Proposition 6 would:

- Ensure adequate and stable ongoing State funding for County juvenile justice programs including the Juvenile Justice Crime Prevention Act (JJCPA) and

Juvenile Probation Camp Funding. These programs have played a vital role in lowering the overall crime rate and reducing the number of juvenile arrests in Los Angeles County, and have reduced the number of Los Angeles County youth that are housed in detention facilities by approximately 50 percent in the past decade. Unfortunately, State funding for these programs has not been increased since FY 2000-01, was cut by 10 percent in the most recent State Budget, and faces the possibility of further curtailments that could endanger the viability of the programs and public safety.

- Ensure the stability of ongoing State funding for the Youthful Offender Block Grant Program (YOBG) that was initiated in September of 2007 as a result of shifts in the juvenile offender population to the counties. This funding enhanced the capacity of County departments to provide appropriate rehabilitative and supervision services to youthful offenders. Further, Proposition 6 would ensure the funding from YOBG will be spent on County rehabilitation and supervision services, including health, mental health and rehabilitation services that serve the target population of youthful offenders.
- Ensure that State funding will be made available for the repair, renovation, and operation of County juvenile detention facilities that will be needed to house detained youth that in the past would have been housed in State juvenile detention facilities as well as ensure that these County facilities meet both Federal and State safety and treatment standards.
- For the first time, provide ongoing State funding for adult probation supervision programs that will provide greater public safety for the community as well as reduce the number of adult offenders incarcerated in State prison. California is one of only two states that do not provide stable, ongoing funding for the supervision of adult probations. If this funding is provided, it will result in greater public safety and a reduction in the number of crimes committed by the emerging adult population (18 to 25 year olds), similar to our experience with JJCPA funding for prevention and intervention.
- Clarify the State's responsibility for the funding of lifetime Global Position System (GPS) monitoring of sex offenders who have completed State parole. The law is currently unclear and the Department of Corrections and Rehabilitation has indicated that once an offender is off parole, they believe GPS monitoring is a local responsibility.

The Sheriff's Office is supportive of Proposition 6 for the following reasons:

- The measure would increase penalties for gang related crimes and provide much needed funding for gang prevention and intervention programs.

- It includes a provision (recommended by Sheriff Baca) that if a gun is used in a crime, the offender's privilege to drive would be revoked and the vehicle may be impounded for up to 60 days.
- It would increase funding for the Citizens Option for Public Safety program.
- It would eliminate the long-standing booking fee issue by providing both the funding currently allocated to the Sheriff to compensate the Department for the cost of booking services provided to local jurisdictions and new funds for jail operations, which the Sheriff estimates will provide an additional \$4 million to \$5 million annually.
- The measure would provide an estimated \$1 million annually to fund the Sheriff's gang emergency operations center.
- It would provide an estimated \$5 million annually to fund the Sheriff's Gang Net project, a new gang related database.

Support and Opposition. Proposition 6 is sponsored by State Senator George Runner; Assembly Members Sharon Runner, and Mike Reynolds; and San Bernardino Supervisor Gary Ovitt. It is supported by the California Police Chiefs' Association; California Sheriffs' Association; California District Attorneys Association; Chief Probation Officers of California; California Peace Officers Association; California Narcotics Officers' Association; State Coalition of Probation Organizations; Association for Los Angeles Deputy Sheriffs; Los Angeles Police Protective League; Los Angeles Deputy Probation Officers; Lee Baca, Los Angeles County Sheriff; and 57 other county sheriffs, 62 chiefs of police, 13 county district attorneys, and Los Angeles City Councilmen Greg Smith and Dennis Zine.

Proposition 6 is opposed by the California State Association of Counties; Los Angeles City Council; Oakland City Council; San Francisco Board of Supervisors; Representative Barbara Lee; Los Angeles City Councilman Bernard Parks; Gavin Newsom, Mayor, City and County of San Francisco; Ron Dellums, Mayor, City of Oakland; Tom Bates, Mayor, City of Berkeley; Gloria Romero, Senate Majority Leader; Leland Yee, Assistant President pro Tempore, State Senate; Dolores Huerta, United Farmworkers of America; California Catholic Conference; Office of Restorative Justice, Archdiocese of Los Angeles; American Civil Liberties Union, Southern California; American Civil Liberties Union, Northern California; California NAACP; California Public Defenders Association; California National Organization for Women; Children's Defense Fund; Human Rights Watch; California Federation of Teachers; California Teachers Association; Service Employees International Union, California State Council; California Professional Firefighters; International Longshore and Warehouse Union, Northern California District Council; and UNITE HERE, Local 2.

PROPOSITION 7: RENEWABLE ENERGY GENERATION. Initiative Statute. –
COUNTY POSITION: NONE

Proposition 7, also known as the “Solar and Clean Energy Act of 2008,” would make a number of changes regarding the renewables portfolio standard (RPS), and permitting for electricity infrastructure. An RPS is a State policy that requires electricity providers to obtain a minimum percentage of their power from renewable energy resources by a certain date.

In particular, Proposition 7 raises RPS targets for electricity providers, applies these requirements to municipal utilities, and grants the California Energy Commission (CEC) authority to enforce municipal utility compliance with the RPS. In addition, the measure expands the scope of RPS enforcement to include electric service providers (ESPs) and community choice aggregators (CCAs), and increases the minimum length of contracts for renewable energy. Proposition 7 also expands penalties for failure to meet RPS requirements, removes caps on these penalties, and directs the use of these penalty payments. It also grants authority for the CEC to purchase, sell, or lease property to further achievement of the RPS requirements. Furthermore, the measure transfers certain electricity infrastructure permitting responsibilities from the California Public Utilities Commission (PUC) to the CEC and revises the process for cost recovery of above-market prices of renewable energy.

Background. Californians generally receive their electricity service from one of three types of providers: investor owned utilities (IOUs), local publicly owned (municipal) utilities, and ESPs. The State’s three largest electricity IOUs—Pacific Gas, Southern California Edison, and San Diego Gas and Electric—each have a unique, defined geographic service area and are legally required to serve customers within their respective service areas. The PUC regulates IOUs’ rates and how their electricity service is to be provided to the customer. These conditions on electricity rates and provision are commonly referred to as “terms of service.”

A municipal electric utility is a local governmental entity that provides electricity service to residents and businesses in its local area. Municipal electric utilities set their own terms of service and are not regulated by the PUC. Major municipal electric utilities include the Los Angeles Department of Water and Power and the Sacramento Municipal Utility District.

The ESPs provide retail electricity service to customers who have chosen not to receive service from the utility that serves their area, but instead have entered into “direct access” contracts with ESPs that deliver electricity through the local utility’s transmission and distribution system. In response to the energy crisis that arose in late 2000, State law since 2001 has suspended new direct access for IOU customers. This suspension may continue to as long as 2015. Currently, the IOUs account for about 68 percent of retail electricity sales in the State, municipal utilities account for around 24 percent, and ESPs account for around 8 percent.

Additional, Higher RPS Targets

Current law requires that investor owned utilities, ESPs and CCAs increase their share of electricity generated from renewable sources (such as solar, wind, geothermal, small hydro, tidal and other alternative energy) by at least 1 percent per year so that by the close of 2010, 20 percent of each electricity provider's retail sales are generated from renewable energy sources. This RPS requirement is enforceable by the PUC. Proposition 7 would require all utilities, including government-owned utilities, to comply with two new, higher RPSs of 40 percent by 2020 and 50 percent by 2025. Each electricity provider would need to meet the new targets by increasing its share of electricity generation from renewable energy by at least 2 percent per year, rather than the current 1 percent. An electricity provider can no longer compensate for a shortfall in its RPS target in any given year by providing additional renewable energy in subsequent years. The electricity provider must meet its RPS target each year.

RPS Requirements for Municipal Utilities

Proposition 7 requires municipal utilities generally to comply with the same RPS as required of retail electricity sellers and places the authority to enforce this requirement in the CEC. However, the CEC does not have the authority to approve or disapprove a municipal utility's renewable resources energy contracts, including their terms or conditions.

RPS Enforcement Over Retail Sellers

Proposition 7 expands the PUC's current RPS-related enforcement mechanisms over IOUs to include ESPs and CCAs. The enforcement mechanisms include review and adoption of renewable resources procurement plans, related rate-setting authority, establishment of flexible rules for non-compliance, and penalty authority. The measure grants to the CEC similar RPS-related enforcement authority over municipal utilities.

RPS Related Contracting Period and Obligations

Proposition 7 requires electricity providers (both retail sellers and municipal utilities) to offer renewable energy procurement contracts of no less than 20 years, with certain exceptions, and further requires an electricity provider to accept all offers for renewable energy that are at or below the market price of electricity established by the CEC. The measure states that an electricity provider is not obligated to procure renewable energy when the price of that energy exceeds the established market price of electricity by more than 10 percent.

The CEC would be required to identify solar and clean energy zones, primarily in the desert, to jump-start clean power plants. Renewables Plant Construction permits would be fast-tracked for approval by the CEC once all environmental reviews are in place. Fast-tracking would limit the period for local comments and participation to 100 days. Utilities entering into contracts with alternative fuel providers will be required to sign 20-year contracts.

Penalty Amounts and Their Use

Proposition 7 prescribes by formula monetary penalties against an electricity provider that fails to procure sufficient amounts from renewable energy. The penalty consists of one cent per kilowatt hour by which the provider falls short of the applicable RPS target. The measure specifies that neither the PUC (in the case of IOUs, ESPs, and CCAs) nor the CEC (in the case of municipal utilities) shall cap the amount of any penalty. In addition, the measure states that no electricity provider shall recover through rates the cost of any penalties. The measure also provides the conditions under which the PUC or CEC, as applicable, may waive the statutorily prescribed penalty, such as when the electricity provider demonstrates a "good faith effort" to meet the RPS.

The measure also creates the Solar and Clean Energy Transmission Account, and directs that any RPS-related penalties along with other specified fee-based revenues be deposited into the account. Monies in the account are to be used to facilitate, through property or right-off-way acquisition and construction of transmission facilities, development of transmission infrastructure necessary to achieve RPS. The CEC will hold title to any properties acquired with funds in the Solar and Clean Energy Transmission Account and gives the commission the authority to exercise its ownership rights over any such property.

Penalties levied on utilities for specific acts of non-compliance would be reduced from 5 percent to 1 percent, but the total cap on fines that can be imposed on a utility would be eliminated, thus effectively increasing the total incurred financial penalties. The CEC will have the authority and responsibility to allocate funds from these penalties into the construction and implementation of new and existing transmission lines to provide access for renewable energy to the grid. Utilities will be prohibited from passing along penalties to their electric rate-payers.

CEC Permitting Authority

Proposition 7 expands the CEC's existing permitting authority in two ways. The measure grants the commission the authority to permit new non-thermal renewable energy power plants capable of producing 30 megawatts of electricity or more, as well as related infrastructure, such as electricity transmission lines that unite the plant with the transmission network grid. Currently, this permitting authority rests with local governments. The measure also gives the CEC the authority to permit IOUs to construct new transmission lines within the network grid, currently a power solely granted to the PUC at the State level.

The measure also specifies that the CEC is to issue a permit for a qualifying renewable energy plant or related facility within six months of the filing of an application. However, the commission is not required to issue the permit within the six-month time frame if there is evidence that the facility would cause significant harm to the environment or the electrical system or in some way does not comply with legal or other specified standards.

Shifts Responsibility for Market Price Determination

The measure shifts from the PUC to the CEC responsibility for determining the market price of electricity and requires the CEC to consider the value and benefits of renewable resources when determining that price. The market price for electricity serves as a basis for determining the additional cost of renewable energy for cost recovery purposes.

Cost Recovery of Above-Market Prices of Renewable Energy

Proposition 7 deletes the current law formula that limits the total amount of above-market costs for renewable energy incurred by IOUs and recoverable through rates. Instead, under this measure, an IOU is able to recover through rates the costs for a renewable energy contract that are no more than 10 percent above the CEC-determined market price for electricity.

Ratepayer Electricity Bills

Proposition 7 caps price impacts on consumer's electricity bills at less than 3 percent. However, the California Legislative Analyst's Office (LAO) states that "the measure includes no specific provisions to implement or enforce this declaration."

Legislative Analyst's Office Report. According to the Legislative Analyst's Office (LAO), Proposition 7 could have State administrative costs of up to \$3.4 million annually for the regulatory activities of the Energy Resources Conservation and Development Commission and the California Public Utilities Commission, paid for by fee revenues. The LAO also indicates that there could be potential, unknown increased costs and reduced revenues, particularly in the short term, to State and local governments, resulting from the measure's potential to increase retail electricity rates, with possible offsetting cost savings and revenue increases, to an unknown degree, over the long term to the extent the measure hastens renewable energy development.

Potential County Impacts. The California State Association of Counties opposes Proposition 7 because of concerns that it would pre-empt local land use authority and erode local permitting authority for new renewable energy power plants capable of producing 30 megawatts of electricity or more. The new permitting authority would include related infrastructure, such as electricity transmission lines that unite the plant with the transmission network grid. Currently, this permitting authority rests with local government.

Affected Departments. The Internal Services Department (ISD) indicates that the impact of Proposition 7 on the County's utility budget is unknown because the price of fuels used by traditional power producers and the price of renewable energy cannot be reliably predicted. If natural gas prices continue to rise, the price of renewable power would become more competitive; and utility rates could decrease (or increase at a lower rate than they would absent this mandate). Similarly, if the costs to develop and install renewable power sources decrease, utility rates could decrease (or increase at a lower rate).

According to ISD, natural gas prices have recently been at historic highs and are reflected in utility rates. If fuel prices and utility infrastructure costs continue to rise, this will also be reflected in utility rates. ISD indicates that the most competitive solar installations include developments on commercial facility-size buildings where the rate paid by the owner is very close to current utility (Southern California Edison) rates. In addition, ISD has experienced 15 to 20 year simple payback periods on the most attractive solar photovoltaic proposed sites on County buildings. ISD expects that larger renewable power projects (where power is sold directly to the utilities) would have slightly better economics. The impacts over the long-term are unknown because of the inability to predict fuel costs, other utility costs, and the costs for renewable power.

ISD indicates that the Utility User Tax (UUT) collected by the County as a tax on the cost of electricity use within County boundaries would be impacted. If electricity rates increase then UUT revenues would increase. County tax revenues from individuals and businesses are also impacted by electricity rates, as higher electricity costs will lower these revenues. The County also would lose its existing permitting authority for renewable power installations, as this responsibility would be transferred to the CEC. Instead, the County could intervene at the CEC regulatory proceeding to ensure local requirements are met.

In addition, ISD indicates that the County could conceivably benefit from an increase in the RPS for the State's utilities. The County could participate in the development of renewable power installations either as a landlord to a development site, or as a renewable power developer itself. County property could be used by a developer (or the County) to install a renewable power site under contract with a State utility.

Furthermore, ISD indicates that the greatest direct impact to the County could be an increase on the electricity component of the utilities budget, which is about \$100 million annually. However, ISD acknowledges that the true cost is difficult to determine. The tax revenue impact would be much smaller than the increase to the utilities budget, and the impact on potential revenues and the loss of permitting authority are minor. The impact on greenhouse gas emissions reduction in the region is a significant public health issue but the regional economic impact cannot be determined. Because of the unpredictability of the impacts of Proposition 7 to the County's utilities budget and to the collection of revenues related to utility rates, ISD has no position on Proposition 7.

The Department of Public Works (DPW) also has reviewed Proposition 7 and indicates that requiring publicly owned utilities to purchase high levels of renewable energy will most likely increase their costs for electricity because renewable energy costs more than traditional energy sources and publicly owned utilities will be required to purchase more electricity than they can sell in order to meet the increased percentage requirements while remaining in compliance with their obligation to the PUC. DPW indicates that these higher costs will be passed through to their customers, including the County of Los Angeles. Currently DPW spends millions of dollars in electricity in the operation of its many facilities and infrastructure such as dam operations, flood control pump plants, traffic signals, street lights, and water and sewer pumps.

DPW indicates that the dramatic increase in electricity costs, particularly for larger industrial users, could cause significant economic dislocation. Large commercial customers could be forced to relocate to an investor-owned utility's service area, and/or leave the State, such as Nissan's relocation of their headquarters to Tennessee. Such a shift in the business base could further raise costs to local government agencies in these areas. Despite this, DPW has no position on Proposition 7.

The Department of Regional Planning (DRP) indicates that its biggest concern is that Proposition 7 shifts regulatory and permitting authority for renewable energy power plants to the State, and the effect it will have on local, small-scale renewable energy operations. DRP states that solar and clean energy plants, as defined under Proposition 7, are those that would generate at least 30 megawatts. The proposed law does not address small-scale plants generating less than 30 megawatts, which could effectively shut out small-scale energy suppliers from entering the market and provide energy to the grid.

DRP indicates that Proposition 7 grants expanded regulatory power to the Energy Resources Conservation and Development Commission, some of which have been assumed by the PUC, and would grant the CEC authority to issue permits for all solar and clean energy plants (in addition to thermal powerplant and electric transmission lines as currently the case) anywhere in the State, and authority to fast-track such permit applications if found to be environmentally benign. Such permitting authority for solar and other renewable energy resources has historically been exercised by local governments. In addition to stripping local government of the permitting authority, the proposition grants agencies that would have had jurisdiction over solar and clean energy plant and related facilities only 100 days to submit comments to the State on an application for certification for a clean energy plant to be located within its jurisdiction. DRP indicates that this would usurp the local land use authority for clean energy plants and facilities from local governments, and is opposed to Proposition 7.

Support and Opposition. Proposition 7 is supported by San Francisco Supervisor Jim Gonzalez; Peter Sperling (The Apollo Group); James Gollin (Rainforest Action Network); Neil Eisenberg (The Oceanic Society); Dr. Donald W. Aitken, Ph.D. (Renewable Energy Scientist); Monterey County Progressive Democrats of America; Alicia Wang (Vice Chair, California Democratic Party); Dolores Huerta (Co-Founder of the United Farmworkers Union); John L. Burton (Past President pro Tem California State Senate); Keith Carson (Alameda County Board of Supervisors); Bevan Duffy (Supervisor, City and County of San Francisco); State Senators Martha Escutia, John Vasconcellos, and Liz Figueroa; Assembly Member Joe Coto; and actor Danny Glover.

Proposition 7 is opposed by the California State Association of Counties; Cal-Tax; League of Women Voters; League of California Cities; the Natural Resources Defense Council; the California League of Conservation Voters; the California Small Business Association; California Municipal Utilities Association; Coalition of California Utility Employees; California Chamber of Commerce; PG & E; Sempra; Southern California Edison; California Solar Energy Industries Association; Orange County Coastkeeper;

California Wind Energy Association; Cleantech America; Bright Source Energy; Horizon Wind Energy; Solar Monkey; California Democratic Party; and California Republican Party.

PROPOSITION 8: ELIMINATES RIGHT OF SAME-SEX COUPLES TO MARRY. Initiative Constitutional Amendment. – COUNTY POSITION: **OPPOSE** (By Board action of September 23, 2008)

Proposition 8 would amend the California Constitution to specify that only marriage between a man and a woman is valid or recognized in California. As a result, notwithstanding the California Supreme Court ruling of May 2008, marriage would be limited to individuals of the opposite sex; and individuals of the same sex would not have the right to marry in California.

In March 2000, California voters passed Proposition 22 to specify that only marriage between a man and a woman is valid or recognized in California. In May 2008, the California Supreme Court ruled that the statute enacted by Proposition 22 and other statutes that limit marriage to a relationship between a man and a woman violated the equal protection clause of the California Constitution. It also held that individuals of the same sex have the right to marry under the California Constitution. As a result of the ruling, marriage between individuals of the same sex is currently valid or recognized in the State.

Legislative Analyst's Office Report. According to the Legislative Analyst's Office (LAO), because marriage between individuals of the same-sex is currently valid in California, there would likely be an increase in spending on weddings by same-sex couples in California over the next few years. This would result in increased sales tax revenues to State and local governments. However, if Proposition 8 is approved, this could result in a revenue loss from sales taxes to State and local governments. The LAO concludes that over time the measure would likely have a minimum fiscal impact on State and local governments.

Affected Department. The Registrar Recorder/County Clerk (RRCC) indicates that the Department has issued marriage licenses and performed ceremonies on a gender-neutral basis since June 17, 2008. Further, the marriage license forms were changed by the State Department of Public Health Office of Vital Records to read Party A and Party B instead of Groom and Bride. This action was taken pursuant to the California Supreme Court ruling, lifting the ban against same-sex marriages and recognizing these marriages as valid in California. If the Proposition is passed by the voters, there would be a few issues that the RRCC would need to address such as the time when the new language takes effect, how would the marriages already performed pursuant to the Supreme Court ruling be affected, and how would those couples who have obtained a marriage license but whose ceremony is scheduled after the passage of the Proposition be affected.

Support and Opposition. According to the sponsors of Proposition 8, it is supported by several organizations, including the California Catholic Conference of Bishops; Focus on the Family; Concerned Women for America; California Family Council; Capitol Resource Institute; Eagle Forum of California; Traditional Family Coalition; Family Leader Network; Pacific Justice Institute; the Western Center for Law and Policy; and the Traditional Values Coalition; among others.

According to opponents of Proposition 8, it is opposed by several organizations, including the American Civil Liberties Union (ACLU) of Northern California; ACLU of Southern California; ACLU of San Diego and Imperial Counties; All Saints Episcopal Church; Anti-Defamation League; California NAACP; California National Organization for Women; California Teachers Association; Courage Campaign; Gay and Lesbian Alliance Against Defamation and the Log Cabin Republicans of California; among others. **The Board of Supervisors voted to oppose Proposition 8 on September 23, 2008.**

PROPOSITION 9: CRIMINAL JUSTICE SYSTEM. VICTIMS' RIGHTS. PAROLE. Initiative Constitutional Amendment and Statute. – COUNTY POSITION: **NONE**

Proposition 9, also known as Marsy's Law, would amend the State Constitution and existing law to expand the rights of crime victims and the payment of restitution by criminal offenders, restrict the early release of inmates, and change the procedures for granting and revoking parole.

Background. In June 1982, voters passed Proposition 8, known as the Victims' Bill of Rights. Proposition 8 amended the State Constitution and statutes to grant crime victims the right to be notified of, and attend sentencing and parole hearings to offer a victims' statement. It also established the right of crime victims to obtain restitution from any person who committed a crime that caused them to suffer a loss. A court is required to order full restitution unless it finds compelling and extraordinary reasons not to do so. In addition, Proposition 8 established a right to safe schools for students in grade levels up to high school. Other state laws allow a victim of crime to obtain a court protective order for protection from harassment from the criminal defendant.

Expansion of Victims' Rights and Restitution. Proposition 9 would expand the rights of crime victims to be notified of and attend sentencing and parole hearings to extend to all public criminal proceedings, including bail hearings, delinquency proceedings, and release from custody after arrest but before trial. It would authorize the victim to confer with prosecutors about the charges filed. It would require local law enforcement agencies to provide victims with specific information regarding their rights. The safety of the crime victim would be a consideration when a judge sets bail for persons arrested for a crime. This measure would add to the Constitution an existing provision of law that gives victim restitution priority over all other court ordered payments. Additional rights provided to crime victims by Proposition 9 include the following: preventing the release of their confidential information or records to criminal defendants; allowing the victim to refuse to be interviewed or provide pre-trial testimony to the criminal defendant; allowing

all relevant evidence in any criminal proceeding in either juvenile or adult court; protection from harm from the criminal defendant; and returning property that is no longer needed for evidence.

Restriction on Early Release of Inmates. Proposition 9 would implement “truth in sentencing” provisions that would require sentences imposed by the courts to be carried out without being substantially reduced by the use of early release. Currently, 20 counties have a court imposed population limit in their jails. Twelve additional counties have a self-imposed population limit in their jails. Currently counties use early release programs for jail inmates, often in response to federally-imposed population limits. Depending upon the interpretation of the courts, Proposition 9 could place limits on existing early release programs, which appear to conflict with the measure, and counties may be required to increase their local jail population capacity to address this law.

Modification of Parole Practices. This measure reduces the number of parole hearings available to an inmate who has been denied parole while incarcerated. Currently, an inmate can have their parole hearing rescheduled two years after the last denial. Proposition 9 would extend the time before the next hearing to between three and 15 years, as determined by the parole board. Currently, persons facing the revocation of parole are entitled to representation to ensure that proper procedures are followed during the revocation process. The parolee is entitled to a prompt revocation hearing. In addition, the parolee is entitled to review the evidence presented by the State in its attempt to return him to prison. Proposition 9 would limit representation to parolees who are indigent and lack the mental capacity to speak effectively in their own defense. It would extend the timeframe from within 10 business days to within 15 days after being charged for a hearing to determine if there is probable cause to detain the parolee until their revocation charges are resolved. The timeframe for holding a hearing to resolve the revocation charges would be extended from within 35 days to within 45 days of being charged. Parolees also would no longer have the right to confront the witness at a revocation hearing when a statement is admitted in a recorded form or as hearsay.

Legislative Analyst’s Office Report. The Legislative Analyst’s Office (LAO) indicates that costs associated with this measure are unknown. Proposition 9 would require the State Legislature to ensure that sufficient funds are available to adequately house these inmates. It is not clear if this language refers to the availability of State or local funds. The State may be able to meet this requirement by the authorization of additional local sales taxes or through the appropriation of additional State General Funds. This provision may pose some operational challenges to local governments because, if approved by the voters, it would become effective immediately while it is expected that some counties may require some time to expand their jail capacity sufficient to address the increased jail population.

Proposition 9 would give priority to victim restitution of funds received by a county associated with a criminal prosecution. This proposed constitutional change mirrors

current Penal Code provisions prioritizing restitution payments. Currently there are a number of State and local programs receiving funding from criminal fines and penalties. It is not clear if the provision that would require mandatory restitution would result in an increase in restitution payments.

The LAO indicates that the provision of Proposition 9, which provides for counsel at parole revocation hearings only for parolees who are indigent appears to conflict with a Federal court order in a case known as *Valdivia v. Schwarzenegger*, which requires that all parolees be provided legal counsel. The LAO acknowledges that any cost savings that might have been anticipated from changing parole revocation procedures may be eliminated because of this conflict.

Potential County Impacts. The California State Association of Counties is concerned that the limitation on counties' ability to address jail overcrowding through the early release of inmates who pose the least risk to public safety will have a significant potential impact on counties. Thirty-two counties are under either Federally-imposed or State-imposed jail population caps, and this restriction would increase overcrowding in county jails and raise the costs of operating those jails. Further, establishing victim restitution as the highest payment priority could result in counties receiving less reimbursement from collections.

Affected Departments. The Public Defender's Office is not supportive of Proposition 9 because of the following concerns:

- Prohibiting criminal sentences from being substantially shortened by early release programs in jails and prisons will be costly to taxpayers. In addition, public safety is enhanced by providing incentives which include earned credit for participation in programs demonstrated to reduce recidivism, including vocational training and substance abuse treatment.
- Proposition 9 would eliminate the right to counsel for parolees in parole revocation proceedings unless the parolee could demonstrate lack of mental or educational capacity to represent himself, or the inability to speak effectively in his own defense. Eliminating the right to counsel at parole revocation proceedings and delaying the timelines for parole revocation hearings directly violates the Federal court order in *Valdivia v. Schwarzenegger*, violates due process guarantees, and will result in costly litigation.
- Instead of requiring an inmate with a life sentence to wait from one to five years for parole consideration, Proposition 9 would preclude consideration for parole for 15 years. Increasing the time between parole hearings to 15 years would mean that inmates who have complied with institutional rules, rehabilitated themselves, or physically deteriorate to the point that they are no longer dangerous would continue to be housed unnecessarily at the taxpayers' expense. Costs for medical care for an aging prison population are expected to skyrocket in the next couple of decades. Finally, inmates who have little or no

hope of release could be more likely to pose a danger to correctional officers or other inmates.

- Proposition 9 would prohibit the prisoner, or the prisoner's counsel, to ask questions of the victim, their next of kin, their representatives or their counsel, at a parole hearing, which is a due process violation. If the victim or their representative makes a simple mistake, exaggerates or lies, the parole applicant would be unable to correct it by asking a simple question.
- Proposition 9 would allow a victim's statement or testimony to be admitted at a parole revocation hearing in a recorded form or as hearsay. Admission of recorded testimony from a victim or witness at a parole hearing makes sense if the victim or witness is unavailable, as provided for in current law. Parolees would no longer have the right to confront the witness at a revocation hearing, which would be an unacceptable denial of due process.
- Proposition 9 creates a constitutional right to prevent the release of certain information or records to criminal defendants or their counsel. However, the Sixth Amendment of the U.S. Constitution guarantees effective assistance of counsel to all criminally accused, which would be precluded by this provision. Current law already addresses the legitimate concern of the accused directly receiving confidential information by providing that no attorney may disclose or permit to be disclosed to a defendant, or anyone else, the address or telephone number of a victim or witness whose name is disclosed to the attorney unless specifically permitted to do so by the court.
- Proposition 9 gives victims the right to refuse to be interviewed or provide pretrial testimony or other evidence requested on behalf of a criminal defendant. The 6th Amendment of the U.S. Constitution provides each criminal defendant with the right to counsel, which obligates the defense counsel to thoroughly investigate the assigned case, including interviewing witnesses. Currently, complaining witnesses/victims are permitted to refuse an interview with a defense attorney or investigator working with the defendant. In fact, some of these individuals later refuse to speak to the prosecution and are labeled by the prosecutors as uncooperative or recanting witnesses.
- Proposition 9 gives victims enforceable rights concerning bail, and would specifically require that the safety of the victim and the victim's family be considered in fixing the amount of bail and release conditions of the defendant. However, Article I, section 12, of the California Constitution already sets the criteria for release on bail, and requires the court to consider the likelihood that the defendant's release would result in great bodily harm to others.
- Proposition 9 classifies only those who are not in custody as victims. No legitimate interest exists to deny rights to a victim because of custodial status. For example, some persons are mentally ill and are more vulnerable to attack in

custody. If such attack occurs, Proposition 9 would strip victim protections from the mentally ill person who suffered an attack in custody by another inmate or abuse by a correctional officer, and likewise for a juvenile being housed with an adult. Proposition 9 would preclude victim protection even for those whose cases are dismissed but who at some point served time in custody, thus penalizing the indigent who were not able to bail out immediately.

- Proposition 9 would require a defendant to pay direct restitution to the victim who suffered any loss, regardless of whether the defendant actually caused that loss. Proposition 8 of 1982 established the right of crime victims to obtain restitution from any person who committed a crime and caused them to suffer a loss. State law already requires the court to prioritize restitution payments to direct victims. Only after restitution to a direct victim is paid in full can the court collect payments for other purposes, such as the cost of probation, and general restitution fines and fees. If a defendant is unable to pay because of indigent status, the failure is not willful, and no violation has occurred. It is important to address the barriers to employment that parolees face, which include low education and employment skills before entering prison, erosion of job skills while incarcerated, limited participation in prison job skills and vocational programs, and the stigma among employers reluctant to hire known offenders. Such a shift in focus will achieve the goal of enhancing public safety by ensuring financial stability.

The Probation Department indicates that Proposition 9 precludes the use of existing early release policies which will have great potential fiscal impact on the County and would require the County to address the need for additional inmate bed days. This could result in millions of dollars in additional costs for construction of new jail facilities. Proposition 9 would also reduce limitations on the admission of evidence obtained from previously confidential sources such as individual assessments and multi-disciplinary teams. It is not clear if these limits on confidentiality would limit the amount of information made available to the assessment and evaluation teams used to recommend the proper disposition of a juvenile offender.

The Office of the District Attorney indicates that Proposition 9's promise of constitutional rights for victims is illusory. Many of the rights are vague and unenforceable. Conflicts between a victim's rights and the rights of an accused guaranteed by the United States Constitution may result in the dismissal of criminal charges altogether. Permitting a victim to sue police departments, prosecutors or judges for violation of the enumerated rights is not only an interference with the discretion vested with these entities, but it will create an even larger backlog in our already overcrowded courts.

The District Attorney further notes that Proposition 9's changes to parole revocation proceedings are contrary to existing and binding agreements and violate the United States Constitution. Enacting unconstitutional laws will not make Californians safer. Once passed, the provisions of Proposition 9 can only be changed by a $\frac{3}{4}$ vote of the legislature.

Support and Opposition. Proposition 9 is sponsored by Henry T. Nicholas III, Marcella Leach, and LaWanda Hawkins.

It is opposed by the California Democratic Party; California Professional Firefighters; California Teachers Association; California Church IMPACT; Ella Baker Center for Human Rights; American Friends Services Committee; Pacific Mountain Region; League of Women Voters; California Public Defenders Association; and the Los Angeles County District Attorney.

PROPOSITION 10: ALTERNATIVE FUEL VEHICLES AND RENEWABLE ENERGY BONDS. Initiative Statute. – COUNTY POSITION: **NONE**

Proposition 10, also known as the “California Renewable Energy and Clean Alternative Fuel Initiative,” establishes the authority for a State general obligation bond of \$5 billion for clean renewable energy and fuel projects. The intent of this measure is to invest the funds in projects and programs designed to enhance California’s energy independence and to reduce the State’s dependence on foreign oil, reduce greenhouse gas emissions, implement the California Global Warming Solutions Act of 2006 (AB 32), and improve air quality. The \$5 billion in bond funding would be allocated over a ten year period, with as much of the funds as possible spent in the first five years. Not more than one percent of the funds in each account may be expended for administrative costs. The funding components are as follows:

- Solar, Wind, and Renewable Account (\$1.25 billion)

A total of \$1 billion would be provided for grants and incentives for research and development, construction, and production of “advanced” renewable electric generation. “Advanced” technologies are defined as advancements in electric generation or “energy storage” to capture renewable energy generated during off-peak periods. The remaining \$250 million would be designated for market-based incentives.

- Clean Alternative Fuels Account (\$3.425 billion)

Of these funds, \$2.875 billion would be allocated to the Alternative Fuel Vehicle Rebate Subaccount to provide rebates or cash payments of between \$2,000 and \$50,000 to purchasers of certain high fuel economy and alternative fuel vehicles. Over 85 percent of the \$2.875 billion is designated for alternative fuel vehicles; while the remainder is set aside for high fuel economy vehicles (private/corporate only, governmental entities are not eligible). The remaining \$550 million would be allocated to the Clean Alternative Fuel Research, Development, and Demonstration Program Subaccount to provide incentives for research, development, and production of renewable energy technology.

- Demonstration Projects and Public Education Account (\$200 million)

These funds include \$25 million earmarked for eight specific governmental entities (City and County of San Francisco and the Cities of Fresno, Irvine, Long Beach, Los Angeles, Oakland, Sacramento, and San Diego) to provide demonstration and/or education projects at public parks and centers.

- Education, Training, and Outreach Account (\$125 million)

These funds will provide grants to California public universities and colleges for staff development, training grants, and research to train students and as tuition assistance for low income and former fossil fuel energy workers and certified vehicle mechanics to obtain training in renewable energy technologies, clean alternative fuels, and energy efficiency.

Legislative Analyst's Office Report. According to the LAO, Proposition 10 would result in the following fiscal effects: 1) State costs of about \$9.8 billion over 30 years to pay both the principal (\$5 billion) and interest (\$4.8 billion) costs on the bond, with annual payments of about \$325 million; 2) increase in State sales tax revenues of an unknown amount, potentially totaling in the tens of millions of dollars, over the period from 2009 to beyond 2019; 3) increase in local sales tax and VLF revenues of an unknown amount, potentially totaling in the tens of millions of dollars, over the period from 2009 to about 2018-19; and 4) potential State costs of up to about \$10 million annually, through about 2018-19, for State agency administrative costs not funded by the measure.

Potential County Impacts. The California State Association of Counties opposes Proposition 10 because of concerns regarding the indebtedness of the State and because another bond measure is not desirable for counties in the State's present fiscal situation.

Affected Department. The Department of Public Works (DPW) indicates that the funding is directed primarily to individual consumers and private companies, with limited funding to eight specific cities. Therefore, they are advising that there is no direct benefit to the County.

DPW indicates that Proposition 10 has the potential to accelerate sales of higher mileage vehicles and alternatively-fueled commercial heavy-duty trucks, thereby reducing petroleum consumption and greenhouse gas emissions. The current State excise tax on gasoline and diesel fuels (gas tax) is 18 cents per gallon. The County's Road Fund receives approximately \$10 million per month in revenue from the gas tax and approximately \$55 million per year in revenue from the State sales tax on gasoline (Proposition 42). A number of County transportation projects are also funded by the Federal excise tax on fuel.

DPW notes that the passage of Proposition 10 will likely result in a decrease of revenue from the State fuel tax, sales tax on gasoline, and Federal transportation funds in future years. Although a reduction of consumption may limit demand-driven price increases in gasoline and diesel fuels, the increased use of natural gas as a motor fuel may result in higher prices for natural gas, which is currently used primarily for the generation of electricity, heating, and cooking.

Although passage of Proposition 10 would have a negative impact on the Road Fund's revenue stream, DPW advises that there would be an anticipated beneficial decrease in greenhouse gases and other harmful emissions, which would reduce damage to the environment and improve air quality, as well as decrease our dependence on gasoline and diesel fuels.

Support and Opposition. Proposition 10 is supported by Californians for Clean and Renewable Energy; Dr. Alan Henderson, Past President American Cancer Society; California Division; Miguel Pulido, Governing Board Member, South Coast Air Quality Management District; Allison Hart, Executive Director, Clean and Renewable Energy Association; T. Boone Pickens, Owner, Clean Energy Fuels Corp; and Aubrey McClendon, CEO, Chairman, and Co-founder of Chesapeake Energy.

Proposition 10 is opposed by the California Chamber of Commerce; Valley Industry and Commerce Association; Consumer Federation of California; Consumer Watchdog; The Utilities Reform Network; California Tax Reform Association; League of Women Voters; California Labor Federation; California Federation of Teachers; Democratic Party of San Fernando Valley; Reason Foundation; Long Beach Greens; Consumers for Automobile Reliability and Safety; Utility Consumers' Action Network; and Lenny Goldberg, Executive Director, California Tax Reform Association.

PROPOSITION 11: REDISTRICTING. Initiative Constitutional Amendment and Statute.
– COUNTY POSITION: **NONE**

The California Constitution requires that the Legislature adjust district boundaries used to elect public officials every ten years after the Federal census count, which is known as redistricting. Proposition 11 would amend the California Constitution to create a new commission to change the redistricting process for the State Legislature and State Board of Equalization (BOE) beginning with the 2010 census. The State Legislature would continue to establish districts for California members of the House of Representatives.

Proposition 11 would create a 14 member redistricting commission responsible for drawing new district lines and requires the State Auditor to randomly select commission members from a voter applicant pool to create a commission with five members from each of the two largest political parties, and four members unaffiliated with either party. It would require the commission to hold public hearings and allow for public comment. At least nine votes would be necessary to approve a redistricting plan. District boundaries would be required to 1) maintain cities, counties, neighborhoods, and

communities of interest in single districts to the extent possible; 2) maintain geographic compactness of districts; and 3) disregard consideration of political parties, incumbents, or political candidates. The measure maintains the Legislature's role in drawing districts for the U.S. House of Representatives but requires that the Legislature not consider political parties, incumbents or political candidates, and encourages geographical compactness in drawing those districts.

Legislative Analyst's Office Report. The Legislative Analyst's Office (LAO) indicates the Legislature would continue to incur expenses to perform redistricting for U.S. House of Representatives districts. In addition, this measure authorizes State funding for redistricting efforts related to legislative and Board of Equalization districts to be performed by the Commission. The LAO estimates that the minimum amount required for redistricting in 2010 would be approximately \$4 million (the 2001 amount spent on redistricting adjusted for estimated inflation through 2010). While requiring the Legislature and the commission to perform redistricting could tend to increase overall redistricting expenditures, the LAO concludes that any increase in such redistricting costs would probably not be significant.

Affected County Department. The Office of the Registrar-Recorder/County Clerk indicates that the potential impact to the department is not quantifiable now, but if approved, Proposition 11 may require significant technical advice/services from the department's precinct division.

Support and Opposition. According to Proposition 11 sponsors, it is endorsed by Governor Schwarzenegger and several organizations, including the American Civil Liberties Union of Southern California; California Police Chiefs Association; Association of California School Administrators; California Business Roundtable; San Jose Mercury News; Fresno Bee; and Los Angeles Daily News.

According to Proposition 11 opponents, it is opposed by the California Democratic Party; American Federation of State, County and Municipal Employees; AFL-CIO; California Labor Federation; Mexican American Legal Defense and Educational fund; NAACP; and Asian Pacific American Legal Center of Southern California.

PROPOSITION 12: VETERANS' BOND ACT OF 2008. Legislative Bond Act. –
COUNTY POSITION: **NONE**

Proposition 12, which was placed on the ballot by SB 1572 (Chapter 122, Statutes of 2008), would authorize the issuance of \$900 million in State general obligation bonds to extend funding for the existing Cal-Vet home loan assistance program. The bond measure would allow the California Department of Veterans Affairs to fund the purchase of homes, farms, and mobile homes for resale to eligible California veterans.

Legislative Analyst's Office Report. The Legislative Analyst's Office (LAO) reports that approximately \$8.4 billion in bonds have been approved by the voters since 1921 to finance the Cal-Vet program, and as of July 2008, about \$102 million in bond funds are

available to support new loans. Proposition 12 would provide funds for at least 3,600 additional veterans to receive loans. The LAO estimates that if the bonds are sold at an average interest rate of five percent, the cost would be about \$1.8 billion to pay off both principal (\$900 million) and interest (\$856 million). The average repayment for principal and interest would be about \$59 million per year.

The LAO notes that throughout its history the Cal-Vet program has been totally supported by the participating veterans, at no direct cost to the taxpayer. However, because general obligation bonds are backed by the State, if the payments made by veterans participating in the program do not fully cover the amount owed on the bonds, the State's taxpayers would pay the difference.

Affected Department. The Department of Military and Veterans Affairs (DMVA) indicates that Proposition 12 would have minimal if any effect on its operations since all real estate transactions for the program are performed by the California Department of Veterans Affairs (CDVA). The principal and interest on the bonds and the administrative costs of CDVA would be repaid from mortgage and interest charged to veteran loan holders. Defaulted homes would be resold to other veterans to recover associated losses. According to DMVA, the current real estate market makes it impossible to accurately approximate the number of eligible County veterans that might obtain home loan assistance under Proposition 12. However, once the real estate market has stabilized, DMVA estimates 600 to 650 eligible County veterans would make use of this opportunity to finance a home purchase. The DMVA is supportive of Proposition 12.

Support and Opposition. Proposition 12 is supported by individual political leaders, including Governor Arnold Schwarzenegger, who indicated that the bond act also provides for veterans of recent conflicts to be eligible to purchase a home with a Cal-Vet loan. Others in support include Senator Mark Wyland; and Assembly Members Greg Aghazarian and Tony Strickland. It also is endorsed by a number of organizations including the National Tax Limitation Committee; California Chamber of Commerce; Los Angeles Area Chamber of Commerce; and Los Angeles County Federation of Labor, AFL-CIO.

Ballot arguments in opposition to Proposition 12 are signed by Gary Wesley (no further identification is given). The measure also is opposed by Glen Wilson, author of the Glen's Town News blog.

**BALLOT LANGUAGE – LOCAL JURISDICTION MEASURES APPEARING ON
GENERAL ELECTION BALLOT – NOVEMBER 4, 2008**

MEASURE

ACTON-AGUA DULCE UNIFIED SCHOOL DISTRICT

- CF** To acquire, construct and improve high school facilities, shall the Acton-Agua Dulce Unified School District be authorized to replace portables with permanent high school classrooms and facilities, construct additional classrooms, including science labs, and qualify for approximately \$9,500,000 in State matching funds by issuing up to \$13,000,000 in bonds at interest rates within legal limits, with annual audits, a citizens' oversight committee, and no money for administrator salaries?

ALHAMBRA UNIFIED SCHOOL DISTRICT

- MM** Alhambra Unified Neighborhood Elementary Schools Health, Safety and Repair Measure: To improve local elementary education, repair, upgrade outdated classrooms, plumbing, roofing, lighting, electrical systems, libraries, upgrade safety, security, fire systems, remove hazardous materials, replace temporary classrooms with permanent classrooms, earthquake-retrofit classrooms, renovate, acquire, construct, repair, equip classrooms, schools, science labs, sites, facilities, shall Alhambra Unified School District Elementary Schools Improvement District issue \$50,000,000 of bonds at legal rates, citizens' oversight, independent audits?

BEVERLY HILLS CITY

- H** Shall Resolution No. 08-R-12601, entitled "Resolution of the Council of the City of Beverly Hills amending the General Plan to enable the revitalization of the Beverly Hilton Hotel site with a new Luxury Hotel, Condominiums, and Open Space," be adopted?

BEVERLY HILLS UNIFIED SCHOOL DISTRICT

- E** To provide safe and modernized school facilities, make necessary structural seismic safety repairs, upgrade, repair, and reconstruct aging classrooms, infrastructure, multiuse, gyms, libraries, science, technology & labs; roofing, plumbing, heating, ventilation and electrical systems; renovate Beverly Hills Unified School District schools to better protect student/staff from unauthorized entry, security risks and natural disasters; shall Beverly Hills Unified School District issue \$334 million in bonds at legal interest rates subject to mandatory audits, independent citizens' oversight without an estimated increase in tax rates?

BONITA UNIFIED SCHOOL DISTRICT

AB BONITA SCHOOLS BUILDING FOR STUDENT SUCCESS IMPROVEMENT MEASURE. To provide a healthy learning environment, improve student health and safety, shall Bonita Unified School District issue \$83,560,000 in bonds at legal rates to construct, improve, equip schools, technology, water and electrical, utilities, HVAC and solar energy systems, multipurpose classrooms, grounds, fields and facilities, including upgrading gyms, equipment, and non-compliant tracks, and completing necessary upgrades to athletic facilities, with mandatory audits, independent citizen oversight, and no money for administrators' salaries?

CENTINELA VALLEY UNION HIGH SCHOOL DISTRICT

CV CENTINELA HIGH SCHOOLS IMPROVEMENT MEASURE. To improve the quality of education/student safety/reduce overcrowding, shall Centinela Valley Union High School District issue \$98,000,000 in bonds, at legal rates, to repair/acquire/construct local schools, sites, facilities, libraries, classrooms, science/computer labs, ensure earthquake safety, remove mold/asbestos, upgrade fire safety/security systems, leaky roofs, restrooms, plumbing/electrical/heating/cooling systems, with citizens' oversight, independent annual audits, no money for administrators' salaries and no increase in current tax rates?

EL MONTE CITY

GG ESSENTIAL CITY SERVICES PRESERVATION AND PROTECTION MEASURE. To preserve and maintain funding for essential city services, including fire and other emergency response services, pothole repair, street and storm drain maintenance, graffiti removal, on-duty police staffing, street lighting, park maintenance, emergency reserves maintenance and other general city services, shall an ordinance establishing a temporary transactions (sales) and use tax of one-half of one percent (½%) for a period of five years be adopted.

EL MONTE CITY SCHOOL DISTRICT

KC EI MONTE ELEMENTARY SCHOOL REPAIR AND UPGRADE MEASURE. To improve the quality of education/ensure safe school campuses, upgrade classroom technology to meet current teaching standards, shall El Monte City School District repair, acquire, construct, equip classrooms, sites/facilities, complete safety/energy-efficiency upgrades, replace aging roofs, heating, electrical, cooling systems, upgrade technology/add new computer labs, by issuing \$75,000,000 in bonds at legal rates, qualifying for State matching funds, with independent oversight, no money for administrators' salaries?

EL MONTE UNION HIGH SCHOOL DISTRICT

- D** To ensure safe high school campuses and better prepare local students for college and high demand jobs, shall El Monte Union High School District rehabilitate, acquire, construct, and equip classrooms, sites, and facilities, complete safety/energy-efficiency upgrades, replace aging portables with permanent classrooms, upgrade technology and add new science labs, by issuing \$148,000,000 in bonds at legal rates, qualifying for State matching funds, with independent oversight, no money for staff salaries, and all funds benefiting local high schools?

EL SEGUNDO UNIFIED SCHOOL DISTRICT

- M** To support high academic achievement, enhance student safety, and improve the 80 year old auditorium and the athletic facilities frequently used by the community, by repairing outdated wiring and plumbing, improving energy efficiency, reducing water use, and mitigating safety hazards and accessibility issues, shall the El Segundo Unified School District issue up to \$14,000,000 in bonds at legal interest rates, with all funds used locally, an independent citizens' oversight committee, annual audits and NO money for administrator salaries?

HAWTHORNE CITY

- V** Shall Ordinance No. 1925 be adopted to maintain the rate of the City of Hawthorne's Communication Users' Tax (formerly the Telephone Users Tax and Cable Television Users Tax) at 5%; to revise the method for calculating and collecting the Communication Users' Tax to reflect technological advances and changes in federal law; to continue the tax exemption for senior-citizen and disabled households; and to ratify and approve the past collection of the Tax?

INGLEWOOD CITY

- UUT CITY OF INGLEWOOD COMMUNICATIONS USERS TAX RATE REDUCTION AND MODERNIZATION MEASURE.** Shall an ordinance be adopted reducing the existing tax rate on cable/telephone services from 10% to 8%, with revenues funding vital services including; anti-gang/after-school programs, 9-1-1 emergency, public safety, fire protection, parks, recreation, graffiti abatement, libraries, and senior services; replacing outdated ordinances with a modern ordinance ensuring taxpayers are treated equally, exemptions for low-income seniors and disabled, and annual independent audits for fiscal accountability?

LAKWOOD CITY

- L** Shall an ordinance be adopted to update and continue the telecommunications portion of Lakewood's utility users tax to fund law enforcement, gang and drug prevention programs, after-school activities, senior transportation, parks, street and traffic signal maintenance and other essential services, with exemptions for low-income residents and seniors and provisions for equal treatment of taxpayers

regardless of technology used, annual audits, public review of expenditures, no rate increases without voter approval, and local control of revenues?

LONG BEACH CITY

- G MEASURE G - LONG BEACH UTILITY USERS TAX MODERNIZATION MEASURE** – Without raising current tax rates, shall an ordinance be adopted to help preserve funding for critical City services, including police and fire protection, paramedic and emergency response, street maintenance, parks, youth services, and libraries, by updating the telephone users tax to include new and evolving technologies so that all taxpayers are treated equally regardless of technology used?
- I MEASURE I - LONG BEACH INFRASTRUCTURE REINVESTMENT ACT** -- To repay bonds which the City intends to issue to repair/replace city streets, sidewalks, alleys, storm drains, fire stations, police stations, libraries and recreational facilities and to acquire, restore and preserve wetlands, shall an Ordinance be adopted which establishes an annual parcel tax of \$120 per residential unit (0.4 to 8.8 cents per square foot for other uses) adjusted annually for inflation?

LONG BEACH UNIFIED SCHOOL DISTRICT

- K CLASSROOM REPAIR, STUDENT SAFETY MEASURE.** To make essential health/safety repairs, retain teachers, qualify for matching grants, shall Long Beach Unified School District retrofit schools for earthquake safety/handicap accessibility, repair restrooms/plumbing/roofs/fire safety, remove lead paint/asbestos, upgrade vocational classrooms/technology/energy efficiency, expand after-school programs, reduce overcrowding, by acquiring, repairing, constructing, equipping sites, facilities, joint-use buildings, and issuing \$1,200,000,000 in bonds at legal rates with independent audits, citizen's oversight, and no money for administrators' salaries?

LOS ANGELES CITY

- A CITY OF LOS ANGELES SPECIAL GANG AND YOUTH VIOLENCE PREVENTION, AFTER-SCHOOL AND JOB TRAINING PROGRAMS TAX. PROPOSITION A.** To address gang violence through prevention and job training programs; preventing students from dropping out of school; funding supervised after-school programs, tutoring/mentoring, vocational/apprenticeship programs, expanded graffiti removal; requiring Controller audits, citizen oversight; funding proven programs; shall the City of Los Angeles levy an annual \$36 gang prevention tax, with discounts for low-income seniors, on each real property parcel?
- B UPDATE OF LOW RENT HOUSING AUTHORIZATION. PROPOSITION B.** Shall existing voter-approved authorization for low rent housing be revised to remove impediments to federal and state funding and requirements not compatible with current housing needs, and authorize the development,

construction or acquisition of low rent housing by public entities in the City of Los Angeles, maintaining the previously authorized voter-approved level of 3,500 units per Council District, subject to availability of funding and all City development requirements?

LOS ANGELES COMMUNITY COLLEGE DISTRICT

J LOCAL COMMUNITY COLLEGE CLASSROOM REPAIR, PUBLIC SAFETY, NURSING AND JOB TRAINING MEASURE. To prepare students for jobs by improving classrooms, laboratories, equipment; train nurses, police, firefighters, paramedics; increase apprenticeship training opportunities; repair electrical wiring, plumbing, fire alarms; improve earthquake safety, energy efficiency to reduce costs; acquire/improve real property; shall Los Angeles Community College District issue \$3.5 billion in bonds at legal interest rates, requiring public review, oversight, audits, no money for administrators' salaries and no tax rate increase?

LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY (Metro)

R TRAFFIC RELIEF. RAIL EXTENSIONS. REDUCE FOREIGN OIL DEPENDENCE. To: Synchronize traffic signals; Repair potholes; Extend light rail with airport connections; Improve freeway traffic flow (5, 10, 14, 60, 101, 110, 138, 210, 405, 605, 710); Keep senior / student / disabled fares low; Provide clean-fuel buses; Expand subway / Metrolink / bus service; Dedicate millions for community traffic relief; Shall Los Angeles County's sales tax increase one-half cent for 30 years with independent audits, public review of expenditures, all locally controlled?

LOS ANGELES COUNTY UTILITY USERS' TAX

U THE UNINCORPORATED LOS ANGELES COUNTY UTILITY USERS' TAX CONTINUATION MEASURE. Shall an ordinance be adopted to validate and reduce Los Angeles County's existing utility users tax from 5 percent to 4.5 percent; to continue funding essential services, including sheriff's deputies, parks, libraries, street repairs, and other general fund services; update definitions to require equal treatment of taxpayers regardless of technology used; provide public review of expenditure and independent audits, and continue the low-income senior exemption?

LOS ANGELES UNIFIED SCHOOL DISTRICT

Q SAFE, HEALTHY NEIGHBORHOOD SCHOOLS MEASURE. To improve student health, safety and educational quality, shall the Los Angeles Unified School District: continue repair/upgrade of aging/deteriorating classrooms, restrooms; upgrade fire/earthquake safety; reduce asbestos, lead paint, air pollution, water quality hazards; build/upgrade specialized classrooms students need to meet job/college requirements; improve classroom Internet access by

issuing \$7 billion in bonds, at legal interest rates; with guaranteed annual audits, citizens' oversight, no increase in maximum tax rate?

LYNWOOD CITY

- HH PRIORITY FOR USE OF UTILITY USER'S TAX FUNDS.** Shall the Lynwood City Council make its top priority for use of Utility User's Tax revenue law enforcement, gang suppression, crime and drug intervention, graffiti abatement, and prosecution of those engaged in prostitution?
- II REDUCTION AND RATIFICATION OF UTILITY USER'S TAX.** To help preserve the safety and character of the City of Lynwood through general City services such as law enforcement, fire protection, street repair, park maintenance, and recreational services, shall the city's utility user's tax be reduced to nine percent, ratified, and updated based on changes in technology and laws since it was instituted in 1990; provided that exemptions for senior citizens and disabled person shall also remain?
- C TERM LIMITS; CITY OF LYNWOOD.** Shall a term limits ordinance be adopted in the City of Lynwood so that no member of the city council may serve more than two consecutive terms in office?

MANHATTAN BEACH UNIFIED SCHOOL DISTRICT

- BB** To attract and retain quality teachers, improve instruction, and ensure college and career readiness for local students, shall Manhattan Beach Unified School District rehabilitate 58-year old Mira Costa High School including replacing deteriorated classrooms with new classrooms and science labs, upgrading technology, replacing deteriorated plumbing/restrooms, and improving safety/energy-efficiency, by issuing \$67,480,000 in bonds at legal rates, with independent oversight, mandatory audits, no money for administrator salaries, and all funds staying local to improve Manhattan Beach schools?

MAYWOOD CITY

- MC** Shall an ordinance be adopted to impose a Transactions and Use Tax at the rate of one percent (1%); in order to continue funding general municipal services, such as police, fire protection and paramedic, street maintenance, parks and libraries?

MT. SAN ANTONIO COMMUNITY COLLEGE

- RR CLASSROOM REPAIR, EDUCATION IMPROVEMENT, PUBLIC SAFETY/JOB TRAINING MEASURE.** To maintain academic excellence for students/nurses/firefighters by upgrading classrooms/laboratories/fire alarms, repairing roofs/plumbing, removing lead paint/asbestos, retrofitting buildings for earthquake safety/handicap accessibility, increasing energy efficiency, expanding job training, shall Mt. San Antonio Community College District repair, acquire, construct, equip buildings/sites/facilities by issuing \$353,000,000 of bonds at

legal rates, with annual audits, citizens' oversight, no money for administrators' salaries, and no tax rate increase?

PASADENA UNIFIED SCHOOL DISTRICT

TT To repair or replace deteriorating and outdated plumbing, heating, ventilation, and fire alarm systems; replace aging portable classrooms; make disabled access improvements, implement energy- and water-saving projects; modernize or reconstruct kindergartens, cafeterias, multipurpose facilities and gyms, and make the District eligible for millions in State matching grants, shall Pasadena Unified School District issue \$350,000,000 of bonds at lawful interest rates, with no money for administrative salaries, and spending annually reviewed by an independent citizens' oversight committee?

PICO RIVERA CITY

P **MEASURE P. THE PICO RIVERA CITY SERVICES PROTECTION MEASURE.** To preserve public safety, community programs and prevent significant cuts to essential services, by funding general City services including hiring additional police, maintaining anti-gang and graffiti efforts, youth and after-school parks and recreation services, expanding library and parks, fixing City streets, and other essential neighborhood improvements, shall the City sales tax be increased by one cent with annual financial audits, expenditure reports, and financial oversight?

POMONA CITY

PC Should a temporary two years and two months Utility Users Tax (UUT) rate increase be enacted in the City of Pomona in the amount of one percent (1.0%) for citywide improvements and services from nine percent (9.0%) to ten percent (10%)?

POMONA UNIFIED SCHOOL DISTRICT

PS To repair old plumbing, heating, ventilation, and air conditioning systems; provide academic academies and magnet schools; upgrade technology; improve access to computers; expand science labs; renovate and construct classrooms and educational facilities, and make the District eligible to receive and estimated \$47.5 million in State matching grants, shall Pomona Unified School District issue \$235 million of bonds at lowest possible interest rates, with no money for administrative salaries, and spending annually reviewed by an independent oversight committee?

REDONDO BEACH CITY

DD **CHARTER AMENDMENT.** Shall an Initiative to amend the Redondo Beach City Charter by adding Article XXVII to require voter approval of specified changes in allowable land use be adopted?

EE CHARTER AMENDMENT. Shall the Redondo Beach City Charter be amended by adding Article XXVII to require voter approval before any of the following changes in allowable land use or development standards could be made: rezoning of single family residential zones; rezoning of low density multi-family residential zones to any higher density residential zone; rezoning of park or open space; or any zoning amendment that would increase the height limit on buildings in the Coastal Zone?

ROSEMEAD CITY

CC Shall the proposed City Charter of the City of Rosemead be adopted?

ROSEMEAD SCHOOL DISTRICT

O To upgrade outdated heating, ventilation, and air conditioning systems, and deteriorating plumbing; make health, safety, and handicapped accessibility upgrades, and improve drinking water; implement computer and technology upgrades; install security and monitoring systems to increase student safety; and acquire, construct, repair, replace and modernize classrooms, cafeterias, and school facilities; shall Rosemead School District issue \$30 million in bonds at legal interest rates with annual audits and independent citizens' oversight and no money for administrators' salaries?

SAN GABRIEL CITY

SG To fund general city services, including repairing, paving and maintaining local streets; keeping public areas and landscapes clean and well-maintained; preserving fire and paramedic emergency response times; improving police protection and investigations that reduce crime, shall the City of San Gabriel's existing utility users tax ordinance be amended to reflect changes in technology and federal law, and increased from 6% to 8%, with mandatory audits and all money staying local for services and facilities in San Gabriel?

SANTA CLARITA VALLEY SANITATION DISTRICT

S To reduce chloride levels in the Santa Clara River as required by the State of California and minimize future rate increases for the customers of the Santa Clarita Valley Sanitation District of Los Angeles County, shall an ordinance be adopted requiring the removal of, and providing a compensation program for, all installed residential "salt-based" self-regenerating water softeners within the District's service area?

SANTA MONICA CITY

T MEASURE T. Shall the City's General Plan be amended through 2023 to establish a City-wide annual limit on commercial development of 75,000 square feet, which: would apply to the types of projects that required City Council or Planning Commission approval on 1/16/08; would not apply to specified uses such as residential, parking, hospitals, schools, care and government facilities;

and would allow for borrowing from future years in the five-year average stays within the limit?

- SM MEASURE SM.** Shall an ordinance be adopted to continue and update Santa Monica's Utilities Tax on telecommunication services to fund City activities including police, fire, paramedic and emergency services, school and after school programs, gang and drug prevention programs, parks and recreation programs, environmental protection and other general fund services, with tax-exemptions for low-income seniors and disabled residents, with provisions ensuring equal treatment of taxpayers regardless of technology used, and with expenditures subject to independent annual audits?

SANTA MONICA COMMUNITY COLLEGE DISTRICT

- AA SANTA MONICA COLLEGE CAREER AND EDUCATIONAL IMPROVEMENTS.** To improve job and career training, provide for modernization and safety, and increase educational opportunities, shall Santa Monica Community College District issue \$295 million in bonds at legal rates to improve student teaching/career training in science, nursing, technology, media, and emerging high-tech fields; construct/equip/modernize math and science laboratories; replace deteriorating buildings; upgrade fire, seismic safety; achieve energy savings; with citizens' oversight, annual performance/financial audits, with no funds for administration?

SOUTH PASADENA CITY

- SP** Shall the Ordinance No. 2174 approving and adopting the amendment to the amended Redevelopment Plan for the Downtown Revitalization Project No. 1 be adopted?

TORRANCE UNIFIED SCHOOL DISTRICT

- Y** To make classrooms and core academic facilities safe and modern, improve learning and qualify for State matching money, shall Torrance Unified School District renovate or replace outdated classrooms and school buildings; repair damaged walls and floors; replace worn-out roofs, plumbing and lighting systems; repair faulty drainage systems, hardscapes, and other safety hazards, by issuing \$265 million in bonds at legal interest rates with mandatory audits, independent citizen oversight and all money staying local?
- Z** To fund additional upgrades to school facilities that support student learning and extracurricular activities, shall Torrance Unified School District also issue \$90 million in bonds at legal interest rates to renovate worn-out physical education facilities and playgrounds for health and safety; construct music/art classrooms and science labs; and replace deteriorating covered walkways to establish a safe school environment; with mandatory audits, independent citizen oversight, and all money staying local?

VICTOR VALLEY COMMUNITY COLLEGE DISTRICT

- JJ VICTOR VALLEY COLLEGE PUBLIC SAFETY, HEALTH CARE JOB TRAINING MEASURE.** To improve education, prepare students for well-paying jobs and university transfer and qualify for State matching funds, shall Victor Valley Community College District improve classrooms, labs and educational buildings and establish a Workforce Training Center and Public Safety Academy for nursing, healthcare, emergency medical, police, firefighting and business careers, upgrade aging infrastructure, acquire sites, equipment, construct/repair buildings/science labs, by issuing \$297,500,000 million in bonds, at legal rates with independent citizens' oversight/no money for administrators' salaries?

WESTSIDE UNION SCHOOL DISTRICT

- WS** To improve the quality of education; construct new elementary and middle schools to reduce overcrowding; upgrade and renovate outdated classrooms; increase student access to computers and modern technology; make health, safety and security improvements; and qualify the District for \$72 million in State-matching grants, shall the Westside Union School District issue \$63.5 million of bonds at legal interest rates, with no money for teacher or administrative salaries, and spending annually reviewed by an independent citizens' oversight committee?

WHITTIER UNION HIGH SCHOOL DISTRICT

- W** To provide excellent high schools for all students in the Whittier Union High School District; build instructional, vocational and career technical classrooms; upgrade security and student support facilities including athletic facilities; and improve heating, ventilation and air conditioning systems; shall the Whittier Union High School District be authorized to issue up to \$75,000,000 in bonds at legal interest rates, with an independent citizens' oversight committee, annual audits, and no money for administrative salaries?

WILLIAM S. HART UNION HIGH SCHOOL DISTRICT

- SA** To improve educational opportunities for local students shall William S. Hart Union High School District: repair, replace and upgrade outdated classrooms, science/computer labs, instructional technology, wiring, plumbing, heating, ventilation; improve safety to meet current fire/seismic codes, add a new high school and facilities and classrooms to relieve student overcrowding; by issuing \$300,000,000 in bonds at interest rates below legal limits, with independent citizen's oversight, annual financial audits, all funds remaining local and no money for administrator salaries?