

DEBRA BOWEN

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Secretary of State Debra Bowen Assigns Numbers to Ballot Measures Certified for the November 4, 2008, General Election, Invites Californians to Submit Ballot Arguments by July 8

SACRAMENTO – Secretary of State Debra Bowen today announced proposition numbers for the 11 measures that will appear on the November 4, 2008, General Election ballot. She also invited interested Californians to submit arguments to be included in the Official Voter Information Guide (also known as the ballot pamphlet). One of the measures was placed on the ballot by the Legislature in 2002; the other 10 propositions qualified through the petition process.

The statutory deadline for placing legislative and initiative measures on the ballot was June 26. The Legislature and the Governor have chosen in the past to waive the law and place measures on the ballot after the statutory deadline has passed.

Elections Code section 13115 sets the order in which the measures must appear on the ballot. Legislative bond measures are first, followed by legislative constitutional amendments, other legislative measures, citizen initiative measures, and referenda. Measures are listed within their category in the order in which they qualified. The proposition numbers for the November ballot measures are listed below with the Attorney General's official titles and summaries, except in the case of Proposition 1, which is a legislative measure.

Proposition 1

Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century. SB 1856 (Ch. 697, 2002) Costa. Existing law creates the High-Speed Rail Authority with the responsibility of directing the development and implementation of intercity high-speed rail service. This bill would enact the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century, which, subject to voter approval, would provide for the issuance of \$9.95 billion of general obligation bonds, \$9 billion of which would be used in conjunction with available federal funds for the purpose of funding the planning and construction of a high-speed train system in this state pursuant to the business plan of the authority. Nine hundred fifty million dollars of the bond proceeds would be available for capital projects on other passenger rail lines to provide connectivity to the high-speed train system and for capacity enhancements and safety improvements to those lines. Bonds for the high-speed train system would not be issued earlier than

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January 1, 2006. The bill would provide for the submission of the bond act to the voters at the general election on November 2, 2004. (Note: Subsequent legislation moved this measure to the November 2008 ballot.)

Proposition 2

Treatment of Farm Animals. Statute. Requires that an enclosure or tether confining specified farm animals allow the animals for the majority of every day to fully extend their limbs or wings, lie down, stand up, and turn around. Specified animals include calves raised for veal, egg-laying hens, and pregnant pigs. Exceptions made for transportation, rodeos, fairs, 4-H programs, lawful slaughter, research and veterinary purposes. Provides misdemeanor penalties, including a fine not to exceed \$1,000 and/or imprisonment in jail for up to 180 days. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: Probably minor local and state enforcement and prosecution costs, partly offset by increased fine revenue. (Initiative 07-0041.)

Proposition 3

Children's Hospital Bond Act. Grant Program. Statute. Authorizes \$980,000,000 in bonds, to be repaid from state's General Fund, to fund the construction, expansion, remodeling, renovation, furnishing and equipping of children's hospitals. Designates that 80 percent of bond proceeds go to hospitals that focus on children with illnesses such as leukemia, cancer, heart defects, diabetes, sickle cell anemia and cystic fibrosis. Requires that qualifying children's hospitals provide comprehensive services to a high volume of children eligible for governmental programs and meet other requirements. Designates that 20 percent of bond proceeds go to University of California general acute care hospitals. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: State costs of about \$2 billion over 30 years to pay off both the principal (\$980 million) and the interest (\$1 billion) costs of the bond. Payments of about \$67 million per year. (Initiative 07-0034.)

Proposition 4

Waiting Period and Parental Notification Before Termination of Minor's Pregnancy. Constitutional Amendment. Amends California Constitution to prohibit abortion for unemancipated minor until 48 hours after physician notifies minor's parent, legal guardian or, if parental abuse reported, an adult family member. Provides exceptions for medical emergency or parental waiver.

Permits courts to waive notice based on clear and convincing evidence of minor's maturity or best interests. Mandates reporting requirements, including reports from physicians regarding abortions on minors. Authorizes monetary damages against physicians for violation. Requires minor's consent to abortion, with exceptions. Permits judicial relief if minor's consent is coerced. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: Potential unknown net state costs of several million dollars annually for health and social services programs, court administration, and state health agency administration combined. (Initiative 07-0053.)

Proposition 5

Nonviolent Offenders. Sentencing, Parole and Rehabilitation. Statute. Requires State to expand and increase funding and oversight for individualized treatment and rehabilitation programs for nonviolent drug offenders and parolees. Reduces criminal consequences of nonviolent drug offenses by mandating three-tiered probation with treatment and by providing for case dismissal and/or sealing of records after probation. Limits court's authority to incarcerate offenders who violate probation or parole. Shortens parole for most drug offenses, including sales, and for nonviolent property crimes. Creates numerous divisions, boards, commissions, and reporting requirements regarding drug treatment and rehabilitation. Changes certain marijuana misdemeanors to infractions. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: Increased state costs that could exceed \$1 billion annually primarily for expanding drug treatment and rehabilitation programs for offenders in state prisons, on parole, and in the community. Savings to the state that could exceed \$1 billion annually due primarily to reduced prison and parole operating costs. Net savings on a one-time basis on capital outlay costs for prison facilities that could exceed \$2.5 billion. Unknown net fiscal effect on expenditures for county operations and capital outlay. (Initiative 07-0081.)

Proposition 6

Criminal Penalties and Laws. Public Safety Funding. Statute. Requires new state spending on various programs to combat crime and gangs, and to operate prison and parole systems. Increases penalties for several crimes, including violating gang injunctions, using or possessing to sell methamphetamine, or carrying loaded or concealed firearms by certain felons. Eliminates bail for illegal

Immigrants charged with violent or gang-related felonies, establishes crime for removing or disabling a monitoring device affixed as part of a criminal sentence, and changes evidence rules to allow use of certain hearsay statements as evidence when witnesses are unavailable. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: Net state costs likely to exceed a half billion dollars annually primarily for increased funding of criminal justice programs, as well as for increased costs for prison and parole operations. Unknown one-time state capital outlay costs potentially exceeding a half billion dollars for prison facilities. Unknown net fiscal impact for state trial courts, county jails, and other local criminal justice agencies. (Initiative 07-0094.)

Proposition 7

Renewable Energy. Statute. Requires all utilities, including government-owned utilities, to generate 20% of their power from renewable energy by 2010, a standard currently applicable only to private electrical corporations. Raises requirement for all utilities to 40% by 2020 and 50% by 2025. Imposes penalties for noncompliance. Fast-tracks approval for new renewable energy plants. Requires utilities to sign longer contracts (20 year minimum) to procure renewable energy. Creates Solar and Clean Energy Transmission Account to purchase property or rights of way for renewable energy. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: 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. 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. (Initiative 07-0066.)

Proposition 8

Limit on Marriage. Constitutional Amendment. Amends the California Constitution to provide that only marriage between a man and a woman is valid or recognized in California. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: The measure would have no fiscal effect on state or local governments. This is because

there would be no change to the manner in which marriages are currently recognized by the state. (Initiative 07-0068.)

Proposition 9

Criminal Justice System. Victims' Rights. Parole. Constitutional Amendment and Statute. Requires notification to victim and opportunity for input during phases of criminal justice process, including bail, pleas, sentencing and parole. Establishes victim safety as consideration in determining bail or release on parole. Increases the number of people permitted to attend and testify on behalf of victims at parole hearings. Reduces the number of parole hearings to which prisoners are entitled. Requires that victims receive written notification of their constitutional rights. Establishes timelines and procedures concerning parole revocation hearings. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: Unknown potential increases in state prison and county jail operating costs due to provisions restricting early release of inmates. To the extent that any such costs were incurred, they could collectively amount to hundreds of millions of dollars annually. A potential net savings in the low tens of millions of dollars for the administration of parole reviews and revocations if the changes related to parole revocation procedures were not overturned by potential legal challenges. (Initiative 07-0100.)

Proposition 10

Bonds. Alternative Fuel Vehicles and Renewable Energy. Statute. Authorizes \$5 billion in bonds paid from state's General Fund, allocated approximately as follows: 58% in cash payments of between \$2,000 and \$50,000 to purchasers of certain high fuel economy and alternative fuel vehicles; 20% in incentives for research, development and production of renewable energy technology; 11% in incentives for research and development of alternative fuel vehicle technology; 5% in incentives for purchase of renewable energy technology; 4% in grants to eight cities for education about these technologies; and 3% in grants to colleges to train students in these technologies. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: 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. Payments of about \$325 million per year. 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 2018. 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. Potential state costs of up to about \$10 million annually, through about 2018-19, for state agency administrative costs not funded by the measure. (Initiative 07-0101.)

Proposition 11

Redistricting. Constitutional Amendment and Statute. Creates 14-member redistricting commission responsible for drawing new district lines for State Senate, Assembly, and Board of Equalization districts. Requires State Auditor to randomly select commission members from voter applicant pool to create a commission with five members from each of the two largest political parties, and four members unaffiliated with either political party. Requires nine votes to approve final district maps. Establishes standards for drawing new lines, including respecting the geographic integrity of neighborhoods and encouraging geographic compactness. Permits State Legislature to draw lines for congressional districts subject to these standards. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: Probably no significant increase in state redistricting costs. (Initiative 07-0077.)

People may submit arguments for or against any of the ballot measures. Arguments selected for the ballot pamphlet will be on public display between July 22 and August 11. If multiple arguments are submitted for one proposition, state law gives first priority to arguments written by legislators in the case of a legislative measure, and first priority to arguments written by the proponents of an initiative in the case of an initiative measure. Subsequent priority for all measures goes to bona fide citizen associations and then to individuals. No more than three signers are allowed to appear with an argument or rebuttal to an argument.

Ballot arguments cannot exceed 500 words and rebuttals to ballot arguments cannot exceed 250 words. All submissions should be typed and double-spaced. They may be hand-delivered to the Secretary of State's Elections Division at 1500 11th Street, 5th Floor, Sacramento, California 95814 or faxed to (916) 653-3214. If faxed, the original copies must be received within 72 hours. The deadline to submit ballot arguments is July 8 by 5:00 p.m. and the deadline to submit rebuttals to the ballot arguments is July 17 by 5:00 p.m.

For more information about the process and requirements for qualifying statewide initiatives, go to http://www.sos.ca.gov/elections/initiative_guide.htm.