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TO: Network Participants

FROM: Deborah Dudley, Consultant

During the past several months, the media has devoted a great deal of time and attention to California's latest passion, the use of ballot measures. It has been implied that these "consumer-supported" initiatives are the answer to a slow-moving legislative process and that they truly represent the will of the people. Or do they?

Much of the controversy surrounding the passage of several initiatives from the 1988 ballot stemmed from the lack of forethought given to possible ramifications when actually writing the initiatives. With this in mind, one must wonder if the best interest of Californians is really the proponent's first concern.

To counteract the confusion associated with ballot measures, I have prepared a "review" of the seven most controversial and publicized measures that have qualified for the June 1990 ballot. The intent of this series is to give you and your membership as much information as possible on these initiatives, to ensure that votes come from a well informed public, not because of a good ad campaign. The reviews are provided in 8 1/2 X 11" black and white camera-ready form, so you may include them in your newsletters and magazines for distribution to your general membership. The following initiatives are included:

Proposition 111 -Traffic Congestion Relief & Spending Limit Act of 1990
Proposition 112 -State Officers/Ethics
Proposition 115 -Criminal Law
Proposition 116 -Rail Transportation Bond Act
Proposition 117 -Wildlife Protection
Proposition 118 -Ethics/Legislature/Reapportionment
Proposition 119 -Reapportionment by Commission

Please note that the information provided in each of the ballot measure descriptions was extracted from the Voter Information Pamphlets acquired from the Secretary of State's office and the "June 1990 Ballot: Analysis of Propositions" prepared by the Senate Office of Research.

I sincerely appreciate your interest and assistance in educating Californians on these important issues.

Enclosures

1027 10th St., 2nd Floor ▪ Sacramento, CA 95814 ▪ (916) 445-1403 ▪ FAX: (916) 445-4862

The following ballot measure description is the first in a series of seven, designed to take the guesswork out of voting and, therefore, encourage your participation in determining the future of California.

TITLE: **PROPOSITION 111, TRAFFIC CONGESTION RELIEF AND SPENDING LIMITATION ACT OF 1990**

TYPE: LEGISLATIVE CONSTITUTIONAL AMENDMENT

SPONSOR(S): SENATOR JOHN GARAMENDI (D-WALNUT GROVE)

SUPPORT: AMERICAN ASSOCIATION OF RETIRED PERSONS, CALIFORNIA TAXPAYERS ASSOCIATION, LEAGUE OF CALIFORNIA CITIES, COUNTY SUPERVISORS ASSOCIATION OF CALIFORNIA, CALIFORNIA STATE AUTOMOBILE ASSOCIATION, CALIFORNIANS FOR BETTER TRANSPORTATION, CALIFORNIA ASSOCIATION OF HIGHWAY PATROLMEN, CALIFORNIA CHAMBER OF COMMERCE

OPPOSE: NO FORMAL OPPOSITION FROM ORGANIZATIONS

FISCAL IMPACT: UNKNOWN

SUMMARY: This measure would enact a statewide traffic congestion relief program and update the spending limit on state and local government to better reflect the needs of a growing California population. It would provide new revenues to be used to reduce traffic congestion by building state highways, local streets and roads, and public mass transit facilities. This measure would enact a 55% increase in truck weight fees and a five cent per gallon increase in the fuel tax on August 1, 1990, and an additional one cent on January 1 of each of the next four years. This measure updates the state appropriations limit to allow for new funding for congestion relief, mass transit, health care, services for the elderly, and other priority state programs, while still providing an overall limit on state and local spending. This measure would continue to provide that public education and community colleges receive at least 40% of the state general fund budget, and would provide that revenues in excess of the state appropriations limit are allocated equally between education and taxpayers.

ARGUMENTS FOR:

- Traffic congestion has become unbearable and is expected to double – even triple – in some areas in just 10 years.
- Proposition 111 requires those who use the roads to pay for the improvements through increased user taxes. A 9-cent-per-gallon tax increase amounts to only $60 a year for the typical driver.
- This retains strong taxpayer spending controls while enabling already-collected taxes to be used for pressing senior, law enforcement, K-14 schools, higher education, and health-care needs.

ARGUMENTS AGAINST:

- Money spent on roads and highways would be better spent if the Dept. of Transportation were more efficient.
- The "traffic congestion" section of Proposition 111 requires local city and county governments to reduce traffic in their areas or face financial sanctions.
- Nobody is disputing that our streets need repair, that signals need to be synchronized, that state highways need to be improved. The argument is over how you finance those projects.

Note: The information provided was extracted from the Voter Information Pamphlets acquired from the Secretary of State's office and the "June 1990 Ballot: Analysis of Propositions" prepared by the Senate Office of Research.

The following ballot measure description is the second in a series of seven, designed to take the guesswork out of voting and, therefore, encourage your participation in determining the future of California.

TITLE: **PROPOSITION 112, STATE OFFICIALS, ETHICS, SALARIES**

TYPE: LEGISLATIVE CONSTITUTIONAL AMENDMENT

SPONSOR(S): SENATOR DAVID ROBERTI (D-HOLLYWOOD)

SUPPORT: COMMON CAUSE, CALIFORNIA CHAMBER OF COMMERCE, LEAGUE OF WOMEN VOTERS

OPPOSE: NO FORMAL OPPOSITION FROM ORGANIZATIONS

FISCAL IMPACT: UNKNOWN

SUMMARY: Prohibits legislators and statewide elected officers from accepting honoraria, or accepting compensation for representing another before a state board or agency. Directs the Legislature to enact laws applicable to legislators and statewide elected officers implementing honoraria and compensation prohibitions, limiting acceptance of gifts, strengthening conflict laws, prohibiting receipt of income from lobbying firms, and prohibiting lobbying for compensation within 12 months after leaving office. Repeals current provisions setting salaries and benefits of legislators and elected statewide officials; establishes a seven-member Commission, appointed by the Governor, to annually establish salaries and benefits. Mandates open meetings of the Legislature, with specified exceptions.

ARGUMENTS FOR:

- Proposition 112 is your chance to guarantee that our state elected officials represent you and not the special interests.

- Proposition 112 will place ethics safeguards in our state Constitution. Politicians will not be able to change one word of these provisions....only the people can.

- It's a problem and a fundamental conflict of interest to have elected officials deciding their own pay. The answer is to ban honoraria, limit gifts, and have ordinary Californians decide elected officials' pay.

ARGUMENTS AGAINST:

- Restricting speaking fees and outside income is not the way to hold elected officials accountable. Only your vote can do that.

- Honoraria is a legitimate income supplement and the Compensation Commission would not be accountable to the voters for the Commission's actions.

- We don't want a Legislature which can only include the rich. Proposition 112 makes it a hardship on those you vote into office to stay there.

Note: The information provided was extracted from the Voter Information Pamphlets acquired from the Secretary of State's office and the "June 1990 Ballot: Analysis of Propositions" prepared by the Senate Office of Research.

The following ballot measure description is the third in a series of seven, designed to take the guesswork out of voting and, therefore, encourage your participation in determining the future of California.

TITLE: **PROPOSITION 115, CRIMINAL LAW**

TYPE: INITIATIVE CONSTITUTIONAL AMENDMENT AND STATUTE

SPONSOR(S): U.S. SENATOR PETE WILSON

SUPPORT: CALIFORNIA DISTRICT ATTORNEYS' ASSOCIATION, WOMEN PROSECUTORS OF CALIFORNIA, CALIFORNIA PEACE OFFICERS ASSOCIATION, CALIFORNIA CORRECTIONAL PEACE OFFICERS' ASSOCIATION, CALIFORNIA POLICE CHIEFS' ASSOCIATION

OPPOSE: CALIFORNIA ABORTION RIGHTS ACTION LEAGUE (CARAL), AMERICAN COLLEGE OF OBSTETRICIANS AND GYNECOLOGISTS (CALIFORNIA), CALIFORNIA NATIONAL WOMEN'S POLITICAL CAUCUS, SAN FRANCISCO BAR ASSOCIATION

FISCAL IMPACT: UNKNOWN

SUMMARY: Amends state Constitution regarding criminal and juvenile cases: affords accused no greater constitutional rights than the federal Constitution affords; prohibits post-indictment preliminary hearings; establishes People's right to due process and speedy public trials; provides reciprocal discovery; allows hearsay in preliminary hearings. Makes statutory changes, including: expands first degree murder definition; increases penalty for specified murders; expands special circumstance murders subject to capital punishment; increases penalty for minors convicted of first degree murder to life imprisonment without parole; permits probable cause finding based on hearsay; requires court to conduct jury examination.

ARGUMENTS FOR:

• Proposition 115's "Bird Court" death penalty provisions improve our death penalty law and overturn decisions by Rose Bird and her allies which made it nearly inoperative.

• This initiative will "federalize" our state criminal justice system, and there is nothing oppressive or unfair about the federal criminal justice system.

• Its "Nightstalker" component conforms California's criminal law to federal procedures, bringing California back into the mainstream of American criminal justice. This will mean major time savings for the typical California criminal proceeding.

ARGUMENTS AGAINST:

• California taxpayers will have to pay millions of dollars in new taxes to reduce trial delays for only 5% of those charged with crimes. 95% plead guilty and don't go to trial. The additional lawyers, judges and courtrooms needed to implement Proposition 115 will produce an unfair burden on taxpayers.

• The right to make the personal decision to choose an abortion will be threatened. Until now our privacy rights have protected our right to choose abortion free from governmental intrusion. If Proposition 115 passes and the U.S. Supreme Court overrules Roe v. Wade, women and their doctors will be open to prosecution for participating in an abortion.

• Religious services will no longer have California's vigorous privacy protection, thus undermining eveyone's religious freedom.

Note: The information provided was extracted from the Voter Information Pamphlets acquired from the Secretary of State's office and the "June 1990 Ballot: Analysis of Propositions" prepared by the Senate Office of Research.

The following ballot measure description is the fourth in a series of seven, designed to take the guesswork out of voting and, therefore, encourage your participation in determining the future of California.

TITLE: **PROPOSITION 116, RAIL TRANSPORTATION BOND ACT**

TYPE: BOND ACT. INITIATIVE STATUTE

SPONSOR(S): PLANNING AND CONSERVATION LEAGUE

SUPPORT: PLANNING AND CONSERVATION LEAGUE, ASSOCIATION OF BAY AREA GOVERNMENTS, CALIFORNIA AIR POLLUTION CONTROL OFFICERS ASSOCIATION

OPPOSE: NO FORMAL OPPOSITION FROM ORGANIZATIONS

FISCAL IMPACT: $250 MILLION ANNUALLY

SUMMARY: Authorizes general obligation bond issue of $1.99 billion to provide funds principally for passenger and commuter rail systems, with limited funds available for public mass transit guideways, para-transit vehicles, bicycle and ferry facilities, and a railroad technology museum. Allocates certain amounts to specified state and local entities through a grant program administered by the California Transportation Commission. Program will require some matching funds from local entities. Appropriates money from state General Fund to pay off bonds.

ARGUMENTS FOR:

- Rail is the safest form of travel, and Proposition 116 funds additional safety improvements throughout the state.

- Millions of people use rail transit in California each year. Proposition 116 funds specific projects already approved by transportation planning agencies, allowing more people to use rail.

- Rail transit is a vital element in our transportation system. That's why Proposition 116 has such broad support among organizations that know transit best.

ARGUMENTS AGAINST:

- This $1.99 billion Clean Air Act will neither clean the air or improve transportation. It will take money from badly needed programs including education, health care, child care, worthwhile transportation projects, and any other item in the State budget. Even more tax money will be needed to fund high operating costs of the trains.

- Rail transportation is the most expensive way to go and will bring few benefits.

- Since this measure dictates which rail lines receive funding, these projects will not go through the standard evaluation that transportation projects have. There will be no way to assess the merits of each rail and prioritize spending.

Note: The information provided was extracted from the Voter Information Pamphlets acquired from the Secretary of State's office and the "June 1990 Ballot: Analysis of Propositions" prepared by the Senate Office of Research.

The following ballot measure description is the fifth in a series of seven, designed to take the guesswork out of voting and, therefore, encourage your participation in determining the future of California.

TITLE: **PROPOSITION 117, WILDLIFE PROTECTION**

TYPE: INITIATIVE STATUTE

SPONSOR(S): ASSEMBLYMAN LLOYD CONNELLY (D-SACRAMENTO) AND THE WILDLIFE PROTECTION COMMITTEE

SUPPORT: WILDERNESS SOCIETY, DEFENDERS OF WILDLIFE, SIERRA CLUB, PLANNING AND CONSERVATION LEAGUE, NATURAL RESOURCES DEFENSE COUNCIL, CALIFORNIA PARK AND RECREATION SOCIETY, NATIONAL AUDUBON SOCIETY CHAPTERS, CALIFORNIANS FOR PARKS & WILDLIFE, HUMANE SOCIETY, FUND FOR ANIMALS, CALIFORNIA TEACHERS ASSOCIATION

OPPOSE: STATE BOARD OF FORESTRY, STATE FISH AND GAME COMMISSION, CALIFORNIA CATTLEMEN'S ASSOCIATION, WILDLIFE SOCIETY (SAN JOAQUIN VALLEY CHAPTER)

FISCAL IMPACT: $30 MILLION TRANSFER FROM EXISTING ENVIRONMENTAL FUNDS

SUMMARY: Establishes a Habitat Conservation Fund. Transfers $30 million to the Fund annually from existing environmental funds and the General Fund. Monies from the Fund will be appropriated to the Wildlife Conservation Board; Coastal, Tahoe, Santa Monica Mountains Conservancies; and state and local parks programs. Funds to be used principally for the acquisition of deer and mountain lion habitat; and rare and endangered species habitat. Remaining funding will be for wetlands; riparian and aquatic habitat; open space; and other environmental purposes. Prohibits taking of mountain lions unless for the protection of life, livestock or other property. Permit for taking is required, but prohibits the use of poison, leg-hold or metal-jawed traps and snares.

ARGUMENTS FOR:

- Proposition 117 will not raise taxes. It allocates $30 million a year (less than one-tenth of one percent of the State budget) from existing programs for wildlife protection.

- Mountain lions and endangered wildlife are not the only species that need help. Approximately one-third of the funds provided by Proposition 117 will help protect deer and rapidly diminishing oak forests upon which they rely.

- The sponsors of the Tobacco Tax Initiative (Proposition 99) agree the impact on wildlife by cigarette-caused wildfires justifies spending some tobacco tax money on environmental protection. Proposition 99 states that a major purpose is "protection, restoration, enhancement, and maintenance of fish, waterfowl and wildlife habitat areas."

ARGUMENTS AGAINST:

- It is not true that mountain lions are endangered. Wildlife and natural resources are now conserved for the people of California by wildlife biologists using scientific principles.

- Current programs funded by the Environmental License Plate Fund and the Endangered Species Tax Check-Off Fund will be lost as funds are re-directed. In fact, wildlife biologists are very concerned about how this initiative constrains their ability to balance the needs of all species.

- Limitations on public access could reduce the ability of property owners and California residents to use the lands set aside for habitat protection.

Note: The information provided was extracted from the Voter Information Pamphlets acquired from the Secretary of State's office and the "June 1990 Ballot: Analysis of Propositions" prepared by the Senate Office of Research.

The following ballot measure description is the sixth in a series of seven, designed to take the guesswork out of voting and, therefore, encourage your participation in determining the future of California.

TITLE: **PROPOSITION 118, ETHICS, LEGISLATURE, REAPPORTIONMENT**

TYPE: INITIATIVE CONSTITUTIONAL AMENDMENT AND STATUTE

SPONSOR(S): GARY J. FLYNN

SUPPORT: NO FORMAL SUPPORT FROM ORGANIZATIONS

OPPOSE: COMMON CAUSE, CALIFORNIA FACULTY ASSOCIATION, LEAGUE OF WOMEN VOTERS, CALIFORNIA PROFESSIONAL FIREFIGHTERS, CALIFORNIA TEACHERS ASSOCIATION, PEACE OFFICERS RESEARCH ASSOCIATION OF CALIFORNIA

FISCAL IMPACT: UNKNOWN

SUMMARY: Amends state constitutional provisions governing redistricting procedures and criteria for Senate, Assembly and Congressional offices. Redistricting plan requires two-thirds vote of each house, approved by voters. Reschedules elections for all senatorial offices to second, sixth and tenth years following national census. Amends constitution to create Joint Legislative Ethics Committee, directs Legislature to establish ethical standards. Amends and adds statutes to: prohibit participation in legislation when the legislator has a personal interest; requires legislators to report gifts and honoraria of $50 or more; prohibits lobbying by former legislators for one year.

ARGUMENTS FOR:

- Proposition 118 gives you a chance to speak out, loud and clear, for ethical reform.

- A proper response is to reduce the power of the majority party, further specify standards and procedures, give all members access to the data and hardware, and increase the role of the Court.

- The existing procedure for redistricting is unfair and excessively dominated by the political interests of the party holding the majority of the elected positions in the Legislature.

ARGUMENTS AGAINST:

- Proposition 118's "ban" on gifts and speaking fees doesn't apply to what politicians can receive. It applies only to what certain groups can give.

- Hidden behind Proposition 118's declaration of ethics reform is the true purpose of the initiative: to give incumbent legislators safe seats that guarantee their reelection.

- Its backers claim Proposition 118 is a "grassroots" movement, but the only green in those "grassroots" comes from the special interests whose hundreds of thousands of dollars put 118 on the ballot!

Note: The information provided was extracted from the Voter Information Pamphlets acquired from the Secretary of State's office and the "June 1990 Ballot: Analysis of Propositions" prepared by the Senate Office of Research.

The following ballot measure description is the last in a series of seven, designed to take the guesswork out of voting and, therefore, encourage your participation in determining the future of California.

TITLE: **PROPOSITION 119, REAPPORTIONMENT BY COMMISSION**

TYPE: INITIATIVE CONSTITUTIONAL AMENDMENT AND STATUTE

SPONSOR(S): COUNTY SUPERVISOR TOM HUENING (R-SAN MATEO)
(CALIFORNIANS FOR POLITICAL REFORM)

SUPPORT: LEAGUE OF WOMEN VOTERS, CONGRESS OF RACIAL EQUALITY, LOS ANGELES TAXPAYERS ASSOCIATION

OPPOSE: *COMMON CAUSE, CONGRESS OF CALIFORNIA SENIORS, CALIFORNIA ASSOCIATION OF HIGHWAY PATROLMEN, CALIFORNIA TEACHERS ASSOCIATION, CONSUMER FEDERATION OF AMERICA, NATIONAL TOXICS CAMPAIGN (WEST COAST), RAZA ADVOCATES FOR CALIFORNIA HIGHER EDUCATION, CALIFORNIA RAINBOW COALITION, CALIFORNIA COUNCIL OF POLICE AND SHERIFFS, CALIFORNIA PROFESSIONAL FIREFIGHTERS, CALIFORNIA FACULTY ASSOCIATION

FISCAL IMPACT: UNKNOWN

SUMMARY: Amends state Constitution. Requires 12-person Commission, appointed by retired appellate justices, to adjust boundaries of California Senatorial, Assembly, Congressional, and Board of Equalization districts. Commissioners appointed from nominees of nonpartisan, nonprofit state organizations. Requires Commission to review plans submitted by registered voters and adopt plan or amended plan which complies with standards. Each district's population may vary no more than one percent from average district population. Senatorial districts formed from two adjacent Assembly districts, Board of Equalization districts from 10 adjacent Senate districts. Elections held for all Senate and Assembly seats in 1992.

ARGUMENTS FOR:

- Using current redistricting methods, legislators unnecessarily divide cities and counties. For instance, half of Fresno was put in a district with Carmel.
- The current redistricting system assures safe seats for incumbents. Elections then offer voters little choice, resulting in voter apathy.
- Proposition 119 bases redistricting on fairness and representational needs.

ARGUMENTS AGAINST:

- Proposition 119 takes redistricting away from you and gives it to the same special interests and politicians who contributed over $1 million to put it on the ballot.
- Special interests that already spend over $82 million each year to influence representatives will be the only organizations who can afford to draw district boundaries, not the Commission.
- The last thing Proposition 119 will produce is fair representation: coastal areas will get the fewest possible seats; it means destruction of seats now held by women and minorities.

* Common Cause opposition from the May 2,1990 Sacramento Bee.

Note: The information provided was extracted from the Voter Information Pamphlets acquired from the Secretary of State's office and the "June1990 Ballot: Analysis of Propositions" prepared by the Senate Office of Research.