



# A Progressive California Voter Guide

On November 4, California voters will decide on 12 state propositions. Propositions 1A and 12 originated in the state legislature, and Propositions 2 through 11 are initiatives placed on the ballot by California citizens. Four of these measures seek to amend the state constitution. The following provides California's progressives with a guide to the Center for American Progress Action Fund's recommended vote on each of the 12 propositions.

## Progressive Vote Summary

Proposition 1A: YES	Proposition 7: NO
Proposition 2: YES	Proposition 8: NO
Proposition 3: YES	Proposition 9: NO
Proposition 4: NO	Proposition 10: NO
Proposition 5: NO	Proposition 11: NO
Proposition 6: NO	Proposition 12: YES

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### PROPOSITION 1A

Safe, Reliable High-Speed Passenger Train Bond Act.

**CAP ACTION FUND VOTE: YES**

California's current urban, intercity, and commuter rail service largely serves local and regional communities. Intercity rail is mostly provided by Amtrak for longer-haul travelers, with maximum speeds of 90 miles per hour. The current state-funded rail services provide for only minimal travel between northern and southern California.

This measure would authorize the sale of \$9.95 billion in general obligation bonds to fund the construction of a high-speed passenger train system in California. Nine billion dollars would be used, together with any available federal monies, private monies, and funds from other sources, to develop and construct a high-speed train system that connects San Francisco's Transbay Terminal to Los Angeles Union Station and Anaheim, and that links 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 fiscal impact would be about \$19.4 billion to pay off both principal and interest—about \$647 million per year for more than 30 years.

For more information, please visit [www.californiahighspeedtrains.com/](http://www.californiahighspeedtrains.com/)

**Support:** California Alliance for Jobs; Los Angeles Area Chamber of Commerce; State Building and Construction Trades Council of California

**Opposition:** California Rail Foundation; Howard Jarvis Taxpayers Association; state Senator Tom McClintock (R-19<sup>th</sup> District)

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**PROPOSITION 2**  
Standards for Confining  
Farm Animals.

**CAP ACTION FUND VOTE: YES**

Over 40 million animals are raised for commercial purposes in California. In recent years, voters have voiced concerns regarding the treatment of animals, including the housing of certain farm animals such as hens and pregnant pigs in confined spaces and restricted enclosures. Many farming industries have already changed their practices, and there are some federal and state laws protect farm animals.

This measure would prohibit, with certain exceptions, the confinement of pregnant pigs, calves raised for veal, and egg-laying hens in a manner that prevents them from turning around freely, laying down, standing up, and fully extending their limbs. Violation of this law would result in a misdemeanor charge punishable by a fine up to \$1,000 and/or imprisonment in county jail for up to six months. Potential fiscal impact could be millions lost in tax revenue.

For more information, please visit [www.yesonprop2.com/](http://www.yesonprop2.com/)

**Support:** The Humane Society of the United States; California Veterinary Medical Association; Sierra Club

**Opposition:** Association of California Veterinarians; California Teamsters Public Affairs Council; California Chamber of Commerce

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**PROPOSITION 3**  
Children's Hospital Bond Act.

**CAP ACTION FUND VOTE: YES**

Many children's hospitals in California provide services to low-income families. In 2004, California voters approved Proposition 61, which authorized the sale of \$750 million in general obligation bonds to provide funding for children's hospitals, many of which cater to low-income communities.

This measure would authorize the state to sell an additional \$980 million in general obligation bonds under the same guidelines as Proposition 61 for capital improvements such as the construction, expansion, and remodeling of children's hospitals. Eighty percent of the funding would go to hospitals that focus on, heart defects, diabetes, cystic fibrosis, sickle cell anemia, and leukemia and other cancers. The remaining 20 percent would go to University of California general care hospitals. The fiscal impact would be \$2 billion over 30 years to pay off the principle and interest costs—about \$64 million per year.

For more information, please visit [www.imaginewithus.org/](http://www.imaginewithus.org/)

**Support:** California Nurses Association; League of Women Voters of California; California Medical Association

**Opposition:** National Tax Limitation Committee; Assemblyman Ted Gaines (R-4<sup>th</sup> District); American Conservative Union

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**PROPOSITION 4**

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

**CAP ACTION FUND VOTE: NO**

Since 1953, minors have been able to receive the same care for pregnancy as adults, without parental consent. A legislative amendment to the law in 1987 would have required parental consent for a minor's abortion, but it was never implemented due to legal challenges, and in 1997 the California Supreme Court struck down the law as unconstitutional. In 2005 and 2006, California citizens placed similar initiatives on the ballot, and it once again failed.

The measure is now on the ballot again. Proposition 4 would amend the state constitution to require parental notification by personal written or mail notification 48 hours before a health care provider performs an abortion on an unemancipated minor. For young women from abusive families, this measure would only allow a family member other than a parent to receive the notification if abuse had been reported to the authorities. Violation of the law would put the person who performed the abortion at risk for civil damages in a suit brought by the minor or her legal guardian or representative.

For more information, please visit [www.NoOnProp4.org](http://www.NoOnProp4.org).

**Support:** Friends of Sarah, the Parental or Alternative Family Member Notification Act; California Catholic Conference; Governor Arnold Schwarzenegger

**Opposition:** California Nurses Association; Planned Parenthood Affiliates of California; California Teachers Association

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**PROPOSITION 5**

Nonviolent Drug Offenses. Sentencing, Parole and Rehabilitation.

**CAP ACTION FUND VOTE: NO**

This measure would expand current drug treatment diversion programs for criminal offenders, modify parole supervision procedures, and expand treatment programs in prisons and for those on parole. In exchange for participation in rehabilitation programs, inmates can earn extra time off sentences and reduce certain penalties for possession of marijuana. The measure would change state law related to administration of rehabilitation and parole programs. These plans together may exceed \$1 billion annually in state operating costs.

While Proposition 5 seems to expand resources for progressive treatment alternatives, there is little agreement on how the measure would work and how it would affect existing programs. The measure could undercut progressive reforms, including those enacted in 2000 under Proposition 36. Currently, no first time drug offender is subject to jail time in California. Proposition 5 would have other negative effects, such as compromising the ability of drug courts to intervene until an individual has committed multiple offenses and restricting the discretion of judges to impose or threaten sanctions, including jail time, when necessary to ensure compliance with drug treatment programs.

Issues of this complexity should be vetted and perfected through the legislative process; voters should not be left to wade through this massive, 36-page, single-spaced, fine-print proposal.

For more information, please visit [www.noonproposition5.com/](http://www.noonproposition5.com/)

**Support:** Service Employees International Union, California State Council; League of Women Voters of California; California State Conference of the NAACP

**Opposition:** Mothers Against Drunk Driving; U.S. Senator Dianne Feinstein (D-CA); former Governors Pete Wilson and Gray Davis, Attorney General Jerry Brown

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**PROPOSITION 6**

Police and Law  
Enforcement Funding.  
Criminal Penalties and Laws.

This measure would increase penalties for certain crimes as well as create new misdemeanors and felonies related to gang participation and recruitment, possession and sale of methamphetamines, vehicle theft, and tampering with a GPS device. It would increase the amount of state spending for specified criminal justice programs by \$365 million, mostly directed at local law enforcement including police, sheriffs, district attorneys, and jails.

**CAP ACTION FUND VOTE: NO**

This proposition goes too far in abridging civil liberties in the name of law enforcement.

For more information, please visit [www.voteno6.com/](http://www.voteno6.com/)

**Support:** California State Sheriffs' Association; California District Attorneys Association; Association for Los Angeles Deputy Sheriffs

**Opposition:** Ella Baker Center for Human Rights; American Civil Liberties Union of Northern California and Southern California; California Labor Federation, AFL-CIO

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**PROPOSITION 7**

Renewable Energy Generation.

California is currently a national leader in renewable energy goals, which it has carefully and deliberately developed. Proposition 7 has good intentions—to expand renewable energy generation—but it is badly structured, poorly written, and would have a detrimental effect on California's progress toward renewable energy goals. Moreover, many other states closely monitor California, so any problems could be amplified nationally.

**CAP ACTION FUND VOTE: NO**

The current Renewable Portfolio Standard in California requires private utilities to generate 20 percent of their power from renewable sources by 2010 and 33 percent by the end of 2020. Proposition 7 would increase this requirement to 40 percent by 2020 and 50 percent by 2025 and extend it to government-owned utilities. This sounds good in theory but is problematic in several ways. First, the legislation contains a variety of loopholes that are vulnerable to manipulation, potentially making it harder for viable projects to receive financing and thus delaying the development of clean energy resources. With credit now tight, this barrier could mean the difference between completing good projects and abandoning them.

Second, the proposition discriminates against renewable projects smaller than 30 megawatts, thus shutting out numerous projects that are easier and quicker to bring online. Third, Proposition 7 proposes some major regulatory changes that would add further complexity and bureaucratic bottlenecks to the electricity market, including shifting authority over the renewables standard from the California Public Utilities Commission to the California Energy Commission. Proposition 7 also would bypass the existing Renewable

Energy Transmission Initiative process in an effort to expedite permitting. While expedited permitting is a noble aspiration, it would ensure costly and prolonged legal battles. Lastly, the proposition creates a potentially costly pricing structure, which would allow power providers to charge 10 percent above market price for renewable energy, thus discouraging competition and innovation and artificially increasing consumer electricity costs. Nearly all the main environmental organizations—themselves adamantly dedicated to renewable energy and combating global warming—oppose Proposition 7.

For more information, please visit [www.noprop7.com/](http://www.noprop7.com/)

**Support:** Californians for Solar and Clean Energy; Dolores Huerta, co-founder of the United Farm Workers of America; Progressive Democrats of America, Monterey County Chapter

**Opposition:** California League of Conservation Voters; Sierra Club; Natural Resources Defense Council

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**PROPOSITION 8**  
Eliminates Right of  
Same-Sex Couples to Marry.

**CAP ACTION FUND VOTE: NO**

Currently in California, same-sex marriages are recognized as legal and valid. In May 2008, the California Supreme Court ruled that Proposition 22 and other statutes that limited marriage to one man and one woman were unconstitutional because they violated the equal protection clause of the California Constitution.

This measure would amend the California Constitution to take away the right to marry from committed same-sex partners. The measure would not require churches or individuals to support same-sex marriages or affect school curricula.

For more information, please visit [www.noonprop8.com/](http://www.noonprop8.com/)

**Support:** California Family Council; Coalition of African American Pastors; Parents and Friends of Ex-Gays and Gays

**Opposition:** ACLU of Southern California; California State Conference of the NAACP; Parents, Families, and Friends of Lesbians and Gays

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**PROPOSITION 9**  
Criminal Justice System.  
Victims' Rights. Parole.

**CAP ACTION FUND VOTE: NO**

This measure would amend the California Constitution to require that restitution be ordered from offenders in every case where the victim suffers a loss. It would increase notice and participation of victims in criminal proceedings. It would allow victims a constitutional right to confer with prosecutors and would return property to the victim that is no longer needed in proceedings. It also would allow victims and their families to refuse to divulge personal information to defendants or be interviewed. Other changes to the constitution include requiring judges to consider a victim's safety when setting bail and expanding "safe schools" to include community colleges, colleges, and universities. Also, the proposition would require that sentences not be substantially diminished by early release and that sufficient funding be provided to house inmates to the full term of their sentences.

Proposition 9 is an attempt to tilt further the playing field against the accused. As written, the proposition would severely impair the defendant's ability to gather information and present a full and unfettered defense. It would also unduly influence decisions made by the state by granting legal authority to individuals to engage in the disposition of the state's case. These changes could ultimately taint the system in a manner that prevents justice for the accused, as well as victims and their families.

For more information, please visit [www.votenoprop9.com/](http://www.votenoprop9.com/)

**Support:** California Coalition of Law Enforcement Associations; California Farm Bureau Federation; Crime Victims United of California

**Opposition:** California Democratic Party; California Teachers Association; Ella Baker Center for Human Rights

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**PROPOSITION 10**  
Alternative Fuel Vehicles  
and Renewable Energy. Bonds.

**CAP ACTION FUND VOTE: NO**

Proposition 10 would raise \$5 billion from general obligation bonds to fund consumer rebates for purchasing certain alternative or high fuel-economy vehicles; research in alternative fuel and renewable energy technologies; incentives for purchasing solar and renewable energy technology; grants to cities for renewable energy projects; and funding to colleges for academic and job training in renewable and energy efficiency technologies. On the surface, Proposition 10 is appealing. Yet it is too expensive and has too little impact on greenhouse gas emissions and other air pollutants from the California vehicle fleet. With interest charges, Proposition 10 would cost California taxpayers \$10 billion over 30 years, an exorbitant sum in times of tight budgets. Moreover, California already has in place some statutes and is pursuing further legislation that will achieve equal or superior results with little or no cost to the taxpayer.

California is a world leader in passing clean-air regulations to reduce vehicle tailpipe pollution and increase fuel efficiency. The rebate program defined by Proposition 10 is poorly structured and heavily favors natural gas over other alternative fuels that could provide greater environmental benefits in both the short and long term, such as hybrid heavy-duty trucks or plug-in hybrid electrics. Unfortunately, natural gas vehicles are rare and expensive. Moreover, there is no fueling infrastructure for privately owned natural gas vehicles. Even with a generous rebate, they would be accessible primarily to upper-income consumers, raising important policy questions about equitable use of taxpayer dollars. A 10 percent reduction in the carbon intensity of all transportation fuels will soon be mandated under the Low Carbon Fuel Standard, and this policy should reduce emissions by an amount comparable to Proposition 10. Moreover, California has passed landmark legislation to reduce greenhouse gas emissions from automobiles, and the state is waiting for the federal Environmental Protection Agency to issue a waiver that allows California to implement these standards. Both Senators McCain and Obama have promised to issue this waiver.

For more information, please visit [www.noonproposition10.org/](http://www.noonproposition10.org/)

**Support:** Clean Energy Fuels; Chesapeake Energy; Westport Fuel Systems

**Opposition:** California League of Conservation Voters; Sierra Club; Union of Concerned Scientists

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**PROPOSITION 11**

Redistricting.

**CAP ACTION FUND VOTE: NO**

Beginning with the 2010 census, this measure would amend the California Constitution to require that a 14-person commission draw state legislative district boundaries. These commissioners would be chosen by government auditors who would select 60 registered voters from the applicant pool; legislative leaders could disqualify up to 24 candidates from those 60 selected. The auditor would next randomly draw the first eight commissioners, who would then pick the final six. The commission must have five registered Democrats, five registered Republicans, and four members registered with another or no party. The fiscal impact is expected to be about \$4 million in 2010.

Proposition 11 on its face is rational and attempts to provide fair, honest, and open elections. Electoral contests should not be predetermined or slanted by who controls the process during a redistricting year. Yet because of the many stipulations on its membership, the commission created by Proposition 11 is unlikely to be representative of the California population. Furthermore, the commission will not be held accountable to voters for its actions. Realigning legislative districts under the new requirements—a process which would have little oversight or redress—would likely benefit some voters' representation at the cost of others, which undercuts the basic concept of fairness this measure is intended to address.

For more information, please visit [www.noonprop11.org/](http://www.noonprop11.org/)

**Support:** Governor Arnold Schwarzenegger; former State Controller Steve Westly; California Republican Assembly

**Opposition:** U.S. Senator Barbara Boxer (D-CA); Speaker of the U.S. House of Representatives Nancy Pelosi (D-CA); California Democratic Party

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**PROPOSITION 12**

Veterans' Bond Act of 2008.

**CAP ACTION FUND VOTE: YES**

Voters have approved bonds for veterans 26 times in California's history. The Cal-Vet Home Loan program issues low-interest home loans to military veterans.

Proposition 12 provides a \$900 million bond for California veterans in the form of loans to purchase farms and homes. All of the principal and interest costs would be covered by the borrowers. Fiscal impact would be tax revenue lost on the bonds.

For more information, please visit [www.cdva.ca.gov/](http://www.cdva.ca.gov/)

**Support:** Senator Mark Wyland; Governor Arnold Schwarzenegger

**Opposition:** Gary Wesley, attorney at law