

## **AGENDA**

### **COMMITTEE ON GOVERNMENTAL RELATIONS**

**Meeting: 10:20 a.m. Wednesday, September 17, 2008**  
**Glenn S. Dumke Auditorium**

Carol R. Chandler, Chair  
Peter G. Mehas, Vice Chair  
Debra S. Farar  
Curtis Grima  
Melinda Guzman  
A. Robert Linscheid  
Lou Monville  
Craig R. Smith

#### **Consent Items**

Approval of Minutes of Meeting of July 15, 2008

#### **Discussion Items**

1. 2007-2008 Legislative Report No. 11, *Action*
2. November 2008 Ballot Initiatives, *Information*

**MINUTES OF THE MEETING OF  
COMMITTEE ON GOVERNMENTAL RELATIONS**

**Trustees of the California State University  
Office of the Chancellor  
Glenn S. Dumke Conference Center  
401 Golden Shore  
Long Beach, California**

**July 15, 2008**

**Members Present**

Carol R. Chandler, Chair  
Peter G. Mehas, Vice Chair  
Jeffrey L. Bleich, Chair of the Board  
Debra S. Farar  
Curtis Grima  
Melinda Guzman  
A. Robert Linscheid  
Lou Monville  
Charles B. Reed, Chancellor  
Craig R. Smith

**Approval of Minutes**

The minutes of May 13, 2008 were approved.

**2007-2008 Legislative Report No. 10**

Trustee Chandler introduced Ms. Karen Zamarripa, assistant vice chancellor, advocacy and institutional relations, who presented the report.

Ms. Zamarripa began by thanking all those involved with the ongoing budget advocacy work in Sacramento and with the legislature, for their hard work and tireless efforts on behalf of the CSU. She said her report was brief in that most of the work being done since her last report has been focused primarily on budget advocacy and on the budget bill language issues mentioned earlier by Robert Turnage.

Ms. Zamarripa provided an update of current activities in Sacramento. She reported on her recent meeting with the campus legislative liaisons noting they have been urged to set up meetings with candidates for the senate and assembly to inform them about their individual campus and the CSU in general. Ms. Zamarripa said her office will be working with the CSU Alumni Council to encourage their involvement and participation in various forums and

discussions with the candidates to raise issues related to higher education and the CSU. In addition, she and her colleagues are also working closely with the Alliance for the CSU, and have had considerable success in getting our message out through the use of our E-Advocacy system

Ms. Zamarripa reviewed the legislative issues provided in the written report.

She noted that CSU's sponsored bill, SB 1329 (Harmon), *Uniform Prudent Management of Institutional Funds Act*, is on its way to the Governor's desk and will hopefully receive his approval and signature.

There have been several proposals dealing with fee and tuition waivers relating to veterans, military, National Guard, firefighters, police and others. CSU's approach in all cases has been not to object to them if they are put in place, but to require the state's reimbursement to the campuses for the loss of revenue if they are implemented. Ms. Zamarripa also pointed out there are a number of proposals related to career technical education.

A brief discussion took place during which Ms. Zamarripa heard comments and addressed questions from trustees particularly in regard to several proposals concerning career technical education.

The committee recommended approval of the proposed resolution (RGR 07-08-05)

## COMMITTEE ON GOVERNMENTAL RELATIONS

### 2007-2008 Legislative Report No. 11

#### Presentation By

Karen Y. Zamarripa  
Assistant Vice Chancellor  
Advocacy and Institutional Relations

#### Summary

This item contains an update on the Trustees' 2008 Legislative program and other pertinent legislative measures currently moving through the process.

#### Trustees' 2008 Legislative Program

*SB 1288 (Scott) Doctorate in Nursing:* This measure authorized the CSU to offer a doctor of nursing practice (DNP) degree. This program would have allowed the California State University to create the tenured track nursing faculty needed by both the California State University and California Community Colleges to produce the nurses the State needs.

*Status:* DEAD  
Despite the CSU's attempt to convince legislative staff of the minimal new costs for this measure, the Senate Appropriations Committee held SB 1288.

*SB 1329 (Harman) Uniform Prudent Management of Institutional Funds Act:* This measure would allow California to adopt the Uniform Prudent Management of Institutional Funds Act (UPMIFA), updating rules governing the management, investment, and expenditure of charitable funds.

*Status:* TO ENROLLMENT  
This measure passed out of the Legislature and is now in enrollment, which is the final step prior to its presentation to the Governor. The Governor has until September 30 to sign SB 1329.

*AB 2365 (De La Torre) Cal Grant B Awards: Award Amount:* This measure would have increased the number of recipients who will receive funds for fees and tuition through their Cal Grant B awards in their first year from the existing 2% to 25% by academic year 2009-2010 and all recipients by academic year 2012-2013.

*Status:* DEAD  
The Assembly Appropriations Committee, due to costs, held this measure which was a re-introduction of our jointly sponsored bill with the CSSA, AB 302 during the 2007 session.

### **Priority Bills**

*AB 100 (Mullin) Education Facilities: Per-Unhoused-Pupil Grant:* This measure, as introduced, would have placed a K-12 and higher education facility General Obligation Bond on the November 2008 ballot. As amended, the bill simply increases the per pupil grant amount for new K-12 construction in an effort to respond to the rising costs of constructions.

*CSU Position:* NO OFFICIAL POSITION  
*Status:* With the amendments taken on this measure and budget actions on capital outlay, we do not expect an education bond in 2008. The measure is now on the Senate floor.

*AB 178 (Coto) High Schools: Curriculum and Enrollment: College Readiness and Equity Pilot Program:* This measure would have established, as a pilot, the College Readiness and Equity Program to provide grants to high schools that enroll and support pupils in a college preparation curriculum. The measure proposed a total grant of \$150,000 to fund this pilot.

*CSU Position:* SUPPORT  
*Status:* DEAD  
This measure did not advance out of the Senate Education Committee due to its costs.

*AB 767 (Walters) Student Financial Aid: Veterans and Dependents:* This measure would have created the Golden State GI Bill of Rights for Higher Education providing a waiver of resident tuition at the CSU, the University of California (UC), and the California Community Colleges (CCC) for California residents who have been honorably discharged from the military and have exhausted their federal benefits under the federal GI Bill.

*CSU Position:* OPPOSE UNLESS AMENDED  
*Status:* DEAD  
This bill failed to advance. The CSU requested that the measure be amended to guarantee reimbursement from the State for these students. The CSU estimated a conservative cost of \$10 million to pay for these waivers.

*AB 876 (Davis) Career Technical Education:* This measure would require the California State University, and request the University of California (UC), to provide assistance in the development of K-12 Career Technical Education (CTE) courses for the purposes of admission by both systems and to disseminate information about those courses.

*CSU Position:* NO OFFICIAL POSITION  
*Status:* This measure passed out of the Legislature and is now on its way to the Governor.

*AB 1415 (Brownley) Teacher Credentialing: Services Credential: Programs Of Professional Preparation:* This bill would have required the Commission on Teacher Credentialing to create an accountability system to assess the effectiveness of professional preparation programs in education administration.

*CSU Position:* OPPOSE UNLESS AMENDED  
*Status:* DEAD  
The Senate Appropriations Committee held this measure due to cost.

*AB 1578 (Leno) Foster Youth Higher Education Preparation and Support Act of 2007: California College Pathways Program:* This bill would have stated legislative intent to establish and provide services and financial support to help foster youth achieve their educational goals. It also would have established the California Competitive Grant Program to provide comprehensive support in postsecondary institutions to students who are former foster youth.

*CSU Position:* NO OFFICIAL POSITION  
*Status:* DEAD  
This measure did not advance out of the Senate Appropriations Committee due to costs.

*AB 1586 (DeSaulnier) University of California and California State University: Career Technical Education Courses:* This measure would have required the CSU and requested the UC to recognize the completion of all high school Career Technical Education (CTE) courses that meet the model CTE curriculum standards adopted by the State Board of Education (SBE) as satisfying the completion of general elective course requirements for the purposes of admission. This would have effectively taken away the responsibility of the CSU to set its own standards for acceptance into college and handing it to the SBE.

*CSU Position:* OPPOSE  
*Status:* DEAD  
This measure did not advance out of the Senate Education Committee.

*AB 1656 (Jones) Personal Information: Security Breaches:* This measure requires a person, business, or public agency that sells goods or services to any California resident and accepts as payment a credit or debit card, or other payment device, to comply with specified data security standards.

*CSU Position:* NO OFFICIAL POSITION  
*Status:* All provisions of this bill have been replaced with the contents of AB 1779 (see below). The measure must pass out of both houses and then will go before the Governor. AB 1656 is almost identical to AB 779, which the Governor vetoed as he saw the measure to be unnecessary given existing private industry standards.

*AB 1758 (DeVore) Postsecondary Education:* This measure would have established the California National Guard Education Assistance Act, which would provide a waiver on up to 60 units of course work for members who re-commit to the Guard.

*CSU Position:* OPPOSE UNLESS AMENDED  
*Status:* DEAD  
This measure did not advance out of the Assembly Appropriations Committee due to costs.

*AB 1779 (Jones) Personal Information: Security Breaches:* This measure would have required a person, business, or public agency that sells goods or services to any California resident and accepts as payment a credit or debit card, or other payment device, to comply with specified data security standards.

*CSU Position:* NO OFFICIAL POSITION  
*Status:* DEAD  
This measure did not advance out of the Senate Judiciary Committee and is now dead. The contents of this measure are now in AB 1656.

*AB 1821 (Brownley) Public Postsecondary Education: Reporting Requirements:* This measure was amended a third time and now proposes to eliminate some, and reorganize other, higher education reporting requirements placed on the state's public universities and colleges.

*CSU Position:* NO OFFICIAL POSITION  
*Status:* This measure passed out of the Senate 37-0 and the Assembly will need to take action before going to Governor's Desk.

*AB 2083 (Nunez) Student Financial Aid: Institutional Financial Aid Eligibility:* This measure would have allowed AB 540 students to receive institutional financial aid from a public university, like the CSU's State University Grant (SUG).

*CSU Position:* SUPPORT

*Status:* DEAD

The Senate Appropriations Committee held this measure because of its cost. This measure was almost identical to Senator Cedillo's SB 1301.

*AB 2296 (Mullin) Academic Research:* This measure seeks to increase protections for academic researchers by making it a misdemeanor to illegally enter into the private residence of an academic researcher for the purposes of intimidating and interfering with the researcher's academic work. Such a violation would be punishable by a jail term of up to six months, or a fine of up to \$1000, or both.

*CSU Position:* SUPPORT

*Status:* This measure passed out of the Senate. The Assembly Public Safety Committee recorded a vote of 6-0 on this measure. The bill will now go to the Assembly floor.

*AB 2372 (Coto) Public Postsecondary Education: Systemwide Fees: Limitations: Tax Levy:* This measure proposed creating the College Affordability Act of 2008, which would freeze undergraduate fees for five years and then any future increases would be tied to the annual percentage change in the California Consumer Price Index starting in fiscal year 2014-15. It also would have placed a tax of one percent on the taxable income of a resident of California who earns more than \$1 million, but would only direct 60% of these funds to the newly created College Affordability Fund for the purposes of the CSU and UC.

*CSU Position:* OPPOSE

*Status:* DEAD

This measure did not advance out of the Assembly Appropriation's suspense calendar due to costs. The CSU opposed this measure as it did not guarantee that the State's obligations to higher education.

*AB 2458 (Walters) Public Postsecondary Education: Graduation Rates:* This measure stated that it is the intent of the Legislature to enact legislation, which would provide a student a financial reward for graduating early from a public postsecondary institution. The measure also indicated that institutions would share this reward as well.

*CSU Position:* NO OFFICIAL POSITION

*Status:* DEAD

This measure never received a referral to a policy committee and is now dead.

*AB 2496 (Huffman) Public Postsecondary Education: Tuition and Fees:* This measure would have provided a fee waiver to a dependent of a federal firefighter who died while performing assigned fire-fighting duties in the State. The measure also proposed expanding the existing fee-waiver for all public safety employees by allowing their dependents to receive this waiver if they had *died as a result of an occupational disease*. Currently only those who died of an injury caused by external violence or physical force receive this waiver.

*CSU Position:* OPPOSE UNLESS AMENDED

*Status:* DEAD

This measure did not advance out of the Senate Appropriation Committee due to costs. The CSU had requested an amendment to provide backfill of revenues from the State's General Fund on the lost revenue for these students which has been estimated to be \$1.5 million.

*AB 2602 (Smyth) Public Postsecondary Education: Hunting and Trapping: Funding:* This measure would have stated the intent of the Legislature that a public institute of higher education cannot fund or participate in the lethal hunting of animals.

*CSU Position:* NO OFFICIAL POSITION

*Status:* DEAD

The author dropped this measure.

*AB 2722 (Duvall) Public Postsecondary Education: Statewide Student Fee Policy:* This measure would have required the CSU and the UC to establish a level of mandatory systemwide fees and tuition for undergraduate students for a period of at least four years in an effort to allow students to budget for their costs of attending a four-year program.

*CSU Position:* OPPOSE

*Status:* DEAD

This measure failed to advance out of the Assembly Higher Education Committee.

*AB 2876 (Lieber) Postsecondary Education: Student Loan Integrity Act:* This measure would have required a public or private university to include a notice warning applicants of the potential hazards associated with accepting a private student loan when notified of their acceptance to the institution. The measure would also have prohibited the university, or its representatives, from accepting anything of value in consideration of originating a student loan or advising, or encouraging, any person to accept a student loan. Finally, this measure would

have permitted a person to seek damages from an educational institution or a lender that conspired, or acted in concert, with the postsecondary educational institution in violating those provisions.

*CSU Position:* NO OFFICIAL POSITION

*Status:* DEAD

This measure did not receive the votes necessary to advance out of the Assembly Higher Education Committee.

*SB 191 (Padilla) Public Works: Labor Compliance Programs:* This measure would put in place a labor compliance program for any project that Proposition 1-D monies paid for.

*CSU Position:* NO OFFICIAL POSITION

*Status:* The measure passed out of the Assembly Appropriation Committee and now must pass out of the Assembly.

*SB 325 (Scott) Postsecondary Education: California Postsecondary Education Accountability Act of 2007:* SB 325 would require the establishment of an accountability framework, which would biennially assess and report on the collective progress of the states system of postsecondary education in meeting specified educational and economic goals.

*CSU Position:* SUPPORT

*Status:* This measure passed out of the Legislature and the Governor will have until September 30 to act. The CSU has been active in the development of this framework for the State in the belief that such a system will hold all of higher education and the state accountable to the goals and objectives important for our economic and social well-being.

*SB 361 (Scott) Postsecondary Education: California Postsecondary Education Commission:* This measure would remove certain reporting requirements of the California Postsecondary Education Commission (CPEC), most of which are obsolete or have not been recently produced by the commission. In addition, recent amendments outline priority functions for the commission in light of budget restraints: 1) review of new campuses; 2) review of new academic programs; 3) administer federal programs, like Eisenhower Grants; and 4) serve as data warehouse for the state on higher education.

*CSU Position:* SUPPORT

*Status:* TO ENROLLMENT

This measure passed out of the Legislature and is now in enrollment. The Governor will have until September 30 to act.

*SB 441 (Torlakson) State Property: Vending Machines:* This measure would require that each vendor who operates or maintains vending machines on designated state property to phase in a requirement that at least 25% of the food and beverages offered in a machine specify nutritional guidelines.

*CSU Position:* NO OFFICIAL POSITION  
*Status:* TO ENROLLMENT  
This measure is now in enrollment. The Governor has until September 30 to act.

*SB 890 (Scott) Pupils: Early Commitment to College Program:* This measure would establish the voluntary Early Commitment to College (ECC) program designed to increase college preparation for low-income K-12 pupils. Districts volunteering to participate in this program would be required to undertake a variety of activities aimed at increasing high school completion rates and motivating pupils to take rigorous college preparatory or career technical coursework.

*CSU Position:* SUPPORT  
*Status:* This measure is now in enrollment. The Governor has until September 30 to act.

*SB 946 (Scott) Community College Early Assessment Pilot Program:* This measure expands the Early Assessment Program (EAP) to the California Community Colleges (CCC).

*CSU Position:* SUPPORT  
*Status:* This measure passed out of the Assembly and is now in the Senate awaiting action in the last week of August. It will then go to the Governor.

*SB 1290 (Wyland) National Guard: Educational Benefits:* This measure would have required the CSU to waive the cost of tuition and all associated fees to a member of the National Guard for up to five years and would not have provided the system with additional revenues to cover this cost.

*CSU Position:* SUPPORT IF AMENDED  
*Status:* DEAD  
A committee hearing was never set for this measure. The CSU would have requested a language to guarantee reimbursement to the CSU from the State for lost revenue.

*SB 1301 (Cedillo) Student Financial Aid: Institutional Financial Aid Eligibility:* This measure would allow AB 540 students to receive institutional financial aid from a public university, like the CSU's State University Grant (SUG).

*CSU Position:* SUPPORT

*Status:* This measure is on the Assembly floor awaiting further action. It is almost identical to Assembly Speaker Nunez's AB 2083.

*SB 1355 (Corbett) Postsecondary Education: Private Student Loans:* This measure would require a public or private university that originates private loans (not federally subsidized loans) to provide certain financial information to their students about the loan rates and whether they are fixed or variable. It would also require universities to state in their financial aid materials that private loans may cost more than a federal loan.

*CSU Position:* NO OFFICIAL POSITION

*Status:* This measure passed out of the Legislature and the Governor has until September 30 to act.

*SB 1494 (McClintock) State Agency Web Sites: Information:* This measure would have required each state department and agency, including the CSU, to develop and operate a web site accessible to the public that includes specified information relating to expenditures of state funds defined to include, grants, contracts, subcontracts, purchase orders and tax refunds, rebates, and credits

*CSU Position:* OPPOSE

*Status:* This measure did not advance out of the Senate Appropriations Committee due to costs. The CSU estimated that, at the very least, it would cost up to \$5 million for start-up costs as the CSU.

*SB 1578 (Florez) Public Postsecondary Education: Gender Equity in Athletics:* This measure would require the CSU and the UC to establish an Office of Gender Equity (OGE) and to appoint a Title IX compliance officer. It also mandates Title IX and gender equity training for all athletic department personnel and executive level university management and those campuses with NCAA intercollegiate athletic programs achieve gender equity in participation, expenditure, and grants-in-aid for women athletics programs at a higher standard than federal, NCAA, and Cal-Now standards. Finally, each campus would have to file with the newly created Office of Gender Equity in Academics (OGEIA), within the California Attorney General's Office, a certificate of Compliance. The OGEIA could place up to 20% of the athletic department budget of any campus into receivership if that campus were in noncompliance for more than two consecutive years.

*CSU Position:* OPPOSE  
*Status:* DEAD  
This measure is dead for this session.

*SB 1585 (Padilla) California Community Colleges: Transfer Students:* This measure would establish a voluntary five-year pilot program at up to 10 community colleges with the goal of increasing the rate of students who transfer to a four-year institution.

*CSU Position:* SUPPORT  
*Status:* This measure passed out of the Legislature and is now with the Governor.

*SB 1680 (Wyland) Student Financial Aid: Military and Veterans Office:* This measure will help streamline the coordination of services for qualified students who are veterans or members of the military by requiring institutions of higher education to clearly designate Military and Veterans Offices that will assist students in determining their eligibility for financial aid and other student services.

*CSU Position:* SUPPORT  
*Status:* ENACTED  
Signed by the Governor. Chapter Number 123, Statutes of 2008.

*SB 1752 (Wyland) California National Guard Education Assistance Award Program:* This measure would have established the California National Guard Education Assistance Award Program.

*CSU Position:* WATCH  
*Status:* DEAD  
Because of its costs, the Senate Appropriations Committee did not let this measure advance.

*ACA 16 (Torricon) Public Postsecondary Education: Student Enrollment: Funding:* This measure proposed the creation of a long-term state-funding policy for the University of California (UC) and CSU.

*CSU Position:* NO OFFICIAL POSITION  
*Status:* DEAD  
This measure failed to advance out of the Assembly Higher Education Committee.

**RESOLVED,** By the Board of Trustees of the California State University, that the 2007-08 Legislative Report No. 11 is adopted.

## **COMMITTEE ON GOVERNMENTAL RELATIONS**

### **November 2008 Ballot Initiatives**

#### **Presentation By**

Karen Y. Zamarripa  
Assistant Vice Chancellor  
Advocacy and Institutional Relations

#### **Summary**

There are 12 measures that will go before California's voters on the November 2008 ballot, which run the gamut from energy efficiency to increased criminal penalties. There are several bond proposals and numerous measures that will seem familiar to voters, such as redistricting, the definition of marriage, and a measure regarding parental notification for abortion.

Below is a summary of these 12 measures, as provided by the Secretary of State.

#### **Proposition 1 – Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century**

The High Speed Train Bond Act has been put before the voters and subsequently delayed four times. It was originally scheduled to appear on the November 2004 ballot but was pushed back by the legislature in order to address other debt financing priorities.

The initiative remains on the ballot and would, if passed by the voters, authorize \$9.95 billion of general obligation bonds to fund a safe, reliable high-speed passenger train. Nine billion of this would be used in conjunction with available federal funds for the planning and construction of a high-speed train system that would go from San Francisco to Los Angeles. The remaining funds (\$950 million) would be made available for capital projects on other passenger rail lines to provide connectivity to the high-speed train system. Last minute legislation has replaced this proposal with Proposition 1a (AB 3034 by Assembly Member Cathleen Galgiani), which would allow all high-speed rail corridors to have an equal opportunity to compete for a share of the \$9 billion bond the proposition would provide.

#### **Fiscal Estimate:**

The Legislative Analyst's Office (LAO) indicates that if the bonds are sold at an average interest rate of five percent, the cost would be about \$19.4 billion to pay off both principal (\$9.95 billion) and interest (\$9.5 billion). The average repayment for principal and interest would be about \$647 million per year. They also assume maintenance and operating costs in excess of \$1 billion a year which could be offset by revenue from fares paid by passengers.

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**Support:**

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

California High-Speed Rail Authority  
The Planning and Conservation League

**Opposition:**

None known

**Proposition 2 - Treatment of Farm Animals**

Proposition 2 would prohibit after January 1, 2015 the confinement on a farm of pregnant pigs, calves raised for veal, and egg-laying hens, in a manner that does not allow the animals to turn around freely, lie down, stand up, and fully extend their limbs. Any person who violated the 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.

**Fiscal Estimate:**

The LAO suggests that this proposal may lead some farmers to exit the business, or reduce production and profitability thereby reducing state and local tax revenues. The magnitude of this fiscal effect is unknown, but potentially in the range of several million dollars annually. They also suggest that this measure could result in unknown, but probably minor, local and state costs for enforcement and prosecution of individuals charged with new animal confinement offenses but could be partially offset by revenue from the collection of misdemeanor fines.

**Support: (partial list)**

<http://www.humanecalifornia.org/>

The California Veterinary Medical Association  
The Humane Society of the United States  
Consumer Federation of America  
Sierra Club California  
Greenpeace USA

**Opposition: (partial list)**

<http://safecaliforniafood.org/>

California Teamsters Public Affairs Council

California Poultry Federation  
California Grocers Association  
Congress of California Seniors  
California Farm Bureau Federation

**Proposition 3 - Children's Hospital Bond Act**

This measure, which was put on the ballot per advocacy efforts by various private children's hospitals, authorizes the state to sell \$980 million in general obligation bonds for capital improvement projects at such facilities. Eighty percent of the monies would be available to private nonprofit children's hospitals and the remaining 20 percent would be available to University of California children's hospitals, with the measure specifically identifying the five UC children's hospitals as being eligible for bond fund receipts. The money raised from the bond sales could be used for the construction, expansion, remodeling, renovation, furnishing, equipping, financing, or refinancing of children's hospitals in the state.

**Fiscal Estimate:**

The LAO assumes that if the \$980 million in bonds authorized by this measure were sold at an interest rate of five percent and repaid over 30 years, the cost to the state General Fund would be about \$2 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 minor.

**Support:**

[http://www.ccha.org/advocacy\\_cf.html](http://www.ccha.org/advocacy_cf.html)

California Children's Hospital Association Initiative Fund

Members include:

- Children's Hospital Central California
- Children's Hospital Los Angeles
- Children's Hospital of Orange County
- Children's Hospital & Research Center at Oakland
- Loma Linda University Children's Hospital
- Lucile Packard Children's Hospital at Stanford
- Miller Children's Hospital
- Rady Children's Hospital - San Diego

**Opposition:**

None known

**Proposition 4 - Waiting Period and Parental Notification before Termination of Minor's Pregnancy**

For a third time in four years, California voters will be asked to consider the issue of a parental notification/waiting period for minors seeking abortions. The two previous, unsuccessful, initiatives were California Proposition 85 (2006) and California Proposition 73 (2005).

Proposition 4 would amend the State Constitution to require, a physician to notify the parent or legal guardian of a pregnant minor at least 48 hours before performing an abortion involving that minor. This proposition does not require a physician or a minor to obtain the consent of a parent or guardian and would only apply in the case of an "unemancipated" minor. The measure identifies an unemancipated minor as being a female under the age of 18 who has not entered into a valid marriage, is not on active duty in the armed services of the United States, and has not been declared free from her parents' or guardians' custody and control under state law.

**Fiscal Estimate:**

The LAO suggested that the fiscal effects of this measure on state government would depend mainly upon how these new requirements affect the behavior of minors regarding abortion and childbearing, which they suggest would be limited. But if it were to increase the birthrate for California minors it would not exceed several million dollars annually for health and social services programs, the courts, and state administration combined.

**Support: (partial list)**

<http://www.yeson4.net/>

California Catholic Conference  
Friends of Sarah  
The Parental or Alternative Family Member Notification Act  
Parents Right to Know California

**Opposition: (partial list)**

<http://www.noonprop4.org/>

Campaign for Teen Safety - No on 4 - A Project of Planned Parenthood Affiliates of California  
California NOW  
Feminist Majority Foundation

**Proposition 5 – Expansion of Sentencing, Parole and Rehabilitation of Nonviolent Offenders**

This proposition, which has been funded by financier George Soros and the Drug Policy Alliance Network, would change state law in the following four ways: (1) expand drug treatment diversion programs for criminal offenders, (2) modify parole supervision procedures and expand prison and parole rehabilitation programs, (3) allow inmates to earn additional time off their prison sentences for participation and performance in rehabilitation programs, and (4) reduce certain penalties for marijuana possession.

**Fiscal Estimate:**

This measure would likely result in an increase in state costs, potentially exceeding \$1 billion annually, mainly for expansion of drug treatment and other services provided to eligible offenders, and related administrative costs. But the proposal may also provide a savings on state operating costs, potentially exceeding \$1 billion annually, due primarily to reductions in prison and parole supervision caseloads. This measure also could reduce the state's prison population by more than 18,000 inmates and reduce the number of parolees under state supervision by more than 22,000. The proposition also could reduce the number of prison facilities that the State needs and could thus result in one-time net state savings on capital outlay costs for new prison facilities that eventually could exceed \$2.5 billion.

**Support: (partial list)**

<http://www.prop5yes.com/nora-and-drug-courts>

California State Conference of the NAACP  
League of United Latin American Citizens (LULAC)  
California Council of Community Mental Health Agencies  
California Labor Federation  
California Department of Corrections

**Opposition: (partial list)**

<http://www.noonproposition5.com/>

Gray Davis, former Governor and Controller, State of California  
George Deukmejian, former Governor and Attorney General, State of California  
Mothers Against Drunk Driving (MADD)  
California Police Chiefs Association  
California District Attorneys Association

### **Proposition 6 – Public Safety Spending for Gang Crime**

Proposition 6, also known as the Runner Initiative (Senator George Runner and Assembly Member Sharon Runner) was financed by billionaire Henry Nicholas. The initiative would require California to increase its spending on various programs to combat crime and gangs, and increase spending on the prison and parole systems. It also would increase penalties for several crimes, including violating gang injunctions, using or possessing methamphetamine with an intent to sell, or carrying loaded or concealed firearms by certain felons; eliminate bail for illegal immigrants charged with violent or gang-related felonies, establish a crime for removing or disabling a monitoring device affixed as part of a criminal sentence, and change evidence rules to allow use of certain hearsay statements as evidence when witnesses are unavailable.

#### **Fiscal Estimate:**

Net state costs are 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. In addition there could be unknown one-time state capital outlay costs potentially exceeding a half billion dollars for prison facilities. There also is possible an unknown net fiscal impact for state trial courts, county jails, and other local criminal justice agencies.

#### **Support: (partial list)**

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

Senator George Runner, Author of Jessica's Law  
Assemblywoman Sharon Runner, Author of Jessica's Law  
Mike Reynolds, Author of Three Strikes  
California Police Chiefs' Association  
California District Attorneys Association

#### **Opposition: (partial list)**

<http://www.votenoprop6.com/>

Former Los Angeles Police Chief Bernard Parks  
The California Labor Federation  
The California Teachers Association  
California National Organization for Women  
The League of Women Voters

### **Proposition 7 - Renewable Energy**

Proposition 7 would require all California utilities, including government owned utilities like Sacramento Municipal Utilities District (SMUD), to generate at least half of its power from alternative sources, such a solar or wind, by 2025. Utilities are currently required to provide 20 percent of energy from renewable sources by 2010. Government-owned utilities are currently excluded from this requirement.

The Legislative Analyst's Office, in its analysis of this proposal notes that in the findings and declarations, the measure states that, "in the "short term," California's investment in solar and clean energy (which would include the implementation of the measure) will result in no more than a 3 percent increase in electricity rates for consumers. However, the measure includes no specific provisions to implement or enforce this declaration."

#### **Fiscal Estimate:**

This measure has a state administrative cost 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. Additionally, there are possible offsetting cost savings and revenue increases, to an unknown degree, over the long term to the extent the measure hastens renewable energy development.

#### **Support: (partial list)**

<http://www.yeson7.net/>

John L. Burton - Past President pro Tem California State Senate, and former Chair, California Democratic Party.

Dolores Huerta - Co-Founder, United Farmworkers Union

Danny Glover - actor, environmental justice activist

Art Agnos - Former Mayor, City and County of San Francisco (ret.)

Rev. Amos Brown - Third Baptist Church/President, San Francisco Chapter, NAACP

#### **Opposition: (partial list)**

<http://www.noprop7.com/>

League of California Cities

California League of Conservation Voters

California Labor Federation AFL-CIO

California Chamber of Commerce

California Municipal Utilities Association

**Proposition 8 - Limit on Marriage**

This measure amends 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, while individuals of the same sex would not have the right to marry in California. If it were to be passed by the voters, the initiative would not negate any marriage that took place since May 2008, but only marriages prospectively.

**Fiscal Estimate:**

The LAO suggested in its analysis that this measure could cost the State in lost revenue, mainly from sales taxes, to state and local governments over the next few years, of several tens of millions of dollars. Ultimately though, they do not anticipate this proposition would have any fiscal impact on state and local governments.

**Support: (partial list)**

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

California Catholic Conference of Bishops  
California Family Council  
National Organization for Marriage  
The Western Center for Law & Policy  
Traditional Family Coalition

**Opposition: (partial list)**

<http://noonprop8.com/home>

Anti-Defamation League  
California Labor Federation  
California NAACP  
California National Organization for Women (NOW)  
Planned Parenthood

**Proposition 9 – Notification during Criminal Justice Process**

Proposition 9, or “Marsy’s law”, would require notification to the victim of a crime, as well as an opportunity for input, during certain phases of the criminal justice process, including bail, pleas, sentencing and parole. It also would establish victim safety as a consideration in determining

bail or release on parole. It also would increase the number of people permitted to attend and testify on behalf of victims at parole hearings, reduce the number of parole hearings to which prisoners are entitled and require that victims receive written notification of their constitutional rights.

Like Proposition 6, this measure was put on the ballot by billionaire Henry Nicholas.

**Fiscal Estimate:**

This proposal has an unknown potential increase in state prison and county jail operating costs due to provisions restricting early release of inmates which could collectively amount to hundreds of millions of dollars annually.

**Support: (partial list)**

<http://www.marsyslaw.org/>

Crime Victims United of California  
Memories of Victims Everywhere  
National Organization for Victim Assistance (NOVA)  
National Organization of Parents Of Murdered Children, Inc. (POMC)  
The Cara Knott Foundation

**Opposition: (partial list)**

California Democratic Party  
California Professional Firefighters  
California Teachers Association  
California Church IMPACT  
Ella Baker Center for Human Rights

**Proposition 10 – Alternative Fuel Vehicles and Renewable Energy**

This proposition would authorize \$5 billion in bonds, re-paid from the state's General Fund, allocated approximately as follows: 58 percent in cash payments of between \$2,000 and \$50,000 to purchasers of certain high fuel economy and alternative fuel vehicles; 20 percent in incentives for research, development and production of renewable energy technology; 11 percent in incentives for research and development of alternative fuel vehicle technology; five percent in incentives for purchase of renewable energy technology; four percent in grants to eight cities for education about these technologies; and three percent in grants to colleges to train students in these technologies.

**Fiscal Estimate:**

The LAO noted that this proposition would likely cost the state \$10 billion to pay off both the principal (\$5 billion) and interest (\$5 billion). The average payment would be about \$335 million per year. The Department of Finance and the LAO also noted that this proposal would lead to an increase in local sales tax and Vehicle License Fee revenues of an unknown amount, potentially totaling in the tens of millions of dollars, over the period from 2009 to about 2018-19. They also suggested that the proposal could have potential state costs of up to about \$10 million annually, through about 2018 -19, for state agency administrative costs not funded by the measure.

**Support:**

The Clean Energy Fuels Company

**Opposition:**

<http://www.consumerfedofca.org/article.php?id=592>

The Consumer Federation of California

**Proposition 11 – Member Redistricting**

This proposition would create a 14-member redistricting commission responsible for drawing new district lines for State Senate, Assembly, and Board of Equalization districts. It also would require the State Auditor to randomly select commission members from the 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. It requires nine votes to approve final district maps.

It also would establish standards for drawing new lines, including respecting the geographic integrity of neighborhoods and encouraging geographic compactness. It further permits the state legislature to draw lines for congressional districts subject to these standards.

**Fiscal Estimate:**

Under this measure, the legislature would continue to incur expenses to perform redistricting for U.S. House of Representative districts. In addition, this measure authorizes funding (outside of the legislature's budget) for redistricting efforts related to legislative and BOE districts to be performed by the citizen's commission. The minimum estimate amount required for 2010 would be about \$4 million (the 2001 amount spent on redistricting adjusted for estimated inflation through 2010). Having two entities—the legislature and the commission—perform redistricting

could increase overall redistricting expenditures. Any increase in such redistricting costs, however, probably would not be significant.

**Support:**

<http://yesprop11.org/>

California Common Cause, sponsor  
American Association of Retired People (AARP)  
The League of Women Voters  
Governor Arnold Schwarzenegger's California Dream Team  
New York Mayor Michael Bloomberg

**Opposition:**

The Mexican American Legal Defense and Educational Fund (MALDEF)

**Proposition 12 Veterans' Bond Act of 2008.**

This proposition was placed on the ballot by the legislature via Senator Mark Wyland's Senate Bill 1572 and would authorize issuance of \$900 million in bonds to create a fund to assist veterans who are purchasing farms, homes and mobile home properties.

Governor Arnold Schwarzenegger announced his support for the measure, saying, "The Veterans Bond Act will help California's veterans achieve the American dream of homeownership. I'm asking voters to say yes in November so that veterans who risked their lives in places like Kuwait, Iraq and Afghanistan will be eligible to join the more than 420,000 others who have bought a home with a CalVet loan - at no expense to taxpayers."

**Fiscal Estimate:**

According to the LAO, \$900 million in bonds would be paid back over a period of about 30 years. If the \$900 million in bonds were sold at an interest rate of five percent, the cost would be about \$1.8 billion to pay off both the principal (\$900 million) and the interest (\$856 million). The average payment for principal and interest would be about \$59 million per year. Also, if the payments made by those veterans participating in the program do not fully cover the amount owed on the bonds, the state's taxpayers would pay the difference.

**Support:**

Governor Arnold Schwarzenegger

**Opposition:**

None known