

1998

Voter Information Guide for 1998, Primary

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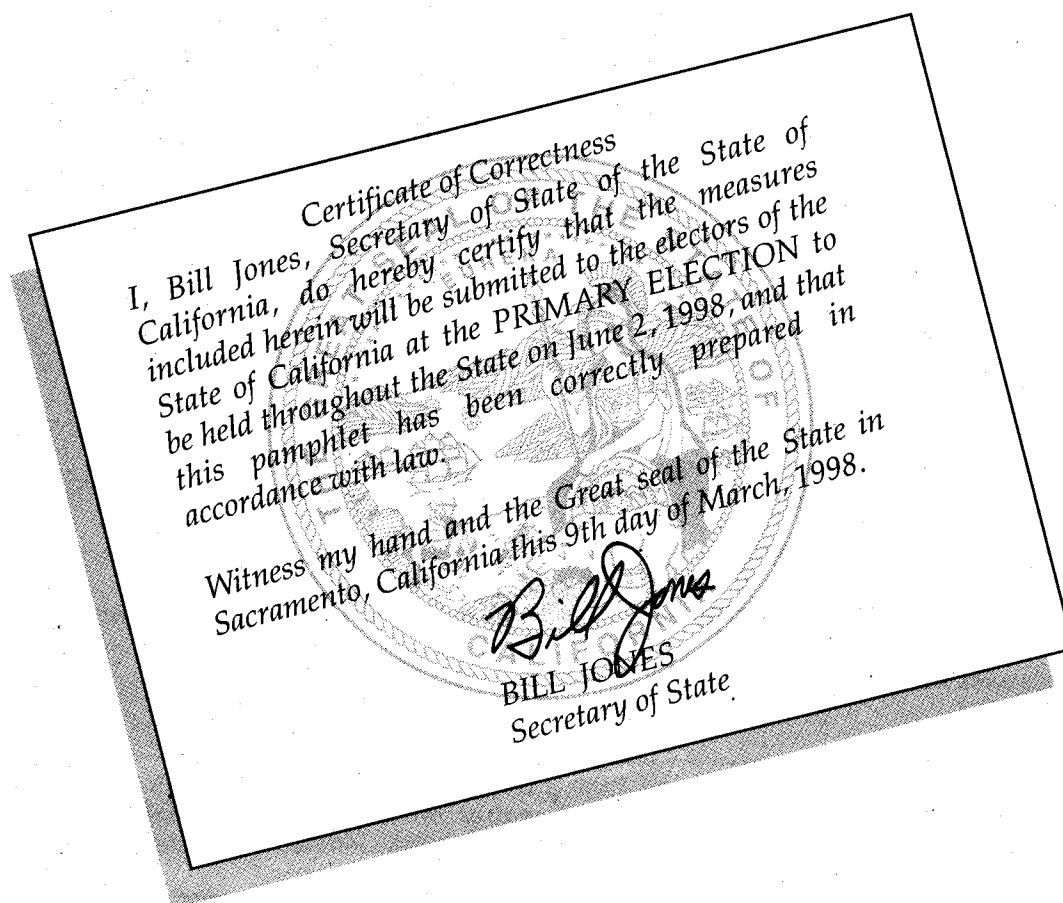


INFORMATION GUIDE

PRIMARY ELECTION

JUNE 2, 1998

BALLOT PAMPHLET



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Please note that Proposition 219 is the first proposition for this election. To avoid confusion with past measures, the Legislature passed a law which requires propositions to be numbered consecutively starting with the next number after those used in the November 1982 General Election. This numbering scheme will begin again with Proposition 1 in the November 3, 1998 General Election.



Secretary of State

Dear Voter:

As the Primary Election nears you can almost feel the energy and excitement because this year you will have an even greater opportunity to participate in the election process than ever before! This June 2, 1998, you will have the chance to shape our state's future for the 21st century by participating in a truly historic event: California's first-ever Open Primary Election!

The open primary, approved by the voters in 1996, is open to all registered voters. What does this mean to you? When you go to the polls in June, your primary election ballot will have the names of all candidates running for all offices from every political party. **You can vote for whomever you wish, but you can only vote for one candidate in each race. The top vote-getters from each party in each race will compete against one another in the November General Election.** For more information on how the Open Primary may affect you, please refer to page 36. You may also obtain information by visiting our website at www.ss.ca.gov or by calling **1-800-345-VOTE**.

This June's Open Primary Election is truly a momentous occasion. To help you prepare for this unique election, we have redesigned and renamed the booklet the *Voter Information Guide and Ballot Pamphlet* in order to provide you with the materials you need to cast your ballot with confidence on Election Day! Inside this guide, you will find comprehensive summaries, legislative analyses and arguments on nine ballot propositions and statements from the candidates, themselves, who will appear on the Open Primary ballot on June 2, 1998. We urge you to please take the time to read each measure and statement carefully before going to the polls.

In keeping with our long-established goal of 100 percent voter registration and participation, the Secretary of State's office is committed to raising the level of voter involvement in California. If you know of anyone who is not registered to vote and would like to do so, please have them call the Secretary of State's Voter Registration and Election Fraud Hot-Line at 1-800-345-VOTE to receive a voter registration form.

It's important, too, to maintain a zero tolerance policy for fraud. The Hot-Line can also be used to report any incidents of election fraud, tampering or other election-oriented irregularities. You may also contact your county registrar of voters or district attorney to report any instances of election-related misconduct.

Please register and vote in California's first-ever Open Primary Election on June 2, 1998. Together, we can make history!

BALLOT MEASURE SUMMARY

PROPOSITION		SUMMARY	WHAT YOUR VOTE MEANS	
			YES	NO
219	BALLOT MEASURES. APPLICATION. Legislative Constitutional Amendment Put on the Ballot by the Legislature	Requires statewide/local ballot measure to apply in all parts of jurisdiction, regardless of how parts of jurisdiction voted. Prohibits alternative versions of a measure from becoming law based upon specified vote percentage. Fiscal Impact: The number of measures this proposition would affect in the future, and the resulting fiscal impact, cannot be estimated.	A YES vote on this measure means: State and local ballot measures would apply in the same way in all parts of the jurisdiction (that is, the state or a local government) affected by the measure, regardless of how any individual part of that jurisdiction voted. In addition, ballot measures could not contain different provisions that would be enacted depending on the percentage of votes cast in favor of the measure.	A NO vote on this measure means: Current laws affecting ballot measures would not be changed.
220	COURTS. SUPERIOR AND MUNICIPAL COURT CONSOLIDATION. Legislative Constitutional Amendment Put on the Ballot by the Legislature	Provides for consolidation of superior and municipal courts in county upon approval by majority of county's superior and municipal court judges. Makes related changes to court system. Fiscal Impact: Potential annual net savings to the state, in the range of millions to tens of millions of dollars in the long term, to the extent that most superior and municipal courts consolidate.	A YES vote on this measure means: Superior and municipal courts within a county could consolidate into a single superior court if approved by a majority of superior court judges and a majority of municipal court judges in the county.	A NO vote on this measure means: Superior and municipal courts would remain separate.
221	SUBORDINATE JUDICIAL OFFICERS. DISCIPLINE. Legislative Constitutional Amendment Put on the Ballot by the Legislature	This measure grants Commission on Judicial Performance discretionary authority to discipline subordinate judicial officers according to same standards as judges, as specified, subject to review by California Supreme Court. Fiscal Impact: Probably minor, if any, costs to the state.	A YES vote on this measure means: The California Commission on Judicial Performance could, at its discretion, oversee and discipline court commissioners and referees.	A NO vote on this measure means: Presiding judges of local courts would continue to be responsible for oversight and discipline of court commissioners and referees.
222	MURDER. PEACE OFFICER VICTIM. SENTENCE CREDITS. Legislative Initiative Amendment Put on the Ballot by the Legislature	Provides second degree murder of peace officer on duty is punishable by life in prison without parole where aggravating factors are present. Eliminates duplicative provision. Disallows person convicted of murder from earning credits to reduce the prison sentence. Fiscal Impact: Probably minor additional state costs.	A YES vote on this measure means: Persons convicted of murder would no longer be eligible to receive credits for good conduct or participation in work or education programs that reduce the time they must stay in prison. Also, a law enacted last year by the Legislature and Governor establishing a penalty of life imprisonment without possibility of parole for the second degree murder of a peace officer under certain circumstances would be replaced by a virtually identical law enacted by the voters.	A NO vote on this measure means: Most persons convicted of murder would continue to be eligible for credits that reduce the time they stay in prison. Also, a law enacted last year by the Legislature and Governor establishing a penalty of life imprisonment without possibility of parole for the second degree murder of a peace officer under certain circumstances would not be replaced by one enacted by the voters.
223	SCHOOLS. SPENDING LIMITS ON ADMINISTRATION. Initiative Statute Put on the Ballot by Petition Signatures	Prohibits school districts from spending more than five percent of funds from all sources for administrative costs. Authorizes fines for failure to comply. Fiscal Impact: Requires school districts to reduce administrative costs (as defined by the measure) by up to \$700 million. To comply with this requirement, districts could more accurately account for administrative costs, move operations from central locations to school sites, and reduce administrative spending.	A YES vote on this measure means: School districts could spend no more than 5 percent on central administrative costs. The remaining money, at least 95 percent of total funds, would have to be spent on direct services to students, school site employees, and school facilities.	A NO vote on this measure means: School districts would continue to decide what portion of their budgets is spent on central administration and direct services.

BALLOT MEASURE SUMMARY—Continued

ARGUMENTS		TO OBTAIN ADDITIONAL INFORMATION	
PRO	CON	FOR	AGAINST
Several recent state and local ballot measures contained blackmailing language designed to force voters into supporting the ballot measure—or face having the ballot measure discriminatorily and selectively applied to their local jurisdiction's disadvantage following the election. <i>Proposition 219</i> would prohibit this extortion and protect the initiative process' integrity.	NOT PROVIDED	Senator John R. Lewis 33rd District, California Senate State Capitol, Room 3063 Sacramento, CA 95814 (916) 445-4264 Attention: Wade C. Teasdale	NOT PROVIDED
Yes on Proposition 220 will improve our courts, save money and streamline justice. It is estimated that Proposition 220 could save \$23,000,000 in taxpayer dollars. Thousands of prosecutors, judges, taxpayer advocates, local governments and law enforcement groups urge you to vote YES on Proposition 220.	Municipal courts—the “people’s court”—provide efficient and effective justice for many small, but important civil and criminal matters. Proposition 220 eliminates municipal courts and makes all muni-court judges superior court judges—giving them a huge pay increase without regard to qualification—all at taxpayer expense. No on 220.	Senator Bill Lockyer State Capitol, Room 2032 Sacramento, CA 95814 Attn: Nathan Barankin (916) 445-6671	NOT PROVIDED
We need greater accountability in our courts. This measure grants the Commission on Judicial Performance authority to discipline unfair court commissioners who are biased, unqualified, or consistently render bad legal decisions. Prosecutors, the Family Guardian Network, and the victims of injustice endorse Senator Tim Leslie's measure to rein in rogue commissioners.	NOT PROVIDED	Senator Tim Leslie State Capitol, Room 4081 Attn: Barbara McPherson http://www.TimLeslie98.org	NOT PROVIDED
NOT PROVIDED	NOT PROVIDED	NOT PROVIDED	NOT PROVIDED
Our tax dollars must be spent at our schools where our children are educated, not on administrators at central offices. Currently, non-school site administration averages 9% statewide, with some districts spending as much as 20%. The national average is 4.8%. <i>Proposition 223 puts the money where the kids are!</i>	Takes money from local school districts and redirects this funding to larger districts, principally the downtown Los Angeles Unified School District. This measure is sponsored by the LA teacher's union. Strongly opposed by the California PTA, California School Employees Association, award-winning teachers, and the California Taxpayers Association. <i>Recommendation: Vote no.</i>	Tyrone Vahedi 903 Colorado Ave., Suite 200 Santa Monica, CA 90401 (310) 319-9885 Website Address: http://www.civicweb.com/yesprop223	Parents, Teachers and Educators for Local Control 400 Capitol Mall, Suite 1560 Sacramento, CA 95814

BALLOT MEASURE SUMMARY

PROPOSITION		SUMMARY	WHAT YOUR VOTE MEANS	
			YES	NO
224	STATE-FUNDED DESIGN AND ENGINEERING SERVICES. Initiative Constitutional Amendment Put on the Ballot by Petition Signatures	Imposes restrictions on state-funded design and engineering contracts. Requires cost comparison between private contractors and public employees performing work. Provides defined competitive bidding requirement. Fiscal Impact: Unknown impact on state and local government costs to obtain construction-related services. Impact would depend largely on factors included in required cost analyses.	A YES vote on this measure means: State and local governments would have to use a new process before they could contract out certain construction-related services.	A NO vote on this measure means: The current processes for contracting out construction-related services would not change.
225	LIMITING CONGRESSIONAL TERMS. Proposed U.S. Constitutional Amendment Initiative Statute Put on the Ballot by Petition Signatures	Establishes as California's official position that state and federal legislators support U.S. Constitutional amendment establishing Congressional term limits and requires them to use their powers to enact Congressional term limits. Fiscal Impact: Relatively minor costs to the state and to counties.	A YES vote on this measure means: Members of the California Legislature and Members of Congress from California would be instructed to vote for passage of an amendment to the United States Constitution to limit United States Senators to no more than two terms (12 years) and United States Representatives to no more than three terms (6 years). If any candidate for either house of the Legislature or for Congress does not support the proposed amendment, the ballot would indicate that fact.	A NO vote on this measure means: Members of the California Legislature and Members of Congress from California would not be directed to support term limits for Members of Congress.
226	POLITICAL CONTRIBUTIONS BY EMPLOYEES, UNION MEMBERS, FOREIGN ENTITIES. Initiative Statute Put on the Ballot by Petition Signatures	Requires employee's or union member's permission to withhold wages or union dues for political contributions. Prohibits foreign contributions to state and local candidates. Fiscal Impact: Unknown, probably not major, state enforcement costs. Additional state costs (up to \$2 million annually, one-time costs of \$2 million to \$5 million), offset by fees, and unknown local government costs for administrative activities, probably offset by fees.	A YES vote on this measure means: Employers would have to obtain an annual authorization from employees in order to deduct money from wages that will be used by recipient organizations for political campaign activities. Labor unions would have to obtain annual authorization from members in order to use dues and fees for political campaign activities. Under state law, no one could solicit or accept a political campaign contribution for a candidate from a foreign national.	A NO vote on this measure means: Employers would not have to obtain annual authorization from employees in order to deduct money from wages that will be used by recipient organizations for political campaign activities. Union dues and fees could be used for political campaign activities without the annual authorization of the members. There would be no separate state law ban on foreign contributions to candidates, and only the current federal law ban.
227	ENGLISH LANGUAGE IN PUBLIC SCHOOLS. Initiative Statute Put on the Ballot by Petition Signatures	Requires all public school instruction be in English, unless parents request otherwise and show certain circumstances. Provides short-term English immersion programs for children learning English. Funds community English instruction. Fiscal Impact: Impacts on individual school districts would depend on how schools, parents, and the state respond to the proposition's changes. These impacts could vary significantly by district. Total state spending on education, however, probably would not change.	A YES vote on this measure means: Students with limited English ability will be taught in special classes in which the teacher speaks English nearly all of the time. After about one year in these special classes, most students will be moved to regular classes.	A NO vote on this measure means: Schools will teach students with limited English ability in a variety of ways. Some students will be in classes in which the teacher speaks their home language some or nearly all of the time. Students might stay in these classes for several years before moving to regular classes.

BALLOT MEASURE SUMMARY—Continued

ARGUMENTS		TO OBTAIN ADDITIONAL INFORMATION	
PRO	CON	FOR	AGAINST
<p><i>Prop. 224 stops politicians from giving overpriced, no-bid contracts to campaign contributors and requires competitive bidding for state contracts. Hold contractors responsible for their work. Require cost effectiveness and competitive bidding. Protect bridges and public safety. Join law enforcement, firefighters, engineers, businesses, labor, teachers and seniors—Yes on 224!</i></p>	<p><i>A deceptive scheme promoted by state bureaucrats! Virtually prohibits government contracting with private earthquake safety engineers. Delays highway, school and hospital earthquake retrofitting! More Bureaucrats! Higher Taxes! Less Accountability! Opposed by California Taxpayers' Association, seismic engineers, business, schools, labor, cities, counties. Don't let them fool you. Vote "No" on 224.</i></p>	<p>Taxpayers for Competitive Bidding 660 "J" Street, Suite 445 Sacramento, CA 95814 Steve Hopcraft (916) 457-5546 http://www.prop224yes.org</p>	<p>Taxpayers Against 224 111 Anza Boulevard, Suite 406 Burlingame, CA 94010 (650) 340-0470 or (310) 996-2600 www.no224.org</p>
NOT PROVIDED	<p>Term Limits are pure folly, passed for greedy Corporations at our expense. With term limits, Corporations can buy Congress. Corporations will set Congressional spending priorities. Resist the urge to use term limits to "throw the bums out." This proposition replaces Congress with powerful, hidden self-interest groups we do not elect.</p>	NOT PROVIDED	<p>No on 225 Sacramento City Taxpayers' Rights League 2509 Capitol Avenue, Suite 100 Sacramento, CA 95816</p>
<p>Proposition 226 stops unions and employers from taking money from members or employees paychecks for political purposes <i>without their prior consent</i>, and prohibits contributions to state and local candidates from foreign nationals and foreign corporations. Union members deserve the same political freedom of choice as every other Californian.</p>	<p>226 is an underhanded attempt by out-of-state interests to dramatically impact November's election by limiting the ability of unions and employee organizations to participate in the political process. And, it's not about reducing foreign contributions into California campaigns—that's a trick. Read 226 carefully. You'll see for yourself.</p>	<p>California Foundation for Campaign Reform Mark Bucher, President P.O. Box 365 Tustin, CA 92781 (714) 560-9020 http://www.prop226.com</p>	<p>Californians to Protect Employee Rights 1510 J Street, Suite 115 Sacramento, CA 95814 (916) 554-1050 www.defeatprop226.org</p>
<p>Hundreds of thousands of California schoolchildren are forced into <i>Spanish-only</i> bilingual education classes and not taught English. Proposition 227 ensures that all children are taught to read English, write English, and speak English as soon as they start school, with non-fluent students placed in intensive short-term English immersion classes.</p>	<p>Several years ago, the 1970's law mandating bilingual education in California expired. Since then local school districts have been developing and using different programs to teach children English. Proposition 227 outlaws the best local programs and imposes one state mandate that has <i>never</i> been tested. California PTA opposes Proposition 227.</p>	<p>English for the Children 315 West 9th Street, #920 Los Angeles, CA 90015 (213) 627-0005 Fax: (213) 627-0050 E-mail: info@OneNation.org http://www.OneNation.org</p>	<p>Richard Ross 1700 L Street Sacramento, CA 95814 (916) 441-0392 www.noonunz.org</p>



Ballot Measures. Application. Legislative Constitutional Amendment.

Official Title and Summary Prepared by the Attorney General

BALLOT MEASURES. APPLICATION. LEGISLATIVE CONSTITUTIONAL AMENDMENT.

- Prohibits any statewide initiative, legislative measure, or local ballot measure from excluding or including any county, city or other local jurisdiction from its application based upon voter approval or the casting of a specified percentage of votes for or against the measure within that political subdivision.
- Provides that no statewide initiative, legislative measure, or local ballot measure can contain language which enables alternative or cumulative provisions of the measure to become law based upon a specified percentage of votes being cast for or against the measure.

Summary of Legislative Analyst's Estimate of Net State and Local Government Fiscal Impact:

- The number of measures this proposition would affect in the future, and the resulting fiscal impact, cannot be estimated.

Final Votes Cast by the Legislature on SCA 18 (Proposition 219)

Assembly: Ayes 57
Noes 15

Senate: Ayes 28
Noes 1

Analysis by the Legislative Analyst

Background

In addition to voting for candidates for office, Californians vote on a variety of state and local measures—initiatives, referenda, constitutional amendments, bonds, and revisions to local charters. These measures are put before the voters by the state Legislature, local governing bodies (such as city councils and county boards of supervisors), and by individual citizens or groups seeking to change the law.

In most cases, these ballot measures apply to *all* areas within the state or a local community in the same way. For example, if a statewide measure passes, it applies to all counties in the same way, regardless of whether a majority of voters in any individual county approved the measure. One recent measure, however, was different (Proposition 172 on the November 1993 ballot). The measure, which enacted a statewide sales tax increase, provided that the revenues from the tax increase would go only to those counties that voted in favor of the measure. (Absent this vote the county could still receive the funds if the board of supervisors voted to request an allocation.) As a result, some people who otherwise would have voted “no” may have voted “yes” to ensure that their county received some of the money.

In addition, most ballot measures identify a specific policy that would be adopted if the measure passes. A recent local measure, however, contained an unusual provision. It stated that:

- If the measure were approved by a *majority* of voters, a tax for *general* purposes would be enacted.

- If, however, *two-thirds* of the voters approved the measure, a tax for *special* purposes would be enacted. Thus, a “yes” vote could mean two different things.

Proposal

This proposition, a constitutional amendment, prohibits the type of measures discussed above by:

- Requiring state and local ballot measures to apply in the same way in all parts of the jurisdiction (that is, the state or a local government) affected by the measures, regardless of how any individual part of that jurisdiction voted. Thus, a ballot measure could not apply only in those areas that voted in favor of the measure.
- Prohibiting ballot measures from containing alternative or additional provisions that would be enacted depending on the percentage of votes cast in favor of the measure. Thus, a ballot measure could not have one outcome if approved by a majority of voters and a different outcome if approved by a two-thirds vote.

Fiscal Effect

There have been only a small number of state and local measures which have used the provisions prohibited by this constitutional amendment. We cannot estimate how many measures to which it would apply in the future or the resulting fiscal effect.

For the text of Proposition 219 see page 65

Ballot Measures. Application. Legislative Constitutional Amendment.



Argument in Favor of Proposition 219

PROPOSITION 219 STOPS "BALLOT BOX BLACKMAIL" BY POLITICIANS! In November 1993 the politicians in the State Legislature placed a measure on the statewide election ballot which raised the sales tax to pay for additional public safety resources. BUT THAT BALLOT MEASURE CONTAINED A PROVISION TO EXTORT VOTERS INTO SUPPORTING IT! The blackmail provision specified that residents of all 58 counties would have to pay the higher tax—but that only those counties which VOTED IN HIKE would be able to receive the new police and fire protection revenues back!

That's right . . . unless your county voted the way the professional politicians wanted, you would pay the higher tax while getting no benefits back!

A leading nonpartisan watchdog organization publicly called this cynical tactic "inherently undemocratic!"

Proposition 219 will STOP POLITICAL BLACKMAIL of this type and make sure it can never happen again!

Proposition 219 will PROHIBIT POLITICAL DISCRIMINATION against the residents of a city,

county or other local jurisdiction just because they voted for or against a particular ballot measure.

Proposition 219 will GUARANTEE BENEFITS of all ballot measures will be provided fairly to the people of every community in California.

Proposition 219 will PRESERVE INTEGRITY in our elections.

Proposition 219 will PROTECT CONSTITUTIONAL RIGHTS of California voters to cast their ballots without fear of political revenge, intimidation or blackmail.

Help keep elections fair and free for all Californians. Join California's Secretary of State and a broad coalition of government reform organizations, taxpayer groups and citizen advocates in achieving REAL campaign reform.

VOTE "YES" ON PROPOSITION 219.

SENATOR JOHN R. LEWIS

33rd District, California Senate

MATTHEW E. WEBB

Member, Western Valleys Group of Riverside County

Argument against was not submitted



**Courts. Superior and
Municipal Court Consolidation.
Legislative Constitutional Amendment.**

Official Title and Summary Prepared by the Attorney General

**COURTS. SUPERIOR AND
MUNICIPAL COURT CONSOLIDATION.
LEGISLATIVE CONSTITUTIONAL AMENDMENT.**

- Provides for consolidation of superior court and municipal court in county upon approval by majority of superior court judges and of municipal court judges in that county.
- Upon consolidation, the superior court has jurisdiction over all matters now handled by superior and municipal court, municipal court judges become superior court judges, and the municipal court is abolished.
- Makes related changes to constitutional provisions regarding municipal courts.
- Provides for addition of nonvoting members to Judicial Council and lengthens some members' terms.

**Summary of Legislative Analyst's
Estimate of Net State and Local Government Fiscal Impact:**

- Unknown net fiscal impact to the state from consolidation of superior and municipal courts. To the extent that most courts choose to consolidate, there would likely be annual net savings in the millions to tens of millions of dollars in the long term.

Final Votes Cast by the Legislature on SCA 4 (Proposition 220)

Assembly: Ayes 58
 Noes 1

Senate: Ayes 38
 Noes 0



Background

The California Constitution provides for superior and municipal courts, referred to as the state's "trial courts." Currently, the state and the counties pay for the operation of the trial courts. Recent changes in law require that the state pay for all future increases in operating costs, beginning on July 1, 1997.

Superior courts generally handle cases involving felonies, family law (for example, divorce cases), juvenile law, civil lawsuits involving more than \$25,000, and appeals from municipal court decisions. Each of the state's counties has a superior court. Currently, there are 805 superior court judgeships.

Municipal courts generally handle misdemeanors and infractions and most civil lawsuits involving disputes of \$25,000 or less. Counties are divided into municipal court districts based on population. Currently, there are 675 municipal court judgeships.

Current law requires trial courts to improve their operations in a variety of ways. For example, judges of either court may hear both superior and municipal court cases and staff can be shared between the superior and municipal courts within a county.

Proposal

Trial Court Consolidation. This proposition, a constitutional amendment, permits superior and municipal courts within a county to consolidate their operations if approved by a majority of the superior court judges and a majority of municipal court judges in the county. If the judges approve consolidation of the courts, the municipal courts of the county would be abolished and all municipal court judges and employees would become superior court judges and employees.

A consolidated superior court would have jurisdiction in all matters that currently fall under the jurisdiction of either the superior or municipal courts. A consolidated

superior court would have an appellate division to handle misdemeanors and infractions and most civil lawsuits involving disputes of \$25,000 or less that are currently appealed from a municipal court to a superior court. The Legislature can change these amounts thereby changing the appeal jurisdiction.

Other Changes. The proposition makes a number of other related and conforming changes to the Constitution with respect to the minimum qualifications and election of judges in consolidated courts. In addition, the measure makes: (1) related and conforming changes to the membership of the Commission on Judicial Performance, which handles complaints against judges; and (2) related, conforming, and other minor changes to the membership and terms of the California Judicial Council, which oversees and administers the state's courts.

Fiscal Effect

The fiscal impact of this measure on the state is unknown and would ultimately depend on the number of superior and municipal courts that choose to consolidate. To the extent that most courts choose to consolidate, however, this measure would likely result in net savings to the state ranging in the millions to the tens of millions of dollars annually in the long term. The state could save money from greater efficiency and flexibility in the assignment of trial court judges, reductions in the need to create new judgeships in the future to handle increasing workload, improved management of court records, and reductions in general court administrative costs. At the same time, however, courts that choose to consolidate would result in additional state costs from increasing the salaries and benefits of municipal court judges and employees to the levels of superior court judges and employees. These additional costs would partially offset the savings.

For the text of Proposition 220 see page 65



Courts. Superior and Municipal Court Consolidation. Legislative Constitutional Amendment.

Argument in Favor of Proposition 220

CALIFORNIA'S THREE STRIKES LAW IS A SUCCESS . . . but our courts need to improve to make it work even better. The threat of life sentences for repeat criminals has led to massive increases in the number of jury trials and appeals. Filings have increased dramatically and jury trial requests have risen by more than 600% in Los Angeles alone.

WILL PROPOSITION 220 IMPROVE OUR COURTS? YES! Unifying our courts will make more judges available to handle the explosion of criminal cases now clogging the system as well as expedite the disposition of civil matters which currently take as long as FIVE years to resolve. Nearly 70% of local jail inmates are criminals not serving sentences—but awaiting trial! Local governments are being forced to provide early release for such “lower priority” criminals as wife-beaters and drug sellers!

WILL PROPOSITION 220 SAVE TAXPAYERS MONEY? YES! It costs state taxpayers nearly \$1,000,000 for each new judgeship! Proposition 220 will allow local courts to combine their functions and reduce the need for new judges. A recent study by the National Center for

State Courts found that unification in California would save a minimum of \$16,000,000 by reallocating judicial resources, \$4,000,000 from reduced judicial assignments, \$3,000,000 in reduced administrative costs. Proposition 220 is supported by the Howard Jarvis Taxpayers Association.

PROPOSITION 220 HAS OVERWHELMING SUPPORT. In addition to the Howard Jarvis Taxpayers Association, Proposition 220 is supported by the Judicial Council, dozens of trial courts throughout the state, the California State Association of Counties, the California State Sheriffs' Association, and many more organizations and individuals.

Keep “Three Strikes” working. VOTE YES ON PROPOSITION 220.

SENATOR BILL LOCKYER
California State Senate

JOEL FOX
President, Howard Jarvis Taxpayers Association

SHERIFF CHARLES BYRD
President, California State Sheriffs' Association

Rebuttal to Argument in Favor of Proposition 220

Proposition 220 has *nothing* to do with preserving the Three Strikes Law. In fact, Senator Bill Lockyer and his fellow “soft on crime” politicians have been the biggest roadblock to the enactment and implementation of Three Strikes in this State.

Proposition 220 eliminates an effective and efficient system of justice for many small, but important, civil and criminal cases. Proposition 220 is based on the false premise that municipal court judges are not busy and can assist superior court judges in clearing their caseloads. The truth is, municipal courts are just as busy as any other court.

What is needed is for our state Legislature to create new judicial districts to correspond with California's expanding population. But Bill Lockyer will not allow that to happen, fearing that a tough-on-crime Governor will appoint tough-on-crime judges to fill those new judgeships.

Furthermore, Proposition 220 will not save taxpayers money. Our own state Department of Finance has concluded that Proposition 220 will increase costs to taxpayers.

Three Strikes has contributed to historic drops in California's crime rate and has helped *reduce* the number of repeat criminals clogging our courts. Despite Senator Lockyer's claim, the number of trials has *not* gone up as a result of Three Strikes.

I don't trust a politician who uses the important law that I championed and millions of Californians supported for his own political agenda—especially when that politician was and is an enemy of Three Strikes.

VOTE NO ON PROPOSITION 220.

MIKE REYNOLDS
Author of Three Strikes and You're Out Law

Courts. Superior and Municipal Court Consolidation. Legislative Constitutional Amendment.



Argument Against Proposition 220

Masquerading as a "reform" of California's trial courts, Proposition 220 is in reality a hoax, a politician's deal to give municipal court judges, already among the highest paid in the nation, an annual pay raise of \$9,320, increasing their annual salary from \$98,070 to \$107,390. In return for this generosity, the municipal court, the "people's court", the court closest to the people, will be abolished.

This can be done in any county by a majority vote of their municipal and superior court judges to unify the trial courts. That will automatically abolish the municipal court and elevate every municipal court judge in the county to the superior court without the experience and review for competence now required for superior court judges. If this is done in all counties more than six million dollars will be added to judicial budgets just so 670 municipal court judges can call themselves superior and collect a bigger paycheck.

That's not all. Municipal court judges who retire from a unified court, including judges who are now retired, will receive an increased retirement check of as much as \$6213 per year from the already underfunded Judges' Retirement Fund.

When the Legislature considered this proposal, it was opposed by the State Department of Finance on the ground that trial court "unification may lower the standards of service and would raise costs to the extent judges are paid at superior court rates to perform municipal court work."

Californians demand more accountability from their judges. This measure offers less. Under existing law, superior court judges review the decisions of municipal

court judges. Under this proposal superior court judges will be assigned to sit on an appellate court to review appeals from the decisions of other superior court judges in cases that used to go to the municipal court. A judge cannot fairly review the work of a colleague, knowing that perhaps next week their roles will be reversed. The appearance and substance of justice will be questioned and public confidence in the courts will be eroded.

All of the claimed economic efficiencies of trial court unification now can be obtained under legislation which directs the consolidation of court clerks' offices and the assignment of judges where needed. Giving exorbitant, unearned pay raises to judges at a time when non-government worker's wages are stagnant or in decline, at the cost of abolishing the "people's court", is not court reform.

Proposition 220 will destroy a proven, effective, and efficient two-tier system of trial courts by abolishing the municipal court. The municipal court is truly the "people's court." Its judges are elected from small districts close to the people. To abolish such an important court to boost the egos of municipal judges with higher status and higher pay is not court reform.

Proposition 220 must be defeated.

Don't let judges vote to abolish the municipal court and give themselves a pay raise. **Vote NO!**

LEWIS K. UHLER

President, National Tax Limitation Committee

EDWARD JAGELS

Kern County District Attorney

Rebuttal to Argument Against Proposition 220

DON'T BE MISLED BY THE OPPOSITION. An independent study concluded Proposition 220 can save taxpayers a minimum of \$23,000,000 annually by making full use of all judges! The Department of Finance did NOT oppose passage of Proposition 220 when it was considered by the Legislature. The retirement benefits of retired municipal court judges are not affected by Proposition 220—NO INCREASE IS PERMITTED. And, for municipal court judges statewide, who already handle superior court cases, existing law requires that they be paid superior court wages.

Proposition 220 will allow California's judges to be assigned to any case based on skills, abilities and training. It will hold the judicial branch accountable for the full and effective use of judicial time and resources. Education and training standards for hearing cases will apply equally to all judges. Proposition 220 ensures the highest standards for the future appointment of all judges.

Proposition 220 will provide flexibility to assign any case to local courts based on the availability of facilities as well as the convenience to the parties, jurors and other individuals. It strengthens the "people's court" by treating all cases as important. Courts will have the flexibility to offer the public full services in every location. Proposition 220 will strengthen the impartiality of existing Superior Court appellate panels by assigning judges for specific terms.

Proposition 220 will eliminate duplicative administration, conflicting procedures, and barriers to the full use of judges.

IMPROVE OUR COURTS AND SAVE TAXPAYER MONEY. VOTE YES ON PROPOSITION 220.

HONORABLE MARVIN BAXTER

Associate Justice of the California Supreme Court

JAMES FOX

San Mateo District Attorney

ANTONIO VILLARAIGOSA

Assembly Majority Leader



Subordinate Judicial Officers. Discipline. Legislative Constitutional Amendment.

Official Title and Summary Prepared by the Attorney General

SUBORDINATE JUDICIAL OFFICERS. DISCIPLINE. LEGISLATIVE CONSTITUTIONAL AMENDMENT.

- This measure grants the Commission on Judicial Performance discretionary authority with regard to the oversight and discipline of subordinate judicial officers, subject to California Supreme Court review, according to same standards as judges.
- Provides that no person found unfit to serve as subordinate judicial officer after hearing before Commission shall have status required to serve as subordinate judicial officer.
- Responsibility of court to initially discipline or dismiss subordinate judicial officer as employee not diminished or eliminated by measure.

Summary of Legislative Analyst's Estimate of Net State and Local Government Fiscal Impact:

- Probably minor, if any, state costs for the Commission on Judicial Performance to provide oversight and discipline over court commissioners and referees.

Final Votes Cast by the Legislature on SCA 19 (Proposition 221)

Assembly: Ayes 72
 Noes 1

Senate: Ayes 39
 Noes 0

Analysis by the Legislative Analyst

Background

Court commissioners and referees (generally referred to as "subordinate judicial officers") handle certain matters that come before the local courts. Typically, commissioners and referees handle less complex cases such as traffic matters, family and juvenile matters, and small claims cases. Also, they can serve as temporary judges and hear more complex matters when the parties agree. There are about 370 commissioners and referees throughout the state.

The presiding judge of each court is responsible for handling complaints and disciplinary matters against commissioners and referees. In contrast, the California Commission on Judicial Performance—an 11-member body appointed by the Supreme Court, the Governor, and the Legislature—handles complaints and disciplinary matters against judges.

Proposal

This proposition would give the Commission on Judicial Performance, at its discretion, authority to oversee and discipline court commissioners or referees, just as it currently does for judges. The measure provides that a person who is found unfit to be a commissioner or referee by the Commission on Judicial Performance may not serve as a commissioner or referee.

Fiscal Effect

To the extent that the Commission on Judicial Performance chooses to provide oversight and exercise discipline over court commissioners and referees, the state would incur additional costs. Any additional costs would probably be minor.

For the text of Proposition 221 see page 67

Subordinate Judicial Officers. Discipline. Legislative Constitutional Amendment.



Argument in Favor of Proposition 221

OUR JUDICIAL SYSTEM CRIES OUT FOR REFORM.

YET, FEW KNOW APPOINTED COURT COMMISSIONERS COULD ARBITRARILY DENY A PARENT THE RIGHT TO VISIT WITH HIS OR HER OWN CHILD.

Unfortunately, newspaper reports of this kind of tragedy are all too common.

In one case, a court commissioner awarded custody to a father who was on probation for exhibiting himself in front of children. In another, a court commissioner gave custody of children to a parent with history of drug abuse, fraud, forgery, and violence.

Horror stories like this happen because our legal system lacks procedures to make appointed court commissioners accountable.

Why? Court Commissioners are lawyers, with friends, enemies and business interests in the community.

While most judges are elected, subject to recall and reviewed by the Commission on Judicial Performance, appointed court commissioners are overseen only by the single judge who appointed them.

This measure grants the Commission on Judicial Performance the authority to review complaints that appointed commissioners are biased, unqualified, prejudiced or incapable of rendering good legal decisions because of conflicts of interest.

The measure authorizes the Commission to discipline appointed commissioners who put law abiding Californians at risk by consistently making poor decisions.

Holding court commissioners accountable for bad decisions is one step towards making our judiciary fairer and more accountable to the public. The Family Guardian Network, the Judicial Council, and Los

Angeles County Superior Court Juvenile Division testified in support of these reforms. Please join them in backing our efforts to remedy this injustice. VOTE YES ON PROPOSITION 221.

SENATOR TIM LESLIE

Vice Chair, Senate Judiciary Committee

PROSECUTORS APPLAUD SENATOR TIM LESLIE'S MEASURE TO MAKE CALIFORNIA'S COURTS MORE ACCOUNTABLE.

The provisions in Proposition 221 have strong support from both Republicans and Democrats. The measure passed out of the Senate on a 39-0 vote and passed the Assembly 72-1.

It is deplorable that court commissioners have the power to affect the lives and property of citizens, but, are not directly answerable to those same citizens.

This measure will ensure equal justice for all by giving authorities power to stop unqualified court commissioners from making decisions that could impact our lives.

VOTE YES ON PROPOSITION 221.

KATE KILLEEN

President, Women Prosecutors of California

THE INDEPENDENT REVIEW OF THE PERFORMANCE OF COURT COMMISSIONERS WILL STRENGTHEN OUR CRIMINAL JUSTICE SYSTEM. The exercise of power of court commissioners who determine the outcomes of juvenile delinquency and other court proceedings must be subject to objective review.

VOTE YES ON PROPOSITION 221.

GEORGE KENNEDY

President, California District Attorneys Association

Argument against was not submitted



Murder. Peace Officer Victim. Sentence Credits. Legislative Initiative Amendment.

Official Title and Summary Prepared by the Attorney General

MURDER. PEACE OFFICER VICTIM. SENTENCE CREDITS. LEGISLATIVE INITIATIVE AMENDMENT.

- Amends Penal Code section 190, which provides that second degree murder of peace officer who defendant knows or should know is performing official duty, is punishable by 25 years to life in prison, to provide that such murder, if committed either intentionally, with intent to commit great bodily injury, or with personal use of a firearm or dangerous or deadly weapon, is punishable by life in prison without parole. Eliminates duplicative provision in Penal Code.
- Persons convicted of any murder may not earn credits in prison to reduce the sentence.

Summary of Legislative Analyst's Estimate of Net State and Local Government Fiscal Impact:

- Probably minor additional state costs.
-

Final Votes Cast by the Legislature on AB 446 (Proposition 222)

Assembly: Ayes 74
Noes 1

Senate: Ayes 33
Noes 0

Analysis by the Legislative Analyst

Background

Under California law, there are two "degrees" of murder.

First degree murder is generally defined as murder that is intentional or deliberate, or that takes place during certain other crimes, including arson, rape, or robbery.

All other types of murder are second degree murder. It is generally punishable by imprisonment for 15 years to life with the possibility of parole. An exception is provided in some cases involving the second degree murder of a peace officer.

State law provides that certain prison inmates who participate in work and education programs or who demonstrate good conduct while in prison shall receive credits that reduce the time they must stay in prison. However, any person convicted of second degree murder of a peace officer is ineligible to receive these credits.

State law also provides that if a peace officer is killed in the line of duty and the person convicted of the murder knew or should have known that the victim was a peace officer, the crime is punishable by a prison term of

25 years to life. Under a law that was enacted in September 1997, the second degree murder of a peace officer is punishable by a longer term of life in prison without the possibility of parole if it is also found that the murderer specifically intended to kill or greatly injure the peace officer, or used a firearm or other dangerous weapon in the crime.

Proposal

This proposition provides that no person convicted of murder is eligible to receive credits that reduce the time he or she spends in state prison. This measure also places before the voters a provision that is virtually identical to the law enacted in September 1997 relating to the second degree murder of a peace officer.

Fiscal Effect

This proposition would increase state costs primarily as a result of longer prison terms for the murderers specified by the measure. However, these costs are probably minor, because relatively few offenders would likely be affected.

For the text of Proposition 222 see page 67

Murder. Peace Officer Victim. Sentence Credits. Legislative Initiative Amendment.



Argument in Favor of Proposition 222

Proposition 222 helps keep violent cop killers off our streets by closing a loophole in California law that now allows some cop killers to be released early on parole. Proposition 222 closes this dangerous loophole by requiring life in prison without possibility of parole for any criminal convicted of second degree murder of a peace officer.

Proposition 222 also prohibits convicted killers from using "work credits" to speed their release from prison before serving their entire sentence. Under current law, murderers can use work credits to reduce their prison sentences by 15% to 33%.

Proposition 222 prevents violent criminals from manipulating the work credit system, and requires them to serve their entire prison sentence.

- Criminals convicted of 1st degree murder without special circumstances would have to serve at least 25 years in prison under Proposition 222, with no possibility of early parole.
- Criminals convicted of 2nd degree murder during a drive-by shooting would have to serve at least

20 years in prison under Proposition 222, with no possibility of early parole:

- Criminals convicted of 2nd degree murder would have to serve at least 15 years under Proposition 222, with no possibility of early parole.

Proposition 222 guarantees that vicious murderers are not released before serving their minimum prison sentences. Proposition 222 also guarantees that criminals convicted of murdering a peace officer will not be released on parole—period.

Peace officers lay their lives on the line for us every day and night serving and protecting the public. They deserve our support and protection. To help keep murderers and cop killers off our streets, vote "yes" on Proposition 222.

ROD PACHECO
Assemblyman, 64th District

JOHN R. LEWIS
State Senator, 33rd District

PETE WILSON
Governor, State of California

Argument against was not submitted



Schools. Spending Limits on Administration. Initiative Statute.

Official Title and Summary Prepared by the Attorney General

SCHOOLS. SPENDING LIMITS ON ADMINISTRATION. INITIATIVE STATUTE.

- Prohibits school districts from spending more than five percent of funds from all sources for costs of general administration, instructional resources supervision, and supervision of instruction, beginning fiscal year 1999–2000.
- Requires State Board of Education to fine districts failing to comply.
- Requires districts to publish percentage of funds expended on administrative costs annually, report expenditure information to State Board of Education, and undertake performance audits and fiscal efficiency reviews every five years.
- Requires districts to develop systems which indicate the intended contribution of each projected expenditure to the achievement of specific performance objectives.

Summary of Legislative Analyst's Estimate of Net State and Local Government Fiscal Impact:

- This measure would require school districts to reduce administrative costs (as defined by the measure) by up to \$700 million. To comply with this requirement, districts could more accurately account for administrative costs, move operations from central locations to school sites, and reduce administrative spending.
- The measure also would result in costs of around \$10 million annually for performance based budgeting, and around \$20 million every five years for auditing requirements.

Analysis by the Legislative Analyst

Background

California's 994 public school districts receive funds from federal, state, and local sources to provide kindergarten through twelfth grade (K–12) education. In the 1996–97 fiscal year, K–12 public schools spent about \$34 billion from all sources.

Each year, school districts provide information on how they spend their funds to the State Department of Education—including amounts spent on administrative costs. In general, districts determine what portion of their funds will be spent on administration.

Proposal

The proposition has two main provisions. First, it limits the amount each school district can spend on administrative costs. Second, it establishes new performance budgeting requirements.

Limit on Administrative Costs. The proposition requires each school district, beginning in 1999–00, to limit certain administrative costs to 5 percent of all funds received. These funds include all federal, state, and local support. The remaining funds, which would be at least 95 percent of the total, must be spent on "direct services." The proposition defines these terms as follows:

• **Administrative Costs.** Activities involving central school district management—such as general district administration and central data collection.

• **Direct Services.** Services that directly serve students, school site employees, and school facilities—such as salaries of classroom teachers.

Some expenses are easy to classify according to the proposition's definitions. For example, the salaries of classroom teachers would always be considered a direct service, and school board and superintendent expenses would be considered administrative costs.

Other expenses are harder to classify. For instance, printing and duplication expenses would be considered an administrative cost if a *district* duplicates or prints materials for a school site at a central location. However, if the same materials were duplicated or printed at a *school* site, the expense would be considered a direct service.

Performance Budgeting. This measure also requires each school district, beginning in 1998–99, to link its annual budget to specific outcome objectives related to improving student performance. The measure does not detail how this performance budgeting would

work in school districts. Districts would be required to obtain an independent evaluation of the impact of performance budgeting every five years beginning in 2004-05.

Penalty for Noncompliance. Any school district that fails to comply with the administrative expenditure limit or performance budgeting requirements would be fined by the State Board of Education. Based on the provisions in the measure, the penalty would be about \$175 per student.

Fiscal Effect

Based on available information and current reporting practices, school districts spend an average of 7.3 percent on administrative costs. This is about \$700 million more than permitted under the proposition. About 95 percent of school districts have administrative costs exceeding 5 percent.

These districts would have three basic options to come into compliance with the 5 percent cap, and thus avoid any penalties:

- **More Accurately Account for Administrative Costs.** Districts would want to ensure they were accurately accounting for administrative costs. For instance, a district might now be accounting for an administrator's time *entirely* within central administration even if the person spends time providing direct services at schools. If this proposition passes, the district would probably more precisely track the time employees work on direct service and administrative tasks.
- **Move Operations to Schools.** In addition, districts above the 5 percent cap could consider moving central office duties to the school sites. For example, districts could move centralized facilities

management or printing to the schools. Generally speaking, this option would not change the *tasks* that a district currently performs, but it would change how and where those tasks are done.

- **Reduce Spending on Administration.** Districts still over the cap would have to make real reductions in spending on administration. Since administration consists primarily of personnel costs, districts would have to eliminate and/or combine positions. Districts would spend any savings on direct services at schools.

Given the size of the penalty for being over the 5 percent cap, we think it is unlikely that many districts would exceed the limit. This is especially true after a year or two, after districts had sufficient time to adjust to the cap. However, districts that are unable to meet the 5 percent cap would pay a penalty of approximately \$175 per student, presumably from the instructional portion of their budget. Any penalty funds collected would be redistributed to schools by the Legislature as part of the annual budget process.

Performance Budgeting. We estimate costs of around \$10 million annually for the implementation of performance budgeting. The actual cost of the yearly performance budgeting requirements would depend on how school districts address these provisions. In addition, we estimate costs of around \$20 million every five years for school districts to obtain the independent performance audits required by the measure. Generally speaking, all of these new costs would have to be accommodated within the 5 percent portion of the new expenditure cap. This means that school districts would have to provide funds for these new requirements by eliminating or reducing some other activities within the 5 percent portion.

For the text of Proposition 223 see page 68



Schools. Spending Limits on Administration. Initiative Statute.

Argument in Favor of Proposition 223

95/5 PUTS THE MONEY WHERE THE KIDS ARE!

It's time to take control of wasteful spending by California school districts. Our tax dollars should be spent at the school sites where our children are educated, not on administrators at central offices. While the national average for administration is 4.8%, California school districts are spending twice that with a few spending as much as 20%! 95/5 will require that 95% of our school expenditures are spent on direct services to children. According to the California Legislative Analyst Office, 95/5 will shift at least a half a billion dollars a year back to our schools *without a tax increase*.

We need smaller class sizes, more teachers, updated textbooks, computers, after-school programs, an end to social promotions as well as cleaner and safer schools. We don't need more bureaucrats downtown who never see our children. Of course 95/5 doesn't cut essential school site personnel such as principals, nurses, teachers, bus drivers, custodians, secretaries, or any employee who directly serve our students. In fact, classrooms, computers, textbooks and school supplies are all part of the 95%. Remember, your child is our priority and 95% of all expenditures must benefit him or her.

95/5 increases the control of local communities by allocating more resources to our local schools. School boards will still decide, with local input, how to spend the 95%. School Site administration is vitally important to a well run school and is part of the 95%. Non-school site administration is also important, but school districts across our nation have proven that it can be efficiently accomplished on 5% of expenditures. When it comes to allocating the limited education budget, direct services to

our children and providing clean and safe schools must be the highest priority.

And while shifting \$500,000,000 plus a year to our schools to reduce class size, buy computers, books, and other needed supplies, is a huge accomplishment, the real and lasting benefit of 95/5 will be the guarantee to our citizens that 95% of all current and future education funds will be spent where all of us want it spent—at the local school site! And with this important guarantee that our children will be the priority of all school spending, the voters will now have the confidence to continue to make the necessary investment in our schools that is desperately needed to educate California's school children for the 21st century.

We have heard the voters call to cut the bureaucracy and make the children the priority of our education spending and 95/5 does exactly that.

Join Congressman Howard Berman, Assemblyman Bill Leonard, Congresswoman Loretta Sanchez, Actor Ralph Waite, Congressman Brad Sherman, San Diego Mayor Susan Golding, Chairman Big Brothers Greater L.A. Steve Soboroff, Principal Dr. Yvonne Chan, State Senators Betty Karnette, Ray Haynes and Teresa Hughes, Randy Hoffman, Mayor Stuart Siegel, Inglewood Councilman Jerome Horton, Assembly Chief of Staff Joey Hill and Businessman Claude Parrish in voting "YES" on Prop. 223 TO PUT THE MONEY WHERE THE KIDS ARE!

LOS ANGELES MAYOR RICHARD RIORDAN
UNITED STATES SENATOR DIANNE FEINSTEIN
TYRONE VAHEDI
Senior Staff, State Board of Equalization, 4th District

Rebuttal to Argument in Favor of Proposition 223

SHIFTING MONEY FROM LOCAL DISTRICTS TO L.A. UNIFIED IS NOT THE ANSWER

We understand why downtown Los Angeles leaders want more money for downtown LA schools, but we don't agree that those dollars should be taken away from the hundreds of other local school districts that this initiative targets for massive cuts.

Their arguments would be more credible if Proposition 223's \$200-per-child penalties and fines also punished downtown Los Angeles schools. Unfortunately, they won't.

The proponents make phony comparisons between California and other states. For example, under Proposition 223, the mechanic who fixes the brakes on the school bus is counted as an "administrator." Proposition 223 uses misleading statistics to hoodwink California voters, and insure that most local school districts cannot comply, no matter how hard they try.

That's why the California Taxpayers' Association opposes this measure, because it is a flawed approach to reducing administrative overhead and would unfairly penalize small school districts in favor of large districts.

The downtown teachers' union is attempting to feather its nest at the expense of everyone else, and that's simply not fair to the overwhelming majority of California's schoolchildren.

Read the fine print. Proposition 223 hurts our children and hurts our schools. Join with the PTA, local principals and schoolteachers in voting NO ON PROPOSITION 223.

JAMES A. LIVINGSTON
President, California Association of Suburban School Districts
ALVIN G. SANDRINI
President, Small School Districts' Association
RHODA COLEMAN
California Teacher of the Year, 1995

Schools. Spending Limits on Administration. Initiative Statute.



Argument Against Proposition 223

WHY SHOULD DOWNTOWN LA UNIFIED GET ALL THE MONEY?

Proposition 223 does *not* help our school children, it *hurts* them.

This initiative is a sham, designed to redirect money *away* from local school districts, and into the coffers of the huge, downtown Los Angeles School District.

That's why the California PTA, California teachers associations, and school principals all strongly urge your "NO" vote.

Proposition 223 permanently locks a 95/5 formula into law for every local school district in the state. Most school districts lack the economy-of-scale to meet this formula. This means neighborhood schools would be penalized up to \$200 per child. That's \$4,000 per classroom; an educational disaster.

No money will be saved, because the State of California is required to redistribute every dollar taken away from local districts. Much of the money from penalized local districts would flow *from those districts failing to meet the 95/5 formula* to the one California district certain to meet the formula: *The Los Angeles Unified School District (LAUSD)*.

This should come as no surprise, since the initiative was actually written and heavily financed by a single LAUSD Labor Union.

Even smaller Los Angeles districts directly bordering LAUSD will have to watch helplessly as millions of local school dollars get "redirected" downtown by this shameful measure. *Every year!*

One fact is indisputable. Were this initiative law today, over 90% of California's local school districts would be paying fines averaging nearly \$200 per child.

And Proposition 223 allows for *no* exceptions, not even a natural disaster. Local districts would still be penalized up to \$200 per child if their budgets went above the initiative limits due to a flood, fire, or earthquake.

The League of Women Voters, California parents, teachers and educators are strongly opposed to this deceptive charade.

Consult a teacher or school principal in your own local community. They'll tell you the truth. Proposition 223 is bad for our kids and will hurt our local neighborhood schools. Vote NO ON PROPOSITION 223.

ROSALINE TURNBULL

President, California State PTA

STEPHEN C. BOCK

California Teacher of the Year, 1997

RUSTY HEROD

President, California School Employees Association

Rebuttal to Argument Against Proposition 223

THEY STILL DON'T GET IT! WHO'S FOR KIDS, WHO'S JUST KIDDING?

The opponents of Proposition 223 have resorted to name-calling, deception and distortion.

Why? To protect their vested interests in maintaining the status quo at the expense of our children.

Proposition 223 will ensure that our tax dollars are spent where the kids are, not on bloated bureaucrats downtown.

Let's separate fact from fiction.

Myth: Proposition 223 will direct resources away from smaller school districts toward Los Angeles schools.

Fact: Under Proposition 223, the Los Angeles Unified School District will have to redirect money from central offices to direct services for kids. So will many other large school districts across the state. Despite what administrators say, the national average for central administration spending is 4.8%. California schools are spending twice that amount!

Myth: "California teachers associations" oppose Proposition 223.

Fact: Proposition 223 is supported by thousands of teachers and school principals throughout the state, including organizations in San Diego, Los Angeles, Fresno, San Jose, suburban Sacramento, and in other areas.

Myth: Proposition 223 will penalize school districts during natural disasters.

Fact: Proposition 223 will only penalize bureaucrats who refuse to make a good faith effort to trim the fat in their central administration budgets. The State Board of Education may grant waivers to school districts which cannot meet the 5% goal because of natural disasters.

Join us in voting for what our children deserve; smaller class sizes, updated textbooks, computers, after-school programs, and safer schools.

VOTE "YES" ON PROPOSITION 223!

CONGRESSMAN HOWARD BERMAN

STEVEN SOBOROFF

Chairman, Big Brothers of Greater Los Angeles



State-Funded Design and Engineering Services. Initiative Constitutional Amendment.

Official Title and Summary Prepared by the Attorney General

STATE-FUNDED DESIGN AND ENGINEERING SERVICES. INITIATIVE CONSTITUTIONAL AMENDMENT.

- Prohibits contracting where performance of work by civil service employees is less costly unless urgent need for contract.
- Prohibits contracts which Controller or awarding agency determines are against public interest, health, safety or where quality of work would be lower than civil service work.
- Contractors must indemnify state in suits related to performance of contracts.
- Requires defined competitive bidding of state-funded design and engineering contracts over \$50,000, unless delay from bidding would endanger public health or safety.
- Provisions severable and should be harmonized with similar measures on subject.

Summary of Legislative Analyst's Estimate of Net State and Local Government Fiscal Impact:

- Unknown impact on state and local government costs to obtain construction-related services. Impact would depend largely on factors included in the cost comparison analyses required by the proposition.
- Administrative costs to the State Controller—one-time costs of probably less than \$500,000 and annual costs of up to \$2 million.

Analysis by the Legislative Analyst

BACKGROUND

Under California law, services provided by state agencies generally must be performed by state civil service employees. These services cover a broad range of activities—such as clerical support, building maintenance and security, and legal services. In some cases, however, the state may *contract* with private firms to obtain services. Such contracting is allowed, for example, if services needed by the state are: (1) of a temporary nature, (2) not available within the civil service, or (3) of a highly specialized or technical nature. Unlike the state, local governments are not subject to constitutional restrictions on contracting for services.

The state and local governments frequently contract with private firms for construction-related services, which include architecture, engineering, and environmental impact studies. State and local governments enter into these contracts through a process of advertising for the service, selecting the firm that is determined to be best qualified, and negotiating a contract with that firm. Neither the state nor local governments competitively bid for these services. By comparison, competitive bidding generally is used to acquire goods and for construction of projects.

PROPOSAL

This proposition, a constitutional amendment, requires public entities to use a new process prior to awarding a contract for the following construction-related services: engineering, architecture, landscape architecture, surveying, environmental studies, and geologic studies.

(The proposition would not affect contracting out for other types of services.) The new process would apply to:

- All state agencies, except the University of California and the California State University.
- Many local governments and private entities (see below).

What Is Involved in This New Contracting Process?

The Cost Comparison. Under the process established by the proposition, the State Controller would be required to prepare an analysis for each proposed contract and compare the following:

- The cost of contracting with a private firm for the services. This would include the anticipated amount a private firm would charge to provide the services plus the cost to bid, award, administer, and monitor the contract.
- The "additional direct costs" if state employees provide the same services.

Generally, the service could be contracted out if the Controller's analysis indicated that the contract was *less costly* than using state employees. On the other hand, the work would have to be done by state employees if the analysis showed they could do it at lower cost.

Competitive Bidding. As noted earlier, public entities currently negotiate contract terms for construction-related services. This proposition requires that such contracts costing more than \$50,000 be competitively bid to select the lowest qualified bidder. Competitive bidding would not have to be used if it would delay a project *and* the delay would endanger public health or safety.

What Contracts Are Covered Under the Proposition?

Direct Contracting by the State. State agencies would have to use this new process if they wanted to contract for construction-related services. In recent years, state agencies have averaged about \$150 million annually in spending on these types of contracts. This amount varies annually depending on the state's level of construction activity.

Contracts Awarded by Local Governments and Private Entities. Local governments and private entities would also have to use this new process in the following situations:

- **State Funding of Services for Local Government or Private Projects.** Historically, the state has provided significant funding to local governments for various types of facilities—K-12 schools, local roads, community colleges, jails, and parks. Under the proposition, a local government would have to use the new process if it uses state funds to pay a private firm for any part of a construction-related service.
- **State Ownership, Liability, or Responsibility for a Project.** In many cases, the state assumes ownership, liability, or responsibility for construction, operation, or maintenance of a local project. This is the case, for example, with regard to the building of K-12 and community college buildings and many locally funded highway projects.

FISCAL EFFECTS

The potential fiscal effects of this proposition on the state and local governments are discussed below.

Impact on the Cost of Providing Services

The fiscal impact would depend in large part on the determination of which cost factors to use in comparing the cost of contracting out a service with the "additional direct cost" of the state providing the service. The cost of contracting for a service would be determined from the bid submitted by the private firm. On the other hand, because the term "additional direct costs" is not defined in the proposition, the Controller would have to determine which cost factors associated with using state employees should be included in order to prepare the required analyses.

What Are "Additional Direct Costs?" Because the proposition does not define "additional direct cost" there is not a clear answer to this question. Figure 1 lists some of the cost factors the Controller would need to review to determine if they should be counted as additional direct costs.

Cost Analysis on Contract-by-Contract Basis. A cost analysis would be required on each *individual* contract basis. Thus, a cost analysis may not reflect the accumulation of administrative costs if the state workforce increases to meet workload demand. For example, additional clerical and managerial positions or additional office space for state employees may not be needed for *any one* contract, but could be needed if work on *many* projects were assigned to state employees rather than private firms.

Fiscal Effect Depends on Cost Comparisons. The impact of the proposition on state and local costs would depend on the extent to which the cost analyses include all state costs associated with providing these services using state employees. For example:

- If more of the costs associated with using state employees are included in the analyses, it is more likely that they would provide an "apples-to-apples" comparison of total costs. In this case, the proposition could result in savings. This is because public entities would no longer contract in situations where it is *more costly*. These savings, however, probably would not be significant.
- On the other hand, if fewer of the state's costs are counted as "additional direct costs," the analyses would not reflect a true "apples-to-apples" comparison of total costs. In this case, the proposition could result in costs. This is because state employees would be used to perform work where contracting would have been *less costly*.

Because of the uncertainties discussed above, it is difficult to predict the fiscal effect of this proposition. However, a strict interpretation of additional direct costs (for example, only those identified in Figure 1 as "likely to be counted") could result in significant costs to state and local governments.

Figure 1

What Cost Factors Might Be Counted As "Additional Direct Costs?"

Cost Factors Likely to Be Counted

- Salaries and benefits of *additional* state employees needed to perform a service.
- Office space, furniture, equipment, and travel expenses for the additional employees.

Cost Factors Likely Not to Be Counted

- State agency overhead costs ("top management").
- Other state agency overhead costs—such as payroll, accounting, and personnel functions.

May or May Not Be Counted

- Hiring and training costs for any additional state employees needed to perform a service.
- Increased construction costs due to project delays caused by time needed to hire and train additional state employees.
- Costs of maintaining excess state staff if workload declines.

Other Fiscal Impacts

The proposition would have other fiscal effects on the state and local governments. For instance, the Controller would have costs to perform the required cost analyses. These costs would depend on the number of requests from state agencies and local governments. We estimate the Controller would have both one-time costs of probably less than \$500,000 and ongoing costs of up to \$2 million annually.

The proposition would affect the state and local governments in other ways. For example, it would take time to develop and implement the new process for evaluating contracts. This would lead to one-time delays in certain public sector construction projects, resulting in possible added inflation-related costs for those projects.

For the text of Proposition 224 see page 70



State-Funded Design and Engineering Services. Initiative Constitutional Amendment.

Argument in Favor of Proposition 224

Vote YES on:

- COMPETITIVE BIDDING
- CONTRACTOR RESPONSIBILITY
- COST SAVINGS through COST COMPARISONS
- Improved SAFETY of our state freeways and bridges
- STOP POLITICAL FAVORITISM AND WASTE

Proposition 224, the "Competitive Bidding Initiative," ends the politicians' practice of giving huge, overpriced, no-bid state engineering contracts to their campaign contributors. By requiring competitive bidding from qualified contractors and holding contractors responsible and financially liable for their own mistakes, it will improve the safety of our freeways, bridges, and other public works. By requiring a cost analysis before contracts are awarded, it ensures that taxpayers get the best value for their dollar. Fair, objective competitive bidding will break the link between campaign contributions and state politicians who give overpriced, no-bid contracts to their contributors.

"Private contractors receive millions of dollars in work without competition. Reforms are needed to protect the public interest."—State Auditor Kurt Sjoberg

"No-bid contracts are always suspect."—Contra Costa Times

Although state highway and freeway construction contracts are competitively bid, contracts for construction inspection, design, and other services aren't. Instead, Sacramento politicians simply give out these contracts, to their campaign contributors, at twice what they should cost. Proposition 224 ends this political spoils system by requiring competitive bidding.

END THE WASTE OF YOUR TAX DOLLARS

Official government documents prove that *more than half a billion dollars has been wasted since 1990 on excessive costs of no-bid contracts under the current system.* When contractors walk away from their inferior work, the taxpayers get stuck with the bill for doing it over and repairing the mistakes. Proposition 224 requires *impartial cost analyses* to prove cost effectiveness before contracts are awarded, followed by *competitive bidding and contractor responsibility* to ensure that tax dollars are spent wisely.

IMPROVE HIGHWAY SAFETY

"Proposition 224 will mean safer highways for all of us."—Dan Terry, President, California Professional Firefighters

No-bid contracts contributed to corruption and street collapses in Los Angeles, thousands of defects in San Diego bridges, and higher tolls in the Bay Area. While money was being wasted on overpriced, no-bid contracts to campaign contributors, the earthquake strengthening of our freeway bridges was delayed. As a result, bridges which hadn't been strengthened collapsed in earthquakes. Proposition 224 improves highway safety by awarding contracts only to qualified firms through competitive bidding and holding contractors responsible and financially liable for their own mistakes.

"The ultimate responsibility for faulty workmanship has to be on the part of the contractors hired to do the job. They, not taxpayers, should foot the bill for redoing the work."—San Diego Union-Tribune

The politicians even allowed a contractor to hire its own inspectors, resulting in more than 10,000 defective welds on a bridge strengthening project!

"When the state of California lets the foxes guard the hen house, no one should be surprised when the chickens get eaten."—San Diego Union-Tribune

Join with law enforcement, firefighters, teachers, seniors, and small businesses.

VOTE YES ON COMPETITIVE BIDDING:

SAVE LIVES, SAVE MONEY, AND END POLITICAL CRONYISM!

VOTE YES ON PROPOSITION 224!

DON BROWN

*President, California Organization of
Police & Sheriffs, COPS*

BEN HUDNALL

Business Manager, Engineers & Scientists of California

WOODY ALLSHOUSE

President, CDF Firefighters

Rebuttal to Argument in Favor of Proposition 224

deception: *n.* the practice of deceiving or misleading

The STATE BUREAUCRATS BEHIND PROPOSITION 224 and their political cronies are trying to deceive you.

Ask yourself: Would a state bureaucrats group (mostly Caltrans employees) really spend millions of dollars on a ballot measure to protect YOUR interests? Not likely.

—Will Proposition 224 save taxpayers money? No. Proposition 224 SHIFTS PRIVATE SECTOR JOBS TO the PUBLIC PAYROLL. BIGGER GOVERNMENT. HIGHER TAXES. That's why the CALIFORNIA TAXPAYERS' ASSOCIATION and other MAJOR TAXPAYER GROUPS OPPOSE IT.

—Will it make bidding more competitive? No. Talk about the ULTIMATE DECEPTION! DISGUISED as "competitive bidding," Proposition 224 RIGS the SYSTEM to PROTECT STATE BUREAUCRATS AGAINST COMPETITION from the private sector by virtually PROHIBITING STATE and LOCAL GOVERNMENTS FROM CONTRACTING OUT design, engineering and environmental work.

—Will it save lives? No. It virtually ELIMINATES the USE of PRIVATE SEISMIC EXPERTS, DELAYING and COMPROMISING ALREADY OVERDUE EARTHQUAKE RETROFITTING of HIGHWAYS, SCHOOLS and HOSPITALS.

"Proposition 224 will also delay construction of additional classrooms needed to reduce class sizes and accommodate the growth in student population."—California State PTA

—Will it increase accountability? No. Proposition 224 LETS STATE BUREAUCRATS OFF THE HOOK! Current law already holds *private* contractors fully liable for their mistakes. Proposition 224 could also hold them responsible for DANGEROUS HIGHWAY AND BRIDGE DESIGN MISTAKES MADE BY CALTRANS EMPLOYEES (the bureaucrats promoting this deceptive initiative).

BIGGER GOVERNMENT.

HIGHER TAXES.

LESS ACCOUNTABILITY.

DON'T LET THE BUREAUCRATS GET AWAY WITH IT!

IF YOU SUPPORT COMPETITIVE BIDDING . . .

VOTE "NO" on PROPOSITION 224!

PROFESSOR PAUL FRATESSA

Former Chair, Seismic Safety Commission

ALLAN ZAREMBERG

President, California Chamber of Commerce

JANE ARMSTRONG

*State Chairman, Alliance of California
Taxpayers and Involved Voters*

State-Funded Design and Engineering Services. Initiative Constitutional Amendment.



Argument Against Proposition 224

BEWARE: Proposition 224 is NOT what it pretends to be. It's a wolf in sheep's clothing.

That's why EARTHQUAKE SAFETY EXPERTS, CITIES, COUNTIES, SCHOOL DISTRICTS, HOSPITALS, BUSINESSES, LABOR, TEACHERS, PARENTS and TAXPAYER GROUPS throughout California **OPPOSE PROPOSITION 224!**

—WHO'S BEHIND PROPOSITION 224? WHY HAVE THEY **DISGUISED ITS REAL PURPOSE?**

A group of state bureaucrats (primarily Caltrans employees) spent millions to put Proposition 224 on the ballot. Why? They want you to believe it's to save taxpayers money. Would a state bureaucrats group really spend millions of their OWN dollars to save YOU money? Hardly.

Read the fine print! **DISGUISED** as a "competitive bidding" initiative, Proposition 224 creates a **RIGGED** formula that virtually **PROHIBITS STATE GOVERNMENT, CITIES, COUNTIES, and SCHOOL DISTRICTS FROM CONTINUING TO CONTRACT** for design, environmental and engineering work with the private sector.

—PROPOSITION 224 **VIRTUALLY PROHIBITS THE CONTINUED USE OF PRIVATE SECTOR SEISMIC EXPERTS TO MAKE HIGHWAYS, OVERPASSES AND BRIDGES EARTHQUAKE-SAFE.**

Contracting out design work for seismic retrofitting, schools, hospitals, highways and bridges keeps the government payroll from ballooning and permits the use of private expertise. Proposition 224 would essentially halt this practice. The bureaucrats behind Proposition 224 want more work brought *in-house*, **CREATING MORE PUBLIC PAYROLL JOBS.**

—PROPOSITION 224 **REPRESENTS A HUGE SHIFT OF JOBS FROM THE PRIVATE SECTOR TO THE PUBLIC PAYROLL. MORE STATE BUREAUCRATS! BIGGER GOVERNMENT! HIGHER TAXES!**

Economic analysis reveals it would mean thousands of **LOST PRIVATE SECTOR JOBS** and force California to **HIRE** up to 15,600 **NEW BUREAUCRATS** at a **TAXPAYER COST** of \$1,700,000,000 **ANNUALLY**—that's **BILLION**, with a "B".

—LOCAL GOVERNMENTS **OPPOSE PROPOSITION 224. IT TAKES AWAY LOCAL CONTROL. CREATES COSTLY BUREAUCRATIC DELAYS AND GIVES ONE POLITICIAN ENORMOUS NEW POWERS.**

It forces cities, counties and school districts to seek the state controller's approval before contracting out design work on school, road, hospital, water treatment and other building projects. That's **TOO MUCH POWER** to give **ONE POLITICIAN**. It would **DELAY VITAL PROJECTS** and **REDUCE TAXPAYER ACCOUNTABILITY.**

—THESE AND HUNDREDS OF OTHER GROUPS SAY: **VOTE NO on PROPOSITION 224!**

California Taxpayers' Association **OPPOSES**

Alliance of California Taxpayers and Involved Voters **OPPOSES**

Responsible Voters for Lower Taxes **OPPOSES**

Howard Jarvis Taxpayers Association **OPPOSES**

Structural Engineers Association of California **OPPOSES**

American Institute of Architects **OPPOSES**

League of California Cities and over 100 cities and counties **OPPOSE**

California Teachers Association **OPPOSES**

California School Boards Association **OPPOSES**

California State PTA **OPPOSES**

National Federation of Independent Business **OPPOSES**

California Association of Homes and Services for the Aging **OPPOSES**

California Healthcare Association **OPPOSES**

California Building Industry Association **OPPOSES**

California Chamber of Commerce **OPPOSES**

Consulting Engineers and Land Surveyors of California **OPPOSES**

California Minority & Women Businesses Coalition **OPPOSES**

California Council for Environmental and Economic Balance **OPPOSES**

California Association of School Business Officials **OPPOSES**

Association of California Water Agencies **OPPOSES**

California Park and Recreation Society **OPPOSES**

State Building and Construction Trades Council of California, **AFL-CIO OPPOSES**

Operating Engineers, Local 3, **AFL-CIO OPPOSES**

California Association of Realtors **OPPOSES**

Associated General Contractors **OPPOSES**

and

HUNDREDS of SEISMIC ENGINEERS OPPOSE PROPOSITION 224!

LARRY MCCARTHY

President, California Taxpayers' Association

LORING A. WYLLIE, JR.

Past President, Earthquake Engineering Research Institute

RON BATES

President, League of California Cities

Rebuttal to Argument Against Proposition 224

90% OF THE OPPOSITION'S CAMPAIGN MONEY COMES FROM CONSULTANTS WHO RECEIVE NO-BID GOVERNMENT CONTRACTS! Of course, they oppose Prop. 224's requirements for cost effectiveness, competitive bidding, and contractor responsibility! If it passes, their gravy train will run out of gravy! All the pork will be gone from their political pork barrel!

THE SAME GANG THAT OPPOSED PROPOSITION 13 OPPOSES PROPOSITION 224! The Chamber of Commerce (big business), the League of Cities (local politicians), CalTax and others. Voters ignored them and approved Proposition 13, saving billions for taxpayers. Vote yes on Prop. 224!

"We are very strong supporters of privatization, but the only way it is going to work is to have open bidding," Joel Fox, President, Howard Jarvis Taxpayers Association; San Bernardino Sun, 9/12/95.

REAL EARTHQUAKE SAFETY EXPERTS, THE ENGINEERS WHO DESIGN AND BUILD OUR BRIDGES, SUPPORT PROPOSITION 224. So do the Engineers and Architects Association, and the Council of Engineers and Scientists Organizations.

America is based on competition. **COMPETITIVE BIDDING AMONG QUALIFIED FIRMS** saves money and cuts bureaucracy. **HOLDING**

CONTRACTORS RESPONSIBLE for their work improves highway and bridge safety. Claims that competitive bidding will raise taxes, cause delays, or prohibit contracting out are ridiculous! Will competitive bidding **SAVE TAXPAYERS MONEY? OF COURSE IT WILL!**

"We need competitive bidding. The current system favors the big boys, excludes small companies, promotes corruption, and wastes tax dollars."

Edmundo Lopez, President, Hispanic Contractors Association

BREAK THE LINK BETWEEN CAMPAIGN CONTRIBUTIONS AND NO-BID CONTRACTS.

COMPETITIVE BIDDING MAKES SENSE. YES ON PROPOSITION 224!

ARTHUR P. DUFFY

Chairman, Taxpayers for Competitive Bidding

LOIS WELLINGTON

President, Congress of California Seniors

EDMUNDO LOPEZ

President, Hispanic Contractors Association



Limiting Congressional Terms. Proposed U.S. Constitutional Amendment. Initiative Statute.

Official Title and Summary Prepared by the Attorney General

LIMITING CONGRESSIONAL TERMS. PROPOSED U.S. CONSTITUTIONAL AMENDMENT. INITIATIVE STATUTE.

- Declares that the official position of the People of the State of California is that its elected officials should vote to help enact an amendment to the U.S. Constitution limiting congressional terms.
- The proposed constitutional amendment would limit U.S. Senators to two terms and House of Representatives members to three terms.
- Requires the California Legislature and state and federal legislators from California to use their powers to pass the amendment.
- All candidates for federal or state legislative office who do not provide required support must be identified as non-supporters on ballot.

Summary of Legislative Analyst's Estimate of Net State and Local Government Fiscal Impact:

- Relatively minor costs to Secretary of State to review voting records of state and federal legislators and to make certain determinations regarding ballot statements, and to counties to add certain statements to the ballot.
-



Background

The Congress of the United States consists of the Senate and the House of Representatives. California's delegation to Congress consists of two senators and 52 representatives. Senators are elected for a term of six years and representatives are elected for a term of two years. The United States Constitution sets the general qualifications and duties of Members of Congress.

Federal law does not limit the number of terms a person may be elected to serve as a senator or representative in Congress. In 1992, California voters adopted Proposition 164, which established term limits for *California's* senators and representatives in Congress. However, Proposition 164 is not likely to go into effect. This is because the United States Supreme Court ruled, in a case involving similar limits established by other states, that the qualifications of office for federal elective officials may be changed only by amendment to the United States Constitution.

Congress can propose amendments to the United States Constitution with the approval of two-thirds of the Members of both Houses. All amendments must ultimately be ratified by three-fourths of the states before they can become part of the United States Constitution.

Proposal

This proposition declares that it is the official position of the People of California that its elected officials should vote to amend the United States Constitution to limit a person to no more than two terms (or a total of 12 years) as a senator and no more than three terms (or six years) as a representative. The measure instructs the California Legislature to ask Congress to enact such an amendment. If an amendment is proposed by Congress, the measure instructs the Members of the Legislature to vote to ratify it.

The measure requires that voters be informed if a

candidate for Congress or the State Senate or Assembly has failed to support the congressional term limit amendment. Specifically, all election ballots for a candidate for Congress or the State Legislature shall include the statement "Disregarded Voters' Instruction on Term Limits" if the candidate, as an officeholder in Congress or the California Legislature, voted against or failed to support the request for the constitutional amendment or failed to vote for the amendment if it is sent to the states to be ratified. Thus, the proposition essentially requires that the votes of a Member of Congress or the Legislature, including procedural votes taken during hearings, be evaluated to determine whether the Member supported the term limits proposed in this measure.

A person who is a candidate seeking election to Congress or the State Senate or Assembly who is not an incumbent would be allowed to sign a "Term Limits Pledge" to support the proposed limits on congressional terms. If the candidate does not sign this pledge, the statement "Declined to Pledge to Support Term Limits" would be placed next to the candidate's name on the ballot.

The proposition requires that the California Secretary of State, who oversees the state's elections, determine whether one of the two statements should be placed next to a candidate's name on the ballot.

Fiscal Effect

The proposition would result in additional costs to the Secretary of State to track and review the voting records of Members of Congress and the Legislature regarding term limits, and to make the determinations described above regarding ballot statements. In addition, the measure would result in additional costs to counties to add the statements to the ballots. The costs to the Secretary of State and the counties would be relatively minor.

For the text of Proposition 225 see page 71



Limiting Congressional Terms. Proposed U.S. Constitutional Amendment. Initiative Statute.

Argument in Favor of Proposition 225

This initiative was part of a national campaign to enact a constitutional amendment for term limits on Congress. Unfortunately, similar initiatives passed in other states have been overturned in court, and this approach has been dropped. Thus, passage of this measure will likely result only in needless and costly litigation. In fact, in order to save taxpayer money, we went to court to avoid a meaningless election.

Nothing is more important to the future of our country than returning Congress to the citizen legislature designed by our Founders. We remain committed to term limits on Congress and are happy to know that a superior measure, and one clearly constitutional, will appear on the November ballot.

SALLY REED IMPASTATO

Rebuttal to Argument in Favor of Proposition 225

When we were younger, many employers had rules that said you had to retire at 60. Now that's illegal and we all know senior Californians do great work. Who says it's a great idea to toss out our elected officials after only 6 years? Toss them out when they fail to perform, not because they reach a certain number of years.

Don't term limits discriminate? If an elected official is doing the job, maybe doing a great job, why throw them out?

Don't be fooled, term limits are about POWER and who controls our government. Under term limits, Corporations will decide, through their campaign money and smooth talking lobbyists, who will control our government. Without term limits we will have our current system, WHICH IS NOT PERFECT, BUT IS NOT BROKEN EITHER!

California's recent prosperity could be washed away if term limits are enacted. A new group in Congress would be elected, more beholden to the Corporations and Lobbyists than us, the taxpayers. Don't relinquish our financial gains for a moment of anger at politicians, or the urge to "throw the bums out." The next group of elected officials can give it all away to their very rich friends and Corporations.

Let us Californians use this opportunity to say NO to term limits, once and for all.

Vote No to a bad law that even its supporters declare is unconstitutional!!!

Vote No On Proposition 225!

MARK WHISLER

President, Sacramento City Taxpayers' Rights League

Limiting Congressional Terms. Proposed U.S. Constitutional Amendment. Initiative Statute.



Argument Against Proposition 225

TERM LIMITS ARE PURE FOLLY.

Term Limits are pure folly, passed for greedy Corporations at our expense. Since term limits were enacted in California we have seen a steady rise in the power of lobbyists and Corporations to get their pork barrel bills through the Legislature. If this year's Legislature doesn't support their giveaway plans, Corporations just wait for next year's Legislature. Politicians now need Corporate campaign money more than ever.

YOU DON'T NEED TERM LIMITS, YOU CAN THROW THE "BUMS" OUT NOW.

Resist the urge to use term limits to "throw the bums out." The current system may be broken, but term limits will replace our Congress with unelected powerful hidden self-interest groups. California has numerous problems that our collective wisdom and community spirit need to solve. A Legislature or Congress sold to the highest bidder every two years is not the answer. Educated Legislators who understand the complexities and nuances of issues are our best choice for meaningful solutions, not on-the-job trainees with short term fixes (or more-likely, expensive Corporate bailouts and giveaways).

POWER BROKERS, NOT ELECTED, WILL FILL THE DECISION MAKING VACUUM.

Our California Legislature is as disorganized as it has ever been. Into that vacuum has stepped well funded power brokers who, more often than not, don't represent our interests, just their own narrow interests. Let's not make the same mistake with our Congress.

LOBBYISTS FIX BILLS TO GET TAX DOLLARS FOR THEIR CLIENTS.

Corporation lobbyists roam the US Capitol halls seeking tax breaks, reduced environmental responsibilities, lower workers benefit requirements, and

other bills that are outright gifts to greedy Corporations. Under term limits, Corporation political campaign funds, more than ever, will decide who wins elections. If this passes, Corporations will have a stronger grip on our Congress, as they already do with our State Legislature.

CALIFORNIA HAS NEEDS FOR ITS OWN CITIZENS AND CHILDREN.

California needs to devote its limited tax moneys to schools, roads, bridges, parks, libraries, and police services (to name a few). Our taxes should not be spent bailing out wealthy corporations. With term limits, the Corporations will buy the best Congress they can afford. Those greedy Corporations will then set Congressional spending priorities. Don't be fooled. If your elected officials are bums, vote them out. However, please "don't throw the baby out with the bath water." Voters have proven time and again they know when to vote NO, and this is one of them.

DON'T LEGISLATE THOUGHT POLICE.

This initiative demonizes politicians who favor a long term rational incremental approach to solving our problems. This initiative requires that our elected officials be investigated and branded for their thoughts on term limits. This goes too far. Remember the McCarthy Hearing witch hunts of Californians? Please read the initiative and you'll see why to vote NO. This law is wrong for California.

**SAY YES TO OUR CHILDREN AND
CALIFORNIA'S FUTURE**

**SAY NO TO THE CORPORATIONS AND
SPECIAL INTERESTS**

VOTE NO ON PROPOSITION 225

MARK WHISLER

President, Sacramento City Taxpayers' Rights League

Rebuttal to argument against was not submitted



Political Contributions by Employees, Union Members, Foreign Entities. Initiative Statute.

Official Title and Summary Prepared by the Attorney General

POLITICAL CONTRIBUTIONS BY EMPLOYEES, UNION MEMBERS, FOREIGN ENTITIES. INITIATIVE STATUTE.

- Requires all employers and labor organizations to obtain employee's or member's permission before withholding wages or using union dues or fees for political contributions. Employee's or member's permission is to be obtained annually using a prescribed form. Requires record keeping.
- Prohibits contributions to state and local candidates by residents, governments or entities of foreign countries.

Summary of Legislative Analyst's Estimate of Net State and Local Government Fiscal Impact:

- Unknown, but probably not major, net state enforcement costs.
 - Annual costs of up to about \$2 million and one-time costs of \$2 million to \$5 million to the state for administration of employee payroll deductions for political activities; costs offset by fees.
 - Unknown, but probably not major, costs to local governments for administration of employee payroll deductions for political activities; probably offset by fees.
-



Background

Payroll Deductions. Employers make a variety of payroll deductions from their employees' wages, such as deductions for Social Security, income taxes, medical plans, and charitable contributions. The deductions are sent to various organizations, businesses, and governments. Existing law does not require employers to identify how the organizations will use the monies.

Political Contributions from Labor Unions. Many workers in California belong to labor unions. In addition, many workers who do not belong to a union work for a business or organization in which a union provides collective bargaining and representation for all of the employees, both union members and nonmembers.

Workers who are represented by unions pay dues or fees to the unions. In most cases, such dues or fees are automatically deducted by the employer from the workers' wages and sent to the union. The union may use some of the dues or fees for political activities. A union member may request that his or her dues or fees not be used for political activities, although there is no legal requirement that the union honor the request. If a nonunion member requests that the fees not be used for political activities, the union must comply with the request.

Campaign Contributions by Foreign Interests. Currently, federal law prohibits a foreign national from making a contribution to or expenditure for a federal, state, or local election campaign for a candidate for public office. A foreign national includes a foreign government, certain foreign businesses and organizations, and any person who is not a citizen or lawful permanent resident of the United States. Federal law also prohibits a person from accepting a campaign contribution from a foreign national.

In addition, state law prohibits a foreign government or business, or a person outside of the U.S. who is not a U.S. citizen, from making a contribution or expenditure in connection with a campaign for a state or local ballot measure. State law also prohibits a person or a political campaign committee from soliciting or accepting a contribution for a ballot measure from a foreign government, business, or person outside the U.S.

Political Reform Act. California's Political Reform Act of 1974, an initiative adopted by the voters, establishes guidelines and requirements for political candidates and campaigns. The state's Fair Political Practices Commission (FPPC) enforces the requirements of the act.

Proposal

This proposition makes two primary changes to California's Political Reform Act of 1974. First, it establishes new requirements with regard to payroll deductions for political activities. Second, it establishes

in state law a provision similar to federal law prohibiting campaign contributions from a foreign national for a candidate for public office.

Payroll Deductions for Political Activities. This proposition requires that, in order for an employer to deduct money from an employee's wages that the employer knows or has reason to know will be used for political campaign activities, the employer must have a signed form from the employee each year authorizing the deduction. These requirements apply to both private and government employers.

The measure also requires that, in order for a labor union to use a portion of the dues or fees it collects for political campaign activities, the union must have a signed form from the worker each year authorizing the use of the money for those activities.

The proposition requires that employers and labor unions keep certain records, including a copy of the authorization form.

Campaign Contributions by Foreign Nationals. Similar to existing federal law, this measure makes it illegal under state law for any person or political campaign committee to solicit or accept a campaign contribution for a candidate for public office from a foreign national.

Enforcement. A violation of the provisions of the measure would be punishable by the existing criminal and civil penalties established in the Political Reform Act of 1974. The FPPC would be responsible for enforcement.

Fiscal Effect

The proposition would result in additional costs to the state and local governments in two areas.

First, the measure would result in state costs to the FPPC to enforce its provisions. The costs could be offset in part by fines imposed by the FPPC for violations of the measure. The net costs are unknown, but probably are not major.

Second, the proposition could result in additional administrative costs to the state and local governments to review payroll deductions of their employees and to keep additional records. The extent of these costs would probably depend on the regulations developed by the FPPC. The State Controller's Office estimates that its annual administrative costs would be up to about \$2 million, with one-time costs in the range of \$2 million to \$5 million. These costs would be offset by fees paid by the businesses, organizations, and unions that receive the monies that are deducted from employee wages, thereby resulting in no net administrative costs to the state.

Local governments could incur the same type of administrative costs. The costs to local governments are unknown, but are probably not major, and could be offset by fees.



Political Contributions by Employees, Union Members, Foreign Entities. Initiative Statute.

Argument in Favor of Proposition 226

Proposition 226 is very simple and clear. It will reform California's elections two ways:

- It stops unions and employers from taking money from members or employees paychecks for political purposes without their prior consent.
- It will prohibit contributions to state and local candidates from foreign nationals and foreign corporations.

RANK AND FILE RIGHTS: BOSSES SHOULD NOT SPEND WORKERS' MONEY WITHOUT CONSENT

IT IS MORALLY WRONG—DEAD WRONG—TO TAKE MONEY FROM YOUR PAYCHECK, WITHOUT YOUR CONSENT, AND SPEND IT TO SUPPORT A POLITICAL CANDIDATE OR ISSUE THAT YOU OPPOSE.

Thomas Jefferson, who wrote the Declaration of Independence, said, "To compel a man to furnish contributions of money for the propagation of opinions which he disbelieves, is sinful and tyrannical."

The United States Supreme Court agrees and has ruled that it is illegal and unconstitutional to do so. But since Washington refuses to implement the court's *Beck* decision, California must act to end this outrageous violation of fundamental fairness and the rights of California union members.

UNLESS PROPOSITION 226 PASSES, UNION BOSSES—NOT INDIVIDUAL UNION MEMBERS—WILL DECIDE HOW THE MEMBER'S MONEY IS SPENT ON POLITICS. IT'S LIKE LETTING UNION BOSSES GO INTO THE VOTING BOOTH TO MARK THE MEMBER'S BALLOT.

For years, union members have been exploited by union leaders who took their money and spent it for political causes they opposed.

FOR EXAMPLE, UNION MEMBERS SUPPORTED AND VOTERS OVERWHELMINGLY APPROVED THE "THREE STRIKES AND YOU'RE OUT" INITIATIVE FOR HABITUAL CRIMINALS. YET UNION LEADERS SPENT MEMBERS' MONEY TO OPPOSE THREE STRIKES.

No wonder polls show that union members—by a large majority—support Proposition 226. For some union members who don't want to make political contributions, Proposition 226 will save them about \$200 a year.

BANNING FOREIGN CONTRIBUTIONS

PROPOSITION 226 WILL ALSO BAN ALL FOREIGN POLITICAL CONTRIBUTIONS TO CANDIDATES AND PARTIES.

It will prevent foreign money from buying political influence, ending both the fact and appearance of its corrupting elected officials.

The special interests that oppose Proposition 226 will say and do anything to defeat it. They know it will end their ability to direct tens of millions of dollars to campaigns and candidates that their members do not support.

IT'S BITTER IRONY THAT THE CAMPAIGN TO DEFEAT PROPOSITION 226 WILL BE PAID FOR WITH WAGES OF UNION MEMBERS AND EMPLOYEES WHO, BY AN OVERWHELMING MAJORITY, STRONGLY SUPPORT IT.

Union bosses attempt to justify extracting these involuntary contributions, claiming they know better than individual rank and file members what's good for them.

What arrogance!

Proposition 226 will end this unfair and unconstitutional shakedown of California union members, protecting their paychecks and their rights. It will end the influence of foreign money on political candidates.

BECAUSE YOU'RE A UNION MEMBER SHOULD NOT MEAN YOU HAVE TO GIVE UP YOUR RIGHTS AS A CITIZEN.

RANK AND FILE UNION MEMBERS DESERVE THE SAME POLITICAL FREEDOM OF CHOICE AS EVERY OTHER CALIFORNIAN. GIVE THEM A FAIR SHAKE INSTEAD OF A SHAKEDOWN.

Please vote yes on Proposition 226.

PETE WILSON

Governor, State of California

ELIZABETH LEE

Member, California Teachers' Association

ROBERT EISENBEISZ

Member, United Electrical Workers—local 99

Rebuttal to Argument in Favor of Proposition 226

Too often, what proposition sponsors *DON'T* tell you is more important than what they *DO* tell you.

Sponsors of 226 combined two unrelated issues into one measure. They *DON'T* tell you they were combined to get voters who oppose "foreign contributions" to support a measure that is really designed to attack unions and employee organizations.

226 *DOES* increase government bureaucracy and *DOES NOT* reduce foreign contributions to candidates. Existing law already does that.

226 was funded by out-of-state interests to protect big business, not California's working people.

In fact, William Gould, chairman of the U.S. National Labor Relations Board, stated, "This proposal is mischievous, bad policy, and in all probability, unconstitutional." Attempts like this to deceive voters are regularly overturned in court and cost taxpayers millions.

The State Controller estimates 226 will cost millions of dollars to enforce.

226 tips the balance against ordinary people even further, imposing new bureaucratic standards against employee organizations while corporations go unchecked. Two sets of rules are unfair.

The facts are:

- Corporate interests contribute eleven times what employee organizations contribute to politics.
- Union members typically only give one to two dollars monthly for politics, not \$200 a year as proponents claim.

Consumer Advocate Ralph Nader says: "I have studied Proposition 226. A careful reading reveals it is a trick and a trap. Handcuffing working Californians increases the power of the few over the many. That always spells injustice."

The only people this initiative is designed to help are those who wrote it.

DON BROWN

President, California Organization of Police and Sheriffs

LOIS WELLINGTON

President, Congress of California Seniors

KIT COSTELLO, RN

President, California Nurses Association

Political Contributions by Employers, Union Members, Foreign Entities. Initiative Statute.



Argument Against Proposition 226

PROPOSITION 226 IS NOT WHAT IT APPEARS TO BE

Are you tired of being asked to vote on another ballot measure that talks about two very different subjects? Are you tired of being asked to vote for ballot measures that say one thing but mean something else?

If you are, please look closely at 226.

226 WILL NOT REDUCE FOREIGN CONTRIBUTIONS

The authors claim 226 bans foreign contributions. But existing law already prohibits foreign contributions to federal, state, and local candidates.

But the fine print of 226 does something else.

You will see that Section 3 contains language clearly stating that foreign nationals should be allowed to contribute to the qualification or passage of California ballot measures. See for yourself by reading the initiative's language in this handbook.

Foreign interests should not be allowed to influence the outcome of our California ballot initiatives or bond measures.

Section 3 also allows subsidiaries of foreign corporations to contribute to candidates.

PROPOSITION 226 WAS PUT ON THE BALLOT BY OUT-OF-STATE INTERESTS

Proposition 226 was not written by people who care about California's working families.

Official campaign disclosure reports filed with the Secretary of State dated November 7, 1997 show that more than 60% of the funds used to place 226 on the ballot came from individuals who do not live in California.

THE LEAGUE OF WOMEN VOTERS OPPOSES PROPOSITION 226 BECAUSE IT WILL UNFAIRLY CREATE TWO DIFFERENT SETS OF RULES

According to the League of Women Voters, "Everyone should play by the same rules, especially when it comes to elections that determine the future direction of our state and nation. This measure sets up two sets of rules which is why we oppose 226."

Read the language of 226 carefully. Section 85990 talks about deductions from employee wages. But you will not find a single word that protects the individual rights of shareholders when the corporations they own make campaign contributions.

Section 85991 regulates union dues. But there is not one word that restricts how corporate interests and their political allies use their members' dues on politics.

By placing costly new bureaucratic regulations on unions, but not on corporate interests, the backers of 226 are trying to silence unions and give an unfair advantage to corporate interests, starting with the election for Governor this November.

Passing a law that creates two sets of rules at election time just is not fair.

PROPOSITION 226 WILL COST TAXPAYERS MONEY

226 will cost state government millions of dollars to implement. And it will cost local governments and schools even more to implement the new bureaucratic rules required of their employees.

And 226 is so poorly written it will cost California taxpayers additional millions trying to defend it in court.

That is why the California Organization of Police and Sheriffs, the Sierra Club, the Congress of California Seniors, Clean Water Action, the California Public Interest Research Group, and the League of Women Voters of California all urge you to vote NO on Proposition 226.

LOIS TINSON

President, California Teachers Association

HOWARD OWENS

Executive Director, Consumer Federation of California

DAN TERRY

President, California Professional Firefighters

Rebuttal to Argument Against Proposition 226

Powerful union leaders are waging a deceitful campaign to defeat proposition 226, because it will eliminate their ability to direct tens of millions of dollars to political candidates and causes without approval from their members. **THEY KNOW THEY CANNOT DEFEAT 226 ON THE MERITS, SO IT IS THEIR INTENT TO MISLEAD VOTERS.**

UNION LEADERS SO FEAR HAVING TO ASK THE MEMBERS' CONSENT TO SPEND THEIR MONEY, THEY'LL SAY ANYTHING TO DEFEAT 226.

HERE ARE THE FACTS:

- Union leaders say 226 will silence unions politically. **WRONG. IF RANK AND FILE MEMBERS BELIEVE THEIR LEADER'S POLITICAL AGENDA WILL BENEFIT THEM; THEY WILL GIVE THEIR CONSENT.**
- **UNION MEMBERS OVERWHELMINGLY SUPPORT 226, AND THE CALIFORNIA POLL SHOWS THAT 72% OF CALIFORNIANS SUPPORT 226.**
- Opponents make deliberately misleading claims that **EXISTING** law prohibits foreign contributions to **CANDIDATES**. They know that only **FEDERAL** law does so, and the state has no power to enforce federal law. That's why 226's **STATE** prohibition is required.

- Opponents claim 226 says that foreign nationals "should be allowed to contribute" to ballot measures. **IT DOES NOT.** Read it: 226 only provides that its foreign contribution prohibitions "shall not apply" to **BALLOT MEASURES**, leaving that to **EXISTING STATE LAW** (signed by Governor Wilson) **THAT PRESENTLY PROHIBITS** foreign contributions to ballot measures.

REMEMBER: EVERY TIME YOU SEE AN AD TRASHING PROPOSITION 226, IT IS BEING PAID FOR BY UNION LEADERS—WITH MEMBERS' MONEY—BUT, WITHOUT THEIR CONSENT.

PROPOSITION 226 IS THE ONLY WAY TO STOP IT.

MARK BUCHER

President—California Foundation for Campaign Reform

LINDA HUNT

Member—California Nurses Association

ROGER HUGHES

Member—California Federation of Teachers, AFL-CIO



English Language in Public Schools. Initiative Statute.

Official Title and Summary Prepared by the Attorney General

ENGLISH LANGUAGE IN PUBLIC SCHOOLS. INITIATIVE STATUTE.

- Requires all public school instruction be conducted in English.
- Requirement may be waived if parents or guardian show that child already knows English, or has special needs, or would learn English faster through alternate instructional technique.
- Provides initial short-term placement, not normally exceeding one year, in intensive sheltered English immersion programs for children not fluent in English.
- Appropriates \$50 million per year for ten years funding English instruction for individuals pledging to provide personal English tutoring to children in their community.
- Permits enforcement suits by parents and guardians.

Summary of Legislative Analyst's Estimate of Net State and Local Government Fiscal Impact:

- Impacts on individual school districts would depend on how schools, parents, and the state respond to the proposition's changes. These impacts could vary significantly by district.
- Requires state spending of \$50 million per year for ten years to teach tutors of limited English proficient students. Total state spending on education, however, probably would not change.

Analysis by the Legislative Analyst

BACKGROUND

California's public schools serve 5.6 million students in kindergarten through twelfth (K-12) grades. In 1996-97, schools identified 1.4 million, or 25 percent, of these students as "limited English proficient" (LEP). These are students who cannot understand English well enough to keep up in school. Eighty-eight percent of the state's schools had at least one LEP student, and 71 percent had at least 20 LEP students.

Under current law, schools must make their lessons understandable to LEP students. To help schools address the needs of these students, the State Department of Education created guidelines for the development of local LEP programs. These guidelines state:

- The main goal of all programs is to make LEP students fluent in English.
- Programs must allow LEP students to do well in all school work. In some cases, this means teaching some subjects to LEP students in their home languages.
- Schools must allow all LEP students the option of being in bilingual programs. A bilingual program is one in which students are taught both in their home language and in English.
- Schools must allow parents to choose whether or not their children are in bilingual programs.

How Are Students Currently Served?

Schools currently use a range of services to help LEP students (1) learn how to speak, read, and write English; and (2) learn academic subjects (such as math, reading, writing, history, and science).

Services to Help Students Learn English. Almost all LEP students get special services to help them learn English. These services are often provided during a part of the school day, separate from lessons on regular academic subjects.

Services to Help Students Learn Academic Subjects. Most LEP students receive special help in their academic subjects in one of two basic ways:

- **Lessons That Use Special Materials.** About 40 percent of all LEP students are taught their academic subjects in English. The class materials and teaching methods for these students, however, are specially designed for students who do not speak English well.
- **Lessons That Are Taught in Students' Home Language.** About 30 percent of all LEP students are taught some or all of their academic subjects in their home languages. These are what people usually refer to as bilingual classes.

The remaining 30 percent of LEP students do not receive special help in their academic subjects. This is either because they do not need it or because the school does not provide it. These students are taught their academic subjects in regular classrooms.

How Long Do Students Receive LEP Services?

State guidelines say that schools should give LEP students special services until (1) they can read, write, and understand English as well as average English speakers in their grade; and (2) they can participate equally with fluent speakers in the classroom. Schools report that LEP students often receive special services for many years.

How Are LEP Services Funded? The state currently provides over \$400 million in special funds for students—both LEP and *non*-LEP—who need extra help to succeed in school. These funds are known as “compensatory” funds. Schools report that the majority of this money is spent for LEP students. In addition, schools may spend federal and local funds for special services for LEP students.

PROPOSAL

This proposition significantly changes the way that LEP students are taught in California. Specifically, it:

- Requires California public schools to teach LEP students in special classes that are taught nearly all in English. This would eliminate “bilingual” classes in most cases.
- Shortens the time most LEP students would stay in special classes. The initiative states that: (1) LEP students should move from special classes to regular classes when they have acquired a good working knowledge of English and (2) these special classes should not normally last longer than one year. This would eliminate most programs that provide special classes to LEP students over several years.

Exceptions. Schools would be permitted to provide classes in a language other than English if the child’s parent or guardian asks the school to put him or her in such a class *and* one of the following happens:

- The child is at least ten years old and the school principal and teachers agree that learning in another language would be better for the child.
- The child has been in a class using English for at least 30 days and the principal, teachers, and head of the school district agree that learning in another language would be better for the student.
- The child already is fluent in English and the parents want the child to take classes in another language.

If a school lets 20 or more LEP students in a grade choose to take their lessons in a language other than English, then the school must give such a class. If there are not 20 students or more, then the school must let the students go to other schools that have classes in those languages.

Funding Provisions. The initiative requires the state to provide \$50 million every year for ten years for English classes for adults who promise to tutor LEP students. In addition, the measure requires that any special funding currently spent on LEP students be maintained, if possible.

FISCAL IMPACT

School Costs and Savings

This proposition would result in several fiscal impacts on schools.

Savings. By limiting the time LEP students can be in special classes generally to one year, the initiative would reduce the number of special classes schools would have to offer. This could result in major savings for schools.

Costs. The proposition could also result in new costs to schools, for a number of reasons. For instance, the one-year special classes could be more expensive than existing classes if schools provide more intensive services. Schools may also need to give LEP students extra help in academic subjects once they are moved to regular classes if they fall behind other students.

Distribution of “Compensatory” Funds. The state provides “compensatory” funds to schools based in part on the number of LEP students. The proposition would likely reduce the number of students who are considered LEP at any given time. As a result, state funds would be allocated differently—some schools would get more compensatory funds and others would get less.

Net Impact on Schools. We cannot predict the proposition’s net impact on schools. It would depend in large part on how people respond to its passage, including:

- Parents’ decisions on the types of services they want for their children.
- Schools’ decisions on the types and levels of services provided to LEP students.
- State decisions on the allocation of “compensatory” funds it currently provides to schools with LEP students.

The net impact could vary significantly by individual school.

State Fiscal Effects

Under the proposition, the state would spend \$50 million each year for ten years for English classes for adults who promise to tutor LEP students. This provision, however, probably would not change total state spending for schools. (This is because the level of state spending for K–12 schools is generally based on a formula in the Constitution.) As a result, the costs to the state of this provision would likely reduce spending on other school programs by a like amount.

For the text of Proposition 227 see page 75



English Language in Public Schools. Initiative Statute.

Argument in Favor of Proposition 227

WHY DO WE NEED TO CHANGE CALIFORNIA'S BILINGUAL EDUCATION SYSTEM?

- Begun with the best of intentions in the 1970s, bilingual education has failed in actual practice, but the politicians and administrators have refused to admit this failure.
- For most of California's non-English speaking students, bilingual education actually means monolingual, SPANISH-ONLY education for the first 4 to 7 years of school.
- The current system fails to teach children to read and write English. Last year, only 6.7 percent of limited-English students in California learned enough English to be moved into mainstream classes.
- Latino immigrant children are the principal victims of bilingual education. They have the lowest test scores and the highest dropout rates of any immigrant group.
- There are 140 languages spoken by California's schoolchildren. To teach each group of children in their own native language before teaching them English is educationally and fiscally impossible. Yet this impossibility is the goal of bilingual education.

COMMON SENSE ABOUT LEARNING ENGLISH

- Learning a new language is easier the younger the age of the child.
- Learning a language is much easier if the child is immersed in that language.
- Immigrant children already know their native language; they need the public schools to teach them English.
- Children who leave school without knowing how to speak, read, and write English are injured for life economically and socially.

WHAT "ENGLISH FOR THE CHILDREN" WILL DO:

- Require children to be taught English as soon as they start school.
- Provide "sheltered English immersion" classes to help non-English speaking students learn English; research shows this is the most effective method.
- Allow parents to request a special waiver for children with individual educational needs who would benefit from another method.

WHAT "ENGLISH FOR THE CHILDREN" WON'T DO:

It will:

- NOT throw children who can't speak English into regular classes where they would have to "sink or swim."
- NOT cut special funding for children learning English.
- NOT violate any federal laws or court decisions.

WHO SUPPORTS THE INITIATIVE?

- Teachers worried by the undeniable failure of bilingual education and who have long wanted to implement a successful alternative—sheltered English immersion.
- Most Latino parents, according to public polls. They know that Spanish-only bilingual education is preventing their children from learning English by segregating them into an educational dead-end.
- Most Californians. They know that bilingual education has created an educational ghetto by isolating non-English speaking students and preventing them from becoming successful members of society.

WHO OPPOSES THE INITIATIVE?

- Individuals who profit from bilingual education. Bilingual teachers are paid up to \$5,000 extra annually and the program provides jobs to thousands of bilingual coordinators and administrators.
- Schools and school districts which receive HUNDREDS OF MILLIONS of extra dollars for schoolchildren classified as not knowing English and who, therefore, have a financial incentive to avoid teaching English to children.
- Activist groups with special agendas and the politicians who support them.

ALICE CALLAGHAN

Director, Las Familias del Pueblo

RON UNZ

Chairman, English for the Children

FERNANDO VEGA

Past Redwood City School Board Member

Rebuttal to Argument in Favor of Proposition 227

Several years ago, the 1970's law mandating bilingual education in California expired.

Since then local school districts—principals, parents and teachers—have been developing and using different programs to teach children English.

Many of the older bilingual education programs continue to have great success. In other communities some schools are succeeding with English immersion and others with dual language immersion programs. Teaching children English is the primary goal, no matter what teaching method they're using.

Proposition 227 outlaws all of these programs—even the best ones—and mandates a program that has *never* been tested anywhere in California! And if it doesn't work, we're stuck with it anyway.

Proposition 227 proposes

- A 180-day English only program with no second chance after that school year.
- Mixed-age classrooms with first through sixth graders all together, all day, for one year.

Proposition 227 funding comes from three wealthy men . . . one from New York, one from Florida, and one from California.

The New York man has given Newt Gingrich \$310,000!

The Florida man who put up \$45,000 for Proposition 227 is part of a fringe group which believes "government has no role in financing, operating, or defining schooling, or even compelling attendance."

These are not people who should dictate a single teaching method for California's schools.

If the law allows different methods, we can use what works. Vote NO on Proposition 227.

JOHN D'AMELIO

President, California School Boards Association

MARY BERGAN

President, California Federation of Teachers, AFL-CIO

JENNIFER J. LOONEY

President, Association of California School Administrators

English Language in Public Schools. Initiative Statute.



Argument Against Proposition 227

Proposition 227 imposes one untested method for teaching English on every local school district in California.

Proposition 227 puts limited English speaking children of *all* ages and languages into *one* classroom.

The California PTA opposes Proposition 227 because it takes away parents' right to choose what's best for their children.

The California School Boards Association opposes Proposition 227 because it *outlaws the best local programs* for teaching English.

California's teachers oppose Proposition 227—teachers can be *sued personally* for teaching in the children's language to help them learn English.

Outlawing decisions by parents, teachers, and school boards on how to teach children English is wrong.

Children in California must learn English.

In thousands of classrooms all over California, they are. Good teachers. Good local school boards. Good parent involvement.

Those successes are not the result of one instructional method imposed on every school by state government.

Sadly, there have been failures too. However, these failures can best be remedied by reasonable program changes that maximize local control.

California should be returning more decisions to parents, teachers, principals, and local school boards.

A growing number of school districts are working with new English teaching methods. Proposition 227 stops them.

The San Diego Union-Tribune Editorial said it best: "School districts should decide for themselves."

We urge you to join us, the California PTA, the California School Boards Association, and California's teachers in voting "NO" on Proposition 227.

JOHN D'AMELIO

President, California School Boards Association

MARY BERGAN

President, California Federation of Teachers, AFL-CIO

LOIS TINSON

President, California Teachers Association

Rebuttal to Argument Against Proposition 227

The arguments against Proposition 227 were signed by leaders of organizations whose members receive **HUNDREDS OF MILLIONS OF DOLLARS** annually from our failed system of **SPANISH-ONLY** bilingual education.

Because they can't defend bilingual education, they have resorted to attacks that are **FACTUALLY WRONG**.

Proposition 227:

- *Doesn't* impose an untested method of teaching English. Our method *has* been used successfully in the U.S. and worldwide.
- *Doesn't* eliminate choice or impose a single approach. Today, California schools are forced to use bilingual education despite parental opposition. We give choice to parents, not administrators.
- *Doesn't* require schools to mix together children of different ages. We allow such combined classes where necessary at the school's discretion, such as in rural areas with few students. This is *no different* than current law.
- *Doesn't* prohibit teachers or students from speaking

another language in class. This initiative only requires that school instruction be primarily in English. Teachers can still use some of the child's native language. Foreign language programs remain completely unaffected.

- *Doesn't* allow teachers to be sued for speaking a foreign language. Parents may only sue those who "*willfully and repeatedly*" refuse to obey the law and teach children in English.
- *Should* save huge amounts of money. Although we maintain *per capita* spending on English learners, once these children are quickly taught English and moved into regular classes, this extra funding ends.

The opposition's only true statement is that children must learn English. The current system fails to do this. Change is necessary.

JAIME A. ESCALANTE

East LA Calculus teacher portrayed in "Stand and Deliver"

How does the Open Primary affect you ?

The 1998 Primary Election will be California's first "open primary." Before the open primary system was adopted by voters in 1996, in Primary Elections you could vote only for candidates from the political party in which you were registered. Republicans could vote for Republicans and Democrats for Democrats, etc... Only candidates from your party were listed on your ballot.

NEW BALLOTS

On June 2, 1998 this will change! The open primary is open to all registered voters. Your Primary Election ballot will have the names of candidates running for offices from every political party. **You can vote for whomever you wish, but you can only vote for one candidate in each race.** The top vote-getters in each race from each party will compete against one another in the November General Election.

OFFICES AFFECTED

The open primary applies to all candidates for partisan office, including Governor and other statewide offices, State Senate and Assembly, and US Senate and House of Representatives. The only exception is the County Central Committee. The law still requires that only voters registered in a particular political party can vote in that party's Central Committee election.

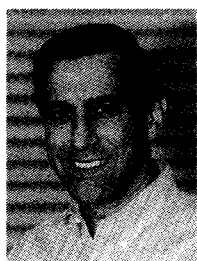
FOR MORE INFORMATION

You can get more information about the Open Primary by calling **1-800-345-VOTE** or by visiting our website at **www.ss.ca.gov**.

CANDIDATE STATEMENTS

U.S. Senator

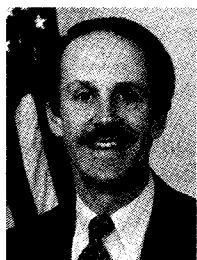
- ✓ One of two U.S. Senators who represent California's interests in the Senate in Washington, D.C.
- ✓ Proposes and votes on new national laws.
- ✓ As a U.S. Senator, votes on confirming federal judges and U.S. Supreme Court Justices.



Darrell Issa
Republican

550 West Vista Way,
Suite 200
Vista, CA 92083
(760) 414-1998
www.issa98.com

I'm a businessman, not a politician. Special interests have too much influence in Washington—I want to change that. I will not accept special interest money. I will take to the Senate the values, beliefs and experience earned during a decade of military service and 16 years building a \$7,000 investment into a \$75 million a year hi-tech business. My beliefs are based on five principles. *Taxes are too high. Government is too big. Criminals must be punished. For America to remain free, we must remain strong. I trust the individual.* If you agree, I'd like your vote.



Frank D. Riggs
Republican

3273 Claremont Way,
Suite 202
Napa, CA 94558
(707) 252-8688
<http://www.riggs98.com>

You have the chance to put *principle over politics* by voting for me. I am an Army veteran, former police officer, and successful small businessman. I took on the Washington establishment as a leader of the Gang of Seven, which exposed the House Bank scandal and paved the way for the Republican takeover of Congress. In Congress, I have consistently *voted* pro-life, and *voted* to protect Second Amendment rights. I am a strong defender of private property rights and want to end the IRS. *I have a record.* Vote for someone you can be proud to represent you in Washington.



Mark Raus
Republican

11125 Texas River Court
Rancho Cordova, CA 95670
(916) 631-8743
markraus@innercite.com
<http://markraus.innercite.com>

Have you ever wanted to vote for a candidate to represent you that comes from the working force in private industry? I am that candidate. I am 37 years old, married, and father of 2 wonderful children ages 3 and 5. I am a full time pharmacist and an officer in a union of pharmacists and interns. I was born and raised in Orange County and currently reside in Sacramento County. My basic philosophy when it comes to the federal government is to limit its scope. I support the balanced budget amendment, ending race-based preferences and saving Medicare for seniors.



Brian M. Rees
Natural Law

P.O. Box 561
Pacific Palisades,
CA 90272
(515) 472-2040
info@natural-law.org
www.natural-law.org

I am a family physician, author, teacher, and small business owner. I grew up in Long Beach, graduated from UC Santa Barbara, and have an MD and Master of Public Health. After seven years in the Army Medical Corps, I've spent the last decade researching and practicing prevention-oriented natural medicine while running my own clinic/business. In 1996 I was called back to active duty and sent to Europe in support of peacekeeping in Bosnia. I'm currently the commander of a reserve medical unit in Irvine. My wife of 14 years and I have two children in the public schools.

The order of the candidates was determined by random alphabet drawing.

Statements on this page were supplied by the candidates and have not been checked for accuracy by any official agency.

CANDIDATE STATEMENTS—U.S. Senator



Matt Fong Republican

888 South Figueroa St.,
#1130
Los Angeles, CA 90017
(213) 833-0910
comments@fong98.org
<http://www.fong98.org>

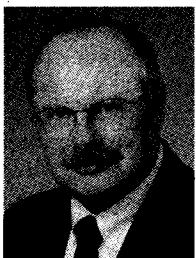
I am dedicated to eliminating the barriers which keep our citizens from realizing the American dream. That means closing down the IRS and getting rid of special interest loopholes. I support a fairer, simpler tax code. Our streets must be safer. That means ending early release for violent offenders. As an Air Force Academy graduate and Lt. Colonel (Reserve), I support maintaining a strong military to protect our people in a dangerous world. It means every child graduating from high school can read, write and speak English. Together, with experience, vision and creativity we can make all Californians' future brighter.



John Pinkerton Democratic

P.O. Box 720329
Pinon Hills, CA 92372
(760) 868-1745
pinkerton-for-senate.com

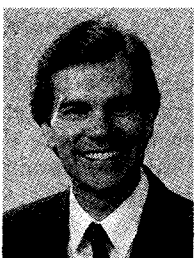
Californians deserve a U.S. Senator who represents the rational center and common sense. I stand for a balanced budget amendment and an end to federal financing of abortion. I will work for parental control in our schools and to end exportation of American jobs. I will fight to help bring about Dr. King's color blind society by replacing Affirmative Action with Equal Opportunity. I am passionately committed to term limits and pledge no more than two terms in office. As your senator, I will take the message to Washington that Californians believe in personal responsibility and sensible, moderate government.



H. Joseph Perrin Sr. American Independent

5960 South Land Park Dr.,
Suite 273
Sacramento, CA 95822

I am a native Californian and am blessed with my wife Cecilia and three successful adult children. I am a veteran and a member of the American Legion. I have served as a Reserve Deputy, and am a member of the United Revolver Club and the Ben Ali Peace Officers unit. I have served as a disaster volunteer, a Rotarian and presently serve my church as an elder. I have earned a Masters Degree and have provided 25 years of service in Public Health, Rehabilitation Services, and Research. I ask to continue my public service as your US Senator.

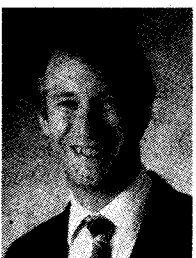


Timothy R. Erich Reform

640 Eucalyptus Avenue
Oakdale, CA 95361

<http://home.earthlink.net/~terich>

Currently: Teacher and School Principal; Married, with two children. Previously: Government and Economics Teacher, 10 years; Historical Commission Member, 3 years; Congressional Candidate in 1996. I believe, while providing all Americans with sufficient levels of social security, medical care and educational opportunity, we must maintain adequate levels of national defense, protect our natural resources, and revitalize democracy through campaign and finance reform. To show my commitment to reform I am not accepting any monetary contributions, and am attempting to spend the least amount possible in a serious campaign. As the Reform Party candidate I'm not for sale, I'm for real!



Ted Brown Libertarian

P.O. Box 5362
Pasadena, CA 91117
(800) 682-1776
tedb@idt.net
<http://idt.net/~tedb>

Each day government at all levels grows larger. It threatens our personal freedoms and economic liberty. Those in power say, "There ought to be a law." Libertarians say, "There ought to be a choice." Leave people alone and they will grow and prosper. I will go to Washington to repeal laws, not pass new ones. We must slash government. My goals: repeal the federal income tax and abolish the IRS; reduce crime by ending the failed "War on Drugs" and decriminalizing drug use; withdraw all U.S. troops from overseas; and eliminate all agencies and departments not permitted by the Constitution.

The order of the candidates was determined by random alphabet drawing.

Statements on this page were supplied by the candidates and have not been checked for accuracy by any official agency.

38 Submission of statements was voluntary. Candidates who did not submit statements could otherwise be qualified to appear on the ballot.

P98

CANDIDATE STATEMENTS—U.S. Senator



John M. Brown Republican

6713 Embarcadero Dr., #29
Stockton, CA 95219
(209) 952-7293
jbrown1924@aol.com

"For the people, by the people" is more than a forgotten principle in my campaign. I give the voters an opportunity to be personally involved in *real campaign reform*. I will not accept any money, or solicit any! Presently candidates get elected through money raised, and after elected use the rest of the time in office trying to raise more money to get reelected. This process has corrupted the system and has resulted in legislating as payola. A vote for me is voter mandated campaign reform not legislated! Help me restore respectability to the greatest political system there is, *ours!*



Barbara Boxer Democratic

P.O. Box 641751
Los Angeles, CA 90064
(310) 575-9880
www.boxer98.org

As your Senator, I fight for California every day. I cast tough votes to balance the budget, getting our economy on track with 1 million new California jobs. I stopped special interests from gutting environmental protections for air, water and food safety. With thousands of new community police, crime is down. I helped bring home billions in disaster relief. Now I'm working to raise academic standards, expand after school care, protect our children from "junk guns" and dangerous toxics, and guarantee HMO patients' rights. With a continued focus on economic growth, I hope to keep fighting and winning for California.



Ophie C. Beltran Peace and Freedom

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Toluca Lake, CA 91602-2533
(818) 830-2794
76170.1423@compuserve.com
http://ourworld.compuserve.com
/homepages/janbtucker

I'm running on a feminist/labor slate of Peace & Freedom Party candidates including Regina Lark (Lieutenant Governor), Marisa Palyvos-Story (Secretary of State), Gary Ramos (Insurance Commissioner), Gary Kast (Attorney General), David Delano Blanco (Controller), and Jan Tucker (Treasurer). We support Gloria LaRiva for Governor. Our slate applauds the AFL-CIO demand that elected officials support the right of workers to unionize through neutral "card checks" by community leaders. I support sanctions against Turkey for blockading Armenia and atrocities against Kurds and against other human rights abusers. I oppose NAFTA and "fast track" without protecting union rights and environmental safeguards.

The order of the candidates was determined by random alphabet drawing.

Statements on this page were supplied by the candidates and have not been checked for accuracy by any official agency.

CANDIDATE STATEMENTS



Governor

- ✓ As the state's chief executive officer, oversees most state departments and agencies and appoints judges.
- ✓ Proposes new laws and approves or vetoes legislation.
- ✓ Prepares and submits annual state budget.
- ✓ Responsible for mobilizing and directing state resources during emergencies.



Steve W. Kubby Libertarian

P.O. Box 2025
Olympic Valley, CA 96146
(530) 581-4757
kubby@alpworld.com
<http://www.alpworld.com/kubby98>

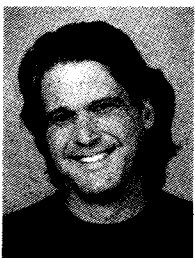
As a publisher, author and community leader, I've listened carefully to the voice of the people and I know what Californians really want. My goal as Governor is to address the problems of education, crime and safety, and medical rights. To that end, I've worked with world leaders and public officials on a broad range of health and safety issues. My concern for the medical rights of Californians led me to play a key role in the successful Proposition 215 campaign. I am a serious candidate who offers you a new choice—instead of continuing the same old failed policies.



Gray Davis Democratic

9911 West Pico Blvd.,
Suite 980
Los Angeles, CA 90035
(310) 201-0344
<http://www.gray-davis.com>

As Governor, my top priority will be *dramatically improving our public schools*. As a principled Democrat, I'll protect *a woman's right to choose*, the *environment* and *equal opportunity*. I'm *pro-death penalty*. I will hold government *accountable*. As State Controller, *I withheld paychecks from all state officials—including myself*—until the Legislature passed the budget. I've been proud to serve you as Acting Governor, Lieutenant Governor, Controller, Assemblyman, Governor's Chief of Staff, and a U.S. Army Captain in Vietnam. As Governor, *I won't have to learn on the job*. I've gained *invaluable experience* to lead California into the next century.



Dan Hamburg Green

P.O. Box 3727
Oakland, CA 94609
(510) 44GREEN
green-cal98@greens.org
www.greens.org/green-cal98

Let's tax what we want to be rid of, like pollution and waste, and *not tax* what we want to encourage, like a paycheck. The California economy is booming yet millions of our children grow up in poverty, and for most of us, paying the bills is a monthly challenge. What's wrong here? Let's make our public schools gleam at least as bright as our shopping malls. Better schools will result in lower law enforcement and social welfare costs. I am a husband, father and grandfather, a former member of Congress, county supervisor, and teacher. I ask for your vote.



Jane Harman Democratic

P.O. Box 843
Torrance, CA 90508
(310) 224-5000
www.harman.org

I grew up in California and attended public schools when they were great. Half my career has been in the private sector; the other half dedicated to public service, as chief counsel to a Senate Judiciary Subcommittee, Deputy Cabinet Secretary to President Carter, and three-term Member of Congress from California. I am a mother of four, pro-choice and pro-death penalty. As Governor, my agenda will continue to be restoring excellence in our schools, the safety of our homes and schools, creating good jobs, and health care that serves patients first. It's time to believe in California, again.

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CANDIDATE STATEMENTS—Governor



**Eduardo M.
Rivera**
Republican

7404 Pico Vista Rd.
Pico Rivera, CA 90660
(310) 530-4161
www.afreshstart.com/notax
EdRivera@webtv.net

Born 8/18/43, in an adobe house my father built in Cochise County, Arizona, I taught myself Spanish before starting school in 1948. I learned to read and write English in Compton City Schools. I have degrees from UCLA Law School, 1971; CSULA, 1968, Government: Public Service and was elected Graduate Class President. For 25 years I solved the legal problems of the poor and obscure and helped to immigrate and naturalize thousands of people. The solution to the personal income tax is education. I will show you what Government hasn't, can't and won't teach you about taxation and your Liberty.



Marsha Feinland
Peace and Freedom

1801-A Cedar Street
Berkeley, CA 94703-1131
(510) 845-7251
feinland@peaceandfreedom.org
<http://www.peaceandfreedom.org/feinland.htm>

I am a teacher, a parent, and an elected member of the Berkeley Rent Board. The people of California need secure, well-paying jobs with a shorter work week; free, quality health care; a guaranteed income for children and families; and affordable housing. Our school system should teach and nurture our children instead of just testing them. We need to restore the renters' tax credit, end sales taxes, and put steeper taxes on higher incomes and corporations. We must preserve our forests, air and water. Working people must take control of public policy away from corporations and the wealthy.



Jeff Williams
Republican

8836 Eucalyptus Ave.
California City, CA 93505
(760) 373-8331
jrwms007@ccis.com
<http://bart.ccis.com/home/jrwms007>

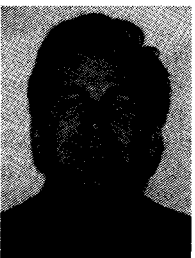
I am married with four children. I earned my BA in Management and I will receive my MBA through the University of Phoenix in November of 1998. I am currently a classroom volunteer, science fair team coach, and PTO President for our local elementary school, a Den Leader and a Cubmaster. I am a United Way volunteer, union member, and a member of Women In Mining. I am a working family man concerned with family issues. We need to protect and strengthen the family unit, get involved with our children's activities, and focus our resources on improving our education system.



**Charles
"Chuck"
Pineda Jr.**
Democratic

P.O. Box 277605
Sacramento, CA 95827-7605
(916) 383-4700
wshepp@ns.net

Californians, in the past, 453,341 Democrats have given me their vote. I believe that if you know my platform objectives, I will earn your vote! My platform objectives are: The 32 hour work week (cuts commuter gridlock); crime prevention; phonics based education; establishing desalination plants to produce water and create jobs; ensure protection for farm workers; equal educational and job opportunities; legislative reform (three months each)—people, business, resolve conflicts; assist the elderly and homeless. Currently, I serve you as a Representative on the Youthful Offender Parole Board. I am Harvard trained and want to be your next Governor.



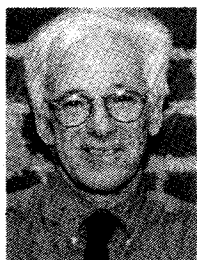
Michael Palitz
Democratic

P.O. Box 15902
Newport Beach, CA 92659
(714) 654-3515

I will divert funds to Substantially Increase the salaries of Teachers, Law Enforcement, Fire and Marine services, and all public workers salaries and benefits upon election. We will work together to restructure pay scales, benefit packages, and cost of living increases to insure that those working for the good of the public are well compensated in a fair and dignified manner. We can all agree that our children and grandchildren's future depend on the decisions we make today. Let's work together to give those working so hard to insure our children's safety and education standards a lifestyle boost, well deserved.

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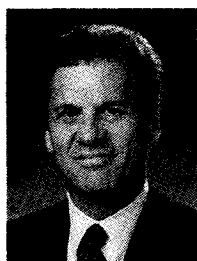
CANDIDATE STATEMENTS—Governor



Dennis Peron Republican

1444 Market St.
San Francisco, CA 94102
(415) 621-3986
cbc@marijuana.org
www.marijuana.org

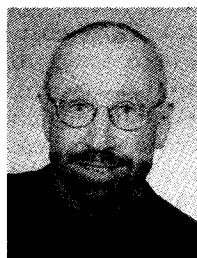
I wrote Proposition 215 (medical marijuana); you made it law. Together we created a more compassionate society. From serving my country in Vietnam to caring for my partner in the AIDS epidemic, my life's been touched by history. As governor I'll protect women's choice, champion minorities' rights, and preserve our children's greatest heritage, the natural environment. I'll eliminate sales tax, small business taxes, corporate welfare. I'll raise the minimum wage and assure every Californian employment, housing, transportation. Violent criminals will be guaranteed prison cells. I'll provide children schools, books, computers, innovative after school programs. *Fuerza a travez de la diversidad.*



Al Checchi Democratic

5757 Wilshire Blvd.,
Suite 481
Los Angeles, CA 90036
(213) 930-2545
Committee@alchecchi.com
www.alchecchi.com

I'm a businessman, not a career politician. I believe it's time for real world experience and new ideas to prepare California for the 21st Century. Let's cut state bureaucracy 10% and put the savings into education; test teachers for competency; end social promotion and expand after-school programs. Let's expand the death penalty to serial rapists and repeat child molesters. Let's add 10,000 police, prosecute gangs as criminal conspiracies and enforce zero tolerance for domestic violence. Let's cut taxes and reform HMO's with a Patient's Bill of Rights. Let's start using real world experience to solve real world problems.



James D. Crawford Republican

P.O. Box 3697
Ventura, CA 93006
(805) 383-6115
www.crawford4gov.com

As a thirty year California resident, both my family and business life have benefited from the many resources and opportunities available in California. Success professionally and seeing my children establish themselves in positive and productive ways demonstrates that prosperity is possible for all. I'm not a career politician, but a businessman desiring a chance to repay California by offering grass roots advice, leadership and a common sense approach to managing the State. My main goal for California is real growth, manifested by strong cooperation between government and the private sector for job training, employment, education, operational efficiency and tax incentives.



Harold H. Bloomfield Natural Law

(619) 481-9950
info@natural-law.org
www.natural-law.org

Natural law provides practical, prevention-oriented solutions to our social, health, and environmental problems. I am a Yale-trained psychiatrist, specializing in integrative psychiatry and natural medicine and frequently speak at conferences worldwide. My work has been featured on 20/20, Good Morning America, Oprah, and Larry King, as well as Time, Newsweek, and People Magazine. I have authored 17 books, several of them international bestsellers, including *Healing Anxiety with Herbs, Hypericum (St. John's Wort) & Depression, How to Survive the Loss of a Love, and TM-Transcendental Meditation*. I am happily married with three children, ages 14 to 26.



Nathan E. Johnson American Independent

P.O. Box 880896
San Diego, CA 92168-0896
(619) 297-7808

I am pro-life. As Governor I will work to end abortion in California. Since 1972 I have worked for San Diego Transit belonging to Amalgamated Transit Union Local 1309. I understand the struggle of working people in this state as they try to make ends meet. Living near the international border for 39 years has made me familiar with the problems of that relationship. I am pro-Second Amendment, pro-death penalty, pro-restitution, and pro-quality education. As Governor I will appoint people who uphold the American Independent Party principles of limited government and individual responsibility.

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CANDIDATE STATEMENTS—Governor



Pia Jensen
Democratic

P.O. Box 635
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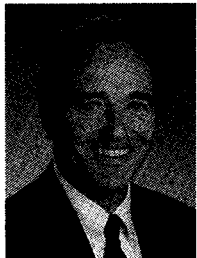
Californians are ready for a visionary leader who understands the core issues. Diversity in ethnicity and inequities in education are two of the issues I am prepared to deal with. The condition of our environment is also one of my main issues that I will handle in a proactive manner. Each of these issues can be dealt with by focussing on the core challenge—reinstating personal and community worth. It is time to place value and responsibility back into society through education, employment training, habitat restoration and accountability. I have the experience, skills and knowledge to achieve these ends.



Gloria Estela LaRiva
Peace and Freedom

2489 Mission St., Room 28
San Francisco, CA 94110
(415) 826-4828
sfworkers.org
<http://www.workers.org>

My campaign will mobilize against attacks on immigrant and welfare rights, affirmative action and all workers. *NO on the Unz antibilingual education initiative!* Jobs and education for youth, not jails. Stop building prisons. Defend Native sovereignty. Save Headwaters forest and Ward Valley. As a Latina, community, and labor activist, I fight for jobs, housing, healthcare, education, childcare for all, and *against* racism, sexism, and anti-lesbian/gay bigotry. I've organized for immigrant and farmworker rights. Tax corporations, not workers. Stop attacks on unions. I oppose U.S. intervention, and blockades of Cuba and Iraq. We need socialism, not capitalism.



Dan Lungren
Republican

717 K Street, Suite 320
Sacramento, CA 95814
(916) 441-2115
www.LungrenforGovernor.org

I felt fortunate to grow up in California. With support of my family, my Catholic faith and a sound education, I knew California promised unlimited opportunity. I want that same opportunity for all. As Attorney General, working with law enforcement, we have lowered the crime rate 30%. Tough laws, common sense judges, the death penalty and real prevention replaced failed policies that blamed society for crime. As Governor, I intend to continue this progress and bring similar attention to education reform. Bold change—including parental choice—is key to building a safer and stronger California. Together, we can do it.

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CANDIDATE STATEMENTS

Lieutenant Governor



- ✓ Assumes the office and duties of Governor in the case of impeachment, death, resignation, removal from office or absence from the state.
- ✓ Serves as President of and presides over the State Senate and has a tie-breaking vote.
- ✓ Chairs the Economic Development Commission, is a member of the State Lands Commission and sits on the boards of the California university systems.
- ✓ Serves as an ex-officio member of the California State World Trade Commission.



**Noel Irwin
Hentschel**
Republican

6053 West Century Blvd.,
Suite 700
Los Angeles, CA 90045
(310) 649-1998
www.TeamNoel.org

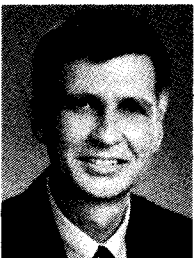
I am a native Californian. Twenty years ago, I started AmericanTours International with \$5,000. Today, my company brings more than 500,000 international visitors to America, generating billions of dollars annually into our economy, which provides thousands of Californians with jobs. The Lt. Governor chairs the Commission for Economic Development. My strong business background in international trade and tourism, two of California's leading industries, will help drive our state's economic growth. I am a Reagan Republican, committed to the values of faith and family. I will bring real world experience and a strong work ethic to the office of Lt. Governor.



**Sara Amir
Green**

P.O. Box 3727
Oakland, CA 94609
1-888-464-4498
green-cal98@greens.org

As an immigrant, I especially appreciate the many opportunities of life in California. But as an environmental scientist working to cleanup some of California's most polluted land, I also know the appalling results of a system which values corporate profit and wasteful consumption over a safe, protected environment. As the Green Lt. Governor candidate, I'm committed to grass-roots democracy: support for small business; local control of our economies and schools; social and environmental justice; universal health-care; and a politics of compassion which recognizes that ecological sustainability is the foundation of a strong economy and peaceful world.



Tony Miller
Democratic

2410 K Street, Suite C
Sacramento, CA 95816
(916) 447-2463
www.TonyMiller.com
Miller98@aol.com

Teaming up with AARP, League of Women Voters, Common Cause and United We Stand America to limit campaign contributions and spending, I co-authored Proposition 208, the Political Reform Act approved by 61.3% of the voters. As California's Acting Secretary of State and Fair Political Practices Commissioner, I fought for political reforms. I support term limits and letting voters choose "none-of-the-above." I've been a teacher, criminal investigator, firefighter, farmer and small businessman. Former Secretary of State March Fong Eu heads my campaign. As Lt. Governor, I'll keep fighting for political reforms to make government more open and honest.



**James J.
Mangia**
Reform

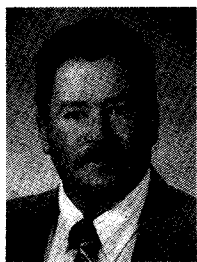
7985 Santa Monica Blvd.,
Suite 22
West Hollywood, CA 90046
(213) 694-2492
www.jimmangia.com

The people of California need an independent watchdog to make sure state government is working for us and not big money special interests. I'm an independent candidate for Lt. Governor on the Reform Party ticket. If we elect an independent the office can become that non-partisan advocate for the people. In initiative after initiative, election after election, Californians cast their ballots for political reform—term limits, campaign finance reform and open primaries. Yet the politicians keep suing to have these reforms overturned! Let's put an independent in state government to protect our political reforms and keep the professional politicians accountable.

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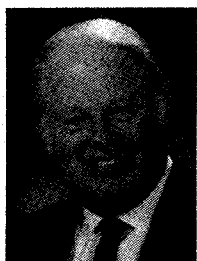
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CANDIDATE STATEMENTS—Lieutenant Governor



George M. McCoy
American
Independent

I George M. McCoy am a candidate for the office of Lt. Governor on the American Independent Party. I have been a member of my party since I first registered to vote. I am a California Contractor and businessman in San Diego and Riverside counties. I have viewed with alarm for many years now the increasing burden of government on the lives of the middle working class and small business owners. I will strive as Lt. Governor to restore government to it's proper function as laid out in our constitution.



Richard "Dick" Mountjoy
Republican

P.O. Box 877
Monrovia, CA 91017
(626) 357-0910
www.wordpr.com/mountjoy/

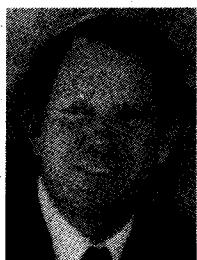
I will always fight for my principles. I don't cast votes for donations. I authored *Proposition 187* that disallowed benefits to illegal aliens because I knew it was the right thing to do. I oppose tax increases. I fought to reform *Workers' Compensation* to create jobs. I oppose abortions. I have led the fight against *Smog Check II*, which will cause many to lose their cars, and *MTBE*, a gasoline toxin contaminating our drinking water. I am not afraid to say that I have a deep belief in my Christian religion. As your Lieutenant Governor, I will provide active leadership.



Larry K. Reed
Democratic

P.O. Box 338
Riverside County, CA 91752
(909) 681-2338
uncorrupt@pe.net
<http://www.pe.net/~uncorrupt>

I have been a resident of California for over 43 years. I have worked as both a journeyman and laborer in the field of music and construction. In addition, I have studied and passed over 17 courses in Private Investigation and the Administration of Justice. I will make it a priority to reduce the threat of violence, corruption and crime that has bred a feeling of instability in our life and resources. I will insist that our privacy, identities, and right to live without fear of losing life and limb is again secure. Sincerely, God Bless America! Larry Reed



Thomas M. Tryon
Libertarian

I'm a graduate of UC Berkeley with a B.A. degree in economics. After completion of military service, I graduated from the University of Chicago with an M.B.A. I currently am a member of the Calaveras County Board of Supervisors and concurrently manage the family ranching business. I strongly believe the free market process which is based on private property rights and voluntary exchange is clearly the best method for allocating scarce economic resources. I also am a committed civil libertarian and believe our liberties which are protected by the Constitution, most particularly the Bill of Rights, should be upheld.



Cruz M. Bustamante
Democratic

1700 L Street
Sacramento, CA 95814
(916) 441-1175
cruz@cruzbustamante.com
<http://www.cruzbustamante.com>

As Assembly Speaker, my work with Republicans and Democrats has been good for California's working families. We cut middle class income taxes—the first time in 50 years. We lowered class sizes to 20 students in first through third grades. We cut university and college fees 5%. We moved 462,000 people off welfare. We cut crime by attacking gangs and illegal guns. I support a woman's right to choose. I earned a 100% rating from California's League of Conservation Voters. And I wrote the law requiring the Attorney General to sue tobacco companies. I appreciate your consideration for Lieutenant Governor.

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CANDIDATE STATEMENTS—Lieutenant Governor



Jaime Luis Gomez
Peace and Freedom

2140 Reservoir Street, #7
Los Angeles, CA 90026
(213) 484-5437
gomez@peaceandfreedom.org

As an educator with a background in business, and as your Peace and Freedom candidate for Lieutenant Governor, I feel strongly about the need to humanize California's spending priorities. I believe the doors of education and health care should be open to all our residents. I believe everybody has a right to a free, high quality education. I believe everybody has a right to free, high quality health care. I believe everybody has the right to a decent job with decent wages. And I believe we are entitled to clean, safe environments.



Regina Lark
Peace and Freedom

10153½ Riverside Drive, #374
Toluca Lake, CA 91602-2533
(818) 830-2794
lark@scf.usc.edu
<http://ourworld.compuserve.com/homepages/janbtucker>

I hold a Master's Degree in history from CSU, Northridge and I am currently completing a Ph.D. at USC in the fields of U.S. Women's History, U.S. Immigration/Ethnicity, Asian American History, and Feminist Theory. I teach at Los Angeles Pierce College, and I am currently coordinator of Women's Studies at Mt. St. Mary's College, L.A. As Lieutenant Governor of California I pledge my commitment to social justice and immigrant rights. On the Board of Regents, I will defend Affirmative Action, Lesbian and Gay rights, and the rights of all unionized employees (and those who demand it) within the university system.



Ingrid Lundberg
Republican

P.O. Box 97
Richvale, CA 95974
(916) 421-9547
ingrid@lundberg.com
<http://www.lundberg.com/ingrid98>

I am a fourth-generation Californian and have been involved in grassroots politics for 18 years. I earned a bachelor's degree in political science from the University of California and a master's degree in public policy. I have experience in many levels of state and national government, including political campaigns, lobbying groups, and governmental agencies. I am an owner of an international organic and gourmet rice products company, Lundberg Family Farms. California is the best place in the world to live and I want to see its opportunities protected and expanded for this generation and the generations to come.



Tim Leslie
Republican

915 L Street, Suite C412
Sacramento, CA 95814
(916) 443-2398
<http://www.TimLeslie98.org>

I'm a conservative Republican, Senator, businessman, and father of two who advocates longer school years and back to business education. I'll work to ensure all children graduate knowing how to read, write and speak in English. I'll fight to stop illegal immigration. In the Senate, I co-authored juvenile crime reforms as well as measures to reduce class sizes and keep sex offenders out of schools. I wrote legislation requiring parental consent for minor's abortions and will vigorously oppose partial birth abortion. To fight crime, I authored a law giving prosecutors new tools to help convict gang murderers.

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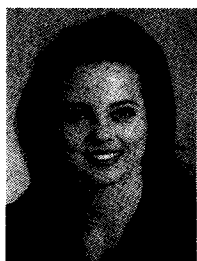
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CANDIDATE STATEMENTS



Secretary of State

- ✓ As the state's chief elections officer, administers and enforces elections laws and keeps records of all campaign and lobbyist disclosure statements required under the Political Reform Act.
- ✓ Files official documents relating to corporations, trademarks, the Uniform Commercial Code, notaries public and limited partnerships.
- ✓ Collects and preserves historically valuable papers and artifacts in the California State Archives.
- ✓ Serves as an ex-officio member of the California State World Trade Commission.



Michela Alioto
Democratic

P.O. Box 26249
San Francisco, CA 94126-6249
(415) 986-9966
www.alioto98.com

As a former policy advisor to Vice President Gore, I know the importance of technology and the impact it can have on the electoral process. Currently, only about 50% of eligible citizens vote. As secretary of state, I will fight to open the political process through on-line voter registration, statewide vote-by-mail, and educational programs. As a wheelchair user, I've been fighting to overcome barriers: I will ensure access to all polling places. My family has a tradition of public service, and I believe we must take these steps to ensure that government is truly representative and responsive.



Valli Sharpe-Geisler
Reform

4718 Meridian Ave., MSC #228
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(408) 997-9267
www.SiliconV.com

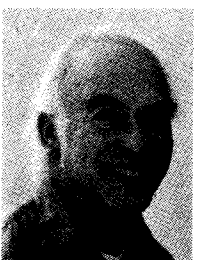
There is an *urgent need* to represent the American People first, not big business, special interests, or foreign lobbies. In past elections we have seen millions spent on negative campaign ads and partisan posturing while *crucial issues* were neglected such as real campaign finance reform. With a coalition I fought to get the campaign finance reform initiative, Prop 208, on the ballot and passed. As your Secretary of State, I will continue to push for real election reform. *If you want reform vote reform.* I'm a technologist, educator and State Chair of the Reform Party.



Carolyn Rae Short
American Independent

P.O. Box 180
Durham, CA 95938
(916) 345-4224
carolynrae@aol.com
<http://www.wordpr.com/aip>

My purpose in running for California Secretary of State is to alert and inform all citizens of their duty and obligation to register and vote into office responsible, representative and constitutionally moral candidates. As a native Californian born in Coronado in 1965 and permanent resident of northern California for over 21 years, I feel a strong commitment to upholding the rights and liberties of all its citizens as well as providing simplified and accessible information regarding the laws of the constitutions of California and the United States.



Israel Feuer
Peace and Freedom

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(310) 473-3498
i_feuer_self-govt@sierrawave.com
http://www.sierrawave.com/i_feuer_self-govt

Attention: All voters sapient and sentient! I voice an *appeal to reason*—Exercise *uncommon sense* during election season. Don't just surrender, or squander, your vote for self-seeking politicians and time-serving bureaucrats (or sundry demagogues, ego-trippers, sectarians, opportunists). Make your vote really count by nominating *someone missioned*, who stands for *something meaningful*, in public service. As your Secretary of State, I'll work to truly empower all Californians, through *fairer* election procedures, *adequate* impartial information, *enhanced* voting alternatives, by implementing *real reforms*. This misnamed "open primary" won't suffice—nor mere 100-word statements! I welcome your inquiries . . . I solicit your support . . . Thanks!

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CANDIDATE STATEMENTS—Secretary of State



**Marisa Helene
Palyvos-Story**
Peace and Freedom

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(818) 830-2794
76170.1423@compuserve.com
<http://ourworld.compuserve.com/homepages/janbtucker>

I propose elections where each party receives representation based upon its actual voter support to insure more diversity in California government. As working mother and member of the UFCW Union, I'll ensure that the Corporate Division cracks down on companies for tax non-payment. I will demand that cities stop issuing business licenses to suspended corporations. For years the Los Angeles Police Commission has allowed four suspended corporations—all owned by the same person—to do business even though they owe millions in back taxes to California. I'll help unions with neutral checks to determine worker support through the elections division.



**Jane Ann
Bialosky**
Natural Law

P.O. Box 5283
Santa Barbara, CA 93150
(805) 969-3434
info@natural-law.org
www.natural-law.org/nlp

My intention, having taught 23 years, is to bring fulfillment to the electoral ideal, a wise electorate. Government is the reflection of collective consciousness. With every thought and action we vote for the quality of leadership. Without a unifying principle, government will necessarily be partisan, unable to satisfy its citizens' innumerable desires. The Natural Law Party introduces the principle of administration in harmony with nature's intelligence, natural law, which supports the evolution of the infinitely diverse universe. We can achieve perfect administration through education to develop higher states of consciousness, enlivening natural law, so action is all-nourishing, spontaneously right.



Bill Jones
Republican

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(916) 498-8368
www.BillJones.org

As Secretary of State, *I won the court battle to keep term limits for politicians.* Since 1995, over 1,000,000 voters have registered while I passed reforms to remove over 500,000 who died or moved years ago. *Cleaning the voter file saves millions of your tax dollars and reduces the potential for fraud.* My voter fraud prevention unit has investigated hundreds of cases and referred over 130 for prosecution. I implemented *real campaign finance reforms* by requiring full and immediate public disclosure of campaign contributions on the Internet and toughened enforcement on politicians and contributors who fail to disclose campaign contributions.



**Gail K.
Lightfoot**
Libertarian

P.O. Box 598
Pismo Beach, CA 93448
(888) 452-3434
gkltft@aol.com
<http://www.ca.lp.org/>

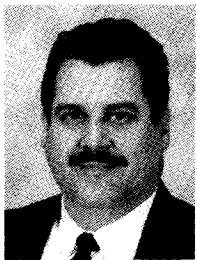
I would work as Secretary of State to increase eligible voter participation through easy to understand election pamphlets (with photos and statements from all candidates) and candidate guidelines. Then any voter could decide from the election material how they wish to cast their vote without depending on media coverage or political advertising. I propose adding "None of the Above" option (all candidates for the office can be rejected and a new election held); letting individuals give unlimited personal contributions to the candidate(s) they wish and any voter having permanent absentee voting status.

The order of the candidates was determined by random alphabet drawing.

CANDIDATE STATEMENTS

Controller

- ✓ As chief fiscal officer, acts as the state's accountant and bookkeeper of all public funds.
- ✓ Administers the state payroll system and unclaimed property laws.
- ✓ Serves on numerous boards and commissions including the Board of Equalization and the Board of Control.
- ✓ Conducts audits and reviews of state operations.



W. Snow Hume
Republican

P.O. Box 6359
Fullerton, CA 92834
(714) 879-4863
hume4controller@hotmail.com

I am a graduate of Yale University and am a Certified Public Accountant (CPA). Most of my work as a CPA is fraud investigation. As your State Controller, I can utilize my skills as an accountant to ensure that the bureaucrats and politicians in Sacramento don't waste or misuse your tax dollars. I have also consulted to the Rose Institute in Claremont about local governments' budgets and spending. As a "grass roots" activist, I have successfully opposed local sales and utility tax increases. I'm a proven tax fighter, a CPA and a fraud investigator—not a politician.



Iris Adam
Natural Law

4965 Paseo Dali
Irvine, CA 92612
(949) 509-7555
<http://www.natural-law.org/>

I am Manager of the Department of Economics at the University of California, Irvine. My vision is for prevention-oriented government, conflict-free politics and proven solutions to America's economic problems by cutting taxes deeply and responsibly while simultaneously balancing the budget through cost-effective solutions to America's problems, rather than by cutting essential services. Extensive scientific research and decades of experience in the public and private sectors show that technologies that harness natural law—nature's intelligence—can solve the critical problems and improve the quality of life for everyone in society.



C.T. Weber
Peace and Freedom

9616 Caminito Tizona
San Diego, CA 92126-4103
(619) 530-0454

I received my Master's in Public Administration from California State University—Long Beach. I have been working as an analyst for 15 years with the State of California, auditing the financial records and investigating the operations of transportation companies. An activist for justice and human dignity in California State Employees Association, local 1000, SEIU, I was elected president and chief steward on the local level before being elected three times to the State Board of Directors. I belong to ACLU, Common Cause, NAACP, NOW, Sierra Club, and am director of VOTER'S which promotes Proportional Representation. I am married to the lovely Tatiana.



Kathleen Connell
Democratic

1640 S. Sepulveda Blvd.,
Suite 216
Los Angeles, CA 90025
(310) 477-7707
campaign@kathleenconnell.org
www.kathleenconnell.org

I came to the Controller's office from a successful career in business, education and finance. I promised to bring accountability to state finances. *I've kept my promise.* I cut bureaucracy in the Controller's office by 13% and spending by \$16 million. I targeted waste and fraud in Medi-Cal, corrections and the state lottery. My auditors identified *more than a billion dollars in potential savings*—money now available for better schools and health care. I've used my financial expertise to help state pension funds earn record profits for retirees. Now, with your help, I'll require strict performance audits across state government.

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CANDIDATE STATEMENTS—Controller



Ruben Barrales Republican

(650) 366-2312
ruben@barrales.org
<http://www.barrales.org>

I'm a proven advocate for taxpayers. As a businessman, I've experienced the burdens of unreasonable taxes and regulations. As a County Supervisor, I passed California's first county debt limit and reformed a \$1.4 billion pension and investment fund—increasing financial safety and our return. I've championed education reform, creating one of California's first charter schools with smaller classes and more accountability. As Controller, my Taxpayer Protection Plan will save you money by cutting taxes and eliminating waste. Please join Attorney General Lungren, Treasurer Fong, President Ford, Governor Deukmejian, Jack Kemp, and Steve Forbes in supporting my campaign against government waste.

NO
PHOTO
SUBMITTED

Alfred (Al) L. Burgess American Independent

I was born, raised and educated in California and have lived here all my life. I am married, have two children and four grandchildren. I have been a successful business owner for the past 30 years. I believe the running of the state is much like that of a business, and with my business experience I feel I am qualified to be State Controller. As the State Controller, I will do everything within my power to assure that our tax dollars are spent in a *responsible, accountable manner, within budget.*



Denise L. Jackson Reform

mpmp92a@prodigy.com

The United States was built on the concept of citizen government. We drifted away from rule by voting citizens to rule by career politicians. Professional politicians frequently ignore concerns of voting citizens while listening to special interest money. As State Controller, I will use the auditing tools of the office to help reverse this trend. I am a systems analyst with 25 years experience in business and financial applications. I support fiscal responsibility and accountability in government. We must work together to make government responsible to its citizens. Reform in government will come when citizens vote for reform.

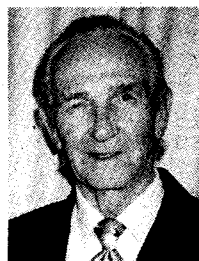
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CANDIDATE STATEMENTS

Treasurer

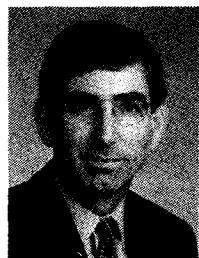
- ✓ As the state's banker, manages the state's investments.
- ✓ Administers the sale of state bonds and notes and is the investment officer for most state funds.
- ✓ Chairs or serves on several commissions, most of which relate to the marketing of bonds.
- ✓ Pays out state funds when spent by the Controller and other state agencies.



Edmon V. Kaiser
American
Independent

6278 N. Spalding Ave.
Fresno, CA 93710
(209) 432-7964
Evkaiparty@aol.com

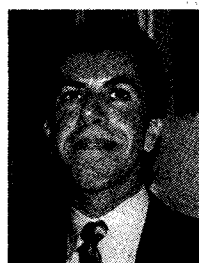
I am a Christian gentleman with above average intelligence. I believe in and I advocate the precepts and principles that caused America to become the greatest nation of free people in all human history. By experience and education I am qualified to serve in the office I am seeking. I am one of the authors of The American Independent Party Platform which is the formula for restoring and saving our Constitutional Republic of free people governing ourselves.



Phil Angelides
Democratic

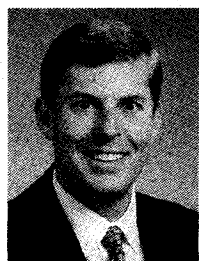
2424 K Street, Suite 200
Sacramento, CA 95816
(916) 448-1998
PhilCA98@ix.netcom.com
www.Angelides.Org

I will save Californians millions of dollars by restoring our state's credit rating and cutting costs. I will cost effectively finance new schools; invest more in California's economy; and help families save and invest for their future. These goals comprise my California Futures program. I am an experienced businessman, with proven financial management skills. My wife Julie and I are proud of our community efforts to improve our schools, parks, and public library. I am endorsed by Senators Feinstein and Boxer. As Treasurer, I will help build a financially strong state for my three daughters and for every Californian.



J. Carlos Aguirre
Natural Law

I am a Vice President and co-founder of a 17-year old Santa Ana-based mailing service company now producing \$9 million annually in revenue. My instrumental role in creating and growing the business and my current responsibilities as Vice President, have given me extensive experience in managing investments and improving corporate efficiency. As Treasurer I will cut wasteful government spending and invest your tax dollars to maximize revenue—revenue that can support proven, prevention-oriented solutions to California's problems. As a native Californian with a 7-year old in public schools, I am deeply committed to accomplishing these goals.



Curt Pringle
Republican

12865 Main Street, #101
Garden Grove, CA 92840
(714) 539-7605
<http://www.pringle.org>

My conservative record as the Republican Speaker in the State Assembly, authoring legislation cutting California taxes by over \$1 billion and my private sector experience as a small businessman are the best qualifications for State Treasurer. While I was Republican leader, we cut wasteful government spending, improved the business climate for job creation, cut the state income tax for families and businesses, reduced class size and brought phonics-based reading to our schools, and got tough on criminals. I've been endorsed by Republican leaders throughout California, including the current Treasurer. I hope that I have earned your trust and support.

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CANDIDATE STATEMENTS—Treasurer



Jon Petersen Libertarian

141 Hayes Avenue
San Jose, CA 95123-2124
(408) 229-1726
jon_petersen@earthlink.net
www.ca.lp.org

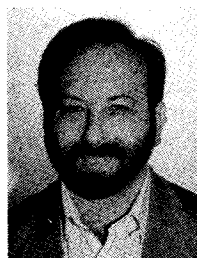
First, thank you for the 335,000 votes you gave me four years ago. I deeply appreciate it. As an experienced treasurer and manager, drawing upon my leadership and involvement with community groups, city budgets, economic development, and statewide organizations, I envision a future where government respects each individual while truly serving the public. As a first step, I would put the Treasurer's Office on a fat-free diet. Leading by example, we would trim bureaucracy through natural attrition, competitive contracting, and pay-as-you-go funding. Please join me in sharing that vision.



Mervin Evans Democratic

P.O. Box 205
Culver City, CA 90232
(213) 506-0523
Evans98@yahoo.com
www.Evans98.com

Dear Fellow Californians: Your vote will decide California's future! I welcome your involvement in my campaign! I am proud to be the Proponent of the *Bear & Wilderness Protection Act*! This November we are going to end commercial bear poaching. California must restore her Great State Parks, The People's Real Estate! Together We Protect California's: Redwoods, Beaches, Oceans, Rivers, and Lakes! Like you, I am opposed to any development in Bosa Chica, Playa Vista or California's Desert or Wilderness! Jobs—Not Jails! Quality Education! Senior Protective Services! Children Services! Economic Development is critical to California's future.



Jan B. Tucker Peace and Freedom

10153½ Riverside Dr., #374
Toluca Lake, CA 91602-2533
(818) 830-2794
76170.1423@compuserve.com
http://ourworld.compuserve.com/homepages/janbtucker

I graduated in Political Science & Chicano Studies; Board member: SFV-N.O.W., SFV-N.A.A.C.P., Save the Animals Fund; L.A. County Federation of Labor Delegate, Newspaper Guild. I'll oppose by California pension divestiture/stockholder resolutions: UNOCAL support for Turkish blockade of Armenia, Burmese dictatorship, anti-woman Afghan Taliban government; MediaNews Group union busting/sex discrimination at Oakland Tribune, L.A. Daily News, Long Beach Press Telegram; Rite-Aid union busting against ILWU Local 26. I won't tolerate investment in companies which discriminate, harm the environment, permit sexual harassment, or fight unionization. California pensions should vote to break the "glass ceiling" keeping women/minorities off corporate boards.



Jan Goldsmith Republican

12307 Oak Knoll Road, #A
Poway, CA 92064
(619) 513-1301
jan@jangoldsmith.com
www.jangoldsmith.com

To hold government accountable and protect your tax money, I'll invest carefully, fight waste and issue financial reports in "plain English." As a member of the *California Debt and Investment Advisory Commission*, I wrote strict new rules to make sure taxpayer rip-offs like the Orange County bankruptcy never happen again. I protected investors against fraud as an arbitration judge, and fought welfare and MediCal fraud as a legislator. My welfare reform law has saved taxpayers \$200 million. I graduated from American University and the University of San Diego. My wife, Christine, and I have been married 23 years and have three children.

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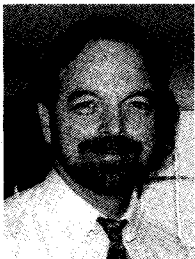
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CANDIDATE STATEMENTS

Attorney General



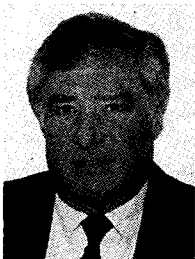
- ✓ As the chief law officer, ensures that the laws of the state are uniformly and adequately enforced.
- ✓ Heads the Department of Justice, which is responsible for providing state legal services and support for local law enforcement.
- ✓ Acts as chief counsel in state litigation and serves as legal advisor to the Governor, Legislature, boards, commissions and agencies.
- ✓ Oversees law enforcement agencies, including District Attorneys and Sheriffs.



Gary P. Kast
Peace and Freedom

10153½ Riverside Dr., #374
Toluca Lake, CA 91602-2533
(818) 830-2794
gkastessq@aol.com
<http://ourworld.compuserve.com/homepages/janbtucker>

Lawyer for 18 years. End C.A.M.P. I will fight to decriminalize all drugs. Making them illegal only makes them very expensive and more dangerous. It raises the danger to those who use and creates danger to the rest of us who do not: 600% more burglaries, robberies purse snatching, car radio thefts, etc. Clockwork Orange might save the state billions, and save many lives. I will use the office to go after eco-criminals and crooked politicians. I would encourage holding bars who serve drunks civilly responsible to innocent traffic victims of their customers (repeal CC 1714).



Michael K. Schmier
Democratic

1475 Powell Street, No. 201
Emeryville, CA 94608
(510) 652-6087; 652-0800
FAX: (510) 652-0929
Mike@SchmierForAG.com
www.SchmierForAG.com

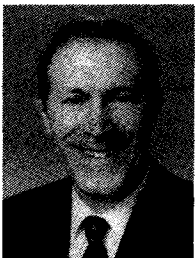
As a former Deputy Attorney General, Congresswoman and California's first woman Cabinet Secretary of Business, Transportation and Housing, I've prosecuted criminals, fought for consumers and protected a woman's right to choose. As Attorney General, I'll give top priority to fighting violent crime, juvenile delinquency and drug dealers. I'll advocate swift, fair punishment—including the death penalty—for those who deserve it. But I'll also vigorously enforce laws that safeguard the environment and protect children and seniors. I've dedicated myself to strengthening the law, both through public service and extensive private sector experience. I'd be honored to have your support.



Lynn Schenk
Democratic

7742 Herschel Avenue, Suite Q
La Jolla, CA 92037
(619) 456-2551
www.schenk98.org

As Chief Deputy Attorney General for 7 years, I have been second in command to Dan Lungren at the Department of Justice. Crime rates have dropped because we have gotten tough on violent repeat offenders, sexual predators and started to enforce the death penalty. I am uniquely qualified with my experience as a private attorney; state legislator; General Counsel, Agricultural Labor Relations Board; and Superior Court Judge. I helped write "Three Strikes, You're Out" repeat offenders law; Megan's law against sexual predators; and the death penalty laws. That's why former Governor George Deukmejian and law enforcement leaders support my campaign.



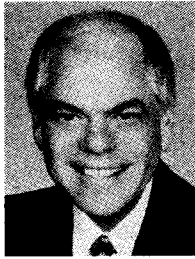
Dave Stirling
Republican

P.O. Box 1863
Sacramento, CA 95812
(916) 444-2523
Dave4AG@AOL.COM
<http://www.dave4ag.org>

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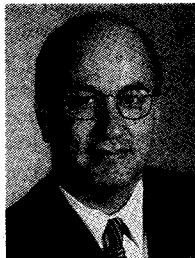
CANDIDATE STATEMENTS—Attorney General



Mike Capizzi Republican

P.O. Box 1938
Santa Ana, CA 92702
(714) 542-3584
capizzi4ag@worldnet.att.net
<http://www.capizzi4ag.org>

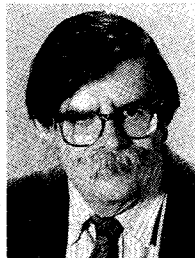
We need an experienced prosecutor as Attorney General, not a politician. As the only prosecutor running for Attorney General, I convicted thousands of felons. As District Attorney of the nation's fifth largest county, I've cut gang violence by 60%, reduced crime three times the national average and convicted over 50 crooked politicians of both parties. That's why law enforcement, including 50 of California's 58 District Attorneys, supports me. Named "*California's Outstanding Prosecutor*", I prosecuted welfare fraud saving taxpayers \$700,000,000 and prosecuted deadbeat dads increasing support collections 30%. Attorney General Lungren declared, "*Mike Capizzi maintains the highest ethical and professional standards.*"



Charles M. Calderon Democratic

P.O. Box 1346
Montebello, CA 90640
(213) 250-2001
www.calderon98.com

On East Los Angeles' tough streets, I grew up watching gangs terrorize communities, drugs rob futures, and poverty steal hope. As a parent, I know stricter punishment, effective prevention and safer schools will protect our neighborhoods. As a school board member, I implemented truancy programs and fought for after school activities and curfews. As a prosecutor, I tried nearly 100 cases, including successful convictions for child and spousal abuse and drunk driving. As a legislator, I've strongly supported the death penalty, Three Strikes and cracking down on sexual predators, gangs and assault weapons. Together, we *can* keep our communities safe.



Robert J. Evans Peace and Freedom

1736 Franklin Street, 10th Floor
Oakland, CA 94612
(510) 238-4190
evans@peaceandfreedom.org
<http://www.peaceandfreedom.org/evans.htm>

Vote for progress, not prisons. A criminal defense lawyer since 1971, I know the "lock 'em up" solution to crime is a failure. I will lead in finding real solutions to poverty and powerlessness which breed drug addiction and crime, but will prosecute the *real* criminals who cheat workers and consumers. I will *defend* the Constitution, and will protect, not weaken, your Constitutional rights to be safe in your homes and on the streets from illegal government conduct. I will support legal rights of workers in their efforts to obtain a better life through organization. Vote Evans for Attorney General.



Diane Beall Templin American Independent

1016 Circle Drive
Escondido, CA 92025
(760) 480-0428
rjtemp@flash.net
<http://orion.adnc.com/~websites/templin/>

As your Attorney General, I will protect and defend you, your family, your property and your business. I will be tough on crime to make our streets and neighborhoods safe. The most effective deterrent against crime is the certainty of apprehension, speedy conviction, and Punishment befitting the crime. If you do the crime, you will pay with your time. I will implement restitution laws. Equal justice for all with no legal loopholes. I am a mother and have had 67 foster children. Vote for Diane Templin for your safety and for your loved ones.



Bill Lockyer Democratic

1230 "H" Street
Sacramento, CA 95814
(916) 444-1755
www.lockyerforag.com

As State Senate President, I toughened penalties for child molesters, wife beaters, drunk drivers. I wrote the first "Three Strikes" legislation. I am pro-police and pro-death penalty. I'm frustrated when laws aren't enforced. People should be safe in their homes. And kids safe in school. 236,000 felony arrest warrants haven't been served on lawbreakers. I'll change that. I'll fix the Attorney General's computer system to catch criminals, not let them go. My anti-gang legislation lets the Attorney General seize gang leaders' property to repay victims. I'll protect a woman's right to choose, patients' rights and prosecute polluters.

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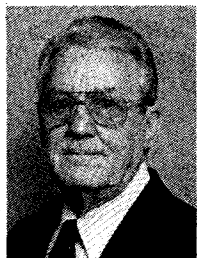
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CANDIDATE STATEMENTS



Insurance Commissioner

- ✓ Oversees and directs all functions of the Department of Insurance.
- ✓ Licenses, regulates and examines insurance companies.
- ✓ Answers public questions and complaints regarding the insurance industry.
- ✓ Enforces the laws of the California Insurance Code and adopts regulations to implement the laws.



Merton D. Short
American
Independent

P.O. Box 180
Durham, CA 95938
(530) 345-4224
mertfly@aol.com
<http://www.wordpr.com/aip>

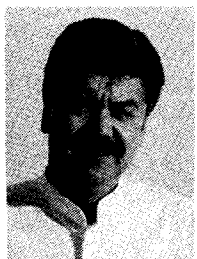
I have become increasingly concerned that those we have elected as our servants have not upheld their sworn oath to support and defend the Constitution of the United States and the Constitution of the State of California. This needs to be brought under control particularly as related to our unconstitutional debt money and tax methods. As your insurance commissioner, I invite you to join me in regaining that control while fulfilling a fair relationship between the insurance companies and their customers.



Diane Martinez
Democratic

P.O. Box 1386
Rosemead, CA 91770
www.InsuranceCommissioner.com

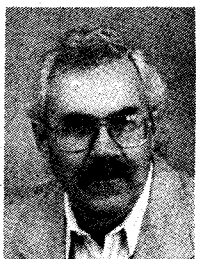
Voters established the office of state Insurance Commissioner to protect consumers from skyrocketing insurance rates. I have a proven record fighting for consumers in both private industry and the state assembly. I spent seven years in the private sector fighting the multi-billion dollar telecommunications industry to keep telephone rates down and prevent billing fraud. As Chairperson of the Assembly Utilities and Commerce Committee, I have fought hard against California's big utility monopolies, earning a reputation as the legislature's toughest consumer advocate. As your Insurance Commissioner, I will continue to lead the fight for California consumers.



Gary R. Ramos
Peace and Freedom

P.O. Box 911355
Commerce, CA 90040
(818) 830-2794
harley64@aol.com
<http://ourworld.compuserve.com/homepages/janbtucker>

I became a private investigator after serving as U.A.W. shop steward until G.M. "downsized" L.A. plants. I will halt Insurance Department attacks on motorcycle clubs wasting hundreds of thousands on useless prosecutions: one paid "Judas" received thousands of taxpayer dollars to entrap law-abiding motorcycle enthusiasts. I support DMV non-profit auto insurance and California single-payer health insurance. I will support legislation to criminalize insurance sales by non-admitted carriers in California, to make private investigator fees for combating insurance fraud fully recoverable in civil and administrative actions, and prohibit auto insurance premium rating based on anything other than driving record.



Tom Condit
Peace and Freedom

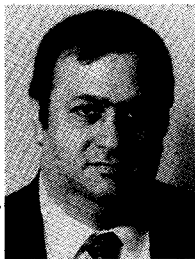
1748 Shattuck Avenue, #249
Berkeley, CA 94709
(510) 845-7251
tomcondit@labornet.org
<http://www.peaceandfreedom.org/condit.htm>

I am running for Insurance Commissioner to oppose the control of society by corporations and the wealthy. I will fight for human needs over corporate greed. We need one universal system of quality health care without insurance company red tape or HMO manipulation. We need a single state automobile liability insurance plan, covering every vehicle and every driver without insurance company overhead. We owe each other promises as members of society—to heal the sick, to care for the aged, to educate the children. It's time to build a democratic working-class movement which will keep those promises.

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CANDIDATE STATEMENTS—Insurance Commissioner



Dale F. Ogden Libertarian

3620 Almeria Street
San Pedro, CA 90731-6410
(310) 547-1595
dfo@inreach.com
<http://home.inreach.com/dfo/ogden98>

California's insurance laws and regulations have led to higher costs and shortages in many types of insurance. I strongly support the free market, where people make important decisions without government involvement. Though food is vital, there is no Department of Groceries or a Grocery Commissioner. Yet insurance is regulated by an elected politician who uses the office to advance his political career. My goal is to abolish the Department of Insurance and the office of Insurance Commissioner and allow the free market to rule, allowing consumers more choices and lower prices for auto, property life and health insurance.



Hal Brown Democratic

P.O. Box 1612
San Anselmo, CA 94979
(415) 258-0293
www.halbrowns.org

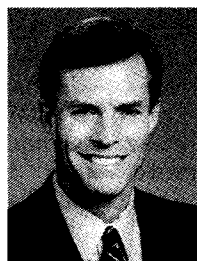
I have a plan to protect patient rights by reforming HMOs. We must make earthquake insurance affordable. Automobile insurance rates should be cut for *all* Californians. Integrity and fairness will be my top priorities as your Insurance Commissioner. As an independent insurance broker for over a decade, I've represented policyholders—working to provide consumers with the best coverage at the lowest possible rates. In 16 years as a County Supervisor, I've fought hard to protect consumers, women, families and our environment. And my constituents recently voted me their "most trusted public official." Respectfully, I ask for your vote.



Barbara Bourdette Natural Law

(619) 792-6506
info@natural-law.org
www.natural-law.org

Insurance can be affordable and cover the basic needs of all Californians. My 28 year involvement in preventive health programs has led me to believe that affordable health care, with prevention as a core element, can reduce costs and lower insurance rates. I have been a corporate manager and a small business owner and this gives me an understanding of the necessity for low cost, no fraud insurance. I would work to make auto insurance mandatory at vehicle registration, institute a statewide earthquake insurance pool to lower costs and deductibles, and protect consumers from unscrupulous practices in all coverage.



Chuck Quackenbush Republican

1801 I Street, Suite 200
Sacramento, CA 95814
(916) 449-2956

Since 1995, I've aggressively protected consumers, cracked down on insurance fraud and lowered auto rates. *Auto insurance rates are down 10%* because I implemented Proposition 103, increased competition and limited lawsuits from drunk and uninsured motorists. I required insurance companies to pass \$765 million in savings from these reforms to consumers. *My enforcement record is unprecedented.* Auto fraud arrests are up 50%. The number of uninsured motorists is down 25%. I'm returning tens of millions of dollars to consumers sold useless insurance and worthless investments. *I fined insurance companies \$28 million compared to just \$6,000,000 by my predecessor in 1991-94.*

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CANDIDATE STATEMENTS

Superintendent of Public Instruction

PLEASE NOTE: THIS IS A NON-PARTISAN OFFICE

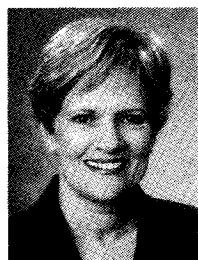
- ✓ As chief spokesperson for public schools, provides education policy and direction to local school districts.
- ✓ Directs the Department of Education, executing the policies set by the State Board of Education.
- ✓ Serves as an ex-officio member of the governing boards of the state's higher education system.
- ✓ Works with the educational community to improve academic performance.



Mark Isler

8019 Haskell Avenue
Van Nuys, CA 91406
(818) 994-1088 Extension 27
markisler@aol.com

Californians are justifiably unhappy with our schools. As a former teacher and businessman, I have seen first hand that too many high school graduates can't read, write, spell, or even fill out a job application. Experiments, theories, and fads have replaced sound education. We must create a safe, disciplined, and positive learning environment. We need to help all students master English, then bring students together and focus on high achievement. We should support parents in finding the best education for their children—traditional public schools, charter schools, private schools, or home schooling. Parents need a voice in education!



Barbara Carpenter

P.O. Box 3195
La Jolla, CA 92038-3195
info@barbaracarpenter.com
www.barbaracarpenter.com

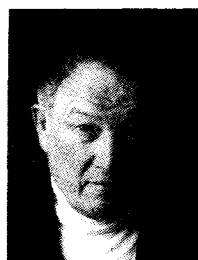
Elect an educational professional, not a politician! I support: *training teachers* in core academics (with K-3 as a specialty); emphasizing "*back to basics*" teaching; *empowering teachers* with curriculum selection; offering *vouchers* to disadvantaged students; *eliminating* federal and *downsizing* state departments of education. In 1980, after raising four children, I left corporate America to devote myself full-time to education. I earned a Ph.D. in education and began teaching, first at the University of Connecticut, and then at National University's School of Education. In 1992, I was elected to the San Diego County Board of Education and served as president in 1996.



Delaine Eastin

530 Howard Street, Suite 250
San Francisco, CA 94105
(415) 495-4910
http://www.eastin98.com

Since I took office four years ago, we have begun to restore pride to the once-great California schools. We reduced class sizes from 30 students to 20 in grades K-3. We organized Net Day, dramatically increasing student access to technology. And we set high statewide standards for the core subject areas, mathematics and English. We still have a lot of work to do! We need a longer school year, safer school campuses, an end to social promotion, and new technology to prepare students for the 21st century. Please join me in giving our kids the schools they deserve.



Miles Everett

Box 1073
Windsor, CA 95492
(707) 431-7274
miles@sonic.net

I am a native Californian, a graduate of Deep Springs College, with a PhD in History from UC Berkeley. I spent nearly 5 years in the U.S. Army as an enlisted man, commissioned officer, and aviator. I taught college courses for ten years, then spent two decades in private business. During the past decade I've studied child development and schooling, written and published a book about the impact of television on children and schools, and completed teacher training at Sonoma State University. I am credentialed to teach Kindergarten through High School. I am married and enjoying eight grandchildren.

The order of the candidates was determined by random alphabet drawing.

Statements on this page were supplied by the candidates and have not been checked for accuracy by any official agency.

CANDIDATE STATEMENTS—Superintendent of Public Instruction



Gloria Matta Tuchman

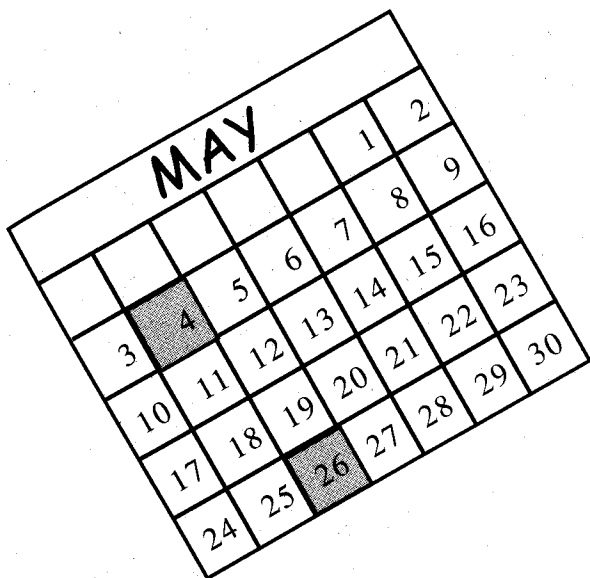
Post Office Box 1652
Tustin, CA 92680
(714) 862-4155
<http://www.gmt4spi.com>

I believe all high school graduates should be able to read, write and speak in English. I do not favor social promotion. I believe in class size reduction, removal of disruptive students from classrooms and the guarantee of textbooks and modern technology for all students. Twice elected to the Tustin Board of Education, I have been teaching for 33 years. I have served on three Presidential education reform boards in Washington, D.C. Currently, I am Co-Chairman of "English for the Children," the campaign to eliminate the costly and ineffective bilingual programs that are victimizing our children.

The order of the candidates was determined by random alphabet drawing.

Statements on this page were supplied by the candidates and have not been checked for accuracy by any official agency.

DATES TO REMEMBER



May 4, 1998

The last day to register to vote for the
Primary Election

May 4, 1998

First day to apply for an absentee ballot *by mail*

May 26, 1998

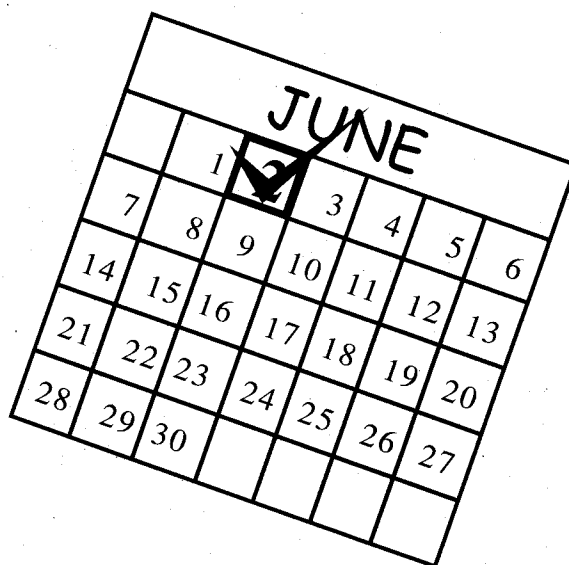
Last day to apply for an absentee ballot *by mail*

June 2, 1998

Last day to apply for an absentee ballot
in person at the office of the
county elections official

June 2, 1998

ELECTION DAY



Polls are open from 7 a.m. to 8 p.m.



County Elections Officials

Alameda County

1225 Fallon St., Rm. G-1
Oakland, CA 94612
510-272-6973
www.co.alameda.ca.us/rov/index.htm

Alpine County

P.O. Box 158
Markleeville, CA 96120
530-694-2281

Amador County

500 Argonaut Lane
Jackson, CA 95642
209-223-6465

Butte County

25 County Center Drive
Oroville, CA 95965
530-538-7761
<http://elections.co.butte.ca.us>

Calaveras County

891 Mountain Ranch Road
San Andreas, CA 95249
209-754-6376

Colusa County

546 Jay Street
Colusa, CA 95932
530-458-0500

Contra Costa County

524 Main St.
Martinez, CA 94553
510-646-4166
www.co.contra-costa.ca.us

Del Norte County

450 H St., Rm. 182
Crescent City, CA 95531
707-464-7205

El Dorado County

2850 Fairlane Court
Placerville, CA 95667
530-621-7481
<http://www.el-dorado.ca.us/~edced>

Fresno County

2221 Kern Street
Fresno, CA 93722
209-488-3246
<http://www.fresno.ca.gov>

Glenn County

516 W. Sycamore Street
2nd Floor Courthouse Complex
Willows, CA 95988
530-934-6414

Humboldt County

3033 H Street, Rm. 20
Eureka, CA 95501
707-445-7678

Imperial County

939 Main Street, B4
El Centro, CA 92243
760-339-4228

Inyo County

168 N. Edwards St.
Independence, CA 93526
760-878-0213

Kern County

1115 Truxtun Ave.
Bakersfield, CA 93301
805-868-3590
www.kerncounty.com

Kings County

610 N. Campus Dr.
Hanford, CA 93230
209-582-3211 x4401

Lake County

255 N Forbes Street, Room 209
Lakeport, CA 95453
707-263-2372

Lassen County

220 S. Lassen St., Ste. 5
Susanville, CA 96130
530-251-8217

Los Angeles County

12400 Imperial Highway
Norwalk, CA 90650
562-466-1310
<http://www.co.la.ca.us/regrec/main.htm>

Madera County

209 W. Yosemite Ave.
Madera, CA 93637
209-675-7720

Marin County

3501 Civic Center Dr. #121
San Rafael, CA 94903
415-499-6456
<http://marin.org/mc/clerk/elections>

Mariposa County

4982 10th Street
Mariposa, CA 95338
209-966-2007

Mendocino County

501 Low Gap Rd., #1020
Ukiah, CA 95482
707-463-4371
www.pacific.net/~mendocity/depts/clrkrec/recindex.htm

Merced County

2222 M Street, Rm. 14
Merced, CA 95340
209-385-7541
<http://www.co.merced.ca.us>

Modoc County

204 S. Court Street
Alturas, CA 96101
530-233-6201

Mono County

Annex 2, Bryant St.
Bridgeport, CA 93517
760-932-5241

Monterey County

1370 B South Main St.
Salinas, CA 93901
408-755-5085
<http://tmx.com/monterey>

Napa County

900 Coombs Street, #256
Napa, CA 94559
707-253-4321

Nevada County

10433 Willow Valley Rd.
HEW Building, Suite E
Nevada City, CA 95959-2347
530-265-1298
<http://www.nccn.net/govrnmnt/election>

Orange County

1300 S. Grand Bldg. C
Santa Ana, CA 92705
714-567-7600

County Elections Officials—Continued

Placer County

2956 Richardson Dr.
Auburn, CA 95604
530-886-5650

Plumas County

520 Main Street, Rm. 104
Quincy, CA 95971
530-283-6256
pccr@psln.com

Riverside County

2724 Gateway Drive
Riverside, CA 92507-0918
909-486-7200
www.co.riverside.ca.us/election

Sacramento County

3700 Branch Center Road
Sacramento, CA 95827
916-875-6451

San Benito County

440 Fifth Street, Rm. #206
Hollister, CA 95023-3843
408-636-4016

San Bernardino County

777 East Rialto Avenue
San Bernardino, CA 92415-0770
909-387-8300
www.co.san-bernardino.ca.us/rov

San Diego County

5201 Ruffin Rd., Ste. 1
San Diego, CA 92123
619-565-5800
www.co.san-diego.ca.us/cnty/cntydepts/community/voters

San Francisco County

633 Folsom St., Ste. 109
San Francisco, CA 94107
415-554-4375

San Joaquin County

212 North San Joaquin St.
Stockton, CA 95202
209-468-2890

San Luis Obispo County

1144 Monterey St., Ste. A
San Luis Obispo, CA 93408
805-781-5228

San Mateo County

40 Tower Road
San Mateo, CA 94402
650-312-5222
<http://www.care.co.sanmateo.ca.us>

Santa Barbara County

1100 Anacapa Street
Santa Barbara, CA 93101
805-568-2200
<http://www.west.net/~sbcare/home1.htm>

Santa Clara County

1553 Berger Dr. Bldg. 1
San Jose, CA 95112
408-299-8302
<http://claraweb.co.santa-clara.ca.us/rov/rov.htm>

Santa Cruz County

701 Ocean St., Rm. 210
Santa Cruz, CA 95060
408-454-2060
<http://www.co.santa-cruz.ca.us>

Shasta County

1643 Market Street
Redding, CA 96001
530-225-5730

Sierra County

Courthouse Room 11
PO Drawer D
Downieville, CA 95936
530-289-3295

Siskiyou County

311 4th Street, Rm. 201
Yreka, CA 96097
530-842-8086

Solano County

510 Clay Street
Fairfield, CA 94533
707-421-6675
www.co.solano.ca.us/elections

Sonoma County

435 Fiscal Drive
Santa Rosa, CA 95403
707-527-1800
www.sonoma-county.org

Stanislaus County

1021 I Street, Ste. 101
Modesto, CA 95354
209-525-5200

Sutter County

433 Second Street
Yuba City, CA 95991
530-822-7122

Tehama County

633 Washington St., Rm. 33
Red Bluff, CA 96080
530-527-8190

Trinity County

101 Court Street
Weaverville, CA 96093
530-623-1220

Tulare County

221 S Mooney Blvd. Rm. G28
Visalia, CA 93291-4596
209-733-6275
<http://tmx.com/tulare>

Tuolumne County

Administration Center
2 S Green Street
Sonora, CA 95370-4696
209-533-5570

Ventura County

800 South Victoria Avenue
Ventura, CA 93009
805-654-2781
<http://www.ventura.org/election/elecidx.htm>

Yolo County

625 Court Street, Rm. B-05
Woodland, CA 95695
530-666-8133
<http://www.dcn.davis.ca.us/GO/Election>

Yuba County

935 14th Street
Marysville, CA 95901
530-741-6545

Political Party Statements of Purpose

Democratic Party

The California Democratic Party offers voters an unparalleled record of peace and prosperity and vision for the 21st century.

Under Democratic leadership in Washington, D.C. and Sacramento, California enjoys:

- Best economy in a generation—over a million new jobs
- First balanced budget in 30 years
- Lowest crime rates in 24 years
- Lower taxes for working families
- Reduced tuition at state colleges and universities
- Smaller class size
- Health care for 600,000 uninsured children
- More police on our streets

The Democratic Party's goal for California for the 21st century is to restore California to its rightful place as America's best state to live and work. Our agenda for the future:

- Make California's schools America's best
- Connect every classroom to the Internet
- Pass Patients' Bill of Rights
- Protect our coastline and environment

- Make a college education affordable
- Protect a woman's right to choose
- Open opportunities to all Californians
- Protect Social Security and Medicare
- Expand child care
- Keep weapons out of criminals' hands
- Attract good jobs and good wages
- Reduce teenage tobacco use

To help lead California into the 21st century, call, write or email us:

SENATOR ART TORRES (Ret.), Chairman

California Democratic Party

911 20th Street

Sacramento, CA 95814-3115

(916) 442-5707

FAX (916) 442-5715

E-Mail: info@ca-dem.org

Web Site: <http://www.ca-dem.org>

American Independent Party

The American Independent Party, California Affiliate of the U.S. Taxpayers Party, believes in redeeming our Country by restoring the tenets of our U.S. Constitution and supports:

- The sanctity of human life, including the life of the unborn;
- Improved quality of public education as well as encouragement of private and home school alternatives;
- Control of crime, with stiff penalties for repeat offenders;
- Protection of the right of citizens to keep and bear arms as provided for in our Bill of Rights;
- Protection of American jobs from the foreign competition of NAFTA and GATT/WTO agreements;
- Control of immigration, legal and illegal, and denial of all tax funded benefits to illegal aliens;
- A debt free money system and abolishment of the I.R.S.;
- A non-interventionist foreign policy with a strong national defense free of waste and corruption.

We oppose any proposed revisions in the California Constitution which would limit the right to vote, impair the people's right of initiative, frustrate voter adopted term limits, make it easier for government to tax and spend or create non-responsive bureaucratic dominated regional governments.

We oppose government speculation with Social Security funds.

We oppose affirmative action programs which substitute racial favoritism for ability.

MERTON D. SHORT, State Chairman

American Independent Party

P.O. Box 180

Durham, CA 95938

(530) 345-4224

FAX (530) 345-4224 E-Mail: MertFly@aol.com

Web Site: <http://www.wordpr.com/aip>

Reform Party

The Reform Party is the new political party for the 21st century. In just 18 days the Reform Party qualified for the ballot, the fastest in California history. The Reform Party is the only major party not indebted to narrow interests and is thus better able to serve your interests. These include:

- An accurate accounting of the budget (include "off-budget" items) and achieve a true balanced budget.
- Revitalize public education by promoting state and local controls so that parents and teachers can have the most input. No grade promotion without minimum achievement (except special needs children).
- Set the highest ethical standards for the White House and Congress.
- Meaningful campaign finance and election reform
- All political parties and presidential candidates shall only raise money from legal voters in the U.S.A.
- Vote on Saturdays and Sundays.

- Establish fair trade to eliminate the trade deficit and promote the general welfare within the U.S.A.
- Term limits on Members of Congress.
- Create a new, fair, paperless tax system.
- Develop plans to deal with Medicare, Medicaid, and Social Security. Pilot test each program before implementing nationwide.
- Restrict abuse of foreign and domestic lobbying

Don't waste your vote—If you want reform vote Reform.

VALLI SHARPE-GEISLER, State Chair

Reform Party of California

4718 Meridian Avenue, msc 228

San Jose, CA 95118

(408) 997-9267 FAX/VOICE

888-8-2-REFORM

E-Mail: SiliconV@bena.com

Web Site: <http://california.reformparty.org/>

Republican Party

Abraham Lincoln, the first Republican President, fought to protect the freedoms of every American citizen. The California Republican Party shares his vision and spirit of fairness. We are working hard to see that all of California's people are empowered with the opportunity to enjoy the American dream.

Today, the California Republican Party is fighting for:

- *Better Schools* for our children. Parents, teachers and local school boards should decide what's best for our children—not the state education bureaucracy in Sacramento.
- *Safe Neighborhoods*, victims' rights and tougher criminal laws. No one is free if they feel threatened in their own homes and communities.
- *Lower Taxes* and an accountable, efficient government responsive to the people who pay their salaries.

We feel that California's government today should be more like a business that serves you well. Your government should not be a burden in your life—saddling you with excessive taxes and regulations.

We are working for our state's future and to assure that every Californian has the same opportunities to succeed regardless of race or ethnicity. Please join us as we work together to build a brighter, more prosperous California.

MICHAEL J. SCHROEDER, Chairman

The California Republican Party

Ronald Reagan California Republican Center

1903 West Magnolia Boulevard

Burbank, CA 91506

(818) 841-5210

Web Site: <http://www.cagop.org>

The order of the statements was determined by lot.

Statements were supplied by the political parties and have not been checked for accuracy by any official agency.

Political Party Statements of Purpose—Continued

Natural Law Party

The Natural Law Party is America's fastest growing third political party, with principles and programs to revitalize America for the 21st century.

Natural law governs nature's functioning from atoms to galaxies; it supports the growth of innumerable species. By bringing life into accord with natural law, the Natural Law Party's principles and programs enable individuals to govern their lives as efficiently as nature governs the universe.

The Natural Law Party stands for prevention-oriented government, conflict-free politics, and proven solutions that bring national life into harmony with natural law:

- Natural health care programs to prevent disease, promote health, and cut health care costs by 50%
- Proven educational initiatives and curriculum innovations that develop students' inner creative genius and boost educational outcomes
- Effective, field-tested crime prevention and rehabilitation programs

- Sustainable agriculture practices to increase crop yields and profitability without chemical fertilizers and pesticides
- Protecting organic standards through a moratorium on genetically engineered foods
- Renewable energy production and energy conservation to reduce pollution and create national energy self-sufficiency
- Cutting taxes deeply and responsibly while simultaneously balancing the budget through cost-effective solutions to America's problems—not by eliminating essential services
- Reducing government waste and special-interest control of politics

NATURAL LAW PARTY OF CALIFORNIA

P.O. Box 50843
Palo Alto, CA 94303
(408) 425-2201
FAX (650) 852-9705
E-Mail: info@natural-law.org
Web Site: <http://www.natural-law.org>

Peace and Freedom Party

The Peace and Freedom Party stands for democracy, ecology, feminism and socialism. We work toward a world where cooperation replaces competition; where all people are well fed, clothed and housed; where all women and men have equal status; a world of freedom and peace where every community retains its cultural integrity and lives with others in harmony. Our vision includes:

- Full employment with a shorter work week; double the minimum wage and index.
- Defend affirmative action.
- Representation in legislative bodies in proportion to the votes received.
- Abolish NAFTA and GATT.
- Self determination for all nations and people.
- Conversion from a military to a peace economy.
- Social ownership and democratic management of industry, resources and distribution.
- End homelessness; provide decent affordable housing for all; abolish vagrancy laws.

- Quality health care, education and transportation.
- Free birth control; abortion on demand; no forced sterilization.
- Restore and protect clean air, water, land and ecosystems; develop renewable energy.
- End discrimination based on race, gender, sexual orientation, age or disability.
- Defend and extend the Bill of Rights; oppose the phony drug war; legalize marijuana; decriminalize drug use (provide treatment).
- Abolish the death penalty and laws against victimless acts.
- Shift taxes to the rich for human needs.

C.T. WEBER, *State Chair*

Peace and Freedom Party of California
P.O. Box 741270
Los Angeles, CA 90004
(213) PFP-1998
Web Site: <http://www.cruzio.com/~pfparty>

Green Party

The Green Party believes that California needs a new political vision. Politics in California have become unresponsive to the needs, desires and well-being of the public. The Green Party seeks a vision that rises above cynicism or greed. We recognize and value the common good, and seek to promote the long-term advantage of all people of this state.

We believe that the issues facing all of us are connected:

The need for fairness for people and local communities in developing economic opportunities, instead of continually favoring big corporations and other concentrations of wealth and power; and a fair, equitable, progressive tax system.

Balancing the needs of the present with concern for the kind of world we are leaving for future generations, through a true understanding of how we are affecting our environment.

Food, air, water and land must be clean and safe.

There must be universal access to education and health care. The recognition of the sanctity of life, while defending women's right to choose.

Improving democracy in our political system by increasing fairness in our elections through proportional representation and by reforming how campaigns are financed.

GREEN PARTY OF CALIFORNIA

1008 10th Street, #482
Sacramento, CA 95814
(916) 448-3437
E-Mail: gpca@greens.org
Web Site: <http://www.greens.org/california/>

Libertarian Party

Around the country, more than 230 Libertarians are in office today, proving that libertarians can be idealistic, yet practical, and still get elected.

In California, Simi Valley and Moreno Valley City councilwomen Sandi Webb and Bonnie Flickinger are fine examples, as is Calaveras Board of Supervisors member Tom Tryon.

Do libertarians represent your viewpoint? Here's a simple test. In the 1996 election, did you support *both* Prop 209 (to end racial preferences) and Prop 215 (to legalize medical marijuana)? If so, you're a natural libertarian. Are you annoyed at incumbent politicians who keep trying to overturn these votes? Do you believe, like most people, that government usually does the wrong thing?

Join with us. Help us end the state income tax. Help us reduce crime by ending the War on Drugs. Help us privatize education and safeguard the right to keep arms. Libertarians stand for free, peaceful citizens

taking responsibility for their lives, their families and their communities. Libertarians support all ten of the Bill of Rights. Libertarians stand for freedom of choice.

If you always do what you've always done, you'll always get what you've always gotten. Are you satisfied with the government you're getting? If not, vote Libertarian.

MARK W.A. HINKLE, *Chair*

Libertarian Party of California
655 Lewelling Boulevard, Suite 362
San Leandro, CA 94579-9980
1-800-682-1776
E-Mail: chair@ca.lp.org
Web Site: <http://www.ca.lp.org/>

The order of the statements was determined by lot.

Statements were supplied by the political parties and have not been checked for accuracy by any official agency.



A Description of State Ballot Measures

Legislative Bond Measure

Any bill that calls for the issuance of general obligation bonds must be adopted in each house of the Legislature by a two-thirds vote, be signed by the Governor and approved by a simple majority of the voters voting to be enacted. An overview of the state bond debt is included in every ballot pamphlet when a bond measure is on the statewide ballot.

Legislative Constitutional Amendment

This is an amendment to the California State Constitution that is proposed by the Legislature. It must be adopted in the Senate and the Assembly by a two-thirds vote of each house's members before being placed on the ballot. A legislative constitutional amendment does not require the Governor's signature. A simple majority of the public's vote enacts the amendment.

Legislative Initiative Amendment

Unless an initiative specifically allows for the Legislature to amend its provisions, the Legislature must submit any amendments to previously adopted initiatives it proposes to the voters. An amendment requires a majority vote of the Senate and Assembly and must be signed by the Governor. If the measure gets more yes than no votes on the ballot, it becomes law.

Initiative

Often called "direct democracy", the initiative is the power of the people to place measures on the ballot. These measures can include proposals to create or change statutes, amendments to the constitution or general obligation bonds. In order for an initiative that sets or changes state law to qualify to appear on the ballot, petitions must be turned in that have signatures of registered voters equal in number to 5% of the votes cast for all candidates for Governor in the last election. An initiative amending the State Constitution requires signatures equaling 8% of the gubernatorial vote. Again, the statewide vote to enact an initiative only requires a simple majority vote.

Referendum

Referendum is the power of the people to approve or reject statutes adopted by the Legislature, except those that are urgency, that call for elections, or that provide for tax levies or appropriations for usual current expenses of the state. Voters wishing to block implementation of a legislatively adopted statute must gather signatures of registered voters equal in number to 5% of the votes cast for all candidates for Governor in the last election within ninety days of enactment of the bill. Once on the ballot, the law proposed by the Legislature is blocked if voters cast more no votes than yes votes on the question.

Text of the Proposed Laws

Proposition 219: Text of Proposed Law

This amendment proposed by Senate Constitutional Amendment 18 (Statutes of 1996, Resolution Chapter 34) expressly amends the Constitution by adding sections thereto and amending sections thereof; therefore, existing provisions proposed to be deleted are printed in ~~strikeout type~~ and new provisions proposed to be added are printed in *italic type* to indicate that they are new.

PROPOSED AMENDMENTS TO ARTICLES II, IV, AND XI

First—That Section 8 of Article II is amended by adding subdivisions (e) and (f), to read:

(e) *An initiative measure may not include or exclude any political subdivision of the State from the application or effect of its provisions based upon approval or disapproval of the initiative measure, or based upon the casting of a specified percentage of votes in favor of the measure, by the electors of that political subdivision.*

(f) *An initiative measure may not contain alternative or cumulative provisions wherein one or more of those provisions would become law depending upon the casting of a specified percentage of votes for or against the measure.*

Second—That Section 11 of Article II is amended to read:

SEC. 11. (a) Initiative and referendum powers may be exercised by the electors of each city or county under procedures that the Legislature shall provide. ~~This Except as provided in subdivisions (b) and (c), this section does not affect a city having a charter.~~

(b) *A city or county initiative measure may not include or exclude any part of the city or county from the application or effect of its provisions based upon approval or disapproval of the initiative measure, or based upon the casting of a specified percentage of votes in favor of the measure, by the electors of the city or county or any part thereof.*

(c) *A city or county initiative measure may not contain alternative or cumulative provisions wherein one or more of those provisions would become law depending upon the casting of a specified percentage of votes for or against the measure.*

Third—That Section 8.5 is added to Article IV, to read:

SEC. 8.5. *An act amending an initiative statute, an act providing for the issuance of bonds, or a constitutional amendment proposed by the Legislature and submitted to the voters for approval may not do either of the following:*

(a) *Include or exclude any political subdivision of the State from the application or effect of its provisions based upon approval or disapproval of the measure, or based upon the casting of a specified percentage of votes in favor of the measure, by the electors of that political subdivision.*

(b) *Contain alternative or cumulative provisions wherein one or more of those provisions would become law depending upon the casting of a specified percentage of votes for or against the measure.*

Fourth—That Section 7.5 is added to Article XI, to read:

SEC. 7.5. (a) *A city or county measure proposed by the legislative body of a city, charter city, county, or charter county and submitted to the voters for approval may not do either of the following:*

(1) *Include or exclude any part of the city, charter city, county, or charter county from the application or effect of its provisions based upon approval or disapproval of the city or county measure, or based upon the casting of a specified percentage of votes in favor of the measure, by the electors of the city, charter city, county, charter county, or any part thereof.*

(2) *Contain alternative or cumulative provisions wherein one or more of those provisions would become law depending upon the casting of a specified percentage of votes for or against the measure.*

(b) *"City or county measure," as used in this section, means an advisory question, proposed charter or charter amendment, ordinance, proposition for the issuance of bonds, or other question or proposition submitted to the voters of a city, or to the voters of a county at an election held throughout an entire single county.*

Proposition 220: Text of Proposed Law

This amendment proposed by Senate Constitutional Amendment 4 (Statutes of 1996, Resolution Chapter 36) expressly amends the Constitution by adding a section thereto and amending sections thereof; therefore, existing provisions proposed to be deleted are printed in ~~strikeout type~~ and new provisions proposed to be added are printed in *italic type* to indicate that they are new.

PROPOSED AMENDMENTS TO ARTICLES I AND VI

First—That Section 16 of Article I thereof is amended to read:

SEC. 16. Trial by jury is an inviolate right and shall be secured to all, but in a civil cause three-fourths of the jury may render a verdict. A jury may be waived in a criminal cause by the consent of both parties expressed in open court by the defendant and the defendant's counsel. In a civil cause a jury may be waived by the consent of the parties expressed as prescribed by statute.

In civil causes the jury shall consist of 12 persons or a lesser number agreed on by the parties in open court. In civil causes ~~in municipal or justice court other than causes within the appellate jurisdiction of the court of appeal~~ the Legislature may provide that the jury shall consist of eight persons or a lesser number agreed on by the parties in open court.

In criminal actions in which a felony is charged, the jury shall consist of 12 persons. In criminal actions in which a misdemeanor is charged, the jury shall consist of 12 persons or a lesser number agreed on by the parties in open court.

Second—That Section 1 of Article VI thereof is amended to read:

SEC. 1. The judicial power of this State is vested in the Supreme Court, courts of appeal, superior courts, and municipal courts. ~~All courts, all of which~~ are courts of record.

Third—That Section 4 of Article VI thereof is amended to read:

SEC. 4. In each county there is a superior court of one or more judges. The Legislature shall prescribe the number of judges and provide for the officers and employees of each superior court. If the governing body of each affected county concurs, the Legislature may provide that one or more judges serve more than one superior court.

~~The county clerk is ex officio clerk of the superior court in the county.~~

In each superior court there is an appellate division. The Chief Justice shall assign judges to the appellate division for specified terms pursuant to rules, not inconsistent with statute, adopted by the Judicial Council to promote the independence of the appellate division.

Fourth—That Section 5 of Article VI thereof is amended to read:

SEC. 5. (a) Each county shall be divided into municipal court districts as provided by statute, but a city may not be divided into more than one district. Each municipal court shall have one or more judges. Each municipal court district shall have no fewer than 40,000 residents; provided that each county shall have at least one municipal court district. The number of residents shall be determined as provided by statute.

(b) On the operative date of this subdivision, all existing justice courts shall become municipal courts, and the number, qualifications, and compensation of judges, officers, attachés, and employees shall continue until changed by the Legislature. Each judge of a part-time municipal court is deemed to have agreed to serve full time and shall be available for assignment

Text of Proposed Laws—Continued

by the Chief Justice for the balance of time necessary to comprise a full-time workload.

(c) The Legislature shall provide for the organization and prescribe the jurisdiction of municipal courts. It shall prescribe for each municipal court the number, qualifications, and compensation of judges, officers, and employees.

(d) Notwithstanding subdivision (a), any city in San Diego County may be divided into more than one municipal court district if the Legislature determines that unusual geographic conditions warrant such division.

(e) *Notwithstanding subdivision (a), the municipal and superior courts shall be unified upon a majority vote of superior court judges and a majority vote of municipal court judges within the county. In those counties, there shall be only a superior court.*

Fifth—That Section 6 of Article VI thereof is amended to read:

SEC. 6. The Judicial Council consists of the Chief Justice and one other judge of the Supreme Court, 3 judges of courts of appeal, 5 judges of superior courts, ~~and~~ 5 judges of municipal courts, *2 nonvoting court administrators, and such other nonvoting members as determined by the voting membership of the council*, each appointed by the Chief Justice for a ~~2-year~~ *3-year* term pursuant to procedures established by the council; 4 members of the State Bar appointed by its governing body for ~~2-year~~ *3-year* terms; and one member of each house of the Legislature appointed as provided by the house. *Vacancies in the memberships on the Judicial Council otherwise designated for municipal court judges shall be filled by judges of the superior court in the case of appointments made when fewer than 10 counties have municipal courts.*

Council membership terminates if a member ceases to hold the position that qualified the member for appointment. A vacancy shall be filled by the appointing power for the remainder of the term.

The council may appoint an Administrative Director of the Courts, who serves at its pleasure and performs functions delegated by the council or the Chief Justice, other than adopting rules of court administration, practice and procedure.

To improve the administration of justice the council shall survey judicial business and make recommendations to the courts, make recommendations annually to the Governor and Legislature, adopt rules for court administration, practice and procedure, ~~not inconsistent with statute~~, and perform other functions prescribed by statute. *The rules adopted shall not be inconsistent with statute.*

The Chief Justice shall seek to expedite judicial business and to equalize the work of judges. The Chief Justice may provide for the assignment of any judge to another court but only with the judge's consent if the court is of lower jurisdiction. A retired judge who consents may be assigned to any court.

Judges shall report to the ~~Judicial Council~~ *council* as the Chief Justice directs concerning the condition of judicial business in their courts. They shall cooperate with the council and hold court as assigned.

Sixth—That Section 8 of Article VI thereof is amended to read:

SEC. 8. (a) The Commission on Judicial Performance consists of one judge of a court of appeal, one judge of a superior court, and one judge of a municipal court, each appointed by the Supreme Court; 2 members of the State Bar of California who have practiced law in this State for 10 years, each appointed by the Governor; and 6 citizens who are not judges, retired judges, or members of the State Bar of California, 2 of whom shall be appointed by the Governor, 2 by the Senate Committee on Rules, and 2 by the Speaker of the Assembly. Except as provided in ~~subdivision~~ *subdivisions* (b) and (c), all terms are for 4 years. No member shall serve more than 2 4-year terms, or for more than a total of 10 years if appointed to fill a vacancy. *A vacancy in the membership on the Commission on Judicial Performance otherwise designated for a municipal court judge shall be filled by a judge of the superior court in the case of an appointment made when fewer than 10 counties have municipal courts.*

(b) Commission membership terminates if a member ceases to hold the position that qualified the member for appointment. A vacancy shall be filled by the appointing power for the remainder of the term. A member whose term has expired may continue to serve until the vacancy has been filled by the appointing power. Appointing powers may appoint members who are already serving on the commission prior to March 1, 1995, to a single 2-year term, but may not appoint them to an additional term thereafter.

(b)

(c) To create staggered terms among the members of the Commission on Judicial Performance, the following members shall be appointed, as follows:

(1) Two members appointed by the Supreme Court to a term commencing March 1, 1995, shall each serve a term of 2 years and may be reappointed to one full term.

(2) One attorney appointed by the Governor to a term commencing March 1, 1995, shall serve a term of 2 years and may be reappointed to one full term.

(3) One citizen member appointed by the Governor to a term commencing March 1, 1995, shall serve a term of 2 years and may be reappointed to one full term.

(4) One member appointed by the Senate Committee on Rules to a term commencing March 1, 1995, shall serve a term of 2 years and may be reappointed to one full term.

(5) One member appointed by the Speaker of the Assembly to a term commencing March 1, 1995, shall serve a term of 2 years and may be reappointed to one full term.

(6) All other members shall be appointed to full 4-year terms commencing March 1, 1995.

Seventh—That Section 10 of Article VI thereof is amended to read:

SEC. 10. The Supreme Court, courts of appeal, superior courts, and their judges have original jurisdiction in habeas corpus proceedings. Those courts also have original jurisdiction in proceedings for extraordinary relief in the nature of mandamus, certiorari, and prohibition. *The appellate division of the superior court has original jurisdiction in proceedings for extraordinary relief in the nature of mandamus, certiorari, and prohibition directed to the superior court in causes subject to its appellate jurisdiction.*

Superior courts have original jurisdiction in all other causes except those given by statute to other trial courts.

The court may make such comment on the evidence and the testimony and credibility of any witness as in its opinion is necessary for the proper determination of the cause.

Eighth—That Section 11 of Article VI thereof is amended to read:

SEC. 11. (a) The Supreme Court has appellate jurisdiction when judgment of death has been pronounced. With that exception courts of appeal have appellate jurisdiction when superior courts have original jurisdiction *in causes of a type within the appellate jurisdiction of the courts of appeal on June 30, 1995, and in other causes prescribed by statute. When appellate jurisdiction in civil causes is determined by the amount in controversy, the Legislature may change the appellate jurisdiction of the courts of appeal by changing the jurisdictional amount in controversy.*

Superior Courts have

(b) *Except as provided in subdivision (a), the appellate division of the superior court has appellate jurisdiction in causes prescribed by statute that arise in municipal courts in their counties.*

(c) The Legislature may permit appellate courts exercising appellate jurisdiction to take evidence and make findings of fact when jury trial is waived or not a matter of right.

Ninth—That Section 16 of Article VI thereof is amended to read:

SEC. 16. (a) Judges of the Supreme Court shall be elected at large and judges of courts of appeal shall be elected in their districts at general elections at the same time and places as the Governor. Their terms are 12 years beginning the Monday after January 1 following their election, except that a judge elected to

an unexpired term serves the remainder of the term. In creating a new court of appeal district or division the Legislature shall provide that the first elective terms are 4, 8, and 12 years.

(b) Judges of other

(b) (1) In counties in which there is no municipal court, judges of superior courts shall be elected in their counties at general elections except as otherwise necessary to meet the requirements of federal law. In the latter case the Legislature, by two-thirds vote of the membership of each house thereof, with the advice of judges within the affected court, may provide for their election by the system prescribed in subdivision (d), or by any other arrangement. The Legislature may provide that an unopposed incumbent's name not appear on the ballot.

(2) In counties in which there is one or more municipal court districts, judges of superior and municipal courts shall be elected in their counties or districts at general elections. The Legislature may provide that an unopposed incumbent's name not appear on the ballot.

(c) Terms of judges of superior courts are 6 years beginning the Monday after January 1 following their election. A vacancy shall be filled by election to a full term at the next general election after the second January 1 following the vacancy, but the Governor shall appoint a person to fill the vacancy temporarily until the elected judge's term begins.

(d) Within 30 days before August 16 preceding the expiration of the judge's term, a judge of the Supreme Court or a court of appeal may file a declaration of candidacy to succeed to the office presently held by the judge. If the declaration is not filed, the Governor before September 16 shall nominate a candidate. At the next general election, only the candidate so declared or nominated may appear on the ballot, which shall present the question whether the candidate shall be elected. The candidate shall be elected upon receiving a majority of the votes on the question. A candidate not elected may not be appointed to that court but later may be nominated and elected.

The Governor shall fill vacancies in those courts by appointment. An appointee holds office until the Monday after January 1 following the first general election at which the appointee had the right to become a candidate or until an elected judge qualifies. A nomination or appointment by the Governor is effective when confirmed by the Commission on Judicial Appointments.

Electors of a county, by majority of those voting and in a manner the Legislature shall provide, may make this system of selection applicable to judges of superior courts.

Tenth—That Section 23 is added to Article VI thereof, to read:

SEC. 23. (a) *The purpose of the amendments to Sections 1, 4, 5, 6, 8, 10, 11, and 16, of this article, and the amendments to Section 16 of Article I, approved at the June 2, 1998, primary election is to permit the Legislature to provide for the abolition*

of the municipal courts and unify their operations within the superior courts. Notwithstanding Section 8 of Article IV, the implementation of, and orderly transition under, the provisions of the measure adding this section may include urgency statutes that create or abolish offices or change the salaries, terms, or duties of offices, or grant franchises or special privileges, or create vested rights or interests, where otherwise permitted under this Constitution.

(b) When the superior and municipal courts within a county are unified, the judgeships in each municipal court in that county are abolished and the previously selected municipal court judges shall become judges of the superior court in that county. The term of office of a previously selected municipal court judge is not affected by taking office as a judge of the superior court. The 10-year membership or service requirement of Section 15 does not apply to a previously selected municipal court judge. Pursuant to Section 6, the Judicial Council may prescribe appropriate education and training for judges with regard to trial court unification.

(c) Except as provided by statute to the contrary, in any county in which the superior and municipal courts become unified, the following shall occur automatically in each preexisting superior and municipal court:

(1) Previously selected officers, employees, and other personnel who serve the court become the officers and employees of the superior court.

(2) Preexisting court locations are retained as superior court locations.

(3) Preexisting court records become records of the superior court.

(4) Pending actions, trials, proceedings, and other business of the court become pending in the superior court under the procedures previously applicable to the matters in the court in which the matters were pending.

(5) Matters of a type previously within the appellate jurisdiction of the superior court remain within the jurisdiction of the appellate division of the superior court.

(6) Matters of a type previously subject to rehearing by a superior court judge remain subject to rehearing by a superior court judge, other than the judge who originally heard the matter.

(7) Penal Code procedures that necessitate superior court review of, or action based on, a ruling or order by a municipal court judge shall be performed by a superior court judge other than the judge who originally made the ruling or order.

Eleventh—That if any provision of this measure or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this measure that can be given effect without the invalid provision or application, and to this end the provisions of this measure are severable.

Proposition 221: Text of Proposed Law

This amendment proposed by Senate Constitutional Amendment 19 (Statutes of 1996, Resolution Chapter 54) expressly amends the Constitution by adding a section thereto; therefore, new provisions proposed to be added are printed in *italic type* to indicate that they are new.

PROPOSED AMENDMENT TO ARTICLE VI

SEC. 18.1. *The Commission on Judicial Performance shall exercise discretionary jurisdiction with regard to the oversight and discipline of subordinate judicial officers, according to the*

same standards, and subject to review upon petition to the Supreme Court, as specified in Section 18.

No person who has been found unfit to serve as a subordinate judicial officer after a hearing before the Commission on Judicial Performance shall have the requisite status to serve as a subordinate judicial officer.

This section does not diminish or eliminate the responsibility of a court to exercise initial jurisdiction to discipline or dismiss a subordinate judicial officer as its employee.

Proposition 222: Text of Proposed Law

This law proposed by Assembly Bill 446 (Statutes of 1997, Chapter 413) is submitted to the people in accordance with the provisions of Article XVI of the Constitution.

This proposed law amends a section of the Penal Code; therefore, existing provisions proposed to be deleted are printed in ~~strikeout type~~ and new provisions proposed to be added are

printed in *italic type* to indicate that they are new.

PROPOSED LAW

SECTION 1. Section 190 of the Penal Code, as amended by Chapter 609 of the Statutes of 1993, is amended to read:

190. (a) Every person guilty of murder in the first degree

Text of Proposed Laws—Continued

shall suffer death, confinement in the state prison for life without the possibility of parole, or confinement in the state prison for a term of 25 years to life. The penalty to be applied shall be determined as provided in Sections 190.1, 190.2, 190.3, 190.4, and 190.5.

Except as provided in subdivision (b) or (e), (c), or (d), every person guilty of murder in the second degree shall suffer confinement in the state prison for a term of 15 years to life.

Except as provided in subdivision (b), Article 2.5 (commencing with Section 2930) of Chapter 7 of Title 1 of Part 3 shall apply to reduce any minimum term of 15, 20, or 25 years in the state prison imposed pursuant to this section, but the person shall not otherwise be released on parole prior to that time.

(b) Except as provided in subdivision (c), every person guilty of murder in the second degree shall suffer confinement in the state prison for a term of 25 years to life if the victim was a peace officer, as defined in subdivision (a) of Section 830.1, subdivision (a) or (b) of Section 830.2, or Section 830.5, who was killed while engaged in the performance of his or her duties, and the defendant knew, or reasonably should have known, that the victim was such a peace officer engaged in the performance of his or her duties.

(b) (c) Every person guilty of murder in the second degree shall suffer confinement in the state prison for a term of 25 years to life without the possibility of parole if the victim was a peace officer, as defined in subdivision (a) of Section 830.1, subdivision (a) or (b) of Section 830.2, or Section 830.5, who was killed while engaged in the performance of his or her duties, and the defendant knew, or reasonably should have known, that the victim was such a peace officer engaged in the performance of his or her duties, and any of the following facts

has been charged and found true:

(1) The defendant specifically intended to kill the peace officer.

(2) The defendant specifically intended to inflict great bodily injury, as defined in Section 12022.7, on a peace officer.

(3) The defendant personally used a dangerous or deadly weapon in the commission of the offense, in violation of subdivision (b) of Section 12022.

(4) The defendant personally used a firearm in the commission of the offense, in violation of Section 12022.5.

Article 2.5 (commencing with Section 2930) of Chapter 7 of Title 1 of Part 3 shall not apply to reduce any minimum term of 25 years in the state prison when the person is guilty of murder in the second degree and the victim was a peace officer, as defined in this subdivision, and the person shall not be released prior to serving 25 years confinement.

(e) (d) Every person guilty of murder in the second degree shall suffer confinement in the state prison for a term of 20 years to life if the killing was perpetrated by means of shooting a firearm from a motor vehicle, intentionally at another person outside of the vehicle with the intent to inflict great bodily injury.

(e) Article 2.5 (commencing with Section 2930) of Chapter 7 of Title 1 of Part 3 shall does not apply to reduce any minimum term of 20 years in the state prison when the person is guilty of murder in the second degree and is subject to this subdivision, but the person shall not otherwise be released on parole prior to that time: a sentence imposed pursuant to this section. A person sentenced pursuant to this section may not be released on parole prior to serving the minimum term of confinement prescribed by this section.

Proposition 223: Text of Proposed Law

This initiative measure is submitted to the people in accordance with the provisions of Article II, Section 8 of the Constitution.

This initiative measure adds sections to the Education Code; therefore, new provisions proposed to be added are printed in *italic type* to indicate that they are new.

PROPOSED LAW

EDUCATIONAL EFFICIENCY INITIATIVE

SECTION 1. Part 26.2 (commencing with Section 46650) is added to the Education Code, to read:

PART 26.2. EDUCATIONAL EFFICIENCY INITIATIVE

CHAPTER 1. DESIGNATION

46650. This act shall be known as the California Educational Efficiency Act.

CHAPTER 2. PURPOSE

46651. It is the intent of this initiative to require that no less than ninety-five cents (\$0.95) of each dollar appropriated for elementary and secondary public education be contributed in an accountable manner to the academic value of the actual in-school educational experience of pupils so that ninety-five cents (\$0.95) of each dollar is spent on direct services to pupils, schoolsite employees, and school facilities. It is the further intent of this initiative to do all of the following:

(a) To reduce the cost of non-school administration in public schools.

(b) To mandate that existing state educational funds be efficiently spent to educate our children.

(c) To allow increased school effectiveness without additional taxes.

(d) To allow a decrease in student/teacher ratio without additional taxes.

(e) To guarantee that any additional new funding for public education will go to schools and classrooms first.

(f) To increase the accountability of the school districts to the citizens of California.

(g) To sanction school districts that fail to be efficient.

(h) To give the community greater decisionmaking authority over their schools.

CHAPTER 3. DEFINITIONS

46652. (a) The term "categorical program" means all those programs set forth in the Education Code that provide funding for special programs, including, but not limited to, programs established for technical schools, youth and adult offenders, adult education, science achievement, environmental education, healthy start program, parenting education, pregnant minors, summer school for the arts, early primary education, academic partnership, school libraries, Native American education, child nutrition allowances, school integration, year-round schools, staff development, new careers, mentor teacher, ethics and civic values, readers for blind teachers, international studies, bilingual office employees, counseling, opportunity schools and classes, nutrition, breakfast and lunch programs, learning disabilities, educational improvement. "Categorical program" shall also include categorical programs receiving federal funds, including, but not limited to, special education programs (Part 30 (commencing with Section 56000) of the Education Code).

(b) "Direct services to pupils" means professional services rendered directly to pupils by certificated or licensed personnel, including, but not limited to, teachers, supervisory personnel, nurses, physicians, psychologists, counselors, audiologists, audiometrists, librarians, and other support services personnel, or all instances where pupils are the direct beneficiaries of immediate and unbrokered services provided to them, such as transportation, cafeteria services, safety and security personnel protection services, and the services of a school supervisor or principal.

(c) "Direct services to schoolsite employees" means immediate and unbrokered services to schoolsite employees, such as actual training or professional development sessions or classes, police services, school-assigned personnel providing management functions and support to the school supervisor or principal, and the services of the school supervisor or principal.

(d) "Direct services to school facilities" means the labor and material costs of the actual physical cleaning, maintenance, and improvement of school facilities exclusive of any central district

handling, administration, or overhead costs, and services of the school-assigned plant manager, if any.

(e) "General administration" means those activities involving the governing board of a school district, activities relating to the executive responsibility of the school district, activities associated with central data processing, central support, activities associated with fiscal services, and other general administrative services. For purposes of the definition of general administration, the following terms have the following meanings:

(1) "Board" means the activities of the elected body that has been created under the applicable provisions of law and that has responsibility for the educational activities over which the elected body has jurisdiction. These activities may include, but are not limited to, supervision over services of the board, services related to the election of members of the board, services related to property tax assessment and collection, and services related to employee relations and negotiations.

(2) "Central data processing" includes, but is not limited to, in-house services provided from a mainframe computer or minicomputer as well as the costs of centralized services provided by another agency. Central data processing does not include smaller specialized units such as microcomputers or personal computers.

(3) "Central support" means activities relating to paying, transporting, exchanging, and maintaining goods and services for the school district. These activities include, but are not limited to, planning, research development and evaluation services; the provision of public information; purchasing; warehousing and distribution; and printing, publishing, and duplicating. For purposes of the definition of central support, the following terms have the following meanings:

(A) "Development services" include, but are not limited to, activities relating to the deliberate evolving process of improving educational programs, such as activities using the products of research.

(B) "Evaluation services" include, but are not limited to, activities relating to ascertaining or judging the value or amount of an action or an outcome through the careful appraisal of previously specified data in light of the particular situation and the goals previously established.

(C) "Planning services" include, but are not limited to, activities relating to the selection or identification of the overall, long-range goals and priorities of the school district and the formulation of various courses of action needed to achieve those goals through the identification of needs and relative costs and benefits of each course of action.

(D) "Printing, publishing, and duplicating" means activities relating to the printing and publishing of administrative publications, such as annual reports, school directories, and manuals. These activities also include centralized services for duplicating school materials and instruments, such as school bulletins, newsletters, and notices.

(E) "Public information" means activities relating to the writing, editing, and other preparation necessary to disseminate educational and administrative information to the public through various news media or through personal contact.

(F) "Purchasing" means activities relating to the purchasing of supplies, furniture, equipment, and materials used in schools or a school district.

(G) "Research services" include, but are not limited to, activities relating to the systematic study and investigation of the various aspects of education undertaken to establish facts and principles.

(H) "Warehousing and distribution" means the receipt, storage, and distribution of supplies, furniture, equipment, materials, and mail.

(4) "Executive" means the activities relating to the executive responsibility of a school district, including, but not limited to, services pertaining to the office of the county superintendent of schools, to community relations, and to state and federal relations.

(5) "Fiscal services" means activities relating to the fiscal operations of a school district. Fiscal operations include, but are not limited to, budgeting, receiving and disbursing funds,

financial and property accounting, payroll, inventory control, internal auditing, and managing funds. For purposes of the definition of fiscal services, the following terms have the following meaning:

(A) "Budgeting" means activities relating to the supervision of budget planning, formulating, control, and analysis.

(B) "Financial accounting" means activities relating to the maintenance of records of the financial operations and transactions of the school district, including, but not limited to, accounting and interpreting financial transactions and account records.

(C) "Internal auditing" means activities relating to the verification of account records, including the evaluation of the adequacy of the internal control system, such as verification and safeguarding.

(D) "Payroll" means activities relating to the periodic payment of individuals entitled to remuneration for services rendered to a school district.

(E) "Property accounting" means activities relating to the preparation and maintenance of current inventory records of land, buildings, and equipment owned or leased by a school district as used for equipment control and facilities planning.

(F) "Receiving and disbursing funds" means activities relating to taking in and paying out money, including, but not limited to, the current audit of receipts, the preaudit of requisitions or purchase orders to determine whether the amounts are within the budgetary allowance and to determine that the disbursements are lawful expenditures of a school or a school district, and the management of school funds.

(6) "Personnel" means activities relating to the maintenance of an efficient staff for schools under the jurisdiction of a school district.

(7) "Other general administrative services" means other general administrative services of a school district not defined in this section.

(f) "Instructional resources supervision" means overall management and maintenance of the resources to instruct pupils and activities and materials used by pupils to enhance learning.

(g) "Supervision of instruction" means activities undertaken primarily to assist instructional staff in planning, developing, and evaluating the process of providing learning experience for pupils. These activities include curriculum development, instructional research, instructional staff development, instructional supervision, and the organizing and coordinating of training of staff in techniques for instruction, child development and understanding. For purposes of the definition of supervision of instruction, the following terms have the following meanings:

(1) "Curriculum development" means activities that aid teachers in developing the curriculum, preparing and utilizing special curriculum materials, and understanding and appreciating the various techniques that stimulate and motivate pupils.

(2) "Instructional research" means activities associated with assessing programs and instruction based on research.

(3) "Instructional staff development" means activities that contribute to the professional or occupational growth and competence of members of the instructional staff during the time of their service to a school or school district. These activities include the coordination of services which guide teachers in the use of instructional materials, administering sabbaticals, and providing the environment for in-service training.

(4) "Instructional supervision" means activities associated with directing, managing, and supervising instruction services.

CHAPTER 4. ALLOCATION AND EXPENDITURE OF SCHOOL FUNDS

46653. For the 1999-2000 fiscal year and each fiscal year thereafter, each school district shall allocate and expend not more than 5 percent of the total aggregate amount of all funds received from state, federal, and local sources, including, but not limited to, all state and federal funds received for categorical programs, for administrative costs. Administrative costs means the sum of expenditures under the following categories as defined in this part:

Text of Proposed Laws—Continued

- (1) General administration.
- (2) Instructional resources supervision.
- (3) Supervision of instruction.

CHAPTER 5. FISCAL ADMINISTRATION

46654. Notwithstanding any other provision of law, for the 1998-99 fiscal year and each fiscal year thereafter, each school district shall develop as part of its budget a system that indicates the intended contribution of each projected expenditure to the achievement of a specific performance outcome objective pursuant to the school district's effort to improve pupil achievement.

46655. For the 2004-05 fiscal year and every five fiscal years thereafter, the governing board of each school district shall contract to have an independent general organizational management audit which shall include a performance audit and fiscal efficiency review undertaken to determine the degree to which the school district has complied with this part, including the effect upon pupil achievement of the expenditures of the school district.

CHAPTER 6. REPORTING REQUIREMENTS

46656. (a) For the 1996-97 fiscal year and each fiscal year thereafter through the 1999-2000 fiscal year, each school district shall report to the State Board of Education the total expenditures under the following reporting categories as defined by the State Department of Education:

(1) District administration as reported in column 3 of Form J380 (EDP Nos. 400 and 401) as that form existed on June 30, 1994 or any equivalent successor to this reporting category or any subsequent form(s) which report the same class of expenditures.

(2) Instructional administration as reported in column 3 of Form J380 (EDP No. 375) as that form existed on June 30, 1994 or any equivalent successor to this reporting category or any subsequent form(s) which report the same class of expenditures.

(3) Special projects administration and direct support costs as reported in column 3 of Form J380 (EDP No. 398) as that form existed on June 30, 1994 or any equivalent successor to this reporting category or any subsequent form(s) which report the same class of expenditures.

(4) Centralized data processing as reported in column 3 of Form J380 (EDP No. 402) as that form existed on June 30, 1994 or any equivalent successor to this reporting category or any subsequent form(s) which report the same class of expenditures.

(5) Maintenance and operations administration (EDP No. 408/6) as that form existed on June 30, 1994 or any equivalent successor to this reporting category or any subsequent form(s) which report the same class of expenditures.

(b) For the 1996-97 fiscal year and each fiscal year thereafter through the 1999-2000 fiscal year, each school district shall compute the percentage of funds expended in each fiscal year for the categories set forth in subdivision (a) to the total aggregate expenditures of all funds received from state, federal, and local sources, including, but not limited to, all state and federal funds received for categorical programs. Each school district annually

shall publish the percentage calculated under this subdivision in a form that is easily understood by the general public and shall make the publication readily available to the general public.

(c) For purposes of this section and notwithstanding Section 46652 or any other provision of law, a school district may use the standardized account code structure published by the State Department of Education pursuant to Chapter 237 of the Statutes of 1993.

(d) For the 2000-01 fiscal year and each fiscal year thereafter, each school district shall compute the sum of expenditures under general administration, supervision of instruction, and instructional resources supervision as defined in Section 46652 as a percentage of the total aggregate expenditures of all funds received from state, federal and local sources, including, but not limited to, all state and federal funds received for categorical programs. Each school district annually shall publish the percentage calculated under this subdivision in a form that is easily understood by the general public and shall make the publication readily available to the general public.

CHAPTER 7. SANCTIONS

46657. Any school district that fails to comply with this part shall be subject to sanctions as described in this chapter. The State Board of Education shall fine each school district 25 dollars per unit of ADA, or five percent of basic per-ADA revenue limit times total ADA, whichever is the greater, computed on the ADA basis of the fiscal year preceding the finding of noncompliance. There shall be public notice of violations at a regular governing board meeting.

GENERAL PROVISIONS

SEC. 2. IMPLEMENTATION

The provisions of this initiative shall be implemented as quickly as possible. Agencies of the state are prohibited from taking any action which delays implementation of this initiative or of any provision thereof. Any delay in implementation shall not invalidate this initiative or any provision thereof. The Legislature may amend this act only to further its purpose by a bill passed by a vote of two-thirds of the Legislature and signed by the Governor.

SEC. 3. LIMITATION OF ACTIONS

Any action or proceeding contesting the validity of this initiative, any provision of this initiative or the adoption of this initiative shall be commenced within six months of the date of the election at which this initiative is approved; otherwise this initiative and all of its provisions shall be held valid, legal and uncontestable. However, this limitation shall not of itself preclude an action or proceeding to challenge the application of this initiative or any of its provisions to a particular person or circumstance.

SEC. 4. SEVERABILITY

If any provision of this initiative or the application thereof to any person or circumstance is held invalid, the remaining provisions and their applications shall remain in force. To this end, the provisions of this initiative are severable.

Proposition 224: Text of Proposed Law

This initiative measure is submitted to the people in accordance with the provisions of Article II, Section 8 of the Constitution.

This initiative measure expressly amends the Constitution by adding a section thereto; therefore, new provisions proposed to be added are printed in *italic type* to indicate that they are new.

PROPOSED AMENDMENT TO ARTICLE VII

SECTION 1. TITLE

This measure shall be known and may be cited as the Government Cost Savings and Taxpayer Protection Amendment.

SECTION 2. PURPOSE AND INTENT

It is the intent of the People of the State of California in enacting this measure that engineering, architectural, and similar services provided by the State and certain other entities

be furnished at the lowest cost to taxpayers, consistent with quality, health, safety, and the public interest; that contracts for such services be awarded through a competitive bidding process, free of undue political influence; and that contractors be held fully responsible for the performance of their contracts.

SECTION 3. REQUIREMENTS FOR CONTRACTS FOR ENGINEERING, ARCHITECTURAL, AND SIMILAR SERVICES

Section 12 is added to Article VII of the Constitution, to read:

SEC. 12. (a) This section shall apply to contracts for engineering, architectural, landscape architectural, surveying, environmental, or engineering geology services awarded by the State of California or by any state agency to any public or private entity. As used in this section, "state agency" means every state office, officer, agency, department, division, bureau, board, and commission but does not include the University of

California, the California State University and Colleges, and local public entities. "State agency" also includes a state agency acting jointly with another state agency or with a local public entity. As used in this section, "local public entity" means any city, county, city and county, including a chartered city or county, public or municipal corporation, school district, special district, authority, or other public entity formed for the local performance of governmental and proprietary functions within limited boundaries. "Local public entity" also includes two or more local public entities acting jointly.

(b) This section shall also apply to contracts for services specified in subdivision (a) awarded by private entities or local public entities when the contract awarded by the public or private entity involves expenditure of state funds or involves a program, project, facility, or public work for which the State or any state agency has or will have ownership, liability, or responsibility for construction, operation, or maintenance. As used in this section, "state funds" means all money appropriated by the Legislature for expenditure by the State or a state agency and all money included in special funds that the State or a state agency controls.

(c) Prior to the award of any contract covered by this section, the Controller shall prepare and verify an analysis of the cost of performing the work using state civil service employees and the cost of the contract. In comparing costs, the cost of performing the work using state civil service employees shall include only the additional direct costs to the State to provide the same services as the contractor, and the cost of the contract shall include all anticipated contract costs and all costs to be incurred by the State, state agencies, and the contracting entity for the bidding, evaluation, and contract award process and for inspecting, supervising, verifying, monitoring, and overseeing the contract.

(d) The contract shall not be awarded if either of the following conditions is met: (1) the Controller's analysis concludes that state civil service employees can perform the work at less cost than the cost of the contract, unless the services are of such an urgent nature that public interest, health, or safety requires award of the contract; or (2) the Controller or the contracting entity concludes that the contract would not be in the public interest, would have an adverse impact on public health or safety, or would result in lower quality work than if state civil

service employees performed the services.

(e) Except for contracts for which a delay resulting from the competitive bidding process would endanger public health or safety, every contract, including amendments, covered by this section that exceeds fifty thousand dollars (\$50,000), adjusted annually to reflect changes in the appropriate consumer price index as determined by the Controller, shall be awarded through a publicized competitive bidding process involving sealed bids. Each contract shall be awarded to the lowest qualified bidder. If the contract cost based on the lowest qualified bid exceeds the anticipated contract costs the Controller estimated pursuant to subdivision (c), the Controller shall prepare and verify a revised analysis using the contract bid cost, and that revised analysis shall be used in applying subdivision (d).

(f) For every contract covered by this section, the contractor shall assume full responsibility and liability for its performance of the contract and shall defend, indemnify, and hold the State, the contracting entity, and their agents and employees harmless from any legal action resulting from the performance of the contract.

(g) This section shall not be applied in a manner that will result in the loss of federal funding to the contracting entity for contracts for services.

SECTION 4. SEVERABILITY

If any provision of this amendment or its application to any person or circumstance is held invalid, that invalidity shall not affect other provisions or applications of the amendment which can be given effect without the invalid provision or application, and to this end the provisions of this amendment are severable.

SECTION 5. APPLICABILITY OF CURRENT LAW

Nothing in this amendment shall expand or restrict the State's constitutional authority, as determined by decisions of the California Supreme Court and California Courts of Appeal in effect on the effective date of this amendment, to enter into contracts with private or public entities.

SECTION 6. RELATIONSHIP TO OTHER MEASURES

To the extent that any other measure on the same subject shall be on the ballot at the same election, it is the intent of the voters that this measure be deemed, to the maximum extent possible, not to be in conflict with such other measure, but rather that this measure should be harmonized with the other measure.

Proposition 225: Text of Proposed Law

This initiative measure is submitted to the people in accordance with the provisions of Article II, Section 8 of the Constitution.

This initiative measure adds sections to the Elections Code; therefore, new provisions proposed to be added are printed in *italic type* to indicate that they are new.

PROPOSED LAW

Whereas, Career politicians dominating Congress have a conflict of interest which prevents them from enacting meaningful term limits and making Congress what the Founders intended, the branch of government closest to the People; and

Whereas, Career politicians, while refusing to heed the desire of the People for meaningful term limits, amassed a nearly five trillion dollar national debt by not only voting year after year to spend far more than they have taken in, but also by voting to dramatically increase their own pay; also provided lavish million-dollar pensions for themselves and granted themselves numerous other privileges at the expense of the People; and

Whereas, Such irresponsible actions on the part of career politicians have mortgaged the future of not only every American citizen, but also their children and grandchildren; and

Whereas, The abuse of power, the corruption, and the appearance of corruption brought about by political careerism is ultimately destructive to representative government by making Congress increasingly distant from the People; and

Whereas, The President of the United States is limited to two terms in office by the 22nd Amendment to the U.S.

Constitution, and governors in 40 states are limited by state laws to two terms or less, and

Whereas, Voters have established term limits for more than 2,000 state legislators, as well as more than 17,000 local officials across the nation, including state legislators and statewide elective officeholders in California, and

Whereas, In 1992, the People of the State of California enacted, by an overwhelming majority, an amendment to the state law limiting service in the U.S. House of Representatives to three terms and in the U.S. Senate to two terms, which state-imposed congressional term limits were ruled unconstitutional by the U.S. Supreme Court, and

Whereas, Congress has ignored the desire of the People for meaningful term limits by refusing to pass an amendment instituting congressional term limits, and by proposing exceedingly long limits for its own members; and

Whereas, It is the People themselves, not Congress, who should set term limits; and

Whereas, The People have a sovereign right and a compelling interest in the creation and preserving of a citizen Congress that will more effectively protect their freedom and prosperity, which interest and right may not be as effectively served in any way other than that proposed by this initiative; and

Whereas, With foresight and wisdom our Founders, under Article V of the U.S. Constitution, did provide the People with a procedure by which to circumvent congressional self-interest, by which procedure the People may call a convention to propose amendments to the U.S. Constitution when two-thirds or 34 states expressly call for such a convention; and

Text of Proposed Laws—Continued

Whereas, Amendments proposed by such a convention would become part of the U.S. Constitution upon the ratification of three-fourths of the states (38); and

Whereas, The People of the State of California desire to amend the U.S. Constitution to establish term limits on Congress to ensure representation in Congress by true citizen lawmakers;

Be it enacted by the People of the State of California:

SECTION 1. Article 1.2 (commencing with Section 10204.1) is added to Chapter 2 of Part 2 of Division 10 of the Elections Code, to read:

Article 1.2. The Congressional Term Limits Act

10204.1. It is the official position of the People of the State of California that our elected officials should vote to enact, by amendment to the U.S. Constitution, congressional term limits which are not longer than three terms in the U.S. House of Representatives, nor two terms in the U.S. Senate.

10204.2. It is the will of the People of the State of California that application be made to Congress on behalf of the People of California and the California Legislature that Congress adopt the following amendment to the U.S. Constitution:

Congressional Term Limits Amendment

Section A. No person may serve in the office of U.S. Representative for more than three terms, but upon ratification of the Term Limits Amendment no person who has held the office of U.S. Representative or who then holds the office may serve for more than two additional terms.

Section B. No person may serve in the office of U.S. Senator for more than two terms, but upon ratification of the Term Limits Amendment no person who has held the office of U.S. Senator or who then holds the office may serve more than one additional term.

Section C. This article shall have no time limit within which it must be ratified by the legislatures of three-fourths of the several states.

10204.3. The California Legislature, due to the desire of the People of the State of California to establish term limits on the Congress of the United States, is hereby instructed to make the following application to Congress, pursuant to its power under Article V of the U.S. Constitution:

"We, the People and Legislature of the State of California, due to our desire to establish term limits on the Congress of the United States, hereby make application to Congress, pursuant to our power under Article V of the U.S. Constitution, to call a convention for proposing amendments to the Constitution."

10204.4. Each state legislator is hereby instructed to use all of his or her delegated powers to pass the Article V application to Congress set forth in Section 10204.3, and to ratify, if proposed by Congress, the Congressional Term Limits Amendment set forth in Section 10204.2.

10204.5. (a) As provided in this act, at each election for the office of United States Representative, United States Senator, State Senator, or Member of the Assembly, the ballot shall inform voters regarding any incumbent or nonincumbent candidate's failure to support the above proposed Congressional Term Limits Amendment.

(b) All primary, general, and special election ballots shall have the information "DISREGARDED VOTERS' INSTRUCTION ON TERM LIMITS" printed adjacent to the name of any State Senator or Member of the Assembly who during the regular legislative session following the most recent general election:

(1) Failed to vote in favor of the application set forth in Section 10204.3 when brought to a vote; or

(2) Failed to second the application set forth in Section 10204.3 if it lacked for a second; or

(3) Failed to vote in favor of all votes bringing the application set forth in Section 10204.3 before any committee or subcommittee upon which he or she served in the respective houses; or

(4) Failed to propose or otherwise bring to a vote of the full legislative body the application set forth in Section 10204.3 if it otherwise lacked a legislator who so proposed or brought to a vote of the full legislative body the application set forth above; or

(5) Failed to vote against any attempt to delay, table, or otherwise prevent a vote by the full legislative body of the application set forth in Section 10204.3; or

(6) Failed in any way to ensure that all votes on the application set forth in Section 10204.3 were recorded and made available to the public; or

(7) Failed to vote against any change, addition, or modification to the application set forth in Section 10204.3; or

(8) Failed to vote in favor of the amendment set forth in Section 10204.2 if it was sent to the states for ratification; or

(9) Failed to vote against any term limits amendment other than the proposed amendment set forth in Section 10204.2, if such an amendment was sent to the states for ratification.

(c) The information "DISREGARDED VOTERS' INSTRUCTION ON TERM LIMITS" as required by any of paragraphs (1) to (7), inclusive, of subdivision (b) shall not appear adjacent to the names of candidates for the State Senate or Assembly if the State of California has made the application to Congress for a convention for proposing amendments to the U.S. Constitution pursuant to this article and such application has not been withdrawn.

(d) The information "DISREGARDED VOTERS' INSTRUCTION ON TERM LIMITS" as required by either of paragraphs (8) and (9) of subdivision (b), shall not appear adjacent to the names of candidates for the State Senate or Assembly if the Congressional Term Limits Amendment set forth in Section 10204.2 has been submitted to the states for ratification and ratified by the California Legislature, or the proposed Congressional Term Limits Amendment set forth in Section 10204.2 has become part of the U.S. Constitution.

10204.6. Each member of the California congressional delegation is hereby instructed to use all of his or her delegated powers to pass the Congressional Term Limits Amendment set forth in Section 10204.2.

10204.7. All primary, general, and special election ballots shall have the information "DISREGARDED VOTERS' INSTRUCTION ON TERM LIMITS" printed adjacent to the name of any U.S. Representative or U.S. Senator who during the first 12 months of the regular legislative session following the most recent general election:

(a) Failed to vote in favor of the proposed Congressional Term Limits Amendment set forth in Section 10204.2 when brought to a vote; or

(b) Failed to second the proposed Congressional Term Limits Amendment set forth in Section 10204.2 if it lacked for a second before any proceeding of the legislative body; or

(c) Failed to propose or otherwise bring to a vote of the full legislative body the proposed Congressional Term Limits Amendment set forth in Section 10204.2 if it otherwise lacked a legislator who so proposed or brought to a vote of the full legislative body the proposed Congressional Term Limits Amendment set forth in Section 10204.2; or

(d) Failed to vote in favor of all votes bringing the proposed Congressional Term Limits Amendment set forth in Section 10204.2 before any committee or subcommittee upon which he or she served in the respective houses; or

(e) Failed to vote against or reject any attempt to delay, table, or otherwise prevent a vote by the full legislative body of the proposed Congressional Term Limits Amendment set forth in Section 10204.2; or

(f) Failed to vote against any term limits proposal other than the proposed Congressional Term Limits Amendment set forth in Section 10204.2; or

(g) Sponsored or co-sponsored any proposed Constitutional amendment or law that proposes term limits other than those in the proposed Congressional Term Limits Amendment set forth in Section 10204.2; or

(h) Failed to ensure that all votes on the proposed Constitutional Term Limits Amendment set forth in Section 10204.2 were recorded and made available to the public.

10204.8. The information "DISREGARDED VOTERS' INSTRUCTION ON TERM LIMITS" may not appear adjacent to the names of a candidate for Congress if the Congressional Term Limits Amendment set forth in Section 10204.2 is before

the states for ratification or has become part of the U.S. Constitution.

10204.9. Notwithstanding any other provision of California law,

(a) A nonincumbent candidate for the office of U.S. Representative and U.S. Senator, State Senator, or Member of the Assembly shall be permitted to sign a "Term Limits Pledge" each time he or she files as a candidate for such an office. A candidate who declines to sign the "Term Limits Pledge" shall have "DECLINED TO PLEDGE TO SUPPORT TERM LIMITS" printed adjacent to his or her name on the election ballot.

(b) Each time a nonincumbent candidate for U.S. Senator, U.S. Representative, State Senator, or Member of the Assembly files for candidacy, he or she shall be offered the "Term Limits Pledge," until such time as the U.S. Constitution has been amended to limit U.S. Senators to two terms in office and U.S. Representatives to three terms in office.

(c) The "Term Limits Pledge" that each nonincumbent candidate set forth above shall be offered is as follows:

"I support congressional term limits and pledge to use all of my legislative powers to enact the proposed Congressional Term Limits Amendment set forth in the Congressional Term Limits Act. If elected, I pledge to act and vote in such a way that the information "DISREGARDED VOTERS' INSTRUCTION ON TERM LIMITS" will not appear next to my name." The pledge form will provide a space for the signature of the candidate and the date signed.

(d) The Secretary of State shall be responsible to make an accurate determination as to whether a candidate for the state or federal legislature shall have placed adjacent to his or her name on the election ballot "DISREGARDED VOTERS' INSTRUCTION ON TERM LIMITS" or "DECLINED TO PLEDGE TO SUPPORT TERM LIMITS."

(e) The Secretary of State shall consider timely submitted public comments prior to making the determination required in subdivision (d).

(f) The Secretary of State, in accordance with subdivision (d) shall determine and declare what information, if any, shall appear adjacent to the names of each incumbent state and federal legislator if he or she is to be a candidate in the next general election. In the case of U.S. Representatives and U.S. Senators, this determination and declaration shall be made not later than 13 months after a new Congress has been convened, and shall be based upon Congressional action in the first 12 months of the regular session following the most recent general election. In the case of incumbent state legislators, this determination and declaration shall be made not later than 13 months after a new Legislature has been convened, and shall be

based upon state congressional action in the first 12 months of the regular session following the most recent general election.

(g) The Secretary of State shall determine and declare what information, if any, will appear adjacent to the names of nonincumbent candidates for Congress and the California Legislature, not later than five days after the deadline for filing for the office.

(h) If the Secretary of State makes the determination that "DISREGARDED VOTERS' INSTRUCTION ON TERM LIMITS" or "DECLINED TO PLEDGE TO SUPPORT TERM LIMITS" may not be placed on the ballot adjacent to the name of a candidate for senator or representative for state or federal office, any elector shall appeal such decision within five days to the California Supreme Court as an original action or waive any right to appeal such decision; in which case the burden of proof shall be upon the Secretary of State to demonstrate by clear and convincing evidence that the candidate has met the requirements set forth in this article and therefore should not have the information "DISREGARDED VOTERS' INSTRUCTION ON TERM LIMITS" or "DECLINED TO PLEDGE TO SUPPORT TERM LIMITS" printed on the ballot adjacent to the candidate's name.

(i) If the Secretary of State determines that "DISREGARDED VOTERS' INSTRUCTION ON TERM LIMITS" or "DECLINED TO PLEDGE TO SUPPORT TERM LIMITS" shall be placed on the ballot adjacent to a candidate's name, the candidate shall appeal such decision within five days to the California Supreme Court as an original action or waive any right to appeal such decision; in which case the burden of proof shall be upon the candidate to demonstrate by clear and convincing evidence that he or she should not have the information "DISREGARDED VOTERS' INSTRUCTION ON TERM LIMITS" or "DECLINED TO PLEDGE TO SUPPORT TERM LIMITS" printed on the ballot adjacent to the candidate's name.

(j) The Supreme Court shall hear the appeal provided for in subdivision (h) and issue a decision within 120 days. The Supreme Court shall hear the appeal provided for in subdivision (i) and issue a decision not later than 61 days before the date of the election.

10204.10. At such time as the Congressional Term Limits Amendment set forth in Section 10204.2 has become part of the U.S. Constitution, this article automatically shall be repealed.

10204.11. Severability. If any portion, clause, or phrase of this act is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, the remaining portions, clauses, and phrases shall not be affected, but shall remain in full force and effect. The portions of this act shall supersede all inconsistent provisions of state law.

Proposition 226: Text of Proposed Law

This initiative measure is submitted to the people in accordance with the provisions of Article II, Section 8 of the Constitution.

This initiative measure adds sections to the Government Code; therefore, new provisions proposed to be added are printed in *italic type* to indicate that they are new.

PROPOSED LAW

SECTION 1. The people of the State of California find and declare as follows:

(a) Contributions to political campaigns from foreign interests that have a specific financial stake in legislation and policy can have a corrupting or potentially corrupting effect on, or give the perception of corruption of, the electoral and governmental process.

(b) Contributions that are taken from individuals without their knowledge and complete consent create the public perception that individuals play an insignificant role in the political process.

(c) The financial strength of special interest groups or the methods used to collect funds by certain organizations should not permit them to exercise a disproportionate or controlling influence on the election of candidates to state and local office.

(d) Candidates are raising a larger percentage of their funds from special interests with a specific financial stake in matters before state and local government and a smaller percentage of their funds directly from individuals. This has caused the public perception that decisions of elected officials are being improperly influenced by monetary contributions and that individuals play an insignificant role in the process.

SEC. 2. In enacting this measure, it is the intent of the people of the State of California to accomplish the following purposes:

(a) To eliminate corruption, or the perception of corruption, of the electoral and governmental process by contributions from foreign interests.

(b) To ensure that contributions and expenditures in political campaigns are made with the knowledge and complete consent of the individuals who are making them.

(c) To ensure that individuals and interest groups have fair and equal opportunity to influence the electoral and governmental process.

(d) To restore public trust in governmental institutions and the electoral process.

Text of Proposed Laws—Continued

SEC. 3. Section 85320 is added to the Government Code, to read:

85320. (a) No person may make or arrange, and no candidate or committee may solicit or accept, any contribution from a foreign national. This section does not apply to contributions to or accepted by a committee organized and operated exclusively for the purpose of supporting or opposing the qualification or passage of a measure.

(b) For the purposes of this section, "foreign national" has the same meaning as defined in Section 441e of Title 2 of the United States Code on April 1, 1997.

SEC. 4. Chapter 5.9 (commencing with Section 85990) is added to Title 9 of the Government Code, to read:

CHAPTER 5.9. LIMITATIONS ON EMPLOYERS AND LABOR ORGANIZATIONS

85990. (a) No employer or other person responsible for the disbursement of funds in payment of wages may deduct any funds from an employee's wages that the employer knows or has reason to know will be used in whole or in part as a contribution or expenditure except upon the written request of the employee received within the previous 12 months on a form as described by subdivision (b).

(b) The request referred to in subdivision (a) shall be made on a form, the sole purpose of which is the documentation of such a request. The form shall be prescribed by the commission and at a minimum shall contain the name of the employee, the name of the employer, the total annual amount that is being withheld for a contribution or expenditure, and the employee's signature. The form's title shall read, in at least 24-point bold type, "Request for Political Payroll Deductions" and shall also state, in at least 14-point bold type, the following words immediately above the signature line:

"Signing this form authorizes your employer to make a deduction from your paycheck that is intended to be used as a political contribution or expenditure. You are not obligated to authorize this deduction. Your signature below is completely voluntary and cannot in any way affect your employment."

(c) Each employer or other person who makes deductions under subdivision (a) shall maintain records that include a copy of each employee's request, the amounts and dates funds were actually withheld, the amounts and dates funds were transferred to a committee, and the committee to which the funds were transferred.

(d) Copies of all records maintained under subdivision (c) shall be sent to the commission upon request.

(e) The requirements of this section may not be waived by an employee and waiver of these requirements may not be made a condition of employment or continued employment.

(f) For the purposes of this section, "employer" has the same meaning as defined in Section 3300 of the Labor Code on April 1, 1997.

(g) For the purposes of this section, "employee" has the same meaning as defined in Section 3351 of the Labor Code on April 1, 1997.

(h) For the purposes of this section, "wages" has the same meaning as that term had under Section 200 of the Labor Code on April 1, 1997.

85991. (a) No labor organization may use any portion of dues, agency shop fees, or any other fees paid by members of the labor organization, or individuals who are not members, to make contributions or expenditures except upon the written authorization of the member, or individual who is not a member, received within the previous 12 months on a form described by subdivision (b).

(b) The authorization referred to in subdivision (a) shall be provided on a form, the sole purpose of which is the documentation of such an authorization. The form shall be prescribed by the commission and at a minimum shall contain the name of the individual granting the authorization, the labor

organization to which the authorization is granted, the total annual amount of the dues, agency shop fees, or any other fees that will be used to make contributions or expenditures, and the signature of the individual granting the authorization. The form's title shall read, in at least 24-point bold type, "Authorization for Political Use of Fees" and shall also state, in at least 14-point bold type, the following words immediately above the signature line:

"Signing this form authorizes a portion of your dues, agency shop fees, or other fees to be used for making political contributions or expenditures. You are not obligated to sign this authorization. Your signature below is completely voluntary and cannot in any way affect your employment."

(c) Any labor organization that uses any portion of dues, agency shop fees, or other fees to make contributions or expenditures under subdivision (a) shall maintain records that include a copy of each authorization obtained under subdivision (b), the amounts and dates funds were actually withheld, the amounts and dates funds were transferred to a committee, and the committee to which the funds were transferred.

(d) Copies of all records maintained under subdivision (c) shall be sent to the commission upon request.

(e) Individuals who do not authorize contributions or expenditures under subdivision (a) may not have their dues, agency shop fees, or other fees raised in lieu of the contribution or expenditure.

(f) If the dues, agency shop fees, or other fees referred to in subdivisions (a) and (c) included an amount for a contribution or expenditure, the dues, agency shop fees, or other fees shall be reduced by that amount for any individual who does not sign an authorization as described under subdivision (a).

(g) The requirements of this section may not be waived by the member or individual and waiver of the requirements may not be made a condition of employment or continued employment.

(h) For the purposes of this section, "agency shop" has the same meaning as defined in subdivision (a) of Section 3502.5 of the Government Code on April 1, 1997.

(i) For the purposes of this section, "labor organization" has the same meaning as defined in subdivision (g) of Section 12926 of the Government Code on April 1, 1997.

SEC. 5. Unless otherwise specifically defined herein, the definitions and provisions of the Political Reform Act of 1974 (Title 9 (commencing with Section 81000), Government Code), as amended, shall govern the interpretation of this initiative.

SEC. 6. The effective date of this measure shall be the first day of the month following the date that this initiative is approved by the voters.

SEC. 7. This measure shall be self-executing.

SEC. 8. The provisions of this measure are severable. If any provision of this measure or its application to any person or circumstance is held invalid, that invalidity may not affect any other provision or application of this measure that can be given effect without the invalid provision or application. If any provision of this measure is held to be in conflict with federal law, that provision shall remain in full force and effect to the maximum extent permitted by federal law. For the purposes of this section, "provision" means any section, subdivision, sentence, phrase, or word.

SEC. 9. This measure shall be liberally construed to accomplish its purposes.

SEC. 10. If this measure is approved by the voters but superseded by any other conflicting ballot measure approved by more voters at the same election, and the conflicting ballot measure is later held invalid, it is the intent of the voters that this measure shall be self-executing and given full force of the law.

SEC. 11. The provisions of this measure may not be altered or amended except by a vote of the people.

Proposition 227: Text of Proposed Law

This initiative measure is submitted to the people in accordance with the provisions of Article II, Section 8 of the Constitution.

This initiative measure adds sections to the Education Code; therefore, new provisions proposed to be added are printed in *italic type* to indicate that they are new.

PROPOSED LAW

SECTION 1. Chapter 3 (commencing with Section 300) is added to Part 1 of the Education Code, to read:

CHAPTER 3. ENGLISH LANGUAGE EDUCATION FOR IMMIGRANT CHILDREN Article 1. Findings and Declarations

300. The People of California find and declare as follows:

(a) Whereas, The English language is the national public language of the United States of America and of the State of California, is spoken by the vast majority of California residents, and is also the leading world language for science, technology, and international business, thereby being the language of economic opportunity; and

(b) Whereas, Immigrant parents are eager to have their children acquire a good knowledge of English, thereby allowing them to fully participate in the American Dream of economic and social advancement; and

(c) Whereas, The government and the public schools of California have a moral obligation and a constitutional duty to provide all of California's children, regardless of their ethnicity or national origins, with the skills necessary to become productive members of our society, and of these skills, literacy in the English language is among the most important; and

(d) Whereas, The public schools of California currently do a poor job of educating immigrant children, wasting financial resources on costly experimental language programs whose failure over the past two decades is demonstrated by the current high drop-out rates and low English literacy levels of many immigrant children; and

(e) Whereas, Young immigrant children can easily acquire full fluency in a new language, such as English, if they are heavily exposed to that language in the classroom at an early age.

(f) Therefore, It is resolved that: all children in California public schools shall be taught English as rapidly and effectively as possible.

Article 2. English Language Education

305. Subject to the exceptions provided in Article 3 (commencing with Section 310), all children in California public schools shall be taught English by being taught in English. In particular, this shall require that all children be placed in English language classrooms. Children who are English learners shall be educated through sheltered English immersion during a temporary transition period not normally intended to exceed one year. Local schools shall be permitted to place in the same classroom English learners of different ages but whose degree of English proficiency is similar. Local schools shall be encouraged to mix together in the same classroom English learners from different native-language groups but with the same degree of English fluency. Once English learners have acquired a good working knowledge of English, they shall be transferred to English language mainstream classrooms. As much as possible, current supplemental funding for English learners shall be maintained, subject to possible modification under Article 8 (commencing with Section 335) below.

306. The definitions of the terms used in this article and in Article 3 (commencing with Section 310) are as follows:

(a) "English learner" means a child who does not speak English or whose native language is not English and who is not currently able to perform ordinary classroom work in English, also known as a Limited English Proficiency or LEP child.

(b) "English language classroom" means a classroom in which the language of instruction used by the teaching personnel is overwhelmingly the English language, and in which such teaching personnel possess a good knowledge of the English language.

(c) "English language mainstream classroom" means a classroom in which the pupils either are native English language speakers or already have acquired reasonable fluency in English.

(d) "Sheltered English immersion" or "structured English immersion" means an English language acquisition process for young children in which nearly all classroom instruction is in English but with the curriculum and presentation designed for children who are learning the language.

(e) "Bilingual education / native language instruction" means a language acquisition process for pupils in which much or all instruction, textbooks, and teaching materials are in the child's native language.

Article 3. Parental Exceptions

310. The requirements of Section 305 may be waived with the prior written informed consent, to be provided annually, of the child's parents or legal guardian under the circumstances specified below and in Section 311. Such informed consent shall require that said parents or legal guardian personally visit the school to apply for the waiver and that they there be provided a full description of the educational materials to be used in the different educational program choices and all the educational opportunities available to the child. Under such parental waiver conditions, children may be transferred to classes where they are taught English and other subjects through bilingual education techniques or other generally recognized educational methodologies permitted by law. Individual schools in which 20 pupils or more of a given grade level receive a waiver shall be required to offer such a class; otherwise, they must allow the pupils to transfer to a public school in which such a class is offered.

311. The circumstances in which a parental exception waiver may be granted under Section 310 are as follows:

(a) Children who already know English: the child already possesses good English language skills, as measured by standardized tests of English vocabulary comprehension, reading, and writing, in which the child scores at or above the state average for his or her grade level or at or above the 5th grade average, whichever is lower; or

(b) Older children: the child is age 10 years or older, and it is the informed belief of the school principal and educational staff that an alternate course of educational study would be better suited to the child's rapid acquisition of basic English language skills; or

(c) Children with special needs: the child already has been placed for a period of not less than thirty days during that school year in an English language classroom and it is subsequently the informed belief of the school principal and educational staff that the child has such special physical, emotional, psychological, or educational needs that an alternate course of educational study would be better suited to the child's overall educational development. A written description of these special needs must be provided and any such decision is to be made subject to the examination and approval of the local school superintendent, under guidelines established by and subject to the review of the local Board of Education and ultimately the State Board of Education. The existence of such special needs shall not compel issuance of a waiver, and the parents shall be fully informed of their right to refuse to agree to a waiver.

Article 4. Community-Based English Tutoring

315. In furtherance of its constitutional and legal requirement to offer special language assistance to children coming from backgrounds of limited English proficiency, the state shall encourage family members and others to provide personal English language tutoring to such children, and support these efforts by raising the general level of English language knowledge in the community. Commencing with the fiscal year in which this initiative is enacted and for each of the nine fiscal years following thereafter, a sum of fifty million dollars (\$50,000,000) per year is hereby appropriated from the General Fund for the purpose of providing additional funding for free or subsidized programs of adult English language

Text of Proposed Laws—Continued

instruction to parents or other members of the community who pledge to provide personal English language tutoring to California school children with limited English proficiency.

316. Programs funded pursuant to this section shall be provided through schools or community organizations. Funding for these programs shall be administered by the Office of the Superintendent of Public Instruction, and shall be disbursed at the discretion of the local school boards, under reasonable guidelines established by, and subject to the review of, the State Board of Education.

Article 5. Legal Standing and Parental Enforcement

320. As detailed in Article 2 (commencing with Section 305) and Article 3 (commencing with Section 310), all California school children have the right to be provided with an English language public education. If a California school child has been denied the option of an English language instructional curriculum in public school, the child's parent or legal guardian shall have legal standing to sue for enforcement of the provisions of this statute, and if successful shall be awarded normal and customary attorney's fees and actual damages, but not punitive or consequential damages. Any school board member or other elected official or public school teacher or administrator who willfully and repeatedly refuses to implement the terms of this statute by providing such an English language educational option at an available public school to a California school child

may be held personally liable for fees and actual damages by the child's parents or legal guardian.

Article 6. Severability

325. If any part or parts of this statute are found to be in conflict with federal law or the United States or the California State Constitution, the statute shall be implemented to the maximum extent that federal law, and the United States and the California State Constitution permit. Any provision held invalid shall be severed from the remaining portions of this statute.

Article 7. Operative Date

330. This initiative shall become operative for all school terms which begin more than sixty days following the date on which it becomes effective.

Article 8. Amendment

335. The provisions of this act may be amended by a statute that becomes effective upon approval by the electorate or by a statute to further the act's purpose passed by a two-thirds vote of each house of the Legislature and signed by the Governor.

Article 9. Interpretation

340. Under circumstances in which portions of this statute are subject to conflicting interpretations, Section 300 shall be assumed to contain the governing intent of the statute.

WE NEED YOUR HELP

DRIVER'S LICENSE INFORMATION

Dear Voter:

In 1996, the California Legislature authorized elections officials to collect driver's license numbers on the voter registration form. This will help elections officials remove duplicate registrations. The more accurate the list of registered voters, the *less taxpayer money is spent to conduct elections*. Please help us reduce costs by filling out and returning this page to the address listed below. This information will be **CONFIDENTIAL** and will be used for list maintenance purposes only. Thank you.

Name: _____

Driver's license or California ID #: _____

Address: _____
Street Address

City

County

State

Birthdate: ____/____/____
Month Day Year

Signature: _____

Please return to:
Secretary of State
Voter Registration
1500 11th Street, 5th Floor
Sacramento, CA 95814

Secretary of State
1500 11th Street
Sacramento, CA 95814



BULK RATE
U.S.
POSTAGE
PAID
Secretary of
State

~~V~~oter ELECTION MATERIAL

IMPORTANT NOTICE

The State produces a cassette-recorded version of this ballot pamphlet. These tape recordings are available from most public libraries. If you have a family member or friend who is visually impaired, please inform him or her of this service. Cassettes can be obtained by calling your local public library or your county elections official.

In an effort to reduce election costs, the State Legislature has authorized the State and counties having this capability to mail only one ballot pamphlet to addresses where more than one voter with the same surname resides. If you wish additional copies, you may obtain them by calling or writing to your county elections official.