

2008

Voter Information Guide for 2008, Primary

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CALIFORNIA PRESIDENTIAL PRIMARY ELECTION TUESDAY, FEBRUARY 5, 2008

★ OFFICIAL VOTER INFORMATION GUIDE ★

Certificate of Correctness

I, Debra Bowen, Secretary of State of the State of California, do hereby certify that the measures included herein will be submitted to the electors of the State of California at the Presidential Primary Election to be held throughout the State on February 5, 2008, and that this guide has been correctly prepared in accordance with the law.

Witness my hand and the Great Seal of the State in Sacramento, California, this 13th day of November, 2007.



Debra Bowen
Secretary of State



Secretary of State

Dear Fellow Voter,

By registering to vote, you have taken the first step in playing an active role in deciding California's future. Now, to help you make your decisions, my office has created this Official Voter Information Guide that contains titles and summaries prepared by Attorney General Edmund G. Brown Jr., impartial analyses of the law and potential costs to taxpayers prepared by Legislative Analyst Elizabeth G. Hill, arguments in favor of and against all ballot measures prepared by proponents and opponents, text of the proposed laws proofed by Legislative Counsel Diane F. Boyer-Vine, and other useful information. The printing of the guide was done under the supervision of State Printer Geoff Brandt.

On February 5, 2008, we will have the opportunity to help choose the next President of the United States, as well as decide on measures regarding education, transportation, and more. Presidential primary elections happen just once every four years, but this one is particularly exciting because it is America's first presidential election since 1952 in which no incumbent president or vice president is running. Your vote can make a real difference in the future of our nation.

Voting is easy, and any registered voter can vote by mail or at a polling place. The last day to request a vote-by-mail ballot is January 29.

There are more ways to participate in the electoral process. You can be a poll worker on Election Day, helping to make voting easier for all eligible voters and protecting ballots until they are counted by elections officials. You can spread the word about voter registration deadlines and voting rights through emails, phone calls, brochures, and posters. You can help educate other voters about the candidates and issues by organizing discussion groups or participating in debates with friends, family, and community leaders.

For more information about how and where to vote, as well as other ways you can participate in the electoral process, call 1-800-345-VOTE or visit www.sos.ca.gov.

It is a wonderful privilege in a democracy to have a choice and the right to voice your opinion. Whether you cast your ballot at a polling place or on a mail-in ballot, I encourage you to take the time to carefully read about each measure in this information guide.

Thank you for taking your civic responsibility seriously and making your voice heard!

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COME TO OUR WEBSITE TO:

- Find your polling place www.sos.ca.gov/elections/elections_ppl.htm
- Watch live election results on Election Day www.sos.ca.gov
- Obtain vote-by-mail ballot information www.sos.ca.gov/elections_m.htm
- View information on statewide measures and candidates www.voterguide.sos.ca.gov
- Research campaign contributions <http://cal-access.sos.ca.gov/campaign>

VOTING BY MAIL

You may return your voted vote-by-mail ballot by:

1. mailing it to your county elections official;
2. returning it in person to a polling place or elections office within your county on Election Day;
or
3. authorizing a legally allowable third party (spouse, child, parent, grandparent, grandchild, brother, sister, or a person residing in the same household as you) to return the ballot on your behalf.

Regardless of how the ballot is returned, it **MUST** be received by the time polls close (8:00 p.m.) on Election Day. Late-arriving vote-by-mail ballots are not counted.

WANT TO EARN MONEY AND MAKE A DIFFERENCE? SERVE AS A POLL WORKER ON ELECTION DAY!

You can serve as a poll worker if you are:

A registered voter, or

A high school student who is:

- a United States citizen;
- at least 16 years old at the time he or she will be serving;
- a student with a GPA of at least 2.5; and
- a student in good standing at a public or private school.

You can take time off work to serve as a poll worker, without losing pay, if:

- you are a state employee; and
- you provide adequate notice to your department, and your manager or supervisor approves the request.

In addition to gaining experience, poll workers can earn extra money for their valuable service on Election Day. Contact your local elections official or call 1-800-345-VOTE (8683) for more information on becoming a poll worker.

PROP 92 Community Colleges. Funding. Governance. Fees. Initiative Constitutional Amendment and Statute.

SUMMARY *Put on the Ballot by Petition Signatures*

Establishes independent community college districts and Board of Governors. Requires minimum funding for schools and community colleges to be calculated separately. Sets fees at \$15/unit and limits future increases. Fiscal Impact: Increased state spending on K–14 education from 2007–08 through 2009–10 averaging about \$300 million annually, with unknown impacts annually thereafter. Potential loss in community college student fee revenues of about \$70 million annually.

WHAT YOUR VOTE MEANS

YES A YES vote on this measure means: The existing formula that establishes a minimum funding level for K–12 schools and community colleges would be replaced with separate formulas for each system. Community college fees would be reduced from \$20 per unit to \$15 per unit, and various changes would be made to the state-level community college governing board.

NO A NO vote on this measure means: Existing laws regarding community college funding, fees, and governance would be unchanged.

ARGUMENTS

PRO Proposition 92 doesn't raise taxes. It lowers community college fees to \$15 per unit, limits future fee increases, and stabilizes funding. When the Legislature doubled community college fees, 305,000 fewer Californians enrolled. Wages for students who earn a community college vocational degree jump from \$25,600 to \$47,571 in three years.

CON 92 isn't what it seems. It locks huge new spending into California's Constitution with no way to pay for it, which could result in new taxes or cuts to critical programs, including K–12 schools. It contains no accountability and no guarantee funds will reach college classrooms. No on 92.

FOR ADDITIONAL INFORMATION

FOR
Scott Lay
Yes on Proposition 92
2017 O Street
Sacramento, CA 95811
(916) 444-8641
admin@prop92yes.com
www.prop92yes.com

AGAINST
Californians for Fair
Education Funding,
No on Proposition 92
3001 Douglas Blvd. #225
Roseville, CA 95661
(916) 218-6640
info@noprop92.org
www.noprop92.org

PROP 93 Limits on Legislators' Terms in Office. Initiative Constitutional Amendment.

SUMMARY *Put on the Ballot by Petition Signatures*

Reduces permissible state legislative service to 12 years. Allows 12 years' service in one house. Current legislators can serve 12 years in current house, regardless of prior legislative service. Fiscal Impact: No direct fiscal effect on state or local governments.

WHAT YOUR VOTE MEANS

YES A YES vote on this measure means: Members of the State Legislature could serve a maximum total of 12 years in office—without regard to whether the years were served in the Assembly or Senate. Some current Members could serve more than the 14 total years now allowed.

NO A NO vote on this measure means: Members of the State Legislature could continue to serve a maximum total of 14 years in office—up to 6 years in the Assembly and up to 8 years in the Senate.

ARGUMENTS

PRO Prop. 93 strikes a reasonable balance between the need to elect new people with fresh ideas and the need for knowledgeable, experienced legislators working to protect taxpayers. Independent studies prove it will help make our Legislature more effective, accountable, and better able to deal with the complex problems facing California.

CON Proposition 93 is a scam written by politicians and funded by special interests. It has a special loophole that benefits 42 termed out incumbent politicians by giving them more time in office. It doubles Assembly terms from 6 to 12 years and increases Senate terms from 8 to 12 years.

FOR ADDITIONAL INFORMATION

FOR
Charu Khopkar
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1510 J Street, Suite 210
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AGAINST
Bob Adney
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Defense Fund
2331 El Camino Ave.
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CATermLimits@gmail.com
www.stopthepoliticians.com

CANDIDATE STATEMENT INFORMATION

UNITED STATES PRESIDENTIAL CANDIDATES

For information about the candidates running for the office of United States President, please visit the Secretary of State's website or call our toll-free Voter Hotline for information to be mailed to you.

www.voterguide.sos.ca.gov
1-800-345-VOTE (8683)

DECLINE-TO-STATE VOTERS

(Voters not affiliated with a political party)

FOR WHOM CAN I VOTE?

If you are registered to vote with a political party, you may only vote at this presidential primary election for the candidates running for office from the party with which you are registered and for and against measures. However, if you did not select a political party when you registered to vote, some of the political parties will allow you to vote for their candidates anyway. If you are not registered with a political party, upon request you can vote a ballot of any political party that has notified the Secretary of State that it will permit decline-to-state registered voters to help nominate their candidates.

The following political parties are allowing voters who are not registered with a political party to request and vote their party's ballot at the February 5, 2008, Presidential Primary Election:

- American Independent Party
- Democratic Party

You may NOT request more than one party's ballot. If you do not request a specific ballot, you will be given a nonpartisan ballot containing only the names of candidates for nonpartisan offices and the measures to be voted upon at the February 5, 2008, Presidential Primary Election.

LARGE-PRINT AND AUDIO-CASSETTE VOTER INFORMATION GUIDES

The Secretary of State now provides the Official Voter Information Guide in a large-print format and an audio-cassette version for the visually impaired in English, Spanish, Chinese, Vietnamese, Tagalog, Japanese, and Korean.

To order the large-print or audio-cassette version of the Official Voter Information Guide, please visit our website at:
www.sos.ca.gov/elections/elections_vig_altformats.htm or call our toll-free Voter Hotline at 1-800-345-VOTE (8683).

TRANSPORTATION FUNDS. INITIATIVE CONSTITUTIONAL AMENDMENT.

OFFICIAL TITLE AND SUMMARY

PREPARED BY THE ATTORNEY GENERAL

TRANSPORTATION FUNDS. INITIATIVE CONSTITUTIONAL AMENDMENT.

- Prohibits certain motor vehicle fuel sales and use taxes, that are earmarked for the Transportation Investment Fund, from being retained in the General Fund. Currently such taxes may be retained if Governor issues a proclamation, a special statute is enacted by a 2/3 vote of the Legislature, repayment occurs within three years, and certain other conditions are met.
- Requires repayment by 6/30/17 of such vehicle fuel taxes retained in General Fund from 7/1/03 to 6/30/08. Currently repayment is generally required by 6/30/16.
- Changes how and when General Fund borrowing of certain transportation funds is allowed.

SUMMARY OF LEGISLATIVE ANALYST'S ESTIMATE OF NET STATE AND LOCAL GOVERNMENT FISCAL IMPACT:

- Increases stability of state funding for highways, streets, and roads and may decrease stability of state funding for public transit. May reduce stability of certain local funds for public transit.

ANALYSIS BY THE LEGISLATIVE ANALYST

BACKGROUND

California funds its transportation systems primarily with a mix of state and local funds.

State Transportation Funds

The state imposes various taxes and fees on motor vehicle fuels and the operation of motor vehicles (discussed below) to support transportation programs. In 2007–08, revenues from these sources are projected to total about \$9 billion.

Article XIX Revenues—Fuel Taxes and Motor Vehicle Fees. The state imposes an excise tax of 18 cents per gallon on gasoline and diesel fuel used in motor vehicles that are driven on public streets and highways. It also charges truck weight fees, driver license fees, and vehicle registration fees. Article XIX of the State Constitution restricts the use of these revenues to specified transportation purposes—primarily highways, streets and roads, and traffic enforcement. (These revenues are often referred to as Article XIX revenues.) The Constitution, however, allows these revenues to be loaned to the General Fund if the amount is repaid in full within the same fiscal year (that is, essentially for short-term cash flow purposes), except that the repayment may be delayed up to 30 days after adoption of a state budget for the

following fiscal year. Under specified conditions, these revenues may also be loaned to the General Fund for up to three fiscal years.

Sales Tax on Gasoline and Diesel. The state imposes a 6.25 percent sales tax on gasoline and diesel fuel.

- **Public Transportation Account (PTA).** A portion of the revenue from the gasoline and diesel sales tax is deposited into the PTA for public transit (bus and rail) and transportation planning purposes. The State Constitution allows funds in the PTA to be loaned to the General Fund for short-term cash flow purposes. The loan must be repaid within 30 days after a state budget is adopted for the following fiscal year. Under specified conditions, PTA funds may also be loaned to the General Fund for longer periods, up to three fiscal years.
- **Transportation Investment Fund (TIF).** A portion of the state gasoline sales tax revenue not deposited into the PTA is transferred to TIF to be used for highways, streets and roads, and transit systems. The State Constitution allows the transfer of these monies to be suspended, thus leaving the money in the General Fund, when the state faces fiscal difficulties. However, only two

suspensions may occur in ten consecutive years, and suspensions must be repaid in full, with interest, within three years. The transfer was suspended partially in 2003–04 and fully in 2004–05. The State Constitution requires that these suspended amounts be repaid by June 30, 2016, at a specified minimum rate of repayment each year. After a repayment is made in 2007–08, \$670 million will remain to be repaid from the General Fund.

Local Transportation Funds

Local governments provide substantial funding for transportation from local sales tax revenues. Each county has a “local transportation fund” (LTF) with revenues generated from a statewide one-quarter percent local sales tax collected in that county. Under the State Constitution, revenues in LTFs can be used only for specified transportation purposes—primarily public transit. In 2007–08, sales tax revenues to LTFs are projected to total about \$1.4 billion.

In addition to the statewide one-quarter percent local sales tax for transportation, counties have the option of levying an additional local sales tax, upon approval by two-thirds of the voters, for county transportation uses. Currently, 19 counties impose a local optional sales tax for transportation.

PROPOSAL

This measure amends the State Constitution in the following ways.

Suspension of Transfers to TIF. The measure eliminates the state’s authority to suspend the transfer of gasoline sales tax revenues to TIF for transportation uses. In other words, these revenues could not be used for nontransportation purposes, but would have to be used for transportation purposes. In addition, the measure requires that amounts suspended in 2003–04 and 2004–05 be repaid by June 30, 2017, at a specified minimum annual rate of repayment.

Loaning of Transportation Funds. The measure deletes the authority to loan Article XIX funds to the General Fund for multiple years. These funds could still be loaned to the General

Fund for short-term cash flow purposes within a fiscal year, and must be repaid within 30 days of the adoption of a budget for the following fiscal year.

The measure authorizes the loaning of TIF funds to the General Fund for short-term cash flow purposes within a fiscal year, to be repaid within 30 days of the adoption of a budget for the following fiscal year. Similarly, the measure may be interpreted to allow LTF monies to be loaned to the General Fund for short-term cash flow purposes within a fiscal year. The measure requires that any short-term loans from the above transportation funds not impede the transportation purposes for which the revenues were generated.

In addition, the measure deletes existing constitutional restrictions that limit loans of PTA funds to the General Fund. It is unclear whether the restriction that loans are only for short-term cash flow purposes, as discussed above, would apply to loans of PTA funds to the General Fund.

Fiscal Effects

By deleting the state’s authority to suspend the transfer of gasoline sales tax revenue to TIF and limiting the state’s ability to borrow these funds as well as Article XIX revenues for nontransportation uses, the measure would make state funding from these sources for highways and streets and roads—the main uses of these monies—more stable and predictable from year to year. At the same time, the measure may be interpreted to allow PTA funds to be loaned to the General Fund with no express time limitation for repayment. This may make the availability of these funds for public transit less stable.

Similarly, if the measure is interpreted to allow the loaning of LTFs to the state General Fund for short-term cash flow purposes, the availability of local transportation funding could become less stable.

To the extent the repayment of an outstanding TIF loan is stretched out by a year, to June 30, 2017, as allowed by this measure, there could be some additional interest costs to the General Fund.

★ ARGUMENT IN FAVOR OF PROPOSITION 91 ★

VOTE NO ON PROPOSITION 91. IT'S NO LONGER NEEDED.

As the official proponents of this measure, we are encouraging you to VOTE NO ON PROPOSITION 91.

In 2006, our coalition qualified this measure for the ballot as a means of stopping the Governor and Legislature from taking the state sales tax on gasoline, which is supposed to be used on transportation projects, and using those funds for non-transportation purposes.

As this initiative was being qualified, Governor Schwarzenegger and a bipartisan group of legislators put a different constitutional measure on the November 2006 ballot that also accomplished what Proposition 91 set out to do. That measure, Proposition 1A, was approved by an overwhelming 77% of California voters in November 2006.

Passage of Prop. 1A means that state politicians in Sacramento can no longer take our gas tax

dollars and use those funds for non-transportation purposes.

Because Prop. 1A is now law, hundreds of millions of dollars in existing gasoline sales taxes are being sent each year to local communities for projects to relieve traffic congestion, improve safety, and fund mass transit.

By passing Proposition 1A, voters solved the problem of state raids of our gas tax funds.

Proposition 91 is no longer needed. We respectfully urge you to vote NO ON PROPOSITION 91.

MARK WATTS, Executive Director
Transportation California

JIM EARP, Executive Director
California Alliance for Jobs

★ ARGUMENT AGAINST PROPOSITION 91 ★

No argument against Proposition 91
was submitted.

**COMMUNITY COLLEGES. FUNDING. GOVERNANCE. FEES.
INITIATIVE CONSTITUTIONAL AMENDMENT AND STATUTE.**

- Establishes in state constitution a system of independent public community college districts and Board of Governors.
- Generally, requires minimum levels of state funding for school districts and community college districts to be calculated separately, using different criteria and separately appropriated.
- Allocates 10.46 percent of current Proposition 98 school funding maintenance factor to community colleges.
- Sets community college fees at \$15/unit per semester; limits future fee increases.
- Provides formula for allocation by Legislature to community college districts that would not otherwise receive general fund revenues through community college apportionment.

SUMMARY OF LEGISLATIVE ANALYST’S ESTIMATE OF NET STATE AND LOCAL GOVERNMENT FISCAL IMPACT:

- Increase in state spending on K–14 education from 2007–08 through 2009–10—averaging about \$300 million per year, with unknown impacts annually thereafter.
- Loss of student fee revenues to community colleges—potentially about \$70 million annually.

ANALYSIS BY THE LEGISLATIVE ANALYST

SUMMARY

This measure makes major changes to the State Constitution and state laws relating to the California Community Colleges (CCC). As shown in Figure 1, the measure affects CCC funding requirements, fee levels, and system governance. Each of the measure’s key provisions is discussed in more detail below.

BACKGROUND

California Community Colleges provide instruction to about 2.5 million students annually. The CCC system is made up of 109 colleges operated by 72 districts throughout the state. The system provides a number of educational programs, including:

- Academic instruction at the lower division (freshman and sophomore) collegiate level.
- English as a Second Language courses.
- Vocational education (such as nursing and automotive technology).
- Recreational courses (such as golf and cooking classes).

The CCC system spends over \$8 billion in public funds annually. About two-thirds of the funding that supports community college programs comes from the state General Fund and

Figure 1

Proposition 92: Main Provisions

- ✓ **Education Funding Level**
 - Changes current minimum education funding requirement into two separate requirements: one for K–12 schools and one for community colleges.
- ✓ **Student Fees**
 - Lowers community college education fees from \$20 per unit to \$15 per unit.
 - Significantly limits the state’s authority to increase fee levels in future years.
- ✓ **Governance**
 - Formally establishes the community colleges in the State Constitution.
 - Increases the size of the community colleges’ state governing board and the board’s administrative authority.

local property taxes. The remaining one-third comes from other sources (such as student fee revenue and federal funds).

EDUCATION FUNDING LEVEL

Current Law

Each year, the state must provide at least a minimum level of funding for elementary and

secondary schools (K–12) and the community colleges (together called K–14 education). This requirement, adopted by voters in 1988 through Proposition 98, is met using both state General Fund and local property tax revenues. Each year, the Proposition 98 formula calculates a new K–14 minimum amount of financial support by adjusting the previous year’s level based on changes in the economy and K–12 attendance. (Community college enrollment is not a factor in calculating the minimum K–14 funding level.) An additional requirement specifies that K–14 education must receive at least a specified percentage (about 40 percent) of General Fund revenues each year.

Each year, the state allocates Proposition 98 funding between K–12 schools and community colleges. In recent years, community colleges have received between 10 percent and 11 percent of total Proposition 98 funds.

Proposal

As noted above, existing law guarantees a certain minimum amount of annual financial support for K–14 education. Proposition 92 replaces this single requirement with two: one for K–12 education and one for community colleges. These new minimum funding requirements would take effect in 2007–08 and be based on spending in 2006–07.

The new K–12 funding formula would use the same year-to-year growth factors as under current law. The same would be true for the new CCC funding formula, with one important exception. Specifically, in place of K–12 attendance, a new growth factor based primarily on the young adult population would be used for calculating the community college minimum funding level. This population growth factor uses the greater of two population growth rates: (1) state residents between 17 and 21 years of age or (2) state residents between 22 and 25 years of age. The growth factor is further increased in any year that the state’s unemployment rate exceeds 5 percent. (The state unemployment rate exceeded 5 percent in 13 of the past 15 years.) However, the measure limits the total community college population growth factor to no more than 5 percent in any year.

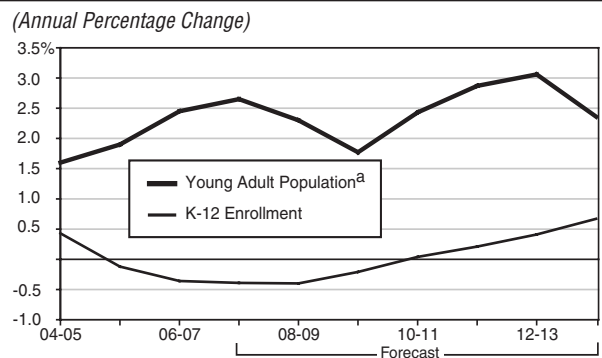
Unlike the K–12 funding guarantee, the community college funding requirement would not be adjusted to reflect how many students are actually served. That is, there would be no direct relationship between required CCC funding levels and actual student enrollment.

The measure would not change the existing requirement that roughly 40 percent of General Fund revenues be spent on K–14 education. Consequently, Proposition 92’s new funding formulas would not apply in years when K–14’s share of General Fund spending was less than this level. In these years, the existing single minimum funding requirement would apply and the state would continue to have discretion over how to allocate funds between K–12 schools and community colleges.

Fiscal Effect

From 2007–08 through 2009–10, we estimate the initiative would require the state to spend more for K–14 education than under current law—an average of around \$300 million per year. This is primarily because the measure’s student population growth factor under the new CCC funding requirement (the state’s population of young adults) is forecast to grow faster than K–12 attendance. As shown in Figure 2, K–12 attendance is expected to experience declines for

**Figure 2
Young Adult Population Is Expected to Grow Much Faster Than K–12 Students**



^a Greater of growth rates of state residents between 17 to 21 years old and 22 to 25 years old. This rate would help determine growth in community colleges’ minimum funding guarantee under Proposition 92. This rate would be increased further when state unemployment exceeds 5 percent.

the next few years. By contrast, the young adult population is forecast to grow between 2 percent to 3 percent for the next several years.

In the initial two years that the measure would be in effect (2007–08 and 2008–09), we estimate it would allocate roughly one-half of the increased funds to K–12 schools. (This results from the interaction between this measure and recent legislative action on K–12’s budget.) Then, in 2009–10, it would direct most new funding to community colleges. Starting in 2010–11 and continuing for the near future, we do not expect that the new funding formulas established by Proposition 92 would be in effect. This is because the measure’s combined minimum funding levels for K–12 schools and community colleges would most likely fall below the roughly 40 percent of state General Fund revenues to be spent on K–14 education. As noted earlier, the measure does not apply under such conditions. Instead, the minimum funding requirement for K–14 education would be calculated as it is under current law. Thus, there would be no net fiscal effect for the state in these years. In addition, the state would have the authority to allocate funding between K–12 education and the community colleges however it chose.

It is unclear when the formulas would again require the state to spend more than the required share of state General Fund revenues on K–14 education. When they did, the fiscal effect would depend on the performance of the economy as well as the relative growth rates between K–12 attendance and the CCC student population growth factor.

STUDENT FEES

Current Law

As discussed above, Proposition 98 funds (General Fund and local property taxes) provide the major source of support for CCC. In addition, most students pay education fees that contribute to the community colleges’ overall funding. Fee revenue is available to the community colleges for the same general purposes as Proposition 98 funding. These fees cover a small portion (less than 10 percent) of resident students’ total educational

costs. In 2007–08, student fees provide about \$285 million in revenue to the community colleges.

California’s community college fees, which are set by the state, have consistently been the lowest in the country. Prior to 1984, the state did not charge a fee at all. In the past decade, fee levels have fluctuated between \$11 and \$26 per unit. The current per-unit fee is \$20, which means that a full-time student taking 30 units per academic year pays \$600.

About one-quarter of all CCC students do not pay any educational fees. This is because current law waives the fees for resident students who demonstrate financial need. Most of these students are low- to middle-income. Generally, a community college student living at home, with a younger sibling and married parents, could have annual family income up to roughly \$65,000 and still qualify for a fee waiver.

Proposal

This measure reduces student fees to \$15 per unit beginning in fall 2008. Thus, total annual fees for a student taking a full-time load of 30 units during the 2008–09 academic year would be \$450, which is \$150 less than the current level. (This fee reduction would have no direct impact on needy students because fees are already waived for all students who demonstrate financial need.)

The measure also significantly limits the Legislature’s authority to increase fees in subsequent years. Any fee increase would require a two-thirds vote of both houses. In addition, the measure limits annual fee increases to the lower of:

- 10 percent.
- The percentage change in per capita personal income in California (which typically averages about 4 percent).

For example, at \$15 per unit, a 4 percent growth in per capita personal income (the lower of the two formulas) would allow for an increase of 60 cents. However, since the measure also requires the rounding down of any fee increase to the nearest dollar, the fee level would remain at \$15. The measure would require a simple majority vote in the Legislature in order to *reduce* fees.

Fiscal Effect

If the measure passes, it is likely that fees would remain at or near \$15 per unit for many years. This is because at this level the Legislature could only increase the fee if per capita personal income exceeded 6.7 percent in any given year. (This has occurred just once in the past 20 years.)

The revenue impact of a fee reduction under this measure would depend on the fee level that would have existed without this measure. If the fee level would have otherwise remained at its current amount (\$20 per unit), the community colleges would collect about \$70 million less in annual student fee revenue as a result of this measure.

GOVERNANCE

Current Law

The State Constitution currently references the community colleges in various financial contexts (such as their eligibility for Proposition 98 funds), but it does not formally establish or define the community colleges. This has been done instead through laws adopted by the Legislature. Under current laws, the community colleges are operated by districts that are governed by locally elected Boards of Trustees. The state provides these governing boards with significant autonomy in matters such as:

- Determining course offerings.
- Hiring and compensating campus staff.
- Managing district property.

The Board of Governors (BOG) of the California Community Colleges oversees the statewide system. Key functions of BOG include:

- Setting minimum standards for districts (such as student graduation requirements).
- Coordinating statewide programs.
- Providing technical assistance to the districts.
- Appointing a chancellor to run day-to-day operations and make recommendations on policy matters. (The chancellor's executive staff—deputy and vice chancellors—are appointed by the Governor.)

The BOG consists of 17 members (16 voting and 1 nonvoting). The Governor appoints these members to terms of either two or six years. Currently, the Governor is required to select 5 of the 17 members from lists of persons approved by specified community college organizations (such as faculty and staff groups).

Proposal

The measure amends the State Constitution to formally recognize the CCC system. For example, it specifies in the Constitution that the community college system is a part of the state's public school system, and is made up of districts that are governed by locally elected boards.

Proposition 92 makes a number of changes affecting BOG. For example, it amends the Constitution to increase the number of members to 19 (all with voting rights). In addition, the measure amends statute to require the Governor to appoint additional BOG members from lists provided by specified community college organizations.

The measure also gives BOG more control over its staff and its budget. For example, it authorizes BOG (rather than the Governor) to appoint and set compensation levels for executive officers. Moreover, the measure gives BOG "full power" over how to spend funds appropriated for its administrative expenses in the annual budget.

Proposition 92 does not change the current responsibilities of BOG or its authority over community college districts.

Fiscal Effect

This measure would not change the state's authority to appropriate funding for the BOG's administrative budget. As a result, it would not have any direct impact on state costs. The proposition, however, would give BOG more control over whatever funds are provided to it.

★ ARGUMENT IN FAVOR OF PROPOSITION 92 ★

Proposition 92 does not raise taxes. It lowers community college fees to \$15 per unit and limits future fee increases. In 2004, the Legislature hiked fees to \$26 per unit. This resulted in 305,000 fewer Californians enrolling in community college. That hurt California. Proposition 92 won't allow that to happen again.

"Whenever there is a tight budget, it seems that community colleges suffer the most even though the system is by far the most efficiently run in California . . ." Contra Costa Times, April 30, 2007

CALIFORNIA'S COMMUNITY COLLEGES GENERATE MORE THAN THEY COST. For every \$1 the state spends on community colleges, the colleges generate \$3 back to the state budget as millions of graduates earn better wages. A full-time community college student costs less than half what the state spends on a CSU student and only one-third of what the state spends on a UC student.

" . . . [C]ommunity colleges remain the best educational bargain around. Community colleges need our help . . ." Ventura County Star, March 8, 2007

CALIFORNIA'S COMMUNITY COLLEGES ARE THE GATEWAY TO THE MIDDLE CLASS. Community college students who earned a vocational degree or certificate see their wages jump from \$25,600 to \$47,571 three years after earning their degree.

70% of all Californians attending college are enrolled in a community college. The average student is a 28-year-old working Californian. 60% of the students are women. 30% of all Latinos in America attending college are enrolled in a California Community College. There are 241,000 Californians from Asian and Pacific Islander backgrounds. And 90,000 more African American students in community colleges than in the CSU and UC systems combined.

"Our community college system faces many challenges . . . but it's getting the job done. It's high-time California stopped

snubbing its community-college system." San Francisco Chronicle, March 21, 2007

CALIFORNIA'S COMMUNITY COLLEGES ARE IMPORTANT TO OUR ECONOMY. By the year 2025 California will need 39% of the workforce to have a college education. Former Federal Reserve Chairman Alan Greenspan said, "Community colleges are America's economic engine."

"Passing the Community College Initiative will offer more affordable and accessible academic and vocational education . . . without raising taxes." Chamber of Commerce, Sacramento

Proposition 92 guarantees the community college system independence from state politics. The Community College League of California supports Proposition 92.

Proposition 92 guarantees minimum funding will grow as the college-age population grows so students are not turned away. The Faculty Association of the California Community Colleges supports Proposition 92.

Proposition 92 guarantees that the lower \$15 per unit fees can only be raised as Californians' personal income grows . . . but never by more than 10%. The Los Angeles College Faculty Guild supports Proposition 92.

Proposition 92 guarantees that Proposition 98 funding for K-12 schools is protected. The California Federation of Teachers supports Proposition 92.

Proposition 92 lowers community college fees . . . AND GIVES EVERY CALIFORNIAN THE CHANCE TO GO TO COLLEGE. Vote YES on 92. It doesn't raise taxes.

WILLIAM HEWITT, President
Faculty Association of California Community Colleges
REBECCA J. GARCÍA, President
California Community College Trustees
DENNIS SMITH, Secretary Treasurer
California Federation of Teachers

★ REBUTTAL TO ARGUMENT IN FAVOR OF PROPOSITION 92 ★

Proposition 92 Is Not What It Seems.

We all support our community colleges, but Prop. 92 is not the answer. If it were truly written to improve our community colleges, many of us would support it. Unfortunately, it's flawed and deserves a "no" vote.

Prop. 92 contains huge state spending increases—with no way to pay for it!

Prop. 92 locks huge spending increases into California's Constitution—a half a billion dollars over the first three years (source: California Legislative Analyst)—without a way to pay for it. Politicians will have to get the money somewhere—either by raising taxes or cutting other critical programs.

Prop. 92 will worsen California's budget crisis.

California's budget deficit is projected to be over \$8 billion next year and Proposition 92 will make matters worse. Can California really afford to further stress a state budget which already struggles to fund public education, healthcare, public safety?

Proposition 92 contains no audits, no penalties for misusing funds, and nothing to ensure money will ever get into college classrooms!

Proponents say 92 guarantees independence from state politics but what it really guarantees is independence from ANY accountability. 92 creates an expanded community college board and lets them set salaries and benefits for additional bureaucrats and administrators with no independent oversight. Taxpayers won't know how the funds are spent!

We support community colleges, but Prop. 92 could actually result in funding cuts for K-12 schools, state colleges, and universities.

Teachers, employers, and taxpayers urge "no" on 92!

ALLAN ZAREMBERG, President
California Chamber of Commerce
JOEL FOX, President
Small Business Action Committee
TERESA CASAZZA, Acting President
California Taxpayers' Association

★ ARGUMENT AGAINST PROPOSITION 92 ★

PROPOSITION 92 IS NOT WHAT IT SEEMS. IT WOULD CAUSE MORE PROBLEMS THAN IT COULD EVER SOLVE AND DESERVES YOUR “NO” VOTE.

The question before voters is NOT whether community colleges are important. We are all strong supporters of our community college system.

Instead, the real question is whether California can afford to lock a huge new spending mandate into our Constitution that:

- Contains no accountability provisions to make sure the money ends up in the college classroom instead of being wasted on bureaucracy or administration; and that could jeopardize funding for K–12 schools, healthcare, and law enforcement.

A broad coalition of classroom teachers, other educators, and taxpayer and business groups have studied this proposal and concluded that *Proposition 92 is flawed and a bad deal for our children and for California.* Here’s why:

PROPOSITION 92 HAS NO ACCOUNTABILITY REQUIREMENTS TO MAKE SURE THE MONEY GETS INTO CLASSROOMS.

- It mandates hundreds of millions of dollars in taxpayer spending with no assurances the new money wouldn’t be wasted on more bureaucracy and administrative “overhead.” Under Proposition 92, taxpayers will never know how the funds are really spent.
- It doesn’t dedicate the money to specific purposes like computers, books, and labs. It requires NO public audits and contains NO penalties for misusing the funds.
- It amounts to a blank taxpayer check that could be spent to hire even more bureaucrats and administrators, give them huge raises, or build them extravagant offices.

PROPOSITION 92 MANDATES TAXPAYER SPENDING WITHOUT A WAY TO PAY FOR IT.

- Nowhere in the measure does it identify a way to pay for all the new spending. The politicians would be left to decide. *They could raise the sales tax or put new taxes on other items or even increase our income taxes to raise the money this measure would require. Or, they could cut education funding, including K–12 schools.*

- We all want to make sure our public schools and colleges have the funds they need to teach our children, but this initiative gives community colleges preferential treatment. It doesn’t make sense to spend \$70 million to roll back fees that are already the lowest in the nation (just \$20 a unit—and a third of the national average) and then ask taxpayers to pay more or cut funding for other critical needs.

THE STATE HAS MANY OTHER PRESSING NEEDS THAT MUST BE ADDRESSED, LIKE FUNDING K–12 SCHOOLS, HEALTHCARE, AND PUBLIC SAFETY.

- California still faces chronic budget deficits—projected to be more than 5 billion dollars in 2008. Proposition 92 would make it even worse.

- We should not lock new spending requirements into our Constitution at the expense of our children’s education, our healthcare, and law enforcement.

THERE ARE BETTER WAYS TO IMPROVE OUR COMMUNITY COLLEGES WITHOUT ALL THE PROBLEMS CREATED BY PROPOSITION 92.

Proposition 92 is the wrong way to go. Please join us in voting “NO” on Proposition 92.

DAVID A. SANCHEZ, President
California Teachers Association

BILL HAUCK, President
California Business Roundtable

TERESA CASAZZA, Acting President
California Taxpayers’ Association

★ REBUTTAL TO ARGUMENT AGAINST PROPOSITION 92 ★

The opponents of Proposition 92 say rolling back community college fees “doesn’t make sense.”

WE ARE COMMUNITY COLLEGE STUDENTS AND WE DISAGREE. In 2003–04, when the Legislature hiked fees from \$11 to \$26 per unit, 305,000 fewer students attended California community colleges.

The opponents of Proposition 92 say we should let the Legislature continue to make all of the decisions. That’s easy for them to say . . . **THEY ALL HIRE LOBBYISTS TO FIGHT FOR THEM.** Community college students don’t have lobbyists . . . but we do have you, the voters.

PROPOSITION 92 DOESN’T RAISE YOUR TAXES . . . IT LOWERS OUR FEES. State law requires the non-partisan Legislative Analyst to highlight any tax increases in Proposition 92, but look carefully. There is nothing to highlight because it doesn’t raise taxes.

PROPOSITION 92 GIVES EVERY CALIFORNIAN A CHANCE TO GO TO COLLEGE. Community college graduates become our nurses, firefighters, and police officers. After completing school, community college graduates earn

\$47,571 . . . but only \$25,600 if they don’t.

PROPOSITION 92 PROTECTS ACCOUNTABILITY LAWS—GUARANTEEING THAT THE MONEY IS SPENT IN THE CLASSROOM.

Skyrocketing community college fees are nothing more than a tax on us—community college students. We are parents, veterans back from Iraq, and first generation college students working our way through school for a better life.

We work at minimum wage jobs so we can afford books, pay rent, raise families . . . and finish college.

PLEASE VOTE YES ON PROPOSITION 92 AND LOWER OUR FEES SO MORE CALIFORNIANS CAN GO TO COLLEGE. THANK YOU.

STEFAN LEE, Student
Sacramento City College

VALERIE NOVAK, Student
San Joaquin Delta College

SAMUEL AGUILAR III, Student
College of the Desert

**LIMITS ON LEGISLATORS' TERMS IN OFFICE.
INITIATIVE CONSTITUTIONAL AMENDMENT.**

- Reduces the total amount of time a person may serve in the state legislature from 14 years to 12 years.
- Allows a person to serve a total of 12 years either in the Assembly, the Senate, or a combination of both.
- Provides a transition period to allow current members to serve a total of 12 consecutive years in the house in which they are currently serving, regardless of any prior service in another house.

SUMMARY OF LEGISLATIVE ANALYST'S ESTIMATE OF NET STATE AND LOCAL GOVERNMENT FISCAL IMPACT:

- This measure would have no direct fiscal effect on state or local governments.

ANALYSIS BY THE LEGISLATIVE ANALYST

BACKGROUND

The state's voters passed Proposition 140 at the November 1990 election. As well as other changes, Proposition 140 changed the State Constitution to create term limits for the Legislature—Members of the Assembly and Senate. Term limits restrict the number of years that individuals can serve in the Legislature. Currently, an individual generally cannot serve a total of more than 14 years in the Legislature. (An exception is when an individual serves additional time by finishing out less than one-half of another person's term.) An individual's service is restricted to six years in the Assembly (three two-year terms) and eight years in the Senate (two four-year terms).

PROPOSAL

Time Limits Without Regard to Legislative House. Under this measure, an individual could serve a total of 12 years in the Legislature (compared to 14 years currently). Unlike the current system, these years could be served without regard to whether they were in the Assembly or Senate. In other words, an individual could serve six two-year terms in the Assembly, three four-

year terms in the Senate, or some combination of terms in both houses. (As under current law, an individual could serve additional time by finishing out less than one-half of another person's term.)

Current Members of the Legislature. Under this measure, existing Members of the Legislature could serve up to a total of 12 years in their current legislative house (regardless of how many years were already served in the other house). This could result in some current Members serving longer than 14 years in the Legislature.

FISCAL EFFECTS

By altering term limits for Members of the Legislature, the measure would likely change which individuals are serving in the Legislature at any time. This would not have any direct fiscal effect on total state spending or revenues. The different composition of the Legislature, however, would likely lead to different decisions being made—for example on legislation and the state budget—than would otherwise be the case. These decisions could have an effect on state spending and revenues. Any such indirect impacts, however, are unknown and impossible to estimate.

★ ARGUMENT IN FAVOR OF PROPOSITION 93 ★

Proposition 93 reforms California's 17-year-old term limits law to make the Legislature more effective. This thoughtful proposition strikes a reasonable balance between the need to elect new people with fresh ideas, and the need for experienced legislators with the knowledge and expertise to solve the complex problems facing our state.

California's current term limits law allows legislators to serve a total of 14 years: 3 two-year terms in the State Assembly and 2 four-year terms in the State Senate.

Proposition 93 reforms the law in two important ways:

- It reduces the total number of years new legislators can serve from 14 years to 12, and;
- It allows all 12 years to be served entirely in the State Assembly, State Senate, or a combination of both.

These simple but important adjustments will let legislators spend more time working for taxpayers, and less time worrying about which office to run for next.

An independent study by the nonpartisan Public Policy Institute of California (PPIC) found that term limits have produced important benefits, but "have been accompanied by unintended consequences [that] diminish the Legislature's capacity to perform its basic duties."

The study found term limits increased the potential for "fiscal irresponsibility" in the Legislature, while providing "less incentive, experience, and leadership to correct it." Rapid turnover in the Legislature has also reduced "expertise in many important policy areas."

Other independent studies have reached similar conclusions. You can read these studies at www.termlimitsreform.com/studies.

The PPIC study recommends specific changes to our current term limits law to "improve the Legislature's ability to perform its role." These changes form the basis for the reforms in Proposition 93.

There is a real need to reform term limits:

- The Legislature takes twice as long to pass a budget now than before we had term limits.
- Freshman legislators with little or no state policy experience are now in charge of twelve important committees that decide policy for our schools, housing, jobs, public safety, transportation, and the environment.

Proposition 93 isn't a magic cure for these problems.

But it is an important and balanced step in the right direction. It will make our Legislature more effective, more accountable, and better able to solve problems you care about.

Allowing legislators to serve 12 years in either the State Assembly or State Senate will let them gain experience and expertise—essential for dealing with complicated public policy issues with long-term consequences. Committees will be led by experienced lawmakers who can better oversee state bureaucrats. And more legislators will focus on California's long-term needs, instead of their own short-term careers.

By serving 12 years in one house, fewer politicians will be plotting their next political move as soon as they get elected—meaning fewer fundraisers, less "musical chairs" and more on-time budgets.

Proposition 93 will improve the Legislature's ability to solve problems. Read the PPIC study at www.ppic.org.

Proposition 93 balances the benefits of term limits with the need for more lawmaking experience. Vote "yes" on Proposition 93.

BETTY JO TOCCOLI, President
California Small Business Association

RICHARD RIORDAN, Former California Education Secretary

SUSAN SMARTT, Executive Director
California League of Conservation Voters

★ REBUTTAL TO ARGUMENT IN FAVOR OF PROPOSITION 93 ★

A NO vote on Proposition 93 is a vote FOR term limits. Career politicians and powerful special interests who fund them refuse to respect the will of the people. They're at it again with Proposition 93.

The only ones who want to "reform" term limits are the politicians and special interests who have their power curtailed by term limits. But don't be fooled—Proposition 93 is no reform.

Proposition 93 is *not* reform when it has a *special loophole that benefits 42 incumbent politicians* who are termed out by giving them more time in office. Some politicians will even be able to serve up to 20 years in office—just like before we passed term limits.

Proposition 93 is *not* reform when it *lengthens* terms for politicians. It *doubles* Assembly terms from 6 years to 12 years and *makes Senate terms 50% longer*—increasing them from 8 years to 12 years.

Proposition 93 is *not* reform when it dramatically *increases terms for more than 80% of state legislators*.

Proposition 93 is *not* reform when *powerful special interests with business before the Legislature* are spending millions of dollars to pass it.

To learn more about Proposition 93, the scam to cripple term limits, please visit www.stopthepoliticians.com.

Proposition 93 is an arrogant and self-serving power grab by career politicians. Save California's term limits—vote NO on Proposition 93.

MARTHA MONTELONGO, Vice-President
California Term Limits Defense Fund

JON COUPAL, President
Howard Jarvis Taxpayers Association

STEVE POIZNER, California Insurance Commissioner

★ **ARGUMENT AGAINST PROPOSITION 93** ★

Proposition 93 is a scam that would actually *lengthen* politicians' terms in office. It is intentionally deceptive because it claims to toughen term limits when it would in fact cripple term limits.

Proposition 93 is designed to trick voters and sabotage voter-approved term limits. It's written by career politicians and funded by millions of dollars from special interests with business before the Legislature.

Look at the facts and decide for yourself:

Proposition 93 has a *special loophole that benefits 42 incumbent politicians* who are termed out by giving them more time in office. Some politicians will even be able to serve up to 20 years in office—just like before we passed term limits.

The initiative lengthens terms for politicians. It *doubles* Assembly terms from 6 years to 12 years and *makes Senate terms 50% longer*—increasing them from 8 years to 12 years.

Proposition 93 will dramatically *increase terms for more than 80% of state legislators*. Politicians will have more time to develop cozy relationships with lobbyists.

That's why Proposition 93 is *funded by millions of dollars from major special interests with business before the Legislature*, including developers, energy companies, gambling interests, large insurance companies, and trial lawyers.

In order to uphold the will of the voters and save California's term limits, vote NO on Proposition 93.

Time and again, Californians have voted for reasonable term limits to break the stranglehold that power-hungry career politicians had on our state legislature. The current voter-approved term limits require politicians to give up power and level the playing field so voters have more choices in elections.

That is why politicians and their special interest cronies don't like term limits. And that's why they are trying to fool us into supporting Proposition 93.

This initiative is written by leaders of the state legislature trying to hang on to their power and perks. They know, if it doesn't pass, they will be termed out of office next year.

California's leading taxpayer groups oppose Proposition 93. They say it's just another attempt by politicians to deceive the public and evade term limits.

Newspapers also criticize the initiative, calling it a "phony reform." One newspaper said it "has a loophole for those already in office." Another reported the initiative "would add to the political longevity of California's state lawmakers." A third declared it "looks like legislators are trying to take care of themselves."

California's current term limits law opened up the system and enabled new people with new ideas to seek office. But Proposition 93 sets back the clock and limits opportunities for more women and minorities to be elected to the Legislature.

If Proposition 93 passes, career politicians and special interests win. California's voters lose.

Proposition 93 is a scam to subvert the will of the voters. Don't let politicians and special interests get away with tricking us. Don't be fooled by this sneaky effort to sabotage term limits. VOTE NO on PROPOSITION 93.

LEWIS K. UHLER, President
National Tax Limitation Committee

JULIE VANDERMOST, President
California Women's Leadership Association

TIMOTHY J. ESCOBAR, Vice-President
U.S. Term Limits

★ **REBUTTAL TO ARGUMENT AGAINST PROPOSITION 93** ★

Look carefully at who's attacking Proposition 93.

An East Coast group called U.S. Term Limits is the key opponent of Proposition 93. Here's what you should know about them:

On October 2, 2007, a top official of U.S. Term Limits was indicted for conspiracy to commit campaign fraud.

Last year, Oregon newspapers exposed U.S. Term Limits for using out-of-state money to promote a phony reform initiative, which voters rejected. (*The Oregonian*, "N.Y. cash colors Oregon ballot," August 5, 2006.)

North Dakota's Secretary of State accused their campaign of "deceit, fraud, conspiracy, perjury, and disregard for the Constitution and state law."

Now these same people have come to California to wage a campaign against Proposition 93.

They say Proposition 93 "lengthens terms for politicians." In fact, it **REDUCES** the time legislators can serve from 14 to 12 years. To be consistent with the Constitution, existing lawmakers may serve a **TOTAL** of 12 years in the house they're in . . . NOT 12 years more.

We can't afford to lose the experience already gained by existing lawmakers; it's desperately needed to help solve California's problems.

They say Proposition 93 shuts the door on women and minorities. That's not true. Proposition 93 lets legislators spend more time working for taxpayers and less time campaigning for their next office.

Don't be fooled. Proposition 93 improves California's term limits law by striking a reasonable balance between the need for new ideas and the urgent need for experienced legislators to solve the complex problems facing our state. Vote YES.

LIANE M. RANDOLPH, Former Chairman
California Fair Political Practices Commission

RICK MATTOS, President
California Association of Highway Patrolmen

ELIZABETH M. PERRY, Public Policy Director
Older Women's League of California

POLITICAL PARTY STATEMENTS OF PURPOSE

★ REPUBLICAN PARTY ★

The Republican Party is committed to improving our quality of life in every part of California. We're working to achieve this by creating jobs, improving schools, keeping communities safe, and improving the state's health care and environment.

Top Priorities:

- Promoting an economy that creates new job opportunities for all Californians
- Improving our state's education and health care systems to improve our quality of life

The California Republican Party
Ron Nehring, Chairman
Ronald Reagan California Republican Center
1903 West Magnolia Boulevard, Burbank, CA 91506

- Protecting taxpayers by limiting taxes and forcing government to live within its means

Join us in building a better California that provides opportunity for families today and for future generations.

The Republican Party has over 5.3 million members in California. For more information, call 818-841-5210 or visit www.cagop.org.

(818) 841-5210
Website: www.cagop.org

★ GREEN PARTY ★

Voting Green for president is voting for the only national party that:

- Supports immediate withdrawal of troops from Iraq, closing Guantanamo, and ending the anti-civil liberties Patriot Act.
- Supports immediate, strong measures to address climate change through efficiency, conservation, and clean renewable energy.
- Supports universal healthcare.
- Openly acknowledges the 2000 Florida election process was stolen and led the 2004 Ohio recount.
- Supports voter verifiable auditable paper trails and open source coding for computer voting machines to mitigate future election fraud.
- Supports abolishing the outdated Electoral College and replacing it with a national popular vote.

Green Party of California
P.O. Box 2828, Sacramento, CA 95812

- Supports instant runoff voting to allow voters to rank candidates, protecting majority rule and voter choice.
- Supports 100% public financing of campaigns; free time for candidates on our publicly owned radio and TV airwaves; and repeal of unfair ballot access laws that privilege major parties and obstruct third parties and independents.
- Supports proportional representation, same-day voter registration, and a constitutional right to vote.
- Opposes the early primary scheduling shuffle that rewards big money/media campaigns at the expense of community-based, grassroots organizing.
- Supports more than just two voices in the general election presidential debates.
- Supports living wages, immigrants' rights, and education not incarceration.

(916) 448-3437
E-mail: gpcac@greens.org Website: www.cagreens.org

★ PEACE AND FREEDOM PARTY ★

The Peace and Freedom Party of California stands for democracy, cooperation, and sharing. We want to organize and educate the public to work together to meet human needs.

The party believes the role of government should be to make sure that everyone has jobs, housing, education, health care, and equal rights. We support marriage equality, immigration rights, organized labor, and universal single-payer health care. We oppose the current U.S. military actions in Iraq and Afghanistan.

Peace and Freedom Party of California
5960 South Land Park Drive #385, Sacramento, CA 95822

Our top priorities are:

1. Bring all troops home now.
2. Double the minimum wage.
3. One system of free, quality health care for all.

More information about Peace and Freedom Party can be found on www.peaceandfreedom.org.

(510) 465-9414, (323) 759-9737
Website: www.peaceandfreedom.org

POLITICAL PARTY STATEMENTS OF PURPOSE

★ LIBERTARIAN PARTY ★

The Libertarian Party is America's best choice for government. Like you, we have jobs, businesses, families, and dreams. We've entered the political arena to restore liberty and American values. We're working toward a government that taxes and spends less and won't interfere with your personal life.

If you describe yourself as socially tolerant and fiscally responsible, you're a Libertarian!

We believe that you, not the government, should decide how to run your life, checkbook, retirement, education, and family.

The Libertarian Party supports your right to:

- Keep what you earn. Reduce or eliminate taxes whenever possible.

- Run your own business and enjoy your property. Reducing regulations and paperwork creates more jobs, higher pay, and lower prices.
- Educate your children as you see fit.
- Choose your own lifestyle. The government shouldn't consider you a criminal because of your choices in relationships, recreation, or medical treatment.
- Truly equal treatment under the law regardless of race, gender, religion, sexuality, or personal characteristics.
- Own a firearm. Self-defense is a right, not a political favor.

We're the third largest political party in the U.S., with more party members in elected offices than all other minor parties combined. Join us today!

Libertarian Party of California

14547 Titus Street, Suite 214, Panorama City, CA 91402-4935

(877) 884-1776

E-mail: office@ca.lp.org Website: www.ca.lp.org

★ AMERICAN INDEPENDENT PARTY ★

The American Independent Party is the party of ordered liberty in a nation under God. We believe in strict adherence to written law. We believe the Constitution is the contract America has with itself. Its willful distortion has led to the violation of our Tenth-Amendment-guaranteed right to limited government—which inevitably requires oppressive taxation. Its application will lift that burden.

Freed from the lawless oppression of Liberal rule we may then compassionately and justly use our energy and ingenuity to provide for ourselves and our families. We will then establish truly free and responsible enterprise and reassert the basic human right to property.

We believe in protecting all human life however weak, defenseless, or disheartened; endorse the family as the essential bulwark of liberty, compassion, responsibility, and industry; and declare the family's right and responsibility to nurture, discipline, and educate their children.

We assert the absolute, concurrent Second-Amendment-guaranteed right of individuals to self-defense coupled with a strong common defense, a common defense which requires a national sovereignty not damaged by imprudent treaties. We oppose all illegal immigration. We support secure borders and immigration policies that invite the best of the world to join us in freedom.

American Independent Party

Ed Noonan, State Chair

1561 N. Beale Rd., Marysville, CA 95901-6812

(530) 743-6878

Website: www.aipca.org

★ DEMOCRATIC PARTY ★

With Iraq in a quagmire and the economy hurting, led by the housing crisis, America needs change.

After our primary, Democrats and Independents must rally around our nominee to ensure the change we need.

Democrats have long fought to *create* a vibrant economy, *improve* education, *ensure* public safety and national security, *expand* access to health care, and *help* the struggling middle class.

Democratic accomplishments and priorities under House Speaker Nancy Pelosi include:

- First minimum wage increase in 10 years
- Education reform to ensure America leads the world in research and technology
- A military pay raise
- New quality care standards for wounded troops and veterans

- 50,000 new police officers
- Tough rules to establish highest ethical standards in Congressional history

By electing a Democrat to the White House and Democrats to Congress, we will continue fighting for:

- Responsible economic stimulation and job security for working Americans
- A woman's right to choose
- Protection of Social Security and Medicare
- An end to the war in Iraq
- Greater energy independence

Democrats are the only major party to allow Independents to vote in our presidential primary. Join our network at www.cadem.org/signup.

California Democratic Party

Senator Art Torres (Ret.), Chairman

1401 21st Street, Suite 200, Sacramento, CA 95811

(916) 442-5707 / 5715 Fax

(310) 407-0980 / 0981 Fax

E-mail: info@cadem.org Website: www.cadem.org

PROPOSITION 91

This initiative measure is submitted to the people of California in accordance with the provisions of Section 8 of Article II of the California Constitution.

This initiative measure amends, repeals, and adds sections to the California Constitution; 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. TITLE.**

This act shall be known, and may be cited as, The Transportation Funding Protection Act of 2006.

SECTION 2. FINDINGS AND DECLARATIONS.

The people find and declare as follows:

(a) California's roads and highways are deteriorating at a rapid pace.

(b) The cause of this deterioration is the annual diversion by the Legislature of state gasoline and diesel taxes for purposes other than transportation.

(c) The purpose of this Act is to halt the diversions, preserve these revenues for the transportation purposes to which they are dedicated, and require repayment of transportation funds previously diverted for non-transportation purposes.

(d) If a catastrophic natural disaster or other grave emergency causes serious damage to California's transportation system, sufficient funds will be immediately available to repair the damage and rebuild the transportation system.

SECTION 3. Section 6 of Article XIX of the California Constitution is amended to read:

~~SEC. 6. The tax revenues designated under this article may be loaned to the General Fund only if one of the following conditions is imposed:~~

~~(a) That any amount loaned is to be repaid in full to the fund from which it was borrowed during the same fiscal year in which the loan was made, except that repayment may be delayed until a date not more than 30 days after the date of enactment of the budget bill for the subsequent fiscal year.~~

~~(b) That any amount loaned is to be repaid in full to the fund from which it was borrowed within three fiscal years from the date on which the loan was made and one of the following has occurred:~~

~~(1) The Governor has proclaimed a state of emergency and declares that the emergency will result in a significant negative fiscal impact to the General Fund.~~

~~(2) The aggregate amount of General Fund revenues for the current fiscal year, as projected by the Governor in a report to the Legislature in May of the current fiscal year, is less than the aggregate amount of General Fund revenues for the previous fiscal year, adjusted for the change in the cost of living and the change in population, as specified in the budget submitted by the Governor pursuant to Section 12 of Article IV in the current fiscal year.~~

~~(c) Nothing in this section prohibits the Legislature from authorizing *The Legislature may*, by statute, *authorize* loans to local transportation agencies, cities, counties, or cities and counties, from funds that are subject to this article, for the purposes authorized under this article. Any loan authorized as described by this subdivision *section* shall be repaid, with interest at the rate paid on money in the Pooled Money Investment Account, or any successor to that account, during the period of time that the money is loaned, to the fund from which it was borrowed, not later than four years after the date on which the loan was made.~~

SECTION 4. Section 1 of Article XIX A of the California Constitution is repealed.

~~SECTION 1. The funds in the Public Transportation Account in the State Transportation Fund, or any successor to that account, may be loaned to the General Fund only if one of the following conditions is imposed:~~

~~(a) That any amount loaned is to be repaid in full to the account during the same fiscal year in which the loan was made, except that repayment may be delayed until a date not more than 30 days after the date of enactment of the budget bill for the subsequent fiscal year.~~

~~(b) That any amount loaned is to be repaid in full to the account within three fiscal years from the date on which the loan was made and one of the following has occurred:~~

~~(1) The Governor has proclaimed a state of emergency and declares that the emergency will result in a significant negative fiscal impact to the General Fund.~~

~~(2) The aggregate amount of General Fund revenues for the current fiscal year, as projected by the Governor in a report to the Legislature in May of the current fiscal year, is less than the aggregate amount of General Fund revenues for the previous fiscal year, as specified in the budget submitted by the Governor pursuant to Section 12 of Article IV in the current fiscal year.~~

SECTION 5. Section 1 of Article XIX B of the California Constitution is amended to read:

~~SECTION 1. (a) For the 2003–04 fiscal year and each fiscal year thereafter, all moneys that are collected during the fiscal year from taxes under the Sales and Use Tax Law (Part 1 (commencing with Section 6001) of Division 2 of the Revenue and Taxation Code), or any successor to that law, upon the sale, storage, use, or other consumption in this State of motor vehicle fuel, and that are deposited in the General Fund of the State pursuant to that law, shall be transferred to the Transportation Investment Fund, which is hereby created in the State Treasury.~~

~~(b) (1) For the 2003–04 to 2007–08 fiscal years, inclusive, moneys in the Transportation Investment Fund shall be allocated, upon appropriation by the Legislature, in accordance with Section 7104 of the Revenue and Taxation Code as that section read on March 6, 2002.~~

~~(2) For the 2008–09 fiscal year and each fiscal year thereafter, moneys in the Transportation Investment Fund shall be allocated solely for the following purposes:~~

~~(A) Public transit and mass transportation.~~

~~(B) Transportation capital improvement projects, subject to the laws governing the State Transportation Improvement Program, or any successor to that program.~~

~~(C) Street and highway maintenance, rehabilitation, reconstruction, or storm damage repair conducted by cities, including a city and county.~~

~~(D) Street and highway maintenance, rehabilitation, reconstruction, or storm damage repair conducted by counties, including a city and county.~~

~~(c) For the 2008–09 fiscal year and each fiscal year thereafter, moneys in the Transportation Investment Fund shall be allocated, upon appropriation by the Legislature, as follows:~~

~~(A) Twenty percent of the moneys for the purposes set forth in subparagraph (A) of paragraph (2) of subdivision (b).~~

~~(B) Forty percent of the moneys for the purposes set forth in subparagraph (B) of paragraph (2) of subdivision (b).~~

~~(C) Twenty percent of the moneys for the purposes set forth in subparagraph (C) of paragraph (2) of subdivision (b).~~

~~(D) Twenty percent of the moneys for the purposes set forth in subparagraph (D) of paragraph (2) of subdivision (b).~~

~~(d) ~~(1) Except as otherwise provided by paragraph (2), the~~ The transfer of revenues from the General Fund of the State to the Transportation Investment Fund pursuant to subdivision (a) may be suspended, in whole~~

or in part, for a *any fiscal year preceding the 2007–08 fiscal year* if *all* both of the following conditions are met:

(A) The Governor issues a proclamation that declares that, due to a severe state fiscal hardship, the suspension of the transfer of revenues required by subdivision (a) is necessary:

(1) *The Governor has issued a proclamation that declares that the transfer of revenues pursuant to subdivision (a) will result in a significant negative fiscal impact on the range of functions of government funded by the General Fund of the State.*

(B) (2) The Legislature enacts by statute, pursuant to a bill passed in each house of the Legislature by rollcall vote entered in the journal, two-thirds of the membership concurring, a suspension for that fiscal year of the transfer of revenues required by *pursuant to subdivision (a) and, provided that* the bill does not contain any other unrelated provision.

(C) ~~No later than the effective date of the statute described in subparagraph (B), a separate statute is enacted that provides for the full repayment to the Transportation Investment Fund of the total amount of revenue that was not transferred to that fund as a result of the suspension, including interest as provided by law. This full repayment shall be made not later than the end of the third fiscal year immediately following the fiscal year to which the suspension applies.~~

(2)(A) The transfer required by subdivision (a) shall not be suspended for more than two fiscal years during any period of 10 consecutive fiscal years, which period begins with the first fiscal year commencing on or after July 1, 2007, for which the transfer required by subdivision (a) is suspended:

(B) The transfer required by subdivision (a) shall not be suspended during any fiscal year if a full repayment required by a statute enacted in accordance with subparagraph (C) of paragraph (1) has not yet been completed:

(e) (1) *The total amount, as of July 1, 2007, of revenues that were not transferred from the General Fund of the State to the Transportation Investment Fund because of a suspension pursuant to subdivision (d) shall be repaid to the Transportation Fund no later than June 30, 2017. Until this total amount has been repaid, the amount of that repayment to be made in each fiscal year shall not be less than 1/10 of the total amount due.*

(2) *The Legislature may provide by statute for the issuance of bonds by the State or local agencies, as applicable, that are secured by the payments required by paragraph (1). Proceeds of the sale of the bonds shall be applied for purposes consistent with this article, and for costs associated with the issuance and sale of bonds.*

(e) (f) The Legislature may enact a statute that modifies the percentage shares set forth in subdivision (c) by a bill passed in each house of the Legislature by rollcall vote entered in the journal, two-thirds of the membership concurring, provided that the bill does not contain any other unrelated provision and that the moneys described in subdivision (a) are expended solely for the purposes set forth in paragraph (2) of subdivision (b).

(f) (1) ~~An amount equivalent to the total amount of revenues that were not transferred from the General Fund of the State to the Transportation Investment Fund, as of July 1, 2007, because of a suspension of transfer of revenues pursuant to this section as it read on January 1, 2006, but excluding the amount to be paid to the Transportation Deferred Investment Fund pursuant to Section 63048.65 of the Government Code, shall be transferred from the General Fund to the Transportation Investment Fund no later than June 30, 2016. Until this total amount has been transferred, the amount of transfer payments to be made in each fiscal year shall not be less than one-tenth of the total amount required to be transferred by June 30, 2016. The transferred revenues shall be allocated solely for the purposes set forth in this section as if they had been received in the absence of a suspension of transfer of revenues:~~

(2) ~~The Legislature may provide by statute for the issuance of bonds by the state or local agencies, as applicable, that are secured by the minimum transfer payments required by paragraph (1). Proceeds from the sale of those bonds shall be allocated solely for the purposes set forth in this section as if they were revenues subject to allocation pursuant to paragraph (2) of subdivision (b):~~

SECTION 6. Article XIX C is added to the California Constitution, to read:

SECTION 1. Tax revenues designated in Articles XIX and XIX B, and funds designated in Article XIX A may be loaned to the General Fund to meet the short term cash flow needs of the State only if the loan is to be repaid in full to the fund or account from which it was borrowed during the same fiscal year in which the loan was made, except that repayment may be delayed until a date not more than 30 days after the date of enactment of the budget bill for the subsequent fiscal year. In no event shall any loan authorized herein impede in any manner the transportation purpose for which the revenues are generated and exist.

SECTION 7. CONFLICTING BALLOT MEASURES.

In the event that this measure and another measure or measures relating to the disposition of transportation revenues shall appear on the same state-wide election ballot, the provisions of the other measures shall be deemed to be in conflict with this measure. In the event that this measure shall receive a greater number of affirmative votes, the provisions of this measure shall prevail in their entirety, and the provisions of the other measures shall be null and void.

PROPOSITION 92

This initiative measure is submitted to the people of California in accordance with the provisions of Section 8 of Article II of the California Constitution.

This initiative measure amends provisions of, and adds provisions to, the California Constitution and the Education 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. Title

This measure shall be known and may be cited as the “Community College Governance, Funding Stabilization, and Student Fee Reduction Act.”

SECTION 2. Findings and Declarations of Purpose

The people of the State of California find and declare that:

1. California’s community colleges enroll over 2.5 million students each year, providing opportunities for higher education and the skills to be competitive in California’s workforce.
2. California’s community colleges are affordable. Low student fees and financial aid have made community colleges a gateway to a better life for millions of Californians.
3. Business leaders call California’s community colleges a vital component of our state’s workforce development, contributing to a healthy economy.
4. The state can fund community college enrollment growth without raising taxes or taking funds from K–12 schools. A dual-funding mechanism under Proposition 98 will achieve both.
5. This initiative will lower student fees and prevent fees from increasing at a rate faster than the growth in personal incomes.
6. Community colleges should be accountable to taxpayers through the election of local boards facing regular election.

Therefore, the people of the State of California hereby adopt the Community College Governance, Funding Stabilization, and Student Fee Reduction Act.

SECTION 3. Section 4 of Article VII of the California Constitution is amended to read:

SEC. 4. The following are exempt from civil service:

(a) Officers and employees appointed or employed by the Legislature, either house, or legislative committees.

(b) Officers and employees appointed or employed by councils, commissions or public corporations in the judicial branch or by a court of record or officer thereof.

(c) Officers elected by the people and a deputy and an employee selected by each elected officer.

(d) Members of boards and commissions.

(e) A deputy or employee selected by each board or commission either appointed by the Governor or authorized by statute.

(f) State officers directly appointed by the Governor with or without the consent or confirmation of the Senate and the employees of the Governor's office, and the employees of the Lieutenant Governor's office directly appointed or employed by the Lieutenant Governor.

(g) A deputy or employee selected by each officer, except members of boards and commissions, exempted under Section 4(f).

(h) Officers and employees of the University of California and the California State Colleges University and executive officers of the Board of Governors of the California Community Colleges.

(i) The teaching staff of schools under the jurisdiction of the Department of Education or the Superintendent of Public Instruction.

(j) Member, inmate, and patient help in state homes, charitable or correctional institutions, and state facilities for mentally ill or retarded persons.

(k) Members of the militia while engaged in military service.

(l) Officers and employees of district agricultural associations employed less than 6 months in a calendar year.

(m) In addition to positions exempted by other provisions of this section, the Attorney General may appoint or employ six deputies or employees, the Public Utilities Commission may appoint or employ one deputy or employee, and the Legislative Counsel may appoint or employ two deputies or employees.

SECTION 4. Section 17 is added to Article IX of the California Constitution, to read:

SEC. 17. The Legislature shall provide for an independent public postsecondary education system of local community college districts as part of the Public School System.

SECTION 5. Section 18 is added to Article IX of the California Constitution, to read:

SEC. 18. Each local community college district within the system shall be established in accordance with law and governed by a locally elected board whose functions shall be delineated in law.

SECTION 6. Section 19 is added to Article IX of the California Constitution, to read:

SEC. 19. (a) The independent postsecondary education system of local community college districts shall be coordinated by a system office governed by a Board of Governors of the California Community Colleges composed of 19 members appointed by the Governor.

(b) The membership of the Board of Governors of the California Community Colleges shall include 12 public members, at least three of whom are, or have been, elected local community college district board members, who shall serve six-year terms. In addition there shall be two current or former community college employees, three current or former community college faculty members, who shall serve three-year terms, and two community college students, who shall serve one-year terms.

(c) The Board of Governors of the California Community Colleges shall have full power to employ and set the compensation for executive officers of the system office exempt from civil service pursuant to Section 4 of Article VII and to determine expenditures within the system office budget established by law.

(d) The work of the Board of Governors of the California Community Colleges at all times shall be directed to maintaining and continuing, to the maximum degree permissible, local authority and control in the governance and administration of the local community college districts and system.

(e) The Legislature shall provide through the annual budget act sufficient funding for state operations to provide accountability and leadership of the system of local community college districts.

(f) No provisions of the Community College Governance, Funding Stabilization, and Student Fee Reduction Act shall be interpreted or applied to exempt the Board of Governors, or the community colleges, from obligations imposed by law with respect to matters other than those imposed by that act. Nor shall any provision of that act be construed or applied to authorize the Board of Governors, or any board officer or agent, to exercise authority with respect to the wages, hours or working conditions of employees of any community college district. Nor shall any provision of that act be construed or applied to alter the rights of the state employees of the Chancellor's Office Community Colleges System Office with respect to the state civil service or collective bargaining as set forth in applicable law. In adopting the Community College Governance, Funding Stabilization, and Student Fee Reduction Act, the people do not intend to establish the community colleges, the Board of Governors, or any individual college or district, as a "constitutional agency" as that term is used in the decisional law of this State, or to divest any community college employee or labor organization, or any community college district or governing board, of any previously accrued right, nor to affect the standards of judicial review applicable to actions of the Board of Governors, the community colleges, or any individual college or district, as to any matter other than those which affect the Board of Governors internal organization as set forth in the Community College Governance, Funding Stabilization, and Student Fee Reduction Act.

SECTION 7. Section 8 of Article XVI of the California Constitution is amended to read:

SEC. 8. (a) From all state revenues there shall first be set apart the moneys to be applied by the State for support of the public school system and public institutions of higher education.

(b) Commencing with the 1990-91 fiscal year, the moneys to be applied by the State for the support of school districts and community college districts shall be not less than the greater of the following amounts:

(1) The amount which, as a percentage of General Fund revenues which may be appropriated pursuant to Article XIII B, equals the percentage of General Fund revenues appropriated for school districts and community college districts, respectively, in fiscal year 1986-87.

(2) The amount required to ensure that the total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B and allocated local proceeds of taxes shall not be less than the total amount from these sources in the prior fiscal year, excluding any revenues allocated pursuant to subdivision (a) of Section 8.5, adjusted for changes in enrollment and adjusted for the change in the cost of living pursuant to paragraph (1) of subdivision (e) of Section 8 of Article XIII B. This paragraph shall be operative only in a fiscal year in which the percentage growth in California per capita personal income is less than or equal to the percentage growth in per capita General Fund revenues plus one half of one percent.

(3) (A) The amount required to ensure that the total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B and allocated local proceeds of taxes shall equal the total amount from these sources in the prior fiscal year, excluding any revenues allocated pursuant to subdivision (a) of Section 8.5, adjusted for changes in enrollment and adjusted for the change in per capita General Fund revenues.

(B) In addition, an amount equal to one-half of one percent times the prior year total allocations to school districts and community colleges from General Fund proceeds of taxes appropriated pursuant to Article XIII B and allocated local proceeds of taxes, excluding any revenues allocated pursuant to subdivision (a) of Section 8.5, adjusted for changes in enrollment.

(C) This paragraph (3) shall be operative only in a fiscal year in which the percentage growth in California per capita personal income in a fiscal year is greater than the percentage growth in per capita General Fund revenues plus one half of one percent.

(c) In any fiscal year, if the amount computed pursuant to paragraph (1) of subdivision (b) exceeds the amount computed pursuant to paragraph (2) of subdivision (b) by a difference that exceeds one and one-half percent of General Fund revenues, the amount in excess of one and one-half percent of General Fund revenues shall not be considered allocations to school districts and community colleges for purposes of computing the amount of state aid pursuant to paragraph (2) or 3(3) of subdivision (b) in the subsequent fiscal year.

(d) In any fiscal year in which school districts and community college districts are allocated funding pursuant to paragraph (3) of subdivision (b) or pursuant to subdivision (h)(i), they shall be entitled to a maintenance factor, equal to the difference between (1) the amount of General Fund moneys which would have been appropriated pursuant to paragraph (2) of subdivision (b) if that paragraph had been operative or the amount of General Fund moneys which would have been appropriated pursuant to subdivision (b) had subdivision (b) not been suspended, and (2) the amount of General Fund moneys actually appropriated for school districts and community college districts in that fiscal year.

(e) The maintenance factor for school districts and community college districts determined pursuant to subdivision (d) shall be adjusted annually for changes in enrollment, and adjusted for the change in the cost of living pursuant to paragraph (1) of subdivision (e) of Section 8 of Article XIII B, until it has been allocated in full. The maintenance factor shall be allocated in a manner determined by the Legislature in each fiscal year in which the percentage growth in per capita General Fund revenues exceeds the percentage growth in California per capita personal income. The maintenance factor shall be reduced each year by the amount allocated by the Legislature in that fiscal year. The minimum maintenance factor amount to be allocated in a fiscal year shall be equal to the product of General Fund revenues from proceeds of taxes and one-half of the difference between the percentage growth in per capita General Fund revenues from proceeds of taxes and in California per capita personal income, not to exceed the total dollar amount of the maintenance factor.

(f) Commencing with the 2007–08 fiscal year, in determining the total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B and allocated local proceeds of taxes pursuant to paragraph (2) of subdivision (b), paragraph (3) of subdivision (b), or in the calculation of the maintenance factor created under subdivision (d), the amount shall be separately calculated and appropriated by the Legislature to school districts and community college districts.

(g) For purposes of calculating the total allocations to school districts pursuant to this section, “changes in enrollment” shall be measured by the percentage change in average daily attendance. However, in any fiscal year, there shall be no adjustment for decreases in enrollment between the prior fiscal year and the current fiscal year unless there have been decreases in enrollment between the second prior fiscal year and the prior fiscal year and between the third prior fiscal year and the second prior fiscal year.

(h) For the purposes of calculating the total allocations to community college districts pursuant to this section, “changes in enrollment” shall be measured by the change in the population served by the independent system of public community colleges and other appropriate factors determined pursuant to statute.

(i) Subparagraph (B) of paragraph (3) of subdivision (b) may be suspended for one year only when made part of or included within any bill enacted pursuant to Section 12 of Article IV. All other provisions of subdivision (b) may be suspended for one year by the enactment of an urgency statute pursuant to Section 8 of Article IV, provided that the urgency statute may not be made part of or included within any bill enacted pursuant to Section 12 of Article IV.

SECTION 8. Section 41210 is added to the Education Code, to read:

41210. Notwithstanding any other provision of law, “total allocations to school districts and community college districts” shall not include any of the following:

(a) Any program that was funded by the General Fund and local property taxes in the 2004–05 fiscal year, but not considered as total allocations to school districts and community college districts for the purposes of this section in the 2004–05 fiscal year.

(b) Repayment of bonded indebtedness issued pursuant to the State General Obligation Bond Law (Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code) or its successors or issued after the effective date of this statute pursuant to Chapter 3.7 (commencing with Section 15820.30) or Chapter 3.8 (commencing with Section 15820.50) of Part 10b of Division 3 of Title 2 of the Government Code or its successors.

SECTION 9. Section 41211 is added to the Education Code, to read:

41211. (a) “Changes in enrollment” pursuant to subdivision (h) of Section 8 of Article XVI of the California Constitution shall be the greater of:

(1) The percentage change in population from the second preceding year to the preceding year of the population of residents of the state between age 17 and age 21, inclusive, or

(2) The percentage change in population from the second preceding year to the preceding year of the population of residents of the state between age 22 and age 25, inclusive.

(b) The amount calculated for “changes in enrollment” in subdivision (a) shall be increased by the positive difference of the percentage rate of unemployment of California residents from the third quarter of the preceding year less 5 percent.

(c) If the amount calculated for “changes in enrollment” pursuant to subdivisions (a) and (b) is less than 1 percent and the percentage of residents of the state enrolled in community colleges is less than the average percentage of residents enrolled in community colleges in the preceding 20 years, “changes in enrollment” shall be 1 percent.

(d) Notwithstanding subdivisions (a) and (b), in no year shall “changes in enrollment” pursuant to subdivision (h) of Section 8 of Article XVI of the California Constitution exceed 5 percent.

SECTION 10. Section 41212 is added to the Education Code, to read:

41212. Notwithstanding any other provision of law, 10.46 percent of any funds allocated as repayment of the maintenance factor pursuant to subdivision (e) of Section 8 of Article XVI of the California Constitution existing on the effective date of this section shall be allocated to community colleges.

SECTION 11. Section 41213 is added to the Education Code, to read:

41213. (a) For the purposes of determining the amount required to be appropriated for community colleges pursuant to subdivision (b) of Section 8 of Article XVI of the California Constitution, the amount calculated and appropriated for community colleges shall be not less than the greater of the following amounts:

(1) The total General Fund proceeds of taxes appropriated pursuant to Article XIII B and allocated local proceeds of taxes appropriated for the support of community colleges in the 2005–06 fiscal year, adjusted by subdivision (b) of Section 8 of Article XVI of the California Constitution for each subsequent year until the effective date of this section.

(2) The total General Fund proceeds of taxes appropriated pursuant to Article XIII B and allocated local proceeds of taxes appropriated for the support of community colleges in the 2006–07 fiscal year, adjusted by

subdivision (b) of Section 8 of Article XVI of the California Constitution for each subsequent year until the effective date of this section.

SECTION 12. Section 70901.5 of the Education Code is amended to read:

70901.5. (a) The ~~board of governors~~ *Board of Governors of the California Community Colleges* shall establish procedures for the adoption of rules and regulations governing the California Community Colleges. Among other matters, the procedures shall implement the following requirements:

(1) Written notice of a proposed action shall be provided to each community college district and to all other interested parties and individuals, including the educational policy and fiscal committees of the Legislature and the Department of Finance, at least 45 days in advance of adoption. The regulations shall become effective no earlier than 30 days after adoption.

(2) The proposed regulations shall be accompanied by an estimate, prepared in accordance with instructions adopted by the Department of Finance, of the effect of the proposed regulations with regard to the costs or savings to any state agency, the cost of any state-mandated local program as governed by Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code, any other costs or savings of local agencies, and the costs or savings in federal funding provided to state agencies.

(3) The ~~board of governors~~ *Board of Governors of the California Community Colleges* shall ensure that all proposed regulations of the board meet the standards of “necessity,” “authority,” “clarity,” “consistency,” “reference,” and “nonduplication,” as those terms are defined in Section 11349 of the Government Code. A district governing board or any other interested party may challenge any proposed regulatory action regarding the application of these standards.

(4) Prior to the adoption of regulations, the ~~board of governors~~ *Board of Governors of the California Community Colleges* shall consider and respond to all written and oral comments received during the comment period.

(5) The effective date for a regulation shall be suspended if, within 30 60 days after adoption by the ~~board of governors~~ *Board of Governors of the California Community Colleges*, at least two-thirds of all local district governing boards vote, in open session, to disapprove the regulation. With respect to any regulation so disapproved, the ~~board of governors~~ *Board of Governors of the California Community Colleges* shall provide at least 45 additional days for review, comment, and hearing, including at least one hearing before the board itself. After the additional period of review, comment, and hearing, the board may do any of the following:

(A) Reject or withdraw the regulation.

(B) Substantially amend the regulation to address the concerns raised during the additional review period, and then adopt the revised regulation. The regulation shall be treated as a newly adopted regulation, and shall go into effect in accordance with those procedures.

(C) Readopt the regulation as originally adopted, or with those nonsubstantive, technical amendments deemed necessary to clarify the intent of the original regulation. If the ~~board of governors~~ *Board of Governors of the California Community Colleges* decides to readopt a regulation, with or without technical amendments, it shall also adopt a written declaration and determination regarding the specific state interests it has found necessary to protect by means of the specific language or requirements of the regulation. A readopted regulation may then be challenged pursuant to existing law in a court of competent jurisdiction, and shall not be subject to any further appeal within the California Community Colleges.

(6) As to any regulation which the Department of Finance determines would create a state-mandated local program cost, the ~~board of governors~~ shall not adopt the regulation until the Department of Finance has certified to the ~~board of governors~~ and to the Legislature that a source of funds is available to reimburse that cost.

(7) (6) Any district or other interested party may propose a new regulation or challenge any existing regulation.

(b) Except as expressly provided by this section, and except as provided by resolution of the ~~board of governors~~ *Board of Governors of the California Community Colleges*, the provisions of Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code shall not apply to regulations adopted by the ~~board of governors~~ *Board of Governors of the California Community Colleges*.

SECTION 13. Section 71000 of the Education Code is amended to read:

71000. There is in the state government a Board of Governors of the California Community Colleges, consisting of ~~16~~ 19 voting members and ~~one nonvoting member~~, appointed by the Governor, as follows:

(a) Twelve *public* members, each appointed with the advice and consent of two-thirds of the membership of the Senate to six-year staggered terms. ~~Two~~ *Three* of these members shall be current or former elected members of local community college district governing boards, *appointed from a list of at least three persons submitted to the Governor by the statewide organization representing locally elected community college trustees recognized to participate in the consultation process established by subdivision (e) of Section 70901.*

(b) (1) ~~(A) One~~ *Two* voting student member, *members, who shall serve one-year terms.* ~~and one nonvoting student member, who exercise their duties in accordance with the procedure set forth in paragraph (3).~~

~~(B)~~ (2) These students shall be enrolled in a community college with a minimum of five semester units, or its equivalent, at the time of the appointment and throughout the period of their terms, or until a replacement has been named. A student member shall be enrolled in a community college at least one semester prior to his or her appointment, and shall meet and maintain the minimum standards of scholarship prescribed for community college students.

~~(C)~~ (3) Each student member shall be appointed from a list of names of at least three persons submitted to the Governor by the ~~California Student Association of Community Colleges~~ *statewide organizations representing community college student governments recognized to participate in the consultation process established by subdivision (e) of Section 70901.*

~~(2) The term of office of one student member of the board shall commence on July 1 of an even-numbered year, and expire on June 30 two years thereafter. The term of office of the other student member of the board shall commence on July 1 of an odd-numbered year, and expire on June 30 two years thereafter. Notwithstanding paragraph (1), a student member who graduates from his or her college on or after January 1 of the second year of his or her term of office may serve the remainder of the term.~~

~~(3) During the first year of a student member's term, a student member shall be a member of the board and may attend all meetings of the board and its committees. At these meetings, a student member may fully participate in discussion and debate, but may not vote. During the second year of a student member's term, a student member may exercise the same right to attend meetings of the board, and its committees, and shall have the same right to vote as the members appointed pursuant to subdivisions (a) and (c).~~

~~(4) Notwithstanding paragraph (3), if a student member resigns from office or a vacancy is otherwise created in that office during the second year of a student member's term, the remaining student member shall immediately assume the office created by the vacancy and all of the participation privileges of the second-year student member, including the right to vote, for the remainder of that term of office.~~

(c) ~~Two~~ *Three* voting *current or former* tenured faculty members from a community college, who shall be appointed for ~~two~~ *three*-year terms. The Governor shall appoint each faculty member from a list of names of at least three persons furnished by the Academic Senate of the California Community Colleges. Each seat designated as a tenured faculty member seat shall be filled by a tenured faculty member from a community college pursuant to this section and Section 71003.

(d) ~~One~~ *Two* voting classified *current or former* employee, *employees*, who shall be appointed by the Governor for ~~three-year terms~~ *a two-year term*. The Governor shall appoint ~~one of the employees~~ *the* classified

employee member from a list of at least three *current classified employees* persons furnished by the exclusive representatives of classified employees of the California Community Colleges. *The Governor shall appoint one of the employees from a list of at least three persons submitted to the Governor by the statewide organization representing community college chief executive officers recognized to participate in the consultation process established by subdivision (e) of Section 70901.*

SECTION 14. Section 71003 of the Education Code is amended to read:

71003. (a) Except for the student members, the faculty members, and the ~~classified employee member~~ members appointed by the Governor, any vacancy in an appointed position on the board shall be filled by appointment by the Governor, subject to confirmation by two-thirds of the membership of the Senate. A vacancy in the office of a student member, a faculty member, or ~~the classified an~~ employee member shall be filled by appointment by the Governor.

(b) ~~The~~ *Except in the case of the student members, the appointee to fill a vacancy shall hold office only for the balance of the unexpired term. Vacancies in the student member positions shall be filled by an appointment by the Governor for a full one-year term.*

SECTION 15. Section 71090.5 of the Education Code is amended to read:

~~71090.5. In addition to the position authorized by Pursuant to subdivision (e) of Section 4 of Article VII of the California Constitution, the Governor, with the recommendation of the board of governors, the Board of Governors of the California Community Colleges shall appoint a Chancellor and up to six deputy chancellors and vice chancellors, who shall be exempt from state civil service. The appointments shall not exceed an aggregate total of six seven, for both the positions appointed pursuant to this section. of deputy and vice chancellor.~~

SECTION 16. Section 76301 is added to the Education Code, to read:

76301. (a) *Notwithstanding any other provision of law, the fee prescribed by Section 76300 shall be fifteen dollars (\$15) per unit per semester or the fee existing on the effective date of this section, whichever is lower.*

(b) *The fee prescribed by Section 76300 and this section shall not be increased in any year by an amount exceeding the lesser of:*

(1) *The percentage change in per capita personal income of California residents from the second preceding year to the immediate preceding year, rounded down to the nearest whole dollar; or*

(2) *Ten percent.*

(c) *This section shall be effective with the first full fall academic term commencing at least 60 days following the effective date of this section.*

SECTION 17. Section 76301.5 is added to the Education Code, to read:

76301.5. (a) *The Legislature shall allocate to any community college district that does not receive General Fund revenues through the community college apportionment because the district's local property tax and student fee revenue exceeds the general revenue calculated for the district in the annual Budget Act an amount equal to the total revenue that would have been generated by the district if the fee otherwise had remained at the level on the day preceding the effective date of this section.*

(b) *This section shall be effective only in years in which the fee prescribed by this chapter is less than the fee existing on the day preceding the effective date of this section.*

SECTION 18. Section 84754 is added to the Education Code, to read:

84754. (a) *Notwithstanding any other provision of law, decreases in FTES shall result in revenue reductions made evenly over a three-year period beginning in the year following the initial year of decrease in FTES.*

(b) *Districts shall be entitled to the restoration of any reductions in apportionment revenue due to decreases in FTES during the three years following the initial year of decrease in FTES if there is a subsequent increase in FTES.*

(c) *No district shall be entitled to revenue stability pursuant to subdivision (a) for more than 10 percent of its pre-decline total FTES, unless the Chancellor issues a finding that the decline was the consequence of a natural or man-made disaster or a regionalized financial calamity.*

(d) *By enacting this section, the people intend to maintain access for students and provide fiscal stability for community college districts and their employees during periods of enrollment instability.*

SECTION 19. GENERAL PROVISIONS

(a) **Conflicting Measures:**

(1) This measure is intended to be comprehensive. It is the intent of the people that in the event that this measure and another initiative measure or measures relating to the same issue shall appear on the same statewide election ballot, the provisions of the other measure or measures shall be deemed to be in conflict with this measure. In the event that this measure shall receive a greater number of affirmative votes, the provisions of this measure shall prevail in their entirety, and all provisions of the other measure or measures shall be null and void.

(2) If this measure is approved by the voters but superseded by law by any other conflicting ballot measure approved by the voters at the same election, and the conflicting ballot measure is later held invalid, this measure shall be self-executing and given full force of law.

(b) **Severability:** The provisions of this act are severable. If any provision of this chapter or its application is held invalid, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.

(c) **Amendment:** The provisions of Sections 8 through 15, inclusive, and Section 17 of this act may be amended by a statute that is passed by a vote of four-fifths of the membership of each house of the Legislature and signed by the Governor. All amendments to Sections 8 through 15, inclusive, of this act shall be to further the act and shall be consistent with its purposes. The per-unit fee level set by subdivision (a) of Section 16 of this act may be increased pursuant to subdivision (b) of Section 16 of this act by a statute specifically and exclusively for that purpose that is passed by a vote of two-thirds of the membership of each house and signed by the Governor. The per-unit fee level set by subdivision (a) of Section 16 of this act may be reduced by a statute that is passed by a majority vote of each house and signed by the Governor.

PROPOSITION 93

This initiative measure is submitted to the people of California in accordance with the provisions of Section 8 of Article II of the California Constitution.

This initiative measure amends the California Constitution; 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

TERM LIMITS AND LEGISLATIVE REFORM ACT

SECTION 1. TITLE.

This measure shall be known as the "Term Limits and Legislative Reform Act."



SECTION 2. FINDINGS AND DECLARATIONS.

The People of California find and declare the following:

A. Under a law enacted in 1990, a Member of the Legislature may serve a total of 14 years, consisting of no more than six years in the Assembly and no more than eight years in the Senate.

B. A variety of academic and public policy groups, some of which once supported term limits, have studied the effect of term limits in California and have concluded that our law is in need of reform to make government work for the people.

C. California faces many complex and critical issues ranging from underperforming schools to global warming to inadequate healthcare. The legislation required to solve these problems can take years to develop and pass, and Members of the Legislature must spend substantial amounts of time obtaining the kind of support among their colleagues necessary to address these urgent issues.

D. Currently, term limits produce a rapid turnover of lawmakers, some of whom never get enough time to build leadership skills or gain expertise in making public policy, and our most knowledgeable and experienced legislators are forced to leave the Assembly or the Senate prematurely, thus depriving Californians of their policy expertise.

E. When legislators lack the skills, the only ones who have the skills are the lobbyists.

F. We have to reform term limits to reduce partisanship, put an end to the constant campaign cycle, and work more effectively together across partisan lines.

G. We need to increase the flexibility of legislative terms to enable members to build necessary policy and process expertise, and slow the current whirlwind rotation by elected representatives from one elected office to another, which compromises public policy.

H. It is critical that we permit legislators to remain in a single house of the Legislature for a longer period of time in order to acquire the knowledge and expertise necessary to tackle the tough issues facing the State of California.

I. The National Conference of State Legislatures, Council of State Governments, and State Legislative Leaders Forum issued a report concluding that “[t]he effects of [term limits] on Sacramento’s policymaking processes have been more profound,” including “a widespread sense in Sacramento that something needs to be done soon to provide more stability and expertise to the Legislature’s policymaking process.”

J. We need to reform California’s term limits law to permit members to remain in a single house for a longer period of time while reducing the total number of years that new members may serve.

SECTION 3. PURPOSE AND INTENT.

It is the intent of the people of California in enacting this measure to:

A. Provide greater stability and expertise to the Legislature’s policymaking process.

B. Reduce the number of years that new members may serve in the Legislature from 14 to 12 to prevent members from becoming entrenched and to promote the opportunity for others to serve.

C. Permit legislators to gain the knowledge and experience necessary to tackle the critical issues facing our state.

D. Afford current members of the Senate and the Assembly the same opportunity to serve 12 years in a single house as newly elected members and preserve existing law regarding uncompleted terms.

SECTION 4. Section 2 of Article IV of the California Constitution is hereby amended to read:

SEC. 2. (a)(1) The Senate has a membership of 40 Senators elected for 4-year terms, 20 to begin every 2 years. ~~No Senator may serve more than 2 terms:~~

(2) The Assembly has a membership of 80 members elected for 2-year terms. ~~No member of the Assembly may serve more than 3 terms:~~

~~Their terms~~

(3) ~~The term of a Senator or a Member of the Assembly shall commence on the first Monday in December next following their his or her election.~~

(4) ~~During his or her lifetime, a person may serve no more than 12 years in the Senate, the Assembly, or both, in any combination of terms.~~

(b) ~~Notwithstanding paragraph (4) of subdivision (a), a Member of the Senate or the Assembly who is in office on the effective date of this subdivision may serve 12 years in the house in which he or she is currently serving. The 12-year limit in this subdivision shall include those years already served in the house in which the Member is currently serving and any additional years served in that house must be served consecutively.~~

(b)

(c) ~~Election of members~~ Members of the Assembly shall be elected on the first Tuesday after the first Monday in November of even-numbered years unless otherwise prescribed by the Legislature. Senators shall be elected at the same time and places as ~~members~~ Members of the Assembly.

(c)

(d) A person is ineligible to be a ~~member~~ Member of the Legislature unless the person is an elector and has been a resident of the legislative district for one year, and a citizen of the United States and a resident of California for 3 years, immediately preceding the election, ~~and service of the full term of office to which the person is seeking to be elected would not exceed the maximum years of service permitted by subdivisions (a) and (b) of this section.~~

(d)

(e) When a vacancy occurs in the Legislature the Governor immediately shall call an election to fill the vacancy.

SECTION 5. Section 7 of Article XX of the California Constitution is hereby amended to read:

SEC. 7. The limitations ~~on the number of terms~~ prescribed by Section 2 of Article IV, Sections 2 and 11 of Article V, Section 2 of Article IX, and Section 17 of Article XIII apply only to terms *or years of service* to which persons are elected or appointed on or after November 6, 1990, ~~except that an incumbent Senator whose office is not on the ballot for the general election on that date may serve only one additional term.~~ Those limitations *on terms and years of service* shall not apply to any unexpired term to which a person is elected or appointed, *or to any years served as part of an unexpired term*, if the remainder of the term is less than half of the full term.

SECTION 6. SEVERABILITY.

The provisions of this act are severable. If any provision of this act or its application is held invalid, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.

SECTION 7. CONFLICTING INITIATIVES.

In the event that this measure and another initiative measure or measures that address the number of years or terms that a Member of the Legislature may serve shall appear on the same statewide election ballot, the provisions of the other measure or measures shall be deemed to be in conflict with this measure. In the event that this measure receives a greater number of affirmative votes, the provisions of this measure shall prevail in their entirety, and the provisions of the other measure shall be null and void.

VOTER BILL OF RIGHTS

1. You have the right to cast a ballot if you are a valid registered voter.
A valid registered voter means a United States citizen who is a resident in this state, who is at least 18 years of age and not in prison or on parole for conviction of a felony, and who is registered to vote at his or her current residence address.
2. You have the right to cast a provisional ballot if your name is not listed on the voting rolls.
3. You have the right to cast a ballot if you are present and in line at the polling place prior to the close of the polls.
4. You have the right to cast a secret ballot free from intimidation.
5. You have the right to receive a new ballot if, prior to casting your ballot, you believe you made a mistake.
If at any time before you finally cast your ballot, you feel you have made a mistake, you have the right to exchange the spoiled ballot for a new ballot. Vote-by-mail voters may also request and receive a new ballot if they return their spoiled ballot to an elections official prior to the closing of the polls on election day.
6. You have the right to receive assistance in casting your ballot, if you are unable to vote without assistance.
7. You have the right to return a completed vote-by-mail ballot to any precinct in the county.
8. You have the right to election materials in another language, if there are sufficient residents in your precinct to warrant production.
9. You have the right to ask questions about election procedures and observe the election process.
You have the right to ask questions of the precinct board and elections officials regarding election procedures and to receive an answer or be directed to the appropriate official for an answer. However, if persistent questioning disrupts the execution of their duties, the board or election officials may discontinue responding to questions.
10. You have the right to report any illegal or fraudulent activity to a local elections official or to the Secretary of State's Office.

If you believe you have been denied any of these rights, or you are aware of any election fraud or misconduct, please call the Secretary of State's confidential toll-free Voter Hotline at 1-800-345-VOTE (8683).

Information on your voter registration affidavit will be used by elections officials to send you official information on the voting process, such as the location of your polling place and the issues and candidates that will appear on the ballot. Commercial use of voter registration information is prohibited by law and is a misdemeanor. Voter information may be provided to a candidate for office, a ballot measure committee, or other person for election, scholarly, journalistic, political, or governmental purposes, as determined by the Secretary of State. Driver's license and social security numbers, or your signature as shown on your voter registration card, cannot be released for these purposes. If you have any questions about the use of voter information or wish to report suspected misuse of such information, please call the Secretary of State's Voter Hotline at 1-800-345-VOTE (8683).

Certain voters facing life-threatening situations may qualify for confidential voter status. For more information, please contact the Secretary of State's Safe at Home program toll-free at 1-877-322-5227 or visit the Secretary of State's website at www.sos.ca.gov.

Secretary of State
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Sacramento, CA 95814

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OFFICIAL VOTER INFORMATION GUIDE

Remember to Vote!

Tuesday, February 5, 2008

Polls are open from 7:00 a.m. to 8:00 p.m.

January 7

First day to apply for a vote-by-mail ballot by mail.

January 22

Last day to register to vote.

January 29

Last day that county elections officials will accept any voter's application for a vote-by-mail ballot.

February 5

Last day to apply for a vote-by-mail ballot in person at the office of the county elections official.

For additional copies of the Voter Information Guide in any of the following languages, please call:

English: 1-800-345-VOTE (8683)

Español/Spanish: 1-800-232-VOTA (8682)

日本語 /Japanese: 1-800-339-2865

Việt ngữ /Vietnamese: 1-800-339-8163

Tagalog/Tagalog: 1-800-339-2957

中文 /Chinese: 1-800-339-2857

한국어 /Korean: 1-866-575-1558

TDD: 1-800-833-8683

In an effort to reduce election costs, the State Legislature has authorized the State and counties to mail only one guide to addresses where more than one voter with the same surname resides. You may obtain additional copies by contacting your county elections official or by calling 1-800-345-VOTE.

