

South Bay Cities Council of Governments

September 22, 2016

TO: SBCCOG Board of Directors

FROM: Steering Committee

RE: November 2016 Ballot Measures for consideration

Adherence to Strategic Plan:

Goal B: Regional Advocacy. Advocate for the interests of the South Bay

BACKGROUND

There are 17 State and two County Propositions on the November ballot. They are listed below by number, title and a short summary. SBCCOG Staff has reviewed them and suggests Propositions that may not be considered for further review and a SBCCOG position as they do not necessarily deal with issues affecting SBCCOG's goals and work program.

The Steering Committee reviewed the staff suggestions and agreed to recommend that the Board discuss the following measures:

No Position: Prop 51, 52, 55, 56, 58, 60, 61, 62, 66

Oppose: Proposition 57

Review for Possible Position: 53, 54, 59, 63, 64, 65, 67, A

Additionally, the Steering Committee discussed re-considering the Board position in opposition to Measure M and decided not to place the item on the agenda and to continue to oppose Measure M (memo with summary information attached).

RECOMMENDED PROPOSED ACTIONS:

1. Agree on the Propositions that will not be considered – 51, 52, 55, 56, 58, 60, 61, 62, 66
2. Agree to oppose Proposition 57
3. Discuss the remaining propositions (in Bold)– 53, 54, 59, 63, 64 65, 67 and county measure A. Also included are the positions of the League of California Cities (LCC).

State Propositions

Link to Legislative Analyst Ballot analysis is

<http://www.lao.ca.gov/ballotanalysis/propositions>

Proposition 51 - School Bonds. Funding for K-12 School and Community College Facilities. Initiative Statutory Amendment.

Authorizes \$9 billion in general obligation bonds for new construction and modernization of K-12 public school facilities; charter schools and vocational education facilities; and California Community Colleges facilities.

Proposition 52 - State Fees on Hospitals. Federal Medi-Cal Matching Funds. Initiative Statutory and Constitutional Amendment.

both an Initiative Constitutional Amendment and Statute. It extends indefinitely an existing statute that imposes fees on hospitals to fund Medi-Cal health care services, care for uninsured patients, and children's health coverage.

Proposition 53 - Revenue Bonds. Statewide Voter Approval. Initiative Constitutional Amendment.

Requires statewide voter approval before any revenue bonds can be issued or sold by the state for certain projects if the bond amount exceeds \$2 billion. Could affect local control – no exemption for emergencies/natural disasters.

LCC Opposes

Proposition 54 - Legislature. Legislation and Proceedings. Initiative Constitutional Amendment and Statute.

It prohibits the Legislature from passing any bill unless published on the Internet for 72 hours before a vote; requires the Legislature to record its proceedings and post them on the Internet; and it authorizes the use of recordings.

LCC supports

Proposition 55 - Tax Extension to Fund Education and Healthcare. Initiative Constitutional Amendment.

Extends by twelve years the temporary personal income tax increases enacted in 2012 on earnings over \$250,000, with revenues allocated to K-12 schools, California Community Colleges, and, in certain years, healthcare.

Proposition 56 - Cigarette Tax to Fund Healthcare, Tobacco Use Prevention, Research, and Law Enforcement. Initiative Constitutional Amendment and Statute.

both an Initiative Constitutional Amendment and Statute. It increases cigarette tax by \$2.00 per pack, with equivalent increase on other tobacco products and electronic cigarettes containing nicotine.

Proposition 57 - Criminal Sentences. Juvenile Criminal Proceedings and Sentencing. Initiative Constitutional Amendment and Statute.

It allows parole consideration for nonviolent felons; authorizes sentence credits for rehabilitation, good behavior, and education; and provides that a juvenile court judge decides whether a juvenile will be prosecuted as adult.

LCC – action deferred, no position at this time

Proposition 58 - English language education.

Preserves requirement that public schools ensure students obtain English language proficiency. Requires school districts to solicit parent/community input in developing language acquisition programs. Requires instruction to ensure English acquisition as rapidly and effectively as possible. Authorizes school districts to establish dual-language immersion programs for both native and non-native English speakers.

Proposition 59 - Campaign finance: voter instruction.

Asks whether California’s elected officials should use their authority to propose and ratify an amendment to the federal Constitution overturning the United States Supreme Court decision in *Citizens United v. Federal Election Commission*. *Citizens United* ruled that laws placing certain limits on political spending by corporations and unions are unconstitutional.

Proposition 60 - Adult Films. Condoms. Health Requirements. Initiative Statute.

Requires adult film performers to use condoms during filming of sexual intercourse. Requires producers to pay for performer vaccinations, testing, and medical examinations. Requires producers to post condom requirement at film sites.

Proposition 61 - State Prescription Drug Purchases. Pricing Standards. Initiative Statute.

Prohibits state from buying any prescription drug from a drug manufacturer at price over lowest price paid for the drug by United States Department of Veterans Affairs. Exempts managed care programs funded through Medi-Cal.

Proposition 62 - Death Penalty. Initiative Statute.

Repeals death penalty and replaces it with life imprisonment without possibility of parole. Applies retroactively to existing death sentences. Increases the portion of life inmates’ wages that may be applied to victim restitution

Proposition 63 - Firearms. Ammunition Sales. Initiative Statute.

Requires background check and Department of Justice authorization to purchase ammunition. Prohibits possession of large-capacity ammunition magazines. Establishes procedures for enforcing laws prohibiting firearm possession by specified persons. Requires Department of Justice’s participation in federal National Instant Criminal Background Check System.

Proposition 64 - Marijuana Legalization. Initiative Statute.

Legalizes marijuana under state law, for use by adults 21 or older. Imposes state taxes on sales and cultivation. Provides for industry licensing and establishes standards for marijuana products. Allows local regulation and taxation.

Proposition 65 - Carry-Out Bags. Charges. Initiative Statute.

Redirects money collected by grocery and certain other retail stores through mandated sale of carryout bags. Requires stores to deposit bag sale proceeds into a special fund to support specified environmental projects.

LCC opposes

Proposition 66 - Death Penalty. Procedures. Initiative Statute.

Changes procedures governing state court challenges to death sentences. Designates superior court for initial petitions and limits successive petitions. Requires appointed attorneys who take noncapital appeals to accept death penalty appeals. Exempts prison officials from existing regulation process for developing execution methods.

Proposition 67 - Referendum to Overturn Ban on Single-Use Plastic Bags.

This is a Referendum. A “Yes” vote approves, and a “No” vote rejects, a statute that prohibits grocery and other stores from providing customers single-use plastic or paper carryout bags but permits sale of recycled paper bags and reusable bags.

LCC supports

County Propositions – 2/3 vote required

Measure A - the Los Angeles County Safe, Clean Neighborhood Parks and Beaches Protection Measure of 2016.

Continues voter support for local parks, beaches, open space and water resources by approving an annual parcel tax of 1.5 cents per square foot of development. Estimated tax for the owner of a 1500 sq ft home will be \$22.50/year and will be included on the annual property tax bill. Will generate approximately \$94 million/year and will replace expiring dedicated funding from voter-approved Propositions A of 1992 and 1996. The local return category is 35%.

Measure M - Los Angeles County Traffic Improvement Plan – Board opposed

Propositions are proposed laws presented to the public to vote on. Propositions can make new laws, change existing laws, and sometimes they change California's Constitution. They can be placed on the ballot by people who collect enough voter signatures or by state lawmakers (the California Legislature). A proposition passes and becomes law if it receives more than 50 percent YES votes.

Propositions 51 through 58 and 60 through 66 are "initiatives." For an initiative:

- A YES vote means that you support the way the proposition would change things.
- A NO vote means that you want to leave things the way they are now.

Proposition 67 is a "referendum," which asks voters to decide on a law that was already passed. For a referendum:

- A YES vote means that you support the law and want to keep it.
- A NO vote means you do not want the law to go into effect.

Proposition 59 is an "advisory question" which is designed to get voters' opinions on a topic. It will not become a law.



There are 17 state propositions in this election. *You do not have to vote on everything.* Learn about propositions that are important to you and make your choice, YES or NO.

51 Bonds for School Facilities

Initiative

The way it is now: The state of California helps school districts and community college districts pay for construction projects. Districts can apply for state money, but usually have to contribute some of the money themselves. The state usually pays 50 to 60 percent of school construction costs. Money for these projects is separate from money used to hire teachers or pay for educational programs. Since 1998, state bonds have provided a total of \$36 billion for K-12 facilities and \$4 billion for community college facilities.

What Prop 51 would do if it passes: Allow the state to sell \$9 billion in new bonds for educational facilities. \$7 billion would be marked for K-12 public school facilities and \$2 billion for community college facilities. School districts could apply for funds to buy land, repair old buildings or construct new facilities. The money from Prop 51 could not be used to hire teachers or pay for educational programs.

Effect on the state budget: The total cost to pay off the bonds plus interest would be \$17.6 billion. Payments of about \$500 million would be made each year for about 35 years.

YES People for Prop 51 say:

- Many of our schools need repairs and upgrades to make them safe for our children.
- Prop 51 will improve education overall and help expand space at community colleges so more students can attend.

NO People against Prop 51 say:

- Prop 51 would add to the state's debt, which is already more than \$400 billion.
- Bond measures should be passed locally, giving communities control of how money is spent.

52 Private Hospital Fees for Medi-Cal

Initiative - Constitutional Amendment

The way it is now: The Medi-Cal program provides health care benefits to more than 13 million low-income Californians. Last year, the program cost \$95 billion. Private hospitals are required to pay a fee that helps cover the cost of Medi-Cal. This money is matched by the federal government which gives the state additional funds to help pay for Medi-Cal health care services. The hospital fee is approved by state lawmakers and is set to expire in 2018.

What Prop 52 would do if it passes: Make the fee private hospitals pay toward Medi-Cal permanent. Because Prop 52 is a constitutional amendment, it would make changing the hospital fee more difficult in the future. Changes to the fee would require voter approval or support of 2/3 of the Legislature.

Effect on the state budget: The effect of this measure is uncertain and would depend on what state lawmakers do before the current fee expires in 2018. If they decide to extend the current fee on private hospitals, there would be little to no change to the state budget. If they do not extend the fee, then the Prop 52 funds from hospitals would save the state budget about \$1 billion each year. This savings is because the state could use less of its General Fund money to pay for Medi-Cal.

YES People for Prop 52 say:

- This guarantees funding for Medi-Cal which helps low-income children and families.
- Prop 52 makes sure that state lawmakers cannot use this money for any other purpose.

NO People against Prop 52 say:

- Prop 52 would give more than \$3 billion to hospitals without a guarantee that it will help patients.
- Instead of helping low-income Californians, Prop 52 would give more money to hospital corporations.

ABOUT BONDS



For any bond, voters can think about:

Is this a good investment?

Are there other ways to pay instead?

Is it something that will last and keep providing value for the next generation?

State and local governments ask voters to approve bonds to raise money for things that will last a long time, like schools and bridges. The government sells the bonds to get a large amount of money now and pays investors back over many years.

In this election there is a proposition about a "General Obligation Bond (Prop 51)" and one about a "Revenue Bond (Prop 53)."

- **General Obligation Bonds** are paid back from the state's General Fund which gets money from income taxes and sales taxes. For example, Prop 51 is asking voters to approve \$9 billion in bonds for school construction. It will take a payment of about \$500 million each year for 35 years to pay off the bond with a total cost of \$17.6 billion. Bond payments reduce what the state can spend on other budget items like education and health care.
- **Revenue Bonds** are paid back from fees or other charges from users of a project, such as tolls that help pay for the cost of a bridge.

53 Public Vote on Revenue Bonds

Initiative - Constitutional Amendment

The way it is now: To pay for major construction projects, such as roads, bridges, dams and prisons, the state often uses money collected from taxes. Another way the state pays for these projects is by selling a special kind of bond, called a “revenue” bond, to investors. Once a project is completed, fees, such as bridge tolls, are then used to pay back the bond. Under current law, the state may sell revenue bonds without voter approval.

What Prop 53 would do if it passes: Voters would have to approve revenue bonds that add up to more than \$2 billion for a specific state project. Bonds sold at the local level, for example by cities, counties, or school districts, would not be affected.

Effect on the state budget: The effect is hard to predict. There probably won’t be very many projects using revenue bonds that cost \$2 billion or more. Very large construction projects could be affected, such as high-speed rail or regional water systems. The cost will depend on whether voters approve specific bonds and, if they don’t, whether the state decides to pay for the project in a different way.

YES People for Prop 53 say:

- The state should be required to get voter approval before taking on expensive building projects.
- Prop 53 would give voters a voice and hold the state accountable for its spending.

NO People against Prop 53 say:

- Having to wait for an election could make it hard for the state to respond to disasters and emergencies.
- Voters from across the state should not be able to decide what is best for a project that affects a local community.

54 Changes to the Legislative Process

Initiative - Constitutional Amendment

The way it is now: State laws are introduced as “bills” and voted on in the state Legislature. Lawmakers debate and make changes to a bill. This process normally takes several days or weeks but sometimes there are sudden changes to a bill right before a vote. Many bills are available online. But, sometimes the bill will not be posted for the public to see until close to the time that lawmakers vote on it. Many, but not all, public meetings of the Legislature are recorded and posted online.

What Prop 54 would do if it passes: The Legislature would be required to put bills in print and post them online at least 72 hours before voting on them. All public meetings of the Legislature would be recorded and posted online within 24 hours. Any person would also be allowed to record public meetings of the Legislature. Prop 54 would put these changes into the California Constitution.

Effect on the state budget: There would be a one-time cost of \$1 million to \$2 million to put Prop 54 into effect. Recording public meetings and posting them online would cost the state around \$1 million each year.

YES People for Prop 54 say:

- Posting bills and recordings of the Legislature online would make it easier for California residents to see what lawmakers are doing.
- Prop 54 would give the public and lawmakers time to read new laws before they are passed.

NO People against Prop 54 say:

- Prop 54 would make it harder for the Legislature to pass bills. Any little change to a bill would require lawmakers to wait 72 hours before voting on it.
- Prop 54 would give people and groups in positions of power extra time to try and block or change a bill before it can be voted on.

55 Extend Tax on High Income

Initiative - Constitutional Amendment

The way it is now: Income taxes collected by the state of California mostly go into the state's General Fund. Most of the money in the General Fund goes toward education and health care services. In 2012, voters approved a higher, temporary tax on California residents making more than \$250,000 per year. Money from this tax provides about \$7 billion for the state each year. The tax is scheduled to expire at the end of 2018. There was a temporary increase in the sales tax which expires at the end of 2016.

What Prop 55 would do if it passes: The 2012 income tax increase would be extended until the end of 2030. People earning more than \$250,000 and couples earning more than \$500,000 per year would pay between 1 and 3 percent higher taxes on income over those amounts. The money collected from these taxes would provide more money for schools and community colleges. Prop 55 would also provide extra money to the Medi-Cal health care program in some years. The temporary increase in sales tax would expire.

Effect on the state budget: Prop 55 would raise between \$4 billion and \$9 billion in taxes each year for the state. Roughly half of this money will go toward schools and community colleges. Medi-Cal could receive up to \$2 billion dollars extra annually, depending on the taxes collected and other factors.

YES People for Prop 55 say:

- Prop 55 would provide billions of dollars for schools and community colleges.
- Prop 55 would only affect California residents who can afford to pay more in taxes.

NO People against Prop 55 say:

- Voters should respect their decision from 2012. Current taxes should expire in 2018.
- Prop 55 will hurt small businesses and eliminate jobs. It will also take money away from people who have worked hard to earn it.

56 Tobacco Tax

Initiative - Constitutional Amendment

The way it is now: Special taxes, called excise taxes, are collected on cigarettes and some other tobacco products. The state does not currently charge a special "excise tax" for electronic cigarettes. Currently, the tax on cigarettes is 87 cents per pack, with slightly higher taxes on other tobacco products. Money from these special taxes is spent on a range of programs, including tobacco education and services for young children.

What Prop 56 would do if it passes: The excise tax on tobacco products would go up by \$2 per pack of cigarettes. The tax would apply to cigarettes, cigars, chewing tobacco, and electronic cigarettes containing nicotine liquid, or "e-juice." Money from the tax would help pay for several healthcare and education programs.

Effect on the state budget: The state would collect between \$1.3 and \$1.6 billion in the first year of the tax. In future years, the money collected could be lower if people buy fewer tobacco products. Most of the money would be used to pay for tobacco education, extra training for doctors, and the state's health care program for low-income Californians.

YES People for Prop 56 say:

- Raising taxes on tobacco products will help prevent people from smoking.
- Prop 56 would provide millions of dollars for important healthcare programs.

NO People against Prop 56 say:

- Prop 56 does not provide enough money to help people quit using tobacco.
- Prop 56 would spend too much money enforcing the tobacco tax.

57 Parole, Sentencing and Court Procedures

Initiative - Constitutional Amendment

The way it is now: The State of California has been making changes in sentencing and procedures for different kinds of crimes in order to prevent prison overcrowding. Before they can be eligible for parole, people with felony convictions must serve a minimum sentence for their main crimes and may serve additional time for lesser charges. Most inmates can reduce their sentences by earning credits for education, job training and good behavior. When someone is accused of a crime, court procedures are sometimes different based on whether the person is under the age of 18. Depending on the seriousness of the crime and their criminal history, youth 14 to 17 may be tried either as juveniles or as adults. In some cases, prosecutors can choose whether the case should be tried in juvenile or adult court.

What Prop 57 would do if it passes: Make changes to the State Constitution about sentencing and court procedures for two kinds of situations. Adults convicted of *non-violent felonies* would be eligible for parole after serving time for their main crimes. Inmates may also have more opportunities to reduce their sentences through credits for good behavior and approved educational activities. Changes would also be made to youth court procedures. Youth accused of a crime who are 14 to 17 years old could not be tried in adult court unless it was decided by a juvenile court judge.

Effect on state and local budgets: By reducing the adult prison population, the state could save money in the tens of millions of dollars each year. Moving youth offenders to juvenile courts would save an additional few million dollars. Counties would need to spend additional money in the short term to supervise a larger number of felons on parole. Moving youth out of adult court would likely cost counties a few million dollars each year.

YES People for Prop 57 say:

- Prop 57 would reduce overcrowding in state prisons and save money spent on non-violent offenders.
- Prop 57 would encourage inmates to take advantage of educational and rehabilitation opportunities.

NO People against Prop 57 say:

- Prop 57 would release a greater number of convicted felons onto the street.
- Prop 57 would weaken crime laws and fail to honor the original sentence ordered by a judge.

58 English Language Education

Legislative Initiative

The way it is now: More than 20 percent of California students are considered English learners. These students have a hard time reading, writing or speaking in English. Under current law, the state requires schools to teach these students mostly in English. State law limits the use of bilingual programs, which teach students using English and their native language. As a result, very few schools offer bilingual programs.

What Prop 58 would do if it passes: Schools would no longer be required to teach English learners in English-only programs. Schools would be allowed to use bilingual programs to teach English based on the needs of their students. School districts would have to get feedback from parents about how English learners should be taught.

Effect on state and local budgets: Prop 58 would have no effect on the state budget. Costs for school districts and county governments would be small. Schools might need to develop new programs or train teachers, but these costs would likely be paid for within current budgets.

YES People for Prop 58 say:

- English learners should be educated in whatever way best meets their learning needs.
- Prop 58 would give parents and school districts more control over the way children are educated.

NO People against Prop 58 say:

- Since the state has required instruction primarily in English, student test scores have improved.
- Prop 58 would hurt some students' chances of learning English by creating classrooms that primarily teach in Spanish.

59 Political Spending Advisory Question

Legislative Advisory Question

The way it is now: Before 2010, unions and corporations had limits on the amount of money they could spend on political campaigns. In 2010, the United States Supreme Court ruled that corporations are the same as individuals when it comes to political spending (*Citizens United v. Federal Election Commission*). This court decision allows unions and corporations to spend unlimited money on political advertisements before an election. Supreme Court decisions can be changed by amendment to the U.S. Constitution. If the U.S. Congress starts the process of making an amendment, at least 38 state Legislatures need to agree with it.

What Prop 59 would do if it passes: A “yes” vote on Prop 59 asks California’s state lawmakers to do everything in their power to reverse the Supreme Court’s *Citizens United* decision. Because Prop 59 is an advisory question, it only provides lawmakers with public feedback. Voting “yes” or “no” does not guarantee that the U.S. Congress or state lawmakers will move to amend the U.S. Constitution.

Effect on the state budget: Lawmakers may or may not take any specific action. This measure would have no effect on the state budget.

YES People for Prop 59 say:

- Prop 59 would send a message that California does not support the *Citizens United* decision.
- Corporations and billionaires should not be able to spend unlimited amounts of money on political campaigns.

NO People against Prop 59 say:

- Prop 59 is a waste of time. Propositions should be used for real laws, not advisory questions.
- This does nothing to reduce campaign spending or help us get better information about political donations.

60 Condoms in Adult Films

Initiative

The way it is now: Many adult films and other types of pornography are made in California. The state has laws in place to make sure that people are safe and protected while at work. These laws also apply to adult film producers and actors. Safety regulations currently require performers to use condoms during sex on adult film sets to prevent HIV, AIDS and other diseases. If the state office of workplace safety gets a complaint, companies that do not follow this rule may be fined. In 2014, Los Angeles also passed a local law requiring condoms in adult films.

What Prop 60 would do if it passes: Adult film producers would be required to make sure condoms are used while filming vaginal and anal sex. Adult film producers would be required to get a license and provide information to the state about their film shoots. These requirements would apply to pornography produced by film studios, as well as by individual performers or couples. The state’s workplace safety agency would have more time to investigate and fine adult film producers that do not use condoms. California residents would also be allowed to sue adult film producers for not using condoms if the state failed to take action.

Effect on state and local budgets: It is difficult to say exactly what would happen if the law passes. If companies and individuals making pornography decide to move out of California, state and local governments would likely lose several million dollars in taxes. The cost to enforce the law would be around \$1 million each year. This cost would mostly be paid for by fees on adult film producers.

YES People for Prop 60 say:

- The current law requiring condoms is not being followed by adult film producers.
- Prop 60 would protect adult film performers from harmful diseases like HIV and AIDS.

NO People against Prop 60 say:

- Adult performers are already tested frequently for diseases. Prop 60 is not necessary.
- Married couples who film in their own homes could be sued.

61 Prescription Drug Costs

Initiative

The way it is now: The state of California spends approximately \$3.8 billion on prescription drugs each year. These drugs are purchased for Medi-Cal patients, state employees and prisoners. Medi-Cal is the program that provides health benefits to low income Californians. Medi-Cal and other state agencies negotiate with drug companies to try and make sure the state is getting a good deal. The United States Department of Veterans Affairs (the VA) buys prescription drugs for military veterans. The national VA often gets a better deal on drugs than the state of California.

What Prop 61 would do if it passes: Limit the amount the state could pay for prescription drugs. State agencies would not be allowed to pay more than the Department of Veterans Affairs pays for a particular medication. Prop 61 would apply to most state agencies, except the state's "managed care system," which covers 75 percent of people on Medi-Cal. The state would also regularly check to make sure drug costs weren't higher than those paid by the VA.

Effect on the state budget: How much the state could save depends on many factors. It is not always clear exactly how much the VA pays for medication. Sometimes the VA works out special pricing with drug companies that is not made public. The state may not be able to find some of this information. Drug companies also might raise prices on the VA in response to Prop 61, or refuse to offer the state the lowest price.

YES People for Prop 61 say:

- Prop 61 would make sure California is not paying too much for prescription drugs.
- Prop 61 could save the state millions or billions of dollars in healthcare costs.

NO People against Prop 61 say:

- Prop 61 would not apply to 88 percent of state residents, including most people on Medi-Cal.
- Prop 61 would remove discounts the state currently receives and would increase healthcare costs, not reduce them.

62 Repealing the Death Penalty

Initiative

The way it is now: Under current law, some prisoners convicted of first-degree murder may be sentenced to death. Because of legal challenges to the current method of execution by lethal injection California has not executed a prisoner since 2006. There are 748 prisoners currently waiting to be executed on "death row." Almost all prisoners are involved in different kinds of appeals to their death sentences, leading to multiple court proceedings after their original conviction.

What Prop 62 would do if it passes: The death penalty would be eliminated. The maximum penalty for first-degree murder would be life in prison without the possibility of parole. Prisoners currently on death row would have their sentences changed to life in prison. All prisoners convicted of murder, including those serving life in prison, would be required to work. The amount of money that could be deducted from inmates' pay would also increase from 50 to 70 percent. This money would be used to pay any debts owed to victims and their families.

Effect on state and local budgets: There would be cost savings from changes to murder trials, court appeals and getting rid of death row at state prisons. The state would save around \$150 million annually within a few years, including \$55 million spent fighting death penalty appeals each year.

YES People for Prop 62 say:

- Getting rid of the death penalty would save the state millions of dollars in costs.
- This is the only way to make sure that no innocent person is ever executed in California.

NO People against Prop 62 say:

- We need the strongest possible punishment for the most serious first-degree murderers.
- The pay that inmates would put toward victims' families cannot make up for the lost life.

63

Gun and Ammunition Sales

Initiative

The way it is now: State and federal laws prevent certain people from owning guns. This includes people who have committed felonies and some other crimes, as well as certain people with mental illness. People buying a gun must also get a background check through the Department of Justice. Right now, no background check is required to buy ammunition, such as bullets or shotgun shells. A background check will be required to buy ammunition beginning in January 2017.

What Prop 63 would do if it passes: Prop 63 would create a new court process to make sure people convicted of felonies and some other crimes do not have guns. Probation officers would be required to make sure these people have given up their guns. People could turn their guns into the police, store them with a gun dealer, or sell them to a gun dealer. Prop 63 would also make it illegal to possess certain types of gun 'magazines' or clips that hold a large number of bullets.

Effect on state and local budgets: New court procedures could cost in the tens of millions of dollars annually. Costs for prisons, jails, parole and probation would probably not be more than a few million dollars each year. Some of the costs would be paid for by fees on ammunition sellers or gun buyers.

YES People for Prop 63 say:

- Prop 63 would make sure that violent criminals and people with mental illnesses don't have access to guns.
- This strengthens existing gun laws and prevents dangerous people from buying ammunition.

NO People against Prop 63 say:

- This would make it harder for people who follow the law to buy ammunition.
- The costs for Prop 63 could be better spent training police, hiring more officers and getting violent criminals off the street.

64

Making Recreational Marijuana Legal

Initiative

The way it is now: Since 1996, it has been legal for California residents to grow and use marijuana for medical purposes if they have a doctor's recommendation. It is not legal to grow, process, possess or use marijuana for non-medical (recreational) purposes. Penalties for growing, possessing or selling marijuana range from fines to long prison sentences.

What Prop 64 would do if it passes: Make it legal to grow, possess or use marijuana for adults 21 years of age and older. Businesses growing and selling non-medical marijuana would be regulated. There would be limits on the amount a person could possess for individual use. Taxes would be set for retail sales and on growers of non-medical marijuana. Money from these taxes would pay for things like for youth programs, environmental protection and drug education efforts.

Effect on state and local budgets: The costs of Prop 64 and how much money it would raise are unclear. The amount coming in from taxes depends on how much non-medical marijuana is grown and purchased through the new legal system. Over time, state and local governments could earn taxes in the hundreds of millions of dollars or more than \$1 billion each year. The state and local governments could also save tens of millions of dollars on court and law enforcement costs each year.

YES People for Prop 64 say:

- Prop 64 would set up a safe, legal system that allows adults to use recreational marijuana.
- Prop 64 would bring in more than \$1 billion each year and lower state court costs.

NO People against Prop 64 say:

- Prop 64 would increase the illegal drug trade and hurt low income communities.
- Prop 64 allows marijuana to be grown near schools and puts youth at risk of addiction.

65 Money from Carry-Out Bags

Initiative

The way it is now: Many cities and counties have laws preventing grocery stores and some other retail stores from handing out single-use plastic bags. Some of these laws require stores to charge for paper and reusable bags, and allow the stores to keep the money made from selling the bags. In 2014, a law was passed that would ban single-use plastic bags at grocery stores and some other retail stores across the state, but it has not gone into effect. Voters will decide if the ban should go into effect across the whole state when they vote on Prop 67, a different proposition on this ballot. If Prop 67 passes, stores would also be required to charge 10 cents for other types of carry-out bags made of paper, or thicker, reusable plastic. Under Prop 67, stores would get to keep the money made from selling these 10-cent bags.

What Prop 65 would do if it passes: Prop 65 could change the way money from selling carry-out bags is used. Instead of keeping the money made from each 10-cent bag, stores would be required to put the money into a state account. This money would be used for many different environmental projects, including recycling and clean drinking water. Money would also go toward cleaning up beaches and improving parks.

Effect on the state budget: This measure could produce tens of millions of dollars for environmental programs. It is not clear what will happen until after the election. The effect on the state budget will depend on whether Prop 67 passes. If both propositions 65 and 67 pass, and 65 gets the most votes, then the money would go to the state account.

YES People for Prop 65 say:

- Grocery stores should not get to keep the money made from selling bags.
- Prop 65 would make sure the money collected from selling bags goes to help the environment.

NO People against Prop 65 say:

- Voters should support Prop 67 instead. The most important thing is getting rid of plastic bags.
- Prop 65 will not make very much money for the state because people will start bringing their own bags.

Conflicting Ballot Measures: Another measure on this ballot, Prop 67, also deals with plastic bags, but in a different way than Prop 65. For more information on the differences between Prop 65 and Prop 67, see page 15.

66 Death Penalty Court Procedures

Initiative

The way it is now: Prisoners sentenced to death may fight the sentence before the California Supreme Court and then the federal courts. This process can take multiple decades and cost the state millions of dollars. Of the 930 people who have received a death sentence since 1978, 15 have been executed and 103 have died while waiting to be executed. Under current law, inmates sentenced to death must be housed at specific prisons.

What Prop 66 would do if it passes: Change the court appeals process for death sentences to shorten the time it takes. One type of legal challenge would be handled first by local courts before it could be handled by the California Supreme Court. A five-year time limit would be placed on legal challenges to death sentences. Additional lawyers could be made eligible to represent death row inmates. Inmates sentenced to death could be housed at any state prison.

Effect on state and local budgets: Long-term costs are not clear. State costs would increase in the short-term, possibly in the tens of millions of dollars, due to court costs from the new shorter time limits. The measure could save money for state prisons.

YES People for Prop 66 say:

- The appeals process for death row inmates needs to be quicker and less complicated.
- Prop 66 would save money and ensure that justice is carried out in a timely manner.

NO People against Prop 66 say:

- Prop 66 would cost taxpayers tens of millions of dollars in legal and lawyer fees.
- Shortening the appeals process increases the risk of executing an innocent person.

67 Plastic Bag Ban

Referendum

The way it is now: Many local communities have laws that prevent some stores from handing out single-use plastic bags. Some of these laws require stores to charge for paper and reusable bags, and allow the stores to keep the money made from selling the bags. In 2014, the Legislature passed a law that banned single-use plastic bags at certain stores across the whole state. The law also requires stores to charge customers 10 cents for other types of carry-out bags made from paper or thicker plastic, and allows stores to keep the money. Because Prop 67 qualified for the ballot, the law the state passed in 2014 has never gone into effect. Prop 67 is a “referendum” that asks voters to decide if the state’s ban on single-use plastic bags should go into effect or not.

What Prop 67 would do if it passes: Voting “yes” on Prop 67 would allow the 2014 state law to go into effect. Across California, single-use plastic bags would not be allowed at grocery stores, convenience stores, large pharmacies, and liquor stores. These stores would be required to charge for paper or thicker plastic carry-out bags and they would get to keep the money. Voting “no” on Prop 67 would prevent the law from going into effect across the state. *See red box below for an explanation of the differences between Prop 67 and Prop 65.*

Effect on the state budget: Costs would be relatively small. State costs for overseeing the law would be less than a million dollars. These costs would be paid for by fees placed on companies that make bags.

YES People for Prop 67 say:

- Single-use plastic bags are bad for the environment and harmful to wildlife. Prop 67 protects animals and saves the state millions of dollars in clean-up costs.
- Many communities have already banned single-use plastic bags. It’s time to extend the ban across the state.

NO People against Prop 67 say:

- Prop 67 would require stores to charge 10 cents for bags that can be reused, instead of offering them for free.
- Prop 67 would allow grocery stores to keep millions of dollars from selling these bags.

What Happens if Voters Approve Both Prop 65 and Prop 67?

Both Prop 65 and Prop 67 deal with plastic bags, but in different ways.

If only Prop 65 passes, stores across the state could continue handing out single-use plastic bags, if allowed by local law. If lawmakers decide to pass a bill banning single-use plastic bags in the whole state and allow stores to charge a fee on the sale of paper or thicker, reusable plastic bags, the money will go into an environmental fund.

If only Prop 67 passes, stores across the state will not be allowed to hand out single-use plastic bags. Stores would be required to charge 10 cents for paper or thicker, reusable plastic bags. Stores would get to keep the money made from selling these bags.

If both Prop 65 and Prop 67 pass, the statewide ban on single-use plastic bags will go into effect. The Prop that gets the most YES votes determines whether the 10 cent fee from selling bags goes to the new environmental fund (Prop. 65) or to the stores (Prop. 67).



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