

GPCA COUNTY POLLING FOR NOVEMBER 4, 2008 BALLOT MEASURES

To: GPCA County Contacts List

From: Warner Bloomberg Campaigns and Candidates Working Group Co-Coordinator

Subject: County Polling for Initiatives on the November 4, 2008 Election Ballot

Below you will find instructions for GPCA County organizations to report County GP positions on the twelve initiatives (including bond measures) that have been certified to appear on the ballot for the November 4, 2008 election. Immediately following those instructions, you will find reports that have been developed from various GPCA contributors describing those measures and suggesting positions. In some cases more than one write up was submitted. These recommendations are simply those of the people who wrote or compiled them and DO NOT constitute GPCA positions. GPCA positions on ballot measures occur in two ways: By decision of the delegates at a General Assembly or by County Polling.

Because a General Assembly of Delegates is scheduled for August 23-24 in Orange County during the current County Polling period, these initiatives and bond measures have been placed on the agenda for the next Plenary. However, only an hour has been allotted for this agenda item. At the Plenary, quick tests for consensus will be made to determine whether GPCA decision making can occur for any of these items. County Polling will continue for all ballot measures that cannot be decided at that Plenary. As in previous years, special thanks to everyone who contributed to the reports and to Greg Jan for collecting them. Any questions about these comments should be addressed to Warner Bloomberg at wsb3attyca@aol.com or (408) 295-9353. Any questions about the following instructions should be addressed to the County Polling Coordinators, Cat Woods at cat801@mindspring.com and Tim Smith at Rioryon@aol.com. All County Polling Reports should be submitted to the County Polling Coordinators.

PLEASE NOTE: As recipients on the County Contacts list YOU have the responsibility to communicate this information to other members in your local County GP organization. You are to use whatever process you use to make decisions of this kind – but each County needs to instruct its delegates on these issues. A copy of these instructions and the following reports will be posted on the Plenary agenda page as a supplement to the Agenda Packet. To the extent issues can be resolved at the Plenary, those will become the GPCA positions. BUT, for any ballot measures for which positions cannot be taken at the Plenary, County Polling will continue.

Warner Bloomberg CCWG Co-Coordinator
August 10, 2008

INSTRUCTIONS FOR GPCA STATEWIDE POLL OF COUNTIES INITIATIVES APPEARING ON THE NOVEMBER 4, 2008 ELECTION BALLOT

The GPCA uses a poll of all recognized county Green Parties to determine GPCA positions on ballot measures as an alternative to making those decisions at a state meeting. Twelve initiatives have qualified for the next state election on November 4, 2008. Please be sure that your county participates by submitting votes by Sunday, September 21, 2008.

THE POLL:

This poll contains a list initiatives that have qualified for the November 4, 2008 Election. Each initiative title is followed by a recommendation made by volunteers from the Green Party grassroots who have reviewed the measures. Of course, counties are free to agree or disagree with the recommended positions. The full text of the initiatives can be located by going to the webpage for the California Secretary of State www.ss.ca.gov and following the applicable links.

PROCESS:

Please provide both Poll Coordinators (Cat Woods and Tim Smith) with vote results from your county in the following form for each ballot initiative (including bond measures):

"Yes" for the GPCA to support the initiative

"No" for the GPCA to oppose the initiative

"No Position" for the GPCA to deliberately remain neutral on the initiative

Votes may also be cast as "Abstain" if they do not wish to participate in the poll. Abstentions will be counted toward quorum.

Vote on the initiative itself, not the recommendation. For example, if the report has recommended a position of "No," and your county wishes to agree and vote "No" on the initiative, then your county should vote "No" on the initiative, and not "Yes" on the recommended "No" position.

PLEASE SUBMIT VOTES IN THE AMOUNT ALLOTTED TO YOUR COUNTY FOR THE ORANGE COUNTY (DANA POINT) PLENARY. That list was published in the agenda packet for that state meeting to be held AUGUST 23-24, 2008. For example, if your county had 2 delegates, you would submit 2 votes in any combination of positions. (Votes from counties with more than one delegate vote need not be unanimous.) If you have any questions about the total number of votes that can be cast for any measure, contact the GPCA Coordinating Committee member(s) who represent your region. Your county should rely on its own internal processes to arrive at its positions. The poll has an 80% threshold. The default where the threshold or quorum is not met is "No Position".

TIMELINE:

The voting period begins on August 10, 2008, and ends on September 21, 2008 (11:59 PM PST). Votes received after the closing date and time will not be counted. Submit all votes to BOTH the Poll Coordinators at the following email addresses:

Cat Woods cat801@mindspring.com

Tim Smith Rioryon@aol.com

Please submit any questions about the process of the poll to the same addresses.

NOVEMBER 4, 2008 BALLOT INITIATIVES REPORTS

Recommendations for State Propositions, November 2008:

- Prop. 1: High Speed Rail Bond ----- Yes (with reservations)
- Prop. 2: Treatment of Farm Animals ----- Yes
- Prop. 3: \$2 Billion Children's Hospital Bond ----- No
- Prop. 4: Parental Notification for Under-18 Abortions ----- No
- Prop. 5: Nonviolent Offenders Sentencing and Rehabilitation - Yes
- Prop. 6: Anti-Gang Penalties (Runner initiative) ----- No
- Prop. 7: Renewable Energy Requirements for Utilities ----- No
- Prop. 8: Same-Sex Marriage Ban ----- No
- Prop. 9: Victims' Rights, Reduction of Parole Hearings ----- No
- Prop. 10: Alternative Fuel Vehicles & Renewable Energy Bond - No
- Prop. 11: Redistricting ----- No
- Prop. 12: Veterans' Bond ----- Yes (with reservations)

Prop. 1: High Speed Rail Bond -- Yes (with reservations)

Proposition 1 would create a rail trust fund to issue \$9.95 billion in bonds to build a new, electric, high-speed railroad (HSR) between San Francisco and Los Angeles (\$9 billion) and for connections to the HSR and for other repairs and modernization of existing tracks , signals, etc. Additional money would come from the Federal government and from private investors (because the project is expected to start yielding profits in about 20 years).

If you feel you've been hearing about this plan for years, that's because you have. High-Speed Rail operates successfully in dozens of countries around the world. In 1996 the State created the California High-Speed Rail Authority to plan for train service at 200 miles per hour or faster, to connect the "major metropolitan areas of California, and provide service between northern California and southern California" (according to the legislative analyst). This bond measure was scheduled for the ballot twice in recent years and then pulled, and will be on the November ballot (unless the Legislature passes a different version, AB 3034, in time to place it on the ballot instead).

San Franciscans (and East Bay people like us that are within easy range of San Francisco) and Los Angeles-area voters tend to see this project as a faster, cheaper alternative to driving (and a cleaner, cheaper alternative to flying). However, we aren't the only potential riders. The proposed route would eventually link downtown stations in San Diego, Los Angeles, Fresno, San Jose, San Francisco, and

Sacramento, and also have stops in Central Valley cities. Not all trains would stop at all stations, allowing fewer delays for the long-distance passengers while providing service for local Valley passengers.

Let's shift the scene to Merced, and see how things look from there. The Authority has produced several attractive brochures, including one that shows the travel times from Sacramento to Los Angeles, Sacramento to San Diego, Merced to San Francisco, Modesto to Los Angeles, and more. However, Proposition 1, the first phase of the plan, heads west SOUTH of Merced, so it doesn't serve Merced, Modesto, Stockton, or Sacramento at all. Voters in the Valley would be expected to vote for Prop 1 based on the hope that in the future extensions will be built as shown on the Authority's maps. (Voters in Merced have been promised, by the Authority, that Merced will actually be served by the first phase, despite the maps, but nothing in Prop 1 actually says that.)

Supporters emphasize the real downside of NOT building HSR. Population growth in the coming years will mean constant pressure for more highways and expanded airports, with their added environmental destruction locally and added greenhouse gas emissions. HSR uses 15 times less energy per passenger than single-passenger car trips, and air travel is even worse.

The most controversial decision involves the route from the Central Valley to San Francisco. Current car traffic is four times greater through the Altamont Pass than the Pacheco Pass. If the HSR was routed through the Altamont Pass, it would have many more potential riders (paying customers) than the relatively empty land in the Pacheco Route, which the Authority recommends--empty of human population, that is. Wildlife currently can travel over a corridor stretching nearly 250 miles from Altamont Pass to the grapevine, but if the HSR goes through the Pacheco Pass, the rails would be protected by 20-foot-high chain-link fences, blocking the wildlife corridor. Many environmentalists favor avoiding wildlife habitat (the Pacheco Pass route), and anyone opposing more sprawl development are concerned that the Pacheco Pass route will contribute to exactly that.

The decision we have to make is whether the deficiencies in the plan that is currently proposed are so great as to outweigh the advantages that HSR would provide if it were done right. The Transportation And Landuse Coalition (TALC) has been supporting the general concept, working closely with the Authority to improve the actual plan, and in consultation with member groups (which include the Green Party of Alameda County) has been deciding on what criteria to use to make a recommendation. TALC has delayed their decision because of the legislation still pending as of this writing which may remove some of the problems with the current ballot measure. Other groups have already decided to oppose Prop 1. For example, one of the signers of the ballot argument against Prop 1 is the president of the California Rail Foundation (CRF). CRF and several other environmental organizations are planning a lawsuit directed against the EIR.

While I expect this decision to be difficult, my recommendation is "Yes, with reservations."

Prop. 2: Treatment of Farm Animals -- Yes

Proposition 2, Californians for Humane Farms, will provide basic protection to farm animals by preventing the three most cruel forms of confinement in the practice of animal agribusiness, namely, veal crates, battery cages, and gestation crates. On the face of it, such reforms are needed to curtail in a modest way the inhumane treatment of animals simply because they are ethically wrong. Abusive practices create health risks for the human population who consume the animals by fostering conditions

that lead to the spread of disease. Factory farms that cut corners have an adverse impact on the family farmers who do not and threaten to drive them out of business. Objectionable treatment of animals contaminates waterways, lakes, groundwater, soil and air. The proposition provides until 2015 for factory farms to shift to more humane practices.

Those who oppose the measure are business interests who have a record of dishonest scare tactics and who rely on “experts” who are aligned with industry. The opponents of Prop 2 are funded by profit driven industry interests. They claim that the measure will cost the consumer but their own economist admits that it will cost less than one penny per egg. They fail to address the fact that Prop 2 protects calves and pigs as well. They make equally absurd claims about the proposition creating rather than eliminating health and safety issues. These arguments have no merit.

Supporters of Prop two include Consumer Federation of America, Ca Veterinary Medical Association, Humane Society of US, Union of Concerned Scientists, Pew Commission on Industrial Farm Animal Production, Sierra Club, Ca Clean Water Action and more.

We consider this a no-brainer – vote yes on Prop 2.

Prop. 3: \$2 Billion Children's Hospital Bond -- No

If this passes, \$980 million (almost one billion dollars), in bonds will be sold by the state to be paid back with interest over 30 years from the general fund, to expand capacity in California’s Children’s Hospitals. The total cost is expected to be about \$2 billion in taxpayer funds. At first glance, who could be against improving and expanding hospitals for children? Looking deeper however, it is evident that Prop 3 has serious problems.

First, this is essentially the same measure as Proposition 61 on the 2004 ballot, which passed giving \$750 million to the same hospitals. Only \$403 million (53.7%) of that money has been used. Shouldn’t the prior fund be depleted before asking the taxpayers to fund another round?

Second, it is unclear if this taxpayer money is being used in the public interest. Eighty percent of the money will go to private hospitals (the other 20% goes to University of California facilities). Just looking at one of these private institutions, Children’s Hospital of Oakland, one finds that the President/CEO was paid \$673,000 in compensation in 2006, and the Chief Operation Officer was paid \$420,000 that year. This indicates that the taxpayers are subsidizing obscenely high salaries, millions and millions, for top executives, and that likely little or no public oversight exists for how these public funds are spent.

Third, this campaign represents an abuse of the Initiative process. These private hospitals, crying poor, actually have substantial assets and are using them to get additional public subsidies. Children’s Hospital of Oakland alone, for example, is shown as having \$208.9 million in assets in 2006. Moreover, these institutions have hired Richie Ross, the high priced Sacramento political consultant, to run their slick campaign to tap into the taxpayers to fund their private hospitals.

Fourth, if the taxpayers are going to fund the expansion of privately owned hospitals, the taxpayers should get a share of the ownership and control of these institutions, (including board seats and watchdog positions), something, (of course), not part of this proposition.

Finally, it is far past time that we have democratic discussion, debate and action about how to fix our broken health care system, which leaves almost 50 million people without health care in this country. A single payer health care system for all, similar to the Medicare system, should be central to this discussion, which must include how to fund and improve our stressed public hospitals. Alameda County voters will soon be asked to pay for construction a new county hospital. This is likely a much better use of our scarce tax dollars. Prop 3 simply perpetuates the existing and unfair privately dominated medical system. VOTE NO.

Prop. 4: Parental Notification for Under-18 Abortions -- No

This proposition is essentially the same as the two previously defeated California propositions, with the same (male) sponsors. In each case it was on the ballot, the Green Party of California advocated a no vote. One year it was part of the Vote No on All propositions, the next year defeated despite hope by sponsors that it would pass that time. Each time, the education on the problems associated with such parental notification requirements gains new converts.

The issues are:

- constitutional amendment, not just a law
- notifies parents regardless of situation in the home
- requires 48 hour prior notice, causing delay in procedures
- judicial bypass only alternative to unsavvy teenagers, open to judges who routinely could say no
- no provision for rape or incest, (or any other parental problem issues other than through judicial bypass)
- supporters also reject entire Roe v. Wade, sex education, emergency contraception
- overall impact, is to scare teenagers away from services, predictably causing more abortions, as combination of sex education and safe availability of services has resulted in reduction of abortions and unwanted pregnancies
- studies have shown no improvement in child/parent communication in states where similar provisions are in force

This information was found on Planned Parenthood and Catholic Services websites. Groups such as the American Academy of Pediatrics, the California Teachers Association, and the California Academy of Family Physicians oppose Prop. 4.

Prop. 5: Nonviolent Offenders Sentencing and Rehabilitation -- Yes

[Two write-ups were received: both recommend that the Green Party support Prop. 5].

Write-up Number One: The information below is primarily from Ballotpedia, a free, collaborative, online encyclopedia that focuses on everything related to ballots.

http://www.ballotpedia.org/wiki/index.php?title=California_2008_ballot_measures

California Proposition 5, or the Nonviolent Offender Rehabilitation Act (or NORA) is an initiated state statute that has been certified to appear as a ballot measure on the November 2008 ballot in California.

Provisions of Proposition 5:

- * Requires California to expand and increase funding and oversight for individualized treatment and rehabilitation programs for nonviolent drug offenders and parolees.
- * Reduces criminal consequences of nonviolent drug offenses by mandating three-tiered probation with treatment and by providing for case dismissal and/or sealing of records after probation.
- * Limits court's authority to incarcerate offenders who violate probation or parole.
- * Shortens parole for most drug offenses, including sales, and for nonviolent property crimes.
- * Creates numerous divisions, boards, commissions, and reporting requirements regarding drug treatment and rehabilitation.
- * Changes certain marijuana misdemeanors to infractions.

Fiscal impact analysis -- According to the state of California, the initiative, if it passes, would lead to:

- * "Increased state costs that could exceed \$1 billion annually primarily for expanding drug treatment and rehabilitation programs for offenders in state prisons, on parole, and in the community."
- * "Savings to the state that could exceed \$1 billion annually due primarily to reduced prison and parole operating costs."
- * "Net savings on a one-time basis on capital outlay costs for prison facilities that could exceed \$2.5 billion."
- * "Unknown net fiscal effect on expenditures for county operations and capital outlay."

Supporters of Proposition 5 -- California Society of Addiction Medicine, the Mental Health Association in California, the League of United Latin American Citizens, the League of Women Voters of California, the California Democratic Party, George Soros (Open Society Initiative), The Drug Policy Alliance Network, [apps.facebook.com/causes/98665](https://www.facebook.com/causes/98665)

Opposition -- People Against the Proposition 5 Deception. Endorsed by Mothers Against Drunk Driving (MADD), California Police Chiefs Association, California District Attorneys Association, California State Sheriffs Association

Comments: The initiative itself is long (61 pages) and detailed.
www.sos.ca.gov/elections/elections_j.htm The California State Legislature should have comprehensively addressed the issue of prison reform and drug rehabilitation long ago. Part of the current fiscal crisis in California relates to the proportion and expense of incarceration for non-violent, mainly drug-related, offences. California's prisons are seriously overcrowded.

According to the Legislative Analyst report, the overall fiscal effect of Proposition 5 potentially could be a savings of \$2.5 billion in one time capital outlay. There is no overall estimate on the savings of people's rehabilitated lives, who become productive members of their communities, nor of a probable decrease in drug abuse and drug-related crimes.

NORA seeks to address the issue with a wide-ranging reform that is part of a nationwide campaign for prison reform, with two of the main national organizations being Soros Open Society Institute www.soros.org/initiatives/usprograms/about and the Drug Policy Alliance Network www.drugpolicy.org.

Opponents of Proposition 5 argue that Proposition 5 equals "Get out of jail early for drug offenders... this is the ultimate do-gooder legislation. Full of dangerous precedents that will enable drug offenders to commit additional property crimes with impunity. More divisions, commissions, boards for paid political appointees to dominate. Further decriminalizes marijuana." The No on Prop. 5 are challenging the constitutionality of the initiative, saying that it takes away power from the legislative and executive branches of government. The main arguments given against Prop. 5 are that it will increase crime and taxes, without any data to back up these assertions.

The Green Party should endorse YES on Proposition 5, the Nonviolent Offenders Rehabilitation Act (NORA) as a step towards much needed prison reform and rehabilitation.

Write-up Number Two: The Drug Policy Alliance and the Campaign for New Drug Policies are sponsoring Proposition 5, the Nonviolent Offender Rehabilitation Act (NORA) of 2008. The proposed legislation will amount to a "shake-up" and reform of California's "failed criminal justice policies." NORA aims to correct overcrowding and related issues at the state's prisons while making drug rehabilitation a top priority. Under NORA, nonviolent prisoners and parolees would be diverted to addiction treatment programs. In addition, resources would be put towards rehabilitation services for at-risk youth. Sponsors state that Proposition 5 will save the state money, which is confirmed by the Legislative Analyst's Office.

Proposition 5 supporters argue that this proposed legislation is a smart way to ease prison overcrowding by diverting nonviolent drug offenders to treatment; that it will offer drug treatment to nonviolent youth, which heretofore doesn't exist; and, will provide rehabilitation programs to prison and parolee addicts. They state that Proposition 5 enhances rehabilitation efforts started under Proposition 36 and that it offers greater accountability than the 2000 voter-approved legislation. In addition, Proposition 5 will keep violent offenders in prison.

Those against Proposition 5 state that it will increase crime by releasing "criminals" into communities. They also argue that NORA will increase costs to California's taxpayers by \$1 billion dollars. Some refer to it as the "Drug Dealer Bill of Rights." They argue that this proposition would allow violent criminals to claim that drugs made them commit the crime and therefore they would avoid prison time.

In actuality, Proposition 5 will allow judges to determine which nonviolent offenders get diverted to treatment. NORA is intended to separate violent from nonviolent offenders. Candidates for treatment must have no history of violent or serious crime or have not committed a crime for the previous five years in addition to having served the appropriate time for previous crimes. NORA offers incentives to complete treatment as well as consequences for not doing so.

NORA is a smart, humane approach to engaging with nonviolent drug offenders and addicts. It is also a sane solution to easing overcrowding in our prisons. A “yes” vote on Proposition 5 is recommended.

Prop. 6: Anti-Gang Penalties (Runner initiative) -- No

Proposition 6 – aka “Safe Neighborhood Act” and “Runner Initiative” – would crack down on gangs, drugs, and youth, by – among other things – forcing all public housing residents to submit to criminal background checks, prosecuting “gang-related” youths from the age of 14 as adults, admitting hearsay evidence in court, and establishing harsher penalties and eliminating bail for violent crimes. Estimated cost? \$1 Billion in the first year alone. Source of funding? The state’s General Fund – ie, money currently spent on schools, healthcare, and other non-punitive public services. Prop 6 is supported by the California State Sheriffs Association and the California District Attorneys Association.

The idea for Prop 6 was first introduced as a bill in the State Senate by Republican Caucus Chair George Runner, but failed to even make it out of committee. So Runner got billionaire Henry Nicholas the Third to donate \$1 million to get it on the November ballot as an initiative. However, crime-fighter Nicholas was himself arraigned last June on a 21-count indictment that included charges of pimping, drug trafficking, conspiracy, security fraud, and making death threats.

There is no question that gang-related crime is a growing problem in the urban areas of California. But Prop 6 is clearly a ploy by knee-jerk reactionaries to take what little money is left for public services and use it to further club the poor and disenfranchised into greater submission. The Green Party agrees with Steven Walker of Minorities in Law Enforcement when he says Prop 6 fails to show how it will make our neighborhoods safer, but will “overwhelm a prison system that is largely occupied by African-American and Latino males by targeting these particular demographics.”

What do other public officials think?

Barbara Lee, Alameda County Congresswoman: “The so-called Safe Neighborhood Act will not lead to safer streets, less crime, or a reduction in drug dealing in our community.”

Wayne Tucker, Oakland Police Chief: “We are opposed to it as it stands because it may have a negative impact on the residents of our community.”

Sandre Swanson, Oakland State Assemblyman: This initiative ... will force us to throw children into prisons and throw away our ability to rehabilitate, educate and divert them from crime.”

Jakada Imani, Ella Baker Center: “Effective public safety results from employment and a strong economy, which is based on a strong school system.”

Marty Hittelman, California Federation of Teachers: "This initiative is a disaster for California in a year of budget crisis.”

Also opposed: Richmond Mayor (and Green Party member) Gayle McLaughlin, Ron Dellums, Gloria Romero, Dolores Huerta, CA Teachers Assoc., ILWU, SEIU, ACLU, ACORN, American Friends Service Committee, Childrens Defense Fund, EBASE, GPCCC, Urban Habitat, and many more...

The Green Party should definitely join the rest of progressive California in voting NO on this ineffective, costly, and racist approach to public safety.

Prop. 7: Renewable Energy Requirements for Utilities -- No

[Two write-ups were received: both recommend that the Green Party oppose Prop. 7].

Write-up Number One: Prop 7 sounds great on its face: half of our electricity would come from renewable energy sources by 2025; vast thermal solar arrays would be built in the desert; photovoltaic, wind, geothermal and other renewable technologies would be fast-tracked, and the cap would be lifted on penalties for utility non-compliance. It would expand today's renewable targets, currently at 20% by 2010 and proposed to be 33% by 2020, to 40% by 2020 and 50% by 2025. Also, the provisions of Prop 7 would for the first time impose renewable-energy requirements on publicly owned utilities like SMUD and the LA Department of Water and Power.

Peter Sperling and his dad John, billionaire founders of the Apollo Group and the internet's University of Phoenix, came up with this proposal, including the \$3,000,000 used to get it on the ballot. They got a law firm to write it, and former SF Supervisor Jim Gonzalez to be their spokesperson.

Prop 7 has some big names signed on, including renowned NASA climate scientist James Hansen, along with UFW organizer Dolores Huerta, and Jerry Brown's environmental consultant Randall Hayes. Their polling currently shows 75% public approval for the measure, though the Proposition is not yet widely known.

But the opponents to Prop 7 are a very large and diverse group. Among those against it:

- * ENVIRONMENTAL: California League of Conservation Voters, Environmental Defense Fund, Natural Resource Council, Union of Concerned Scientists
- * ALTERNATIVE ENERGY: California Solar Energy Industries Association, Independent Energy Producers Association, Center for Energy Efficiency and Renewable Technologies
- * LABOR: California AFL-CIO, AFSCME, Building & Construction Trades Council, and 5 IBEW locals
- * BUSINESS: Over 50 local Chambers of Commerce, Business and Development Associations
- * POLITICAL: Both Republican and Democrat Parties, plus many state and local office-holders
- * CONSUMERS: Lots of taxpayer and consumer groups
- * UTILITIES: PG&E, SoCal Edison, Sacramento MUD, California Municipal Utilities Assoc.

PG&E and Southern California Edison have already contributed about \$24 million to defeat the proposition, insuring a big public fight. It is obvious that the utilities would be against stricter renewable requirements, but it is astonishing to see these corporations and the environmentalists joining forces. Why are the environmentalists opposed?

The problem seems to have been shortsighted politics: energy novices themselves, the Sperlings, in an apparent attempt to avoid too many "cooks" and a Legislature too beholden to big utilities with entrenched fossil fuel interests, created their proposal without consulting the major environmental and renewable energy groups in California.

Besides failing to bring experienced progressives on board for the design phase, opponents say, the proposal is far too complex. Difficult details should be worked out together with the stakeholders, not offered to voters in a one-time, take-it-or-leave-it scenario. Ralph Cavanaugh (Natural Resources Defense Council): "If you're going to legislate at the ballot box, keep it simple, don't write 70 pages. Our objection isn't to their good intentions, but to their bad initiative."

Finally, the initiative inexplicably requires a two-thirds vote of the Legislature, as with the Budget, to change any of its provisions once it becomes law, making future repairs or improvements extremely difficult.

Some specific provisions that opponents find problematic:

- * Prop 7 locks in place the cumbersome permitting procedures that have already seen California lose the lead in wind power to Texas.
- * It encourages clean-energy development by requiring a 2% annual increase renewable output, but at the same time caps any retail price increases at 3%, regardless of costs. This inflexibility with new technologies is a recipe for failure.
- * It is biased towards large-scale desert energy plants, which will need expensive long-distance transmission lines, and against cheaper, decentralized rooftop solar.
- * Effectively eliminates co-generation facilities from the mix. Decentralized co-generation is low-cost and delivers power directly to the grid, requiring no transmission lines.
- * Utilities entering into contracts with alternative fuel providers would be required to sign 20-year contracts, limiting participation by smaller firms.
- * It would allow utilities to count signed contracts with producers towards their renewable-energy goals, even before they bring the power online (if ever).
- * While it removes the cap on fines for utilities that fail to meet renewable requirements, it also lowers those fines by 80%, and then offers more ways for utilities to escape any fine at all.
- * Fast-track approval for renewable plant construction would force local governments to finish the permit process within 100 days, reducing local input on plant and transmission line siting.

Something to upset everyone. No one wants to lock in these problems, so it is disheartening to see a major renewable energy initiative reach the ballot in this condition. To avoid the multiple disasters of global warming, resource depletion, oil wars, economic collapse, etc., we desperately need to wean ourselves off of fossil fuels as soon as possible. We cannot tolerate delays. The opposing sides of this year's measure must find a way to work together to move the issue forward in the Legislature, or else onto the ballot again in 2010, this time with a sound and well-supported initiative.

The GPAC reluctantly urges a NO vote on Prop 7.

Write-up Number Two: The language in Proposition 7 is questionable and quite deceiving, accordingly the terms, "solar and clean energy," may actually permit energy production detrimental to California's environment.

Proposition 7 has questionable language, "solar and clean energy," which may permit energy production detrimental to California's environment. The term "thermal" as used and is not defined as "geo-thermal" and does not exclude "nuclear" as a thermal source. Nuclear energy is non-renewable, finite, as are fossil fuels, and produces toxic wastes.

Proposition 7 does not prohibit the purchase of energy from sources outside of California from non-solar or clean energy sources not permitted in California. This transfers the pollution to another environment and ultimately to the Earth's environment. For instance, it does not prohibit the purchase of out-of-state electricity generated from by hydrogen-fired plants where the hydrogen was derived from nuclear or coal-fired sources.

It allows for the purchase of "credits," which is simply a way of giving someone else's environment the pollution.

It does not forbid the future construction of dams in California, which is most detrimental to the proper maintenance of California's waterways and delta.

Lastly, Proposition 7 does not permit co-generators to write off tax deductions or otherwise depreciate the equipment and operating costs of cogeneration facilities. It does not require power companies to purchase excess power generated by co generation facilities. These two measures alone would reduce our demand for fossil fuels and do more to protect California's air quality and snow pack than passage of Proposition 7. Decentralized co-generation delivers directly to the grid and requires no costly transmission lines.

This proposition is simply a way to subsidize businesses and power companies for making minimal efforts to develop solar and clean energy sources. It promotes centralized generation and the subsequent transmission losses and costs, and does nothing to promote decentralized on-site cogeneration. It also creates a regulatory agency and annually wastes millions of taxpayer's dollars for oversight and regulation not needed with on-site generation. A NO vote is recommended on Proposition 7.

Prop. 8: Same-Sex Marriage Ban -- No

This is another attempt to divest the citizens of California of their rights. One group at a time. The Supreme Court of California has upheld the California Constitution that guarantees the same freedoms and rights to everyone. Yet this initiative is an outright attempt to change the Constitution to make access to these rights unavailable to same sex couples by denying them the freedom to marry. The people of California do not want to change the Constitution to institutionalized discrimination and unequal treatment under the law.

In this political climate when we are losing many of our constitutional rights... we shudder at the thought of tampering with the rights of anybody. When we start singling out special groups to make the law not apply to, we think we are in serious trouble. "Our Californian Constitution guarantees the same freedoms and rights to everyone"...why would we want to change it? Voting "No" on Prop 8 upholds the Supreme Court decision, cast a vote for the Constitution of California and is the right thing to do.

We think every citizen should consider this a personal attack on the rights of all of us. One of the Green Party's 10 Key Values is that of social justice and equal opportunity. We believe that every person should have the rights and opportunity to benefit equally from the resources afforded us by society. All peoples committed to equal rights, equal opportunity and a respect for diversity will find Prop 8 offensive.

There are certain resources that are only afforded to couples in the legal entity of marriage. Loving and committed couples should be able to access these rights. Rights that allow all couples to work together to provide for each other, to make decisions in crisis and everyday life that has the full protection of the law that only the legal system of marriage can convey.

This isn't about religion, this isn't about straight or gay this is about all committed couples having equal protection under the law. Domestic Partnerships are not equal. Vote No on Prop. 8

Prop. 9: Victims' Rights, Reduction of Parole Hearings -- No

What this Proposition does:

Proposition 9 proposes additions and amendments to the California Constitution and to the California Penal Code, relating to the rights of victims of crime. Most of the changes being requested greatly expand victim's rights that were passed in 1982 in a proposition titled The Victim's Bill of Rights. It would make the first priority of the Board of Parole Hearings to protect victim's rights in the parole process. Prop. 9 greatly limits prisoners' rights to due process, legal representation and parole consideration.

The Arguments:

Proposition 9 is more about revenge than Victim's Rights. The authors/funders represent the parents of a daughter who was murdered 25 years ago by her boyfriend who is still in prison. They have become angry that they do not have more power over parole laws. This bill would give them that power and much more impact on legal decisions around parole, even while they have no legal training or any consistent contact with the man who killed their daughter i.e. to know if he is likely to commit another crime. The ideas they are trying to put into State of California Constitutional Law do not represent good law. The legal system is about a balance of rights in the search for justice. Prop. 9 would greatly imbalance these rights.

There is frequent mention in this measure about victim's rights to safety being "eroded by inadequate resources" that lean strongly towards building new jails to house criminals whose right to parole hearings will be greatly reduced by this measure and thus lead to longer sentences. The proposition would postpone future parole hearing for up to fifteen years unless the board finds (when it denies the person parole) clear and convincing evidence that the person would not require more than ten more years of incarceration. It further states that "An inefficient, overcrowded, and arcane criminal justice system has failed to build adequate jails and prisons..." (California has one of the highest per capita jail populations in the nation and fewer than 1% of those convicted of second degree murder or manslaughter have been released early at parole hearings). The nonpartisan Legislative Analyst's Office says that Prop. 9 could potentially "amount to hundreds of millions of dollars annually." It also points out that "the state does not now generally release inmates early from prison."

Another claim in Prop. 9 is that all citizens want more punishment for criminals. "Victim's of crime have a collectively shared right to expect that persons convicted of committing criminal acts are sufficiently punished...". With a 70% rate of recidivism, punishment does not seem to be working. Many victim's prefer reconciliation and forgiveness which would benefit both parties far more than punishment and save the state billions of dollars. Further, the ACLU has documented hundreds of wrongful incarceration cases with the most frequent mistake that of misidentification of the person who

committed the crime by the victim and witnesses. One D.A. admitted to pressuring a witness to identify a particular man who was then found guilty and spent over 10 years in prison before the mistake was discovered. This man was denied parole several times. Imagine being denied a next parole hearing for 15 years!

Though Prop. 9 speaks about restitution and punishment, it does not mention reconciliation as a right... the right to forgive. The Truth and Reconciliation hearings of South Africa provided an avenue for people 1998-2000 who committed horrific murders during Apartheid to meet with families of the victims and ask for forgiveness. When forgiveness was desired by both the murders and the families, amazing healing took place and people could move on with their lives. This practice should also reduce future crimes as the mental health of both sides have the opportunity to improve immeasurably. (refer to the book "No Future without Forgiveness" by Desmond Tutu).

Recommendations

Arguments in the voters guide against this proposition have been written by Sheila A. Bedi, Executive Director, Justice Policy Institute and Allan Breed, former director of the California Dept. of Corrections. Their conclusion: "Vote NO on Prop 9. It's unnecessary. It's expensive. It's bad law."

Also against Prop. 9: Jeanne Woodford, former Warden, San Quentin State Prison and Rev. John Freeseemann, Board President, California Church IMPACT who conclude that "Instead of streamlining government, Prop. 9 creates serious duplication of existing laws...places pages of complex law into our Constitution. And once in the Constitution, if the laws don't work, and need to be changed or modernized in any way, it would require a 75% vote of the Legislature. That's a threshold even higher than required to pass the state budget."

The groups that wrote an argument in favor of Prop. 9 include Justice for Homicide Victims, Justice for Murdered Children, and The National Organization of Parents of Murdered Children. They believe that "Prop. 9 levels the playing field, guaranteeing crime victims the right to justice and due process, ending further victimization of innocent people by a system that frequently neglects, ignores and forever punishes them." This sounds like a perfect description of what criminals also face. In fact, as has been already stated, the demands of this measure greatly imbalance the rights by removing the right to legal defense when parole is denied. While the groups mentioned above in this paragraph seem to be going to extraordinary measures to make sure there is not a level playing field. That they suffer continually for their losses is a fact; the victims and their families should receive protection from harsh cross examinations which only serve to increase their pain.

Prop. 10: Alternative Fuel Vehicles & Renewable Energy Bond -- No

Though it began as a progressive, populist idea by California Gov. Hiram Johnson in 1911, the state initiative process has recently become a rich man's game. CA billionaire and indicted sex offender Henry Nicholas III is sponsoring the gang-busting, prison-stuffing Prop 6, and Arizona multibillionaire Peter Sperling, 799th-richest person in the world, has personally put Prop 7 ("Big Solar") on the ballot. Now 80-year old multibillionaire and former Texas oil magnate T. Boone Pickens, world's 369th-richest person and currently into wind farms, has been revealed as the major funder for Prop 10 ("Little Solar") through his Clean Energy Fuels Corporation, which has kicked in over \$3 million. Clean Energy was formerly known as Pickens Fuels Corporation, and makes its money selling natural gas to cars and trucks as a transport fuel.

Proposition 10, also known as the California Alternative Fuels Initiative, authorizes the state to issue \$5 billion bonds - reaching almost \$10 billion when finally repaid from state's General Fund in 30 years - to promote "alternative fuels" use, research, and education. The majority of funds would be allocated as cash payments of up to \$50,000 each to purchasers of "alternative fuel" vehicles.

So are high-rolling corporate capitalists suddenly becoming altruistic environmentalists? Not likely. Even the Wall Street Journal (7/29) refers to it as "the stealthy Prop 10." Here is why: Though it is being promoted as a clean energy, anti-pollution measure, in reality Prop 10 heavily promotes the use of another rapidly declining, greenhouse gas-emitting, fossil fuel – natural gas. While the promoters talk about "alternative fuel vehicles", the language of the proposition excludes most electric and hybrid vehicles, giving the lion's share of funds to truckers switching from diesel to natural gas. It even encourages building dangerous and expensive LNG ports in California to import foreign liquefied natural gas as local supplies run out.

Dang, these Texans are sharp. Once the \$50,000 rebates to buyers of natural gas vehicles kick in, the price of the fuel will skyrocket, causing a jump in electricity generating costs in California. But Pickens will be there to sell our utilities his electricity-generating wind turbines and save the day! Not that reducing particulate-laden diesel exhaust and increasing wind power is bad, it's not. Wind is a great renewable energy resource that we should be using more of. But should California divert \$325 million a year from its shrinking General Fund to help truckers buy Pickens' gas, in order to encourage PG&E to invest in wind energy? Duh! Shades of Enron! There has got to be a non-corporate way to save the world...

Greens! Vote No on 10! And demand a real, renewable, economical, alternative energy plan from your Legislature, or else help get one on the ballot in 2010!

Prop. 11: Redistricting -- No

[Two write-ups were received: both recommend that the Green Party oppose Prop. 11].

Write-up Number One: Prop 11--"Voters' Last Act"

Proposition 11 is a constitutional amendment designed to remove the authority for setting district boundaries (for Assembly, State Senate, and Board of Equalization Districts) from the Legislature, and to create an alternative process for determining those Districts. (Prop 11 leaves the District setting for Federal Congressional seats in the hands of the Legislature.) The Proposition sets up a 14-member "Citizens Redistricting Commission", composed of 5 members from each of the two largest political parties, and 4 members (we'll call them "others") who could come from other parties or be voters who decline to state a party preference. For approval of any Redistricting proposal it would take at least three votes from the largest and second-largest parties' members and three from the "other" pool.

To create the Commission, the State Auditor (a person appointed by the Governor from a list of three candidates submitted by the Joint Legislative Audit Committee), initiates an application process. "Open to all registered voters, in a manner that promotes a diverse and qualified applicant pool" there are a number of criteria in the initiative which are considered to be conflicts of interest which would disqualify an applicant. "(A) Within ten years immediately preceding the date of application neither the applicant nor a member of his or her immediate family may have done any of the following; (1) been

appointed to, elected to, or been a candidate for Federal or State office; (2) served as an officer, employee, or paid consultant of a political party or of the campaign committee of a candidate for elective Federal or state office; (3) served as an elected or appointed member of a political party central committee; (4) been a registered Federal, State, or local lobbyist; (5) served as paid Congressional, legislative, or Board of Equalization staff; (6) contributed \$2000 or more to any Congressional, State, or local candidate for elective public office in any year...; (B) Staff and consultants to persons under a contract with or any person with an immediate family relationship with the Governor, a member of the Legislature, a member of Congress, or a member of the State Board of Equalization are not eligible to serve as Commission members.”

The pool of applicants is then presented to the Applicant Review Panel (ARP), consisting of the Chief Auditor and three qualified independent auditors randomly drawn from a pool consisting of all auditors employed by the state and licensed by the California Board of Accountancy at the time of the drawing. One must be from each of the two largest parties and one must be in the “other” category.

The ARP selects 60 of the most qualified applicants, 20 registered in the largest party, 20 in the second-largest party, and 20 “others.” The four Legislative leaders each get to delete two names from each pool. Then the State Auditor randomly draws 3, 3, and 2 names (from the three groups) and those 8 select the remaining 6 to make the total of 5 Democrats, 5 Republicans, and 4 “others.”

The arguments for removing Redistricting from the legislature are well known. The current system protects incumbents, and by implication, works against any “third party” or independent candidate, maintaining the political status quo. However, the advantage of the current system, in our opinion, is its transparency. If the voters are dissatisfied with the status quo, they know who to blame. Drawing electoral districts is a profoundly political act. Creating a Redistricting process with unelected, unknown, faceless people, chosen by a Kafka-esque process, is moving away from accountability. Less important but still worth mentioning is that Prop 11 continues to underrepresent third parties and independents. Therefore we recommend a NO vote on Prop 11.

Write-up Number Two:

Proposition 11 does not meet the Green Party’s objective of proportional representation.

Proposition 11 clarifies the criteria for determining district boundaries in the races it covers. It forbids discriminatory political affiliated criteria from being used. It takes the redistricting oversight of the Assembly, State Senate and Board of Equalization out of the Legislature’s hands. These are a major improvements and may be the basis for some to support this proposition.

However, the oversight of the redistricting of the House of Representatives is left in the hands of the state Legislature using the new “redistricting criteria.”

The oversight commission does not have one member from each state-recognized party. It gives weighted seating to the “two parties with the highest registration.” It recognizes minor state-recognized parties as a randomly selected part of the Decline-to-State group. Declined-to-state and non-state-recognized parties may, as a group, someday have more registration than the two current major parties resulting in legislated under representation. Grouping alternative parties [currently four in California] with decline to state voters virtually guarantees that some state-recognized party will not be represented. The alternative parties and others outside the two parties with the highest registration deserve to be recognized and deserve representation on the oversight commission.

Because the State Legislature still oversees the redistricting of the House of Representatives, and because there is mandated under representation of alternative parties and decline-to-state voters, and because the proposition falls short of proportional representation, a no vote is recommended on Proposition 11.

Prop. 12: Veterans' Bond -- Yes (with reservations)

It is very difficult to endorse a Bond Measure in the light of the State's continued budget crisis. However, this Bond measure is a continuation of Veterans' Bond Act for the Cal-Vet Home Loan Program started in 1922. The Veterans' Bond measure of 2008 authorizes the sell of bonds to extend this services to more veterans.

This program is already extended to all California Veterans including veterans who have served more recently in Iraq and Afghanistan. We feel this is an appropriate expression of our thanks and gratitude. While we feel strongly (opposed) to voting for a bond measure, we also feel strongly (supportive) about assisting our veterans.

One of the arguments against Prop. 12 is that "enlistees should receive higher pay and better benefits from the federal government". We agree! However, in the face of continued efforts by the current administration to cut veterans benefits and with the hundreds of millions of dollars going to private security firms and mercenary armies, we don't that is likely. The shameful wages and an unjust war has put an undue hardship on our veterans and their families. Many have lost homes in the fall-out of the housing meltdown.

No matter what your opinion about the war, we do believe that our veterans are deserving of our help. Even with reservations about bonds, we encourage a yes vote on Prop. 12.