



SUMMARY

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Ballot Recommendations
For the November 8, 2016 California General Election

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

This \$3 Billion bond will rectify our long-standing neglect of the critical infrastructure housing our school children. Children attending school in substandard buildings do 6-11% less well than children in excellent school facilities. Just under half (42%) of the state's school districts have at least one building in disrepair, and one-third have lead paint, while others have mold, allergens, toxic chemicals, rats and roaches. Students of color and those in poverty bear the largest burden of trying to be educated in horrid conditions. Funds will be invested in cleaning, renovating and building adequate educational facilities, all long overdue.

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

The state Legislature has routinely raised and maintained this fee, paid by private hospitals within the state, to be in compliance with federal regulations that qualify CA for Medi-Cal funding. This fee provides a net benefit to the hospital industry, public and private, by gaining more from Medi-Cal federal support (\$3.5 billion 2015-16) than the fee costs. This measure will require a 2/3 vote of the Legislature to create a fee cancellation or reduction. Medi-Cal expansion under the Affordable Care Act has generated enormous benefits to the homeless and families and children in poverty. Preserving the fee is a positive step in preserving the health of our population.

PROPOSITION 53 Revenue Bonds. Statewide Voter Approval. Initiative Constitutional Amendment..... NO

This proposition would require a statewide vote on all obligation bond sales over \$2 billion even if the work covered by the bond is geographically isolated from most voters. While it does not impact local projects using local revenue, there is no specific exemption for essential goods or for even emergencies. The Proposition if passed could impact emergency funding (earthquakes, major fires) as well as locally needed infrastructure repairs, expansion, etc. to handle water crises and drought preparedness. The Legislative Analyst notes that state-funded hospital construction in San Diego could be vetoed by voters in Eureka. Prop. 53 does much harm and not much good.

PROPOSITION 54 Legislature. Legislation and Proceedings. Initiative Constitutional Amendment and Statute.....YES

This Proposition requires a few simple acts. Every bill must be posted publicly for 72 hours before it may pass out of either house. This prevents last-minute changes ("gut and amend") by special interests that have no review. All public meetings of the Legislature must be videotaped and the videos posted online in a timely manner. This means that the Legislators' comments and those of the public are no longer confined to the hearing room but are open to all. Third, ordinary citizens will have the right to record public hearings and share that information with anyone they choose. These three measures will have a profound benefit in ending last minute secret deals and giving citizens greater transparency within the legislative process.

PROPOSITION 55 Tax Extension to Fund Education and Healthcare. Initiative Constitutional Amendment.....YES

This proposition would extend for another 12 years (2018-2030) part of the tax increase voters approved in 2012. It would impact those earning over \$250,000 for individuals, \$500,000 for joint filers. This would raise, based on stock market fluctuations, between \$4-9 billion annually. The sales tax raised in 2012 will expire in 2018 and not be renewed by this measure. Half the revenue will go to schools with 89% to K-12, 11% to community colleges, to be spend entirely on education not administration and allocated locally by school boards subject to audit. Health spending for low-income people will be \$0 to \$2 billion annually with the Governor's office determining Medi-Cal resources vs spending necessities. Between \$0 and \$1.5 billion will be directed to the reserve and debt payments based on Proposition 2 mandates from 2014. This proposition will do a great deal to prevent the fiscal meltdown of the pre-Proposition 30 that resulted in teacher staff reductions, overcrowded classrooms and longer college waits for completion, and cutbacks in health care services. It is a responsible progressive tax to keep the state both functioning and solvent.

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

If passed this proposition will raise the excise tax – the tax levied on wholesalers – by \$2.00 for tobacco products in addition to existing excise taxes, and will inaugurate similar excise taxes for e-cigarettes. On all three categories the final excise tax will be \$3.37 per item. Because of the price increase of the retail item, it will also raise sales taxes based on higher cost. Increased revenue will provide \$1-\$1.4 billion but potentially less over time with a reduction in tobacco and possibly e-cigarette use.

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Ballot Recommendations for the November 8, 2016 California General Election

~ Proposition 56 continued

The distribution of funds will be in part to replace funds lost by smoking and nicotine product reduction such as First Five childhood programs, then to state and local health programs including Medi-Cal, Public Health, etc. with other revenues to physician training to increase the numbers of primary care and emergency room physicians. Some revenue will go to the state Tobacco Control program to reduce smoking and also to school programs also designed to end use of tobacco by young people. Some funds (5% after revenue replacement is distributed) will be directed to administration of the tax and \$48 million to agencies enforcing tobacco-related laws.

This excise tax places some of the costs of care on those who use tobacco and other products to offset the costs of tobacco-related diseases and impacts of users. Higher "sin taxes" have always been a useful strategy for reducing addictive practices but do have the consequence of also limiting long-term income to the state and agencies supported by the revenues. However, the benefits in overall improved health offset the inherent flaw of income reduction in both diminished health costs and improvement in human well being.

PROPOSITION 57 Criminal Sentences. Juvenile Criminal Proceedings and Sentencing. Initiative Constitutional Amendment and Statute.YES

This proposition requires all determinations concerning the status of juveniles being tried as adults to be left to judges and not prosecutors. District Attorneys may petition, but judges alone will determine the juvenile/adult status especially for youth as young as age 14. It encourages education and rehabilitation as priorities for non-violent offenders, and it allows early release for non-violent offenders upon completion of the full time for the base charge with possible exemption from additional time on additional lesser charges. It keeps most dangerous offenders incarcerated. This proposition extends restorative justice work begun with SB 9, the abolition of Life Without Parole for juvenile offenders and the reduction in unjust abuses of the "Three Strikes" life sentencing as well as sentence changes from felonies to misdemeanors for non-violent, non-serious crimes we passed in Proposition 47. This is an essential step in moving from fear based incarceration to rational criminal justice, especially for our youth.

PROPOSITION 58 English Language Education.YES

This proposition comes from SB 1174 (De Leon) that opens up local decisions about how non-English speaking children will be taught the English language. It repeals the restrictive portion of Proposition 227 (1998) that requires immigrant children to be in English-only classes in all subjects. Since 1.4 million children are English learners, but only 5 percent of schools use the 5-6 year bilingual programs, non-English speaking children have faced serious barriers to overall educational success. Proposition 58 leaves the determination of English-only, bi-lingual education, or a mix of the two up to schools. The schools are also directed to engage with parents on what options exist and to obtain feedback from families on their children's success. There is virtually no fiscal impact to this change.

PROPOSITION 59 Campaign finance: voter instruction.YES

This is the proposition originally denied a place on the California ballot. Now allowed by the court, Proposition 59 is merely advisory with no force of law. It instructs the California Congressional delegation to use their Constitutional authority to find a means, including a new Constitutional Amendment, to overturn the Supreme Court ruling in Citizens United v Federal Elections Commission (558 U.S.310) and other judicial precedents that have expanded the presence of unlimited corporate money to be used to influence election outcomes. Although advisory, Prop. 59 will express the "mind of the citizens" in calling for strategies to end the power of money in our campaigns.

PROPOSITION 60 Adult Films. Condoms. Initiative Statute.YES

This measure is a labor rights and human safety concern. It requires producers (owners) of adult film production companies to have performers wear condoms in performing vaginal or anal sex acts during filming. It further requires producers pay for STD (sexually transmitted diseases) testing for all such performers, post the regulation about condoms at each film site, and obtain state health license at beginning of filming. Anyone with financial interest in such film may be sued for failure to adhere to law including talent agencies knowingly referring performers to non-compliant studios. Permits performers, state of California, or state resident to enforce violations. Adult film performers are 64 times more at risk for various STDs including HIV than the general public. California Occupational Safety and Health already requires that adult industry performers be protected from such harm, and Proposition 60 will strengthen those regulations. The industry will not leave CA since adult film production is legal only here and in NH. It is not an issue of sexual prudishness but of public health for these workers. It is worth doing to preserve lives.

PROPOSITION 61 State Prescription Drug Purchases. Pricing Standards. Initiative Statute.YES

The state of California spends \$3.8 billion annually on pharmaceuticals administered through state health and medical programs ranging from Medi-Cal to state hospitals to prisons. That is approximately half of all prescription purchasing in the state. This proposition would direct the state to set the purchase price for drugs it distributes. While most agencies already do that, this would unify the lowest target costs as equal to rates paid by the federal Veterans Administration. Those drugs on the VA formulary would be purchased in California at VA rates. This would not cover all drugs, but the purchasing power of the combined agencies would provide enormous leverage to do the same for non-VA formulary pharmaceuticals. As the 7th largest economy in the world, state price standards are a powerful base from which to negotiate and provide incentive to drug manufacturers. It could set a trend for further required negotiation by all sectors.

PROPOSITION 62. Death Penalty. Initiative Statute.....YES

Every mainline Protestant denomination, Catholics, and many other faiths oppose the death penalty. The use of capital punishment is sometimes justified Biblically – "an eye for an eye" – but the greater premise of faith is "restorative justice" that seeks healing and wholeness, not state sponsored violence and vengeance. Two factors come into our deliberation. First, the death penalty falls heavily on people of color while white people convicted of the same crime escape. Second, since 1973 Death Penalty Information Center states that 156 people have been found conclusively innocent. At least two people in other states recently executed left evidence that now shows overwhelmingly that they were innocent. That is blood on society's hands. Moreover, the victims' friends and families have no absolute assurance that the real perpetrator is not walking free. There can be no justice and no healing when this remains a powerful possibility. Therefore the appeals process must take time to make sure that those sentenced for capital crimes get every available opportunity to contest their sentencing. The monetary costs to society are enormous. It has cost California \$5 billion to execute 13 people since 1978. The emotional costs to survivors is

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~ Proposition 62 continued

worse since at every turn they need to appear to state their objection to release.

Proposition 62 will change all death sentences, for those already on death row and any new capital cases, into life sentences without the possibility of parole. The perpetrators will never walk the streets again. This is a life sentence, period. Save for exculpatory appeals, the costs of reconsideration will be reduced. This is restorative justice at work. Life without the possibility of parole ends all of our costs and moral uncertainties. It is the essential step to a criminal system that works for everyone.

PROPOSITION 63 Firearms. Ammunition Sales. Initiative Statute YES

This proposition comes in response to the waves of mass shootings that have devastated our nation. Because controversies swirl around the meaning and content of the Second Amendment, legislators have struggled with a way to limit the use of large-capacity weapons and keep them and their ammunition from people who have already been judged incapable of responsible gun ownership.

California complies with all federal laws on who is permitted to own and not own firearms. We use strict background checks and the state Department of Justice keeps a database of firearm owners used by their agents to remove firearms from persons no longer legally allowed to have them. There is also a limit on numbers of firearms, a ten-day waiting period before clearance to possess, and recording and reporting requirements for sales. In 2016 the state also enacted laws to license ammunition dealers and to regulate the standards for sale of that ammunition. In 2019 dealers will have to do background checks for anyone not already cleared to carry concealed weapons and will have to report the buyers' identities and types of ammunition purchase. Further legislation will limit ownership of large-capacity magazines – the types used in so many recent mass shootings across the country – and created a penalty for failure to report lost or stolen firearms to police.

Proposition 63, if passed, will replace some of these provisions with tighter ones. It will require permits to purchase and permits to both buy and sell ammunition from individuals and dealers. It will prohibit bringing ammunition in from out of state without it passing through licensed dealers first. It creates a stronger set of regulations for removing guns from people who are convicted of offenses that prohibit them from owning firearms at all. It tightens reporting on sales, loss, theft and, while it reduces the time of forfeiture for failing to report, it requires the name of the offender to be submitted to the list of prohibited persons at the national registry. More important, the sale of large capacity magazines (above 10 rounds of ammunition) will be banned for sale to most people. Those who had such magazines before 2000 may retain them unless they have a firearm that operates only with such magazines.

In all civil society, rights are cherished. However, there are limitations on time and place for any right – even free speech – that may be enacted for the General Welfare. The plague of mass shootings made possible by the existence of ever-greater weapon capacity can be regulated with judicious oversight that controls but does not eliminate the right. This is a balance between the right to bear arms and the right of the general public to walk and live freely in society.

PROPOSITION 64 Marijuana Legalization. Initiative Statute YES

This proposition allows people 21 years old or older to possess, cultivate, or transport small amounts of marijuana for personal use. It permits local governments to regulate and tax commercial production and sale of marijuana to people 21 years old or older. It also maintains current prohibitions against driving while impaired. It protects children, workers cultivating and processing marijuana, small growers against corporate farming, protects the environment from abusive growers.

No one wishes to have a society in which people feel impelled to use harmful or addictive substances for self-soothing. America has a high rate of addictive behavior in their uses of alcohol, tobacco, food, gambling, sex, and other media to ease their psychic pains. Adding another legal though regulated component, marijuana, seems contrary to ending this problem. Addiction exists, legal or not, and it is far more likely that we can reduce addiction by eliminating the underground economy that has a rabid profit motive to sweep users into its clutches.

Marijuana is a fact of life in every community despite its illegality. Prohibition has not stopped the use of marijuana, but it has added a culture of criminality identical to what occurred in alcohol prohibition during the 1920s. It has spawned large gangs who make millions in the cultivation and transportation of the drug and is a significant portion of the dreadful drug cartel actions along our state's border with Mexico. The toll at the border and within our cities, the death and destruction of lives over competition to sell marijuana, must end. Prohibition has inflicted far more harm than the marijuana itself. We, as people of faith, bear the same responsibility doctors do: first do not harm. When the "solution" outweighs the problem in terms of death and violence, we must alleviate that harm.

Marijuana has been called a "gateway drug" leading users into far more dangerous drug uses. But we believe the "gateway" is not the drug itself but the culture of criminality in which users must buy and consume marijuana that leads them to associate with pushers and gangs who profit from first selling marijuana, then in increasing the drug use with more and different substances.

Another critical reason for support for decriminalization of marijuana lies in much of the same reasoning that the NAACP brings to their support of this proposition – penalties for marijuana possession and use have fallen in discriminatory ways on especially people of color. Legalization of marijuana would result in charging minors with simple underage consumption, as we do with alcohol and tobacco. They should not be placed into a criminal drug culture and into prison because they lack adult judgment on these matters.

One argument for continuing as we are has been that people with addiction problems can receive mandated treatment via the drug diversion policies mandated by Proposition 36 that the state passed some years ago. However, with state budget crises, funding for diversion has been cut to the bone, drug courts have been markedly reduced. Proposition 64 increases drug prevention and treatment funding. We supported Proposition 19 and support Proposition 64 as a step toward ending the violence and death of the drug wars and cartels and to end discriminatory drug sentencing. It is the rational way to deal with a substance that already infuses our society.

PROPOSITION 65 Carry-out Bags. Charges. Initiative Statute..... NO

This proposition is a cynical ploy to offset Proposition 67. The ban on plastic bags may or may not be overturned, but the sponsors of Proposition 65, all out-of-state manufacturers of plastic bags, wish to look concerned for the impact of their products. By directing the small charge of 10 cents for carry-out bags to a new Wildlife Conservation Board, they want to appear environmentally conscious. In fact Proposition 65 is an effort to turn grocers against the bag ban and environmentalists by taking the income from sales of paper bags and diverting it to a non-existent programs. It has, in fact, turned many of us against the sponsors for a sneaky theatrical trick.

PROPOSITION 66 Death Penalty. Procedures. Initiative Statute..... NO

Given the data from Death Penalty Information Center that 156 people have been released from death row proven totally innocent, the last thing the state of California should be doing is reducing appeals and escalating the speed of executions. Billed as justice for victims, it is not. When the execution occurs, all contact with law enforcement ends withdrawing the support that may still be badly needed especially when it becomes clear that nothing has changed at all for those left behind. The Death Penalty does not deter murder, not even of prison guards who are more likely to be killed by non capital offenders. It serves no real justice, only revenge and then by a society that places itself in an untenable position of committing legal murder. It is an immoral and socially irresponsible measure.

PROPOSITION 67 This, as with Proposition 65, violates our commitments to environmental good.YES

This is a referendum on an existing law so that to keep the law banning non-reusable plastic bags we vote YES. To overturn the ban and permit plastic bags in stores again, we vote NO. The plastic bag ban is an inconvenience and can be a hardship for poorer people who need to find alternative carriers that cost money. But the overall contribution of this ban to the improvement of our communities, our environment, to the well being of our wildlife definitely offset the initial inconvenience. We think this is a critical moment to change our throw away society into one that cares for creation even through this simple step.

Spread the Word!

We encourage members and friends to distribute these ballot guides from now until the election through “IMPACT Sundays.” More information on IMPACT Sundays is available on our website. We thank you for your interest in encouraging active deliberation on these and all issues that affect our democratic process and our moral perspectives as people of faith. If you find these recommendations helpful, please help defray the considerable cost with a contribution to California Council of Churches IMPACT. You can help us by making sure we have your email address! Because of the cost of postage, we must cut costs by sending our mailings electronically. Please sign up by clicking the “Join Our Mailing List” button on our website!