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The League of Women Voters of California Education Fund (LWVCEF), a 501(c)(3) nonpartisan organization, encourages informed and active participation in government and works to increase understanding of major public policy issues. The LWVCEF does not support or oppose candidates, political parties, or ballot measures.

The *Pros & Cons* is a nonpartisan explanation of state propositions, with supporting and opposing arguments. The arguments come from many sources and are not limited to those presented in the *Official Voter Information Guide*. The LWVCEF does not judge the merits of the arguments or guarantee their validity.

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### League of Women Voters of California Education Fund

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## General Election • November 8, 2016

At this election, California voters will choose the president of the United States for the next four-year term, elect one of two U.S. senators to represent the state in Congress, and elect state and federal legislative representatives.

California voters will also be deciding on 17 state propositions that are explained in this *Pros & Cons*. Two of the propositions were placed on the ballot by the state legislature, 14 of them were placed on the ballot by supporters who gathered sufficient signatures and seek to make changes in state laws or the California Constitution, and one is a referendum that seeks to overturn an existing law, and was also placed on the ballot by supporters who gathered sufficient signatures.

Visit [votersedge.org/ca](http://votersedge.org/ca) to see everything on your ballot, find your polling place, and get unbiased information on all your voting choices.

### How to Evaluate Ballot Propositions

- ★ Examine what the measure seeks to accomplish. Do you agree with those goals?
- ★ Is the measure consistent with your ideas about government? Do you think the proposed changes will make things better?
- ★ Who are the real sponsors and opponents of the measure? Check where the money is coming from on the Voter's Edge California website: [votersedge.org/ca](http://votersedge.org/ca)
- ★ Is the measure written well? Will it create conflicts in law that may require court resolution or interpretation? Is it "good government," or will it cause more problems than it will resolve?
- ★ Does the measure create its own revenue source? Does it earmark, restrict, or obligate government revenues? If so, weigh the benefit of securing funding for this measure against the cost of reducing overall flexibility in the budget.
- ★ Does the measure mandate a government program or service without addressing how it will be funded?
- ★ Does the measure deal with one issue that can be easily decided by a YES or NO vote? Or, is it a complex issue that should be thoroughly examined in the legislative arena?
- ★ If the measure amends the Constitution, consider whether it really belongs in the Constitution. Would a statute accomplish the same purpose? All constitutional amendments require voter approval; what we put into the Constitution would have to come back to the ballot to be changed.
- ★ Be wary of distortion tactics and commercials that rely on image but tell nothing of substance about the measure. Beware of half truths.

## School Bonds. Funding for K-12 School and Community College Facilities.

**THE QUESTION:** Should the state sell \$9 billion in general obligation bonds to be used for upgrading public education facilities?

### THE SITUATION

The state funds school projects through general obligation bonds, all of which must be approved by voters. During 1998-2006, voters approved \$40 billion of such bonds. The state's 2016-17 payment to service debts from those previous bonds amounts to \$2.4 billion for K-12 schools and \$300 million for community colleges. Virtually all of the funds from those previously-issued bonds have been spent. Under the state's existing School Facilities Program, schools submit project proposals to the state. The proposals may be to buy land, construct buildings, and/or renovate existing buildings. In most cases, schools that receive state funding must contribute local funding. Local funding is either 40 or 50 percent of project costs, depending on the type of project. Schools that lack sufficient funding may apply for additional grant funding, up to 100 percent of the project cost. There is no similar grant funding structure for community colleges. School and community college districts may sell local general obligation bonds to help cover the cost of facility projects, which also must be approved by local voters. Since 1998, school and community college districts have sold about \$64 billion and \$21 billion, respectively, in local general obligation bonds for facility projects.

### THE PROPOSAL

Prop. 51 would authorize the state to sell \$9 billion in general obligation bonds: \$6 billion to modernize old, or to construct new, K-12 public school facilities; \$2 billion for community college facilities; and \$1 billion for charter schools and vocational facilities.

### FISCAL EFFECTS

The state likely would issue these bonds over a period of about five years and make payments from the General Fund over a period of about 35 years. If the bonds were sold at an average interest rate of five percent, the total cost to pay off the bonds would be \$17.6 billion, including principal and interest. The average payment per year would be about \$500 million, less than half of one percent of the state's current General Fund budget.

Given the availability of additional state funds, some local school and community college districts might raise and spend more locally, while others might raise and spend less locally.

### SUPPORTERS SAY

- A statewide bond is the best option for meeting California's school construction needs. Local voters will still be in control of how the bond funds are spent.
- Many schools and community colleges throughout the state have outdated facilities and need repairs to meet basic health and safety standards.

### OPPONENTS SAY

- Local school bond measures work better than statewide bonds. Local control is the best way to minimize government waste.
- Prop. 51 funding would go to those first in line. Large, wealthy districts would receive the lion's share of funding, because they have the resources to quickly apply for the funding.

### FOR MORE INFORMATION

**Supporters:** Yes on 51 -Californians For Quality Schools  
[www.californiansforqualityschools.com](http://www.californiansforqualityschools.com)

**Opponents:** California Taxpayers Action Network  
[www.stopprop51.org](http://www.stopprop51.org)

### More Information on Bonds

For more information on bonds, see Overview of State Bond Debt in the *Official Voter Information Guide*, Page 115

[www.voterguide.sos.ca.gov](http://www.voterguide.sos.ca.gov)

## Medi-Cal Hospital Fee Program.

**THE QUESTION:** Should (a) a fee charged on private hospitals to facilitate Medi-Cal funding be made permanent; (b) the Legislature's ability to change it be limited; and (c) the State Constitution be amended to exclude this revenue from California's education funding calculations?

### THE SITUATION

The Medi-Cal program provides basic health care benefits to eligible low-income Californians (currently 13 million people). Generally, the state and federal governments share the costs of the program equally, but for some costs the federal government pays more than the state. Since 2009, the state has charged most private hospitals a fee (currently \$4.6 billion) which funds the state's share of increased Medi-Cal benefits and generates state General Fund savings. Between state and federal funds, hospitals realize a \$3.5 billion net benefit in payment for services rendered. Since it began, the Legislature has extended the fee four times, and could potentially extend it again beyond its current ending date of January 1, 2018. Any extension of the fee by the Legislature or by Prop. 52 must also be approved by the federal government.

### THE PROPOSAL

Prop. 52 would make the fee permanent. The Legislature could end the fee by a two-thirds vote in each house, an increase from the current majority requirement. Changes to the fee generally would require future voter approval in a statewide election. However, the Legislature—with a two-thirds vote—could make certain specific changes without voter approval, such as to obtain federal approval of the fee. The State Constitution requires an annual minimum funding level for K-12 education and community colleges, based on state General Fund revenue. As under current practice, Prop. 52 would exclude the fee from these calculations (requiring an amendment to the State Constitution).

### FISCAL EFFECTS

The fiscal effect of this measure is uncertain primarily because it is not known whether the Legislature would have again extended the fee. If the fee would have been extended, Prop. 52 would likely have minor fiscal effect on the state and local governments. Without Legislative extension of the fee, Prop. 52 would have a major fiscal effect on state and local governments. The fiscal effects under this scenario would likely be similar to the Medi-Cal revenue and state benefit experienced through the fee in past years. These impacts, however, could be affected by new federal requirements impacting the fee, which are not known at this time.

### SUPPORTERS SAY

- This proposition ensures that the state will continue to receive more than \$3 billion a year in federal matching funds for Medi-Cal that would otherwise not be available.
- Prop. 52 prohibits the Legislature from using the fee revenue for any other purpose.

### OPPONENTS SAY

- Prop. 52 gives \$3 billion a year in federal health care benefits to hospitals with no oversight or accountability, and no guarantee it will be spent on health care.
- Prop. 52 rigs the system in favor of corporations and hurts low-income people.

### FOR MORE INFORMATION

**Supporters:** Yes on Proposition 52, a coalition of California Associations of Hospitals and Health Systems and non-profit health care organizations.

[www.yesprop52.org](http://www.yesprop52.org)

**Opponents:** Californians for Hospital Accountability and Quality Care-No on 52, sponsored by Service Employees International Union-United Healthcare Workers West

[www.noon52.com](http://www.noon52.com)

### Choosing YES or NO on a Proposition

A YES vote means that you approve of the change a proposition would make, and a NO vote means that you want to leave things as they are now.

## Revenue Bonds. Statewide Voter Approval.

**THE QUESTION:** Should statewide voter approval be required before any revenue bonds can be issued or sold by the state for projects where the bond amount exceeds \$2 billion?

### THE SITUATION

The state funds its operations and infrastructure by using annual tax revenues (“pay-as-you-go”), and by borrowing money through selling bonds to investors who, over time, are paid back with interest.

There are two main types of bonds: general obligation bonds and revenue bonds. The state repays its general obligation bonds out of the state General Fund. Revenue bonds are typically repaid using the revenue received from fees and other charges paid by the users of the projects (such as bridge tolls, rent, and utility rates). General obligation bonds require statewide voter approval before the state can issue them to pay for a project; revenue bonds, however, do not require statewide voter approval under existing state law.

### THE PROPOSAL

- Statewide voter approval would be required before revenue bonds could be issued or sold by the state for any projects costing over \$2 billion.
- This law would apply to:
  - all projects financed, owned, operated or managed by the state; and
  - all projects financed, owned, operated, or managed by joint agencies formed between the state and local city or county governments, another state, or a federal government agency.
- Dividing large projects into separate smaller projects in order to avoid the requirement of statewide voter approval would be prohibited.

### FISCAL EFFECTS

Unknown. Financial impact on state and local governments, both short-term and over time, would depend on factors such as: which projects are affected, the outcome of a statewide vote, and whether alternative projects or activities are implemented instead that could result in higher or lower costs compared to the original project.

### SUPPORTERS SAY

Proposition 53 will:

- Ensure that voters directly choose whether or not the state can implement extremely large, expensive projects, such as the bullet train and the proposed tunnels under the Delta.
- Close the loophole in state law that requires voter approval for general obligation bonds but not billion-dollar revenue bonds.
- Protect California’s long-term fiscal health by discouraging spending that adds to the state’s debt load.
- Mandate transparency about the true costs of projects.

### OPPONENTS SAY

Proposition 53 will:

- Take away local control by requiring a statewide vote for many local projects, even when they are funded by local users and ratepayers.
- Prevent or delay repair and maintenance of the state’s water systems – the most pressing infrastructure issue the state currently faces.
- Prevent or delay repair and maintenance of infrastructure projects and systems after emergencies or natural disasters.
- Jeopardize California’s long-term economic health and safety due to deferring necessary infrastructure work.

### FOR MORE INFORMATION

**Supporters:** Yes on 53 – Stop Blank Checks  
[www.StopBlankChecks.com](http://www.StopBlankChecks.com)

**Opponents:** No on Prop 53 – Californians to Protect Local Control:  
[www.NoProp53.com](http://www.NoProp53.com)

#### More Information on Bonds

For more information on bonds, see Overview of State Bond Debt in the *Official Voter Information Guide*, Page 115

[www.voterguide.sos.ca.gov](http://www.voterguide.sos.ca.gov)

## Legislature. Legislation and Proceedings.

**THE QUESTION:** Should all bills before the Legislature be printed in their final form and posted online 72 hours before being voted on, and should all public meetings of the Legislature be videotaped and posted online within 24 hours?

### THE SITUATION

Legislative rules govern the process by which bills become laws. Legislators discuss bills in committee hearings and other meetings and make changes to bills based on these discussions, a process that usually takes place over days, weeks, or months. However, bills can also be drastically changed at the last minute, including adding hundreds of pages of new text. In a procedure known as “gut and amend,” every word of a bill may be replaced at the last minute with new language, which can even be on a totally different subject. When this happens, the public cannot read the bill in its entirety before it is passed into law, and many legislators cannot read the bill in its final form before voting on it. Additionally, recordings of the Legislature’s public proceedings are not always made, so meetings and discussions about a bill can take place unobserved by the public or the press, without any record of what was said.

### THE PROPOSAL

The California Constitution and legislative rules would be amended to:

- Require that every bill in its final form be made available to legislators and published on the Internet at least 72 hours before the vote, except in cases of emergency.
- Require the Legislature to make audiovisual recordings of all its public meetings, and ensure that these recordings are available on the Internet for viewing within 24 hours.
- Allow anyone to record public legislative meetings.
- Allow recordings of public legislative meetings to be used for any legitimate purpose.

### FISCAL EFFECTS

Likely one-time costs of \$1 million to \$2 million to buy cameras and other equipment, and annual costs of about \$1 million for more staff and online storage for the videos. These costs would be less than one percent of the Legislature’s budget for its own operations.

### SUPPORTERS SAY

Proposition 54 will –

- give the public and their elected officials time to read and express their opinions on legislation before it is enacted into law.
- put an end to the practice of “gut and amend.”
- ensure that all open meetings of the Legislature are recorded, and posted online so the public can view them.

### OPPONENTS SAY

Proposition 54 will –

- introduce unnecessary, burdensome and time-consuming restrictions on the way laws are written.
- make small technical but needed changes in bills introduced at the end of Legislative sessions more difficult to accommodate.
- give lobbyists and special interests extra time to lobby and launch campaigns to attack hard-fought bipartisan compromises.

### FOR MORE INFORMATION

**Supporters:** Yes on 54 – Voters First, Not Special Interests:  
[www.YesProp54.org](http://www.YesProp54.org)

**Opponents:** Californians for an Effective Legislature:  
[www.NoOnProposition54.com](http://www.NoOnProposition54.com)

**General Election • Tuesday, November 8, 2016**  
Polls open 7:00 a.m. to 8:00 p.m.

**October 24**  
Last day to register to vote

Mailing period for Vote-by-Mail Ballots  
**October 10 - November 1**  
(Request yours before the **November 1** deadline)

## Tax Extension to Fund Education and Healthcare.

**THE QUESTION:** Should the State Constitution be amended to extend certain income tax increases on high-income taxpayers through 2030, and increase funding for Medi-Cal benefits?

### THE SITUATION

This year's state General Fund budget is about \$122 billion with over half going to education and about one-quarter to health and human services, which includes the Medi-Cal program. Income taxes, imposed on payroll, investment income, and profits from the sales of stock or other assets, provide about two-thirds of General Fund revenues. Tax rates increase as a person's taxable income increases. In 2011, tax rates ranged from 1% to 9.3%. Prop. 30 in 2012 increased these rates 1% to 3% through 2018 on high-income taxpayers, defined as individuals earning more than \$263,000 a year and couples earning more than \$563,000 a year, and a quarter-cent increase in the state sales tax.

This year Prop. 30 income tax increases will raise about \$7 billion, all for K-12 schools and community colleges.

The state must spend a minimum amount annually on K-12 schools and community colleges. This year, the General Fund will provide over \$50 billion towards this minimum guarantee. Local property taxes also contribute to this obligation.

The Medi-Cal program provides health care services to over 13 million low-income people—roughly one-third of the state's population. It relies heavily on federal funding and receives some support from other state sources.

The Prop. 30 income tax increase is set to expire at the end of 2018, and the sales tax increase to expire at the end of 2016.

### THE PROPOSAL

Prop. 55 would extend the Prop. 30 income tax increases on high income taxpayers from 2018 to 2030 (an additional 12 years). Income tax increases would vary by level of income. On a single person's income of \$300,000, there would be an additional tax of \$370, while on a married couple's income of \$2,000,000, there would be an additional tax of \$37,980. These additional revenues would continue to provide funds to K-12 and community colleges, but also be directed to the Medi-Cal program, based on a new formula for its funding. The Prop. 30 income tax increase is set to expire at the end of 2018, and the sales tax increase to expire at the end of 2016.

### FISCAL EFFECTS

Prop. 55's increased revenues would be used for education, health care services for low-income people, and other state budget purposes.

The amount of additional state revenue is uncertain.

Depending upon the economic year, the increases could range from \$4 billion to \$9 billion.

Roughly half of any revenue increases would go to education. Additional Medi-Cal funding under Prop. 55 could vary significantly, possibly ranging up to a maximum of \$2 billion per year.

Prop. 55 could increase annual contributions to "rainy day" budget reserves and annual payments of state debts by \$60 million to \$1.5 billion or more.

### SUPPORTERS SAY

- Prop. 55 maintains existing tax rates, so the wealthy pay their fair share to provide adequate funding for education and health care.
- Prop. 55 has strict accountability requirements, making sure that the funding reaches the schools.

### OPPONENTS SAY

- Voters who approved Prop. 30 were promised that the increases would be temporary, not permanent.
- Prop. 55 tax increases are not needed to adequately fund education, health care and state government, and would be a job-killer.

### FOR MORE INFORMATION

**Supporters:** Yes on 55 – Californians for Budget Stability  
[www.yeson55.com](http://www.yeson55.com)

**Opponents:** Howard Jarvis Taxpayers Association  
[www.opposeprop55.com](http://www.opposeprop55.com)

#### Who can vote?

You may register to vote in California if:

- You are a U.S. citizen and California resident.
- You will be at least 18 years old on election day.
- You are not in prison or on parole for a felony.
- You have not been judged mentally incompetent.

#### When must you re-register to vote?

You need to fill out a new voter registration form if:

- You change your residence address or mailing address.
- You change your name.
- You want to change your political party affiliation.

***If you registered and your name does not appear on the voter list at your polling place, you have a right to cast a provisional ballot at any polling place in your county.***

## Cigarette Tax to Fund Healthcare, Tobacco Use Prevention, Research, and Law Enforcement.

**THE QUESTION:** Should California increase taxes on tobacco and electronic cigarette products containing nicotine to fund healthcare and tobacco-control programs?

### THE SITUATION

Tobacco products are subject to state and federal excise taxes. California imposes excise taxes on distributors plus sales and local taxes paid by consumers on the final price at the time of purchase. California's average retail price for a pack of cigarettes is about \$6 which includes about \$2.40 in taxes—87 cents state excise tax, \$1.01 federal excise tax, and an average of 50-60 cents sales tax. California's current excise tax on other tobacco products is equivalent to \$1.37 per pack of cigarettes.

Electronic cigarettes are not subject to state or federal excise taxes, but are subject to state and local sales and use taxes.

### THE PROPOSAL

- Prop. 56 would increase the amount of state excise tax on cigarettes by \$2 per pack, totaling \$2.87, with a per-pack equivalent of \$3.37 excise tax for other tobacco products, including electronic cigarettes.
- Revenue from the excise tax increase would go into a new fund to support existing tobacco-control and healthcare programs, with some monies going to enforcement of tobacco-related laws.
- Prop. 56 would amend the California Constitution to exempt the measure's spending from the state's spending limit, and exempt revenues from minimum funding requirements for education, similar to earlier voter-approved tobacco taxes.

### FISCAL EFFECTS

The Legislative Analyst's Office estimates that, as a result of Prop. 56, consumers may reduce their purchases of tobacco products and change how they buy those products, such as through Internet purchases. If people do consume fewer cigarettes and other tobacco products because of Prop. 56, the current health and wellness programs paid for by existing taxes may receive less funding. Money from Prop. 56 would be required to backfill those losses, in an estimated amount of \$200 million to \$230 million.

Nevertheless, Prop. 56 is estimated to generate \$1.3 billion to \$1.6 billion in new excise-tax annual revenue on cigarettes and other tobacco products (including e-cigarettes).

### SUPPORTERS SAY

- Cigarette smoking kills more than 40,000 Californians annually. Tobacco tax increases are one of the most effective ways to reduce smoking and other tobacco use.
- Taxpayers pay \$3.58 billion every year for tobacco-related healthcare costs. Under Prop. 56, tobacco users will help to offset this cost.
- Prop. 56 doesn't take a dime from schools; it protects school funding while helping to keep our kids from getting hooked on deadly, addictive tobacco.

### OPPONENTS SAY

- Prop. 56 is not what it appears to be. Insurance companies will be paid \$1 billion more for treating the same Medi-Cal patients they treat today.
- Prop. 56 allocates just 13% of new tobacco tax money to treat smokers or stop kids from starting.
- Prop. 56 will undermine our Constitution's school funding guarantee, diverting at least \$600 million a year to health insurance companies and other wealthy special interests.

### FOR MORE INFORMATION

**Supporters:** Yes on 56 - Save Lives California  
<http://www.yeson56.org>

**Opponents:** No on 56 - Stop the Special Interest Tax Grab  
<http://www.noonproposition56.com/>

### Choosing YES or NO on a Proposition

A YES vote means that you approve of the change a proposition would make, and a NO vote means that you want to leave things as they are now.

## Criminal Sentences. Parole. Juvenile Criminal Proceedings and Sentencing.

**THE QUESTION:** Should prison inmates convicted of certain nonviolent crimes be considered for early parole and should judges decide when juveniles should be prosecuted as adults?

### THE SITUATION

Prison sentences in California are set as either a fixed amount of time or an “indeterminate” time, which is a minimum but not a specific maximum time, such as 25-years-to-life. The majority of prisoners are serving a fixed sentence. Some of those are eligible for parole after serving half of their sentence. Those serving indeterminate sentences are eligible for a parole hearing once they have served the minimum sentence. Limited credits may be awarded for good behavior such as training or education, in determining parole. In 2011, a federal court ordered California to reduce the prison population to 137.5 percent of capacity or face mandatory release of prisoners.

Youths under 18 years of age accused of committing crimes are generally tried in juvenile court where judges determine placement and treatment. Youths between 14 and 18 who are accused of crimes such as murder or specific sex offenses may be tried in adult court at the discretion of a prosecutor.

### THE PROPOSAL

- Prop. 57 would amend the State Constitution to allow parole consideration for persons convicted of nonviolent felonies who have served their minimum sentences and passed screening for public security.
- Prop. 57 would change state law to require that youths have a hearing in juvenile court to determine whether they should be transferred to adult court, eliminating the ability of prosecutors to make that determination.

### FISCAL EFFECTS

A decline in the prison population due to this measure could reduce the state’s \$10 billion corrections budget by tens of millions of dollars (offset by costs to conduct more parole hearings). County costs could increase due to an increase in the probation population, which is supervised by county probation officers.

New requirements for youth hearings could reduce state court costs and increase costs in state juvenile facilities. This would result in a net savings of a few million dollars annually. Net county costs would likely increase a few million dollars annually as counties pay for a portion of housing costs in state juvenile facilities as well as probation supervision.

### SUPPORTERS SAY

- Prop 57 focuses resources on keeping dangerous criminals behind bars, while rehabilitating inmates and saving tens of millions of dollars.
- Without a common-sense, long-term solution, we will continue to waste billions of dollars and risk a court-ordered release of dangerous prisoners.

### OPPONENTS SAY

- Weakening of California’s anti-crime laws has gone too far. California’s Constitution should not be amended to give more rights to criminals.
- Prop 57 is a poorly drafted measure classifying crimes such as rape by intoxication and assault with a deadly weapon as ‘non-violent’ and eligible for early parole.

### FOR MORE INFORMATION

**Supporters:** Californians for Public Safety and Rehabilitation  
<http://safetyandrehabilitation.com>

**Opponents:** Stop Early Release of Violent Criminals  
<http://stopearlyrelease.com>

### Looking for more information on the propositions?

#### Official Voter Information Guide

[voterguide.sos.ca.gov](http://voterguide.sos.ca.gov)

Read nonpartisan analysis, arguments for and against, and even the full text of the proposed law.

#### Voter’s Edge

[votersedge.org/ca](http://votersedge.org/ca)

Type in your address for comprehensive information about everything on your ballot.  
 Look up who is giving money to the YES and NO campaigns

## English Proficiency. Multilingual Education.

**THE QUESTION:** Should state law be changed to eliminate the requirement that public schools teach English-learners only in English; to permit a variety of language acquisition programs; and to allow pupils to enroll in bilingual programs without a waiver?

### THE SITUATION

Federal case law, civil rights laws, and state law require public schools to teach all pupils English language skills and academic subjects. In 2015-16, about 2.7 million California K-12 public school students did not speak English at home. A little more than half of them (22% of all California students) were classified “English learners,” i.e. having limited English proficiency.

Proposition 227, passed in 1998, imposed certain restrictions on the way California public schools teach English learners: 1) Classroom instruction must be in English only; 2) special materials may be used to improve language skills and make instruction more understandable; 3) pupils receive special, intensive English instruction for just one year before moving into English-only classes; and 4) enrollment in a bilingual program requires a waiver signed by a parent.

The state requires school districts and county offices of education to publish yearly plans describing the services they will provide for certain groups of students, including English learners.

### THE PROPOSAL

Prop. 58 would repeal key provisions of Proposition 227 and add a few new provisions regarding English language instruction. Prop. 58 would remove the requirement that English learners must be taught only in English. It would allow a variety of programs including bilingual instruction, none of which would require a parental waiver. Community participation would be increased: the annual planning process would include soliciting input from parents and community members as to how English learners should be taught. If parental requests for certain programs reached specified levels, the school would have to provide those programs to the extent possible. Removing the restrictions of Proposition 227 would mean that native English speakers would also be able to learn a language other than their home language.

This measure could be amended by a statute approved by a vote of the electorate, or by a majority vote of each house of the legislature and signed by the governor.

### FISCAL EFFECTS

State costs would not be notably changed by this measure. Local school district costs would depend on program decisions, but new bilingual programs would not necessarily be more or less expensive overall than English-only programs. In districts where many pupils are placed in bilingual programs, ongoing costs might go up. (Training, materials, class size, communicating with parents, and other factors.)

### SUPPORTERS SAY

- Prop. 58 allows districts to meet local needs with greater flexibility.
- Proposed programs must be evaluated objectively based on outcomes and research.

### OPPONENTS SAY

- Being surrounded by English speakers leads to faster English language acquisition.
- Schools shouldn't return to methods that haven't worked.

### FOR MORE INFORMATION

**Supporters:** Yes on 58 - Californians for English Proficiency  
Sponsored by the California State Council of Service Employees  
<http://supportprop58.com>

**Opponents:** Keep English for the Children  
[www.keepenglish.org](http://www.keepenglish.org)

### Choosing YES or NO on a Proposition

A YES vote means that you approve of the change a proposition would make, and a NO vote means that you want to leave things as they are now.

## Corporations. Political Spending. Federal Constitutional Protections.

**THE QUESTION:** Shall California's elected officials use their authority to propose and ratify an amendment to the federal Constitution overturning the U.S. Supreme Court decision in *Citizens United v. Federal Election Commission*?

### THE SITUATION

There are two main forms of political campaign contributions: Money given directly to candidates, committees that support candidates and political parties; and "Independent expenditures," money given in support of or in opposition to a candidate without coordination with the candidate's campaign.

Before 2010, federal law limited the independent expenditures that corporations and labor unions could make in federal elections. In 2010, however; the U.S. Supreme Court ruled in *Citizens United v. Federal Election Commission* that independent expenditures by corporations and labor unions are protected as "free speech" under the First Amendment, thus there is now no limitation or regulation on how much money can be given by these entities as independent expenditures. This ruling applies to federal, state and local governments.

In order to amend the Constitution, Congress may propose amendments or call a constitutional convention for the purpose of proposing amendments. In order for a proposed amendment to take effect, it must be ratified by the legislatures of three-fourths of the states. The California Legislature previously has asked that Congress propose an amendment to reverse the effects of *Citizens United*, or call a constitutional convention for the same purpose.

### THE PROPOSAL

Prop. 59 asks voters whether California's elected officials should use their authority to propose and ratify an amendment or amendments to the U.S. Constitution that would reverse the effects of *Citizens United* and related court decisions, allowing government to impose more limits on political campaign contributions and spending, and make it clear the rights in the Constitution are for natural persons only.

**This is an advisory measure only, has no legal effect, and does not require any particular action by Congress or the California Legislature.**

### FISCAL EFFECTS

Prop. 59 would have no direct fiscal effect on state and local governments.

### SUPPORTERS SAY

- Corporations and billionaires should not be allowed to continue to buy elections, yet the Supreme Court gave corporations the right to spend unlimited amounts of money in our elections.
- Overturning *Citizens United* will open the way to meaningful campaign finance reform that will return ownership of our elections back to ordinary Americans.

### OPPONENTS SAY

- Prop. 59 is a waste of your tax dollars because it will not change the law. Our ballots should not be clogged with pointless non-binding measures.
- Instead of working to amend the Constitution, we should work to require the disclosure of political contributions within 24 hours of receipt, year-round.

### FOR MORE INFORMATION

**Supporters:** Vote Yes on 59 - Overturn *Citizens United*  
[www.yesoncaprop59.com](http://www.yesoncaprop59.com)

**Opponents:** Represented by the firm of Gilliard, Blanning & Associates

No website provided

Email: [info@gbacampaigns.com](mailto:info@gbacampaigns.com)

### More information is only a mouse-click away.

League of  
Women Voters  
of California®



Visit our website, [CAvotes.org](http://CAvotes.org), for more information about the ballot measures, answers to your questions about voting, and a wealth of information on government and public policy. You can see a list of local Leagues in your community, many of which provide ballot measure speakers and candidate forums. We encourage you to sign up and become a member, and to donate or volunteer.

## Adult Films. Condoms. Health Requirements.

**THE QUESTION:** Should performers in adult films be required to use condoms during filming, should new requirements for producers of adult films be added to the California Labor Code, and should private citizens be allowed to file suit based on violation of these requirements?

### THE SITUATION

California is a leading adult film industry location, with many such films being made in the San Fernando Valley area of Los Angeles. (Adult films are commonly known as “pornography.”) The state Division of Occupational Safety and Health (“Cal/OSHA”) already requires adult film condom use, as does Los Angeles County. Cal/OSHA considers exposure to certain body fluids a workplace hazard, because harmful sexually transmitted infections (STI) and HIV can spread from infected people to healthy people. In enforcing these rules, Cal/OSHA requires performers to use condoms during sex on adult film sets.

Some producers and performers prefer to make adult films without condoms or other protective equipment, and instead use regular STI testing to confirm that performers are free of harmful infections.

### THE PROPOSAL

Prop. 60 would place into the California Labor Code additional requirements regarding workplace health and safety on adult film sets:

- Adult film producers would be required to provide condoms, ensure that performers use them, and be able to prove that they did so. Producers would have to be licensed by Cal/OSHA, pay licensing fees, pay for the costs of STI prevention vaccines, testing and medical exams, and keep records showing that they complied with the requirements. The time period for enforcement of violations would be expanded, and there would be financial penalties for such violations. Adult film distributors and talent agents could also face liability for violations.
- Any California resident could request Cal/OSHA to address an alleged violation, and, if Cal/OSHA did not take action, that person could file a civil lawsuit against the adult film producer or distributor. If the individual prevailed in the lawsuit, that person would recover their legal costs and receive 25 percent of any penalties paid by the defendant.

### FISCAL EFFECTS

Some parts of the industry likely would comply with Prop. 60, while others might relocate outside of California or try to evade the law while continuing to make adult films. Adult film wages and business income would likely decline, resulting in reduced state and local revenues by several million dollars per year. Most of the ongoing state costs to implement the law would be offset by the new fees on adult film producers.

### SUPPORTERS SAY

- Prop. 60 closes loopholes in existing law and improves enforcement so that the adult film industry is held to the same workplace protection law that applies to every other California industry.
- Prop. 60 is supported by numerous medical and public health organizations.

### OPPONENTS SAY

- Prop. 60 is opposed by numerous civil rights and public health organizations and business leaders.
- Prop. 60 creates a dangerous, new private right of action, authorizing any resident of California to file a lawsuit directly against adult film producers and distributors.

### FOR MORE INFORMATION

**Supporters:** Yes on Prop 60 for Adult Industry Responsibility (“FAIR”)

[www.fair4ca.org](http://www.fair4ca.org)

**Opponents:** Californians Against Worker Harassment  
[www.dontharassca.com](http://www.dontharassca.com)

### Choosing YES or NO on a Proposition

A YES vote means that you approve of the change a proposition would make, and a NO vote means that you want to leave things as they are now.

## State Prescription Drug Purchases. Pricing Standards.

**THE QUESTION:** Should state agencies generally be prohibited from paying more for any prescription drug than the U.S. Department of Veteran Affairs (VA) pays for the same drug?

### THE SITUATION

The state purchases prescription drugs under various programs covering current and retired state employees, prison inmates and Medi-Cal enrollees. The state (1) purchases some drugs directly from manufacturers, or (2) reimburses entities implementing state programs. Significant drug purchasers typically negotiate and receive price discounts.

The VA provides health care to approximately nine million veterans nationwide, including prescription drugs. It is subject to federal upper limits on the prices it pays for drugs, and often negotiates additional discounts, generally achieving lower prices.

The VA maintains a public database that lists the prices it pays for most drugs. However, the database may not display the lowest prices paid for some of the drugs because of confidentiality clauses in some purchase agreements.

### THE PROPOSAL

Prop. 61 would generally prohibit state agencies from paying more for a prescription drug than the lowest price paid by the VA for the same drug after all discounts are factored in. This would apply whether the state purchases directly, or indirectly through reimbursements.

The state's Medi-Cal program offers comprehensive health coverage to the state's low-income residents. Prop. 61 would apply to its fee-for-service program, which serves approximately 25 percent of Medi-Cal enrollees, but not to its managed care system, which serves the remaining 75 percent. Prop. 61 would require the Department of Health Care Services (DHCS) to verify that state agencies are paying the same or less than the lowest price paid by the VA on a drug-by-drug basis.

### FISCAL EFFECTS

There is the potential for the state to realize drug cost reductions, but there are major uncertainties about the amount of savings.

The VA's database does not always identify the lowest prices it pays, and it may not be possible to obtain this information. Then DHCS would be unable to assess the lowest price paid by the VA for one or more drugs.

Courts sometimes allow state agencies to implement laws to the degree that is practicable, such as by allowing the state to pay for drugs at a price not exceeding the lowest known VA price, but that is not certain.

There are at least two possible manufacturer responses to Prop. 61:

- Drug manufacturers might try to raise the VA's drug prices.
- Drug manufacturers could decline to offer California some drugs purchased by the VA.

Therefore, the amount of any savings under Prop. 61 could range from relatively little effect to significant annual savings.

### SUPPORTERS SAY

- Skyrocketing prescription prices are a matter of life and death. Prop. 61 will end the price gouging.
- Prop. 61 empowers the state to negotiate the same or better deals for taxpayers as are paid by the VA.

### OPPONENTS SAY

- Prop. 61 only covers an arbitrary group of patients in certain government programs; more than 88 percent of Californians are excluded.
- Prop. 61 would result in the elimination of drug discounts the state currently receives, increasing state prescription costs instead of reducing them.

### FOR MORE INFORMATION

**Supporters:** Yes on Prop. 61, Californians for Lower Drug Prices  
[www.stoppharmagreed.com](http://www.stoppharmagreed.com)

**Opponents:** No on Prop. 61- Californians Against the Deceptive Rx Proposition  
[www.NoProp61.com](http://www.NoProp61.com)

### Vote Requirement for State Propositions

Any state proposition passes if more than 50 percent of the votes cast on that proposition are YES.

## Death Penalty.

**THE QUESTION:** Should the death penalty in California be repealed and replaced with life imprisonment without the possibility of parole?

### THE SITUATION

Currently, people convicted of a first-degree murder charge that includes “special circumstances,” such as multiple victims, hate crimes, or killing for financial gain, can be sentenced either to life imprisonment with no possibility of parole or to death. Two trials are required in order to sentence someone to death: one to establish guilt and one to decide the penalty. Death-penalty convictions are always automatically appealed, and they may also go through a second stage of appeals in higher courts, a process that can take 15–25 years. People who cannot afford counsel are provided taxpayer-funded counsel both for trial and for appeals at taxpayers’ expense. Like other prisoners, death row inmates are generally required to work, though sometimes they are exempted. A percentage of their earnings may be taken to pay any reparations that they owe to their victims’ families. There are currently 748 people on death row in California. Because the state’s lethal-injection protocols are currently under legal review, no executions have taken place since 2006.

### THE PROPOSAL

Prop. 62 would end the death penalty in California and would retroactively apply to inmates currently on death row. Their sentences would automatically be changed to life imprisonment without the possibility of parole. Any currently pending appeals not related to the death penalty in these cases would be sent to the lower courts responsible for hearing non-death-penalty appeals. All inmates sentenced to life without parole would be required to work, and the maximum amount of their earnings that could be used for reparations would be raised from 50 to 60 percent.

### FISCAL EFFECTS

The Legislative Analyst estimates that Prop. 62 would save the state approximately \$150 million annually. These savings would result from shorter trials, fewer appeals, and reduced prison costs based on the elimination of separate death row facilities.

### SUPPORTERS SAY

- Since 1978, California has sentenced 930 people to death but performed only 13 executions, at an average cost of \$384 million per execution.
- Abolishing the death penalty will save the state \$150 million dollars every year.
- Victims’ families will achieve closure with the end of the long process of death penalty trials and appeals.
- Abolishing the death penalty removes the risk that innocent people may be executed.

### OPPONENTS SAY

- The death penalty system is broken, but ending it rewards murderers. The system should be mended, not ended.
- Changing the time-consuming and expensive appeals process is the best way to fix the death penalty and save taxpayers money.
- The people on death row are the worst of criminals and deserve the death penalty.
- Prop. 62 jeopardizes public safety and denies justice and closure to victims’ families.

### FOR MORE INFORMATION

**Supporters:** Yes on Prop. 62 - Replace the Costly, Failed Death Penalty System

[www.yeson62.com](http://www.yeson62.com)

**Opponents:** Californians for Death Penalty Reform and Savings  
[www.noprop62yesprop66.com](http://www.noprop62yesprop66.com)

### Proposition 62 and Proposition 66

Propositions 62 and 66 are in conflict. If both pass, the one with the highest number of votes will prevail.

## Firearms. Ammunition Sales

**THE QUESTION:** Should the state of California strengthen background checks and Justice Department oversight; tighten restrictions and monitoring for gun and ammunition sales; require the reporting of lost or stolen firearms; and ban large-capacity magazines?

### THE SITUATION

Under federal and state law, certain individuals are not allowed to have firearms: (1) those convicted of felonies and some misdemeanors; (2) those found by a court to be a danger to themselves or others due to mental illness, and (3) those with a restraining order against them. A national background check system exists to ensure that a buyer is not a prohibited person, and the California Department of Justice (DOJ) cross-checks it in order to identify illegally possessed guns and confiscate them.

Under state law, there are limits on the type of firearms that can be bought, a waiting period before a buyer can get a firearm from a dealer, and requirements for reporting firearm sales. Starting in 2018, a one-year DOJ license will be needed to sell ammunition, and most ammunition sales will have to be through a licensed dealer. Starting in 2019, dealers will have to confirm with the DOJ that those seeking to buy ammunition are not prohibited persons, and dealers will generally have to collect and report detailed information on each ammunition sale to the DOJ, to be kept for two years. Additionally, the ownership of large-capacity magazines will be limited.

### THE PROPOSAL

Prop. 63 includes various regulations related to the sale of ammunition, some of which would replace existing law. Individuals would have to obtain, and pay for, a four-year permit from the DOJ to buy ammunition, dealers would have to check that buyers have such permits, and the permits would be revoked from persons who become prohibited. Persons convicted of stealing a firearm would be prohibited from possessing firearms. A new court process would be set up to ensure that those prohibited individuals don't continue to have firearms, and new reporting requirements would be established. The maximum penalty for possession of large capacity magazines would be increased.

### FISCAL EFFECTS

There would likely be increased state and local costs in the tens of millions of dollars annually due to increased workloads caused by the new court process. Potential state costs related to the regulation of ammunition sales would likely not be more than millions of dollars annually, and could be offset by various regulatory fees.

Potential increased state and local correction costs likely would not exceed the low millions of dollars annually.

### SUPPORTERS SAY

- Prop. 63 will save lives by preventing dangerous criminals, domestic abusers, and the dangerously mentally ill from obtaining and using deadly weapons.
- Prop. 63 will protect the right of law-abiding Californians to own guns for self-defense, hunting, and recreation.

### OPPONERS SAY

- Prop. 63 is opposed by the law enforcement community and civil rights groups, because it will burden law-abiding citizens without keeping violent criminals from accessing firearms and ammunition.
- Prop. 63 will burden the court system with the enforcement of flawed laws..

### FOR MORE INFORMATION

**Supporters:** Safety for All

[www.safetyforall.com](http://www.safetyforall.com)

**Opponents:** The Coalition for Civil Liberties

[www.stoptheammograb.com](http://www.stoptheammograb.com)

### Required Number of Signatures to Get an Initiative on the Ballot

The number of signatures is based on a percentage of the total votes cast for governor at the last election; 5% for an initiative statute and 8% for an initiative constitutional amendment.

For the November 2016 election, the number of signatures required to get an initiative statute on the ballot was 365,880 and the number required for an initiative constitutional amendment was 585,407.

## Marijuana Legalization.

**THE QUESTION:** Should marijuana be legalized in California for use by adults who are age 21 years or older?

### THE SITUATION

Currently, it is illegal in California to cultivate or use marijuana except that marijuana may be used by individuals of any age for medical purposes if recommended by a doctor. Federal law prohibits the possession or use of marijuana, even for medical purposes, but the federal government has chosen not to prosecute individuals or businesses if they are following state or local marijuana laws that are consistent with federal priorities, such as preventing minors from using marijuana.

Under current law, a person who possesses less than one ounce of marijuana (the same as about 40 marijuana cigarettes) could be fined. Selling or growing marijuana could mean jail or prison if convicted. The state is currently beginning to regulate and set standards for medical marijuana use.

### THE PROPOSAL

- Proposition 64 would legalize marijuana for adults age 21 years or older.
- A tax of 15% on retail sales of marijuana and a cultivation tax of \$9.25 per ounce of flowers and \$2.75 per ounce of leaves would be levied, in addition to the current sales tax imposed on all retail sales. Proposition 64 would establish specific ways in which the use of such taxes would be allocated.
- Proposition 64 names state agencies to license and regulate the marijuana industry and also allows local regulation and taxation of marijuana.
- Proposition 64 would impose advertising and labeling standards and restrictions for marijuana products and would prohibit marketing and advertising directly to minors.
- Proposition 64 also permits re-sentencing of individuals previously convicted for activities now made legal, and destruction of records for prior marijuana convictions.

### FISCAL EFFECTS

Proposition 64 could bring in net state and local revenues that range from the high hundreds of millions of dollars to over one billion dollars annually but the amounts depend on how state and local governments regulate and tax marijuana, whether the federal government enforces federal laws regulating marijuana and how marijuana prices and consumption change. Proposition 64 could reduce government costs by tens of millions of dollars annually because of the decline of marijuana offenders now in state prisons and county jails.

### SUPPORTERS SAY

- Proposition 64 would bring in revenues over a billion dollars and could save tens of millions of dollars annually in reduced law enforcement costs.
- Proposition 64 would end the criminalization of marijuana by creating a safe, legal and comprehensive system for adult use of marijuana while protecting our children.
- Proposition 64 adopts the best practices from states that already have legal adult marijuana use.

### OPPONENTS SAY

- Proposition 64 would increase highway fatalities because it has no DUI (Driving Under the Influence) standard for marijuana.
- Proposition 64 would prohibit local governments from banning indoor residential growing of marijuana even next to an elementary school if the crop is limited to six plants.
- Proposition 64 would allow felons who have meth and heroin convictions to be licensed to sell marijuana.

### FOR MORE INFORMATION

**Supporters:** Yes on 64 - Californians to Control, Regulate and Tax Adult Use of Marijuana while Protecting Children [www.Yeson64.org](http://www.Yeson64.org)

**Opponents:** No on 64 - They Got It Wrong Again [www.Noon64.net](http://www.Noon64.net)

### Choosing YES or NO on a Proposition

A YES vote means that you approve of the change a proposition would make, and a NO vote means that you want to leave things as they are now.

## Carry-Out Bags. Charges.

**THE QUESTION:** If a statewide ban on single-use carry-out grocery bags is enacted, and stores are required to offer reusable bags for sale, should the money from the sale of those bags go to a special fund for environmental purposes?

### THE SITUATION

The Legislature passed a ban on single-use bags in 2014, which would have gone into effect on July 1, 2015; however, its implementation was suspended in February 2015 when a referendum qualified for the state ballot. The referendum appears elsewhere on this ballot as Proposition 67. The ban passed by the Legislature required that stores offer to sell reusable bags and charge at least 10 cents apiece for those bags (except to low-income customers). Stores would be allowed to keep that money, and to use it for certain specified purposes, such as covering the costs of providing carryout bags.

### THE PROPOSAL

Proposition 65 would redirect money collected by stores through the sale of reusable bags, whenever any state law bans free distribution of single-use bags and mandates the sale of any other kind of carry-out bag. Proposition 65 would create a new state fund, administered by the Wildlife Conservation Board, and require stores to deposit bag sale proceeds into that fund to support certain environmental projects. Proposition 65 would only be implemented if the Legislature's bag ban is upheld by the voters' approval of Proposition 67, or if a future, similar, bag ban is passed. Proposition 65 would apply statewide, including to the approximately 150 California cities and counties that have their own single-use carryout bag laws.

If both Proposition 65 and 67 pass, the one with the most votes would prevail. Thus, if Proposition 67 receives the most votes, the 10-cent fee would be retained by the stores; if Proposition 65 receives the most votes, the 10-cent fee would go to the environmental fund.

### FISCAL EFFECTS

If voters uphold the bag ban by approving Proposition 67, and also pass Proposition 65 by more votes than Proposition 67, potential revenues for certain environmental programs could reach tens of millions of dollars annually. If voters uphold the bag ban by passing Proposition 67 and also pass Proposition 65 by fewer votes than Proposition 67, there would be minor fiscal effects.

If voters reject the bag ban in Proposition 67, and pass Proposition 65, there would be no immediate fiscal effect. However, any future statewide bag ban could trigger the provisions of Proposition 65.

### SUPPORTERS SAY

- Grocery stores should not be allowed to profit from the sale of reusable bags to consumers, who are prevented from getting free bags.
- A bag ban's goal is environmentalism, so any money customers pay for reusable bags should go to environmental purposes, not to the stores.

### OPPONENTS SAY

- Grocery stores would not profit from the sale of reusable bags, which cost up to 15 cents apiece to produce.
- Proposition 65's only purpose is to distract from the real issue at hand, phasing out plastic bags, which is the real priority for the environment.

### FOR MORE INFORMATION

**Supporters:** Yes on 65

[www.sayyeson65.com](http://www.sayyeson65.com)

**Opponents:** Californians Against Waste

<http://www.cawrecycles.org/>

#### Who can vote?

You may register to vote in California if:

- You are a U.S. citizen and California resident.
- You will be at least 18 years old on election day.
- You are not in prison or on parole for a felony.
- You have not been judged mentally incompetent.

#### When must you re-register to vote?

You need to fill out a new voter registration form if:

- You change your residence address or mailing address.
- You change your name.
- You want to change your political party affiliation.

***If you registered and your name does not appear on the voter list at your polling place, you have a right to cast a provisional ballot at any polling place in your county.***

## Death Penalty. Procedures.

**THE QUESTION:** Should the time it takes for legal challenges to death sentences be significantly shortened?

### THE SITUATION

Death-penalty convictions are always automatically appealed to the California Supreme Court, and may also go through a second stage of appeals in the courts, called "*habeas corpus petitions*." This second stage of the appeals process can take 15–25 years. The state pays for both the defense and the prosecution of appeals, at a cost of \$55 million annually. There are currently 748 people on death row in California. Because the state's lethal injection protocols are currently under legal review, no executions have taken place since 2006.

### THE PROPOSAL

Prop. 66 proposes a number of changes in the way appeals of death penalty convictions are handled, with the goal of significantly shortening the time the total process takes. Instead of going directly to the California Supreme Court, *habeas* petitions would be heard first by the lower courts in which the initial trials were handled. Both direct appeals and *habeas* petitions would have to be completed within five years from the time of sentencing. *Habeas* appeals would have to be filed within a year of counsel being appointed and would have to be decided by the courts within a year of filing. Additional appeals would be limited. Appeals counsel would be appointed immediately, and qualified appeals attorneys who handle noncapital offenses would be required to accept appointment for capital cases if they want to remain on the list of qualified appeals attorneys. All inmates sentenced to life without parole would be required to work; the maximum amount of their earnings that could be used for reparations to their victims would be raised from 50 to 70 percent. Death row inmates could be housed in any California prison rather than just in a few prisons. Execution methods would be exempted from public oversight.

### FISCAL EFFECTS

The fiscal effects of Prop. 66 are very difficult to project because there are varying possible consequences of its many provisions. Prop. 66 could increase the cost of appeals because it requires *habeas* petitions to be heard by lower courts first. It would also have higher near-term costs, perhaps in the tens of millions of dollars annually, to pay for processing currently pending appeals in the required time frame. Potential state prison savings could be in the tens of millions of dollars annually.

### SUPPORTERS SAY

- The death penalty system in California is broken, but it should be mended, not ended.
- Speeding up the death penalty appeals process would save taxpayers \$30 million annually.

### OPPONENTS SAY

- Prop. 66 is confusing and poorly written and would be subject to costly legal challenges.
- Additional layers of appeals and construction of new prison facilities would cost taxpayers millions.

### FOR MORE INFORMATION

**Supporters:** Californians for Death Penalty Reform and Savings  
[www.noprop62yesprop66.com](http://www.noprop62yesprop66.com)

**Opponents:** No on 66 - Californians for Fair Justice  
[www.nooncaprop66.com](http://www.nooncaprop66.com)

### Proposition 62 and Proposition 66

Propositions 62 and 66 are in conflict. If both pass, the one with the highest number of votes will prevail.

## Ban on Single-Use Plastic Bags.

**THE QUESTION:** Should the law passed by the Legislature banning single-use plastic bags be allowed to go into effect?

### THE SITUATION

In 2014, the California Legislature passed, and the governor signed, Senate Bill (SB) 270, a law that prohibited certain retail stores statewide from providing single-use carryout bags to customers. The law, sometimes known as “the plastic bag ban,” also prohibited the stores from selling or distributing a recycled paper bag at the point of sale unless the stores charged at least 10 cents per bag. The law required stores to retain the money collected from bag sales and to use the money only for specified purposes, such as covering the cost of providing carryout bags. SB 270 would have gone into effect on July 1, 2015; however, its implementation was suspended in February 2015 when this referendum qualified for the state ballot.

### THE PROPOSAL

Proposition 67 is a referendum that asks voters to approve or reject SB 270. A YES vote on Proposition 67 means that SB 270 will go into effect. A NO vote means that SB 270 will not go into effect.

Some 150 California cities and counties (about 40% of the state’s population), have their own single-use carryout bag laws. Those cities and counties are not covered by SB 270, and their laws will remain in place regardless of the vote on Proposition 67.

Another proposition on this ballot, Proposition 65, could affect the implementation of Proposition 67. Proposition 65 would require that the 10-cent fee for carryout bags go to a new environmental fund, instead of being retained by stores. If both measures pass, the one with the most votes would prevail. Thus, if Proposition 67 receives the most votes, the 10-cent fee would be retained by the stores; if Proposition 65 receives the most votes, the 10-cent fee would go to the environmental fund, but the rest of Proposition 67 would still be implemented.

### FISCAL EFFECTS

Proposition 67 would have a relatively small fiscal effect on state and local governments, including a minor increase in state administrative costs and possible minor local government savings from reduced litter and waste management costs.

### SUPPORTERS SAY

- Yes on Prop 67 is a common-sense solution to reduce plastic litter in our oceans, lakes and streams, and protect wildlife.
- Opposition to this law is funded by out-of-state plastic bag companies, who are trying to defeat this law in order to protect their profits.

### OPPONENTS SAY

- A ban on single-use bags would decrease manufacturing jobs and harm the economy.
- California consumers will be forced to spend 10 cents for every bag they are given at checkout, while grocers get to keep the resulting millions of dollars in consumers’ payments.

### FOR MORE INFORMATION

**Supporters:** California vs Big Plastic  
[www.protectplasticbagban.org](http://www.protectplasticbagban.org)

**Opponents:** No on 67  
2350 Kerner Blvd., Suite 250  
San Rafael, CA 94901

### Choosing Yes or No on a Referendum

Proposition 67 on this page is a Referendum.

A referendum asks whether you want to approve or reject a law passed by the legislature. A YES vote means that you approve the law, and a NO vote means that you reject the law.