

FCL NEWSLETTER



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FRIENDS COMMITTEE ON LEGISLATION

Nov./Dec. 2007

Proposition time on the February ballot

For the first time, Californians will make a February trek to the polls, as the result of legislation signed by Gov. Schwarzenegger that moves the state's presidential primary forward from June to February. The move is an effort to induce presidential candidates to spend more time campaigning in California instead of using the state as a cash cow to fund their campaigns in states with earlier primaries.

The effectiveness of California's experiment is unknown as other states reacted by moving their primaries forward. Here at home, primaries for state and congressional offices will remain in June. As a result, the state will have three elections this year instead of two, which could result in voter fatigue. Some Capitol insiders, including Secretary of State, Deborah Bowen, have expressed concerns about low voter turnout in the June 2008 election because presidential candidates will not be on the ballot. Moreover, the February election could catch voters off guard as political campaigns are pre-empted by the holiday season.

In addition to choosing presidential candidates in February, voters are asked to consider how to allocate funds for transportation and community colleges, modifications to term limits, and whether to accept or reject amended gaming compacts that would expand tribal gaming in return for increased payments to the state, including new revenues for the state's General Fund.

FCL's Board of Directors met earlier this month to consider the seven ballot propositions. Recommendations are made only when consensus is achieved. Voters are encouraged to discuss FCL's recommendations with others and to contact the FCL office for additional information. Remember that unlike legislation, once a ballot proposition is approved by the voters, it can only be undone or amended by another ballot proposition.

Proposition 91: Transportation Funding. Initiative Constitutional Amendment. Sales tax revenues are normally deposited into the state's General Fund where they can be appropri-

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FCL's Recommendations At-A-Glance

Proposition 91: No. Transportation Funding.

Proposition 92: No. Community Colleges Funding.

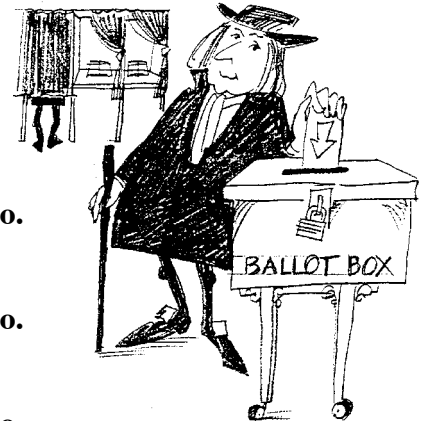
Proposition 93: Neutral. Term Limits.

Proposition 94: No. Indian Gaming Compact.

Proposition 95: No. Indian Gaming Compact.

Proposition 96: No. Indian Gaming Compact.

Proposition 97: No. Indian Gaming Compact.



Graphic by Lee Storey

ated for any program passed by the Legislature and approved by the governor. However, in 2006 California voters overwhelmingly approved Proposition 1A which specifies that sales taxes collected from the sale of gasoline be transferred to the Transportation Investment Fund and used only for transportation projects. Proposition 91 makes it harder for the Legislature to suspend these transfers.

While Proposition 91 may create more stability for trans-

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"The Friends Committee on Legislation (FCL), guided by Quaker values, advocates for California state laws that are just, compassionate, and respectful of the inherent worth of every person."

Proposition time on the February ballot (Continued from page 1)

portation projects, it is yet another example of ballot box budgeting that ties the Legislature's hands by restricting funds for a specific purpose. Political power follows the path of least resistance, and budget cuts disproportionately affect those constituencies who, in addition to lacking political clout in Sacramento, cannot afford to mount an expensive signature-gathering effort to protect their interests via the ballot. With the prospect of a \$9.8 billion deficit for the next fiscal year, the Legislature needs the flexibility to consider all options so that the budget is not balanced on the backs of the poor. Ironically, the sponsors of Proposition 91 now oppose it since Proposition 1A passed. FCL OPPOSES PROPOSITION 91.

Proposition 92. Community Colleges. Funding. Governance. Fees. Initiative Constitutional Amendment and Statute. Proposition 92 changes the funding formula that voters approved with Proposition 98 in 1988. Proposition 98 requires that approximately 40 to 50 percent of General Fund and property tax revenues are allocated to kindergarten through community college education (K-14). If voters approve Proposition 92, 10.46 percent of K-14 funds will be allocated to community colleges. Proposition 92 also reduces student fees from \$20 to \$15 per unit.

California's community college system is a profoundly democratic institution that enables upward mobility and financial independence for residents from diverse backgrounds, including working adults. After suffering declining enrollments due, in part, to a fee increase to \$26 per unit in fiscal year 2004-2005, community colleges have fared well in recent years with significant funding increases. Student fees were reduced to \$20 per unit.

While FCL supports healthy community colleges that are affordable for all and is concerned about how they fare in Gov. Schwarzenegger's upcoming January budget proposal, Proposition 92 fails to provide a funding stream for the additional spending or the revenues lost by further reducing student fees. As a result, it pits community colleges against K-12 education. By tinkering with the Proposition 98 formula, it pits community colleges against the University of California and California State University systems, in addition to health care and services to the poor, none of which have the luxury of state guarantees or mandates. The greatest threat to government services –

community colleges included – is a lack of adequate revenues and huge increases in spending for prisons, neither of which are addressed in Proposition 92. FCL OPPOSES PROPOSITION 92.

Proposition 93. Limits on Legislators. Terms in Office. Initiative Constitutional Amendment. In 1990, California voters approved some of the strictest term limits in the nation. Aimed at ending the tenure of then-Assembly Speaker Willie Brown, Proposition 140 restricts legislators to two four-year terms in the Senate and three two-year terms in the Assembly, for a total of 14 years. The restrictions apply for life.

While limiting legislative terms has created more seats for women and minorities, FCL is concerned that service in the Legislature is now seen as merely a stepping stone to advance one's political career. The lack of institutional memory due to the constant churning of legislative seats places more power in the hands of lobbyists, executive branch bureaucrats and legislative staffers who are not accountable to the public. In the Assembly, it is not uncommon to have committees chaired by freshman legislators.

Modifications to term limits need to be coupled with redistricting reform. Currently, the Legislature draws its own districts and has created safe seats for legislators (see "Redistricting: Red Alert or Red Herring," *FCL Newsletter*, July/August 2007). This has led to a polarized legislative body which lacks a viable middle ground that can broker compromises. Democratic leadership promised redistricting reform but ran into opposition from Republicans, who, having lost Congress to the Democrats in 2006, insisted that congressional districts be included in any redistricting proposal. Redrawing California's congressional districts would guarantee a huge opposition campaign from the national Democratic Party because it would dilute Democratic membership in Congress, unless other states with Republican majorities were to redraw their own gerrymandered districts.

Despite the failure to put redistricting reform on the ballot, Democratic leadership pressed ahead on term limits. Proposition 93 was crafted with language that enables current legislators who would term out in 2008 – but have not served 12 years in a single house – to have their terms extended. By placing Proposition 93 on the February ballot, eligible legislators would be able to rerun for their seats in the June primary. While there is strong sentiment for modifying term limits, consensus was not reached on the current proposal. FCL IS NEUTRAL ON PROPOSITION 93.

Proposition 94, 95, 96, and 97. Referendum Petitions on Amendments to Indian Gaming Compacts. Earlier this year, the Legislature ratified amendments to tribal gaming compacts negotiated by the Schwarzenegger administration. Labor unions are seeking to make it easier to organize casino workers by

Continued →

Corrections

In the September-October 2007 issue of the *FCL Newsletter*, a photo of Luis Frias was incorrectly identified as Luis Sanchez; a photo of Sally Davis was incorrectly identified as Sally Williams. Our apologies to Luis and Sally.

– Ashley Hart, Editor

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FCL Community Corner - *latest happenings*

Annual Statewide Meeting

The FCL Statewide Meeting was held at Sacramento Friends Meetinghouse on Saturday, December 1 and focused on accomplishments, challenges, directions and future activities that FCL will undertake in 2008 and beyond. Betsy Morris will join Brian Vura-Weis as co-clerk of the Board of Directors to assist with the responsibilities of the statewide clerk. The Board plans to hold a retreat to discuss FCL's future in February of 2008. Many thanks to Kit Newman and Sacramento Friends Meeting for the wonderful lunch and for their kind hospitality.

Partnerships

On November 30, the Sacramento chapter of Death Penalty Focus sponsored the final trek of the statewide Walk to Stop Executions, from West Sacramento to the Attorney General's office in downtown Sacramento. More than 100 death penalty abolition supporters attended, including FCL staff and Board Members George

Millikan and Eric Moon. Jeff Ghelardi and Richard Carlberg, who covered 15 counties and 800 miles in 83 days, said that the Sacramento gathering – which FCL helped organize – was the largest. Speakers included Amanda Wilcox and Aba Gayle, both of whom lost their daughters to murder, Greg Wilhoit, exonerated from Oklahoma's death row, and Bill Babbitt, whose brother Manny was executed by the State of California in 1999.



Aba Gayle addresses the audience.



Eric Moon and Amanda Wilcox

Photos by Gail Patrice-Brown

utilizing "card-check neutrality," where a worker would vote for union representation by signing a card in front of a union organizer instead of casting a secret ballot in an election. The amended compacts with the Pechanga Band of Luiseño Mission Indians, the Morongo Band of Mission Indians, the Sycuan Band of the Kumeyaay Nation, and the Agua Caliente Band of Cahuilla Indians failed to include card-check neutrality. Labor responded by placing these four referendums on the ballot. A "yes" vote keeps the amended compacts in place, and a "no" vote would void the amended compacts.

FCL's policy on tribal gaming is complex. While opposing

Meeting Events

The Southern Ca. Quarterly Meeting held its Fall Fellowship Retreat, November 9-11, in Pacific Palisades. This year's theme: "Individual Leadings: Continuing Revelations – Past, Present, and Future" looks at

beginnings, how others have been moved to act, and where the Spirit stirs among us. A Friday night program – Quaker Witness and the Criminal Justice System – sponsored by the Peace and Social Action Committee – featured a panel discussion on how to fix the broken criminal justice system. The well-received panel included Brian Vura-Weis, Statewide Clerk, Dale Richter, FCL Staff, Laurel Gord, Santa Monica Meeting and Teddy Hardy, Chaplain at the Chino Youth Facility.

Meeting Contributions

Thanks to the following Meetings for their recent contributions to FCL: Santa Cruz Meeting, Santa Barbara Meeting and the Monterey Peninsula Meeting. These contributions help FCL carry out its important legislative and educational work.

Fundraising

Thanks to the many FCL supporters for their generous contributions to the Fall Fund Appeal. The Fall Fund Appeal is a key part of FCL's fundraising activities. In addition, this is the second year of the Prisoner Newsletter Subscription drive. We are building on last year's success and hope to fund 250 new subscriptions for prisoners in 2008.

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Bill Babbitt, Amanda Wilcox, Aba Gayle, Greg Wilhoit and Ellen Eggers

gambling, FCL respects the sovereignty of gaming and non-gaming tribes. However, FCL maintains that fees received from gaming should only be used to regulate and mitigate the consequences of gambling and should never be used as a source of general revenue. The amended compacts allow gaming tribes a huge expansion of slot machines in exchange for payments to the state's General Fund that could total several billion dollars over the life of the amended compacts. For this reason, FCL OPPOSES PROPOSITIONS 94, 95, 96, AND 97. ©

– Jim Lindburg <JimL@fclca.org>
Alegra Edelman contributed to the article.

Giving Online: For your convenience, donations to FCL may be made online. Please complete our **secure online donation form** located on our website, www.fclca.org. You can mail your donation to 717 K Street, Suite 500B, Sacramento, CA 95814-3408.

Whatever Happened To...

This is a summary of some of the significant bills that FCL is following in the current legislative session. Bill status is shown as of December 10, 2007. The full list of bills, text and history of each bill may be found by consulting the FCL website or by contacting the author's staff. To express your views on legislation, please write to the governor, your state senator, and your assembly member, with a copy to the bill's author at "State Capitol, Sacramento, CA 95814." You may find out who your legislators are by consulting the State Government pages of your local telephone directory.

Capital Punishment

AB 780 (Jim Silva, R., Huntington Beach) as introduced, expands death-eligible special circumstances when the victim is a person who exercises powers of arrest. As amended, no longer of concern to FCL.

SB 511 (Elaine Alquist, D., Santa Clara) requires electronic recording of police interrogations for suspects accused of a homicide or a violent felony. FCL SUPPORTS. Vetoed.

SB 609 (Gloria Romero, D., Los Angeles) requires that testimony by an in-custody informant used to convict a person, find a special circumstance or aggravating fact must be corroborated. FCL SUPPORTS. Vetoed.

SB 756 (Mark Ridley Thomas, D., Los Angeles) requires law enforcement to adopt procedures to minimize mistaken eyewitness identifications. FCL SUPPORTS. Vetoed.

Children and Youth

AB 1300 (Curren Price, D., Inglewood) adds the provision of comprehensive education to the purpose of incarceration for young people under the jurisdiction of the Department of Juvenile Justice and requires the department to design services that promote family ties. FCL SUPPORTS. Chaptered.

AB 1655 (Sally Lieber, D., Mountain View) requires the Department of Juvenile Justice to stop intake of young people convicted of crimes by April 1, 2008 and requires a plan to close all facilities and return wards to county of jurisdiction. FCL SUPPORTS. Assembly Appropriations Committee.

SB 344 (Darrell Steinberg, D., Sacramento) requires school districts to track students at high risk of dropping out and allows the use of supplemental instruction funds for intervention programs. FCL

SUPPORTS. Assembly Appropriations Committee.

SB 999 (Leland Yee, D., San Francisco) eliminates life-without-parole for persons under age 18 convicted of first degree murder with a special circumstance and replaces it with a 25-year-to-life sentence. FCL SUPPORTS. Senate Inactive File.

Criminal Justice/ Imprisonment

AB 79 (Cathleen Galgiani, D., Tracy) provides that persons convicted of murder who are denied parole become ineligible for a new parole hearing for 10 years. FCL OPPOSES. Assembly Public Safety Committee.

AB 116 (Greg Aghazarian, R., Stockton) requires a caregiver adult who ingests methamphetamine in the immediate presence of a child to serve a prison sentence of 16 months, 2 years, or 3 years. FCL OPPOSES. Assembly Public Safety Committee.

AB 148 (Richard Alarcon, D., Los Angeles) allows a lessor of real property to deny housing or to evict a person convicted of a sex offense. FCL OPPOSES. Assembly Public Safety Committee.

AB 160 (Sally Lieber, D., Mountain View) and **SB 110** (Gloria Romero, D., Los Angeles) establishes the California Sentencing Commission to review and devise sentencing guidelines. FCL SUPPORTS. Senate Floor and Assembly Floor, respectively.

AB 370 (Jim Silva, R., Huntington Beach) allows local governments to prohibit persons convicted of sex offenses from dwelling in single-family residences with other persons convicted of sex offenses and allows sober-living facilities to be classified as single-family dwellings for this purpose. FCL OPPOSES. Assembly Appropriations Committee.

AB 639 (Loni Hancock, D., Berkeley) requires the Department of Corrections and Rehabilitation to take steps to ensure that a person paroled from San Quentin prison has a valid California identification card upon release. FCL SUPPORTS. Vetoed.

AB 755 (Sally Lieber, D., Mountain View) makes corporal punishment eligible for felony prosecution and a prison sentence. FCL OPPOSES. Assembly Appropriations Safety Committee.

AB 824 (Lori Saldaña, D., San Diego) prohibits prisoners convicted of sex offenses from participating in fire fighting camps. FCL OPPOSES. Assembly Appropriations Committee.

AB 1416 (Sharon Runner, R., Lancaster) would allow driving while intoxicated with a child in the car to be prosecuted as a felony, punishable in state prison for 2, 4, or 6 years. FCL OPPOSES. Assembly Public Safety Committee.

AB 1539 (Paul Krekorian, D., Burbank) streamlines procedures for compassionate release of terminally ill prisoners with six months or less to live. FCL SUPPORTS. Chaptered.

SB 40 (Gloria Romero, D., Los Angeles) gives judges sole discretion to sentence defendants to the lower, middle or upper term. FCL OPPOSES. Chaptered.

SB 304 (Gloria Romero, D., Los Angeles) requires the Department of Corrections and Rehabilitation to permit media representatives to interview prisoners and prohibits retaliation against prisoners who communicate with the media. FCL SUPPORTS. Vetoed.

SB 591 (Dave Cogdill, R., Fresno) makes possession of methamphetamine a felony punishable by a prison term. FCL OPPOSES. Senate Public Safety Committee.

SB 851 (Darrell Steinberg, D., Sacramento) authorizes the creation of mental

health courts and requires them to develop procedures for assessing a defendant's mental health to determine amenability for participation in treatment. FCL SUPPORTS. Vetoed.

Equality/Nondiscrimination

AB 21 (Dave Jones, D., Sacramento) creates a state Earned Income Tax Credit for low-income Californians. FCL SUPPORTS. Assembly Appropriations Committee.

AB 22 (Sally Lieber, D., Mountain View) repeals the exclusion of any children born into a family more than 10 months after the family begins receiving CalWORKs benefits when calculating the family's grant amount. FCL SUPPORTS. Assembly Appropriations Committee.

AB 43 (Mark Leno, D., San Francisco) provides that marriage is a personal relationship arising out of a civil contract between two persons and makes conforming changes to state law. FCL SUPPORTS. Vetoed.

AB 167 (Karen Bass, D., Los Angeles) prohibits eligibility for CalWORKs aide from being conditioned on the limitation of individual or family assets. FCL SUPPORTS. Senate Appropriations Committee.

AB 176 (Dave Jones, D., Sacramento) increases the amount of child support received without being declared as income for determining eligibility for CalWORKs assistance. FCL SUPPORTS. Chaptered.

AB 508 (Sandre Swanson, D., Oakland) eliminates the food stamp eligibility exclusion for persons convicted of a drug felony. FCL SUPPORTS. Vetoed.

AB 537 (Sandre Swanson, D., Oakland) expands eligibility for Family Leave by allowing a parent to care for an adult child suffering from a serious illness, expanding the definition of "parent" to include a parent-in-law and allows employees to care for a seriously ill grandparent, sibling, grandchild or domestic partner. FCL SUPPORTS. Vetoed.

AB 1379 (Julia Brownley, D., Santa Monica) requires the Superintendent of Public Instruction to identify alternative criteria for high school seniors unable to pass exit examinations to demonstrate competence and receive a diploma. FCL SUPPORTS. Vetoed.

Governance

AB 466 (Loni Hancock, D., Berkeley) authorizes pupils volunteering in voting precincts to be included in independent study without reducing schools' average daily attendance. FCL SUPPORTS. Vetoed.

AB 583 (Loni Hancock, D., Berkeley) creates a voluntary system of publicly financed campaigns for elective office. FCL SUPPORTS. Assembly Appropriations Committee.

Health Care

AB 8 (Fabian Nuñez, D. Los Angeles) requires employers to offer health care coverage to employees and dependents or pay fees to enroll them into a state health insurance pool. FCL SUPPORTS if amended to address concerns with affordability. Vetoed.

AB 110 (John Laird, D., Santa Cruz) authorizes public entities to use funds from the Department of Public Health for clean needle exchange programs. FCL SUPPORTS. Chaptered.

AB 1334 (Sandre Swanson, D., Oakland) allows nonprofit and health care agencies to distribute condoms in state prisons. FCL SUPPORTS. Vetoed.

AB 1554 (Dave Jones, D., Sacramento) regulates increases in health insurance premiums, co-payments and deductibles. FCL SUPPORTS. Senate Health Committee.

SB 32 (Darrell Steinberg, D., Sacramento) expands eligibility for children in the Healthy Families Program to families with income up to 300 percent of the Federal Poverty Level. FCL SUPPORTS. Assembly Inactive File.

SB 840 (Sheila Kuehl, D., Santa Monica) creates the California Universal Healthcare System to provide affordable and comprehensive health care benefits to all California residents. FCL SUPPORTS. Assembly Appropriations Committee.

Housing

AB 239 (Mark DeSaulnier, D., Martinez) authorizes Contra Costa and San Mateo counties to charge \$25 document recording fees and use the proceeds for low-income housing. FCL SUPPORTS. Senate Local Government Committee.

AB 414 (Dave Jones, D., Sacramento) limits "double-zoning" in designating

sites for affordable housing to encourage more high-density and mixed-use zoning. FCL SUPPORTS. Vetoed.

AB 607 (Julia Brownley, D., Santa Monica) requires locking mailboxes for residential hotel tenants. FCL SUPPORTS. Chaptered.

AB 641 (Alberto Torrico, D., Fremont) reduces up-front costs of affordable housing developments by requiring local governments to provide fee deferrals until the developer has received a certificate of occupancy. FCL SUPPORTS. Chaptered.

SB 464 (Sheila Kuehl, D., Santa Monica) limits the prohibition on public entities for adopting statutes, ordinances or regulations compelling owners of real property to continue to offer accommodations to those who have owned the property five years or longer. FCL SUPPORTS. Senate Inactive File.

Peace/Nonviolence

AB 658 (Karen Bass, D., Los Angeles) awards grants to community-based organizations for the development and implementation of evidence-based approaches to homicide and violence prevention. Vetoed.

AB 1471 (Mike Feuer, D., West Hollywood) expands the definition of "unsafe hand-guns" to include semi-automatic pistols not equipped with microstamping technology. FCL SUPPORTS. Chaptered.

AB 1661 (Paul Cook, R., Yucaipa) allows males under the age of 26 to register with the Selective Service System on their application for a California Driver's License or Identification Card and requires the Department of Motor Vehicles to provide a notice on the application form of the consequences for failure to register. FCL OPPOSES. Assembly Appropriations Committee.

SB 468 (Alex Padilla, D., Los Angeles) creates the Shaken Baby Syndrome Education Pilot Program modeled after programs in New York that have reduced deaths by half. FCL SUPPORTS. Assembly Appropriations Committee.

SB 924 (Don Perata, D., Oakland) places an advisory on the ballot asking voters if President Bush should end the U.S. occupation of Iraq and immediately begin the orderly withdrawal of military forces. FCL SUPPORTS. Vetoed. ☉


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FCL Community Corner (Continued from page 3)

2008 Quaker History Calendars on Sale Now!

For the sixth consecutive year, the Berkeley Meeting Library Committee has created a lively Quaker History Calendar. Twelve new and unfamiliar stories of Quaker history, events, and personalities await – plus it is an inexpensive and useful 2008 calendar. Thanks to all the supporters who have raised money for FCL by purchasing the 2008 Quaker History Calendar. To place an order, contact <BerkMM@earthlink.net>. Thanks again to Sue Friday and Ernest Bicknell for their ongoing efforts.

FCL Intern

Alegra Edelman, a sociology major from U.C. Santa Cruz, interned with FCL this semester. Alegra researched issues concerning the wrongfully convicted and the February ballot propositions and accompanied staff on legislative visits at the Capitol. She hopes her experience with FCL will help her obtain a position in legislative advocacy upon her graduation. When not studying at Santa Cruz, Alegra resides in Inglewood, California.



Alegra Edelman
Photo by Jim Lindburg

– Dale Richter <Dale@fclca.org>
***Let FCL know what your Meeting is doing in the
FCL Newsletter by contacting Dale.***

The Friends Committee on Legislation of California (FCL) includes Friends and like-minded persons, a majority of whom are appointed by Monthly Meetings of the Religious Society of Friends in California.



Expressions of views in this newsletter are guided by Statements of Policy prepared and approved by the FCL Committees. Seeking to follow the leadings of the Spirit, the FCL speaks for itself and for like-minded Friends. No organization can speak officially for the Religious Society of Friends.



While we strive above all for correctness and probity, we are quick to recognize that to err is human. We therefore solicit and welcome comments and corrections from our readers.