

## YOUR VOTE MAKES A DIFFERENCE

Special about 38: Because of this extraordinary budget deficit in California this year, we have two tax increases that we are voting on this election and they do impact one another. Prop 30, another tax bill is also on the ballot this November. If both measures pass, the proposition that has the most votes prevails. This comes into play since both of the measure has a personal income tax increase. If proposition 38 has more votes than proposition 30, the personal income tax measure in 38 will take effect. This would mean the trigger cuts in proposition 30 will go into effect.

### Vote Yes on 39

**Proposition 39: Tax Treatment for Multistate Businesses. Clean Energy and Energy Efficiency Funding. Initiative Statute.**

Summary: Requires multi-state businesses to calculate their California income tax liability based on the percentage of their sales in California. Repeals existing law giving multistate businesses an option to choose a tax liability formula that provides favorable tax treatment for businesses with property and payroll outside California. Dedicates \$550 million annually for five years from anticipated increase in revenue for the purpose of funding projects that create energy efficiency and clean energy jobs in California.

**BWW Analysis:** Proposition 39 seeks to increase jobs, funding for education and revenue for the general California fund. It aims to do this by closing a loophole which allows out of state companies to choose how much tax to pay in California. Currently, interstate corporations or corporations that operate in states other than California but makes sales here, have the option of two formulas to determine how much taxes to pay. A yes vote will, one; level the playing field for all companies by requiring multi-state companies to follow the Single Sales Factor formula for paying taxes. This means, companies will pay taxes based on their sales in California. The property they own and the number of employees that they hire in California will not be factored into the tax equation. And two, it will repeal the law that currently allows out of state companies to choose the tax they play in California.

EARLY VOTING:  
October 9, 2012.  
Deadline to register :  
October 22, 2012  
Last day to get Absentee ballot:  
October 30, 2012  
ELECTION DAY:  
TUES. NOVEMBER 6, 2012

### Vote Yes on 40

**Proposition 40: Redistricting. State Senate Districts. Referendum.**

Summary: State Senate districts are revised every ten years following the federal census. This year, the voter-approved California Citizens Redistricting Commission revised the boundaries of the 40 Senate districts. This referendum petition, if signed by the required number of registered voters and filed with the Secretary of State, will: (1) Place the revised State Senate boundaries on the ballot and prevent them from taking effect unless approved by the voters at the next statewide election; and (2) Require court-appointed officials to set interim boundaries for use in the next statewide election.

**BWW Analysis:** A yes vote will keep the boundaries the Citizen Redistricting Commission set in tack. Even though these lines are not perfect, many community groups and other civic engagement organizations participated in helping to carve the lines. Redoing the complicated and delicate process of redrawing the lines could leave the community out of the process resulting in the lost of electoral power of communities of color.

Background information: Every ten years, after the census, in which the number of people living within the state are counted the boundary lines of the Senate, Assembly, Board of Equalization, and Congressional districts are adjusted. Previously the Legislature was responsible for developing the boundary lines, however in 2008 the voters approved Propositions 11 and 20, which resulted in the transferring the responsibility for creating the district boundary lines to the Citizens Redistricting Commission.

Citizens Redistricting Commission – the State Constitution requires that the commission be comprised of 14 members, representing three groups of registered voters – 5 must be registered with the largest political party in the state, another 5 must represent the second largest political party in the state, and the remaining 4 are not registered with either of the previous political parties. Every ten years, the 14 commissioners are selected through a three-step process.

## Sources:

Ballotpedia:  
<http://ballotpedia.org>

KCET News ballot Brief  
<http://www.kcet.org/news/ballotbrief/elections2012/propositions/prop-39-cheat-sheet-clean-energy-and-energy-efficiency-tax.html>

Legislative Analyst's Office  
[http://www.lao.ca.gov/ballot/2012/30\\_11\\_2012.aspx](http://www.lao.ca.gov/ballot/2012/30_11_2012.aspx)

California Clean Job Act [http://ag.ca.gov/cms\\_attachments/initiatives/pdfs/i1024\\_11-0080\\_%28clean\\_energy\\_jobs%29.pdf](http://ag.ca.gov/cms_attachments/initiatives/pdfs/i1024_11-0080_%28clean_energy_jobs%29.pdf)

[http://ballotpedia.org/wiki/index.php/California\\_Proposition\\_37,\\_Mandatory\\_Labeling\\_of\\_Genetically\\_Engineered\\_Food\\_\(2012\)](http://ballotpedia.org/wiki/index.php/California_Proposition_37,_Mandatory_Labeling_of_Genetically_Engineered_Food_(2012))

California Right to know  
[http://www.carighttoknow.org/read\\_the\\_initiative](http://www.carighttoknow.org/read_the_initiative)

<http://vig.cdn.sos.ca.gov/2012/general/pdf/37-arg-rebuttals.pdf>

<http://www.raw-wisdom.com/50harmful>

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

Legislative Analyst's Report to Attorney General Kamala Harris <http://www.lao.ca.gov/ballot/2011/110690.pdf>  
[http://www.lao.ca.gov/2005/3\\_strikes/3\\_strikes\\_102005.htm](http://www.lao.ca.gov/2005/3_strikes/3_strikes_102005.htm) (2005)

<http://facts1.live.radicaldesigns.org/index.php>

## For more information about the propositions

American Association of University Women  
<http://www.aauw-ca.org/>

American Civil Liberties Union  
<http://www.aclu-sc.org/>

California Budget Process  
<http://www.dof.ca.gov/fisa/bag/process.htm>

Voter Edge  
<http://votersedge.org/california/ballot-measures/2012/november>

## Facts

Three Strikes Impact on African American families:

As of September 1, 2007, there are 41,724 2nd and 3rd strikers in CA's department of corrections

Approximately 4,431 3rd strikers have received at least a 25 years-to-life sentence for nonviolent offenses.

CA's prison population rose from 23,511 to 164,577 between 1980 and 2006

359 - The number of persons who received at least a 25 years-to-life sentence for petty-theft

681 - The number of persons who received at least a 25 years-to-life sentence for drug possession

432 - The number of persons who received at least a 25 years-to-life sentence for weapons possession

45% of 3rd strike sentences are among African-Americans

39% of California African-American men in their 20s in prisons, on probation or parole.

African Americans are 17 times more likely to be charged under the 3-Strikes law than whites in Los Angeles County.

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Liberty Hill Foundation**

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**Black Women for Wellness** (BWW) is a woman centered grassroots community organization, on a mission to build robust and vibrant health for women and girls. Multi-generational, membership-based and volunteer driven, BWW is shifting health awareness in our community, while addressing health inequities and highlighting positive and resilient cultural practices proven as assets to our survival. BWW can be found at : [www.bwwla.com](http://www.bwwla.com), [www.bwwla.org](http://www.bwwla.org)

This VOTER GUIDE offers resources and information about the issues where our voice matters. The California ballot initiative process has created 11 propositions for the November ballot, making it very lengthy. We have a presidential race, a U.S. Senate (1 seat), U.S. House (53 seats), State Senate (20 seats) and State Assembly (80 seats) plus numerous local elections that will impact our lives for years to come.

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**BLACK WOMEN FOR WELLNESS** 2012

# PROPOSITIONS

## VOTER GUIDE

**They Made it Happen. You can too!**  
In 1967, when nearly 15 percent of all Americans and 40 percent of African Americans lived below the poverty line, Martin Luther King and the Southern Christian Leadership Conference began organizing a national campaign against poverty. The Poor People's Campaign inaugurated a new phase of civil rights extending the struggle for racial equality to the cause

**IMPORTANT DATES**  
Early voting:  
**October 9, 2012.**  
Deadline to register :  
**October 22, 2012**  
Last day to get Absentee ballot:  
**October 30, 2012**  
**ELECTION DAY: TUESDAY NOVEMBER 6, 2012**  
POLLS OPEN 7 am – 8pm

MAKE IT HAPPEN  
CHEAT SHEET

**Black Women For Wellness**

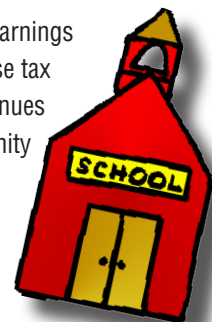
Proposition 30	YES
Proposition 31	NO
Proposition 32	NO
Proposition 33	NO
Proposition 34	YES
Proposition 35	NO
Proposition 36	YES
Proposition 37	YES
Proposition 38	Neutral
Proposition 39	YES
Proposition 40	YES

**PROPS at a glance**

Tear out and take to polls.

**Vote Yes on 30**  
**Proposition 30 Temporary Taxes to Fund Education. Guaranteed Local Public Safety Funding. Initiative Constitutional Amendment.**

**Summary:** Increases personal income tax on annual earnings over \$250,000 for seven years. Increases sales and use tax by ¼ cent for four years. Allocates temporary tax revenues 89 percent to K-12 schools and 11 percent to community colleges. Bars use of funds for administrative costs, but provides local school governing boards discretion to decide, in open meetings and subject to annual audit, how funds are to be spent.



**BWW Analysis:** A yes vote will establish a seven and a four year temporary tax increases to personal income tax and sales tax that will help balance the state budget, fund schools as well as allow the state to continue to fund public safety programs. This proposition works in two levels, one starting immediately that mostly deals with education. And two, after 2018 that gives the Legislature a bit more flexibility with the funds.

Proposition 30 during the 2012-2013 year is expected to raise \$6 billion in revenue that goes to K-12 education, community colleges and public four year universities. If prop 30 does not pass, approximately \$5.4 billion will be taken from K-12 and community colleges due to “trigger cuts”. In addition, about another \$500 million from State and University schools will

be cut. The trigger cuts will impact more than public education systems, including Cal Fire and the Department of Parks and Recreation. Because of the large projected budget deficit, the proposition also includes actions to constrain spending in some health and social services programs, decrease state employee compensation, use one-time funds, and borrows from other state accounts. After 2018, when the sales tax increase expires, use of the revenue collected from the proposition is more flexible. These funds could be used to pay down the debt, increase funding into public education or be directed to health and human services.

**Vote No on 31**  
Proposition 31: State Budget. State and Local Government. Initiative Constitutional Amendment and Statute.

**Summary:** Proposition 31 establishes two-year state budget cycle, which prohibits Legislatures from creating expenditures of more than \$25 million unless offsetting revenues or spending cuts are identified. Permits Governor to cut budget unilaterally during declared fiscal emergencies if Legislature fails to act.

**BWW Analysis:** Although not having to go through the knock down budget fight every year seems nice, it's a bit scary on how much power this law gives the governor and how much it takes away from the legislative body. If something unexpected comes up in the years between the budgets, this proposition gives the governor unilateral power to make cuts without consulting the Legislature. During times of governors that are unfriendly to community and health issues, this could be catastrophic. In addition, this proposition limits Legislative powers to increase funding for schools, universities and projects that help drive California to be a powerhouse in creativity and higher education.

**Vote No on 32**  
**Proposition 32: Prohibits Political Contributions by Payroll Deduction. Prohibitions on Contributions to Candidates. Initiative Statute.**

**Summary:** Restricts union political fundraising by prohibiting use of payroll-deducted funds for political purposes. Same use restriction would apply to payroll deductions, if any, by corporations or government contractors. Permits voluntary employee contributions to employer or union committees if authorized yearly, in writing.

**BWW Analysis:** This Proposition is solely focused on crushing the union's power to support candidates. Union members will have to say in writing that their dues can be used for political purposes. For many of the other special interest groups like PACs and Super PAC's, they still have the ability to support candidates, and give money to whomever they want. This proposition is unfairly targeting unions, while leaving the big money special interest groups to do as they wish.

**Vote No on 33**  
**Proposition 33: Changes Law to Allow Auto Insurance Companies to Set Prices Based on a Driver's History of Insurance Coverage. Initiative Statute.**



**Summary:** Summary: Changes current law to permit insurance companies to set prices based on whether the driver previously carried auto insurance with any insurance company. Allows insurance companies to give proportional discounts to drivers with some prior insurance coverage. Will allow insurance companies to increase cost of insurance to drivers who have not maintained continuous coverage. Treats drivers with lapse as continuously covered if lapse is due to military service or loss of employment, or if lapse is less than 90 days.

**BWW Analysis:** This proposition could benefit long term drivers, however at the expenses of new drivers, non consistent car owners and those less fortunate. Often those of us who don't own a car because of school or other issues, of course don't have car insurance. This law, in a sense, punishes those who are on again off again car owners with higher car insurance.

**Vote Yes on 34**  
**Proposition 34: Savings, Accountability, and Full Enforcement for California Act (SAFE California Act)**

**Death Penalty. Initiative Statute.**

**Summary:** This proposition seeks to eliminate the death penalty in California. If passed it will repeal the death penalty as the maximum punishment for people found guilty of murder and replace it with life in prison without the possibility of parole. A yes vote will retroactively work to convert the sentences of current death row inmates to life in prison without the possibility of parole. It would require persons found guilty of murder, to work while in prison, with their wages applied to any victim restitution fine or orders against them.

**BWW Analysis:** Since the death penalty was reinstated 34 years ago, \$4 Billion (\$308 million per execution) was spent on the 13 people who have been executed to date. California has 729 people on death row, if prop 34 is approved, their sentences will be replaced with life in prison and they will be put to work to pay restitution to victim's families. Legislative analysts estimate an annual savings of \$130 million if the death penalty is repealed. These savings can fund other necessary programs in California. Besides the unbelievably high cost of the death penalty, factors such as wrongful convictions and prisoner accountability must be considered. Many people in our communities are victims of wrongful convictions due to lack of representation, forced confessions, etc., leading to a real risk of taking the life of an innocent person. If the correct perpetrator is convicted of murder, he/she will be held accountable under this initiative to work and pay restitution to those gravely affected by the crime. Also, this proposition protects the public from accidentally executing innocent people due to newly emerged evidence. In addition, people who believe that they are innocent are still entitled to all rights to appeal his/her guilty verdict. Black Women for Wellness is a bit weary of any law that forces people to work without pay for a lifetime, however this proposition is a step in the right direction.

**Vote No on 35**  
**Proposition 35 Human Trafficking. Penalties. Sex Offender Registration. Initiative Statute.**

**Summary:** Increases criminal penalties for human trafficking, including prison sentences up to 15-years-to-life and fines up to \$1,500,000. Fines collected to be used for victim services and law enforcement. Requires person convicted of trafficking to register as sex offender. Requires sex offenders to provide information regarding Internet access and identities they use in online activities. Prohibits evidence that victim engaged in sexual conduct from being used against victim in court proceedings. Requires human trafficking training for police officers.”

**BWW Analysis:** Black Women for Wellness fully understands the devastating impact that human trafficking has on our families and our communities. However proposition 35 is not the answer. This measure seeks to increase sentences for human traffickers and sex offenders, however because of the broad definitions of this law, many young black and brown women and men are at risk for unnecessarily being targeted. How? Because of the loose definitions of trafficking, under this proposition, an 18 year old who take his/her partner out for dinner and a movie and then

engages in sex could be seen as a trafficker. In addition, it could punish anyone who associates with minor sex workers, even if their only intent was to buy him/her food or give he/she a ride to the store. Yes the odds of this seem rare, but knowing many communities of color relationships with law enforcement, it's not much of a reach to imagine a California in which this happen if prop 35 passes. Furthermore, this law punishes all people prosecuted as sex offenders to have their internet usage monitored for life. Yes this even includes the 18 year old we mentioned above. Black Women for Wellness wants to address trafficking, however not at the expensive of young people of color.

**Vote No on 36**  
**Proposition 36: Three Strikes Law. Sentencing for Repeat Felony Offenders. Initiative Statute.**

**Summary:** This proposition revises the three strikes law to impose life sentence only when the new felony conviction is serious or violent. It authorizes re-sentencing for offenders currently serving life sentences if third strike conviction was not serious or violent and judge determines sentence does not pose unreasonable risk to public safety. Continues to impose life sentence penalty if third strike conviction was for certain non-serious, non-violent sex or drug offenses or involved firearm possession. Maintains life sentence penalty for felons with non-serious, non-violent third strike if prior convictions were for rape, murder, or child molestation.

**BWW Analysis:** - While Prop 36 does not eliminate the Three Strikes law, it makes significant provisions to allow for the possible resentencing of 3,000 inmates and the prevention of low level felony crimes to be prosecuted to life terms. Although not perfect, this is a step in the right direction, and it will serve as an important step in eliminating the law completely. This measure requires that, with specified exceptions, an offender who has two or more prior serious or violent felony convictions and whose new offense is classified as a non serious and non-violent felony shall receive a prison sentence that is twice the usual term for the new offense, rather than the mandatory 25-years-to-life as required under current law. For example, a third striker who is convicted of a crime in which the usual sentence is two to four years would instead receive a sentence between four to eight years— twice the term that would otherwise apply—rather than a life term. The measure limits eligibility for these shorter sentences to offenders who have not committed specified new or prior offenses, including murder and certain sex, gun, and drug felonies.

**Vote Yes on 37**  
**Proposition 37: Mandatory Labeling of Genetically Engineered Food**

**Summary:** This initiative if passed, would require raw and processed foods that have been genetically engineered be labeled. It would also prohibit the false labeling and marketing of such foods as “natural”.



**BWW Analysis:** This measure would support and enforce the fundamental right of the people of California to know whether the food they purchase and eat is genetically engineered/or has been altered in an unnatural manner. It insures that Californians can make knowledgeable decisions about the food we consume. In the United States, black women and girls are at the highest risk for infant mortality and death from breast cancer. Ironically, genetically modified foods (GMO's) are currently being investigated for these very issues. The effects of GMO's are not fully understood and for that and other reasons, one should have the choice of consuming such products.

**BWW is neutral on 38**  
**Proposition 38 Proposition 38: Tax for Education and Early Childhood Programs. Initiative Statute.**

**Summary:** Increases personal income tax rates for annual earnings over \$7,316 using sliding scale from .4% for lowest individual earners to 2.2% for individuals earning over \$2.5 million, ending after twelve years. During first four years, 60% of revenues go to K-12 schools, 30% to repaying state debt, and 10% to early childhood programs. Thereafter, allocates 85% of revenues to K-12 schools, 15% to early childhood programs.

**BWW Analysis:** Right now our children desperately need funds for education and with the huge deficit plaguing California's budget, it's looking pretty bleak. Proposition 38 is a slight tax hike that supports K-12, child care services and pre school. However, this quick fix has a long life. It will take another ballot initiative to remove the raised tax before the year 2024 where it is set to end. Our schools need the money, however this tax could be a permanent fixture in Californians life for a long time to come. In addition, if by chance the measure passes with more votes than prop 30 (see more information below), this will delegitimize prop 30 and trigger the cuts. There is an estimated 10 billion dollars a year in revenue from this proposition.