

FCLCA NEWSLETTER



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Special Election Issue FCLCA's recommendations for the June 2010 primary election

The stakes are high as Californians head to the polls on Tuesday, June 8th. Voters will decide whether to change the means of conducting primary elections and whether to lift the state's ban on public financing of election campaigns. In addition, there are two initiatives that amount to the flagrant abuse of the initiative process to advance narrow corporate interests rather than to promote the public good, a contest between wealthy corporate interests and the greater interests of "the people" of California.

Voter turnout typically declines in "off years" when there is no presidential election. Public cynicism fuels a vicious political cycle. The less people participate in the political process, the more government is dominated by special interests. The more government is dominated by special interests, the easier it is to write off politics and not participate. Achieving a more egalitarian society demands vigilance and persistence, and the importance of a strong voter turnout this June cannot be overstated. What follows are FCLCA's recommendations for the June Primary Election.

Proposition 13: Limits On Property Tax Assessment. Seismic Retrofitting of Existing Buildings. Under the infamous Proposition 13 passed by voters in 1978, property is only reassessed when it is sold or when improvements are made. The Legislature realized that not exempting seismic retrofits from property tax reassessments created an incentive not to retrofit buildings. In 1984, voters approved Proposition 23 to exclude earthquake retrofitting of masonry buildings from reassessments for 15 years. In 1990, voters approved Proposition 127, which exempts earthquake retrofitting of non-masonry buildings from reassessments until the property is sold. As a result, some retrofitted buildings are subject to the 15-year time limit and others are not.

The new Proposition 13 would delete these two exemptions and replace them with a single exclusion from property tax reassessments for all seismic

FCLCA's Recommendations

Proposition 13 SUPPORT.
Property Tax Assessment.
Seismic Retrofitting.

Proposition 14 NEUTRAL.
Increases Right to Participate
in Primary Elections.

Proposition 15 SUPPORT.
California Fair Elections Act.

Proposition 16 OPPOSE.
Two-Thirds Vote for Public
Electricity Providers.

Proposition 17 OPPOSE.
Auto Insurance Pricing.

retrofitting upgrades until the property is sold. The Legislative Analyst's Office reports that the impact on property tax collections would be minor as many properties sell before the 15-year period and many county assessors do not track the number of years that unreinforced masonry retrofits have received an exclusion. Therefore, this initiative could spur seismic upgrades – or at least not deter them – and enhance building safety in this earthquake-prone state. **FCLCA SUPPORTS PROPOSITION 13.**

Proposition 14: Elections. Increases Right to Participate in Primary Elections. By far the most controversial initiative on the ballot, there are many good elements in this initiative along with several significant drawbacks that are cause for concern.

Primary elections in California are partisan affairs in that self-selected members of a political party nominate their party's candidates for the general election. Candidates with no political affiliation do not appear on the ballot in primary elections. Proposition 14 would replace partisan political primaries with a single primary where voters could vote for any candidate of any party affiliation or no party affiliation. Only the top two vote-getters would

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every person.”***

advance to the general election. Candidates would choose whether to list their political affiliation on the ballot. The proposal applies to all state elective offices and congressional seats, but would not apply to presidential elections. The theory behind Proposition 14 is that taking primary elections out from the hands of political parties will increase voter participation, resulting in larger numbers of moderate candidates and less legislative gridlock.

Because voters who strongly identify with their respective political parties are more likely to vote in primaries, candidates that advance to the general election tend to align with the extreme ends of their party’s ideological spectrum. Independent voters now constitute 20 percent of registered voters in California and are essentially frozen out of the primary election (political parties may allow independent voters to receive their ballots and vote in their primary). Most legislative districts have been drawn to create safe seats for the two major parties. As a result the general election outcome for many legislative seats is predetermined by the party faithful in the primary election, and legislators hold political positions that are more partisan than the broader electorate. In elections for statewide offices, candidates appeal to their base in the primaries. Then in the general election, they race back to the center to appeal to the broader electorate, which results in political dissonance to anyone who is paying close attention.

The state legislature is ideologically polarized, and on core issues like the state budget and taxation, the penalties for compromising are high. Following a February 2009 budget deal that included temporary tax increases, Republicans removed Senate Minority Leader Dave Cogdill (R-Modesto) and Assembly Minority Leader Mike Villines (R-Clovis) from their leadership posts for compromising. A recall campaign was launched against Assembly Member Anthony Adams (R-Hesperia). Though the recall failed, Adams has decided not to seek re-election. Ironically, this same budget stalemate led to Proposition

14 being placed on the ballot as part of a political deal to secure then-State Senator Abel Maldonado’s (R-Santa Maria) vote for the budget compromise. California voters rejected a similar measure in 2004 by a vote of 54 percent to 46 percent.

Both the Democratic and Republican parties are opposing Proposition 14. Public employee unions, which are strong backers of Democrats, are opposed while many corporate interests are in support. A study by the Public Policy Institute, which examined political races under California’s previous blanket primary system and experiences with other states, concluded that Proposition 14 would generate only a small increase in moderate representation over time. If more moderate candidates are elected as proponents contend, would that be good for California?

Some argue that polarized legislative bodies are the result of a polarized electorate which is not unique to California – witness the increased use of the filibuster in the United States Senate. Voters are of two minds when it comes to political parties. They are suspicious of party corruption and pass measures to weaken political parties, and they lament the lack of party discipline when the majority party is unable to pass legislation. In California, legislative gridlock is the norm because of our two-thirds, super-majority requirement to pass a budget or raise taxes. Perhaps it would be better if the majority were allowed to rule. If it gets too far out of synch with the electorate, voters can remove the party from office. This could create a moderating effect when circumstances

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call for moderation. This is easier said than done given the advantages of incumbency. FCLCA supports public financing of political campaigns and supported Proposition 11 to redraw California's political districts after the 2010 census, which voters passed in 2008.

If enacted, Proposition 14 could significantly increase the cost of political campaigns as candidates would have to run two campaigns appealing to the broader electorate, both in the primary and the general election. This would disadvantage candidates who lack sufficient funding and increase the influence of special interests who make campaign contributions.

While Proposition 14 offers voters more choices in the primaries, they will have fewer choices in general elections as only the top two vote-getters would be on the ballot. There would be no more write-in candidates. Independent and third party candidates would be excluded from the general election to the extent they are unable to win primaries. In some political districts voters might advance two candidates from the same party in the primary. Would having two candidates from the same political party on the ballot offer voters more choice in the general election?

The right to free association is enshrined in the First Amendment to the United States Constitution. To what extent political parties should have the authority to determine who nominates their candidates for the general election is a difficult question given that the reach of political parties extends well beyond their internal affairs. Under Proposition 14, political parties would still be allowed to endorse, support and oppose candidates for elective office.

Political parties play a useful role in that many voters do not have the opportunity to pay close attention to politics day in and day out. They do, however, have knowledge of the parties' values and positions on issues. This enables them to make informed choices at the polls. To the extent that political parties find it necessary to

craft their positions to appeal to the broader electorate in the primaries, will their identities become muddled and will voters really be offered meaningful choices in the general election? The FCLCA Board of Directors was unable to reach unity, and **FCLCA MAKES NO RECOMMENDATION ON PROPOSITION 14.**

PROPOSITION 15: CALIFORNIA FAIR ELECTIONS ACT. Proposition 15 ends the state's ban on public funding of political campaigns and allows the Legislature and cities and counties to create their own public financing programs. It also creates a pilot program for candidates for Secretary of State to voluntarily receive public funding if they agree to limit private contributions and limit campaign spending.



In order to qualify for public funding, candidates for Secretary of State would have to demonstrate support by collecting a certain number of \$5 qualifying contributions (the threshold is lower for minor party candidates) in order to receive base level funding for both the primary and general election campaigns. (Under current law, independent political candidates do not participate in primary elections, but would qualify for public funding in the general election if they can raise enough qualifying contributions.) Candidates could receive additional funding equal to the amount spent by candidates who opt not to participate in the voluntary program or interest groups attempting to influence the election. Candidates who receive public funding would have to agree to participate in debates and agree not to accept private campaign contributions with certain exceptions. The program would be funded by increased registration fees on lobbyists and qualifying contributions raised by candidates.

Whoever pays the piper calls the tune, and the high cost of conducting political campaigns creates privileged access to lawmakers for those interests that make financial contributions to candidates' campaigns. Public financing of campaigns would allow candidates to spend more time listening to constituents and less time raising

money. FCLCA supports government that is responsive to the broader electorate. Proposition 15 is supported by California Common Cause and the League of Women Voters. **FCLCA SUPPORTS PROPOSITION 15.**

Proposition 16: Imposes New Two-Third Voter Approval Requirement For Local Public Electricity Providers. Proposition 16, which requires local governments to obtain the approval of two-thirds of voters before providing electrical service, is an example of everything that is wrong with California's initiative process.

Sponsored solely by Pacific Gas and Electric Company (PG&E), which is spending \$35 million to pass it, Proposition 16 is deceptively called "The Taxpayers Right to Vote Act." The main argument in support of Proposition 16 is that the people who are going to pay the bill should have the right to vote on any financial obligation. They do, but currently it only requires a simple majority vote for a public electricity utility to annex new territory. The real purpose of this measure is to thwart competition and protect PG&E and the profits of other investor-owned utilities.

PG&E CEO Peter Darbee admitted to this in response to a shareholder's question concerning the purpose of the initiative at a shareholders' meeting earlier this year. PG&E spent \$13 million in 2006 to defeat a measure that would have allowed the publicly owned Sacramento Municipal Utility District (SMUD) to expand into Yolo County. SMUD's electricity rates are considerably lower than PG&E's. Rather than fighting these local skirmishes, PG&E seeks to raise the voter threshold to make it virtually impossible for local municipalities to leave PG&E. Darbee's remarks are the basis of a lawsuit recently filed in Sacramento Superior Court seeking the removal of Proposition 16 from the ballot.

Community Choice Aggregation (CCA), which allows municipalities to purchase electricity from providers other than the investor-owned utility that would otherwise serve the area, would also be subject to the higher voter threshold. PG&E earned the wrath of several State Senators

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because it had previously worked with stakeholders and the Legislature and agreed on legislation to create CCA. That legislation requires investor-owned utilities to cooperate fully with municipalities seeking to establish CCA's. However, instead of trying to amend the legislation, PG&E is doing an end run around local municipalities and the Legislature by taking the vote directly to the people and spending millions of dollars of ratepayer funds for a deceptive advertising campaign. **FCLCA OPPOSES PROPOSITION 16.**

PROPOSITION 17: Allows Auto Insurance Companies To Base Their Prices In Part On A Driver's History of Insurance Coverage. Proposition 17, the brainchild of

Mercury Insurance, which is currently under investigation by the California Department of Insurance for overcharging customers, is spending millions of dollars to bankroll this effort. This initiative would allow insurance companies to give discounts to new customers who have had continuous automobile insurance coverage at the expense of consumers who had a lapse in coverage, even if they have perfect driving records and canceled coverage for legitimate reasons.

Under Proposition 103 (passed by voters in 1988), automobile insurance rates are first based on an applicant's driving record, the miles driven and the driver's years of experience. Current law prevents automobile insurers from considering lapses in

coverage in determining rates. Insurers can offer their customers loyalty discounts for continuous coverage but not for new applicants. So, while Proposition 17 might provide discounts for up to 80 percent of drivers, those discounts would be made up for by charging the other 20 percent of drivers who experienced a 91-day or longer lapse in coverage. Even if they didn't own an automobile, applicants who had a gap in continuous coverage would be required to pay more for automobile insurance should they need it later on. Automobile insurance is expensive and people with limited economic means have difficulty affording it. No one benefits by having more uninsured drivers on the road. **FCLCA OPPOSES PROPOSITION 17. FCLCA**

Jim Lindburg <jiml@fclca.org>

FCLCA On the Move

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A place at the table – FCLCA lobbies at the state capitol

An interview with Jim Lindburg, Legislative Director

Jim, I understand that this has been a busy season at the Capitol for both you and the legislature. One reason is that a number of key bills on criminal justice have come up lately.

Yes, there was a key deadline on April 30: any bill with a fiscal impact had to be passed out of the policy committee of its house of origin (such as the public safety committees of the Senate and Assembly where we do much of our work). Those bills now go the Appropriations Committee of their house of origin and if they survive there (many don't) they'll go on to a floor vote. If they pass on the floor, they go to the other house, where the process starts all over again.

It's true there have been more criminal justice bills than normal. Criminal justice policy has always been a favorite area for lawmakers because, let's face it, people convicted of a crime make easy targets. This is even truer now for several reasons. We have several lawmakers who are running for attorney general. There is also considerable push-back to reforms that were passed in last year's session. And the tragic murder of Chelsea King in San Diego has sparked new legislation. Some of these bills are interrelated – they cross all these lines.

Another impetus for new legislation is that these are tough economic times, and lawmakers are thinking creatively about how to reduce the impact of corrections on the state's budget. Unfortunately, they are looking for easy ways to do this rather than making tough political choices such as reducing our state's use of incarceration as a solution to social problems.

Let's talk about the types of criminal justice legislation that are being introduced, as well as the specific bills and how FCLCA has weighed in.

Senator Tom Harman (R-Huntington Beach) a candidate for attorney general, has proposed SB 1364, called the "Pay to Stay" bill. This bill would require prisoners to pay for "discretionary" services and/or a per diem up to \$25 /day while they are in prison. If the prisoner can't afford to pay, he or she can run up a tab which is forgiven if they don't return to prison for two years. That has a plausible ring, doesn't it? But let's look deeper. The fact is that most prisoners have low literacy rates, few job skills, and 80% have issues with substance abuse. At the same time the legislature has reduced funding for programming for prisoners by 40% – \$250 million dollars in cuts. Furthermore if the threat of returning to prison is not enough to reduce recidivism, it seems highly unlikely that this financial incentive would reduce recidivism.

It's also true that most prisoners would not pay – it would be their family members who send in small contributions to their loved ones' trust account. We have already heard from family members of the incarcerated that they will not continue to send in money if this bill becomes law and the funds go to the state rather than to their loved one. If that is true, then more prisoners would be classified as indigent, meaning the state would have to provide for basic necessities such as toiletries that prisoners currently purchase from their trust accounts. Furthermore, if contributions from family member decline, there would be fewer funds taken for victim restitution, which also come from trust accounts. It was really surprising to see at the hearing that the traditional crime victims' advocates are supporting this bill. I don't think they thought it through – they only saw an opportunity to become more punitive. It shows that as a society we can become



so focused on being punitive that we aren't even thinking of the consequences of our actions.

When a bill like this comes up, how do you weigh in to make sure FCLCA has a place at the table?

I think this bill was really a campaign publicity stunt by a senator who is faced with looming term limits and positioning himself for his next career move. But because it could seem plausible to many people, we take nothing for granted. We visited legislative offices of committee members who would be sympathetic to our position and explained to them why this is a bad bill. One of the key aspects of my job is to educate legislators and their staff about the realities of the criminal justice system and to provide some "institutional memory" to the staffers and even legislators who have been in Sacramento only a short time. Here's a good example: the Chief of Staff of one of the committee members said to me that if the state was going to charge prisoners, they should at least use the money collected for victims' restitution. He was unaware that prisoners who have restitution orders *already* have 55 cents of

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every dollar of their trust account allocated for victim restitution. And at the hearing it was clear that the author himself had not considered the impact on corrections costs if more prisoners became indigent or the negative impact on the victim restitution fund. The naiveté around these issues is astonishing but not surprising given that prisons generally operate under the radar. So again, it's a critical part of my job to make sure that committee members make informed votes.

So what happened with that bill and are there other similar bills?

That bill was defeated in committee 2-5.

This session we saw yet another attempt to reduce prison costs by increasing medical co-pays for prisoners. In this particular instance, FCLCA mounted opposition against the bill by pulling in the Prison Law Office (the law firm that was responsible for the two cases where the federal courts ordered the state to reduce the prison population based on health care and mental health concerns). I calculated that they would have an interest in the legislation because it would lead to worse health care conditions for prisoners. Fortunately that bill was pulled before a vote. Organizing opposition among advocates and allies to "bad bills" is an important role that FCLCA plays.

You mentioned "pushback" to reforms already passed by the Legislature.

Yes. Another reason for the increase in criminal justice bills is the political reaction to reforms enacted last year – in particular, those that accelerated the release of prisoners by increasing "good time" credits. The media has said that the gates have swung open and prisoners are flooding the streets, and so there have been several legislative attempts to undo or tighten up these reforms. These pushbacks threaten or would undermine some of the recent progress that has taken years or decades to materialize here in California and roll back some of positive reforms that are just now being implemented.

In the past the California Department of Corrections and Rehabilitation (CDCR) had a one-size-fits-all

approach in dealing with technical parole violations and that was to send people back to prison. They would stay four and half months in a reception center, get no programming and in most cases, if they had a job on the outside, they would lose it. Now CDCR is using "risk assessment" tools

One of the key aspects of my job is to educate legislators and their staff about the realities of the criminal justice system.

to evaluate whether a parolee should be returned to prison for a parole violation or would better benefit from an alternative sanction. But under AB 2152, a parole officer would have no discretion about referring a parolee convicted of a serious or violent felony back to the Board of Parole Hearings even for a minor parole violation. Using risk assessment is a step forward, but this bill will scuttle the progress that has been made. The bill is *not evidence-based* – it is politics pure and simple.

Is it generally true that criminal justice bills are based on political considerations rather than on evidence-based research or successful reforms in other states?

Yes, one of the clearest examples we see of how political criminal justice policy has become is the reaction of lawmakers to high profile crimes in California. A case in point is the state's three strikes law: only in California can any felony qualify for a third strike – even petty theft with a prior offense – and result in a twenty-five-year to life sentence. And enforcement of Jessica's law (Proposition 83) which bars those convicted of a sex offense from residing within 2000 feet of anywhere children congregate has had unintended consequences. In San Francisco, for example, there is virtually no place people convicted of a sex offense can legally live and

as result 2,000 of them have become transient – they have become invisible to law enforcement.

We have urged the legislature to slow down with regards to crafting a legislative response to the tragic murders of Chelsea King and Amber DuBois in San Diego County. The governor actually did a very astute thing in response and directed the California Sex Offender Management Board to study the perpetrator's case history and make recommendations. But before the report is even finalized, we see the legislature crafting a response such as AB 1844, and it's the same response as always: drastically ratchet up penalties. It's important to note that 93% of sex offenses are not committed by strangers to the victim – if we keep the making the penalties harsher, these crimes are less likely to be reported to law enforcement.

I know FCLCA is concerned about the compassionate treatment of all people, but surely FCLCA cares about crime victims and the safety of our children as well as about prisoners.

Absolutely, we want everyone to be safe. That's why we are willing to take stands that are "unpopular" but tell the truth about crime and prisons. Our policies must be *evidence-based* rather than ride the wave of public emotion or we will likely wind up with an overreaching bill that is not just and does little or nothing to reduce these types of crime. There are no limits to vengeance, but the questions we need to ask is "what really increases public safety"?

So FCLCA educates legislators, testifies and weighs in on proposed legislation and is often able to help get counterproductive bills pulled or significantly changed. We also help to bring in other allies on key issues. Is there any other role that FCLCA's lobbying program plays in California politics?

It's true that we are kind of a watchdog, and that often we take a role of working with others to stop "bad bills." We also work proactively to pass important legislation. For example, we are part of the coalition that supports single-payer health

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LOBBYING BEGINS AT HOME

MEETING WITH LEGISLATORS IN YOUR DISTRICT

You don't have to come to Sacramento to lobby your legislators. In fact, there are benefits to lobbying your legislators in your own district: legislators and staff may be more accessible, and it's a great way to establish a relationship with your legislator's office. Here are some steps that will help insure a productive meeting.

Focus the meeting

- Pick an issue or piece of legislation that concerns you and gather like-minded people in a group for the meeting. You may want to gather people from your church, organization or Meeting or a group of diverse people with similar views. About five people is a good number.

Request the meeting

- Fax a written request for a meeting to the legislator's home office and follow up with a phone call. You can find that information by entering your zip code at leginfo.ca.gov under "Your Legislature." Use your organization's letterhead if appropriate. Let the staff know what you would like to discuss.

Prepare for the meeting

- You may want to check with FCLCA staff for information on your legislator and the issue you will be addressing, and specific actions you can ask your legislator to take.
- Review the legislator's website to see his or her biography and press releases and to get a sense of his or her values and priorities. Consider this information when formulating your remarks.
- Set up a face to face meeting with the members of your delegation and determine who will cover which points and who will "chair" the meeting to keep it on topic.
- Summarize the key elements you want the legislator to know with a one-page memo.
- Bring a few pages of relevant materials to leave at the office.

At the meeting

- You may meet with the legislator, but often you will meet with a staffperson. It is very useful to get to know the staff, as they will provide information on critical issues to the legislator.
- Be prepared for a meeting of around 15-30 minutes. When you come to the meeting, all the attendees should introduce themselves and state what group, if any, they represent. State what topic you wish to discuss. Ask for your legislator's view on an issue. Be patient and remain polite even if you don't get the response you want.
- Present your case and be prepared to answer questions. Make a specific request for support of a bill or legislative action. Give several brief points about why the legislator should support or oppose this issue – stay concrete. However, if you are speaking from a religious or spiritual basis, it is fine to discuss the underlying values that motivate you. Legislators need to hear from people of faith.

Follow up

- If asked for information you can't provide, offer to follow up with a staff person.
- If a staff person doesn't know much about the issue or the legislator's position, ask for a follow up letter from them. Leave your carefully selected material with the staff person.
- Send a thank you note soon after the meeting, reiterating your request to the legislator and adding any key information you may have overlooked. This will help build a relationship over time, and relationships can have an enormous impact on the political process.

Do it again

- Involve other people. Be sure to schedule visits on issues of importance on a regular basis. Soon the legislative staff may be calling you to ask your opinion! And let FCLCA know about your visits. Remember, legislators are elected by you to serve you – hearing from you is part of their job and makes them more effective in Sacramento. [FCLCA](#)

Where there's a will, there's a way ...

To support laws that are compassionate, just and respectful of the inherent worth of every individual.

As a supporter of the Friends Committee on Legislation of California and the FCL Education Fund, you've demonstrated that you care about our mission. You want your voice and your values to have a presence in Sacramento.

But what happens to your support when you pass on? If you remember FCLCA or the FCLCA Education Fund in your will or revocable trust you leave a legacy that proclaims your faith that we'll continue to do work that you value, far into the future.

By making a provision for a bequest in your will or revocable trust, you demonstrate that you want to make a difference, not just now but in the years to come. You recognize that a voice of conscience will always be needed – wherever decisions are made that affect people's lives – and FCLCA can provide that voice at the State Capitol. You believe it is important to educate and involve the public in a meaningful, active way. And you believe that we must be guided by compassionate values and concern for every person, even if that means taking an "unpopular" position.



Why Should You Include a Charitable Gift in Your Will (Or Living Trust)?

1. It's simple to do. It can be as easy as including language stating, "I give \$20,000 to the Friends Committee on Legislation of California."
2. You can change your mind. During your lifetime, you can amend anything you choose, i.e., beneficiaries, amounts, etc.
3. Tax-wise, it could be beneficial. Gifts to qualified charitable organizations such as the FCL Education Fund reduce the value of your estate for estate tax purposes.
4. It's an easy way to support FCLCA or the FCL Education Fund, and we'd be grateful for your gift. Bequests of every size build our future financial strength. A number of recent bequests have allowed FCLCA to remain strong and grow in these difficult economic times.

How you include a gift in your will or revocable trust depends on what you want to accomplish, and what you want to give to FCLCA or FCL Education Fund. Here are some options:

1. **Give a percentage of the residue of your estate** – the amount left after taxes and expenses are satisfied and specific bequests have been paid; e.g., "I give 25% of the rest, residue, and remainder of my estate to the FCL Education Fund, located in Sacramento, California."
2. **Give a specific dollar amount or item of property;** e.g., "I give Friends Committee on Legislation of California \$25,000"; or "I give Friends Committee on Legislation of California, located in Sacramento, California, 100 shares of IBM stock."

3. **Make your bequest contingent;** e.g., “I give Friends Committee on Legislation of California, located in Sacramento, California, \$25,000 if my niece and nephew predecease me.”

Besides choosing how your bequest will come to us, you also have a say in how it will be used and acknowledged here:

- Make the gift unrestricted, so that we may use the gift where there is the greatest need or invest it to provide a source of continued funding;
- Make the gift restricted, i.e., to support a specific area of interest, such as subsidizing newsletters for prisoners;
- Memorialize or honor a loved one – “This gift is made in memory of my loving husband, a founder of FCLCA.”

What if you have already written a will?

You can instruct your attorney to add a simple, inexpensive codicil to your will and include a bequest to FCLCA or the FCL Education Fund. This can be a specific amount of money or a percentage of your estate.

We can provide you with more information on FCLCA and FCL Education Fund, their legal name and tax I.D. numbers, as well as suggested wording for the various bequest types and methods mentioned above. This information can assist your attorney in finalizing your will. It is always advisable, of course, to consult your own professionals, such as an attorney or CPA, when considering a bequest or planned gift.

If a gift through your will (or living trust) is of interest, please contact us.

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Lake County Friends Worship Group
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Delta Friends Meeting
Monterey Peninsula Friends Meeting

Corrections:

In our March 2010 issue's interview with Christine Thomas, Rodney Reed was mentioned as a recently released exonerated speaker at the Campaign to End the Death Penalty at the University of Chicago. In fact, the speaker was named Marvin Reeves. Mr. Reeves was sent to prison with a sentence of life without the possibility of parole based on a false confession extracted during the Chicago Police torture scandal of the 1980's. He served 21 years before being released in 2009. Rodney Reed, however, is still a prisoner on Texas's Death Row, convicted of the 1996 murder of Stacey Stites. He maintains his innocence, and has fought a long battle in state and federal courts to win a new trial. For more information on this case, the Austin Chronicle (austinchronicle.com) has a series of articles stretching from 2001 to this year.



The Friends Committee on Legislation of California is following these bills in the current legislative session. Their status is shown as of May 4, 2010. To see the full text of these bills and bill analysis, and for information about contacting your legislators via mail and email, visit <leginfo.ca.gov>.

Budget and Revenue

AB 1836 (Warren Furutani, D., Long Beach) restores the top personal income tax brackets through 2015. FCLCA SUPPORTS. Assembly Appropriations Committee.

AB 1935 (Kevin De Leon, D., Los Angeles) closes a tax loophole by requiring corporations to apportion income with a single sales factor formula. FCLCA SUPPORTS. Assembly Appropriations Committee.

AB 1936 (Kevin De Leon, D., Los Angeles) closes a tax loophole by prohibiting the use of net operating loss carrybacks by individual and corporate taxpayers. FCLCA SUPPORTS. Assembly Appropriations Committee.

AB 2492 (Tom Ammiano, D., San Francisco) closes a tax loophole by subjecting commercial property to reassessment when full ownership interests are sold whether a legal entity acquires a majority interest. FCLCA SUPPORTS. Assembly Revenue and Tax Committee.

Capital Punishment

AB 2239 (Curt Hagman, R., Diamond Bar) exempts execution protocols from the Administrative Procedures Act. FCLCA OPPOSES. Held in Assembly Public Safety Committee.

SB 1025 (Tom Harman, R., Huntington Beach) requires the California Supreme Court to develop procedures to initiate habeas proceedings in capital cases in superior courts. FCLCA OPPOSES. Held in Senate Public Safety Committee.

SB 1331 (Gil Cedillo, D., Los Angeles) prohibits a person from being executed if a court finds that race or ethnicity was a significant factor in seeking or imposing a death sentence. FCLCA SUPPORTS. Senate Appropriations Committee.

SB 1356 (Jeff Denham, R., Merced) authorizes the state to reimburse cities and counties for the cost of a capital trial when the victim was a peace officer. FCLCA OPPOSES. Held in Senate Local Government Committee.

SCA 27 (Tom Harman, R., Huntington Beach) authorizes the California Supreme Court to transfer direct appeals in death penalty cases to Courts of Appeal. FCLCA OPPOSES. Senate Public Safety Committee.

Children and Youth

AB 12 (Jim Beall, D., Santa Clara) extends services for emancipated foster youth to age 21. FCLCA SUPPORTS. Senate Human Services Committee.

AB 61 (Pedro Nava, D., Santa Barbara) eliminates deferred entry of judgment for minors convicted of certain sex offenses. FCLCA OPPOSES. Senate Public Safety Committee.

AB 999 (Nancy Skinner, D., Berkeley) prohibits the Department of Juvenile Justice from extending the parole consideration date of juvenile offenders and allows juvenile wards to receive day-for-day credits for participation in rehabilitation programs. FCLCA SUPPORTS. Senate Inactive File.

AB 1972 (Wilmer Amina Carter, D., Rialto) provides that students who resist, delay, or obstruct school security officers in the discharge of their duties may serve up to a year in a county facility and/or be subjected to a \$1,000 fine. FCLCA OPPOSES. Held in Assembly Public Safety Committee.

SB 399 (Leland Yee, D., San Francisco) establishes criteria under which minors sentenced to life without the possibility of parole may be resentenced to a lesser term. FCLCA SUPPORTS. Assembly Appropriations Committee.

Criminal Justice/Imprisonment

AB 1198 (Sandré Swanson, D., Oakland) allows persons convicted of drug felonies to apply for food stamps upon release from prison. FCLCA SUPPORTS. Senate Appropriations Committee.

AB 1678 (Ted Lieu, D., Torrance) provides that a prisoner cannot be given summary parole if a local law enforcement agency objects. FCLCA OPPOSES. Assembly Appropriations Committee.

AB 1751 (Tom Ammiano, D., San Francisco) deletes a prior juvenile adjudication for purposes of sentencing under the "three strikes" law. FCLCA SUPPORTS. Assembly Appropriations Committee.

AB 1771 (Tony Mendoza, D., Artesia) allows state agencies to purchase products from small businesses that currently must be purchased from the Prison Industry Authority (PIA), unless PIA prices are lower. FCLCA OPPOSES. Assembly Appropriations Committee.

AB 1800 (Fiona Ma, D., San Francisco) authorizes the misdemeanor crime of claiming ownership or taking possession of a residential dwelling for the purpose of renting or leasing the dwelling without consent of the owner to be prosecuted as a felony. FCLCA OPPOSES. Senate Rules Committee.

AB 1844 (Nathan Fletcher, R., San Diego) increase penalties for forcible sex acts against minors, including a one-strike, life without parole sentence for sex acts against minors under age 14 that inflict traumatic physical injury. FCLCA OPPOSES. Assembly Appropriations Committee.

AB 1900 (Nancy Skinner, D., Berkeley) requires that pregnant prisoners be transported in the least restrictive manner possible. FCLCA SUPPORTS. Assembly Appropriations Committee.

AB 2152 (Jim Nielsen, R., Gerber) requires parole agents to refer all parole violations for persons convicted of serious or violent felonies to the Board of Parole Hearings. FCLCA OPPOSES. Held in Assembly Public Safety Committee.

AB 2232 (Jim Nielsen, R., Gerber) doubles prisoners' medical co-pays, establishes co-pays for dental visits and for follow-ups, requires that prisoner co-pays be adjusted annually for the rate of inflation and limits the conditions under which co-pays may be waived. FCLCA OPPOSES. Held in Assembly Public Safety Committee.

AB 2372 (Tom Ammiano, D., San Francisco) raises the value threshold for felony grand theft from \$400 to \$950. FCLCA SUPPORTS. Assembly Appropriations Committee.

AB 2727 (Steven Bradford, D., Inglewood) prohibits employers from denying employment on the basis of a criminal conviction unless there is a direct relationship between the prior conviction and the position sought or the granting of employment poses an unreasonable risk to property or persons. FCLCA SUPPORTS. Assembly Appropriations Committee.

SB 525 (Alex Padilla, D., Los Angeles) creates a misdemeanor for attempting to smuggle wireless communication devices

into a prison and subjects these devices to confiscation without due process when found in the possession of visitor when searched or detected by a metal detector. FCLCA OPPOSES. Assembly Public Safety Committee.

SB 1266 (Carol Liu, D., Pasadena) authorizes programs that allow a female prisoner, pregnant prisoner, or prisoner who is the primary caregiver of dependent children to serve their sentence in a residential facility provided the prisoner has no convictions for violent or sex offenses. FCLCA SUPPORTS. Senate Appropriations Committee.

SB 1364 (Tom Harman, R., Huntington Beach) allows prisons and jails to charge prisoners for discretionary services and/or per diem up to \$25 per day. FCLCA OPPOSES. Held in Senate Public Safety Committee.

SB 1399 (Mark Leno, D., San Francisco) provides that prisoners who have been physically or cognitively debilitated or incapacitated shall be granted medical parole. FCLCA SUPPORTS. Senate Appropriations Committee.

Equality/Non-discrimination

AB 482 (Tony Mendoza, D., Artesia) limits the circumstances under which employers may obtain and use consumer credit reports of employees for purposes of employment. FCLCA SUPPORTS.

SB 906 (Mark Leno, D., San Francisco) specifies that no priest, minister, rabbi, or authorized person of any religious denomination would be required to solemnize a marriage that is contrary to the tenets of his/her faith and states refusal shall not affect the tax exempt status of any entity. FCLCA SUPPORTS. Senate Floor.

SB 1460 (Gil Cedillo, D., Los Angeles) exempts a person who has attended for three or more years and graduated from a secondary school from paying non-resident tuition at the California State University and California Community Colleges. FCLCA SUPPORTS. Senate Appropriations Committee.

Governance

AB 1308 (Curt Hagman, R., Diamond Bar), **SB 370** (George Runner, R., Lancaster) and **SB 631** (Mimi Walters, R., Laguna Hills) would make persons on felony parole ineligible to vote. FCLCA OPPOSES. Held in Assembly Elections and Redistricting and Senate Elections, Reapportionment and Constitutional Amendments Committees respectively.

SCA 5 (Loni Hancock, D., Berkeley) places a constitutional amendment on the ballot to change the threshold for passing the state's budget from a two-thirds, supermajority to a simple majority. FCLCA SUPPORTS. Senate Floor.

Health Care

AB 1269 (Julia Brownley, D., Santa Monica) allows enrollees in the California Working Disabled Program who become unemployed to retain Medi-Cal coverage up to 26 weeks. FCLCA SUPPORTS. Signed into law.

AB 1383 (Dave Jones, D., Sacramento) imposes a coverage dividend fee on hospitals in order to supplement Medi-Cal reimbursements. FCLCA SUPPORTS. Signed into law.

AB 1422 (Karen Bass, D., Sacramento) imposes a gross premium tax of 2.35 percent on Medi-Cal Managed Care Plans through 2010 in order to fund the Healthy Families program. FCLCA SUPPORTS. Signed into law.

AB 1694 (Jim Beall, D., Santa Clara) imposes nickel per drink fee on alcoholic beverages to fund treatment and prevention programs and mitigate the costs of emergency room treatment. FCLCA SUPPORTS. Held in Assembly Health Committee.

AB 1858 (Robert Blumenfeld, D., Van Nuys) permits the State Department of Health to authorize health centers, local clinics and community based organizations to provide needle exchange services in areas with high incidences of disease spread through the use of hypodermic needles or syringes. FCLCA SUPPORTS. Assembly Appropriations Committee.

AB 2440 (Tom Berryhill, R., Modesto) requires prisoners upon admittance to state prison to complete a form indicating whether the prisoner wishes to become an organ donor. FCLCA OPPOSES. Held in Assembly Health Committee.

AB 2578 (Dave Jones, D., Sacramento) requires the Department of Managed Health Care and the California Department of Insurance to regulate health insurance premiums, co-pays and deductibles. FCLCA SUPPORTS. Assembly Appropriations Committee.

SB 810 (Mark Leno, D., San Francisco) establishes the California Healthcare System to provide affordable and comprehensive health care benefits for all California Residents. FCLCA SUPPORTS. Assembly Desk.

SB 1029 (Leland Yee, D., San Francisco) permits pharmacies to sell up to 30 sterile syringes to an adult without a prescription. FCLCA SUPPORTS. Senate Appropriations Committee.

Housing

AB 260 (Ted Lieu, D., Torrance) prohibits mortgage brokers from steering borrowers to loans at a higher cost than what the borrower qualifies for and establishes that mortgage brokers have a fiduciary responsibility to borrowers. FCLCA SUPPORTS. Signed into law.

AB 494 (Anna Caballero, D., Salinas) exempts from the Subdivision Map Act the lease of agricultural zoned land to nonprofit organizations for the purpose of operating an agricultural labor housing project. FCLCA SUPPORTS. Signed into law.

AB 761 (Charles Calderon, D., City of Industry) provides that, upon the sale, transfer or termination of an interest in a mobile home or a mobile home tenancy, the rent may be raised by 20 percent above the maximum amount allowed by a local rent control ordinance or \$100, whichever is greater. FCLCA OPPOSES. Senate Judiciary Committee.

AB 1177 (Paul Fong, D., Cupertino) creates the California Inter-agency Council on Homelessness to construct cross-agency and community collaborative responses to homelessness and authorizes the new agency to apply for federal funds. FCLCA SUPPORTS. Senate Appropriations Committee.

SB 812 (Roy Ashburn, R., Bakersfield) requires local governments to address housing needs of individuals with developmental disabilities as part of their general plan. FCLCA SUPPORTS. Assembly Local Government Committee.

Peace/Nonviolence

AB 351 (Mary Salas, D., Chula Vista) authorizes local school districts to exempt high school students who participate in JROTC and other designated activities from taking physical education courses. FCLCA OPPOSES. Held in Assembly Education Committee.

AB 1663 (Curt Hagman, R., Diamond Bar) would reverse recently enacted legislation requiring the Department of Justice to maintain records of handgun ammunition sales and requiring handgun ammunition sales be conducted in person. FCLCA OPPOSES. Assembly Public Safety Committee.

AB 1810 (Mike Feuer, D., Los Angeles) conforms regulations concerning the transfer of long guns to those of handguns and prohibits the destruction of transfer records for long guns. FCLCA SUPPORTS. Assembly Appropriations Committee.

AB 1934 (Lori Saldaña, D., San Diego) prohibits the open carry of firearms in public. FCLCA SUPPORTS. Assembly Appropriations Committee.

SB 115 (Alan Lowenthal, D., Long Beach) creates an exemption to the loyalty oath requirement for public employees and applicants based on religious, moral and ethical beliefs. FCLCA SUPPORTS. Vetoed. **FCLCA**


**FRIENDS COMMITTEE ON
LEGISLATION OF CALIFORNIA**

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FCLCA In Action (continued from page 6)

care legislation, which has now passed the Senate and will have a hearing in the Assembly later this year. We also worked with the Family Council to help reduce the rates of collect calls from prisoners to their families. And we worked closely with Sen. Lowenthal to bring an end to the state's required loyalty oath, an effort that passed both houses and was vetoed by the current governor. Next year, we may have an opportunity to work with a Republican legislator to craft a bill that would allow more prisoners to become voluntary organ donors. This year we helped to defeat his bill that would have required prisoners to fill out the organ donation form during initial processing into the prison. We believe the author has good intentions but lacks an understanding of the conditions that made this coercive rather than voluntary. We hope to work out a proposal that will respect the rights of prisoners and give them the opportunity to give back to society.

Is there one message you'd like to give our readers?

Not all of our work in Sacramento "grabs the headlines" but we know by reading letters from prisoners and their families and from the appreciation we receive from legislators and their staff that our work is important and valued. FCLCA has an outstanding reputation for fairness and credibility, and we strive everyday to protect that tradition. In these very cynical times, I want to especially thank those of you who help sustain our work and who see the importance of civic engagement and continue to write letters, make phone calls, and contact your legislators – your support is invaluable to our success. **FCLCA**

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The Friends Committee on Legislation of California (FCLCA) 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 FCLCA Committees. Seeking to follow the leadings of the Spirit, the FCLCA 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.

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