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A Public Statement on the November 8 Special Election

“You can’t complain if you don’t vote.”
 – Anonymous

California will hold a special election November 8, with eight propositions on the ballot that would change state law or amend California’s constitution. Governor Arnold Schwarzenegger called for the election, and supports some of the propositions. All the ballot initiatives are backed by interest groups who raised enough money, sometimes record amounts, and collected signatures to get them on the ballot.

While none of the propositions directly addresses HIV/AIDS policy or legislation, a number of them will have long-term effects on the way the state is governed and how policy and funding are determined. Others may have unforeseen impacts on the HIV/AIDS and/or lesbian, gay, bi-sexual and transgender (LGBT) communities.

APLA encourages everyone to vote. Below the list of propositions, APLA has included links that present “for and against” discussions of the propositions as part of overall voter education:

Prop 73: WAITING PERIOD AND PARENTAL NOTIFICATION BEFORE. TERMINATION OF MINOR'S PREGNANCY. AMENDS THE CONSTITUTION.

This proposition would ban abortions for unmarried girls under age 18 until 48 hours after a parent or legal guardian is notified. A judge could bypass this notification requirement if it were in the girl’s best interest. Doctors must send the state records about abortions performed on minors.

The right to privacy and control of one’s body is the basis for protecting a woman’s right to choose, and protecting the rights of LGBT people. Likewise, it lies at the heart of many protections for people with HIV/AIDS and other diseases.

Prop 74: PUBLIC SCHOOL TEACHERS. WAITING PERIOD FOR PERMANENT STATUS. DISMISSAL. INITIATIVE STATUTE.

If adopted, Proposition 74 would lengthen the time required for a teacher to become a permanent or tenured employee. It would take five consecutive school years instead of the current two years. School boards could dismiss a permanent teacher if they received two consecutive unsatisfactory performance evaluations.

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While Prop 74 would have no direct impact on LGBT and HIV communities, LGBT teachers or teachers known or suspected to be HIV-positive may be subjected to homophobia or discrimination in some school districts.

Prop 75: PUBLIC EMPLOYEE UNION DUES. RESTRICTIONS ON POLITICAL CONTRIBUTIONS. EMPLOYEE CONSENT REQUIREMENT. INITIATIVE STATUTE.

If passed, this proposition would require public employees unions to secure members' consent before using their dues for political campaigns. This hotly contested issue has no direct impact on the HIV/AIDS or LGBT communities. The governor supports this initiative. The unions call it a move against organized labor.

Although there is no direct impact on the HIV/AIDS or LGBT community, the unions have been at the forefront of progressive politics on many issues, including domestic partnerships and civil rights.

Prop 76: STATE SPENDING AND SCHOOL FUNDING LIMITS. INITIATIVE CONSTITUTIONAL AMENDMENT.

This proposition would change the state Constitution to limit state government spending to last year's spending plus a three-year average of state income growth. If income falls below plan, the Legislature has 45 days to reduce spending or else the governor would have the power to cut programs. Prop 76 also changes the requirements for school spending set up by Prop 98.

Again, there is no direct impact on HIV/AIDS communities, but this proposition alters the balance of power in Sacramento. That could have an effect on health and social service spending critical to people living with HIV/AIDS.

Prop 77: REDISTRICTING. INITIATIVE CONSTITUTIONAL AMENDMENT.

If passed, Proposition 77 would change the state Constitution's rules about how political districts for state and federal lawmakers are created. These districts define the area and constituents a lawmaker represents. A panel of retired judges would create the districts instead of the Legislature. New district lines would be determined upon passage of Prop 77 and then after each 10-year census.

The governor supports redistricting. The main argument is whether retired judges should oversee redistricting. No one knows if the Democrats or Republicans would lose the most "safe" seats in Sacramento. While there is no direct impact on the LGBT or HIV/AIDS community, no one knows whether this redistricting scheme would cost or gain us LGBT legislators.

Prop 78: DISCOUNTS ON PRESCRIPTION DRUGS. INITIATIVE STATUTE.

Californians with low- and mid-level incomes (up to \$28,000 for an individual or \$56,000 for a family of four) could buy prescription drugs at reduced prices. Drug company participation in the program is voluntary.

Backed by the well-financed pharmaceutical industry, Prop 78 addresses the hot button issue of U.S. drug prices. Counter-intuitively, there is likely little impact here for people with HIV/AIDS, because drugs are available through other programs like California's AIDS Drug Assistance Program. Governor Schwarzenegger supports 78.

Prop 79: PRESCRIPTION DRUG DISCOUNTS. STATE-NEGOTIATED REBATES. INITIATIVE STATUTE.

Californians with low- and mid-level incomes (up to \$37,000 for an individual or \$75,000 for a family of four) could buy prescription drugs at reduced prices. Prescription drugs by companies who do not offer discounts could be barred from the state's Medi-Cal program.

Again, because of other accessible drug programs, this proposition would likely have little impact on people with HIV/AIDS. Prop 79 is backed by consumer groups, but both it and 78 remain controversial. Opponents say 79 is legally questionable. If both pass, the proposition with the most votes will become law.

Prop 80: ELECTRIC SERVICE PROVIDERS. REGULATION. INITIATIVE STATUTE.

Proposition 80 is a complicated piece of work, subjecting electric service providers to control and regulation by California Public Utilities Commission. It imposes restrictions on electricity customers' ability to switch from private utilities to other electric providers. It also requires all retail electric sellers, instead of just private utilities, to increase renewable energy resource procurement by at least one percent each year, with 20 percent of retail sales procured from renewable energy by 2010, instead of current requirement of 2017.

Read and learn. The information on Prop 80 is dense, but that's part of the price of citizenship. Prop 80 would have no specific impact on people with HIV/AIDS or the LGBT community, except in their pocketbooks.

The special election is your chance to weigh in on these issues. It's easy to be cynical about elections, but in other parts of the world, people are fighting and dying for the right to vote. Do them a favor . . .

VOTE!

Additional Guides:

The California Official Voter Information Guide is produced by the California Secretary of State. Provides ballot measure summaries, the meaning of a yes or no vote, and limited information on proposition supporters.

<http://www.voterguide.ss.ca.gov/>

The Easy Voter Guide is managed by Common Knowledge, a 501(c)3 that develops, "strategies and programs that engage diverse, multi-layered audiences on complex,

sensitive *life literacy* issues like finances, health, voting and community life.” The site is a collaboration of funding and resources provided by the California State Library, California Secretary of State's Office, and the League of Women Voters of California Education Fund. The site features voter guides in Adobe Acrobat format in Spanish, Chinese, Korean, and Vietnamese.

<http://www.easyvoter.org/california/index.html>

The California Voter Foundation was established as an independent 501(c)(3) whose mission was to "shape a more informed and engaged electorate by emphasizing the use of new technologies." In the mid-1990's, the Foundation successfully advanced electronic filing and Internet disclosure of campaign finance data in California. The Easy Voter Guide features a "Follow The Money" segment that list contributors to campaigns.

<http://www.calvoter.org/voter/elections/2005/special/props/index.html>

The Smart Voter Guide is produced by the League of Women Voters of California Education Fund. In addition to providing nonpartisan information, the site also allows users to find their custom ballot and polling place by entering their street address and zip code.

<http://www.smartvoter.org/ca/state/>

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