

# CALIFORNIA INITIATIVE REVIEW FALL 2018



**INITIATIVES AT A GLANCE  
NOVEMBER 6, 2018**

UNIVERSITY OF THE  
**PACIFIC**  
McGeorge School of Law

## INTRODUCTION

The California Initiative Review (CIR) and the Initiatives at a Glance are publications of objective and independent analyses of California statewide ballot initiatives and referendums. These publications are produced by the McGeorge Capital Center for Law and Policy and are prepared before every statewide election. Each CIR covers all measures qualified for the next statewide ballot, and also often contains reports on topics related to initiatives, elections, or campaigns. This year with eleven ballot measures, we are not featuring any reports. The most current issue and past issues of the CIR and the Initiatives at a Glance are housed online on the McGeorge website, [www.mcgeorge.edu](http://www.mcgeorge.edu). For the November 6, 2018, election, we anticipate that the full reports will be available on October 24, 2018.

The CIR and the Initiatives at a Glance supplement are written by law students enrolled in the California Initiative Seminar course at University of the Pacific, McGeorge School of Law. This fall 12 students were enrolled in the seminar. Editing of each analysis is performed by student editors under my supervision.

The student authors, editors, and I are grateful to the Capital Center for sponsoring the publication of the CIR, the Initiatives at a Glance, and the California Initiative Forum. We hope that the information contained in the analyses online, and these short synopses, will be helpful to you as you prepare to vote on the initiatives presented to the electorate this November.

Happy Voting,



Prof. Mary-Beth Moylan  
Associate Dean for Experiential Learning  
McGeorge School of Law



**I PLAN TO VOTE**

**YES**

**NO**

**PROPOSITION 1 NOTES:**

---

---

---

---

---

---

---

---

**PROPOSITION 1: VETERANS AND AFFORDABLE HOUSING BOND ACT OF 2018**

**Current Law**

- The Housing and Emergency Shelter Trust Fund Acts of 2002 and 2006 were passed by voters to provide a total of \$4.95 billion in state bonds to fund various housing programs.
- The Veterans’ Farm and Home Purchase Act of 1974 provides veterans with the opportunity to acquire farms and homes. The program has been partly financed through state bonds.

**Proposed Law**

- Proposition 1 will authorize 4 billion in bond funding for existing affordable housing programs and for the veterans home loan program.
- The cost of the affordable housing bonds to the State would be about \$170 million annually for 35 years. No direct costs to the State for the veterans housing bond.

<b>PROPOSITION 1 BOND FUND ALLOCATION</b>		
<b>Program</b>	<b>Purpose</b>	<b>Amount</b>
Affordable Multifamily Housing  ● <i>Multifamily Housing Program</i> ● <i>Local Housing Trust Matching Grant</i>	Construct and renovate affordable housing, including rental housing for lower income households.	\$1.8 billion
Development  ● <i>Transit-Oriented Development</i> ● <i>Infill Incentive Grant</i>	Construct housing in urbanized infill areas and near public transportation. Improve infrastructure such as parks, water, sewer, and transit in infill areas.	\$450 million
Home Ownership  ● <i>Home Purchase Assistance Program</i> ● <i>Self-Help Housing Program</i>	Assist low- and moderate-income homebuyers to build or purchase homes, including mobile homes.	450 million
Farmworker Housing	Construction or rehabilitation of rental or owner-occupied housing for farmworkers.	\$300 million
Veterans Home Loan	Finance farm, home, and mobile home purchase assistance for veterans.	\$1 billion

**POLICY CONSIDERATIONS**

<b>YES ON PROPOSITION 1</b>	<b>NO ON PROPOSITION 1</b>
<ul style="list-style-type: none"> <li>● There is an extreme housing shortage with 2.2 million low income renter households competing for 664,000 affordable rental homes.</li> <li>● \$1 billion will be dedicated to providing affordable housing to veterans.</li> <li>● Prop. 1 will create 137,000 new jobs and pump \$23.4 billion into California’s economy.</li> </ul>	<ul style="list-style-type: none"> <li>● California already has \$74.2 billion in debt from general obligation bonds.</li> <li>● Prop. 1 will only lead to 15,000 affordable housing units being built at \$300,000 per unit.</li> <li>● Prop. 1 does not require periodic audits to ensure the money is being spent in accordance with the initiative’s intent.</li> </ul>



**I PLAN TO VOTE**

**YES**

**NO**

**PROPOSITION 2 NOTES:**

---

---

---

---

---

---

---

---

**PROPOSITION 2: USE MILLIONAIRE’S TAX REVENUE FOR HOMELESSNESS PREVENTION HOUSING  
BONDS MEASURE**

---

**Current Law**

- In 2004, California passed Proposition 63, which put into effect the Mental Health Services Act (MHSA).
- Proposition 63 was created to expand and improve mental health services across the state, to be funded by a 1% tax on individual incomes exceeding \$1 million.
- Implementation of the MHSA has been plagued with issues, including poor oversight and mismanagement of funds.

**Proposed Law**

Proposition 2 authorizes the Department of Mental Health (DMH) to distribute funds from MHSA to the No Place Like Home Program (NPLHP) to create permanent housing for individuals with mental illness who are homeless or at risk for chronic homelessness. It also authorizes the California Health Facilities Financing Authority (CHFFA) to enter into contracts with developers and others for this purpose

Proposition 2 also creates a Supportive Housing Program Subaccount within the Mental Health Services Fund in which all general fund appropriations and MHSA funds will be collected and distributed, and authorizes CHFFA to issue bonds in an amount not exceeding two billion dollars (\$2,000,000,000) to finance permanent supportive housing pursuant to the No Place Like Home Program and related purposes. Finally, it authorizes the California Legislature to appropriate up to \$140 million per year to fund the Supportive Housing Program Subaccount. Any funding from such appropriation, up to a \$140 million threshold, reduces the authorized but unissued amount of bonds that the CHFFA may issue.

**POLICY CONSIDERATIONS**

<b>YES ON PROPOSITION 2</b>	<b>NO ON PROPOSITION 2</b>
<ul style="list-style-type: none"> <li>• Authorizes the state to use revenue from Proposition 63 (2004)—a 1 percent tax on income above \$1 million - for mental health services</li> <li>• Authorizes issuance of \$2 billion in revenue bonds for homelessness prevention housing for persons in need of mental health services.</li> <li>• Will deliver reliable and safe housing to mental health patients that live on the streets.</li> </ul>	<ul style="list-style-type: none"> <li>• No vote opposes authorizing the state to use revenue from Proposition 63 (2004) on housing related projects including issuance of \$2 billion in revenue bonds for homelessness prevention housing for persons in need of mental health services.</li> <li>• Proposition 2 will only benefit bureaucrats, developers, and other businesses that will receive most of the funds.</li> </ul>



**I PLAN TO VOTE**

**YES**

**NO**

**PROPOSITION 3 NOTES:**

---

---

---

---

---

---

---

---

---

---

## **PROPOSITION 3: WATER SUPPLY AND WATER QUALITY ACT OF 2018**

---

### **Current Law**

California has numerous agencies and commissions that are charged with water quality, supply, and infrastructure operation and maintenance. Water storage, protection, and restoration are funded by the state as well as bond measures proposed by the Legislature or voter initiatives. Proposition 3 is the latest iteration in California's long history of investing in water related infrastructure. In the past 18 years alone, voters have approved \$31 billion in general obligation bond measures dedicated to water.

### **Proposed Law**

Proposition 3 would issue almost \$9 billion of general obligation bonds towards California water projects, including categories like: water infrastructure repair, watershed lands, fish and wildlife habitat, flood protection, groundwater, and other programs. In other words, Proposition 3 permits the State to borrow this money to fund water-related projects and subsequently repay the bonds over time with general funds. Proposition 3 will overlap partially with other water bonds recently adopted, but it is much bigger and will dedicate its funds entirely to water projects. To pass, Proposition 3 requires a simple majority vote by the people--i.e. more than 50% of all voters who vote.

### **POLICY CONSIDERATIONS**

<b>YES on PROPOSITION 3</b>	<b>NO on PROPOSITION 3</b>
<ul style="list-style-type: none"><li>• A <b>YES</b> vote means California could sell \$8.877 billion in general obligation bonds to fund various water and environmental projects related to; watershed lands, water supply, fish and wildlife habitat, water facility upgrades, groundwater, and flood protection.</li><li>• Proposition 3 will help resolve a variety of water issues in California, including drought preparedness, environmental sustainability, ensuring safe drinking water for all communities, ability to capture and use runoff, repairing infrastructure, and groundwater storage.</li><li>• Expedites the necessary funding instead of waiting for either federal or State investment.</li></ul>	<ul style="list-style-type: none"><li>• A <b>NO</b> vote means California could not sell \$8.877 billion in general obligation bonds to fund various water and environmental projects related to; watershed lands, water supply, fish and wildlife habitat, water facility upgrades, groundwater, and flood protection.</li><li>• Proposition 3 is a waste of taxpayer dollars.</li><li>• The measure is superfluous considering California has dedicated over \$30 billion to water-related projects over the past 20 years with hardly anything to show for it.</li><li>• Proposition 3 will be unsuccessful because it will not create new reservoirs that are necessary to address to growing demand for water in California.</li></ul>





**I PLAN TO VOTE**

**YES**

**NO**

**PROPOSITION 4 NOTES:**

---

---

---

---

---

---

---

---

**PROPOSITION 4: THE CHILDREN’S HOSPITAL BOND ACT OF 2018**

---

**Current Law**

- Propositions 61 and 3, passed in 2004 and 2008 respectively, allowed the State to sell bonds to fund projects for qualifying children’s hospitals in California.
- Propositions 61 and 3 allowed the 8 qualified non-profit hospitals and the 6 University of California system hospitals to apply portions of the respective \$750 million and \$980 million in bonds for infrastructure projects related to the treatment of critically-ill children.
- The bonds are available for use until the end of 2018.

**Proposed Law**

- Proposition 4 would allow the State to sell an additional \$1.5 billion in bonds to fund projects for qualified children’s hospitals.
- While substantially similar to the previous Children’s Hospital Bond Acts, Proposition 4 would increase the total funds available, have a longer 15 year period for hospitals to apply for funding, and includes additional hospitals that provide pediatric services to children eligible for the California Children’s Services program.

**POLICY CONSIDERATIONS**

<b>YES ON PROPOSITION 4</b>	<b>NO ON PROPOSITION 4</b>
<ul style="list-style-type: none"><li>● Allows for faster funding of large projects that benefit children throughout the state.</li><li>● Creates certainty in funding for children’s hospitals since bonds are not based on year-to-year appropriations from the State.</li><li>● Improvements in children’s healthcare have led to greater success rates for the recovery of critically-ill children.</li></ul>	<ul style="list-style-type: none"><li>● Will add \$2.9 billion in State debt when interest is taken into consideration.</li><li>● The State is currently responsible for \$33 billion in general obligation bond debt in part due to the initiative process, making it more difficult for the state to budget accordingly.</li><li>● Concern that the beneficiaries of the general bond measure were the only funders of the proposition campaign, though contributions total 1% or less of the amount the money the hospital would be eligible for under Proposition 4.</li></ul>



**I PLAN TO VOTE**

**YES**

**NO**

**PROPOSITION 5 NOTES:**

---

---

---

---

---

---

---

---

**PROPOSITION 5: PROPERTY TAX TRANSFER**

---

**Current Law**

- California allows homeowners who are over the age of 55, disaster victims, or individuals with severe disabilities to sell their residence and transfer the property tax to a new home.
- However, there are a number of restrictions.
  - This property tax transfer can only be done once.
  - In most situations the transfer must be within the same county. However, if the Board of Supervisors of the receiving country allows inter-county transfers, then an individual can transfer their property tax to another county.
  - The replacement property is required to be of equal or lesser value.

**Proposed Law**

- Proposition 5 would amend these restrictions for homeowners who are over the age of 55, disaster victims, or individuals with severe disabilities.
  - Removes the cap on number of times a property tax can be transferred.
  - A property tax could be transferred anywhere in the state.
  - The replacement property could be worth more than the original home.

**POLICY CONSIDERATIONS**

<b>YES ON PROPOSITION 5</b>	<b>NO ON PROPOSITION 5</b>
<ul style="list-style-type: none"> <li>• By giving seniors an incentive to move, Prop. 5 will increase economic activity and open up much needed housing.</li> <li>• Seniors and individuals with severe disabilities cannot move out of inadequate housing due to the tax penalty they might face.</li> <li>• Disaster victims cannot move out of the county without facing a property tax penalty.</li> </ul>	<ul style="list-style-type: none"> <li>• Annual property tax losses for cities, counties, and special districts of around \$150 million in the near term, growing over time to \$1 billion or more per year (in today’s dollars).</li> <li>• Annual property tax losses for schools of around \$150 million per year in the near term, growing over time to \$1 billion or more per year (in today’s dollars).</li> <li>• Increase in state costs for schools of an equivalent amount in most years.</li> </ul>



**I PLAN TO VOTE**

**YES**

**NO**

**PROPOSITION 6 NOTES:**

---

---

---

---

---

---

---

---

**PROPOSITION 6: VOTER APPROVAL FOR INCREASE IN GAS AND CAR TAXES**

---

**Current Law**

- SB 1, passed in 2017, increased the state funding for California’s transportation system.
- It included a \$0.12 increase in the gas excise tax which was effective November 2017, a transportation improvement fee that ranges from \$25-\$175 which was effective January 2018, a \$0.20 increase in diesel excise tax effective in 2019, and a \$100 fee on zero-emission vehicle registration effective in July 2020.
- It is estimated that the revenue from these taxes will provide California approximately \$4.4 billion this fiscal year.
- The different fees and taxes from SB 1 will progressively take effect over the next few years and at full effect would produce \$5.2-\$5.4 billion annually, with two-thirds of that delegated specifically for maintenance and rehabilitation of local streets and roads as mandated by the California Constitution.

**Proposed Law**

- Proposition 6 would amend the California Constitution to require voter approval for new or increased taxes on gasoline or diesel fuel and operational taxes.
- Additionally it would effectively repeal SB 1, eliminating any gas or vehicle tax passed in 2017 through the date Proposition 6 would be passed.

**POLICY CONSIDERATIONS**

<b>YES ON PROPOSITION 6</b>	<b>NO ON PROPOSITION 6</b>
<ul style="list-style-type: none"><li>● A return of fuel and vehicle taxes to pre-2017 levels.</li><li>● These taxes affect the middle and lower economic classes the most.</li><li>● California is already expensive to live in and the SB 1 taxes make it even more expensive.</li><li>● Requires majority voter approval for any new fuel and vehicle tax increases in the future.</li></ul>	<ul style="list-style-type: none"><li>● Repealing SB 1 would cause the State to lose tax revenues of \$2.4 billion within two years and \$5.1 billion annually after that.</li><li>● Over 6,500 transportations projects could lose funding.</li><li>● California has a crumbling infrastructure and cutting the tax could exacerbate the problem.</li><li>● Loss of project funding could lead to the loss of 68,000 project related jobs.</li><li>● Breach of contract from lack of funding could lead to California having to pay the full contract price of cancelled contracts despite the work being halted.</li></ul>



**I PLAN TO VOTE**

**YES**

**NO**

**PROPOSITION 7 NOTES:**

---

---

---

---

---

---

---

---

**PROPOSITION 7: CALIFORNIA DAYLIGHT SAVING TIME**

---

**Current Law**

- In 1949, California voters adopted Proposition 12 an initiative titled "An Act Providing For Daylight Saving Time in the State of California."
- The key provisions established United States Standard Pacific Time as standard time within the state and provided that time advance one hour during a period from the last Sunday in April until the last Sunday in September.
- The United States Congress passed the Uniform Time Act in 1966 to create daylight saving time nationwide, which effectively replaced the existing California law.
- Currently under federal law, daylight saving time starts the second Sunday in March and ends the first Sunday in November.
- Despite this fact that the existing language in the California Government Code still says that daylight saving time ends on the last Sunday in September, daylight saving time in California ends the first Sunday in November as required by federal law.
- California’s current daylight saving time law, *Daylight Saving Time Act of 1949*, does not allow the California legislature to update the language in the current statute or ask the federal government to stop the twice per year time change with voter approval.

**Proposed Law**

- The repeal of the *Daylight Saving Time Act* would allow the legislature to control changes to daylight saving because the voter initiative would be replaced by the proposed legislative initiative and no longer require voter approval to any daylight saving changes.
- Proposition 7 updates California’s daylight saving time dates to be consistent with the federal Uniform Time Act.
- Proposition 7 gives the California Legislature the power to ask Congress to allow California to go onto daylight saving time all year. The Legislature would need a two-thirds (2/3) vote to ask the federal government if California can change to have full-time daylight saving time, rather than changing the clocks in March and November.

**POLICY CONSIDERATIONS**

<b>YES ON PROPOSITION 7</b>	<b>NO ON PROPOSITION 7</b>
<ul style="list-style-type: none"> <li>• Would allow the Legislature to update the current daylight saving language and to ask the federal government to have daylight saving time all year.</li> <li>• Does not guarantee that California would be able to stop changing the clocks because the Legislature may not ask the federal government for all year daylight saving time, or the federal government could say no.</li> <li>• The Legislature would not have to ask the voters for permission to change daylight saving laws in the future.</li> </ul>	<ul style="list-style-type: none"> <li>• Would not change anything because California must follow the federal government’s daylight saving time rules.</li> <li>• The existing nonconforming language in the California Government Code would remain unchanged.</li> <li>• The Legislature would not have the ability to change daylight saving laws without voter approval in the future.</li> </ul>





**I PLAN TO VOTE**

**YES**

**NO**

**PROPOSITION 8 NOTES:**

---

---

---

---

---

---

---

---

## **PROPOSITION 8: FAIR PRICING FOR DIALYSIS ACT**

---

### **Current Law**

- California Health and Safety Code regulates chronic dialysis clinics (CDCs)
- Current law does not limit the revenue of chronic dialysis clinics providing kidney dialysis treatment.

### **Proposed Law**

- Limit chronic dialysis clinics revenue and require clinics to issue refunds for revenue above 115 percent of the costs of direct patient care service and health care quality improvements.
- Assess penalties if clinics fail to maintain information or timely submit a report required, report inaccurate or incomplete amounts or percentages, or fail to timely issue a full rebate.
- Require clinics to submit annual reports to the California Department of Public Health (CDPH). These reports shall include the number of dialysis treatments provided, the amount allowable costs, the amount of owner/operator's revenue cap, the amount by which revenues exceed the cap, and the amount of rebates paid.
- Prohibit clinics from refusing to treat patient based on source of payment for care.

### **POLICY CONSIDERATIONS**

<b>YES ON PROPOSITION 8</b>	<b>NO ON PROPOSITION 8</b>
<ul style="list-style-type: none"><li>● Lower costs of dialysis treatment.</li><li>● Improve patient care by incentivizing clinics to spend more of direct patient care services.</li><li>● Ensure clean dialysis centers because clinics would spend more on health care quality improvements.</li><li>● Require corporations to refund excessive profits that aren't spent on improving patient care.</li></ul>	<ul style="list-style-type: none"><li>● Clinics will operate at a loss because reimbursement rates are too low.</li><li>● Clinics will be forced to close.</li><li>● Patients will be forced to seek treatment at more expensive hospital emergency rooms due to closures of clinics.</li><li>● Definition of "allowable" costs excludes critical staff and necessary services to operate a dialysis clinic.</li><li>● Presents constitutional issues, giving rise to a post-election challenge.</li></ul>



**I PLAN TO VOTE**

**YES**

**NO**

**PROPOSITION 10 NOTES:**

---

---

---

---

---

---

---

---

**PROPOSITION 10: AFFORDABLE HOUSING ACT**

---

**Current Law**

- In 1996, California passed a statewide moderate limit on otherwise extreme vacancy control that was put in place in the 1980s.
- While cities and counties continue to maintain the ability to implement local rent control laws, they must follow the parameters established in the Costa-Hawkins Rental Housing Act.
- At the heart of Costa-Hawkins are a number of basic rules: housing constructed after 1995 must be exempt from local rent controls; new housing that was already exempt from a local rent control law in place before February 1, 1995, must remain exempt; single family homes and other units like condominiums that are separate from the title to any other dwelling units must be exempt from local rent controls; rental property owners must have the ability to establish their own rental rates when dwelling units change tenancy.

**Proposed Law**

- The measure repeals several sections of the California Civil Code, sections 1954.50 through 1954.53, which place limits on local rent control laws where cities and counties can regulate rents for any housing.
- The section added to the California Civil code reads, “a city, county, or city and county shall have the authority to adopt a local charter provision, ordinance or regulation that governs a landlord's right to establish and increase rental rates on a dwelling or housing unit.” Under this added provision, cities and counties can limit how much a landlord may increase rents when a new renter moves in.
- Also, the second section added ensures that the measure itself does not make any changes to local rent control laws and does not impact the “fair rate of return” that property owners are allowed under past court rulings.

**POLICY CONSIDERATIONS**

<b>YES on PROPOSITION 10</b>	<b>NO on PROPOSITION 10</b>
<p>A <b>YES</b> vote means California law would not limit the kinds of rent control laws cities, counties, or other municipalities could have.</p> <ul style="list-style-type: none"> <li>• Allowing cities to impose rent control will help mitigate the housing crisis</li> <li>• Four in ten households spend 30% or more of household income on housing</li> <li>• Reducing cost of rent will give renters more money to spend on other goods and services, boosting the economy</li> <li>• Workers are forced to live far away from their place of employment</li> </ul>	<p>A <b>NO</b> vote means California law would continue to limit the kinds of rent control laws cities, counties, or other municipalities could have.</p> <ul style="list-style-type: none"> <li>• Rent control will drive up housing costs and force more people out of their homes</li> <li>• Giving local governments more power over the real estate market will exacerbate the housing crisis</li> <li>• Taxpayers will pay for the legal costs of defending local rent control regulations in court</li> </ul>



**I PLAN TO VOTE**

**YES**

**NO**

**PROPOSITION 11 NOTES:**

---

---

---

---

---

---

---

---

**PROPOSITION 11: EMERGENCY AMBULANCE EMPLOYEES SAFETY AND PREPAREDNESS ACT**

---

**Current Law**

- Federal law - Under the Fair Labor Standards Act of 1938, emergency employees may not receive compensation for interrupted breaks.
- State law - Under the California Labor Code, employer-mandated on-call rest breaks are illegal.
- CA Supreme Court - In *Augustus v. ABM Security Services* (2016), the California Supreme Court held that on-call breaks violate state labor law. Full compliance with the *Augustus* decision would potentially increase costs for ambulance providers by more than \$100,000 annually.

**Proposed Law**

- Allows emergency medical technicians (EMTs) and paramedics to remain on-call during breaks.
- Requires employers to pay EMTs and paramedics at their regular rates during their breaks.
- Requires 911 ambulance operators to maintain high staffing levels to provide coverage for breaks.
- Requires training for certain emergency incidents related to active shooters, multiple casualties, natural disasters, and violence prevention.
- Requires employers to provide employees mandatory mental health coverage, as well as yearly mental health and wellness training.
- Retroactively prevents emergency employees from bringing claims pursuant to *Augustus* against ambulance service providers, including claims already pending.

**POLICY CONSIDERATIONS**

<b>YES ON PROPOSITION 11</b>	<b>NO ON PROPOSITION 11</b>
<ul style="list-style-type: none"><li>• Ensures 911 emergency will not be delayed because EMT's always on-call.</li><li>• Provides important additional training for emergency employees.</li><li>• Increases efficacy of mental health services.</li></ul>	<ul style="list-style-type: none"><li>• Negatively impacts labor union workers.</li><li>• Excludes private sector emergency employees from labor law protections.</li><li>• Allows ambulance companies to require workers to remain on-call during their breaks.</li></ul>



**I PLAN TO VOTE**

**YES**

**NO**

**PROPOSITION 12 NOTES:**

---

---

---

---

---

---

---

---

**PROPOSITION 12: STANDARDS FOR CONFINEMENT OF SPECIFIED FARM ANIMALS; BANS SALE OF NONCOMPLYING PRODUCTS**

**Current Law**

- California’s laws on animal cruelty are extensive, covering a wide range of behaviors and types of animals.
- These concerns led to Proposition 12’s predecessor, Proposition 2 (2008), which targeted the treatment of farm animals.
- Proposition 2 did not provide specific size requirements for the confinement of farm animals. The only standard it created was that farm animals "must be able to turn around freely, lie down, stand up and extend their limbs."

**Proposed Law**

- Proposition 12 amends the California Health and Safety Code and would address issues Proposition 2 did not address.
- Proposition 12 sets specific space requirements for the confinement of egg-laying hens, breeding pigs, and calves raised for veal. These would be phased in over several years.
- Starting in 2020, egg-laying hens would be required to have 1 square foot of floor space, and calves raised for veal would be required to have 43 square feet of floor space. Starting in 2022, egg-laying hens must be in cage-free housing, and breeding pigs would be required to have 24 square feet of floor space.
- Proposition 12 would prohibit businesses from knowingly selling eggs, liquid eggs, uncooked pork, or veal that come from animals that are housed in ways that do not meet the new requirements.
- Proposition 12 also provides two key changes to enforcement:
  - It requires the California Department of Food and Agriculture promulgate rules and regulations for the implementation of the act by September 1, 2019.
  - It provides that any person in violation of the act is guilty of a misdemeanor and is to be punished either by imprisonment or by paying a fine not to exceed \$1000.

**POLICY CONSIDERATIONS**

<b>YES ON PROPOSITION 12</b>	<b>NO ON PROPOSITION 12</b>
<ul style="list-style-type: none"> <li>• A <b>YES</b> vote means farmers would be required to provide more space for egg-laying hens, breeding pigs, and veal calves.</li> <li>• California businesses would be banned from selling eggs or uncooked pork or veal that came from animals housed in ways that did not meet these requirements.</li> <li>• Prop 12 is a necessary step towards ending cruelty against farm animals.</li> <li>• Prop 12 will reduce risk of food poisoning, lead to job growth, and sensibly strengthen anti-cruelty laws put forward by prior law.</li> </ul>	<ul style="list-style-type: none"> <li>• A <b>NO</b> vote means the current law relating to space and businesses selling animal products remain the same.</li> <li>• Proposition 12 is deceiving voters because it would actually prolong the suffering of animals rather than relieve it.</li> <li>• California was supposed to be “cage-free” in 2015, and Proposition 12 simply prolongs the suffering of egg-laying hens since it extends the deadline to comply with the law.</li> <li>• Based on the language of the proposed standards, Proposition 12 will actually result in smaller confinement spaces rather than larger spaces.</li> </ul>



UNIVERSITY OF THE  
**PACIFIC**  
McGeorge School of Law

3200 Fifth Avenue Sacramento, CA 95817

**mcgeorge.edu**