



November 5, 2008

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Secretary of State Debra Bowen reports that a record 17.3 million voters registered to vote in California for yesterday's election. They cast their vote for a new president, legislative representatives and whether 12 ballot initiatives should pass or fail.

At the end of the night, the California Legislature has more Democrats and the voters showed that they could pick and choose positions among complex initiatives. The gains by the Democrats in the Legislature make a significant tax increase more likely to balance the budget. Additionally, as illustrated by the passage of multiple bond proposals, the voters decided that even in hard economic times they are willing to invest more money in infrastructure. We summarize the results below.

California State Legislature

Going into the election, the California Legislature had a Democratic majority with 25 Democrats and 15 Republicans in the Senate and 48 Democrats and 32 Republicans in the Assembly.

The Democrats will retain and increase their majority in both houses as a result of last night's election.

The Senate will have 26 Democrats and 14 Republicans. The 19th Senate District is currently too close to call; however, the Democrat leads by about 100 votes. This race may be headed for a recount.

The Democrats increased their ranks by two seats bringing the total to 50 Democrats and 30 Republicans in the Assembly for the two-year legislative session beginning December 2008.

The Democratic leadership played offense throughout the campaign in hopes of gaining a 2/3 majority in both the Assembly and the Senate. A 2/3 majority is required to pass a budget, including any new taxes, and to override vetoes. The Democrats stand four votes short of this threshold in the Assembly and one vote short in the Senate pending the outcome in the 19th Senate District.

Due to the way legislative districts are drawn, the majority of legislative races are considered "safe seats" for either Democrats or Republicans. However, given the national trends, this election was viewed as having more competitive seats than in past years.

ASSEMBLY

AD 10-Jack Sieglock (R) vs. Alyson Huber (D)

Until recently this Sacramento County seat was considered a "safe" Republican seat. Independent

Expenditure committees (IE) spent roughly \$775,000 in support of Democratic candidate Alyson Huber to help make this seat competitive. Republican registration in this district is 41% and Democratic registration is 39%, with a decline to state population of 17%.

Election Result: Jack Sieglock 47%, Alyson Huber 46.2%

AD 15—Abram Wilson (R) vs. Joan Buchanan (D) DEMOCRAT PICK UP

Republicans were prepared for a fight in this East Bay Area district that has been held by Republican Guy Houston (termed-out) for the last six years. Democratic registration is 39% and Republican registration is 38% with 19% of the voters in the district registering as decline to state. IEs were very active in this race, contributing almost \$1 million in support of Joan Buchanan and \$300,000 in opposition to Abram Wilson. IEs were not as strong for Abram Wilson. Losing this seat to the Democrats would mean that there would be no Republican legislative representatives in the San Francisco Bay Area.

Election Result: Joan Buchanan 52.9%, Abram Wilson 47.1%

AD 26—Bill Berryhill (R) vs. John Eisenhut (D)

This Stanislaus and San Joaquin County district targeted by the Democrats was no surprise to Republicans. Until recent years, this district “leaned” Republican; however, Democratic registration is now at 42% and Republican registration is 40%, with 14% declining to state. Still, the GOP candidate won the day.

Election Result: Bill Berryhill 51.7%, John Eisenhut 48.6%

AD 30—Danny Gilmore (R) vs. Fran Florez (D) REPUBLICAN PICK UP

This district has been a swing district for years. Termed-out Assembly Member Nicole Parra waged a tough campaign every election and kept the seat with the Democrats for six years. Democrat Assembly Member Nicole Parra endorsed Republican candidate Danny Gilmore who was specially recruited by the Republican party to run in this seat and was heavily supported by the GOP. Considering that this is among the most competitive races, IE spending played a considerable role for both candidates. Democratic registration is at 47% and Republican registration is at 38%, with a decline to state population of 12%.

Election Result: Danny Gilmore 51.5%, Fran Florez 48.5%

AD 37—Audra Strickland (R) vs. Ferial Masry (D)

Due to the intense campaign in the overlapping 19th Senate District, this typically safe Republican seat in Ventura County was considered to be in play for the Democrats despite Democratic registration of 35% against Republican registration of 43%, with decline to state at 18%.

Election Result: Audra Strickland 51.5%, Ferial Masry 48.5%

AD 78—John McCann (R) vs. Marty Block (D) DEMOCRAT PICK UP

This San Diego County Assembly District was also considered one of the most highly competitive races. Voter registration is 42% Democratic, 32% Republican and 21% decline to state. IE's weighed in significantly in this race.

Election Result: Marty Block 55%, John McCann 45%

AD 80—Gary Jeandron (R) vs. Manuel Perez (D) DEMOCRAT PICK UP

Even though this seat has a strong Democratic edge in terms of voter registration, it is not considered a safe seat for Democrats. Termed-out Republican Assembly Member Bonnie Garcia has been very popular in this district. Republicans were hopeful that Assembly Member Garcia's support would follow to Gary Jeandron, while Democrats counted on Democrat-leaning district registration and heavy IE spending in support of Manuel Perez winning the day.

Election Result: Manuel Perez 52%, Gary Jeandron 48%

SENATE

SD 19--Tony Strickland (R) vs. Hannah-Beth Jackson (D) POSSIBLE PARTY TURN OVER

Voter registration has changed in this seat that used to be considered to “lean” Republican. This contentious race pitted former Assembly Members Tony Strickland and Hannah-Beth Jackson, both considered to represent extreme spectrums of their respective parties.

Election Result: Hannah-Beth Jackson 50.1%; Tony Strickland 49.9%. Please note that Absentee and provisional ballots have yet to be tallied.

Initiatives Update

(The election results below are as of 7:23 a.m. with 95.7% of precincts reporting.)

PROPOSITION 1A -- SAFE, RELIABLE HIGH-SPEED PASSENGER TRAIN BOND ACT

Pre election Summary of Proposition 1A:

Proposition 1A would provide nearly \$10 billion of the initial cost to build a high-speed rail link between Los Angeles and San Francisco. The trip from Los Angeles to San Francisco would take approximately two and a half hours, with fares currently being estimated at \$55 each way.

Governor Arnold Schwarzenegger, the Sierra Club and the Consumer Federation of California all support Proposition 1A, arguing that California would benefit from building high-speed rail to help reduce our dependence on foreign oil, help efforts to curb climate change and to create new jobs.

Opponents such as the California Chamber of Commerce and Jarvis Taxpayers' Association argue that Proposition 1A will add to California's mounting debt and make California's unresolved budget crisis even worse and, therefore, is fiscally irresponsible at this time.

Election Result—Proposition 1A: PASSED with 52.3% voting in support

PROPOSITION 2 -- STANDARDS FOR CONFINING FARM ANIMALS

Pre election Summary of Proposition 2:

Proposition 2 would require that calves raised for veal, egg-laying hens and pregnant pigs should be in cages or pens that allow them to stand up and turn around. Proposition 2 has generated national attention, with Oprah dedicating an entire show to the issue this month.

Supporters such as the Humane Society of the United States and the Consumer Federation of America argue that Proposition 2 would stop cruel and inhumane treatment of animals.

Opponents like the California Farm Bureau and the California Small Business Association argue that the initiative is unnecessary and would close farms and boost egg prices in already tough economic times.

Election Result—Proposition 2: PASSED with 63% voting in support

PROPOSITION 3 -- CHILDREN'S HOSPITAL BOND ACT

Pre election Summary of Proposition 3:

Proposition 3 would authorize \$980 million in state bonds for construction, expansion and renovation of children's hospitals. Further spending requirements in the measure designate that 80 percent of bond proceeds should go to hospitals that focus on children with illnesses such as leukemia, cancer, heart defects, diabetes, sickle cell anemia and cystic fibrosis.

Sponsored by the California Children's Hospital Association and supported by a wide range of policy, consumer, business and political organizations, the Yes on Proposition 3 campaign argues that California's hospitals dedicated to children are chronically under funded and need an injection of state funding to modernize their facilities to be able to continue to provide quality care.

Opponents to Proposition 3, including the American Conservative Union, People's Advocates and the National Tax Limitation Union, argue that the initiative is targeted to benefit a single private-sector special interest – children's hospitals – at the expense of other healthcare providers fighting for public funding and that the state cannot afford over a billion dollars in debt and debt service at a time of fiscal crisis.

Election Result—Proposition 3: PASSED with 54.8% voting in support

PROPOSITION 4 -- WAITING PERIOD AND PARENTAL NOTIFICATION BEFORE TERMINATION OF MINOR'S PREGNANCY

Pre election Summary of Proposition 4:

Among the most controversial initiatives on this year's ballot, Proposition 4 would require notification of a parent or guardian and a 48-hour waiting period before a minor can receive an abortion. This election marks the third time in the last four years that a parental notification initiative has appeared on the state ballot.

Supported by Parents Right to Know California and the Knights of Columbus, sponsors of the initiative argue that minors should not receive medical care without parental involvement.

The opposition includes the California Nurses Association, the California Teachers Association and the League of Women Voters of California. Opponents argue that Proposition 4 is a repetitive attempt by anti-abortion interests to change California's current legal protections for choice.

Election Result—Proposition 4: FAILED with 52.4% voting No.

PROPOSITION 5 -- NONVIOLENT DRUG OFFENSES. SENTENCING, PAROLE AND REHABILITATION

Pre election Summary of Proposition 5:

Proposition 5 would provide \$460 million a year for drug treatment programs, limit judges' ability to jail some drug offenders and shorten parole for some offenses.

Supporters contend that more drug rehabilitation will keep young people out of prison and will subsequently reduce prison expenses. Supporters include the California Labor Federation and the California Academy of Family Physicians.

Opponents, including Mothers Against Drunk Driving (MADD) and the California District Attorneys Association, argue that Proposition 5 is simply a "get out of jail free card" for certain drug offenders and other criminals.

Election Result—Proposition 5: FAILED with 59.9% voting No

PROPOSITION 6 -- POLICE AND LAW ENFORCEMENT FUNDING

Pre election Summary of Proposition 6:

Proposition 6 would require that the state fund a minimum of \$965 million for local law enforcement and also would toughen laws on gang activity.

Supporters, including the California Police Chiefs Association and Crime Victims United, argue that local law enforcement is under funded and that the proposed tougher anti gang laws and penalties will ultimately result in safer streets.

Opponents, including San Francisco Mayor Gavin Newsom, Oakland Mayor Ron Dellums and the California Teachers Association, argue that Proposition 6 would result in longer prison terms for certain offenses and result in the need for more prison capacity in California at a time when California doesn't have the money to increase spending on prisons.

Election Result—Proposition 6: FAILED with 69.5% voting No

PROPOSITION 7 -- RENEWABLE ENERGY GENERATION

Pre election Summary of Proposition 7:

Proposition 7 would require all utilities to generate 20 percent of their power from renewable energy by 2010 and 50 percent by 2025.

Supporters, such as Californians for Solar and Clean Energy and former State Senate President John Burton argue that the renewable mandates outlined in Proposition 7 will advance environmental protections, while also protecting California's commitment to green energy and related technologies.

Opponents of Proposition 7, including the California League of Conservation Voters and the League of California Cities, argue that Proposition 7 will disrupt California's current path to increased use of renewable energy because the measure will complicate existing laws meant to advance renewable energy and result in delays to the building of renewable power plants in the state.

Election Result—Proposition 7: FAILED with 65% voting No.

PROPOSITION 8 -- ELIMINATES RIGHT OF SAME-SEX COUPLES TO MARRY

Pre election Summary of Proposition 8:

Proposition 8 would change the California Constitution to eliminate the right of same-sex couples to marry in California.

Supporters, including the California Catholic Conference of Bishops, the American Family Association, and the Traditional Values Coalition, argue that only marriage between a man and a woman should be valid or recognized in California.

Opponents including Equality California, the California Teachers Association, and the American Civil Liberties Union, argue that Proposition 8 would unfairly eliminate a fundamental right for gay and lesbian couples to marry in California.

Election Result—Proposition 8: PASSED with 52.1 % voting in Support.

PROPOSITION 9 -- CRIMINAL JUSTICE SYSTEM—VICTIMS' RIGHTS

Pre election Summary of Proposition 9:

Proposition 9 would allow victims to be involved in most criminal proceedings, establishing victim safety as a consideration for parole and cutting the number of parole hearings a prisoner is entitled to.

Supporters, such as Crime Victims United and Parents of Murdered Children, argue that victims' rights too often are secondary to criminals' rights in the criminal justice process and that Proposition 9 will help address this concern.

Opponents, including the California Labor Federation and the ACLU of Northern California, argue that Proposition 9 is unnecessary and would increase prison overcrowding, costing the state hundreds of millions of dollars that the state doesn't have given its fiscal woes.

Election Result—Proposition 9: PASSED with 53.3 % voting in Support

PROPOSITION 10 -- ALTERNATIVE FUEL VEHICLES AND RENEWABLE ENERGY

Pre election Summary of Proposition 10:

Proposition 10 would require that the state fund \$5 billion to help consumers and others purchase certain high fuel economy or alternative fuel vehicles, including natural gas vehicles, and to fund research into alternative fuel technology.

Supporters include T. Boone Pickens and his Clean Energy Fuels Corp., both of which argue that California needs to promote renewable energy when setting budget priorities.

Opponents include the California Labor Federation, the Utility Reform Network and the Consumer Federation of California, each of which argues that Proposition 10 is a thinly veiled effort to create a state budget mandate that will ultimately favor Mr. Pickens and his commitment to advancing natural gas-powered transportation.

Election Result—Proposition 10: FAILED with 59.9% voting No**PROPOSITION 11 -- REDISTRICTING***Pre election Summary of Proposition 11:*

Proposition 11 would require that State Assembly, Senate, and Board of Equalization district boundaries be drawn by a new, independent 14-member commission rather than the state Legislature.

Supporters, including the League of Women Voters, AARP, California Common Cause and Governor Arnold Schwarzenegger, argue that Proposition 11 will create a less partisan political environment by taking the responsibility for the decennial redistricting process from the state Legislature and giving it to a new 14-member commission.

Opponents include the California Democratic Party, the Mexican American Legal Defense and Education Fund and the California Correctional Peace Officers, who argue that the current redistricting process does not need to be changed in this way.

Election Result—Proposition 11: PASSED with 50.6% voting in Support**PROPOSITION 12 -- VETERANS' BOND ACT OF 2008***Pre election Summary of Proposition 12:*

Proposition 12 would designate \$900 million for veterans housing and farm bonds by extending the CalVet loan program, which has been operating in the state since 1921.

Supporters include Governor Arnold Schwarzenegger, a bipartisan coalition of state elected officials and the California Labor Federation, all of whom argue that the program should be funded for the benefit of new veterans from the wars in Iraq and Afghanistan.

There is no organized opposition campaign for Proposition 12.

Election Result—Prop 12: PASSED with 63.5% voting in support.

Manatt's Office Contacts

[McKay Carney](#)
916.552.2335
[Randall W. Keen](#)
310.312.4361
[Phyllis A. Marshall](#)
916.552.2350
[Peter K. Shack](#)
916.552.2317

[Richard Costigan](#)
916.552.2370
[George David Kieffer](#)
310.312.4146
[Michael R. O. Martinez](#)
916.552.2325
[Ronald B. Turovsky](#)
310.312.4249

[Martha Escutia](#)
310.312.4169
[Fred L. Main](#)
916.552.2360
[Thomas R. McMorrow](#)
916.552.2310
[Tom Umberg](#)
714.338.2735

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