

# AMENDED

## RESOLUTION NO. 2004-769

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF SEP 28 2004

### **Resolution Supporting State Propositions 1A, 59, 61, 63, 69, and 71 Opposing State Propositions 65, 67, 68, and 70 On the November 2, 2004 Ballot**

WHEREAS, the City Council of the City of Sacramento discussed the recommended positions that appear on the November 2, 2004 state ballot, and

WHEREAS, Proposition 1A would amend the State Constitution to significantly reduce the State's authority over major local government revenue sources, and under the measure the state could not reduce local sales tax rates or alter the method of allocation, and under the measure the state could not shift property taxes from local government to schools or community colleges, and under the measure the state could not decrease Vehicle License Fee Revenue without providing replacement funding to local government; and

WHEREAS, Proposition 59 will provide right of public access to meeting of government bodies and writings of government officials; provide that statutes and rules furthering public access shall be broadly construed, or narrowly construed if limiting access; require future statutes and rules limiting access to contain findings justifying necessity of those limitations; preserve constitutional rights of privacy, due process, and equal protection; and

WHEREAS, Proposition 60 places into the State Constitution a requirement that all parties that participate in a primary election be able to advance their top vote-getting candidate to the general election; and

WHEREAS, Proposition 60A requires that proceeds from the sale of surplus state property that occur on or after the passage of the measure be used to pay the principal and interest on Proposition 57 bonds. Once the bonds are fully repaid, proceeds from surplus property sales would be deposited in the State General Fund.

WHEREAS, Proposition 61 authorizes the State to sell \$750 million in general obligation bonds for capital improvement projects at children's hospitals and specifically identifies the five University of California children's hospitals, including UCD Sacramento, as eligible bond-fund recipients, and

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WHEREAS, Proposition 62 amend both the State Constitution and state statutes to require primary elections where all voters may vote for any state and federal candidate regardless of how a voter or candidate is registered, exempts presidential nominations and elections of party central committees, and allows only the two primary election candidates receiving the most votes for office be listed on the general election ballot, and

WHEREAS, Proposition 63 Mental Health Services Expansion and Funding would provide funds to counties to expand services and develop innovative programs and integrated service plans for mentally ill children, adults and seniors; requires state to develop mental health service programs including prevention, early intervention, education and training programs; creates commission to approve certain county mental health programs and expenditure; and imposes an additional 1% tax on taxpayers' taxable personal income above \$1 million to provide dedicated funding for expansion of mental health services and programs; and

WHEREAS, Proposition 64 makes changes to the current Unfair Competition Law, restricts who can bring unfair competition lawsuits, requires lawsuits brought on behalf of other to be class actions, and restricts the use of civil penalty revenues; and

WHEREAS, Proposition 65 amends the State Constitution to significantly reduce the Legislature's authority to make changes affecting any local government's revenues from the property tax, sales tax, and vehicle license fee. The measure requires approval by the state's voters before a legislative measure could take effect that reduces a local government's revenues below the amount or share it would have received based on laws in effect on January 1, 2003; and

WHEREAS, Proposition 66 amends the state's Three Strikes Law to require increased sentences only when current conviction is for specified violent and/or serious felony, redefines violent and serious felonies, allows conditional re-sentencing of persons with sentences increased under the law if previous sentencing offenses would no longer qualify as violent and/or serious felonies, and increases punishment for specified sex crimes against children; and

WHEREAS, Proposition 67 would provide funding to physicians for uncompensated emergency care, hospitals for emergency services, community clinics for uncompensated care, emergency personnel training/equipment, and emergency telephone system improvements. The program would be funded by an additional 3% to current existing surcharge rate on telephone use within the state in addition to portions of tobacco taxes and criminal and traffic penalties; and

WHEREAS, Proposition 68 amends the State Constitution and state statutes regarding new state gambling revenues, revises current tribal compacts, expands gambling if compacts are not revised, and deals with the distribution of gambling revenues from the Gaming Revenue Trust Fund; and

WHEREAS, Proposition 69 would require collection of DNA samples from all felons arrested for or charged with specified crimes and submission to State DNA database; and, in five years, from everyone arrested for or charged with any felony. Proposition would authorize local law enforcement laboratories to perform analyses for state databases and maintain a local database; and

WHEREAS, Proposition 70 amends the State Constitution and state statutes to require the Governor

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to amend an existing gaming compact or enter into a new compact with any tribe with 30 days of a tribe's request. The compact would have to include certain provisions including gambling revenues, expansion of gambling, extension of compacts, environmental studies and provisions related to Proposition 68; and

WHEREAS, Proposition 71 authorizes the state to sell \$3 billion in general obligation bonds to provide funding for stem cell research and research facilities in California; and

WHEREAS, Proposition 72 would allow the provisions of Senate Bill 2 (SB 2) to go into effect. SB 2 would expand health insurance coverage beginning in 2006 for employees of certain employers and in some cases their dependents. The law also establishes a program to assist lower income employees with paying their share of health care premiums; and

WHEREAS, the City Council of the City of Sacramento discussed the recommended position for the sixteen state propositions appearing on the November 2, 2004 ballot.

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Sacramento hereby supports State Propositions 1A, 59, 61, 63, 69 and 71. Furthermore, the City Council of the City of Sacramento hereby opposes State Propositions 65, 67, 68, and 70 and takes no position on State Propositions 60, 60A, 62, 64, 66 and 72.

**HEATHER FARGO**

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MAYOR

ATTEST:

**SHIRLEY CONCOLINO**

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CITY CLERK

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