



State Election Overview

The November 2, 2010 election ushered in numerous changes at both the state and federal levels. In contrast to the rest of the country, the California electorate voted to put Democrats in many key offices in the state. Although bucking many national voter trends, California voters still expressed strong concerns with the direction of the economy and the prospects for creating new jobs in the state. Voters were less likely to support new taxes as this would place a further burden on family incomes.

State Races

In California, former Governor Jerry Brown was elected once again to lead the state as Governor, 27 years after serving in this post. Governor-elect Brown is expected to be supportive of the California Community Colleges, but will face many of the same state fiscal constraints and policy challenges as his predecessors. He is already meeting with key officials in the Capitol and is making personal contact with legislators. Democrats in California also swept all statewide races at the top of the ticket that have been determined (the Superintendent for Public Instruction is not a partisan post). The only remaining unresolved statewide race is for the Attorney General, where Kamala Harris is holding onto a 12,000 vote lead over Steve Cooley.

The election resulted in 30 new Assemblymembers and 10 new State Senators with the Democrats maintaining majorities in both houses. One of the new Assemblymembers is former Senator Gil Cedillo, and 5 of the "new" Senators previously served in the Assembly, including Noreen Evans (D), Ed Hernandez (D), Doug La Malfa (R), Tom Berryhill (R), and Jean Fuller (R).

In the Senate, 20 of the 40 seats were up for election; 10 of these seats will be held by new Senators. When the State Senate returns on December 6, 2010 to install its new members, there will be 24 Democrats and 13 Republicans. There will also be 3 vacancies that will be filled during special elections to be held in early 2011. The vacancies resulted from the recent passing of Senators Dave Cox (R) and Jenny Oropeza (D), and the election of Senator George Runner (R) to the State Board of Equalization. Once the vacancies are filled (the partisan make-up is not expected to change), this would put Senate at 25 Democrats and 14 Republicans.

In the Assembly, where all seats were up for election, 52 Democrats and 28 Republicans were elected. Democrats picked up 1 Assembly seat in Assembly District (AD) 5 where Dr. Richard Pan (D) narrowly defeated Andy Pugno (R) in the race to replace Assemblymember Roger Niello (R). There is also a strong likelihood that there will be more Assembly vacancies created as a result of the Senate special elections.

Newly Elected State Assembly and Senate Members with Community College Ties

- AD 28: Luis Alejo (D), former wrestler at Gavilan College replaces Anna Caballero.
- AD 33: Katcho Achadjian (R), Cuesta College alumnus replaces Sam Blakeslee.
- AD 30: David G. Valadao (R), College of the Sequoias alumnus replaces Danny Gilmore.
- AD 57: Roger Hernandez (D), former professor at Rio Hondo College replaces Ed Hernandez.
- AB 68: Allan Mansoor (R), alumnus of Coastline Community College and former public safety officer at Orange Coast Community College replaces Van Tran.
- AD 70: Don Wagner (R), former South Orange County Community College District Board President.
- SD 16: Michael Rubio (D), alumnus of Bakersfield College replaces Dean Florez.

Local Community College Election Results

Local Bonds and Parcel Tax Measures

Three local bond campaigns were approved and one failed by voters (55% needed):

- **Imperial CCD (Measure J)** 64% of the voters approved an \$80 million bond for law enforcement training and career training facilities for students interested in the fire sciences and renewable energy fields at Imperial Valley College.
- **Ohlone CCD (Measure G)** 63% of voters approved a \$349 million bond for renovating classrooms/science laboratories, acquiring up-to-date classroom technology, upgrading for earthquake/fire safety, and improving disabled access.
- **San Jose Evergreen CCD (Measure G)** 58% of voters approved a \$268 million bond to upgrade, acquire, construct energy-efficient, technology-driven teaching classrooms, labs, sites, facilities equipment for health/science, general education/job training, and upgrade outdated electrical, plumbing, heating/ventilation systems.
- **Mt. San Jacinto CCD (Measure U)** 51% of voters approved, which is 4 percentage points short of the 55% needed. Measure U would have provided a \$47 million bond for Mt. San Jacinto CCD to construct a new college campus in Banning.

One parcel tax failed (67% needed):

- **Foothill-DeAnza CCD (Measure E)** 57% of the voters approved of the new parcel tax, short of the two-thirds required. District residents would have been assessed a \$69 fee per parcel annually for 6 years. It was estimated to bring in an additional \$7 million/year for the college district.

Community College Leaders Elected to Office

Lockyer Wins Seat on Alameda County Board of Supervisors

CCC Board of Governors member Nadia Davis-Lockyer defeated former Senator Liz Figueroa for the seat by winning 63% of the vote.

Community College Alumnus will be the Next Chief Justice of the State Supreme Court
Tani G. Cantil-Sakauye won 66% of the vote to become Chief Justice. She attended Sacramento City College and graduated from UC Davis.

Former State Senator Deborah Ortiz Wins a Seat on the Los Rios Board of Trustees
Deborah Ortiz who served in the State Assembly from 1996 to 1998 and the State Senate from 1998 to 2006 will now represent Area 6 on the Los Rios CCD Board of Trustees.

State Ballot Measures

There were several state propositions on the November ballot, two of which were approved that affect business in Sacramento and the community colleges.

Proposition 25, a measure that lowers the legislative vote requirement to pass a budget and trailer bills from two-thirds to a simple majority (50 percent, plus 1), was passed by the voters. This change makes it significantly easier for both houses to pass a timely budget without having to meet the two-thirds vote requirement. Given the current composition of each house, this would allow legislators from the majority party to approve a budget without the support of the minority party. It also creates a major incentive for legislators to meet the June 15th constitutional deadline for passing a budget by prohibiting legislators from collecting any salary or reimbursements for travel or living expenses until the budget is approved. The prohibition would be in effect from June 15 until the Legislature sends the budget to the Governor.

California has been one of only three states in the country to have a two-thirds budget vote requirement. Since 1980, the Legislature has met its June 15th constitutional deadline for sending a budget to the Governor five times. During that same period, a final budget - passed by the Legislature and approved by the Governor - was in place prior to the July 1 start of the fiscal year on 10 occasions, including three times since 2000.¹

Proposition 26, a measure that increases the legislative vote requirement to two-thirds for approving state levies and charges, was passed by the voters. It also imposes an additional requirement for voters to approve local levies and charges with limited exceptions.

Prior to passage of this proposition, state law has had different approval requirements for taxes, fees and property charges. Fees and property charges could be increased with a majority vote of the Legislature, while tax increases had a two-thirds vote requirement. Proposition 26 expanded the definition of a tax to now require a two-thirds vote to increase taxes, fees and property charges. Generally, the types of fees and charges that would become taxes under this measure are ones that government uses most readily to address health, environmental, or other social or economic concerns.

While Proposition 25 makes it easier for the Legislature to pass a budget on time, Proposition 26 restricts the Legislature's ability to increase taxes, fees and property taxes.

¹ *Legislative Analyst's Office, Ballot Proposition Analysis, July 14, 2010*

Congressional Election Overview

The 112th - Shifts in Congress & Possible Implications for Community Colleges

Community colleges throughout the country have enjoyed an unprecedented amount of attention during the first half of the Obama Administration. This focus was intensified by the first ever White House Summit on Community Colleges and the President's call for community colleges to play a central role in helping the U.S. lead the world in the percentage of college degree and certificate holders by 2020. Given the midterm shifts that now determine the makeup of the 112th Congress, education may be one of the few issues bridging Republican, Democratic and Independent interests. This may be especially true of community college education which is central to getting people back to work and building U.S. global competitiveness.

Increased emphasis on job creation and attainment, combined with a call for decreases in government spending will mean that community colleges need to emphasize their dual roles as innovators of student success and "go-to" providers of job training for current and emerging industries. As policy debates move toward the center, further emphasizing the role of community colleges in the country's economic recovery is one of the important ways community colleges can continue to hold the attention of elected officials and the public. What the shifts in Congress specifically mean for the interests of community colleges is not yet known since committee assignments for the next Congress have not been made, nor is it known what the leadership of both houses will look like.

The Shift

- In the greatest shift of power since the mid-nineties, Republicans gained 60 seats in the House leaving them with a total of 239 seats. Democrats who held 255 seats before the election are left with 187 seats, far from the 218 needed to hold the majority. Independent incumbents are counted in the party with which they caucus. There are nine seats undecided at the time of this writing.
- Republicans in the Senate picked up six seats falling short of the 10 seats needed to gain a majority, but nonetheless the 46 Republican seats left Democrats six seats down for a total of 53 seats including those of Independents Bernie Sanders of Vermont and Joseph I. Lieberman of Connecticut who caucus with the Democrats. There is one seat undecided at the time of this writing.

What it Means/Potential Implications

- There is much agreement that this outcome was the result of anger and frustration over the lagging economy and the policy direction of the current administration; in short, a fundamental disagreement over the size and role of government was decisive. Also, influential voters voted against one party and not necessarily in full support of the

other, thus both Democrats and Republicans need policy wins in the next two years and both, to some degree, need to be seen as willing to work together.

- While jobs, jobs, jobs will clearly top both party agendas, education may be an issue that provides the opportunity to provide the bipartisan win both parties need, if and only if issues such as government regulation vs. local control as well as philosophical differences within both parties can be overcome. More important still may well be the ongoing lack of financial resources for much of anything, including education.
- One major issue that will definitely impact all of education is the proposal to extend the moratorium on earmarks, described by the Republicans as one of their first actions as the House Majority. South Carolina Senator Jim DeMint (R-SC) has vowed to offer the earmark moratorium during the next Senate Republican Conference meeting on Nov. 16. As an example of intra-party conflicts that may delay the actions of both parties, Senate Minority Leader Mitch McConnell (R-KY) favors the right to use earmarks.
- Recent reports suggest that President Obama may be moving toward the decreased use of earmarks despite an earlier and differing view. If there are no earmarks in the lame duck session, funding for the Chancellor's Office student veterans initiative will be lost. We will likely advocate for the use of vehicles that will retain appropriation earmarks in the 2010 Lame Duck Session.

The Players

- Presumptive Speaker of the House Republican John Boehner (R-OH), the first in his family to go to college and a strong supporter of Catholic education, is very knowledgeable about education issues, particularly K-12 issues, having served as chair of the House Education Committee during the initial negotiation of No Child Left Behind.
- Republican Boehner will replace Democrat Nancy Pelosi (D-CA) as Speaker and, as of this writing, it is unclear whether Pelosi will retain her leadership position among Democrats. Speculation is that she will step down making way for Steny Hoyer (D-MD) to serve as the leadership of the new minority party.
- Senator Mitch McConnell (R-KY) remains Senate Minority Leader and has vowed to "repeal and replace" health care reform. Specific proposals to undo portions of the education financial reforms that were part of health care reconciliation have not surfaced but the distaste among some Republicans for direct lending as well as inquiries into the business of for-profit education provides signals of concern.
- With regard to education committees and subcommittees, the presumptive new chair of the House Education and Labor Committee, Congressman John Kline (R-MN), has announced his broad priorities for education policy in the next Congress which

according to the *Washington Post* include: “reform that restores local control, empowers parents, lets teachers teach, and protects taxpayers.”

- On the Democratic side, Congressman George Miller (D-CA), who it has been stated knows education issues better than any other member of Congress, will remain in education leadership, though perhaps with minimized power. Miller is critically important to community colleges having been championed student aid reform in this past year.
- Assuming committee leadership stays the same on the Senate side, Senator Tom Harkin (D-IA) current chair of the Senate Health, Education Labor and Pensions committee will remain another critically important Democratic education leader. He has this past year taken the leadership in investigating the financial aid practices and default rates of for-profit educational institutions. Harkin will likely remain central to education issues given his current role as chair of the Senate committee that appropriates education funding.
- Senator Mike Enzi (R-WY) as ranking Republican member of the Senate Health, Education, Labor and Pensions Committee and in contrast to Senator Harkin, does not believe in the value of the hearings on for-profit education and seeks to overturn health care reform as other Republicans have stated.

What to Watch For

- **Limited major reforms and further fiscal tightening**
- **The need to look to grant and other non-earmark funding**
- **Increased regulation on the part of the Administration if legislation gets stalled**
- **Increased calls for accountability and productivity**
- **The range of adjustments: Tea Partiers to Lame Ducks**