

6-23-1983

Public Officers And Employees - Salaries, Expenses, Benefits, Vacancies.

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Office of the Secretary of State
March Fong Eu

1230 J Street
Sacramento, California 95814

Elections Division
(916) 445-0820

0318



Office of the Secretary of State
March Fong Eu

1230 J Street
Sacramento, California 95814

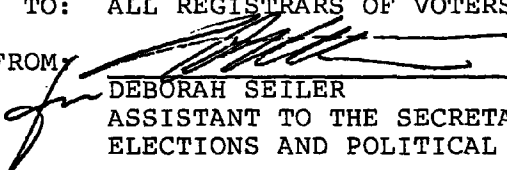
Elections Division
(916) 445-0820

0318

November 30, 1983

TO: ALL REGISTRARS OF VOTERS/COUNTY CLERKS/PROPONENT(S)

FROM:


DEBORAH SEILER
ASSISTANT TO THE SECRETARY OF STATE
ELECTIONS AND POLITICAL REFORM

Pursuant to Elections Code 3520(b) you are hereby notified that the total number of signatures to the hereinafter named proposed INITIATIVE CONSTITUTIONAL AMENDEMENT filed with all county clerks is less than 100 percent of the number of qualified voters required to find the petition sufficient; therefore, the petition has failed.

TITLE: PUBLIC OFFICERS AND EMPLOYEES - SALARIES,
EXPENSES, BENEFITS, VACANCIES.
INITIATIVE CONSTITUTIONAL AMENDMENT

SUMMARY DATE: JUNE 23, 1983

PROPONENT: RANOLD J. KENNEDY

da

**PUBLIC OFFICERS AND EMPLOYEES - SALARIES,
EXPENSES, BENEFITS, VACANCIES.**

June 23, 1983

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- d. Last day for county to determine total number of qualified electors who signed the petition, and to transmit certificate with a blank copy of the petition to the Secretary of State. Tuesday, 12/13/83

(If the Secretary of State notifies the counties to determine the number of qualified electors who signed the petition on a date prior to 11/28/83, the last day is not later than the fifteenth day after the notification.)

Elec. C., Sec. 3520(d), (e).

- e. If the signature count is between 567,123 and 693,149 inclusive, then the Secretary of State notifies the counties using the random sampling technique to determine the validity of all signatures.

Last day for county to determine actual number of all qualified electors who signed the petition, and to transmit certificate with a blank copy of the petition to the Secretary of State. Thursday, 1/12/84

(If the Secretary of State notifies the counties to determine the number of qualified electors who have signed the petition on a date prior to 12/13/83, the last day is not later than the thirtieth day after the notification.)

Elec. C., Sec. 3521(b), (c).

4. Campaign Statements:

Last day for the Proponent to file a Campaign Statement of Receipts and Expenditures for period ending 12/19/83. Monday, 12/26/83

(If the Secretary of State finds that the measure has either qualified or failed to qualify on a date earlier than 11/21/83, the last date to file is the 35th calendar day after the deadline for filing petitions or the date of notification by the Secretary of State that the measure has either qualified or failed to qualify, whichever is earlier. The closing date for the campaign statement is seven days prior to the filing deadline.)

Gov. C., Secs. 84200(d), 84202(j).

PUBLIC OFFICERS AND EMPLOYEES - SALARIES,
EXPENSES, BENEFITS, VACANCIES .

June 23, 1983

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5. The Proponent of the above named measure is:

Ranold J. Kennedy
450 High Street
Auburn, CA 95663

Sincerely,



DEBORAH SEILER
Assistant to the Secretary of State
Elections and Political Reform

NOTE TO PROPONENT: Your attention is directed to Elections Code Sections 41, 44, 3501, 3507, 3508, 3516, 3517, and 3519 for appropriate format and type considerations in printing, typing, and otherwise preparing your initiative petition for circulation and signatures. Your attention is further directed to the campaign disclosure requirements of the Political Reform Act of 1974, Government Code Section 81000 et seq.

JOHN K. VAN DE KAMP
Attorney General

State of California
DEPARTMENT OF JUSTICE



1515 K STREET, SUITE 511
SACRAMENTO 95814
(916) 445-9555

June 23, 1983

0318

FILED
In the office of the Secretary of State
of the State of California

JUL 23 1983

MARCH FONG EU, Secretary of State

By *Barbara J. Lee*
Deputy

Honorable March Fong Eu
Secretary of State
1230 J Street
Sacramento, California 95814

Dear Mrs. Eu:

Re: Initiative Title and Summary.
Our File No. SA83RF0009

Pursuant to the provisions of section 3503 and 3513 of the Elections code, you are hereby notified that on this day we mailed to the proponent(s) of the above identified proposed initiative our title and summary.

Enclosed is a copy of our transmittal letter to the proponent(s), a copy of our title and summary, a declaration of mailing thereof, and a copy of the proposed measure.

According to information available in our records, the name(s) and address(es) of the proponent(s) is as stated on the declaration of mailing.

Very truly yours,

JOHN K. VAN DE KAMP
Attorney General

Handwritten signature of Robert Burton in cursive.

Robert Burton
Deputy Attorney General

Enclosure

(RF-10, 6/83)

0318

Date: June 23, 1983
File No.: SA83RF0009

The Attorney General of California has prepared the following title and summary of the chief purpose and points of the proposed measure:

PUBLIC OFFICERS AND EMPLOYEES - SALARIES, EXPENSES, BENEFITS, VACANCIES. INITIATIVE CONSTITUTIONAL AMENDMENT. Establishes following maximum annual compensations: Legislators, \$12,000; Governor, \$60,000; specified state officers, 80% of Governor's; Chief Justice, \$48,000; other judges, 90% of Chief Justice's. Increases require two-thirds vote of Legislature and majority vote at statewide election. Limits expense reimbursements for Legislators. Limits maximum salary paid by public entities to officers and employees; requires majority voter approval to increase elected officer salary. Eliminates elected officer service retirement benefits; restricts judicial retirement benefits. Provides that elected officials who file to run for another office vacate their existing office. Contains other restrictions. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local governments: Enactment of this measure would result in annual savings of more than \$100 million to state and local governments. All of these savings would not be realized during the initial years to the extent that some public employees whose salaries would be reduced by this measure have multi-year contracts. Generally their negotiated salary rates would remain in effect until their contracts expire. However, even greater state and local government cost savings could occur in future years as present elected officials are replaced by persons who would not receive retirement benefits or, in the case of judges and judicial employees, could receive reduced retirement benefits as a result of the act.

JOHN K. VAN DE KAMP
Attorney General

State of California
DEPARTMENT OF JUSTICE



1515 K STREET, SUITE 511
SACRAMENTO 95811
(916) 445-9555

June 23, 1983

Ranold J. Kennedy
450 High Street
Auburn, California 95663

Re: Initiative Title and Summary.
Subject: Public Officers and Employees-Salaries, Expenses,
Our File No. SA83RF0009 Benefits, Vacancies.

Pursuant to your request, we have prepared the attached title and summary of the chief purposes and points of the above identified proposed initiative. A copy of our letter to the Secretary of State, as required by Elections Code sections 3503 and 3513, our declaration of mailing, and the text of your proposal that was considered is attached.

The Secretary of State will be sending you shortly a copy of the circulating and filing schedule for your proposal that will be issued by that office.

Please send us a copy of the petition after you have it printed. This copy is not for our review or approval, but to supplement our file in this matter.

Very truly yours,

JOHN K. VAN DE KAMP
Attorney General

Robert Burton
Deputy Attorney General

Attachment

(RF-9, 6/83)

DECLARATION OF MAILING

The undersigned Declarant, states as follows:

I am over the age of 18 years and not a proponent of the within matter; my place of employment and business address is 1515 K Street, Suite 511, Sacramento, California 95814.

On the date shown below, I mailed a copy or copies of the attached letter to the proponents, by placing a true copy thereof in an envelope addressed to the proponents named below at the addresses indicated, and by sealing and depositing said envelope or envelopes in the United States mail at Sacramento, California, with postage prepaid. There is delivery service by United States mail at each of the places so addressed, or there is regular communication by mail between the place of mailing and each of the places so addressed.

Date of Mailing: June 23, 1983

Subject: Public Officers and Employees - Salaries, Expenses, Benefits, Vacancies.


Our File No.: SA83RF0009

Name of Proponent(s) and Address(es):

RANOLD J. KENNEDY
450 High Street
Auburn, California 95663

I declare under penalty of perjury that the foregoing is true and correct.

Executed at Sacramento, California on June 23, 1983.


MARSHA L. BIERER
Declarant

OWEN K. KUINS
RAY H. WHITAKER
CHIEF DEPUTIES

JERRY L. BASSETT
KENT L. DECHAMBEAU
STANLEY M. LOURIMORE
EDWARD K. PURCELL
JOHN T. STUDEBAKER

JAMES L. ASHFORD
JOHN CORZINE
ROBERT CULLEN DUFFY
ROBERT D. GRONKE
SHERWIN C. MACKENZIE, JR.
ANN M. MACKAY
TRACY O. POWELL, II
RUSSELL L. SPARLING
JIMMIE WING
PRINCIPAL DEPUTIES

Legislative Counsel of California

BION M. GREGORY

DAVID D. ALVES
MARTIN L. ANDERSON
PAUL ANTILLA
CHARLES C. ASBILL
SHARON G. BIRENBAUM
EILEEN J. BURTON
HENRY J. CONTRERAS
BEN E. DALE
CLINTON J. DEWITT
C. DAVID DICKERSON
KATHRYN E. DONOVAN
FRANCES S. DORBIN
LAWRENCE H. FEIN
SHARON R. FISHER
JOHN FOSSETTE
HARVEY J. FOSTER
CLAY FULLER
ALVIN D. GRESS
JOYCE E. HEE
THOMAS R. HEUER
JACK I. HORTON
SANDRA HUGHES
MICHAEL J. KERSTEN
L. DOUGLAS KINNEY
VICTOR KOZIELSKI
EVE KROTINGER
ROMULO I. LOPEZ
JAMES A. MARSALA
ROBERT G. MILLER
JOHN A. MOGER
VERNE L. OLIVER
EUGENE L. PAINE
MARGUERITE ROTH
JERRY J. RUIZ
MICHAEL B. SALERNO
MARY SHAW
ANN ELLIOTT SHERMAN
WILLIAM K. STARK
MARK FRANKLIN TERRY
JEFF THOM
RICHARD B. WEISBERG
DANIEL A. WEITZMAN
THOMAS D. WHELAN
CHRISTOPHER ZIRKLE
DEPUTIES

3021 STATE CAPITOL
SACRAMENTO 95814
(916) 445-3057

8011 STATE BUILDING
107 SOUTH BROADWAY
LOS ANGELES 90012
(213) 620-2550

Sacramento, California

February 4, 1983

Mr. Ranold J. Kennedy
450 High Street
Auburn, CA 95663

Initiative Petition - Constitutional Amendment:
Compensation of Public Officers - #1982

Dear Mr. Kennedy:

Pursuant to your request, we have prepared, in the appropriate form, the enclosed initiative constitutional amendment to be submitted to the electors, relating to compensation of public officers.

We remind you that a title and summary prepared by the Attorney General are also necessary (see subd. (d), Sec. 10, Art. II, Cal. Const.; Sec. 3502, Elec. C.).

Very truly yours,

Bion M. Gregory
Legislative Counsel

By *Michael J. Kersten*
Michael J. Kersten
Deputy Legislative Counsel

MJK:sef

5-4-83
Received by personal delivery
from Mr. Kennedy with a request
that a title and summary be prepared.
M. Kersten
Deputy Leg. Counsel

J. Allen

12-point
Boldface
Type

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

The Attorney General of California has prepared the following title and summary of the chief purpose and points of the proposed measure:

(Here set forth the title and summary prepared by the Attorney General. This title and summary must also be printed across the top of each page of the petition whereon signatures are to appear.)

Type: Roman
Boldface not
smaller than
12-point

TO THE HONORABLE SECRETARY OF STATE OF CALIFORNIA

We, the undersigned, registered, qualified voters of California, residents of ___ County (or City and County), hereby propose amendments to the Constitution of California, relating to compensation of public officers, and petition the Secretary of State to submit the same to the voters of California for their adoption or rejection at the next succeeding general election or at any special statewide election prior to that general election or otherwise provided by law. The proposed constitutional amendments read as follows:

SECTION 1. Section 4 of Article IV of the California Constitution is repealed.

~~Sec. 4. Compensation of members of the Legislature, and reimbursement for travel and living expenses in connection with their official duties, shall be prescribed by statute passed by rollcall vote entered in the journal, two-thirds of the membership of each house concurring. Commencing with 1967, in any statute enacted making an adjustment of the annual compensation of a member of the Legislature the adjustment may not exceed an amount equal to 5 percent for each calendar year following the operative date of the last adjustment of the salary in effect when the statute is enacted. Any adjustment in the compensation may not apply until the commencement of the regular session commencing after the next general election following enactment of the statute.~~

~~The Legislature may not provide retirement benefits based on any portion of a monthly salary in excess of 500 dollars paid to any member of the Legislature unless the member receives the greater amount while serving as a member in the Legislature. The Legislature may, prior to their retirement, limit the retirement benefits payable to members of the Legislature who serve during or after the term commencing in 1967.~~

When computing the retirement allowance of a member who serves in the legislature during the term commencing in 1967 or later, allowance may be made for increases in cost of living if so provided by statute, but only with respect to increases in the cost of living occurring after retirement of the member, except that the legislature may provide that no member shall be deprived of a cost of living adjustment based on a monthly salary of 500 dollars which has accrued prior to the commencement of the 1967 Regular Session of the legislature.

SEC. 2. Section 4 is added to Article IV of the California Constitution, to read:

Sec. 4. (a) Each Member of the Legislature shall be entitled to receive an annual salary of twelve thousand dollars (\$12,000). This salary may be increased by a statute adopted by two-thirds of the membership of each house of the Legislature and approved by a majority of votes thereon at a statewide election.

In addition, each member shall be entitled to receive at the beginning of each term for which elected, an amount equal to 10 percent of his or her total salary for the term, and this amount shall be deemed reimbursement for all travel and other necessary expenses incurred in the course of conducting official business. Members shall not

be entitled to any other public compensation or reimbursement for expenses including but not limited to the provision of motor vehicles, credit cards for the purchase of motor vehicle fuel and supplies for motor vehicles.

(b) Public funds may not be expended for office space, staff, or services for Members of the Legislature at any location other than within the State Capitol. Public funds also may not be expended for any legislative newsletter or other legislative publication which was not authorized by statute before January 1, 1960.

(c) Officers and employees of the Legislature may not receive compensation greater than that paid officers and employees of other branches of state government for comparable work. They shall be entitled to receive the same retirement benefits available to other state officers and employees.

SEC. 3. Section 12 of Article V is amended to read:

Sec. 12. ~~Compensation of the Governor.~~ The Governor shall be entitled to receive an annual salary of sixty thousand dollars (\$60,000). This salary may be

increased by a statute adopted by two-thirds of the membership of each house of the Legislature and approved by a majority of votes thereon at a statewide election. The Legislature shall provide the Governor with a suitable residence during his or her term of office.

The salaries of the Lieutenant Governor, Attorney General, Controller, Secretary of State, Superintendent of Public Instruction, and Treasurer shall be prescribed by statute but their salaries may not be increased or decreased during a term and their salaries may not exceed 80 percent of the Governor's salary.

SEC. 4. Section 19 of Article VI is amended to read:

Sec. 19. (a) The Chief Justice shall be entitled to receive an annual salary of forty-eight thousand dollars (\$48,000). This salary may be increased by a statute adopted by two-thirds of the membership of each house of the Legislature and approved by a majority of votes thereon at a statewide election, but the salary may not exceed 80 percent of the Governor's salary. The Legislature shall prescribe compensation for all other judges of courts of record. However, no judge, officer, or employee in the judicial branch of government shall receive a salary greater than 90 percent of the Chief

Justice's salary. These persons shall be entitled to retirement benefits as provided by law only upon attaining age 70 or completing 20 years of public service, and these benefits shall not exceed 75 percent of the salary received at the time of retirement. This section shall not be construed to impair vested contract rights existing on the effective date of this sentence.

(b) A judge of a court of record may not receive the salary for the judicial office held by the judge while any cause before the judge remains pending and undetermined for 90 days after it has been submitted for decision.

SEC. 5. Section 10 is added to Article VII, to read:

Sec. 10. (a) No officer or employee of any public entity may receive a salary from public funds greater than 80 percent of the Governor's salary. For purposes of this subdivision, public entity includes, but is not limited to, counties, cities, special districts, school districts, community college districts, the California State University, and the University of California. Subject to the limitation prescribed by this subdivision and notwithstanding any other provision of this constitution, any increase in the salary of any

elected officer of a public entity shall be approved by a majority of votes thereon at an election held within the jurisdiction of the public entity.

(b) Except as provided in subdivision (a) of Section 19 of Article VI, elected public officers of state or local government shall not accrue, receive, or become entitled to receive any retirement benefit based on their service. This subdivision shall not be construed to impair vested contract rights existing on the effective date of this subdivision.

(c) Upon the filing of nomination papers by any public officer in state or local government for any public office other than the office currently held, the office held by the public officer shall be deemed vacant and the vacancy shall be filled in the manner otherwise provided by law.

(d) Except as provided in Section 12 of Article V, public funds may not be expended to provide a residence to any public officer, including, but not limited to, any president or vice president, or chancellor or vice chancellor, of any public university or college.

Barbara Lee

MARCH FONG EU
1201 E STREET, SACRAMENTO, CA 95814
(916) 445-6371

For Immediate Release
June 23, 1983

Contact: Caren Daniels

SACRAMENTO -- Secretary of State March Fong Eu today (June 23) announced that she has given the go-ahead to begin circulating an initiative petition which would establish maximum annual salaries for state elected officials.

Auburn resident Ranold J. Kennedy is spearheading the drive to qualify "Salaries, Expenses, Benefits, Vacancies", an initiative constitutional amendment. He must collect 630,136 signatures of registered voters to place his proposal on the ballot. All signatures must be submitted to county elections officials by Nov. 21.

If adopted by the voters, the measure would amend the state constitution to establish the maximum annual compensations for all state Legislators, the governor, statewide constitutional officers, and justices of the California Supreme Court. Legislators would be paid an annual salary of \$12,000 plus an amount equal to 10% of their total salary for the term which "shall be deemed reimbursement for all travel and other necessary expenses incurred in the course of conducting official business." The governor would earn \$60,000; statewide constitutional officers would earn 80% of the governor's salary amount. The Chief Justice would earn \$48,000; associate justices, 90% of that amount. Any increases in compensation would have to be approved by a two-thirds vote of the Legislature and a majority vote at a statewide election.

The measure further would eliminate elected officer service retirement benefits and restrict judicial retirement benefits. It would also require that any elected official who filed to run for another office must vacate his or her existing office.

A copy of the initiative, its title and summary, and circulation calender is attached.

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