

8-25-1988

## Congressional Power To Declare Peace.

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Office of the Secretary of State  
March Fong Eu

1230 J Street  
Sacramento, California 95814

#455  
ELECTIONS DIVISION  
(916) 445-0820  
For Hearing and Speech Impaired  
Only:  
(800) 833-8683

February 6, 1989

TO: All County Clerks/Registrars of Voters  
and Proponent (8905)

FROM:

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

Pursuant to Elections Code section 3520(b) you are hereby notified that the total number of signatures to the hereinafter named proposed INITIATIVE STATUTE 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: CONGRESSIONAL POWER TO DECLARE PEACE.  
INITIATIVE STATUTE.

SUMMARY DATE: August 25, 1988

PROPONENT: Reverend Glenn Rice Msmere

DS/1/gw



Office of the Secretary of State  
March Fong Eu

Executive Office  
1230 J Street  
Sacramento, California 95814

(916) 445-6371

August 25, 1988

TO ALL REGISTRARS OF VOTERS, OR COUNTY CLERKS, AND PROPONENT (88207)

Pursuant to Section 3513 of the Elections Code, we transmit herewith a copy of the Title and Summary prepared by the Attorney General on a proposed Initiative Measure entitled:

CONGRESSIONAL POWER TO DECLARE PEACE.  
INITIATIVE STATUTE.

Circulating and Filing Schedule

- 1. Minimum number of signatures required..... 372,178  
Cal. Const., Art. II, Sec. 8(b).
- 2. Official Summary Date..... Thursday, 08/25/88  
Elec. C., Sec. 3513.
- 3. Petition Sections:
  - a. First day Proponent can circulate Sections for signatures..... Thursday, 08/25/88  
Elec. C., Sec. 3513.
  - b. Last day Proponent can circulate and file with the county. All Sections are to be filed at the same time within each county..... Monday, 01/23/89\*  
Elec. C., Secs. 3513, 3520(a).
  - c. Last day for county to determine total number of signatures affixed to petition and to transmit total to the Secretary of State..... Monday, 01/30/89

(If the Proponent files the petition with the county on a date prior to 01/23/89, the county has five working days from the filing of the petition to determine the total number of signatures affixed to the petition and to transmit the total to the Secretary of State.) Elec. C., Sec. 3520(b).

\* Date adjusted for official deadline which falls on Sunday. Elec. C., Sec. 60.

CONGRESSIONAL POWER TO DECLARE PEACE.  
INITIATIVE STATUTE.

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August 25, 1988

d. Secretary of State determines whether the total number of signatures filed with all county clerks meets the minimum number of required signatures, and notifies the counties..... Wednesday, 02/08/89\*\*

e. Last day for county to determine total number of qualified voters who signed the petition, and to transmit certificate with a blank copy of the petition to the Secretary of State..... Thursday, 02/23/89

(If the Secretary of State notifies the county to determine the number of qualified voters who signed the petition on a date other than 01/30/89 the last day is not later than the fifteenth day after the county's receipt of notification.)  
Elec. C., Sec. 3520(d), (e).

f. If the signature count is more than 409,395 or less than 353,569, then the Secretary of State certifies the petition has qualified or failed, and notifies the counties. If the signature count is between 353,569 and 409,395 inclusive, then the Secretary of State notifies the counties using the random sampling technique to determine the validity of all signatures..... Sunday, 03/05/89\*\*

g. Last day for county to determine actual number of all qualified voters who signed the petition, and to transmit certificate with a blank copy of the petition to the Secretary of State..... Friday, 04/14/89

(If the Secretary of State notifies the county to determine the number of qualified voters who have signed the petition on a date other than 02/23/89, the last day is not later than the thirtieth working day after county's receipt of notification.)  
Elec. C., Sec. 3521(b), (c).

h. Secretary of State certifies whether the petition has been signed by the number of qualified voters required to declare the petition sufficient..... Tuesday, 04/18/89

\*\*Date varies based on receipt of county certification.

CONGRESSIONAL POWER TO DECLARE PEACE.  
INITIATIVE STATUTE.

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4. The Proponent of the above named measure is:

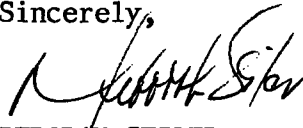
Reverend Glenn Rice Msmere  
18805 Redwing Street  
Tarzana, California 91356

3102 First Avenue, Studio C  
San Diego, California 92103

5. Important Points:

- (a) Please refer to Elections Code sections 44, 3501, 3507, 3508, 3517, and 3519 for appropriate format and type considerations in printing, typing, and otherwise preparing your initiative petition for circulation and signatures. 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.
- (b) Your attention is directed to the campaign disclosure requirements of the Political Reform Act of 1974, Government Code section 81000 et seq.
- (c) When writing or calling state or county elections officials, provide the official title of the initiative which was prepared by the Attorney General. Use of this title will assist elections officials in referencing the proper file.
- (d) When a petition is presented to the county elections official for filing by someone other than the proponent, the required authorization shall include the name or names of the persons filing the petition.
- (e) When filing the petition with the county elections official, please provide a blank petition for elections official use.

Sincerely,



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

Attachment: POLITICAL REFORM ACT OF 1974 REQUIREMENTS

08/25/88

JOHN K. VAN DE KAMP  
Attorney General

State of California  
DEPARTMENT OF JUSTICE



1515 K STREET, SUITE 511  
P.O. BOX 944255  
SACRAMENTO 94244-2550  
(916) 445-9555

August 25, 1988

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

AUG 25 1988

MARCH FONG EU, Secretary of State

By 1 *[Signature]*  
Deputy

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

Dear Mrs. Eu:

Initiative Title and Summary.

Subject: CONGRESSIONAL POWER TO DECLARE PEACE. INITIATIVE  
STATUTE.

Our File No: SA 88 RF 0012

Pursuant to the provisions of sections 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

*Mary Whitcomb*  
MARY WHITCOMB  
Initiative Coordinator

MW:KC  
Enclosures

Date: August 25, 1988  
No.: SA 88 RF 0012

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

CONGRESSIONAL POWER TO DECLARE PEACE. INITIATIVE STATUTE.  
Proposes statutory finding and declaration concerning powers of Congress. Directs Legislature to adopt resolution requesting Congress to do either of the following: 1) institute procedures to add a new provision to the U.S. Constitution and prepare and submit to the several states an amendment expressly enumerating the power of Congress to declare peace; or 2) call a constitutional convention for the purpose of proposing such an amendment. Requires resolution to also propose that other state legislatures apply to Congress requesting such an amendment. Requires adoption of resolution within 120 days after enactment. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local governments: Adoption would have no direct fiscal impact on state and local governments.





(b) The resolution shall also propose that the legislatures of each of the several states apply to the Congress requesting the enactment of an appropriate amendment to the Constitution of the United States which adds a provision thereto expressly enumerating the power of Congress to declare peace.

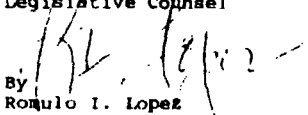
(c) The resolution shall be adopted by the Legislature no later than 120 days after the adoption of this act by the People of California.

Reverend Msmer - p. 2 - #14055

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   
Romulo I. Lopez  
Deputy Legislative Counsel

RIL:fw

(b) The Congress has the implied authority to budget and appropriate funds for the conduct of war as a necessary incident to its plenary war powers.

(c) The enumeration of powers granted by the People to the Congress in Section 8 of Article I of the United States Constitution should make clear that, in addition to the power to declare war, the Congress should have the power to declare peace.

(d) The safety and security of the United States is of paramount concern to the American People. Of equal paramount concern is the right to life, liberty, and the pursuit of happiness in a condition of peace.

(e) Like the power to declare war, the power to declare peace should also create in the Congress the implied authority to budget and appropriate funds for the conduct of peace-related programs as a necessary incident to its plenary peace powers.

SEC. 2. (a) The Legislature shall, by resolution, make application to, and request, the Congress of the United States to do either of the following:

(1) Institute procedures to add a new provision to Section 8 of Article I of the United States Constitution, and prepare and submit to the several states an amendment thereto, expressly enumerating the power of Congress to declare peace.

(2) Call a constitutional convention for the purpose of proposing an amendment to the Constitution of the United States which adds a provision to Section 8 of Article I expressly enumerating the power of Congress to declare peace.

JOHN K. VAN DE KAMP  
Attorney General

State of California  
DEPARTMENT OF JUSTICE



1515 K STREET, SUITE 511  
P.O. BOX 944255  
SACRAMENTO 94244-2550  
(916) 445-9555

August 25, 1988

(916) 324-5468

Reverend Glenn Rice Msmere  
18805 Redwing Street  
Tarzana, California 91356

Initiative Title and Summary.

Subject: CONGRESSIONAL POWER TO DECLARE PEACE. INITIATIVE  
STATUTE.

Our File No.: SA 88 RF 0012

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

MARY WHITCOMB  
Initiative Coordinator

MW:KC

Enclosures

cc: Rev. Glenn Rice Msmere  
3102 First Ave., Studio C  
San Diego, California 92103

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: August 25, 1988

Subject: CONGRESSIONAL POWER TO DECLARE PEACE. INITIATIVE  
STATUTE.

Our File No.: SA 88 RF 0012

Name of Proponent and Address:

Reverend Glenn Rice Msmere  
18805 Redwing Street  
Tarzana, California 91356

Rev. Glenn Rice Msmere  
3102 First Ave., Studio C  
San Diego, California 92103

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

Executed at Sacramento, California, on:  
August 25, 1988.

  
\_\_\_\_\_  
Kathleen Craven  
Declarant

# NEWS RELEASE

from: Secretary of State March Fong Eu  
1230 J Street, Sacramento, CA 95814  
(916) 445-6375

For Immediate Release  
August 30, 1988

Contact: Caren Daniels-Meade

## PEACE INITIATIVE BEGINS CIRCULATION REPORTS SECRETARY OF STATE EU

SACRAMENTO - Secretary of State March Fong Eu announced today (August 30) that she has given the proponents of an initiative measure dealing with peace the go-ahead to begin gathering signatures.

Reverend Glenn Rice Msmere is the proponent of "Congressional Power to Declare Peace", an initiative statute. He must collect 372,178 signatures of registered voters and submit them to county election officials by January 23, 1989, the legal 150-day deadline, in order to appear on the June 1990 ballot.

The measure proposes that Congress be given the express power to declare peace, just as it has the power to declare war. The initiative would mandate the Legislature to pass a resolution requesting Congress to either institute procedures to add a provision to the U.S. Constitution "expressly enumerating the power of Congress to declare peace" or to call a constitutional convention for the same purpose. The resolution would also "propose that the legislatures of each of the several states apply to the Congress requesting the enactment of an appropriate amendment to the Constitution of the United States " for the same purpose.

We were unable to obtain a phone number for Reverend Msmere.

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

###

8896CDM



INITIATIVE CHECK LIST

Phone Notification from AG - Date/Time: 10:00 8/25/88  
 Title of Initiative: Congressional Power to Declare Peace  
 Type of Initiative: CA  S CA and S  
 Number of Pages 2 Number of Proponents 1  
 Date and Time Initiative will be ready for pick-up 1:00 8/25/88

Initial/Date/Time

1. da 18/25/10:45 OSSI informs Deborah/David/Barbara/Caren and Don day and time initiative will be ready for pick-up.
2. da 18/25/10:45 OSSI gives check list to Word Processing Technician to prepare calendar.
3. da 18/25/11:20 Word Processing Technician prepares and proofs fraud calendar and log and returns both to OSSI.
4. da 18/25/11:20 OSSI proofs calendar and log.
5. da 18/25/1:35 OSSI gives final calendar and log to Elections Analyst.
6. 1 10 Elections Analyst reviews and has Elections Chief sign. Elections Analyst returns signed calendar to OSSI.
7. da 18/25/2:24 OSSI makes copies of initiative calendar for each proponent.
8. da 18/25/2:41 OSSI attaches copy of Political Reform Act of 1974 Requirements to proponent's copy of initiative calendar.
9. da 18/25/2:45 OSSI prepares Mail/Freight Request Form. OSSI hand carries Mail/Freight Request form and initiative calendar for each proponent (ready for mailing) to Service and Supply. Initiative calendar sent on 8/25/88 to each proponent.  
Date

(This must be sent to each proponent same day AG prepares Title and Summary).

10. da 18/25/3:00 OSSI advises Assistant Chief when initiative calendar is sent to proponent(s).

INITIATIVE CALENDAR CHECK LIST

Page two

11. da 18/25 2:30 OSSI distributes copies of initiative calendar same day AG prepares Title and Summary to:
- Tony
  - Caren
  - Jerry
  - Deborah
  - Barbara
12. da 18/28 3:00 OSSI distributes copies of initiative calendar to:
- All CC/ROV
  - Political Reform (3 copies)
  - Elections Staff
  - LA Office via LA Pouch - J.R. Schultz (12 copies)
  - Initiative mailing list
  - Extra copies for public distribution
  - Master copy
13. da 18/29 5:00 OSSI advises Assistant Chief of completion of above distribution.
14. da 18/26 8:30 OSSI makes copies of log and distributes as follows:
1. Initiative canvass binder
  2. Vi Daniels - FTB
  3. Archives
  4. Oliver Cox
  5. Initiative Clipboard
15. NS 18/26 9:50 AM OSSI prepares folder for public distribution.
16. NS 18/29 4:00 pm OSSI prepares index cards for each initiative.
17. DA 18/29 2:45 OSSI staples Mail/Freight Request form to back of INITIATIVE CHECK LIST.
18. DA 18/30 9:00 OSSI returns completed INITIATIVE CHECK LIST to Assistant Chief.
19. \$ 18/30 11:36 Assistant Chief returns check list to Election Analyst.

ELECTIONS DIVISION  
MAIL/FREIGHT REQUEST

Mail Submitted to Mail Room 8/25 / 2:45  
Date Time

Request mail to be sent no later than 8/25  
Date

MAIL:

- 1st Class
- Bulk
- Book Rate
- Presort
- Third Class

CHARGES:

Amount: 50  
Pieces: 42

FREIGHT:

- UPS
- Purolator
- Greyhound (Next bus out: Yes \_\_\_ No \_\_\_)
- Air-Freight
- Truck Lines

ACTIVITY:

- Outreach (Specify: \_\_\_\_\_)
- County Mailings (#'s: \_\_\_\_\_)
- Ballot Pamphlet
- Other (Specify: \_\_\_\_\_)
- Initiative Calendar to Proponent(s).

Mail room sent requested mail on 8/25/88

GW  
Initial (Service and Supply)