

9-13-1989

## Legislature. Limitations On Length Of Legislative Service; Eligibility For Legislative Office.

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Office of the Secretary of State  
March Fong Eu

1230 J Street  
Sacramento, California 95814

ELECTIONS DIVISION  
(916) 445-0820

For Hearing and Speech Impaired  
Only:  
(800) 833-8683

September 12, 1989

TO ALL REGISTRARS OF VOTERS, OR COUNTY CLERKS, AND PROPONENTS (8953)

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:

LEGISLATURE. LIMITATIONS ON LENGTH OF  
LEGISLATIVE SERVICE; ELIGIBILITY FOR LEGISLATIVE OFFICE.  
INITIATIVE CONSTITUTIONAL AMENDMENT.

Circulating and Filing Schedule

- 1. Minimum number of signatures required.....595,485  
Cal. Const., Art. II, Sec. 8(b).
- 2. Official Summary Date.....Tuesday, 09/12/89  
Elec. C., Sec. 3513.
- 3. Petition Sections:
  - a. First day Proponent can circulate Sections for  
signatures.....Tuesday, 09/12/89  
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.....Friday, 02/09/90\*+  
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.....Tuesday, 02/20/90

(If the Proponents file the petition with the county on a date prior to 02/09/90, 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).

+ PLEASE NOTE: To the Proponents who may wish to qualify for the June 5, 1990 Primary Election. The law allows approximately 107 days for county election officials to check and report petition signatures and transmit results. The law also requires that this process be completed 131 days before the election in which the people will vote on the initiative. It is possible that the county may not need precisely 107 days. But if you want to be sure that this initiative qualifies for the June 5, 1990 Primary Election, you should file this petition with the county before October 17, 1989.

LEGISLATURE. LIMITATIONS ON LENGTH OF LEGISLATIVE SERVICE; ELIGIBILITY FOR LEGISLATIVE OFFICE. INITIATIVE CONSTITUTIONAL AMENDMENT.

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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 .....Thursday, 03/01/90\*\*

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, 03/22/90

(If the Secretary of State notifies the county to determine the number of qualified voters who signed the petition on a date other than 02/20/90 the last day is not later than the fifteenth working day after the county's receipt of notification.)  
Elec. C., Sec. 3520(d), (e).

f. If the signature count is more than 655,033 or less than 565,711, then the Secretary of State certifies the petition has qualified or failed, and notifies the counties. If the signature count is between 565,711 and 655,033 inclusive, then the Secretary of State notifies the counties using the random sampling technique to determine the validity of all signatures .....Sunday, 04/01/90\*\*

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, 05/11/90

(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 03/22/90, 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, 05/15/90

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

LEGISLATURE. LIMITATIONS ON LENGTH OF LEGISLATIVE SERVICE; ELIGIBILITY  
FOR LEGISLATIVE OFFICE. INITIATIVE CONSTITUTIONAL AMENDMENT.

September 12, 1989

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4. The Proponents of the above named measure are:

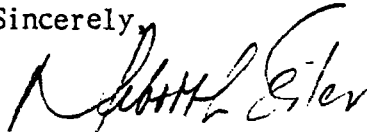
John E. McDonald  
3267 Hermit Way  
Santa Rosa, CA 95405  
(707) 542-4159

Gerald L. Partain  
2584 Jacoby Creek Road  
Bayside, CA 95524  
(707) 822-2626

5. Important Points:

- (a) California law prohibits the use of signatures, names and addresses gathered on initiative petitions for any purpose other than to qualify the initiative measure for the ballot. This means that the petitions cannot be used to create or add to mailing lists or similar lists for any purpose, including fund raising or requests for support. Any such misuse constitutes a crime under California law. Elections Code section 29770; Bilofsky v. Deukmejian (1981) 123 Cal.App. 3d 825, 177 Cal.Rptr. 621; 63 Ops. Cal.Atty.Gen. 37 (1980).
- (b) 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.
- (c) Your attention is directed to the campaign disclosure requirements of the Political Reform Act of 1974, Government Code section 81000 et seq.
- (d) 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.
- (e) 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.
- (f) 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

FIRST COPY  
SUBMITTED

Date: September 12, 1989  
File No: SA 89 RF 0016

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

LEGISLATURE. LIMITATIONS ON LENGTH OF LEGISLATIVE SERVICE; ELIGIBILITY FOR LEGISLATIVE OFFICE. INITIATIVE CONSTITUTIONAL AMENDMENT. Provides that commencing December 3, 1990, no person may serve in the Legislature, in either the Senate or Assembly, or both, for more than a combined total of eight years, whether successive or not, from and after December 3, 1990. Also provides that upon the expiration of any Legislator's combined period of eight years of service in the California Legislature, his or her office shall become vacant and the person shall thereafter be ineligible to be a member of the California Legislature. Summary of Legislative Analyst's estimate of net state and local government fiscal impact: Shorter legislative terms would not impact operating costs of the Legislature. Measure impacts legislators' retirement system in that under current retirement formula one member serving sixteen years would receive less in retirement benefits than the combined benefits of two members serving eight years each. Increase in retirement costs would not occur until eight years after adoption of this measure. Thereafter, annual costs would rise over time to approximately \$100,000 when no member of the legislature will have served more than eight years.

Date: September 12, 1989  
File No: SA 89 RF 0016

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

LEGISLATURE. LIMITATIONS ON LENGTH OF LEGISLATIVE SERVICE; ELIGIBILITY FOR LEGISLATIVE OFFICE. INITIATIVE CONSTITUTIONAL AMENDMENT. Provides that commencing December 3, 1990, no person may serve in the Legislature, in either the Senate or Assembly, or both, for more than a combined total of eight years, whether successive or not, from and after December 3, 1990. Also provides that upon the expiration of any legislator's combined period of eight years of service in the California Legislature, his or her office shall become vacant and the person shall thereafter be ineligible to be a member of the California Legislature. Summary of Legislative Analyst's estimate of net state and local government fiscal impact: Shorter legislative terms would not impact operating costs of the Legislature. Measure impacts legislators' retirement system in that under current retirement formula one member serving sixteen years would receive less in retirement benefits than the combined benefits of two members serving eight years each. Increase in retirement costs would not occur until eight years after adoption of this measure. Thereafter, annual costs would rise over time to approximately \$100,000 when no member of the Legislature will have served more than eight years.

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

September 12, 1989

(916) 324-5508

John E. McDonald ✓  
3267 Hermit Way  
Santa Rosa, CA 95405

Gerald L. Partain ✓  
2584 Jacoby Creek Road  
Bayside, CA 95524

Initiative Title and Summary

Subject: LEGISLATURE. LIMITATIONS ON LENGTH  
OF LEGISLATIVE SERVICE; ELIGIBILITY  
FOR LEGISLATIVE OFFICE. INITIATIVE  
CONSTITUTIONAL AMENDMENT

Our File No. SA 89 RF 0016

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

A handwritten signature in cursive script that reads "Mary Whitcomb".

MARY WHITCOMB  
Initiative Coordinator

MW:ckm

Enclosures

July 19, 1989.

California Attorney General:

We have you herewith our proposed "Citizen Legislative Initiative Amendment" amending to California's Constitution.

We request that you review the proposal and give a summary and title in accordance with law.

~~John E. McDonald~~  
John E. McDonald  
3267 Hermit Way  
Santa Rosa, CA 95705.  
707-542-4159

~~Gerald L. Partain~~  
GERALD L. PARTAIN  
2584 JACOB CREEK  
ROAD  
BAYSIDE, CA.  
95524  
707-822-2626

RECEIVED  
JUL 19 1989  
INITIATIVE COORDINATOR  
ATTORNEY GENERAL'S OFFICE



CITIZEN LEGISLATORS INITIATIVE AMENDMENT  
---

A proposal to the people of the State of California to amend the Constitution of the State, by amending Section 2 of Article IV thereof, by adding thereto new subsections (e) and (f), reading as follows:

"(e) To encourage greater Citizen participation in the Legislature of this State, no person may, serve in the California Legislature, whether in the Senate or Assembly, or both of them, whether for successive years or not, for more than a combined total of eight (8) years, from and after December 3, 1990.

"(f) Upon the expiration of any Legislator's combined total of eight years service in the California Legislature, from and after December 3, 1990, his or her office shall become vacant. Thereafter, such person shall be ineligible to be a member of the California Legislature."

\*\*\*\*

# 476 failed 2/23/90

#475

# NEWS RELEASE

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

For Immediate Release  
September 13, 1989

Contact: Caren Daniels-Meade or  
Cathy Mitchell

## LEGISLATIVE TERM LIMITS INITIATIVE BEGINS REPORTS EU

SACRAMENTO — An initiative aimed at limiting the number of years a person could serve in the California Legislature has been approved for circulation, Secretary of State March Fong Eu announced today (Sept. 13).

The constitutional amendment, proposed by John McDonald of Santa Rosa, telephone (707) 542-4159, and Gerald Partain of Bayside, telephone (707) 822-2626, needs 595,485 registered voter signatures by Feb. 9 to qualify for the November 1990 ballot.

If approved by voters, it would "provide that commencing December 3, 1990, no person may serve in the Legislature, in either the Senate or Assembly, or both, for more than a combined total of eight years, whether successive or not, from and after Dec. 3, 1990." The measure also "provides that upon the expiration of any legislator's combined period of eight years of service in the California Legislature, his or her office shall become vacant and the person shall thereafter be ineligible to be a member of the California Legislature."

A copy of the title and summary, circulation calendar and text of the proposed initiative is attached for your reference.

###

8935CDM

*amended  
see  
#476*

**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

September 12, 1989

(916) 324-5508

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

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

SEP 12 1989

MARCH FONG EU, Secretary of State

By  Deputy

Dear Mrs. Eu:

Initiative Title and Summary  
Subject: LEGISLATURE. LIMITATIONS ON LENGTH  
OF LEGISLATIVE SERVICE; ELIGIBILITY  
FOR LEGISLATIVE OFFICE. INITIATIVE  
CONSTITUTIONAL AMENDMENT  
Our File No.: SA 89 RF 0016

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 proponents of the above-identified proposed initiative our title and summary.

Enclosed is a copy of our transmittal letter to the proponents, 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 names and addresses of the proponents are as stated on the declaration of mailing.

Very truly yours,

JOHN K. VAN DE KAMP  
Attorney General



MARY WHITCOMB  
Initiative Coordinator

MW:ckm

Enclosures

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: September 12, 1989

Subject: LEGISLATURE. LIMITATIONS ON LENGTH  
OF LEGISLATIVE SERVICE; ELIGIBILITY  
FOR LEGISLATIVE OFFICE. INITIATIVE  
CONSTITUTIONAL AMENDMENT

Our File No.: SA 89 RF 0016

Name of Proponents and Addresses:

John E. McDonald  
3267 Hermit Way  
Santa Rosa, CA 95405

Gerald L. Partain  
2584 Jacoby Creek Road  
Bayside, CA 95524

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

Executed at Sacramento, California, on:  
September 12, 1989.

  
CHARLENE MCDANIEL  
Declarant

INITIATIVE CHECK LIST

Phone Notification from AG - Date/Time: 9/12/89 - 10:15  
 Title of Initiative: LEGISLATURE. LIMITATION ON LENGTH OF LEGISLATIVE SERVICE; ELIGIBILITY FOR LEGISLATIVE OFFICE.  
 Type of Initiative:  CA  S  CA and S  
 Number of Pages 1 Number of Proponents 2  
 Date and Time Initiative will be ready for pick-up 9/12/89 - 11:30

Initial/Date/Time

1. da 19/12/10:45 OSSI informs Deborah/David/Barbara/Caren and Don day and time initiative will be ready for pick-up.
2. da 19/12/11:15 OSSI gives check list to Word Processing Technician to prepare calendar.
3. en 19/12/11:45 for Word Processing Technician prepares and proofs fraud calendar and log and returns both to OSSI.
4. da 19/12/11:47 OSSI proofs calendar and log.
5. da 19/12/11:47 OSSI gives final calendar and log to Elections Analyst.
6. en 19/12/12:05 Elections Analyst reviews and has Elections Chief sign. Elections Analyst returns signed calendar to OSSI.
7. da 19/12/14:15 OSSI makes copies of initiative calendar for each proponent.
8. da 19/12/14:25 OSSI attaches copy of Political Reform Act of 1974 Requirements to proponent's copy of initiative calendar.
9. da 19/12/14:30 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 9/12 to each proponent.  
Date

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

10. da 19/12/15:00 OSSI advises Assistant Chief when initiative calendar is sent to proponent(s).

**INITIATIVE CALENDAR CHECK LIST**

Page two

11. do 19/12 4:40 OSSI distributes copies of initiative calendar same day AG prepares Title and Summary to:
- Tony
  - Caren
  - Jerry
  - Deborah
  - Barbara
12. do 19/12 12:00 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. do 19/12 1:00 OSSI advises Assistant Chief of completion of above distribution.
14. do 19/12 1:00 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. AB 19/12 11:30 OSSI prepares folder for public distribution.
16. AB 19/12 2:00 OSSI prepares index cards for each initiative.
17. do 19/12 2:20 OSSI staples Mail/Freight Request form to back of INITIATIVE CHECK LIST.
18. do 19/12 40 OSSI returns completed INITIATIVE CHECK LIST to Assistant Chief.
19. 1 1 Assistant Chief returns check list to Election Analyst.

ELECTIONS DIVISION  
MAIL/FREIGHT REQUEST

Mail Submitted to Mail Room 9/12 12:15  
Date Time

Request mail to be sent no later than 9/12  
Date

MAIL:

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

CHARGES:

Amount: 25  
Pieces: 2

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 \_\_\_\_\_.

\_\_\_\_\_  
Initial (Service and Supply)