

8-17-1989

Reapportionment. Politically Competitive Districts. Voter Registration.

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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

January 23, 1990

TO: All County Clerks/Registrars of Voters and
Proponent (90017)

FROM: Caren Daniels Meade
CAREN DANIELS-MEADE
Chief, Elections Division

Pursuant to Elections Code section 3520(b) you are hereby notified that the total number of signatures to the hereinafternamed proposed INITIATIVE CONSTITUTIONAL AMENDMENT AND 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: REAPPORTIONMENT. POLITICALLY COMPETITIVE
DISTRICTS. VOTER REGISTRATION.
INITIATIVE CONSTITUTIONAL AMENDMENT AND STATUTE.

SUMMARY DATE: August 17, 1989

PROPONENT: Senator Bill Leonard

CDM/l/jm

INIT474.FAI



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August 17, 1989

TO ALL REGISTRARS OF VOTERS, OR COUNTY CLERKS, AND PROPONENT (8946)

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:

REAPPORTIONMENT. POLITICALLY COMPETITIVE DISTRICTS.
VOTER REGISTRATION.
INITIATIVE CONSTITUTIONAL AMENDMENT AND STATUTE.

Circulating and Filing Schedule

- 1. Minimum number of signatures required.....595,485
Cal. Const., Art. II, Sec. 8(b).
- 2. Official Summary Date.....Thursday, 08/17/89
Elec. C., Sec. 3513.
- 3. Petition Sections:
 - a. First day Proponent can circulate Sections for
signatures.....Thursday, 08/17/89
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.....Tuesday, 01/16/90*+
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, 01/23/90

(If the Proponent files the petition with the county on a date prior to 01/16/90, 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).

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

+ PLEASE NOTE: To the Proponent who may wish to qualify for the June 5, 1990 Primary Election. The law allows approximately 85 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 85 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.

REAPPORTIONMENT. POLITICALLY COMPETITIVE DISTRICTS. VOTER REGISTRATION INITIATIVE CONSTITUTIONAL AMENDMENT AND STATUTE.

August 17, 1989

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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 countiesThursday, 02/01/90**
- 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 StateMonday, 02/26/90

(If the Secretary of State notifies the county to determine the number of qualified voters who signed the petition on a date other than 01/23/90 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 signaturesThursday, 03/08/90**
- 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 StateThursday, 04/19/90

(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 02/26/90, 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 sufficientMonday, 04/23/90

**Date varies based on receipt of county certification.

REAPPORTIONMENT. POLITICALLY COMPETITIVE DISTRICTS. VOTER REGISTRATION.
INITIATIVE CONSTITUTIONAL AMENDMENT AND STATUTE.

August 17, 1989

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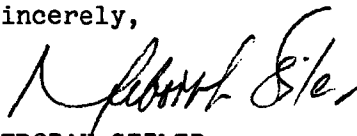
4. The Proponent of the above named measure is:

Senator Bill Leonard
400 North Mountain Avenue, Suite 109
Upland, California 91786
(714) 946-4889

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

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

(916) 324-5508

August 17, 1989

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

Dear Mrs. Eu:

Initiative Title and Summary.

Subject: REAPPORTIONMENT. POLITICALLY
COMPETITIVE DISTRICTS. VOTER
REGISTRATION. INITIATIVE
CONSTITUTIONAL AMENDMENT AND STATUTE.

Our File No: SA 89 RF 0015

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

AUG 17 1989

MARCH FONG EU, Secretary of State

By *[Signature]*
Deputy

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 of the above identified proposed initiative our title and summary.

Enclosed is a copy of our transmittal letter to the proponent, 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 and address of the proponent is as stated on the declaration of mailing.

Very truly yours,

JOHN K. VAN DE KAMP
Attorney General

[Signature]
MARY WHITCOMB
Initiative Coordinator

MW:rrc
Enclosures



California State Senate

STATE CAPITOL
P.O. BOX 942848
SACRAMENTO, CA
94248-0001
ROOM 4062
(916) 445-3688
FAX (916) 327-2272

ROBERT J. MCKENZIE, JR.
CHIEF OF STAFF
BETTY KLEIN
ADMINISTRATIVE ASSISTANT

STATE CHAIRMAN:
AMERICAN LEGISLATIVE
EXCHANGE COUNCIL



SENATOR
BILL LEONARD

SA89RF0015

Amendment #2
(non-substantive)

COMMITTEES:
BUDGET AND FISCAL REVIEW
HOUSING AND URBAN AFFAIRS
VICE CHAIRMAN
LOCAL GOVERNMENT
NATURAL RESOURCES AND
WILDLIFE
TRANSPORTATION
SUBCOMMITTEE
BUDGET AND FISCAL REVIEW
JUSTICE, CORRECTIONS
RESOURCES, AND AGRICULTURE
SELECT COMMITTEE ON
STATE PROCUREMENT AND
EXPENDITURE PRACTICES
SELECT COMMITTEE ON
PLANNING FOR
CALIFORNIA'S GROWTH
JOINT COMMITTEE ON
SCHOOL FACILITIES

RECEIVED

JUL 13 1989

INITIATIVE COORDINATOR
ATTORNEY GENERAL'S OFFICE

July 13, 1989

Ms. Mary Whitcomb
Initiative Coordinator
Department of Justice
1515 K Street, Suite 511
Sacramento, CA 944255

Dear Ms. Whitcomb:

The enclosed is an amendment to my initiative
File number SA 89 RF 0015.

These amendments are technical in nature, and correct
several typographical errors made on the original
amendment. These errors include the citation of
Section 700 instead of Section 701, and the citation
in (f) of Article 5 instead of Article 6.

Thank you for your assistance.

Sincerely,


BILL LEONARD

BL:ah

Enclosure: Copy of Amended Leonard Initiative

Date: August 17, 1989
File No.: SA 89 RF 0015

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

REAPPORTIONMENT. POLITICALLY COMPETITIVE DISTRICTS. VOTER REGISTRATION. INITIATIVE CONSTITUTIONAL AMENDMENT AND STATUTE. Amends state constitutional requirements governing reapportionment of California Congressional, Senatorial, Assembly, and Board of Equalization districts by adding requirement that at least half of districts of each type be "competitive." Defines competitive district as one where partisan registration of either one of the two largest political parties in the district does not vary by more than two percentage points of that party's partisan registration in state as a whole determined by the Secretary of State's Report of Registration. Amends state statute to cancel registration of non-voters in general elections. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local governments: Assuming adoption in November 1990, would not significantly increase state costs. The registration purge provisions would reduce mailing, printing, residency confirmation, and other costs of local governments, ranging from several hundred thousand dollars to several millions of dollars, for each two-year election cycle.

THE LEONARD FAIR COMPETITIVE DISTRICTS INITIATIVE

SECTION 1. This initiative shall be known and may be cited as "The Fair Competitive Legislative Districts Initiative."

SECTION 2. The people of the State of California find and declare as follows:

(a) The past redistricting process has been tainted by legislative self-interest in that district lines have been gerrymandered to maximize the election of incumbents and certain favored candidates.

(b) Such gerrymandered districts destroy communities of interest that are vital to fair and effective representation.

(c) The lack of competition in district elections causes incumbents to become insensitive to the needs and desires of the public at large.

(d) The public has become disillusioned with the political process because of the near impossibility to defeat incumbents.

(e) Good candidates for public office are discouraged to seek public office because the "political deck" is stacked against them.

(f) The repeal of the positive purge law has caused the "deadwood" on the voter rolls to grow to upwards of 20%, which makes it difficult to ascertain the true registration in each district.

SECTION 3. The people enact this initiative to ensure fair and competitive elections for Senatorial, Assembly, Congressional and Board of Equalization districts by requiring that at least one-half of such districts shall mirror the statewide voter registration, after a purge of those persons not voting in a general election, thereby creating competitive districts.

SECTION 4. Article XXI of the California Constitution, as adopted June 3, 1980, is amended to read as follows:

In the year following a year in which the national census is taken under the direction of the United States Congress at the beginning of each decade, the Legislature shall adjust the boundary lines of the Senatorial, Assembly, Congressional, and Board of Equalization districts in conformance with the following standards:

(a) Each member of the Senate, Assembly, Congress and Board of Equalization shall be elected from a single-member district.

(b) The population of all districts of a particular type shall be reasonably equal.

(c) Every district shall be contiguous.

(d) Districts of each type shall be numbered consecutively commencing at the northern boundary of the state and ending at the southern boundary.

(e) The geographical integrity of any city, county, or city and county, or of any geographical region shall be respected to the extent possible without violating the requirements of any other subdivision of this section.

(f) At least half of all districts of each type shall be competitive.

"Competitive", for purposes of this article, shall mean a district in which the partisan registration of either one of the two largest political parties in the district shall not vary by more than two percentage points of that party's partisan registration in the state as a whole, as defined by the most recent published "Report of Registration" by the Secretary of State.

SECTION 5.

Elections Code Section 701 is amended to read as follows:

701. Reasons for cancelling registration.

The county clerk shall cancel the registration in the following cases:

- (a) At the signed, written request of the person registered.
- (b) When the mental incompetency of the person registered is legally established as provided in Sections 707.5, 707.6, 707.7, and 707.8.
- (c) Upon proof that the person is presently imprisoned or on parole for conviction of a felony.
- (d) Upon the production of a certified copy of a judgement directing the cancellation to be made.
- (e) Upon the death of the person registered.
- (f) Pursuant to the provision of Article ~~6~~ (commencing with Section 800).
- (g) Upon the receipt of any mailing returned by the postal service as undeliverable.
- (h) Upon official notification that the voter is registered to vote in another county or state.
- (i) When a person fails to vote at a general election.

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

(916) 324-5508

August 17, 1989

Bill Leonard
400 North Mountain Ave., Suite 109
Upland, CA 91786

Initiative Title and Summary.
Subject: REAPPORTIONMENT. POLITICALLY
COMPETITIVE DISTRICTS. VOTER
REGISTRATION. INITIATIVE
CONSTITUTIONAL AMENDMENT AND STATUTE.
Our File No: SA 89 RF 0015

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:rrc
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 of 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 17, 1989

Initiative Title and Summary.

Subject: REAPPORTIONMENT. POLITICALLY
COMPETITIVE DISTRICTS. VOTER
REGISTRATION. INITIATIVE
CONSTITUTIONAL AMENDMENT AND STATUTE.

Our File No: SA 89 RF 0015

Name of Proponents and Addresses:

Bill Leonard
400 North Mountain Ave., Suite 109
Upland, CA 91786

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

Executed at Sacramento, California, August 17, 1989.



ROSEMARY R. CALDERON

Declarant

(916) 323-1941

Filed 1/23/90

474

NEWS RELEASE

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

For Immediate Release
August 18, 1989

Contact: Caren Daniels-Meade or
Cathy Mitchell

SECRETARY OF STATE EU ANNOUNCES SEVENTH REAPPORTIONMENT DRIVE

SACRAMENTO — Secretary of State March Fong Eu announced today (Aug. 18) the seventh initiative drive relating to reapportionment and aimed for next year's election ballot has been given the green light to begin petition circulation efforts.

The latest drive, "Reapportionment. Politically Competitive Districts. Voter Registration," is an initiative constitutional amendment and statute needing 595,485 registered voter signatures by January 16, 1990 to qualify for either the June 5 or Nov. 6, 1990 ballot, depending on whether or not circulators take the full time allowed to collect signatures. The deadline for initiatives to qualify for the June 5 ballot is January 25, and with a Jan. 16 signature submission deadline, county election officials would not have sufficient time to verify signatures. Sponsored by State Senator Bill Leonard, R-Upland, the proposal would add to the state constitution the requirement that "at least half of districts of each type be 'competitive'." The measure defines "competitive district as one where partisan registration of either one of the two largest political parties in the district does not vary by more than two percentage points of that party's partisan registration in (the) state as a whole determined by the Secretary of State's Report of Registration." Finally, the measure would also amend state laws to provide for the cancellation of "registration of non-voters in general elections."

Proponent Bill Leonard may be reached at (714) 946-4889.

(over)



EU — page 2.

The six other reapportionment plans currently in the form of initiatives being circulated include one to require reapportionment be based on registered voters rather than on population; one to require reapportionment bills to receive a 2/3 vote of the Rules committees and the Legislature; one to set up a 12-person reapportionment commission to adjust district boundaries; one to require the secretary of state to draw Senatorial, Assembly, Congressional, and Board of Equalization district lines; one to require redistricting plans to receive a 2/3 vote of each house of the Legislature and approval by voters; and one to require that reapportionment plans be adopted by a 2/3 vote of each house of the Legislature and signed by the Governor, with an option for any eligible voter to request state Supreme Court review and ultimately empower the court to mandate alternative reapportionment plans.

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

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8933CDM