

11-14-1989

Reapportionment. Politically Competitive Districts. Voter Registration.

Follow this and additional works at: http://repository.uchastings.edu/ca_ballot_inits

Recommended Citation

Reapportionment. Politically Competitive Districts. Voter Registration. California Initiative 479 (1989).
http://repository.uchastings.edu/ca_ballot_inits/655

This Initiative is brought to you for free and open access by the California Ballot Propositions and Initiatives at UC Hastings Scholarship Repository. It has been accepted for inclusion in Initiatives by an authorized administrator of UC Hastings Scholarship Repository. For more information, please contact marcusc@uchastings.edu.

#479



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

May 1, 1990

TO: All County Clerks/Registrars of Voters and Proponent (90083)

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 hereinafter named proposed INITIATIVE CONSTITUTIONAL AMENDMENT AND STATUTE filed with all county elections officials 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: November 14, 1989

PROPONENT: Senator Bill Leonard

CDM/bl/cb





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

November 14, 1989

TO ALL REGISTRARS OF VOTERS, OR COUNTY CLERKS, AND PROPONENT (8970)

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.....Tuesday, 11/14/89
Elec. C., Sec. 3513.
- 3. Petition Sections:
 - a. First day Proponent can circulate Sections for
signatures.....Tuesday, 11/14/89
Elec. C., Sec. 3513.
 - b. Last day Proponent can circulate and file with
the county. All sections are to be filled at
the same time within each
county.....Friday, 4/13/90+
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.....Friday, 4/20/90

(If the Proponent files the petition with the county on a date prior to 4/13/90, 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 Proponent who may wish to qualify for the November 6, 1990 General 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 November 6, 1990 General Election, you should file this petition with the county before March 23, 1990.

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

November 14, 1989

Page 2

- 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
..... Sunday, 4/29/90**
- 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..... Friday, 5/18/90
- (If the Secretary of State notifies the county to determine the number of qualified voters who signed the petition on a date other than 4/20/90, 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 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
.....Monday, 5/28/90**
- g. Last day for county to determine actual number of all qualified voters who signed the petition, nad to transmit certificate with a blank copy of the petition to the Secretary of State.....Tuesday, 7/10/90
- (If the Secretary of State notified the county to determine the number of qualified voters who have signed the petition on a date other than 5/18/90, 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 certified whether the petition has been signed by the number of qualified voters required to declare the petition sufficient
.....Saturday, 7/14/90

**Date varies based on receipt of county certification.

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

November 14, 1989

Page 3

4. The Proponent of the above named measure is:

SENATOR BILL LEONARD
400 North Mountain Avenue, Suite 109
Upland, California 91786
(916) 445-3688

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 section 44, 3501, 3507, 3508, 3517, and 3519 for appropriate format and type consideration in printing, typing, and otherwise preparing your initiative petition for circulation and signatures. Please send 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,



CAREN DANIELS-MEADE
Chief, Elections Division

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

November 14, 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

NOV 14 1989

MARCH FONG EU, Secretary of State

By *Barbara J. Lee*
Deputy

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 0027

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 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

Mary N. Whitcomb

MARY WHITCOMB
Initiative Coordinator

MW:rz

Enclosures

Date: November 14, 1989
File No.: SA 89 RF 0027

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. Prohibits bills changing boundaries after July 15 of year following national census. 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.

3A89RF0027

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

October 12, 1989

RECEIVED
OCT 13 1989

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

Ms. Mary Whitcomb
Initiative Coordinator
Department of Justice
1515 K Street, Suite 511
Sacramento, CA 94244-2550

INITIATIVE COORDINATOR
ATTORNEY GENERAL'S OFFICE

Dear Ms. Whitcomb:

Enclosed is a check for \$200 for the initiative filing fee, and a copy of my Fair Competitive Districts Initiative submitted for you to prepare a title and summary.

My registration address is 43359 Deer Canyon, Big Bear Lake, California, 92315. As there is no mail service to that address, please direct correspondence concerning my initiative to 400 North Mountain, Suite 109, Upland, CA 91786.

I am registered under William R. Leonard.

Please direct any question to me at 916/445-3688. Thank you for your assistance.

Sincerely,

BILL LEONARD

Enclosures

District Office 400 North Mountain Avenue, Suite 109, Upland, CA 91786
(714) 946-4889 • Upland, Rancho Cucamonga, Claremont, and La Verne
(714) 798-4242 • Redlands, Yucaipa, Loma Linda, and Highland
(818) 331-4242 • Covina, Glendora, Azusa, and San Dimas

(619) 243-4242 • Victorville, Apple Valley, Hesperia, and Adelanto
(619) 872-4242 • Bishop, Big Pine, and Deep Springs
(800) 282-4889 • All other communities toll free
(714) 982-1197 • FAX

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 dilute and 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 their constituency.

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

(e) 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.

(f) The lack of a required deadline for completing redistricting leads to uncertainty for officials and voters alike.

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. This plan must be passed in the period of time allowed after census information is received.

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

Section 1 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 2 No bill that changes the boundaries of a Senatorial, Assembly, Board of Equalization or Congressional district may be passed by either house after July 15 of the year following the year in which the national census is taken under the direction of Congress at the beginning of each decade.

SECTION 5 Elections Code Article 5, Section 701 is amended to read as follows:

§ 701. Grounds 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

November 14, 1989

(916) 324-5508

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

Dear Mr. Leonard:

Initiative Title and Summary
Subject: REAPPORTIONMENT. POLITICALLY COMPETITIVE
DISTRICTS. VOTER REGISTRATION. INITIATIVE
CONSTITUTIONAL AMENDMENT AND STATUTE.
Our File No. SA 89 RF 0027

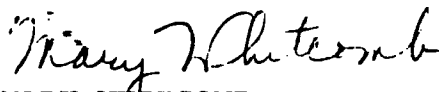
Pursuant to your request, we have prepared the attached title and summary of the chief purposes and points of the above-identified proposed initiative. A copy of our letter to the Secretary of State, as required by Elections Code sections 3503 and 3513, our declaration of mailing, and the text of your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

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: November 14, 1989

Initiative Title and Summary

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


Our File No. SA 89 RF 0027

Name of Proponent and Address:

Bill Leonard
400 North Mountain
Suite 109
Upland, CA 91786

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

Executed at Sacramento, California, on:
November 14, 1989.



R. ZENDER
Declarant

INITIATIVE CHECK LIST

Phone Notification from AG - Date/Time: 11/14/89 - 10:25
Title of Initiative: REAPPORTIONMENT. POLITICALLY COMPETITIVE DISTRICTS. VOTER REGISTRATION.
Type of Initiative: CA S CA and S
Number of Pages _____ Number of Proponents 1
Date and Time Initiative will be ready for pick-up 11/14/89 - 2:45

Initial/Date/Time

1. da 11/14/10:50 OSSI informs Chief/Assistant Chief Barbara/Caren and Don day and time initiative will be ready for pick-up.
2. da 11/14/11:00 OSSI gives check list to Word Processing Technician to prepare calendar.
3. da 11/14 Word Processing Technician prepares and proofs calendar and log and returns both to OSSI.
4. da 11/14 OSSI proofs calendar and log.
5. da 11/14/4:30 OSSI gives final calendar and log to Elections Analyst.
6. da 11/14/4:45 Elections Analyst reviews and has Elections Chief sign. Elections Analyst returns signed calendar to OSSI.
7. da 11/14/4:50 OSSI makes copies of initiative calendar for each proponent.
8. da 11/14/4:52 OSSI attaches copy of Political Reform Act of 1974 Requirements to proponent's copy of initiative calendar.
9. da 11/14/3:20 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 11/14 to each proponent.
Date

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

10. da 11/14/4:55 OSSI advises Assistant Chief when initiative calendar is sent to proponent(s).

INITIATIVE CALENDAR CHECK LIST

Page two

11. / / OSSI distributes copies of initiative calendar same day AG prepares Title and Summary to:
 Tony
 Caren
 Jerry
 Barbara
12. / / OSSI distributes copies of initiative calendar to:
 All CC/ROV
 Political Reform (2 copies)
 Elections Staff
 LA Office via LA Pouch -
 J.R. Schultz (12 copies)
 Initiative mailing list
 Extra copies for public
 distribution
 Master copy
13. / / OSSI advises Assistant Chief of completion of above distribution.
14. / / OSSI makes copies of log and distributes as follows:
1. Initiative canvass binder
2. Vi Daniels (Initiative Mailing List)
3. Joe Samora (Archives)
4. Oliver Cox
5. Initiative Clipboard
6. Deborah Seiler (Initiative Mailing)
7. Cindy Suzuki (Initiative Mailing List)
8. Kathy Mitchell (Media Office)
15. AB 11/16 4:30 Receptionist prepares folder for public distribution.
16. AB 11/16 4:45 Receptionist prepares index cards for each initiative.
17. / / OSSI staples Mail/Freight Request form to back of INITIATIVE CHECK LIST.
18. / / OSSI returns completed INITIATIVE CHECK LIST to Assistant Chief.
19. / / Assistant Chief returns check list to Election Analyst.

ELECTIONS DIVISION
MAIL/FREIGHT REQUEST

Mail Submitted to Mail Room _____ / _____
Date Time

Request mail to be sent no later than _____.
Date

MAIL:

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

CHARGES:

Amount: .25.
Pieces: 1.

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)