

11-2-1999

Elections. Term Limits Declarations For Congressional Candidates.

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State of California

SECRETARY OF STATE

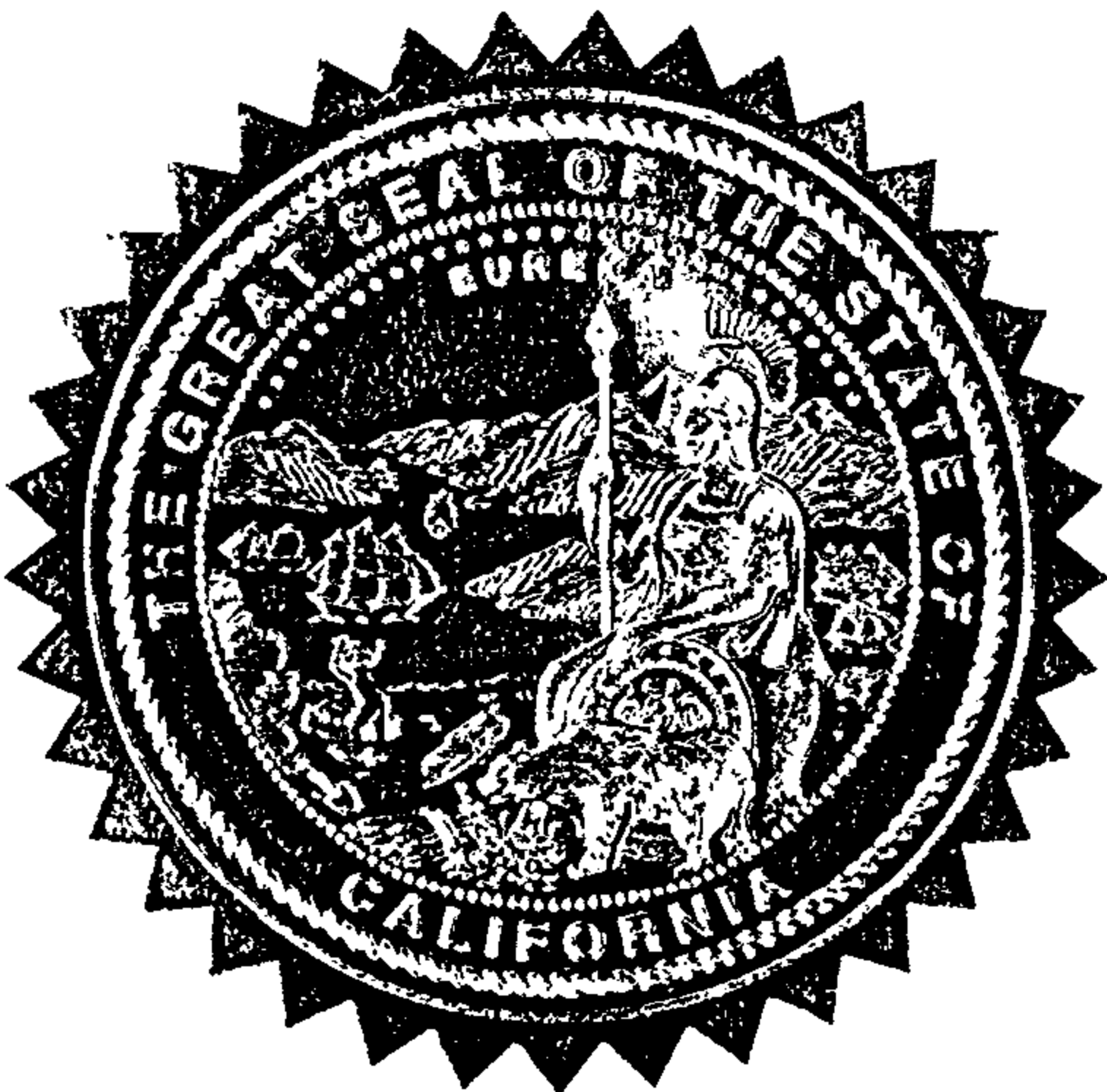
October 25, 1999

TO: ALL COUNTY CLERKS/REGISTRARS OF VOTERS (99237)

Pursuant to Section 9033 of the Elections Code, I hereby certify that on October 25, 1999 the certificates received from the County Clerks or Registrars of Voters by the Secretary of State established that the Initiative Statute, ELECTIONS. TERM LIMITS DECLARATIONS FOR CONGRESSIONAL CANDIDATES., has been signed by the requisite number of qualified electors needed to declare the petition sufficient. The ELECTIONS. TERM LIMITS DECLARATIONS FOR CONGRESSIONAL CANDIDATES. INITIATIVE STATUTE. is, therefore, qualified for the March 7, 2000 Primary Election.

ELECTIONS. TERM LIMITS DECLARATIONS FOR CONGRESSIONAL CANDIDATES. INITIATIVE STATUTE. Permits candidates to voluntarily sign non-binding declaration of intention to serve no more than three terms in United States House of Representatives or two terms in United States Senate, or to declare their choice not to so limit their terms. Requires placement of information on ballots and state-sponsored voter education materials when authorized by candidates. Candidates may appear on official ballot without submitting either declaration. If candidate declaring term limits wins election, his/her declaration applies to future elections for same office. Calculation of terms excludes service prior to 1999. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local governments: Measure would result in probably minor costs for Secretary of State to prepare and collect candidate declarations regarding term limits. Measure would also result in probably minor costs to counties to add statements to ballots regarding term limits.

IN WITNESS WHEREOF, I hereunto
set my hand and affix the Great Seal of
the State of California this 25th day of
October, 1999.



Bill Jones

BILL JONES
Secretary of State

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BILL JONES
Secretary of State
State of California

September 23, 1999

TO: All County Clerks/Registrars of Voters (99200)
FROM: 
Waldeep Singh
Associate Elections Analyst
SUBJECT: Ballot Measures

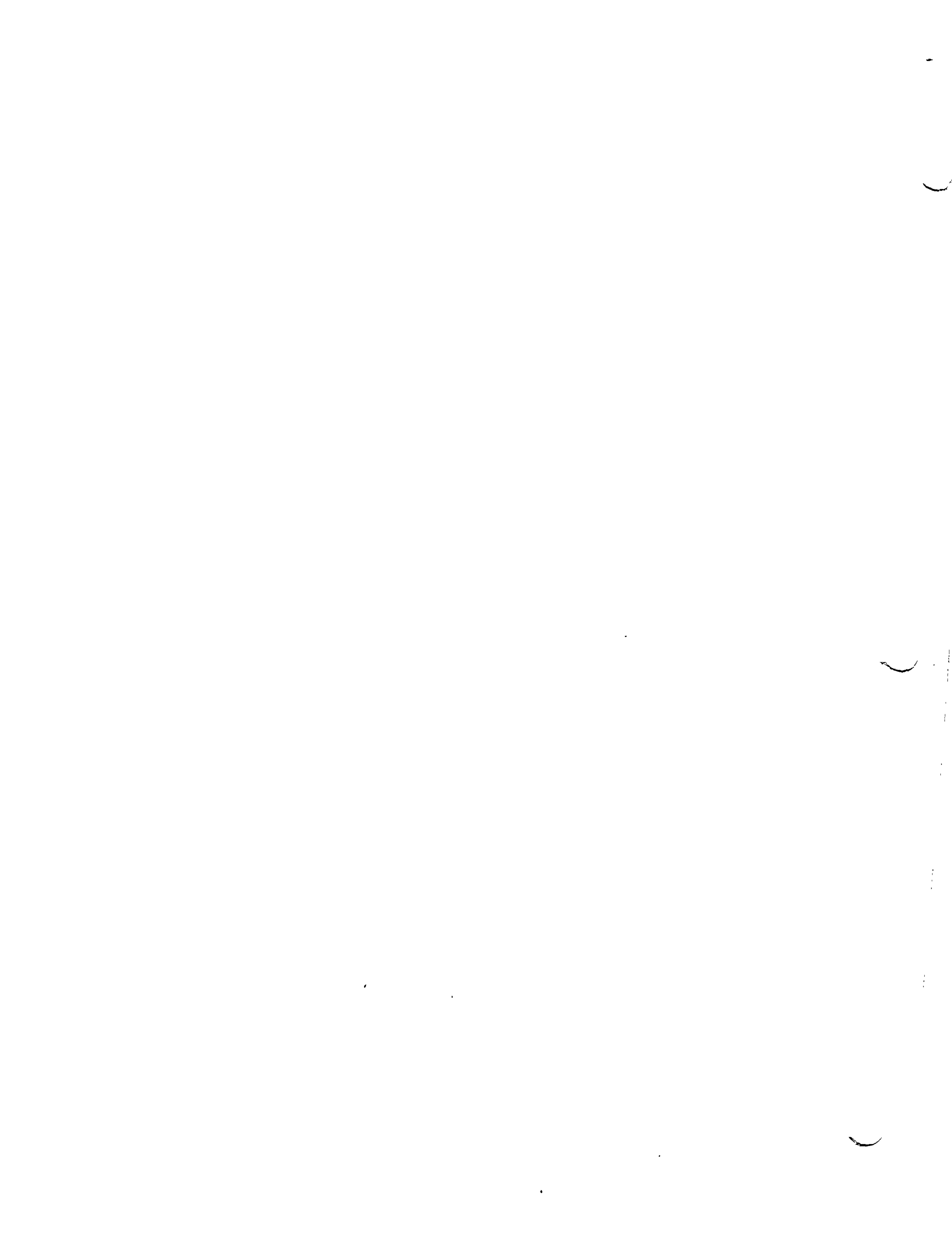
Enclosed is an updated list of state ballot measures, and potential state ballot measures for the upcoming March 7, 2000 Primary Election.

If you have any questions, comments, or need additional information, please do not hesitate to contact me directly at (916) 654-1523. Thanks.

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March 7, 2000 Primary Election

Legislative Constitutional Amendments

SCA 4 (Resolution Chapter 123, 1999). McPherson. Lotteries: Charitable Raffles.
SCA 11 Burton. Gambling. (NOTE: Chapter number pending).

Legislative Initiative Amendments

SB 1878 (Chapter 629, 1998). Kopp. Murder: Special Circumstances.
AB 1453 (Chapter 800, 1998). Cardenas. California State Lottery: Cardenas Textbook Act of 2000
SB 1690 (Chapter 760, 1998). Rainey. Peace Officers.

Initiative Statutes

802. Juvenile Crime. Initiative Statute.
Proponent: Pete Wilson, David La Bahn, c/o Richard D. Martland
819. Definition of Marriage. Initiative Statute
Proponent: Senator William J. "Pete" Knight
827. "None of the Above" Ballot Option. Initiative Statute.
Proponent: Teri Shugart Erickson and Alan F. Shugart

Referendum

824. Referendum Vote to Overturn Previously Approved Gaming Compacts.
Proponent: Richard M. Milanovich

Initiatives Pending Signature Verification

830. Public Works Projects. Use of Private Contractors for Engineering and Architectural Services. Initiative Constitutional Amendment and Statute.
Proponent: James P. Corn
839. Legislators' Compensation. Reapportionment. Initiative Constitutional Amendment.
Proponent: Edward J. Costa
837. Election Campaigns. Contribution and Spending Limits. Public Financing. Disclosures. Initiative Statute.
Proponents: Ron Unz and Tony Miller
833. School Facilities. Bonds. Local Majority Vote. Initiative Statute.
Proponent: Reed Hastings
832. Repeal of Additional Tobacco Surtax Enacted by Proposition 10. Initiative Statute.
Proponent: Ned Roscoe
849. Tribal Gaming. Initiative Constitutional Amendment and Statute.
Proponent: Richard M. Milanovich
767. Elections. Term Limits Declarations for Congressional Candidates. Initiative Statute.
Proponent: Sally Reed Impastato
Failed 9/8/99. Proponents reexamining petitions pursuant to GC §6253.5

Legislative Bond Measures Pending Governor's Signature

- AB 18 Villaraigosa. Bond: Parks, Water, and Coastal Protection Act.
- AB 1391 Hertzberg. Forensic Laboratories.
- AB 1584 Machado. Safe Drinking Water, Clean Water, Watershed Protection, and Flood Protection Act.
- SB 3 Rainey. California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act of 2000.
- SB 630 Dunn. Veterans' homes.

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JUL 20 1999

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July 15, 1999

TO: ALL COUNTY CLERKS/REGISTRARS OF VOTERS (99137)

Pursuant to Section 9033 of the Elections Code, I hereby certify that on July 15, 1999 the certificates received from the County Clerks or Registrars of Voters by the Secretary of State established that the Initiative Statute, "NONE OF THE ABOVE" BALLOT OPTION. has been signed by the requisite number of qualified electors needed to declare the petition sufficient. The "NONE OF THE ABOVE" BALLOT OPTION. INITIATIVE STATUTE. is, therefore, qualified for the March 7, 2000 statewide primary.

"NONE OF THE ABOVE" BALLOT OPTION. INITIATIVE STATUTE. Provides that in general, special, primary and recall elections for President, Vice President, United States House of Representatives and Senate, Governor, Lieutenant Governor, Attorney General, Controller, Secretary of State, Treasurer, Superintendent of Public Instruction, Insurance Commissioner, Board of Equalization, State Assembly and State Senate, voters may vote for "none of the above" rather than a named candidate. Votes for "none of the above" shall be tallied and listed in official election results, but only votes for named candidates will count for purposes of determining the election result. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: This measure could result in minor costs for the state and for county governments to modify their vote-counting and election-reporting procedures as a result of adding the choice of none of the above to candidate election ballots.



IN WITNESS WHEREOF, I hereunto set my hand and affix the Great Seal of the State of California this 15th day of July, 1999.

Bill Jones

BILL JONES
Secretary of State

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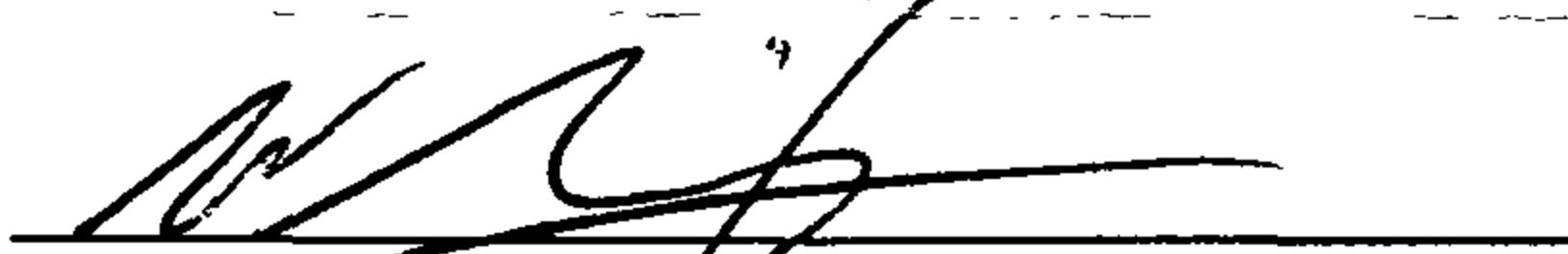
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FEB 09 1999

February 1, 1999

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TO: ALL COUNTY ELECTIONS OFFICIALS/INTERESTED PARTIES (99030)

FROM: 
WALDEEP SINGH
ELECTIONS ANALYST

SUBJECT: REVISED SIGNATURE REQUIREMENTS FOR INITIATIVES AND REFERENDA

There has been a revision to the November 3, 1998 General Election vote count total for the office of Governor. As a result, the new signature requirements for qualifying Initiative and Referendum Petitions in 1999 through the 2002 General Election have also changed, respectively. The new signature requirements are as follows:

Initiative Constitutional Amendment: (8 percent of 8,385,196 (Art. II, §8(b), Constitution))	670,816
Initiative Statute: (5 percent of 8,385,196 (Art. II §(b), Constitution))	419,260
Referendum: 5 percent of 8,385,196 (Art. II, §9(b), Constitution)	419,260

If you have any further questions regarding the revised signature requirements please do not hesitate to contact me at (916) 657-2166. Thank you.

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Secretary of State
State of California

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JUN 14 1999

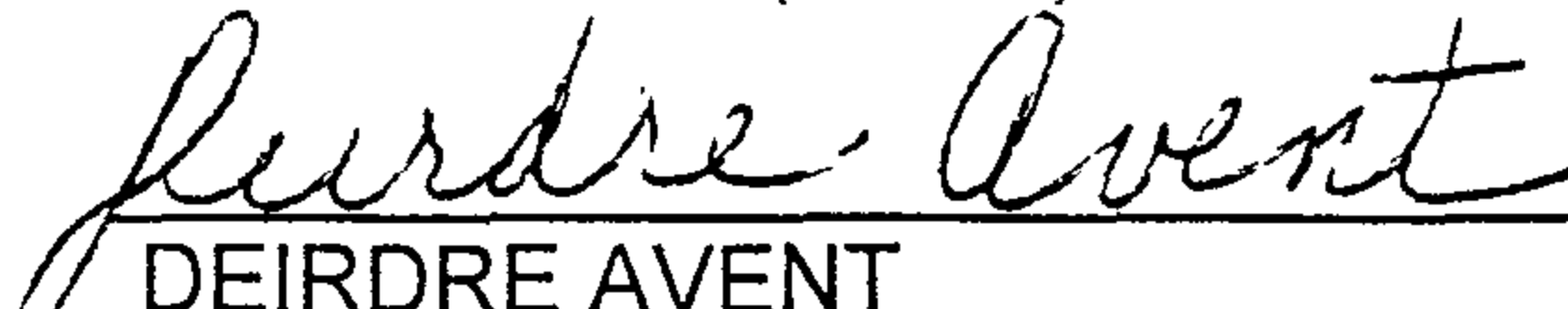
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June 3, 1999

#826

TO: ALL COUNTY CLERKS/REGISTRARS OF VOTERS AND
PROPONENT (99109)

FROM:


DEIRDRE AVENT
Elections Analyst

Pursuant to Elections Code section 9030(b), you are hereby notified that the total number of signatures to the hereinafter named proposed INITIATIVE CONSTITUTIONAL AMENDMENT 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: OMBUDSMAN GENERAL. DISTRICT OMBUDSMEN.

SUMMARY DATE: December 17, 1998

PROPONENT: Edson W. Wisely

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BILL JONES
Secretary of State
State of California

December 17, 1998

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e-mail: comments@ss.ca.gov

TO: ALL REGISTRARS OF VOTERS, OR COUNTY CLERKS, AND PROPONENTS (98420)

FROM: *Cathy Mitchell*
CATHY MITCHELL
ELECTIONS SPECIALIST

SUBJECT: INITIATIVE #826

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DEC 21 1998

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Pursuant to Elections Code section 336, we transmit herewith a copy of the Title and Summary prepared by the Attorney General on a proposed initiative measure entitled:

**OMBUDSMAN GENERAL. DISTRICT OMBUDSMEN.
INITIATIVE CONSTITUTIONAL AMENDMENT.**

The proponent of the above-named measure is:

Edson W. Wisely
177 Suburbia Avenue
Santa Cruz, CA 95062
(831) 426-3278



#826
OMBUDSMAN GENERAL. DISTRICT OMBUDSMEN.
INITIATIVE CONSTITUTIONAL AMENDMENT.

CIRCULATING AND FILING SCHEDULE

1. Minimum number of signatures required: 670,550
California Constitution, Article II, Section 8(b)

2. Official Summary Date:..... 12/17/98
Elections Code section (EC§) 336

3. Petitions Sections:
 - a. First day Proponent can circulate Sections for
signatures (EC §336) 12/17/98

 - b. Last day Proponent can circulate and file
with the county. All sections are to be filed at the
same time within each county (EC §336, 9030(a)) 05/17/99*

 - c. Last day for county to determine total number of
signatures affixed to petitions and to transmit total
to the Secretary of State (EC §9030(b))..... 05/27/99

(If the Proponent files the petition with the county on a date prior to 05/17/99,
the county has eight 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) (EC §9030(b)).

 - d. Secretary of State determines whether the total number
of signatures filed with all county clerks/registrars of
voters meets the minimum number of required signatures,
and notifies the counties (EC §9030(c))..... 06/05/99

 - 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
(EC §9030(d)(e))..... 07/16/99

* Date adjusted for official deadline which falls on Sunday (EC §15).

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INITIATIVE #826

Circulating and Filing Schedule continued:

(If the Secretary of State notifies the county to determine the number of qualified voters who signed the petition on a date other than 06/05/99, the last day is no later than the thirtieth day after the county's receipt of notification). (EC §9030(d)(e)).

f. If the signature count is more than 762,553 or less than 658,569 then the Secretary of State certifies the petition as qualified or failed, and notifies the counties. If the signature count is between 658,569 and 762,553 inclusive, then the Secretary of State notifies the counties using the random sampling technique to determine the validity of all signatures (EC §9030(f)(g); 9031(a))..... 07/26/99

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. (EC §9031(b)(c)). 09/06/99

(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 07/26/99, the last day is no later than the thirtieth working day after the county's receipt of notification) (EC §9031(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 (EC §9031(d); 9033) 09/10/99

** Date varies based on receipt of county certification.

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IMPORTANT POINTS

- 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 fundraising or requests for support. Any such misuses constitutes a crime under California law. Elections Code section 18650; *Bilofsky v. Deukmejian* (1981) 123 Cal. App. 3d 825, 177 Cal. Rptr. 621; 63 Ops. Cal. Atty. Gen. 37 (1980).
- Please refer to Elections Code sections 100,101,104,9001, 9008, 9009, 9021, and 9022 for appropriate format and type consideration in printing, typing and otherwise preparing your initiative petition for circulation 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.
- Your attention is directed to the campaign disclosure requirements of the **Political Reform Act of 1974**, Government Code section 81000 et seq. A brief summary is attached for your reference.
- 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.
- 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.
- When filing the petition with the county elections official, please provide a blank petition for elections official use.

Enclosures

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DANIEL E. LUNGREN
Attorney General

State of California
DEPARTMENT OF JUSTICE



1300 I STREET, SUITE 125
P.O. BOX 944255
SACRAMENTO, CA 94244-2550
Public: (916) 445-9555

Facsimile: (916) 323-2137
(916) 324-5490

December 17, 1998

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

DEC 17 1998

BILL JONES, Secretary of State

By 
Deputy Secretary of State

Bill Jones
Secretary of State
1500 - 11th Street, 5th Floor
Sacramento, California 95814

RE: INITIATIVE TITLE AND SUMMARY
SUBJECT: OMBUDSMAN GENERAL. DISTRICT OMBUDSMEN.
INITIATIVE CONSTITUTIONAL AMENDMENT.
FILE NO: SA 1998 RF 0020

Dear Mr. Jones:


Pursuant to the provisions of sections 9004 and 336 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 service thereof, and a copy of the proposed measure.

According to information available in our records, the name and address of the proponent are as stated on the declaration of service.

Sincerely,

DANIEL E. LUNGREN
Attorney General


CONNIE LEMUS
Initiative Coordinator

CL:fec
Enclosures



Date: December 17, 1998
File No: SA 1998 RF 0020

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

OMBUDSMAN GENERAL. DISTRICT OMBUDSMEN. INITIATIVE CONSTITUTIONAL AMENDMENT. Establishes state elective office of Ombudsman General; county elective office of District Ombudsman. Requires Ombudsman General to determine if existing state laws conflict with United States or California constitutions. If state Attorney General agrees with determination that law conflicts with either constitution, law is null and void; otherwise, grand jury has final decision. Makes District Ombudsmen responsible for prosecuting cases involving constitutional violations by public officials, police, or courts. Requires District Ombudsman's prior approval for strip searches, specified impoundment or confiscation of property, or plea bargaining. Specifies penalties for violation of constitutional rights. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: The measure would likely result in unknown, but probably major, annual costs for state and local governments for support of the Offices of Ombudsman General and District Ombudsman, and the new responsibilities of the Attorney General. The magnitude of these costs would depend upon the scope of review of existing laws, the number determined to be invalid, and the extent to which citizens use services provided by District Ombudsmen offices. If the measure results in state laws being declared null and void, the measure could result in costs or savings to state and local governments, depending on the specific laws that are invalidated. Thus, the net fiscal impact of the measure is unknown.

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SA 98 RF 0020, Amdt. #1-5

177 Suburbia Avenue
Santa Cruz, CA 95062
October 20, 1998
Telephone (831) 426 3278
EMail: ewisely@mcimail.com

Department of Justice
Office of the Attorney General
1300 I Street
Suite 125
Sacramento, CA 95814

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OCT 26 1998

Dear Mr. Lundgren:

Reference Proposed Initiative (Your File No. SA 98 RF 0020)

INITIATIVE COORDINATOR
ATTORNEY GENERAL'S OFFICE

Thank you for your letter of October 15, 1998, acknowledging receipt of referenced draft initiative, and providing current status.

Please note my telephone number above, as requested, plus my EMail address.

After more study of the processing issues facing my initiative, I believe my initiative should be amended to read as the enclosed draft, instead of as the original submitted, and hereby authorize the changes to be made.

Also enclosed is a list of what I consider to be the chief purpose and points of my proposed measure.

Sincerely,

Edson W. Wisely

Edson W. Wisely

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SA98RF0020,
Amnt. #1-5

Reaffirmation of Constitutional Law

Purpose: The purpose of this measure is to restore citizen's constitutional rights, including, but not limited to, all rights guaranteed by the United States Constitution, as amended, and the California Constitution.

Scope: This measure prescribes changes to government structure and existing law.

This measure establishes the California State Office of Ombudsman General, which shall implement and manage all resources to effect the stated purpose. The Ombudsman General shall be a state elective office, equivalent in powers and stature to the Attorney General, except that investigations and prosecutions must directly relate to constitutional issues. The Office of the Ombudsman General shall oversee all (elected county) District Ombudsmen, who are equivalent in powers and stature to the District Attorney. Each District Ombudsman is responsible to be aware of public officials', police, or court violations of citizens' rights within his county, using the investigative powers of the grand jury, and prosecuting cases involving constitutional violations whenever appropriate. The District Ombudsman's office must be available to the public for advice or legal representation on constitutional issues.

Qualifications: Ombudsmen are considered qualified when elected. They must manage staffs which may require persons with legal training. All legal support personnel are required to have at least 35% of educational training credits in constitutional law from an accredited college or university.

Implementation. This measure invalidates all state laws which conflict in any way with the U.S. or California Constitution. Therefore, state laws must be reexamined for compliance, and may be flagged for deletion by the Office of the Ombudsman General. Laws flagged for deletion must be identified to the Attorney General. The Attorney General has three working days to respond. If the Attorney General agrees that a conflict exists, that law immediately becomes null and void. If the Attorney General does not agree that a conflict exists, the final decision shall be left up to any grand jury in the county which is next (in turn) in alphabetical order.

This measure requires that all elected officials take an "Oath of Office", promising to work toward insuring all citizens' constitutional rights, under penalty of perjury.

This measure requires that prior approval by the District Ombudsman's office be obtained before the following police or prosecutorial actions are permitted:

1. Strip searches
2. Confiscation or impoundment of property, except for safety or evidence purposes.
3. Plea bargaining

Penalties: The penalty for violation of, or failure to protect, any citizen's constitutional rights by any person is a minimum of six months incarceration, and lifetime forfeiture of rights to hold any public office or government employment. The court may also impose appropriate monetary or non-monetary penalties, including punitive damages for citizens or governmental entities.

If this measure is in conflict, in any part, with existing laws, statutes, or procedures, this measure shall take precedence.

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