

9-6-2011

Eliminates Collective Bargaining Rights for Teachers, Nurses, Police Officers, Firefighters, and Other Public Employees.

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DEBRA BOWEN | SECRETARY OF STATE
STATE OF CALIFORNIA | ELECTIONS

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February 16, 2012

County Clerk/Registrar of Voters (CC/ROV) Memorandum # 12065

TO: All County Clerks/Registrars of Voters and Proponent

FROM:


Katherine Montgomery
Initiative Program Manager

RE: Initiative: Failure of #1500, Related to Labor

Pursuant to Elections Code section 9030(b), you are hereby notified that the total number of signatures for the hereinafter named 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: ELIMINATES COLLECTIVE BARGAINING RIGHTS FOR
TEACHERS, NURSES, POLICE OFFICERS, FIREFIGHTERS,
AND OTHER PUBLIC EMPLOYEES. INITIATIVE
CONSTITUTIONAL AMENDMENT.

SUMMARY DATE: September 6, 2011

PROPONENT: Alan Oliver Ebenstein



**DEBRA BOWEN | SECRETARY OF STATE
STATE OF CALIFORNIA | ELECTIONS**

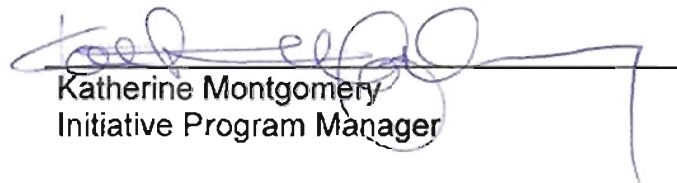
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September 6, 2011

County Clerk/Registrar of Voters (CC/ROV) Memorandum #11068

TO: All County Clerks/Registrars of Voters and Proponent

FROM:


Katherine Montgomery
Initiative Program Manager

RE: Initiative: 1500, Related to Labor

Pursuant to Elections Code section 9004 (c), we transmit herewith a copy of the Title and Summary prepared by the Attorney General on a proposed initiative measure entitled:

**ELIMINATES COLLECTIVE BARGAINING RIGHTS
FOR TEACHERS, NURSES, POLICE OFFICERS, FIREFIGHTERS, AND
OTHER PUBLIC EMPLOYEES. INITIATIVE CONSTITUTIONAL AMENDMENT.**

The proponent of the above-named measure is:

Alan Oliver Ebenstein
c/o Lanny Ebenstein
2685 Glendessary Lane
Santa Barbara, CA 93105

(805) 682-9815

#1500

**ELIMINATES COLLECTIVE BARGAINING RIGHTS
FOR TEACHERS, NURSES, POLICE OFFICERS, FIREFIGHTERS, AND
OTHER PUBLIC EMPLOYEES. INITIATIVE CONSTITUTIONAL AMENDMENT.**

CIRCULATING AND FILING SCHEDULE

1. Minimum number of signatures required: 807,615
California Constitution, Article II, Section 8(b)

2. Official Summary Date: Tuesday, 09/06/11

3. Petitions Sections:
 - a. First day Proponent can circulate Sections for
signatures (Elections Code § 336) Tuesday, 09/06/11

 - b. Last day Proponent can circulate and file with the county.
All sections are to be filed at the same time within each
county. (Elections Codes §§ 9014, 9030(a)) Friday, 02/03/12

 - c. Last day for county to determine total number of
signatures affixed to petitions and to transmit total
to the Secretary of State (Elections Code § 9030(b)).....Thursday, 02/16/12

(If the Proponent files the petition with the county on a date prior to
02/03/12, 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) (Elections Code § 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.....Saturday, 02/25/12*

 - 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
(Elections Code §§ 9030(d)(e)).....Friday, 04/06/12

* Date varies based on the date of county receipt.

INITIATIVE #1500
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 02/25/12, the last day is no later than the thirtieth working day after the county's receipt of notification). (Elections Code §§ 9030(d)(e).)

- f. If the signature count is more than 888,377 or less than 767,235 then the Secretary of State certifies the petition as qualified or failed, and notifies the counties. If the signature count is between 767,235 and 888,377 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)) Monday, 04/16/12*

- 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. (Elections Code §§ 9031(b)(c)). Tuesday, 05/29/12

(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 04/16/12, the last day is no later than the thirtieth working day after the county's receipt of notification.) (Elections Code §§ 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 (Elections Code §§ 9031(d), 9033)... Saturday, 06/02/12*

*Date varies based on the date of county receipt.

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 § 18650; *Bilofsky v. Deukmejian* (1981) 124 Cal.App.3d 825, 177 Cal.Rptr. 621; 63 Ops.Cal.Atty.Gen. 37 (1980).
- Please refer to Elections Code §§ 100, 101, 104, 9008, 9009, 9013, 9021, and 9022 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.
- Your attention is directed to the campaign disclosure requirements of the **Political Reform Act of 1974**, Government Code section 81000 et seq.
- 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.

KAMALA D. HARRIS
Attorney General

State of California
DEPARTMENT OF JUSTICE



1300 I STREET, SUITE 125
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Public: (916) 445-9555
Telephone: (916) 324-5464
Facsimile: (916) 324-8835
E-Mail: Dawn.McFarland@doj.ca.gov

September 6, 2011

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

The Honorable Debra Bowen
Secretary of State
Office of the Secretary of State
1500 11th Street, 5th Floor
Sacramento, CA 95814

SEP 06 2011 VIA EMAIL

Debra Bowen, Secretary of State
By 
Deputy Secretary of State

Attention: Ms. Katherine Montgomery
Elections Analyst

Dear Secretary Bowen:

Pursuant to Elections Code section 9004, you are hereby notified that on this day we sent our title and summary for the following proposed initiative to the proponent:

- 11-0020, "End Public Sector Bargaining Act"

A copy of that title and summary and text of the proposed initiative is enclosed. Please contact me if you have questions.

Sincerely,

DAWN L. MCFARLAND
Acting Initiative Coordinator

For KAMALA D. HARRIS
Attorney General

DLM:

September 6, 2011
Initiative 11-0020

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

**ELIMINATES COLLECTIVE BARGAINING RIGHTS FOR TEACHERS, NURSES,
POLICE OFFICERS, FIREFIGHTERS, AND OTHER PUBLIC EMPLOYEES.**

INITIATIVE CONSTITUTIONAL AMENDMENT. Eliminates collective bargaining rights for teachers, nurses, police officers, firefighters, and other public employees. Prohibits state and local public agencies from recognizing any labor union or other employee association as a bargaining agent of any public employee. Prohibits state and local public agencies from collectively bargaining with public employee unions or employee associations. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: **Potential state and local government employee compensation savings. The amount of savings would depend on future compensation decisions by state and local governments. (11-0020.)**

July 12, 2011

RECEIVED

JUL 15 2011

VIA MESSENGER

Initiative Coordinator
Office of the Attorney General
1300 "I" Street
Sacramento, California 95814

INITIATIVE COORDINATOR
ATTORNEY GENERAL'S OFFICE

Re: Request for Title and Summary for Proposed Initiative

I hereby request that the Attorney General prepare a title and summary of the attached proposed statewide ballot measure pursuant to Elections Code section 9002. The text of the measure, "End Public Sector Bargaining Act," a check for \$200 payable to the State of California, and the address at which I am registered to vote are enclosed.

Thank you for your attention to this matter.

Yours sincerely,



Alan Oliver Ebenstein

Address for correspondence:

Lanny Ebenstein, President
California Center for Public Policy
2685 Glendessary Lane
Santa Barbara, CA 93105
Ph. (805) 682-9815

End Public Sector Bargaining Act

Section 1. Title

This measure shall be known and may be cited as the End Public Sector Bargaining Act.

Section 2. Findings and Declaration of Purpose

The People of the State of California find and declare that the purpose of local and state government is to provide cost-effective and quality public services and benefits to residents at a reasonable cost. The current system of public sector collective bargaining is inimical to appropriate taxation and government spending and regulatory policies. Therefore, the People of the State of California hereby enact the End Public Sector Bargaining Act.

Section 3. End Public Sector Bargaining Act

Section 6 of Article 14 of the California Constitution is added to read:

Article 14, Section 6. Prohibition of Public Sector Collective Bargaining

No state, county, municipal, or like government officer, agent, or governing body is vested with or possesses any authority to recognize any labor union or other employee association as a bargaining agent of any public officers or employees, or to bargain collectively or to enter into any collective bargaining contract, memorandum of understanding or other agreements with any such union or association or its agents with respect to any matter relating to public officers or employees or their employment or service.

Section 4. Severability

The provisions of this Act are severable. If any provision of this Act or its application is held invalid, that finding shall not affect other provisions or application that can be given effect without the invalid provision or application.

Section 5. Effective Date

This Act shall become effective upon its approval by the voters.