

1-3-2012

## Legislature Expansion. Legislative Process. Initiative Constitutional Amendment.

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Legislature Expansion. Legislative Process. Initiative Constitutional Amendment. California Initiative 1540 (2012).  
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**DEBRA BOWEN** | SECRETARY OF STATE  
STATE OF CALIFORNIA | ELECTIONS

1500 11th Street, 5th Floor | Sacramento, CA 95814 | Tel (916) 657-2166 | Fax (916) 653-3214 | www.sos.ca.gov

June 14, 2012

County Clerk/Registrar of Voters (CC/ROV) Memorandum #12193

TO: All County Clerks/Registrars of Voters and Proponent

FROM:

  
Katherine Montgomery  
Initiative Program Manager

RE: Initiative: Failure of #1540, Related to the Legislature

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: LEGISLATURE EXPANSION. LEGISLATIVE PROCESS.  
INITIATIVE CONSTITUTIONAL AMENDMENT.

SUMMARY DATE: January 3, 2012

PROPONENT: John Cox



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

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January 4, 2012

County Clerk/Registrar of Voters (CC/ROV) Memorandum #12003

TO: All County Clerks/Registrars of Voters and Proponent

FROM:

  
Katherine Montgomery  
Initiative Program Manager

RE: Initiative: 1540, Related to the Legislature

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:

**LEGISLATURE EXPANSION. LEGISLATIVE  
PROCESS. INITIATIVE CONSTITUTIONAL AMENDMENT.**

The proponent of the above-named measure is:

John Cox  
P.O. Box 3848  
Rancho Santa Fe, CA 92067

(847) 274-8814

#1540

LEGISLATURE EXPANSION. LEGISLATIVE  
PROCESS. INITIATIVE CONSTITUTIONAL AMENDMENT.

CIRCULATING AND FILING SCHEDULE

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1. Minimum number of signatures required: ..... 807,615  
California Constitution, Article II, Section 8(b)
2. Official Summary Date: ..... Tuesday, 01/03/12
3. Petitions Sections:
  - a. First day Proponent can circulate Sections for  
signatures (Elections Code § 336) ..... Tuesday, 01/03/12
  - 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, 06/01/12
  - 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)) ..... Wednesday, 06/13/12  

(If the Proponent files the petition with the county on a date prior to  
06/01/12, 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 ..... Friday, 06/22/12\*
  - 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)) ..... Monday, 08/06/12

\* Date varies based on the date of county receipt.

**INITIATIVE #1540**  
**Circulating and Filing Schedule continued:**

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(If the Secretary of State notifies the county to determine the number of qualified voters who signed the petition on a date other than 06/22/12, 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)) .....Thursday, 08/16/12\*
  
- 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)). .....Monday, 10/01/12

(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 08/16/12, 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).....Friday, 10/05/12\*

\*Date varies based on the date of county receipt.

## IMPORTANT POINTS

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- 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  
P.O. BOX 944255  
SACRAMENTO, CA 94244-2550

Public: (916) 445-9555  
Telephone: (916) 445-4752  
E-Mail: Ashley.Johansson@doj.ca.gov

January 3, 2012

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

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:

- 11-0067 "The Neighborhood Legislature Reform Act"

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

Sincerely,

ASHLEY JOHANSSON  
Initiative Coordinator

For **KAMALA D. HARRIS**  
Attorney General

cc: John Cox

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

JAN 03 2012

VIA  
EMAIL  
4:27 pm

Debra Bowen, Secretary of State  
By   
Deputy Secretary of State

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

**LEGISLATURE EXPANSION. LEGISLATIVE PROCESS. INITIATIVE**

**CONSTITUTIONAL AMENDMENT.** Increases size of Legislature almost 100-fold by dividing current Assembly and Senate districts into neighborhood districts such that each Assemblymember represents about 5,000 persons and each Senator represents about 10,000 persons. Provides for neighborhood district representatives to elect working committees the size of the current Assembly and Senate, 80 Assemblymembers and 40 Senators. Gives working committees the legislative power generally, and sole power to amend bills, but requires approval by appropriate vote of the full membership in each house for passage of any non-urgency bill. Reduces legislators' pay and expenditures. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: **Decreased state spending on the Legislature of over \$180 million annually. Increased county election costs, potentially in the range of tens of millions of dollars initially and lower amounts annually thereafter.** (11-0067.)



*John Cox*  
*P.O. Box 3848*  
*Rancho Santa Fe, CA 92067*

**RECEIVED**

NOV 03 2011

INITIATIVE COORDINATOR  
ATTORNEY GENERAL'S OFFICE

November 2, 2011

Initiative Coordinator  
Office of the Attorney General  
State of California  
PO Box 994255  
Sacramento, CA 94244-25550

Re: Request for Title and Summary for Proposed Initiative

Dear Ms. McFarland:

Pursuant to Article II, Section 10(d) of the California Constitution, I am submitting the attached proposed statewide ballot measure ("The Neighborhood Legislature Reform Act") to your office and request that you prepare a circulating title and summary of the measure as provided by law. I have also included with this letter the required signed statement pursuant to California Elections Code sections 9001 and 9608, and a check in the amount of \$200. My address as registered to vote is shown on Attachment 'A' to this letter.

Thank you for your time and attention to this important matter. Should you have any questions or require additional information, please contact the undersigned at (847) 274-8814.

Very Truly Yours,

  
John Cox

## INITIATIVE MEASURE TO BE SUBMITTED TO VOTERS

## SECTION 1. DECLARATION OF FINDINGS

A. Our state Legislature does not serve the interests of the citizens. The Legislature only serves the special interests. Prior attempts at reform have all failed.

B. The problem is that our Legislative districts are too big and cost taxpayers too much money. Our Legislators represent too many constituents. The average assembly district in the other 49 states has approximately 50,000 citizens. The average assembly district in California is nearly 10 times larger – approaching nearly 500,000 citizens.

C. It is no wonder that most citizens have never even met their legislative representative, much less been asked their opinion on an important policy issue. We should not be surprised that our Legislators are not our neighbors and do not share our concerns about the future.

D. The primary concern of our current Legislature is staying in office as long as possible and appeasing the special interests that donate to their campaigns that keep them in office.

E. Our system of representative government requires a citizen Legislature.

## SECTION 2. STATEMENT OF PURPOSE

A. The size of legislative districts must be reduced so that Legislators represent the interests of their neighbors and not the special interests.

B. At the same time, the Legislature must function effectively and cost taxpayers less money. Procedures must be enacted to provide for the effective administration of legislative business and to protect taxpayers.

C. Therefore, the people hereby enact "The Neighborhood Legislature Reform Act."

### SECTION 3. THE NEIGHBORHOOD LEGISLATURE REFORM ACT

Section 1, 2, 6, and 7.5 of Article IV are hereby amended and section 9.5 of Article IV is hereby added to read as follows (additions shown in underline type and deletions shown in ~~strikeout type~~):

Sec. 1. The legislative power of this State is vested in the California Legislature which consists of neighborhood representatives elected to the Senate and Assembly, but the people reserve to themselves the powers of initiative and referendum.

Sec. 2. (a) The Senate shall be comprised of representatives from neighborhood districts, as provided in section 6. ~~has a membership of 40~~ Senators shall be elected for 4-year terms, 20 half to begin every 2 years. No Senator may serve more than 2 terms.

The Assembly shall be comprised of representatives from neighborhood districts, as provided in section 6. ~~has a membership of 80 members~~ Assembly members shall be elected for 2-year terms. No member of the Assembly may serve more than 3 terms.

Their terms shall commence on the first Monday in December next following their election.

(b) Election of members of the Assembly shall be on the first Tuesday after the first Monday in November of even-numbered years unless otherwise prescribed by the Legislature. Senators shall be elected at the same time and places as members of the Assembly.

(c) A person is ineligible to be a member of the Legislature unless the person is an elector and ~~has been~~ is a resident of the legislative neighborhood district ~~for one year~~, and a citizen of the United States and a resident of California for 3 years, immediately preceding the election.

(d) When a vacancy occurs in the Legislature the Governor immediately shall call an election to fill the vacancy.

(e) The Senate Working Committee shall be comprised of 40 Senators, chosen from among the neighborhood representatives elected within each Senatorial District. The Assembly Working Committee shall be comprised of 80 Assembly members chosen from among the neighborhood representatives elected within each Assembly District. One Member of the Working Committee shall be elected by majority vote of the neighborhood representatives from each Senatorial and Assembly District in an open meeting held pursuant to section 3(a). When a vacancy occurs in a Working Committee, the vacancy shall be filled by the neighborhood representatives from a Senatorial or Assembly District, as appropriate. The Senate and Assembly may remove a member of their respective Working Committee upon a rollcall vote entered into the journal, two thirds of the membership of the house concurring.

Sec. 3. (a) The Legislature shall convene in regular session at noon on the first Monday in

December of each even-numbered year for the purpose of choosing which neighborhood representatives will serve in the Working Committees of and each house and each Working Committee shall immediately organize. Each session of the Legislature shall adjourn sine die by operation of the Constitution at midnight on November 30 of the following even-numbered year.

(b) On extraordinary occasions the Governor by proclamation may cause the Legislature or both Working Committees to assemble in special session. When so assembled it has power to legislate only on subjects specified in the proclamation but may provide for expenses and other matters incidental to the session.

(c) The Senate or Assembly may convene upon petition signed by twenty-five percent (25%) of the members for the purpose of removing a member of their respective Working Committee pursuant to section 2(e), or to provide direction or input to their respective Working Committee regarding any legislative matter.

(d) Except as provided in section 9.5, all legislative power provided for in this Article shall be exercised by the Senate and Assembly Working Committees and any reference to "Senate," "Assembly," "Legislature," or "house," herein means the Senate and Assembly Working Committees.

(e) The provisions of section 4(a), 4.5, 5, 13 and 15, including the provisions regarding ethics, and conflicts of interest, shall apply to all members of the Legislature, including the Senate and Assembly Working Committees.

(f) Notwithstanding section 8 of Article III, the compensation for each Senator and Assembly member shall be one thousand dollars (\$1,000) per year, however, compensation for a member of the Senate and Assembly Working Committees shall be thirty thousand dollars (\$30,000) per year. Notwithstanding section 4(b), neighborhood representatives shall be reimbursed for his or her actual travel expense attending legislative sessions and members of the Senate and Assembly Working Committee shall be reimbursed his or her actual travel and living expenses, not to exceed two hundred dollars (\$200) per day. The Citizens Compensation Commission may adjust the salary and per diem of members based on the Consumer Price Index for California.

Sec. 6. For the purpose of choosing members of the Legislature, the State shall be divided into 40 Senatorial and 80 Assembly districts to be called Senatorial and Assembly Districts. Each Senatorial district shall be further divided into neighborhood districts of populations of approximately 10,000 persons, as nearly equal as is practical. choose one Senator and each Each Assembly district shall be further divided into neighborhood districts of populations of approximately 5,000 persons, as nearly equal as is practical. choose one member of the Assembly.

Boundary lines for Senatorial, Assembly, and neighborhood districts shall be drawn pursuant to Article XXI.

Sec. 7.5. In the fiscal year immediately following the adoption of the Neighborhood Legislature Reform Act this Act, the total aggregate expenditures of the Legislature for the compensation of members and employees of, and the operating expenses and equipment for, the Legislature may

not exceed an amount equal to ~~nine hundred fifty thousand dollars (\$950,000) per member for that fiscal year or 80~~ 25 percent of the amount of money expended for those purposes in the preceding fiscal year, ~~whichever is less~~. For each fiscal year thereafter, the total aggregate expenditures may not exceed an amount equal to that expended for those purposes in the preceding fiscal year, adjusted and compounded by an amount equal to the percentage increase in the appropriations limit for the state established pursuant to Article XIII B.

Sec. 9.5. Notwithstanding any other provision of this Constitution, except for urgency bills pursuant to section 8(d), a bill, including the budget bill, passed by both the Senate and Assembly Working Committee's shall not be presented to the Governor unless the bill has first been presented to and approved by each house of the whole Legislature by the appropriate vote required for enactment of the bill. No amendment to a bill so presented may be offered, considered, or approved by either house of the whole Legislature. The whole Legislature may be convened for this purpose, or to override a veto pursuant to section 10, upon at least ten (10) days notice at any time by a joint resolution passed by both Working Committees.

#### SECTION 4. EFFECTIVE DATE

This Act shall go into effect immediately upon its adoption by the voters and shall become operative as follows:

(a) Within 6 months, the Citizens Redistricting Commission that served in 2011 shall draw boundary lines for neighborhood districts based on the Senatorial and Assembly Districts approved in 2011. If no Senatorial or Assembly District was approved or enacted by the Citizens Redistricting Commission, the Supreme Court shall draw boundary lines for neighborhood districts pursuant to section 2(j) or section 3 of Article XXI.

(b) Elections shall be conducted and the Legislature convened pursuant this this Act in 2014. Any Senator serving an unexpired term in 2014 shall be deemed the neighborhood representative for this neighborhood district in which he or she resides without an election. If two or more Senators reside in the same neighborhood district, the Citizens Redistricting Commission shall assign each Senator to represent a neighborhood district nearest to his or her residence for the remainder of the term, without an election.

#### SECTION 5. SEVERABILITY/CONFLICTING MEASURES

(a) If any part of this measure or the application to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications which can reasonably be given effect without the invalid provision or application.

(b) This measure is intended to be comprehensive. It is the intent of the People that in the event this measure or measures relating to the same subject shall appear on the same statewide election ballot, the provisions of the other measure or measures shall be deemed to be in conflict with this measure. In the event that this measure receives a greater number of affirmative votes,

the provisions of this measure shall prevail in their entirety, and all provisions of the other measure or measures shall be null and void.

(c) If the voters amend the limitations on terms provided for in Section 2(a) of Article IV in June, 2012, then the limitations as amended shall apply to this Act.