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Legislature Expansion. Legislative Process. Initiative Constitutional Amendment.

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RECEIVED

OCT 24 2013

Ashley Johansson
Initiative Coordinator
Office of the Attorney General
State of California
P.O. Box 994255
Sacramento, CA 94244-25550

INITIATIVE COORDINATOR
ATTORNEY GENERAL'S OFFICE

Re: Request for Title and Summary for Proposed Initiative

Dear Ms. Johansson:

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, section 9.5 of Article IV is hereby added to the California Constitution to read as follows (additions shown in underline type and deletions shown in ~~strikeout type~~):

Article IV

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) (1) 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, half 20 to begin every 2 years.

(2) The Assembly shall be comprised of representatives from neighborhood districts, as provided in section 6. ~~Assembly members shall be~~ has a membership of 80 members elected for 2-year terms.

(3) The terms of a Senator or a Member of the Assembly shall commence on the first Monday in December next following her or his election.

(4) During her or his lifetime a person may serve no more than 12 years in the Senate, the Assembly, or both, in any combination of terms. This subdivision shall apply only to those Members of the Senate or the Assembly who are first elected to the Legislature after the effective date of this subdivision and who have not previously served in the Senate or Assembly. Members of the Senate or Assembly who were elected before the effective date of this subdivision may serve only the number of terms allowed at the time of the last election before the effective date of this subdivision.

(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, and service of the full term of office to which the person is seeking to be elected would not exceed the maximum years of service permitted by subdivision (a) of this section.

(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 Senate members, 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 fifty thousand dollars (\$50,000) 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~~ fifty (50%) 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 shall draw boundary lines for neighborhood districts based on the Senatorial and Assembly Districts approved in 2011.

(b) Elections shall be conducted and the Legislature convened pursuant this this Act in 2016. Any Senator serving an unexpired term in 2016 shall be deemed the neighborhood representative for the neighborhood district in which he or she resides without an election, and shall be exempt from any reduction in compensation pursuant to section 3(f) for the remainder of the unexpired term. 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/ STANDING

(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) The people of the State of California declare that the proponent of this Act has a direct and personal stake in defending this Act and grant formal authority to the proponent to defend this Act in any legal proceeding, either by intervening in such legal proceeding, or by defending the Act on behalf of the people and the State in the event that the State declines to defend the Act or declines to appeal an adverse judgment against the Act.

(d) In the event that the proponent is defending this Act in a legal proceeding because the State has declined to defend it or to appeal an adverse judgment against it, the proponent shall:

- (1) act as an agent of the people and the State;
- (2) be subject to all ethical, legal, and fiduciary duties applicable to such parties in such legal proceedings;
- (3) take and be subject to the Oath of Office prescribed by Article XX, section 3 of the California Constitution for the limited purpose of acting on behalf of the people and the State in such legal proceeding; and
- (4) be entitled to recover reasonable legal fees and related costs from the State.