

11-4-1997

Appropriations. Budget Bill. Majority Vote.
Forfeiture Of Governor'S And Legislators' Salaries
Due To Late Budget.

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BILL JONES
Secretary of State
State of California

ELECTIONS DIVISION
(916) 657-2166
1500 - 11th STREET
SACRAMENTO, CA 95814
Voter Registration Hotline
1-800-345-VOTE
For Hearing and Speech Impaired
Only
1-800-833-8683
e-mail: comments@ss.ca.gov

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APR 21 1998

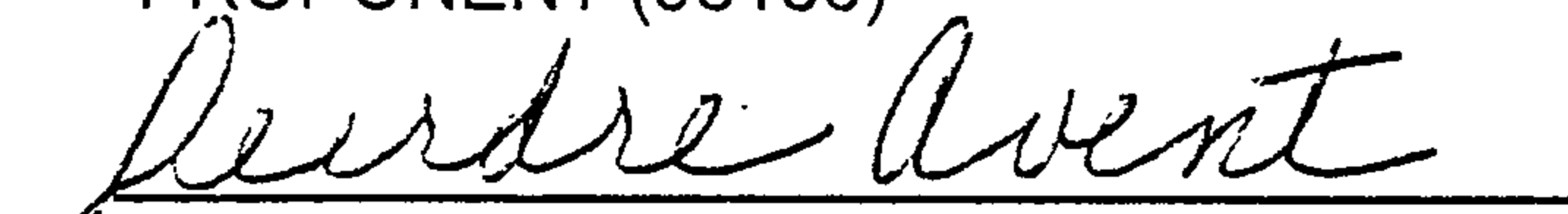
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COLLECTED

April 15, 1998

#765

TO: ALL COUNTY CLERKS/REGISTRARS OF VOTERS AND
PROPONENT (98156)

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: APPROPRIATIONS. BUDGET BILL. MAJORITY VOTE.
FORFEITURE OF GOVERNOR'S AND LEGISLATORS' SALARIES
DUE TO LATE BUDGET.

SUMMARY DATE: November 4, 1997

PROPONENT: Thomas L. Reese

1

2

3

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November 4, 1997

TO: ALL REGISTRARS OF VOTERS, OR COUNTY CLERKS, AND PROPONENTS (97178)

FROM: *C. Mitchell*
CATHY MITCHELL
INITIATIVE COORDINATOR

SUBJECT: INITIATIVE #765

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:

APPROPRIATIONS. BUDGET BILL. MAJORITY VOTE. FORFEITURE OF GOVERNOR'S AND LEGISLATORS' SALARIES DUE TO LATE BUDGET. INITIATIVE CONSTITUTIONAL AMENDMENT.

The proponent of the above-named measure is:

Thomas L. Reese
1901 Third Avenue
Oakland, California 94606
(510) 834-9880

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NOV 10 1997

#765

APPROPRIATIONS. BUDGET BILL. MAJORITY VOTE. FORFEITURE OF GOVERNOR'S
AND LEGISLATORS' SALARIES DUE TO LATE BUDGET.
INITIATIVE CONSTITUTIONAL AMENDMENT.

CIRCULATING AND FILING SCHEDULE

1. Minimum number of signatures required: 693,230
California Constitution, Article II, Section 8(b)
2. Official Summary Date:.....Tuesday, 11/04/97
Elections Code section (EC§) 336
3. Petitions Sections:
 - a. First day Proponent can circulate Sections for
signatures (EC §336)Tuesday, 11/04/97
 - 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)) Friday, 04/03/98
 - 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)).....Wednesday, 04/15/98

(If the Proponent files the petition with the county on a date prior to 04/03/98,
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))..... Friday, 04/24/98*
 - 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)).....Monday, 06/08/98

* Date varies based upon receipt of county certification. Elec. Cd. §15.

INITIATIVE #765

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 04/24/98, 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))..... Thursday, 06/18/98*

- 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)).Thursday, 07/30/98

(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 06/18/98, 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) Monday, 08/03/98*

NOTE TO PROPONENTS WHO WISH TO QUALIFY FOR THE NOVEMBER 3, 1998 GENERAL ELECTION: This initiative must be certified for the ballot 131 days before the election (June 25, 1998). Please remember to time your submissions accordingly. For example, in order to allow the maximum time permitted by law for the random sample verification process, it is suggested that proponents file their petitions to county elections official by April 17, 1998. If a 100% check of signatures is necessary, it is advised that the petitions be filed by February 25, 1998.

* Date varies based on receipt of county certification. Elec. Cd. §15.

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

DANIEL E. LUNGREN
Attorney General

State of California
DEPARTMENT OF JUSTICE



1300 I STREET, SUITE 125
P.O. BOX 944255
SACRAMENTO, CA 94244-2550
(916) 445-9555
Facsimile: (916) 323-2137
(916) 324-5490


November 4, 1997

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

NOV 04 1997

Bill Jones
Secretary of State
1500 - 11th Street
Sacramento, CA 95814

BILL JONES, Secretary of State

By 
Deputy Secretary of State

Re: Initiative Title and Summary
Subject: APPROPRIATIONS. BUDGET BILL. MAJORITY VOTE. FORFEITURE
OF GOVERNOR'S AND LEGISLATORS' SALARIES DUE TO LATE BUDGET.
INITIATIVE CONSTITUTIONAL AMENDMENT.
File No: SA 97 RF 0027

Dear Mr. Jones:

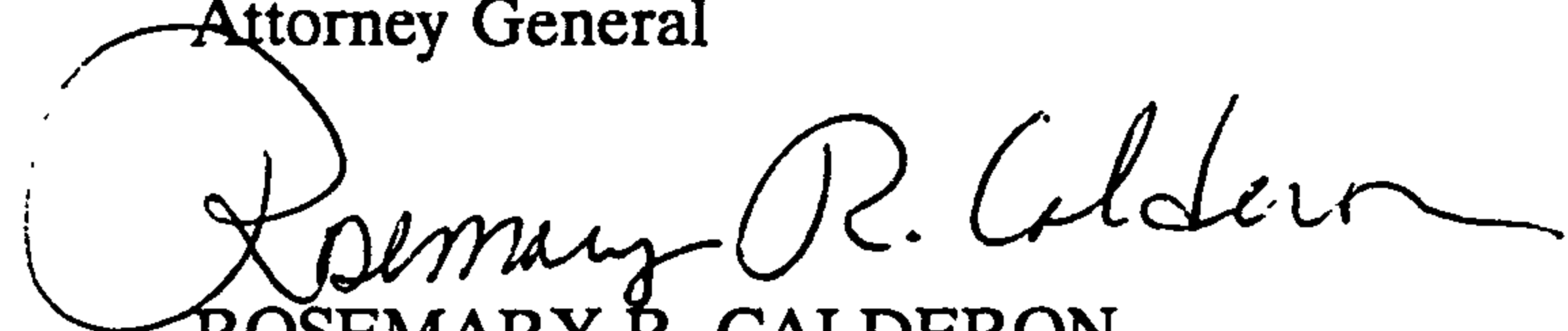
Pursuant to the provisions of sections 9004 and 336 of the Elections Code, you are hereby notified that on this day we mailed to the proponent of the above-identified proposed initiative our title and summary.

Enclosed is a copy of our transmittal letter to the proponent, a copy of our title and summary, a declaration of 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.

Sincerely,

DANIEL E. LUNGREN
Attorney General


ROSEMARY R. CALDERON
Initiative Coordinator

RRC:fec
Enclosures

Date: November 4, 1997
File No.: SA 97 RF 0027

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

APPROPRIATIONS. BUDGET BILL. MAJORITY VOTE. FORFEITURE OF GOVERNOR'S AND LEGISLATORS' SALARIES DUE TO LATE BUDGET. INITIATIVE CONSTITUTIONAL AMENDMENT. Authorizes adoption of budget bill by majority vote of Legislature. Requires Governor and Members of Legislature to forfeit salaries and payments for travel and living expenses if budget bill is not enacted by June 30th of any year, until the date the budget bill is enacted. Requires Controller to report total amount forfeited. Requires amount forfeited by Legislators to be included within the Legislature's total aggregate expenses for the fiscal year. Applies to budget bills beginning with 1999-2000 fiscal year. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local governments: The initiative could result in significant, though unknown, budgetary effects. It also would result in unknown savings, depending on the extent to which annual budget bills are enacted following the start of the fiscal year.

SA97RF0027
Amdt. #1-S

Lakeshore Convalescent Hospital



1901 Third Avenue
Oakland, California 94606

510 834-9880

September 8, 1997

Attorney Genral's Office
1300 "I" Street
Sacramento, CA 94244

Attn: Rosemary Calderon
Initiative Coordinator

Dear Ms. Calderon,

Enclosed is a copy of the proposed changes to the Proposed Initiative, File No. SA 97 RF 0027. Please use this language instead of the original which was submitted to your office on August 26, 1997.

You have in your possession the original signatures which were submitted with the first draft of the initiative, so I cannot send those with this copy.

Please feel free to contact me if there is any question regarding these changes.

Thomas L. Reese

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SEP 10 1997

INITIATIVE COORDINATOR
ATTORNEY GENERAL'S OFFICE

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO
THE VOTERS

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

(Here set forth the title and summary prepared by the Attorney General. This title and summary must also be printed across the top of each page of the petition whereon signatures are to appear.)

TO THE HONORABLE SECRETARY OF STATE OF CALIFORNIA

We, the undersigned, registered, qualified voters of California, residents of _____ County (or City and County), hereby propose amendments to the Constitution of California relating to the annual state budget, and petition the Secretary of State to submit the same to the voters of California for their adoption or rejection at the next succeeding general election or at any special statewide election held prior to that general election or otherwise provided by law. The proposed text of the measure reads as follows:

SECTION 1. Subdivision (c) of Section 8 of Article IV of the California Constitution is amended to read:

(c) (1) Except as provided in paragraphs (2) and (3) of this subdivision, a statute enacted at a regular session shall go into effect on January 1 next following a 90-day period from the date of enactment of the statute and a statute enacted at a special session shall go into effect on the 91st day after adjournment of the special session at which the bill was passed.

(2) A statute, other than a statute establishing or changing boundaries of any legislative, congressional, or other election district, enacted by a bill passed by the Legislature on or before the date the Legislature adjourns for a joint recess to reconvene in the second calendar year of the biennium of the legislative session, and in the possession of the Governor after that date, shall go into effect on January 1 next following the enactment date of the statute unless, before January 1, a copy of a referendum petition affecting the statute is submitted to the Attorney General pursuant to subdivision (d) of Section 10 of Article II, in which event the statute shall go into effect on the 91st day after the enactment date unless the petition has been presented to the Secretary of State pursuant to subdivision (b) of Section 9 of Article II.

(3) Statutes calling elections, statutes providing for tax levies or appropriations for the usual current expenses of the State, statutes enacting a budget bill, and urgency statutes shall go into effect immediately upon their enactment.

SECTION 2. Section 12 of Article IV is amended to read:

SEC. 12. (a) Within the first 10 days of each calendar year, the Governor shall submit to the Legislature, with an explanatory message, a budget for the ensuing fiscal year containing itemized statements for recommended state expenditures and estimated state revenues. If recommended expenditures exceed estimated revenues, the Governor shall recommend the sources from which the additional revenues should be

provided.

(b) The Governor and the Governor-elect may require a state agency, officer, or employee to furnish whatever information is deemed necessary to prepare the budget.

(c) The budget shall be accompanied by a budget bill itemizing recommended expenditures. The bill shall be introduced immediately in each house by the persons chairing the committees that consider appropriations. The Legislature shall pass *the budget bill by midnight on June 15 of each year. Until the budget bill has been enacted, the Legislature shall may not send to the Governor for consideration any bill appropriating funds for expenditure during the fiscal year for which the budget bill is to be enacted, except emergency bills recommended by the Governor or appropriations for the expenses of the Legislature, not including salaries, or travel or living expenses, of Members of the Legislature.*

(d) No bill except the budget bill may contain more than one item of appropriation, and that for one certain, expressed purpose. Appropriations from the General Fund of the State, except appropriations for the public schools or appropriations made in the budget bill, are void unless passed in each house by rollcall vote entered in the journal, two thirds of the membership concurring.

(e) The Legislature may control the submission, approval, and enforcement of budgets and the filing of claims for all state agencies.

(f) (1) Notwithstanding Sections 4 and 8 of Article III and Section 4 of this article, in any year in which the budget bill is not enacted by midnight on June 30, the Governor and each Member of the Legislature shall forfeit any salary or payment for travel or living expenses for the period from July 1 until the date that the budget bill is enacted. No salary, or payment for travel and living expenses, forfeited under this subdivision may be paid retroactively.

(2) The Controller shall prepare and make public a report of the total amount of salary and payment for travel and living expenses forfeited under this subdivision for any fiscal year. The total amount of those forfeitures, on the part of the members of the Legislature, shall be counted as part of the total aggregate expenditures of the Legislature for that fiscal year for purposes of Section 7.5. For purposes of this subdivision, the enactment of a budget bill is deemed to occur when a bill is enacted that makes appropriations for the support of the government of the State for the entire fiscal year.

SECTION 3. The amendments to the California Constitution made by this measure shall apply to the budget bill for the 1999-2000 fiscal year and each subsequent fiscal year, and shall apply for all purposes commencing July 1, 1999.

