



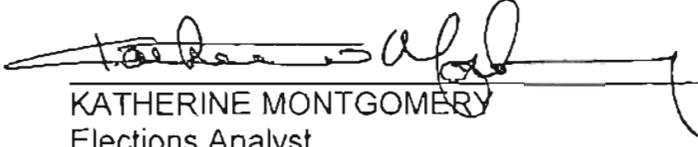
DEBRA BOWEN | SECRETARY OF STATE
STATE OF CALIFORNIA | ELECTIONS

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April 11, 2007

TO: ALL COUNTY CLERKS/REGISTRARS OF VOTERS/PROPONENTS
(07046)

FROM:


KATHERINE MONTGOMERY
Elections Analyst

SUBJECT: **INITIATIVE #1238**

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:

**LIMITS ON LEGISLATORS' TERMS IN OFFICE.
INITIATIVE CONSTITUTIONAL AMENDMENT.**

The proponents of the above-named measure are:

Robin B. Johansen
Kari Krogseng
c/o James C. Harrison
201 Dolores Avenue
San Leandro, CA 94577

(510) 346-6200

LIMITS ON LEGISLATORS' TERMS IN OFFICE.
INITIATIVE CONSTITUTIONAL AMENDMENT.

CIRCULATING AND FILING SCHEDULE

1. Minimum number of signatures required: 694,354
California Constitution, Article II, Section 8(b)

2. Official Summary Date: Wednesday, 04/11/07

3. Petitions Sections:
 - a. First day Proponent can circulate Sections for
signatures (EC §336)..... Wednesday, 04/11/07

 - 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))Monday, 09/10/07*

 - 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)).....Thursday, 09/20/07

(If the Proponent files the petition with the county on a date prior to
09/10/07, 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 countiesSaturday, 09/29/07**

 - 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))..... Tuesday, 11/13/07

* Date adjusted for official deadline, which falls on a Weekend (EC § 15).

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

INITIATIVE #1238

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 09/29/07, the last day is no later than the thirtieth working day after the county's receipt of notification). (EC §9030(d)(e)).

- f. If the signature count is more than 763,790 or less than 659,637 then the Secretary of State certifies the petition as qualified or failed, and notifies the counties. If the signature count is between 659,637 and 763,790 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))..... Friday, 11/23/07*
- 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))..... Tuesday, 01/08/08

(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 11/23/07, 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)..... Saturday, 01/12/08*

*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 section 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 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 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.

EDMUND G. BROWN JR.
Attorney General

State of California
DEPARTMENT OF JUSTICE



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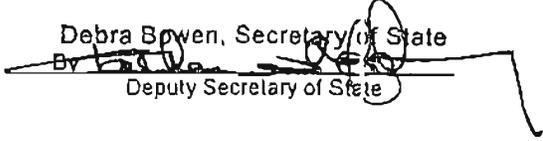
Public: (916) 445-9555
Telephone: (916) 445-1968
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E-Mail: Toni.Melton@doj.ca.gov

April 11, 2007

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

Debra Bowen
Secretary of State
1500 - 11th Street, 5th Floor
Sacramento, CA 95814

APR 11 2007

Debra Bowen, Secretary of State
By 
Deputy Secretary of State

RE: Title and Summary for Initiative No. 07-0004
TITLE: LIMITS ON LEGISLATORS' TERMS IN OFFICE. INITIATIVE
CONSTITUTIONAL AMENDMENT.

Dear Ms. Bowen:

Pursuant to the provisions in sections 336 and 9004 of the Elections Code, enclosed please find a copy of the Title and Summary issued for Initiative Number 07-0004 and text of the proposed measure.

Should you have any questions regarding the above, please do not hesitate to contact me.

Sincerely,



TONI MELTON
Initiative Secretary

For EDMUND G. BROWN JR.
Attorney General

Proponents' public information:

Roberta B. Johansen
James C. Harrison
Kari Krogseng
Remcho, Johansen & Purcell
201 Dolores Avenue
San Leandro, CA 94577
Telephone: 510 346 6200
Facsimile: 510 346 6201

Enclosures

Date: April 11, 2007
Initiative No. 07-0004
Amendment No. 13

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

LIMITS ON LEGISLATORS' TERMS IN OFFICE. INITIATIVE CONSTITUTIONAL

AMENDMENT. Reduces the total amount of time a person may serve in the state legislature from 14 years to 12 years. Allows a person to serve a total of 12 years either in the Assembly, the Senate, or a combination of both. Provides a transition period to allow current members to serve a total of 12 consecutive years in the house in which they are currently serving, regardless of any prior service in another house. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local governments: This measure would have no direct fiscal effect on state or local governments. (07-0004.)

Amdt. #/S

February 16, 2007

Office of the Attorney General
1300 "I" Street
Sacramento, CA 95814

Attention: Patricia Galvan

Re: *Term Limits and Legislative Reform Act*

Dear Ms. Galvan:

(C7-0004)
(SA2007RE0004) Enclosed is an amended version of the Term Limits and Legislative Reform Act which we filed on February 15, 2007. We have also included the addresses at which we are registered to vote and the signed statements certifying that we will not willfully allow initiative signatures to be used for purposes other than qualification of the measure.

Please direct all correspondence and inquiries regarding this amendment to our attorney:

Robin B. Johansen
James C. Harrison
Kari Krogseng
Remcho, Johansen & Purcell, LLP
201 Dolores Avenue
San Leandro, CA 94577
Phone: (510) 346-6200
Fax: (510) 346-6201

Sincerely,


Roberta B. Johansen


Kari Krogseng

RBJ:NL
Enclosures
(00032481)

RECEIVED
FEB 16 2007
INITIATIVE COORDINATOR
ATTORNEY GENERAL'S OFFICE

TERM LIMITS AND LEGISLATIVE REFORM ACT**SECTION 1. TITLE.**

This measure shall be known as the "Term Limits and Legislative Reform Act."

SECTION 2. FINDINGS AND DECLARATIONS.

The people of California find and declare the following:

- A. Under a law enacted in 1990, a member of the Legislature may serve a total of 14 years, consisting of no more than six years in the Assembly and no more than eight years in the Senate.
- B. A variety of academic and public policy groups, some of which once supported term limits, have studied the effect of term limits in California and have concluded that our law is in need of reform to make government work for the people.
- C. California faces many complex and critical issues ranging from underperforming schools to global warming to inadequate healthcare. The legislation required to solve these problems can take years to develop and pass, and members of the Legislature must spend substantial amounts of time obtaining the kind of support among their colleagues necessary to address these urgent issues.
- D. Currently, term limits produce a rapid turnover of lawmakers, some of whom never get enough time to build leadership skills or gain expertise in making public policy, and our most knowledgeable and experienced legislators are forced to leave the Assembly or the Senate prematurely, thus depriving Californians of their policy expertise.
- E. When legislators lack the skills, the only ones who have the skills are the lobbyists.
- F. We have to reform term limits to reduce partisanship, put an end to the constant campaign cycle, and work more effectively together across partisan lines.
- G. We need to increase the flexibility of legislative terms to enable members to build necessary policy and process expertise, and slow the current whirlwind rotation by elected representatives from one elected office to another, which compromises public policy.
- H. It is critical that we permit legislators to remain in a single house of the Legislature for a longer period of time in order to acquire the knowledge and expertise necessary to tackle the tough issues facing the State of California.
- I. The National Conference of State Legislatures, Council of State Governments, and State Legislative Leaders Forum issued a report concluding that "[t]he effects of [term limits] on Sacramento's policymaking processes have been more profound," including "a

widespread sense in Sacramento that something needs to be done soon to provide more stability and expertise to the Legislature's policymaking process."

J. We need to reform California's term limits law to permit members to remain in a single house for a longer period of time while reducing the total number of years that new members may serve.

SECTION 3. PURPOSE AND INTENT.

It is the intent of the people of California in enacting this measure to:

- A. Provide greater stability and expertise to the Legislature's policymaking process.
- B. Reduce the number of years that new members may serve in the Legislature from 14 to 12 to prevent members from becoming entrenched and to promote the opportunity for others to serve.
- C. Permit legislators to gain the knowledge and experience necessary to tackle the critical issues facing our state.
- D. Afford current members of the Senate and the Assembly the same opportunity to serve 12 years in a single house as newly elected members and preserve existing law regarding uncompleted terms.

SECTION 4. Section 2 of Article IV of the California Constitution is hereby amended to read:

SEC. 2. (a)(1) The Senate has a membership of 40 Senators elected for 4-year terms, 20 to begin every 2 years. ~~No Senator may serve more than 2 terms.~~

(2) The Assembly has a membership of 80 members elected for 2-year terms. ~~No member of the Assembly may serve more than 3 terms.~~

~~Their terms~~

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

(4) *During his or her lifetime, a person may serve no more than 12 years in the Senate, the Assembly, or both, in any combination of terms.*

(b) Notwithstanding paragraph (4) of subdivision (a), a Member of the Senate or the Assembly who is in office on the effective date of this subdivision may serve 12 years in the house in which he or she is currently serving. The 12-year limit in this subdivision shall include those years already served in the house in which the Member is currently serving and any additional years served in that house must be served consecutively.

(b)

(c) ~~Election of members~~ *Members* of the Assembly shall be *elected* 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~~ *Members* of the Assembly.

(c)

(d) A person is ineligible to be a ~~member~~ *Member* of the Legislature unless the person is an elector and has been a resident of the legislative 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 subdivisions (a) and (b) of this Section.*

(d)

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

SECTION 5. Section 7 of Article XX of the California Constitution is hereby amended to read:

SEC. 7. The limitations ~~on the number of terms~~ prescribed by Section 2 of Article IV, Sections 2 and 11 of Article V, Section 2 of Article IX, and Section 17 of Article XIII apply only to terms *or years of service* to which persons are elected or appointed on or after November 6, 1990, ~~except that an incumbent Senator whose office is not on the ballot for the general election on that date may serve only one additional term.~~ Those limitations *on terms and years of service* shall not apply to any unexpired term to which a person is elected or appointed, *or to any years served as part of an unexpired term*, if the remainder of the term is less than half of the full term.

SECTION 6. SEVERABILITY.

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

SECTION 7. CONFLICTING INITIATIVES.

In the event that this measure and another initiative measure or measures that address the number of years or terms that a Member of the Legislature may serve 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 the provisions of the other measure shall be null and void.