



DEBRA BOWEN | SECRETARY OF STATE
STATE OF CALIFORNIA | ELECTIONS

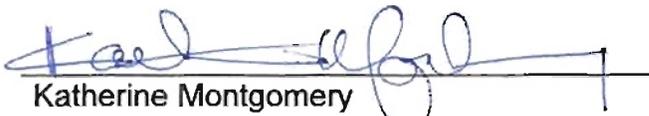
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November 30, 2009

County Clerk/Registrar of Voters (CC/ROV) Memorandum #09191

TO: All County Clerks/Registrars of Voters and Proponent

FROM:


Katherine Montgomery
Associate Elections Analyst

RE: Initiative: 1398, Related to Initiatives

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:

**CHANGES LAWS GOVERNING BALLOT MEASURES.
INITIATIVE CONSTITUTIONAL AMENDMENT.**

The proponent of the above-named measure is:

Aaron Starr
4048 Tucson Street
Simi Valley, CA 93063

starrcpa@pacbell.net

#1398

**CHANGES LAWS GOVERNING BALLOT MEASURES.
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: Monday, 11/30/09
3. Petitions Sections:
 - a. First day Proponent can circulate Sections for
signatures (Elec. Code § 336)..... Monday, 11/30/09
 - b. Last day Proponent can circulate and file with the county.
All sections are to be filed at the same time within each
county. (Elec. Codes §§ 336, 9030(a))..... Thursday, 04/29/10
 - c. Last day for county to determine total number of
signatures affixed to petitions and to transmit total
to the Secretary of State (Elec. Code § 9030(b)).....Tuesday, 05/11/10

(If the Proponent files the petition with the county on a date prior to
04/29/10, 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) (Elec. 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.....Thursday, 05/20/10*
 - 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
(Elec. Code § 9030(d)(e)).....Friday, 07/02/10

* Date varies based on the date of county receipt.

INITIATIVE #1398
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 05/20/10, the last day is no later than the thirtieth working day after the county's receipt of notification). (Elec. Code § 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 (Elec. Code §§ 9030(f)(g), 9031(a))..... Monday, 07/12/10*
- 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. (Elec. Code § 9031(b)(c)).....Monday, 08/23/10

(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 07/12/10, the last day is no later than the thirtieth working day after the county's receipt of notification.) (Elec. 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 (Elec. Code §§ 9031(d), 9033) Friday, 08/27/10*

*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



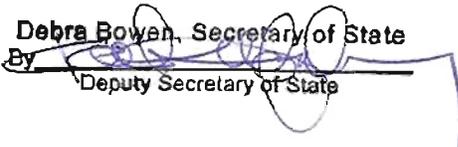
1300 I STREET, SUITE 125
P.O. BOX 944255
SACRAMENTO, CA 94244-2550
Public: (916) 445-9555
Telephone: (916) 445-4752
Facsimile: (916) 324-8835
E-Mail: Krystal.Paris@doj.ca.gov

November 30, 2009

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

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

NOV 30 2009

Debra Bowen, Secretary of State
By 
Deputy Secretary of State

Attention: Ms. Katherine Montgomery
Associate Elections Analyst

Re: Initiative 09-0038, "Grass Roots Initiative Reform Act." (Amdt. # 2-S)

Dear Secretary Bowen:

Pursuant to Elections Code sections 9004 and 336, you are hereby notified that on this day we mailed our title and summary for the above-referenced proposed initiative to the proponent. A copy of that title and summary and text of the proposed measure is enclosed.

Please contact Krystal Paris at (916) 445-4752, if you have any questions. Thank you.

Sincerely,

Handwritten signature of Dawn L. McFarland in blue ink.

DAWN L. MCFARLAND
Legal Assistant

For EDMUND G. BROWN JR.
Attorney General

Proponent:
Mr. Aaron Starr
4048 Tucson Street
Simi Valley, CA 93063

Date: November 30, 2009
Initiative: 09-0038
(Amdt. # 2-S)

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

CHANGES LAWS GOVERNING BALLOT MEASURES. INITIATIVE

CONSTITUTIONAL AMENDMENT. Changes the process which governs how initiative and referendum measures qualify for placement on the ballot. Requires the State to provide legal services to help proponents draft ballot measures. Requires proponents of measures to disclose the identity of large financial donors. Allows proponents of measures more time to gather voter signatures necessary to qualify measures for placement on the ballot. Permits urgency and tax levy statutes passed by Legislature to be challenged by voter referendum. Prohibits Legislature from amending or repealing laws passed by voter referendum. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local governments: Unknown effects on state and local finances, subject to future decisions by voters, the Legislature, and the Governor, if the measure results in more initiative and referendum measures qualifying for the statewide ballot. Higher state costs potentially totaling in the millions of dollars per year to meet the measure's requirements. The measure also could result in increased petition filing fees paid to the state and possible county government savings. (09-0038)

09 - 0038

Amdt. #2S

RECEIVED

OCT 06 2009

INITIATIVE COORDINATOR
ATTORNEY GENERAL'S OFFICE

October 1, 2009

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

Attention: Krystal Paris, Initiative Coordinator

Re: Request for Title and Summary of Proposed Initiative

Dear Ms. Paris:

In response to your letter of September 24, I am submitting the attached latest revised version of the earlier proposed statewide ballot measure entitled, "Grass Roots Initiative Reform Act" to your office and request that you prepare a title and summary of the measure as provided by law.

To make changes clearer, the text of this proposed change to the California Constitution incorporates ~~strikethroughs~~ for deletions and *italics* for additions.

I have also resubmitted with this letter – though perhaps it is not necessary – the required signed statement pursuant to California Elections Code section 9608, the address at which I am currently registered to vote. My understanding is that an additional check made payable to State of California for \$200 is not required at this time.

Please direct any inquiries regarding this request to me at the address for which I am registered to vote, by telephone to the number included with that address, or by electronic mail at the e-mail address included with that address.

Thank you for your time and attention to this matter.

Best Regards,

Aaron Starr
Proponent

starrcpa@pacbell.net

Grass Roots Initiative Reform Act

SECTION 1. Title.

This measure shall be known and may be cited as the "Grass Roots Initiative Reform Act."

SECTION 2. Findings and Declarations.

The people of the state of California find and declare all of the following:

- a) The initiative provision in the Constitution has vested in the hands of the people of California the power to propose statutes and amendments to the Constitution and to adopt or reject them, while the referendum provision gives them the ultimate power to approve or reject most legislation.
- b) Overall, more Californians believe that public policy decisions made through the initiative process by California voters are probably better than public policy decisions made by the governor and state legislature.
- c) There is widespread disapproval of the way the Legislature and Governor are handling their jobs, often causing the people to take matters into their own hands through the initiative and referendum process.
- d) Public disclosure of funding sources for signature gathering and initiative campaigns is inadequate, leaving voters largely unaware as to who is underwriting these efforts.
- e) The present initiative process lacks a system of review and revision for proposed initiatives to try to avoid legal issues and drafting errors.
- f) The present initiative process does not encourage the Legislature to meet with the initiative proponents to determine if there is an acceptable compromise solution before initiatives go to the ballot.
- g) The present initiative and referendum process is fraught with legal obstacles such as the requirement to include many pages of text containing the entire contents of the statute with every individual petition sheet, thus frequently making prohibitive the cost of printing and distributing petitions.
- h) The people's power to approve or reject legislation has been unavailable in cases where the laws are already in effect, where tax levies have been imposed, and when legislation has been declared urgent.
- i) The State enacts hundreds of laws every year, many on the same day, making it impractical for the people of California to exercise their power to approve or reject most legislation.
- j) The expanding population of the state over the years has dramatically increased the number of signatures required to qualify a measure, making the qualification of an initiative or referendum costly and beyond the reach of most citizen groups. As a result, no initiative since 1982 has qualified for the ballot without the assistance of paid petition circulators.
- k) The present referendum process allows only a short 90-day window of time from the date a statute is enacted to circulate a petition to collect hundreds of thousands of signatures for a referendum, and only 150 days to qualify an initiative, making it nearly impossible for a citizen group to qualify these measures for the ballot without the assistance of paid petition circulators.
- l) Advances in Internet technology have now made it possible to overcome the above limitations and enable decentralized distribution and circulation of petition forms.

SECTION 3. Purposes and Intent.

The people of the State of California hereby declare their purposes and intent in enacting the "Grass Roots Initiative Reform Act" to be as follows:

- a) To make available to initiative and referendum proponents the services of the Legislative Counsel in providing measure proponents assistance in the drafting of appropriate wording, determining how best to integrate the proposal into existing law, identifying potential constitutional or other legal problems that may be raised by the proposal, and working with the requesters to resolve those problems.
- b) To provide better disclosure to the public of those who are contributing large amounts of money toward the qualification or disqualification of a measure prior to petitions being circulated and throughout the signature gathering period.

- c) To expand the length of time available for the people to qualify an initiative or referendum to 365 days, making it more likely that an all-volunteer effort can qualify such measures.
- d) To expand the right of the people to approve or reject legislation before and after that legislation has gone into effect, including tax levies and legislation deemed urgent, all of which have not been subject to the referendum process.
- e) To increase the likelihood that laws which the Legislature passes and the Governor signs possess broad popular support because a more accessible referendum process will make unpopular laws more likely to be subjected to review by the voters.
- f) To stay a law that is not yet in effect while a good faith effort is underway to gather signatures during the signature gathering period and until it is considered by the electors in the event the referendum becomes qualified for the ballot, unless the statute is re-enacted.
- g) To create simplified petition forms accessible on the Internet for each proposed initiative or referendum, so as to protect the people from having their petitions declared invalid due to a technical flaw in the petition form and to enable decentralized dissemination of petition forms.
- h) To provide a running count of the submissions of signed petitions so decentralized petition gatherers can monitor a petition effort's progress.
- i) To instruct the Secretary of State to notify the proponents and Legislature promptly of any proposed initiative or referendum that has obtained 100,000 valid signatures and within 5 days of any proposed initiative or referendum that has obtained a sufficient number of valid signatures to qualify for the ballot.
- j) To encourage the Legislature to meet with initiative proponents to determine if there is an acceptable compromise solution in lieu of an initiative going to the ballot that accomplishes the purposes and intent of the proposed measure.
- k) To grant the Legislature and the Governor the opportunity to reconsider a proposed referendum, either re-approving it or allowing the statute or statutes to become void or to expire at the end of the year.
- l) To instruct the Secretary of State to submit to the electors any re-approved referendum that has obtained valid signatures equal in number to 5 percent of the votes of all candidates for Governor at the last gubernatorial election.

SECTION 4. Article II, Section 8 of the California Constitution is hereby amended to read:

(a) The initiative is the power of the electors to propose statutes and amendments to the Constitution and to adopt or reject them.

(b) The Legislative Counsel shall be made available on a confidential basis to prospective initiative proponents to assist in the drafting of appropriate wording, determine how best to integrate the proposal into existing law, identify potential constitutional or other legal problems that may be raised by the proposal, and work with the requesters to resolve those problems.

~~(b) (c) An initiative measure may be proposed by presenting to the Secretary of State a request to circulate a petition asking that the proposed changes be submitted to the electors, accompanied by a deposit in the amount of \$500, adjusted for the change in the cost of living, or a lesser amount otherwise established by law. If the initiative measure is certified as having obtained the necessary number of valid signatures the deposit shall be refunded. a petition that sets forth the text of the proposed statute or amendment to the Constitution and is certified to have been signed by electors equal in number to 5 percent in the case of a statute, and 8 percent in the case of an amendment to the Constitution, of the votes for all candidates for Governor at the last gubernatorial election.~~

(d) Upon receipt of a request and deposit, the Secretary of State shall have the Attorney General prepare a fair, objective and concise title and summary of the statute or amendment to the Constitution being submitted for the proposed initiative measure.

(e) The Secretary of State shall prepare a petition form in a size and format such that it will fit on one side of a standard, 8-1/2 x 11 inch sheet of paper. The form shall consist of at least the following: The title and

summary as prepared by the Attorney General; a section to indicate the county wherein the petition is being circulated and the signers must be registered to vote; a section for the signature, printed name, and residence address of at least one registered voter (and room for as many additional names as will fit on the paper), along with a statement clarifying that the petition will be valid even if all the available spaces for signatures are not used, if the petition provides room for more than one signer; a section for the Declaration of Circulator; an address for the Secretary of State to which all petitions must be submitted; instructions to segregate submissions by county of circulation; the date by which all petitions must be received; and a Uniform Resource Locator (URL) indicating an Internet site maintained by the Secretary of State at which the text of the measure, the petition form and clear instructions for the use of the petition form shall be available.

(f) No later than 60 days after the receipt of a request and deposit, the Secretary of State shall place the full text of the statute or amendment to the Constitution on its website along with the petition form for the proposed measure and the instructions for the use of the petition form. The petition form shall be made available in a format or formats such that it can be easily downloaded and printed on a standard 8-1/2 x 11 inch sheet of paper. If the 60th day of the period within which the Secretary of State is required to perform an act pursuant to this subdivision is a Saturday, Sunday, or holiday, the period is extended to the next day that is not a Saturday, Sunday, or holiday.

(g) Prior to proponents circulating petitions and the Secretary of State placing its petition form on its website, proponents of the measure shall form a committee primarily to support the qualification of the measure and file a campaign statement disclosing those donors contributing \$10,000 or more toward the qualification expenses of the measure. Committees formed or existing primarily to support or oppose the qualification of a measure and proponents of such a measure who control a committee formed or existing primarily to support the qualification of a measure shall file a monthly campaign statement within ten days after the close of each calendar month until the close of the calendar month following the deadline for filing petitions or the qualification of the measure for the ballot, whichever is earlier. Such disclosures shall be in addition to those required elsewhere by law.

(h) Circulators shall make available for viewing upon request of an elector the title and summary as prepared by the Attorney General along with the full text of the statute or amendment to the Constitution. It shall not be required that the full text of the statute or amendment to the Constitution nor the instructions be included in the petition being circulated.

(i) It shall not be required that the petition form created by the Secretary of State be the only valid format available to circulators. The proponents may prepare and submit for approval two blank copies of each petition form to the Secretary of State for verification that petition formatting requirements are met. If the Secretary of State finds that the requirements are not met, then he or she shall include in his or her findings a statement as to what alterations in the petition are necessary. The proponents may after receiving the notification file two blank copies of the corrected petition with the Secretary of State in his or her office during normal office hours as posted. The proponents may repeat the process of filing corrected petitions and receiving correction notification until the Secretary of State finds no alterations are required. It shall not be required that the proponents seek approval of their petition forms.

(j) Individual petition sheets containing signatures may be submitted to the Secretary of State at any time during a 365 day signature gathering period beginning after the Secretary of State has made the petition form available on the Internet. If the 365th day of the signature gathering period is a Saturday, Sunday, or holiday, the period is extended to the next day that is not a Saturday, Sunday, or holiday. It shall not be required that petitions be submitted contemporaneously.

(k) The Secretary of State shall keep a running count of the number of signatures submitted, and shall post an updated count on the Internet within 5 working days of receipt of each petition sheet received throughout the signature gathering period or until the initiative measure is deemed qualified for the ballot, whichever occurs first.

(l) Verification of signatures by sampling methods shall begin no later than 5 working days after the running count of the number of signatures submitted exceeds 100,000. The Secretary of State shall thereafter post a count no less frequently than weekly of the estimated number of valid signatures received, and shall certify the petition as having qualified as soon as the sample-verified total reaches 105% of the required number.

(m) If at the end of the signature gathering period the number of signatures submitted results in a sample-verified total that is between 95% and 105% of the required number pursuant to subdivision (l), a complete verification of all signatures shall be performed.

(n) If at anytime during the signature gathering period the Secretary of State has received petitions that are subsequently certified to have been signed by 100,000 electors, asking that the initiative measure be submitted to the electors, the Secretary of State shall promptly notify the proponents and both houses of the Legislature of the certification.

(o) After an initiative measure has been certified as having obtained the necessary number of valid signatures pursuant to subdivision (n), the Legislature shall hold and complete a committee hearing which shall receive testimony on the initiative. The hearing may be held jointly by the Senate and the Assembly. The proponents of the initiative measure and any other person interested in the hearing shall be given at least three days notice of the hearing. In the case of a proposed statute, each committee or the joint committee shall recommend to the full Legislature whether or not it should enact the measure into law, with or without amendments, or place an alternative on the ballot. In the case of a proposed amendment to the Constitution, each committee or the joint committee shall recommend to the full Legislature whether or not it should place an alternative on the ballot.

(p) Verification of signatures by sampling methods shall resume no later than 5 working days after the running count of the number of signatures submitted exceeds 5 percent of the votes for all candidates for Governor at the last gubernatorial election in the case of a proposed statute and 8 percent in the case of a proposed amendment to the Constitution. The Secretary of State shall thereafter post a count no less frequently than weekly of the estimated number of valid signatures received, and shall certify the petition as having qualified as soon as the sample-verified total reaches 105% of the required number.

(q) If at the end of the signature gathering period the number of signatures submitted results in a sample-verified total that is between 95% and 105% of the required number pursuant to subdivision (p), a complete verification of all signatures shall be performed.

(r) If at anytime during the signature gathering period the Secretary of State has received petitions that are subsequently certified to have been signed by electors equal in number to 5 percent of the votes for all candidates for Governor at the last gubernatorial election in the case of a proposed statute and 8 percent in the case of a proposed amendment to the Constitution, asking that the measure be submitted to the electors, the initiative measure shall be deemed qualified for the ballot. The Secretary of State shall within 5 days notify the proponents and both houses of the Legislature of the certification.

(s) Following certification by the Secretary of State that an initiative proposing a statute has qualified for the ballot, the proponents of the initiative may withdraw the initiative from the ballot if the Legislature enacts and the Governor signs the measure as drafted or an alternative acceptable to the proponents that furthers the purposes of the measure, or if an alternative acceptable to the proponents that furthers the purposes of the measure is placed on the ballot.

(t) Following certification by the Secretary of State that an initiative proposing an amendment to the Constitution has qualified for the ballot, the proponents of the initiative may withdraw the initiative from the ballot if an alternative acceptable to the proponents that furthers the purposes of the measure is placed on the ballot.

~~(e)~~ (u) In the event the initiative measure has qualified for the ballot, ~~the~~ The Secretary of State shall then submit the measure at the next general election held at least 131 days after it qualifies or at any special statewide election held prior to that general election, unless the proponents withdraw the measure pursuant to either subdivision (s) or (t) at least 124 days prior to that general election. The Governor may call a special statewide election for the measure.

~~(e)~~ (v) An initiative measure embracing more than one subject may not be submitted to the electors or have any effect.

~~(e)~~ (w) An initiative measure shall not include or exclude any political subdivision of the State from the application or effect of its provisions based upon approval or disapproval of the initiative measure, or based upon the casting of a specified percentage of votes in favor of the measure, by the electors of that political subdivision.

~~(f)~~ (x) An initiative measure shall not contain alternative or cumulative provisions wherein one or more of those provisions would become law depending upon the casting of a specified percentage of votes for or against the measure.

SECTION 5. Article II, Section 9 of the California Constitution is hereby amended to read:

(a) The referendum is the power of the electors to approve or reject statutes or parts of statutes, *including but not limited to statutes previously approved by the electorate, except urgency statutes, statutes calling elections, and parts of statutes providing for tax levies or appropriations for usual current expenses of the State.*

(b) The Legislative Counsel shall be made available on a confidential basis to prospective referendum proponents to assist in the drafting of appropriate wording, determine how best to integrate the proposal into existing law, identify potential constitutional or other legal problems that may be raised by the proposal, and work with the requesters to resolve those problems.

~~(b) A referendum measure may be proposed by presenting to the Secretary of State, within 90 days after the enactment date of the statute, a petition certified to have been signed by electors equal in number to 5 percent of the votes for all candidates for Governor at the last gubernatorial election, asking that the statute or part of it be submitted to the electors. In the case of a statute 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, the petition may not be presented on or after January 1 next following the enactment date unless a copy of the petition is submitted to the Attorney General pursuant to subdivision (d) of Section 10 of Article II before January 1; a request to circulate a petition asking that the statute or statutes, or parts thereof, be submitted to the electors, accompanied by a deposit in the amount of \$500, adjusted for the change in the cost of living, or a lesser amount otherwise established by law. If the referendum measure is certified as having obtained the necessary number of valid signatures, or an affected statute is repealed or otherwise fails to become law on or before the end of the signature gathering period, the deposit shall be refunded.~~

~~(e) The Secretary of State shall then submit the measure at the next general election held at least 31 days after it qualifies or at a special statewide election held prior to that general election. The Governor may call a special statewide election for the measure.~~ (c) Upon receipt of a request and deposit, the Secretary of State shall have the Attorney General prepare a fair, objective and concise title and summary of the statute or statutes, or parts thereof, which are being submitted for the proposed referendum.

(d) The Secretary of State shall prepare a petition form in a size and format such that it will fit on one side of a standard, 8-1/2 x 11 inch sheet of paper. The form shall consist of at least the following: The title and summary as prepared by the Attorney General; a section to indicate the county wherein the petition is

being circulated and the signers must be registered to vote; a section for the signature, printed name, and residence address of at least one registered voter (and room for as many additional names as will fit on the paper), along with a statement clarifying that the petition will be valid even if all the available spaces for signatures are not used, if the petition provides room for more than one signer; a section for the Declaration of Circulator; an address for the Secretary of State to which all petitions must be submitted; instructions to segregate submissions by county of circulation; the date by which all petitions must be received; and a Uniform Resource Locator (URL) indicating an Internet site maintained by the Secretary of State at which the text of the statute or statutes and the petition form and clear instructions for the use of the petition form shall be available.

(e) If a request to circulate a referendum petition has been submitted to the Secretary of State no later than 60 days before the effective date of the statute, statutes or parts thereof, the Secretary of State shall place the full text of the statute or statutes on its website along with the petition form for the requested referendum and the instructions for the use of the petition form, no later than 15 days after the receipt of the request and deposit. If a request is submitted later, or if any portion is already in effect at the time of the request, the Secretary of State shall have 60 days to perform this act. The petition form shall be made available in a format or formats such that it can be easily downloaded and printed on one side of a single sheet of paper. If the last day of the period within which the Secretary of State is required to perform an act pursuant to this subdivision is a Saturday, Sunday, or holiday, the period is extended to the next day that is not a Saturday, Sunday, or holiday.

(f) Prior to proponents circulating petitions and the Secretary of State placing its petition form on its website, proponents of the measure shall form a committee primarily to support the qualification of the measure and file a campaign statement disclosing those donors contributing \$10,000 or more toward the qualification expenses of the measure. Committees formed or existing primarily to support or oppose the qualification of a measure and proponents of such a measure who control a committee formed or existing primarily to support the qualification of a measure shall file a monthly campaign statement within ten days after the close of each calendar month until the close of the calendar month following the deadline for filing petitions or the qualification of the measure for the ballot, whichever is earlier. Such disclosures shall be in addition to those required elsewhere by law.

(g) Circulators shall make available for viewing upon request of an elector the title and summary as prepared by the Attorney General along with the statute or statutes, or parts thereof, being submitted to the electors. It shall not be required that the text of any statute nor the instructions be included in the petition being circulated.

(h) It shall not be required that the petition form created by the Secretary of State be the only valid format available to circulators. The proponents may prepare and submit for approval two blank copies of each petition form to the Secretary of State for verification that petition formatting requirements are met. If the Secretary of State finds that the requirements are not met, then he or she shall include in his or her findings a statement as to what alterations in the petition are necessary. The proponents may after receiving the notification file two blank copies of the corrected petition with the Secretary of State in his or her office during normal office hours as posted. The proponents may repeat the process of filing corrected petitions and receiving correction notification until the Secretary of State finds no alterations are required. It shall not be required that the proponents seek approval of their petition forms.

(i) Individual petition sheets containing signatures may be submitted to the Secretary of State at any time during a 365 day signature gathering period beginning after the Secretary of State has made the petition form available on the Internet. If the 365th day of the signature gathering period is a Saturday, Sunday, or holiday, the period is extended to the next day that is not a Saturday, Sunday, or holiday. It shall not be required that petitions be submitted contemporaneously.

(j) The Secretary of State shall keep a running count of the number of signatures submitted, and shall post an updated count on the Internet within 5 working days of receipt of each petition sheet received

throughout the signature gathering period or until the measure is deemed qualified for the ballot, whichever occurs first.

(k) Verification of signatures by sampling methods shall begin no later than 5 working days after the running count of the number of signatures submitted exceeds 100,000. The Secretary of State shall thereafter post a count no less frequently than weekly of the estimated number of valid signatures received, and shall certify the petition as having qualified as soon as the sample-verified total reaches 105% of the required number.

(l) If at the end of the signature gathering period the number of signatures submitted results in a sample-verified total that is between 95% and 105% of the required number pursuant to subdivision (k), a complete verification of all signatures shall be performed.

(m) If at anytime during the signature gathering period the Secretary of State has received petitions that are subsequently certified to have been signed by 100,000 electors, asking that the statute, statutes or parts thereof be submitted to the electors, the Secretary of State shall promptly notify the proponents and both houses of the Legislature of the certification.

(n) After a referendum measure has been certified as having obtained the necessary number of valid signatures pursuant to subdivision (m), the Legislature shall within 25 session days after being notified by the Secretary of State reconsider the statute, statutes or parts thereof in their entirety without amendment. If the Legislature adjourns sine die fewer than 25 session days after such certification, the 25 session days shall commence when the Legislature next convenes in regular session.

(o) If at the end of the 25 session days either house of the Legislature has failed to re-approve the statute, statutes, or parts thereof, in their entirety without amendment, with the majority concurrence of its membership, or by larger proportion where required elsewhere by the Constitution, each by rollcall vote entered in the journal, or if the Governor vetoes the statute or statutes within 12 days after re-approval by the Legislature and the Legislature subsequently fails to over-ride the Governor's veto within 12 days by two-thirds of the membership of each house of the Legislature, each by rollcall vote entered in the journal, the statute, statutes, or parts thereof, not previously approved by the electorate shall be considered void and shall not take effect or, if already in effect, shall remain in effect through the following December 31. If the 12th day of the period within which the Governor is required to perform an act pursuant to this subdivision is a Saturday, Sunday, or holiday, the period is extended to the next day that is not a Saturday, Sunday, or holiday. Any statute, statutes, or parts thereof, previously approved by the electorate shall remain in effect notwithstanding any action or inaction by the Legislature.

(p) Any statute, statutes, or parts thereof, not re-approved pursuant to subdivision (o) and not previously approved by the electorate shall not be submitted to the electors.

(q) Verification of signatures by sampling methods shall resume no later than 5 working days after the running count of the number of signatures submitted exceeds 5 percent of the votes for all candidates for Governor at the last gubernatorial election. The Secretary of State shall thereafter post a count no less frequently than weekly of the estimated number of valid signatures received, and shall certify the petition as having qualified as soon as the sample-verified total reaches 105% of the required number.

(r) If at the end of the signature gathering period the number of signatures submitted results in a sample-verified total that is between 95% and 105% of the required number pursuant to subdivision (q), a complete verification of all signatures shall be performed.

(s) If at anytime during the signature gathering period the Secretary of State has received petitions that are subsequently certified to have been signed by electors equal in number to 5 percent of the votes for all candidates for Governor at the last gubernatorial election, asking that the statute or statutes be submitted to the electors, the measure shall be deemed qualified for the ballot.

(t) If the statute, statutes, or parts thereof, are re-approved pursuant to subdivision (o) and if at anytime during the signature gathering period the Secretary of State has received petitions that are subsequently certified to have been signed by electors equal in number to 5 percent of the votes for all candidates for Governor at the last gubernatorial election, asking that the statute or statutes be submitted to the electors, the Secretary of State shall within 5 days notify both houses of the Legislature of the certification, and shall submit the measure at the next general or special statewide election held at least 131 days after the certification and re-approval, whichever is later.

(u) If the statute, statutes, or parts thereof, are not re-approved pursuant to subdivision (o) and if at anytime during the signature gathering period the Secretary of State has received petitions that are subsequently certified to have been signed by electors equal in number to 5 percent of the votes for all candidates for Governor at the last gubernatorial election, asking that the statute or statutes be submitted to the electors, the Secretary of State shall within 5 days notify the proponents and both houses of the Legislature of the certification, and shall submit at the next general or special statewide election held at least 131 days after the certification, the portions of the measure previously approved by the electorate. The Governor may call a special statewide election for the measure.

(v) A majority casting a "yes" vote on the ballot question shall be required to re-approve the statute, statutes or parts thereof.

(w) A referendum measure embracing more than one subject may not be submitted to the electors or have any effect.

SECTION 6. Article II, Section 10 (c) (3) of the California Constitution is hereby amended to read:

(c) The Legislature ~~may amend or repeal referendum statutes.~~ It may amend or repeal an initiative statute by another statute that becomes effective only when approved by the electors unless the initiative statute permits amendment or repeal without their approval.

SECTION 7. Article IV, Section 8 (c) (2) of the California Constitution is hereby amended to read:

(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.~~

Notwithstanding the above, no statute, statutes or parts thereof for which a request to circulate a referendum petition has been submitted to the Secretary of State no later than 60 days before its effective date shall take effect until either of the following occurs:

- (A) The number of signatures received by the Secretary of State no later than 15 days before the effective date is insufficient to qualify the statute, statutes or parts thereof for reconsideration by the Legislature. If the 15th day before the effective date is a Saturday, Sunday, or holiday, the deadline is extended to the next day that is not a Saturday, Sunday, or holiday.
- (B) The relevant statute or statutes have been re-enacted as an urgency statute pursuant to Subdivision (d) of Section 8 of Article IV, in which case the statute or statutes shall go into effect immediately.
- (C) The relevant statute or statutes have been re-enacted pursuant to Subdivision (o) of Section 9 of Article II, in which case the statute or statutes shall go into effect on January 1 next following the re-enactment date or the 91st day after the re-enactment date, whichever is sooner, unless the number of signatures received during the signature gathering period by the Secretary of State no later than 15

days before the new effective date is sufficient to qualify the referendum for the ballot. If the 15th day before the new effective date is a Saturday, Sunday, or holiday, the deadline is extended to the next day that is not a Saturday, Sunday, or holiday.

(D) The number of signatures received by the Secretary of State by the 365th day of the signature gathering period is insufficient to qualify the referendum for the ballot. If the 365th day of the signature gathering period is a Saturday, Sunday, or holiday, the period is extended to the next day that is not a Saturday, Sunday, or holiday.

(E) The referendum has been submitted to and approved by the electors.

SECTION 8. Article IV, Section 8 (c) (3) of the California Constitution is hereby amended to read:

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

SECTION 9. Article IV, Section 10 (c) of the California Constitution is hereby amended to read:

(c) Any bill introduced during the first year of the biennium of the legislative session that has not been passed by the house of origin by January 31 of the second calendar year of the biennium may no longer be acted on by the house. No bill may be passed by either house on or after September 1 of an even-numbered year except statutes calling elections, statutes providing for ~~tax levies or~~ appropriations for the usual current expenses of the State, and urgency statutes, and bills passed after being vetoed by the Governor.

SECTION 10. Broad Construction.

- a) The provisions of this act shall be liberally construed and broadly applied in order to effectuate its underlying purposes of removing obstacles to and facilitating the exercise of the initiative and referendum powers and to be consistent with the United States Constitution and the California Constitution.
- b) If any provision of this act conflicts directly or indirectly with any other provision of law, or any other statute previously enacted by the Legislature, those other provisions shall be null and void to the extent that they are inconsistent with this act, and are hereby repealed.

SECTION 11. Conflicting Ballot Measures.

- a) In the event that this measure and another measure or measures relating to initiative and referendum procedures in this state shall appear on the same statewide election ballot, the provisions of the other measures that would affect in whole or in part the field of initiative and referendum procedures shall be deemed to be in conflict with this measure. In the event that this measure shall receive a greater number of affirmative votes, the provisions of this measure shall prevail in their entirety and the provisions of the other measure or measures shall be null and void in their entirety. In the event that the other measure or measures shall receive a greater number of affirmative votes, the provisions of this measure shall take effect to the extent permitted by law.
- b) If this measure is approved by voters but superseded by any other conflicting ballot measure approved by voters at the same election, and the conflicting ballot measure is later held invalid, this measure shall be self-executing and given full force of law.

SECTION 12. Court Challenges.

In any action for declaratory or injunctive relief, or for relief by way of any extraordinary writ, wherein the construction, application, or validity of this measure or any part thereof is called into question, a court shall not grant any temporary restraining order, preliminary or permanent injunction, or any preemptory writ of mandate, certiorari, or prohibition, or other provisional or permanent order to restrain, stay, or otherwise interfere with the operation of the act except upon a finding by the court, based on clear and convincing evidence, that the public interest shall be prejudiced thereby, and no such order shall effective for more than

15 calendar days. A court shall not restrain any part of this act except the specific provisions that are challenged.

SECTION 13. Amendment of Act.

No provision of this act may be amended except by a Constitutional amendment that becomes effective only when approved by the electorate.

SECTION 14. Severability.

If any provision of this act or the application thereof to any person or circumstance is held invalid, that invalidity shall not affect other provisions or applications of the act that can be given effect in the absence of the invalid provision or application. To this end, the provisions of this act are severable.