

CONSTITUTIONAL OFFICERS AND INSURANCE COMMISSIONER

The election and duties of seven statewide officers are set forth in Articles V and IX of the California Constitution – Governor, Lieutenant Governor, Secretary of State, Controller, Treasurer, Attorney General, and the Superintendent of Public Instruction. The Constitution also provides for the election and describes the duties of the members of the four Board of Equalization districts. Proposition 103, adopted by voters in 1988, provided for the election and described the duties of the State Insurance Commissioner. All twelve officers are subject to term limits, serving two four-year terms.

UNITED STATES REPRESENTATIVE

The United States House of Representatives has 435 members elected to serve two-year terms. The number of Representatives allocated to each state is determined by the state's population, as reported in the decennial census. Federal law requires the reshaping of congressional/legislative districts within each state following the census to reflect the changes in population and ensure that the "one-person, one-vote" mandate is obeyed. Since the 1879 State Constitution, the Legislature has been charged with the responsibility of reapportioning legislative, congressional and board of equalization districts. The elections and reapportionment committees of each house use the census tract maps supplied by the U.S. Bureau of the Census and precinct information supplied by the counties to realign the districts. Following the 2000 census and subsequent reapportionment of districts, California added one district, bringing its congressional delegation to 53 members of the House of Representatives.

THE CALIFORNIA LEGISLATURE

The California State Legislature consists of two houses:

The State Senate: the “upper” house is comprised of 40 Senators each elected to four-year terms. As with the U.S. Senate, the terms of the Senators are staggered so that half the membership is elected every two years. The Senators representing the odd-numbered districts are elected in years evenly divisible by four; i.e., presidential election years. The Senators from the even-numbered districts are elected in the intervening even-numbered years, in the gubernatorial election cycle.

The State Assembly: the “lower” house is comprised of 80 members, elected to two-year terms and so are on the ballot at every regularly scheduled statewide election.

Both State Senators and Members of the Assembly are subject to term limits; two four-year terms for Senators, three two-year terms for Assembly members.

PROPOSITIONS

Propositions or measures reach the ballot in a number of different ways. They are:

Legislative Constitutional Amendment (LCA)

An LCA is an amendment to the state constitution proposed by the Legislature. It must be adopted in each house of the Legislature by a two-thirds vote of the membership; it does not require the Governor's signature to be placed on the ballot. Once it has been adopted by the Legislature and chaptered by the Secretary of State, the measure is placed on the next statewide ballot that occurs at least 131 days from the date of chaptering.

Legislative Bond Measure

Any bill calling for the issuance of general obligation bonds must be adopted in each house of the Legislature by a two-thirds vote of the membership, and signed by the Governor (or allowed to become law without the Governor's signature). It is subject to the 131-day qualification deadline.

Initiative

The initiative allows citizens to propose statutes, amendments to the state constitution or general obligation bond measures for voter approval or rejection. An initiative statute requires the signatures of registered voters equal in number to 5% of the votes cast for all candidates for governor in the last election to qualify for the ballot; an initiative constitutional amendment requires signatures equaling 8% of the gubernatorial vote. Initiatives are also subject to the 131-day qualification deadline. Any measure that qualifies after that deadline is placed on the next ensuing statewide ballot.

Referendum

The referendum gives citizens the ability to approve or reject statutes adopted by the Legislature, except those that are urgency, that call for elections, or that provide for tax levies/appropriations for usual current expenses of the state. Citizens wishing to block implementation of a legislatively adopted statute must gather within 90 days of enactment of the bill signatures equal in number to at least 5% of the votes cast for all candidates for governor in the last gubernatorial election. A qualified referendum is placed on the ballot at a statewide election that occurs at least 31 days after the measure qualifies, or at a special election called by the Governor. The Legislature may amend or repeal referendum statutes.

Initiative Amendment

Unless an initiative specifically allows for legislative amendment of its provisions, the Legislature must submit any amendment it proposes to a vote of the people. A legislative initiative amendment requires only a majority vote of each house, unless otherwise specified in the initiative, and must be signed by the Governor or allowed to become law without his/her signature. The 131-day qualification deadline applies. An initiative amendment may also be proposed by another initiative.

All statewide measures require a simple majority for passage.

State ballot measures are numbered consecutively in ten-year cycles; the current cycle began with the eleven measures on the November 1998 general election ballot.