



VOTER

THE LEAGUE OF WOMEN VOTERS OF CUPERTINO-SUNNYVALE

February 2013

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INITIATIVE & REFERENDUM CONSENSUS MEETING

**SATURDAY, FEBRUARY 9, 2013
9:00 AM - 1:30 PM**

**HOLLIMON'S
11155 LA PALOMA DRIVE,
CUPERTINO 95014**

BRUNCH WILL BE SERVED AT 11:00 AM

Join fellow members as we discuss the Initiative and Referendum process and how it can be improved.

See pages 3 and 4 for more information.

**Dinner with the Leagues of Women Voters
of Santa Clara County**

EXCESS & HUBRIS: HOW MONEY IS KILLING DEMOCRACY

**Thursday, March 14, 2013, 6:30 PM
Michael's at Shoreline**

2960 Shoreline Blvd, Mountain View 94043

**Speaker Ann Ravel
Chair, California Fair Political Practices Commission**

**Moderator Trixie Johnson
Former Two-term San Jose City Council Member
Past President LWV San Jose/Santa Clara**

Make reservations now. Space is limited. Reservation information can be found at www.lwvlamv.org. More information will be included in the March VOTER.

LWV Cupertino-Sunnyvale Board of Directors

Vice President Susan Hough
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Russ Howard
Bruce Kendall
Elaine Manley
Jason Spiller

Off Board

VOTER Mailing LaVerne Prentice

CALLING ALL VOLUNTEERS

The LWV California State Convention will be held in San Jose this May at the beautiful Hayes Mansion. It's a great opportunity to attend and learn about a lot of different topics. It's also a moment when we need a lot of volunteers. While it is being hosted by the San Jose League, all of the Santa Clara County Leagues are participating in making this a great success. We need volunteers to do timekeeping, registration, Pages, meal hosts, A/V experts, etc. Please consider volunteering for a portion of the convention. There will be training for the volunteers. We will be doing shifts and don't know how many of each we need just yet but we want to get on your busy calendars. We will have more details over time and will relay them in each VOTER so be sure to read your VOTER as soon as you get it and let us know what interests you the most.

Whether you are volunteering or attending, you will find it to be worthwhile, fun and interesting. The convention starts on May 17 and ends on the evening of May 19th. We need to confirm our volunteers as soon as possible as several hundred people are expected to attend. Please call or email Elaine Manley at 408-230-9928 or elaine.manley@comcast.net and let her know what you'd like to do and the dates and times that you can help.

Thank you,
Elaine and Susan
(LWVCS Convention coordination team)

MEETINGS OF INTEREST

Editors note: occasionally there are educational and informational meetings that may be of interest to our members but are not sponsored by our League. Information on those meetings will be included here.

Presentation: The Lawrence Station Area Plan Phase II
by Andy Miner, Lawrence Project Lead
Thursday, February 7; 7-8:30 PM
Sunnyvale Heritage Park Museum,
570 E. Remington Drive, Sunnyvale 94087

The City of Sunnyvale is mid-way through its long-term planning process for the area around Sunnyvale's Lawrence Caltrain Station. Come find out what the Citizens' Advisory Group is proposing.

Sunnyvale Town Hall with Assemblyman Rich Gordon
Saturday, February 23, 10:00 - 11:30 AM
Sunnyvale Elementary School District Board Room
819 W. Iowa, Sunnyvale 94086

Panelists:

Tony Spitalari, Mayor, City of Sunnyvale
Benjamin Picard, Superintendent, Sunnyvale Elementary School District
Don Eagleston, CEO Sunnyvale Chamber of Commerce
Marie, Bernard, Executive Director, Sunnyvale Community Services
Roberta Hollimon, LWV Cupertino-Sunnyvale, Moderator

Residents can engage in a dialogue with community leaders.

Board Briefs

At its January meeting, your board:

- Approved the Program Planning Report to be sent to the LWVC Board.
- Heard a report from the Initiative and Referendum Update committee on preparations for the Consensus meeting to be held, Saturday February 9, 9:00 AM.
- Discussed plans by the LWV County Council for a dinner featuring a speaker on "Money in Politics."
- Learned that our League is responsible for recruiting volunteers for the state League convention in May. *(See article opposite)*

Membership News

Thank you for renewing your membership: Michael Lusk, MarieAnn Shovlin, Jason Spiller and Pete Warburton

Thank you for including a donation with your membership renewal: Jack and Elsie Hasling, Susan Hough and Alex Mennen, Elaine and Scott Manley, and Judi Pogue

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INITIATIVE AND REFERENDUM CONSENSUS MEETING

Studies are part of League program and, in League parlance, League Program includes all of the positions the League uses to affect public policy as well as the procedure for adopting these positions. Program is such an integral part of the League that, according to *League Basics*, the League publication formerly titled *In League*, “Program is the League’s reason for being.”

Program is a multi-step process which begins at a local League level. Grassroots sentiments are concentrated into a decision to select an issue for study. Following study of an issue, consensus among members is reached (or not) and the outcome is the formation of a position which may be used by the LWVC to influence public policy. Without a position, the League cannot act.

At the League of Women Voters of California Convention in May 2011 delegates voted to adopt a study to update the League’s position on the Initiative and Referendum Process in California. The study committee found that much of the League’s current initiative and referendum position is relevant; however, areas were identified in need of update, amendment, expansion or possible deletion. The committee drafted Consensus Questions to address these areas as well as a Study Guide to comprehensively examine the subject.

The purpose of a study, at any level, is to educate members so that they can be informed participants in consensus and provide information for formulating the ultimate position.

At our Consensus Meeting on Saturday, February 9 (see page 1 for time and location), we will discuss possible changes in the initiative process and come to consensus on those we wish to see occur.

Questions will focus on the following areas:

- drafting of initiatives; who should pre-review who should write title and summary
- Qualification Requirements
- Allow Amendments to the Constitution
- Post-election conflicts
- Amendment of statutes or constitutional amendments by the legislature

We will also be asked to decide what principles should apply considering the Stakeholders, i.e. Voters, Proponents, Opponents, Legislature, Legislative Counsel, Legislative Analyst, Secretary of State, County Election Offices. You will even have a chance to say, “Get rid of it.”

Initiative and Referendum (I&R) Update Committee members, Nancy Burnett, Andrea Harris, Anita Herrmann, Roberta Hollimon, Susan Hough, Nancie Plumb, and Kathi Turner, have been working hard for four months to bring you information on the I&R process and ideas for improving it. Come and join the discussion.

INITIATIVE AND REFERENDUM PROCESS

Adopted 1984; Updated 1999

(Positions proposed for update in 2013 are in bold-faced type.)

POSITION IN BRIEF: *Support citizens' right of direct legislation through the initiative and referendum process.*

1. California should retain the referendum and direct initiative.
2. California should adopt an indirect initiative procedure, preferably as an optional alternative to the direct initiative.
3. **Drafting**
 - a. **Initiative sponsors should be required to submit draft proposals to an official authority for an opinion on clarity/language, constitutionality/legality, or single subject.**
 - b. Initiative proposals should be limited to a single subject and written in language that is precise, clear, and understandable.
 - c. Initiatives dealing with timely subjects should include a "sunset clause," providing for an automatic expiration of the measure.
4. **Qualification**
 - a. **Requirements should be retained for:**
 - 1) **direct initiative statute— valid signatures numbering 5 percent of the total vote for all candidates for governor in the last gubernatorial election, 150 days to collect signatures;**
 - 2) **direct initiative constitutional amendment—valid signatures numbering 8 percent of the total vote for all candidates for governor in the last gubernatorial election, 150 days to collect signatures;**
 - 3) **referendum on a legislative statute— valid signatures numbering 5 percent of the total vote for all candidates for governor in the last gubernatorial election, 90 days to collect signatures.**
 - b. The filing fee should reflect costs of processing initiative and referendum proposals.
 - c. No requirement for geographic distribution should be imposed.
 - d. Solicitation of signatures and campaign funds in the same mailing should be allowed.
5. **Campaign**
 - a. Realistic limits should be imposed on contributions by individuals and groups to initiative and referendum campaigns.
 - b. Realistic limits should be imposed on expenditures by individuals and groups to initiative and referendum campaigns.
 - c. There should be provision for free time for radio and TV information programs for initiative campaigns.
 - d. No public financing should be provided for initiative and referendum campaigns.
 - e. The legislature should conduct public hearings on initiative and referendum proposals around the state, with adequate public notice.
 - f. Ballot pamphlet analyses of initiative and referendum measures should be written for the reading level of the average citizen.
 - g. The ballot label and ballot pamphlet should clearly indicate the effect of a yes vote and a no vote.
6. **Disclosure**
 - a. Sponsors of an initiative or referendum and organizations that form a committee to support or oppose a measure should be required to be listed by name in the ballot pamphlet, in mailings, and in advertisements.
 - b. Principal contributors to an initiative or referendum campaign should be required to be listed by name in the ballot pamphlet, in mailings, and in advertisements.
 - c. Initiative and referendum committees should be required to use names that reflect their true economic or special interest.
7. **Election**
 - a. Voting on initiatives should take place at primary and general elections but not at special elections.
 - b. **An initiative statute or constitutional amendment, or a legislative statute appearing on the ballot as a referendum, should be approved by a simple majority of those voting on the measure to take effect.**
 - c. **An initiative statute or constitutional amendment that requires a super-majority vote for passage of future related issues should be required to receive the same supermajority vote approval for its passage.**
 - d. State initiative measures should apply to the entire state, not only to those political subdivisions in which they are approved.
 - e. An initiative should not be allowed to provide for different outcomes depending upon the percentage of votes cast in its favor.
8. **Post-Election**
 - a. **Approval by the voters should be required for any changes made by the legislature in a statute adopted by initiative, unless the statute permits amendment without the approval of voters.**
 - b. Initiative proposals that do not win voter approval should be allowed to appear on subsequent ballots without restriction, if they again meet qualification requirements.
9. **Legal Aspects**
 - a. The definition of "single subject" pertaining to initiatives should be redefined to ensure stricter interpretation and stricter enforcement.
 - b. Constitutional challenges to voter approved initiatives being reviewed in the state courts should be heard by a three-judge panel rather than a single judge.

LEAGUE NEWS

National – No Rest for the Weary – Voter Suppression Continues. 2013 is already shaping up to be one of the toughest years for voting rights in decades. The League is preparing for more photo ID legislation, Supreme Court decisions on the Voting Rights Act (VRA) and the National Voter Registration Act (NVRA) as well as working to defeat attacks to decrease early voting days, illegally purge voting rolls, and make it more difficult to register to vote.

State - LWVC announces the state Convention will be held in San Jose at the Hayes Mansion, May 17-19, 2013.

See page 2 for an invitation from Elaine and Susan to volunteer to help at the convention. It's close-by and an excellent opportunity to learn more about the League.

BAY AREA LEAGUE DAY: WATER: CALIFORNIA'S GOLD 2013

Saturday, February 2, 2013

9:00 a.m. – 2:10 p.m.

First Unitarian Church of Oakland

**685 14th Street at Castro,
Oakland, CA 94612**

The League of Women Voters Bay Area presents a study of the importance of water in California. The keynote speaker will be **Matt Weiser**, journalist with the Sacramento Bee newspaper and an expert in the field of California water.

There will be three panels of experts on

- 1) California Water Background,
- 2) Governance, and
- 3) Water Conveyance, the Bay Delta Conservation Plan and Tunnel Vision.

Cost in advance: \$30 (\$15 without lunch); at the door \$35 (\$20 without lunch). To register write a check payable to 'LWVBA' and mail, including your name and any guest names to LWVBA, 1611 Telegraph Avenue, Suite 300, Oakland, CA 94612.

For more details, please call (510) 839- 1608 or email editor@bayareamonitor.org.

Join the League of Women Voters

Membership in the League of Women Voters is open to all men and women of voting age who are U.S. citizens. Others are welcome to join the League as associate members.

Send your check payable to LWVCS to LWV Cupertino-Sunnyvale, P.O. Box 2923, Sunnyvale, CA 94087.

_____ \$60 Individual member

Name(s): _____

_____ \$90 Two members in a household

Address: _____

_____ \$30 Student

City: _____ State: _____ ZIP: _____

_____ Contribution \$ _____

Phone(s): _____

Email(s): _____

Membership checks are made out to "LWVCS" and are not tax-deductible. Donations to "LWVCS" are also non-deductible.

To make a tax-deductible donation, write a separate check to "LWVCS Education Fund."

CALENDAR

February

- Sat 2 9:00 am-2:10 pm **Bay Area League Day**
Water: California's Gold 2013
Frist Unitarian Church of Oakland
685 14th Street at Castro
Oakland 94612
- Sat 9 9:00 am-1:30 pm **Initiative and Referendum Consensus Meeting**
Hollimon's
11155 La Paloma Drive, Cupertino 95014
- Mon 13 7:00 pm **Board Meeting**
Burnett's
729 Stendhal Lane, Cupertino 95014

March

- Thu 14 6:30 pm **County League Dinner**
Money in Politics
Michael's at Shoreline
2960 Shoreline Blvd. Mountain View 94043

WHO REPRESENTS YOU

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THE LEAGUE OF WOMEN VOTERS, a nonpartisan political organization, encourages the informed and active participation of citizens in government, works to increase understanding of major public policy issues, and influences public policy through education and advocacy.

The League of Women Voters
of Cupertino-Sunnyvale
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Sunnyvale, CA 94087

FIRST CLASS