

1994

Assembly Committee on Elections, Reapportionment and Constitutional Amendments 1993/94 Legislative Summary

Assembly Committee on Elections, Reapportionment and Constitutional Amendments

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CALIFORNIA STATE LEGISLATURE
ASSEMBLY COMMITTEE
ON
ELECTIONS, REAPPORTIONMENT AND CONSTITUTIONAL
AMENDMENTS

DIANE MARTINEZ
CHAIRWOMAN

1993/94 LEGISLATIVE SUMMARY



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SUMMARY OF LEGISLATION FOR THE 1993-94 SESSION

THE FOLLOWING LEGISLATIVE SUMMARY PROVIDES A BRIEF DESCRIPTION AND THE FINAL DISPOSITION OF EACH BILL THAT WAS HEARD BY THE ASSEMBLY ELECTIONS, REAPPORTIONMENT AND CONSTITUTIONAL AMENDMENTS COMMITTEE. COPIES OF THESE BILLS MAY BE OBTAINED FROM THE LEGISLATIVE BILL ROOM AT (916) 445-2323.

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LEGISLATIVE SUMMARY OF COMMITTEE BILLS

ASSEMBLY BILLS

AB 43 (Quackenbush) - Permanent Absent Voters - Chapter 214, 1993

Permits a spouse or other family member of a permanent absentee voter to also apply for permanent absentee voter status if that person resides with and is the primary care giver to the permanent absentee voter.

AB 126 (Quackenbush) - Elected officers: Mailings - Held by Committee

Would have prohibited an elected officer who was a candidate for statewide office to send any solicited mail at public expense within 90 days of the election. It also would have prohibited candidates for the Legislature or the State Board of Equalization, who were elected officers, from sending unsolicited mail at public expense into the district that the officer was seeking to represent within 90 days of such election.

AB 139 (Andal) - Governing Body: Term limits - Held by Committee

Would have permitted the adoption of unspecified term limits for the offices of County Supervisor, Mayor, City Council, School Board Trustee, County School Trustee, Community College Trustee, or Special District Board Member in a jurisdiction with a population of at least 25,000.

AB 140 (Andal) - Insurance Commissioner - Held by Committee

Would have imposed a limit of two terms, whether consecutive or not, on the Office of Insurance Commissioner for terms that commence on or after January 1, 1994. The limitation would not have applied to any unexpired term which the person was appointed to fill if the remainder was less than one-half of the full term.

AB 271 (Areias) - Motor Voter Act - Vetoed by Governor

Would have established a system of voter registration through the Department of Motor Vehicles.

AB 275 (Richter) - Special Senate Election: By Absentee Ballots; Absentee Ballots By Fax - Held by Committee

Would have permitted military personnel to vote by fax machine and would have permitted Butte County to hold a special State Senate election by absentee ballot (mail).

AB 328 (Johnson) - Campaign Statements - Chapter 391, 1993

Requires candidates who file short forms and who thereafter receive contributions or make expenditures in excess of \$1,000 to send written notice to the Secretary of State, the local filing officer, and each candidate contending for the same office within 24 hours of receiving or expending a total of \$1,000.

AB 345 (Quackenbush) - Violations Civil and Criminal Penalties - Held by Committee

Would have clarified that the 1984 change to the Political Reform Act was not intended to repeal the existing criminal and civil penalties of the Act. In addition, it would have extended civil and criminal penalties to such persons, including campaign managers, campaign staff, or paid staff, or lobbyists and lobbyist employers.

AB 359 (Baca) - Mailed Ballot Precincts - Held by Committee

Would have eliminated the mandate for election officials to notify absentee ballot voters of the two closest polling places where their ballots may be returned if not mailed to the elections officials by the election deadline.

AB 360 (Baca) - Elections: Precincts - Held by Committee

Would have permitted election precincts to have as many as 1,500 registered voters.

AB 361 (Baca) - Elections; Incumbent Judges - Chaptered 104, 1993

Prohibits the elections official, after declaring the incumbent reelected, to issue the certificate of election before the day of the general election.

AB 429 (Murray) - Voter Registration: AFDC Applicants - Held by Committee

Would have required the county welfare departments to provide voter registration services. Also would have prohibited aid or assistance from being reduced, stopped or denied based upon failure to register. The Secretary of State would have been

required to provide the offices with voter registration information to be inserted into each mailing for aid, services or both, at least once a year.

AB 569 (T. Friedman) - Off-Year Fundraising Limits - Held by Committee

Would have limited off-year fundraising by legislative, statewide and Board of Equalization candidates and officeholders. Legislative officeholders and candidates Statewide candidates and officeholders and Board of Equalization candidates and officeholders could not begin to raise money until July 1 prior to the year they run for election. Legislative officeholders could have created an expense account for governmental related expense, provided they did not raise more than \$25,000 per year for these purposes; statewide and Board of Equalization candidates could not raise no more than \$50,000 per year for these purposes.

~~*AB 583 (Morrow) - Local Public Officials: Gifts - Held by Committee*~~

~~Reduced from \$1000 to \$250 the value of gifts that a local elected officeholder could have accept from any single source during a calendar year.~~

AB 594 (Seastrand) - County Boards of Education: Code-Reviewing - Held by Committee

Would have made the county board of education the code-reviewing agency for school districts, and permitted county boards of education to charge school districts for the cost of reviewing the codes.

AB 744 (Baca) - Voter Registration: Students - Vetoed by Governor

Would have required high school students who are 18 years of age or older to be given the opportunity to register to vote on high school campuses as part of their required one-semester course in American government and civics.

AB 796 (Sher) - Slate Mailers: Disclosure - Chaptered 472, 1993

Requires disclosure statements and notices to appear on any slate mailer sent by a committee primarily formed to support or oppose one or more ballot measures.

AB 817 (Ferguson) - Political Parties: Nominations - Held by Committee

Would have permitted any qualified political party, as specified, other than the Democratic and Republican Parties, to skip the primary election and nominate candidates for the general election by convention. In addition, prohibited any party whose registration falls below 1% of the last gubernatorial vote to participate in the direct primary election.

AB 818 (Ferguson) - Ballot Measures: Qualifying Signatures - Held by Committee

Would have reduced the random sampling percentage to qualify a petition for the ballot from 110% to 103%. In addition, changed the ratio which determines if a petition is rejected from 95% to 97%.

AB 859 (Moore) - Same-Day Voter Registration - Held by Committee

Would have provided for "same-day" voter registration, which would have allowed a qualified elector to register and vote on election day at his or her polling place.

AB 862 (Quackenbush) - P.R.A. Violations: Search Warrants - Held by Committee

Would have provided that a search warrant be issued when the property or things to be seized consist of evidence which tends to show that a criminal violation of the Political Reform Act has been committed, or tends to show that a particular person has committed the offense.

AB 884 (Collins) - Campaign Funds: Personal Expenses - Held by Committee

Would have permitted campaign funds to be used to pay for the cost of dry cleaning, laundering, and shoe repairs, as long as the uses of which are reasonably related to a political, legislative or governmental purpose.

AB 1025 (Peace) - Legislative Candidates: Office Resignation - Chapter 564, 1993

Requires a member of the legislature to resign from his or her current office before he or she may become a candidate for statewide elected office if the statewide elected office term commenced prior to the expiration of the Member's current office term.

AB 1116 (Bornstein) - Slate Mailers: Disclaimers - Held by Committee

Would have required that every slate mailer sent by a slate mailer organization, using as a part of its name the name of a qualified political organization or derivative, shall contain in at least 10-point Roman boldface capital-letter type, the following notice: "Not an Official Party Document."

AB 1117 (Bornstein) - Campaign Literature: Unauthorized Signatures - Chapter 334, 1993

Adds typewritten or a printed representation of a signature to the list of prohibited uses of unauthorized signature in a campaign advertisement. Punishment limited

to "knowing and willful" violations.

AB 1173 (Moore) - Nomination Process - Vetoed by Governor

Would have made various technical, clarifying and other changes to elections law relating to the nomination process, including a reduction and standardization of the number of in-lieu signatures required to qualify for candidacy for all offices.

AB 1218 (Eastin) - Voter Registration: Students - Vetoed by Governor

Would have permitted Regents of the University of California, the Trustees of the California State University, the Board of Governors of the California Maritime Academy, and the Board of Governors of the California Community Colleges to authorize the inclusion of voter registration forms in packets distributed to students during either enrollment or registration for classes.

AB 1268 (Martinez) - Confidential Information: Peace Officers - Chapter 1098, 1993

Extends to all peace officers the same protection granted to other peace officers including the confidentiality of their voter registration information, if they so request.

AB 1282 (McDonald) - Local Election: Filing Deadlines - Chapter 229, 1993

Brings municipal election filing deadlines in line, generally, with statewide and other elections.

AB 1343 (Johnson) - Campaign Contribution Limits - Held by Committee

Would have added the Ethics in Government and Campaign Contribution Limits Act of 1993 to the Political Reform Act. Limited contribution by an individual to a candidate, political committee, broad-based political committee or political party to \$1,000 (per election cycle). Limited contributions by a political committee to a candidate to \$2,500 (per election cycle). Limited contributions by a broad-based political committee or political party to a candidate to \$5,000 (per election cycle). It also would have allowed unlimited contributions by an individual to a political committee, broad-based political committee, or political party for "administrative expenses," as defined. Prohibited the transfer of contributions from one candidate or committee controlled by that candidate to another. Prohibited honorarium for local elected office holders.

AB 1357 (Karnette) - Campaign Contributions: Disclosures - Chapter 218, 1993

Eliminates the option that permits lobbyist employers or their sponsored committee to choose whether to disclose certain campaign contributions in lobbyist reports or in campaign reports, thereby requiring contributions to be disclosed on both reports.

AB 1359 (Karnette) - Long Beach Community College District - Chapter 486, 1993

Allows the governing board of the Long Beach Community College District to establish trustee areas, as specified.

AB 1380 (Moore) - Students Voting Rights Act of 1993 - Vetoed by Governor

Would have enacted the Student Voting Rights Act of 1993. Which requested the University of California Maritime Academy, and the California Community Colleges to furnish voter registration forms and absentee ballot applications to students during registration for classes, and to provide absentee ballot applications at other times upon request. In addition, the bill required elections officials to establish a polling place on election day on each public college or university campus for any county-wide election with certain exception(s).

AB 1466 (Statham) - Recall Petition: Signature Requirements - Chapter 405, 1993

Requires a Notice of Intention to recall an elected official to be signed by the same minimum number of sponsors as is required on nomination papers for that particular office (but no less than ten signatures). Defines "general election." Required the California Housing and Jobs Investment Bond Act to appear on the November 2, 1993, general election ballot as Proposition 173. Permitted any county that is authorized to conduct an all-mail ballot election to do so at the General Election to be held on November 2, 1993.

AB 1468 (Statham) - Run-Off Elections - Held by Committee

Would have provided that a person who receives a plurality of the votes cast in an election to fill a vacancy in a county office be declared the winner without a run-off.

AB 1532 (Woodruff) - Illegal Contributions - Held by Committee

Would have required that a candidate or committee which receives an illegal contribution from a person or group using a false name must turn the contribution over to the state General Fund within 30 days of discovering that the contribution was made illegally.

AB 1542 (Umberg) - Reimbursement Disclosures: Special Districts - Chapter 36, 1993

Requires special districts to disclose any reimbursement to employee or board members totaling \$100 or more for each individual charge for service or products received. Defines "individual charge". Requires reimbursement information to be made available to the public in a document published at least once a year.

AB 1553 (Tucker) - Public Records Act: FPPC Compliance - Vetoed by Governor

Would have added specified state agencies, including the Fair Political Practice Commission, to the list of government agencies which must establish and promulgate guidelines for accessibility of public records.

AB 1555 (Baca) - Affidavits of Registration - Vetoed by Governor

Would have permitted an individual to fill out a new affidavit of registration at any time after the close of registration if the individual signs an affidavit under penalty of perjury that he or she already completed a voter registration affidavit and it was mailed or given to a third party before the close of registration.

AB 1719 (Peace) - School District Elections - Chapter 76, 1994

Permits the Chula Vista Elementary School District Governing Board to be elected in the following manner:

- 1) Each trustee position is given a number.
- 2) All candidates running for a given position shall designate, by number, the position for which he or she is running.
- 3) Election for each number trustee position shall be at-large.

AB 1758 (Tucker) - Gambling - Held by Committee

Would have extended a revolving door provision to various officers and employees of the Gaming Commission for a period of three years. Prohibited Commission members from soliciting contributions for any candidate or controlled committee if that candidate appointed the commission member. Prohibited any licensee of the Gaming Commission from contributing more than \$250, "directly or indirectly, " in support or opposition to a local ballot measure that would establish local games.

Also would have prohibited any financial contribution to the Attorney General or any candidate for the office of Attorney General, or to any relevant committee by a licensee. Required license applicants for a particular jurisdiction to file all available campaign disclosure documents relevant to a local election that established local gaming in that jurisdiction.

AB 1761 (Frazee) - Campaign Contribution Limits - Held by Committee

Would have limited contributions that may be made to certain elected officials and political parties. Also would have limited contributions made by an individual to a candidate for state office or a political party to \$1,000.

This bill would have limited contributions made by a political party to:

Candidate for Assembly - \$5,000; Candidate for Senate - \$10,000;
Candidate for the State Board of Equalization - \$50,000; Candidate for Governor, Lieutenant Governor, Secretary of State, Controller, Treasurer, Attorney General, Insurance Commissioner, or Superintendent of Public Instruction - \$100,000.

AB 1869 (W. Brown) - Conflicts of Interest - Held by Committee

Would have revised the definition of "remote interest" to include the interest of an officer, director, or employee, of a credit union which has either deposits or outstanding loans with a contractor of the official's agency.

And would have provided misdemeanor penalties when a member of the Legislature; a state, county, district, judicial district, or city officer or employee, violates state conflict of interest laws regarding any contract made by them in their official capacity as specified.

It would have provided that any of the above persons making a contract in their official capacity, with the intent to defraud or with the purpose of personal enrichment, will be guilty of a felony as specified.

The provisions of AB 1869 applied only to violations occurring after January 1, 1994.

AB 1875 (B. Friedman) - Special Prosecutors: P.R.A. Violations - Held by Committee

Would have allowed a special prosecutor established by city charter, to act as the civil or criminal prosecutor with respect to violations of the Political Reform Act of 1973.

AB 1931 (Conroy) - Confidential Information: Peace Officers - Chapter 77, 1994

Grants confidentiality, upon request, of specified public information, to provide employees of a city police department or county sheriff's office, and their spouses and children who live with them. This provision applies to the Registrar of Voters, the County Assessors Office, and the Department of Motor Vehicles.

Makes it a misdemeanor to disclose this confidential information, or a felony if the disclosure results in bodily injury to these specified persons.

AB 1949 (Ferguson) - Conflict of Interest: Public Employees - Held by Committee

Would have prohibited any public employee at any level of state or local government whose official duties involves any discretionary influence on the issuance of permits, or on the promulgation, amendment, or repeal of an administrative regulation, to attempt to use his or her official position to influence a governmental decision in which the employee knows he or she has a financial interest.

AB 1993 (Bowen) - Proposition 73 Reform - Held by Committee

Would have repealed Prop. 73 and instead enacted a comprehensive system of contribution limits; increased penalties for violation of the Political Reform Act; and increased funding for the Fair Political Practice Commission.

AB 2052 (Margolin) - Campaign Statements: Filings - Chapter 1129, 1994

Requires major donor and independent expenditure committees to file semiannual campaign statements if, during the applicable 6-month period, they have made any payments to a slate mailer organization.

AB 2193 (Lee) - Permanent Absentee Voters Status - Held by Committee

Would have provided that any voter who, due to physical disability or other condition, is unable to travel to, or vote at, his or her polling place without special assistance or extraordinary effort, may apply for permanent absentee voter status.

Additionally, AB 2193 would have required the Secretary of State to prepare and distribute to elections officials a uniform application format for permanent absentee voter status.

AB 2196 (Costa) - Presidential Primary Election Date - Chapter 315, 1994

Changed the date of the presidential primary to the fourth Tuesday in March. This provision sunsets Jan. 1998, thereby effecting only the first Tuesday after the first Monday in March of odd-numbered years, provided that such an election does not cause another term of office to be increased by more than 12 months.

AB 2215 (Martinez) - Elected Officials: Judges - Chapter 315, 1994

Requires that the question, "Shall (name of justice) be elected to the office for a ___year term as provided by law?" to appear below each ballot heading in the case of candidates for Justice of the Supreme Court and court of appeals whose name appear on the November 8, 1994, general election ballot.

AB 2216 (Sher) - Advisory Question: Campaign Finance Reform - Held by Committee

This measure would have directed the Secretary of State to submit to the voters at the next general election, the question whether the Legislature should enact a system of campaign finance reform for elective state offices.

AB 2217 (Martinez) - Preservation of Registration- Candidates Affidavits - Chapter 503, 1994

Changes a candidate's affirmation to state that the candidate meets both the statutory and constitutional qualifications for office, instead of the current statement that they meet either constitutional or statutory qualifications.

AB 2218 (Martinez) - Tabulation of Write-In Votes - Vetoed by Governor

Would have provided that write-in votes need not be counted unless the total votes exceed 1.5% of all votes cast for candidates for a specific office.

AB 2219 (Horcher) - Voter Registration Forms- Chapter 79, 1994

Eliminates the requirement that voter registration forms which are used by deputy registrars be bound in book form.

AB 2220 (Martinez) - Political Reform Act: Regulations - Held By Committee

Would have provided that whenever any reference is made in the Political Reform Act to a federal or state statute and that statute is repealed or amended, the Fair Political Practices Commission is authorized to promulgate regulations to carry out the intent of the PRA.

AB 2221 (Martinez) -Campaign Statements: Filing By Fax - Chapter 638, 1994

Provides that reports and statements required under the Political Reform Act are deemed to have been filed on time if they are sent by a guaranteed overnight delivery service and the delivery service receipt indicates it was picked up on or before the due date.

Permits additional reports and statements required under the PRA to be filed by fax provided that paper copies are sent by first-class mail or guaranteed overnight delivery service within 24 hours of the applicable deadline. Faxing documents over 30 pages in length would be prohibited.

Documents allowed to be filed by fax include: statements of organization, statements of termination, campaign statements, independent expenditure reports and statements of economic interest.

Documents not allowed to be filed by fax include: statements of intention to become a candidate, notifications of a campaign bank account, or lobbyist reports.

AB 2238 (McDonald) - Voter Registration: Homeless - Held by Committee

Would have established a procedure for homeless people to register to vote even though they have no permanent residence. Such individuals would have had to register at the elections office or another location designated by election officials, present two forms of identification, and provide a mailing address, including a shelter or similar facility at which they have stayed.

AB 2239 (McDonald) - Motor Voter - Held by Committee

Would have made various changes in the law relating to voter registration to comply with the National Voter Registration Act of 1993, which takes effect

Jan. 1, 1995. Tested the possibility of holding statewide primaries over a two-day weekend in June of 1994 and 1996.

AB 2305 (Johnson) - Ballot Measure: Qualifying Signatures - Held in Committee

Would have provided that if a random sample of petition signatures to qualify a measure for the ballot determines that the petition contains at least 105% of the required signatures (instead of the current 110%), the measure qualifies for the ballot.

AB 2337 (Martinez) - Political Reform Act: Regulations - Held by Committee

Would have declared that provisions of the Political Reform Act are to be liberally construed to accomplish its purposes consistent with the First Amendment to the United States Constitution.

AB 2374 (Johnson) - Candidates: Legal Obligations - Vetoed by Governor

Would have provided that a candidate or any member of a campaign committee not be personally liable for any debt or tortious conduct of the committee or of any agent, officer, employee, or other member of the committee, unless the candidate or member has personally agreed in writing or orally to be liable for the debt or has personally committed the tortious act.

AB 2375 (Brulte) - Term Limits: Insurance Commissioner - Chapter 1227, 1993

Limits the office of Insurance Commissioner to two 4-year terms, whether consecutive or not, beginning Jan. 1, 1995.

Requires a gubernatorial appointment and legislative confirmation for any vacancy in the office of Insurance Commissioner. Authorizes the Insurance Commissioner to participate in the Legislators' Retirement System.

AB 2410 (Speier) - Voter Registration Forms: Jury Duty Lists - Chapter 777

Prohibits the use of voter registration records for selecting jurors. Requires that the word "optional" be printed next to the request for a voter's telephone number on the voter registration form. Eliminates occupation from the voter registration form. Makes the home address, telephone number, occupation, precinct number and prior registration information confidential on voter registration records of all voters.

AB 2446 (Bowen) - Permanent Absent Voters - Vetoed by Governor

Would have permitted any registered voter to apply for permanent absent voter status.

AB 2482 (Baca) - School District Elections - Held in Committee

Would have required every school district having a pupil enrollment of at least 30,000 of which 30% or more were members of an ethnic minority as of the 1992-93 fiscal year to establish elections by trustee district. This bill would have also allowed the governing board of the district to seek assistance from city, city-county, or county legislative bodies in establishing trustee districts.

AB 2483 (Hoge) - Voting: Declaration of Citizenship - Held in Committee

Would have required every registered voter before they vote at any polling place, to sign a statement under penalty of perjury that they are a U.S. citizen. Once such a statement is filed, they would not have to file a new declaration when they vote in a future election.

AB 2503 (Bowler) - Late Contributions: Reporting Cumulative Totals - Held in Committee

Would have required the contributor to report the cumulative total contributed to or on behalf of any candidate or committee on all late contribution reports.

AB 2504 (Bowler) - Political Reform Act of 1974: Identification of Contributors - Held in Committee

Would have required a committee to return every contribution from an individual if the committee does not have the employer and occupation of the contributor within 30 days after the deadline for filing the campaign statement on which the contribution is required to be reported.

AB 2651 (Murray) - Eligibility For School Boards - Held in Committee

Would have required that all members of a school board or county board of education have a high school diploma or equivalent.

ACA 3 (Richter) - Budget Bill: Passage - Held in Committee

Would have denied the Legislature their salary and per diem for each day after June 30 that the Budget Bill is not passed. Lowered the current 2/3 vote requirement for passage of the Budget Bill to a simple majority, and specified that statutes enacting the Budget go into effect immediately upon their enactment.

ACA 4 (T. Friedman) - Term Limits: State Assembly - Held in Committee

Would have provided for 4-year terms for members of the State Assembly. Limited service in the Assembly to two terms, regardless of length.

ACA 5 (Tucker) - Electorate Majority Vote: Bonds - Held in Committee

Would have allowed by majority vote (instead of two-thirds) the adoption of a local agency proposition on the ballot for incurring general obligation bonded indebtedness.

ACA 6 (Tucker) - Alcohol Sales: Minors as Decoys - Held in Committee

Would have allowed persons ages 18-21 to be used by peace officers as decoys to catch persons who sell alcoholic beverages to minors. Prohibited the decoys from using false identification showing the person to be 21 years of age or older.

ACA 7 (Peace) - Insurance Commissioner: Election: Terms of Office - Held in Committee

Would have provided in the Constitution that the Insurance Commissioner is elected at the same time and place and for the same term as the Governor.

ACA 8 (Hauser) - Reassessment Exemption: Handicap Access Construction - Chapter 92

Authorizes the Legislature to provide that "newly constructed" does not include the construction, installation, removal or modification on or after the effective date of the measure of any portion or structural component of an existing building or structure in order to make it more accessible to, or usable by, a disabled person.

ACA 11 (Campbell) - UC Board of Regents - Held in Committee

Would have required Assembly confirmation (in addition to Senate confirmation) of public members of the University of California Board of Regents appointed by the Governor. Shortened the terms of public members of the board from 12 to six years. Replaced the UC President as a member of the board with a second student, and provides that the two student members would be the President and Vice-President of the UC Student Association rather than discretionary appointments by the Board of Regents.

ACA 12 (Sher) - Campaign Finance Reform - Held in Committee

Would have requested the Legislature to pass by majority vote, and the Governor to sign into law, on or before July 1, 1995, a system of campaign finance reform for elective state offices that may include any of the following:

- o Limitations on contributions and campaign expenditures;
- o Restrictions on the transfer of campaign funds;
- o A plan for voluntary public participation in campaign financing.

Permitted local agencies to adopt campaign reform laws, including public financing of local candidates. Prohibited any law banning public financing of campaigns.

ACA 14 (Alpert) - Term Limits/Off-Year Fundraising - Held in Committee

Would have limited California State Senators to two, 6-year terms and members of the California State Assembly to two, 4-year terms. Prohibited a person elected to the State Legislature, or their campaign treasurer, for a period of one year from the date that the term of office commences, from soliciting or accepting any campaign contribution or loan for the purpose of running for any public office.

ACA 16 (Ferguson) - Candidates: Forfeiture of Office - Held in Committee

Would have required that a state elected official forfeit his or her office 30 days after filing a Declaration of Intention to become a candidate for any elective officer other than that which he or she currently holds. (Included Members of the Legislature, the Governor, Lieutenant Governor, Attorney General, Controller, Insurance Commissioner, Secretary of State, Superintendent of Public Instruction, Treasurer and Members of the Board of Equalization).

ACA 17 (Knowles) - Property Taxation: Purchase or Change in Ownership: Parent-Child Transfer Exclusion - Chapter 110

Includes qualifying transfers between grandparents and their grandchild or grandchildren if the parents of the grandchild or grandchildren are deceased upon the date of the purchase or transfer.

ACA 19 (Margolin) - Local Health Facilities - Held in Committee

Would have allowed by majority vote a property tax rate in excess of 1% to pay for the acquisition of real property, or the construction, reconstruction, of rehabilitation of local health facilities.

ACA 20 (Archie-Hudson) - UC Board of Regents - Held in Committee

Would have divided the appointments of the public members of the University of California Board of Regents equally among the Governor, the Speaker of the Assembly, and the Senate Rules Committee. Shortened the terms of public members of the board from 12 years to eight years.

In addition, this measure would have replaced the UC President as a member of the board with a second student selected directly by the student association. Transferred confirmation responsibility for public members of the board from the Senate to a special committee composed as specified. Declared that the student, faculty, and alumni representatives be selected for one-year terms; and public members of the committee serve four-year terms. Limited annual compensation of UC officers to no more than twice the average annual compensation of tenured and tenure-track faculty.

ACA 23 (Statham and W. Brown) - Elected Officers: Limitation on Holding Office - Held in Committee

Would have prohibited a person elected to, or holding, any federal, state, or local elective office from holding any other elective office unless the term of the other office starts 60 days after the ending term of the current elective office or unless the offices are legally compatible.

ACA 25 (Woodruff and Eastin) - Post-Secondary Education: Minimum Funding - Held in Committee

Would have expanded Proposition 98, which established a minimum funding guarantee for schools and community colleges, to include the California State University and the University of California.

ACA 31 (Speier) - Office Of Secretary of State: Non-Partisan Office - Held in Committee

Would have required the office of Secretary of State to be non-partisan.

ACA 35 (Horcher) - Postsecondary Education - Held in Committee

Would have required the California Citizens Compensation Commission to adjust the annual salary and the medical, dental, insurance, and other similar benefits of the chief executive officers of California's public colleges and universities.

ACA 36 (McDonald) - Motor Vehicle: Tax Fuels: Transportation Corridors - Held in Committee

Would have clarified that motor vehicle fuel tax revenues may also be used for the research, planning, construction and improvement of intermodal corridors of economic significance.

ACA 37 (Bustamante) - Crimes: Bail - Chapter 95

Expands certain crimes and offenses to include felony sexual assault offenses on another person, when the facts are evident or the presumption is great, and the court finds, based upon clear and convincing evidence, that there is substantial likelihood the person's release would result in great bodily harm to others.

ACA 40 (Costa) - Statewide Initiative Statutes - Held in Committee

Would have required legislative hearing on each qualified initiative measure to recommend whether or not the Legislature should adopt the initiative or amend and adopt it. Required the Secretary of State to withdraw an initiative measure or an amended version of the initiative which has been endorsed by the proponents of the initiative.

ACA 41 (McPherson) - Campaign Reform: Public Financing of Campaigns - Held in Committee

Would have directed the Legislature, by a majority vote of each house, to provide a system of campaign finance reform for elective state officials. Local governmental agencies would have been prohibited from enacting an ordinance or ordinances providing for campaign reform, public financing, or both, for candidates for local elective office.

ACA 46 (W. Brown) - Commission on Judicial Performance (CJP) -Chapter 111

Commencing March 1, 1995, this measure will revise the membership, terms of office, and appointing powers with respect to the composition of the CJP. This measure will also transfer the authority to remove, retire, suspend, publicly, or privately admonish, or censure a judge to the CJP; provide for review by the Supreme Court, or by a panel of judges of the courts of appeal in the case of a judge of the Supreme Court, of decisions to retire, remove, admonish, disqualify, or censure a judge.

SENATE BILLS

SB 2 (Kopp) - Term Limits for Local Governing Boards - Held in Committee

Would have authorized the governing bodies of county boards of education, school districts, community college districts, or other districts, any board of supervisors or city council, or the residents of those respective entities, to submit a proposal to the electors to limit the number of terms a member of a governing body, board of supervisors, or city council may serve subject to voter approval of the proposal by a majority of the votes cast in a regularly scheduled election.

SB 139 (Kopp) - Conflict of Interest: State Board of Equalization - Held in Committee

Would have redefined "adjudicatory proceeding pending before the State Board of Equalization" to include assessments of railroads, utilities, and pipelines for purposes of conflict of interest disclosures. The effect of the bill would have been to prohibit any board member from participating in an assessment decision if he or she accepted more than \$250 in contributions from that assessee during the previous 12-month period. Provided that if a party fails to complete the disclosure form, any member may vote to determine that all issues in controversy are to be resolved against the party.

SB 165 (Marks) - Candidate Filing Fees: In-Lieu Petitions - Chapter 1189

Permits candidates to submit petitions containing signatures in lieu of the filing fee. Requires signatures as follows: State Assembly candidates - 1,500; State Senate or Congressional candidates - 3,000; Candidates for statewide office - 10,000; all other offices in districts with 2,000 or more registered voters - four signatures for each \$1 of the filing fee, or 10% of the district's registered voters, whichever is less.

Provides that candidates who fail to file the minimum number of in-lieu signatures may submit a supplemental petition or pay a pro rata portion of the filing fee to cover the deficiency. Renames the "Declaration of Intention" the "Statement of Intention" and makes various other technical changes.

SB 204 (Dills) - Statements of Economic Interest - Held in Committee

Would have required that a copy of a Statement of Economic Interest, currently filed with the Fair Political Practices Commission by state officeholders and candidates for state offices, be provided to the Secretary of State as well.

SB 217 (Dills) - Report Filing: Lobbyists - Chapter 1139

Requires lobbying firms, lobbyist employers, and others who spend at least \$5,000 per year lobbying, to file reports with cumulative totals accrued for an entire legislative session, beginning Jan. 1 and ending Dec. 31 in the second year of a two-year legislative session instead of accrued by calendar year. Requires random audits biennially, rather than annually, covering reports filed during a two-year period.

SB 230 (Marks) - Post-Government Employment Restrictions - Chapter 230

Expands the existing "revolving door" provisions of the Political Reform Act affecting designated employees of the Governor's office and other administrative agencies to also prohibit lobbying to influence "legislative" as well as administrative action by former employees of administrative agencies.

SB 231 (Marks) - S.E.I. Filing/Notification of Reportable Gifts - Chapter 1140

Codifies the current regulatory requirement for city and county treasurers to file their statements of economic interests (SEIs) with the Fair Political Practices Commission. Provides that persons required to file periodic reports who send invitations to public officials or candidates for state office, include on the invitation in at least eight-point boldface Roman type: "Attendance at this event by a public official will constitute acceptance of a reportable gift."

SB 253 (Kopp) - Campaign Statements: Filing - Chapter 769

Deletes the requirement that state and local ballot measure committees file a campaign statement 21 days after the deadline for submitting their petition signatures. Requires local ballot measure committees to file quarterly campaign statements. Provides that state or local ballot measure committees do not have to file quarterly campaign statements following the election at which the measure is voted upon unless the committee makes expenditures or contributions to support or oppose another ballot measure.

SB 295 (Ayala) - Terms of Office: Colton Joint Unified School District - Chapter 17

Prescribes special terms for members of the Colton Joint Unified School District governing board for the Nov. 2, 1993, and Nov. 7, 1995, elections.

SB 304 (Russell) - Slate Mailers: Disclaimers - Held in Committee

Would have required any slate mailer which is represented as being sent or authorized by any political party, political party organization, or organization or group using as a part of its name the name of a political party to contain a notice that states in 10-point Roman boldface, capital-letter type: "**NOT AN OFFICIAL PARTY DOCUMENT.**" This requirement would have only applied to slate mailers sent by a slate mailer organization.

SB 336 (Boatwright) - Regional Water Board Executives: Conflict of Interest - Chapter 773

Prohibits a regional water board executive officer from making a decision or using his or her official position to influence a decision of a regional water quality control if the executive officer has received, during the previous two years, 10% or more of his or her income from the person or entity affected by that decision.

SB 427 (Beverly) - Increases Political Reform Act Thresholds - Held in Committee

Would have doubled 21 reporting thresholds adopted 20 years ago under the Political Reform Act in order to adjust for a 201% increase in inflation. Changed the monetary threshold on campaign contributions and expenditures. Changed the fair market value of a public official's investments, interests in real property, and sources of income that are required to be disclosed. Changed the value of gifts that may be received.

SB 440 (Watson) - Voting: Proof of Identity - Held in Committee

Would have permitted county boards of supervisors to adopt a resolution requiring a person who desires to vote at polling places on election day to present to a precinct officer acceptable proof of his or her identity.

SB 511 (Killea) - Candidate Statements: Nonpartisan Officials - Held in Committee

Would have extended the current restrictions on judicial candidate statements to all candidates for nonpartisan office in any local agency. Prohibited candidate statements submitted by candidates for any nonpartisan elective office in any local agency from including any reference to any other candidate for the same office, including any reference to another candidate's qualifications, character or activities. Prohibited elections officials from printing any statement containing such references.

SB 535 (Marks) - Election Code Cleanup - Chapter 1302

Clarifies, simplifies and eliminates inconsistencies in the Election Code as well as eliminates obsolete requirements which impose costs on local government.

SB 571 (Roberti) - Contributions - Held in Committee

Would have defined the term "at the behest of" as meaning an expenditure made under or with the control, direction, cooperation, consultation, coordination, concert, request, or suggestion of a candidate-controlled committee, official committee of a political party or an organization formed or existing primarily for political purposes.

SB 588 (Lockyer) - Political Reform Act of 1974: Campaign Financing Reform Act of 1996 - Held in Committee

Would have repealed the prohibition against public financing of campaigns and the regulatory scheme now applicable to special elections, substituting a comprehensive regulatory scheme based on spending limits. As an amendment to an initiative, this bill required ratification by popular majority in a subsequent election prior to taking effect.

SB 599 (Marks) - Political Advertising: Audio Disclosure - Held in Committee

Would have required radio and television advertisements which are for or against ballot measures to audibly disclose the name of the sponsored committee which authorized and paid for them. Required that advertisements which were authorized and paid for by an unsponsored committee audibly disclose the name of any individual or industry from which the committee received 80% or more of its contributions.

SB 758 (Hayden) - Political Reform Act of 1974: Campaign Statements - Held in Committee

Would have required all committees that receive contributions or make expenditures of more than \$30,000 in a calendar year to support or oppose a candidate for the Legislature, Board of Equalization, or statewide office to file statements in an electronic format prescribed by the Secretary of State after Jan. 1, 1996. Directed the Secretary of State to develop an electronic reporting process for use by such committees and make this information available without charge to the public via Internet.

Would have required the Secretary of State to establish a training program on the electronic reporting process and make the process and data available to any committee that files a campaign statement pursuant to the provision of the bill and the public, as specified. Allowed the Secretary of State to accept donations of money, goods and services for the purpose of developing the electronic reporting system.

SB 761 (Hayden) - Conflict of Interest: LACMTA Alternate Members - Chapter 644

Prohibits an alternate member representing a regular member of the Los Angeles County Metropolitan Transportation Authority from making, participating in the making, or in any way attempting to use his or her appointed position to influence an authority decision in which the alternate member knows or has reason to know that the regular member who made the appointment has a financial interest.

SB 771 (Rosenthal) - Campaign Funds: Security Systems - Chapter 1143

Provides that campaign funds may be used to pay or reimburse the state for the costs of installing and monitoring a security system in the home or office or both of a candidate or elected officer who has received threats to his or her physical safety.

SB 843 (Senate Elections & Reapportionment Committee) - Elections Code Cleanup -Chapter 9

Makes technical and clarifying changes to the Elections Code relative to county referendum procedures, absentee ballot application processing and various other election procedures.

SB 873 (Kopp) - State Ballot Pamphlets - Chapter 156

Requires the ballot pamphlet to contain a section that provides a concise summary, prepared by the Legislative Analyst, of the general meaning and effect of "yes" and "no" votes on each state measure.

SB 1127 (Johnston) - All-Mail Elections: Butte/San Joaquin Counties - Chapter 59

Extends an all-mail ballot election pilot program to include Butte and San Joaquin Counties. Extends the sunset date of the all-mail pilot program in Placer and Stanislaus Counties to Jan. 1, 1996.

SB 1170 (Alquist) - Initiative Measures: Fiscal Estimates - Vetoed by Governor

Would have deleted the requirement that the Department of Finance participate in the preparation of fiscal estimates for state initiative measures, thereby requiring the Joint Legislative Budget Committee to assume sole responsibility.

SB 1205 (Hurtt) - Voter Registration by Fax: Overseas Military - Chapter 235

Authorizes California citizens who are members of the United States armed forces and/or who are residing overseas to register to vote and to apply for a special absentee ballot by facsimile (fax) transmission.

SB 1238 (Kelley) - Elections: Hospital District Boards - Chapter 815

Changes the procedure relative to the election of hospital districts' board of directors, including allowing new zones established by a hospital board, to take effect without an election unless a petition to request an election ratifying the zones is filed with the county clerk within 60 days after board passage of the resolution.

SB 1384 (Kopp) - Elections: Payments; Inducements - Chapter 818

Prohibits from directly or indirectly paying, lending, or contributing any money or other valuable consideration to or for any person, organization, or entity in exchange for that person's explicit promise not to solicit a person or persons to vote at any election. Prohibits a person from directly or through any other person, receiving or agreeing to receive, or through any other person, organization, or entity receiving any money or other valuable consideration in exchange for that person's explicit promise not to solicit a person or persons to vote at any election. This act will be a felony punishable by 16 months or two or three years in prison.

SB 1392 (Marks) - Elections - Held in Committee

Would have deleted the requirement for the retention of the election returns for the last four statewide elections. In addition, would have made a technical change in this provision and would have authorized county elections officials that use data processing equipment to store this information and send it to the Secretary of State's medium in a format approved by the Secretary of State. This bill would have also made numerous technical, non-substantive changes in this provision.

In addition, would have repealed this provision and required the Secretary of State to produce an audio cassette tape of the state ballot pamphlet, to be made available in quantities, and to contain specified information, as determined by the Secretary of State.

Would have required that, if an emergency situation, as proclaimed by the Governor, interferes with a voter's ability to vote in his or her assigned precinct on election day, the Secretary of State may order emergency voting procedures to permit those voters to cast statewide ballots in a county or precinct other than those in which they are registered to vote.

Senate Bill 1392 would have also given the Secretary of State the authority to require that an application requesting approval of an escrow facility to be signed under penalty or perjury. This bill would have provided that, if the incumbent's failure to file a declaration of intention is because he or she has already served the maximum number of terms permitted by Proposition 140 for that office, there shall be no extension of the period for filing that document.

SB 1441 (Marks) - Voter Registration - Held in Committee

Would have added Section 854 to the Election Code, relating to elections. Designated the Secretary of State as the chief elections official for the purposes of the National Voter Registration Act. Permitted an applicant to include his/her California driver's license number or California identification card number for an affidavit of registration. The applicant is no longer required to include occupation.

Allowed the Secretary of State, subject to the approval of the Department of Motor Vehicles, or other agency, to design a registration form or modify the existing form, for the use in that agency. Allowed a voter who has moved to another address in the same county and congressional district and who has not registered to vote at their new address, at their option, and upon showing proof of current residence, to re-register and vote on the day of the election at their designated polling place, or at the county elections office or other central location specified by that election official.

SB 1518 (Marks) - Voter Registration Lists - Chapter 1207

Repeals the provisions establishing confidential voter registration and would make confidential the home address, telephone number, occupation, precinct number and prior registration information of all registered voters. It would allow the release of confidential voter information for campaign, election, scholarly, journalist, or political research, or governmental purposes, or in the case of a challenge to a person's vote.

SB 1545 (Senate Elections & Reapportionment Committee) - Elections: Voting - Chapter 1189

Adds that a person certifies his/her residency by signing an affidavit of registration for the purpose of voting only. Requires the Secretary of State to mail ballot pamphlets not more than 40 days before the election. Repeals the provision prohibiting party primary endorsements. Will prohibit precinct officers from "displaying, distributing, or making available" any material other than those provided by the election official.

SB 1546 (Senate Elections & Reapportionment Committee) - Cross Referencing: Renumbering - Chapter 923

Allows technical non-substantive changes by revising reference to specific provisions of the Elections Code to renumber those provisions with unspecified section numbers. Will declare that the changes are necessary by the reorganization of the Elections Code by Senate Bill 1547. Only operative if Senate Bill 1547 is chaptered.

SB 1547 (Senate Elections & Reapportionment Committee) - Election Code: Reorganization - Chapter 920

Repeals the existing Elections Code, and would re-enact the code in a reorganized format. In addition, allows that the changes made because of the reorganization only have a technical and non-substantive effect. Requires that changes made will result in new or additional cost to local agencies responsible for the conduct of elections or charged with any duties or responsibilities in connection therewith.

SB 1602 (Lockyer) - Political Reform Act of 1974: Governmental Decision Disqualification - Chapter 386

Requires the FPPC to make the same biennial Consumer Price Index adjustment to the conflict of interest threshold as it does to the gift limit threshold.

SCA 3 (Lockyer) - Reorganization of Court System - Held in Committee

Would have abolished the superior, municipal and justice courts and, instead, provided for district courts in each county (i.e., unified trial courts into district courts in each county).

SCA 4 (Thompson) - Reassessment Exemption: Water Conservation Equipment- Chapter 93

Prevents reassessment of property due to the installation of water conservation equipment by providing that "newly constructed" does not include improvements to real property consisting of the installation of water conservation equipment for agricultural use as defined by the Legislature.

SCA 7 (Dills) - Reorganization of Court System - Chapter 113

Abolishes the justice courts of California, to be reconstituted as municipal courts with existing personnel retained at present number and compensation, pending future legislative adjustment.

SCA 12 (Kopp) - Elected Public Officials: Salary Limitation - Held in Committee

Would have prohibited the commission and a city, county, or city and county, from establishing any salary for a state or local elected official that exceeds the amount of annual salary established by the commission for the Governor. Would have applied to a state or local official whose term commences on or after the effective date of the measure.

SCA 15 (Roberti) - Tax Exempt Organization - Chapter 67

Prohibits any city, county, school district, special district, or any other local agency from levying any local business license tax or fee, based on income or gross receipts, on tax exempt organizations.

SCA 20 (Russell) - Property Taxation: Local General Obligation Bonds - Held in Committee

Would have established an additional exception from the property tax rate limitation for property tax to pay interest and redemption charges on general obligation bonded indebtedness incurred by school entities for school facilities, as provided, and approved on or after November 8, 1994, by 3/5 of the votes cast on the proposition.

SCA 34 (Kopp) - Budget Bill: Reserve Fund - Held in Committee

Would have denied the Governor and Legislature their salary and per diem for each day after June 30 that the Budget Bill is not passed by the Legislature. Lowered the current 2/3 vote requirement for passage of the Budget Bill to a simple majority, and specified that statutes enacting the Budget go into effect immediately upon their enactment.

Would have placed balanced budget language into the Constitution. In addition, would have required a three percent reserve requirement against the General Fund and special funds, except as specifies (pension plans, bonds, etc.).

SCA 35 (Kopp and Killea) - Office of Secretary of State: Nonpartisan Office - Held in Committee

Would have included the office of Secretary of State as a nonpartisan office.

SCA 37 (Hart) - Commission on Judicial Performance: Duties - Held in Committee

Would have revised the former provision to authorize the commission to publicly admonish a judge found to have engaged in an improper action or a dereliction of duty. Would have limited the jurisdiction of legal proceedings brought against the commission by a respondent judge to the Supreme Court, and would have made all members and staff of the commission, as specified, absolutely immune from civil liability for all conduct in the course of their official duties.

SCA 38 (Marks) - Recall Election: State Officers - Chapter 59

Allows the Governor to schedule a recall election for a state officer up to 180 days from the date of certification, if it can be consolidated with a regular election already being held in at least 50 percent of the affected jurisdiction.

SCA 39 (Hart) - Deputy and Associate Superintendents of Public Instruction: Appointment - Held in Committee

Would have deleted Section 2.1 from Article IX of the California Constitution which provided for these positions and their appointment.

SCA 44 (Alquist) - Judges: Commission on Judicial Performance - Held in Committee

Would have created an 11-member Commission comprised of the following members:

- One appellate court justice, appointed by the Supreme Court.
- One superior court judge, appointed by the Supreme Court.
- One municipal court judge, appointed by the Supreme Court.
- Two lawyers appointed by the Board of Governors of the State Bar, of which one shall be employed by the office of a district attorney or public defender and one shall be in private practice.
- Six citizens, two each appointed by the Governor, Speaker of the Assembly, and Senate Rules Committee

In addition, would have provided the following:

- A judge "may" be suspended from office (by the Commission), without loss of salary, upon notice by the Commission of formal proceedings against the judge for "judicial misconduct."
- The Commission shall suspend a judge for the reasons that the Supreme Court may currently suspend a judge as described above.

