

Amdt. #/S

February 16, 2007

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

Attention: Patricia Galvan

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INITIATIVE COORDINATOR
ATTORNEY GENERAL'S OFFICE

Re: *Term Limits and Legislative Reform Act*

Dear Ms. Galvan:

(07-0004) Enclosed is an amended version of the Term Limits and Legislative Reform Act (SA2007RF0004), which we filed on February 15, 2007. We have also included the addresses at which we are registered to vote and the signed statements certifying that we will not willfully allow initiative signatures to be used for purposes other than qualification of the measure.

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

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

Sincerely,

Roberta B. Johansen

Kari Krogseing

RBJ:NL
Enclosures
(00032481)

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

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

SECTION 2. FINDINGS AND DECLARATIONS.

The people of California find and declare the following:

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

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

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

SECTION 3. PURPOSE AND INTENT.

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

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

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

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

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

~~Their terms~~

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

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

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

(b)

(c) ~~Election of members~~ *Members* of the Assembly shall be *elected* on the first Tuesday after the first Monday in November of even-numbered years unless otherwise prescribed by the Legislature. Senators shall be elected at the same time and places as ~~members~~ *Members* of the Assembly.

(e)

(d) A person is ineligible to be a ~~member~~ *Member* of the Legislature unless the person is an elector and has been a resident of the legislative district for one year, and a citizen of the United States and a resident of California for 3 years, immediately preceding the election, *and service of the full term of office to which the person is seeking to be elected would not exceed the maximum years of service permitted by subdivisions (a) and (b) of this Section.*

(d)

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

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

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

SECTION 6. SEVERABILITY.

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

SECTION 7. CONFLICTING INITIATIVES.

In the event that this measure and another initiative measure or measures that address the number of years or terms that a Member of the Legislature may serve shall appear on the same statewide election ballot, the provisions of the other measure or measures shall be deemed to be in conflict with this measure. In the event that this

measure receives a greater number of affirmative votes, the provisions of this measure shall prevail in their entirety, and the provisions of the other measure shall be null and void.