



Santa Cruz VOTER

League of Women Voters® of Santa Cruz County

January 2013

Volume 47, Number 4

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Initiative and Referendum Study Consensus Meeting, Part One

**Thursday, January 24, 2013
1—3 P.M.**

150 Scenic Street, Santa Cruz

Calendar

Tuesday, January 8, 2013

1–3 P.M.

LWVSCC Board Meeting
Santa Cruz County Bank
720 Front Street, Santa Cruz

Thursday, January 24, 2013

1–3 P.M.

I&R Consensus Meeting, Part One
Home of Sandy Warren
150 Scenic Street, Santa Cruz

Sunday, February 10, 2013

11:30—2 P.M.

Valentine Luncheon & Silent Auction
Hilton Scotts Valley
6001 La Madrona Drive, Scotts Valley

Tuesday, February 12, 2013

1–3 P.M.

LWVSCC Board Meeting
Santa Cruz County Bank
720 Front Street, Santa Cruz

Thursday, February 28, 2013

1–3 P.M.

I&R Consensus Meeting, Part Two
Home of Sandy Warren
150 Scenic Street, Santa Cruz

Join LWVSCC as we discuss the process of citizen-directed democracy and its past and future role in California's government. On Thursday, January 24, at 1:00, LWVSCC will hold the first of two consensus meetings on the Initiative and Referendum Study at Sandy Warren's home, 150 Scenic Street in Santa Cruz. Our local League will discuss and come to consensus on how and whether the LWV of California's position should be updated and changed.

In preparation for this meeting, we encourage members to review the study guide: *Initiative and Referendum in California: A Legacy Lost?* You can access the study guide and the complete list of consensus questions, which includes the League's current position, at <http://ca.lwv.org/> Click on the [Initiative and Referendum Study](#) link at the top of the page, then scroll down to the *Study Materials* section.

At this first meeting we will consider nine of the fourteen study questions (1, 2, 3, 4, 5, 7, 8, 9, and 10) that touch on several specific aspects of the process. Should we retain the Initiative and Referendum process? What should the pre-review process be? Who should write the ballot title and summary? What should the requirements be to qualify a ballot measure? Should we make it easier or harder to qualify? Should we be able to amend the California Constitution by ballot measure? If so, should it be harder to qualify and pass a constitutional amendment than an initiative statute? What should happen when two conflicting ballot measures pass? Should an initiative which institutes new requirements for future initiatives (such as a supermajority for imposing new taxes) be required to meet those same requirements itself?

The balance of the fourteen questions will be discussed at our second meeting on February 28. We encourage all LWVSCC members to participate in this important study. If you have any questions, please contact Sandy Warren at (831) 426-9389 or sandra333warren@gmail.com

President's Message

Dear LWVSCC members:

I want to wish all of you a merry Christmas and a happy and prosperous New Year. Unfortunately, I will not be able to join you for the February 10 luncheon and silent auction fundraiser. I have always enjoyed this luncheon in years past, and I have every confidence that it will be successful and well-attended this year as well. Our speaker, Chancellor George Blumenthal of UCSC, will no doubt be interesting. I feel that our colleges and universities are facing many new challenges, and I look forward to learning about them in our March VOTER report on the luncheon.

As many of you already know, I have a son and grandson who live in Vietnam (my son is an administrator at a college there). I try to visit them every year during Tet (the Vietnamese equivalent of the Chinese Lunar New Year, falling this year on February 10). It's their one big celebration of the year: lights and flowers (always red or yellow) everywhere, family get-togethers (rather like our Thanksgiving), and fireworks over the Saigon River. The only downside is that many of the locally-owned restaurants have to close for Tet because their employees want to return home for the celebrations.

Many thanks to Peggy Marketello for putting together an excellent November lunch with author Mark Paul at Hoffman's Bistro. It was a great way to get started thinking about our state study on the initiative and referendum process.

Best wishes,
—Irene Thomas, President

Annual Valentine Luncheon and Silent Auction

With special guest speaker

UCSC Chancellor George Blumenthal The University and Its Role in our Community: Opportunities and Challenges

Sunday, February 10, 2013

11:30 A.M.—2 P.M.

The Hilton Scotts Valley

6001 La Madrona Drive, Scotts Valley 95066

RSVP by Tuesday, February 5, 2013

As Santa Cruz County's largest employer, the development and well-being of the University of California, Santa Cruz, has a great impact on our lives, and its students are an integral part of our community. Join us at our February 10 luncheon as UCSC's Chancellor Blumenthal updates us on the state of the University and shares his vision for its future.

What plans for expansion does UCSC have, and how will they affect our community and the local environment? How have recent political events affected UCSC's budget? What local research happens on campus and at off-campus at sites such as Long Marine Lab? How does UCSC foster good relations between students and University neighbors? What resources and opportunities does UCSC offer to local residents interested in volunteering or becoming involved in University life? From Shakespeare in the Glen to fresh produce grown on the farm, the University enriches our lives and influences our community.

Add to the fun by participating in our silent auction fundraiser. You can bid on the perfect Valentine's gift or a treat for yourself, and consider bringing to the event one or more items to be auctioned off. Suggested donations of gently used or new items include: candy, homemade baked goods, gift certificates, books, art, jewelry, handcrafted items, music, plants, flowers, candles, silk scarves, designer purses, knick-knacks, and gift baskets (wine, flavored vinegars, soaps, lotions).

Reserve your place at this buffet luncheon and silent auction fundraiser held on Sunday, February 10, from 11:30 A.M. to 2 P.M. at the Hilton Hotel in Scotts Valley, 6001 La Madrona Drive, by sending a check for \$30 per person, payable to LWVSCC, to Peggy Marketello at 117 Oak Way, Santa Cruz, CA 95065 We must receive your reservation by Tuesday, February 5, 2013. If you have any questions, contact Peggy at 423-0782 or pm4art@aol.com.

November Lunch with Mark Paul: Fixing Direct Democracy

In conjunction with the California League's study of the initiative and referendum process, author Mark Paul spoke at our November 16 luncheon in Santa Cruz. Mr. Paul, former deputy treasurer of California and senior scholar at the New America Foundation, co-authored *California Crackup, How Reform Broke the Golden State and How We Can Fix It*, with Joe Mathews. The book takes a close look at the history and process of direct democracy and legislative reform in California.

In 1911, as part of a reform movement led by progressives to take power away from special interests promoted by big money, the California constitution was amended to allow the initiative and referendum process. Unfortunately, it didn't take long for big money to dominate the system and shape it to serve its own purposes.

Before World War II, the initiatives were frequent, but after the war and until the mid-1960s, only eleven initiatives passed. In 1968, the constitutional revision commission relaxed requirements for petition signatures from eight percent of voters to five percent and removed the requirement that voters who signed petitions must provide their precinct, making it much easier to qualify initiatives for the ballot. The turning point came in 1978 with the passage of Proposition 13. "It set off a tsunami of initiatives," Mr. Paul stated, reshaping how California's government works.



Author Mark Paul with LWVSCC president Irene Thomas at November lunch.

Then in 1979 a California Supreme Court decision to treat shopping malls as public spaces meant signature gatherers could set up a table in crowded malls and easily get many signatures. Mr. Paul described another force driving up the number of ballot measures in California: the new political consultant class, including signature-gathering firms, law firms, and media consultants, who make money serving those wanting to pass legislation by ballot measures.

Proposition 13 centralized power in Sacramento by limiting the ability of local governments to raise funds, forcing them to go to Sacramento to lobby for the money they need to operate. It also made it harder for Sacramento to make decisions by requiring a two-thirds supermajority to increase taxes. The initiative process was used to circumvent the legislature, and Mr. Paul concluded that this is a major reason California's budget is so difficult to balance.

California's initiative process, unique in that the legislature can't alter an initiative once it has passed, bypasses the legislature without reference to budgetary needs. California's constitution has no provision requiring funding for new program initiatives. As a result, from 1990 to 2008 Californians passed eighty initiatives without any way to offset costs of implementing them. The three-strikes law is an example of a law passed by voters with high costs but no funding. With a supermajority required to raise taxes in the legislature, the legislature has no way to pay for new voter-mandated programs without going into deficit, so voters try to fix what they see as out-of-control government spending with another ballot measure further restricting the legislature, thus creating what Mr. Paul calls the "cycle of contempt." The legislature can't make logical changes to initiative mandates without going back to the voters.

Mr. Paul offered a number of fixes for the initiative problem. The initiative system should be redesigned to bring both the legislature and the voters into the process. Initiatives should adhere to the same rules as legislation and be written
—continued on Page 4

Membership

Membership in the League of Women Voters is open to 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 League of Women Voters of Santa Cruz County or LWVSCC with this form to LWVSCC, Box 1745, Capitola, CA 95010-1745.

___ \$65 Individual annual membership

___ \$100.00 Two members in a household

___ \$30.00 Student membership

___ Contribution \$ _____

Checks made out to LWVSCC are not tax deductible.

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

Name _____

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The League of Women Voters, a nonpartisan political organization, encourages informed and active participation in government, works to increase understanding of major public policy issues, and influences public policy through education and advocacy.

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Welcome to the Santa Cruz County League of Women Voters to our most recent additions, Joan Burns and Mary Gardner Loscutoff. Joan, an Aptos resident, commented that our meetings are very informative, and Mary, who lives in Santa Cruz, looks forward to learning more about the League of Women Voters in the coming year.

—*Barbara Lewis, Membership Vice President*

Long time League supporter Marlene Meyers died at the end of November. She was active in many community causes. The League appreciates her support through the years.

—*November Lunch, continued from page 3*

by those who know and understand the law. Ballot measures should be made more flexible and no longer be permanent. Everywhere but in California, initiatives can be changed by the legislature. All ballot and bond measures should live within the legislative budget, and the source of funding for the measures should be specified.

Mr. Paul also suggests that higher standards for passage should be established for constitutional amendments. Currently only a plurality of voters, fifty percent plus one, is required for passage of an amendment by initiative, versus a two-thirds vote for passage by the legislature. This imbalance encourages Californians to use the ballot to bypass the legislative process.

Another suggestion by Mr. Paul is that the legislature be able to put a counter proposal on the ballot at the same time as an initiative is put on the ballot by citizens, and voters should have an easier way to overturn legislation via referendum. This would enable the voter to “pick their favorite in a more deliberative process.” Ideally the emphasis would be shifted away from the initiative to the referendum, which is the standard in the rest of the world. In summary, there should be a real conversation between legislators and voters, allowing them to work together.

There were many questions from the audience, such as what the prospects for reform are and who has the power to change the initiative process. Daryl Steinberg, the speaker of the assembly, is interested in making changes. The legislature can put an amendment on the ballot or the process itself can be changed by initiative. There was also concern that the needs of local governments be considered in the process of reform.

Mr. Paul emphasized the need to break the cycle of contempt and blame by creating a system where citizen democracy and the legislature complement each other and work together.

Kathy Van Horn, Secretary