

AMENDED IN ASSEMBLY MAY 4, 1995  
AMENDED IN ASSEMBLY MARCH 27, 1995

CALIFORNIA LEGISLATURE—1995–96 REGULAR SESSION

**ASSEMBLY BILL**

**No. 680**

**Introduced by Assembly Member Mazzoni**

February 21, 1995

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An act to amend Sections 9084 and 9086 of the Elections Code, and to amend Sections 88001 and 88002 of the Government Code, relating to elections.

LEGISLATIVE COUNSEL'S DIGEST

AB 680, as amended, Mazzoni. Elections: statewide ballot pamphlet.

Existing law specifies information that must be included in the statewide ballot pamphlet for each state measure to be voted upon.

This bill would require committees that support ~~each~~ state ~~measure~~ *measures* to provide to the Secretary of State the names of the persons that made the five largest contributions to the committee for the measure's qualification efforts and the total contributions made by each of these contributors.

This bill would require the Secretary of State to include this information in the ballot pamphlet ~~information concerning the measure, as specified.~~

The Political Reform Act of 1974, an initiative measure, provides that the Legislature may amend the act to further the act's purposes with a  $\frac{2}{3}$  vote of each house and

compliance with specified procedural requirements. The act also provides that, notwithstanding this vote requirement, the Legislature may amend specified provisions to add to the ballot pamphlet, and would therefore require a majority vote.

This bill, which would ~~declare that it furthers the purposes of the act~~ *permit or require the inclusion of additional information in the ballot pamphlet*, would therefore require a majority vote.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 9084 of the Elections Code is  
 2 amended to read:  
 3 9084. The ballot pamphlet shall contain all of the  
 4 following:  
 5 (a) A complete copy of each state measure.  
 6 (b) A copy of the specific constitutional or statutory  
 7 provision, if any, that each state measure would repeal or  
 8 revise.  
 9 (c) A copy of the arguments and rebuttals for and  
 10 against each state measure.  
 11 (d) A copy of the analysis of each state measure.  
 12 (e) A list of the persons that made the five largest  
 13 contributions to each committee supporting each state  
 14 measure *submitted to the voters by initiative* and the total  
 15 amount of each of their contributions to the qualification  
 16 effort for that measure. Following the list ~~shall be a~~  
 17 ~~statement that the list only reflects the persons that made~~  
 18 ~~the five largest contributions for the qualification effort.~~  
 19 ~~For purposes of~~ *shall be the following statements: "This*  
 20 *list only reflects the top five financial contributors to the*  
 21 *effort to qualify this measure for the ballot. It does not*  
 22 *reflect the amount or sources of contributions made to*  
 23 *the qualification effort after (insert the date the measure*  
 24 *qualified)."* *The Secretary of State shall include in that*  
 25 *statement the date on which the measure qualified to be*  
 26 *placed on the ballot. For purposes of this subdivision:*



1 (1) The treasurer of each committee supporting the  
2 state measure shall submit a list of the persons that made  
3 the five largest contributions to the committee to the  
4 Secretary of State at a time specified by the Secretary of  
5 State.

6 (2) If a contributor is a committee controlled by a  
7 candidate, the name of the candidate shall be listed.

8 (3) If a contributor is a sponsored committee, the  
9 name of the sponsor shall be listed.

10 (4) The name of any contributor who is not required  
11 to be listed pursuant to paragraphs (2) or (3) shall be  
12 identified by a word or phrase that clearly identifies the  
13 economic or other special interest of the contributor.

14 (5) The definitions set forth in Chapter 2  
15 (commencing with Section 82000) of Title 9 of the  
16 Government Code shall apply to this subdivision.

17 (f) Tables of contents, indexes, art work, graphics and  
18 other materials that the Secretary of State determines  
19 will make the ballot pamphlet easier to understand or  
20 more useful for the average voter.

21 (g) A notice, conspicuously printed on the cover of the  
22 ballot pamphlet, indicating that additional copies of the  
23 ballot pamphlet will be mailed by the county elections  
24 official upon request.

25 (h) A written explanation of the judicial retention  
26 procedure as required by Section 9083.

27 SEC. 2. Section 9086 of the Elections Code is amended  
28 to read:

29 9086. The ballot pamphlet shall contain as to each  
30 state measure to be voted upon, the following, in the  
31 order set forth in this section:

32 (a) Upon the top portion of the first page, and not  
33 exceeding one-third of the page, shall appear:

34 (1) Identification of the measure by number and title.

35 (2) The official summary prepared by the Attorney  
36 General.

37 (3) The total number of votes cast for and against the  
38 measure in both the State Senate and Assembly, if the  
39 measure was passed by the Legislature.



1 (b) Beginning at the top of the right page shall appear  
2 the analysis prepared by the Legislative Analyst,  
3 provided that the analysis fits on a single page. If it does  
4 not fit on a single page, the analysis shall begin on the  
5 lower portion of the first left page and shall continue on  
6 subsequent pages until it is completed.

7 (c) Immediately below the analysis by the Legislative  
8 Analyst shall appear the list of the persons that made the  
9 five largest contributions to the committee to the  
10 qualification effort, as required by subdivision (e) of  
11 Section 9084.

12 (d) Arguments for and against the measure shall be  
13 placed on the next left and right pages, respectively,  
14 following the final page ~~of~~ *on which* the analysis of the  
15 Legislative Analyst ends. The rebuttals shall be placed  
16 immediately below the arguments.

17 (e) If no argument against the measure has been  
18 submitted, the argument for the measure shall appear on  
19 the right page facing the analysis.

20 (f) The complete text of each measure shall appear at  
21 the back of the pamphlet. The text of the measure shall  
22 contain the provisions of the proposed measure and the  
23 existing provisions of law repealed or revised by the  
24 measure. The provisions of the proposed measure  
25 differing from the existing provisions of law affected shall  
26 be distinguished in print, so as to facilitate comparison.

27 (g) The following statement shall be printed at the  
28 bottom of each page where arguments appear:  
29 “Arguments printed on this page are the opinions of the  
30 authors, and have not been checked for accuracy by any  
31 official agency.”

32 SEC. 3. Section 88001 of the Government Code is  
33 amended to read:

34 88001. The ballot pamphlet shall contain all of the  
35 following:

36 (a) A complete copy of each state measure.

37 (b) A copy of the specific constitutional or statutory  
38 provision, if any, which would be repealed or revised by  
39 each state measure.



1 (c) A copy of the arguments and rebuttals for and  
2 against each state measure.

3 (d) A copy of the analysis of each state measure.

4 (e) A list of the persons that made the five largest  
5 contributions to each committee supporting each state  
6 measure and the total amount of each of their  
7 contributions to the qualification effort for that measure.

8 ~~Following the list shall be a statement that the list only~~  
9 ~~reflects the persons that made the five largest~~  
10 ~~contributions to the committee for the qualification~~  
11 ~~effort. For purposes of this subdivision: shall be the~~  
12 ~~following statements: "This list only reflects the top five~~  
13 ~~financial contributors to the effort to qualify this measure~~  
14 ~~for the ballot. It does not reflect the amount or sources of~~  
15 ~~contributions made to the qualification effort after~~  
16 ~~(insert the date the measure qualified)." The Secretary~~  
17 ~~of State shall include in that statement the date on which~~  
18 ~~the measure qualified to be placed on the ballot. For~~  
19 ~~purposes of this subdivision:~~

20 (1) The treasurer of each committee supporting the  
21 state measure shall submit a list of the persons that made  
22 the five largest contributions to the committee to the  
23 Secretary of State at a time specified by the Secretary of  
24 State.

25 (2) If a contributor is a committee controlled by a  
26 candidate, the name of the candidate shall be listed.

27 (3) If a contributor is a sponsored committee, the  
28 name of the sponsor shall be listed.

29 (4) The name of any contributor who is not required  
30 to be listed pursuant to paragraphs (2) or (3) shall be  
31 identified by a word or phrase that clearly identifies the  
32 economic or other special interest of the contributor.

33 (f) Tables of contents, indexes, art work, graphics and  
34 other materials which the Secretary of State determines  
35 will make the ballot pamphlet easier to understand or  
36 more useful for the average voter.

37 (g) A notice, conspicuously printed on the cover of the  
38 ballot pamphlet, indicating that additional copies of the  
39 ballot pamphlet will be mailed by the county clerk upon  
40 request.



1 (h) A written explanation of the judicial retention  
2 procedure as required by Section 9083 of the Elections  
3 Code.

4 SEC. 4. Section 88002 of the Government Code is  
5 amended to read:

6 88002. The ballot pamphlet shall contain as to each  
7 state measure to be voted upon, the following in the order  
8 set forth in this section:

9 (a) Upon the top portion of the first page and not  
10 exceeding one-third of the page shall appear:

11 (1) The identification of the measure by number and  
12 title.

13 (2) The official summary prepared by the Attorney  
14 General.

15 (3) The total number of votes cast for and against the  
16 measure in both the State Senate and Assembly if the  
17 measure was passed by the Legislature.

18 (b) Beginning at the top of the right page shall appear  
19 the analysis prepared by the Legislative Analyst,  
20 provided that the analysis fits on a single page. If it does  
21 not fit on a single page, then the analysis shall begin on the  
22 lower portion of the first left page and shall continue on  
23 subsequent pages until it is completed.

24 (c) Immediately below the analysis by the Legislative  
25 Analyst shall appear the list of the persons that made the  
26 five largest contributions to the committee for the  
27 qualification effort, as required by subdivision (e) of  
28 Section 88001.

29 (d) Arguments for and against the measure shall be  
30 placed on the next left and right pages, respectively,  
31 following the page on which the analysis of the  
32 Legislative Analyst ends. The rebuttals shall be placed  
33 immediately below the arguments.

34 (e) If no argument against the measure has been  
35 submitted, the argument for the measure shall appear on  
36 the right page facing the analysis.

37 (f) The complete text of each measure shall appear at  
38 the back of the pamphlet. The text of the measure shall  
39 contain the provisions of the proposed measure and the  
40 existing provisions of law repealed or revised by the



1 measure. The provisions of the proposed measure  
2 differing from the existing provisions of law affected shall  
3 be distinguished in print, so as to facilitate comparison.

4 (g) The following statement shall be printed at the  
5 bottom of each page where arguments appear:  
6 “Arguments printed on this page are the opinions of the  
7 authors and have not been checked for accuracy by any  
8 official agency.”

9 SEC. 5. The Legislature finds and declares that ~~the~~  
10 ~~provisions of this act further the purpose of the Political~~  
11 ~~Reform Act of 1974 within the meaning of subdivision (a)~~  
12 ~~of Section 81012—this act amends the Political Reform Act~~  
13 ~~of 1974 by permitting or requiring the inclusion of~~  
14 ~~additional information in the ballot pamphlet in~~  
15 ~~accordance with Section 88007 of the Government Code.~~

