

Date of Hearing: April 23, 2013

ASSEMBLY COMMITTEE ON ELECTIONS AND REDISTRICTING

Paul Fong, Chair

AB 857 (Fong) – As Amended: April 15, 2013

SUBJECT: Initiatives: petition circulators.

SUMMARY: Makes numerous significant changes to provisions of state law governing initiatives and referenda. Specifically, this bill:

- 1) Requires at least 20 percent of the signatures collected to qualify a proposed state initiative measure for the ballot to be collected by individuals who did not receive money or other valuable consideration exclusively or primarily for the specific purpose of soliciting signatures of electors on the petition, as specified ("20 percent requirement").
 - a) Provides that signatures on a petition qualify toward meeting the 20 percent requirement if they are collected by a person who is an employee or member of a non-profit organization, other than an organization in the business of soliciting signatures on initiative petitions, who receives money or other valuable consideration from the organization and as part of that employment or membership solicits signatures for the qualification of an initiative measure, unless a primary purpose of that employment or membership is to solicit signatures on an initiative petition. Defines "member" for the purposes of this provision.
 - b) Provides that signatures solicited by registered voters or employees of a political party who receive money or other valuable consideration from the political party for soliciting signatures on an initiative petition do not qualify toward meeting the 20 percent requirement.
 - c) Provides that signatures solicited through direct mail do not count towards the 20 percent requirement unless the person soliciting the signatures through direct mail, and every other person who organizes, pays, or arranges for the direct mail, is eligible to solicit signatures that qualify toward meeting the 20 percent requirement, as described above. Provides that this provision shall not preclude an organization that has a primary purpose other than soliciting signatures on initiative petitions from soliciting signatures from its members through direct mail and relying on those signatures for the purposes of satisfying the 20 percent requirement.
 - d) Provides that nothing in this bill shall be construed to preclude signatures that are solicited by a person who receives nominal, non-monetary benefits, including food, transportation, or lodging, from qualifying toward meeting the 20 percent requirement.
- 2) Requires a petition for a proposed state initiative measure that is circulated by a person such that it will qualify toward meeting the 20 percent requirement to be printed on white paper in a contrasting color ink. Requires other petitions for such a measure to be printed on yellow paper in a contrasting color ink.

- 3) Requires a petition for a proposed state initiative measure that is circulated by a person such that it will not qualify toward meeting the 20 percent requirement to include all of the following:
 - a) Immediately prior to the portion of the petition for voters' signatures, the following language printed in 18-point boldface type:

"WARNING TO THE PUBLIC: THIS PETITION IS BEING CIRCULATED BY A PERSON PAID TO OBTAIN YOUR SIGNATURE. READ THE CONTENTS OF THIS PETITION BEFORE SIGNING."
 - b) Immediately following the warning identified above, a disclosure statement, in 14-point boldface type, that includes the following language:

"The political committee paying for this petition to be circulated is (insert full name of committee).

The following donors have contributed \$50,000 or more to the (insert full name of committee) within six months of the printing of this petition: (insert name of each of the top three donors who have contributed \$50,000 or more and, if an individual, his or her occupation and the identity of his or her employer)."
 - c) Requires, if the information for the disclosure statement changes, that the statement be updated within 14 days.
- 4) Requires a person who solicits signatures on a petition that qualify toward meeting the 20 percent requirement to sign an affidavit that declares all of the following:
 - a) That the person did not receive money or other valuable consideration for the specific purpose of soliciting signatures of electors pursuant to the requirements of this bill;
 - b) That to the best of his or her knowledge, the signatures on the petition sections circulated by him or her should be counted towards the 20 percent requirement;
 - c) The person's current place of permanent residence; and,
 - d) If the person is not a resident of the state, a statement that he or she consents to the jurisdiction of the state and service of process for any legal action for the purposes of an investigation or prosecution by any state or local agency regarding the validity of the signatures submitted by that person.
- 5) Makes corresponding changes to the process for elections officials to verify signatures submitted on a state initiative petition.
- 6) Requires each section of a petition for a proposed state initiative measure to bear a unique identifying number.

- 7) Repeals a requirement that a person must be a voter or qualified to register to vote in the state in order to circulate an initiative or referendum petition.
- 8) Prohibits a person from paying another person to solicit signatures on a state initiative or referendum petition, and prohibits a person from being paid to solicit signatures on a state initiative or referendum petition, unless the person soliciting the signatures registers with the Secretary of State (SOS) and completes a training program. Provides that a person who is an employee or member of a nonprofit organization, other than an organization in the business of soliciting signatures on initiative or referendum petitions, who receives money or other valuable consideration from the organization and as part of that employment or membership solicits signatures for the qualification of an initiative or referendum measure, shall not be required to register or complete the training program, unless a primary purpose of that employment or membership is to solicit signatures on an initiative or referendum petition.
 - a) Requires a person who is required to register with the SOS to file an application that includes all of the following:
 - i) The applicant's full name and any assumed name;
 - ii) The applicant's residential street address;
 - iii) An example of the applicant's signature;
 - iv) A list of the initiative or referendum petitions for which the applicant will solicit signatures;
 - v) If the applicant has been convicted of a criminal offense involving fraud, forgery, identification theft, or a violation of the Elections Code, information relating to the circumstances of the conviction, as required by the SOS;
 - vi) A statement signed by the applicant that he or she has read and understands the applicable laws pertaining to the soliciting of signatures for an initiative or referendum measure;
 - vii) Proof that the applicant has completed the required training;
 - viii) A photograph of the applicant, as specified; and,
 - ix) If the applicant is not a resident of the state, a statement that he or she consents to the jurisdiction of the state and service of process for any legal action for the purposes of an investigation or prosecution by any state or local agency regarding the validity of the signatures submitted by that person.
 - b) Requires the application to be signed under penalty of perjury.
 - c) Provides that if an applicant complies with the registration requirements specified above, the SOS shall register the applicant and assign the applicant a registration number within

five days.

- d) Requires the SOS to deny the registration of a person who has been convicted of a criminal offense involving fraud, forgery, or identification theft in any state, or a violation of the Elections Code, during the five-year period prior to the date of the application.
 - e) Requires a person registered pursuant to these provisions to wear a badge provided by the proponent of the measure that evidences a person's registration when the person is soliciting signatures on the petition. Requires the badge to contain the person's photograph and registration number, and requires the SOS to prescribe the form of the badge by regulation.
 - f) Provides that a person's registration as a petition circulator is effective for two years. Requires the registrant to amend his or her application to reflect any changes within 10 days, and prior to circulating any petition that was not previously included on the registration as a petition that the person would be circulating.
 - g) Requires the SOS to revoke the registration of a person who, in the course of circulating an initiative or referendum petition, engages in fraud, misrepresentation, or other specified conduct prohibited by the Elections Code.
 - h) Requires the SOS to establish a training program that includes, but is not limited to, instruction to circulators regarding how to avoid fraud, misrepresentation, and other misconduct during the circulation of petitions and instruction on compliance with, and the consequences for violations of, the requirements of these provisions.
- 9) Provides that if a person was not registered as a petition circulator pursuant to this bill at the time that person solicited signatures on a petition, but was required to be registered at that time for the purposes of that petition, the signatures presented on the petitions or sections of the petition circulated by that person shall not count toward qualifying that measure for the ballot.
- 10) Requires the proponent of an initiative or referendum measure who pays a circulator who is required to be registered pursuant to this bill to keep detailed accounts, as specified. Provides that "accounts," for these purposes, means all of the following:
- a) Contracts between the proponent and petition circulators;
 - b) Employment manuals and training materials provided to petition circulators;
 - c) Payroll records for each petition circulator showing hours worked, number of signatures collected, and amounts paid;
 - d) Records identifying the amount and purpose of payments made by the proponent to any contractor or subcontractor soliciting signatures; and,

- e) Copies of petition sections circulated by registered circulators.
- 11) Requires the SOS to review the accounts of initiative and referendum proponents, as specified, according to a regular schedule.
- 12) Provides that if the proponent of a measure does not produce accounts upon demand of the SOS, there is a rebuttable presumption that the signatures were gathered in violation of the law and cannot be used to qualify the measure for the ballot. Prohibits the proponent from soliciting additional signatures on the petition until the proponent makes the accounts available to the SOS for inspection.
- 13) Provides that a state initiative or referendum petition section is invalid if the signatures are solicited and submitted by a person who engages in fraud, misrepresentation, or other illegal conduct concerning the circulation of the petition, as specified. Provides that the SOS or any elector may enforce this provision by a civil action in which the plaintiff has the burden of showing a violation by clear and convincing evidence.
- 14) Provides that the provisions of this bill shall take effect on January 1, 2014, and shall apply to any initiative or referendum petition for which the Attorney General issued a circulating title and summary on or after October 1, 2013.
- 15) Makes various findings and declarations about the initiative process and the influence that special interests and paid circulators have on that process.
- 16) Makes corresponding changes.

EXISTING LAW:

- 1) Allows electors to propose statutes and amendments to the Constitution and to adopt or reject them through the initiative process.
- 2) Requires that a state or local initiative petition contain a notice alerting voters that the petition may be circulated by a paid signature gatherer or a volunteer, and that voters have the right to ask if a petition circulator is a paid gatherer or volunteer.
- 3) Establishes penalties for fraudulent activity related to signature gathering.

FISCAL EFFECT: Unknown. State-mandated local program; contains reimbursement direction.

COMMENTS:

- 1) Purpose of the Bill: According to the author:

In 1911, as part of the Progressive movement, California voters amended the state Constitution to reserve for themselves the power of the initiative, because powerful, out-of-state interests exercised a corrupting influence over state politics.

Unfortunately, over the last 30 years, the original intent of the initiative process has been undermined, and the initiative has become one of the favorite tools of well-financed special interest groups. Voters recognize that the ability of an initiative's proponents to gather the necessary signatures to qualify a measure for the ballot is not a function of whether there is broad-based community support for a proposed measure, as originally intended, but rather depends on the amount of money that a proponent is willing to spend to place the proposal on the ballot.

When the initiative process was first created, it was envisioned that petitions would be circulated by volunteers and grassroots organizations that supported the proposed law. But in the late 1970s, the signature gathering process became a professional undertaking, and a number of professional signature gathering firms were created. Since the 1990s, most initiative measures have relied primarily on paid signature gatherers to qualify for the ballot, and no state initiative measure has qualified for the ballot using only volunteer signature gatherers since 1990.

Too often, those paid signature gatherers have used fraud and deceit to gather the signatures needed to qualify measures for the ballot, or have forged signatures on petitions. Since 1994, there have been dozens of convictions for fraudulent signature gathering, and most (if not all) of those convictions have been of paid signature gatherers. In fact, a 2008 study by the Center for Governmental Studies found no known cases in California of volunteer signature gatherers submitting fraudulent signatures.

At the same time, proposed initiative measures with true grassroots support have continued to have success in collecting large numbers of signatures using volunteer signature gatherers. In 2008, proponents of Proposition 2 gathered half a million signatures using volunteer signature gatherers.

AB 857 preserves the original intent of the initiative process by ensuring that proposed initiative measures have broad-based community support in order to qualify to appear on the ballot. To achieve that goal, AB 857 requires at least 20 percent of the signatures gathered to qualify a state initiative for the ballot to be collected by grassroots signature gatherers. Additionally, AB 857 helps ensure that measures do not qualify for the ballot due to fraudulent activity by signature gatherers by prohibiting fraudulently collected signatures from being used to qualify a measure for the ballot. Finally, AB 857 helps protect the integrity of the initiative process by requiring paid signature gatherers to undergo training and to register with the Secretary of State, and by prohibiting people convicted of fraud or other elections crimes from being paid to collect signatures on initiative petitions for a period of five years.

- 2) 20 Percent Signature Requirement: Under the provisions of this bill, in order for a state initiative measure to qualify for the ballot, at least 20 percent of the signatures gathered on the petition for that measure would have to be collected on petition sections that were circulated by a person who does not receive money or other valuable consideration exclusively or primarily for the specific purpose of soliciting signatures of electors on the petition, as specified. This "20 percent requirement" does not apply to state referendum or

recall petitions, nor does it apply to local initiatives, referenda, or recalls.

While signatures collected by volunteers will count toward meeting this 20 percent requirement, the language of the bill does not require the signatures to be gathered by volunteers in order to qualify to meet the 20 percent requirement. Instead, in certain circumstances, signatures collected by individuals who were paid for their time *could* count toward meeting the 20 percent requirement provided that the person wasn't paid *exclusively or primarily* for the specific purpose of soliciting signatures. This bill provides that signatures will count toward the 20 percent requirement if they are collected by employees and members of nonprofit organizations who receive compensation from that organization and solicit signatures as a part of their employment or membership, as long as the nonprofit organization is not primarily focused on soliciting signatures on petitions. In the case of signatures solicited by direct mail, those signatures would apply toward the 20 percent requirement if the person soliciting the signatures through direct mail and all persons that organize, pay for, and arrange the direct mail are persons who were eligible to solicit signatures that counted toward the 20 percent requirement. Additionally, signatures solicited by direct mail would count toward the 20 percent requirement if they are collected by an organization that is soliciting signatures through direct mail from its members, as long as the organization has a primary purpose other than collecting signatures.

In 1988, the United States Supreme Court ruled that a Colorado prohibition against the use of paid circulators for initiative petitions violated the First Amendment's guarantee of free speech. Writing for a unanimous court, Justice Stevens noted that "[t]he State's interest in protecting the integrity of the initiative process does not justify the prohibition because the State has failed to demonstrate that it is necessary to burden appellees' ability to communicate their message in order to meet its concerns." Meyer v. Grant (1988), 486 U.S. 414. It could be argued that the 20 percent requirement imposed by this bill could be susceptible to a court challenge in light of the United States Supreme Court's ruling in Meyer. However, the 20 percent requirement in this bill is distinguishable from the law struck down in Meyer in a number of different ways, and thus may be more likely to withstand constitutional scrutiny.

Unlike the law considered by the court in Meyer, the 20 percent requirement in this bill does not apply to all signatures gathered to qualify a measure for the ballot, but only a portion of the signatures. Furthermore, as discussed above, the signatures that are gathered to meet that 20 percent requirement do not necessarily have to be collected by individuals who are unpaid if they are gathered by members and employees of a nonprofit organization in furtherance of that nonprofit's objectives. These provisions are designed to help ensure that initiative measures that qualify for the ballot have sufficient grassroots support, while still providing significant flexibility for proponents of initiative measures to gather the necessary number of signatures.

Additionally, there is reason to believe that changes in the initiative process since the Meyer decision may undercut a key rationale used by the court in striking down Colorado's law. The Meyer court held that Colorado's interest in making sure that an initiative had sufficient grassroots support to be placed on the ballot did not justify the prohibition on the use of paid signature gatherers because it found that interest was "adequately protected by the requirement that no initiative proposal may be placed upon the ballot unless the required

number of signatures has been obtained." But this bill questions whether the signature requirement, in and of itself, still serves as a sufficient barometer of grassroots support for a measure, finding that "[w]hether an initiative measure qualifies for the ballot no longer depends upon how much the state's voters truly support the proposed law but, rather, depends on how much money a proponent is willing to spend to place the proposal on the ballot." This bill further finds that "the presence of an initiative on the ballot is no longer viewed as an expression of a minimum amount of public support but, rather, the willingness of a special interest to pay a sufficient number of petition circulators to use whatever means necessary to qualify the initiative measure for the ballot." Research in 2008 by the now-closed Center for Governmental Studies (CGS) supports these findings, suggesting that over time, the signature requirement has morphed from being a measure of the level of grassroots support for an initiative to instead being a measure of the amount of money that proponents are willing to spend to qualify a measure for the ballot. In its 2008 report, "Democracy by Initiative: Shaping California's Fourth Branch of Government, Second Edition," CGS wrote:

For the last few decades, the most important factor determining whether an initiative will qualify for the ballot has been the amount of money spent on petition circulation. In the late 1970s, a gap began to grow between the amount of money spent on successful and unsuccessful attempts to qualify initiatives. Prior to the upsurge in ballot qualification costs that began with the 1978 general election, expenditures on petition circulation for both successful and unsuccessful efforts were reasonably close.

While expenditures on unballoted initiatives have barely risen, the amount of money spent on successful qualification efforts has increased exponentially. In the early 1990s, ballot qualification could reasonably be assured at a cost of \$500,000 and guaranteed at a price tag of \$1 million or more. Some initiatives had managed to qualify spending less, and, throughout the entire history of California's initiative process, only two initiative proposals that spent as much as \$500,000 on qualification efforts failed to make it to the ballot. Proponents of 10 of the 50 balloted initiatives from 1984 through 1990 spent under \$500,000 for qualification, while 24 campaigns spent over \$1 million. By contrast, the vast majority of the 39 campaigns for balloted initiatives between 2000 and 2006 spent more than \$1 million on qualification, and 16 spent over \$2 million. The fact that ballot access can be so reliably measured in terms of dollars rather than degree of public concern clearly runs counter to the original intent of the initiative process.... Money, rather than breadth or intensity of popular support, has become the primary threshold for determining ballot qualification.

- 3) Registration and Training of Paid Signature Gatherers & Badge Requirement: This bill requires individuals who receive compensation for the specific purpose of soliciting signatures on an initiative or referendum petition to register with the SOS and complete a training program designed by the SOS. The training program would focus primarily on instructing circulators about the requirements of state law when circulating petitions, while the registration requirements appear to be designed primarily to assist in the enforcement of this bill and of other provisions of state law. This bill additionally requires individuals who receive compensation for the specific purpose of soliciting signatures on an initiative or referendum petition, when circulating a petition, to wear a badge that contains the person's

photograph and registration number.

In 1999, the United States Supreme Court examined a Colorado law that provided a number of restrictions on the signature collection process for ballot initiatives. In that case the court ruled that there must be a compelling state interest to justify any restrictions on initiative petition circulation. Buckley v. American Constitutional Law Foundation (1999), 525 U.S. 182.

In Buckley, the court invalidated Colorado's requirement that paid petition circulators wear badges identifying themselves and identifying that they are paid circulators. The court stated that the requirement to wear badges inhibits participation in the petitioning process.

"Because the badge requirement compels personal name identification at the precise moment when the circulator's interest in anonymity is greatest, it does not qualify for inclusion among 'the more limited [election process] identification requirement[s]." The Buckley court did not rule on the validity of the requirement that a circulator wear a badge stating whether a petition circulator was paid or a volunteer.

It could be argued that this bill's requirements for certain circulators to wear a badge could be susceptible to a court challenge in light of the ruling in Buckley. Unlike the badge required by the Colorado law at issue in Buckley, however, the badge required by this bill does not "compel personal name identification," or otherwise compromise the anonymity of the circulator because it does not require the circulator's name to appear on the badge. Instead, the badge would contain a photograph of the circulator and that circulator's registration number issued by the SOS. Requiring circulators to wear this badge can help facilitate enforcement of this bill's provisions and of existing law by allowing voters who are asked to sign a petition to verify that the person circulating the petition is registered in accordance with the law, and to report any misconduct by petition circulators by referencing the registration number of a circulator who violates the law. Because the badge required by this bill helps facilitate enforcement of the state's laws governing the initiative process while maintaining the anonymity of the circulator, the badge requirement in this bill would appear to be on firmer ground than the badge requirement in question in Buckley.

- 4) Invalidation of Signatures: Existing law generally is silent on the issue of whether violations of state law prohibiting improper signature-gathering tactics will result in the signatures on those petitions being invalidated. In at least one case, however, a court invalidated signatures gathered to qualify an initiative for the ballot due to improper signature-gathering tactics by the proponents of the measure. In San Francisco Forty-Niners v. Nishioka (1999), 75 Cal.App.4th 637, the California Court of Appeals for the First District, Division One, prohibited an initiative measure from appearing on the ballot because the initiative petition included false statements intended to mislead voters, in violation of Section 18600 of the Elections Code. In this case, the false statements appeared on the text of the petition itself. As a result, every person who was asked to sign the petition was exposed to these false statements that were intended to mislead voters.

In a case where petition circulators make false or misleading statements about a proposed ballot measure, or engage in other illegal signature-gathering tactics in an attempt to get voters to sign a petition, it is unclear whether that misconduct can result in signatures being invalidated. Committee staff is not aware of any court cases that have addressed this issue.

This bill explicitly provides that signatures on a petition section shall be deemed invalid if the signatures were solicited and submitted by a person who engages in fraud, misrepresentation, or other improper signature-gathering tactics, as specified. In order for signatures to be invalidated under this provision, the SOS or an elector would have to file a civil action, and would have the burden of showing a violation by clear and convincing evidence.

This bill additionally provides that signatures are invalid if they are gathered by a person who receives money or other valuable consideration for the specific purpose of soliciting signatures if that person was not registered as required by this bill at the time those signatures were gathered.

- 5) Non-Resident Circulators: In 2008, the United States Court of Appeals for the Ninth Circuit ruled in Nader v. Brewer (2008), 531 F.3d 1028, that it was unconstitutional for states to prevent non-residents from circulating petitions. In 2009, the United States Supreme Court declined to hear the case on appeal, so the Ninth Circuit opinion still stands.

In the latter half of 2012, a number of California counties were sued because their county clerks were allegedly enforcing state laws that prevent non-Californians from circulating initiatives and/or nomination papers.

In light of the court's ruling in Nader, this bill repeals a requirement that a person must be qualified to register to vote in the state in order to circulate an initiative or referendum petition in the state. To help facilitate enforcement of the law in the case of circulators that are not residents of California, this bill requires non-residents to sign a declaration consenting to the jurisdiction of the state and to service of process for any legal action for the purposes of an investigation or prosecution by any state or local agency.

- 6) Arguments in Support: The sponsor of this bill, the California Labor Federation, writes, in support:

Gone are the days when the initiative process was driven by average Californians compelled to act when legislators would not. Petition circulators were once almost universally unpaid, and signature gathering campaigns failed most often from a lack of volunteers. An inability to qualify was simply a sign that proponents needed more time to recruit an army of volunteers with which to cultivate sufficient grassroots support. Without both public support and devoted volunteers, campaigns could not generate the required number of petition signatures. The system, on its own, eliminated proposals that were not ready to become law.

That system is now a distant memory. The activists who organized widespread support by devoting time, energy, and passion towards a cause have been replaced; now, wealthy individuals and corporations hire signature gathering firms who run the show. Petition circulators are paid up to \$7 for every signature, volunteers and/or grassroots support are nowhere to be found, and many circulators openly mislead potential signers....

Taken together, [the] reforms [in AB 857] will dramatically strengthen the integrity of the process by which proposed ballot measures qualify for the ballot. AB 857 will weaken existing incentives for fraud and deceit while protecting the public interest, promoting transparency, and improving the overall quality of voter-approved public policy.

- 7) Concerns Expressed: While not taking an official position on this bill, the California Association of Clerks and Election Officials (CACEO) raises concerns about certain provisions of this bill. In its letter, CACEO writes:

Election Management System Capacity. Discussions with vendors have confirmed that existing election management systems are not programmed to administer this proposal. This will require numerous programming changes to the current applications in order to comply and to avoid unwanted or unexpected consequences. Moreover, existing systems do not have separate applications for state, county, city or district petitions, or separate applications based on type of petition (initiative, referendum or recall), requiring the development of a completely separate application for state initiatives.

Proposal Appears to Conflict with Existing Law or Regulation. The requirement to ensure signatures are collected and included in the verification may be in direct conflict with subsection (d) of Section 9030 of the California Elections Code. Meeting current rules and applying analysis relating to duplicate signatures across petition sections by circulator type would need a solution.

Increased Workload, Time and Related Cost. Implementation will require a higher level of manual processing to determine raw counts and prior to data entry or computer processing, increasing the time to complete review and creating a need for additional overtime in order to meet current petition deadlines.

- 8) State Mandates: The 2011-12 and 2012-13 state budgets included the suspension of various state mandates as a mechanism for cost savings. Included on the list of suspensions were all six existing elections-related mandates. All the existing elections-related mandates have been proposed for suspension again by the Governor in his budget for the 2013-14 fiscal year. The Committee may wish to consider whether it is desirable to establish new mandates when the Legislature has voted to suspend the existing election mandates.
- 9) Related Legislation: AB 400 (Fong), which is pending on the Assembly Floor, requires an initiative, referendum, or recall petition that is circulated by a paid circulator to include a statement identifying the five largest contributors in support of the measure. AB 400 was approved by this committee on a 5-2 vote.

SB 477 (Steinberg), which is pending in the Senate Rules Committee, declares the intent of the Legislature to enact legislation to prohibit a political campaign committee from accepting large contributions for supporting the qualification of a statewide initiative ballot measure until the committee has first received a significant number of small individual contributions made for the same purpose, thereby demonstrating a sufficient degree of public support for

the proposed initiative measure.

10) Previous Legislation: AB 651 (Hueso) of 2011, would have required all professional petition firms, as defined, to register with the SOS, and to review the law relating to obtaining petition signatures with each paid petition circulator before the circulator could obtain signatures for the firm. AB 651 was vetoed by Governor Brown, who stated that he was "not convinced that these new requirements are needed or would improve the initiative process."

SB 334 (DeSaulnier) of 2011, would have required the state ballot pamphlet for an election to include a list of the five highest contributors of \$50,000 or more to each primarily formed committee supporting and opposing the ballot measures that would appear on the ballot at that election. SB 334 was vetoed by Governor Brown, who expressed concern that the cutoff date for including contributors in the ballot pamphlet in order to comply with printing deadlines could "mislead voters about the true supporters and opponents of a ballot measure."

AB 2946 (Leno) of 2006, would have provided that any signatures collected in violation of any provision of state law relating to the circulation of a statewide initiative, referendum, or recall petition shall be invalid and shall not count towards qualification of the initiative, referendum, or recall, among other provisions. AB 2946 was vetoed by Governor Schwarzenegger, who argued that it would "allow legal technicalities to thwart the will of hundreds of thousands of Californians who choose to sign initiative petitions."

REGISTERED SUPPORT / OPPOSITION:

Support

California Labor Federation (co-sponsor)
California Professional Firefighters (co-sponsor)
California Conference Board of the Amalgamated Transit Union
California Conference of Machinists
California Teamsters Public Affairs Council
Engineers and Scientists of California
International Longshore & Warehouse Union
Laborers' International Union of North America Local 777
Laborers' International Union of North America Local 792
Professional & Technical Engineers, Local 21
San Mateo County Central Labor Council
UNITE HERE!
United Food and Commercial Workers Union, Western States Council
Utility Workers Union of America, Local 132

Opposition

None on file.

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