

SA2005RF0015,
Amdt #1-5

January 11, 2005

Law Offices of
**OLSON
HAGEL &
FISHBURN
LLP**

**VIA FACSIMILE AND REGULAR MAIL
(916) 324-8835**

Ms. Tricia Knight
Initiative Coordinator
Attorney General's Office
1300 I Street, Suite 125
Sacramento, California 94244-2550

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INITIATIVE COORDINATOR
ATTORNEY GENERAL'S OFFICE

Re: Your File No. SA2005RF0015

Dear Ms. Knight:

Thank you for your letter of January 10, 2005. I hereby request, as proponent, that the above referenced proposed initiative be amended. I have enclosed the amended text of the proposed measure. I believe the changes are not substantive.

In addition, I wish to point out that the above referenced measure was submitted to your office on January 7, 2005 by messenger, and not on January 10, 2005 as indicated in your letter. I would appreciate if your official records could be change to reflect the correct receipt date by your office.

Thank you for your attention in this matter.

Very truly yours,

OLSON HAGEL & FISHBURN LLP

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Enclosure

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Section 1. Declarations and Intent

(a) People who propose ballot measures that require more than a majority (50%) vote should live by their own rules.

(b) If someone wants to propose a ballot proposition that requires a greater than majority vote for voters to approve a law or governmental action, the proposed measure should be passed by the same vote requirement. For example, a ballot measure that proposes a new two-thirds vote requirement should itself be approved by two-thirds of the voters.

(c) This measure does not prohibit enactment of new "super-majority" vote requirements. It simply closes a loophole that currently allows ballot measures imposing new "super-majority" vote requirements to pass with a bare majority of just 50%.

(d) In order to prevent any last minute attempts to take advantage of this loophole before it is closed, this measure applies to all ballot propositions appearing on the same ballot as this measure and to all subsequent ballot propositions.

Section 2. Constitutional Amendments

Section 10 of Article II of the California Constitution shall be amended to add the following provision:

(f) Any initiative statute or constitutional amendment that includes any provision that increases or creates new requirements for voters to approve a law or governmental action by a greater than majority vote must itself be approved by the same percent of the vote set forth in the measure, notwithstanding the provisions of this section or of section 4 of Article XVIII. For purposes of this section, the term "initiative" shall include any measures placed on the ballot by the Legislature.

Section 10(b) of Article II of the California Constitution shall be amended to add the following language:

(b) If provisions of 2 or more measures approved at the same election conflict, those of the measure receiving the highest number of affirmative votes shall prevail. A greater than majority vote requirement pursuant to (f) of this section shall not be deemed to conflict with any measures on the same ballot for purposes of this section or section 4 of Article XVIII solely by virtue of the greater than majority vote requirement.

Section 3. Effective Date

The amendments to Section 10 set forth in Section 2 above shall take effect immediately upon approval by the voters and shall become operative on the day it is presented to the voters for approval and shall apply to all ballot measures appearing on the ballot for that election and all

subsequent ballot measures.

Section 4. Severability

The provisions of this measure are severable. If any provision of this measure or its application is held invalid, that invalidity shall not affect other provisions or applications that can be given effect in the absence of the invalid provision or application.