

employee member from a list of at least three *current classified employees* persons furnished by the exclusive representatives of classified employees of the California Community Colleges. *The Governor shall appoint one of the employees from a list of at least three persons submitted to the Governor by the statewide organization representing community college chief executive officers recognized to participate in the consultation process established by subdivision (e) of Section 70901.*

SECTION 14. Section 71003 of the Education Code is amended to read:

71003. (a) Except for the student members, the faculty members, and the ~~classified employee member~~ members appointed by the Governor, any vacancy in an appointed position on the board shall be filled by appointment by the Governor, subject to confirmation by two-thirds of the membership of the Senate. A vacancy in the office of a student member, a faculty member, or ~~the classified an~~ employee member shall be filled by appointment by the Governor.

(b) ~~The~~ *Except in the case of the student members, the appointee to fill a vacancy shall hold office only for the balance of the unexpired term. Vacancies in the student member positions shall be filled by an appointment by the Governor for a full one-year term.*

SECTION 15. Section 71090.5 of the Education Code is amended to read:

~~71090.5. In addition to the position authorized by Pursuant to subdivision (e) of Section 4 of Article VII of the California Constitution, the Governor, with the recommendation of the board of governors, the Board of Governors of the California Community Colleges shall appoint a Chancellor and up to six deputy chancellors and vice chancellors, who shall be exempt from state civil service. The appointments shall not exceed an aggregate total of six seven, for both the positions appointed pursuant to this section. of deputy and vice chancellor.~~

SECTION 16. Section 76301 is added to the Education Code, to read:

76301. (a) *Notwithstanding any other provision of law, the fee prescribed by Section 76300 shall be fifteen dollars (\$15) per unit per semester or the fee existing on the effective date of this section, whichever is lower.*

(b) *The fee prescribed by Section 76300 and this section shall not be increased in any year by an amount exceeding the lesser of:*

(1) *The percentage change in per capita personal income of California residents from the second preceding year to the immediate preceding year, rounded down to the nearest whole dollar; or*

(2) *Ten percent.*

(c) *This section shall be effective with the first full fall academic term commencing at least 60 days following the effective date of this section.*

SECTION 17. Section 76301.5 is added to the Education Code, to read:

76301.5. (a) *The Legislature shall allocate to any community college district that does not receive General Fund revenues through the community college apportionment because the district's local property tax and student fee revenue exceeds the general revenue calculated for the district in the annual Budget Act an amount equal to the total revenue that would have been generated by the district if the fee otherwise had remained at the level on the day preceding the effective date of this section.*

(b) *This section shall be effective only in years in which the fee prescribed by this chapter is less than the fee existing on the day preceding the effective date of this section.*

SECTION 18. Section 84754 is added to the Education Code, to read:

84754. (a) *Notwithstanding any other provision of law, decreases in FTES shall result in revenue reductions made evenly over a three-year period beginning in the year following the initial year of decrease in FTES.*

(b) *Districts shall be entitled to the restoration of any reductions in apportionment revenue due to decreases in FTES during the three years following the initial year of decrease in FTES if there is a subsequent increase in FTES.*

(c) *No district shall be entitled to revenue stability pursuant to subdivision (a) for more than 10 percent of its pre-decline total FTES, unless the Chancellor issues a finding that the decline was the consequence of a natural or man-made disaster or a regionalized financial calamity.*

(d) *By enacting this section, the people intend to maintain access for students and provide fiscal stability for community college districts and their employees during periods of enrollment instability.*

SECTION 19. GENERAL PROVISIONS

(a) **Conflicting Measures:**

(1) This measure is intended to be comprehensive. It is the intent of the people that in the event that this measure and another initiative measure or measures relating to the same issue 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 shall receive a greater number of affirmative votes, the provisions of this measure shall prevail in their entirety, and all provisions of the other measure or measures shall be null and void.

(2) If this measure is approved by the voters but superseded by law by any other conflicting ballot measure approved by the voters at the same election, and the conflicting ballot measure is later held invalid, this measure shall be self-executing and given full force of law.

(b) **Severability:** The provisions of this act are severable. If any provision of this chapter 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.

(c) **Amendment:** The provisions of Sections 8 through 15, inclusive, and Section 17 of this act may be amended by a statute that is passed by a vote of four-fifths of the membership of each house of the Legislature and signed by the Governor. All amendments to Sections 8 through 15, inclusive, of this act shall be to further the act and shall be consistent with its purposes. The per-unit fee level set by subdivision (a) of Section 16 of this act may be increased pursuant to subdivision (b) of Section 16 of this act by a statute specifically and exclusively for that purpose that is passed by a vote of two-thirds of the membership of each house and signed by the Governor. The per-unit fee level set by subdivision (a) of Section 16 of this act may be reduced by a statute that is passed by a majority vote of each house and signed by the Governor.

PROPOSITION 93

This initiative measure is submitted to the people of California in accordance with the provisions of Section 8 of Article II of the California Constitution.

This initiative measure amends the California Constitution; therefore, existing provisions proposed to be deleted are printed in ~~strikeout type~~ and new provisions proposed to be added are printed in *italic type* to indicate that they are new.

PROPOSED LAW

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.

(c)

(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.