IVP

INDEPENDENT
VOTER PROJECT

Initiative Coordinator
Office of the Attorney General
1300 I Street, 17th Floor
Sacramento, CA 95814

RE: Ballot Initiative Request – End Taxpayer Funding of Political Parties

To Whom It May Concern:

Pursuant to Elections Code § 9001(a), we, Steve Peace and Jeff Marston, co-Chairmen of the
Independent Voter Project hereby requests that the Attorney General's office prepare a
circulating title and a summary of the enclosed proposed ballot initiative.

We have enclosed the $200 submission fee, as required by Elections Code § 9001(c).

Sincerely,

Steve Peace
Co-Chair, Independent Voter Project
Dated this 19th day of June, 2013

Jeff Marston
Co-Chair, Independent Voter Project
Dated this 19th day of June, 2013

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End Taxpayer Funding of Political Parties

SECTION 1. Title.

This measure shall be known and may be cited as the "**End Taxpayer Funding of Political Parties**"

SECTION 2. Findings and Conclusions.

The People of the State of California hereby find and declare all of the following:

(a) Whereas the United States Supreme Court has declared that political parties are private organizations.

(b) Whereas public funds are otherwise prohibited for private use, this Act specifically prohibits the use of public funds to conduct political party activities, including, but not limited to, holding party conventions, conducting party office elections, or incurring any other costs associated with the selection of party office holders.

(c) The purpose of this act is to prohibit the expenditure of public funds for the private activities of political parties.

(d) Nothing in this Act shall be construed to prohibit the State from funding non-partisan elections (local government offices) or voter-nominated elections (State Constitutional Officers, State Senate and Assembly, State Board of Equalization, U.S. Senate and House of representatives) as contemplated by Section 5(a) of Article II of the California Constitution.

(e) Nothing in this Act shall be construed to restrict the right of individuals to join or organize into political parties, or in any way restrict the right of private association guaranteed by the First Amendment.

(f) Nothing in this Act shall restrict the parties' right to contribute to, endorse, or otherwise support a candidate for state elective or congressional office.

(g) Nothing in this Act shall restrict political parties from establishing such procedures as they see fit to endorse or support candidates or otherwise participate in all elections.

(h) Nothing in this Act shall prevent political parties from using the results of publicly funded elections or adopting such rules for the selection of party officials (including central committee members, presidential electors, and party officers) by whatever lawful mechanism they so choose.

SECTION 3. Section 5 of Article II of the California Constitution is amended to read:
SEC. 5.

...

 (c) The Legislature shall provide for partisan elections for presidential candidates, ~~and political party and party central committees,~~ including ~~an open~~ a <u>voter-nominated</u> presidential primary whereby the candidates on the ballot are those found by the Secretary of State to be recognized candidates throughout the nation or throughout California for the office of President of the United States, and those whose names are placed on the ballot by petition, but excluding any candidate who has withdrawn by filing an affidavit of noncandidacy.

 (d) A political party that participated in a primary election for a partisan office of President pursuant to subdivision (c) has the right to participate in the general election for that office and shall not be denied the ability to place on the general election ballot either: (i) the candidate who received, at the primary election, the highest vote among that party's candidates, or (ii) <u>a candidate selected by the political party through its party-nomination procedures.</u>.

SECTION 4. Implementation.

   The Legislature shall amend the California Code to be consistent with the purpose of this Act.

SECTION 5. Interpretation.

   This Act must be interpreted so as to be consistent with all federal and state laws, rules, and regulations. This Act must be broadly construed in order to achieve the purposes stated above. It is the intent of the voters that the provisions of this Act be interpreted or implemented in a manner that facilitates the purposes set forth in this Act.

SECTION 6. Severability.

   If any provision of this Act is found to be invalid or unconstitutional, the remaining provisions shall not be affected. The voters declare that this Act, and every portion thereof, would have been passed irrespective of the fact a part may be found to be invalid. If any provision of this Act is held invalid as applied to any person or circumstance, such invalidity does not affect any application of this Act that can be given effect without the invalid application.

SECTION 7. Amendments.

   (a) The following statutory provisions of this Act may be amended, consistent with the purposes of the Act, by a bill introduced and passed no earlier than the third full calendar year following adoption, by a majority of the membership of each house of the

Legislature and signed by the Governor: California Penal Code § 424 (making allocation of public funds for private party activities a misuse of public funds).

(b) The remaining provisions of this Act may only be amended by a vote of the people in accordance with Section 10(c) of Article II and Section 3 of Article XIX of the California Constitution.

SECTION 8. Conflicting Ballot Measures.

(a) In the event that this Act conflicts with another measure appearing on the same ballot, the provisions of this Act shall prevail if it receives a greater number of affirmative votes. Each and every provision of the other measure shall be null and void in their entirety. In the event that the other measure receives a greater number of affirmative votes, the provisions of this Act shall take effect to the extent permitted by law.

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

SECTION 9. Effective Date.

The Act shall become effective upon January 1 of the year following the election at which the voters approve this measure.