

From: Chris Palmer <chrisp@csla.net>
Sent: Tuesday, August 22, 2023 12:48 PM
To: Jenny Hueter <JHueter@rim-rec.org>
Subject: Call to Action - Support for ACA 13

Good afternoon Jenny,

I'm reaching out to you on a development I'm certain you and your agency would be interested in, based on your agency's opposition to [Initiative 21-0042A1](#). CSLA previously received a copy of your agency's opposition to this measure.

Assembly Member Christopher Ward has amended [Assembly Constitutional Amendment 13](#), related to ballot measures. There is significant interplay between ACA 13 and Initiative 21-0042A1— in short, successful passage of ACA 13 is expected to protect public agencies from the potentially disastrous effects of the initiative measure. For that reason, we believe your agency would be particularly interested in supporting Assembly Member Ward's ACA 13.

ACA 13, if passed by two-thirds of the California Legislature, would propose to voters the following:

- If an initiative constitutional amendment includes provisions that impose vote thresholds greater than a simple majority of votes cast, then *that initiative constitutional amendment* must receive a percentage of votes in support *equal to those increased vote thresholds*.
 - i.e., if an initiative constitutional amendment includes a provision that would impose a supermajority (e.g., three-fifths, two-thirds, four-fifths, etc.) voter approval threshold, then that initiative would be required to gain the approval of the same super majority (three-fifths, two-thirds, four-fifths, etc.; whatever threshold the initiative proposes) of California voters in order to pass
 - if the initiative constitutional amendment includes provisions that impose a supermajority vote threshold and fails to gain the corresponding supermajority of voters in support of the underlying amendment, the initiative constitutional amendment would not be considered approved, thereby failing in its entirety

As you may recall, Initiative 21-0042A1 imposes thresholds requiring the approval of two-thirds of voters in various places throughout the text of the measure. The successful passage of ACA 13 would mean that Initiative 21-0042A1 would be required to garner the approval of two-thirds of voters in order for the initiative constitutional amendment to be considered approved; failure to garner the approval of two-thirds of voters in this scenario would mean that the entire measure and all of its provisions would fail to become law.

Here's where you and your agency come in...

CSLA is encouraging agencies opposed to Initiative 21-0042A1 to consider supporting ACA 13, and to submit a letter of support to that effect. To make this process easy, CSLA has developed [a sample letter](#) your agency can use to express its support.

[LINK TO SAMPLE LETTER](#)

These letters to the author will demonstrate how important this is to public agencies, including special districts.

Please feel free to reach out to me with any questions. Thank you for your continued support of CSDA's advocacy efforts.

Best,

Chris Palmer

Senior Public Affairs Field Coordinator

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August 25, 2023

The Honorable Christopher Ward
California State Assembly
1021 O Street, Suite 6350
Sacramento, CA 95814

RE: Assembly Constitutional Amendment 13 (Ward) – Support [As Amended August 17, 2023]

Dear Assembly Member Ward:

The Rim of the World Recreation and Park District is pleased to support your Assembly Constitutional Amendment 13, related to protecting the majority vote. The Rim of the World Recreation and Park District is a small independent California Special District that encompasses a vast area of approximately 110 square miles, or more than 70,000 acres. The Boundaries of the Park District include some communities/villages, Blue Jay, Crestline, Green Valley Lake, Lake Arrowhead, Rimforest and Running Springs. All communities/villages within the Park District are unincorporated and therefore subject to land use and other authority from the County of San Bernardino. The Rim of the World Recreation and Park District provides parks, facilities, and programs for the Rim of the World Mountain community.

Under current law, an initiative constitutional amendment that proposes to amend the California Constitution requires a simple majority of voters casting votes in favor of the measure for the amendment to be approved. Notably, this simple majority requirement is irrespective of any of the provisions contained within the proposed constitutional amendment; should the text of the proposed constitutional amendment contain provisions that would otherwise require voter thresholds in excess of a simple majority in the future, those increased vote thresholds may nonetheless be imposed with a simple majority of voters. Phrased another way, this allows a simple majority of voters to insert a three-fifths, two-thirds, four-fifths, or higher vote threshold into the California Constitution, even without the corresponding level of support in terms of votes cast in favor of the original amendment proposal.

ACA 13 would propose to California voters a solution to this problem with the initiative process: if placed on the ballot by the California Legislature, California voters would be asked to decide whether an initiative constitutional amendment containing provisions that increase vote thresholds should be required to attain the same proportion of votes in favor of the amendment that the proposed increased vote thresholds would demand. In this way, ACA 13 would ensure that a proposal cannot impose vote thresholds on our communities and our State that exceed the level of support for imposing such thresholds.

ACA 13 protects the democratic process in local communities by ensuring that a simple majority of statewide voters cannot restrict the will of a supermajority of voters in a local community. For these reasons, the Rim of the World Recreation and Park District is pleased to support Assembly Constitutional Amendment 13. Please feel free to contact me with any questions.

Sincerely,

Jenny Hueter
General Manager
Rim of the World Recreation and Park District

CC: Assemblyman Tom Lackey, Senator Rosilicie Ochoa Bogh, Third District Supervisor Dawn Rowe, Members and staff, Assembly Local Government Committee, and Marcus Detwiler, Legislative Representative, California Special Districts Association advocacy@csda.net