

## **CIRRRRA- California Initiative Referendum and Recall Reform Act! (Make electronic signature gathering legal for the safety and security of us all!)**

Making electronic signature gathering legal for all levels of initiative, referendum and recall petition circulation for California and all states supporting the US Constitution given our First Amendment “Right to Petition” is essential to our general public health and safety as well as our ability to effectively and without discrimination propose directly to the voters; new legislation representing our own political solutions, veto legislation we do not agree with coming from our elected officials, and replacing elected officials not serving we the people as their constituents!

The consequences of COVID 19 (Corona Virus) are growing every day and affecting people's lives in untold ways! I am here to expose a massive disposition this crisis is having on the ability of citizens to exercise their rights using the legal petition system required for all initiative referendum and recall processes. Not only will these efforts be impossible to achieve as public access is critically restricted, but the legal requirements our state and so many others has to fulfill their obligation to provide timely processing of these proposals will also be more or less destroyed. The bottom line is that government mandated closure of this magnitude resulting in mass shutdown of public interaction along these lines means proponents will not be able to safely, or realistically, meet their signature gathering requirements. It is also evident that we will likely be seeing shutdowns of this magnitude with future outbreaks being predicted as well.

There are no laws in place that fix this particular problem and these proposals can cost proponents millions. It is critical that we all work together to bring this problem, and our solution, to the forefront, and ask our elected officials to explain why there are no measures in place to allow for these processes to continue as scheduled, given this technology to keep this from happening has been here for over 25 years. Altered election cycles and time to collect as well as many other consequences will demand solutions in the efforts to put things back on track for ballot measure campaigns. The good news is that the solution to fix this problem is already written and has clear legal directives set forth by the CA Office of Legislative Counsel to help it easily go into action. It is time for such emergency legislation to be enacted to address this public health and safety issue surrounding petition circulation which will, without a doubt, need to be addressed.

Here are the CA Secretary of State links to help get all concerned quickly to the proposal and its fiscal impact report:

<https://www.oag.ca.gov/system/files/initiatives/pdfs/19-0009%20%28Initiative%20%26amp%3B%20Referendum%20Reform%20%29.pdf>

[https://www.oag.ca.gov/system/files/initiatives/pdfs/fiscal-impact-estimate-report%2819-0009%29\\_0.pdf](https://www.oag.ca.gov/system/files/initiatives/pdfs/fiscal-impact-estimate-report%2819-0009%29_0.pdf)

This proposal is currently being run as an initiative proposal itself, and like all other proposals, will face the once difficult and now next to impossible task of collecting

signatures in time to fulfill the qualification requirements to be placed on the ballot which means it is now up to our elected officials to fix this for us!

This proposal serves us all by having our political issues able to not only be presented to all voters without bias, or prejudice, or any regard to political affiliations, but in a way that is safe and responsible on a public health level, which has become a topic of utmost concern! The way we interact as citizens is easily remedied with this solution by simply making electronic signature gathering legal!

The following bullet points cover how this electronic signature gathering proposal going into action, when and if made into law, would work!

### **CIRRRA IN ACTION!**

The first thing to explain with regard to this proposal going into effect is that the entire existing system of pen and paper signature gathering would remain in place as an option for any proponent to use as an alternate path to signature qualification. So those who wish to use the existing system as is would be able to continue to do just that. It is also important to note that the opportunity for the paid signature gathering industry to embrace electronic signature gathering will also present new ways for our proposals to be presented to the public as campaign efforts integrate the use of this technology. So all of the laws already in place remain intact and the legal directives of this proposal easily make the entire system function in ways never before seen when it comes to including we the people in the petition process! Nothing else changes with how this system works!

So here is how it already works leading into how it would work given a new electronic system being in place per the CIRRRA proposal:

- Getting started in the proposal process is already easy. The system walks proponents all the way through the process to help guide anyone wishing to participate. So for example; a voter who has an initiative proposal and wishes to present that solution to the greater body of voters, can use the CA Office of Legislative Counsel to work with them to make their proposal fit into our State Constitution and Statutes by presenting just 25 total voter petition signatures, and a small filing fee paid directly to the Office Of legislative Counsel with a proposal that meets basic standards, such as being a reasonable solution and one that deals with one aspect of the law to change per proposal, for consideration. Once they accept, an attorney is assigned and they help you put your proposal into the legal language necessary.
- Once the legal directives are written, the next step is to file the petition with the Attorney General and wait for title, summary and fiscal impact reports, and then overall clearance from the Secretary of State to begin circulating the petition. This is where the current system requires paper petition production and the expensive, if not time consuming, and volunteer intensive task of collecting signatures, which for the most part requires face to face, and hand to hand interaction with

petition circulators in mass public settings, which is now no longer safe or effective for any of us to do!

- Once electronic signature gathering is in place, any proposal that is cleared, as described above, would be presented differently to voters than it is already presented on the Secretary of State's Website. The general public and petition circulators would not be subject to the face to face contact issues and public health risk now related to in person pen and paper circulation.
- The details in the legal directives of our CIRRRRA proposal start with the Secretary of State (a sworn to be politically neutral position) would be responsible for putting this proposed new website together. Costing a one-time fee of millions of dollars, keeping in mind just one petition circulation and ballot proposal campaign currently costs in the millions of dollars. So we also asked for this system to be put in place within six months of voter approval, which is the same amount of time they ask us to spend millions in order to get hundreds of thousands and ultimately millions of signatures to qualify! This timeline could be easily modified once legislators begin to fix this as a legislative proposal more directly and emergency legislation could be put through to help offset the damages that are sure to come. This means we need elected officials as sponsors to join our effort A.S.A.P!
- Once the Secretary of State has the new electronic signature gathering system in place on their website voters will then simply be able to access the website, just like they already do for voter registration, only now, when they look up any given proposal, they will find the following changes supported by the legal directives in our CIRRRRA proposal:
  - **Most important legal directive of this entire proposal is that our electronic signature is “deemed affixed and treated as our pen and paper signature.” Without this directive the law has already been interpreted to not apply this technology to petition signatures, which is literally the only place left, we do not accept electronic signatures legally.**
  - **The fairest legal directive we added is to have “Pro and Con arguments invited” to help inform voters of their decision prior to signing. We get this in our voter brochures already so why not here!**
  - **The most functional directive is having a place at the end to “electronically sign” for a voter who approves of any proposal which is also done directly on the Secretary of State's Website for all voters being directly vetted and identified in the system as voting citizens. The same would be done for local elections being vetted through local elections departments regarding local proposals but all would be**

**under the Secretary of State's regulation authority the same as it already works.**

- **The most transparency supporting directive we added is seeing an “ongoing tally of signatures” to provide proposal progress without compromising voter privacy is legally directed.**
- **A legal directive was added to give voters who do not have the ability to do this online the ability to receive all of this and sign via a “(pdf) downloadable petition.”**
- **The final directive is to ensure that all levels of state and local government using Initiative, Referendum and Recall petition circulation processes be included. So this includes all recalls for literally any elected official in the state. City county ordinances as well as those found in any special districts all the way up to state statutes and constitutional amendments!**

In conclusion:

The current campaign industry surrounding ballot proposals is no longer a safe or effective way for voters to participate in any petition circulation effort. Especially during any public health crisis such as the one we are facing currently, or will likely face in the future! The new norm demands a new solution. So we are seeking an executive order from the Governor and/or asking for legislators one and all to make this simple and very logical, and somewhat overdue change to the statutes, by legalizing electronic signature gathering as a means for us all to stay safe and completely immune from the risks associated with this or any such healthcare crisis. Collecting pen and paper signatures with hand to hand contact with the know risks is irresponsible and we should not have to be subjected to these inherently devastating obstacles when collecting signatures can easily be done electronically. CIRRRRA in action means we would have electronic signature gathering in place, as detailed here, and once functioning, it will create an entirely safe, efficient, and very effective way for we the people of CA to collect signatures in support of our proposals and exercise our abilities to use Initiative, Referendum and Recall without massive fear for our safety to participate or uncontrollable limitations dictating the outcome!

Sincerely,



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