

Chapter 3

Multiple Choice/Fill in the Blank

Type: F

2. The three types of direct democracy are: _____, _____, and _____.
a. initiative, recall, referendum

11. Citizens in California may propose laws via the initiative process:
a. at the local, county and state levels
b. only at the state level
c. at the local level only
d. at the state level, but the legislature must review their proposals first and may reject them

Type: F

18. Californians can propose initiative _____ that establish new laws, or initiative _____ which add or amend the state constitution.
a. statutes; constitutional amendments

24. What kinds of initiatives tend to attract the most spending by opponents and proponents?
a. immigration issues
b. economic reform
c. political reform
d. issues that affect industry/business

25. How many votes are needed to pass an initiative or approve a recall?
a. simple majority (50%+1)
b. plurality (most votes)
c. 2/3 supermajority
d. 3/5 supermajority

26. A _____ vote is needed to pass initiatives; a _____ vote is needed to pass bond measures.
a. supermajority; majority
b. majority; supermajority
c. supermajority; supermajority
d. majority; majority

Type: F

32. The supermajority requirement to pass a school bond is _____ percent.
a. 55 (fifty-five)

33. The supermajority requirement to pass a general obligation bond is _____ percent.
a. 2/3, or two-thirds (66.66%)

Type: F

34. The percentage of votes required to pass an initiative in California is _____.

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a. 50%+1 (a simple majority)

38. Most recalls in California are against which group of elected officials?

- a. governors
- b. county supervisors
- c. state legislators
- d. school board members

42. The number of signatures needed to qualify an initiative for the ballot is based on:

- a) the total number of registered voters at the point in time when signatures are validated
- b) an estimate of eligible voters in the state
- c) a percentage of all votes cast for governor in the last gubernatorial election
- d) the number of voters who turned out for the last election

46. The most common form of the referendum in California is:

- a. the petition referendum
- b. statutory initiatives
- c. the recall of local officials
- d. a bond measure

68. In California, citizens can recall elected officials:

- a. for any reason
- b. only for criminal convictions
- c. only after they have been accused of a serious crime, or indicted for wrongdoing
- d. only if the election results are determined to be corrupt or compromised

69. Historically, have Californians used the initiative process more often, less often, or at about the same rate as other states with the initiative process?

- a. more often
- b. less often
- c. about the same

70. Which governor, representing which political party, was able to get direct democracy embedded into California's constitution?

- a. Leland Stanford; Progressive
- b. Hiram Johnson; Progressive
- c. Jess Unruh; Democratic
- d. Artie Samish; nonpartisan

48. Type: E

Define "petition referendum."

- a. (Wording may vary). A referendum is a vote held by citizens on an existing law. Voters may reject or approve recently signed laws or parts of laws (or redistricting maps) in California.

49. How long do petitioners have to collect signatures in order to qualify initiatives for the ballot?

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- a. one month (30 days)
- b. three months (90 days)
- c. six months (180 days)
- d. one year (365 days)

52. Citizens wishing to recall a governor must collect valid signatures equal to _____ of the votes cast in the previous gubernatorial election, or about _____ signatures.

- a. 8 percent; 500,000
- b. 12 percent; 900,000
- c. 25 percent; 2 million
- d. 30 percent; 2.7 million

53. The initiatives that are usually brought to voters at the local level most often pertain to

- a. civil rights and civil liberties
- b. public morality
- c. health, welfare, housing, criminal justice, housing
- d. the political process, taxes, and land use

55. The term “hybrid government” refers to:

- a. a mixture of old laws with new initiatives
- b. an efficient government
- c. a blending of direct democracy with representative democracy
- d. a group of elected officials who represent every manner of ethnicity and race, reflecting the state’s hyper-diversity

57. What is the most appropriate way to characterize California’s political system?

- a. direct democracy
- b. representative democracy
- c. hybrid democracy
- d. confederation

59. Californians may vote on initiatives in which types of elections?

- a. primary elections only
- b. primaries and general elections only
- c. general elections and special elections only
- d. special elections only

64. What is a nonpartisan election?

- a. When Democrats and Republicans both run for the seat.
- b. When no incumbent is running in the election.
- c. Party labels appear next to the candidates’ names on the ballot.
- d. No party labels appear next to the candidates’ names on the ballot.

76. Which of these officials may be recalled in California?

- a. only local officials
- b. local officials and state officials

- c. local, state, and federal officials
- d. only federal officials

Essay or Short Answer Questions

Type: E

1. How does direct democracy challenge the theoretical assumptions of representative democracy?
 - a. The U.S. Founders believed that representatives working in competing branches (executive and legislative) would check each other with overlapping powers, would filter the passions of their constituents through a deliberative process, and would find compromises in their quest to make good public policy. The forms of direct democracy available to Californians are not suited for deliberation or compromise, or “checks” against the tyranny of the majority; they offer “take-them-or-leave-them” solutions that (with difficulty) can only be replaced with another alternative, not amended.

Type: E

3. Describe the three types of direct democracy in California.
 - a. The direct initiative (or simply, the initiative process) gives Californians the power to propose constitutional amendments and laws that fellow citizens will vote on without the legislature’s involvement. The referendum is a vote taken to approve or reject a measure already passed by the legislature. Bond measures are a type of referendum. The recall allows voters to remove and replace elected officials between regular elections.

Type: E

4. What is the difference between the direct and indirect initiative, and what type exists in California?
 - a. The direct initiative (or simply, the initiative process) gives Californians the power to propose constitutional amendments and laws that fellow citizens will vote on without the legislature’s involvement. The indirect initiative allows legislatures to first consider citizen-initiated measures before they are presented to the public for a vote. Only the direct initiative exists in California at the state level.

Type: E

9. In what sense is California government a “hybrid” government?
 - a. Essentially, it combines the features of representative government (officials are elected to positions in competing branches, such as an executive and a legislature) and direct democracy, whereby the people have the power to make laws in a political process that is not checked by another branch (except sometimes the judiciary). Students should be able to demonstrate an understanding that the ability for citizens to participate in the lawmaking process negates the role of representatives, and puts voters in charge of decision making.

Type: E

10. Name three landmark propositions (initiatives) passed in California after 1965; use the proposition number and give a short title or description.
 - a. Proposition 1A, Constitutional reform, legislative professionalization; Prop 9, Political Reform Act (campaign finance reform); Prop 13, Property Tax Limitation; Prop 8, Victims’ bill of rights;

Prop 98, Minimum funding levels for education; Prop 140, Term limits (modified in 2012 with Prop 28); Prop 184, Three strikes law; Prop 187, Ineligibility of illegal aliens for public services (overturned by courts); Prop 198, Open primary elections (overturned); Prop 209, ending affirmative action; Prop 215, Medical use of marijuana; Prop 5, Tribal gaming; Prop 227, Elimination of bilingual education; Prop 11, Legislative redistricting; Prop 8, Definition of marriage (outlawed same-sex marriage; invalidated in federal court); Prop 14, open primary or “top two” vote-getter elections. Others are possible; these are listed in the book.

Type: E

13. Briefly describe the three stages through which an initiative must pass in order to become law in California.

a. Stage 1, Drafting and Titling stage: A proposed law is written, given a title and summary by the Attorney General’s office. Stage 2, Qualification stage: Gathering and Verifying Signatures. Authors circulate petitions to gather enough signatures to qualify their measure within a given time frame. After the deadline, the Secretary of State verifies whether enough signatures are valid, and assigns it a number if it qualifies for the ballot (“Proposition #”). Stage 3, Campaign stage: supporters and opponents campaign to convince voters to reject or accept the measure. A simple majority vote is needed to pass initiatives; supermajority votes are needed to pass bond measures (2/3).

Type: E

14. Briefly describe the four stages through which an initiative must pass in order to take effect California.

a. Stage 1, Drafting and Titling: A proposed law is written, submitted to the Attorney General’s office which posts it online for 30 days for public comment, can be changed or amended by authors during a short window of time, and then is given a title and summary by the Attorney General’s office. Stage 2, Qualification stage: Gathering and Verifying Signatures. Authors circulate petitions to gather enough signatures to qualify their measure within a given time frame. After the deadline, the Secretary of State verifies whether enough signatures are valid, and assigns it a number if it qualifies for the ballot (“Proposition #”). Stage 3, Campaigning: supporters and opponents campaign to convince voters to reject or accept the measure. A simple majority vote is needed to pass initiatives; supermajority votes are needed to pass bond measures (2/3). Stage 4, Postelection stage: measures take effect immediately, unless challenged in court. Many measures must survive court challenges in order to take effect. (Astute students might also point out that public officials sometimes try to find ways around initiatives, and that opponents often try to overcome propositions with their own versions by trying to get them qualified for a future election.)

Type: E

19. Describe two types of initiatives that may qualify for the state ballot.

a. A proposed law is called a statutory initiative, and establishes a new law. A constitutional amendment changes the language of the state constitution, by adding new provisions or changing existing ones.

Type: E

20. What happens at the preparation stage of the initiative process?

a. A new law or constitutional amendment is written or “drafted.” Lawyers may be consulted. Drafts are submitted to the state Attorney General with a fee of \$2000. The AG’s office posts the measure online and allows 30 days of public comment. Authors then have 5 days to change their proposal in response to the public comments if they choose. AG then assigns a title and summary.

Type: E

21. What happens at the qualification stage of the initiative process?

a. Proponents circulate strictly-formatted petitions to gather enough signatures to qualify their measure within a given time frame. Signature requirements are based on a percentage of all votes cast for governor during the last election: 5 percent for initiatives (more than 365,880 signatures) and 8 percent (more than 585,407 for a Constitutional amendment). Because so many signatures are needed, proponents usually hire a signature-gathering firm to help. After a deadline of 180 days, petitions are submitted to county elections officials, who verify whether the collected signatures are valid. If the Secretary of State certifies that the overall count of signatures is valid, the measure qualifies and the Secretary will assign it a number (“Proposition #.”)

Type: E

22. What happens at the campaigning stage of the initiative process?

a. Supporters and opponents campaign to convince voters to reject or accept the measure, which is now referred to as a Proposition, such as “Prop #.” If the measure is controversial, the measure may generate considerable interest and millions of dollars may be spent to promote or defeat it. (The most expensive campaigns easily exceed \$50 million in total spending.)

Type: E

23. What happens during the postelection stage of the initiative process?

a. Measures take effect immediately (following the election), unless an opponent challenges it in court. Many measures must survive court challenges in order to take effect, and historically many high-profile propositions have been invalidated in part or in whole. (Astute students might also point out that public officials sometimes try to find ways around initiatives, and that opponents often try to overcome propositions with their own versions by trying to get them qualified for a future election. The only way to change or eliminate an initiative is to pass a new one.)

Type: E

56. What are some of the perceived problems with today’s initiative process? What remedies have been suggested to address them?

a. Opinions abound over whether and how to reform the initiative process, and there is considerable speculation over how effective those reforms may be. Issues include: 1) Paid signature-gatherers are needed to meet signature requirements (remedy: give people more time to collect signatures). 2) Big money dominates the process (remedy: limit campaign donations; better disclosure of donor information needed). 3) Ballot measures are confusing and complex (remedy: make more information accessible and available on-line). 4) There are too many initiatives (remedy: allow the legislature to review or act on initiatives first; give courts a bigger role). 5) Initiatives are too difficult to revise once passed (remedy: allow the legislature to amend them after passage). 6) The state constitution contains overlapping and redundant measures

because of the initiative process (remedy: require a revision process). 7) Too many initiatives are declared unconstitutional (require the legislature to review; involve judges who can evaluate their constitutionality; allow authors to withdraw measures).

Type: E

58. In simple terms, why did Progressive reformers establish direct democracy?

a. Reformers aimed to reduce the power of special interests and their lobbyists (i.e. to reduce the actuality and potential for corruption), and wanted to increase the power of individuals as a “check” against an unresponsive legislature or government.

Type: E

60. How does the initiative process at the local level differ from the process at the state level?

a. At a basic level, the signature requirements are much lower in counties and municipalities (numbering in the hundreds or few thousands), and the process of signature verification is carried out by a local elections official, such as a county clerk. More importantly, citizens must first file a notice of intent to file an initiative petition, alerting local officials to the possibility that an issue will come before the voters. This step is not required at the state level. Moreover, local officials have the right to take action on proposed laws before citizens have a chance to vote on them; namely, city councils or boards of supervisors may adopt a proposal that has qualified for the ballot. This step is not allowed at the state level.

Type: E

61. Does direct democracy work as the Progressives intended it? Why or why not?

a. Students should address both the intentions and the consequences—actual or perceived—of direct democracy. The Progressives intended to reduce the power of special interests in the lawmaking process, and to empower citizens with that responsibility, particularly as needed to bypass an uncooperative legislature and to establish popular laws. However, the process at the state level is dominated by those who have the money and resources required to gather signatures and campaign hard for a measure. Average citizens may be confused by conflicting and oversimplified messages, misunderstand complex measures, be presented with choices that require no compromise among competing groups, and be faced with measures that cannot be easily altered once passed. Students should note the ways in which special interests dominate each stage of the process. A more astute student might also note that if Progressives valued a more efficient lawmaking process (as noted in Chapter 2), ballot-box lawmaking has had the opposite effect in some cases, negatively influencing how lawmakers do their jobs by creating rules that lead to stalemate and inflexibility. An astute answer would also consider institutional impacts, which include in an incoherent and ever-changing set of rules for lawmakers, inflexible rules (such as supermajority vote requirements that hinder compromise), and institutional fragmentation, with processes having been pieced together over the years through unconnected efforts and without regard to long-term planning. Finally, students might point out that direct democracy at the local level can be more accessible to citizens because the signature requirements are much lower, but that local measures rarely generate much attention unless the issue is controversial or well-funded interests are at stake – which can mean (again) that citizens without money to promote their messages will be drowned out.

Type: E

62. How does the initiative process frustrate collective action?

a. Collective action generally requires compromise and bargaining in order for many people to work together to find solutions to their common problems. The initiative process thwarts compromise by allowing only one proposal to be submitted to voters for an up-or-down vote (a “take-it-or-leave-it” proposal), without any chance of changing it after it has qualified for the ballot or has been enacted. Opponents may have difficulty bankrolling a rival measure, or might have difficulty mounting an effective statewide campaign against a qualified measure because they lack resources.

Type: E

63. What explains the increased use of the initiative process in the past few decades?

a. Varies. Mentioned in the book is the development of signature-gathering firms, which make it relatively easy for groups to collect enough signatures if they can afford the costs, which can run into the millions of dollars. With respect to California’s political culture, using direct democracy to exercise the “power of the people” (often to “get around the legislature”) is generally acceptable, a pattern that was re-established in 1978 with Proposition 13, the famous anti-tax measure. Also, vote requirements are regarded as being relatively low in a state as large as California, and signature collection is relatively uncomplicated (there are no requirements to gather signatures in every county, for example).

Type: E

73. In what ways does the initiative process in California advantage resource-rich, “special interests” and disadvantage average citizens?

a. Varies. The filing fee of \$2,000 may deter citizens from filing an initiative, but the higher hurdles lie at the signature-gathering stage. Because hundreds of thousands of signatures must be gathered (usually about twice the required number of 365,880) within 180 days, a signature-gathering firm usually will need to be hired to collect them – and they charge per-signature rates that are far higher than most citizens can afford. Average citizens typically do not have the know-how to run a statewide campaign or raise the millions of dollars needed to reach undecided voters. Campaigns can be costly, and a majority (two-thirds) of all donations to initiative campaigns are in amounts of \$1 million or more. Finally, wealthy “special interests” may dominate the airwaves with their own carefully-crafted messages, confusing or discouraging average citizens who may not have time to become thoroughly educated about initiatives on the ballot.

True or False Questions

5. California law requires the legislature to approve all initiatives before they reach the ballot.

- a. True
- b. False

6. The legislature can refer measures to the ballot for the people to approve or disapprove.

- a. True
- b. False

7. The California constitution allows the legislature to correct any mistakes or make changes to all initiatives before they reach the ballot.

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- a. True
- b. False

8. Californians use the initiative process more often than residents in other states that have an initiative process.

- a. True
- b. False

12. Direct democracy exists in all California counties and municipalities, meaning that citizens can write laws, and with enough signatures, their measure will be put to a vote of the people locally, either in cities or counties.

- a. True
- b. False

15. Once a title and summary have been assigned to a proposed law or ballot proposition, the text of law can be changed if mistakes are discovered.

- a. True
- b. False

16. In order to qualify an initiative for the ballot, usually the signature gatherers must collect about twice the number needed because so many are found to be invalid.

- a. True
- b. False

17. More signatures are needed to qualify a Constitutional amendment for the ballot than are needed for regular, statutory initiatives.

- a. True
- b. False

27. In the United States, most of the states that allow citizen initiatives are in the midwest or west.

- a. True
- b. False

28. In the United States, no state on the east coast allows citizens to vote on laws without the legislature's prior involvement.

- a. True
- b. False

29. Since 1911 when the initiative process was instituted, California voters on average have tended to approve most (more than half) of the initiatives presented to them on the ballot.

- a. True
- b. False

30. Initiatives and propositions are the same thing.

- a. True

b. False

31. A two-thirds vote is required to pass any kind of bond in California.

a. True

b. False

35. Citizens may propose laws for California cities, towns, or counties.

a. True

b. False

36. The process for passing an initiative at the local level is similar to that at the state level, in that a certain number of signatures must be gathered and verified by a local elections official.

a. True

b. False

37. Only city council members or mayors may propose laws or ordinances for California cities, towns, or counties.

a. True

b. False

39. In California, citizens can recall officials for any reason.

a. True

b. False

40. Local initiatives are, on average, more successful than state initiatives.

a. True

b. False

41. Regular, general obligation bond measures require a supermajority of 2/3 to pass; however, there is a lower vote threshold for school bonds to pass (55 percent).

a. True

b. False

43. California is the only state with the direct initiative; in all other initiative states, only the indirect process is allowed.

a. True

b. False

44. All states in the U.S. offer some form of the initiative process.

a. True

b. False

45. All U.S. states allow their citizens to recall elected officials who commit crimes.

a. True

b. False

47. Petition referenda are rare in California.

- a. True
- b. False

50. Californians may recall any elected official if they gather the requisite number of valid signatures.

- a. True
- b. False

51. Citizens wishing to recall a governor should collect over 1 million valid signatures, because many signatures might be invalidated later in the process.

- a. True
- b. False

54. Historically, Californians have rejected far more initiatives than they have approved.

- a. True
- b. False

65. Fewer signatures are needed to qualify a Constitutional amendment for the ballot than are needed for regular, statutory initiatives.

- a. True
- b. False

66. Does California law require the state Supreme Court to review initiatives before signatures can be gathered?

- a. Yes
- b. No

67. Does California law require at least one judge (any state judge) to review initiatives before proponents can gather signatures?

- a. Yes
- b. No

71. Do all U.S. states offer some form of the initiative process?

- a. Yes
- b. No

72. Are local initiatives more likely or less likely to be approved by voters than state initiatives?

- a. More likely
- b. Less likely

74. Because of the interest that must be repaid, a bond typically can cost about twice the face amount that is borrowed. Thus, a \$5 billion bond may actually cost taxpayers almost twice that amount by the time it is paid off.

- a. True
- b. False

75. Although Californians may recall their state officials, they may not recall their U.S. House representative or U.S. Senators.

- a. True
- b. False

77. Contributions to ballot initiative campaigns are capped at \$5,000; no person or entity may donate more than that amount to any one ballot measure in an election cycle.

- a. True
- b. False

78. There are no limits on contributions to ballot initiative campaigns; contributions may be in any dollar amount, and the typical donation is in the \$1 million range.

- a. True
- b. False

79. Unless they opt out, Californians will be automatically registered to vote when they apply for or renew a driver's license.

- a. True
- b. False

80. Californians may register to vote by accessing the secretary of state's online registration system.

- a. True
- b. False