

SENATE JUDICIARY COMMITTEE
Senator Thomas Umberg, Chair
2021-2022 Regular Session

SB 663 (Newman)
Version: April 5, 2021
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Fiscal: Yes
Urgency: No
AWM

SUBJECT

Recall petitions

DIGEST

This bill permits the target of a recall petition, if there are 50,000 or more registered voters eligible to vote in the recall election, to request a redacted copy of the petition for the purposes of communicating with signers to determine whether they signed and understood the petition or to assist them with withdrawing their signature from the petition, as specified; and increases the length of time a voter has to withdraw their signature from a petition and adds new language to the top of each page of a petition, as specified.

EXECUTIVE SUMMARY

Under current law, the target of a recall election has no right to review the records of the recall petition or learn the identities of the persons who signed the petition. This bill would permit the target of a recall, or its designated representatives, to view recall petition records (with signatures redacted) for the purposes of communicating with the signatories to determine whether they actually signed the petition, whether they understood the petition, and to offer to assist the signatory with withdrawing their signature from the petition. The bill also increases the length of time a voter has to withdraw their signature from a recall petition – from prior to when the signature appears in the reported portion of the petition to 45 days after that date – and adds new language that must be included on the top of each page of a petition. The author has agreed to amendments to clarify certain provisions relating to the disclosure of petition records, and to sunset the bill on January 1, 2032.

This bill is sponsored by the author and supported by the American Federation of State, County, and Municipal Employees and California Faculty Association. It is opposed by Election Integrity Project California and several individuals. The bill passed out of the Senate Elections and Constitutional Amendments Committee with a 4-1 vote.

PROPOSED CHANGES TO THE LAW

Existing law:

- 1) Permits voters to remove an elected officer from state or local office before the end of their term of office by recall. (Elec. Code, div. 11, §§ 11000 et seq.)
- 2) Sets forth requirements for the form and contents of a recall petition. (Elec. Code, div. 11, ch. 1, art. 3, §§ 11040 et seq.)
- 3) Requires each person signing a recall petition to personally provide their signature, their printed name, their residential address, and the name of the incorporated city or unincorporated county in which they reside. (Elec. Code, § 11043.)
- 4) Establishes penalties for fraudulent activity related to signature gathering, including making it a misdemeanor for a circulator of a state or local initiative, referendum, or recall petition to intentionally misrepresent or intentionally make a false statement concerning the contents, purport, or effect of the petition to any person who signs or is requested to sign the petition. (Elec. Code, div. 18, ch. 7, §§ 18600 et seq.)
- 5) Provides that a voter who has signed an initiative, referendum, or recall petition shall have their signature withdrawn by filing a written request, which provides specified personal information, with the appropriate city or county elections official prior to the day the petition is filed. (Elec. Code, §§ 103, 11303.)
- 6) Provides that recall petitions and memoranda prepared by elections officials are not public records disclosable under the CPRA and are not open to inspection, except:
 - a) By the public officer or public employees who have the duty of receiving, examining, or preserving the petitions or preparing related memoranda;
 - b) If the petition is found to be insufficient, by the proponents of the petition and their designated representatives, so that they may determine which signatures were disqualified and the reasons therefor; and
 - c) If approved by the appropriate superior court, by the Attorney General, the Secretary of State, the Fair Political Practices Commission, a district attorney, a school district or a community college district attorney, and a city attorney. (Gov. Code, § 6253.5.)
- 7) Prohibits a person from knowingly or willfully permitting the list of signatures on an initiative, referendum, or recall purposes other than qualification of the initiative, referendum measure, or recall question for the ballot, except as provided above, and makes such a prohibited disclosure punishable as a misdemeanor. (Elec. Code, § 18650.)

This bill:

- 1) Finds and declares that the communication of accurate information to, and well-informed decision-making by, voters presented with a petition are important to the integrity of the electoral process; and that signature gatherers frequently communicate inaccurate information to voters in order to obtain their signatures on petitions, and that deception undermines the integrity of the electoral process.
- 2) States that it is the intent of the Legislature to provide a mechanism for the target of a recall election to communicate with constituents who have signed the petition, provide a meaningful opportunity for voters to withdraw their signature, and combat the deception of voters in order to obtain their signatures.
- 3) Extends the time in which a voter who has signed a recall petition pursuant to the Constitution or laws of this state may file a request to have their signature withdrawn from the petition, requiring the signature to be removed if the voter files the proper request prior to the 45th day after the petition is filed.
- 4) Modifies the existing mandated format for a recall petition to require at the top of each page, in 20-point size, black roman type, the text "Petition for an Election to Remove from Office," followed, on the next line immediately below, by the title and first and last name of the officeholder who is the target of the recall.
- 5) Implements a procedure for a person designated by the target of a recall election to apply to inspect or obtain a copy of a recall petition.
 - a) The application to inspect the records must include:
 - i. The applicant's personal information, including home address;
 - ii. A written statement by the target of the recall election designating the applicant as their representative, and listing any other representatives also authorized to view the recall petition, including their personal information and home addresses;
 - iii. The driver's license or state identification card number for the applicant and each representative (or, if a representative has no such identification, another form as approved by the Secretary of state); and
 - iv. A signed statement completed by the applicant, the target of the recall, and the other designated representatives, which acknowledges that it is a misdemeanor to knowingly or willfully allow the signatures, names, or addresses of the signers of a recall petition to be used for any purpose other than communicating with registered voters to determine whether they signed the recall petition and whether they understood the recall petition they may have signed, and to assist registered voters in withdrawing their signatures on the recall petition, if they so desire; and certifies that they will not publicly release the list of signers or disclose their names and addresses.

- b) The elections official accepting the application shall review the applicant's identification document to ensure it matches the information set forth in the application form.
 - c) The applicant shall certify to the truth and correctness of the content of the application, under penalty of perjury, with the signature of the applicant and their printed name, and state the date and place of execution of the declaration.
 - d) Elections officials must retain completed recall petition information applications for five years from the date of the application.
- 6) Provides that the elections official of a city or county may insert fictitious names into a recall petition as an investigative and enforcement tool for determining inappropriate or unauthorized uses of recall petition information.
- 7) Authorizes the Secretary of State to adopt regulations that describe best practices for storage and security of recall petition information received by an applicant, and may require an applicant to take a training course regarding data security as a condition for the receipt of recall petition information if that course is made available, at no cost to the applicant, online or in the county where the application was filed.
- 8) Provides that a person or entity who has received recall petition information pursuant to an application shall, following discovery or notification of a breach in the security of the storage of the information, disclose the breach in security to the elections official of the city or county from whom the recall petition information was received. The disclosure shall be made in the most expedient time possible and without unreasonable delay.
- 9) Provides that the target of a recall petition and their designated representatives shall not publicly disclose the name or address of any signer of a recall petition, except to an entity with whom the target or representatives have contracted to provide mass-mailing or telephone or electronic communications using mass distribution technology. Where the target or representatives contract with such an entity, the entity must abide by the limitations on disclosure set forth above, and must not send communications individualized to the signer.
- 10) Provides that a public official shall not discriminate against a person on the basis of the fact that the person signed a recall petition.
- 11) Provides that a voter who has signed a recall petition shall have their signature withdrawn from the petition upon filing a written request that includes the voter's name, residence address, and signature with the elections official prior to the 45th day after the petition section bearing the voter's signature is filed.
- 12) Expands the category of persons who may inspect records of recall petitions to include the target of a recall petition, and their designated representatives, for the

purposes of communicating with registered voters to determine whether they signed the recall petition and whether they understood the recall petition they may have signed, and to assist registered voters to withdraw their signatures on the recall petition, if they so desire. The target's right to inspect is limited to elections in which the most recent report of registration indicates there are at least 50,000 registered voters who are qualified to vote in the recall election. The elections office must provide the records using the procedure for providing the records set forth above, and must redact the signatures before providing the records.

- 13) Provides that, when the target of a recall petition or their designated representatives are permitted to examine the petition and memoranda as provided, the target or the target's representatives shall destroy all copies of the recall petition and memoranda in their possession no later than 15 days after either the date of the recall election is set or the petition is finally determined to be insufficient.

COMMENTS

1. Author's comment

According to the author:

In a typical recall effort, a signature gatherer is usually the only person representing the purpose of the recall to a voter. Signature gatherers operate without any sort of transparency, routinely misleading voters about purpose and process and with little if any concern about legal repercussions. Though current law allows for voters to withdraw their signatures from a recall petition, the successful withdrawal of signatures is, for intents and purposes, largely impossible for most voters.

SB 663 would limit and deter potentially unethical practices by proponents of recall efforts by allowing the target of a recall effort the opportunity to communicate directly with voters whose signatures were secured as part of that effort but who may have been misled or not fully understood the nature and import of the petition they had been persuaded to sign. Each element of this legislation seeks to deliberately reduce the likelihood of subterfuge or fraud in the recall petition process, while ensuring that access to a petition will be used only under specific conditions and solely for the intended purpose of assuring the target of a recall is subject to a fair and transparent process.

2. Background on recall petition procedures

The analysis of this bill by the Senate Elections and Constitutions contains a thorough explanation of recall election procedures, and is incorporated here by reference. In brief, California voters may seek to recall elected state officials prior to the completion of their term of office and, if they meet certain filing requirements and obtain a certain portion

of signatures from registered voters residing in the district or jurisdiction of the target of the recall, a recall election will be held.¹ For a signature to be validly counted toward a recall petition, the signatory must provide their signature, name, and home address.² A person who has signed a recall petition may, however, have their signature withdrawn from the recall petition upon written request to the county elections official, as long as the request is made prior to the day the petition section on which the person's signature is made public.³ If a signature is timely removed, it would not count towards the number of signatures needed to proceed with a recall election.⁴ Similar provisions exist for recalls of local elected officials, including the right of a signatory to a petition to have it removed upon a timely request to the county election official.⁵

This bill would modify certain provisions relating to the format of recall petitions, extend the timeline for a signatory to notify a county elections office that they want their signature removed from a recall petition, and introduce a procedure through which the target of a recall election or their representative(s) could view recall petition records for the purpose of contacting the signatories and providing them with information that may make them wish to remove their signature or otherwise change their minds about the merits of the recall. For jurisdictional reasons, this analysis focuses on the latter portion of the bill, which implicates voter privacy.

3. This bill would permit the target of a recall election to view a recall petition and learn the names and home addresses of the signatories in order to contact them about their decision to sign the petition

Under current law, recall petitions are not public records and may be viewed only by the public employees responsible for receiving and examining the petition, various other public officials as approved by a superior court, and the recall proponent if the petition is deemed insufficient in order to determine which signatures were disqualified and why.⁶ Current law also prohibits the use of the list of signatures of a recall petition for any purpose except qualifying the recall measure on the ballot and other limited exceptions.⁷

This bill would provide the target of a recall election, in a jurisdiction with 50,000 or more registered voters, with the right to request a copy of a recall petition and inspect the records in order to communicate with the signatories to (1) determine whether they actually signed the recall petition, (2) determine whether they understood the petition they signed, and (3) assist them with withdrawing their signatures from the petition, if they so desire. The bill would require the elections official providing the records to

¹ See Elec. Code, div. 11, §§ 11000 et seq.

² *Id.*, § 11043

³ *Id.*, §§ 103, 11303.

⁴ *Id.*, §§ 103, 11303.

⁵ *Id.*, div. 11, ch. 3, art. 2, §§ 11220 et seq.; see also *id.*, §§ 103, 11303.

⁶ Gov. Code, § 6253.5.

⁷ Elec. Code, § 18650.

redact the actual signatures of the signatories, but the names and home addresses would be provided to enable the target of the recall or their representatives to make the contacts described above. Any recipients of the information would be required, in writing, to acknowledge that they are aware that using the information for any other purposes is a misdemeanor and certify that they would not publicly release the signatories' names or addresses. The target of a recall may also provide the disclosed information to an entity contracted to provide a mass mailing, telephone, or electronic communication, provided that the entity also makes the above acknowledgement and certification and does not send any personalized communications.

By creating an exemption to voters' general expectation of privacy in their decision to sign a recall petition, for the purpose of contacting those voters to try and get them to change their minds, this bill implicates federal and state constitutional guarantees.

The First Amendment protects the right of persons to petition the government for the redress of grievances.⁸ In considering a facial challenge to a Washington law that permitted members of the general public to obtain records of a referendum petition, the United States Supreme Court noted that such a signature is also an expression of a political view protected by a political view.⁹ Accordingly, disclosure requirements in the electoral context are reviewed under " 'exacting scrutiny,' " which " 'requires a "substantial relation" between the disclosure requirement and a "sufficiently important" governmental interest.' "¹⁰ The Court concluded that the state's interest in preserving the integrity of the electoral process – including uncovering signatures that may have been procured through fraud or were invalid due to mistake – justified the law permitting public disclosure of recall petitions.¹¹ The majority concluded that the possible risks of public disclosure, such as harassment by other voters, were unlikely to deter voters from signing petitions.¹² Given that this bill provides a substantially narrower scope of disclosure – only to the targets of recall petitions and their representatives, not to the public at large – it seems likely that, under this framework, this bill would not be held to violate the First Amendment.

⁸ U.S. Const., 1st amend.

⁹ *Doe v. Reed* (2010) 561 U.S. 186, 195.

¹⁰ *Id.* at p. 196.

¹¹ *Id.* at pp. 197-198, 201-202.

¹² *Id.* at p. 201. Justice Alito, concurring, stated that the petitioners had not shown any specific likelihood that speech would be chilled in the as-applied challenge before the Court. (*Id.* at p. 205 (conc. opn. of Alito, J.)) Justice Sotomayor, in a concurring opinion joined by Justices Stevens and Ginsburg, stated that the chilling effect of disclosure was likely minimal because of the traditionally public nature of the initiative and referendum process, e.g., because petitions are generally gathered in public locations. (*Id.* at pp. 214-215 (conc. opn. of Sotomayor, J.)) Justice Thomas, in dissent, argued there were other, more efficient ways to ensure the integrity of the electoral process than public disclosure, and that, in light of the state of technology, the likelihood of harassment of signatories was more probable than the majority believed, making it likely that future petitioning activity would be chilled by public disclosure. (*Id.* at pp. 237-238, 241-243 (dis. opn. of Thomas, J.))

Unfortunately, with the rise of doxxing and online harassment, the risks of public disclosure are greater than they were when the Court ruled on the Washington law.¹³ While the bill provides for penalties that should dissuade the target and their representatives from disseminating personal information, it is conceivable that signatories of a particularly sensitive petition could argue, and a court could agree, that under the circumstances, disclosure of their names and contact information could lead to an undue risk of harassment. But the possibility of an as-applied challenge in extreme circumstances does not mean that the bill is problematic. Moreover, in considering a challenge to a related disclosure requirement, the Ninth Circuit has held that a party challenging a disclosure requirement “may succeed by proving ‘a substantial threat of harassment,’ ” not merely a possible one.¹⁴ There would, therefore, be a high bar to prevailing on an as-applied challenge to the bill.

The analysis under state law is different because the California Constitution provides an express, inalienable right to privacy¹⁵ in addition to the rights to speak freely and petition the government.¹⁶ Indeed, the Constitutional grants of the rights to petition and access public information are expressly subordinated to the Constitutional grant of privacy.¹⁷

The interplay between these interests has been examined in the context of an earlier version of the statute making it a misdemeanor to use information contained in a petition for purposes other than verifying the validity of the signatures.¹⁸ In that case, proponents of a ballot measure that failed passage wanted to use the personal information of the signatories to send them petitions for a similar measure, in hopes that the signatories would sign and circulate them, thereby helping to qualify the similar for a future ballot.¹⁹ Because that use was (and is) prohibited by law, the proponents sued for an order declaring the law an unconstitutional violation on their rights to petition, of free speech, and of free association.²⁰ The court noted that persons might sign a petition for many reasons other than outright support of the subject matter – such as “believ[ing] it appropriate to qualify the measure for the ballot so that the voters may decide” – and that the Legislature could properly conclude that a signatory has “the right to privacy of his decision, secure in the knowledge that the fact of his signing will not be used for any purpose beyond the minimum necessary to forward the initiative process.”²¹ The crux of the opinion is, therefore, not that the

¹³ E.g., Vogels, *The State of Online Harassment*, Pew Research Center (Jan. 13, 2021), <https://www.pewresearch.org/internet/2021/01/13/the-state-of-online-harassment/> [last visited Apr. 8, 2021] (reporting on the state of online harassment and noting that 20 percent of Americans have experienced online harassment because of their political views).

¹⁴ *Americans for Prosperity Found v. Becerra* (9th Cir. 2018) 903 F.3d 1000, 1012, 1014.

¹⁵ Cal. Const., art. 1, § 1.

¹⁶ *Id.*, art. 1, §§ 2, 3(a).

¹⁷ *Id.*, art. 1, § 3(b)(3), (5).

¹⁸ See *Bilofsky v. Deukmejian* (1981) 124 Cal.App.3d 825.

¹⁹ *Id.* at p. 828.

²⁰ *Id.* at pp. 828-829.

²¹ *Id.* at p. 833.

Constitutional right of privacy *requires* petition signature information to be kept private for purposes other than verifying the validity of the petition; it merely holds that the Legislature *may* make such a policy decision. The Legislature, presumably, could also decide to open up access to petition records for the limited purpose of allowing the target of a recall election to contact signatories.

Assuming the Constitutional right of privacy does not per se prohibit the disclosure of recall petition records, this bill presents two further privacy concerns. First is the issue of whether this bill would chill petitioning activity, even if that chilling effect does rise to the level of a First Amendment violation. As the analysis of the Governance and Finance Committee notes, some voters may be uncomfortable knowing their identity may be shared with the target of a recall election, or be discouraged from signing because they are concerned about being hounded by the very candidate they wish to be recalled.

Second, by expanding access to the personal information of recall petition signatories, this bill increases the likelihood that such personal information will be misused. The bill contains protections to guard against unauthorized disclosure, including requiring the elections official disclosing the information to verify the identity of the recipient, and requiring all persons who will view the information to acknowledge that misuse of the information is a misdemeanor. Nevertheless, the risk of data breaches is ever-present, and increasing the number of locations where a person's information is stored necessarily increases the likelihood that it will be stolen. Furthermore, voters' concerns that their information might be misused – warranted or not – might further chill voters' willingness to participate in recall elections.

These privacy questions must be weighed against the author's stated need for the bill, which is to increase accuracy and prevent fraud in recall elections. Specifically, the author notes recall petition gatherers routinely act unethically and disseminate misinformation, so this bill would permit the unfairly maligned target of a recall to contact the potentially misled signatories directly and correct the record. Existing law makes it a misdemeanor to make a false statement regarding a petition,²² but according to the author, this law has proven insufficient to prevent such tactics. As bill supporter the American Federation of State, County and Municipal Employees notes, petition signatures are frequently sought in high-traffic, low-oversight areas such as shopping malls, and because signatories might not have reason to believe they are being misled, prosecution of the existing misdemeanor provisions could be difficult. This bill thus adopts an approach allowing the target of the recall to contact signatories to try and combat the spread of disinformation with more information.

4. Amendments

In order to clarify the narrow scope of persons who may apply to view the records of a recall petition under this bill, the author has agreed to an amendment cross-referencing

²² Elec. Code, § 18600.

the relevant provisions. The author has also agreed to an amendment to ensure that, if and when an elections office inserts fictitious names to a petition as investigative tool to ascertain whether the signatories' information is being misused, those fictitious names are not erroneously counted or included when a petition is produced for other purposes. Finally, the author has agreed to a sunset provision, so that the Legislature can revisit the matter after the provisions of the bill have been applied in real-world conditions.

Amendment 1

On page 5, in line 16, strike out "by law" and insert "by Section 6253.5 of the Government Code"

Amendment 2

On page 6, in line 34, after the period insert "The elections official shall maintain a record of the fictitious names inserted for investigative purposes and shall exclude all fictitious names when the records are disclosed or produced for inspection for any other purpose."

Amendment 3

Add a ten-year sunset to make the bill's provisions operative until January 1, 2032.

5. Arguments in support

According to bill supporter the American Federation of State, County and Municipal Employees (AFSCME):

Signature gatherers often work without transparency, leaving the process vulnerable to exploitation and abuse. Petition-signing operations are typically held in high-traffic public locations where voters have little time to read the information regarding the recall effort. As a result, voters are relying on the signature gatherer as the de facto authority regarding the petition.

With the passage of SB 663, targets of recall efforts will be afforded the chance to speak openly with constituents who may have been victims of deception or coercion. AFSCME believes that this legislation will help deter fraudulent or unethical practices while simultaneously providing transparency to voters. We respectfully urge this committee to join us in our support of Senate Bill 663.

6. Arguments in opposition

According to bill opponent Election Integrity Project California:

AB 663 seeks to jeopardize the citizens' right of privacy by disclosing their name, address and contact information to the target of a recall petition they have signed, to the representatives of the target, and to any "entity with whom the target or the target's designated representatives have contracted to provide mass mailing or telephone or electronic media communications using mass distribution technology...:

This constitutes an egregious breach of voter privacy, and exposes the voters to the potential of a barrage of phone calls, snail mail and possibly even personal visits in an attempt to convince them to withdraw their signature. Not only is this demeaning and insulting to voters' intelligence, it is likely to produce understandable reluctance for them to sign any petition in the future. SB 663 will suppress the people's desire to participate in self-governance by making them choose between exercising their constitutional rights and avoiding invasion of privacy and uncomfortable pressure to withdraw the lawful expression of their beliefs.

SUPPORT

American Federation of State, County and Municipal Employees, AFL-CIO
California Faculty Association

OPPOSITION

Election Integrity Project California
Three individuals

RELATED LEGISLATION

Pending Legislation:

SCA 3 (Allen, 2021) provides that, if an officer subject to a recall election resigns no more than 10 days prior to the recall election, the office is vacant and the election shall not be held, except for elections for justices of the Supreme Court; and that the officer subject to recall shall appear on the ballot as a candidate for the recall and, if the recall receives a majority of votes but the officer received a plurality of the votes for replacement, the recall fails and the officer remains in office. SCA 3 is pending before the Senate Elections and Constitutional Amendments Committee.

SB 752 (Allen, 2021) requires an initiative petition's disclosure of its "top funders" to be updated monthly and for a person signing the petition to certify that they had seen the list of the top funders; the bill also adds disclosure requirements to initiative advertising. SB 752 is pending before the Senate Elections and Constitutional Amendments Committee.

AB 1416 (Santiago, 2021) requires that the ballot label on a ballot must include the names of the signers of the ballot arguments printed in the state voter information guide in support of and opposed to the measure. AB 1416 is pending before the Assembly Elections Committee.

Prior Legislation:

SB 1014 (Allen, 2020) would have modified the procedures for recall elections and imposed certain requirements for ballots in recall elections. SB 1014 was held in the Senate Elections and Constitutional Amendments Committee.

AB 2140 (Melendez, 2020) would have required petitions for state or local initiatives or referenda, or recall petitions, to include information including the petition's "top funders" and the identity of the person or entity funding the petition's circulation, and would have required the Legislative Analyst to post and provide certain information regarding the measure. AB 2140 was never referred to a policy committee.

SB 47 (Allen, Ch. 563, Stats. 2019) requires a state or local initiative petition to include either the initiative's top funders, or notify signatories that they have the right to see the petition's top funders on a separately required sheet; and establishes specific requirements for how the top funders must be disclosed, in addition to whether the circulator is being paid.

AB 1451 (Low, 2019) would have imposed additional requirements on state initiative petitions being circulated by persons being paid to do so, including that at least 10 percent of signatures would have to be collected by unpaid circulators, and would have required a second random sampling of the signatures for any state initiative petition to ensure sufficiency of signatures. AB 1451 was vetoed by Governor Newsom, who stated the measure could make the collection of signatures cost-prohibitive, thereby deterring grassroots participation in the initiative process.

AB 2881 (Harper, 2018) would have repealed changes to the recall procedures of state officers enacted the year before in SB 117, as described below. AB 2881 was held in the Assembly Elections and Redistricting Committee.

SB 117 (Committee on Budget and Fiscal Review, Ch. 180, Stats. 2017) changed the procedures for recalling state officers, including by repealing provisions of law that allowed elections officials to use a random sampling technique when verifying recall petition signatures, providing additional time for a voter to withdraw their signature from a recall petition, and requiring the preparation of cost estimates for conducting a recall election.

AB 1367 (Berman, Ch. 848, Stats. of 2017) made it a crime for a person, company, organization, company official, or other organizational officer in charge of a petition

circulator to knowingly direct or permit the circulator to make a false affidavit concerning the initiative, referendum, or recall petition.

AB 1729 (Assembly Committee on Elections and Redistricting, Ch. 354, Stats. 2017) expanded the time in which the records of a petition must be maintained in cases where the proponents of a petition examined a petition following notice of an insufficiency.

PRIOR VOTES:

Senate Committee on Elections and Constitutional Amendments (Ayes 4, Nos 1)
