



DEBRA BOWEN | SECRETARY OF STATE
STATE OF CALIFORNIA | ELECTIONS

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April 9, 2008

TO: ALL COUNTY CLERKS/REGISTRARS OF VOTERS/PROponents
(08134)

FROM:


KATHERINE MONTGOMERY
Associate Elections Analyst

SUBJECT: **INITIATIVE #1342**

Pursuant to Elections Code section 336, we transmit herewith a copy of the Title and Summary prepared by the Attorney General on a proposed initiative measure entitled:

**REDEVELOPMENT AREAS. LIMITATIONS ON USING
PROPERTY TAX TO SECURE DEBT. STATUTE.**

The proponents of the above-named measure are:

Don H. Lippman
Christopher A. Sutton
2181 East Foothill Boulevard, Suite 202
Pasadena, CA 91107-6825

(626) 683-2500

**REDEVELOPMENT AREAS. LIMITATIONS ON USING
PROPERTY TAX TO SECURE DEBT. STATUTE.**

CIRCULATING AND FILING SCHEDULE

1. Minimum number of signatures required: 433,971
California Constitution, Article II, Section 8(b)

2. Official Summary Date: Wednesday, 04/09/08

3. Petitions Sections:
 - a. First day Proponent can circulate Sections for
signatures (Elec. Code § 336) Wednesday, 04/09/08

 - b. Last day Proponent can circulate and file with the county.
All sections are to be filed at the same time within each
county. (Elec. Codes §§ 336, 9030(a)). Monday, 09/08/08*

 - c. Last day for county to determine total number of
signatures affixed to petitions and to transmit total
to the Secretary of State (Elec. Code § 9030(b)).....Friday, 09/19/08

(If the Proponent files the petition with the county on a date prior to
09/08/08, the county has eight working days from the filing of the petition
to determine the total number of signatures affixed to the petition and to
transmit the total to the Secretary of State) (Elec. Code § 9030(b)).

 - d. Secretary of State determines whether the total number
of signatures filed with all county clerks/registrars of
voters meets the minimum number of required signatures
and notifies the counties.....Sunday, 09/28/08**

 - e. Last day for county to determine total number of qualified
voters who signed the petition, and to transmit certificate
with a blank copy of the petition to the Secretary of State
(Elec. Code § 9030(d)(e))Monday, 11/10/08

* Date adjusted for official deadline, which falls on a weekend (Elec. Code § 15).

**Date varies based on the date of county receipt.

INITIATIVE #1342

Circulating and Filing Schedule continued:

(If the Secretary of State notifies the county to determine the number of qualified voters who signed the petition on a date other than 09/28/08, the last day is no later than the thirtieth working day after the county's receipt of notification). (Elec. Code § 9030(d)(e)).

- f. If the signature count is more than 477,369 or less than 412,273 then the Secretary of State certifies the petition as qualified or failed, and notifies the counties. If the signature count is between 412,273 and 477,369 inclusive, then the Secretary of State notifies the counties using the random sampling technique to determine the validity of **all** signatures (EC §9030(f)(g); 9031(a))..... Thursday, 11/20/08*

- g. Last day for county to determine actual number of all qualified voters who signed the petition, and to transmit certificate with a blank copy of the petition to the Secretary of State. (Elec. Code § 9031(b)(c)).Wednesday, 01/07/09

(If the Secretary of State notifies the county to determine the number of qualified voters who have signed the petition on a date other than 11/16/08, the last day is no later than the thirtieth working day after the county's receipt of notification.) (Elec. Code § 9031(b)(c).)

- h. Secretary of State certifies whether the petition has been signed by the number of qualified voters required to declare the petition sufficient (Elec. Code §§ 9031(d), 9033) Sunday, 01/11/09*

*Date varies based on the date of county receipt.

IMPORTANT POINTS

- California law prohibits the use of signatures, names and addresses gathered on initiative petitions for any purpose other than to qualify the initiative measure for the ballot. This means that the petitions cannot be used to create or add to mailing lists or similar lists for any purpose, including fundraising or requests for support. Any such misuses constitutes a crime under California law. Elections Code section 18650; *Bilofsky v. Deukmejian* (1981) 124 Cal.App.3d 825, 177 Cal.Rptr. 621; 63 Ops.Cal.Atty.Gen. 37 (1980).
- Please refer to Elections Code sections 100, 101, 104, 9001, 9008, 9009, 9021, and 9022 for appropriate format and type consideration in printing, typing and otherwise preparing your initiative petition for circulation and signatures. Please send a copy of the petition after you have it printed. This copy is not for our review or approval, but to supplement our file.
- Your attention is directed to the campaign disclosure requirements of the **Political Reform Act of 1974**, Government Code section 81000 et seq.
- When writing or calling state or county elections officials, provide the official title of the initiative which was prepared by the Attorney General. Use of this title will assist elections officials in referencing the proper file.
- When a petition is presented to the county elections official for filing by someone other than the proponent, the required authorization shall include the name or names of the persons filing the petition.
- When filing the petition with the county elections official, please provide a blank petition for elections official use.

EDMUND G. BROWN JR.
Attorney General

State of California
DEPARTMENT OF JUSTICE



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April 9, 2008

FILED
In the office of the Secretary of State
of the State of California

APR 09 2008

Debra Bowen, Secretary of State
By 
Deputy Secretary of State

Debra Bowen
Secretary of State
1500 11th Street, 5th Floor
Sacramento, CA 95814

Attention: Ms. Katherine Montgomery
Associate Elections Analyst

Re: Initiative 08-0010 Voter Approval of Bonds Secured by Redevelopment Agency
Property Tax Revenue. (Amdt. #2-NS)

**Official Title: REDEVELOPMENT AREAS. LIMITATIONS ON USING PROPERTY
TAX TO SECURE DEBT. STATUTE.**

Dear Ms. Bowen:

Pursuant to Elections Code sections 9004 and 336, you are hereby notified that on this day we mailed our title and summary for initiative 08-0010 to the respective proponents.

Enclosed is a copy of that title and summary, and a copy of the proposed measure.

Sincerely,



KRYSTAL M. PARIS
Initiative Coordinator

For EDMUND G. BROWN JR.
Attorney General

KMP:
Enclosures

Proponent(s) public information:
Don H. Lippman and Christopher A. Sutton
Law Office of Christopher Sutton
2181 East Foothill Blvd., Suite 202
Pasadena, CA 91107-6825

Date: April 9, 2008
Initiative No.: 08-0010
Amdt. #2-NS

The Attorney General of California has prepared the following title and summary of the chief purpose and points of the proposed measure:

REDEVELOPMENT AREAS. LIMITATIONS ON USING PROPERTY TAX TO SECURE DEBT. STATUTE. Prohibits use of certain property tax revenues allocated from a redevelopment project area to secure the payment of a bond, loan, advance, or other debt, unless approved by a local ordinance and a two-thirds vote at a county-wide election. Requires certain information to be contained in an ordinance approving use of redevelopment property tax revenue to secure debt. Requires counties to establish procedures for elections seeking approval for the use of redevelopment tax revenue to secure debt. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: Over time, potential major shift in property tax revenues from redevelopment agencies to cities, counties, special districts, and schools. Increased property tax revenues to schools would result in a comparable decrease in required state spending for education. (Initiative 08-0010.)

FROM : Don Lippman

Mar. 08 2008 03:45PM P1

08 - 0010

Amdt. #2NS

RECEIVED

MAR 12 2008

INITIATIVE COORDINATOR
ATTORNEY GENERAL'S OFFICE

February 25, 2008

Krystal M. Paris
Initiative Coordinator
Office of Attorney General
Edmund G. Brown, Jr.
1300I Street
Sacramento, California 95814

Telephone: (916) 445-4752
Facsimile: (916) 324-8835

Re: Statutory Initiative Measure change of title from Save Our Schools and Public Services Act to Voter Approval of Bonds Secured by Redevelopment Agency Property Tax Revenue.

Dear Ms. Paris:

The enclosed Statutory Initiative Measure reflects a change in the title from "SAVE OUR SCHOOLS AND PUBLIC SERVICES ACT" to "VOTER APPROVAL OF BONDS SECURED BY REDEVELOPMENT AGENCY PROPERTY TAX REVENUE."

The enclosed initiative also corrects a typographical error on page 2 correcting the spelling of the word collectors in the first line of paragraph (d).

Mr. Sutton will also send to you a copy of this letter agreeing to the above changes.

Thank you again for your courtesy.

Yours truly,

Don H. Lippman

Enclosed: Text of corrected proposed initiative measure

I agree with this correction request.

CHRISTOPHER SUTTON 3-12-2008

Don H. Lippman

0 8 - 0 0 1 0

Amdt. #2NS

February 25, 2008

Krystal M. Paris
Initiative Coordinator
Office of Attorney General
Edmund G. Brown, Jr.
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Don H. Lippman

Enclosed: Text of corrected proposed initiative measure

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

The Attorney General of California has prepared the following title and summary of the chief purposes and points of the proposed measure:

(Here set forth the title and summary prepared by the Attorney General. This title and summary must also be printed across the top of each page of the petition whereon signatures are to appear.)

TO THE HONORABLE SECRETARY OF STATE OF THE STATE OF CALIFORNIA

We, the undersigned, registered, qualified voters of California, residents of the County or City and County of _____, hereby propose amendments to the California Health and Safety Code, and petition the Secretary of State to submit this measure to the voters of the voters of California for their adoption or rejection at the next succeeding general election or at any special statewide election held prior to that general election or as otherwise provided by law. The proposed amendments (full title and text of measure) read as follows:

SECTION 1. TITLE AND INTENT.

(a) The act shall be known and may be cited as the Voter Approval of Bonds Secured by Redevelopment Agency Property Tax Revenue.

(b) It is the intent of the people in approving this measure to impose public accountability on pledges of property tax revenues diverted to redevelopment agencies and other entities under the process known as "tax increment financing" in order to ensure those revenues are used only for purposes that are fully disclosed to, and are widely supported by, the public in

the county where they are derived.

SECTION 2. STATEMENT OF FINDINGS

The People of the State of California find and determine as follows:

(a) Property taxes are a major source of funds to pay for schools and community colleges, police and fire protection, trauma centers and all other local and county public services.

(b) Cities and counties use provisions of state law to divert billions of property tax dollars from the above-mentioned public services in order to subsidize redevelopment activities. They issue bonds, secured by property tax revenue, without voter approval. According to the California State Controller's 2005-2006 Annual Report on Redevelopment Agencies, future property tax revenues are already pledged to pay the current redevelopment debt of over \$80 billion, and increasing currently by billions each year. While the law requires voter approval to issue bonds for public services and facilities, voter approval is not required to issue bonds secured by property taxes for private development or redevelopment.

(c) It is time to require voter approval of all future debts secured by property taxes so that there can be a greater disclosure of how such diversions and pledges impact on non-redevelopment local and county services.

(d) Those who pay property taxes through county tax collectors, as well as those who do not pay property taxes but want public services adequately funded, must be assured that government decisions regarding the diversion and pledge of property tax revenues are made by the widest possible public consensus and only after a full public disclosure of all potential impacts of any such pledge.

Therefore, the People of the State of California hereby enact the new law set forth below as the "Voter Approval of Bonds Secured by Redevelopment Agency Property Tax Revenue."

SECTION 3. AMENDMENTS TO THE PROPERTY TAX REVENUE LAW

Section 33645.1 is added to the California Health and Safety Code in Article 5, Chapter 6, Part 1, of Division 24 to read as follows:

(a) On and after the effective date of this section, no pledge of property tax revenues that are allocated to any public entity or redevelopment agency pursuant to Article XVI section 16(b) of the California Constitution shall be valid or recognized by such entity or agency for the payment of the principal of or interest on any bond, or for the payment of the principal of or interest on any loan, advance, or other indebtedness, unless an ordinance proposing that pledge of funds is adopted by the legislative body of that community (city, county, or city and county), and it is thereafter approved by two-thirds (2/3) of the voters voting "yes" on the proposition at a county-wide election in the county in which such property tax funds are derived. The ordinance shall specify all of the following:

(1) The exact purpose or purposes for which the indebtedness is to be incurred.

(2) The maximum total amount of those funds that may be pledged with respect to that indebtedness.

(3) The period of years during which the funds may be pledged, together with the maximum amount of funds that may be pledged in any year with respect to that indebtedness.

(b) The county shall establish the following with respect to the election:

(1) The manner of holding the election and the procedure for voting for or against the proposition in a manner consistent with the Elections Code.

(2) Provisions to submit the proposition to the voters residing in the county at either the next general election of the county, or at a special election called by the

county for that purpose.

(3) A requirement that the words "Pledge Funds - Yes" and "Pledge Funds - No" or words of similar import appear on the ballot adjacent to the proposition.

(4) The county shall publish the full text of the ordinance in one or more newspapers published in the county once a week for at least four weeks before the election.

(5) If the indebtedness is not proposed by the county itself, the cost of conducting the election and publishing the ordinance shall be fully reimbursed to the county by the public entity or redevelopment agency seeking approval of the indebtedness.

(c) As a matter of public finance of statewide importance, the procedures set forth in this section shall apply to all local government entities, including those operating with a charter.

(d) This section shall be liberally construed to effect its purposes.

SECTION 4. IMPLEMENTATION AND AMENDMENT.

(a) The legislature may enact laws to further the purposes of this measure and to aid in its implementation. No law may be enacted that would directly or indirectly repeal or contradict the terms of this measure except by vote of the people of California.

(b) The findings, purposes, and substantive provisions of this measure may only be amended by a majority of the voters of California voting on such an amendment.

SECTION 5. SEVERABILITY

The provisions of this measure are severable. Only a specific portion of this measure found to be invalid shall be stricken by a court, if any, and all the other remaining provisions shall continue in full force and effect without the invalid portion.

SECTION 6. EFFECTIVE DATE

This measure shall become effective as provided in Article II Section 10 of the California Constitution the day after its enactment by the voters.

Measure proposed by Don Lippman
and Christopher Sutton