



**DEBRA BOWEN** | SECRETARY OF STATE  
STATE OF CALIFORNIA | ELECTIONS

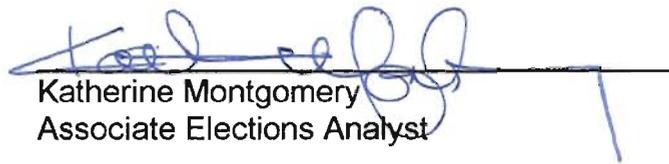
1500 11th Street, 5th Floor | Sacramento, CA 95814 | Tel (916) 657-2166 | Fax (916) 653-3214 | www.sos.ca.gov

February 25, 2009

County Clerk/Registrar of Voters (CC/ROV) Memorandum #09019

TO: All County Clerks/Registrars of Voters and Proponent

FROM:

  
Katherine Montgomery  
Associate Elections Analyst

RE: Initiative: 1354, Related to Fiscal Matters

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:

**STATE BUDGET. PENALTIES FOR GOVERNOR AND  
LEGISLATURE IF BUDGET DEADLINES NOT MET.  
INITIATIVE CONSTITUTIONAL AMENDMENT.**

The proponent of the above-named measure is:

Bradley Philip Morisoli  
P.O. Box 2762  
Livermore, CA 94551

(925) 766-0673

#1354

**STATE BUDGET. PENALTIES FOR GOVERNOR AND  
LEGISLATURE IF BUDGET DEADLINES NOT MET.  
INITIATIVE CONSTITUTIONAL AMENDMENT.**

**CIRCULATING AND FILING SCHEDULE**

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1. Minimum number of signatures required: ..... 694,354  
California Constitution, Article II, Section 8(b)
2. Official Summary Date: ..... Wednesday, 02/25/09
3. Petitions Sections:
  - a. First day Proponent can circulate Sections for  
signatures (Elec. Code § 336) ..... Wednesday, 02/25/09
  - 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, 07/27/09\*
  - 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))..... Thursday, 08/06/09  
  
(If the Proponent files the petition with the county on a date prior to  
07/27/09, 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..... Saturday, 08/15/09\*\*
  - 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)) ..... Tuesday, 09/29/09

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

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

**INITIATIVE #1354**

**Circulating and Filing Schedule continued:**

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(If the Secretary of State notifies the county to determine the number of qualified voters who signed the petition on a date other than 08/15/09, 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 763,790 or less than 659,637 then the Secretary of State certifies the petition as qualified or failed, and notifies the counties. If the signature count is between 659,637 and 763,790 inclusive, then the Secretary of State notifies the counties using the random sampling technique to determine the validity of **all** signatures (Elec. Code §§ 9030(f)(g), 9031(a)) ..... Friday, 10/09/09\*
  
- 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)). ..... Tuesday, 11/24/09

(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 10/09/09, 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) ..... Saturday, 11/28/09\*

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

## IMPORTANT POINTS

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- 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



1300 I STREET, SUITE 125  
P.O. BOX 944255  
SACRAMENTO, CA 94244-2550

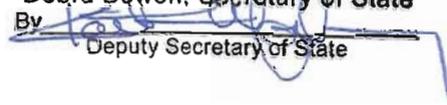
Public: (916) 445-9555  
Telephone: (916) 445-4752  
Facsimile: (916) 324-8835  
E-Mail: Krystal.Paris@doj.ca.gov

February 25, 2009

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

FEB 25 2009

Debra Bowen, Secretary of State  
1500 11<sup>th</sup> Street, 5<sup>th</sup> Floor  
Sacramento, CA 95814

Debra Bowen, Secretary of State  
By   
Deputy Secretary of State

Attention: Ms. Katherine Montgomery  
Associate Elections Analyst

Re: Initiative 09-0001, "Pass Our Budget Act"

**Official Circulating Title: State Budget. Penalties for Governor and Legislature If Budget Deadlines Not Met. Initiative Constitutional Amendment.**

Dear Secretary 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 09-0001, the "Pass Our Budget Act" to the respective proponent.

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:  
Bradley Philip Morisoli  
P.O. Box 2762  
Livermore, CA 94551

Date: February 25, 2009  
Initiative No.: 09-0001, Amdt. #1-NS.

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

STATE BUDGET. PENALTIES FOR GOVERNOR AND LEGISLATURE IF BUDGET DEADLINES NOT MET. INITIATIVE CONSTITUTIONAL AMENDMENT. Provides that the Governor and Legislature will be automatically removed from office if the Legislature fails to approve budget by June 15th or the Governor fails to sign a budget by June 30th. Requires that 25% of the salaries owed to the Governor and each Legislative member be withheld until a budget is completed for following year. Prohibits officials removed from office for failure to pass a budget from being elected or appointed to state office for two years following removal. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: Increase in state and local election costs in any year in which the Governor and all 120 members of the Legislature are terminated when the budget process is not completed on time. These costs could potentially exceed \$100 million in any such year. Unknown state fiscal impacts from changes in the content of the annual budget as a result of the measure's provisions related to a late budget. (09-0001.)

PassOurBudget.com

09 - 0001

Amdt. #1NS

January 14, 2009

Initiative Coordinator  
Office of the Attorney General  
1300 I Street  
Sacramento, CA 95814

**RECEIVED**

**JAN 20 2009**

INITIATIVE COORDINATOR  
ATTORNEY GENERAL'S OFFICE

**Re: Request for Title and Summary of Proposed Initiative**

Dear Initiative Coordinator:

I am the proponent of the proposed initiative constitutional amendment filed on January 2, 2009. I requested that the Attorney General prepare a title and summary of the chief purpose and points of this proposed measure. Enclosed please find the modified text of the proposed measure, my residence address at which I am registered to vote.

I modified the last section: e) Due to the failure to pass a budget as per section 12.5, paragraphs b and c, the governor and the members of the legislature who were removed from office will be prohibited from holding any state level elected or appointed position for a period of two years starting from the dated they are terminated from office. By removing the d from dated. Please forward any inquiries you may have regarding this measure to Bradley Philip Morisoli, P.O. Box 2762, Livermore, CA 94551, (925) 766-0673

Sincerely

Bradley Philip Morisoli

Bradley Philip Morisoli

**Section I. Title**

**Amdt. #1NS**

This measure shall be known and may be cited as the "Pass Our Budget Act."

**SECTION 2. Article 4. Section 12.5 is added to the California Constitution to read:**

**Section 12.5.**

- a) Beginning July 1 of any fiscal year, 25% of the governor's and all state legislators' gross salaries will be withheld into the general fund. Upon completion of the next fiscal year's budget, those funds will be due and payable within 15 days, to the governor and the legislators.
- b) If the legislature fails to pass a California State budget bill by midnight June 15 of any given year, as is their duty according to Article 4, section 12, C-3, both the entire legislature and the governor's terms will be terminated at midnight of June 15 of that year.
- c) If by midnight of June 30 of any given year, the budget approval process has not been completed providing a budget that meets the requirements of California State Constitution, both the entire legislature' and the governor's terms will be terminated at midnight of June 30 of that year.
- d) In the event that the budget process has not been completed by June 30, the fiscal year's budget ending on June 30 of that year will stay in effect and be modified based on revenues of the fiscal year ending on June 30, proportionate to projected revenues of the fiscal year beginning on that July 1.
- e) Due to the failure to pass a budget as per section 12.5, paragraphs b and c, the governor and the members of the legislature who were removed from office will be prohibited from holding any state level elected or appointed position for a period of two years starting from the date they are teiminated from office.

SECRETARY OF STATE  
 JUNE 22 1952  
 SACRAMENTO, CALIF.