



DEBRA BOWEN | SECRETARY OF STATE
STATE OF CALIFORNIA | ELECTIONS

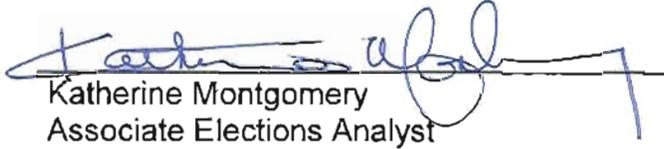
1500 11th Street, 5th Floor | Sacramento, CA 95814 | Tel (916) 657-2166 | Fax (916) 653-3214 | www.sos.ca.gov

July 30, 2009

County Clerk/Registrar of Voters (CC/ROV) Memorandum #09125

TO: All County Clerks/Registrars of Voters and Proponent

FROM:


Katherine Montgomery
Associate Elections Analyst

RE: Initiative: 1370, Related to Budget Vote Requirement

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:

**CHANGES THE VOTE REQUIREMENT TO
PASS A BUDGET OR RAISE TAXES FROM TWO-THIRDS
TO THREE-FIFTHS. INITIATIVE CONSTITUTIONAL AMENDMENT.**

The proponent of the above-named measure is:

Robert Denham
3154 College Avenue, #2
Berkeley, CA 94705

(510) 302-2178

#1370

CHANGES THE VOTE REQUIREMENT TO
PASS A BUDGET OR RAISE TAXES FROM TWO-THIRDS
TO THREE-FIFTHS. INITIATIVE CONSTITUTIONAL AMENDMENT.

CIRCULATING AND FILING SCHEDULE

1. Minimum number of signatures required:694,354
California Constitution, Article II, Section 8(b)
2. Official Summary Date:Thursday, 07/30/09
3. Petitions Sections:
 - a. First day Proponent can circulate Sections for
signatures (Elec. Code § 336) Thursday, 07/30/09
 - 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, 12/28/09*
 - 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)).....Friday, 01/08/10

(If the Proponent files the petition with the county on a date prior to
12/28/09, 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.....Sunday, 01/17/10**
 - 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)).....Wednesday, 03/03/10

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

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

INITIATIVE #1370

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 01/17/10, 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)) Saturday, 03/13/10*
- 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)). Monday, 04/26/10

(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 03/13/10, 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).....Friday, 04/30/10*

*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



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

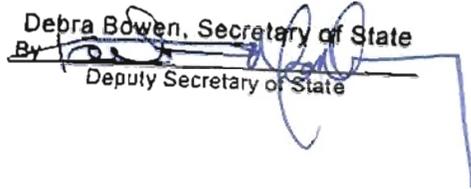
Public: (916) 445-9555
Telephone: (916) 445-4752
Facsimile: (916) 324-8835
E-Mail: Krystal.Paris@doj.ca.gov

July 30, 2009

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

JUL 30 2009

Honorable Debra Bowen
Secretary of State of the State of California
State of California Elections
1500 11th Street, 5th Floor
Sacramento, CA 95814

Debra Bowen, Secretary of State
By 
Deputy Secretary of State

Attention: Ms. Katherine Montgomery
Associate Elections Analyst

Re: Initiative 09-0016, "Responsible California State Budget Reform Act."
Official Circulating Title: CHANGES THE VOTE REQUIREMENT TO PASS A BUDGET OR RAISE
TAXES FROM TWO-THIRDS TO THREE-FIFTHS. 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 09-0016, "Responsible California State Budget Reform Act"
to the proponent. A copy of that title and summary and text of the proposed measure is enclosed.

Please contact me if you have any questions.

Sincerely,



For  KRYSTAL M. PARIS
Initiative Coordinator

For EDMUND G. BROWN JR.
Attorney General

Proponent:
Robert Denham
3154 College Ave #2
Berkeley, CA 94705

Date: July 30, 2009
Initiative No.: 09-0016

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

**CHANGES THE VOTE REQUIREMENT TO PASS A BUDGET OR RAISE TAXES
FROM TWO-THIRDS TO THREE-FIFTHS. INITIATIVE CONSTITUTIONAL**

AMENDMENT. Changes the legislative vote requirement necessary to pass the state budget, and to raise taxes, from two-thirds (sixty-seven percent) to three-fifths (sixty percent). Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local governments: Unknown state fiscal impacts from lowering the legislative vote requirement for spending and tax increases. In some cases, the content of the annual state budget could change and/or state tax revenues could increase. Fiscal impact would depend on the composition and actions of future Legislatures. (09-0016.)

09-0016

June 1, 2009

RECEIVED

JUN 08 2009

Office of the Attorney General
Initiative Coordinator
1300 I Street
P.O. Box 944255
Sacramento, CA 94244-2550

INITIATIVE COORDINATOR
ATTORNEY GENERAL'S OFFICE

The undersigned hereby requests preparation of a title and summary of the chief purpose and points of the proposed initiative measure known as the Responsible California State Budget Reform Act pursuant to Article II, Section 10(d), of the California Constitution. Enclosed is the text of the proposed initiative with the required signed statement pursuant to California Elections Code section 9608 and a check in the amount of \$200.

Please direct any questions to the proponent at the address provided below.

Sincerely yours,

Robert Denham
3154 College Ave #2
Berkeley CA 94705
Phone: 510-302-2178
Email: Robert.Denham@ceb.ucla.edu

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

SECTION 1. The measure shall be known and may be cited as "The Responsible California State Budget Reform Act."

SECTION 2. THE PEOPLE OF THE STATE OF CALIFORNIA MAKE THE FOLLOWING FINDINGS AND DECLARATIONS:

(1) The current two-thirds supermajority vote requirement to enact the state budget and raise revenue has led to paralysis in state government. This antiquated budget process does not provide secure funding for essential public services.

(2) However, a simple majority vote requirement to enact the state budget and raise revenue would not impose sufficient checks and balances on public spending and revenue measures to protect the legitimate interests and expectations of California taxpayers.

(3) A three-fifths supermajority vote requirement equivalent to the 60 votes (out of 100) currently required to invoke cloture in the United States Senate is an appropriate compromise and should be adopted for state budget and revenue measures.

(4) This simple reform will break the current partisan gridlock, restore the Legislature to its proper role in state government, and allow the rival budget plans of various political parties to compete fairly for the support of California voters.

SECTION 3. CALIFORNIA CONSTITUTION ARTICLE 4, Sec. 9, subdiv.(d) is amended to read (change in italics):

No bill except the budget bill may contain more than one item of appropriation, and that for one certain, expressed purpose. Appropriations from the General Fund of the State, except appropriations for the public schools, are void unless passed in each house by rollcall vote entered in the journal, *three fifths* of the membership concurring.

SECTION 4. CALIFORNIA CONSTITUTION, ARTICLE 13A, Sec. 3 is amended to read (change in italics):

From and after the effective date of this article, any changes in State taxes enacted for the purpose of increasing revenues collected pursuant thereto whether by increased rates or changes in the methods of computation must be imposed by Act passed by not less than *three-fifths* of all members elected to each of the two houses of the Legislature, except that no new ad valorem taxes on real property, or sales or transaction taxes on the sales of real property may be imposed.