



DEBRA BOWEN | SECRETARY OF STATE
STATE OF CALIFORNIA | ELECTIONS

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November 24, 2009

County Clerk/Registrar of Voters (CC/ROV) Memorandum #09189

TO: All County Clerks/Registrars of Voters and Proponent

FROM:


Katherine Montgomery
Associate Elections Analyst

RE: Initiative: 1396, Related to Education and Taxation

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:

**PROHIBITS PUBLIC FUNDING OF SCHOOLS THROUGH TAXES.
INITIATIVE CONSTITUTIONAL AMENDMENT.**

The proponent of the above-named measure is:

Lee W. Olson
16458 Bolsa Chica Street, #165
Huntington Beach, CA 92649

**PROHIBITS PUBLIC FUNDING OF SCHOOLS THROUGH TAXES.
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: Tuesday, 11/24/09
3. Petitions Sections:
 - a. First day Proponent can circulate Sections for
signatures (Elec. Code § 336) Tuesday, 11/24/09
 - 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)) Friday, 04/23/10
 - 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)) Wednesday, 05/05/10

(If the Proponent files the petition with the county on a date prior to
04/23/10, 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 Friday, 05/14/10*
 - 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)) Monday, 06/28/10

* Date varies based on the date of county receipt.

INITIATIVE #1396

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 05/14/10, 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))Thursday, 07/08/10*
- 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)). Thursday, 08/19/10

(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 07/08/10, 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).....Monday, 08/23/10*

*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



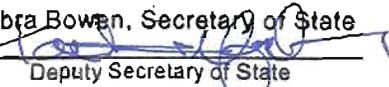
1300 I STREET, SUITE 125
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SACRAMENTO, CA 94244-2550

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

November 24, 2009

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

NOV 24 2009

Debra Bowen, Secretary of State
By 
Deputy Secretary of State

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

Attention: Ms. Katherine Montgomery
Associate Elections Analyst

Re: Initiative 09-0046, "California Education Tax Relief Act."

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 the above-referenced proposed initiative 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. Thank you.

Sincerely,


KRYSTAL M. PARIS
Initiative Coordinator

For EDMUND G. BROWN JR.
Attorney General

Proponent:
Lee Olson
16458 Bolsa Chica Street, #165
Huntington Beach, CA 92649

November 24, 2009
Initiative 09-0046

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

PROHIBITS PUBLIC FUNDING OF SCHOOLS THROUGH TAXES. INITIATIVE

CONSTITUTIONAL AMENDMENT. Prohibits property, sales, or income taxes from being used to fund California's public schools, colleges, and universities, or to buy textbooks for grades one through eight. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: Elimination of most existing state and local government funding for education programs. Likely major shifts in state and local government budgeting. (09-0046.)

October 1, 2009

09 - 0046

Office of the Attorney General
Ms. Krystal Paris, Initiative Coordinator
1300 I Street
Sacramento, CA 95814

RECEIVED
OCT 05 2009

INITIATIVE COORDINATOR
ATTORNEY GENERAL'S OFFICE

RE: Request to Prepare Title and Summary

Dear Ms. Paris:

This letter is to request that the Attorney General prepare a title and summary of the Enclosure 1 measure.

The proponent is the undersigned.

The proponent's voter registration address and Statement Pursuant to Elections Code Section 9608 are provided in Enclosure 2.

A check payable to the State of California in the amount of \$200 is enclosed.

Inquiries may be directed to the proponent at:

16458 Bolsa Chica Street, #165
Huntington Beach, CA 92649

Sincerely,

Lee W. Olson

Enclosures: Enclosure 1, Enclosure 2, Fee

California Education Tax Relief Act

09 - 0046

SECTION 1. Section 17 is added to Article 9 of the California Constitution, to read:

SEC. 17. (a) This Act shall be known as the "California Education Tax Relief Act."

(b) Notwithstanding any provision of the Constitution to the contrary, no property, sales or income taxes shall be levied or assessed to pay for any free school provided for under Section 5 of Article 9, nor to pay for any Public School System or into the State School Fund provided for under Section 6 of Article 9, nor to pay for textbooks provided for under Section 7.5 of Article 9, nor to pay for the University of California provided for under Section 9 of Article 9.