



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

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February 18, 2010

County Clerk/Registrar of Voters (CC/ROV) Memorandum #10070

TO: All County Clerks/Registrars of Voters and Proponent

FROM:


Katherine Montgomery
Associate Elections Analyst

RE: Initiative: 1454, Related to Global Warming

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:

**SUSPENDS AIR POLLUTION CONTROL
LAWS REQUIRING MAJOR POLLUTERS TO
REPORT AND REDUCE GREENHOUSE GAS EMISSIONS
THAT CAUSE GLOBAL WARMING UNTIL UNEMPLOYMENT
DROPS BELOW SPECIFIED LEVEL FOR FULL YEAR. INITIATIVE STATUTE.**

The proponent of the above-named measure is:

Thomas W. Hiltachk
455 Capitol Mall, Suite 801
Sacramento, CA 95814

(916) 442-7757

#1454

**SUSPENDS AIR POLLUTION CONTROL
LAWS REQUIRING MAJOR POLLUTERS TO
REPORT AND REDUCE GREENHOUSE GAS EMISSIONS
THAT CAUSE GLOBAL WARMING UNTIL UNEMPLOYMENT
DROPS BELOW SPECIFIED LEVEL FOR FULL YEAR. INITIATIVE 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, 02/17/10
3. Petitions Sections:
 - a. First day Proponent can circulate Sections for
signatures (Elec. Code § 336) Wednesday, 02/17/10
 - 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, 07/19/10*
 - 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)).....Thursday, 07/29/10

(If the Proponent files the petition with the county on a date prior to
07/19/10, 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.....Saturday, 08/07/10**
 - 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)).....Tuesday, 09/21/10

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

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

INITIATIVE #1454
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 08/07/10, 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 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)).....Friday, 10/01/10*
- 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, 11/15/10

(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 10/01/10, 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, 11/19/10*

*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



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February 17, 2010

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

FEB 17 2010

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

Dear Secretary Bowen:

Pursuant to Elections Code, section 9004, you are hereby notified that on this day we sent our title and summary for each of the following proposed initiatives to the respective proponents:

- 09-0100, RE: Taxes [V-3.]
- 09-0101, "Ask Us First Taxpayer Protection Act of 2010."
- 09-0104, "California Jobs Initiative." [V-1.] (Hiltachk)
- 09-0105, "California Jobs Initiative." [V-2.] (Hiltachk)
- 09-0106, "Vote SAFE: Secure and Fair Elections Act." [V-5.]

A copy of the title and summary and text of each initiative is enclosed.

Sincerely,

Handwritten signature of Krystal M. Paris in cursive.

KRYSTAL M. PARIS
Initiative Coordinator

For EDMUND G. BROWN JR.
Attorney General

February 17, 2010
Initiative 09-0104

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

SUSPENDS AIR POLLUTION CONTROL LAWS REQUIRING MAJOR POLLUTERS TO REPORT AND REDUCE GREENHOUSE GAS EMISSIONS THAT CAUSE GLOBAL WARMING UNTIL UNEMPLOYMENT DROPS BELOW SPECIFIED

LEVEL FOR FULL YEAR. INITIATIVE STATUTE. Suspends State laws requiring

reduced greenhouse gas emissions that cause global-warming, until California's unemployment rate drops to 5.5 percent or less for four consecutive quarters. Requires State to abandon

implementation of comprehensive greenhouse-gas-reduction program that includes increased renewable energy and cleaner fuel requirements, and mandatory emission reporting and fee

requirements for major polluters such as power plants and oil refineries, until suspension is

lifted. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: **Potential positive, short-term impacts on state and local**

government revenues from the suspension of regulatory activity, with uncertain longer-run

impacts. Potential foregone state revenues from the auctioning of emission allowances by

state government, by suspending the future implementation of cap-and-trade regulations.

(09-0104.)

THOMAS W. HILTACHK

455 Capitol Mall, Suite 801
Sacramento, California 95814
(916) 442-7757

December 22, 2009

09 - 0104

RECEIVED

DEC 22 2009

INITIATIVE COORDINATOR
ATTORNEY GENERAL'S OFFICE

Initiative Coordinator
Office of the Attorney General
State of California
1300 I Street
Sacramento, CA 94244-25550

Re: Request for Title and Summary for Proposed Initiative
California Jobs Initiative [v-1]

Dear Ms. Paris:

Pursuant to Article II, Section 10(d) of the California Constitution, I am submitting the attached proposed statewide ballot measure ("California Jobs Initiative [v-1]") to your office and request that you prepare a title and summary of the measure as provided by law. I have also included with this letter the required signed statement pursuant to California Elections Code section 9608, and a check in the amount of \$200. My address as registered to vote is shown on Attachment 'A' to this letter.

Should you have any questions or require additional information, please contact me at 455 Capitol Mall, Suite 801, Sacramento, CA 95814 or (916) 442-7757. Thank you.

Very truly yours,

Thomas W. Hiltachk

Initiative Measure to be Submitted to Voters

California Jobs Initiative

SECTION 1. STATEMENT OF FINDINGS

- A. In 2006, the Legislature and Governor enacted a sweeping environmental law, AB 32. While protecting the environment is of utmost importance, we must balance such regulation with the ability to maintain jobs and protect our economy.
- B. At the time the bill was signed, the unemployment rate in California was 4.8%. California's unemployment rate has since skyrocketed to more than 12%.
- C. Numerous economic studies predict that complying with AB 32 will cost Californians billions of dollars with massive increases in the price of gasoline, electricity, food and water, further punishing California consumers and households.
- D. California businesses cannot drive our economic recovery and create the jobs we need when faced with billions of dollars in new regulations and added costs; and
- E. California families being hit with job losses, pay cuts and furloughs cannot afford to pay the increased prices that will be passed onto them as a result of this legislation right now.

SECTION 2. STATEMENT OF PURPOSE

- A. The people desire to temporarily suspend the operation and implementation of AB 32 until the state's unemployment rate returns to the levels that existed at the time of its adoption.

SECTION 3. SUSPENSION OF AB 32

Division 25.6 (commencing with section 38600) of the Health and Safety Code is hereby added to read:

§38600(a) From and after the effective date of this measure, Division 25.5(commencing with section 38500) of the Health and Safety Code is suspended until such time as the unemployment rate in California is 5.5% or less for four consecutive calendar quarters.

(b) While suspended, no state agency shall propose, promulgate, or adopt any regulation implementing Division 25.5(commencing with section 38500) and any regulation adopted prior to the effective date of this measure shall be void and unenforceable until such time as the suspension is lifted.