



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

May 3, 2011

County Clerk/Registrar of Voters (CC/ROV) Memorandum #11031

TO: All County Clerks/Registrars of Voters and Proponents

FROM:


Katherine Montgomery
Initiative Program Manager

RE: Initiative: 1481, Related to Taxes and Education

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:

**TAX ON CALIFORNIA OIL. REVENUES TO EDUCATION.
INITIATIVE STATUTE.**

The proponents of the above-named measure are:

Peter Mathews
Frank Dawoodjee
Paul Garver

#1481

**TAX ON CALIFORNIA OIL. REVENUES TO EDUCATION.
INITIATIVE STATUTE.**

CIRCULATING AND FILING SCHEDULE

1. Minimum number of signatures required: 504,760
California Constitution, Article II, Section 8(b)
2. Official Summary Date: Tuesday, 05/03/11
3. Petitions Sections:
 - a. First day Proponent can circulate Sections for
signatures (Elec. Code § 336)..... Tuesday, 05/03/11
 - 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, 09/30/11
 - 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, 10/13/11

(If the Proponent files the petition with the county on a date prior to
09/30/11, 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, 10/22/11*
 - 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, 12/07/11

* Date varies based on the date of county receipt.

INITIATIVE #1481
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 10/22/11, 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 555,236 or less than 479,522 then the Secretary of State certifies the petition as qualified or failed, and notifies the counties. If the signature count is between 479,522 and 555,236 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)) Saturday, 12/17/11*

- 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, 01/30/12

(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 12/17/11, 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, 02/03/12*

*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.

KAMALA D. HARRIS
Attorney General

State of California
DEPARTMENT OF JUSTICE



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

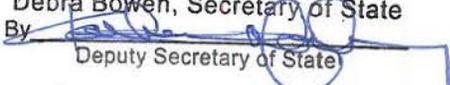
Public: (916) 445-9555
Telephone: (916) 445-4752
Facsimile: (916) 324-8835
E-Mail: Krystal.Paris@doj.ca.gov

May 3, 2011

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

MAY 03 2011

Honorable Debra Bowen
Secretary of State
Office of the Secretary of State
1500 11th Street, 6th Floor
Sacramento, CA 95814

Debra Bowen, Secretary of State
By 
Deputy Secretary of State

Attention: Ms. Katherine Montgomery
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 the following proposed initiative to the proponent:

- 11-0004, "Oil Extraction Fee to Rescue Education"

Please contact me if you have questions. Thank you.

Sincerely,

Handwritten signature of Krystal M. Paris in blue ink.

KRYSTAL M. PARIS
Initiative Coordinator

For KAMALA D. HARRIS
Attorney General

KMP:lb
Enclosures: As stated above

May 3, 2011
Initiative 11-0004

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

TAX ON CALIFORNIA OIL. REVENUES TO EDUCATION. INITIATIVE STATUTE.

Imposes 15 percent tax on value of each barrel of oil extracted in California. Allocates oil tax revenue to non-capital educational funding: 30 percent to K-12; 48 percent to community colleges; 11 percent each to California State University and University of California. Prohibits producers from passing tax on to refiners, gasoline stations, or consumers. Prohibits loan of oil tax revenues to General Fund. Prohibits reduction of regular education funding based on additional revenues from tax. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: **Increased state revenues from a new charge on oil extraction of around \$2 billion to \$3 billion per year, dedicated to education.**

(11-0004.)

This is a request to the California Attorney General for title and summary of the following proposed statutory initiative: "Oil Extraction Fee To Rescue Education".

Proponents:

Peter Mathews

Peter Mathews

Frank Dawoodjee

Frank Dawoodjee

Paul Garver

11-0004

RECEIVED

MAR 14 2011

INITIATIVE COORDINATOR
ATTORNEY GENERAL'S OFFICE

Proposed Statutory Initiative: **OIL EXTRACTION FEE TO RESCUE EDUCATION**

Maintaining California's competitiveness in the new global economy

California's Educational System, Kindergarten through College and University, has been cut to the bone. Overcrowded classrooms, textbook shortages, teacher and professor lay-offs, and reduced or eliminated college class sections have made it impossible for millions of talented students to graduate. For example, Long Beach Unified School District eliminated computer literacy classes as a graduation requirement.

University of California students' tuition fees are being raised 8% and California State University students' tuition fees are being raised by 15% percent for Fall 2011. California Community College students are facing a proposed tuition fee increase of 38% (to \$540) per semester minimum, up to 154% (\$990) per semester for Fall 2011. Californians must act now to save our once world renowned Educational System.

Education is the foundation of a strong economy. California Governors Pete Wilson and Arnold Schwarzenegger enjoyed tuition free education at UC Berkley and Santa Monica College, respectively. In the 1960s and 1970s, California's Educational System was the envy of the world. During this time, public higher education was essentially tuition free, as mandated by Governor Pat Brown's Master Plan for Higher Education, and California's economy grew to the 5th largest in the world, supporting a large vibrant middle class.

Today, California's middle class is endangered, and California's economy has fallen to 8th position in the world because of a lack of investment in education and technology. China recently invented the world's fastest computer and produces the largest number of solar panels, while South Korea produces the best electric car batteries using cutting edge technology. California's K-12 spending per pupil has dropped to 43rd out of 50 states. College and university graduates are saddled with huge debt. If California is to successfully compete with states and countries such as China, Japan, Germany, South Korea, and India, California's Educational System must again be adequately funded, offering more classes and programs in cutting-edge technology, skilled manufacturing, alternative energy, and the arts. California Community Colleges need adequate funding to continue training Nurses, and preparing Firefighters and Teachers.

Unbelievably, California has failed to employ a widely used revenue source that can address this crisis in our education. This revenue source is employed by every major oil producing state, except California. This untapped source of revenue is an extraction fee on oil pumped in California, onshore and offshore. Since California is the nation's third largest producer of oil, after Texas and Alaska, a 15% oil extraction fee (midway between that of Texas and Alaska) would raise approximately \$3.6 billion each year, at 2011 oil prices. This has not been a partisan issue in other states. For example, Governor Sarah Palin, with a Republican legislature, raised Alaska's oil extraction fee to 25%, bringing in billions of dollars. Texas' and Alaska's gasoline prices were not affected by their oil extraction fees, and in March 2011, their price per gallon of gasoline was lower than California's. From 1901 to 2008, oil companies have extracted over 10 billion barrels of oil from California's territory. Based on 2011 per barrel crude oil prices (\$100 per barrel), oil companies have extracted over \$1 trillion worth of oil. At the current world market price, this oil extraction fee would have raised over \$150 billion. This type of fee is the economic standard in every major oil producing state and nation around the world. California can no longer afford to give preferential treatment to oil companies compared to how they are treated elsewhere.

This initiative requires that California apply a 15% oil extraction fee on the value of each barrel of oil, California's common resource, extracted onshore and offshore. Following Texas' example of devoting this oil revenue to its Educational System, the revenue generated by this fee shall be appropriated for non-capital purposes in the following amounts: K-12 shall receive 30% (approximately \$1.08 billion). The California Community College System (approximately 3,000,000 students) shall receive 48% (approximately \$1.72 billion). The California State University System (approximately 412,000 students) shall receive 11% (approximately \$400 million). The University of California System (approximately 200,000 students) shall receive 11% (approximately \$400 million). This will reduce college and university tuition fees, and restore cut class sections. The funding increases will pay to rehire professors, laid-off teachers, and reduce K-12 class sizes.

This proposition, along with existing anti-trust and anti-collusion laws, prohibits oil companies from passing on the oil extraction fee to oil refineries, gasoline stations, and consumers (the U.S. Supreme Court has ruled that states can prohibit oil companies from passing on fees such as this to consumers). This fee will enable California to capture \$3.6 billion that would have left California. This additional money will help rejuvenate California's stagnant economy. This fee will have minimal impact on oil company profits which total in the hundreds of billions of dollars. For example, Exxon Mobil reported record profits of \$45 billion in 2008, and Shell Oil reported profits of \$31 billion in 2007.

If oil companies illegally pass on the oil extraction fee, a fine shall be assessed equal to the amount passed on. The dollar amount recouped shall be equally distributed to each Californian as a rebate check at the end of each year. The State Attorney General is bound by this proposition to examine the books of oil companies operating in the state of California, if they appear to be breaking this law.

The revenues from this proposition exclusively constitute a Competitiveness Education Fund and cannot be commingled with, or lent to, the State General Fund. The State shall not be allowed to reduce its regular education funding corresponding to the additional revenue produced by this proposition. The revenues from this Competitiveness Education Fund shall be deposited in a Special Account and distributed, on a monthly basis, by the California State Treasurer to each of the California Educational Systems involved. Passage of this proposition will once again ensure a bright future for this generation and succeeding generations of Californians who have to compete in the new global economy.

Lead Proponent: Peter Mathews

Proponent: Frank Dawoodjee

Proponent: Paul Garver

11-0004