



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

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May 26, 2011

County Clerk/Registrar of Voters (CC/ROV) Memorandum #11040

TO: All County Clerks/Registrars of Voters and Proponent

FROM:

  
Katherine Montgomery  
Initiative Program Manager

RE: Initiative: 1487, Related to Political Contributions

Pursuant to Elections Code section 9004 (c), we transmit herewith a copy of the Title and Summary prepared by the Attorney General on a proposed initiative measure entitled:

**PROHIBITS POLITICAL CONTRIBUTIONS  
BY PAYROLL DEDUCTION. PROHIBITIONS ON  
CONTRIBUTIONS TO CANDIDATES. INITIATIVE STATUTE.**

The proponent of the above-named measure is:

Ashlee N. Titus  
Bell, McAndrews & Hiltachk, LLP  
455 Capitol Mall, Suite 801  
Sacramento, CA 95814

#1487

**PROHIBITS POLITICAL CONTRIBUTIONS  
BY PAYROLL DEDUCTION. PROHIBITIONS ON  
CONTRIBUTIONS TO CANDIDATES. INITIATIVE STATUTE.**

**CIRCULATING AND FILING SCHEDULE**

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1. Minimum number of signatures required: ..... 504,760  
California Constitution, Article II, Section 8(b)
2. Official Summary Date: ..... Wednesday, 05/25/11
3. Petitions Sections:
  - a. First day Proponent can circulate Sections for  
signatures (Elections Code § 336) ..... Wednesday, 05/25/11
  - b. Last day Proponent can circulate and file with the county.  
All sections are to be filed at the same time within each  
county. (Elections Codes §§ 9014 (a), 9030(a))..... Monday, 10/24/11\*
  - c. Last day for county to determine total number of  
signatures affixed to petitions and to transmit total  
to the Secretary of State (Elections Code § 9030(b)).....Thursday, 11/03/11  
  
(If the Proponent files the petition with the county on a date prior to  
10/24/11, 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) (Elections 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, 11/12/11\*\*
  - 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  
(Elections Code §§ 9030(d)(e)).....Wednesday, 12/28/11

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

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

**INITIATIVE #1487**  
**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 11/12/11, the last day is no later than the thirtieth working day after the county's receipt of notification). (Elections 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, 01/07/12\*
- 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. (Elections Code §§ 9031(b)(c)). ..... Wednesday, 02/22/12

(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 01/07/12, the last day is no later than the thirtieth working day after the county's receipt of notification.) (Elections 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 (Elections Code §§ 9031(d), 9033)..... Sunday, 02/26/12\*

\*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 § 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 §§ 100, 101, 104, 9008, 9009, 9013, 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  
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SACRAMENTO, CA 94244-2550

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E-Mail: Krystal.Paris@doj.ca.gov

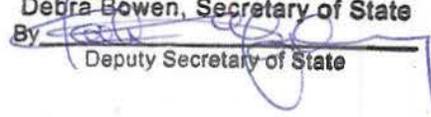
May 25, 2011

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

MAY 25 2011

VIA  
EMAIL  
6:38pm

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:

- 11-0010, "Stop Special Interest Money Now Act"

Please contact me if you have questions. Thank you.

Sincerely,

Handwritten signature of Krystal M. Paris in cursive.

KRYSTAL M. PARIS  
Initiative Coordinator

For KAMALA D. HARRIS  
Attorney General

KMP:lb  
Enclosures as stated above

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

**PROHIBITS POLITICAL CONTRIBUTIONS BY PAYROLL DEDUCTION.**

**PROHIBITIONS ON CONTRIBUTIONS TO CANDIDATES. INITIATIVE STATUTE.**

Restricts union political fundraising by prohibiting use of payroll-deducted funds for political purposes. Same use restriction would apply to payroll deductions, if any, by corporations or government contractors. Permits voluntary employee contributions to employer or union committees if authorized yearly, in writing. Prohibits unions and corporations from contributing directly or indirectly to candidates and candidate-controlled committees. Other political expenditures remain unrestricted, including corporate expenditures from available resources not limited by payroll deduction prohibition. Limits government contractor contributions to elected officers or officer-controlled committees. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: **Increased state implementation and enforcement costs of up to hundreds of thousands of dollars annually, potentially offset in part by revenues from fines.** (11-0010.)

April 1, 2011

HAND DELIVERED

Initiative Coordinator  
Office of the Attorney General  
State of California  
PO Box 994255  
Sacramento, CA 94244-2550

11-0010  
**RECEIVED**  
APR 01 2011

INITIATIVE COORDINATOR  
ATTORNEY GENERAL'S OFFICE

Re: Request for Title and Summary for Proposed Initiative

Dear Ms. Paris:

Pursuant to Article II, Section 10(d) of the California Constitution, I am submitting the attached proposed statewide ballot measure ("Stop Special Interest Money Now Act") to your office and request that you prepare a circulating 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 sections 9001 and 9608, and a check in the amount of \$200. My address as registered to vote is shown on Attachment 'A' to this letter.

Thank you for your time and attention to this important matter. Should you have any questions or require additional information, please contact myself or Tom Hiltachk at (916) 442-7757.

Very Truly Yours,

Ashlee Titus,  
Proponent

## INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

## SECTION 1. Title, Findings, and Declaration of Purpose

- A. Special interests have too much power over government. Every year, corporations and unions contribute millions of dollars to politicians, and the public interest is buried beneath the mountain of special-interest spending.
- B. Yet, for many years, California's government has failed its people. Our state is billions of dollars in debt and many local governments are on the verge of bankruptcy. Too often politicians ignore the public's need in favor of the narrow special interests of corporations, labor unions, and government contractors who make contributions to their campaigns.
- C. These contributions yield special tax breaks and public contracts for big business, costly government programs that enrich private labor unions, and unsustainable pensions, benefits, and salaries for public employee union members, all at the expense of California taxpayers.
- D. Even contribution limits in some jurisdictions have not slowed the flow of corporate and union political money into the political process. So much of the money overwhelming California's politics starts as automatic deductions from workers' paychecks. Corporate employers and unions often pressure, sometimes subtly and sometimes overtly, workers to give up a portion of their paycheck to support the political objectives of the corporation or union. Their purpose is to amass millions of dollars to gain influence with our elected leaders without any regard for the political views of the employees who provide the money.
- E. For these reasons, and in order to curb actual corruption and the appearance of corruption of our government by corporate and labor union contributions, the People of the State of California hereby enact the Stop Special Interest Money Now Act in order to:
  1. Ban both corporate and labor union contributions to candidates;
  2. Prohibit government contractors from contributing money to government officials who award them contracts;
  3. Prohibit corporations and labor unions from collecting political funds from employees and union members using the inherently coercive means of payroll deduction; and
  4. Make all employee political contributions by any other means strictly voluntary.

## SECTION. 2. The Stop Special Interest Money Now Act

Article 1.5 of Chapter 5 of Title 9 of the Government Code (commencing with section 85150) is added to read as follows:

§85150 (a) Notwithstanding any other provision of law and this Title, no corporation, labor union, or public employee labor union shall make a contribution to any candidate, candidate

controlled committee; or to any other committee, including a political party committee, if such funds will be used to make contributions to any candidate or candidate controlled committee.

(b) Notwithstanding any other provision of law and this Title, no government contractor, or committee sponsored by a government contractor, shall make a contribution to any elected officer or committee controlled by any elected officer if such elected officer makes, participates in making or in any way attempts to use his or her official position to influence the granting, letting, or awarding of a public contract to the government contractor, during the period in which the decision to grant, let, or award the contract is to be made and during the term of the contract.

§85151 (a) Notwithstanding any other provision of law and this Title, no corporation, labor union, public employee labor union, government contractor, or government employer shall deduct from an employee's wages, earnings, or compensation any amount of money to be used for political purposes.

(b) This section shall not prohibit an employee from making voluntary contributions to a sponsored committee of his or her employer, labor union, or public employee labor union in any manner, other than that which is prohibited by subdivision (a), so long as all such contributions are given with that employee's written consent, and that consent shall be effective for no more than one (1) year.

(c) This section shall not apply to deductions for retirement benefit, health, life, death or disability insurance, or other similar benefit, nor shall it apply to an employee's voluntary deduction for the benefit of a charitable organization organized under Title 26 United States Code section 501(c)(3).

§85152 For purposes of this Article, the following definitions shall apply:

(a) "Corporation" means every corporation organized under the laws of this state, any other state of the United States, or the District of Columbia, or under an act of the Congress of the United States.

(b) "Government contractor" means any person, other than an employee of a government employer, who is a party to a contract between the person and a government employer to provide goods, real property, or services to a government employer. Government contractor includes a public employee labor union which is a party to a contract with a government employer.

(c) "Government employer" means the State of California, or any of its political subdivisions, including, but not limited to, counties, cities, charter counties, charter cities, charter city and counties, school districts, University of California, special districts, boards, commissions, and agencies, but not including the United States Government.

(d) "Labor union" means any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work.

(e) "Political purposes" means a payment made to influence or attempt to influence the action of voters for or against the nomination or election of a candidate or candidates, or the qualification or passage of any measure; or any payment received by or made at the behest of a candidate, a controlled committee, a committee of a political party, including a state central committee, and county central committee, or an organization formed or existing primarily for political purposes, including, but not limited to, a political action committee established by any membership organization, labor union, public employee labor union, or corporation.

(f) "Public employee labor union" means a labor union in which the employees participating in the labor union are employees of a government employer.

(g) All other terms used this Article that are defined by the Political Reform Act of 1974, as amended (commencing with section 81000 et seq.), or by regulation enacted by the Fair Political Practices Commission, shall have the same meaning as provided therein, as they existed on January 1, 2011.

### SECTION 3. Implementation

(a) If any provision of this measure, or part of it, or the application of any such provision or part to any person, organization, or circumstance, is for any reason held to be invalid or unconstitutional, then the remaining provisions, parts, and applications shall remain in effect without the invalid provision, part, or application.

(b) This measure is not intended to interfere with any existing contract or collective bargaining agreement. Except as governed by the National Labor Relations Act, no new or amended contract or collective bargaining agreement shall be valid if it violates this measure.

(c) This measure shall be liberally construed to further its purposes. In any legal action brought by an employee or union member to enforce the provisions of this Act, the burden shall be on the employer or labor union to prove compliance with the provisions herein.

(d) Notwithstanding Government Code section 81012, the provisions of this measure may not be amended by the Legislature. This measure may only be amended or repealed by a subsequent initiative measure or pursuant to Article II, Section 10(c).