



DEBRA BOWEN | SECRETARY OF STATE
STATE OF CALIFORNIA | ELECTIONS

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November 21, 2011

County Clerk/Registrar of Voters (CC/ROV) Memorandum #11118

TO: All County Clerks/Registrars of Voters and Proponent

FROM:


Katherine Montgomery
Initiative Program Manager

RE: Initiative: 1521, Related to the Environment

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:

**ELIMINATION OF ENVIRONMENTAL
PROTECTION LAWS AND AGENCIES. INITIATIVE
CONSTITUTIONAL AMENDMENT AND STATUTE.**

The proponent of the above-named measure is:

Oscar Alejandro Braun

#1521

**ELIMINATION OF ENVIRONMENTAL
PROTECTION LAWS AND AGENCIES. INITIATIVE
CONSTITUTIONAL AMENDMENT AND STATUTE.**

CIRCULATING AND FILING SCHEDULE

1. Minimum number of signatures required: 807,615
California Constitution, Article II, Section 8(b)

2. Official Summary Date: Monday, 11/21/11

3. Petitions Sections:
 - a. First day Proponent can circulate Sections for
signatures (Elections Code § 336) Monday, 11/21/11

 - 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, 9030(a))..... Thursday, 04/19/12

 - 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))..... Tuesday, 05/01/12

(If the Proponent files the petition with the county on a date prior to
04/19/12, 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..... Thursday, 05/10/12*

 - 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))..... Friday, 06/22/12

* Date varies based on the date of county receipt.

INITIATIVE #1521
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 05/10/12, 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 888,377 or less than 767,235 then the Secretary of State certifies the petition as qualified or failed, and notifies the counties. If the signature count is between 767,235 and 888,377 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))Monday, 07/02/12*

- 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)).Tuesday, 08/14/12

(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 07/02/12, 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)...Saturday, 08/18/12*

*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 § 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



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November 21, 2011

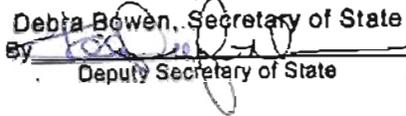
The Honorable Debra Bowen
Secretary of State
Office of the Secretary of State
1500 11th Street, 5th Floor
Sacramento, CA 95814

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

NOV 21 2011

VIA
EMAIL
2:46

Attention: Ms. Katherine Montgomery
Elections Analyst

Debra Bowen, Secretary of State
By 
Deputy Secretary of State

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:

- 11-0043 "CA Bill of Rights"

A copy of that title and summary and text of the proposed initiative is enclosed. Please contact me if you have questions.

Sincerely,

DAWN L. MCFARLAND
Acting Initiative Coordinator

For KAMALA D. HARRIS
Attorney General

DLM:

cc: Oscar Braun, Proponent

November 21, 2011
Initiative 11-0043

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

ELIMINATION OF ENVIRONMENTAL PROTECTION LAWS AND AGENCIES.

INITIATIVE CONSTITUTIONAL AMENDMENT AND STATUTE. Repeals the California Environmental Quality Act, California Coastal Act, California Endangered Species Act, California Global Warming Solutions Act, and California Sustainable Communities and Climate Protection Act. Abolishes the California Environmental Protection Agency and Air Resources Board. Establishes new inalienable rights to produce, distribute, use, and consume air, carbon dioxide, water, food, habitat for humanity, universal health care, and energy generating natural resources. Grants Californians the individual right to nullify all federal powers not specifically delegated to the United States by the federal constitution. Fiscal Impact: **It is the opinion of the Legislative Analyst and Director of Finance that the measure likely would result in a substantial net change in state or local finances if adopted.** (11-0043)

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RECEIVED

SEP 30 2011

September 30, 2011

To: Office of the Attorney General
1300 I Street, 13th Floor
Sacramento, CA 94244-2550
From: Oscar Alejandro Braun

INITIATIVE COORDINATOR
ATTORNEY GENERAL'S OFFICE



Subject: Submission for Title & Summary for Oscar Braun's "CA Bill of Rights" Initiative Text

SECTION 1, A. We, the People, still hold these truths to be self-evident, that all men are created equal; that they are endowed by their Creator with certain Unalienable Natural Rights, from conception to natural death, that among these are life, liberty, acquiring, possessing, protecting property, and pursuing and obtaining safety, happiness, and privacy from government.

B. The State of California shall make no law prohibiting the free exercise of the People's Unalienable Natural Rights to Life or abridging the People's Unalienable Natural Rights to Life, Liberty, Production, Distribution, Use and Consumption of air, carbon dioxide, water, food, habitat for humanity, universal health self-care and energy generating natural resources.

C. The State of California shall not levy any taxes, fees, assessments or fines on the People's Unalienable Natural Rights to Life, Liberty, Production, Distribution, Use and Consumption of air, carbon dioxide, water, food; habitat for humanity, universal health self-care and energy generating natural resources.

D. The State of California, upon approval by the electorate, shall repeal the 1970 California Environmental Bill of Rights (CEQA), the 1976 California Coastal Act (Prop. 20), California Endangered Species Act (CESA), California Global Warming Solution Act (AB32), California Sustainable Development Act (SB-375), California Air Resource Board (CARB) and CA/EPA (1991) and expunge all references and all citations from the repealed laws and regulatory agencies policies found within the California Public Resource Code and Health and Safety Code.

E. The enumeration in the California Constitution, of certain Unalienable Natural Rights, shall not be construed to deny or disparage other retained Unalienable Natural Rights by the People of California. The Ninth Amendment to the United States Constitution prohibits the federal government from violating or infringing upon rights not specifically enumerated in the Constitution and reserves to the people of California certain rights as they were understood at the time that California was admitted to statehood, excluding amendments. The guarantee of those rights is a matter of contract between the people and the State of California and the United States as of the time that the compact with the United States was agreed upon and adopted by California and the United States; and

F. The People of California, individually, shall have the Unalienable Natural Right to NULLIFY Federal powers not *specifically* delegated to the United States by the Constitution, nor prohibited by it to the State of California, or the People. The Tenth Amendment of the United States Constitution defines the total scope of federal power as being that which has been delegated by

the People of the Several States to the federal government, and all power not delegated to the federal government in the Constitution of the United States is reserved to the States, respectively or to the People themselves. The powers reserved to the People and the State of California are those powers as they were understood at the time that California was admitted to statehood, excluding amendments. The reservation of those powers is a matter of contract between the state and people of California and the United States as of the time that the compact with the United States was agreed upon and adopted by California and the United States;
