

5-14-2003

ALTERNATIVE INCOME TAX RATE. INITIATIVE STATUTE.

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SECRETARY OF STATE
KEVIN SHELLEY
STATE OF CALIFORNIA

January 30, 2004

TO: ALL COUNTY CLERKS/REGISTRARS OF VOTERS AND
PROponents (04040)

FROM: *Brianna Lierman*
BRIANNA LIERMAN
ELECTIONS ANALYST

SUBJECT: FAILURE OF INITIATIVE #979

Pursuant to Elections Code section 9030(b), you are hereby notified that the total number of signatures to the hereinafter named INITIATIVE STATUTE filed with all county elections officials is less than 100 percent of the number of qualified voters required to find the petition sufficient; therefore, the petition has **failed**.

TITLE: ALTERNATIVE INCOME TAX RATE.

SUMMARY DATE: 05/14/03

PROponent: Roland Boucher

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SECRETARY OF STATE
KEVIN SHELLEY
STATE OF CALIFORNIA

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May 14, 2003

TO: ALL REGISTRARS OF VOTERS/COUNTY CLERKS AND PROPONENTS
(CCROV 03096)

FROM: Brianna Lierman
Brianna Lierman, Elections Analyst

SUBJECT: **INITIATIVE #979**

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:

**ALTERNATIVE INCOME TAX RATE.
INITIATIVE STATUTE.**

The proponent of the above-named measure is:

Roland Boucher
United Californians for Tax Reform
14252 Culver Drive #728
Irvine, CA 92604

(949) 552-9174

ELECTIONS DIVISION

1500 11TH STREET - 5TH FLOOR • SACRAMENTO, CA 95814 • (916) 657-2166 • [WWW.SS.CA.GOV](http://www.ss.ca.gov)

**#979
ALTERNATIVE INCOME TAX RATE.
INITIATIVE STATUTE.**

CIRCULATING AND FILING SCHEDULE

1. Minimum number of signatures required:..... 373,816
California Constitution, Article II, Section 8(b)

2. Official Summary Date:Wednesday, 05/14/03

3. Petitions Sections:
 - a. First day Proponent can circulate Sections for
signatures (EC §336)..... Wednesday, 05/14/03

 - b. Last day Proponent can circulate and file
with the county. All sections are to be filed at the
same time within each county (EC §336, 9030(a)) Tuesday, 10/14/03*

 - c. Last day for county to determine total number of
signatures affixed to petitions and to transmit total
to the Secretary of State (EC §9030(b)). Friday, 10/24/03

(If the Proponent files the petition with the county on a date prior to 10/14/03, 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) (EC §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 Monday, 11/03/03**

 - 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
(EC §9030(d)(e)) Thursday, 12/18/03

* Date is adjusted for actual deadline, which falls on a Saturday.

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

INITIATIVE #979

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 11/03/03, the last day is no later than the thirtieth day after the county's receipt of notification).(EC §9030(d)(e)).

- f. If the signature count is more than 411,198 or less than 355,125 then the Secretary of State certifies the petition as qualified or failed, and notifies the counties. If the signature count is between 355,125 and 411,198 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))..... Sunday, 12/28/03*

- 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. (EC §9031(b)(c))..... Tuesday, 02/10/04

(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 12/28/03, the last day is no later than the thirtieth working day after the county's receipt of notification) (EC §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 (EC §9031(d); 9033) Saturday, 02/14/04*

*Date varies based on receipt of county certification.

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.

Enclosures

Date: May 14, 2003
File No.: SA2003RF0010

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

ALTERNATIVE INCOME TAX RATE. INITIATIVE STATUTE. Amends California's income tax law to provide an alternative standard deduction and tax rate for taxpayers with adjusted gross income for the taxable year of \$50,000.00 or less for individuals, and \$100,000.00 or less for married couples filing jointly. Qualifying taxpayers may choose to take a deduction equal to California's minimum wage effective for the taxable year, multiplied by 1,040 for individuals, or multiplied by 2,080 for married couples filing jointly, and pay 2.5% tax on the adjusted amount. Directs the Franchise Tax Board to prepare a form for use by taxpayers. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local governments: The measure would have the following major fiscal effects: Reduction in state income tax revenues of approximately \$900 million in 2004-05 and \$700 million annually thereafter.

BILL LOCKYER
Attorney General

State of California
DEPARTMENT OF JUSTICE



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May 14, 2003

FILED
in the office of the Secretary of State
of the State of California

MAY 14 2003

KEVIN SHELLEY, Secretary of State

By Bianna Lieman
Deputy Secretary of State

Kevin Shelley
Secretary of State
1500 - 11th Street, 5th Floor
Sacramento, California 95814

RE: Initiative Title and Summary
SUBJECT: ALTERNATIVE INCOME TAX RATE.
INITIATIVE STATUTE.
FILE NO: SA2003RF0010

Dear Mr. Shelley:

Pursuant to the provisions of sections 9004 and 336 of the Elections Code, you are hereby notified that on this day we mailed our title and summary to the proponent of the above-identified proposed initiative.

Enclosed is a copy of our transmittal letter to the proponent, a copy of our title and summary, a declaration of service thereof, and a copy of the proposed measure.

According to information available in our records, the name and address of the proponent is as stated on the declaration of service.

Sincerely,

Handwritten signature of Tricia Knight in cursive script.

TRICIA KNIGHT
Initiative Coordinator

For BILL LOCKYER
Attorney General

TK
Enclosures

SA2003RF0010

UNITED CALIFORNIANS FOR TAX REFORM

March 24, 2003

Office of the Attorney General
Attn: Tricia Knight
1300 I Street
Sacramento, CA 95814


RECEIVED
MAR 26 2003

INITIATIVE COORDINATOR
ATTORNEY GENERAL'S OFFICE

Dear Ms Knight:

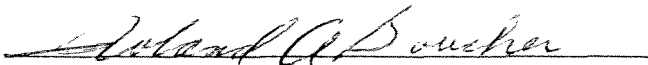
We, United Californians for Tax Reform, request that you prepare Title and Summary of the chief purpose and points of our proposed initiative measure. Enclosed please find the proposed text of the initiative measure along with a suggested Title and Summary. Also enclosed please find a check in the amount of \$200 to cover the filing fee.

Sincerely,


Roland A. Boucher
Chairman

Statement Pursuant to Elections Code Section 9608

I, Roland A. Boucher, acknowledge that it is a misdemeanor under state law (Section 18650 of the Elections Code) to knowingly or willfully allow the signatures on an initiative petition to be used for any purpose other than qualification of the proposed measure for the ballot. I certify that I will not knowingly or willfully allow the signatures for this initiative to be used for any purpose other than qualification of the measure for the ballot.


(Signature of Proponent)

Dated this 24 day of March, 2003

UNITED CALIFORNIANS FOR TAX REFORM

SECTION 1. Section 17041.1 is added to the Revenue and Taxation Code, to read:
17041.1. (a) Notwithstanding any other provision of law, if a taxpayer's adjusted gross income for the taxable year consists only of qualified items and does not exceed fifty thousand dollars (\$50,000) in the case of a single person, or one hundred thousand dollars (\$100,000) in the case of a married individual filing jointly, the taxpayer may use, a form prepared by the Franchise Tax Board to comply with all of the following:

(1) The taxpayer is allowed a standard deduction in an amount equal to the hourly minimum wage in effect in California on the first day of the taxable year multiplied by 1040, in the case of a single person, or 2080 in the case of a married individual filing jointly.

(2) The amount of tax imposed under this part shall be an amount equal to the taxpayer's adjusted gross income, minus the standard deduction specified in paragraph (1) multiplied by .025.

(3) The form shall be as concise as practicable and consist of no more than one single-sided page.

(b) For purposes of this section, "qualified items" includes only the following:

(1) Wages, salaries, and tips.

(2) Taxable dividends, interest, and pension as reported on Federal Form 1099.

(c) For purposes of this section, the income limits specified in subdivision (a) shall be adjusted for inflation in accordance with the provisions of Section 63 (c) (4) of the Internal Revenue Code.

(d) The Franchise tax board shall promulgate regulations to implement this section

(e) The legislature may not amend this section except by a statute, passed in each house by a rollcall vote entered in the journal, two-thirds of the membership concurring, and signed by the Governor or allowed to become law without his signature.