

8-1-1975

Two-Thirds Vote Tax Act Of 1976

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Office of the Secretary of State
March Fong Eu

111 Capitol Mall
Sacramento, California 95814

July 30, 1975

Executive Office (916) 445-6371
 Certification (916) 445-1430
 Corporation Index (916) 445-2900
 Corporation Records (916) 445-1768
 Election Division (916) 445-0820
 Legal Division (Corp.) (916) 445-0620
 Notary Public Division (916) 445-6507
 State Archives (916) 445-4293
 Uniform Commercial Code (916) 445-8061

TO THE REGISTRARS OF VOTERS OR COUNTY CLERKS

Pursuant to Section 3507 of the Elections Code, there is transmitted herewith a copy of the Title and Summary prepared by the Attorney General on a proposed Initiative Measure entitled:

TWO-THIRDS VOTE TAX ACT OF 1976

INITIATIVE CONSTITUTIONAL AMENDMENT

Circulating and Filing Schedule

1. Minimum number of signatures required 499,846
Constitution IV, 22(b).
2. Official Summary Date 7/30/75
Elections Code Section 3507.
3. Petition Sections:
 - a. First day Proponent can circulate Sections for
signatures 7/30/75
 - b. Last day Proponent can circulate and file with the
county. All Sections are to be filed at the same time12/26/75*
Elections Code Sections 3507, 3520(a).
 - c. Last day for county to determine total number of
signatures affixed to petition and to transmit total
to Secretary of State 12/31/75

(If the Proponent files the petition with the county on a date other than 12/26/75, the last day is not later than the fifth day after the filing of the petition.)
Elections Code Section 3520(b).

 - d. Last day for county to determine number of qualified electors who have signed the petition, and to transmit certificate, with a blank copy of the petition to the Secretary of State 1/15/76

* Date adjusted for official deadline which falls on a Saturday.

(If the Secretary of State notifies the counties to determine the number of qualified electors who signed the petition on a date other than 12/31/75, the last day is not later than the fifteenth day after the notification.)
Elections Code Section 3520(d,e).

- e. If the signature count is between 449,861 and 549,831, then the Secretary of State notifies counties using random sampling technique to determine validity of all signatures.

Last day for county to determine actual number of qualified electors who signed the petition, and to transmit certificate, with a blank copy of the petition to the Secretary of State 2/13/76*

(If the Secretary of State notifies the counties to determine the number of qualified electors who have signed the petition on a date other than 1/15/76, the last day is not later than the thirtieth day after the notification.)
Elections Code Section 3520.5.

4. Campaign Statements:

- a. If the measure qualifies for the ballot:
Last day for Proponent to file a Statement of Receipts and Expenditures for period ending 3/13/76 3/20/76

(If the Secretary of State qualified the measure for the ballot on a date other than 1/15/76, the last day to file is the 65th calendar day after the date the measure qualified.)
Government Code Section 84202(a).

- b. If the measure does not qualify for the ballot:
Last day Proponent to file a Statement of Receipts and Expenditures for period 2/22/76 2/29/76
Government Code Section 84202(b).

* Date adjusted for official deadline which falls on a Saturday.

5. The Proponents of the above measure are:

Mr. Nelson E. Brestoff
314 South Occidental Boulevard, No. 12
Los Angeles, California 90057

Mrs. Margaret A. Shaw
1650 South Victoria Avenue
Los Angeles, California 90019

Mr. Clarence Warren Driver
364 North Ridgewood Place
Los Angeles, California 90004



Edward Arnold Jr.
Chief of Elections Division

EA:gb

NOTE TO PROPONENT: Your attention is directed to Elections Code Sections 3500.1, 3502.5, and 3511 for appropriate format and type considerations in printing, typing or otherwise preparing your initiative petition for circulation and signing.

Your attention is further directed to Government Code Sections 85200 et seq. regarding the circulation of statewide petitions.



Office of the Secretary of State
March Fong Eu

111 Capitol Mall
Sacramento, California 95814

Executive Office	(916) 445-6371
Certification	(916) 445-1430
Corporation Index	(916) 445-2900
Corporation Records	(916) 445-17
Election Division	(916) 445-05
Legal Division (Corp.)	(916) 445-0520
Notary Public Division	(916) 445-6507
State Archives	(916) 445-4293
Uniform Commercial Code	(916) 445-6061

December 29, 1976

NEWS MEMO

The "Two-Thirds Vote Tax Initiative", a proposed constitutional amendment which would have required a 2/3 rollcall vote of each house of the Legislature before imposing any tax or changing any tax rate, apparently has failed to qualify for the June 1976 primary election ballot.

Proponents of the initiative, which needed 499,846 valid signatures to win a spot on the ballot, were due to submit petitions to the state's 58 county clerks by Friday, Dec. 26. After calling officials in eleven of the state's largest counties, it was learned that the drive has apparently been abandoned. Petitions were not submitted in any of the counties polled.

A constitutional amendment which would do basically the opposite, i.e. reduce from 2/3 to a simple majority the number of legislative votes necessary to pass a bill imposing a tax on banks, corporations, franchises, or insurers, will be on the June 1976 ballot as a legislative proposition. This law, introduced by Sen. John Dunlap, D-Napa, is SCA 1, Chapter 126 of the 1975 legislative session.

For further information, contact Caren Daniels at 5-6371.

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Declaration of Service by Mail

Re: _____; No. _____

I, Harriet C. Ofenham, declare that I am over 18 years of age, and not a party to the within cause; my business address is 6000 State Building, San Francisco, California 94102. I served a true copy of the attached

Title and Summary of Proposed Initiative Constitutional Amendment - Two-Thirds Vote Tax Act of 1976

on each of the following, by placing same in an envelope (or envelopes) addressed (respectively) as follows:

Nelson E. Brestoff
314 S. Occidental Blvd. #12
Los Angeles, CA 90057

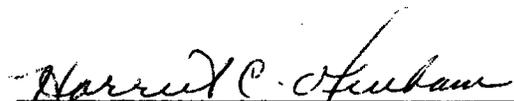
Mrs. Margaret A. Shaw
1650 S. Victoria Avenue
Los Angeles, CA 90019

Clarence Warren Driver
364 N. Ridgewood Place
Los Angeles, CA 90004

Each said envelope was then, on July 30, 1975, sealed and deposited in the United States mail at San Francisco, California, the county in which I am employed, with the postage thereon fully prepaid.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on July 30, 1975, at San Francisco, California.



DECLARANT
Harriet C. Ofenham



OFFICE OF THE ATTORNEY GENERAL

Department of Justice

555 CAPITOL MALL, SUITE 550
SACRAMENTO 95814

July 30, 1975

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

AUG - 1 1975

MARCH FONG EU, Secretary of State
By *Richard M. Apperson*
Deputy

Honorable March Fong Eu
Secretary of State
111 Capitol Mall
Sacramento, California

Subject: Initiative Constitutional Amendment -
Two-Thirds Vote Tax Act of 1976

Dear Mrs. Eu:

Pursuant to the provisions of section 3507 of the Elections Code, you are hereby informed that on this day we mailed to Nelson E. Brestoff, Mrs. Margaret A. Shaw and Clarence Warren Driver, the following title and summary:

TAXATION - INITIATIVE CONSTITUTIONAL AMENDMENT.
Adds requirement that any bill imposing any tax or any change in the rate, base or other provisions of any tax must be passed by rollcall vote, with concurrence of 2/3 of membership of each house of Legislature. Does not apply to Unemployment Compensation Insurance or to Unemployment Compensation Disability contributions. Deletes existing insurance company home office real property tax exemption.

Enclosed herewith is a declaration of mailing thereof, and a copy of the proposed measure.

Very truly yours,

EVELLE J. YOUNGER
Attorney General

Iver E. Skjeie (CAB)
IVER E. SKJEIE
Assistant Attorney General

IES:blr
Encls.

TO THE HONORABLE SECRETARY OF STATE OF CALIFORNIA:

We, the undersigned, registered, qualified electors of the State of California, residents of Los Angeles County (or City and County) present to the Secretary of State this petition proposing to add subdivision (e) to Section 8 of Article IV of the California Constitution and to repeal subdivision (e) of Section 28 of Article XIII of the Constitution, both relating to and affecting the operation of a two-thirds tax vote requirement, and petition that the same be submitted to the electors of the State of California for their adoption or rejection at the next succeeding general election or as provided by law. The following is a full and correct copy of the title and text of the proposed measures:

First -- That subdivision (e) is added to Section 8 of Article IV, to read:

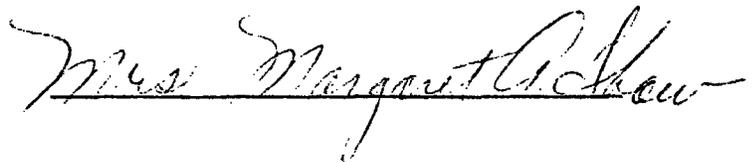
(e) Any bill providing for the imposition of any type of tax, or any change in the rate, base or other provisions of any tax, upon any or all taxpayers shall be passed by roll call vote entered in the journal, two-thirds of the membership of each house concurring. The provisions of this subdivision shall not apply to Unemployment Compensation Insurance or to Unemployment Compensation Disability contributions.

Second -- That subdivision (e) of Section 28 of Article XIII is repealed, and the remaining subdivisions (a) through (d) and (f) through (j) of that section are reenacted and renumbered as Section 28, subdivisions (a) through (i).

Nelson E. Brestoff
314 S. Occidental Blvd. #12
Los Angeles, CA 90057



Mrs. Margaret A. Shaw
[Mrs. Leslie N. Shaw]
1650 S. Victoria Avenue
Los Angeles, Calif. 90019



Clarence Warren Driver
364 N. Ridgewood Place
Los Angeles, CA 90004

