

7-15-1991

## Income Tax.

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#538



Office of the Secretary of State  
March Fong Eu

1230 J Street  
Sacramento, California 95814

ELECTIONS DIVISION  
(916) 445-0820

For Hearing and Speech Impaired  
Only:  
(800) 933-8683

July 24, 1991

TO: ALL COUNTY CLERKS/REGISTRARS OF VOTERS AND PROPONENT  
(91048)

FROM:

*CB Mitchell*  
\_\_\_\_\_  
CATHY MITCHELL  
INITIATIVE COORDINATOR

The proponent of the hereinafter named proposed INITIATIVE STATUTE has withdrawn the measure.

TITLE: INCOME TAX  
INITIATIVE STATUTE.

SUMMARY DATE: July 15, 1991

PROPONENT: Lenny Goldberg

CDM/bl/cb





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#538

July 15, 1991

**TO ALL REGISTRARS OF VOTERS, OR COUNTY CLERKS, AND PROPONENT (91045)**

Pursuant to Section 3513 of the Elections Code, we transmit herewith a copy of the Title and Summary prepared by the Attorney General on a proposed Initiative Measure entitled:

**INCOME TAX.  
INITIATIVE STATUTE.**

**Circulating and Filing Schedule**

- 1. Minimum number of signatures required ..... 384,974  
Cal. Const., Art. II, Sec. 8(b).
- 2. Official Summary Date ..... Monday, 07/15/91  
Elec. C., Sec. 3513.
- 3. Petition Sections:
  - a. First day Proponent can circulate Sections for  
signatures ..... Monday, 07/15/91  
Elec. C., Sec. 3513.
  - b. Last day Proponent can circulate and file with  
the county. All sections are to be filed at  
the same time within each  
county ..... Thursday, 12/12/91  
Elec. C., Secs. 3513, 3520(a)
  - c. Last day for county to determine total number of  
signatures affixed to petition and to transmit total  
to the Secretary of State ..... Thursday, 12/19/91

(If the Proponent files the petition with the county on a date prior to 12/12/91, the county has five 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. C., Sec. 3520(b).

\*\* Date varies based on receipt of county certification.



d. Secretary of State determines whether the total number of signatures filed with all county clerks meets the minimum number of required signatures, and notifies the counties . . . . . Saturday, 12/28/91\*\*

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 . . . . . Tuesday, 01/21/92

(If the Secretary of State notifies the county to determine the number of qualified voters who signed the petition on a date other than 12/19/91, the last day is no later than the fifteenth day after the county's receipt of notification.)  
Elec. C., Sec. 3520(d), (e).

f. If the signature count is more than 423,472 or less than 365,726, then the Secretary of State certifies the petition has qualified or failed, and notifies the counties. If the signature count is between 365,726 and 423,472 inclusive, then the Secretary of State notifies the counties using the random sampling technique to determine the validity of all signatures . . . . . Friday, 01/31/92\*\*

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 . . . . . Tuesday, 03/17/92

(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 01/21/92, the last day is no later than the thirtieth working day after county's receipt of notification.)  
Elec. C., Sec. 3521(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 . . . . . Saturday, 03/21/92\*\*

\*\*Date varies based on receipt of county certification.

4. The Proponent of the above-named measure is:

Lenny Goldberg  
California Tax Reform Association  
926 J Street, Suite 710  
Sacramento, CA 95814  
(916) 446-4300

5. Important Points:

- (a) 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 fund raising or requests for support. Any such misuse constitutes a crime under California law. Elections Code section 29770; *Bilofsky v. Deukmejian* (1981) 123 Cal.App. 3d 825, 177 Cal.Rptr. 621; 63 Ops. Cal.Atty.Gen. 37 (1980).
- (b) Please refer to Elections Code sections 41, 41.5, 44, 3501, 3507, 3508, 3517, and 3519 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.
- (c) Your attention is directed to the campaign disclosure requirements of the Political Reform Act of 1974, Government Code section 81000 et seq.
- (d) 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.
- (e) 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.
- (f) When filing the petition with the county elections official, please provide a blank petition for elections official use.

Sincerely,



CAREN DANIELS-MEADE  
Chief, Elections Division

July 15, 1991  
File No. SA 91 RF 0010

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

INCOME TAX. INITIATIVE STATUTE. Creates new state income tax bracket of 11 percent. Applies this bracket to income over \$100,000.00 for individual taxpayers, to income over \$200,000.00 for taxpayers filing joint returns, and to income over \$136,115.00 for heads of household as defined. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local governments: Increased personal income tax revenue to state government of \$1.5 billion in 1992-93, and approximately \$1.2 billion annually thereafter. One-time administrative cost to state government of unknown amount up to several millions of dollars.

DANIEL E. LUNGREN  
Attorney General

State of California  
DEPARTMENT OF JUSTICE



1515 K STREET, SUITE 511  
P.O. BOX 944255  
SACRAMENTO, CA 94244-2550

(916) 324-5464

July 15, 1991

Honorable March Fong Eu  
Secretary of State  
1230 J Street  
Sacramento, CA 95814

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

**JUL 15 1991**

MARCH FONG EU, Secretary of State

By Caren Daniels-Meade  
Deputy

RE: Initiative Title and Summary  
Subject: INCOME TAX. INITIATIVE STATUTE.  
Our File No. SA 91 RF 0010

Dear Mrs. Eu:

Pursuant to the provisions of sections 3503 and 3513 of the Elections Code, you are hereby notified that on this day we mailed to the proponent of the above-identified proposed initiative our title and summary.

Enclosed is a copy of our transmittal letter to the proponent, a copy of our title and summary, a declaration of mailing 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 mailing.

Sincerely,

DANIEL E. LUNGREN  
Attorney General

A handwritten signature in cursive script that reads "Mary Whitcomb".

MARY WHITCOMB  
Initiative Coordinator

MW:fr  
Encls.

5A91RF0010

# California Tax Reform Association

926 J Street, Suite 710 • Sacramento, CA 95814 • (916) 446-4300

June 4, 1991

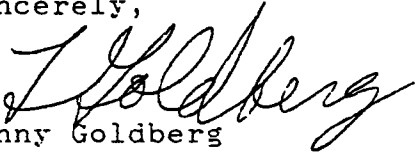
Attorney General Daniel Lundberg  
1515 K Street Suite 600  
Sacramento CA 94244-2550

Dear Attorney General Lundberg:

We are submitting for title and summary the Tax Fairness Act of 1992. This measure provides for a new top income tax bracket of \$100,000 for a single taxpayer and \$200,000 for a joint return, to be taxed at a top tax rate of 11%.

Please take the necessary steps to prepare this measure for circulation to the voters.

Sincerely,



Lenny Goldberg  
Executive Director, California Tax Reform Association

RECEIVED  
JUN 04 1991

INITIATIVE COORDINATOR  
ATTORNEY GENERAL'S OFFICE



## Tax Fairness Act of 1992

To be submitted to the voters for the November 1992 election

Section 1. Preamble. The People of the State of California do hereby find and declare:

A fair tax system is a cornerstone of good government; and,

In times of fiscal stress for taxpayers, businesses and public services, the burden of sacrifice must be spread broadly and fairly; and

Some of the burden must be based on ability to pay, particularly for the top 1% who have greatly increased their share of income and wealth while the majority has fallen behind; and

The combined state and federal tax burden of the top 1% of taxpayers has declined rapidly during the 1980's while that of most other taxpayers has increased or stayed constant; and

The tax increases and budget cuts in the 1991-92 budget disproportionately forced sacrifice from ordinary taxpayers, small businesses and vital public services including schools, while requiring no real sacrifice from those who earned the very highest incomes; and

A healthy California requires healthy schools and decent public services.

Therefore, the people of California do hereby enact the Tax Fairness Act of 1992, as follows:

Section 2. Section 17041 of the Revenue and Taxation Code is amended as follows:

(j) (1). To the schedule of income tax brackets and income tax amounts as computed by law for the taxable year beginning January 1, 1992, the following brackets and rates shall be added:

For individual taxpayers earning over \$100,000, the amount provided by section 17041 for taxpayers not over \$100,000 plus 11% of the excess over \$100,000;

For heads of household as defined in section 17042, the amount provided by section 17041 for taxpayers not over \$136,115 plus 11% of the excess over \$136,115;

For taxpayers filing joint returns earning over \$200,000, the amount provided by section 17041 for taxpayers filing jointly under \$200,000 plus 11% of the excess over \$200,000.

(2) For taxable years subsequent to 1992, the brackets which are added by this section shall be recomputed with the same inflation adjustment factor applied to all other brackets.

DANIEL E. LUNGREN  
Attorney General

State of California  
DEPARTMENT OF JUSTICE



1515 K STREET, SUITE 511  
P.O. BOX 944255  
SACRAMENTO, CA 94244-2550

(916) 324-5464

July 15, 1991

Lenny Goldberg  
California Tax Reform Association  
926 J Street, Ste. 710  
Sacramento, CA 95814

RE: Initiative Title and Summary  
Subject: INCOME TAX. INITIATIVE STATUTE.  
Our File No. SA 91 RF 0010

Dear Mr. Goldberg:

Pursuant to your request, we have prepared the attached title and summary of the chief purposes and points of the above-identified proposed initiative. A copy of our letter to the Secretary of State, as required by Elections Code sections 3503 and 3513, our declaration of mailing, and the text of your proposal that was considered is attached.

The Secretary of State will be sending you shortly a copy of the circulating and filing schedule for your proposal that will be issued by that office.

Please send us a copy of the petition after you have it printed. This copy is not for our review or approval, but to supplement our file in this matter.

Sincerely,

DANIEL E. LUNGREN  
Attorney General

  
MARY WHITCOMB  
Initiative Coordinator

MW:fr  
Encls.

## DECLARATION OF MAILING

The undersigned Declarant states as follows:

I am over the age of 18 years and not a proponent of the within matter; my place of employment and business address is 1515 K Street, Suite 511, Sacramento, California 95814.

On the date shown below, I mailed a copy or copies of the attached letter to the proponents, by placing a true copy thereof in an envelope addressed to the proponents named below at the addresses indicated, and by sealing and depositing said envelope or envelopes in the United States mail at Sacramento, California, with postage prepaid. There is delivery service by United States mail at each of the places so addressed, or there is regular communication by mail between the place of mailing and each of the places so addressed.

Date of Mailing: July 15, 1991

Subject: INCOME TAX. INITIATIVE STATUTE.

Our File No.: SA 91 RF 0010

Name of Proponent and Address:

Lenny Goldberg  
California Tax Reform Association  
926 J Street, Ste. 710  
Sacramento, CA 95814

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

Executed at Sacramento, California, on: July 15, 1991.

  
FRANCESCA C. REITANO  
Declarant

#538

### INITIATIVE CHECK LIST

Phone Notification from AG - Date/Time: 7/15/91 - 10:00

Title of Initiative: Income Tax.

Type of Initiative:      CA  S      CA and S

Number of Pages: 1 Number of Proponents: 1

Date and Time Initiative will be ready for delivery: 7/15/91 - 11:00

**Initial/Date/Time**

1. da 7/15 10:00 Deirdre informs Caren, Cathy, Media and Gabrielle (copy room) the day and time initiative will be ready for delivery.
2. da 7/15 10:15 Deirdre gives check list to Caroline to prepare calendar.
3. com 7/15 10:20 Caroline prepares and proofs calendar and log and returns both to Deirdre.
4. da 7/15 10:40 Deirdre proofs calendar and log.
5. da 7/15 12:45 Deirdre gives final calendar and log to <sup>Caren</sup>~~Cathy~~.
6. com 7/15 12:50 <sup>Caren</sup>~~Cathy~~ reviews and has Caren sign. <sup>Caren</sup>~~Cathy~~ returns signed calendar to Deirdre.
7. da 7/15 1:19 Deirdre makes copies of initiative calendar for each proponent.
8. da 7/15 1:24 Deirdre attaches copy of Political Reform Act of 1974 Requirements to proponent's copy of initiative calendar.
9. da 7/15 Deirdre prepares Mail/Freight Request Form. Deirdre hand carries Mail/Freight Request form and initiative calendar for each proponent (ready for mailing) to Service and Supply. Initiative calendar sent on 7/15/91 (date) to each proponent.  
  
(This must be sent to each proponent same day AG prepares Title & Summary).
10. da 7/15 1:30 Deirdre advises Cathy when initiative calendar is sent to proponent(s).

INITIATIVE CALENDAR CHECK LIST  
PAGE

11. July 15, 18 Deirdre distributes copies of initiative calendar same day AG prepares Title & Summary to :
- Tony
  - Media
  - Jerry
  - Cathy
12.    /   /    Deirdre distributes copies of initiative calendar to:
- All CC/ROV
  - Political Reform (2 copies)
  - Elections Staff
  - Initiative Mailing List
  - Extra copies for public distribution
  - Master copy
13.    /   /    Deirdre advises Cathy of completion of above distribution.
14.    /   /    Deirdre makes copies of log and distributes as follows:
1. Initiative canvass binder
  2. Vi Daniels (Initiative Mailing List)
  3. Melodi Andersen (Archives)
  4. Oliver Cox
  5. Initiative Clipboard
  8. Media Office
15.    /   /    Jennifer prepares folder for public distribution.
16.    /   /    Jennifer prepares index cards for each initiative.
17.    /   /    Deirdre staples Mail/Freight Request form to back of INITIATIVE CHECK LIST.
18.    /   /    Deirdre returns completed INITIATIVE CHECK LIST to Caren.
19.    /   /    Caren returns check list to Cathy.

# ELECTIONS DIVISION

## Mail/Freight Request

Mail submitted to Mail Room: 7/15/91 1:31  
Date Time

Request Mail to be sent no later than: 7/15/91  
Date

1st Class Mail

### Charges:

Amount: .48

Pieces: 1

Mail room sent requested mail on: 7/15/91

Dev.  
Initial (Service and Supply)

*Out going Mail*