

5-31-1995

## State Taxes. Vote Requirements.

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Bill Jones  
Secretary of State

1500 - 11th Street  
Sacramento, CA 95814

Elections Division #660  
(916) 657-2166  
For Hearing and Speech  
Impaired Only: (800) 833-8683

November 8, 1995

**TO:** ALL COUNTY CLERKS/REGISTRARS OF VOTERS AND  
PROPONENT (95143)

**FROM:**

*Cathy Mitchell*

CATHY MITCHELL  
INITIATIVE COORDINATOR

Pursuant to Elections Code section 9030(b), you are hereby notified that the total number of signatures to the hereinafter named proposed INITIATIVE CONSTITUTIONAL AMENDMENT 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:** STATE TAXES. VOTE REQUIREMENTS.  
INITIATIVE CONSTITUTIONAL AMENDMENT.

**SUMMARY DATE:** May 31, 1995

**PROPONENT:** Lewis K. Uhler

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#660

May 31, 1995

TO ALL REGISTRARS OF VOTERS, OR COUNTY CLERKS, AND PROPONENT (95057)

Pursuant to Section 336 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:

STATE TAXES. VOTE REQUIREMENTS.  
INITIATIVE CONSTITUTIONAL AMENDMENT.

Circulating and Filing Schedule

- 1. Minimum number of signatures required ..... 693,230  
Cal. Const., Art. II, Sec. 8(b).
- 2. Official Summary Date ..... Wednesday, 05/31/95  
Elec. C., Sec. 336.
- 3. Petition Sections:
  - a. First day Proponent can circulate Sections for  
signatures ..... Wednesday, 05/31/95  
Elec. C., Sec. 336.
  - b. Last day Proponent can circulate and file with  
the county. All sections are to be filed at  
the same time within each county ..... Friday, 10/27/95  
Elec. C., Secs. 336, 9030(a)
  - c. Last day for county to determine total number of  
signatures affixed to petition and to transmit total  
to the Secretary of State ..... Wednesday, 11/08/95  
Elec. C., Sec. 9030(b)

(If the Proponent files the petition with the county on a date prior to 10/27/95, 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.) Elec. C., Sec. 9030(b).

BJ95:23

FOR IMMEDIATE RELEASE  
June 1, 1995

Contact: Beth Miller  
Shirley Washington  
916/653-6575

**SECRETARY JONES ANNOUNCES CIRCULATION OF NEW INITIATIVE:  
*"State Taxes. Vote Requirements"***

SACRAMENTO – Secretary of State Bill Jones cleared for circulation today an initiative measure seeking to abolish the current California practice of increasing state taxes through a majority vote of the electorate.

*"State Taxes. Vote Requirements,"* as the initiative is titled, would amend the California Constitution to require that ballot measures proposing to increase an existing state tax or impose a new state tax, be approved by two-thirds of the voters voting in an election. In addition, the measure would reword the constitutional provisions to allow the Legislature to impose new or increased taxes only when approved by a two-thirds vote of both houses.

Lewis K. Uhler of the National Tax-Limitation Committee in Roseville has launched the petition drive, which requires 693,230 signatures of registered voters by October 27, 1995, the legal 150-day deadline. He can be reached at (916) 786-9400.

A copy of the initiative title and summary, text and circulation calendar is attached.

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

Lewis K. Uhler  
The National Tax-Limitation Committee  
151 N. Sunrise, #901  
Roseville, CA 95661  
(916) 786-9400

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 18650; 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 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.
- (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,



CATHY MITCHELL  
INITIATIVE COORDINATOR

Attachment: POLITICAL REFORM ACT OF 1974 REQUIREMENTS

Date: May 31, 1995  
File No: SA95RF0003

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

STATE TAXES. VOTE REQUIREMENTS. INITIATIVE CONSTITUTIONAL AMENDMENT. Existing law permits new or increased State taxes to be imposed by an initiative approved by a majority of voters voting in an election on the issue. This measure amends the California Constitution to require that initiatives which increase an existing State tax, or impose a new State tax, be approved by two-thirds of voters voting in an election on the issue. The measure rewords the constitutional provisions allowing the Legislature to impose new or increased taxes only when approved by a two-thirds vote of both houses of the Legislature. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local governments: In general, the measure will result in potential reductions in state and local revenues due to additional restrictions on raising taxes.

~~Pursuant to Section 9002 of the Elections Code, the undersigned proponent of the attached proposed initiative provides the following information:~~

~~No appropriation for a particular project contained within the text of the attached proposed measure, if any, was included in the exchange for a campaign contribution or a pledge for a campaign contribution for purposes of qualifying the attached proposed measure for the ballot.~~



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

Executed on April 5, 1995, at Roseville, California.



Lewis K. Uhler, Proponent  
7330 Morningside Drive  
Loomis, CA 95650



(b) From and after the effective date of this section, any increase in State taxes whether by increased rates, changes in methods of computation, any other increase in an existing tax, or any new tax may be enacted by an initiative passed, notwithstanding Article II, §10(a) of the California Constitution, by not less than a two-thirds vote of the voters voting in an election on the issue, or as provided in subsection (a).

(c) Except as provided in Article XIII A, §§1 and 2 of the California Constitution, no new ad valorem taxes on real property or sales or transaction taxes on the sale of real property may be imposed.

SECTION 6. Liberal Construction. The provisions of this Act shall be liberally construed to effect its purposes.

SECTION 7. Severability. If any provision of this Act, or part thereof, is for any reason held to be invalid or unconstitutional, the remaining sections shall not be affected, but shall remain in full force and effect, and to this end the provision of the Act are severable.



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November 27, 1995

#661

TO: ALL COUNTY CLERKS/REGISTRARS OF VOTERS AND  
PROPOSERS (95167)

FROM: *Cathy Mitchell*  
CATHY MITCHELL  
INITIATIVE COORDINATOR

Pursuant to Elections Code section 9030(b), you are hereby notified that the total number of signatures to the hereinafter named proposed INITIATIVE CONSTITUTIONAL AMENDMENT 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: TAXES, FEES, ASSESSMENTS.  
INITIATIVE CONSTITUTIONAL AMENDMENT.

SUMMARY DATE: June 14, 1995

PROPOSERS: Joel Fox  
Richard L. Gann  
Lee A. Phelps

