

12-30-1997

Income Taxes.

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BILL JONES
Secretary of State
State of California

ELECTIONS DIVISION
(916) 657-2166
1500 - 11th STREET
SACRAMENTO, CA 95814
Voter Registration Hotline
1-800-345-VOTE
For Hearing and Speech Impaired
Only
1-800-833-8683
e-mail: comments@ss.ca.gov

December 30, 1997

TO: ALL REGISTRARS OF VOTERS, OR COUNTY CLERKS, AND PROPONENTS (97254)

FROM:

A handwritten signature in black ink, appearing to read "Waldeep Singh", written over a horizontal line.

WALDEEP SINGH
ELECTIONS ANALYST

SUBJECT: INITIATIVE #788

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:

**INCOME TAXES.
INITIATIVE CONSTITUTIONAL AMENDMENT.**

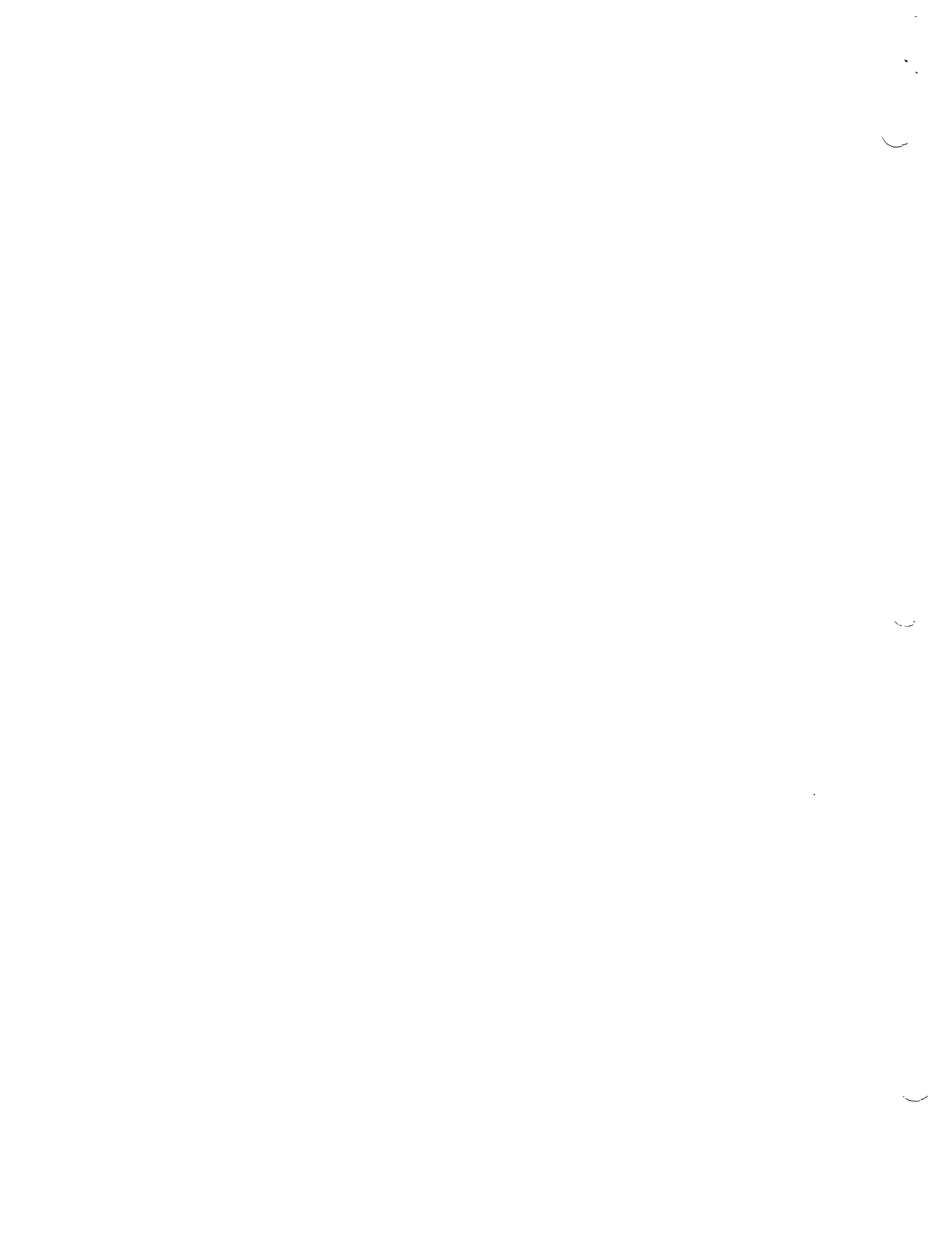
The proponent of the above-named measure is:

David R. Bonino
102 Claremont Terrace
Santa Cruz, California 95060
(408) 458-5259

RECEIVED

JAN 07 1998

LIBRARY
HASTINGS COLLEGE OF THE LAW



#788
INCOME TAXES.
INITIATIVE CONSTITUTIONAL AMENDMENT.

CIRCULATING AND FILING SCHEDULE

1. Minimum number of signatures required: 693,230
California Constitution, Article II, Section 8(b)

2. Official Summary Date:..... Tuesday, 12/30/97
Elections Code section (EC§) 336

3. Petitions Sections:
 - a. First day Proponent can circulate Sections for
signatures (EC §336) Tuesday, 12/30/97

 - 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)) Friday, 05/29/98

 - 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))..... Wednesday, 06/10/98

(If the Proponent files the petition with the county on a date prior to 05/29/98,
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 (EC §9030(c))..... Friday, 06/19/98*

- 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))..... Friday, 07/31/98

* Date varies based upon receipt of county certification.



INITIATIVE #788

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 06/19/98, 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 762,553 or less than 658,569 then the Secretary of State certifies the petition as qualified or failed, and notifies the counties. If the signature count is between 658,569 and 762,553 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, 08/10/98*
- 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)). Wednesday, 09/23/98

(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 08/10/98, 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) Sunday, 09/27/98*

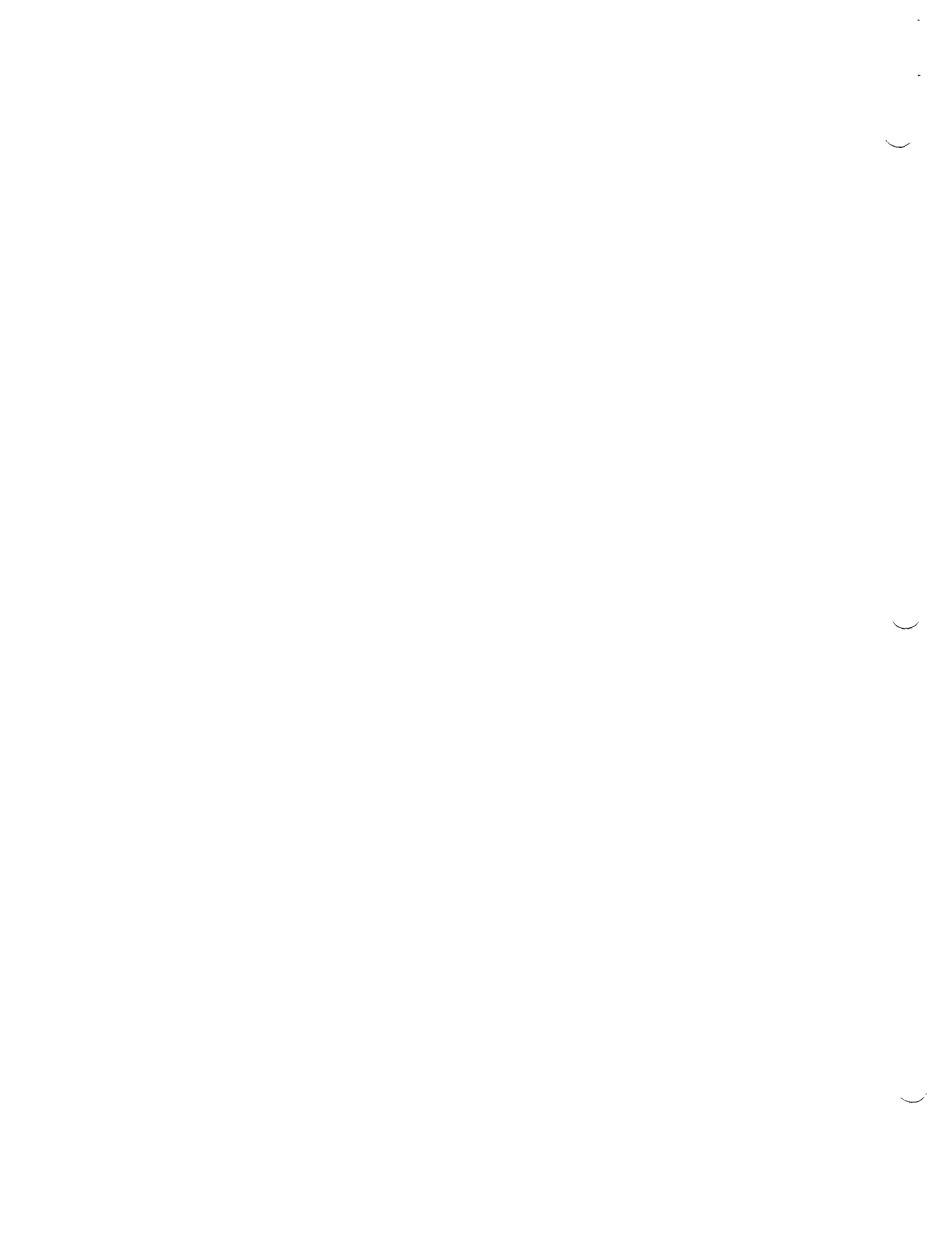
NOTE TO PROPONENTS WHO WISH TO QUALIFY FOR THE NOVEMBER 3, 1998 GENERAL ELECTION: This initiative must be certified for the ballot 131 days before the election (June 25, 1998). Please remember to time your submissions accordingly. For example, in order to allow the maximum time permitted by law for the random sample verification process, it is suggested that proponents file their petitions to county elections official by April 17, 1998. If a 100% check of signatures is necessary, it is advised that the petitions be filed by February 25, 1998.

* Date varies based upon 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) 123 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 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. A brief summary is attached for your reference.
- 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



DANIEL E. LUNGREN
Attorney General

State of California
DEPARTMENT OF JUSTICE



1300 I STREET, SUITE 125
P.O. BOX 944255
SACRAMENTO, CA 94244-2550
(916) 445-9555
Facsimile: (916) 323-2137
(916) 324-5490

December 30, 1997

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

DEC 30 1997

Bill Jones
Secretary of State
1500 - 11th Street
Sacramento, CA 95814

BILL JONES, Secretary of State

Re: Initiative Title and Summary
Subject: INCOME TAXES. INITIATIVE CONSTITUTIONAL AMENDMENT.
File No: SA 97 RF 0058

By 
Deputy Secretary of State

Dear Mr. Jones:

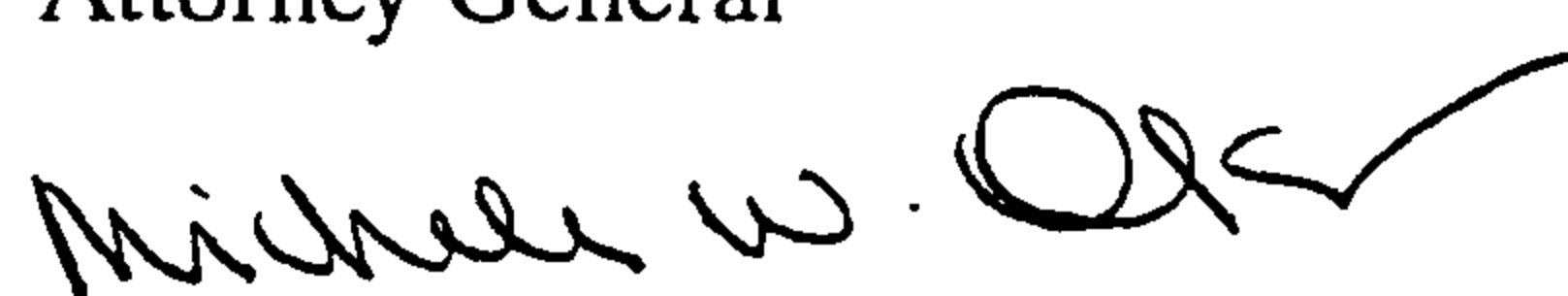
Pursuant to the provisions of sections 9004 and 336 of the Elections Code, you are hereby notified that on this day we mailed to the proponent of the above-identified proposed initiative our title and summary.

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



MICHELE W. OLSEN
Acting Initiative Coordinator

MWO:fec
Enclosures

cc: David R. Bonino



Date: December 30, 1997
File No.: SA 97 RF 0058

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

INCOME TAXES. INITIATIVE CONSTITUTIONAL AMENDMENT. Prohibits taxes on or measured by income. Repeals authority of the State to impose income taxes on persons, corporations, or other entities. Repeals income tax exemptions for interest on state and local bonds. Repeals income tax exemptions for income of nonprofit educational institutions of collegiate grade within California. Repeals exemption for nonprofit organizations for business license taxes or fees measured by income or gross receipts levied by a county, city, city and county, school district, special district, or any other local agency. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local governments:

This measure would result in a reduction in state General Fund revenues reaching nearly \$40 billion annually by 2000-01. Absent legislative action to change other revenue sources, this revenue reduction would result in a commensurate decrease in state spending (potentially over half in K-14 school spending and the remainder in other spending). The measure would also result in administrative cost savings in the range of \$400 million annually by 2000-01. Further, the measure would result in potentially significant reductions in local government revenues and uncertain impacts on expenditures, depending on state and local decisions in response to the measure.

SA97RF0058

102 Claremont Terrace
Santa Cruz, CA 95060
October 30, 1997

Office of the Attorney General
Attn: Rosemary Calderon
1300 I Street
Sacramento, CA 95814

Phone: 408-458-5259

Re: Proposed constitutional amendment (3 copies enclosed)

Dear Ms. Calderon:

I am a registered voter in Santa Cruz County. This letter is a request for title and summary of the enclosed proposed constitutional amendment. A money order in the amount of \$200.00 is enclosed as required.

Although I have discussed this with a number of people, I am the sole proponent of this measure.

Thank you for your prompt consideration.

Sincerely


David Bonino

encl:

3 draft copies of amendment
1 \$200 money order

RECEIVED
NOV - 5 1997

INITIATIVE COORDINATOR
ATTORNEY GENERAL'S OFFICE

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

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

(Here set forth the title and summary prepared by the Attorney General. This title and summary must also be printed across the top of each page of the petition whereon signatures are to appear.)

TO THE HONORABLE SECRETARY OF STATE OF CALIFORNIA

We, the undersigned, registered, qualified voters of California hereby propose amendments to the Constitution of California relating to taxes on income and petition the Secretary of State to submit the same to the voters of California for their adoption or rejection at the next succeeding general election or at any special statewide election held prior to that general election or otherwise provided by laws. The proposed constitutional amendments read as follows (~~strikeout~~ text is to be deleted, *italic* text is to be added):

SECTION 1. Section 26 of Article XIII of the California Constitution is amended to read:

SEC. 26 (a) ~~Taxes on or measured by income may be imposed on persons, corporations, or other entities as prescribed by law.~~

~~(b) Interest on bonds issued by the State or a local government in the State is exempt from taxes on income.~~

~~(c) Income of a nonprofit educational institution of collegiate grade within the State of California is exempt from taxes on or measured by income if both the following conditions are met:~~

~~(1) The income is not unrelated business income as defined by the Legislature.~~

~~(2) The income is used exclusively for educational purposes.~~

~~(d) A nonprofit organization that is exempted from taxation by Chapter 4 (commencing with Section 23701) of Part 11 of Division 2 of the Revenue and Taxation Code or Subchapter F (commencing with Section 501) of Chapter 1 of Subtitle A of the Internal Revenue Code of 1986, or the successor of either, is exempt from any business license tax or fee measured by income or gross receipts that is levied by a county or city, whether charter or general law, a city and county, a school district, a special district, or any other local agency are prohibited.~~

SECTION 2. The provisions of Section 1 of this act shall supersede all provisions of this Constitution and laws enacted thereunder that are inconsistent or in conflict with that section.

SECTION 3. The effective date of this act shall be the first day of January in the first year following passage of this act.

