

2-3-2010

SUSPENDS AIR POLLUTION CONTROL LAWS REQUIRING MAJOR POLLUTERS TO REPORT AND REDUCE GREENHOUSE GAS EMISSIONS THAT CAUSE GLOBAL WARMING UNTIL UNEMPLOYMENT DROPS BELOW SPECIFIED LEVEL FOR FULL YEAR. INITIATIVE STATUTE.

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SUSPENDS AIR POLLUTION CONTROL LAWS REQUIRING MAJOR POLLUTERS TO REPORT AND REDUCE GREENHOUSE GAS EMISSIONS THAT CAUSE GLOBAL WARMING UNTIL UNEMPLOYMENT DROPS BELOW SPECIFIED LEVEL FOR FULL YEAR. INITIATIVE STATUTE. California Initiative 1449 (2010).

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**DEBRA BOWEN | SECRETARY OF STATE
STATE OF CALIFORNIA | ELECTIONS**

1500 11th Street, 5th Floor | Sacramento, CA 95814 | Tel (916) 657-2166 | Fax (916) 653-3214 | www.sos.ca.gov

August 3, 2010

County Clerk/Registrar of Voters (CC/ROV) Memorandum #10257

TO: All County Clerks/Registrars of Voters and Proponents

FROM:


Katherine Montgomery
Initiative Program Manager

RE: Initiative: Failure of #1449, Related to Global Warming

Pursuant to Elections Code section 9030(b), you are hereby notified that the total number of signatures for 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: SUSPENDS AIR POLLUTION CONTROL LAWS
REQUIRING MAJOR POLLUTERS TO REPORT AND
REDUCE GREENHOUSE GAS EMISSIONS THAT CAUSE
GLOBAL WARMING UNTIL UNEMPLOYMENT DROPS
BELOW SPECIFIED LEVEL FOR FULL YEAR. INITIATIVE
STATUTE.

SUMMARY DATE: February 3, 2010

PROPONENTS: Tom McClintock, Dan Logue, and Edward "Ted" J. Costa



DEBRA BOWEN | SECRETARY OF STATE
STATE OF CALIFORNIA | ELECTIONS

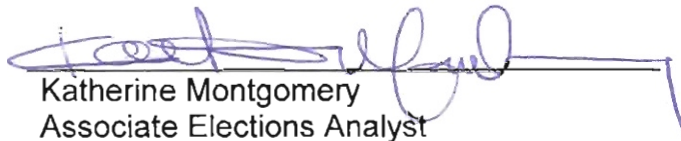
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February 3, 2010

County Clerk/Registrar of Voters (CC/ROV) Memorandum #10055

TO: All County Clerks/Registrars of Voters and Proponents

FROM:


Katherine Montgomery
Associate Elections Analyst

RE: Initiative: 1449, Related to Global Warming

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:

**SUSPENDS AIR POLLUTION CONTROL
LAWS REQUIRING MAJOR POLLUTERS TO
REPORT AND REDUCE GREENHOUSE GAS EMISSIONS
THAT CAUSE GLOBAL WARMING UNTIL UNEMPLOYMENT
DROPS BELOW SPECIFIED LEVEL FOR FULL YEAR. INITIATIVE STATUTE.**

The proponents of the above-named measure are:

Tom McClintock
Dan Logue
Edward "Ted" J. Costa
3407 Arden Way
Sacramento, CA 95825

(916) 482-6175

#1449

**SUSPENDS AIR POLLUTION CONTROL
LAWS REQUIRING MAJOR POLLUTERS TO
REPORT AND REDUCE GREENHOUSE GAS EMISSIONS
THAT CAUSE GLOBAL WARMING UNTIL UNEMPLOYMENT
DROPS BELOW SPECIFIED LEVEL FOR FULL YEAR. INITIATIVE STATUTE.**

CIRCULATING AND FILING SCHEDULE

1. Minimum number of signatures required:433,971
California Constitution, Article II, Section 8(b)
2. Official Summary Date:Wednesday, 02/03/10
3. Petitions Sections:
 - a. First day Proponent can circulate Sections for
signatures (Elec. Code § 336) Wednesday, 02/03/10
 - b. Last day Proponent can circulate and file with the county.
All sections are to be filed at the same time within each
county. (Elec. Codes §§ 336, 9030(a)). Monday, 07/05/10*
 - c. Last day for county to determine total number of
signatures affixed to petitions and to transmit total
to the Secretary of State (Elec. Code § 9030(b)).....Thursday, 07/15/10

(If the Proponent files the petition with the county on a date prior to
07/05/10, 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. Code § 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.....Saturday, 07/24/10**
 - 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
(Elec. Code § 9030(d)(e)).....Friday, 09/03/10

* Date adjusted for official deadline, which falls on a weekend (Elec. Code § 15).

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

INITIATIVE #1449
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 07/24/10, the last day is no later than the thirtieth working day after the county's receipt of notification). (Elec. Code § 9030(d)(e)).

- f. If the signature count is more than 477,369 or less than 412,273 then the Secretary of State certifies the petition as qualified or failed, and notifies the counties. If the signature count is between 412,273 and 477,369 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, 09/13/10*

- 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. (Elec. Code § 9031(b)(c)). Monday, 10/25/10

(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 09/13/10, the last day is no later than the thirtieth working day after the county's receipt of notification.) (Elec. Code § 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 (Elec. Code §§ 9031(d), 9033).....Friday, 10/29/10*

*Date varies based on the date of county receipt.

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.

EDMUND G. BROWN JR.
Attorney General

State of California
DEPARTMENT OF JUSTICE



1300 I STREET, SUITE 125
P.O. BOX 944255
SACRAMENTO, CA 94244-2550

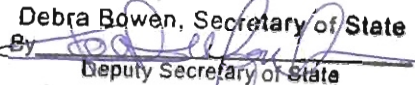
Public: (916) 445-9555
Telephone: (916) 445-4752
Facsimile: (916) 324-8835
E-Mail: Krystal.Paris@doj.ca.gov

February 3, 2010

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

FEB 03 2010

Honorable Debra Bowen
Secretary of State of the State of California
State of California Elections
1500 11th Street, 5th Floor
Sacramento, CA 95814

Debra Bowen, Secretary of State
By 
Deputy Secretary of State

Attention: Ms. Katherine Montgomery
Associate Elections Analyst

Dear Secretary Bowen:

Pursuant to Elections Code, section 9004, you are hereby notified that on this day we sent our title and summary for the following proposed initiative to the proponent:

- **09-0094, "California Jobs Initiative"**

A copy of that title and summary and text of the proposed initiative is enclosed. Thank you.

Sincerely,

Handwritten signature of Krystal M. Paris in blue ink.

KRYSTAL M. PARIS
Initiative Coordinator

For EDMUND G. BROWN JR.
Attorney General

Proponent:

Congressman Tom McClintock
Assemblyman Dan Logue
CEO People's Advocate Edward "Ted" J. Costa
People's Advocate, Inc.
3407 Arden Way
Sacramento, CA 95825

Date: February 3, 2010
Initiative 09-0094

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

SUSPENDS AIR POLLUTION CONTROL LAWS REQUIRING MAJOR POLLUTERS TO REPORT AND REDUCE GREENHOUSE GAS EMISSIONS THAT CAUSE GLOBAL WARMING UNTIL UNEMPLOYMENT DROPS BELOW SPECIFIED

LEVEL FOR FULL YEAR. INITIATIVE STATUTE. Suspends State laws requiring reduced greenhouse gas emissions that cause global warming, until California's unemployment rate drops to 5.5 percent or less for four consecutive quarters. Requires State to abandon implementation of comprehensive greenhouse-gas-reduction program that includes increased renewable energy and cleaner fuel requirements, and mandatory emission reporting and fee requirements for major polluters such as power plants and oil refineries, until suspension is lifted. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: **Potential positive, short-term impacts on state and local**

government revenues from the suspension of regulatory activity, with uncertain longer-run impacts. Potential foregone state revenues from the auctioning of emission allowances by state government, by suspending the future implementation of cap-and-trade regulations.

(09-0094.)

**PEOPLE'S
ADVOCATE, INC.**

Paul Gann, Founder

Your Voice in Government

09-0094
RECEIVED

NOV 25 2009



INITIATIVE COORDINATOR
ATTORNEY GENERAL'S OFFICE

Ms. Krystal Paris
Initiative Coordinator
Office of the Attorney General
1300 I Street
Sacramento, CA 95814

November 25, 2009

Re: Request for Title and Summary

Pursuant to California Elections Code Section 9002, we respectfully request that the Attorney General prepare a title and summary for the attached measure. The text of the measure, a check for \$200.00 and the addresses at which we are registered to vote are enclosed.

Also attached is the acknowledgement of the proponent required by Section 9608 of the California Elections Code.

For any further information please contact People's Advocate at (916) 482-6175

Sincerely,

✓ Congressman
Tom McClintock

Assemblyman
Dan Logue

C.E.O. People's Advocate
Edward "Ted" J. Costa

1 of 4
4/6

INITIATIVE MEASURE TO BE SUBMITTED TO VOTERS

California Jobs Initiative

SECTION 1. STATEMENT OF FINDINGS

A. In 2006, the Legislature and Governor enacted a sweeping law designed to combat Global Warming, also known as "AB 32." At the time the bill was signed, the unemployment rate in California was 4.8%.

B. Since its adoption, California has been hit by a global recession and California's unemployment rate has now surpassed 12%.

C. Several studies predict that AB 32 will cost small businesses billions of dollars with massive increases in the price of gasoline, electricity, food and water thereby, slowing economic recovery and job creation.

D. AB 32 contains a provision that would allow the Governor to delay implementation in the event of "extraordinary circumstances, including "significant economic harm." Unfortunately, the Governor has not agreed that a global recession and massive unemployment should give way to an untested environmental law.

SECTION 2. STATEMENT OF PURPOSE

A. The people desire to suspend the operation and implementation of AB 32 until the state's unemployment rate returns to the levels at the time of its adoption.

SECTION 3. SUSPENSION OF AB 32

Division 25.6 (commencing with section 38600) of the Health and Safety Code is hereby added to read:

§38600(a) From and after the effective date of this measure, Division 25.5(commencing with section 38500) of the Health and Safety Code is suspended until such time as the unemployment rate in California is 5.5% or less for four consecutive calendar quarters.

(b) While suspended, no state agency shall propose, promulgate, or adopt any regulation implementing Division 25.5(commencing with section 38500) and any regulation adopted prior to the effective date of this measure shall be void and unenforceable until such time as the suspension is lifted.