

3-16-2012

PREVENTS ISSUANCE OF FUTURE HIGH-SPEED RAIL BONDS. TERMINATES HIGH-SPEED RAIL PROJECT. INITIATIVE STATUTE.

Follow this and additional works at: [http://repository.uchastings.edu/ca\\_ballot\\_inits](http://repository.uchastings.edu/ca_ballot_inits)

---

**Recommended Citation**

PREVENTS ISSUANCE OF FUTURE HIGH-SPEED RAIL BONDS. TERMINATES HIGH-SPEED RAIL PROJECT. INITIATIVE STATUTE. California Initiative 1583 (2012).  
[http://repository.uchastings.edu/ca\\_ballot\\_inits/1791](http://repository.uchastings.edu/ca_ballot_inits/1791)

This Initiative is brought to you for free and open access by the California Ballot Propositions and Initiatives at UC Hastings Scholarship Repository. It has been accepted for inclusion in Initiatives by an authorized administrator of UC Hastings Scholarship Repository. For more information, please contact [marcusc@uchastings.edu](mailto:marcusc@uchastings.edu).



**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

October 26, 2012

County Clerk/Registrar of Voters (CC/ROV) Memorandum #12308

TO: All County Clerks/Registrars of Voters and Proponents

FROM:

  
Katherine Montgomery  
Initiative Program Manager

RE: Initiative: Failure of #1583, Related to High-Speed Rail

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: PREVENTS ISSUANCE OF FUTURE HIGH-SPEED RAIL  
BONDS. TERMINATES HIGH-SPEED RAIL PROJECT.  
INITIATIVE STATUTE.

SUMMARY DATE: May 16, 2012

PROPONENTS: Doug LaMalfa and George Radanovich



**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

May 16, 2012

County Clerk/Registrar of Voters (CC/ROV) Memorandum #12161

TO: All County Clerks/Registrars of Voters and Proponents

FROM:

  
Katherine Montgomery  
Initiative Program Manager

RE: Initiative: 1583, Related to High-Speed Rail

Pursuant to Elections Code section 9004 (c), we transmit herewith a copy of the Title and Summary prepared by the Attorney General on a proposed initiative measure entitled:

**PREVENTS ISSUANCE OF FUTURE  
HIGH-SPEED RAIL BONDS. TERMINATES  
HIGH-SPEED RAIL PROJECT. INITIATIVE STATUTE.**

The proponents of the above-named measure are:

Doug LaMalfa  
George Radanovich  
c/o Carlos Rodriguez  
Rodriguez & Company  
5701 Lonetree Blvd., Suite 301  
Rocklin, CA 95765

#1583

**PREVENTS ISSUANCE OF FUTURE  
HIGH-SPEED RAIL BONDS. TERMINATES  
HIGH-SPEED RAIL PROJECT. INITIATIVE STATUTE.**

**CIRCULATING AND FILING SCHEDULE**

---

1. Minimum number of signatures required: ..... 504,760  
California Constitution, Article II, Section 8(b)
2. Official Summary Date: ..... Wednesday, 05/16/12
3. Petitions Sections:
  - a. First day Proponent can circulate Sections for  
signatures (Elections Code § 336) ..... Wednesday, 05/16/12
  - b. Last day Proponent can circulate and file with the county.  
All sections are to be filed at the same time within each  
county. (Elections Code §§ 9014, 9030(a))..... Monday, 10/15/12\*
  - c. Last day for county to determine total number of  
signatures affixed to petitions and to transmit total  
to the Secretary of State (Elections Code § 9030(b)).....Thursday, 10/25/12  
  
(If the Proponent files the petition with the county on a date prior to  
10/15/12, 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) (Elections 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, 11/03/12\*\*
  - 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  
(Elections Code § 9030(d) & (e)).....Wednesday, 12/19/12

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

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

**INITIATIVE #1583**  
**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 11/03/12, the last day is no later than the thirtieth working day after the county's receipt of notification). (Elections Code § 9030(d) & (e).)

- f. If the signature count is more than 555,236 or less than 479,522 then the Secretary of State certifies the petition as qualified or failed, and notifies the counties. If the signature count is between 479,522 and 555,236 inclusive, then the Secretary of State notifies the counties using the random sampling technique to determine the validity of **all** signatures (Elections Code §§ 9030(f) & (g); 9031(a))... ..Saturday, 12/29/12\*
  
- 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. (Elections Code § 9031(b) & (c)).....Wednesday, 02/13/13

(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 12/29/12, the last day is no later than the thirtieth working day after the county's receipt of notification.) (Elections 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 (Elections Code §§ 9031(d), 9033). ...Sunday, 02/17/13\*

\*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 § 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 §§ 100, 101, 104, 9008, 9009, 9013, 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.

KAMALA D. HARRIS  
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: Ashley.Johansson@doj.ca.gov

May 16, 2012

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

Attention: Ms. Katherine Montgomery  
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:

- 12-0010, "Stop the \$100 Billion Bullet Train to Nowhere Act"

A copy of that title and summary and text of the proposed initiative is enclosed. Please contact me if you have questions. Thank you.

Sincerely,

Handwritten signature of Ashley Johansson in black ink.

ASHLEY JOHANSSON  
Initiative Coordinator

For KAMALA D. HARRIS  
Attorney General

cc: Doug LaMalfa  
George Radanovich

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

MAY 16 2012 VIA  
EMAIL

Debra Bowen, Secretary of State  
By   
Deputy Secretary of State

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

**PREVENTS ISSUANCE OF FUTURE HIGH-SPEED RAIL BONDS. TERMINATES**

**HIGH-SPEED RAIL PROJECT. INITIATIVE STATUTE.** Prevents the issuance and sale of the remaining amount of high-speed rail bonds previously approved by the voters to initiate construction of a high-speed train system. Redirects any unspent high-speed rail bond proceeds from high-speed rail purposes to repay those outstanding bonds. Prevents the state from incurring additional debt or spending any federal, state or local funds for the high-speed rail project. Terminates all agreements entered into by the state for the high-speed rail project, except those agreements related to repaying outstanding bonds. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government:

**State debt-service savings of up to \$709 million annually from not using state bond funds to support high-speed rail, depending on the actual reduction in bonds funds spent as a result of this measure and whether those bonds would have been sold as taxable or tax-exempt.**

**Unknown reduction in state and local revenues due to a somewhat lower level of economic activity in the state over the next several years, resulting from a loss of matching funds from the federal government or private investors. (12-0010.)**



March 20, 2012

VIA MESSENGER

Office of the Attorney General  
1300 "I" Street  
Sacramento, CA 95814

Attention: Ashley Johansson

**RECEIVED**

MAR 20 2012

INITIATIVE COORDINATOR  
ATTORNEY GENERAL'S OFFICE

Re: Stop the \$100 Billion Bullet Train to Nowhere Act.

Dear Ms. Johansson,

Pursuant to Elections Code section 9001(a), we request that the Attorney General prepare a title summary of a measure entitled "Stop the \$100 Billion Bullet Train to Nowhere Act." The text of the measure, a check for \$200.00, the address at which we are registered to vote and the certifications required by Elections Code sections 9001(b) and 9608 are enclosed.


Please direct all correspondence and inquiries regarding the measure to:

Carlos Rodriguez  
Rodriguez & Company  
5701 Lonetree Blvd.  
Suite 301  
Rocklin, CA 95765

Sincerely,



Doug LaMalfa  
Proponent



George Radanovich  
Proponent

(3/20/12)

## **Stop the \$100 Billion High Speed Train Act**

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

### SECTION 1. FINDINGS and DECLARATIONS

The people of the State of California find and declare that:

- A. When voters approved the Safe, Reliable High-Speed Passenger Train Bond Act for the 21<sup>st</sup> Century in 2008, they were promised a statewide High-Speed Train project including Sacramento, the San Francisco Bay Area, the Central Valley, Los Angeles, the Inland Empire, Orange County, and San Diego at a cost of approximately \$45 Billion.
- B. According to the California High Speed Rail Authority in 2008, the estimated cost for Phase One of the project linking just San Francisco and Los Angeles was \$34 Billion. This phase eliminated Sacramento, Oakland, the Inland Empire, and San Diego. By early 2012, their estimated cost for this Phase One more than tripled and could reach \$118 Billion.
- C. Despite spending more than \$500 Million, not one mile of track was built between 2008 and early 2012 and plans became dependent on billions of dollars of future federal grants or billions of dollars of debt or private investments that the taxpayers of California will be responsible for repaying.
- D. California cannot afford to pay for a high speed train system that will cost more than \$100 Billion at a time when teachers and police are being laid off, prisoners are being released from prisons, and taxpayers are being asked to dig deeper into their own pockets to pay for basic services.
- E. This measure shall be known as the "Stop the \$100 Billion High Speed Train Act."

SECTION 2. Section 2704.045 is added to the Streets and Highways Code, to read:

2704.045. Notwithstanding Section 2704.04, it is the intent of the People of California that no further bonds shall be issued and sold for purposes of Sections 2704.06 and 2704.095.

SECTION 3. Section 2704.096 is added to the Streets and Highways Code, to read:

2704.096. (a) Notwithstanding any other provision of this chapter, no further bonds shall be issued and sold for purposes of Sections 2704.06 and 2704.095 on and after the effective date of this section.

(b) Notwithstanding any other provision of this chapter, all unspent proceeds received from outstanding bonds issued and sold pursuant to Sections 2704.06 and 2704.095 prior to the effective date of this section shall be redirected from those high-speed rail purposes for use in retiring the debt incurred from the issuance and sale of those outstanding bonds.

(c) Notwithstanding any other provision of this chapter or any other provision of law, with respect to construction or operation of the high-speed rail project authorized by this chapter, the state shall not, on and after the effective date of this section, (1) incur any additional debt, (2) accept or use any federal funds, (3) provide or use any state funds, or (4) accept any local funds.

(d) All agreements entered into by or on behalf of the state relating to the high-speed rail project, other than agreements related to the issuance and repayment of previously issued bonds under this chapter, are hereby terminated as of the effective date of this section.

#### SECTION 4. Severability

The provisions of this measure are severable. If any provisions of this measure or its application is held invalid, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.

#### SECTION 5. Conflicting Initiatives

In the event that this measure and another measure or measures relating to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21<sup>st</sup> Century shall appear on the same statewide election ballot, the provisions of the other measure or measures shall be deemed to be in conflict with this measure. In the event that this measure receives a greater number of affirmative votes, the provisions of this measure shall prevail in their entirety, and the provisions of the other measure or measures shall be void.