

4-28-2015

ADVISORY GROUP TO CONSIDER CALIFORNIA'S AUTONOMY FROM THE UNITED STATES. INITIATIVE STATUTE.

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California Initiative 1670 (2015).
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The Attorney General of California has prepared the following title and summary of the chief purpose and points of the proposed measure:

ADVISORY GROUP TO CONSIDER CALIFORNIA'S AUTONOMY FROM THE UNITED STATES. INITIATIVE STATUTE. Creates state panel of government officials and private experts to explore establishing California's autonomy from the United States. Requires the panel to hold public hearings and take expert testimony, investigate impacts from California's statehood, determine impact of establishing autonomy, submit a monthly report on its activities to the Legislature, and prepare an annual report of its findings. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: **Likely state costs of at least hundreds of thousands of dollars annually.**

(15-0006.)

Ms. Ashley Johansson
 Initiative Coordinator
 Office of the Attorney General
 1300 "I" Street
 Sacramento, CA 95814-2919

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FEB 20 2015

INITIATIVE COORDINATOR
 ATTORNEY GENERAL'S OFFICE

Re: Request for Title and Summary for Proposed Initiative

Pursuant to Article II, Section 10(d) of the California Constitution, this letter respectfully requests that the Attorney General prepare a circulating title and summary of the enclosed proposed statewide initiative: "A New Hope for California", which amends the California Government Code by adding Title 24, Chapter 1, Sections 120000 through and inclusive of 120007.

Also enclosed are the required signed statements pursuant to California Elections Code sections 9001 and 9608, and a check in the amount of \$200.

Please direct all inquiries and correspondence regarding this proposed initiative to:

Louis J. Marinelli
 President, Sovereign California
LJMarinelli@SovereignCA.org
 Sovereign California (FPPC ID: 1373550)
 P.O. Box 121165
 San Diego, California 92112-1165

Thank you for your time and attention to this matter.

Sincerely,



Signature of Proponent

Louis J. Marinelli

Printed Name

February 19, 2015

Date

TITLE 24. A NEW HOPE FOR CALIFORNIA [120000 - 120007]**CHAPTER 1. The New Hope for California Devolution Panel [120000 - 120007]*****120000. Findings and Declarations concerning California.***

- (a) California's Gross State Product is comparable to the Gross Domestic Products of Russia and Brazil, and our economy is on track to overtake Brazil's as the world's seventh largest;
- (b) California is a major oil producer, comparable to Malaysia, and has over 2,900 million barrels of crude oil in reserves and 17 oil refineries with a capacity of 1.96 million barrels per calendar day.
- (c) California is a major global exporter comparable to Indonesia and is home to two of the top fifty major global seaports – Los Angeles, ranking 16th and Long Beach, ranking 23rd;
- (d) California is on average more linked to the global economy than the rest of the United States and about 150% more dependent on international trade;
- (e) California remains the top destination of foreign investment in the world while foreign investment in the United States has continued to fall over the past decade;
- (f) Californians are more likely to be involved in international trade than American citizens.
- (g) California's population is the most diverse population in the United States and its size of over 38 million is comparable to the population of Poland.
- (h) California's population is isolated from the vast majority of the American population, resulting in different social needs and unique public and economic policy preferences.
- (i) California has a high concentration of college graduates, comparable to the United Kingdom, and more Californians have college degrees than the national average;
- (j) California's life expectancy is comparable to life expectancy in the United Kingdom; California's Human Development Index score is among the best in the world, comparable to Sweden. Human Development Index is a snapshot measuring wealth, health and education;

120001. Findings and Declarations concerning the Federal Government of the United States.

- (a) The Bureau of Land Management, the United States Forest Service, the Fish & Wildlife Service, and the National Park Service collectively own nearly half of the territory within California, restrict our access to these lands and unjustly deprive us of the natural resources that exist upon them;
- (b) The National Park Service has denied us access to forests which rightfully belong to the People of California. They are responsible for the mismanagement of these forests, resulting in millions of dollars in damage to California homes caused by otherwise preventable forest fires, and millions of dollars to the California state government;
- (c) The Environmental Protection Agency has issued regulations denying us access to water resources which rightfully belong to the People of California. There has been no reprieve even during periods of severe drought, causing a man-made dustbowl in our once lush Central Valley. Federal Courts have upheld these regulations, and the Supreme Court has refused to intervene;

- (d) The United States Government has for decades levied income taxes on the People of California which have been appropriated for the development of infrastructure in other states while infrastructure in California is consistently ranked among the worst in the Nation;
- (e) The United States Government has denied the People of California an equal voice in government. Of all the states in the Union, California has the lowest number of representatives in Congress per million citizens. As a result, the People of California have less access to their elected representatives than the people of any other state. Meanwhile, California ranks 50th in Electoral College voting power, with the most diluted vote for president in the Nation;
- (f) The National Security Agency and the Drug Enforcement Agency have engaged in illegal mass surveillance and warrantless wiretapping of the People of California;
- (g) The United States has repeatedly pursued a foreign policy in conflict with California's interest, hurting our reputation globally. These foreign policies have disproportionately hurt the People of California since our economy is more linked to the international economy than any other state.

120002. Definitions.

The following definitions shall govern the construction of this chapter:

- (a) "Devolution" means the legal transfer of authority or jurisdiction from the United States federal government to the California state government.
- (b) "Panel" means the "New Hope for California Panel."
- (c) "Statehood" means the status of California as one of the fifty states of the United States.
- (d) "Expert" means a person who by virtue of education, training, skill, or experience, is believed to have expertise and specialized knowledge in a particular subject beyond that of the average person, sufficient that others may officially and legally rely upon the witness's specialized (scientific, technical or other) opinion about an issue within the scope of his expertise.

120003. The New Hope for California Panel.

- (a) The New Hope for California Panel is hereby established in state government. The panel shall consist of three members including the Lieutenant Governor, who shall also serve as Chair, the Director of the Governor's Office of Business and Economic Development, and the California Legislative Council. The members shall appoint two additional panelists from the California Office of Legislative Council, and eight additional expert panelists, residents of California not currently serving in the California state government, from the disciplines of history, political science, economics, sociology, anthropology, environmental science, agriculture, and business.

120004. Panel Duties and Responsibilities.

- (a) Call upon expert testimony and public hearings on the issue of devolution of powers to California from the United States.
- (b) Determine how the establishment of California as an autonomous region of the United States through devolution of powers including, but not limited to, trade and immigration, would impact California individually, and the United States collectively.

- (c) Investigate how California's statehood, federal policies, and federal regulations have negatively impacted the quality of life of Californians, including the economic wellbeing and fiscal solvency of the state, and Californians' participation in the American political system.
- (d) Produce a publication of its findings relevant and pursuant to subsections (a) and (b) of Title 24, Section 120004, available digitally and in hard form no later than twelve months from the date the panel is first convenes, or July 1, 2018, whichever is sooner.
- (e) Produce an annual publication of its findings relevant and pursuant to subsection (c) of Title 24 Section 120004, available digitally and in hard form no later than twelve months from the date the panel is first convenes, or July 1, 2018, whichever is sooner, and annually thereafter.

120005. Monthly Reports.

- (a) Beginning one month after the panel first convenes, the panel shall submit a report to the Legislature on the panel's activities that shall be available to the public.

120006. Elasticity.

- (a) This Act shall be liberally construed in order to effectuate its purposes.
- (b) The California State Legislature shall have the power to make all laws which shall be necessary and proper for carrying into execution the provisions of this Act, including the authority to appropriate necessary funds from the General Fund.

120007. Legal Defense.

- (a) If this Act is approved by the voters of the California and thereafter subjected to a legal challenge alleging a violation of or conflict with federal law, and both the Governor and Attorney General refuse to defend this Act, then the following actions shall be taken:
 - i. Notwithstanding anything to the contrary contained in Chapter 6 of Part 2 of Division 3 of Title 2 of the Government Code or any other law, the Attorney General shall appoint independent counsel to faithfully and vigorously defend this Act on behalf of the State of California.
 - ii. Before appointing or thereafter substituting independent counsel, the Attorney General shall exercise due diligence in determining the qualifications of independent counsel and shall obtain written affirmation from independent counsel that independent counsel will faithfully and vigorously defend this Act. The written affirmation shall be made publicly available upon request.
 - iii. A continuous appropriation is hereby made from the General Fund to the Controller, without regard to fiscal years, in an amount necessary to cover the costs of retaining independent counsel to faithfully and vigorously defend this Act on behalf of the State of California.